



City of Duluth  
Planning Division

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City of Duluth  
Planning Commission  
Minutes of Tuesday, October 12, 2010  
City Council Chambers, City Hall

President Rand has called a meeting of the City Planning Commission for 5 p.m., Tuesday, October 12, 2010, in the City Council Chambers.

I. Call to Order: President Rand called the meeting of the Planning Commission to order at 5:00 p.m., **Tuesday, October 12, 2010**, in City Council Chambers of Duluth City Hall and explained the public hearing procedure to the audience.

II. Roll Call

Members Present: Mike Akervik, Henry Banks, Rebecca Covington, Drew Digby, Terry Guggenbuehl, Frank Holappa, Heather Rand, David Sarvela and John Vigen

Members Excused: Mindy Appold

Staff Present: Kyle Deming, Alison Lutterman, Jenn Reed Moses, Cindy Petkac, Steven Robertson, Edna Ulrich

III. Public Hearings (staff Reports of matters are on file in the Planning Office)

A. **FN 10082** – Rename Streets in Coffee Creek Division at Trinity Road and Coffee Creek Boulevard by LCF Fund I. **JM**

**Staff:** This is for street name changes in the Coffee Creek Division. The existing streets are named with coffee names. Coffee Creek Boulevard will stay the same. The new names for the roads will be Valley View Lane, Vista View Land, Mallard Lane, Deer Valley Road and Clearwater Court. Standards are that any continuation of streets shall keep the same name and that there be no other streets of that name in the City. These streets are not duplicated and there are no conflicts with the street names. Staff Recommends Approval.

**Applicant:** Phil Johnson with Edmunds Real Estate representing the Bank that owns the property. No questions for applicant.

**MOTION/Second:** Vigen/Holappa to **Recommend Approval** to Rename Streets in Coffee Creek Division at Trinity Road and Coffee Creek Boulevard by LCF Fund I.

**Vote:** Unanimous 9-0

B. **FN 10098** – C-5 Plan Review for a multi-tenant building and re-work existing elevation, parking lot and ground sign at 1307 Miller Trunk Highway by KTJ Ltd Partnership One Hundred Eleven. **JM**

**Staff:** This is for a C5 plan review of 1307 Miller Trunk Hwy, the old Gander Mountain building. The site plan was reviewed in 2009 and they are requesting to add a few modifications. They are requesting to add two tenants to the site. They also wish to add a trash enclosure, make modifications to the parking lot and install landscaping. Their proposal includes adding eight trees which is more than what is required for the number of parking spaces impacted. The building will include new signage and decorative tile and lights. They want to increase the ground sign by 18 square feet which complies with the sign ordinance. Staff Recommends Approval to construct the building according to the materials submitted to us with the following conditions: 1. That the decorative and security wall lights not intrude into neighboring properties; 2. They construct the building according to materials submitted to the city and 3. Any alterations can be submitted to the Land Use Supervisor for approval without further Planning Commission approval.

**Applicant:** Jay Moore, KTJ Limited Partnership One Hundred Eleven. Phase 1 was last year and now they have more tenants to move in and want to enhance the site plan and landscaping.

**Staff:** Moses added that this plan affects 23 parking spaces.

**MOTION/Second:** Digby/Akervik to **Recommend Approval** for the C-5 Plan Review for a multi-tenant building and re-work existing elevation, parking lot and ground sign at 1307 Miller Trunk Highway by KTJ Ltd Partnership One Hundred Eleven **with the following conditions:** 1. Decorative wall lights (Galileo Apollo Series) and security wall lights (WM Series Phillips PL-H Compact Fluorescent Lights with full cutoff) will not result in any light intrusion on neighboring properties.  
2. That the project be limited to, constructed, and maintained according to the following documents drafted by Reprise Design Group and referred to as “Duluth Retail Center, 1307 Miller Trunk Hwy,” all dated 8-31-10:  
a. Exterior Elevation (Sheet REND)                      c. Site Landscape Plan (Sheet L-1)  
b. Site Plan (Sheet C-1)                                      d. Floor Plan (Sheet A-100)  
3. That the sign dimensions be limited to, constructed, and maintained according to the following document drafted by Lawrence Sign, dated 8-12-10:  
a. Oppidan - BWW Pylon - Duluth, MN (Double Face Illuminated Ground Sign)  
4. 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; however, no such administrative approval shall constitute a variance from the provisions of Chapter 50.

**Vote:** Unanimous 9-0

C. **FN 10102** – Vacation of Birch Avenue from Garfield Avenue to the alley west of Garfield Avenue by Goodwill Industries, Inc. **KD**

**Staff:** Birch Avenue is just north of Goodwill on Garfield Avenue. It currently is used for vehicle and other storage. The street is not being used for vehicle or pedestrian purposes but parts are used for utility purposes. Minnesota power has a power line on the north half of the right of way. The far west of the right of way contains a sanitary sewer force main.

Staff recommends approval of the vacation as it is useless for vehicular and pedestrian purposes but retain a utility easement over the north half and the westerly twenty feet of the right of way.

**Applicant:** Doug Carlson, Goodwill Industries. No questions for the applicant.

**MOTION/Second:** Akervik/Guggenbuehl to **Recommend Approval** of the vacation of Birch Avenue from Garfield Avenue to the alley west of Garfield Avenue and retaining a utility easement over the north half of the vacation area and the west 20 feet of the vacation area. **Vote:** Unanimous 9-0

- IV. Consideration of minutes. MOTION/Second by Sarvela/ Akervik to approve the September 14, 2010, minutes. Vote: Unanimous 9-0
- V. Communications
- VI. Old Business

Proposed amendment to By-law 6.2 relating to the nominating committee

**MOTION/Second:** Akervik/Sarvela to **Approve** the proposed amendment to By-law 6.2 relating to the nominating committee. **Vote:** Unanimous 9-0

- VII. Reports of Officers and Committees
  - A. Downtown Waterfront Mixed Use District

The committee is in its final stages. When the DECC project was initially approved, it included a full glass walkway with their plans. The walkway ended up being mostly enclosed and they are following up with this.

- VIII. New Business

- A. **FN 10099** – Determination that oxygen storage tanks and electricity transformers are uses related to and supportive of other Medical Center uses according to Sec. 50-164 (c) (8), as requested by St. Luke’s Hospital. **KD**

**Staff:** Application is from St. Luke’s Hospital for oxygen storage tanks and electrical transformers in support of the hospital. The hospital cannot function without reliable power and condensed oxygen.

The site they propose shows up in the future land use map as Medical District. There will be a rezoning request at the next planning meeting. Planning Commission has site plan review. When the UDC goes into effect, it has landscape requirements through site plan review. Staff Recommends approval.

**Applicant:** Ron Franzen, St. Luke’s Hospital. They have worked with the City since 1998. St. Luke’s is the 2<sup>nd</sup> largest employer. In the future they see their medical campus stretching from Superior Street

to 3<sup>rd</sup> Street, from 9<sup>th</sup> Avenue East to 12<sup>th</sup> Avenue East. They have been growing and they are working hard with staff to help move this process forward.

**Applicant:** Patrick Earley, Director of Facilities, St. Luke's Hospital. St. Luke's needs to upgrade its electrical and oxygen tank facilities. The electrical facility serves multiple St. Luke's buildings. A new facility would serve the whole campus, not just one building. The campus covers several blocks and shares the infrastructure.

Vigen sees that they would be removing three buildings and lining up electrical transformers along 10<sup>th</sup> Avenue East. The oxygen tanks can be seen above the fence. The entire Second Street side of the site is driveway circulation which does not allow for any landscaping. This looks like a working sketch and moving forward would like to soften the impact of industrial facilities.

Earley stated that some of the items you don't see is planning for the future for a power plant. As you go through risk analysis you need to plan for the future with the need for more power. This site was chosen as the best right now. Akervik asked if there is a plan for power distribution for the future so they would not have to tear anything up. MN Power is helping them with planning power distribution.

Digby has concerns about a buffer in the neighborhood. In the future, he would like the staff to talk about ideas on what we are intending with the Comprehensive Plan and UDC regarding buffers in the neighborhood. Petkac stated that this is a three-step process. Tonight they are talking about the Use Determination. Re-zoning would be for next month and December the Site Plan Review.

**MOTION/Second:** Vigen/Holappa to **Approve** the determination that oxygen storage tanks and electricity transformers are uses related to and supportive of other Medical Center uses according to Sec. 50-164(c)(8).

**Vote:** Unanimous 9-0

## B. Proposed Bylaw Changes

Lutterman stated that these would be interim amendments under our bylaws because this is not at the annual meeting. We went through the bylaws and suggested changes relating to reducing the size of the Planning Commission.

Petkac added that our recommendations are to not re-appoint someone right away. To bring a new person up to speed would take a long time. Akervik stated that this would be his and Commissioner Appold's last term. There would be a six month potential to start training someone until the current people are out. Petkac said her concern is that there are things we are still figuring out with the new UDC. It would be easier to train two people and get them up to speed at that time.

## IX. Other Business

A. Digby has accepted the appointment to be the HPC Representative.

B. There is a tentative date of Wednesday, November 17<sup>th</sup>, for a UDC celebration. This will be open to the public. Invitations are to go out as it is formalized.

- C. Change in the monthly letter. Rather than RSVP to Edna, call in only if you will be absent.
- D. John Simpson, Director of Facility Development at St. Luke's Hospital would like to thank Kyle Deming, Cindy Petkac, Cindy Hall, Jenn Reed Moses and Alison Lutterman for their help and time to get this accomplished.

X. Adjournment. President Rand Adjourned the meeting at 6:00 pm.

Respectfully,



Cindy Petkac, AICP  
Land Use Supervisor

CP:eu