



Legislation Text

File #: 19-0023R, **Version:** 1

RESOLUTION REVERSING THE PLANNING COMMISSION'S CONDITIONS OF APPROVAL ON A PLANNING REVIEW 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) The addition meets the intent and requirements of the MU-W district;

(c) While the addition of hotel rooms will increase parking demand while removing on-site parking, this site demonstrates adequate parking and therefore is not required to meet section 50-15.6.E of the Duluth City Code, 1959, as amended;

(d) 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. The Action Letter dated November 14, 2018, is attached as Attachment B.

(e) 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 conditions 1, 2, and 4 of the planning commission's decision;

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

FURTHER RESOLVED, that the decision of the planning commission to add conditions 1, 2, and 4 is reversed on the grounds that these conditions are not necessary to protect the public health, safety, and welfare of the community.

STATEMENT OF PURPOSE: The resolution reverses the planning commission's decision to add conditions 1, 2, and 4 to its approval of the Planning Review for a 15-room addition to the existing hotel at 1033 Minnesota Avenue.

Condition 1 states: Applicant must apply for a building permit within 180 days of planning commission approval. No administrative extensions shall be granted.

Condition 2 states: To protect the viability of the current Planning Review and its basis in establishing parameters to protect the health, safety, and welfare of the community, any further applications submitted within 180 days of planning commission approval by applicant for further planning commission review related to subject property shall nullify the current action of the planning commission.

Condition 4 states: Prior to issuance of a building permit, applicant shall provide an additional 13 parking spaces on or immediately adjacent to the site, or demonstrate that supplemental parking is available within 500 feet of the site with off-street pedestrian access using a trail or sidewalk connecting to the hotel's primary entrance.

Under the timeframes in Conditions 1 and 2, if the project is not able to procure a building permit within 180 days the Applicant will need to reapply for a new MU-W planning review.

City Council Appeal Received: November 20, 2018
Complete Application Received: September 20, 2018
Action Deadline for Application: January 18, 2019