

# **City of Duluth Planning Commission**

## **December 9<sup>th</sup>, 2025 – City Hall Council Chambers Meeting Minutes**

### **Call to Order**

President Gary Eckenberg called to order the special meeting of the city of Duluth Planning Commission at 5:00 p.m. on Wednesday, December 9<sup>th</sup>, 2025, in the Duluth city hall council chambers.

### **Roll Call**

#### **Attendance:**

Members Present: Nik Bayuk, Jason Crawford, Gary Eckenberg, Brian Hammond, Danielle Rhodes, Dave Sarvela, and Andrea Wedul

Members Absent: Chris Adatte and Kate Van Daele

Staff Present: Nick Anderson, Amanda Mangan, Jenn Moses, Chris Lee, Jason Mozol, Christian Huelsman, Reina Owecke, Ariana Dahlen, and Sam Smith

### **Approval of Planning Commission Minutes**

Planning Commission Special Meeting – November 12<sup>th</sup>, 2025 –

**MOTION/Second:** Bayuk/Sarvela approved

**VOTE: (7-0)**

### **Public Comment on Items Not on Agenda**

N/A

### **Consent Agenda**

PLIUP-2510-0043 Interim Use Permit for a Vacation Dwelling Unit at 30 N 25th Ave W by  
Elisabeth Mohn [CH]

PLIUP-2511-0044 Interim Use Permit for a Vacation Dwelling Unit at 420 S 18th Ave E by  
Mitchell Ruter [CL]

PLSUB-2510-0014 Minor Subdivision at 3705 Piedmont Ave by Bluemoon Properties [JM]

PLVAC-2509-0008 Vacation of Right-of-Way at 10 94th Ave W by Sumair Sheikh [CH]

**MOTION/Second:** Sarvela/Wedul approve as per staff recommendations

**VOTE: (7-0)**

### **Public Hearings**

PLVAR-2511-0014 Variance to Shoreland Regulations for a Stormwater Basin at Palm St by  
City of Duluth Engineering [JM]

**Staff:** Jason Mozol addressed the commissioners. He distributed some aerial photos of the subject site and gave a presentation for both Palm St items simultaneously. City Engineering is proposing to reconstruct and expand the capacity of an existing stormwater basin within the channel of Brewery Creek. Both a shoreland variance and special use permit are required for this project. Much of what is being proposed will bring the site closer to looking like what it used to look like back when it was first constructed. Early development of Central Entrance corridor moved Brewery Creek from its original course to roughly its current location. MNDOT developed Palm St in the 1980's. During that project, Brewery Creek was further channelized, and the current stormwater basin was constructed. The basin has gone largely unmaintained since and has been filled with sediment, contaminants like salt, and vegetation.

The city took ownership in 2022 with the intent of moving forward with this project. Downstream sections of Brewery Creek in the Hillside neighborhood have repeatedly been damaged by flooding events, and this project will contribute to mitigating those impacts. "Smart" controls will also be installed to allow for the efficient dewatering of the storage volume of the pond, enabling increased storage capacity during storms, by dynamically managing the basin's water levels based on real-time data and weather forecasts.

A special use permit is required since this is considered a major utility infrastructure, which is a special use in this zone district. The project needs to meet comprehensive plan goals. One of the policies calls for the improvement of Duluth's resiliency to flooding and natural disasters, and a strategy to accomplishing that policy is to promote retention of stormwater above the bluff line to reduce flooding risks through land development controls and establishment of watershed-based storm water detention measures. This project accomplishes this strategy and is consistent with the comprehensive plan. The project must also comply with all other zoning regulations, which include landscaping and tree preservation requirements, buffer requirements, Mozol went over the variance criteria for the project. The existing basin is taking on excess stormwater generated from the adjacent Central Entrance roadway and is no longer adequately sized for large storm events. The rehabilitation and capacity expansion of the existing basin is required to address downstream flooding and erosion control within the Brewery Creek watershed. The location of the parcel is entirely within the Brewery Creek shoreland zone, and the size is restricted by development on all sides. The basin itself will have direct benefits to the watershed by mitigating downstream flooding and erosion and treating stormwater for pollutants and sedimentation. Reconstruction will also remediate contaminated soils currently in the basin and establish a design that will be easier to remove pollutants in the future. The applicant is also proposing to plant trees and shrubs around the perimeter of the basin and revegetate areas within the basin with plugs and seed mixes of native plants. Staff recommends approval for both applications.

**Commissioners:** Wedul asked staff to clarify how the existing contaminants are being remediated and asked how the "smart" control components operate. She also asked if this project is designed to meet any specific goals.

Rhodes asked if there will be impacts to the bike lane on Palm St.

**Staff:** Mozol believes that the project is designed to mitigate the general flooding issues in Brewery Creek by increasing storm water retention, but he deferred to the project team for more specific details.

**Applicant:** Heidi Bringman, senior landscape architect and wetland specialist with LHB, addressed the commissioners. She has been working on this project with Ryan Granlund from city engineering.

Ryan Granlund addressed the commissioners. He is a utility program coordinator, and he oversees the city's stormwater program.

One of his primary tasks is to implement stormwater management measures. Salt will not be remediated from the project as it is typically transported and diluted in the water and very little remains in the sediment. A more common occurrence is that fine grain sediment that are leftover and deposited in stormwater ponds can have heavy metals. Granlund stated that he does not have the report on contaminants, but he knows that the levels are sufficient enough to be considered contaminated and therefore need to be removed.

The purpose of the "smart" system is to help with flood issues by retaining more stormwater during rainfall events. The "smart" control system will drain the deeper section of the pond leading up to a rain event, so it will act more like an anticipatory system to release water prior to a rain event.

**Commissioners:** Wedul asked if the Ohio Buckeye trees along the bike path could be removed from that area as they pose an overhead hazard due to the large nuts that fall from their branches. Sarvela noted an error in the file number for this item in the staff report and requested that staff reflect the correct file number in the record.

**Applicant:** Granlund responded that the bike trail will be reconstructed as part of this project without those types of trees. Fruit-bearing trees will be placed elsewhere on the site to provide benefits to the wildlife.

**Public:** No speakers.

**Motion/second:** Crawford/Bayuk approve as per staff recommendation with conditions listed in the staff report.

**Vote: (7-0)**

PLSUP-2511-0065 Special Use Permit for a Stormwater Basin at Palm St by City of Duluth Engineering [JM]

**Motion/second:** Bayuk/Wedul approve as per staff recommendation with conditions listed in the staff report.

**Vote: (7-0)**

PLEAW-2511-0002 Public Hearing for Comments on the Scoping EAW for the Downtown Duluth AUAR

**Staff:** Jenn Moses addressed the commissioners. At the November meeting, she gave a presentation on the downtown AUAR process. The first step was for planning commissioners to approve the Scoping EAW, which was accomplished at the November meeting. The purpose of the scoping EAW is to make sure the development scenarios, existing conditions, and the scope of analysis is correct before the next step can be taken. The scoping EAW has a 30-day public comment period, which started on November 25<sup>th</sup> and ends on December 26<sup>th</sup>.

During the 30-day public comment period, a public hearing must take place. Tonight, the public hearing will be held, and all comments pertaining to the Scoping EAW will be collected. State statute says that the comments should be substantive, they should address the accuracy and completeness of the Scoping EAW document, they could suggest additional or alternative development scenarios that staff should analyze, or suggest relevant issues that may warrant further investigation in the AUAR document. Comments can be made verbally or in writing, and staff will share all comments received with the consultant working on the AUAR.

Later, staff will be working with the consultant to prepare a draft AUAR, which will present all of the findings of the analysis that is being laid out now. There will be a second public hearing during the draft AUAR phase. At that point, all the potential environmental impacts of the project will be laid out, and people will be welcome to submit comments then.

During the third phase, staff will take any comments that were submitted regarding the draft AUAR, address the comments, finalize the document, and bring it back to planning commissioners for approval. No action is needed tonight, but commissioners are welcome to submit comments.

**Commissioners:** Commissioner Hammond believes that the project boundaries should be expanded to include two critical areas. The first area he feels should be included in the regional exchange district. The current proposed boundaries are close to that district, but they are not exact. The regional exchange district opens up some development tools for the city, so he believes it should be included in the AUAR.

The current proposed boundary includes Lot D, but it should also include the rest of the harbor waterfront through up canal park, which would include Pier B, the festival park area, the DECC, and canal park. All these additional areas have significant undeveloped parcels that are good targets for development.

**Public:** No speakers.

### **Communications**

Land Use Supervisor (LUS) Report – No report.

Heritage Preservation Commission (HPC) Report – Wedul stated that HPC met Monday December 8<sup>th</sup>. There was a presentation on Belanger building, which previously came through planning commission for an adaptive reuse project. There was also a presentation on the national historical designation application for Lincoln Park. The application is for the park itself, not the Lincoln Park neighborhood. SHPO will review the application early next year, then a public comment period will be held, and if all is approved it will be given the national historical designation.

### **Adjournment**

Meeting adjourned at 5:38 p.m.

Respectfully,

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Jenn Moses, Manager  
Planning & Economic Development