



**CITY OF DULUTH**

Planning Division

411 W 1<sup>st</sup> St, Rm 208 \* Duluth, Minnesota 55802-1197  
 Phone: 218/730.5580 Fax: 218/723-3559

**STAFF REPORT**

<b>File Number</b>	PL 13-166	<b>Contact</b>	Jenn Reed Moses, jmoses@duluthmn.gov	
<b>Application Type</b>	Subdivision - Quick Plat	<b>Planning Commission Date</b>	January 14, 2014	
<b>Deadline for Action</b>	<b>Application Date</b>	December 13, 2013	<b>60 Days</b>	February 11, 2014
	<b>Date Extension Letter Mailed</b>	December 19, 2013	<b>120 Days</b>	April 12, 2014
<b>Location of Subject</b>	5405-5409 Ramsey Street			
<b>Applicant</b>	National Bank of Commerce	<b>Contact</b>	715-394-5531, bthompson@nbofc.com	
<b>Agent</b>	William M. Burns	<b>Contact</b>	wmb@hanftlaw.com, 218-722-4766	
<b>Legal Description</b>	010-4470-00750			
<b>Site Visit Date</b>	N/A	<b>Sign Notice Date</b>	N/A	
<b>Neighbor Letter Date</b>	N/A	<b>Number of Letters Sent</b>	N/A	

**Proposal**

Combine 8 lots into 3 lots for development of three four-unit apartment buildings. This site was the subject of an R-P Amendment in October 2013 (PL 13-119).

	<b>Current Zoning</b>	<b>Existing Land Use</b>	<b>Future Land Use Map Designation</b>
<b>Subject</b>	R-P	Commercial	Central Business Secondary
<b>North</b>	R-P	Commercial	Central Business Secondary
<b>South</b>	R-P	Multifamily Residential	Central Business Secondary
<b>East</b>	R-P	Single-family Residential	Urban Residential
<b>West</b>	F-3/F-4	Commercial	Central Business Secondary

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

50-33.1 General: All subdivisions, plats, and replats, shall create lots consistent with the requirements of the zone district within which the zone is located.

50-33.4 General Lot Design and Layout- A. All lots shall have frontage on a public street.

50-37.5.E.3. The planning commission shall approve the application, or approve it with modifications, if it determines that the application:

- (a) Is consistent with all provisions of MSA 462.358 and 505 or 508, as applicable;
- (b) Each resulting lot or parcel meets all of the dimensional requirements for the zone district in which the property is located;
- (c) Each resulting lot or parcel has access to a public street.

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

Future Land Use - Central Business Secondary: An area adjacent to and supporting the primary central business area or a stand-alone area providing a similar mix of destination land uses but at a lower intensity than the primary CB area. Includes mixed regional and neighborhood retail, employment centers, public spaces, medium density residential, and public parking facilities.

Subject area is part of the approved Regulating Plan for Ramsey Village and is depicted as multifamily residential.

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

Staff finds that:

- 1.) Applicant proposes to combine 8 existing lots into 3 lots to build three four-unit multifamily buildings. Use of the property as multifamily residential is consistent with the approved Regulating Plan for Ramsey Village.
- 3.) Lots provide required street frontage on Ramsey Street and N 54th Avenue W.
- 4.) The attached exhibit demonstrates compliance with Minnesota statutes 462.358 and 505 or 508, as applicable. Per these statutes, applicant will need to prepare a plat meeting the requirements of 505 or a Registered Land Survey meeting the requirements of 508 and follow filing procedures with St. Louis County.
- 5.) Approval of this quick plat signifies that City of Duluth UDC standards are met. St. Louis County may have additional requirements.
- 6.) This subdivision approval lapses if not recorded with St. Louis County within 90 days. Applicant must provide the City with proof of recording.
- 7.) No public, agency, or City comments were received.

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

Based on the above findings, Staff recommends that Planning Commission approve the Quick Plat, subject to the following conditions:

- 1.) A plat or Registered Land Survey be prepared according to MSA 505 or 508, and filed with St. Louis County within 90 days.
- 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.

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



# City Planning

PL 13-166

Quick Plat

Ramsey St & 54th Avenue W

## Legend

### Stream Type

- Trout Stream (GPS)
- Other Stream (GPS)

### Water Distribution System

- 30 - 60" Water Pipe
- 16 - 24" Water Pipe
- 4 - 6" Water Pipe

### Sanitary Sewer Collection System

- Sanitary Sewer Collector
- Sanitary Sewer Interceptor
- Sanitary Sewer Forced Main

### Storage Basin

### Pump Station

### Gas Distribution Main

- 8" - 16" Gas Pipes
- 4" - 6" Gas Pipes
- 0" - 4" Gas Pipes

### Storm Sewer Collection System

- Storm Sewer Pipe
- Storm Sewer Catch Basin

### Discharge Points

### Right-of-Way Type

- Road or Alley ROW
- Vacated ROW

### Easement Type

- Utility Easement
- Other Easement

### Shoreland Overlay Zone

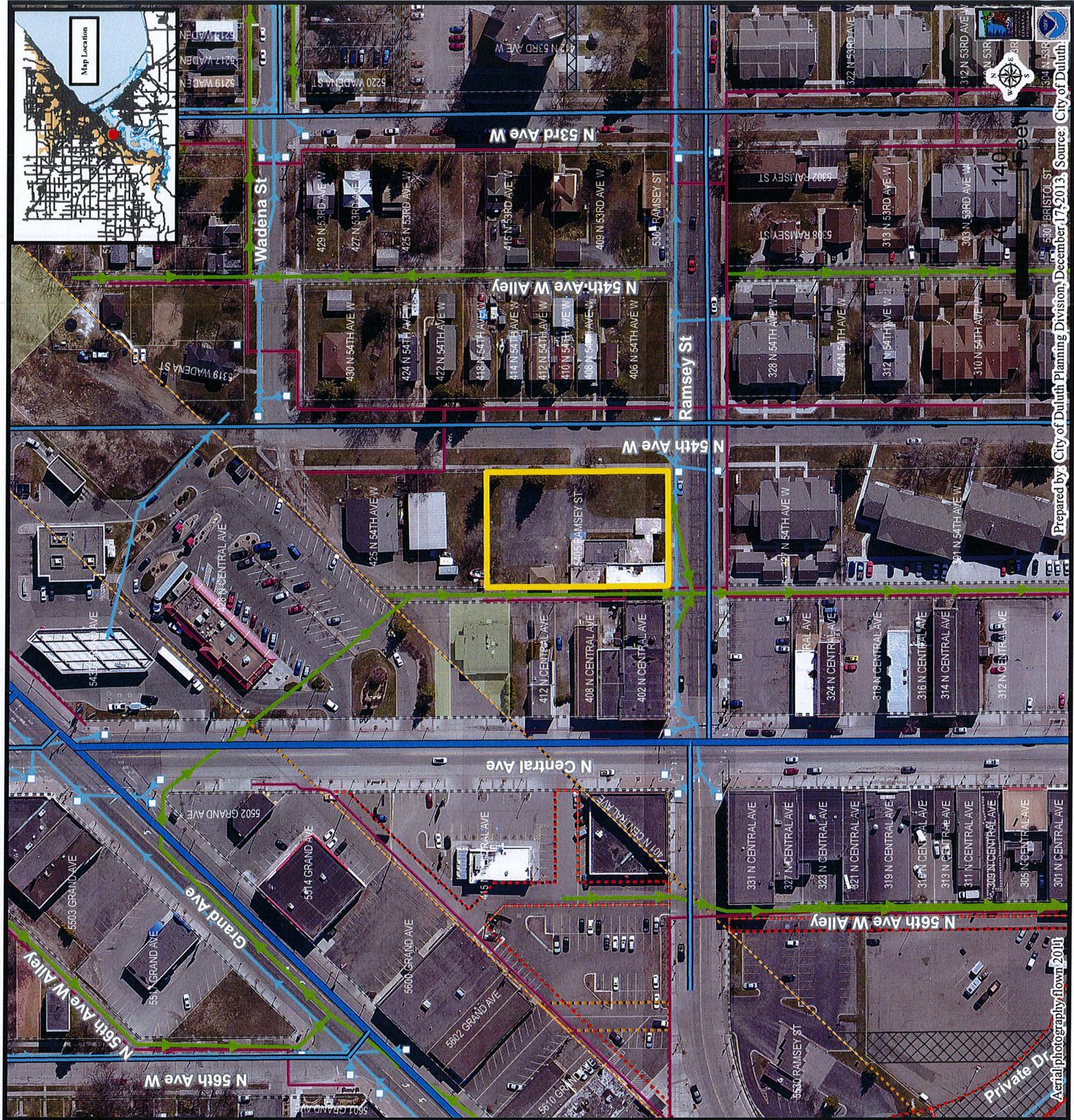
### Cold Water

### Natural Environment

### General Development

### Floodplain Type

- General Flood Plain
- Flood Way
- Flood Fringe



Map Location

Private Dr.

Aerial photography from 2011

City of Duluth

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.

Prepared by: City of Duluth Planning Division, December 17, 2013. Source: City of Duluth

**CERTIFICATE OF SURVEY**  
**PART OF BLOCK 5**  
**WEST DULUTH FIRST DIVISION,**  
**SECTION 7, TOWNSHIP 49 NORTH, RANGE 14 WEST,**  
**ST. LOUIS COUNTY, MINNESOTA**

EXISTING LEGAL DESCRIPTION (TITLE COMMITMENT FILE NO. 132627)  
 Lots 9, 10, 11, 12, 13, 14, 15, and 16, Block 5, West Duluth, First Division, St. Louis County, Minnesota.

**PROPOSED LEGAL DESCRIPTIONS**

**PANCRELA**  
 Lots 15 and 16, Block 5, WEST DULUTH FIRST DIVISION, according to the recorded plat thereof, St. Louis County, Minnesota together, with that part of Lot 14, said Block 5, lying northerly of the following described line:  
 COMMENCING at the northeast corner of said Lot 14; thence South 00 degrees 02 minutes 35 seconds East, assigned bearing, along the east line of said Lot 14, a distance of 7.37 feet to the point of beginning of the line to be herein described; thence South 89 degrees 57 minutes 25 seconds West 87.02 feet; thence North 00 degrees 02 minutes 35 seconds West 6.69 feet; thence South 89 degrees 57 minutes 25 seconds West 37.98 feet to the west line of said Lot 14 and said described line there terminating.  
 Subject to easements, restrictions and reservations of record.

**PANCRELA B**  
 Lots 12 and 13, Block 5, WEST DULUTH FIRST DIVISION, according to the recorded plat thereof, St. Louis County, Minnesota together, with that part of Lot 11, said Block 5, lying northerly of the following described line:

**COMMENCING** at the southeast corner of said Lot 11; thence North 00 degrees 02 minutes 35 seconds West, assigned bearing, along the east line of said Lot 11, a distance of 7.37 feet to the point of beginning of the line to be herein described; thence South 89 degrees 57 minutes 25 seconds West 87.02 feet; thence South 00 degrees 02 minutes 35 seconds West 6.69 feet; thence South 89 degrees 57 minutes 25 seconds West 37.98 feet to the west line of said Lot 11 and said described line there terminating.

**AND TOGETHER WITH** that part of Lot 14, said Block 5, lying northerly of the following described line:

**COMMENCING** at the northeast corner of said Lot 14; thence South 00 degrees 02 minutes 35 seconds East, assigned bearing, along the east line of said Lot 14, a distance of 7.37 feet to the point of beginning of the line to be herein described; thence South 89 degrees 57 minutes 25 seconds West 87.02 feet; thence North 00 degrees 02 minutes 35 seconds West 6.69 feet; thence South 89 degrees 57 minutes 25 seconds West 37.98 feet to the west line of said Lot 14 and said described line there terminating.

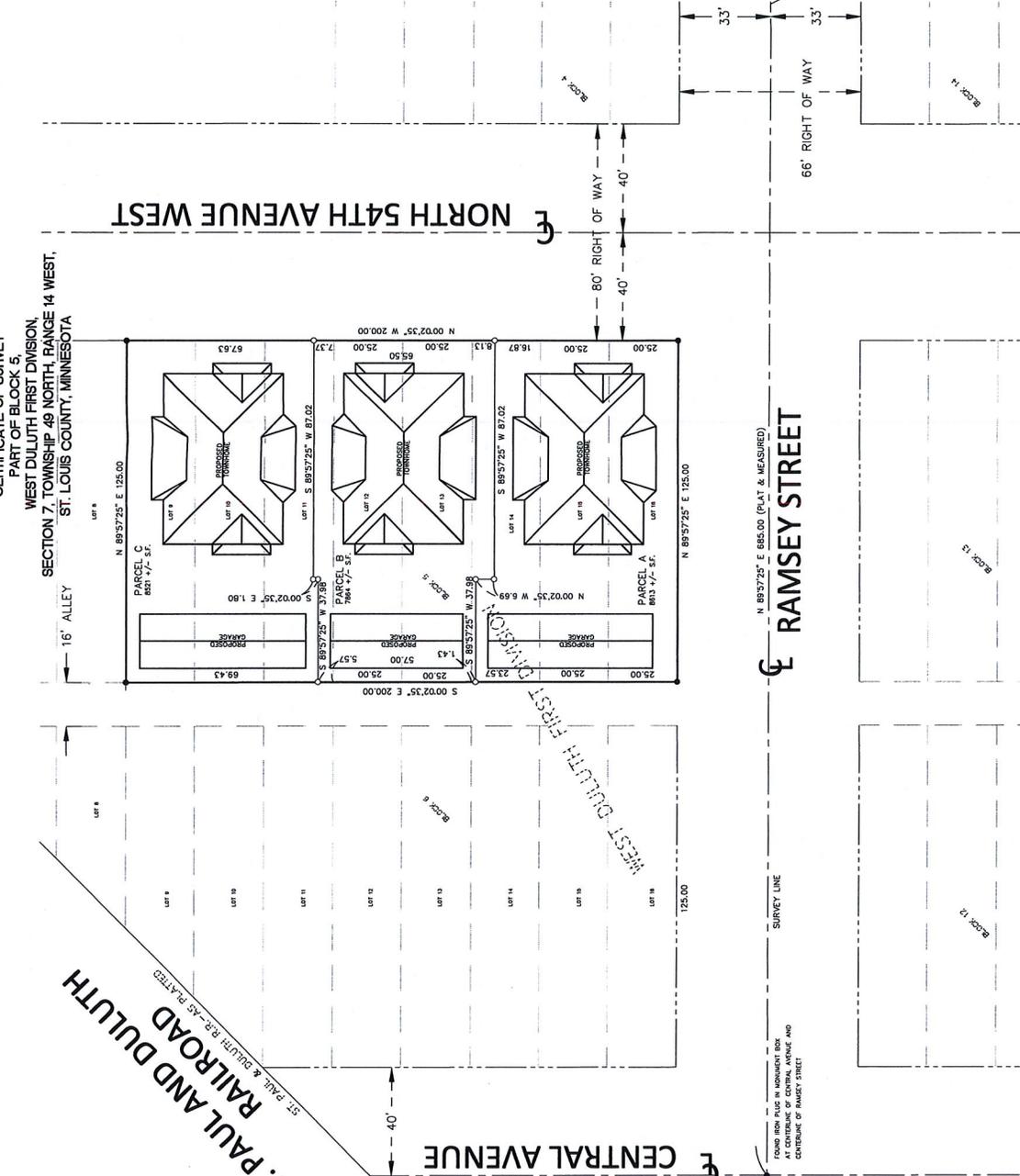
Subject to easements, restrictions and reservations of record.

**PANCRELA C**  
 Lots 9 and 10, Block 5, WEST DULUTH FIRST DIVISION, according to the recorded plat thereof, St. Louis County, Minnesota together, with that part of Lot 11, said Block 5, lying northerly of the following described line:

**COMMENCING** at the southeast corner of said Lot 11; thence North 00 degrees 02 minutes 35 seconds West, assigned bearing, along the east line of said Lot 11, a distance of 7.37 feet to the point of beginning of the line to be herein described; thence South 89 degrees 57 minutes 25 seconds West 87.02 feet; thence South 00 degrees 02 minutes 35 seconds West 6.69 feet; thence South 89 degrees 57 minutes 25 seconds West 37.98 feet to the west line of said Lot 11 and said described line there terminating.

Subject to easements, restrictions and reservations of record.

FOUND 5/8" IRON IN MONUMENT BOX AT CENTERLINE OF NORTH 54TH AVENUE WEST AND CENTERLINE OF RAMSEY STREET



ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE NAD 83 TRANSVERSE MERCATOR OR COORDINATE SYSTEM.

LEGEND  
 ● DENOTES FOUND MONUMENT  
 ○ DENOTES SET 5/8" IRON IN W/ CAP, L.C. NO. 42656

**DULUTH, MINNESOTA**

**CERTIFICATE OF SURVEY FOR**  
**RAMSEY IV, LLC**

FILE NO.  
 TTMGT 12936

PHONE: 218.275.3000  
 418 W SUPERIOR ST, STE 200  
 DULUTH, MN 55812-1512  
 www.sehinc.com



UNLESS OTHERWISE NOTED, THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING ACT AND THE RULES AND REGULATIONS OF THE BOARD OF SURVEYING UNDER THE LAWS OF THE STATE OF MINNESOTA.  
 DENISE J. WARDEN, L.S.  
 L.C. No. 42656

Date: 11/22/2013

REVISIONS

NO.	BY	DATE

DRAWN BY: KJA  
 SURVEYED BY: KJA  
 CHECKED BY: DJW  
 SURVEY TEAM

## LEGAL DESCRIPTION

### PARCEL A – Lot 1

Lots 15 and 16, Block 5, WEST DULUTH FIRST DIVISION, according to the recorded plat thereof, St. Louis County, Minnesota together with that part of Lot 14, said Block 5, lying southerly of the following described line:

COMMENCING at the northeast corner of said Lot 14; thence South 00 degrees 02 minutes 35 seconds East, assigned bearing, along the east line of said Lot 14, a distance of 8.13 feet to the point of beginning of the line to be herein described; thence South 89 degrees 57 minutes 25 seconds West 87.02 feet; thence North 00 degrees 02 minutes 35 seconds West 6.69 feet; thence South 89 degrees 57 minutes 25 seconds West 37.98 feet to the west line of said Lot 14 and said described line there terminating.

Subject to easements, restrictions and reservations of record.

### PARCEL B – Lot 2

Lots 12 and 13, Block 5, WEST DULUTH FIRST DIVISION, according to the recorded plat thereof, St. Louis County, Minnesota together with that part of Lot 11, said Block 5, lying southerly of the following described line:

COMMENCING at the southeast corner of said Lot 11; thence North 00 degrees 02 minutes 35 seconds West, assigned bearing, along the east line of said Lot 11, a distance of 7.37 feet to the point of beginning of the line to be herein described; thence South 89 degrees 57 minutes 25 seconds West 87.02 feet; thence South 00 degrees 02 minutes 35 seconds East 1.80 feet; thence South 89 degrees 57 minutes 25 seconds West 37.98 feet to the west line of said Lot 11 and said described line there terminating.

AND TOGETHER WITH that part of Lot 14, said Block 5, lying northerly of the following described line:

COMMENCING at the northeast corner of said Lot 14; thence South 00 degrees 02 minutes 35 seconds East, assigned bearing, along the east line of said Lot 14, a distance of 8.13 feet to the point of beginning of the line to be herein described; thence South 89 degrees 57 minutes 25 seconds West 87.02 feet; thence North 00 degrees 02 minutes 35 seconds West 6.69 feet; thence South 89 degrees 57 minutes 25 seconds West 37.98 feet to the west line of said Lot 14 and said described line there terminating.

Subject to easements, restrictions and reservations of record.

PARCEL C – Lot 3

Lots 9 and 10, Block 5, WEST DULUTH FIRST DIVISION, according to the recorded plat thereof, St. Louis County, Minnesota together with that part of Lot 11, said Block 5, lying northerly of the following described line:

COMMENCING at the southeast corner of said Lot 11; thence North 00 degrees 02 minutes 35 seconds West, assigned bearing, along the east line of said Lot 11, a distance of 7.37 feet to the point of beginning of the line to be herein described; thence South 89 degrees 57 minutes 25 seconds West 87.02 feet; thence South 00 degrees 02 minutes 35 seconds East 1.80 feet; thence South 89 degrees 57 minutes 25 seconds West 37.98 feet to the west line of said Lot 11 and said described line there terminating.

Subject to easements, restrictions and reservations of record.



## 5405-5409 Ramsey St

Print Date: 01/07/2014

Image Date: 05/12/2013

Level: Neighborhood