



CITY OF DULUTH

Planning Division

411 W 1st St, Rm 208 * Duluth, Minnesota 55802-1197

Phone: 218/730.5580 Fax: 218/723-3559

STAFF REPORT

| | | | | |
|-----------------------------|-------------------------------------|---------------------------------|--------------------------------|----------------|
| File Number | PL 13-001 | Contact | Steven Robertson, 218 730 5295 | |
| Application Type | Variance from Parking Requirements | Planning Commission Date | February 12, 2013 | |
| Deadline for Action | Application Date | January 9, 2013 | 60 Days | March 10, 2013 |
| | Date Extension Letter Mailed | January 17, 2013 | 120 Days | May 9, 2013 |
| Location of Subject | 101 to 127 West 4th Street | | | |
| Applicant | Hillside Apartments LLLP | Contact | | |
| Agent | Jeff Corey, One Roof Housing | Contact | 218 727 3646 | |
| Legal Description | See Attached | | | |
| Site Visit Date | February 1, 2013 | Sign Notice Date | January 25, 2013 | |
| Neighbor Letter Date | January 17, 2013 | Number of Letters Sent | 69 | |

Proposal

Variance from minimum parking requirements. A structure with 50 multi family dwelling units and 5 offices would need approximately 39 parking spaces after the 30% discount for being within 1/4 mile of a DTA bus route; 30 spaces are proposed.

Note that while this property is currently zoned F-6 (Mid-Rise Neighborhood Shopping), it was zoned MU-N when the developer received a demolition permit, and thus this project is allowed to proceed under the zoning that was in place when the project started.

| | Current Zoning | Existing Land Use | Future Land Use Map Designation |
|----------------|-----------------------|---------------------------------|--|
| Subject | F-6 | Commercial/Residential | Urban Residential |
| North | R-2 | Residential | Traditional Neighborhood |
| South | MU-N | Commercial | Urban Residential |
| East | F-6/MU-N | Residential | Urban Residential/Recreation |
| West | R-2 | Religious Instituion/Commercial | Traditional Neighborhood |

Summary of Code Requirements (reference section with a brief description):

Sec. 50-37.9.C. - General Variance Criteria. See UDC pages 5-29 through 5-33 (paraphrased here):
 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 exceptional practical difficulties or undue hardship. The Planning Commission must find the following for a variance to be granted: a) That they are proposing to use the property in a reasonable manner, b) that the need for relief from the normal regulations is due to circumstances unique to the property and not caused by the landowner, c) that granting the variance will not alter the essential character of the area, d) that granting the variance is consistent with the intent of the UDC and the Comprehensive Plan.

Sec. 50-37.9.G.2 - Reducing required parking spaces. Except as provided in 50-37.9.G, variances from the minimum amount of off-street parking required may be approved if a smaller amount of off-site parking will be adequate to meet the needs of the facility because the facility is restricted to occupancy or use by populations with documented lower vehicle uses, such as the elderly or disabled;

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

Future Land Use - Urban Residential. Greatest variety of building types, medium to high densities. Applicable to larger infill areas close to downtown, entertainment or activity centers, and waterfront residential areas. May include student housing areas, live/work units, and limited neighborhood retail. Connected or adjacent to parks and open space.

The property and much of the 4th Street Corridor was rezoned from MU-N to F-6 after a rezoning action taken last summer by the City (PL 12-087, heard at the June 12, 2012 Planning Commission hearing).

Discussion (use numbered or bullet points; summarize and attach department, agency and citizen comments):

- 1) Applicant is proposing to create a fewer number of parking spaces than is required by the UDC (39 required versus 30 planned to be provided). The UDC requires 1-on site parking space per multi-family dwelling unit, which based on preliminary comparisons with other larger Minnesota cities, is less than what is typically required across the State.
- 2) Applicant has provided anecdotal information documenting parking needs for a similar project in the City of Duluth. Based on sampling of three months in late 2012 and early 2013, the number of cars per families in supportive housing had averaged between a low of 1 car per 7 families and a high of 1 car per 3 families. The proposal would be to have 22 spaces dedicated for residents, resulting in a ratio of about 1 parking space per 2.25 families. The applicant states that they believe that the actual number of vehicles owned by the occupants will be between 12 and 15.
- 3) Applicant has provided a draft parking plan that would provide 16 parking spaces for residents directly behind the proposed structure, 6 stalls for residents on the alley approximately 150 feet from the proposed structure, and 8 parking spaces for staff on a separate lot across on the other side of 1st Avenue West. UDC Section 50-24.6 states that "all required parking shall be provided on site, but the increased parking requirement may be satisfied by utilizing: (a) primary use parking lots or parking structures located and maintained up to 500 feet from the lot containing the change or enlargement, or (b) accessory parking lots that existed on November 18, 2010, and that were composed of hard-surfaced, dust-free material such as concrete, bituminous, or pervious paving materials, and that are located and maintained up to 500 feet from the lot containing the change or enlargement."
- 4) No comments were received from city or government agencies on this proposal. One letter of support was received from the Executive Director of the Damiano Center.
- 5) Staff believe that a smaller amount of on-site parking will likely be adequate to meet the needs of the facility because the facility is restricted to use by populations with documented lower vehicle uses. In addition, granting the variance will not alter the essential character of the area, and the proposed use of property is reasonable and is consistent with existing and future land uses of this property as well as adjacent properties.

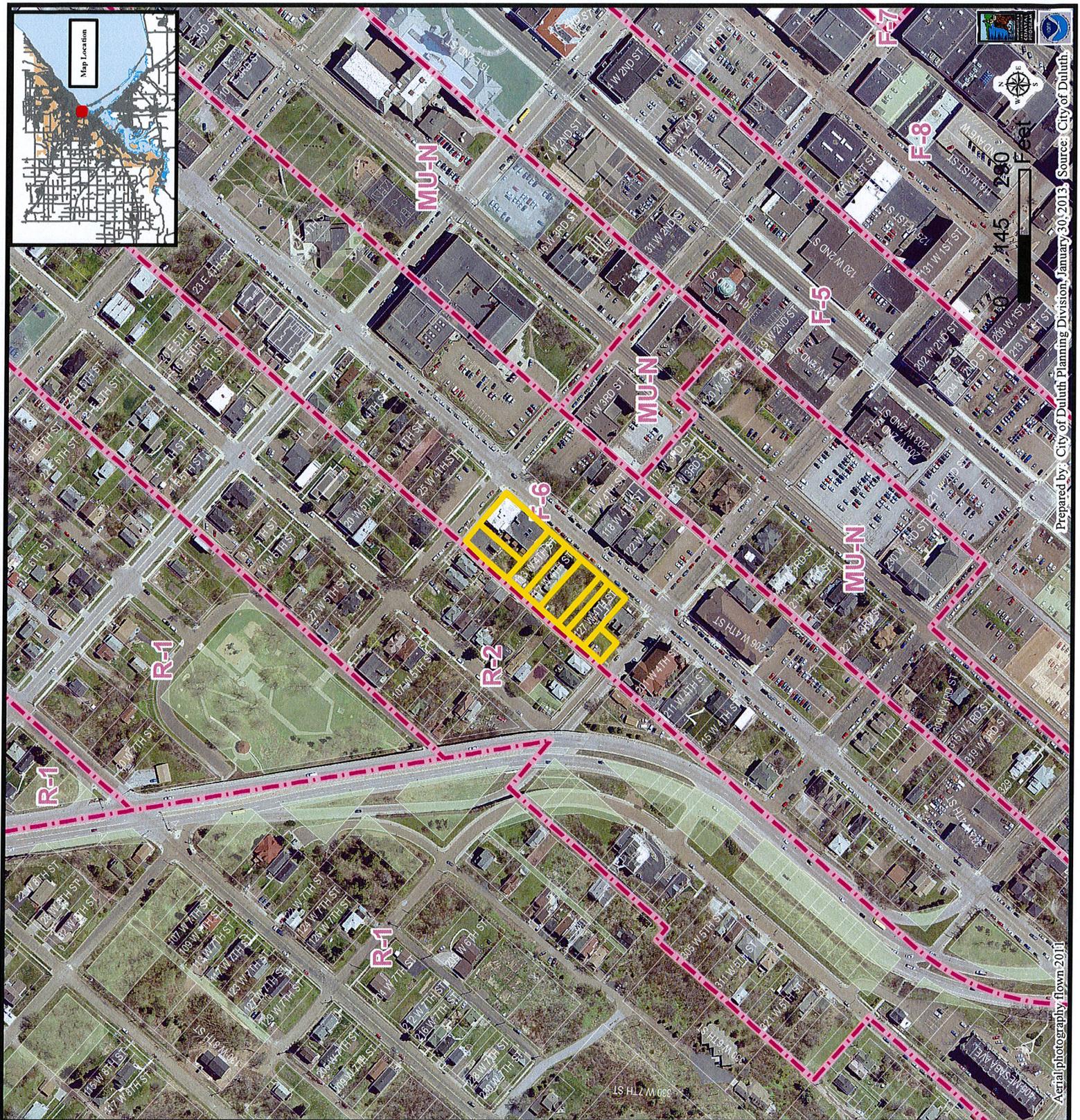
Staff Recommendation (include Planning Commission findings, i.e., recommend to approve):

Based on the above findings, Staff recommends that Planning Commission approve the variance for a reduction in the required parking spaces to 30, without conditions.

Attachments (aerial photo with zoning; future land use map; site plan; copies of correspondence)



City Planning
 Hillside Apartments LLC
 Parking and Front Yard Variance
 PL 13-001 and 13-002



Legend
 Zoning (Final)

The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used as one. The drawing/data is a compilation of records, information and data located in various City, County and State offices and other sources affecting the area shown and is to be used for reference purposes only. The City of Duluth shall not be liable for errors contained within this data provided or for any damages in connection with the use of this information contained within.

Aerial photography, flown 2011
 Prepared by: City of Duluth Planning Division, January 30, 2013, Source: City of Duluth

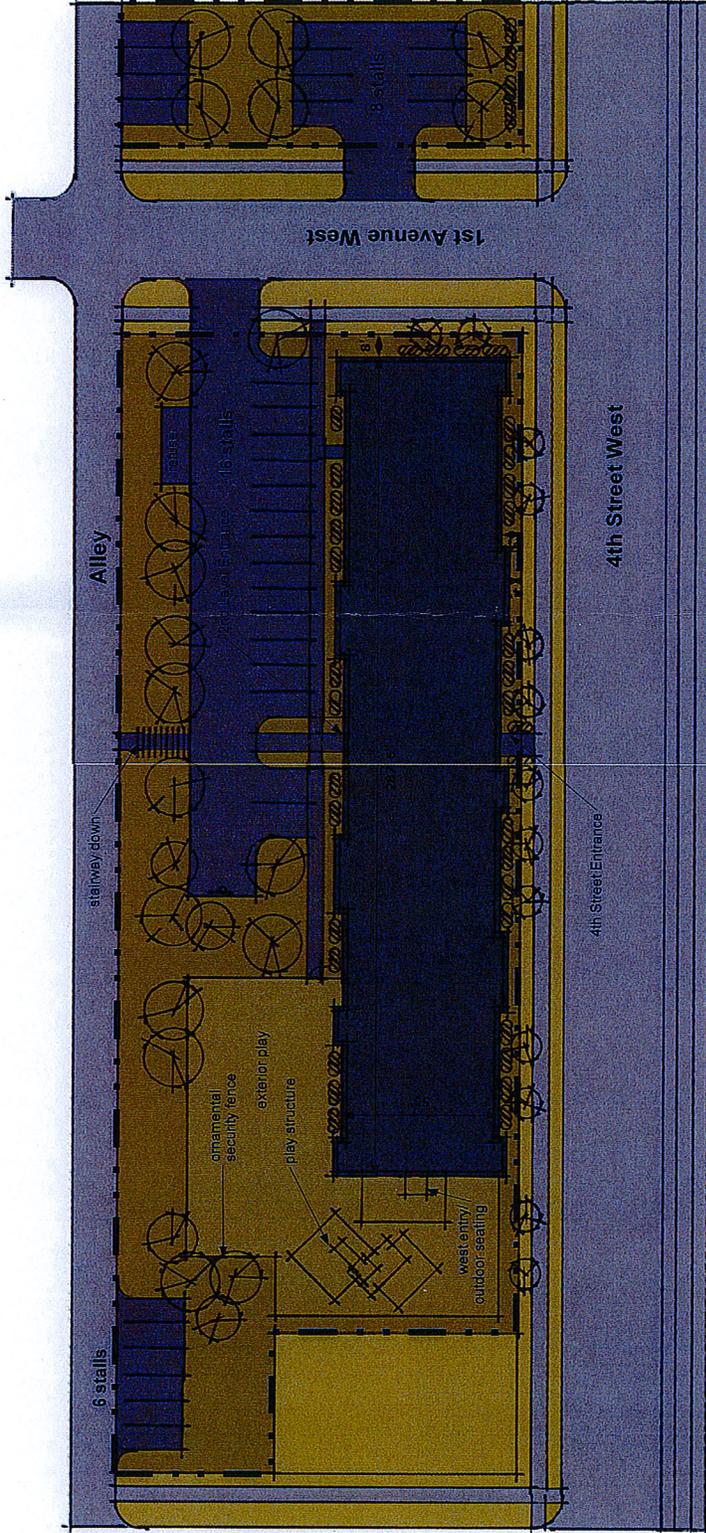
City Planning
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Legend

| | |
|--|--------------------------------|
| | Preservation |
| | Recreation |
| | Rural Residential |
| | Low-density Neighborhood |
| | Traditional Neighborhood |
| | Urban Residential |
| | Neighborhood Commercial |
| | Neighborhood Mixed Use |
| | General Mixed Use |
| | Central Business Secondary |
| | Central Business Primary |
| | Auto Oriented Commercial |
| | Large-scale Commercial |
| | Business Park |
| | Tourism/Entertainment District |
| | Medical District |
| | Institutional |
| | Commercial Waterfront |
| | Industrial Waterfront |
| | Light Industrial |
| | General Industrial |
| | Transportation and Utilities |

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Site Plan

| Setbacks | Parking |
|----------------------|--------------|
| Front Yard (4th St.) | East Parking |
| Side Yard (east) | On-Site |
| Side Yard (west) | Total |
| Rear Yard | |

| |
|----------------------------|
| 8 stalls (staff parking) |
| 22 stalls (tenant parking) |
| 30 stalls |

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Variance: Reduce parking requirements by 9 spaces. From 39 spaces to 30 spaces

Briefly describe the reasons for this request:

1. We are requesting a reduction of the required parking from 39 cars to 30 cars. 30 cars will be adequate to support the needs of the development without negatively impacting the neighborhood. The reduction will also allow the site to be developed within the constraints of its steep topography and anticipated sub-surface rock.
2. The property is being developed into supportive family housing. All existing structures on the site will be demolished and a new 64,000 sf structure will be constructed. The structure will contain 44 – 1, 2 & 3 bedroom apartments, 6 emergency shelter apartments and associated office and community space.

Evidence that the requested variance will not have a negative impact:

1. Experience with similar projects of this type indicate that only 30% to 40% of households own cars.
2. Anticipated parking needs are no more than 8 to 10 parking stalls for building staff and services and 15 to 20 maximum stalls for the project's 50 units
3. 30 stalls will be adequate to address the needs of the project without tenants and other users using the adjacent on-street parking – and thus will not have a negative impact on the current on-street parking in the neighborhood.
4. This is a mixed use district and, under Section 50-37.9G(2), it is noted that the population of low income persons obtaining supportive services has documented historic and continuing lower vehicle use than conventional market rate apartments.

Statement of need establishing practical difficulty:

1. Significant Site slope of over 20' from the alley down to 4th street restricts land available for on-site parking.
2. Rock removal will likely be required for the underground storm-water retention system.
3. Reduction is needed in order to provide reasonable amounts of play areas/green space in addition to on-site parking
4. The stated special circumstances and conditions that create the need for relief were not directly or indirectly created by the action or inaction of the applicant.

Overall, the general variance criteria in Section 50-37.9C are met. In addition to the statements above relating to topography and dimensions, absence of applicant creation, absence of neighborhood impact, it is also noted that:

- The special circumstances are peculiar to this property and immediately adjoining property.
- The relief is necessary for the preservation and enjoyment and expression of substantial property rights and not simply for convenience.
- The relief will not impair supply of light and air to adjacent property, or imperil public safety, or negatively impact property values, or impair the health, safety or public welfare of citizens of Duluth and, in fact, will enhance all of the foregoing.
- There is no impairment of the intent of the Chapter, the zoning map or the Comprehensive Plan.
- The relief does not allow any type of sign not allowed in the District.
- The relief complies with other criteria in the ordinance.



Center City Housing Corp.

January 7, 2013

Planning Commission, City of Duluth
c/o City of Duluth Planning Department
Attn: Mr. Steven Robertson
411 W. First Street, Room 208
Duluth, MN 55802

Re: Proposed Parking Variance/Hillside Project

Ladies and Gentlemen:

We are writing you with respect to the parking variance requested for the Hillside project. The variance requested would reduce a parking requirement of 39 spaces to 30 spaces.

You should be aware that our organization is a partner in this project; however, we also have considerable long-term experience regarding parking needs of affordable housing projects.

This project includes supportive housing services and is staffed. It is principally directed at homeless persons and tenants who are under 30% of median income.

Our experience with projects of this type, including our ownership and operation of both low income and supportive housing is useful in assessing parking demands. Our ownership of all of the former Women's Transitional Housing projects, the Kingsley and Skinner apartments, the San Marco facility, and facilities in St. Cloud and Rochester of similar design and use, has established a clear pattern that a maximum of 30% to 40% of the occupants own vehicles. This project, located in the downtown area and with public transit immediately available, will, in our judgment, tend toward the lower figure of 30% of the occupants having cars.

At 30%, this would be 15 parking spaces for the 50 units; at 40%, it would be 20 parking spaces for the 50 units. We are estimating, based on experience, that the actual number of vehicles owned by occupants of the project will be 12 to 15.

Staff and service/delivery vehicle needs, taking into account services that will be provided at the facility, as well as front desk, etc., may be as many as 8 to 10 vehicles.

**105 ½ WEST FIRST STREET
DULUTH, MN 55802
PHONE (218) 722-7161 : FAX (218) 720-3483
www.centercityhousing.org**

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Center City Housing Corp.

As a result, we feel that the variance from 39 to 30 spaces will clearly not have a negative impact on neighborhood parking issues and that 30 parking spaces will be more than adequate for this facility.

Respectfully submitted,

Rick Klun, Executive Director
Center City Housing Corp.

105 ½ WEST FIRST STREET
DULUTH, MN 55802
PHONE (218) 722-7161 : FAX (218) 720-3483
www.centercityhousing.org

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January 31, 2013

Steven Robertson, Senior Planner
City of Duluth, Planning Division
411 W 1st Street, Room 208
Duluth, MN 55802

Dear Steven,

Center City Housing Corp. currently manages a 21 unit Transitional Housing program for homeless families with children. These families are the same target population that will be served at the new Hillside Apartments.

I thought it would be helpful to give you a "snap shot" of the number of households served and the number of cars the families bring with them when they are living in our program.

| | Number of Families | Number of Cars |
|---------------|--------------------|----------------|
| August, 2012 | 21 | 3 |
| October, 2012 | 19 | 4 |
| January 2013 | 18 | 6 |

As you can see the numbers fluctuate a little bit, but it is more usual for a family to not have a car because of the cost of the vehicle, ongoing maintenance, and insurance costs.
Please let me know if you have any other questions or need any additional information,

Sincerely,

A handwritten signature in black ink, appearing to read "N. Cashman", with a long horizontal line extending to the right.

Nancy Cashman
Supportive Housing Director

105 ½ WEST FIRST STREET
DULUTH, MN 55802
PHONE (218) 722-7161 : FAX (218) 720-3483



Building a Stronger Community, Serving People in Need.

January 22, 2013

Mr. Steven Robertson
City of Duluth Planning Division
411 West First Street, Room 208
Duluth, MN 55802-1197

Dear Mr. Robertson,

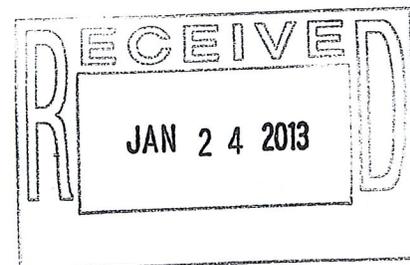
Thank you for the notice of the application for parking and front yard setback variances by Hillside Apartments Duluth LLLP at 101 West 4th St, a block from the Damiano Center.

I support granting these variances and see no disadvantages to granting them.

Thank you very much.

Sincerely,

David Benson
Executive Director



United Way
of Greater Duluth

206 West Fourth Street
Duluth, MN 55806-1604
(218) 722-8708
www.damianocenter.org

