



## Legislation Text

---

**File #:** 19-0022R, **Version:** 1

---

### RESOLUTION AFFIRMING THE PLANNING COMMISSION'S DECISION TO APPROVE A PLANNING REVIEW WITH CONDITIONS FOR A 15-ROOM ADDITION AT 1033 MINNESOTA AVENUE.

#### CITY PROPOSAL:

RESOLVED, that the city council finds as follows:

(a) On September 20, 2018, Park Point Marina Inn and Suites LLC submitted an application (Planning Commission File No. "PL 18-122", staff report attached as Attachment A) for a mixed-use waterfront (MU-W) planning review to allow a 15-room, 3-story, 6,100 sq foot addition to an existing hotel at 1033 Minnesota Avenue;

(b) Applicant has not demonstrated that the addition will meet the minimum 40% transparency along the waterfront façade as required by Section 50-15.6 E of the Duluth City Code, 1959, as amended; the sketch of the addition appears to match the existing building, which does not have 40% transparency;

(c) The addition of hotel rooms will increase parking demand while removing on-site parking. The applicant fails to demonstrate that nearby properties provide supplemental on-street or off-street parking;

(d) Planning commission reviewed the application to ensure that health, safety, and welfare of the community will be protected and placed appropriate time restrictions on the proposal, requesting that any extensions or changes to the project be brought to Planning Commission for further approval;

(e) The planning commission considered the application at its October 9, 2018, and November 13, 2018 regular meetings. Planning commission determined that the proposal generally met the purpose and requirements of the MU-W zone district and approved the MU-W planning review. Due to concerns about the project's ability to meet the specifics of transparency and parking requirements, as well as a desire to support Park Point development that is appropriate within a given context, planning commission added conditions regarding timing, parking, and building elevations to minimize land use conflicts. The Action Letter dated November 14, 2018, is attached as Attachment B.

(f) On November 20, 2018, the city received an appeal from Terry Anderson, a copy of which is attached as Attachment C, requesting the city council remove certain conditions of planning commission's approval;

(g) The city council heard the appeal at its January 14, 2019 meeting;

FURTHER RESOLVED, that the decision of the planning commission to approve the planning review with conditions is affirmed on the grounds that the conditions are reasonable to protect the public health, safety, and welfare of the community.

**STATEMENT OF PURPOSE:** The resolution affirms the planning commission's decision to attach five conditions to its approval of a Planning Review for a 15-room addition to the existing hotel at 1033 Minnesota Avenue.

The existing hotel received approvals in 2012 and contains 68 rooms. The addition would be placed in an existing parking lot, removing 11 parking spaces while adding 15 hotel rooms. To meet the minimum zoning requirements, approval of this addition requires an additional 13 parking spaces, which would bring the total

parking to a ratio of 0.95 spaces per hotel room. Applicant has requested to reduce the required amount by 30% due to proximity to a transit line; however, the UDC states this is available only in areas not adjacent to a Residential district and where “the applicant can demonstrate that nearby properties provide supplemental on-street or off-street parking.” Neither of these applies to this application.

Applicant has not submitted detailed building elevations with measurements that allows for confirmation that the building will meet the 40% transparency requirement along the façade facing the water.

If applicant can accommodate the transparency and parking requirements, this project meets the intent of the MU-W district, which is the basis for the planning commission approval. However, given the history and nature of development in this area, planning commission conditioned its approval with a timeframe for development to ensure that development happens in a timely and coordinated fashion. Amendments to the application, or proposals after this timeframe, would go back to planning commission for further review.

City Council Appeal Received: November 20, 2018

Complete Application Received: September 20, 2018

Action Deadline for Application: January 18, 2019