



**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 13-082	<b>Contact</b>	Jenn Reed Moses, jmoses@duluthmn.gov	
<b>Application Type</b>	Subdivision - Quick Plat	<b>Planning Commission Date</b>	July 9, 2013	
<b>Deadline for Action</b>	<b>Application Date</b>	June 20, 2013	<b>60 Days</b>	August 19, 2013
	<b>Date Extension Letter Mailed</b>	June 27, 2013	<b>120 Days</b>	October 18, 2013
<b>Location of Subject</b>	End of Vassar Street			
<b>Applicant</b>	Ronald and Michael Edmunds	<b>Contact</b>	mgedmunds@aol.com	
<b>Agent</b>		<b>Contact</b>		
<b>Legal Description</b>	PIDs 010-2720-00340, 010-2770-00260			
<b>Site Visit Date</b>	June 27, 2013	<b>Sign Notice Date</b>	N/A	
<b>Neighbor Letter Date</b>	N/A	<b>Number of Letters Sent</b>	N/A	

**Proposal**

Quick plat to create two lots at the end of existing Vassar Street. Subdivision also includes a utility and pedestrian easement and extension of the road right of way.

	<b>Current Zoning</b>	<b>Existing Land Use</b>	<b>Future Land Use Map Designation</b>
<b>Subject</b>	RR-1	Undeveloped	Traditional Neighborhood, Preservation
<b>North</b>	RR-1	Undeveloped	Preservation
<b>South</b>	RR-1	Undeveloped	Traditional Neighborhood
<b>East</b>	RR-1	Undeveloped	Preservation
<b>West</b>	R-1	Undeveloped, Residential	Traditional 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 - Traditional Neighborhood: Characterized by grid or connected street pattern, houses oriented with shorter dimension to the street and detached garages, some with alleys.

Future Land Use - Preservation: Lands with substantial restrictions. High natural resource or scenic value, or severe development limitations.

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

Staff finds that:

- 1) Property is zoned RR-1, which has a minimum lot size of 5 acres. Proposed lots would be 9.6 and 5.3 acres. Both lots meet the minimum required lot frontage of 250'.
- 2) The legal description of the existing property reflects a 30' wide jog along the western boundary with an adjacent residential property. This does not currently exist; however, applicant will apply for a Boundary Line Adjustment in order to deed this portion of the property to the neighboring property. Applicant has been advised that Quick Plat cannot be recorded prior to the Boundary Line Adjustment.
- 3) When property is developed, a hammerhead street end will be constructed at the end of existing Vassar Street to allow for sufficient turning space for plows, fire trucks, and other large vehicles.
- 4) Provided easements include a 66' Right of Way easement. A 20' drainage and utility easement along the property line between Lots 1 and 2 (10' on each side of the lot line) was requested by Minnesota Power. A pedestrian and utility easement already exists, running east-west across both lots, and will remain.
- 5) Engineering staff have reviewed quick plat and confirmed it meets City Engineering guidelines.
- 6) Provisions of MSA 462.358 and 505 or 508, as applicable - these state statutes address the local government's authority to approve subdivisions and the requirements of the subdivision. The requirements have been met.
- 7) No public, agency, or other City comments have been received (note that there is no neighbor letter or sign notice required for a quick plat).

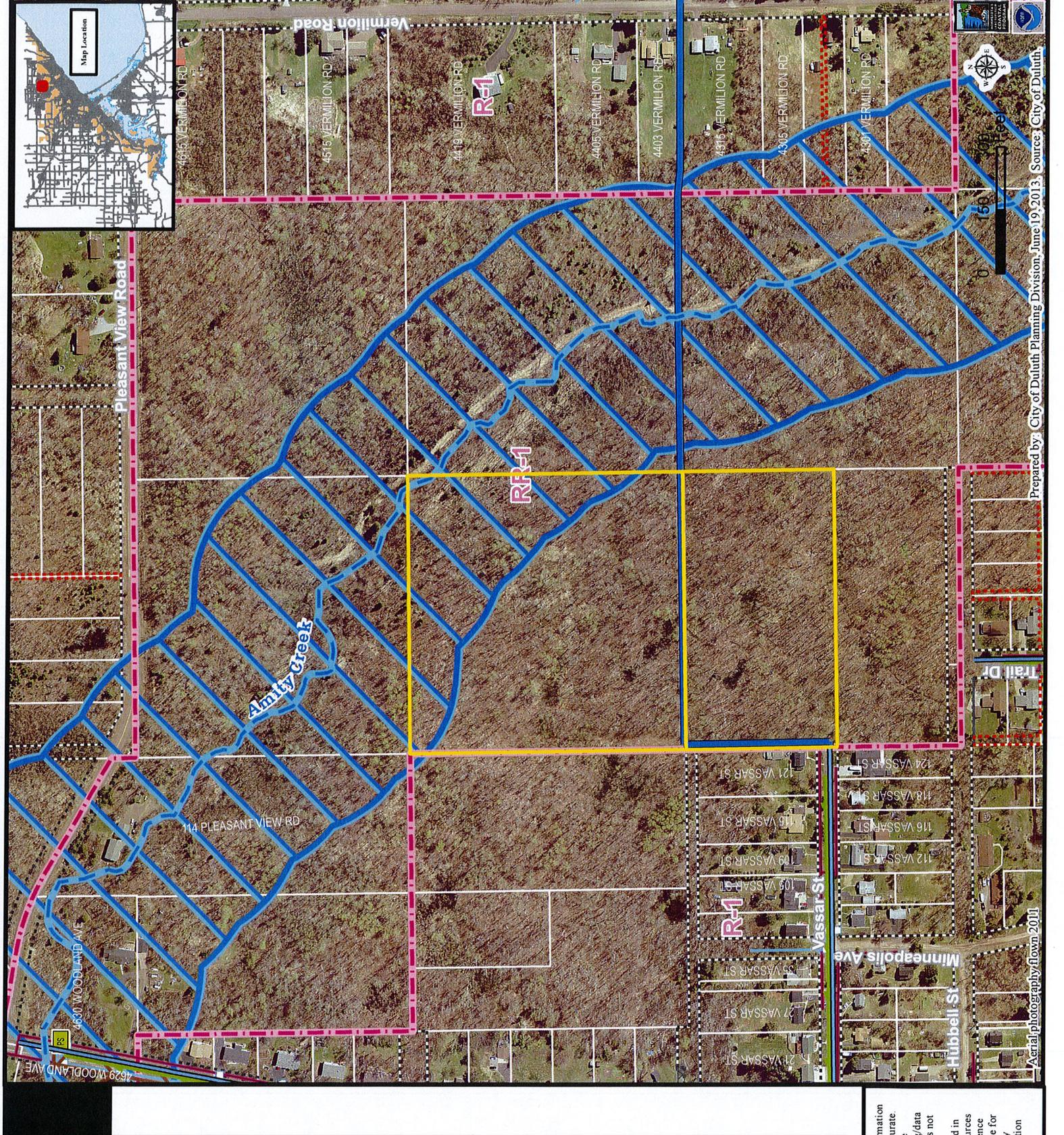
**Staff Recommendation (include Planning Commission findings, i.e., recommend to approve):**

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

- 1) That the Boundary Line Adjustment 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.

**Legend**

- DuluthStream\_cl**  
TROUT\_FLAG  
  - 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
  - Zoning (Final)
- Shoreland Overlay Zone**
  - Cold Water
  - Natural Environment
  - General Development



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.



# Proposed Plat 2 Lots

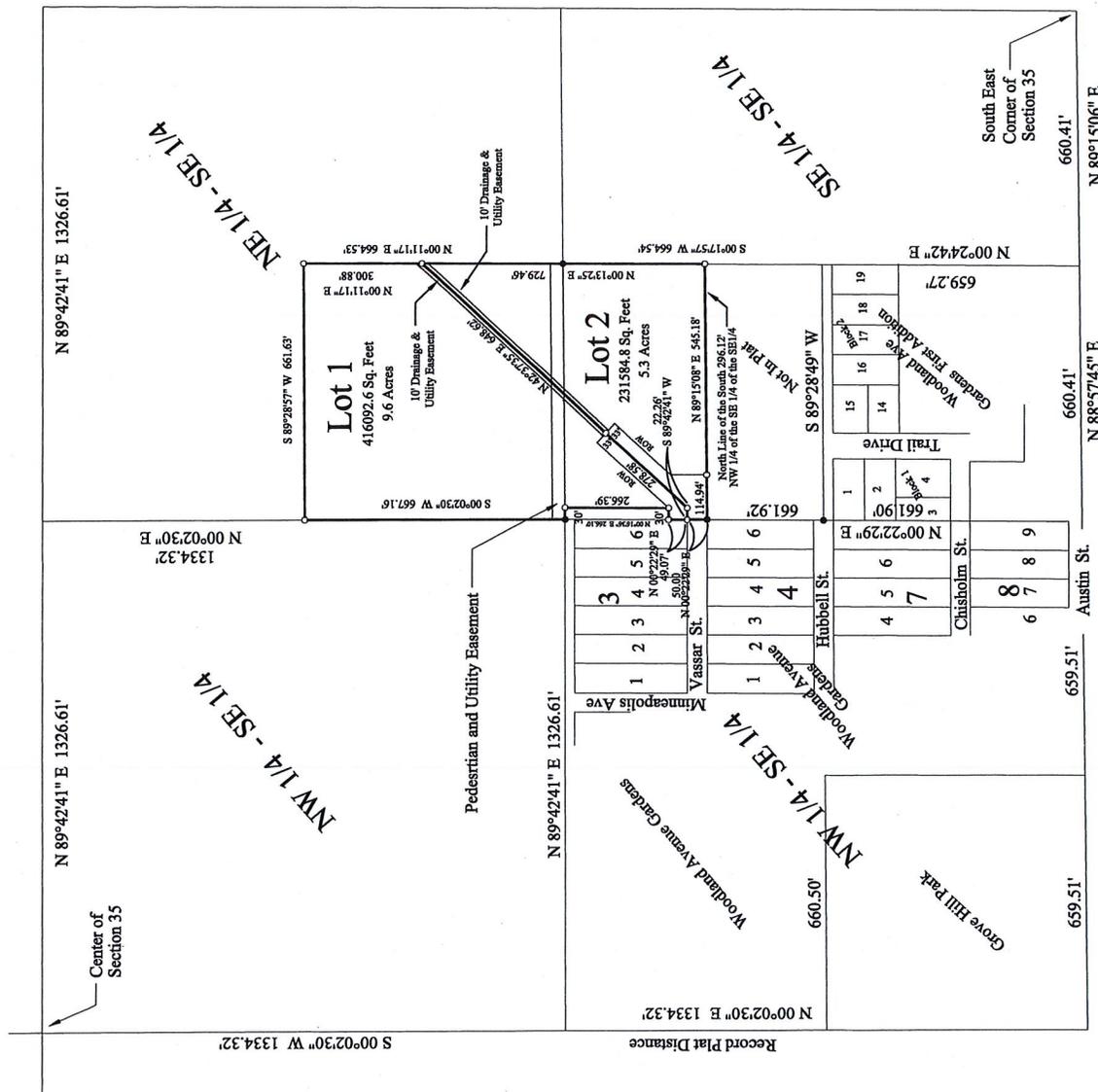
Section 35, Township 51 North, Range 14 West



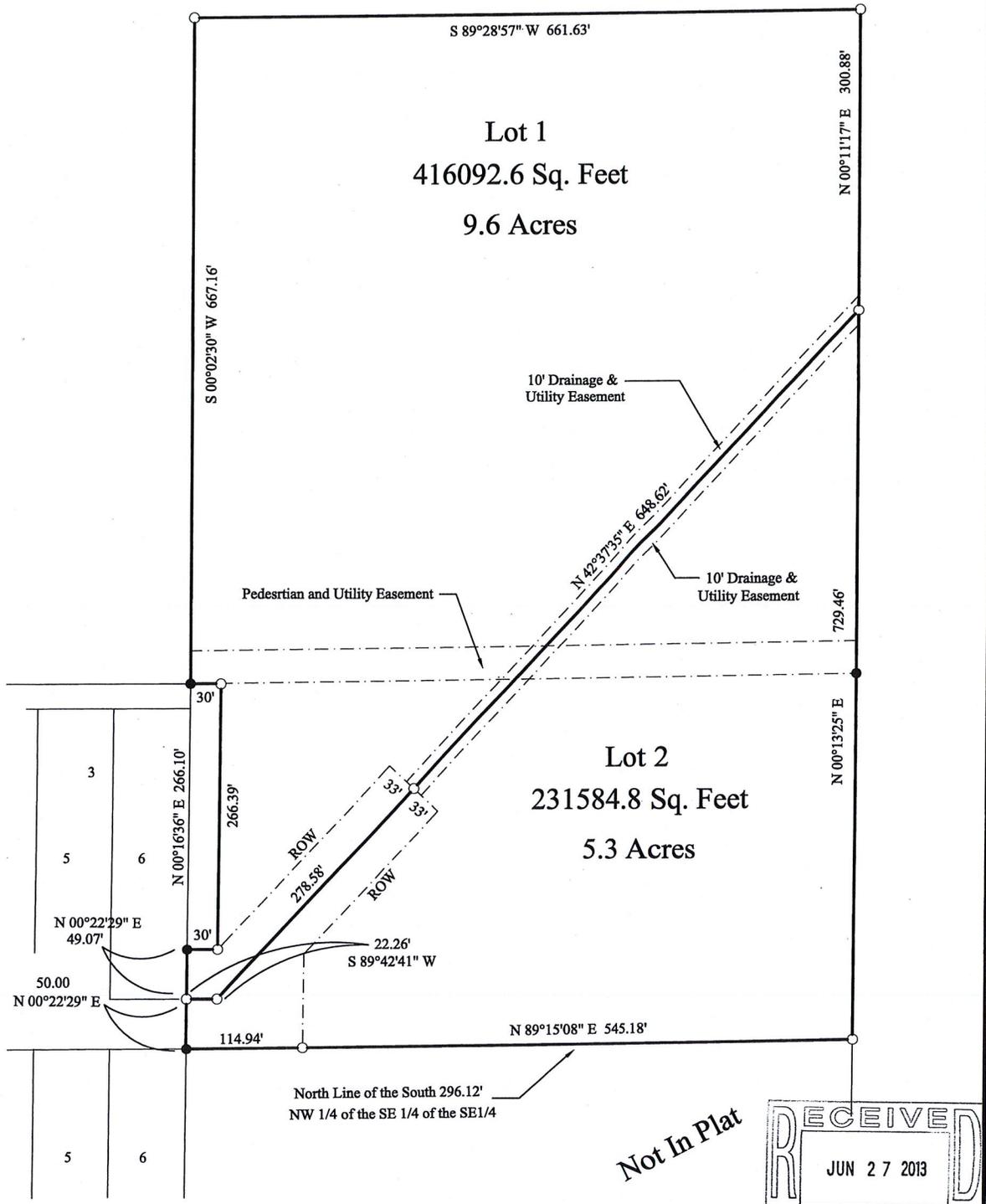
I hereby certify that this survey was completed by me, or under my direct supervision and that I am a duly licensed land surveyor of the state of Minnesota.

Signature *John J. Hippmann*  
John J. Hippmann, Registration No. 15294

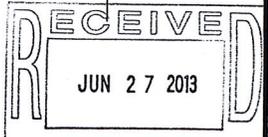
Date 6-27-2013



**Proposed Plat 2 Lots**  
**Section 35, Township 51 North, Range 14 West**



*Not In Plat*



I hereby certify that this survey was completed by me, or under my direct supervision and that I am a duly licensed land surveyor of the state of Minnesota.

Signature: John J. Hinzmann Jr. Date: 6-27-2013  
 John J. Hinzmann Jr. (Registration No. 15294)

# Property Description

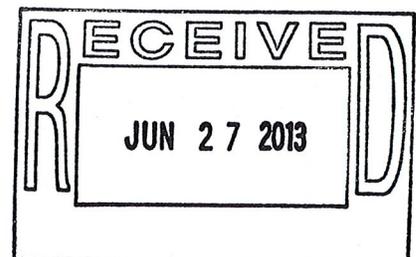
The Southwest Quarter of the Northeast Quarter of the Southeast Quarter of Section 35, Township 51 North, Range 14 West of the Fourth Principal Meridian

And

That part of the Northwest Quarter of the Southeast Quarter of the Southeast Quarter of Section 35, Township 51 North, Range 14 West of the Fourth Principal Meridian, lying northerly of the South 296.12 feet.

Except

The northerly 266.39 feet of the westerly 30.00 feet of the Northwest Quarter of the Southeast Quarter of the Southeast Quarter of Section 35, Township 51 North, Range 14 West of the Fourth Principal Meridian.



# Property Description

## Proposed Lot 1

The Southwest Quarter of the Northeast Quarter of the Southeast Quarter of Section 35, Township 51 North, Range 14 West of the Fourth Principal Meridian

And

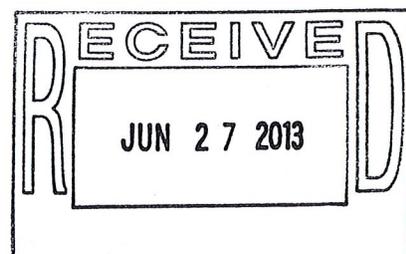
That part of the Northwest Quarter of the Southeast Quarter of the Southeast Quarter of Section 35, Township 51 North, Range 14 West of the Fourth Principal Meridian, lying northerly of the South 296.12 feet.

Except

The northerly 266.39 feet of the westerly 30.00 feet of the Northwest Quarter of the Southeast Quarter of the Southeast Quarter of Section 35, Township 51 North, Range 14 West of the Fourth Principal Meridian.

Lying northerly of the following described Line:

Commencing at the Northeast corner of the Southwest Quarter of the Northeast Quarter of the Southeast Quarter of said Section 35, thence on an assigned bearing of South 00 degrees 11 minutes 17 seconds West along the east line of said Northeast corner of the Southwest Quarter of the Northeast Quarter of the Southeast Quarter a distance of 300.88 feet to the Beginning of the Line; thence South 42 degrees 37 minutes 35 seconds West a distance of 927.20 feet; thence South 89 degrees 42 minutes 41 seconds West a distance of 22.26 feet more or less to the west line of the Northwest quarter of the Southeast quarter of the Southeast quarter and there terminating.



# Property Description

## Proposed Lot 2

The Southwest Quarter of the Northeast Quarter of the Southeast Quarter of Section 35, Township 51 North, Range 14 West of the Fourth Principal Meridian

And

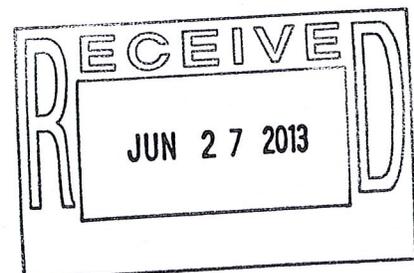
That part of the Northwest Quarter of the Southeast Quarter of the Southeast Quarter of Section 35, Township 51 North, Range 14 West of the Fourth Principal Meridian, lying northerly of the South 296.12 feet.

Except

The northerly 266.39 feet of the westerly 30.00 feet of the Northwest Quarter of the Southeast Quarter of the Southeast Quarter of Section 35, Township 51 North, Range 14 West of the Fourth Principal Meridian.

Lying southerly of the following described Line:

Commencing at the Northeast corner of the Southwest Quarter of the Northeast Quarter of the Southeast Quarter of said Section 35, thence on an assigned bearing of South 00 degrees 11 minutes 17 seconds West along the east line of said Northeast corner of the Southwest Quarter of the Northeast Quarter of the Southeast Quarter a distance of 300.88 feet to the Beginning of the Line; thence South 42 degrees 37 minutes 35 seconds West a distance of 927.20 feet; thence South 89 degrees 42 minutes 41 seconds West a distance of 22.26 feet more or less to the west line of the Northwest quarter of the Southeast quarter of the Southeast quarter and there terminating.



Vassar Street Quick Plat

Site Photos

