



**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 14-101	<b>Contact</b>	John Kelley, jkelley@duluthmn.gov	
<b>Application Type</b>	Minor Subdivision	<b>Planning Commission Date</b>	August 12, 2014	
<b>Deadline for Action</b>	<b>Application Date</b>	July 24, 2014	<b>60 Days</b>	September 22, 2014
	<b>Date Extension Letter Mailed</b>	July 31, 2014	<b>120 Days</b>	November 21, 2014
<b>Location of Subject</b>	Northeast corner of Mississippi Avenue and Lyons Street			
<b>Applicant</b>	Green Capital, LLC.	<b>Contact</b>	jasonrossduluth@gmail.com	
<b>Agent</b>	Architecture Advantage, LLC.	<b>Contact</b>	melissa@architectureadvantage.com	
<b>Legal Description</b>	See attached			
<b>Site Visit Date</b>	August 1, 2014	<b>Sign Notice Date</b>	July 30, 2014	
<b>Neighbor Letter Date</b>	N/A	<b>Number of Letters Sent</b>	N/A	

**Proposal**

Applicant is proposing to combine 5 parcels into 2.

	<b>Current Zoning</b>	<b>Existing Land Use</b>	<b>Future Land Use Map Designation</b>
<b>Subject</b>	R-1	Undeveloped. Residential	Traditional Neighborhood
<b>North</b>	R-1	Residential	Traditional Neighborhood
<b>South</b>	R-1	Residential	Traditional Neighborhood
<b>East</b>	R-1	Residential	Traditional Neighborhood
<b>West</b>	R-1	Residential	Traditional Neighborhood

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

50-33.1 General: All subdivision plats and replats, and all registered land surveys, shall create lots, streets and walkways and open spaces consistent with the requirements of the zone district within which the land is located.

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

50-37.5, D 1. The planning commission shall approve the application if it determines that the application:

- (a) The lot or lots to be subdivided or combined have frontage on an improved public street;
- (b) Each proposed lot meets the minimum zoning requirements of the district that it is in.
- (c) If an existing structure on a lot complies with the requirements of this Chapter, then after the minor subdivision structures on each of the resulting lots will still comply with the requirements of this Chapter; and
- (d) If one or more of the existing lots, or a structure on one or more of those lots, does not comply with the requirements of this Chapter, the proposed relocation will not create any new nonconformity or increase any existing nonconformity between the requirements of this Chapter.

6-1

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

Traditional Neighborhood - Characterized by grid or connected street pattern, houses oriented with shorter dimension to the street and detached garages, some with alleys. Limited commercial, schools, churches, and home-businesses. Parks and open space areas are scattered through or adjacent to the neighborhood. Includes many of Duluth's older neighborhoods, infill projects and neighborhood extensions, and new traditional neighborhood areas.

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

Staff finds that:

- 1.) The proposed lots have street frontage and meet the minimum lot frontage requirements in the R-1 district.
- 2.) The attached exhibit demonstrates compliance with Minnesota statutes 462.358 and 505 or 508, as applicable.
- 3.) Approval of this Minor subdivision signifies that City of Duluth UDC standards are met. St. Louis County may have additional requirements.
- 4.) This subdivision approval lapses if not recorded with St. Louis County within 90 days. Applicant must provide the City with proof of recording.
- 5.) No additional 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 Minor subdivision, subject to the following conditions:

- 1.) This subdivision be 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.

6-2

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



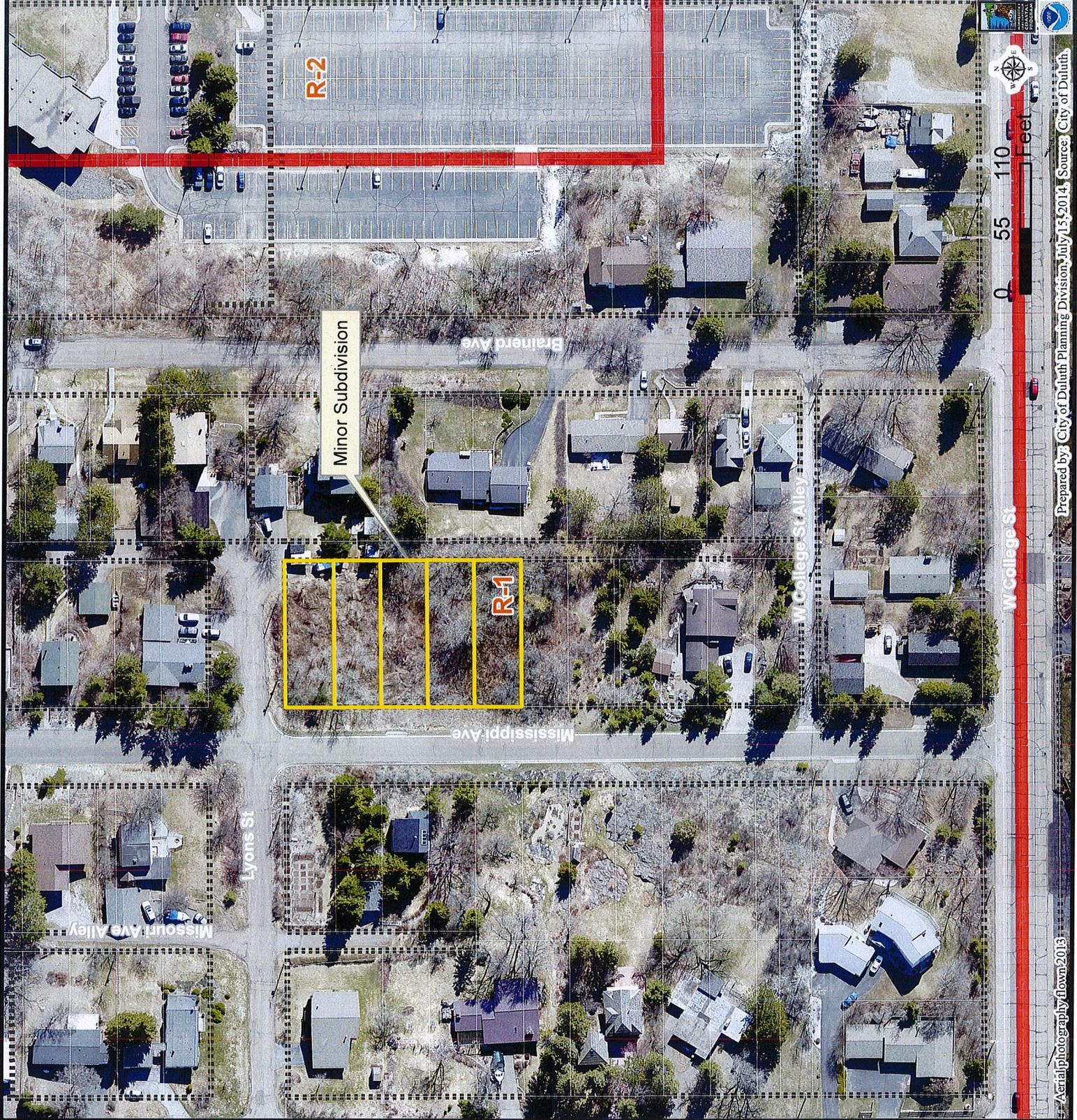
**City Planning**  
 PL 14-101  
 Minor Subdivision  
 Zoning Map

**Legend**

**Zoning Boundaries**



Zoning Boundaries



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.

6-3

Aerial photography flown 2013

Prepared by City of Duluth Planning Division, July 15, 2014, Source: City of Duluth.



**City Planning**  
 PL 14-101  
 Minor Subdivision  
 FLU Map

**Legend**

**Right-of-Way Type**

----- Road or Alley ROW

**Future Land Use**

- Preservation
- Recreation
- Rural Residential
- Low-density Neighborhood
- Traditional Neighborhood
- Urban Residential
- Neighborhood Commercial
- Neighborhood Mixed Use
- General Mixed Use
- Central Business Secondary
- Central Business Primary
- Auto Oriented Commercial
- Large-scale Commercial
- Business Park
- Tourism/Entertainment District
- Medical District
- Institutional
- Commercial Waterfront
- Industrial Waterfront
- Light Industrial
- General Industrial
- Transportation and Utilities

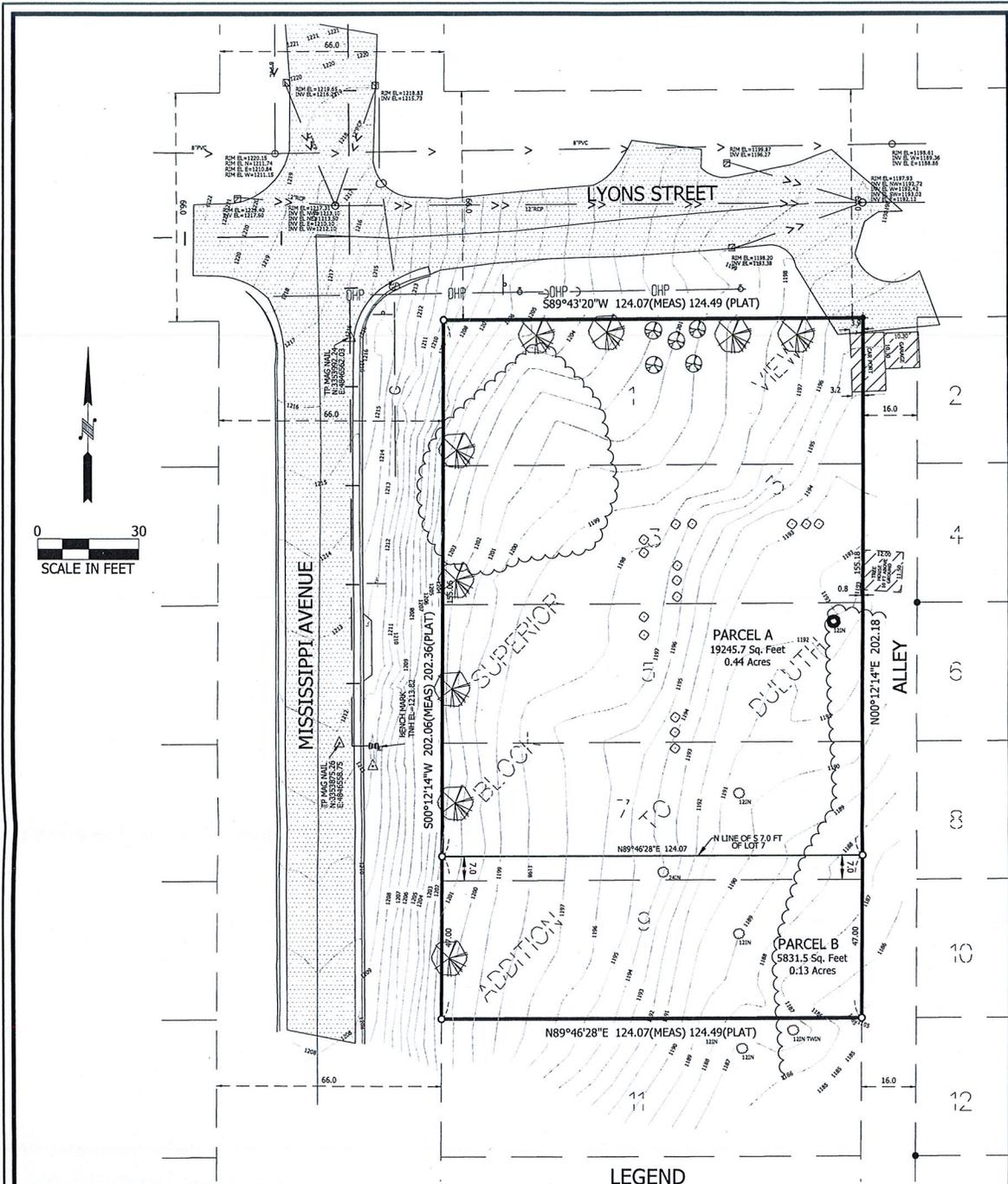


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6-4

Aerial photography, flown 2013

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**LEGAL DESCRIPTION PARCEL A**

Lots 1, 3, 5 and 7, Block 3, SUPERIOR VIEW ADDITION TO DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota. Except: The South 7.00 feet of Lot 7, Block 3, thereof.

said parcel containing 19,245.7 sq. ft or 0.44 acres.

**LEGAL DESCRIPTION PARCEL B**

The South 7.00 feet of Lot 7 and all of Lot 9, Block 3, SUPERIOR VIEW ADDITION TO DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota.

said parcel containing 5,831.5 sq. ft. or 0.13 acres.

**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 ENUMBER 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: July 29, 2014  
*David R. Evanson*  
David R. Evanson PLS License No. 49305

These standard symbols will be found in the drawing.

- ☐ CATCH BASIN
- GUY WIRE
- ⊕ HYDRANT
- ⊕ UTILITY POLE
- SAN MANHOLE
- SIGN
- ⊕ STORM MANHOLE
- △ CONTROL POINT
- TREE
- ⊕ WATER VALVE
- FOUND IRON MONUMENT
- ⊕ SET MAG NAIL WITH PLASTIC DISK
- SET 1/2" REBAR CAPPED WITH RLS NO. 49505
- ⊗ PROPOSED TREE OR BUSH
- ▨ BITUMINOUS
- ▨ CONCRETE
- TREE LINE
- DHP OVERHEAD UTILITIES
- >> STORM SEWER
- > SANITARY SEWER
- | WATER MAIN
- G UNDERGROUND GAS

**QUICK PLAT**

CLIENT: ARCHITECTURE ADVANTAGE	REVISIONS: 7-29-14 MOVE LEGAL
DATE: 7-7-14	
ADDRESS: XXX	
JOB NUMBER: 14-324	

**ALTA**  
LAND SURVEY COMPANY  
• LAND SURVEYING PHONE: 218-727-5211  
• LAND DEVELOPMENT FAX: 218-727-3798  
• PLATTING LICENSED IN MN & WI  
• LEGAL DESCRIPTIONS CERTIFIED FEDERAL SURVEYOR  
• CONSTRUCTION STAKING WWW.ALTA-SURVEYDULUTH.COM

6-5



VINCINITY MAP  
NO SCALE

6-6

SHEET 1 OF 2 SHEETS

QUICK PLAT	
CLIENT: ARCHITECTURE ADVANTAGE	REVISIONS: 7-29-14 MOVE LEGAL
DATE: 7-7-14	
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**ALTA**  
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