



CITY OF DULUTH
Planning Division

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

File Number	PL 15-127	Contact	Jenn Reed Moses, jmoses@duluthmn.gov	
Application Type	Shoreland Variance	Planning Commission Date	September 8, 2015	
Deadline for Action	Application Date	August 7, 2015	60 Days	October 6, 2015
	Date Extension Letter Mailed	August 21, 2015	120 Days	December 5, 2015
Location of Subject	1000 Minnesota Avenue			
Applicant	Island Inn & Suites	Contact	Troy Hoekstra, thoekstra@charter.net	
Agent	DJR Architecture	Contact	Scott England, sengland@djri-inc.com	
Legal Description	PID 010-4400-00890			
Site Visit Date	August 24, 2015	Sign Notice Date	August 21, 2015	
Neighbor Letter Date	August 24, 2015	Number of Letters Sent	21	

Proposal

Applicant is requesting a variance to the impervious surface setback from 50 feet to 0 feet, to allow pavement for a hotel parking lot and drive aisle.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	MU-W	Marina	Commercial Waterfront
North	I-W	Corps of Engineers	Institutional
South	MU-W	Marina/hotel	Commercial Waterfront
East	R-1	Marina	Traditional Neighborhood
West	N/A	N/A	N/A

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

50-18.1.D. - Shoreland setback for impervious surfaces is 50 feet.

50-37.9.C - General variance criteria.

50-37.9.L. - Variances in Shorelands: No variance shall be granted that compromises the general purposes or intent of Section 50-18.1.D. or results in adverse consequences to the environment. Variances shall include a requirement for the applicant to mitigate the impacts of the variance on shoreland areas.

II. N-1

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

Governing Principle #1 - Reuse previously developed lands.
Governing Principle #4 - Support emerging economic growth sectors.

Commercial Waterfront: Waterfront-dependent commercial uses, sometimes mixed with residential or adjacent to higher density residential. Includes tourist- or recreation-oriented uses. Commercial areas can be adjacent to industrial waterfront. Abuts other commercial uses and recreation areas, preservation areas. Access to regional arterial traffic and water access.

Applicant has also applied for a MU-W Planning Review (PL 15-126).

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

Staff finds that:

- 1.) Site is currently 100% impervious and is used as a marina. Applicant is proposing to redevelop the property as a hotel and parking lot.
- 2.) Given its original development as a marina, lot has an unusual shape, with any potential building sites being very narrow. Lot is approximately 130' wide at this location, but with a 50' shoreland setback, 80' of space remains to accommodate a building and parking. Lot is over 900' deep, resulting in a long, narrow lot.
- 3.) The unique shape and location of the marina slips results in the 50' shoreland setback restricting development over much of the site. Without this variance, the only other location to provide required parking would be along Minnesota Avenue, in an area currently used for marina parking and a further distance from the proposed hotel.
- 4.) The intent of the MU-W district is to provide for waterfront-dependent commercial uses and medium to high density residential development. The proposed use is reasonable in the MU-W district.
- 5.) The relief may be granted without substantially impairing the intent of the UDC.
- 6.) Shoreland variances require mitigation. Parking areas within 25' of the water will have pervious pavers, thereby reducing the runoff over existing conditions. Per City Engineering, the stormwater plans for the site include directing all stormwater to infiltration BMPs, which is the best way to treat stormwater. With the addition of pervious pavers and green space, this site will transition from being 100% impervious (current conditions) to less than 89% impervious.
- 7.) Per UDC Section 50-37.1.N, approved variances lapse if the project or activity authorized by the permit or variance is not begun within 1 year.

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

Staff recommends that if the Planning Commission approve the shoreland variance to allow impervious surface within 0' of the water, subject to the following conditions:

- 1.) The project be limited to, constructed, and maintained according to "Paving and Dimension Plan," dated 08/26/15.
- 2.) Any alterations to the approved plans that do not alter major elements of the plan may be approved by the Land Use Supervisor without further Planning Commission; however, no such administrative approval shall constitute a variance from the provisions of Chapter 50.

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

City Planning
PL 15-126
1000 Minnesota Avenue

Legend	
	Trout Stream (GPS)
	Other Stream (GPS)
	Hydrant
	Water Main
Network Structure	
	Storage Basin
	Pump Station
Sanitary Gravity Mains	
	CITY OF DULUTH
	W.L.S.S.D; PRIVATE; RICE LAKE TWP
	Sanitary Sewer Forced Main
	Storm Sewer Catch Basin
Subtype	
	Storm Sewer Pipe
Gas Distribution Main	
	Coated Steel
	Plastic
Zoning Boundaries	
	Zoning Boundaries
Right-of-Way Type	
	Road or Alley ROW
	Vacated ROW
Easement Type	
	Utility Easement
	Other Easement

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.

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Aerial photography from 2013

Prepared by: City of Duluth Planning Division, August 14, 2015. Source: City of Duluth

1000 Minnesota Avenue

Site Photos



Looking south towards Marina Inn & Suites, 1003 Minnesota Avenue



Looking west at marina, towards Bay



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City of Duluth
Planning and Construction Services

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Variance Application Supplemental Form

In order to submit a complete variance application, please explain how your request meets all of the below variance criteria. This is information that is required by the zoning code and that is necessary for Planning Commission review.

List the UDC Section you are seeking relief from (example: "50-14.5 – front yard setback in an R-1"):

50-18.D Shorelands

Is the applicant proposing to use the property in a reasonable manner?

Yes No

Please explain the applicant's use of the property, and how the relief requested is necessary for the preservation and enjoyment of a substantial property right and not merely to serve as a convenience to the applicant:

The site is currently used as a parking lot for the marina. The proposed hotel's parking area will replace existing paving areas. The new parking stalls on the north side of the hotel, which are within 25' of the shoreline, will be paved with pervious pavers to permit storm water infiltration. The amount of infiltration on the site will be increased with this proposal.

Is the need for relief due to circumstances unique to this property?

Yes No

Please explain how these circumstances are due to exceptional narrowness, shallowness or shape of the applicant's property, or because of exceptional topographic or other conditions related to the property:

The site at this portion is rather narrow. To permit a standard width building, there is not sufficient remaining land to have parking on the north side of the building without parking within the 25' distance.

Will granting this variance alter the essential character of the area?

Yes No

Explain how this property fits the character of the neighboring area, and how the special circumstances or conditions applying to the building or land in question are peculiar to such property or immediately adjoining property, and do not apply generally to other land or buildings in the vicinity:

The addition of pervious pavers in this location will reduce the amount of impervious surfaces on the site compared to existing conditions. This will improve storm water drainage. This site being used as a marina will be maintained, which is consistent with the adjacent uses.

Is this request consistent with the intent of the UDC and Comprehensive Plan? Yes No

Explain how the UDC and Comprehensive Plan support this request: _____

The use of pervious pavers will increase the amount of storm water infiltration on this site compared to existing conditions. Better treatment of storm water before entering Lake Superior is one of the goals of the UDC and Comprehensive Plan.

Explain how the special circumstances or conditions that create the need for relief were NOT directly or indirectly created by the action or inaction of the property owner or applicant:

The owner is looking to in affect replace existing parking areas with the new development. By using pervious pavers, the storm water management will be improved.

Will the variance impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets or the danger of fire or imperil the public safety or unreasonably diminish or impair established property values within the surrounding areas or in any other respect impair the health, safety or public welfare of the inhabitants of the city? Yes

No

Please explain: The replacement of the paving at this location with pervious pavers will have no affect on the supply of light or air to adjacent properties.

It will also have no affect on the congestion in public streets nor increase the danger of fire. This overall improvement to the site will enhance the property values of the surrounding areas.

Does the relief allow any type of sign that is not allowed in the zone district where the property is located? Yes No

Does your variance request need to meet any of the specific criteria in UDC Section 50-37.9, subsections D through M? Yes No

Discuss what subsections are applicable and how this request meets those: 50-37.9.K.2.b

Development in the flood fringe - the amount of pervious areas is increased with this development. This design will increase the amount of areas that will be used to enhance the storm water management.

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Storm Water Management Report

ISLAND INN AND SUITES DULUTH, MN

Prepared for

ISLAND INN AND SUITES, LLC

Larson Project No. 12156107.000
Issue Date: August 4, 2015



**Larson
Engineering**

816 W. St. Germain Street
Suite 308
St. Cloud, MN 56301
Ph: 320-428-5824

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**Island Inn and Suites
Duluth, MN**

STORMWATER CALCULATIONS

BY

LARSON ENGINEERING

August 4, 2015

CONTENTS:

1. Title Page
2. Table of Contents/Signature Page
3. Stormwater Runoff Summary
4. Existing Drainage Map
5. Proposed Drainage Map
6. Hydraulic Soil Group Map

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision, and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.



Thomas J Herkenhoff, P.E.

08/04/15

Date

25520

Registration No.

N-9

Island Inn and Suites, Duluth, MN

SUMMARY OF STORMWATER RUNOFF

Introduction:

The project area consists of a proposed 1.2 acre redevelopment. The project is located on the southwest corner of Minnesota Avenue and 10th Street South (Lakehead Boat Basin). The existing site currently serves as a Marina and RV area. The proposed redevelopment area will consist of a new hotel, parking lot and drainage areas.

Existing Drainage:

The existing redevelopment area consists of the following:

50,828 sf Impervious Surface 100%

The existing site drainage for this area flows to three existing storm sewer infiltration catch basins (open bottom). During larger rain events, the water pools for a period of time in the parking lot which allows for infiltration to occur over time in the existing catch basin.

The existing catch basins are located on the east end of the reconstruction area, the central portion of the reconstruction area and the west end of the reconstruction area.

Proposed Drainage:

The proposed drainage area will consist of the following:

30,358 sf Impervious Pavement	60%+/-
14,640 sf Building	29%+/-
2,530 sf Pervious Pavers	5%+/-
3,300 sf Green Area	6%+/-

The proposed site drainage for this area (excluding the building) will flow to an existing storm sewer infiltration catch basin on the west side of the new building, a proposed storm sewer infiltration catch basin on the northwest side of the new building, pervious pavers on the north side of the new building and an infiltration pond on the east side of the new building. The building runoff itself will be directed to the bay via pipe because that water will be a cleaner runoff free of silt, gas and oil.

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Drainage Improvements:

The existing area runoff in this project area is currently being infiltrated through 3 infiltration catch basins that infiltrate the runoff over time.

This project will improve the infiltration capacity greatly as described below:

West Area: This area's drainage will utilize the existing infiltration catch basin and another will be added.

North area: The drainage to the north will be infiltrated through 2,530 sf of pervious pavers. Runoff from this area that is not infiltrated into the pavers will flow to a proposed infiltration pond located on the west side of the project.

East Area: The drainage to the east will be directed to an infiltration pond located on the east side of the project along with an additional infiltration catch basin located on the driveway entrance north of the pond.

South Area: The southerly drainage area is very small and will be directed to the east and west areas accordingly.

Proposed Building: The proposed building's roof drainage will be piped directly to the bay due to the fact that this storm water will be a cleaner runoff free of silt, gas and oil. This will reduce the area of water to be treated via infiltration by 14,640 sf in this area which will be a great benefit and help reduce infiltration area maintenance.

Infiltration Ponding Information:

The proposed infiltration pond on the east side of the project will be approximately 1,759 sf in area.

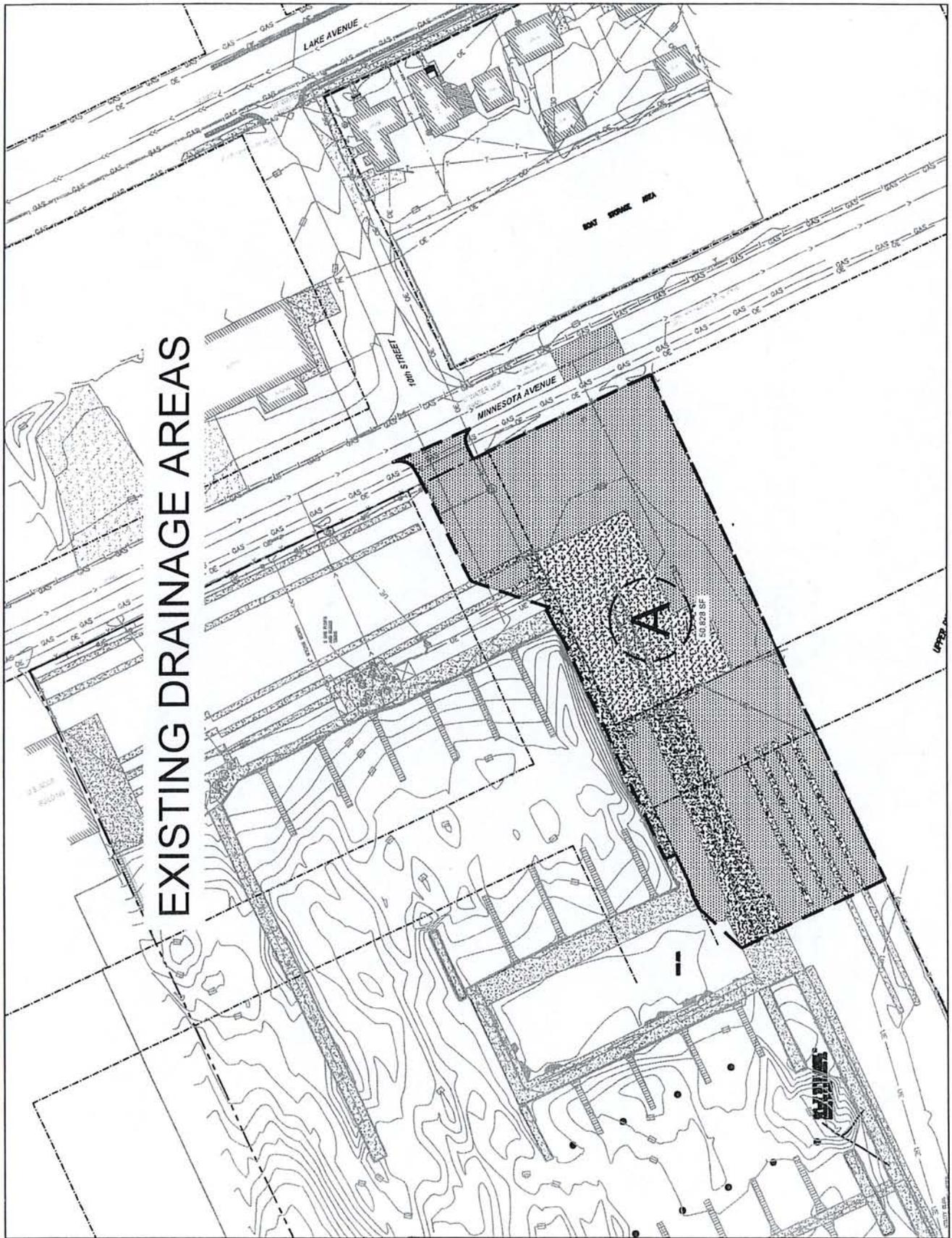
Pond Volume: 818 cf in volume at a 9 inch depth

Conclusion:

This project will greatly improve the storm water quality and quantity in this area as follows:

1. Two additional infiltration catch basins will be added on both the east and west side of the project.
2. There will be 2,530 sf of proposed pervious pavers on the north side.
3. A newly proposed infiltration pond will be located on the east side.
4. There is 3,300 sf of additional green space in an area that was entirely impervious.
5. Less polluted runoff overall when considering the proposed building's roof (14,640 sf).
6. Less flow into infiltration basins when considering the proposed building's roof (14,640 sf) will be piped directly to bay thus leading to more effective infiltration measures.
7. An overall impervious surface reduction of 5,830 sf when considering both green area and pervious pavers.

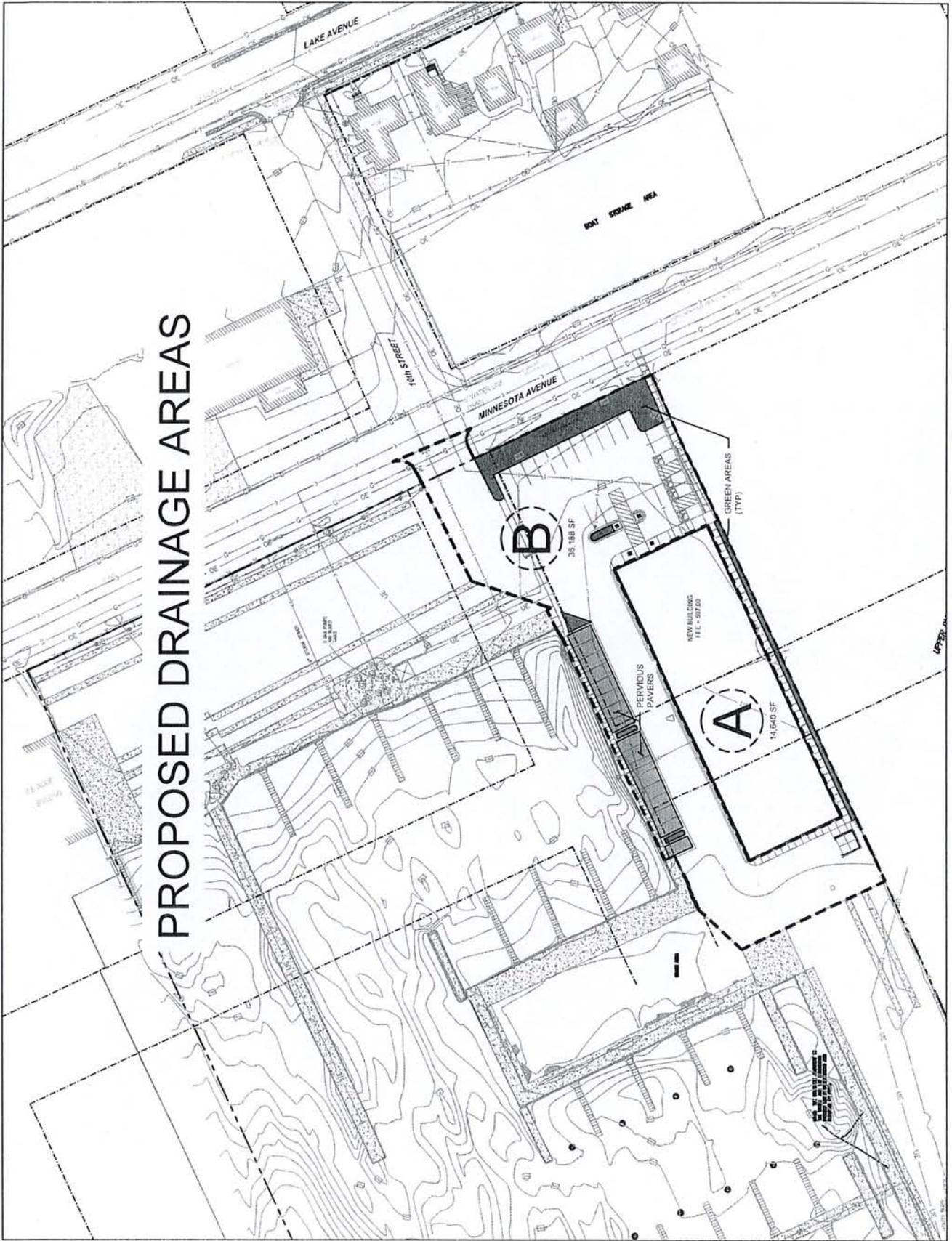
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EXISTING DRAINAGE AREAS

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PROPOSED DRAINAGE AREAS



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Hydrologic Soil Group—St. Louis County, Minnesota, Duluth Part
(Island Inn and Suites, Duluth, MN)



Map Scale: 1:836 if printed on A landscape (11" x 8.5") sheet.
0 10 20 40 60 Meters
0 40 80 160 240 Feet
Map projection: Web Mercator Corner coordinates: WGS84 Edge ticks: UTM Zone 15N WGS84

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Hydrologic Soil Group—St. Louis County, Minnesota, Duluth Part
(Island Inn and Suites, Duluth, MN)

MAP LEGEND		MAP INFORMATION
<p>Area of Interest (AOI)</p> <p> Area of Interest (AOI)</p> <p>Soils</p> <p>Soil Rating Polygons</p> <p> A</p> <p> A/D</p> <p> B</p> <p> B/D</p> <p> C</p> <p> C/D</p> <p> D</p> <p> Not rated or not available</p> <p>Soil Rating Lines</p> <p> A</p> <p> A/D</p> <p> B</p> <p> B/D</p> <p> C</p> <p> C/D</p> <p> D</p> <p> Not rated or not available</p> <p>Soil Rating Points</p> <p> A</p> <p> A/D</p> <p> B</p> <p> B/D</p>	<p> C</p> <p> C/D</p> <p> D</p> <p> Not rated or not available</p> <p>Water Features</p> <p> Streams and Canals</p> <p>Transportation</p> <p> Rails</p> <p> Interstate Highways</p> <p> US Routes</p> <p> Major Roads</p> <p> Local Roads</p> <p>Background</p> <p> Aerial Photography</p>	<p>The soil surveys that comprise your AOI were mapped at 1:24,000.</p> <p>Warning: Soil Map may not be valid at this scale.</p> <p>Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.</p> <p>Please rely on the bar scale on each map sheet for map measurements.</p> <p>Source of Map: Natural Resources Conservation Service Web Soil Survey URL: http://websoilsurvey.nrcs.usda.gov Coordinate System: Web Mercator (EPSG:3857)</p> <p>Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.</p> <p>This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.</p> <p>Soil Survey Area: St. Louis County, Minnesota, Duluth Part Survey Area Data: Version 10, Mar 12, 2015</p> <p>Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.</p> <p>Date(s) aerial images were photographed: Jul 6, 2011—Sep 19, 2011</p> <p>The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.</p>

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Hydrologic Soil Group

Hydrologic Soil Group— Summary by Map Unit — St. Louis County, Minnesota, Duluth Part (MN615)				
Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
1034A	Udifluvents and Fluvaquents, loamy, 0 to 2 percent slopes, rarely flooded	C	1.1	87.1%
F157C	Udipsammments-Urban land complex, 1 to 20 percent slopes	A	0.2	12.7%
W	Water		0.0	0.2%
Totals for Area of Interest			1.3	100.0%

Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

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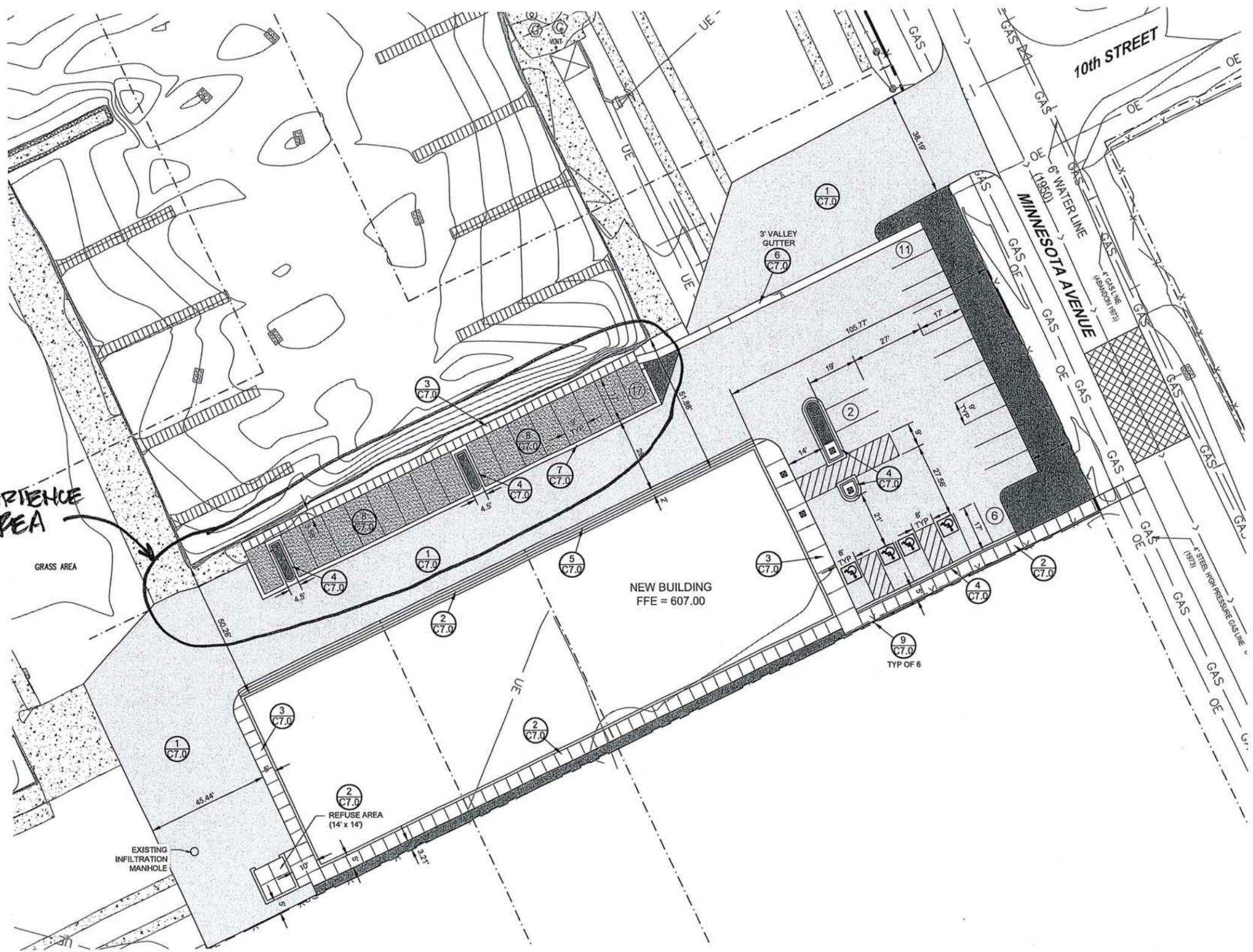
Rating Options

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher

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SYMBOL LEGEND

- NEW 3.5" BITUMINOUS OVER NEW 6" AGGREGATE BASE OVER 27" GRANULAR SEE DETAIL 1/C7.0
- NEW PERVIOUS CONCRETE PAVERS SEE DETAIL 8/C7.0
- CITY STREET CUT AND PATCH REPAIR (RESTORE PER CITY REQ'S)
- NEW 7" CONCRETE OVER NEW 6" AGGREGATE BASE OVER 27" GRANULAR SEE DETAIL 2/C7.0
- NEW GREEN SPACE / INFILTRATION AREA
- (X) PARKING STALL COUNT

PARKING REQUIREMENTS:

MOTEL - 70 UNITS @ 2 STALLS PER 3 GUEST ROOMS
= 46.67 = 47 PARKING STALLS

CONVENIENCE STORE - 4 PARKING STALLS

51 SPACES TOTAL * (0.70) = 35.7 = 36 REQUIRED STALLS

36 PARKING STALLS PROVIDED (4 ADA)

AREA TABULATION:

TOTAL DISTURBED AREA = 50,828 SF ±

BUILDING = 14,640 SF ±

IMPERVIOUS PAVEMENT = 30,358 SF ±

GREEN SPACE = 3,300 SF ±

PERVIOUS PAVER AREA = 2,530 SF ±

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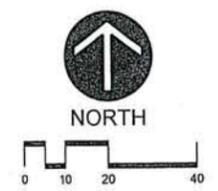
ISLAND INN AND SUITES
 DULUTH, MN

I hereby certify that this plan, specifications or report was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the state of Minnesota.

Thomas J. Heikenhoff
 Thomas J. Heikenhoff, P.E.
 Date: 08.04.15 Reg. No.: 25520

Rev.	Date	Description

Project #: 12156107.000
 Drawn By: BDM
 Checked By: TJH
 Issue Date: 08.04.15
 Sheet Title:
PAVING AND DIMENSION PLAN
C2.0
 Sheet: 2 of 8



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