



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	PL 13-159	Contact	Jenn Reed Moses, jmoses@duluthmn.gov	
Application Type	Subdivision - Quick Plat	Planning Commission Date	January 14, 2014	
Deadline for Action	Application Date	November 26, 2013	60 Days	January 25, 2014
	Date Extension Letter Mailed	December 19, 2013	120 Days	March 26, 2014
Location of Subject	1209 Catherine Street			
Applicant	Cheryl B. Goldberg	Contact	218-728-0185	
Agent	Michele L. Miller, JKS	Contact	mmiller@duluthlaw.com, 218-722-6331	
Legal Description	010-2710-02890			
Site Visit Date	N/A	Sign Notice Date	N/A	
Neighbor Letter Date	N/A	Number of Letters Sent	N/A	

Proposal

Divide 10 acres into two parcels; Parcel "B" to be sold and developed for single-family residence (single-family residence already exists on Parcel "A"). Includes dedication of public right of way for Lewis Avenue

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-1	Residential	Low-density Neighborhood
North	R-1	Undeveloped/Park	Low-density Neighborhood
South	R-1	Residential	Low-density Neighborhood
East	R-1	Residential	Low-density Neighborhood
West	R-1	Undeveloped	Low-density Neighborhood

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 - Low Density Neighborhood: Single-family housing with urban services. Typified by curvilinear streets, houses with longer side parallel to street, and attached garages. Includes a range of house sizes and lot sizes. Non-residential uses are mainly uses such as schools and churches. Parks and open space are located within or adjacent to the neighborhood.

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

Staff finds that:

- 1.) Applicant proposes to subdivide existing 10-acre parcel into two tracts: Tract A (4.48 acres) and Tract B (4.85 acres). Each tract meets UDC requirements for lot size and frontage in an R-1 district.
- 2.) Subdivision also includes dedication of a 25-foot right of way at Lewis Avenue. This makes Lewis Avenue a total of 50 feet wide, able to accommodate a public street if needed in the future.
- 3.) Lots provide required street frontage on platted Dodge Avenue. As Dodge Avenue is undeveloped, access is provided via Catherine Street.
- 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:

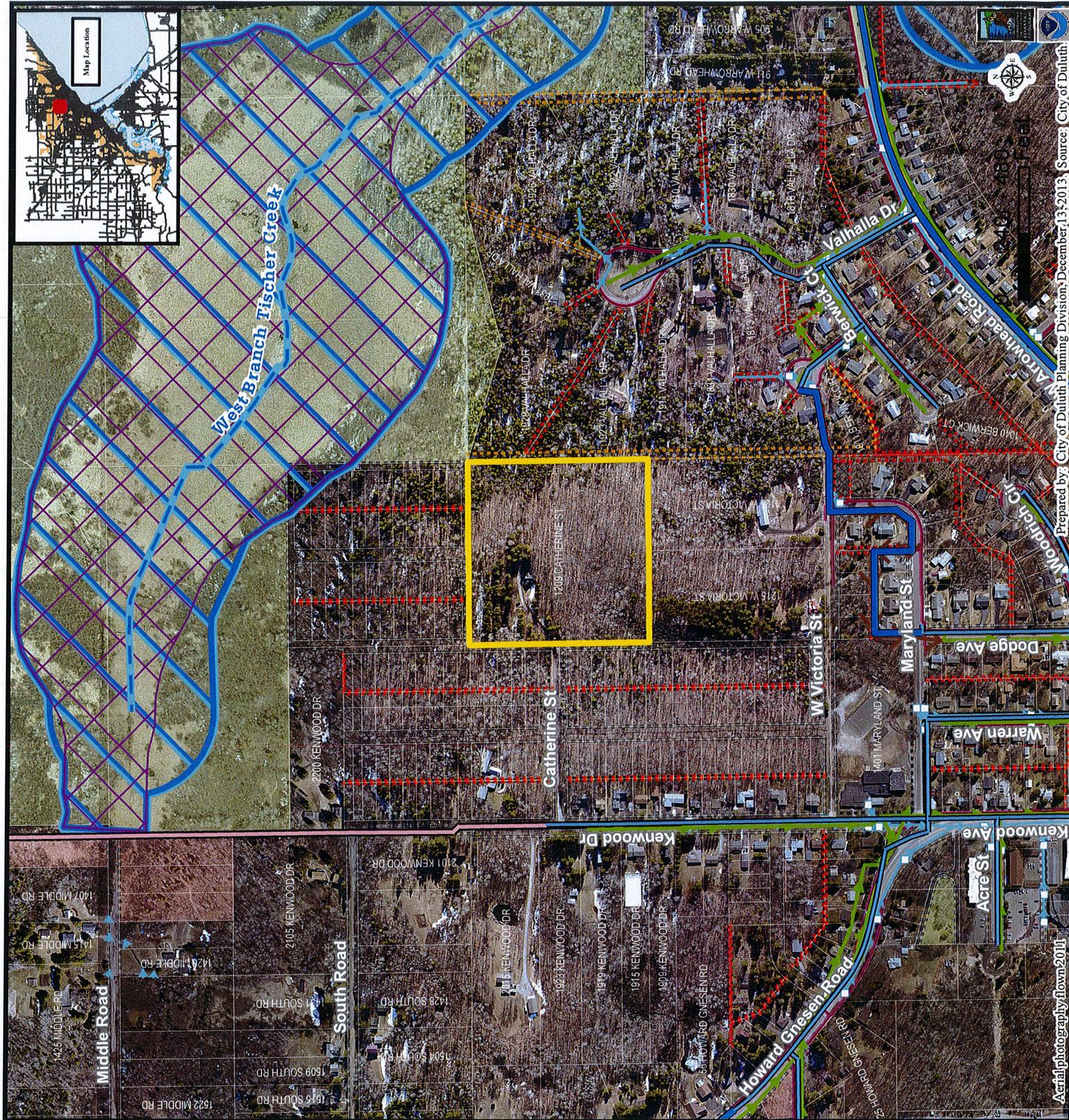
- 1.) A plat or Registered Land Survey be prepared according to MSA 505 or 508, and filed with St. Louis County within 90 days.
- 2.) Any alterations to the approved plans that do not alter major elements of the plan may be approved by the Land Use Supervisor without further Planning Commission; however, 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)

Legend

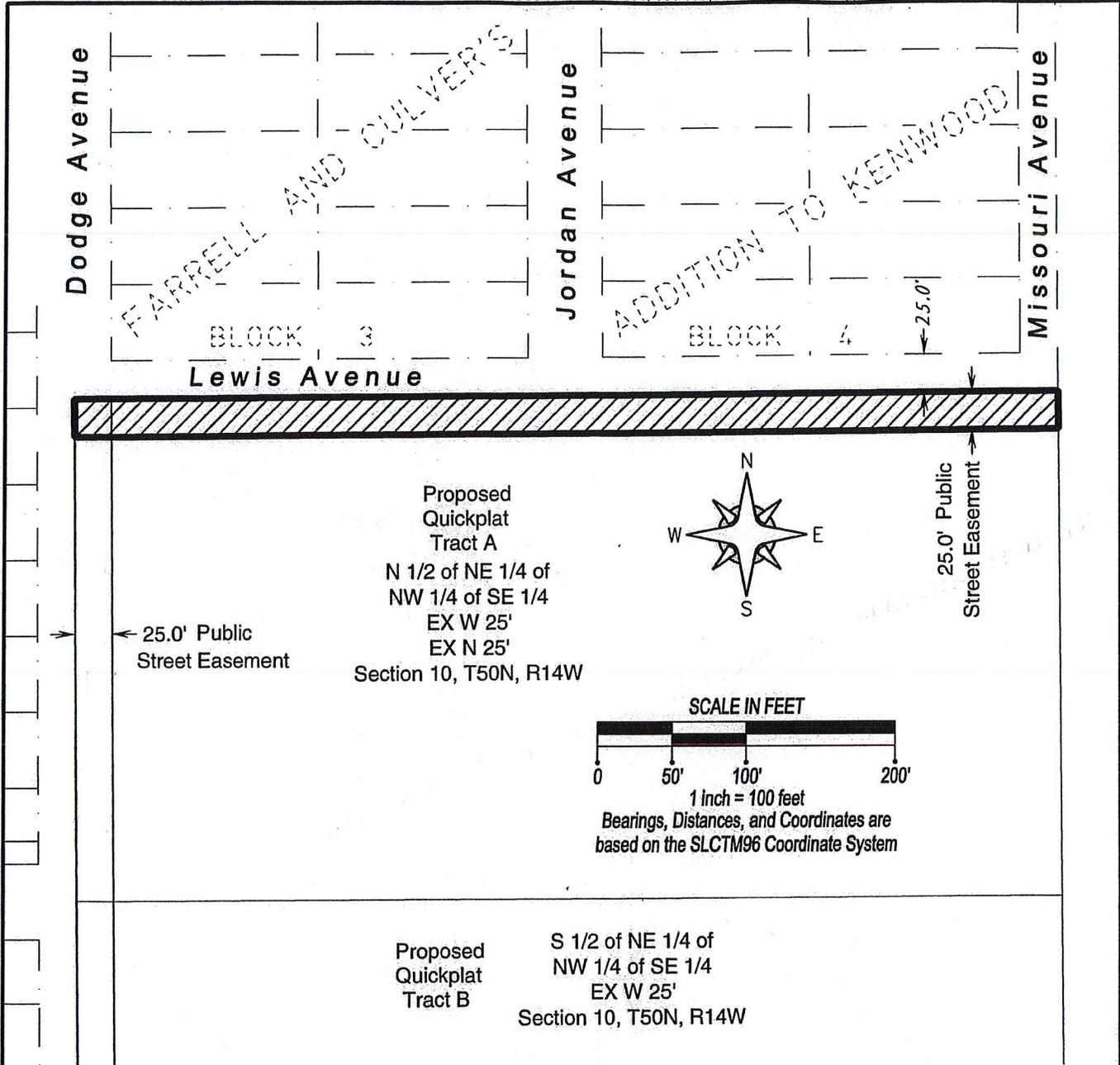
- Stream Type**
 - Trout Stream (GPS)
 - Other Stream (GPS)
- Water Distribution System**
 - 30" - 60" Water Pipe
 - 16" - 24" Water Pipe
 - 4" - 6" Water Pipe
- Sanitary Sewer Collection System**
 - Sanitary Sewer Collector
 - Sanitary Sewer Interceptor
 - Sanitary Sewer Forced Main
- Storage Basin**
 - 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

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.



Public Street Easement

in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 10, T50N, R14W, St. Louis County, Minnesota



Legal Description:

The North 25.00 feet of the Northeast Quarter of the Northwest Quarter of the Southeast Quarter (NE 1/4 of NW 1/4 of SE 1/4), Section Ten (10), Township Fifty (50) North, Range Fourteen (14) West, St. Louis County, Minnesota.



Approved by the City Engineer of Duluth, MN
 Date: _____ by: _____

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 LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

Date: 7/22/2013

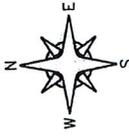
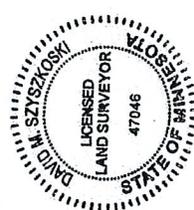
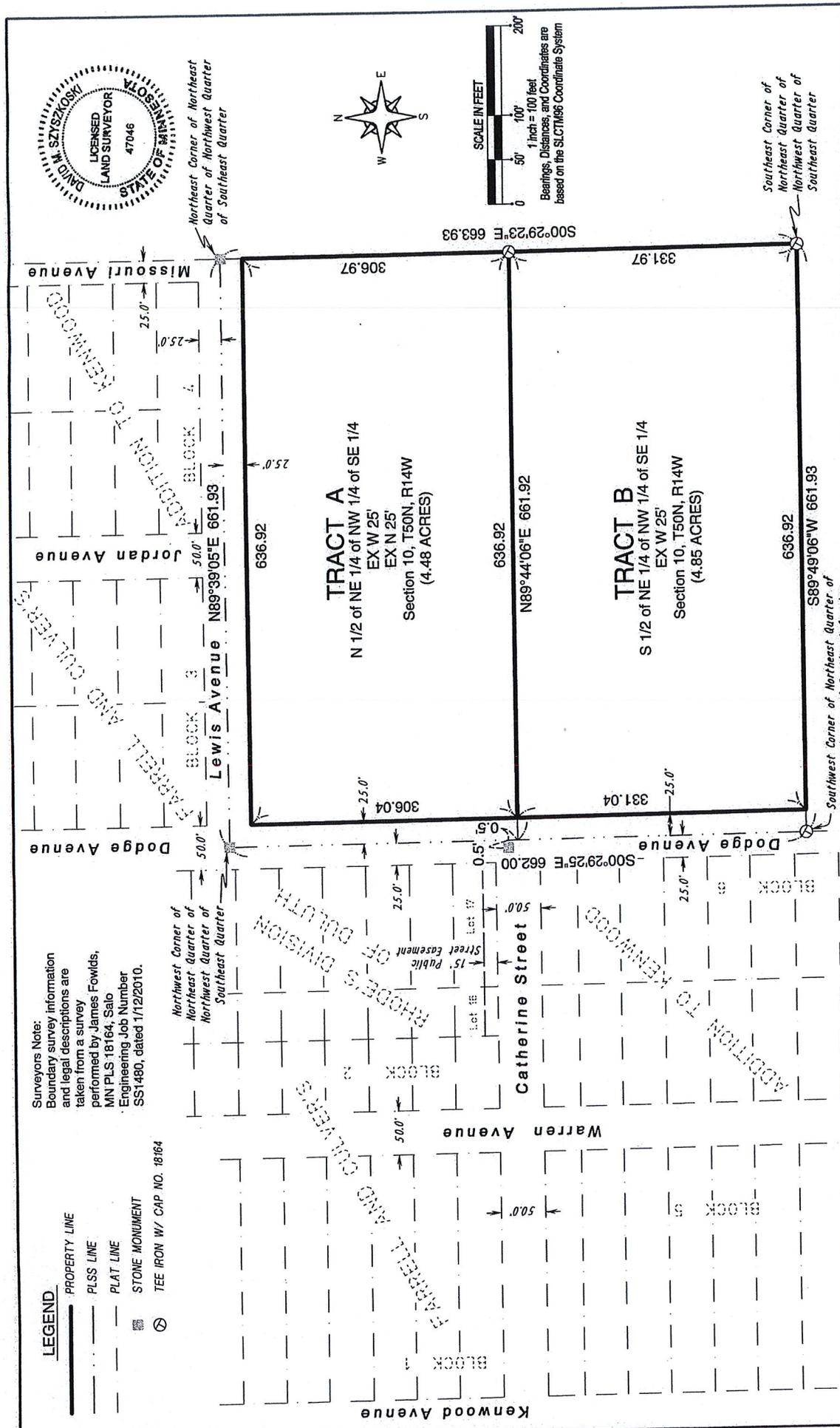
 DAVID SZYSZKOSKI
 MINNESOTA LICENSE NO. 47046

ENGINEERS • SURVEYORS • PLANNERS
SALO ENGINEERING, INC.
 4560 Norway Pines Place • Duluth, MN 55802
 SALO JOB NUMBER: SD0320A ph 218/727-8796

Public Street Easement Exhibit
 For : Cheryl Goldberg

- LEGEND**
- PROPERTY LINE
 - PLSS LINE
 - PLAT LINE
 - ☒ STONE MONUMENT
 - ⊙ TEE IRON W/ CAP NO. 18164

Surveyors Note:
Boundary survey information and legal descriptions are taken from a survey performed by James Fowlds, MN PLS 18164, Salo Engineering Job Number SS1480, dated 1/12/2010.



TRACT A
N 1/2 of NE 1/4 of NW 1/4 of SE 1/4
EX W 25'
EX N 25'
Section 10, T50N, R14W
(4.48 ACRES)

TRACT B
S 1/2 of NE 1/4 of NW 1/4 of SE 1/4
EX W 25'
EX N 25'
Section 10, T50N, R14W
(4.85 ACRES)

Map of Proposed Quick Plat in the NE 1/4 of NW 1/4 of SE 1/4, Sec 10
T50N, R14W, City of Duluth, St. Louis County, MN
for: Cheryl Goldberg

NO.	DATE	REVISION
1	7/22/13	Removed west 25' and north 25' from quickplat
2		
3		

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 LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.
DATE 7/22/2013

MINNESOTA LICENSE NUMBER 47046 (NO) DATE
REVISION

ENGINEERS • SURVEYORS • PLANNERS
SALO ENGINEERING, INC.
4560 Norway Pines Place • Duluth, Minnesota 55811 • 218/727-8796



JOB NO. SD0320A DATE OF FIELD WORK: 11/2009

**Existing Legal Description Per Warranty Deed Recorded as Document
Number 1113122 in the Office of the County Recorder, St. Louis
County, Minnesota:**

The Northeast Quarter of the Northwest Quarter of the Southeast Quarter (NE 1/4 of NW 1/4 of SE 1/4), Section Ten (10), Township Fifty (50), Range Fourteen (14), St. Louis County, Minnesota.

Proposed Legal Descriptions:

Tract A

The North Half of the Northeast Quarter of the Northwest Quarter of the Southeast Quarter (N 1/2 of NE 1/4 of NW 1/4 of SE 1/4), Section Ten (10), Township Fifty (50) North, Range Fourteen (14) West, St. Louis County, Minnesota.

EXCEPT the West 25.00 feet thereof,

AND ALSO EXCEPT the North 25.00 feet thereof.

Subject to other easements, restrictions or reservations of record, if any.

Tract B

The South Half of the Northeast Quarter of the Northwest Quarter of the Southeast Quarter (S 1/2 of NE 1/4 of NW 1/4 of SE 1/4), Section Ten (10), Township Fifty (50) North, Range Fourteen (14) West, St. Louis County, Minnesota.

EXCEPT the West 25.00 feet thereof.

Subject to other easements, restrictions or reservations of record, if any.


David Szyszkoski, MN PLS 47046

7/24/2013

