



**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 14-142	<b>Contact</b>	Jenn Reed Moses, jmoses@duluthmn.gov	
<b>Application Type</b>	Minor Subdivision	<b>Planning Commission Date</b>	October 14, 2014	
<b>Deadline for Action</b>	<b>Application Date</b>	September 16, 2014	<b>60 Days</b>	November 15, 2014
	<b>Date Extension Letter Mailed</b>	October 6, 2014	<b>120 Days</b>	January 14, 2015
<b>Location of Subject</b>	600 W Superior Street			
<b>Applicant</b>	Daniel D. Maddy	<b>Contact</b>	725-6838, dmaddy@fryberger.com	
<b>Agent</b>		<b>Contact</b>		
<b>Legal Description</b>	See attached			
<b>Site Visit Date</b>	N/A	<b>Sign Notice Date</b>	October 7, 2014	
<b>Neighbor Letter Date</b>	October 7, 2014	<b>Number of Letters Sent</b>	5	

**Proposal**

Applicant is proposing to combine 9 parcels into 3.

	<b>Current Zoning</b>	<b>Existing Land Use</b>	<b>Future Land Use Map Designation</b>
<b>Subject</b>	F-8	Apartment Building	Central Business Secondary
<b>North</b>	F-8	Bowling Alley	Central Business Secondary
<b>South</b>	F-8	Depot	Central Business Secondary
<b>East</b>	F-8	Library	Central Business Primary
<b>West</b>	F-8	Plaza/Open Space	Transportation and Utilities

**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.

III. E-1

**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 central business area. Includes mixed regional and neighborhood retail, employment centers, public spaces, medium density residential, and public parking facilities.

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

Staff finds that:

- 1.) The proposed lots have street frontage. There are no minimum lot frontage requirements in the F-8 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 180 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:

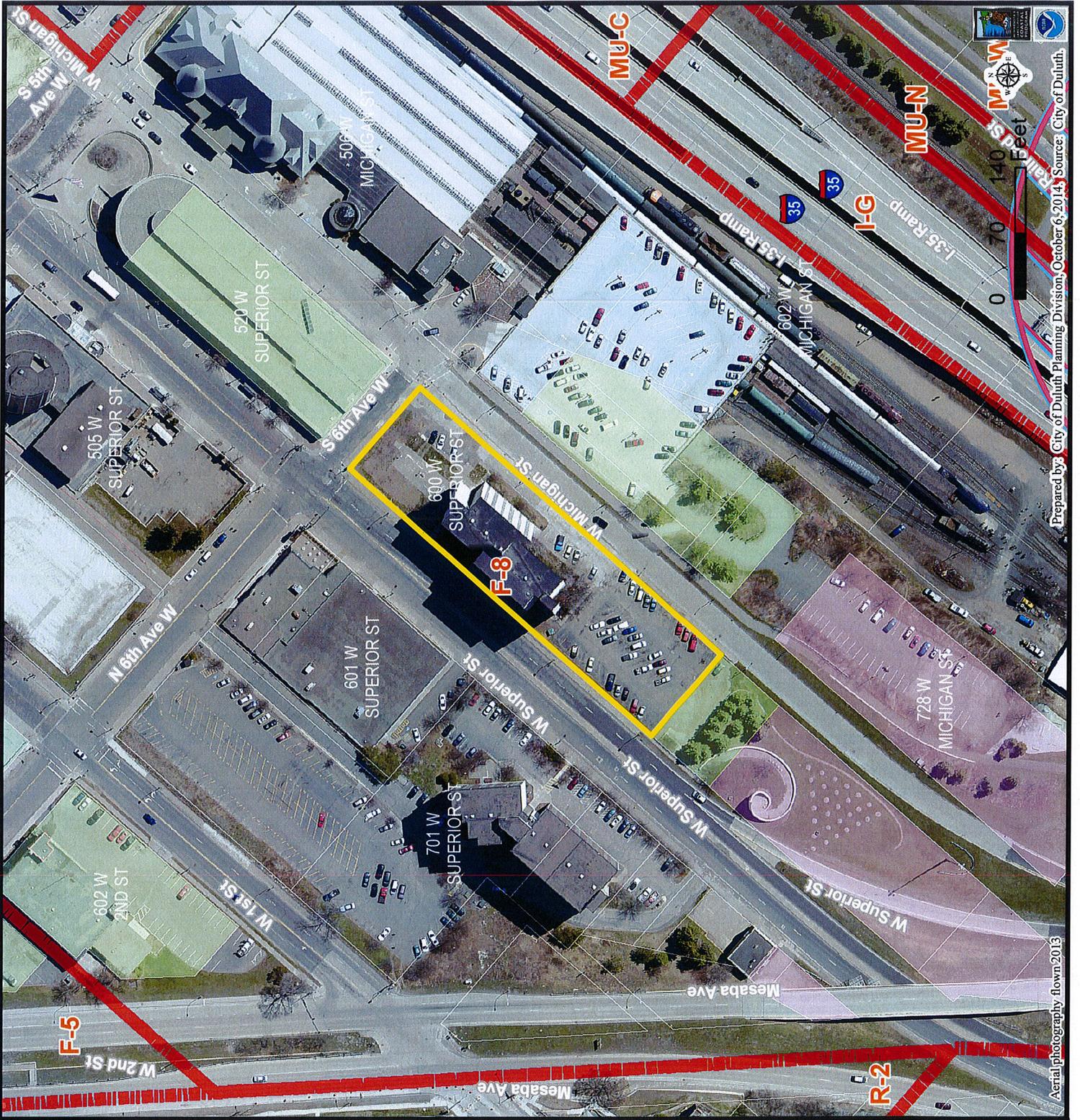
- 1.) This subdivision be filed with St. Louis County within 180 days.
- 2.) Any alterations to the approved plans that do not alter major elements of the plan may be approved by the Land Use Supervisor without further Planning Commission; however, no such administrative approval shall constitute a variance from the provisions of Chapter 50.

E-2

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



**City Planning**  
 PL 14-142  
 600 W Superior St



Aerial photography flown 2013

Prepared by: City of Duluth Planning Division, October 6, 2014. Source: 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.

**F-3**

## EXHIBIT A

This is the Gateway Tower Apartments property. The Gateway Towers Apartments were developed in the early 1970s by Gateway Tower, Inc., a Minnesota nonprofit corporation, whose members are a consortium of local churches, to address unmet housing needs for low and moderate income seniors. The Gateway Tower Apartments has helped to meet this need for nearly four decades but is badly in need of rehabilitation. In an effort to address this need, the Housing and Redevelopment Authority of Duluth, Minnesota (the "Authority") (which holds a Mortgage and an Exclusive Option on the property) requested proposals from potential developers and entered into a Development Agreement with One Roof Community Housing ("One Roof"), and Center City Housing Corp. ("Center City"). Through a newly formed entity, Gateway Properties, LLLP ("Gateway LLLP"), One Roof and Center City have submitted an application ("LIHTC Application") to the Minnesota Housing Finance Agency ("MHFA") for an allocation of low income housing tax credits and other financial assistance, which if granted will lead to the substantial redevelopment of the Gateway Tower Apartments.

The Gateway Towers Apartments property consists of 8 plated lots in Downtown Duluth. The property's legal description is attached as Exhibit B. Exhibit C shows the existing site and the names of the adjacent streets and serves as the vicinity map required for this Application.

The proposed boundary line adjustments will separate the existing 8 plated lots that make up the Gateway Tower Apartments property into three parcels by creating boundary line adjustments within Lots 108 and 100. Exhibit D is a map showing the proposed parcels after the adjustment. The three parcels are labeled Parcel "A", Parcel "B", and "Parcel "C". The legal descriptions for Parcel "A", Parcel "B", and "Parcel "C" are shown on Exhibits E, F, and G, respectively.

Parcel A is the site of the existing apartment building and will be conveyed to Gateway LLLP if the LIHTC Application is successful. Parcels B and C will be held separately and will be used for parking and/or other redevelopment. MHFA has requested the boundary line adjustment at this time as a part of its review of the LIHTC Application.

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**EXHIBIT B**

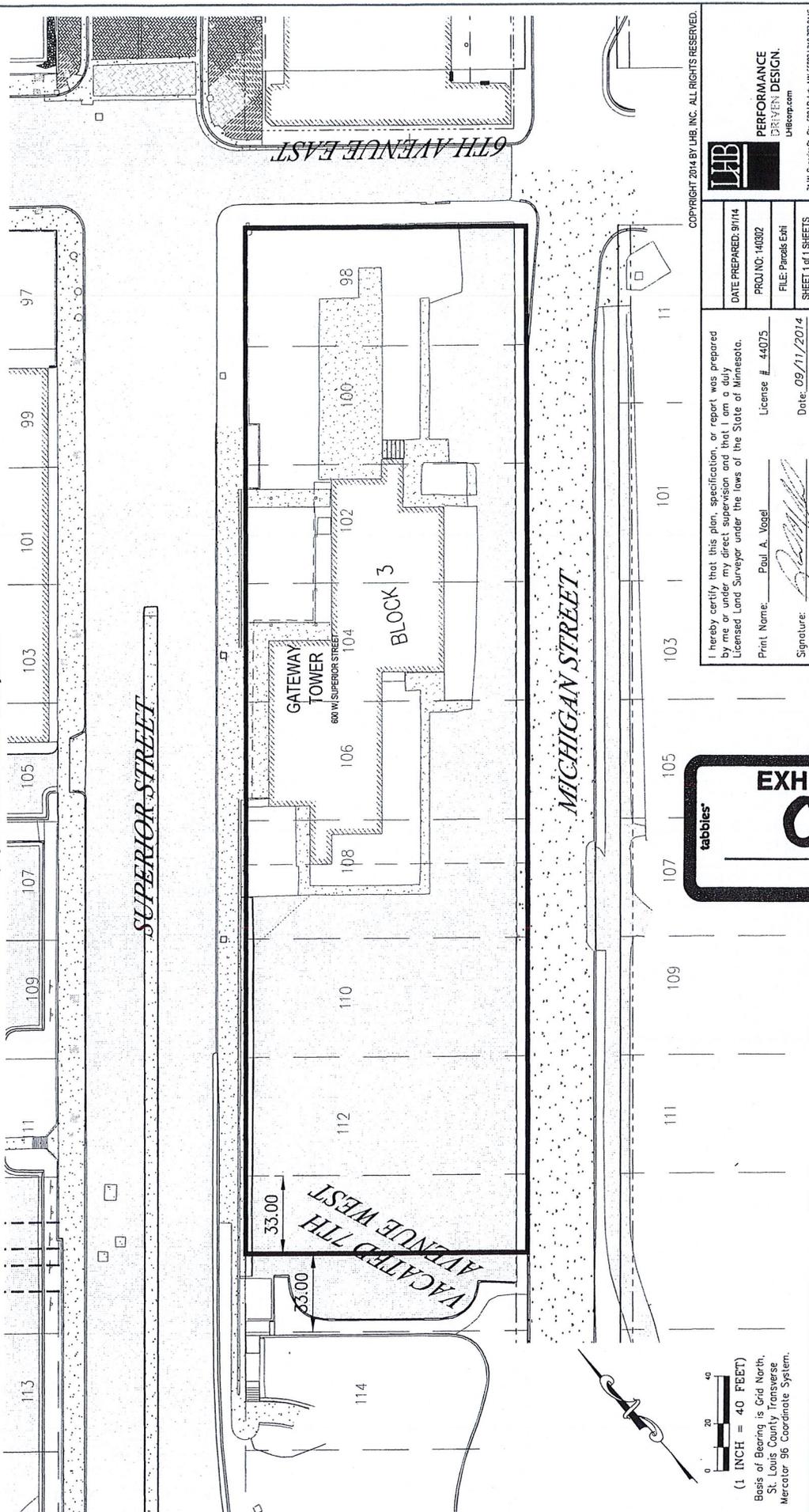
Lots Ninety-eight (98), One hundred (100), One hundred two (102), One hundred four (104), One hundred six (106), One hundred eight (108), One hundred ten (110), and One hundred twelve (112), Block Three (3), DULUTH PROPER 3<sup>rd</sup> DIVISION according to the plat thereof on file and of record in the office of the Register of Deeds, St. Louis County, Minnesota, including the easterly one-half of vacated 7<sup>th</sup> Avenue West.

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# EXHIBIT

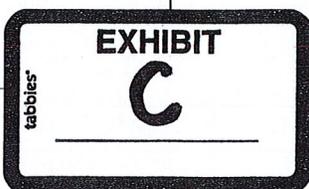
Prepared for: 1 Roof  
Lots 98-112, Even Numbers, Block 3  
DULUTH PROPER 3RD DIVISION  
City of Duluth, St. Louis County, MN.



LAB  
PERFORMANCE DESIGN  
DESIGN  
UNICORP.COM  
21 W. Superior St. Ste. 300 Duluth, MN 55801 218.727.8446  
FILE: M4326260.Dwg\Survey\Parcels\Exhibit.dwg

DATE PREPARED: 9/11/14  
PROJECT NO: 140302  
FILE: Parcels Exh  
SHEET 1 of 1 SHEETS

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.  
Print Name: Paul A. Vogel License #: 44075  
Signature: *[Signature]* Date: 09/11/2014



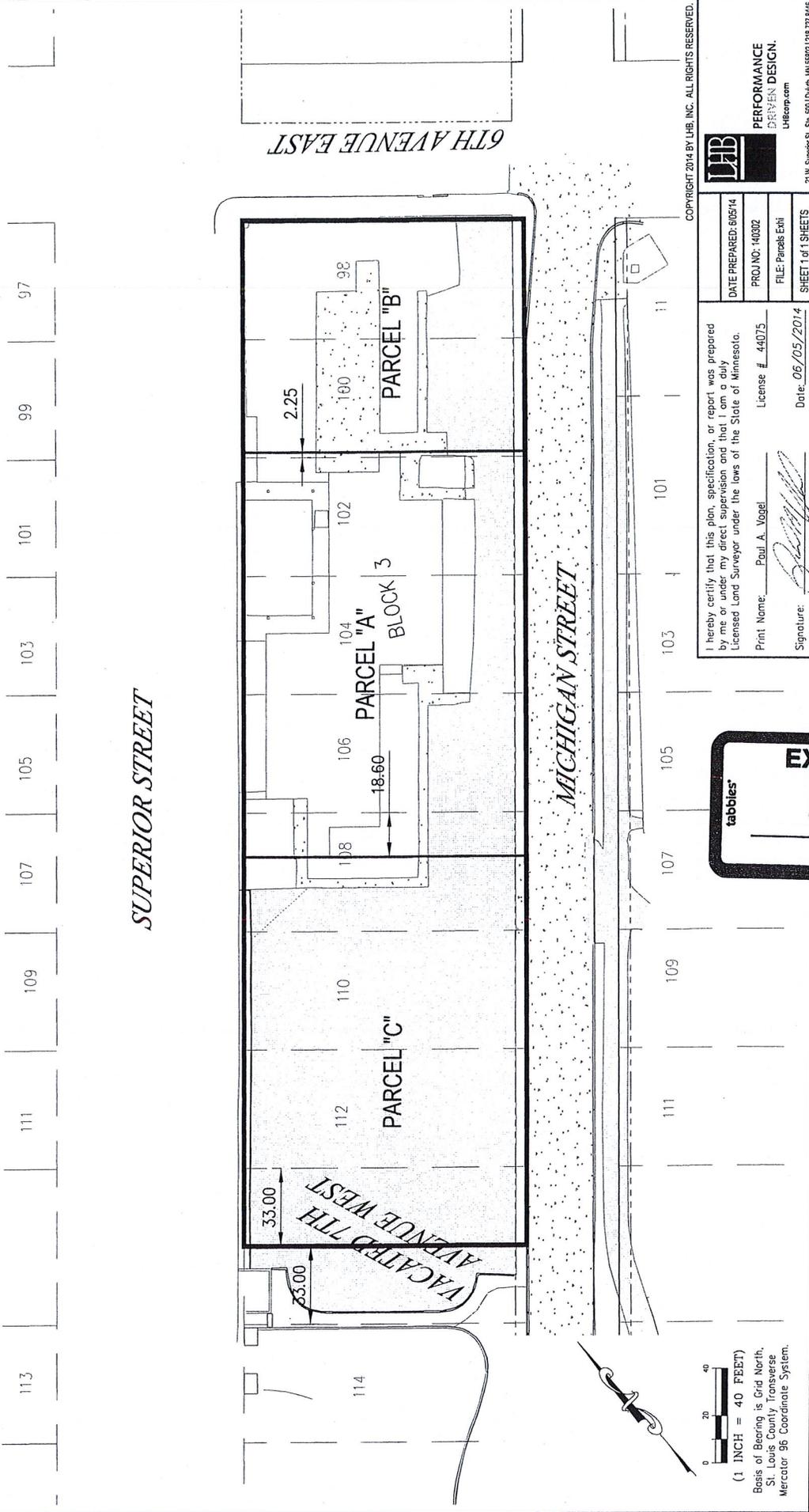
(1 INCH = 40 FEET)  
Basis of Bearing is Grid North,  
St. Louis County Transverse  
Mercator 96 Coordinate System.

RECEIVED SEP 16 2014

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# EXHIBIT

Prepared for: 1 Roof  
 Lots 98-112, Even Numbers, Block 3  
 DULUTH PROPER 3RD DIVISION  
 City of Duluth, St. Louis County, MN.



DATE PREPARED: 8/05/14  
 PROJ. NO.: 140802  
 FILE: Parade Exh  
 SHEET 1 of 1 SHEETS

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.  
 Print Name: Paul A. Vogel License # 44075  
 Signature: [Signature] Date: 06/05/2014

LAB  
 PERFORMANCE DRIVEN DESIGN  
 LHD Corp.com  
 21 W. Superior St., Ste. 501 Duluth, MN 55802 | 218.727.8446  
 FILE: 140802000 Drawings/Parade/Parade Exhibit.dwg

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**PARCEL A**

The southwesterly 2.25 feet Lot One-hundred (100), all of Lot One-hundred and Two (102), all of Lot One hundred and Four (104), all of Lot One-hundred and Six (106) and the northeasterly 18.60 feet of Lot One-hundred and Eight (108); all in Block 3, DULUTH PROPER THIRD DIVISION according to the plat thereof and on record in the Office of the County Recorder, St. Louis County, Minnesota.

SUBJECT to easements, restrictions or reservations of record, if any.

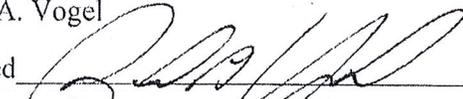
Containing 20,520 Sq. Feet or 0.471 Acres, more or less (19,670 Sq. Feet or 0.452 Acres excluding ROW Michigan Street).

I hereby certify that this survey, plan, 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.

Paul A. Vogel

Signed

Date

  
6/5/2014

License No. 44075



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**PARCEL B**

Lot Ninety-eight (98) and Lot One-hundred (100) except the southwesterly 2.25 feet thereof; all in Block 3, DULUTH PROPER THIRD DIVISION according to the plat thereof and on record in the Office of the County Recorder, St. Louis County, Minnesota.

SUBJECT to easements, restrictions or reservations of record, if any.

Containing 11,740 Sq. Feet or 0.270 Acres, more or less (11,250 Sq. Feet or 0.258 Acres excluding ROW Michigan Street).

I hereby certify that this survey, plan, 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.

Paul A. Vogel

Signed

Date 6/5/2014 License No. 44075



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**PARCEL C**

Lot One-hundred and Eight (108) Except the northeasterly 18.60 feet thereof, all of Lot One-hundred and Ten (110), and all of Lot One-hundred and Twelve (112); all in Block 3, DULUTH PROPER THIRD DIVISION according to the plat thereof and on record in the Office of the County Recorder, St. Louis County, Minnesota, including the easterly one-half of vacated 7<sup>th</sup> Avenue West.

SUBJECT to easements, restrictions or reservations of record, if any.

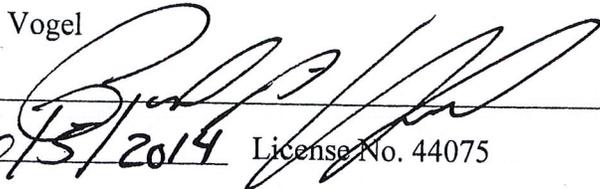
Containing 19,750 Sq. Feet or 0.453 Acres, more or less (18,930 Sq. Feet or 0.435 Acres excluding ROW Michigan Street).

I hereby certify that this survey, plan, 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.

Paul A. Vogel

Signed

Date



License No. 44075



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