



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 13-111	Contact	Steven Robertson, 218-730-5295	
Application Type	Quick Plat	Planning Commission Date	August 13, 2013	
Deadline for Action	Application Date	August 12, 2013	60 Days	
	Date Extension Letter Mailed		120 Days	
Location of Subject	Corner of Commonwealth and East Carterett Street			
Applicant	SMR Acquisitions Company, LLC	Contact	stratigakes@atwatergroup.com	
Agent	Kalisa Gary	Contact	kgary@dubinsinger.com	
Legal Description	See Attached			
Site Visit Date	August 3, 2013	Sign Notice Date	N/A	
Neighbor Letter Date	N/A	Number of Letters Sent	N/A	

Proposal

Applicant proposes to combine several existing platted lots into a fewer number of platted lots. Revised exhibit was submitted to staff on Friday, August 9, 2013.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	MU-B	Vacant	Neighborhood Commercial/ Mixed Use
North	R-1	Commercial	Neighborhood Commercial
South	R-1	Residential	Neighborhood Commercial
East	R-1	Industrial	Neighborhood Mixed Use
West	MU-N	Vacant/Residential	Neighborhood Commercial

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, Neighborhood Commercial: Small- to moderate scale commercial, serving primarily the adjacent neighborhood (s). May include specialty retail; community gathering businesses such as coffee shops or lower intensity entertainment; offices; studios or housing above retail (storefront retail with vertical mixed use). Typically situated in or adjacent to residential neighborhoods. May transition to neighborhood mixed use.

Governing Principles: #6 - Reinforce the place-specific. Public and private actions should reinforce cultural, physical and economic features which have traditionally defined Duluth, its open space and its neighborhoods. This includes commercial areas providing neighborhood goods and services, ravine parks and other natural features that define neighborhood edges and view corridors to the Lake or River which serve to provide location and context.

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

- 1) The property in question is zoned MU-B and MU-N (note that the applicant is proposing to rezone a portion of this area at the August 13 Planning Commission meeting).
- 2) Both of the proposed parcels meet the minimum lot frontage and lot area. Parcel B will have frontage on Commonwealth, but will also have limited frontage on Carterett Street.
- 3) No easement or right of way dedications are involved with this quick plat application.
- 4) Engineering staff have reviewed quick plat and confirmed it meets City Engineering guidelines.
- 5) No citizen, agency, or other City comments have been received. Please note that there is no neighbor letter or sign notice required for a quick plat. However, there is a zoning sign currently on the site for the proposed rezoning to MU-N.

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) That the Quick Plat be applied for and approved prior to the City sending the approved Action Letter;
- 2) That the plat be recorded at the County Recorder's office within 90 days after approval, and proof of recording provided to the City;
- 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.

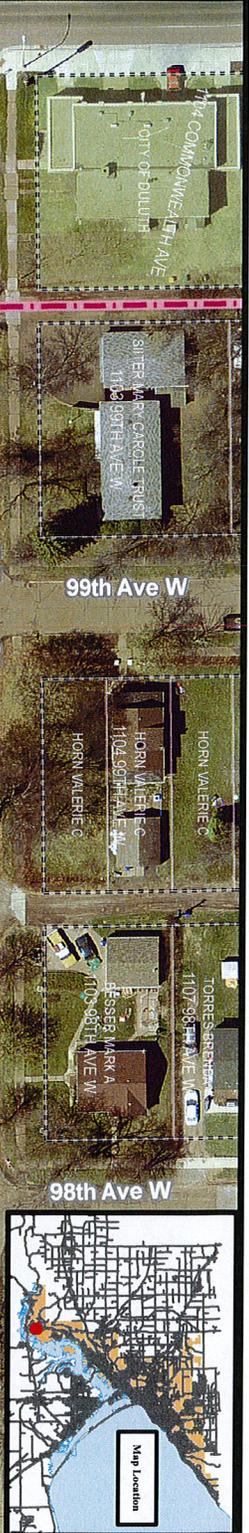
Attachments (aerial photo with zoning; future land use map; site plan; copies of correspondence)



City Planning

PL 13-106

Commonwealth Ave & Carterett St
UDC Map Amendment



Legend

Right-of-Way Type

- Road or Alley ROW
- ▨ Vacated ROW

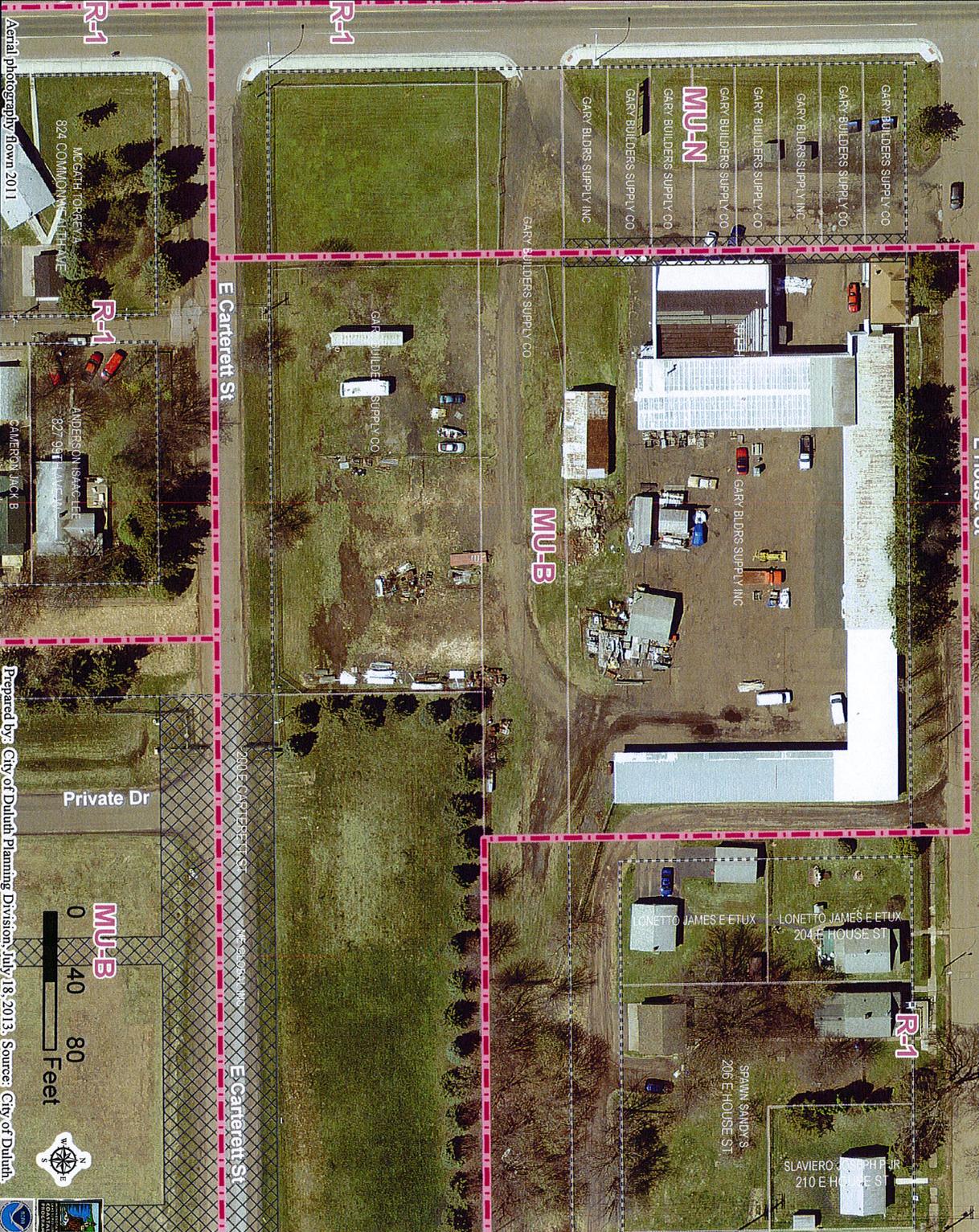
Easement Type

- ▨ Utility Easement
- ▨ Other Easement

Zoning (Final)

- MU-N
- MU-B
- R-1

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, July 18, 2013. Source: City of Duluth





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17 SELL SHARON L 30014050

19 20

18 RICHARD LORENE M 30014100

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GARY BUILDERS SUPPLY CO

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273000272

New Duluth 1st Division

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140 1 140 1

66 25 140 32

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16 140 1

140 1 25

16 140 1

Block 57 140 1

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GARY BUILDERS SUPPLY CO

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CONETTO JAMES E TUX

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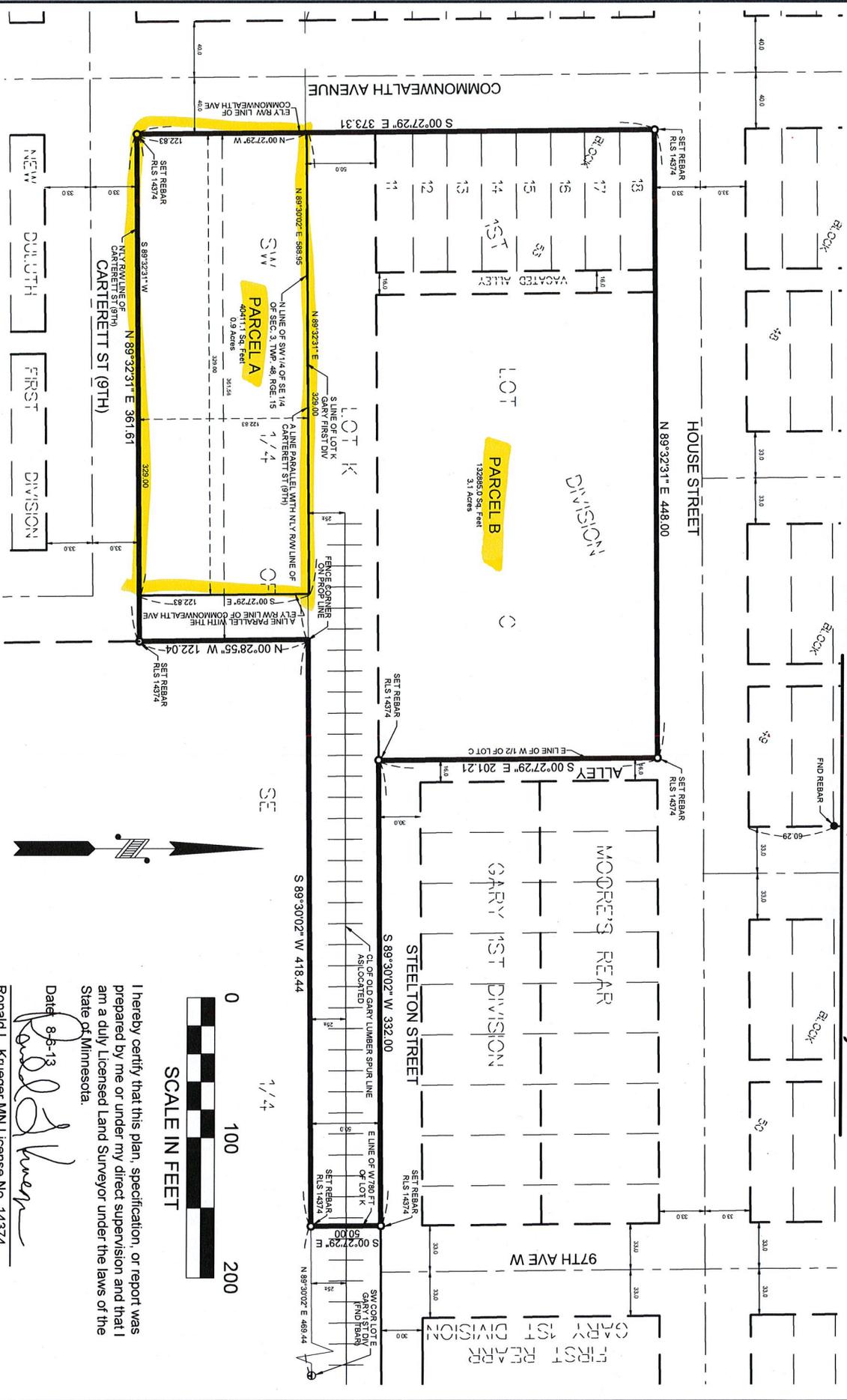
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QUICK PLAT FOR: SMR ACQUISITIONS, LLC



DATE: 8-6-13
 SCALE: 1 IN = 100 FEET
 PROP ADD: 10 E HOUSE ST
 PROJECT NO: 13-001C
 SHEET 2 OF 2 SHEETS

NOTES
 BEARINGS ARE BASED ON THE ST. LOUIS COUNTY TRANSVERSE MERCATOR COORDINATE SYSTEM OF 1996.
 BUILDING DIMENSIONS SHOWN ARE FOR HORIZONTAL & VERTICAL PLACEMENT OF STRUCTURE ONLY.
 THIS SURVEY HAS BEEN PREPARED WITHOUT BENEFIT OF A TITLE COMMITMENT OR TITLE OPINION. A TITLE SEARCH FOR RECORDED OR UNRECORDED EASEMENTS WHICH MAY BENEFIT OR ENCUMBER THIS PROPERTY HAS NOT BEEN COMPLETED BY ALTA SURVEY COMPANY, INC.

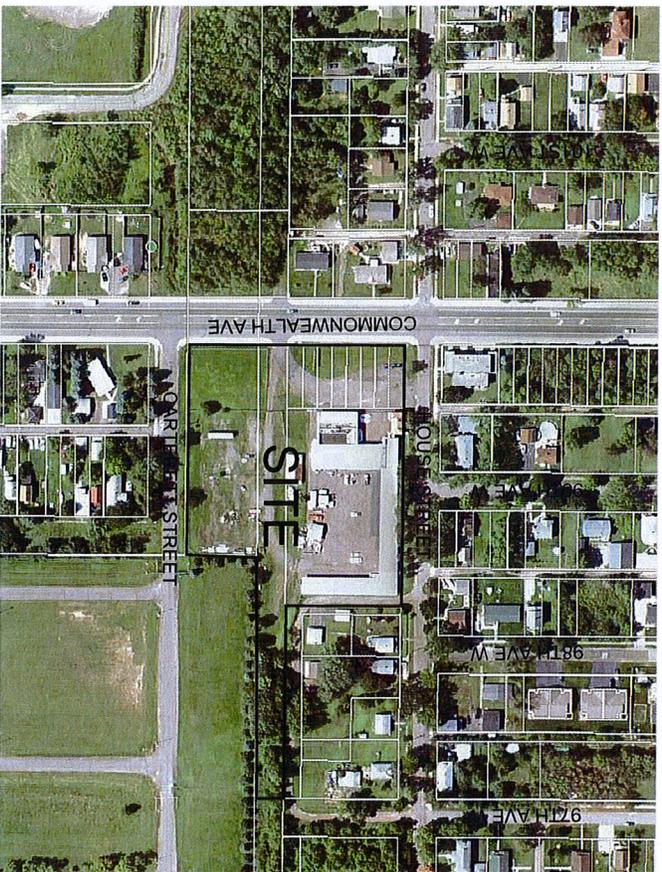


I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Date: 8-6-13
Ronald L. Krueger
 Ronald L. Krueger MN License No. 14374

ALTA
 SURVEY COMPANY, INC.
 Residential/Commercial Land Surveying/Land Development-Legal Descriptions
 P.O. BOX 161138 Duluth, MN 55806
 Phone: 218-727-5211 Fax: 218-727-3798

QUICK PLAT FOR: SMR ACQUISITIONS, LLC



SITE MAP
NO SCALE

LEGAL DESCRIPTION OF PARCEL A

That part of the of the unplatted part of the Southwest Quarter of the Southeast Quarter (SW 1/4 of SE 1/4) lying East of Commonwealth Avenue, Section Three (3), Township Forty-eight (48) North, Range Fifteen (15) West of the Fourth Principal Meridian, according to the United States Government Survey thereof and that part of Lot K, Gary First Division, lying East of the East boundary line of Commonwealth Avenue according to the plat thereof, on file in the office of the County Recorder, St. Louis County Minnesota described as follows:

Beginning at the intersection of the Easterly right of way line of Commonwealth Avenue with the Northernly right of way line of Carteret Street (A.K.A. 9th Street); thence on an assumed bearing of North 00 degrees 27 minutes 29 seconds West along said Easterly right of way line of Commonwealth Avenue, a distance of 122.83 feet to the intersection of a line 122.83 feet Northernly and parallel with said Northernly right of way line of Carteret Street; thence North 89 degrees 32 minutes 31 seconds East, along said parallel line, a distance of 329.00 feet to the intersection of a line 329.00 feet Easterly and parallel with said Easterly right of way line of Commonwealth Avenue; thence South 00 degrees 27 minutes 29 seconds East, along said parallel line, a distance of 122.83 feet to said Northernly right of way line of Carteret Street; thence South 89 degrees 32 minutes 31 seconds West, along said Northernly right of way line of Carteret Street, a distance of 329.00 feet to the point of beginning.

DATE: 8-6-13

SCALE: 1 IN = 100 FEET

PROP ADD: 10 E HOUSE ST

PROJECT NO: 13-001C

SHEET 1 OF 2 SHEETS

LEGAL DESCRIPTION FOR PARCEL B

Lots numbered Eleven (11) through Eighteen (18), inclusive, Block Fifty-three (53), Gary First Division, according to the plat thereof, on file and of record in the office of the Registrar of Titles in and for St. Louis County, Minnesota, including the vacated alley adjoining Block Fifty-three (53),

West Half (1/2) of Lot "C", Gary First Division, according to the plat thereof, on file and of record in the office of the Registrar of Titles in and for St. Louis County, Minnesota.

The Westerly 780 feet of Lot K, Gary First Division, lying East of the East boundary line of Commonwealth Avenue according to the plat thereof, on file in the office of the County Recorder, including part of the vacated alley adjoining Lot K;

The Westerly 362 feet of the unplatted part of the Southwest Quarter of the Southeast Quarter (SW 1/4 of SE 1/4) lying East of Commonwealth Avenue, Section Three (3), Township Forty-eight (48) North, Range Fifteen (15) West of the Fourth Principal Meridian, according to the United States Government Survey thereof.

Except:

That part of the of the unplatted part of the Southwest Quarter of the Southeast Quarter (SW 1/4 of SE 1/4) lying East of Commonwealth Avenue, Section Three (3), Township Forty-eight (48) North, Range Fifteen (15) West of the Fourth Principal Meridian, according to the United States Government Survey thereof and that part of Lot K, Gary First Division, lying East of the East boundary line of Commonwealth Avenue according to the plat thereof, on file in the office of the County Recorder, described as follows:

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ALTA

SURVEY COMPANY, INC.

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