



Duluth-Superior Metropolitan Interstate Council  
**Transportation Advisory Committee**  
**MEETING SUMMARY**  
**Tuesday, October 20, 2009, 1:30 PM**

<b>Meeting Location</b>	Proctor Community Center, Proctor, MN	
<b>Meeting Chair</b>	Dena Young	
<b>Note Taker(s)</b>	Rondi Watson	
<b>Members Present</b>	Brian Boder	St. Louis County Engineering
	Chuck Froseth	City of Duluth Planning Dept
	Jeff Goetzman	City of Superior
	Paul Halvorson	Douglas County
	Dennis Jensen	Duluth Transit Authority
	Denny Johnson	Mn/DOT District 1
	John Mulder	City of Hermantown
	Brian Ryks	Duluth Airport Authority
	Jason Serck	City of Superior
	Cari Pedersen	City of Duluth Engineering
	Cindy Petkac	City of Duluth Planning Dept
	Cindy Voigt	City of Duluth Engineering
	Dena Young	WisDOT NW Region
<b>Members Absent</b>	Jim Foldesi	St. Louis County Engineering
	Bryn Jacobson	Bike/Pedestrian Rep
	Walter Leu	Mn/DOT District 1
	Heather Rand	Mn DEED
	Jim Rohweder	City of Proctor
	Jim Sharrow	Duluth Seaway Port Authority
<b>Others Present</b>	Ron Chicka	ARDC / MIC Director
	James Gittemeier	ARDC / MIC Planner
	Heidi Jaros	Community Action Duluth
	Andy McDonald	ARDC / MIC Principal Planner
	Rondi Watson	ARDC / MIC Planning Assistant

**1. Introductions and Agenda Review**

TAC Chair Dena Young called the meeting to order at 1:30 p.m. and meeting attendees introduced themselves. Kody Thurnau was introduced as the MIC's new GIS Specialist, replacing Andrea Grygo. His most recent work experience was with the MPCA on projects with the Duluth-Superior harbor, which will be an advantage to us in upcoming work with the HTAC.

Chair Young asked for any changes or corrections to the agenda. Ron Chicka requested that a voting item be added to consider an amendment to the Superior Area TIP.

**Motion and Discussion** Chuck Froseth, with a second from Denny Johnson, moved to add this as an approval item on the agenda. There was no discussion and the motion was approved unanimously.

## 2. Meeting Summary of September 15, 2009

Chair Young asked for any changes or corrections to the previous meeting summary. Hearing none, she asked for a motion to approve.

**Motion and Discussion** Paul Halvorson, with a second from Chuck Froseth, moved to approve the 9/15/09 meeting summary as presented. There was no discussion and the motion was approved unanimously.

## 3. Development of New Zoning Regulations for the City of Duluth

Cindy Petkac, Land Use Supervisor for the City of Duluth, explained that as part of the City's efforts to implement the 2006 Comprehensive Land Use Plan, the City is developing new zoning regulations, which are formally referred to as the Unified Development Chapter (UDC) of the City of Duluth Legislative Code.

Goals of the new UDC are to replace and update the current zoning regulations, which date back to 1958, by incorporating contemporary approaches to neighborhood revitalization, mixed uses and natural resource protection regulations. The new UDC will also bring together the City's development and zoning related sections into one simplified, unified document and will create a streamlined development review and approval process.

The City hired the consultant Clarion Associates team of Denver, Colorado, to assist Planning staff in drafting the new UDC. It will consist of four sections, to be completed from Fall 2009 through Winter 2010: M1: Zone Districts and Uses; M2: Form-Based Districts; M3: Development Standards; and M4: Review Procedures. The new code is anticipated to be completed and presented to the City Council for adoption in summer 2010.

She reviewed the highlights of the M1 section, which includes sections on general provisions, new zoning districts, and permitted uses for those districts. The new M1 section will include simplified and consolidated districts as well as a graphic presentation for each district (using a table-photo-illustration layout); new revised overlay districts. There is a new table showing permitted uses (industrial and commercial uses have been consolidated and are easier to read, and new residential, accessory, and temporary uses have been added); all conditions on specific uses have been consolidated into one place; and all uses and related terms have been defined. Committee members were invited to review Module 1 on the city's web site at <http://www.duluthmn.gov/planning/udc/index.cfm>.

Module 2 focuses on regulations that guide development and redevelopment of six districts in Duluth towards an urban form based on: how buildings are sited on lots; how buildings relate

to street frontages; how other factors contribute to a pedestrian friendly environment. Work on this module began in June 2009 with a series of community visioning exercises.

She explained that the use of form-based districts in certain areas of the city to preserve and enhance the pedestrian scale of several existing commercial areas. Form-based zoning focuses on the form (not the use) of the building, in an effort to preserve and enhance the existing walkable, commercial areas of the city. Form-based districts achieve this by regulating how buildings are sited on lots; how buildings relate to street frontages; and how other factors contribute to a pedestrian friendly environment.

The six proposed form-based districts for Duluth are: Downtown and Canal Park, Central Hillside, West Superior Street in Lincoln Park, London Road (from 12th Avenue East to 21st Avenue East), East Superior Street in Lakeside/Lester Park, Grand Avenue and Central Avenue in West Duluth.

Highlights of the M2 section include several residential districts renamed per Comprehensive Plan and for user-friendliness; inclusion of a new Rural Conservation (R-C) district, Mixed Use districts, Special Purpose districts including a new Park and Open Space, Industrial Waterfront and Industrial General districts. Committee members were invited to review Module 2 on the city's web site at <http://www.duluthmn.gov/planning/udc/meetings.cfm>.

She then described the proposed Overlay Districts that will be included as special zones that outline significant resources within a defined geographic area but do not change the underlying zoning. Specifically, the current Chapter 51 becomes the Natural Resources Overlay, Chapter 28A becomes the Historic Preservation Overlay, and new overlays will be created for Skyline Parkway & Student Housing areas.

She explained that the intent of the proposed Skyline Parkway Overlay District is to protect views from Skyline Parkway toward Lake Superior, St Louis River and the harbor with the construction of narrower buildings located further from the Parkway (rather than taller or wider buildings close to the Parkway). It will apply to property within 200 feet of the downhill side of Skyline Parkway and will incorporate design controls ensuring that any building or addition are located at least 50 feet from the right-of-way of Skyline Parkway; that the long axis of the building shall be located within 20 degrees of perpendicular to the right-of-way; that the width of the building cannot exceed more than 50% of the lot width. She noted that a recent residence called out the additional need to address set-back and transparency of fencing and landscaping along right-of-way.

She described the proposed University Housing Overlay District, the goals of which are to carry forward the current regulations on licensing and spacing of rooming houses in Homeowner Protection Area; add parking controls requiring one off-street space per bedroom and capping spaces (and rental bedrooms) at 5; carry forward recent controls on location of off-street parking, and add Student Housing Incentive Areas based in part on the Young Professionals Housing Study.

She also reviewed the Sustainability Goals of the new UDC, which allows far more mixed-uses to reduce auto dependence. Co-housing and live-work are being added as new land-efficient

housing types; Accessory Dwelling Units are being made more flexible; accessory wind, solar, and geothermal power facilities addressed, and home occupations are being reviewed for flexibility.

UDC goals aimed at Promoting Reinvestment include five new Mixed-Use districts reduce the need for future re-zonings and broader Permitted Use categories will allow new uses without the need for additional review or permits. Over 90 uses will be made available in more districts or made available as Permitted rather than and Special Review uses; Additional Accessory and Temporary uses allow more flexibility in use of land; and objective use-specific standards reduce need for individual review and allow more delegation of decisions to staff for faster action.

Next steps will be to convene a University Housing Working Group; receive public comments; prepare a “change memo” of suggested changes for inclusion in final draft ordinance; and to present the proposed form-based districts in Module 2 at a public meeting on October 28 at 6:00 pm in the Great Hall of the Depot.

She closed by noting that comments from TAC members were welcomed and encouraged. Dennis Jensen commented that he and the DTA Board would like to have further input into transit considerations; specifically he noted concerns about the viability of future service to some of the Student Housing Incentive Areas. Brian Ryks commented that they were interested in working with them to develop an airport overlay to address permitted building heights and densities around the airport.

#### 4. Amendment #5 to the 2009-2012 Superior Metro TIP

Ron Chicka presented Amendment #5 to add two new projects to the 2009-2012 Superior Urbanized Area TIP. The first project is for funding to be used by WisDOT to assist in the study of rail corridor alternatives in Wisconsin for potential use by NLX. Ron added that a meeting regarding the EIS for the proposed Northern Lights Express may be held at WITC just prior to the MIC meeting on December 9.

The second project is for funding to be used to assist in traffic modeling the intersection and surrounding area for the USH 53, North 3<sup>rd</sup> Street, I535 and STH 35 Interchange Study. He closed by requesting approval of MIC Resolution 09-15 approving Amendment #5 to the 2009-2012 Superior Urbanized Area TIP, as presented.

**Motion and Discussion** Jason Serck, with a second from Dennis Jensen, moved to approve Amendment #5 to 2009 - 2012 Superior Area TIP as presented. There was no further discussion and the motion was approved unanimously.

#### 5. 2010-2013 Superior Area TIP – Final

Ron Chicka presented the final 2010-2013 Superior Area Transportation Improvement Program for approval, noting that Sheldon Johnson had presented the list of roadway, rail and transit projects to be included in the TIP at last month’s meeting. He added that an administrative addition had been made since it was released as a draft—a project to reconstruct USH 53 from

Belknap Street to the Blatnik Bridge, even though it will not get underway until 2014/2015 is being included in the project lists so as to assign it a project number for purposes of preliminary engineering. He closed by requesting approval of the final document.

Paul Halvorson noted that the ARRA dollar amount listed for the Douglas County project on CTH-C was incorrect. Due to a recent additional \$20,000 allocation for preliminary engineering, the total cost needed to be listed as \$1,250,000 instead of \$1,230,000 as shown.

**Motion and Discussion** Jeff Goetzman, with a second from Paul Halvorson, moved to approve final 2010-2013 Superior Area Transportation Improvement Program with the correction as noted. There was no further discussion and the motion was approved unanimously

## 6. 2035 MIC-Area Long Range Transportation Plan – Update and Progress Report

Ron reported that we are still awaiting a determination from the FHWA about the date our updated Long Range Transportation Plan is actually due. The issue of timing is critical because the MIC must have a current, approved LRTP in place in order to expend any federal TIP funds. MIC staff had originally targeted the October MIC Board meeting as the release date for the draft 2035 update of the LRTP. This would have commenced the federally required 45-day public review period. Various pieces of work involved in drafting the plan, however, have been delayed, and based on the guidance we receive from FHWA and MnDOT, we may need to call a special Policy Board meeting to re-adopt our current (2030) Long Range Plan if we can't finalize our 2035 update by then.

James Gittemeier then reported on public outreach efforts that have been conducted to date, in conformance with regulations from federal SAFETEA-LU transportation legislation, to include new partners at the state & local levels in the transportation planning process, who represent interests including health, sustainability, livable communities, homeless and aging populations, bicyclists, and climate change.

Ongoing efforts included consultations with Blueprint to End Poverty group, Fit City Duluth Active Living Committee and the DTA Policy Board. Recent meetings had been held to present the LRTP to other groups including:

**Wheels on Trails:** their main concerns focused on Universal Design – accessible transportation; involving groups working on resolving issues for the disabled population “up front” in the planning process and track statistics on numbers of people with mobility issues

**Townships:** their main concerns focused on coordinating preservation & maintenance of roadway projects (striping) across township boundaries.

**WLSSD:** their main concerns focused on data exchanges needed to possibly revise urban service boundary; interest in being included in the upcoming Kirkus Street Land Use Study in Proctor, and in receiving regular updates regarding the Munger Trail.

**City of Superior:** their main concerns focused on the bike and pedestrian network, including bike signage issues at the Bong Bridge, as well as the request to receive regular updates on the

Bong and Blatnik Bridge work.

**Hermantown:** their main concerns focused on extending the Proctor Connector trail into Hermantown; future transit service, and implementing a Complete Street process for Ugstad Road.

**St. Louis County Health Department:** their main concerns focused on partnering to implement the State Health Improvement Program (SHIP), hiring an Active Living Coordinator to focus on policy systems & environmental change, and on implementing the Safe and Walkable Hillside project in the City of Duluth.

**Duluth School District:** their main concern focused on continuing to work with the District on existing & future SRTS grants.

**Lincoln Park:** their main concerns focused on connecting the neighborhood, including the new Middle School, expanded high school, Heritage Center and Munger Trail.

**Central Hillside:** their main concerns focused on the issue of getting up and down the hill, improving sidewalk conditions and lighting issues, transit service issues – limited service to the mall area and the issue of snow removal on sidewalks.

**DTA:** their main concerns focused on continuing with the Superior route analysis; developing designated bus lanes and express bus service; studying a rail passenger rail service; examining a region-wide transit service; and being involved with the DTA Board Working Session regarding bus and bike lane issues.

He closed by noting that future consultations will target the Greater Downtown Council and the Canal Park business district, Community Action Duluth, Duluth and Superior Parks departments, the colleges and universities; and historic preservation and environmental groups.

## 7. 2010-2011 MIC Work Program and Budget

Ron Chicka presented the final 2010 – 2011 MIC Unified Transportation Work Program and Budget for review and approval.

The proposed Short Range element of the UPWP has been altered slightly to incorporate three “stand-alone” projects (Proctor – Kirkus Street, Duluth – Central Entrance, Superior – Blatnik Bridge) plus the modal components of freight, transit, harbor, and bike and pedestrian initiatives. These modal elements include many sub-issues that are either small projects or implementation efforts. He added that the Freight Study is getting attention nation-wide, he and Andy have been invited to present this plan at two conferences later this month.

Cindy Voigt questioned why we are studying Central Entrance when the City of Duluth just completed its own Small Area Plan for the same corridor. Ron replied that the City requested it, to take a closer look at multi-modal recommendations (bike, ped, transit) and to conduct more detailed modeling to identify deficiencies at specific intersections.

Cindy asked if this was advisable, given that we know we don't have money to make the

recommended improvements. Denny Johnson commented that from the state's perspective, they are definite that no funding will be available in the foreseeable future for major reconstruction; however, they are interested in the potential benefits of identifying smaller, targeted safety improvements. This could be a way to identify low-cost, fundable improvements rather than making a large-scale overhaul of the corridor.

Cindy commented that the City is already aware of certain improvements that are needed to specific intersections; her concern is that this study would lead to unrealistic expectations, on the part of area residents, about what can and should be done. Ultimately it could reflect poorly on the City, by giving the impression that it is unresponsive to neighborhood input and concerns.

Denny noted that with Central High School closing and other new land uses and development, it does make sense at this time to look at projected traffic flows.

Ron continued with the 2010 work plan, noting that the Long Range component is still substantial since we will be continuing to work to make the document a web-based one. Staff time and possible software purchases will make this activity nearly like creating the original document itself. 2010 is rounded out with the usual TIP and MIC administration activities.

Cari Pederson asked about the impact of ARDC's cut in its local match amount and its impact on next year's work program activities. Ron stated that the 2010 funds are sufficient to handle the projects discussed here with the staffing as it exists now. If at some point in 2010 we are able to amend the budget to either add projects and/or staff we will do so. This, however, can only happen after we have further progress in the area of potential match dollars, which may entail a shift in which we secure a percentage of matching funds from local jurisdictions requesting specialty planning efforts.

2011 is included in the UPWP for purposes of meeting federal and state requirements for the Consolidated Planning Grant process. It is very much a draft or "illustrative" look into the future. Funding and projects are quite likely to change between now and this time next year when 2011 budgets come forward for final approval.

He closed by requesting approval of the final document.

**Motion** Cindy Voigt/Cari Pederson moved to approve the final 2010 – 2011 MIC Unified  
**Discussion** Transportation Work Program and Budget and authorize ARDC to enter into  
**& Vote** contracts as presented. There was no further discussion and the motion was approved unanimously.

## 8. Bike/Ped Advisory Committee Update

James Gittemeier reported that he is working to organize a new advisory committee to the MIC to advocate for bicycle and pedestrian issues (acronym BPAC). This committee is envisioned as a forum for discussing bicycle and pedestrian issues, as well as a proactive information gathering and solution identification body. The BPAC will consist of bicycle and pedestrian stakeholders who represent all facets of these modes (disabled, elderly, transit riders,

recreational and commuter cyclists, etc.). This proposed committee will assist the MIC with updating the 1994 Bikeways Plan, the Bike Map, and assist organizations and agencies working on similar issues. One issue, as yet undetermined, is whether the new group will report directly to the MIC, as a parallel advisory group along with the TAC and HTAC, or whether it would be structured as a subcommittee to the TAC, which in turn considers its recommendations before moving them along to the MIC. During the discussion, TAC members expressed a strong preference for the latter option. Ron noted that the issue is ultimately one for the Policy Board to decide.

James closed by noting that the Complete Streets policy report, devised by the MnDOT study committee on this issue, is now available for public comment.

## 9. Project Updates

### **Kirkus Street Corridor Study**

James Gittemeier reported that staff has begun work on this project and had met with City of Proctor officials to further define the study and clarify the MIC's role in this study. The study's objective is to identify land use and transportation corridor standards for Kirkus Street prior to the completion of the new road. The one-mile long new roadway is set to be constructed in 2010 in a relatively undeveloped section of Proctor. MIC staff is putting together a scope of work for this study.

### **MnDOT Complete Streets Advisory Committee**

James Gittemeier reported that a draft version of the Complete Streets Report was discussed at the Complete Streets Advisory Committee in September. This meeting, which was the last meeting for the committee, discussed changes to the Draft Report, including the importance of combining the design manuals for roadways. Other items discussed were the need for better coordination and need for more flexibility in roadway design, so agencies can truly build roadways within their context. It was noted again, that complete streets is not a prescriptive approach, but a policy directing the focus of the design should be on each project and segment of roadway. A revised draft Report will be sent to the Minnesota Commissioner of Transportation, who will finalize the Report and present it to the State Legislature.

### **Conference Updates**

Andy McDonald reported that MIC Staff will be attending two conferences in October to present the Northern Minnesota / Northwest Wisconsin Freight Plan. The Wisconsin MPO/RPC/DOT Annual Planning Conference was held on October 5-6 in Spring Green, Wisconsin. The 2009 Association of Metropolitan Planning Organizations (AMPO) Annual Conference will be held on October 28-30 in Savannah, Georgia. These will be excellent opportunities for the MIC to showcase the cooperative effort with our partners that resulted in the Freight Plan.

### **Statewide Freight and Passenger Rail Plan - Open House**

Ron Chicka reported that an open house was held on October 15th at the Duluth Depot as a second and final opportunity to provide input into this MNDOT initiative. The plan is to set

guidance for rail investments and allow Minnesota to be eligible for federal funding. Public input plus a series of stakeholder committee meetings have aided in drafting the plan that will be overviewed at this Open House. The plan includes many items including a vision for the effective use of the state's rail network for moving goods and people. The final plan will be presented to the Minnesota legislature by year's end.

#### **10. Adjournment**

With no further agenda items or announcements, Chair Young adjourned the meeting at 3:06 pm.