



**CITY OF DULUTH**

Community Planning Division

411 W 1<sup>st</sup> St, Rm 208 \* Duluth, Minnesota 55802-1197

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

<b>File Number</b>	PL 16-085		<b>Contact</b>	John Kelley, jkelley@duluthmn.gov	
<b>Type</b>	Special Use Permit, Townhouse Dwelling parking area and refuse encl.		<b>Planning Commission Date</b>	August 9, 2016	
<b>Deadline for Action</b>	<b>Application Date</b>	July 12, 2016	<b>60 Days</b>	September 10, 2016	
	<b>Date Extension Letter Mailed</b>		<b>120 Days</b>	November 9, 2016	
<b>Location of Subject</b>	1726/1724 East 5 <sup>th</sup> Street				
<b>Applicant</b>	Michael Schraepfer		<b>Contact</b>	218-269-9691	
<b>Agent</b>	Michael Schraepfer		<b>Contact</b>	Michael.schraepfer@gmail.com	
<b>Legal Description</b>	010-1480-07450				
<b>Site Visit Date</b>	August 1, 2016		<b>Sign Notice Date</b>	July 26, 2016	
<b>Neighbor Letter Date</b>	July 27, 2016		<b>Number of Letters Sent</b>	67	

**Proposal**

The applicant proposes to provide a parking area and a refuse enclosure for the existing adjacent 5-unit townhouse building built in 1911.

	<b>Current Zoning</b>	<b>Existing Land Use</b>	<b>Future Land Use Map Designation</b>
<b>Subject</b>	R-1	Multifamily residential	Traditional Neighborhood
<b>North</b>	R-1	Single family residential	Traditional Neighborhood
<b>South</b>	MU-N	Single/Multifamily residential	Neighborhood Mixed Use
<b>East</b>	R-1	Single family residential	Traditional Neighborhood
<b>West</b>	R-1	Single family residential	Traditional Neighborhood

**Summary of Code Requirements**

The proposed site improvements to the existing adjacent 5-unit Townhouse dwelling require a Special Use Permit in the R-1 zone district.

UDC Section 50-37.10. Special Use Permits. The Planning Commission shall approve the application or approve it with modifications if the commission determines that the application meets the following criteria: 1. The application is consistent with the Comprehensive Land Use Plan; 2. The application complies with all applicable provisions of this Chapter, including without limitation any use-specific standards applicable to the proposed use, development or redevelopment, and is consistent with any approved district plan for the area; 3. Without limiting the previous criteria, the commission may deny any application that would result in a random pattern of development with little contiguity to existing or programmed development or would cause anticipated negative fiscal or environmental impacts on the community.

Note: Special Use Permits expire if the project or activity authorized by the permit is not begun within 1 year.

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

Future Land Use Traditional Neighborhood: Characterized by grid or connected street pattern, houses oriented with shorter dimension to the street and detached garages, some with alleys. Limited commercial, schools, churches, and home-businesses. Parks and open space areas are scattered through or adjacent to the neighborhood. Includes many of Duluth's older neighborhoods, infill projects and neighborhood extensions, and new traditional neighborhood areas.

The existing 5- unit townhouse exhibits the characteristics of a series of one-family dwellings that are arranged in an attached side by side fashion to blend in well with the character of the residential neighborhood. Townhouse dwellings are a permitted use in R-1 district through the issuance of a special use permit.

**Review and Discussion Items**

- 1) The applicant and owner of the existing townhouse recently purchased the adjacent parcel to the west.
- 2) The applicant is proposing to construct a parking lot with 10 parking spaces and an enclosed refuse area for the adjacent existing 5-unit townhouse built in 1911.
- 3) The adjacent lot to be used for the parking area is a vacant lot, which was previously occupied by a single family dwelling.
- 3) 50-24 (Parking and Loading). Parking is required at 1 space per dwelling unit. The applicant is proposing 7 parking spaces. Maximum parking limits do not apply to townhomes.
- 4) 50-25.4 (Parking lot landscaping). Due to the small size of the parking lot, the applicant only needs to provide perimeter screening from public streets. The UDC requires one tree per 35 feet of linear frontage. The lot is 50 feet wide and there is one existing large maple tree, which meets the required tree standard. The code also requires 3 large shrubs per 25 feet of linear frontage. The applicant will need to provide 6 large shrubs along the parcel line adjacent to East 5<sup>th</sup> Street
- 5) 50-25.5 (Landscaping between differing land uses). The adjacent parcel to the west is zoned R-1 with an existing single family home. Although buffering is not required between similar residential land use types, staff is recommending that a buffer consisting of a combination of tree and shrubs and/or a fence along the western property line to screen that portion of the neighboring house from the parking lot.
- 6) The applicant is proposing to construct a fenced in refuse area located on the south end of the parking lot.
- 7) No citizen or City Department comments were received on this zoning application.

**Staff Recommendation**

- 1) The project be limited to, constructed, and maintained according to plans submitted.
- 2) Applicant revise the site plan to show required parking lot perimeter screening per section 50-25.4, or submit and receive approval of an Alternative Landscape Plan that is consistent with the goals of section 50-25.4.
- 3) 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 approval; however, no such administrative approval shall constitute a variance from the provisions of Chapter 50.

An approved Special Use Permit will expire if the project or activity authorized by the permit is not begun within 1 year.



# City Planning

PL 16-085  
SUP - Townhouse  
1726 E 5th St

## Legend

### Future Land Use - Plus 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

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Aerial photography flown 2013

Prepared by: City of Duluth Planning Division, July 18, 2016. Source: City of Duluth.



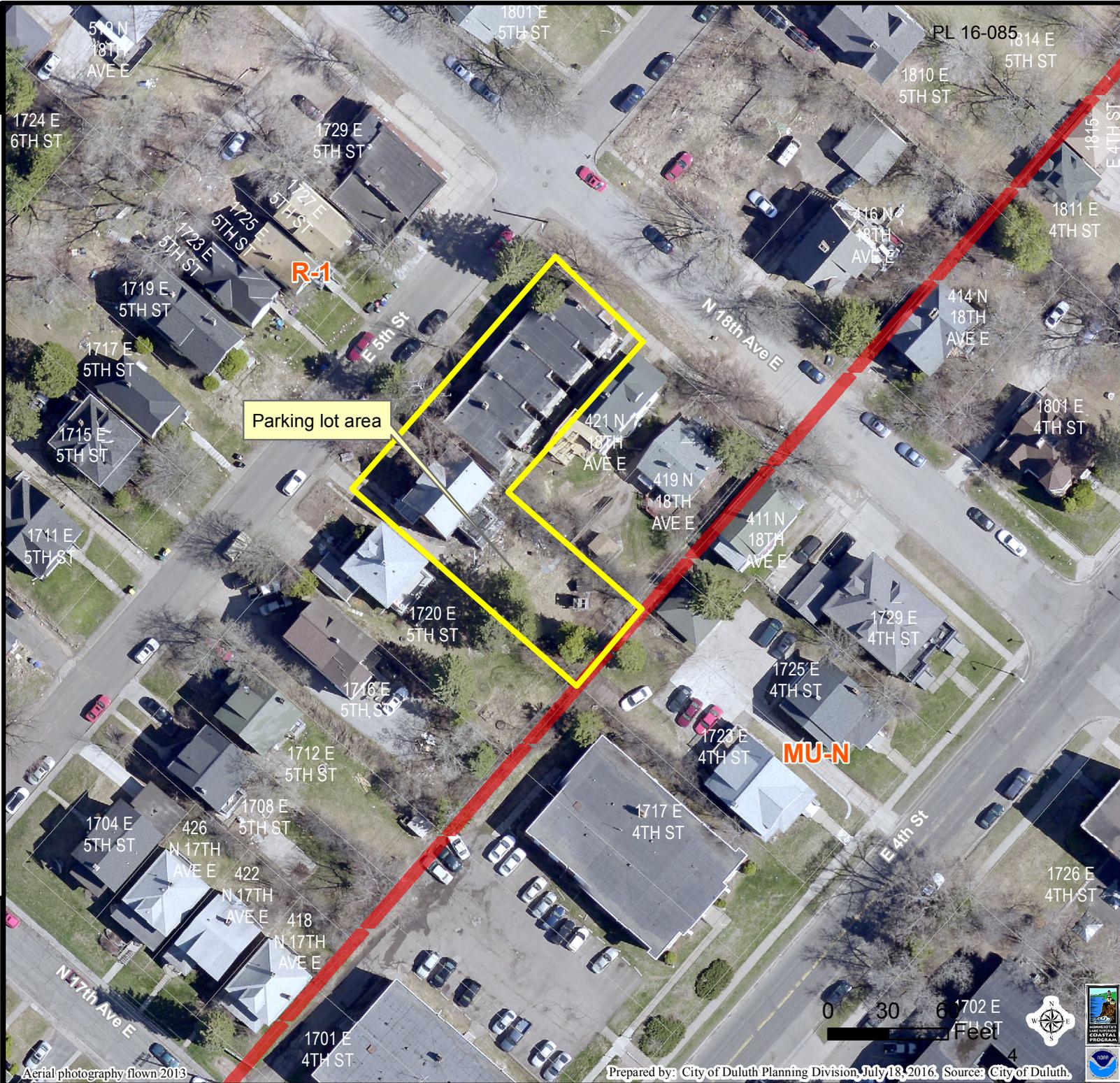


# City Planning

PL 16-085  
SUP - Townhouse  
1726 E 5th St

## Legend

 Zoning Boundaries



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1726 E 5th St

Proposed Parking Lot

E 5th St

Google earth

© 2016 Google

Imagery Date: 4/14/2015 46°48'25.55" N 92°04'52.93" W elev 902 ft eye alt 1393 ft

1991



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1726 E 5th St

Proposed Parking Lot

N 18th Ave E

## 1726-1734 E 5<sup>th</sup> St Townhouse Code Compliance:

B. Dwelling, townhouse. In the R-1 and R-2 districts, each dwelling shall exhibit the characteristics of a series of one family dwellings that are arranged in an attached side by side fashion and shall be designed to protect the character of one-family residences as set forth below:

1. Dwelling fronting street. Townhouse dwellings shall be located on lots in such a way that each individual dwelling unit has a minimum of 20 feet of street frontage in the R-1 district, and a minimum of 15 feet of street frontage in the R-2 district;

The lot is 100 feet wide and the five town home structure is built on the western lot line all the way to the eastern right of way easement line. This provides just under 20' per unit. Built in 1911.

2. Variation of exterior walls. No more than two adjacent townhouse units may have front facades in the same vertical plane. Where a variation in front façade plane is required, the variation shall be a minimum of three feet;

All 5 of the townhomes share the same plane. Built in 1911.

3. Landscaping. Prior to the occupancy and use of a townhouse dwelling, coniferous or evergreen trees meeting the minimum size requirements of Section 50-25.2 shall be planted in required front and back yard areas on an average spacing of 20 feet;

There are 5 large mature trees (a mix of coniferous and deciduous) in the front between the townhome building and 5<sup>th</sup> St and 4 additional large mature pine trees in the rear lawn area.

4. Screening of refuse areas. Where refuse storage areas are directly viewable from any exterior lot line at a height of six feet above grade, they shall be screened by wood, brick, or stone fences, or by vegetative materials, with a minimum height of six feet, designed so that at least 75 percent of the refuse area is obscured by opaque materials when viewed at an angle perpendicular to the screening materials;

The proposed plan is to create and screen a new refuse area with 6' high fencing. Currently there isn't a refuse area and this improvement will bring the property in compliance.

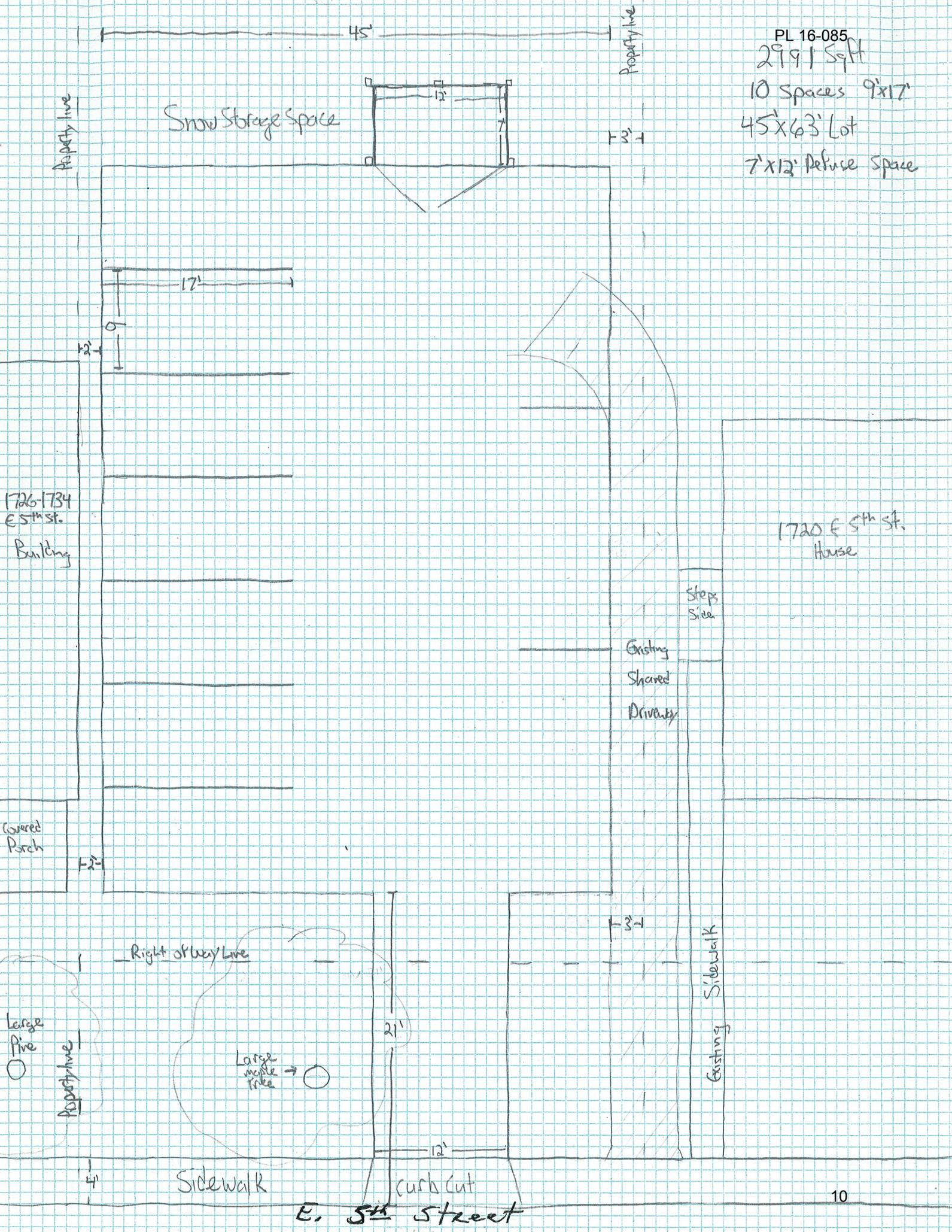
5. Maximum number of units. In the R-1 district, townhomes constructed on the corners of blocks or adjacent to the intersections of two or more public or private road may have up to eight dwelling units, but townhomes constructed in the middle of a subdivision block may have no more than six dwelling units. In all other zone districts, townhomes may not exceed eight dwelling units;

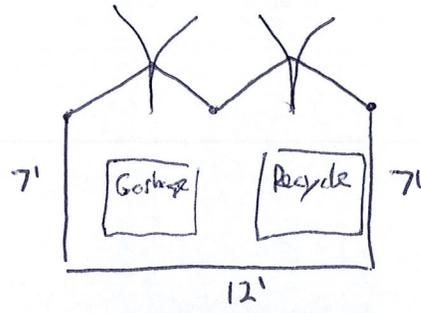
The property complies with a total of 5 townhomes which is within range.

6. Separate entrances. Each unit in a townhome must have a separate exterior entrance on the facade facing the front yard property line, or front side yard property line; 7. Design features. At least three of the following design features shall be provided for visual relief along all facades of each townhome structure: (a) Roof dormers; (b) Gables; (c) Recessed entries; (d) Covered porches; (e) Cupolas; (f) Pillars, pilasters or posts; (g) Bay windows; 3-13 (h) Eaves of at least 12 inches beyond the building wall or a parapet wall with an articulated design (decorative cornice, etc.); (i) Multiple windows with minimum four inches trim; (j) Recesses/shadow lines;

All 5 townhomes comply with the separate entrance façade requirement. The three design features existing are 1. D. individual covered porches, 2. F. Unique front Pillars, 3. G. Bay windows on each unit, 4. I. Multiple windows with 4 inches of trim

PL 16-085  
 2991 Sqft  
 10 Spaces 9'x17'  
 45'x63' Lot  
 7'x12' Refuse Space





Gate Design Example.

4 narrow doors. 36" wide per door.



3 sides of  
Enclosure Design 0 7' x 12' x 6' High

