

City of Duluth  
Planning Commission  
March 26, 2019 Meeting Minutes  
Special Meeting - Duluth City Hall

Call to Order

President Janet Kennedy called to order the meeting of the city planning commission at 5:00 p.m. on Tuesday, March 26, 2019, in city hall council chambers.

Roll Call

Attending: Jason Crawford, Janet Kennedy, Margie Nelson, Michael Schraepfer, Luke Sydow, Sarah Wisdorf, Zandra Zwiebel, Gary Eckenberg and Tim Meyer

Absent: None

Staff Present: Keith Hamre, Robert Asleson, Steven Robertson, and Chris Lee

EAW/EIS Decision

Director Keith Hamre reviewed the project proposal before the Planning Commission. Planner Steven Robertson briefly reviewed the comments received from citizen and neighborhood groups, and local and state agencies. He added that the most common issues raised related to light pollution, bird safety, and environmental concerns related to demolition, stormwater, and similar items. Robertson stated that staff believe that the concerns addressed can be mitigated or controlled by permitting and review processes in place.

President Kennedy referenced the NAACP policy and comp plan documents, including principles #10, #13, and #14 as per comments received by the NAACP Health and Environmental Equity Committee. President Kennedy also referenced the mission words used by Essentia and that the lack of equity anywhere noted in their mission. As this project moves forward it would be in the best interest of the developers and the city to consider equity with regards to the social, economic, and environmental impact of this project will have today and for generations. Commissioner Meyer stated that he agrees that an EIS may not be necessary, but is never the less concerned about lighting and screening. Director Hamre reminded the Planning Commission that because this project is in a Mixed Use Institutional zone, the project must come back before the commission for a planning review at a public hearing, and the commissioners will have a chance to ensure that the project proposer is actively addressing the concerns. Commission Zwiebel asked about the record of decision and wanted to make sure it would incorporate the issues raised by citizens and how the city and project proposer plans to address them. Robertson showed the commissioners the example of the Kayak Bay EAW and Record of Decision from 2018, which listed out the permits and processes needed to be achieved by the project proposer in order for the project to move forward. President Kennedy noted considering input from the community stakeholders. She is in support of the project's vision to improve economic and health impacts throughout the community with the considerations noted. Meyer suggested a friendly amendment be added to the motion to include equity. Director Hamre noted rather than include the amendment in the motion, staff will include equity as a requirement within the plan review process along with the other principles mentioned here.

**MOTION/Second:** Meyer/Wisdorf determine that an Environmental Impact Statement is not required, and that the environmental issues and other concerns identified in the Environmental Assessment Worksheet can be addressed by regulatory or permitting processes and standards.

**VOTE: (9-0)**

Unfinished Business

PL 19-009 Vacation of Unimproved Right of Way of N 61<sup>st</sup> Avenue West (Approximately 400 Feet, North of the Intersection of 61<sup>st</sup> Ave West and West 8<sup>th</sup> Street) at 12 S 61<sup>st</sup> Avenue West by David Polson

Planner Chris Lee presented information related to the staff report, stating that staff recommended approval of the vacation as it meets the standards in the UDC. He added that vacation of the right of way will not land locked any adjacent parcel and will not limit future development of any other properties in the neighborhood. Commissioner Sydow asked if there is sufficient water utilities available nearby so as to allow other property owners to easily develop. Director Hamre reminded the commissioners that prior to bringing this to them for review, they brought it to engineering, and they had no concerns with it. Lee showed the commissioners a map of the sewer and water utilities in the area, and confirmed that there is availability for public water service to the north of this area, and it would not be impacted by this proposed vacation.

**MOTION/Second:** Nelson/Sydow recommend the City Council approve the vacation as shown in the staff report exhibit.

**VOTE: (9-0)**

PL 19-014 UDC Text Amendment Exempt Vacation Dwelling Units in Form Districts from the Maximum Cap of 60 Units by the city of Duluth

Planner Steven Robertson briefly reviewed the proposed ordinance change related to vacation rental properties in form districts, adding that most of the current standard were written from the point of view of these developments being located in residential districts. Director Hamre stated that this proposed change is designed to make it easier to develop in form districts, which are an important part of our downtown area and some core investment areas.

President Kennedy expressed concern with the potential to remove additional single-family housing out of the market. Commissioner Sydow stated that he was concerned about parking, especially in form districts on 4<sup>th</sup> Avenue East. Commissioner Eckenberg asked for clarification on the general purpose of form districts. Vice President Nelson reminded the commissioners that regardless of the proposed rule change under consideration, every new interim use permit comes before the commission and they can add additional conditions as necessary. Commission Schraepfer stated that the market for structures in form districts is different from other areas of the city, and added that he generally supports this change. Commissioner Sydow stated the still has concerns with ensuring there is enough parking, as this is a common concern heard at previous public hearings.



**MOTION/Second:** Sydow/Wisdorf table discussion for more information.

**VOTE: (9-0)**

Discussion on Imagine Duluth 2035 Metrics and Measurements Report 2018 and Draft Implementation Actions Matrix 2018

Commission Wisdorf stated that she appreciated the change to some of the graphics, as they are much easier to read now. Commissioner Zwiebel stated that she would like some additional time to review the documents.

**MOTION/Second:** Zwiebel/Meyer table to allow more time to review the documents.

**VOTE: (8-1) Nelson Opposed**

Director Hamre stated that the Planning Commission only needs to pass a recommendation to the City Council on the Implementation Actions Matrix, not the Identified Indicators Report as it is more of an annual report for the Planning Commissioners' review and information.

Communications

Director Hamre stated that there would be many incoming zoning applications related to the Essentia Health Vision Northland Project. However, as the zoning applications need additional information, there will not be a need for a special planning commission meeting on April 30<sup>th</sup>. With that being said, it may be prudent to schedule a brown bag session in the future when sufficient information is received so that the zoning applications are considered complete.

Adjournment

Meeting adjourned at 6:04 p.m.

Respectfully,



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Keith Hamre  
Director of Planning and Economic Development