



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

Room 160  
 411 West First Street  
 Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

File Number	PL 20-190	Contact	John Kelley, jkelley@duluthmn.gov	
Type	Interim Use Permit – Vacation Dwelling Unit	Planning Commission Date		January 12, 2021
Deadline for Action	Application Date	December 11, 2020	60 Days	February 9, 2020
	Date Extension Letter Mailed	December 16, 2020	120 Days	April 10, 2021
Location of Subject		7 North 19 <sup>th</sup> Avenue West Unit 2		
Applicant	Newcastle 8 LLC	Contact	Eric Gunderson & Mike Sevcik	
Agent		Contact		
Legal Description		PID # 010-1120-05350		
Site Visit Date		January 5, 2021	Sign Notice Date	December 29, 2020
Neighbor Letter Date		December 30, 2020	Number of Letters Sent	38

**Proposal**

Applicant proposes to use a two-bedroom unit within an existing 5,208 square foot building as a vacation dwelling unit. Up to 5 people will be allowed to stay in the unit. This is 1 of 4 identical applications for the same building.

Vacation dwelling units located in the F-5 (Mid-Rise Community Shopping and Office Form District) are exempt from minimum night stays and parking, and there is no cap on number of permits issued.

**Recommended Action:** Staff recommends that Planning Commission recommend approval.

	<b>Current Zoning</b>	<b>Existing Land Use</b>	<b>Future Land Use Map Designation</b>
<b>Subject</b>	F-5	Apartment building	Central Business Secondary
<b>North</b>	MU-B	Commercial	Central Business Secondary
<b>South</b>	F-5	Commercial	Central Business Secondary
<b>East</b>	F-5	Commercial	Central Business Secondary
<b>West</b>	MU-B	Parking	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-2 zone district.

UDC Sec. 50-37.10.E . . . the Council 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. No more than



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60 permits may be issued for either vacation dwelling units or accessory vacation dwelling units. Permits issued for vacation dwelling units or accessory vacation dwelling units in any form district shall not be counted against the maximum number of permits that may be issued, 4. Except for properties within the Higher Education Overlay District as identified in 50-18.5, 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 or accessory vacation dwelling units in form districts,

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

Governing Principle #8 - Encourage mix of activities, uses, and densities.

- 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.

Applicant is proposing to provide another type of lodging product for visitors to the City of Duluth and surrounding area.

Future Land Use – 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.

**History:** Building is 5,208 square feet in size and constructed in 1891. Structure is currently a two-story 8-unit apartment building.

**Review and Discussion Items:**

- 1) Applicant's property is located at 7 North 19<sup>th</sup> Avenue West. The proposed vacation dwelling unit contains 2 bedrooms, which would allow for a maximum of 5 guests. The property currently consists of an 8-unit apartment building with units on the 1st and 2nd floors.
- 2) Vacation dwelling units located in Form districts are exempt from number of interim use permits issued, minimum night stays and parking requirements. There will not be any campers or trailers parked on the property.
- 3) There will not be any campers or trailers parked on the property
- 4) The site does not have any outdoor amenities.
- 5) Vacation dwelling units located in form districts are exempt from onsite parking requirements. The applicant has stated that knowing they have dedicated parking is important to them, with street parking in front of the building being less of a sure thing. The applicant does have a preliminary agreement with a local business owner to lease up to 8 spots to ensure there is parking for their guests.



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6) 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. 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. The applicant has listed Heirloom Property management at 202 East 1st Street to serve as the managing agent.

7) 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.

8) Applicant must comply with Vacation 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").

9) No comments 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 recommend approval subject to the following:

- 1) The Interim Use Permit shall not be effective until the applicant has received all required licenses and permits for operation.
- 2) The applicant shall adhere to the terms and conditions listed in the Interim Use Permit.




PL 20-189, 20-190, 20-191 & 20-192  
Location Map

Legend	
	Gas Main
	Water Main
	Hydrant
Sanitary Sewer Mains	
	CITY OF DULUTH
	WLSSD; PRIVATE
	Sanitary Sewer Forced Main
	Storage Basin
	Pump Station
Storm Sewer Mains	
	Storm Sewer Pipe
	Storm Sewer Catch Basin
	Vacated ROW
Easement Type	
	Utility Easement
	Other Easement
	Zoning Boundaries
Shoreland (UDC)	
	Cold Water
	Natural Environment
	General Development
	Trout Stream (GPS)
	Other Stream (GPS)

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

SHEET SITE	DATE: 2020.11.25	LINCOLN PARK TOWN HOMES REMODEL 7 N. 19TH AVE W, DULUTH, MN 55806	 202 WEST FIRST STREET - DULUTH, MINNESOTA 55802 218-740-5219 WWW.AROLAARCH.COM
	2084		



## 7 N 19th Avenue West

Write a description for your map.

### Legend

-  7 N 19th Ave W
-  Feature 1
-  Superior St

Google Earth

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10 ft

