



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 16-037	Contact	Jenn Reed Moses, jmoses@duluthmn.gov
Application Type	Minor Subdivision	Planning Commission Date	May 10, 2016
Deadline for Action	Application Date	April 13, 2016	60 Days July 9, 2016
	Date Extension Letter Mailed	April 21, 2016	120 Days September 7, 2016
Location of Subject	1734-1740 Mall Drive		
Applicant	NLD Duluth SC LLC	Contact	Allison Kern, akern@caprei.com
Agent	N/A	Contact	N/A
Legal Description	Parcel ID #010-4427-00010		
Site Visit Date	April 27, 2016	Sign Notice Date	April 26, 2016
Neighbor Letter Date	April 22, 2016	Number of Letters Sent	23

Proposal

Minor subdivision from one lot to three.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	MU-C	Commercial	Large-scale commercial, preservation
North	MU-C	Commercial (Target)	Large-scale commercial
South	MU-C	Commercial	Large-scale commercial, neighborhood mixed use
East	MU-C	Commercial	Large-scale commercial, preservation
West	MU-C	Commercial	Large-scale commercial

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.

1-9-II

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

Governing Principle #1 - Reuse previously developed lands. Directs investment to sites which have the potential to perform at a higher level than their current state.

Future Land Use - Large-Scale Commercial: Mall, shopping center and big box retail development, with associated surrounding retail and service uses, but only ancillary office uses and no residential uses. Oriented primarily to the motorist, with planned internal circulation patterns while still accommodating pedestrian movement. Requires access to regional transportation routes. May include regional green infrastructure for watershed protection. Site design includes generous landscaping of parking 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. There is no 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 deeds are 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. Appropriate deeds 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 approval; however, no such administrative approval shall constitute a variance from the provisions of Chapter 50.

E-2

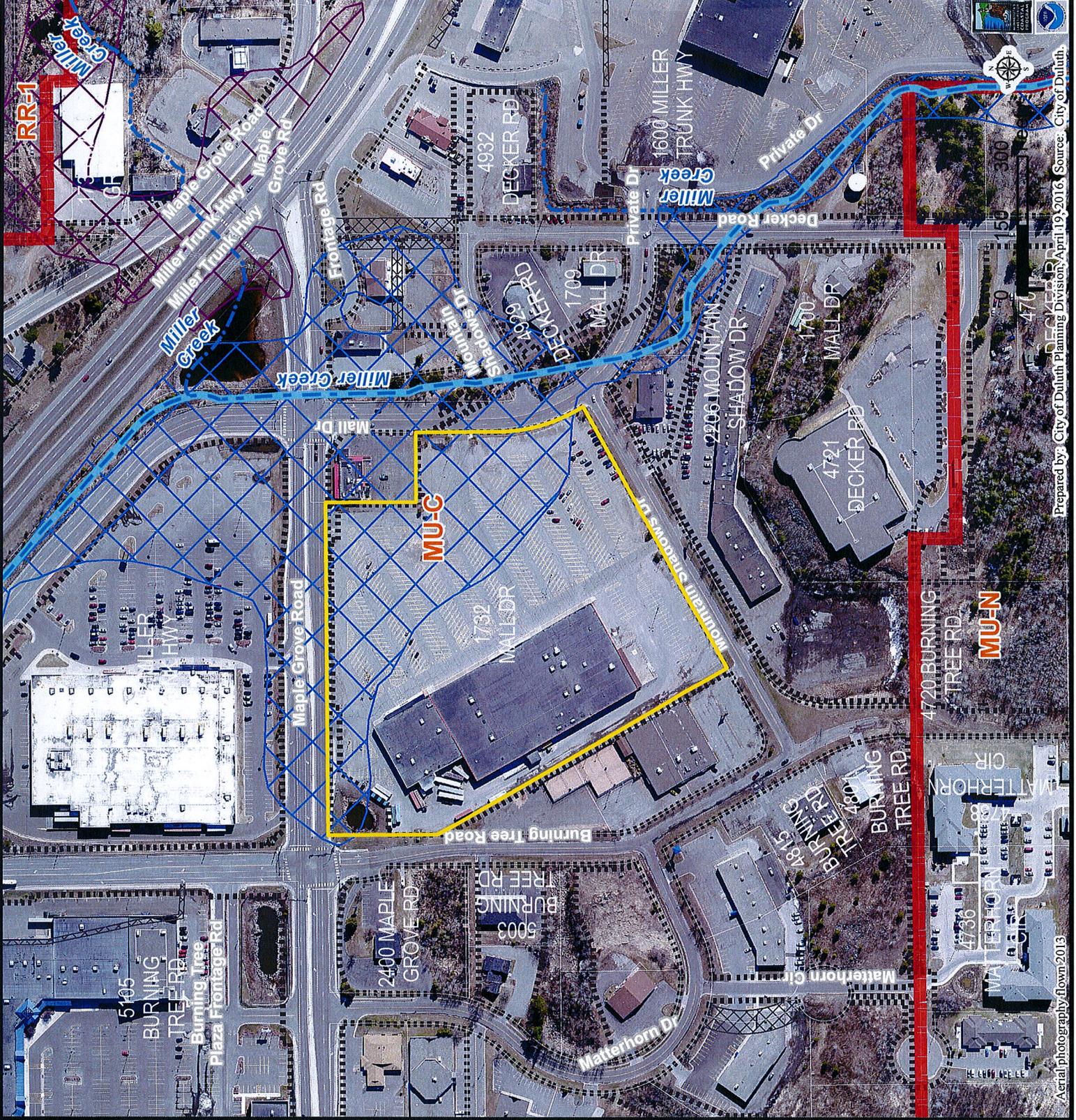
Attachments (aerial photo with zoning; future land use map; site plan; copies of correspondence)



City Planning
 PL 16-036
 1734 Mall Dr

Legend

- Trout Stream (GPS)
- Other Stream (GPS)
- Zoning Boundaries**
- Zoning Boundaries
- Right-of-Way Type**
- Road or Alley ROW
- Vacated ROW
- 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.

E-3

LEGAL DESCRIPTION FOR PARCEL A

That part of Lot 1, Block 1, VILLAGE MALL, according to the recorded plat thereof, St. Louis County, Minnesota described as follows:

Commencing at the Southwest corner of said Lot 1; thence on an assigned bearing of North 29 degrees 02 minutes 15 seconds West, along the Southwesterly line of said Lot 1 for a distance of 594.78 feet to the Point of Beginning of the parcel herein described; thence North 60 degrees 57 minutes 45 seconds East 284.10 feet; thence North 33 degrees 13 minutes 38 seconds East 33.40 feet; thence North 60 degrees 56 minutes 25 seconds East 344.53 feet; thence North 00 degrees 09 minutes 02 seconds West 23.82 feet to the North line of said Lot 1; thence South 89 degrees 50 minutes 58 seconds West, along said North line of Lot 1 for a distance of 631.97 feet to the Northwest corner of said Lot 1; thence South 00 degrees 02 minutes 56 seconds East, along the West line of said Lot 1 for a distance of 240.11 feet to a Westerly corner of said Lot 1; thence South 29 degrees 02 minutes 15 seconds East 131.80 feet to the Point of Beginning.

Said parcel contains 126,328 square feet or 2.90 acres.

LEGAL DESCRIPTION FOR PARCEL B

That part of Lot 1, Block 1, VILLAGE MALL, according to the recorded plat thereof, St. Louis County, Minnesota described as follows:

Commencing at the Southwest corner of said Lot 1; thence on an assigned bearing of North 60 degrees 55 minutes 38 seconds East, along the Southeasterly line of said Lot 1 for a distance of 329.66 feet to the Point of Beginning of the parcel herein described; thence North 29 degrees 04 minutes 22 seconds West 218.46 feet; thence North 60 degrees 55 minutes 38 seconds East 375.39 feet to the East line of said Lot 1; thence North 00 degrees 00 minutes 58 seconds West, along said East line of Lot 1 for a distance of 144.09 feet to a Northeasterly corner of said Lot 1; thence South 89 degrees 50 minutes 58 seconds West, along a Northerly line of said Lot 1 for a distance of 150.13 feet to a Northeasterly corner of said Lot 1; thence North 00 degrees 01 minutes 16 seconds East, along said East line of Lot 1 for a distance of 200.00 feet to a Northeasterly corner of said Lot 1; thence South 89 degrees 50 minutes 58 seconds West, along the North line of said Lot 1 for a distance of 80.88 feet; thence South 00 degrees 09 minutes 02 seconds East 23.82 feet; thence South 60 degrees 56 minutes 25 seconds West 344.53 feet; thence South 33 degrees 13 minutes 38 seconds West 33.40 feet; thence South 60 degrees 57 minutes 45 seconds West 284.10 feet to the Southwesterly line of said Lot 1; thence South 29 degrees 02 minutes 15 seconds East, along said Southwesterly line of Lot 1 for a distance of 594.78 feet to the Southwest corner of said Lot 1; thence North 60 degrees 55 minutes 38 seconds East, along the Southeasterly line of said Lot 1 for a distance of 329.66 feet to the Point of Beginning.

Said parcel contains 346,768 square feet or 7.96 acres.

LEGAL DESCRIPTION FOR PARCEL C

That part of Lot 1, Block 1, VILLAGE MALL, according to the recorded plat thereof, St. Louis County, Minnesota described as follows:

Commencing at the Southwest corner of said Lot 1; thence on an assigned bearing of North 60 degrees 55 minutes 38 seconds East, along the Southeasterly line of said Lot 1 for a distance of 329.66 feet to the Point of Beginning of the parcel herein described; thence North 29 degrees 04 minutes 22 seconds West 218.46 feet; thence North 60 degrees 55 minutes 38 seconds East 375.39 feet to the East line of said Lot 1; thence South 01 degrees 00 minutes 07 seconds East, along said East line of Lot 1 for a distance of 32.98 feet; thence Southeasterly 196.98 feet, along a non-tangential curve, concave to the East, said curve having a radius of 351.23 feet and a central angle of 32 degrees 08 minutes 02 seconds, the chord of said curve bears South 15 degrees 58 minutes 46 seconds East for a distance of 194.41 feet to the Southeast corner of said Lot 1; thence South 60 degrees 55 minutes 38 seconds West, along the Southeasterly line of said Lot 1 for a distance of 315.18 feet to the Point of Beginning.

Said parcel contains 72,756 square feet or 1.67 acres.

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.

David R. Evanson
David R. Evanson

Date: APRIL 11, 2016 MN Lic. No. 49505

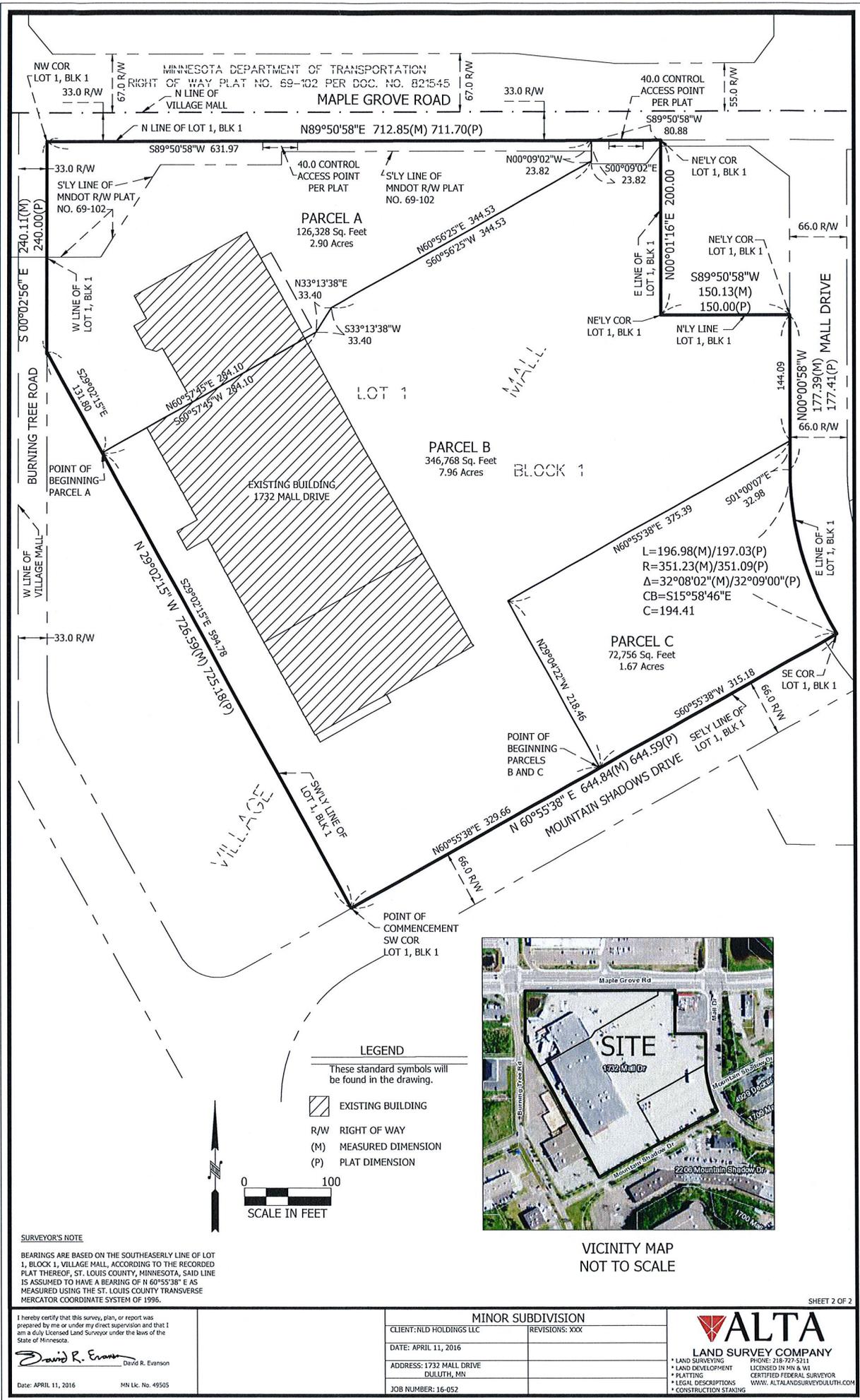
MINOR SUBDIVISION

CLIENT: NLD HOLDINGS LLC	REVISIONS: XXX
DATE: APRIL 11, 2016	
ADDRESS: 1732 MALL DRIVE DULUTH, MN	
JOB NUMBER: 16-052	



LAND SURVEYING PHONE: 218-727-5311
 LAND DEVELOPMENT LICENSED IN MN & WI
 * PLATTING CERTIFIED FEDERAL SURVEYOR
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H-9



SURVEYOR'S NOTE
 BEARINGS ARE BASED ON THE SOUTHEASTERLY LINE OF LOT 1, BLOCK 1, VILLAGE MALL, ACCORDING TO THE RECORDED PLAT THEREOF, ST. LOUIS COUNTY, MINNESOTA, SAID LINE IS ASSUMED TO HAVE A BEARING OF N 60°55'38" E AS MEASURED USING THE ST. LOUIS COUNTY TRANSVERSE MERCATOR COORDINATE SYSTEM OF 1996.

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.
David R. Evans
 David R. Evans
 Date: APRIL 11, 2016 MN Lic. No. 49505

LEGEND
 These standard symbols will be found in the drawing.

- EXISTING BUILDING
- R/W RIGHT OF WAY
- (M) MEASURED DIMENSION
- (P) PLAT DIMENSION



VICINITY MAP
 NOT TO SCALE

MINOR SUBDIVISION	
CLIENT: HLD HOLDINGS LLC	REVISIONS: XXX
DATE: APRIL 11, 2016	
ADDRESS: 1732 MALL DRIVE DULUTH, MN	
JOB NUMBER: 16-052	

ALTA
 LAND SURVEY COMPANY

- LAND SURVEYING
- LAND DEVELOPMENT
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- LEGAL DESCRIPTIONS
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