



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

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<b>File Number</b>	PLVAR-2512-0015	<b>Contact</b>	Reina Owecke, <a href="mailto:rowecke@duluthmn.gov">rowecke@duluthmn.gov</a>	
<b>Type</b>	Variance from Shoreland Setbacks	<b>Planning Commission Date</b>		January 13, 2026
<b>Deadline for Action</b>	<b>Application Date</b>	December 9, 2025	<b>60 Days</b>	February 7, 2026
	<b>Date Extension Letter Mailed</b>	December 16, 2025	<b>120 Days</b>	April 8, 2026
<b>Location of Subject</b>		1801 E Skyline Pkwy		
<b>Applicant</b>	LHB	<b>Contact</b>	Brandee Lian	
<b>Agent</b>		<b>Contact</b>		
<b>Legal Description</b>	010-2710-03910			
<b>Site Visit Date</b>	December 31, 2025	<b>Sign Notice Date</b>	December 30, 2025	
<b>Neighbor Letter Date</b>	December 18, 2025	<b>Number of Letters Sent</b>	2	

#### Proposal

The applicant proposes to reconstruct the Chester Creek Ski Chalet, by using the existing foundation. The project includes a new deck and minor additions to upper portions of the chalet, which require a variance to the shoreland setbacks.

**Recommended Action:** Staff recommends that Planning Commission approve the variance with conditions.

	<b>Current Zoning</b>	<b>Existing Land Use</b>	<b>Future Land Use Map Designation</b>
<b>Subject</b>	P-1	Park	Open Space
<b>North</b>	P-1 and R-2	Park, Residential	Open Space, Traditional Neighborhood
<b>South</b>	P-1	Park	Open Space
<b>East</b>	P-1	Park	Open Space
<b>West</b>	R-2 and MU-I	Residential, Mixed Use	Urban Residential, Institutional

#### Summary of Code Requirements:

Sec. 50-37.9.C – General Variance Criteria (paraphrased): Granting of variances of any kind is limited to situations where, due to characteristics of the applicant's property, enforcement of the ordinance would cause the landowner practical difficulties.

Sec. 50-37.9.L – Standards for variances in shorelands: No variance shall be granted that compromises the general purposes or intent of Section 50-18.1.D or results in adverse consequences to the environment. Variances shall include a requirement for the applicant to mitigate the impacts of the variance on shoreland areas

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

Principle #1 – Reuse previously developed land – The proposed ski chalet reconstruction will be a reuse of existing building stock and will direct new investment to a site that will have the potential to perform at a higher level than its current state.

Principle #2 – Declare the necessity and secure the future of undeveloped places – Open spaces are integral to Duluth's community; the reconstruction of the ski chalet will further encourage recreation and contribute to Duluth's economic value.

Principle #10 – Take actions that enhance the environment, economic, and social well-being of the community – Reusing the chalet's existing foundation will reduce consumption of resources and avoid significant ground disturbance in a fragile shoreland.

**Future Land Use – Open Space:** High natural resource or scenic value, with substantial restrictions and development limitations. Primarily public lands but limited private use is anticipated subject to use and design controls. Examples include: city parks and recreation areas, primary viewsheds, shorelands of the lake and streams, wetlands and floodplains, and high-value habitat.

**History:** The Chester Bowl Ski Chalet (Thom Storm Chalet) was built between 1973-1974 as part of the Chester Bowl ski area's effort to support community recreation in Duluth. It has long served as the central hub for community skiing and outdoor recreation, supporting youth programs, events, and gatherings for generations. Over time, the chalet became an essential space for the Chester Bowl Improvement Club's mission of fostering community through outdoor activity. By the early 2020s, however, the building had fallen into disrepair, became too small for growing programming demands, and lacked proper accessibility. In response, the City of Duluth and the Chester Bowl Improvement Club secured funding to support a complete renovation and expansion of the facility to meet the park's growing needs.

**Review and Discussion Items:**

Staff finds that:

- 1) The applicant is seeking a shoreland variance in order to reconstruct and expand the Chester Bowl Ski Chalet in its existing location. The plans propose a first and second story addition, a new deck, and new gravel paths to access the parking area and other infrastructure.
- 2) The applicant requests to reduce the required structure setback from 150' to 47' to allow for the reconstruction of the chalet in its existing location by using the existing foundation.
- 3) Variance Criteria #1 (exceptional narrowness, shallowness, or shape): The subject property and existing chalet location exhibits unique constraints due to the narrowness of the developable area within Chester Park. The ski chalet is constructed on a limited area of buildable land situated between the steep valley slope and Chester Creek, leaving little opportunity to shift the structure outside of the 150' shoreland setback without encroaching into steep slopes, mature forests, or other areas unsuitable for construction. Because the existing foundation predates current shoreland setback standards and occupies the only feasible building footprint within the constrained topography, strict application of the setback standard would prevent reasonable use of the property and reinvestment in a long-standing public facility.
- 4) Variance Criteria #2 (circumstances unique to the property, not created by the property owner): Circumstances necessitating a shoreland variance are unique to the property and were not created by the applicant or the City. The ski chalet was originally constructed in the early 1970s within the narrow valley floor of Chester Creek, at a time when current shoreland setback standards did not apply. The combination of the steep surrounding topography, the fixed location of the original foundation that is to be reused, and the functional need for the chalet to remain near the existing ski hill infrastructure creates conditions that are inherent to the site rather than the result of any action by the property owner or the City.
- 5) Variance Criteria #3 (circumstances are peculiar to this property and do not apply generally to other land or buildings): The circumstances prompting this request are unique to Chester Park and do not generally apply to other properties within the shoreland. The existing chalet was constructed in the early 1970s, predating the current shoreland setback standards. The chalet is situated within an established recreational complex that relies on its proximity to Chester Creek for functional access to the ski hill, trail system, and park operations. Because the chalet serves as essential infrastructure for a historic and topographically constrained public park, its location cannot be reasonably shifted outside the shoreland setback without undermining its intended public use. These

- conditions are specific to this site and are not shared by private parcels or developable land within the City.
- 6) *Variance Criteria #4 (proposes to use in a reasonable manner not permitted by code):* The proposed project represents a reasonable use of the property that is consistent with its long-standing and historic function as a public recreation facility, even though the current code does not permit a structure within the shoreland setback. Rebuilding and modestly expanding the ski chalet on its original foundation allows the structure to continue serving essential operational, educational, and community purposes associated with the ski hill and year-round park programming. The proposed improvements do not introduce intensified uses beyond what has existed for decades; rather, they update an aging facility to meet current accessibility and service needs. Given the sites' physical restraints and public use of the facility, the proposal constitutes an appropriate reinvestment in an established community asset.
  - 7) *Variance Criteria #5 (not impair light/air, increase congestion, or impair public safety or property values)*. The proposed shoreland variance will not impair light or air, increase congestion, or negatively affect public safety or property values. The ski chalet reconstruction and expansion will occur entirely within the existing developed footprint and will not introduce new structures or uses that would alter natural light, air, or views within the park. Because the reconstructed ski chalet will serve park users, no increase in congestion is anticipated. The project proposal will incorporate current building code and accessibility standards which will enhance overall public safety. This reinvestment of a long-standing public amenity is expected to maintain or improve the value of the park without adverse impacts on surrounding properties.
  - 8) *Variance Criteria #6 (will not impair intent of this Chapter or alter the essential character of the locality)*. The requested shoreland variance will not impair the intent of the shoreland regulations or alter the essential character of the locality. The essential character of the area will not be altered since the use of the property or building is not changing. As a result, the proposal upholds the Chapter's intent to protect natural resources and community character while allowing the continued use of an existing public facility.
  - 9) *Standards for variances in shorelands (does not compromise intent of shoreland regulations and mitigates impacts)*. The proposed shoreland variance will not result in adverse consequences because the applicant will mitigate the impacts of construction within the shoreland areas by the restoration of all disturbed turf areas, and the removal and replacement of six trees. In addition, this expansion is part of several years of master planning and projects within the park, which included realigning the stream to follow a more natural alignment, and significant streambank restoration and plantings in the vicinity of the chalet. In 2016, a major bank-stabilization project was completed along Chester Creek to repair damage from the 2012 flood and protect nearby infrastructure. The work focused on reinforcing eroded streambanks, improving channel stability, and preventing further sediment loss with native plantings and seeding. This previous work will remain intact during construction.
  - 10) Staff find the applicant has demonstrated practical difficulty due to the necessity for expanding the structure in its longstanding location to maintain safe operations, meet accessibility and code requirements, and continue providing core recreational services to the community. Strict compliance with the shoreland setback would prevent reasonable use of the ski chalet and impair the facility's essential public function.
  - 11) Per UDC Section 50-37.1.N, approved variances lapse if the project or activity authorized by the permit or variance is not begun within one-year.

**Staff Recommendation:**

Based on the above findings, Staff recommends that Planning Commission approve the permit subject to the following conditions:

- 1) The project must be constructed and limited to the plans submitted with the application.
- 2) Any alterations to the approved plans that do not alter major elements of the plan may be approved by the Land Use Supervisor without further Planning Commission review; however, no such administration approval shall constitute a variance from the provisions of Chapter 50.



PLVAR-2512-0015

Variance to Shoreland Setbacks  
Chester Park Ski Chalet



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## 1 SHORELAND RESTORATION VEGETATION PLAN

Scale: 1"=10'

## SHORELAND RESTORATION NOTES

## GENERAL NOTES:

1. PER MINNESOTA DEPARTMENT OF NATURAL RESOURCES (DNR). THE ORDINARY HIGH WATER MARK IS 1090.00 ELEVATION.
2. A PORTION OF CHESTER CREEK WAS DAMAGED DURING THE 2012 FLOOD. AS A RESULT OF THE DAMAGE, A CREEK RESTORATION PROJECT WAS INITIATED BY THE CITY IN 2016 AND WAS FUNDED BY THE DNR.
3. THE RESTORATION WORK WAS PERFORMED BY THE SOUTH ST. LOUIS SOIL AND WATER CONSERVATION DISTRICT IN 2017. GOALS OF THE RESTORATION PROJECT INCLUDED RE-ALIGNMENT OF THE STREAM TO PREVENT FLOW BACKUPS, STABILIZATION OF THE STREAM AND ITS ASSOCIATED ENBANKMENTS, REMOVAL OF OLD DAMS THAT WERE DAMAGED AND/OR NO LONGER FUNCTIONING APPROPRIATELY, PROVIDING ENHANCED TROUT HABITAT, PRESERVATION OF HISTORICAL VALUES, AND INCREASING OVERALL RESILIENCE TO FUTURE FLOODING.
4. THE SLOPE STABILIZATION PLANTING AREA IMMEDIATELY IN FRONT OF THE CHESTER BOWL CHALET WAS RECENTLY PLANTED AS A PART OF THE RESTORATION PROJECT, AND WILL REMAIN 100% INTACT. SEE ATTACHED RESTORATION PLANS FOR ADDITIONAL INFORMATION.
5. MINIMAL GRADING MODIFICATIONS ARE REQUIRED FOR THIS PROJECT AS THE SURROUNDING SITE WILL MOSTLY REMAIN THE SAME. HOWEVER, CONSTRUCTION ACTIVITIES TO REMOVE THE EXISTING STRUCTURE AND REPLACE WITH A NEW BUILDING ON THE SAME FOUNDATION WILL REQUIRE TEMPORARY LAND DISTURBANCES. SHORELAND VEGETATION MITIGATION MEASURES WILL INCLUDE RESTORATION OF ALL TURF AREAS DISTURBED BY CONSTRUCTION ACTIVITIES.
6. A TOTAL OF SIX (6) TREES WILL NEED TO BE REMOVED TO ACCOMMODATE THE CONSTRUCTION OF THE NEW BUILDING, AND ARE ILLUSTRATED IN THE PLAN ABOVE. THESE TREES WILL BE REQUIRED TO BE REPLACED AS PART OF THE CITY'S TREE REPLACEMENT PLAN. LOCATIONS FOR THE NEW TREES WITHIN CHESTER PARK ARE YET TO BE DETERMINED WITH THE CITY, OWNER AND A/E TEAM. (PLEASE NOTE: REPLACEMENT TREES WITHIN THE IMMEDIATE WORK AREA AND SHORELAND ZONE ARE NOT DESIRED DUE TO VISIBILITY AND SAFETY CONCERN'S ASSOCIATED WITH THE SKI/HILL OPERATIONS).

## PLANT SCHEDULE

SYMBOL	CODE	QTY	BOTANICAL / COMMON NAME	SIZE
SHRUBS				
	CR	2	Cornus sericea / Red Twig Dogwood	#5 CONT.
	TW	4	Taxus x media 'Taunton' / Taunton Yew	#1 CONT
GROUND COVERS				CONT
	NB	6,640 sf	Northern Boulevard Seed Mix	Seed