



## CITY OF DULUTH

Community Planning Division

411 W 1<sup>st</sup> St, Rm 208 \* Duluth, Minnesota 55802-1197

Phone: 218/730.5580 Fax: 218/723-3559

File Number	PL18-044	Contact	Steven Robertson	
Type	UDC Map Amendment	Planning Commission Date		May 8, 2018
Deadline for Action	Application Date	April 4, 2018	60 Days	June 3, 2018
	Date Extension Letter Mailed	April 19, 2018	120 Days	August 2, 2018
Location of Subject		SW corner of the intersection of Wadena Street and N 54 <sup>th</sup> Avenue West		
Applicant	Talle & Associates, Inc	Contact	Paul Strother, Architect	
Agent	Hanft Fride	Contact		
Legal Description		See Attached		
Site Visit Date		April 21, 2018	Sign Notice Date	April 24, 2018
Neighbor Letter Date		April 20, 2018	Number of Letters Sent	44

### Proposal

Applicant is requesting to amend an approved regulating plan to change building types for two parcels. Any amendment to the Regulating plan that involves changes to land use, density, or height is required to follow the rezoning process and receive approval from City Council.

	<b>Current Zoning</b>	<b>Existing Land Use</b>	<b>Future Land Use Map Designation</b>
<b>Subject</b>	R-P	Commercial (Vacant)	Central Business Secondary
<b>North</b>	F-4	Commercial	Central Business Secondary
<b>South</b>	R-P	Residential	Urban Residential
<b>East</b>	R-P	Residential	Urban Residential
<b>West</b>	F-4	Commercial	Central Business Secondary

### Summary of Code Requirements

UDC Sec. 50-14.07.E: The establishment of an R-P district requires rezoning the property per Section 50-37.3 from a current zone district to R-P and the approval of an R-P plan per Section 50-37.11. that governs the uses, location, density, dimensional standards and character of the proposed project. In accordance with the purpose of the R-P districts are not required to submit a separate subdivision application under Section 50-37.5

UDC Sec. 50-14.07.H: All residential developments approved prior to November 19, 2010, as low-density planned developments pursuant to Sections 50-36.1. through 50-36.3. of the previous zoning code shall be treated as approved R-P developments, and will be rezoned to the R-P district.

UDC Sec. 50-14.07. I: Applications to amend an existing R-P plan shall follow the process described in Section 50-37.3 if they relate to uses, densities, or height. All other amendments shall follow the process in Section 50-37.11.

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

Future Land Use, Urban Residential: Greatest variety of building types, medium to high densities. Applicable to larger infill areas close to downtown, entertainment or activity centers, and waterfront residential areas. May include student housing areas, live/work units, and limited neighborhood retail. Connected or adjacent to parks and open space.

Governing Principle #6 – Reinforce the place-specific.

The Ramsey Village Plan has had several zoning map amendments to allow additional building types on their parcels including: PL13-119 to allow eight-unit apartment structures at the NE corner of Ramsey Street and North Central Avenue Alley, PL16-087 to allow a mixed use residential and commercial structure at 5103 Ramsey Street, and PL 17-058 to allow an eight-unit multi-family near Ramsey and North 53<sup>rd</sup> and 54<sup>th</sup> Avenues West.

**Review and Discussion Items**

1. The Minnesota Planning Act provides that zoning (an “official control” should implement the general objectives of the Comprehensive Plan, and appellate courts have issued decisions that zoning must comply with the Comprehensive Plan or be considered arbitrary and capricious.
2. When the UDC became effective on November 19, 2010, all existing Traditional Neighborhood Design (TND) zone districts were rezoned to the Residential-Planned (R-P) zone districts. Ramsey Village and Harbor Highlands were the two TND districts that were immediately rezoned to R-P. Any proposed change to the R-P Regulating Plan that involves land use, density or height needs to be approved by City Council through the rezoning process (including a public hearing in front of the Planning Commission), but minor changes to the R-P Regulating Plan can be approved by the Land Use Supervisor. The applicant is again proposing a change in the building type (or use) on their property. This would require a zoning map amendment ordinance.
- 3 Applicant seeks to amend the approved plan to allow an additional building type on the parcels. The approved regulating plan allows for Type II and II types (single family home and twin homes). This new proposal requests to all the addition of the VII (an eight-unit multi-family residential structure).
4. The proposal to change the allowed building types to also allow an eight unit multi-family structure is not in conflict with the original TND Plan. This amendment will not create material adverse impacts on nearby properties. The applicant has constructed four and eight unit structures or a similar design and appearance in the immediate neighborhood.
5. This amendment is in compliance with the City's Comprehensive Land Use Plan's Governing Principles and Policies in addition to the Future Land Use Map.
6. According to City Engineering, stormwater management requirements will need to be reviewed and approve prior to a building permit issuance. No additional public, agency, or City comments were received.

**Staff Recommendation**


Based on the above findings, Staff recommends to Planning Commission that the proposed amendment to change the density and land use of the R-P Regulating Plan be recommended for approval by City Council for the following reasons:

- 1) This proposal is consistent with the Comprehensive Land Use Plan,
- 2) The proposal amendment to the Regulating Plan District is consistent with the future land use category “Urban Residential”
- 3) Material adverse impacts on nearby properties are not anticipated.



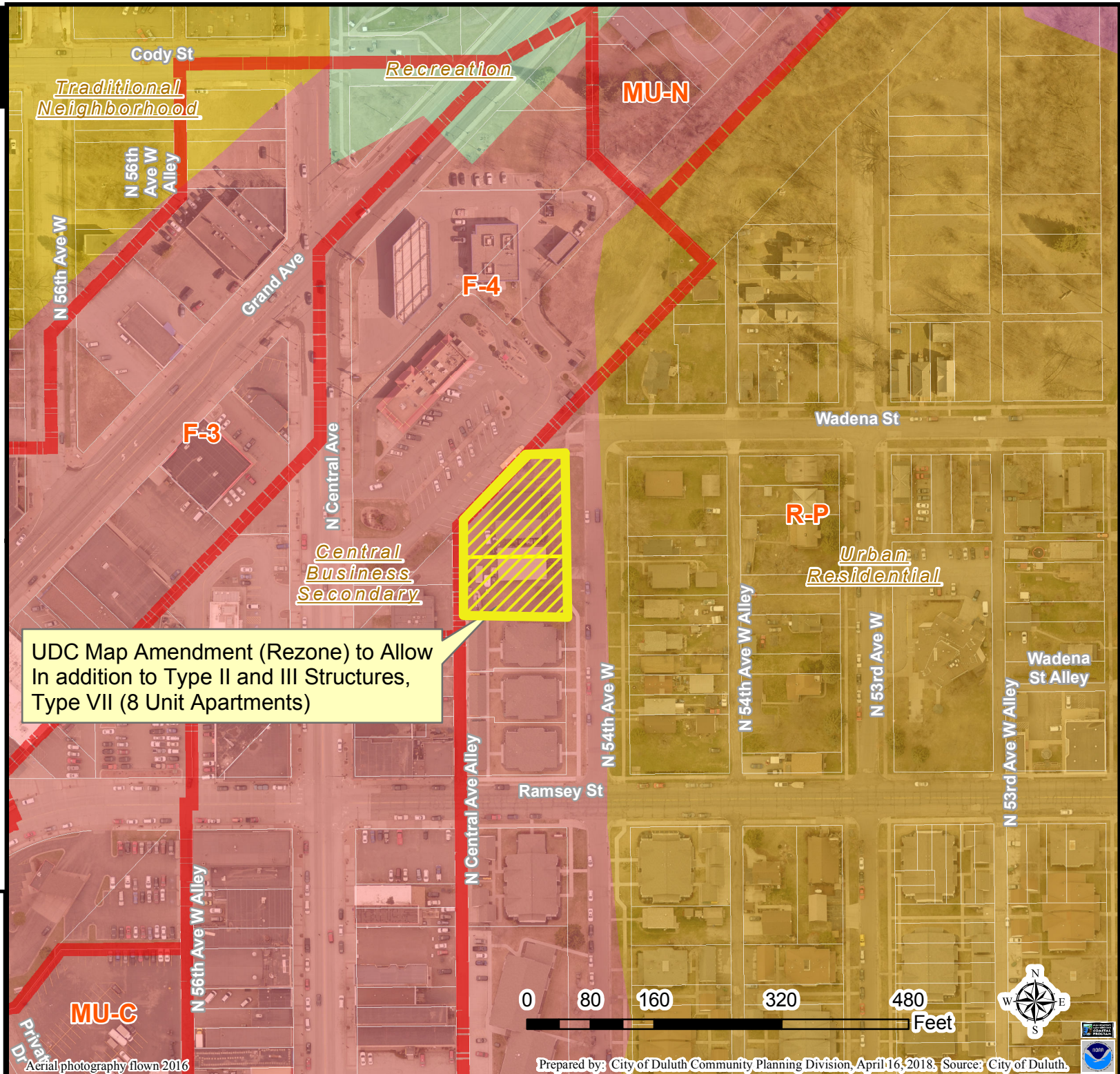


**Legend**


 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.





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# REQUEST FOR A REVISION TO TND FOR AN ADDITION TO RAMSEY V

## THE SITE OF THE REVISION TO RAMSEY V

### SITE ADDRESS AND LEGAL

Southwest corner N 54<sup>th</sup> Ave W and Wadena Street

#### Address:

425 N 54th Ave W  
Duluth 55807

#### Legal:

##### LEGAL DESCRIPTION

Lots One through Five (1-5), inclusive, Block Five (5),  
WEST DULUTH FIRST DIVISION.

and

Lots Six through Eight (6-8), inclusive, Block Five (5),  
WEST DULUTH FIRST DIVISION.

## DOCUMENTS ATTACHED

## SUMMARY OF THE REQUEST FOR RAMSEY VILLAGE TND AMENDMENT

A narrative summary of the proposal and its request

## REGULATING PLAN

**Drawing 1** is a copy of the TND Regulating Plan. This site is highlighted in bold red. It is within an area permitting Types II and III structures (single family and town homes) A TND amendment was approved for the initial Ramsey V development proposal permitting Types VI and VII structures (Fourplex and Eightplex).

## URBAN STANDARDS.

**Drawing 2** is a copy of TND criteria for the Type VII Buildings

## RAMSEY VILLAGE OVERVIEW

**Drawing 3** is an aerial overview of Ramsey Village, north of Ramsey Street. Ramsey I, II and III are south of Ramsey Street, including Ramsey Village office at 54<sup>th</sup> Avenue and Ramsey Street. Ramsey IV, completed in 2015, is the three Fourplex units on the west side of 54<sup>th</sup> Avenue as approved in a TND Amendment. The Ramsey V sites previously receiving a TND amendment are highlighted in yellow dash, the site of this addition to Ramsey V is highlighted in solid yellow.

## THE REVISED RAMSEY V PROPOSAL

**Drawing 4** depicts an image of the current site use and the proposed site plan for the Addition to Ramsey V with the completed Ramsey IV, adjacent to the south (right). The commercial development is adjacent to the west (above).

**Drawing 5** depicts a Site Plan for the project.

**Drawing 6** depicts a street view of the proposed Eightplex from N 54<sup>th</sup> Avenue W.

**Drawing 7** depicts a Certificate of Survey of the property

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# SUMMARY OF THE REQUEST FOR RAMSEY VILLAGE TND AMENDMENT

## HISTORY

Development in Ramsey Village neighborhood is directed by the Ramsey Village Neighborhood Traditional Neighborhood Design (TND) criteria. Prior developments in the Ramsey neighborhood, Ramsey I, II and III occurred south of Ramsey Street where a variety of building types are permitted. Ramsey IV is the most recently constructed portion of Ramsey Village, consisting of three Fourplexes north of Ramsey Street, adjacent to this site. This was made possible by an amendment to the Ramsey Village TND, allowing Fourplexes in lieu of the restriction to Single Family and Twin Homes north of Ramsey Street in the TND.

Ramsey V is the current phase of development proposed for Ramsey Village. Prior approval includes a Fourplex and an Eightplex (Types VI and VII), made possible because of subsequent amendments to the TND allowing them in lieu of Single Family and Twin Homes (Types II and III). The basis of the approval was the conclusion that the Ramsey V proposal met the intent of the TND.

## REQUEST

This application adds an additional property to Ramsey V at the southwest corner of Wadena St and N 54th Ave W. It recently became available for redevelopment.

This application requests an amendment to the TND to allow development of an Eightplex (Type VII) in lieu of the TND permitted Types II and III (Single family and Twin Home) on the site.

## THE CURRENT SITE OCCUPANCY

The site is currently occupied by a body shop consisting of two metal pole structures. It abuts a McDonalds on its rear property line. Because of the proximity to this very active commercial development, the site is not a good candidate for the single family or twin homes contemplated by the TND. There is a curb cut at the end of Wadena connecting Wadena to an informal unpaved trail across the property, to the alley terminus, then across city owned property to Central Avenue. There is no indication that the City Property from the Alley to Central is Right of Way, nor is there an easement across the subject property.

## THE PROPOSAL

The Site may not be a good candidate for Single Family or Twin Homes; it is however, a good candidate for an Eightplex as proposed. The Eightplex will add variety to the west side of N 54<sup>th</sup> Ave W. The eight garages at the rear will serve to buffer the site and neighborhood from the commercial activity. The building will maintain the traditional character of the neighborhood.

The informal trail will be closed at the north portion of the site. That portion, because of its triangular shape, is not suitable for building development. It is, however, suitable for parking. Its development for tenant parking (garages or surface parking) will occur based on the need as determined in the future.

## SUMMARY

The proposal incorporates traditional neighborhood design elements, is consistent with the intent of the TND criteria, and will be an asset to the neighborhood. Accordingly, an amendment to the TND permitting the Type VII building is appropriate.



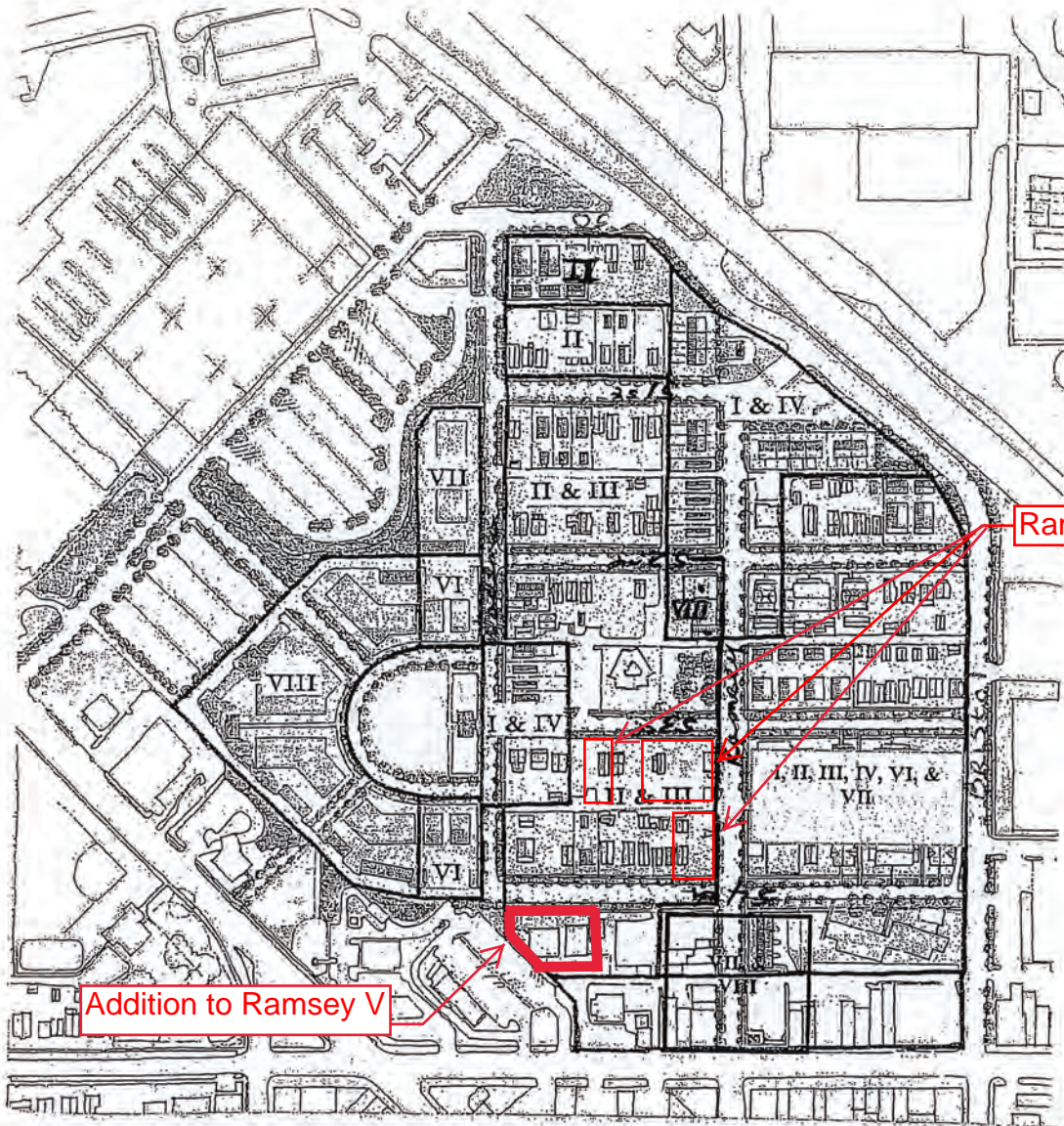
# COUNCIL COPY

To City Council NOV 24 2003

Pub. Doc. No. 03-1124-20

## Regulating Plan

Referred to \_\_\_\_\_



1. Reference applicable Urban Standards (shown in Roman Numerals above) for designated building types.
2. Maximum lot width South of Ramsey Street shall be sixty feet (60').
3. Maximum lot width North of Ramsey Street shall be fifty feet (50').
4. Building Type V - Accessory Unit - is allowed on all lots.
5. Residential units built North of Ramsey Street should front either
  - i. Wadena Street I built adjacent to Wadena or
  - ii. The new neighborhood park
6. "Main street" building types should be located at the SE and SW corner of 54th Avenue West and Ramsey Street
7. Passive green space with trees and native plantings should be developed in the block at the SW corner of 51st Avenue West and Ramsey Street from the alley to Colalillo Drive.

Drawing 1

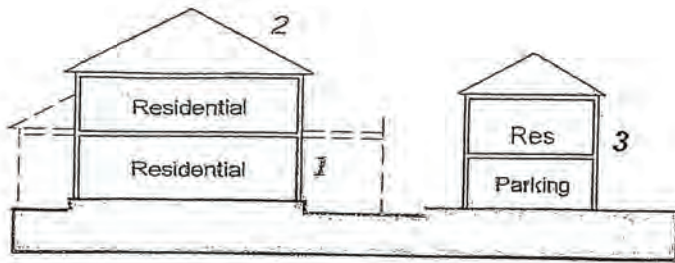
amended  
109635

9753 II instead of IV

Ramsey Village  
AMENDED TND STANDARDS

A-5 - 10

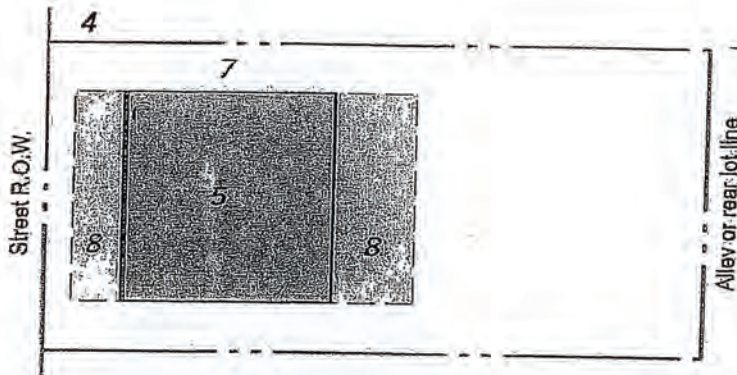




## Type VII 8-Unit Apartment

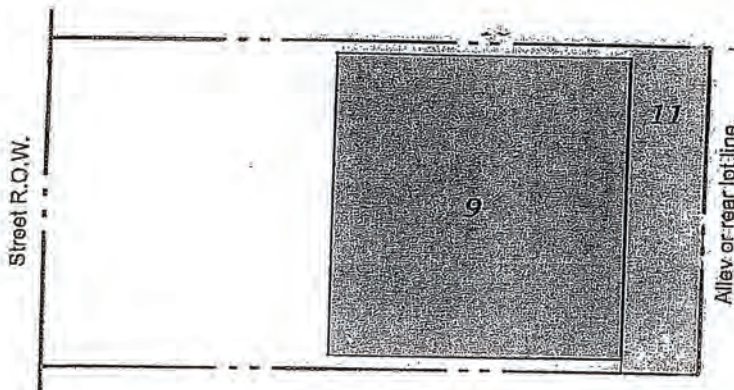
### Use and Height

1. Uses of building shall be as shown here.
2. Maximum building height should be 2 stories. Building height shall be measured by the number of structural floors from the street elevation. The building shall have a first floor elevation between 6" and 36" above front elevation grade level. Each building's first story should not exceed 12 feet in height and the second floor should not exceed 10 feet in height, measured from floor to ceiling.
3. A residential use of not more than 720 square feet shall be permitted as an accessory unit above a detached garage. Occupancy of an accessory unit should not require on-site parking. Access to accessory unit will always be made via interior stairwell.



### Placement & Projections

4. Buildings shall be set within lots relative to the property lines as shown here. Minimum frontyard setback - ten (10) feet. Minimum sideyard setback - five (5) feet. Corner sideyard setback - nine (9) feet
5. Building street facades shall extend along the lot width as designated here.
6. Attached garages shall adhere to the side yard setback of the principal building.
7. Masonry garden walls, wrought iron fencing shall be built or hedges shall be planted along the property lines to define the street's edge.
8. Balconies, stoops, open porches, bay windows, covered walkways and raised door yards are permitted within the shaded areas as shown here. Maximum depth of any projection shall be no more than 12 feet from the building wall. Covered walkways between the principal building and garages are permitted.

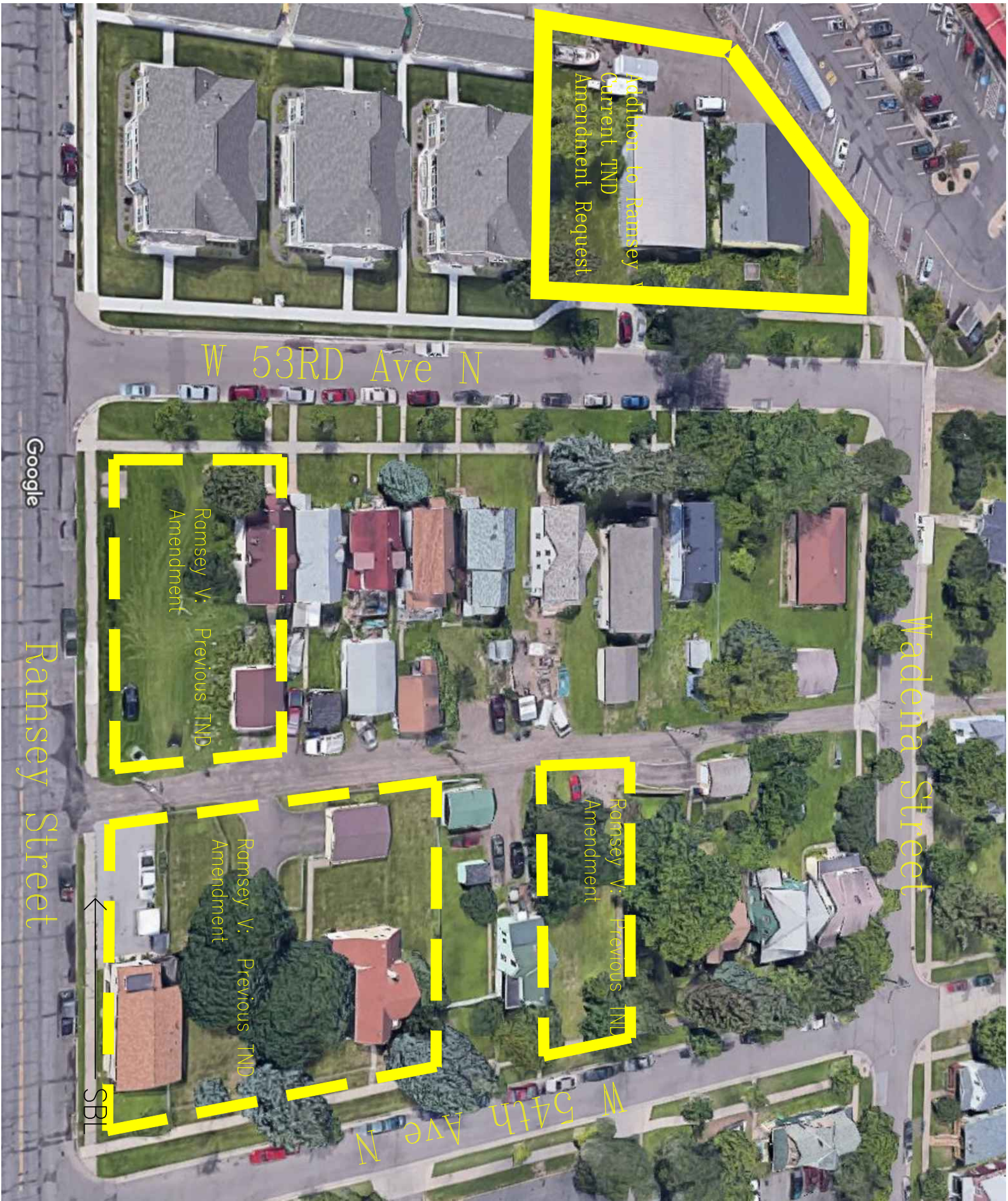


### Garage & Parking

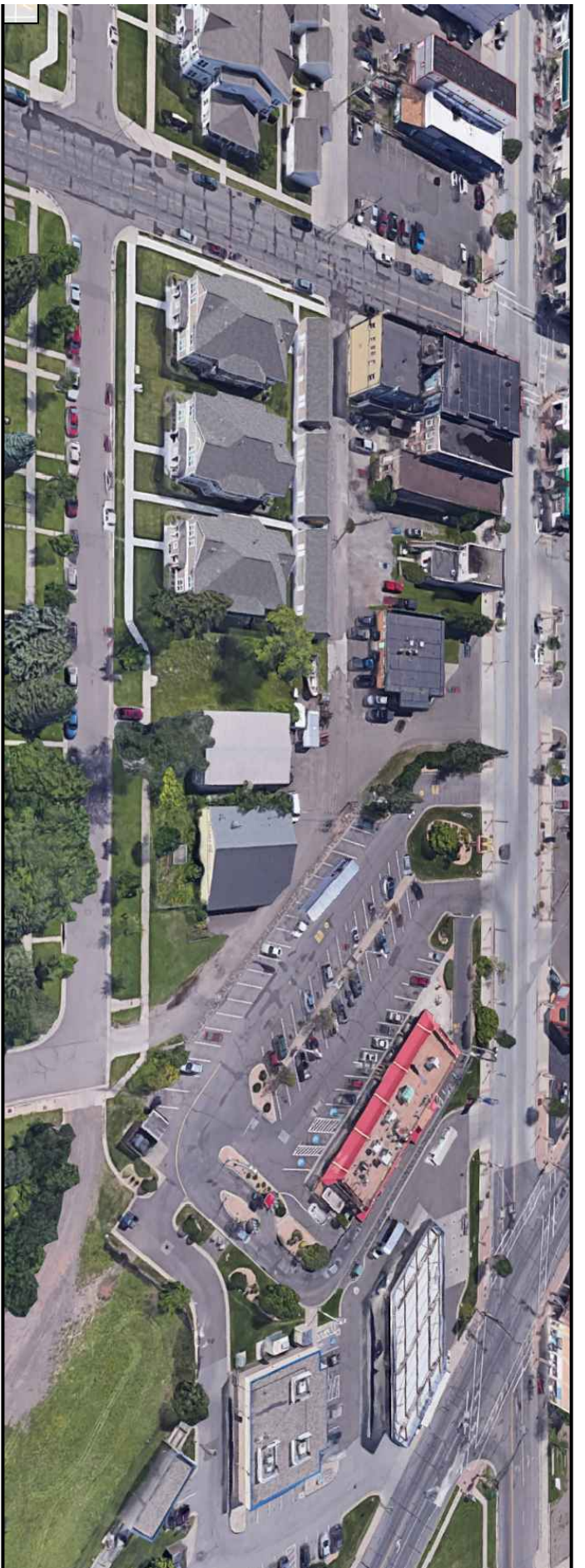
9. A minimum of one (1) parking garage shall be provided within the shaded area shown here. Additional parking may be provided in attached or detached garages, or on paved concrete parking pads.
10. Private parking spaces shall be no less than 10 feet by 17 feet with access to a paved lane.
11. Trash areas shall be enclosed with fencing and located within the shaded areas as shown here.
12. All parking shall be in conformance with Article III of Chapter 50 of the Duluth City Code.

Drawing 2







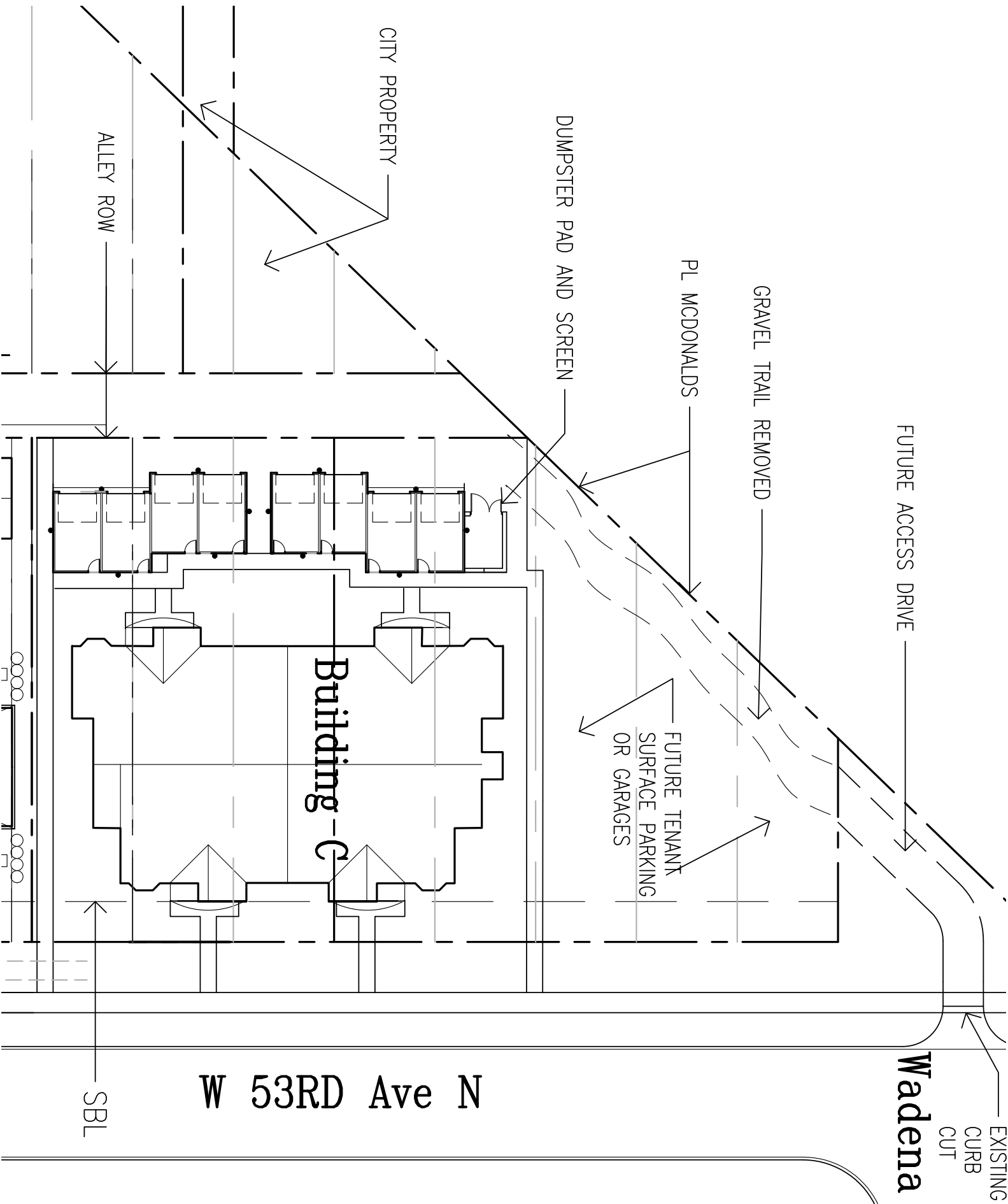


Existing



Proposed









View from North 53rd Avenue West

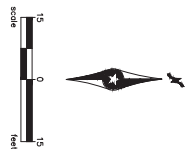


FORMER  
ST. PAUL & DULUTH  
RAILROAD

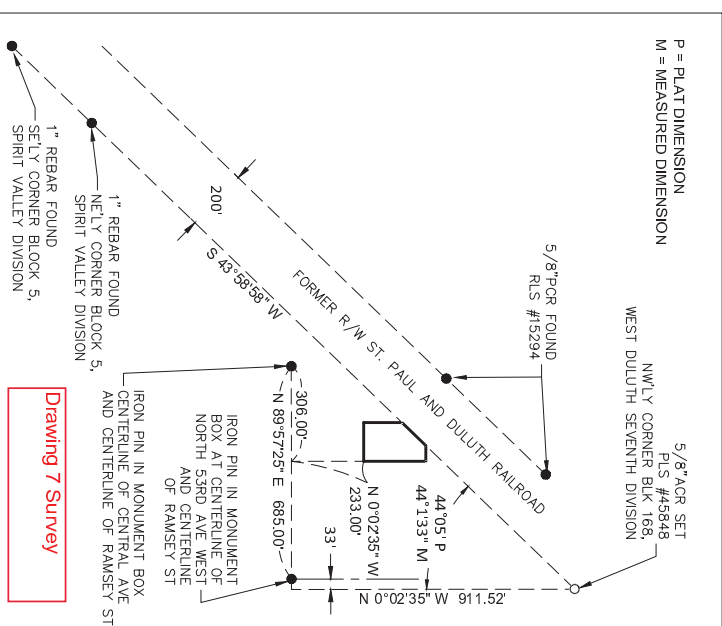



Lots One through Five (1-5), inclusive, Block Five (5)  
WEST DULUTH FIRST DIVISION.

and  
Lots Six through Eight (6-8), inclusive, Block Five (5)  
WEST DULUTH FIRST DIVISION.



P = PLAT DIMENSION  
M = MEASURED DIMENSION



DRAWN BY: _____	KLA	<div>I HEREBY CERTIFY THAT THIS PLAN 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.</div> <div></div>	<div>DURS A. LARSEN, L.S. 418 W SUPERIOR ST STE 200 DULUTH, MN 55802-1512 PHONE: 218.279.3000 WWW.DLHRS.COM</div>	DULUTH, MINNESOTA	BOUNDARY SURVEY THIES AND TALLE MANAGEMENT INC.	FILE NO. T1MG1 139713	1
SURVEYED BY: _____	BAL/KLA						
CHECKED BY: _____	CAJ						
SURVEY TEAM							
NO. BY _____							
DATE _____							
REVISIONS							
Order: _____	2-1-2018						





## City Planning

Ramsey Village TND  
July 21, 2016

### Legend

-  I, Village House
-  II, Detached S.F. Home
-  III, Twin Home
-  IV, Townhouse
-  V, Accessory Unit
-  VI, Four Unit Apt
-  VII, Eight Unit Apt
-  VIII, Mixed Use Bldg

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