



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	PL13-007		Contact	Steven Robertson, 218-730-5295	
Application Type	Concurrent Use of Streets Permit		Planning Commission Date	February 12, 2013	
Deadline for Action	Application Date	January 15, 2012	60 Days	N/A	
	Date Extension Letter Mailed	N/A	120 Days	N/A	
Location of Subject	213 and 214 West Michigan Street				
Applicant	Duluth Transit Authority		Contact	Jim Heilig, 218 722-4426	
Agent			Contact		
Legal Description	See Attached				
Site Visit Date	February 1, 2013		Sign Notice Date	January 28, 2013	
Neighbor Letter Date	N/A		Number of Letters Sent	N/A	

Proposal

Applicant requesting a Concurrent Use of Streets Permit to allow the construction of a skywalk. This is part of the multi-modal project.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	MU-C	Commercial	Central Business Primary
North	F-8	Commercial	Central Business Primary
South	MU-C	Commercial/Transportation	Central Business Primary/Transportation
East	MU-C	Commercial/Transportation	Central Business Primary/Transportation
West	MU-C/F-8	Commercial	Central Business Primary

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

UDC Section. 50-37.7C. The planning commission shall review the application, and council shall approve the application or approve it with modifications, if it determines that:

1. The proposed concurrent use will not harm or inconvenience the health, safety and general welfare of the city;
2. Any proposed skywalk will significantly improve the circulation of pedestrians in the city without exposure to weather conditions;
3. No portion of a public easement proposed for use is being physically used or occupied by the public.

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

Central Business Primary future land use encompasses a broad range of uses and intensities: Governmental campus, Significant retail, Entertainment and lodging, Opportunities for high-density housing, Central plaza, public/open space, and Public parking facilities.

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

- 1) The applicant is proposing to build a private skywalk (one not covered under the normal rules for skywalks found under the City Code) over the right of way of West Michigan Street. At this point, the City is asked to approve the general area that the Skywalk will occupy, and the specific construction schematics will be approved by the City at a later date.
- 2) The proposal will not harm or inconvenience the health, safety and general welfare of the city. While the right of way is currently being physically used by the public, the proposal project will not interfere with the public's ability to use the right of way (sidewalk or street).
- 3) The proposal is a reasonable use of public right of way and can be terminated if the City of Duluth desires to use the area for any public purpose.
- 4) No comments were received from city or government agencies or citizens on this proposal.

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

Staff recommends that the Planning Commission recommend approval of the requested Concurrent Use Permit to the City Council with the following condition:

- 1) The applicant enter into a development agreement with the City of Duluth prior to starting construction on the proposed skywalk.

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



City Planning

13-007 and 13-008

Concurrent Use of Streets
Duluth Transit Authority

Legend



Zoning (Final)



Future Land Use

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

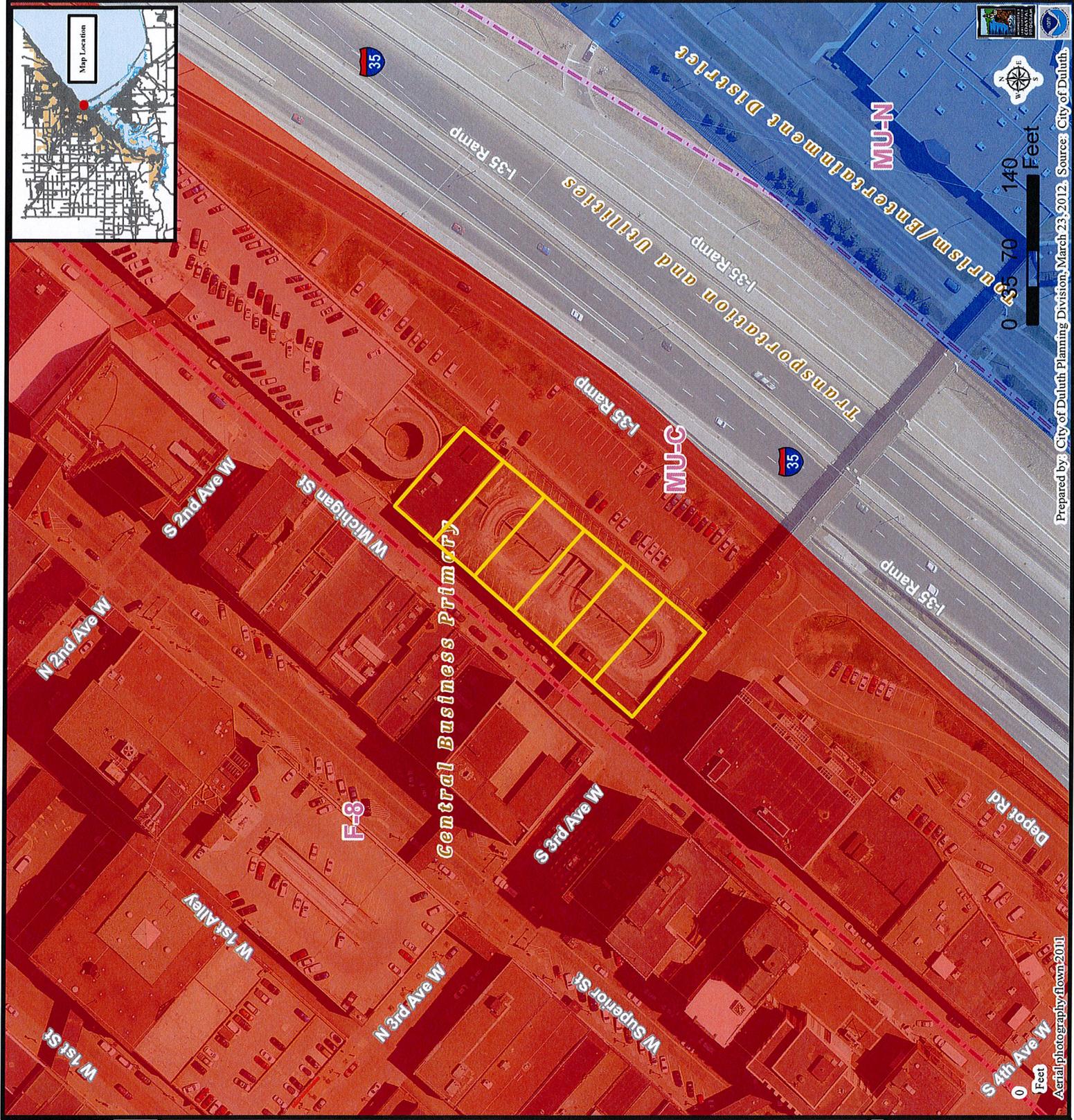
Industrial Waterfront

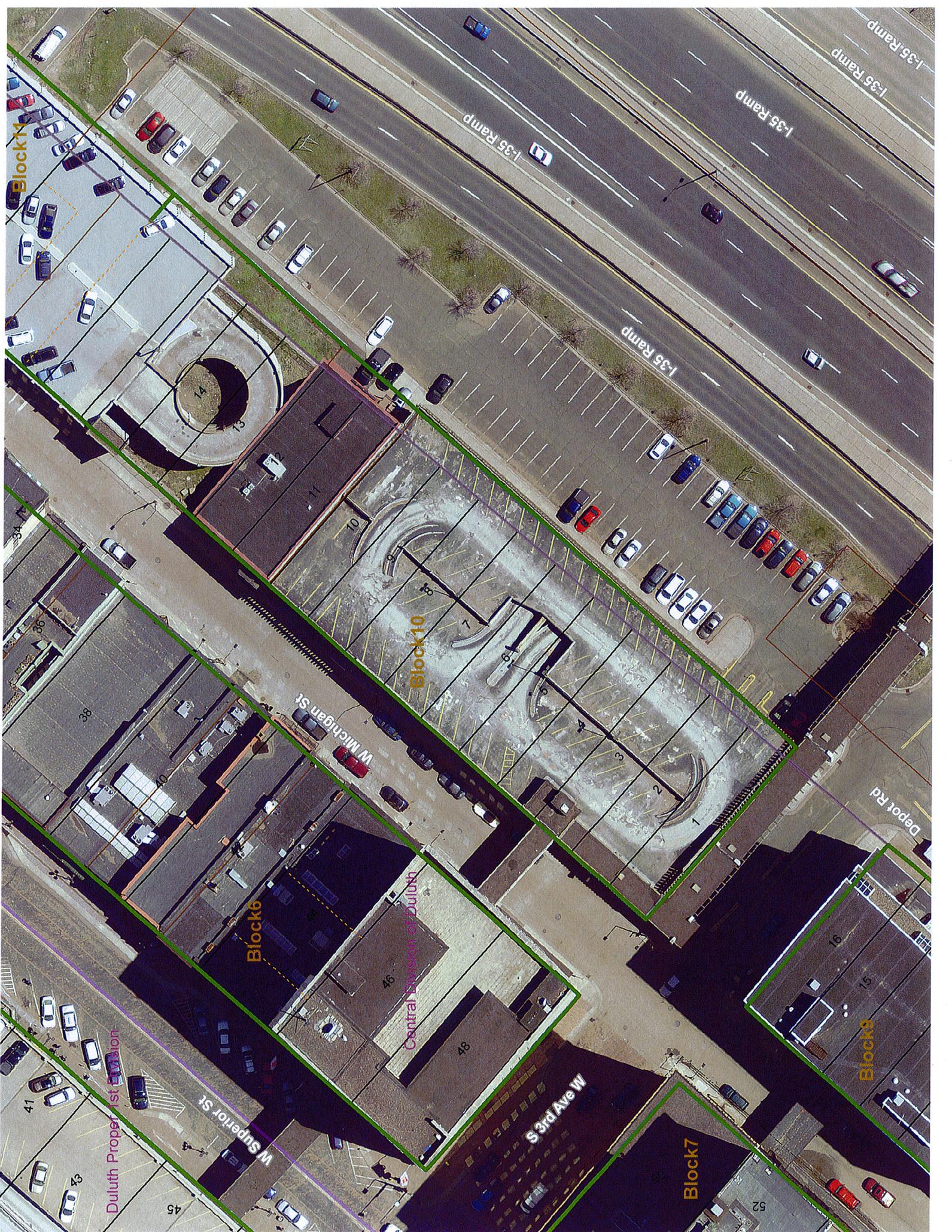
Light Industrial

General Industrial

Transportation and Utilities

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 obtained within.





Block 11

Block 10

Block 6

Block 7

Block 9

Duluth Property Tax Division

Central Business District

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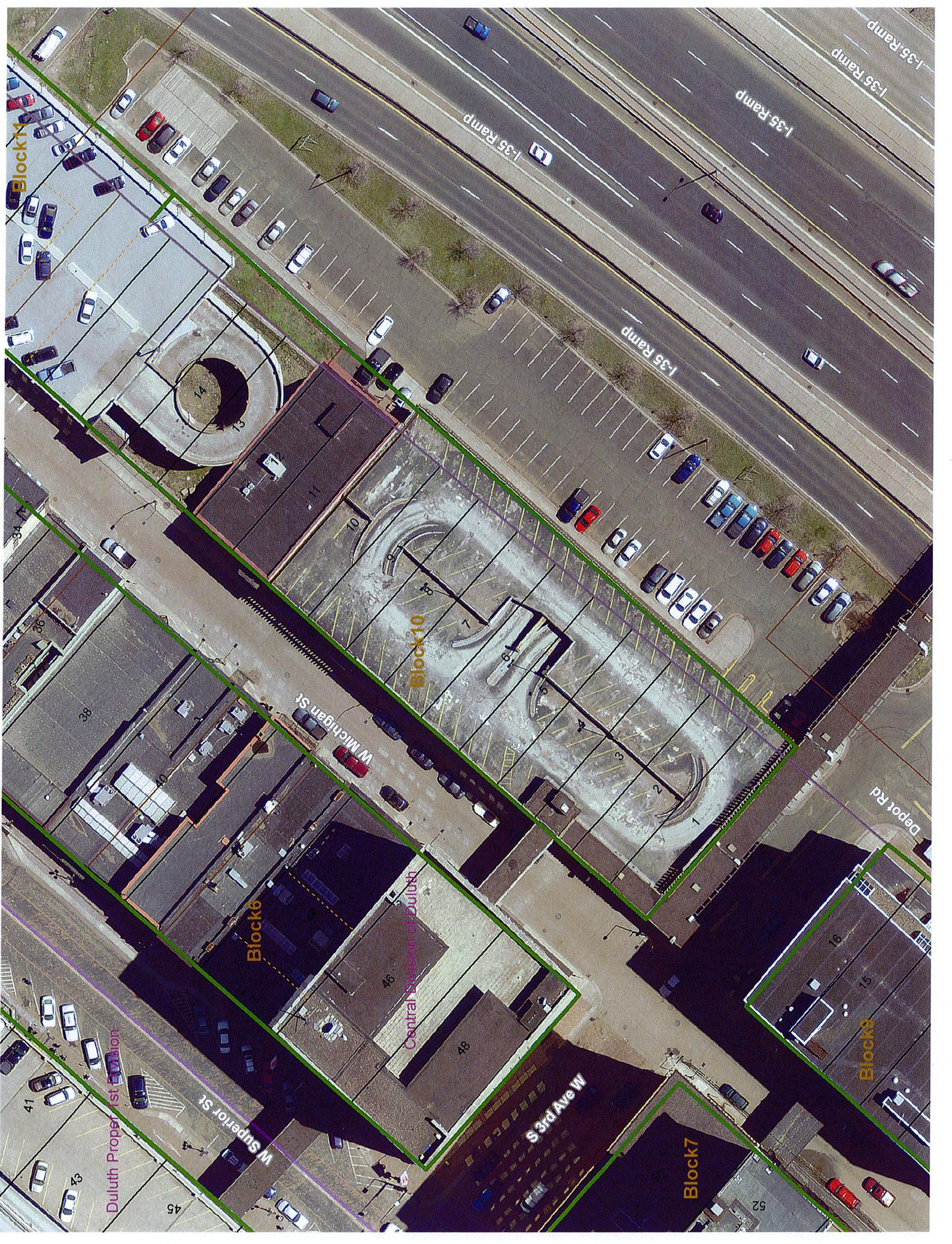
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Duluth Planning Commission
January 7, 2013

Transit Center East Bridge
Concurrent Use Permit Application

The DTA is hereby applying for four concurrent use permits. Two are for skywalks in conjunction with the Multimodal Transportation Facility, one concurrent use permit for part of the existing sidewalk on the lower part of Michigan Street, the fourth is for the canopy over the bus parking area. Additionally the DTA is applying to join parcels together into one. This application is for the Skywalk Bridge from the easterly side of the existing Transit Center East (TCE) to connect with the new multimodal transportation facility.

This new bridge from the existing TCE to the new facility will be have an interior open space of at least 12 feet and exterior space not to exceed 20 feet (preliminary drawing on page 5). It will start within 1.5 feet of the SE corner of Lot 40 Block 6 Central Division and be a maximum of twenty feet wide. It will attach within 1.5 feet of the NE corner of Lot 10, Block 10 of the Central Division to the new facility. The height over the driving lanes and parking lanes will be at least 15.5 feet (meets State of MN standard) and 13 feet over the sidewalks. The two preceding bridges are at 14 feet and 13.5 feet over the driving lanes (the Wells Fargo Bridge and the Harbor Center Bridge respectively).

This Concurrent Use Permit will be for the entire bridge, building face to building face.

The DTA is not applying for concurrent use permits for the Wells Fargo Bridge, the Skywalk from that bridge to the current "T", or the Northwest Passage as they will be operated within the current Skywalk conditions. The DTA, will however apply to the City to amend the Skywalk ordinance to allow for the walking of bicycles within those areas.

The purpose of the DTA applying for concurrent permits for these two skywalk links is based on longer times of use and allowing bicycles.

James Heilig, Director of Administration and Planning
Duluth Transit Authority

RECEIVED JAN 15 2013

Second Avenue West:

existing
TCE
DRA
owners

Superior
Street

Third Ave. West

Street

Michigan St

Street

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16	92.89
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13	97.28
12	98.00
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10	99.04
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6	101.94
5	102.55
4	103.15
3	103.75
2	104.37
1	104.90

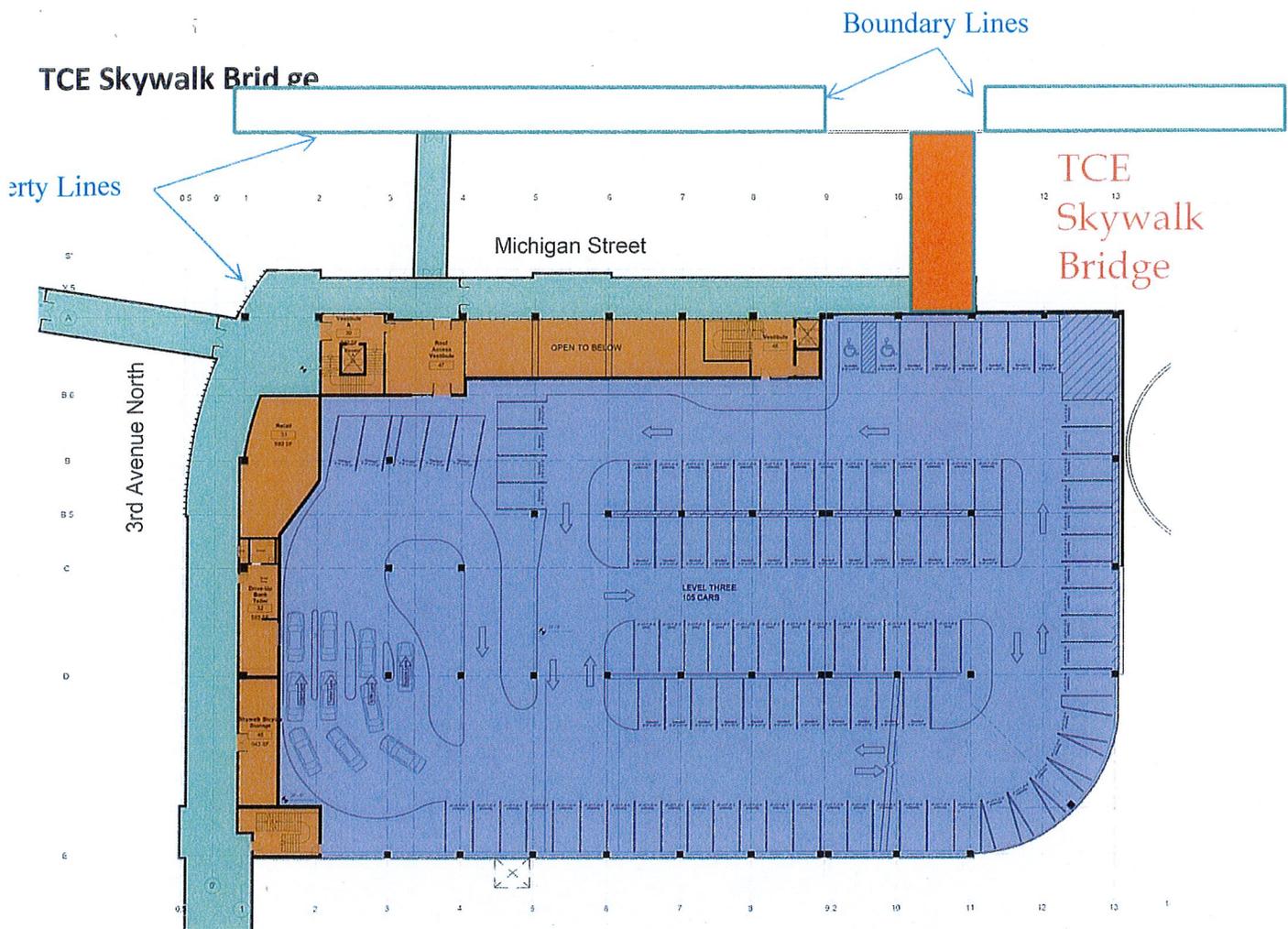
Biz Prop - Salter Building

INRIT Wells Fargo Ramp

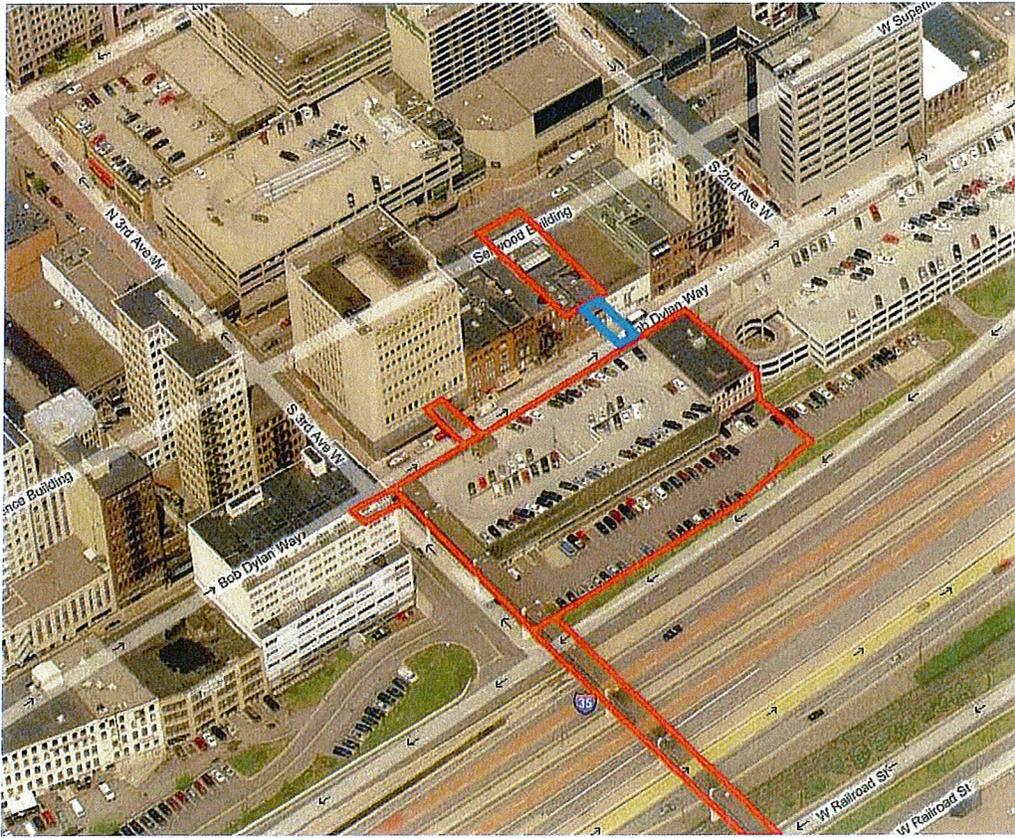
S & M R.R.

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11	109.54
10	110.14
9	110.75

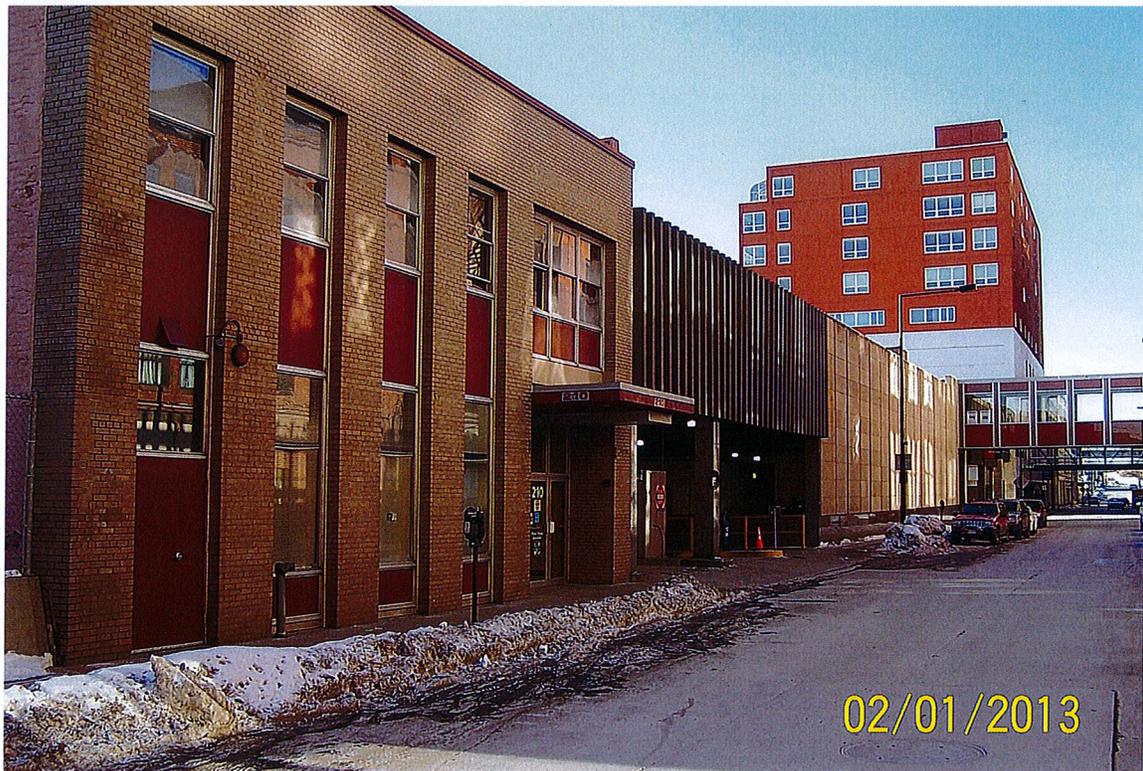


This new bridge from the existing TCE to the new facility will have an interior open space of at least 12 feet and exterior space not to exceed 20 feet (preliminary drawing on page 4). It will start within 1.5 feet of the SE corner of Lot 40 Block 6 Central Division and 28.5 feet from the SW corner of Lot 40 Block 6. It will be a maximum of twenty feet wide and 50 feet in length from building face to building face. It will attach within 1.5 feet of the NE corner of Lot 10, Block 10 of the Central Division and 3.5 feet from the NW corner of that same lot to the new facility. The height over the driving lanes and parking lanes will be at least 15.5 feet (meets State of MN standard) and 14 feet over the sidewalks. The Concurrent Use permit is for the entire bridge, building face to building face.

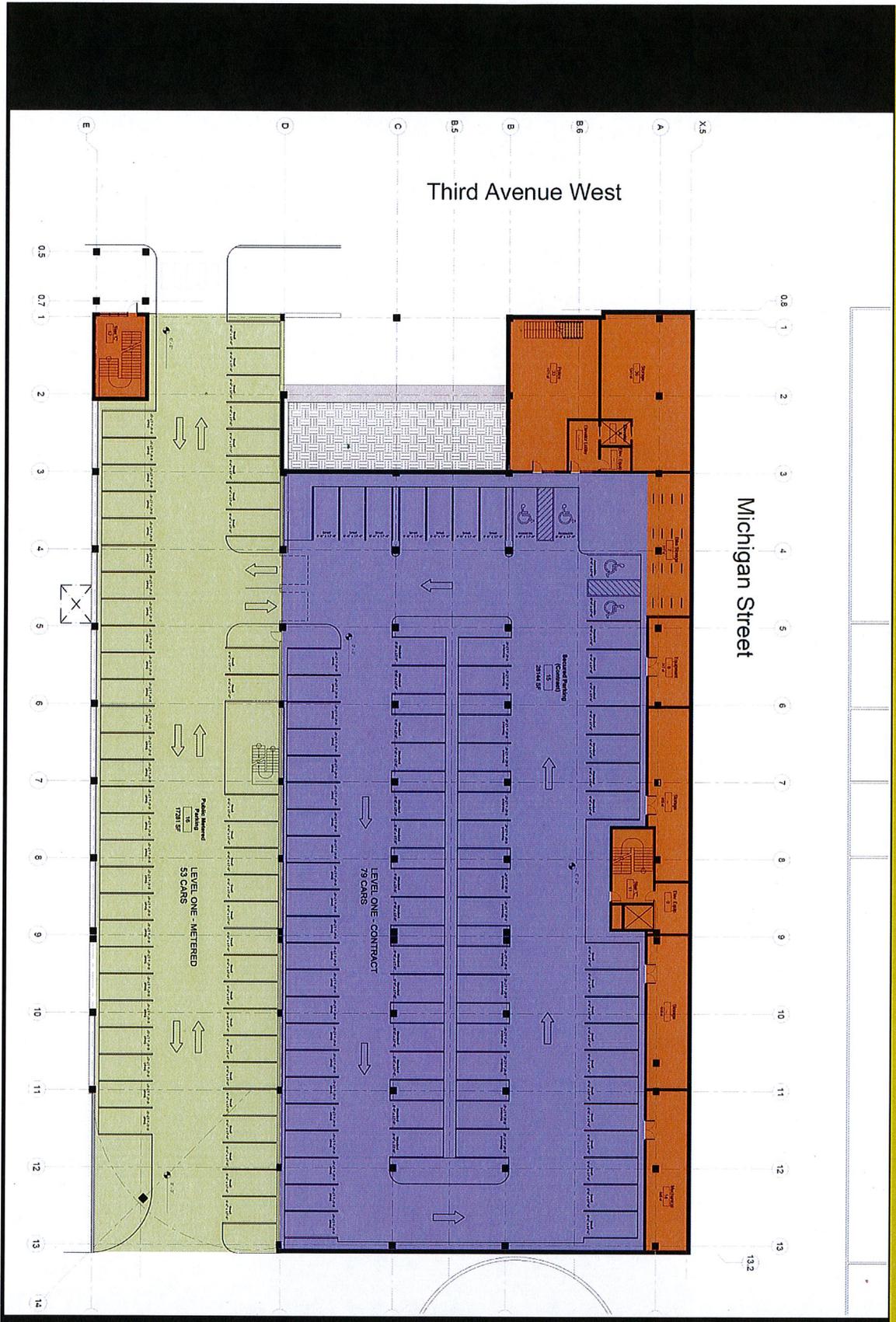


- Existing Footprint
- Footprint Expansion





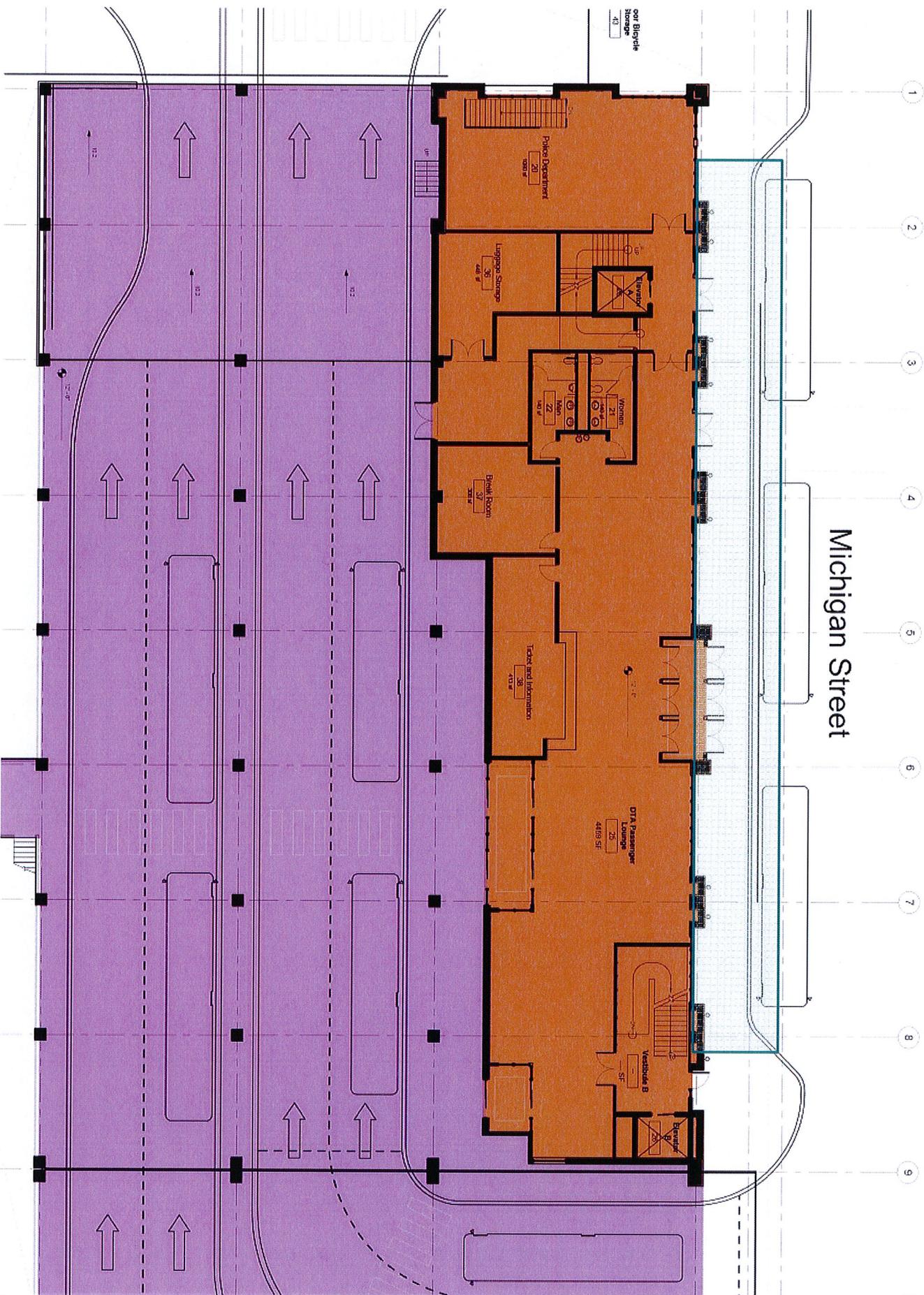
Lower Level Floor Plan



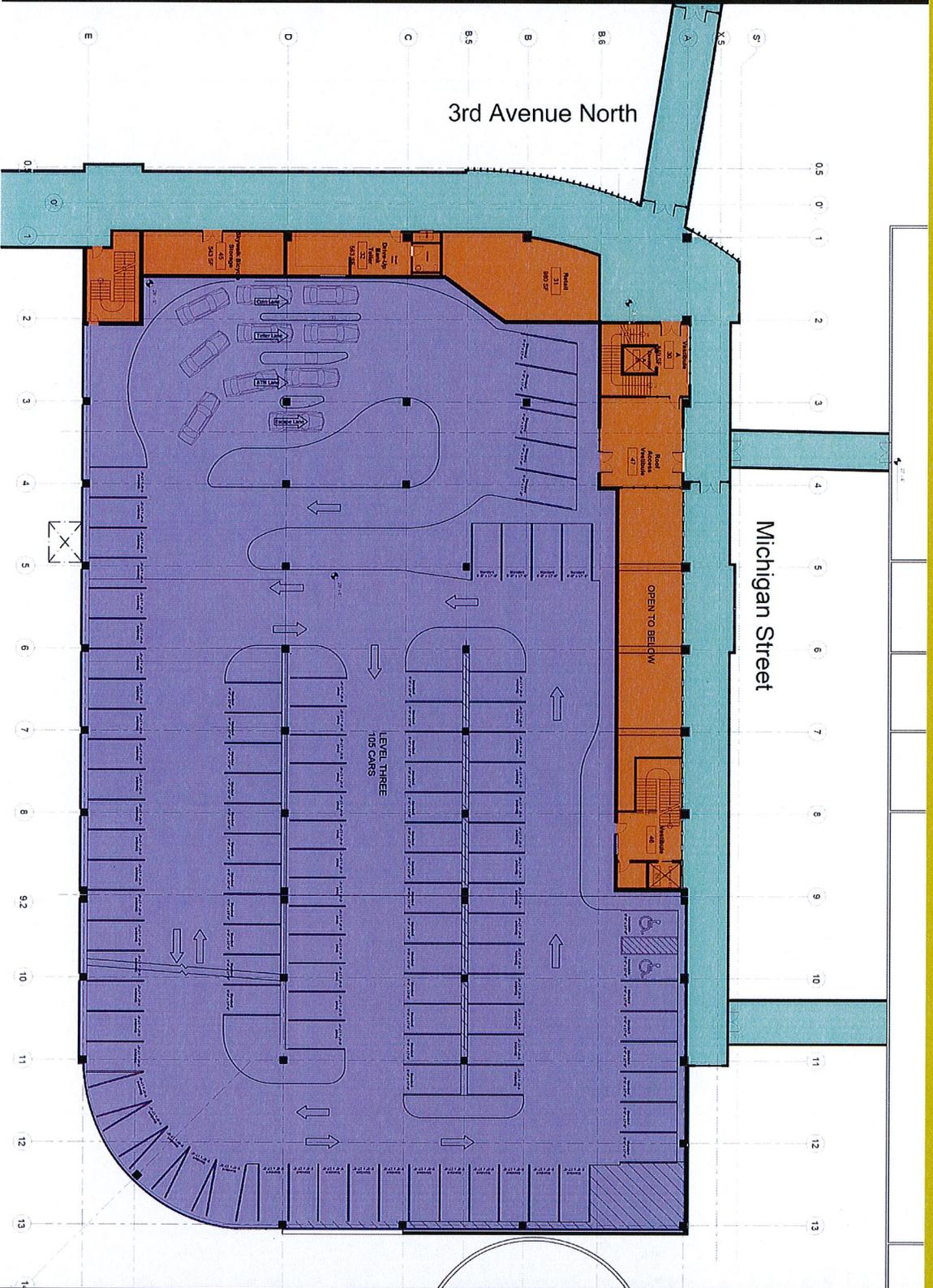


Level Two (Michigan Street) Floor Plan

Michigan Street



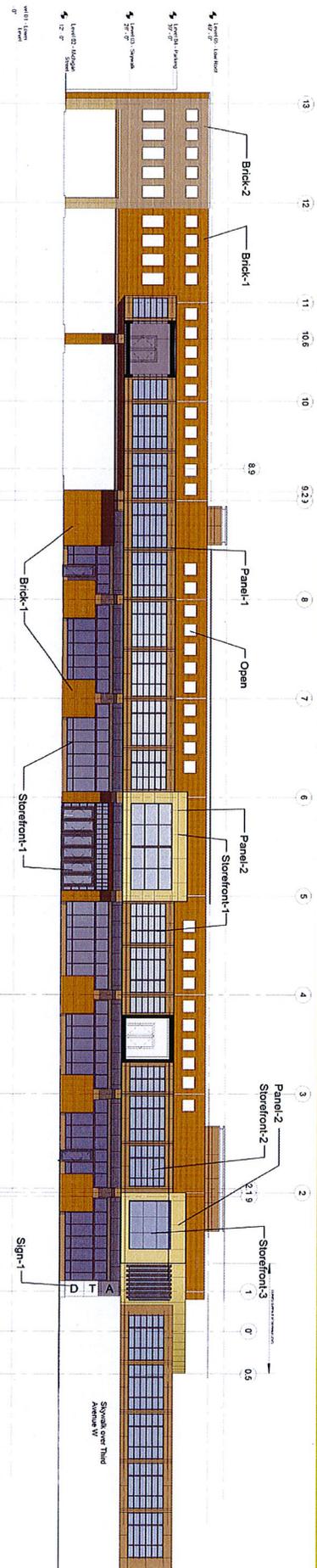
Level Three (Skywalk) Floor Plan



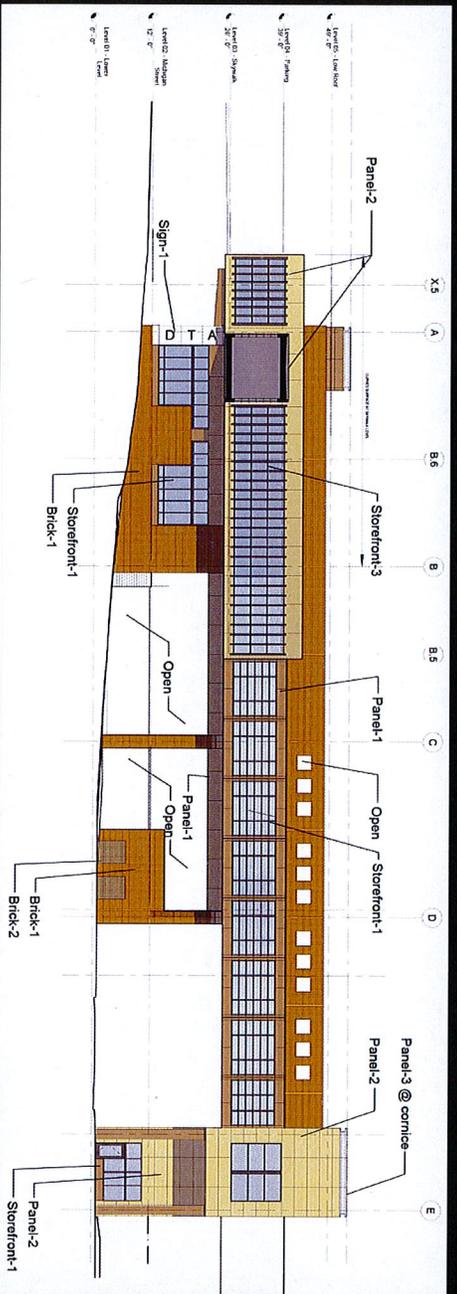
Level Four Floor Plan



Building Elevations



North Elevation – Michigan Street



West Elevation – Third Avenue West

View of Michigan St. & 3rd Ave W



3rd Ave West View

