

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

09-0610R

RESOLUTION GRANTING A SPECIAL USE PERMIT TO STEVE KUEPERS, KUEPERS ARCHITECTS & BUILDERS, FOR A LOW DENSITY PLANNED DEVELOPMENT AT 9320 GRAND AVENUE (WESTWOOD HEIGHTS).

CITY PROPOSAL:

The city council grant a special use permit to Steve Kuepers, Kuepers Architects & Builders, for a low density planned development at 9320 Grand Avenue (Westwood Heights), based on the following findings:

(a) Steve Kuepers of Kuepers Architects & Builders, has submitted to the city council a request for a special use permit for a low density planned development, hereunto referred to as Westwood Heights, in accordance with Section 50-32 of the City Code, to construct 72 units of rental housing, containing 24 three-bedroom units and 48 two-bedroom units, north of Morgan Park on a 20 acres site to include nine buildings with eight units per building; and

(b) Westwood Heights meets the eligibility requirements for a low density planned development in an R-1 one-family residential district; and

(c) Westwood Heights meets the off street parking requirement of three off street spaces for each two dwelling units for a total of 108 parking stalls, including a garage with each unit, as well as 35 on street parking stalls for guests along the south side of a private road to be constructed as a rural section with no curb and gutter, built at a width of 28 feet; and

(d) Westwood Heights provides 8.5 acres of open space, an on site stormwater retention pond, a playground and sidewalk along the private road that connects to the nearby trail system; and

(e) A planned residential use at this location is consistent with the comprehensive land use plan's designation on the future land use map as low density neighborhood; and

(f) Said permit application was duly referred to the city planning commission and a public hearing was held on the matter at their July 14, 2009, meeting and was tabled due to concerns the commission had related to the number

of parking stalls for guests, location of stormwater ponds, road width and fire access; and

(g) The applicant presented a modified proposal to the city planning commission at their August 11, 2009, meeting addressing these concerns and the matter was tabled due to concerns the commission had related to the distribution of guest parking on the site and desire by the commission for the applicant to meet with residents from the nearby Morgan Park community; and

(h) After meeting with the Morgan Park community, the applicant presented a modified proposal to the city planning commission at their September 8, 2009, meeting which incorporated input provided by the community; and

(i) Approval is granted to Steve Kuepers, Kuepers Architects & Builders, for a low density planned development, legally described as S26, T49, R15, that part of Lot 4 and of NW 1/4 of SW 1/4 lying north of Spirit Lake Trans Ry and east of 93rd Avenue West and Arbor Street, subject to the following condition:

(1) The project be constructed and maintained in accordance with documents submitted by SEH, Inc., titled "Westwood Estates Concept Plan Duluth Minnesota," dated September 2, 2009, and as identified as Public Document No. _____.

Approved as to form:

Attorney

PLNG/PC CP:jab 9/18/2009

STATEMENT OF PURPOSE: This resolution grants a special use permit to Steve Kuepers, Kuepers Architects & Builders, for a low density planned development at 9320 Grand Avenue (Westwood Heights).

On July 14, 2009, the Duluth city planning commission held a public hearing on the proposal and at their September 8, 2009, meeting voted 11-0 to recommend that the city council approve the special use permit.

Petition received: June 2, 2009

Action deadline: Applicant waived time requirements per MN Statutes Sec. 15.99