

City of Duluth
Planning Commission
April 14, 2020 Meeting Minutes
Council Chambers - Duluth City Hall

Due to the COVID-19 emergency, many planning commission members participated through video conference from home. The meeting was held as a Special Meeting pursuant to Minnesota Statute 13D.021 in response to the Covid-19 emergency. Public comment was taken at planning@duluthmn.gov prior to and during the meeting, and via verbal comment through public attendance in the WebEx video conference.

Call to Order

President Margie Nelson called to order the meeting of the city planning commission at 5:20 p.m. on Tuesday, April 14th, 2020, in the council chambers in Duluth city hall.

Roll Call

Attendance: (* Via WebEx video conferencing – all votes conducted via roll call)

Members Present: Jason Crawford*, Gary Eckenberg*, Tim Meyer*, Margie Nelson, Michael Schraepfer*, Andrea Wedul*, Sarah Wisdorf*, and Zandra Zwiebel*

Members Absent: N/A

Staff Present: Adam Fulton, Kyle Deming*, and Chris Lee*

Public Comment – City councilor Janet Kennedy addressed the planning commission to say hello and thank you. She commented on how to raise and unraise your hand in web ex.

Approval of Planning Commission Minutes - There were no minutes approved at this meeting, and will be saved for another regular meeting.

Consent Agenda

1. PL 19-175 Vacation of Portion of Winnipeg and Water Streets near 12901 Water Street for Biran and Ann Smith
2. PL 20-020 Variance for Lot Area and Setbacks at 518 and 526 N 6th Avenue E by Jayson Sundvall
3. PL 20-021 Minor Subdivision at 518 and 526 N 6th Avenue E by Jayson Sundvall
4. PL 20-033 Variance for Dormers at 5802 London Road by Dean Jablonsky
5. PL 20-030 Variance to Corner Side Yard Setback at 4931 Dodge Street by Sandra Jungers

Staff: N/A

Applicant: N/A

Commissioners: Item PL 20-033 - Zandra Zwiebel asked if best practices for erosion control be added. The construction company should have some sort of erosion control

and know the potential impacts to the lake. Deputy Director Adam Fulton said he would work with staff to include that language. Item PL 20-021 – Andrea Wedul had questions about a structure looking like it was over the proposed property line in the drawing that was shown. Deputy Director Fulton clarified the drawing and the dimensions around the buildings.

Public: Mark Baker provided written comment in regards to PL 20-020 and PL 20-021, which was shared with the commissioners. He is opposed. Councilor Kenney asked commissioner Zwiebel about the dormer on PL 20-033. She wanted to know if that is something that should stay on the consent Agenda. Deputy Director Adam Fulton explained it was to ensure we collaborated on erosion control.

MOTION/Second: Eckenberg/Wedul recommended approval of the consent agenda items as per staff's recommendations.

VOTE: (8-0)

Public Hearings

6. PL 20-022 MU-I Planning Review for Accessory Parking Lot at 916 E 3rd Street by Jefferson School, LLC

Staff: Chris Lee introduced the applicant's proposal to construct a new accessory parking lot to accommodate tenants in the building and their customers. This accessory parking lot will include a stormwater retention pond. Staff recommends approval subject to the conditions listed in the staff report.

Applicant: N/A

Public: Councilor Kennedy asked if the new landscaping will hold water. Lee noted that the parking is needed for the daycare and that if more landscaping is needed, commissioners can add that.

Commissioners: N/A

MOTION/Second: Wedul/Schraepfer motion to amend the conditions to include a requirement for two additional trees to be added to the landscape plan – approved.

VOTE: (6-2, Eckenberg and Wisdorf opposed)

PL 20-022: Approved

VOTE: (8-0)

(The final 3 items were presented together as they are related to one project.)

7. PL 20-035 Preliminary Plat for London East at upper side of the 3700-3800 Black of London Road by TJS Construction, LLC

Staff: Kyle Deming introduced the applicant's proposal to re-plat 18 existing lots (3.05 acres) into 26 lots to be developed with 13 twin homes (two unit structures that straddle a common lot line) located along a private access road parallel to London Road. A home owners association will manage the private road, parking, storm water treatment, and building exterior maintenance. Staff recommends approval with the conditions listed in the staff report. This is an undeveloped site and the developer wants to refigure the rest of the lots. Plat related action so twin homes can be constructed. The applicant is requesting pedestrian connections. There are three areas where water will collect before drainage. Water will not be draining onto London Road. Andrea Wedul asked if it is possible to connect to the lakewalk that is on the the other side of the rail corridor. Deming explained the sidewalk is pushed away from London Road.

Applicant: Ted Stocke of TJS Construction, LLC commented that he talked to the RR about a potential crossing and they shot down the idea.

Commissioners: Gary Eckenberg asked for clarification on whether these are rentals or owner occupied dwellings. Stocke clarified that these units are for sale and will be owner occupied. Tim Meyer voiced his concerns about traffic safety, the speed limit through this area and the density of the proposed development versus the existing neighborhood. He is also concerned there will be a significant change in the lakewalk experience. He is proposing that some type of buffer be added between the development and lakewalk and would like to know how additional storm water will be handled. Deputy Director Fulton explained that some of the land is tax forfeit and some may have been bought from a trust. There was discussion around the volume of traffic on London Road being tourists and that the bulk of the morning and evening rushes are traffic from people who are coming and going from work. Zwiebel and Eckenberg noted the speed limit in the area and if there was consideration of pedestrians being able to cross London Road.

Public: Staff received three written items of correspondence which was shared with the commissioners.

MOTION/Second: Eckenberg/Wedul approved as per staff's recommendations.

VOTE: (7-1, Meyer Opposed)

8. PL 20-016 Variance to reduce Rear Yard Setback from 25 feet to 20 feet for twin homes in the London East plat by TJS Construction, LLC

Staff: Kyle Deming introduced the applicant's proposal for a variance to reduce the rear yard setback from 25 feet to 20 feet to allow construction of 12 twin homes (24 dwelling units) in the London East plat. Staff recommends approval with the conditions listed in the staff report.

Applicant: Ted Stocke of TJS Construction, LLC

Public: The three written items of correspondence applies to all three public hearings.

Commissioners: Zwiebel proposed a buffer be added before approval. There was more discussion about the impact of 241 trees on the site. Deming and Stocke explained they are working on replacement trees. MSA Professional Services has been working with the city forester. The draft has identified the rear of the property as a primary location. The front of the property can't get substantial trees because of the power lines.

MOTION/Second: Eckenberg/Crawford approved as per staff's recommendations.

VOTE: (7-1, Meyer Opposed)

9. PL 20-027 Vacation of Utility Easement in former 38th Avenue East by TJS Construction, LLC for London East replat

Staff: Kyle Deming introduced the applicant's proposal to vacate the utility easement in former 38th Avenue East in preparation of re-platting 18 lots into the London East plat. Staff recommends approval with the conditions listed in the staff report.

Applicant: Ted Stocke of TJS Construction, LLC

Public: The three written items of correspondence applies to all three public hearings.

Commissioners: N/A

MOTION/Second: Zwiebel/Eckenberg recommended approved as per staff's recommendations.

VOTE: (7-1, Meyer Opposed)

Communications

Land Use Supervisor (LUS) Report – Deputy Director Fulton noted that the commissioners are playing a very critical role and thanked them. It is unclear if the May meeting will be held in City Hall.

Adjournment

Meeting adjourned at 6:55 p.m.

Respectfully,

Adam Fulton – Deputy Director
Planning and Economic Development