

City of Duluth Planning Commission

February 14, 2023 – City Hall Council Chambers
Meeting Minutes

Call to Order

President Margie Nelson called to order the meeting of the city planning commission at 5:00 p.m. on Tuesday, February 14th, 2023 in the Duluth city hall council chambers.

Roll Call

Attendance:

Members Present: Jason Crawford, Gary Eckenberg, Jason Hollinday, Samuel Lobby, Margie Nelson, Danielle Rhodes, Michael Schraepfer, and Andrea Wedul

Members Absent: N/A

Staff Present: Ryan Pervenanze, Jenn Moses, John Kelley, and Chris Lee

Approval of Planning Commission Minutes -

Planning Commission Meeting – January 10th, 2023

MOTION/Second: Hollinday/Rhodes approved

VOTE: (8-0)

Public Comment on Items Not on Agenda

Consent Agenda

PL 22-176 Vacation of Right of Way at 3525 Martin Road by Sean and Lindsey Fraser

PL 23-001 Interim Use Permit Renewal at 1822 Melrose Avenue by Ben Wheeler

PL 23-002 Vacation of Alley Near 19th N 1/2 Avenue by Christopher McKenzie

~~PL 23-004 Variance to Allow an Accessory Structure in the Front Yard at 30 S 42nd Avenue E by Jack Shapiro (Item removed and Tabled)~~

PL 23-006 Form District: Interim Use Permit at 722 E Superior St Unit 1 by Force 1 LLC

PL 23-007 Form District: Interim Use Permit at 722 E Superior St Unit 2 by Force 1 LLC

PL 23-008 Form District: Interim Use Permit at 722 E Superior St – Unit 3 by Force 1 LLC

PL 23-014 Form District: Interim Use Permit for a Vacation Dwelling Unit at 418 S 19th Ave E by Jason Kleiman

Staff: PL 23-002 – John Kelley gave an overview and noted the added condition that a revised exhibit be submitted omitting the utility easement before going to council.

Public: PL 23-004 Jack Shapiro would like to see the setback requirement changed. (The item was removed from the consent agenda.)

MOTION/Second: Eckenberg/Crawford approved as per staff recommendations

VOTE: (8-0)

Public Hearings

PL 23-004 Variance to Allow an Accessory Structure in the Front Yard at 30 S 42nd Avenue E by Jack Shapiro

MOTION/Second: Wedul/Rhodes Tabled

VOTE: (8-0)

PL 22-218 Interim Use Permit for a Vacation Dwelling Unit at 727 W 2nd Street by Justin Voegele

Staff: Chris Lee gave an overview. This is for a 2-bedroom unit, which would allow a maximum of five guests. Staff recommends approval with the conditions listed in the staff report.

Applicant: Justin Voegele addressed the commission and welcomed questions. There were none.

Public: No speakers.

MOTION/Second: Lobby/Hollinday approved as per staff recommendations

VOTE: (8-0)

PL 22-232 Final Plat at 2221 N Arlington Avenue by John Hansen

Staff: Chris Lee introduced the applicant's proposal for a final plat to create a new plat for 8.97 acres of currently unplatted land with an existing structure on it. Platting this parcel will establish two buildable lots. Lot 1 will contain the existing principle and accessory structures; Lot 2 will remain vacant. Lee noted the commission saw the preliminary plat before and this is the final version. Staff recommends approval, with the conditions listed in the staff report.

Commissioners: Andrea Wedul asked about the sewer. Per Lee, there is a sewer system in place, but it is not shown on diagrams, because it is a private service.

Applicant: Present, but did not speak.

Public: No speakers.

MOTION/Second: Rhodes/Wedul approved as per staff recommendations

VOTE: (8-0)

PL 23-003 UDC Text Amendments to Off-Street Parking Requirements by the City of Duluth

Staff: Jenn Moses gave an overview. She noted the brown bag meeting the commissioners had, and also the public comment period at the last planning commission meeting. She went over the changes which included Electric Vehicle (EV) charging stations. This includes where people are staying overnight, which includes multi-family, hotel/motel uses. Bike parking rules were reinforced. The commissioners' packet includes all of the comments, staff received.

Commissioners: Wedul commented this looks like it was modeled after St. Paul's ordinance. Is there an option to review an individual site plan? Moses, stated the proposed ordinance took into account many cities' ordinances and extrapolated, but it is not necessarily modeled solely after St. Paul. The size of a development is not a threshold. Wedul asked if there is any capacity for staff review. Moses noted there is review for special use permits and interim use permits for vacation rentals. Wedul asked of the city had any leverage to examine parking for larger developments. Per Moses, that is what we have now. This proposal moves away from parking minimums.

Public: Andrea Kraus – 106 W Anoka St. – addressed the commission. She works for the Zeitgeist organization and is in support of the proposed ordinance. Their organization has not been hindered by the lack of public parking. She is in favor of creating a safe and walkable community. Mike Casey – Smithville – addressed the commission. He is in favor of eliminating minimums and allowing the market to decide. He does see some discrepancies and lists long-term rentals versus short term rentals as an example.

Commissioners: Michael Schraepfer thinks Casey has a good point regarding parking for vacation rentals. Moses stated that what they have heard is that vacation rentals create a quasi-commercial use in residential neighborhoods. If the planning commission wishes to change something, they can add a condition to this UDC Text amendment. Danielle Rhodes noted all parking regulations would be leaving the zoning group and would be enforced by the city's Life Safety office. Rentals are required to have parking, or they are imposed a fine. Schraepfer feels the Life Safety fines should be revisited, too. Wedul is worried that the burden to park will go back to the public, and noted accessibility issues. Wedul would like to have some parking minimums, but incentivize green development. Samuel Lobby shared he works for WLSSD and noted sewage usage. A vacation rental unit has more people using the service versus a long-term renter. There is a direct correlation and he wanted to add that as a different perspective as it applies to parking. Gary Eckenberg appreciated all the comments they received. He referred to Rhodes' comments about allowing businesses to determine how much parking they need and is comfortable creating maximums. Per Moses, they are keeping maximums the same in general, but create an overflow option to use as a tool. Eckenberg is uncomfortable with the ambiguities he sees in the proposed ordinance. He thanked commissioner Rhodes for her research and noted 30% of the hillside neighborhood residents don't have cars. The ones that do, use them for work. He noted pedestrian and bike traffic challenging in Duluth's snowy conditions. He is in favor of tabling this item. He noted Steven Robertson (manager of construction services) had shared that major ordinances in the past have had more public meetings to gather more input. Wedul agreed. They can't just cut off parking and expect multi-modal options to kick in. She would like to see more alternatives in place, before they make a significant change. Schraepfer noted the two areas in town that don't require parking (canal park and downtown) are the most accessible. There is plenty of ADA housing. The ordinance is prohibitive to housing because developers can't afford to add the required parking. If neighborhoods have 70% car use, and 125% is required that seems too extreme in the other direction. Jason Crawford added if the free market is asked to determine parking, why make developers add EV stations. He feels these policies contradict each other. Lobby stated he is excited for the potential, but thinks more input is needed before they approve this UDC Text amendment.

MOTION/Second: Wedul/Eckenberg Tabled

VOTE: (8-0)

Communications

Land Use Supervisor (LUS) Report – Manager Ryan Pervenanze gave an overview. He noted the flood plain maps are now online.

Heritage Preservation Commission – Gary Eckenberg gave an update. Items coming before them include renovations/repairs to the Carnegie Library and the Board of Trade Building.

Joint Airport Zoning Board – No update.

Duluth Midway Joint Powers Zoning Board – No update.

Adjournment

Meeting adjourned at 6:03 p.m.

Respectfully,

DocuSigned by:
Adam Fulton
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Adam Fulton – Deputy Director
Planning & Economic Development