



commercial use that would serve local residents in the immediate neighborhood;

(g) That the council finds that the subject special use permit application complies with the requirements of the City's Uniform Development Code (Chapter 50 of the Duluth City Code) in regards to landscaping and screening requirements by installing several deciduous and coniferous trees, shrubs, and a trash enclosure to reduce noise and light trespass, off-street parking requirements by providing 17 off-street parking spaces to address parking needs, sidewalk connectivity needs by providing a new sidewalk extension on the western side of Dodge Avenue to this project, as well as meeting other relevant and applicable UDC standards, and would not otherwise negatively impact the environment of the community;

(h) That the council finds that the subject special use permit application would not result in additional traffic impacts that substantially change or negatively impact existing conditions in and around the proposed project site and a traffic study is not required as the City of Duluth Engineering department's standard operating procedure to require a traffic study only if a development is expected to generate 100 trips per hour or new 1,000 trips generated per day and this small project is not expected to approach either threshold, and the applicant has stated that they expect on average 100 vehicle trips generated by per day;

(i) That the council finds that subject special use permit application would not significantly increase traffic generation in the immediate area, but it would potentially increase traffic safety on Arrowhead Road by the elimination of an existing driveway/curb cut on Arrowhead Road and instead direct customer traffic on to the existing roadway intersection of Dodge Avenue, thereby reducing one instance of vehicle turning movement and vehicle/pedestrian conflict on an arterial road as per management best practices;

(j) That the council finds that subject special use permit application would not result in a random pattern of development with little continuity to existing development and would not cause anticipated negative fiscal or environmental impacts on the community as the small size and square footage of subject special use permit is appropriate in an existing neighborhood commercial node and will allow the existing municipal utilities and public safety staff to service it;

FURTHER RESOLVED, that the applicant's appeal of the decision of the planning commission denying the subject special use permit is granted, the decision of the commission denying the special use permit is reversed and the special use permit is hereby approved with conditions as set forth in the staff report to PL 22-040.

STATEMENT OF PURPOSE: This resolution reverses the planning commission's denial of the special use permit for a restaurant at 1303 West Arrowhead Road.

This item was originally heard on April 12, 2022. The Duluth city planning commission held a public hearing on the proposal and voted 6 yeas, 1 nay, and 0 abstentions to deny the special use permit.

The application submitted for planning commission review for the April 12, 2022, planning commission meeting included a 3,500 square foot commercial structure. The property owner has submitted, on May 25, 2022, a revised and reduced site plan to a 1,500 square foot structure with fewer off-street parking spaces and more landscape/screening.

City Council Appeal Received: April 22, 2022

Complete Application Received: March 9, 2022

Action Deadline for Application: July 7, 2022