



**Planning & Development Division**  
*Planning & Economic Development Department*

Room 160  
 411 West First Street  
 Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

<b>File Number</b>	PL 22-178 – PL 22-185	<b>Contact</b>	Kyle Deming, kdeming@duluthmn.gov		
<b>Type</b>	Interim Use Permit – Vacation Dwelling Unit	<b>Planning Commission Date</b>		November 9, 2022	
<b>Deadline for Action</b>	<b>Application Date</b>	October 4, 2022	<b>60 Days</b>	December 3, 2022	
	<b>Date Extension Letter Mailed</b>	October 19, 2022	<b>120 Days</b>	February 1, 2023	
<b>Location of Subject</b>		1915 W. Superior St. (Lincoln Park)			
<b>Applicant</b>	Duluth Press Building, LLC	<b>Contact</b>	Louis Hanson		
<b>Agent</b>		<b>Contact</b>			
<b>Legal Description</b>		Wly ½ of Lot 311, Block 54, Duluth Proper Second Division (010-1120-05420)			
<b>Site Visit Date</b>		October 19, 2022	<b>Sign Notice Date</b>		October 25, 2022
<b>Neighbor Letter Date</b>		October 21, 2022	<b>Number of Letters Sent</b>		32

**Proposal**

Applicant proposes to convert 7 existing apartments on the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> floors of the structure to be 8 vacation dwelling units. Three 2-bedroom VDUs for 5 guests each and seven 1-bedroom/studio VDUs for 3 guests each.

Each vacation dwelling unit is required to have an individual interim use permit and so this staff report is for the following project numbers: PL 22-178, PL 22-179, PL 22-180, PL 22-181, PL 22-182, PL 22-183, PL 22-184, PL 22-185.

The property is located in a Form District and is exempt from the limit on vacation dwelling unit permits.

**Recommended Action:** Staff recommends that Planning Commission approve.

	<b>Current Zoning</b>	<b>Existing Land Use</b>	<b>Future Land Use Map</b>
<b>Subject</b>	F-5 (Mid-Rise Community Shopping & Office)	Residential apartments	Central Business Secondary
<b>North</b>	MU-B (Mixed Use-Business Park)	Parking	Central Business Secondary
<b>South</b>	F-5 (Mid-Rise Community Shopping & Office)	Commercial	Central Business Secondary
<b>East</b>	F-5 (Mid-Rise Community Shopping & Office)	Commercial/Plaza	Central Business Secondary
<b>West</b>	F-5 (Mid-Rise Community Shopping & Office)	Commercial	Central Business Secondary

**Summary of Code Requirements:**

UDC Section 50-19.8. Permitted Use Table. A vacation dwelling unit is an Interim Use in the F-5 zone district.

UDC Section 50-20.3. Use-Specific Standards. Lists all standards specific to vacation dwelling units.

UDC Sec. 50-37.10.E . . . the commission shall only approve an interim use permit, or approve it with conditions, if it determines that: 1. A time limit is needed to protect the public health, safety and welfare from potential longer term impacts of the requested use in that location ....; 2. The applicant agrees to sign a development agreement with the City. 3. Vacation dwelling units in Form Districts are not counted in the maximum number of permits that may be issued.

The minimum rental period and off-street parking requirements of 50-20.3.U and 50-20.5.M shall not apply for vacation dwelling units in Form Districts.

UDC Sec. 50-20.3.U.8 Vacation Rentals Within Multi Family Structures. Any vacation dwelling unit that will be located in a multi-family structure that has nine or more dwelling units shall make available 24-hour staffing at a front desk that is accessible to all tenants.

**Comprehensive Plan Governing Principle and/or Policies and Current History (if applicable):**

Governing Principle #8 - Encourage mix of activities, uses, and densities. The project converts 7 existing apartment dwellings to 8 vacation rentals in the heart of the Lincoln Park commercial district with a mix with the restaurants, shops, and offices.

Econ. Dev. Policy #3 - Build on Existing Economic Strengths & Competitive Advantages

- **S9:** Encourage expansion of the city's tourism economy through efforts to expand in areas of current activity, such as in Canal Park, but also through marketing and investment in destination neighborhoods and iconic tourism experiences unique to Duluth.

Future Land Use – Central Business Secondary. An area adjacent to and supporting the central business primary area or a stand-alone area providing a similar mix of destination land uses, but at a lower intensity than the primary CB area. Includes mixed regional and neighborhood retail, employment centers, public spaces, medium density residential, and public parking facilities. Medium-density, multi-story and mixed-use buildings are encouraged using form-based guidelines, pedestrian-oriented design, with limited off-street parking required, loading facilities required.

**History:** This 7,500 sq. ft. 3-story apartment building was constructed in 1886 on a 25' x 140' lot. There is an inactive commercial space (5,000 sq. ft.) on the basement/1<sup>st</sup> floor level.

**Review and Discussion Items:**

Staff finds:

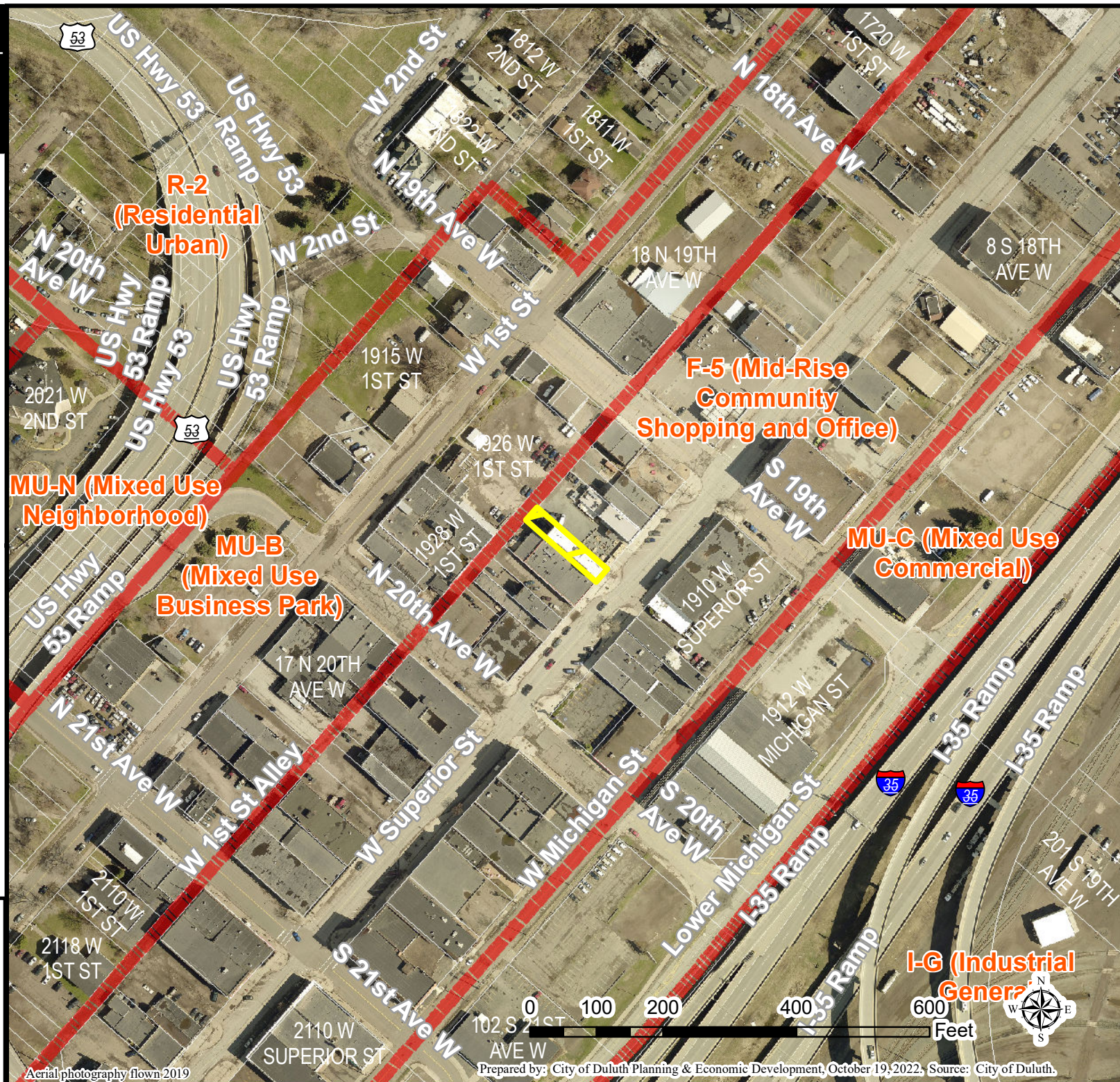
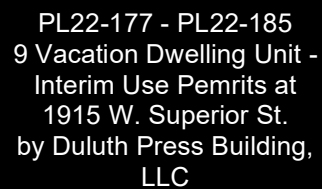
- 1) The proposed vacation dwelling units are Unit 1, 2-bedroom (PL 22-178), Unit 2, 1-bedroom (PL 22-179) all on the 1<sup>st</sup> Floor; Unit 3, studio (PL 22-180), Unit 4, studio (PL 22-181), Unit 5, 2-bedroom (PL 22-182) all on the 2<sup>nd</sup> Floor; Unit 6, studio (PL 22-183), Unit 7, studio (PL 22-184), Unit 8, 2-bedroom (PL 22-185) all on the 3<sup>rd</sup> Floor. The Ground Floor/Basement (partially below Superior St. level) contains commercial space.
- 2) Access to the units is via the front entrance on Superior St. and from the alley via a stairway in the back of the building. Guests will have access to the Basement for storage of bikes, kayaks and other equipment.
- 3) The studio and 1-bedroom units will be allowed 3 guests each and the 2-bedroom units 5 guests each for a total of 30 guests at the property.
- 4) There is no parking provided at the property, as is allowed in Form Districts. There will be space for one vehicle to park temporarily while loading/unloading at the rear of the building.
- 5) The applicant has indicated there will not be a space for camper or trailer storage by VDU guests.
- 6) The only outdoor space is the loading/unloading area and a ramp to the rear entrance of the building. No amenities are planned for this area and, therefore, no screening required.
- 7) Permit holders must designate a managing agent or local contact who resides within 25 miles of the City and who has authority to act for the owner in responding 24 hours a day to complaints from neighbors or the City. The applicant, Louis Hanson, a Duluth resident, has listed himself as the managing agent.
- 8) Permit holder must provide the contact information for the managing agent or local contact to all property owners within 100 feet of the property boundary. This will be a condition of approval, with documentation to be provided before final permit issuance.
- 9) A time limit on this Interim Use Permit ("IUP") is needed to minimize negative impacts to surrounding residential uses thereby causing damage to the public's health, safety and welfare. Section 50-20.3.U.7 states the IUP shall expire upon change in ownership of the property or in six years, whichever occurs first.
- 10) The permit will lapse if no rental activity takes place within 1 year of permit approval.
- 11) Applicant must comply with Vacation Dwelling Unit Regulations (included with staff report), including providing information to guests on city rules (included with staff report as "Selected City Ordinances on Parking, Parks, Pets, and Noise"). Applicant will do so via a welcome folder left on site as well as via email at time of booking guests.

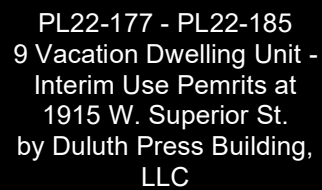
12) No comments were received from citizens, City staff, or any other entity were received regarding the application.

**Staff Recommendation:**

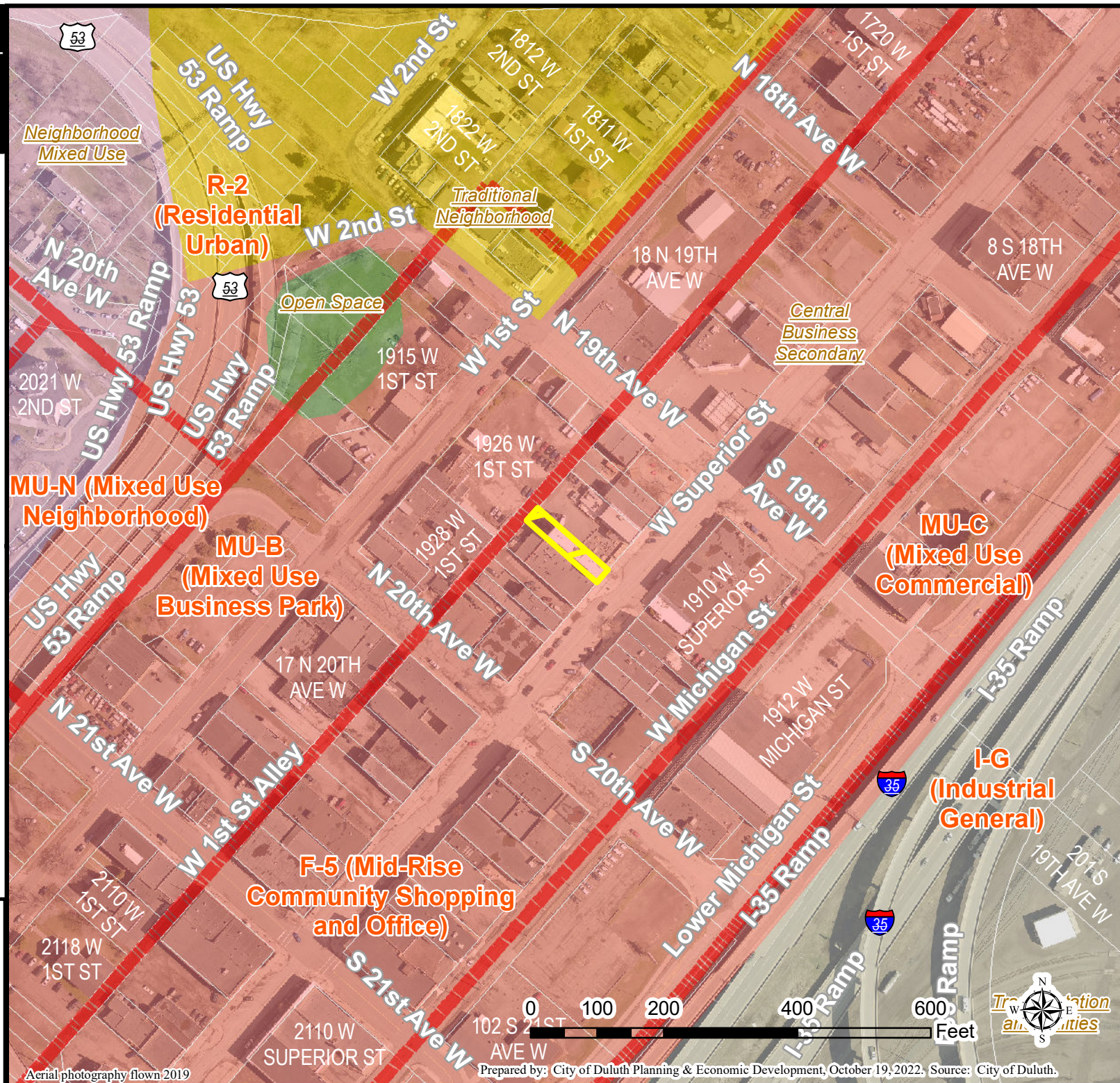
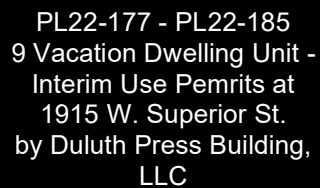
Based on the above findings, Staff recommends that Planning Commission approve the permit subject to the following conditions:

- 1) The permit shall not be effective until evidence is given that contact information has been provided to all property owners within 100 feet.
- 2) The applicant shall adhere to the terms and conditions listed in the Interim Use Permit.
- 3) Any alterations to the approved plans that do not alter major elements of the plan may be approved by the Land Use Supervisor without further Planning Commission review; however, no such administration approval shall constitute a variance from the provisions of Chapter 50.



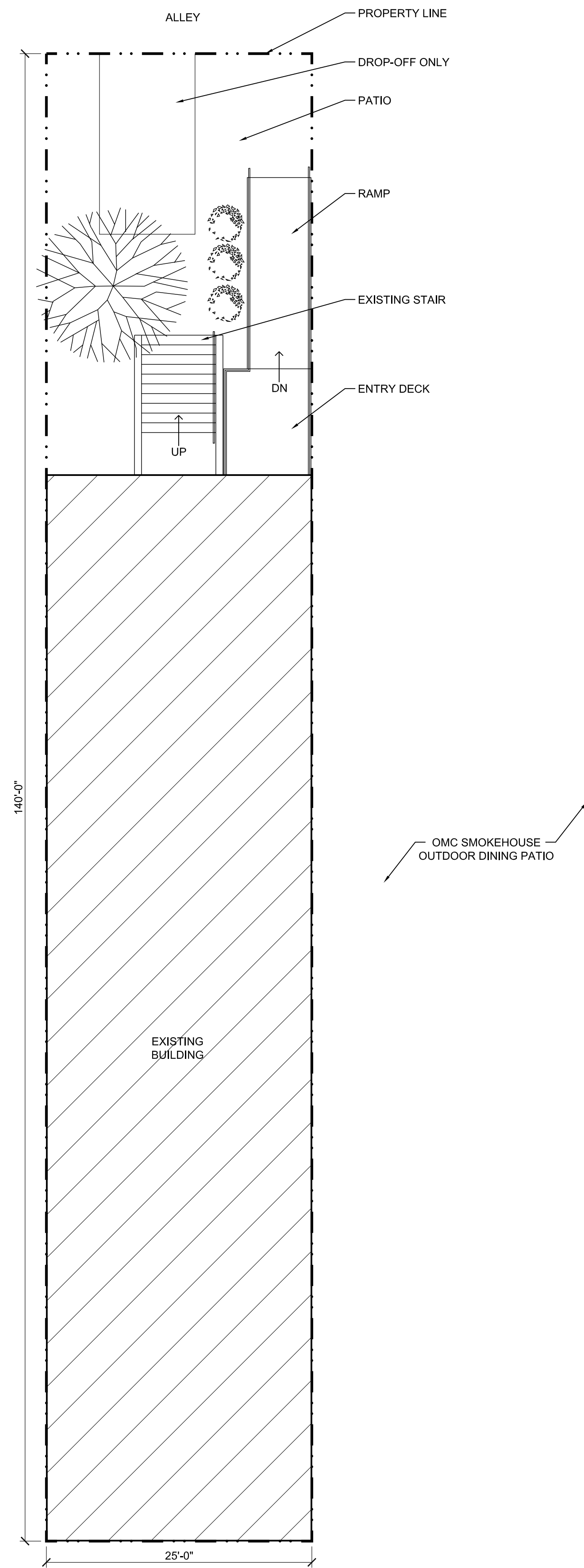


The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used as one. The drawing/data is a compilation of records, information and data located in various City, County and State offices and other sources affecting the area shown and is to be used for reference purposes only. The City of Duluth shall not be liable for errors contained within this data provided or for any damages in connection with the use of this information contained within.



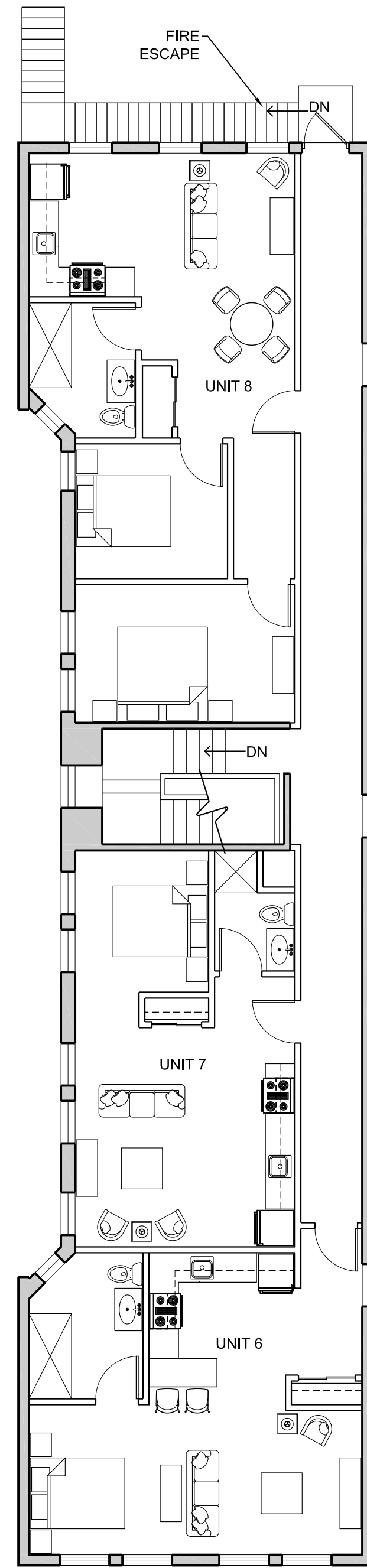
The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used as one. The drawing/data is a compilation of records, information and data located in various City, County and State offices and other sources affecting the area shown and is to be used for reference purposes only. The City of Duluth shall not be liable for errors contained within this data provided or for any damages in connection with the use of this information contained within.

Prepared by: City of Duluth Planning & Economic Development, October 19, 2022. Source: City of Duluth.



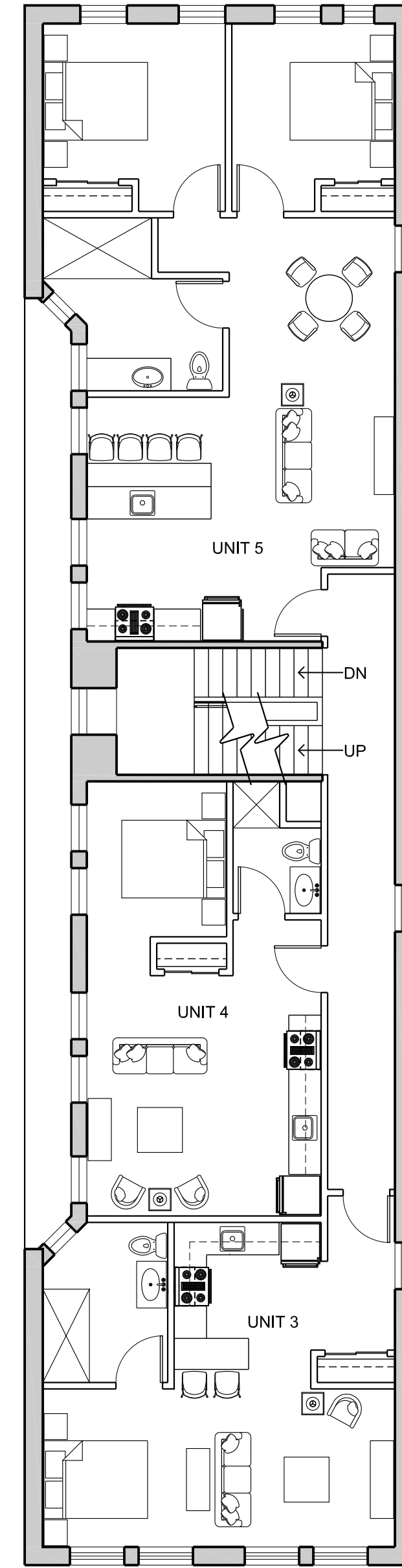
5  
P1

**SITE PLAN**  
1/8"=1'-0"



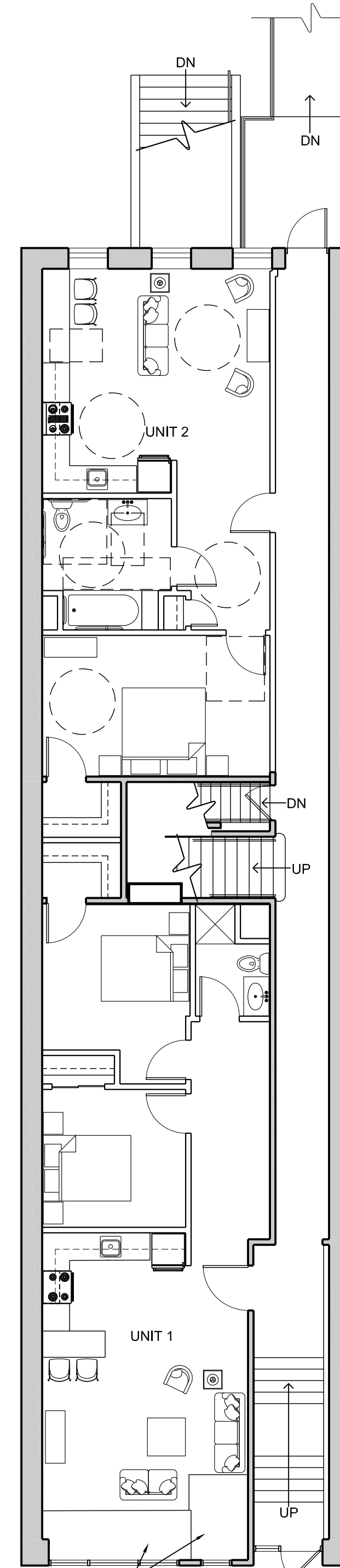
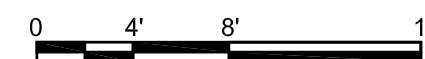
4  
P1

**PRELIM 3RD FLOOR**  
1/8"=1'-0"



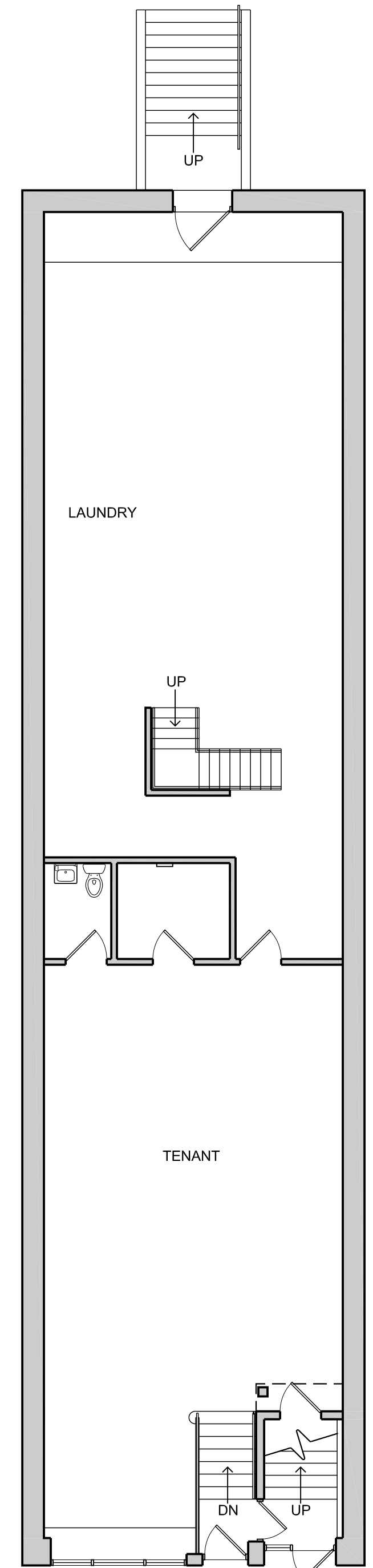
3  
P1

**PRELIM 2ND FLOOR**  
1/8"=1'-0"



2  
P1

**PRELIM 1ST FLOOR**  
1/8"=1'-0"



1  
P1

**BASEMENT**  
1/8"=1'-0"



SCALZO ARCHITECTS, LTD.  
4731 Gladstone Street  
Duluth, Minnesota 55804  
Tele: 218.722.4319  
Fax: 218.722.3535

VACATION RENTALS  
1915 W. SUPERIOR STREET  
DULUTH, MINNESOTA 55806

PROJECT #: 2212

11/2/2022

P1