



Planning & Development Division
Planning & Economic Development Department

Room 160
411 West First Street
Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

File Number	PL 22-229	Contact	Steven Robertson	
Type	Minor Subdivision	Planning Commission Date		January 10, 2023
Deadline for Action	Application Date	Dec 5, 2022	60 Days	Feb 3, 2023
	Date Extension Letter Mailed	December 19, 2022	120 Days	April 4, 2023
Location of Subject		2011 West 2 nd Street and 2015 West 3 rd Street (Midtown Manor I and II)		
Applicant	Jake Morgan, HRA	Contact		
Agent		Contact		
Legal Description		See Attached		
Site Visit Date	December 22, 2022	Sign Notice Date		N/A
Neighbor Letter Date	N/A	Number of Letters Sent		N/A

Proposal

Applicant is requesting a Minor Subdivision to divide one existing lot into four lots. This separation is requested from the property owner (HRA) to allow them to move forward with a federal housing program.

Recommended Action: Approval with conditions.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	MU-N	Residential	Neighborhood Mixed Use
North	MU-N/R-2	Residential	Neighborhood Mixed Use
South	MU-N/MU-B	Transportation/Commercial	Central Business Secondary
East	R-2	Residential	Neighborhood Mixed Use/Trad. Neigh.
West	MU-N/R-2	Residential	Neighborhood Mixed Use

Summary of Code Requirements

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.

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

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

Governing Principle #5 Promote reinvestment in neighborhoods. Duluth is strongly defined by its neighborhoods. This system should be supported through land use and transportation that foster neighborhood reinvestment. New development or redevelopment should maximize public investment that strengthens neighborhood commercial centers or diversifies residential opportunities that fit the neighborhood's character.

Future Land Use: Neighborhood Mixed Use - A transitional use between more intensive commercial uses and purely residential neighborhoods. Includes conversions of houses to office or live -work spaces. May include limited commercial -only space oriented to neighborhood or specialty retail markets.

Review and Discussion Items

1. Applicant is requesting a Minor Subdivision to divide a single lot into four separate lots. All the lots will have frontage on improved public right of way. All the lots will exceed minimum lot area and frontage required by the UDC for lots in the MU-N district.
2. The subdivision is being proposed to help address an administrative requirement with a HUD program, related to Section 8 housing. No new structures or improvements are being proposed at this time as part of the minor subdivision.
3. The proposed minor subdivision, if approved, would not make the parcels non-conforming due to lot frontage, lot area, or similar bulk standard.
4. No other public, agency, or City comments were received.
5. The attached exhibit demonstrates compliance with Minnesota statutes 462.358 and 505 or 508, as applicable.
6. Approval of this Minor Subdivision signifies that City of Duluth UDC standards are met. St. Louis County may have additional requirements. 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.

Staff Recommendation

Based on the above findings, Staff recommends that Planning Commission approve the Minor Subdivision with the following conditions:

1. Appropriate deeds be filed with St. Louis County within 180 days. Prior to recording the deed that results from this adjustment, the Planning Division will need to stamp the deed, indicating compliance with the local zoning code.
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.



**HOUSING AND REDEVELOPMENT AUTHORITY
OF DULUTH, MINNESOTA**

222 East Second Street | PO Box 16900
Duluth, MN 55816-0900
Phone: (218) 529-6300 | Fax: (218) 529-6344
MN Relay 7-1-1
www.duluthhousing.com

12/5/2022

City of Duluth
Attn: Planning Department
411 W 1st St.
Duluth, MN 55802

RE: Minor Subdivision Application

Dear City of Duluth Planning Department:

The HRA is requesting approval of a minor subdivision for its Midtowne I and Midtowne II buildings at the corner of 20th Ave. W and 3rd St. The property was formerly separate parcels, and was consolidated into a single parcel at the HRA's request in 2020. However, that consolidation was in error, and the HRA now wishes to separate the parcels as shown on the attached survey and legal descriptions, a change that is necessary for the HRA to move forward with conversion of the units from one federal housing program to another.

Please let me know if you need further information. A check for the application fee for this process will be mailed on Friday, December 9, 2022.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jake Morgan".

Jake Morgan
Director of Real Estate and Rehabilitation
Duluth HRA
218-529-6325

BECAUSE EVERYONE SHOULD HAVE A HOME

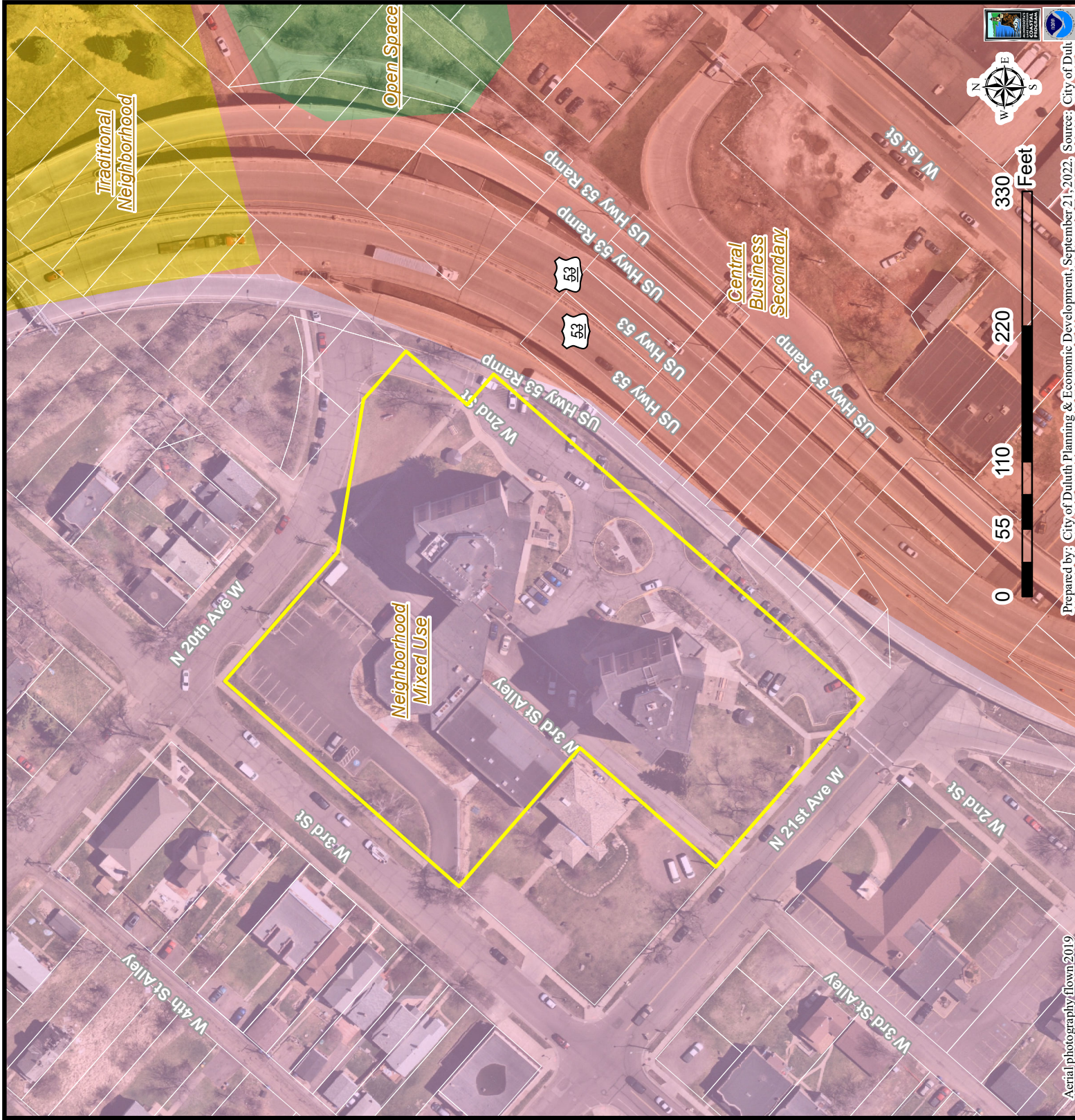




PL22-229
Minor Subdivision
2021 W 2nd St

Legend

- Open Space
- Open Space/Outside Duluth
- Rural Residential
- Low-density Neighborhood
- Traditional Neighborhood
- Urban Residential
- Neighborhood Commercial
- Central Business Secondary
- Central Business Primary
- Large-scale commercial
- Tourism/Entertainment District
- Commercial Waterfront
- General Mixed Use
- Neighborhood Mixed Use
- Light Industrial
- General Industrial
- Industrial Waterfront
- Business Park
- Transportation and Utilities
- Medical District
- Institutional



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.

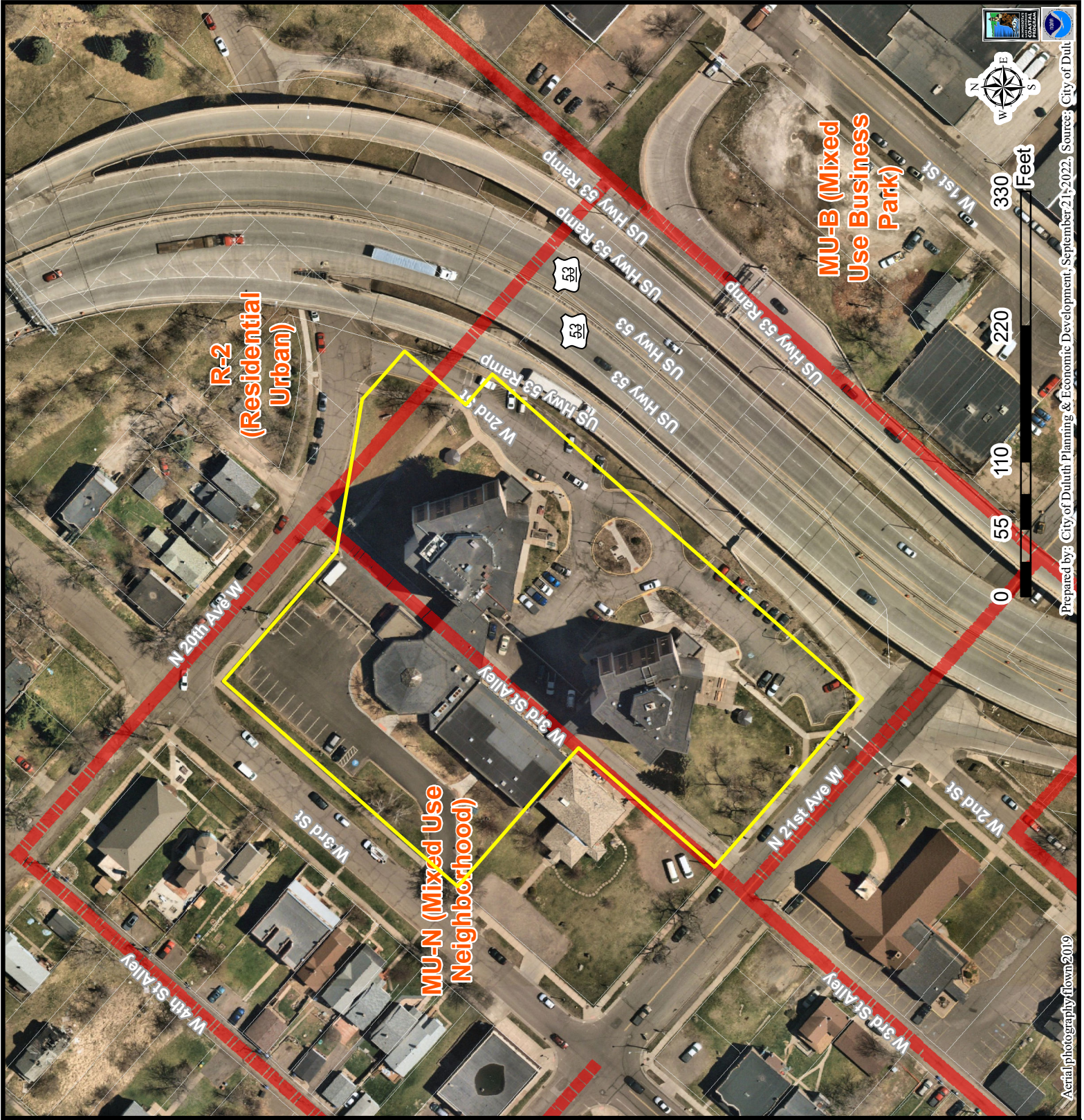


PL22-229
Minor Subdivision
2021 W 2nd St

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.

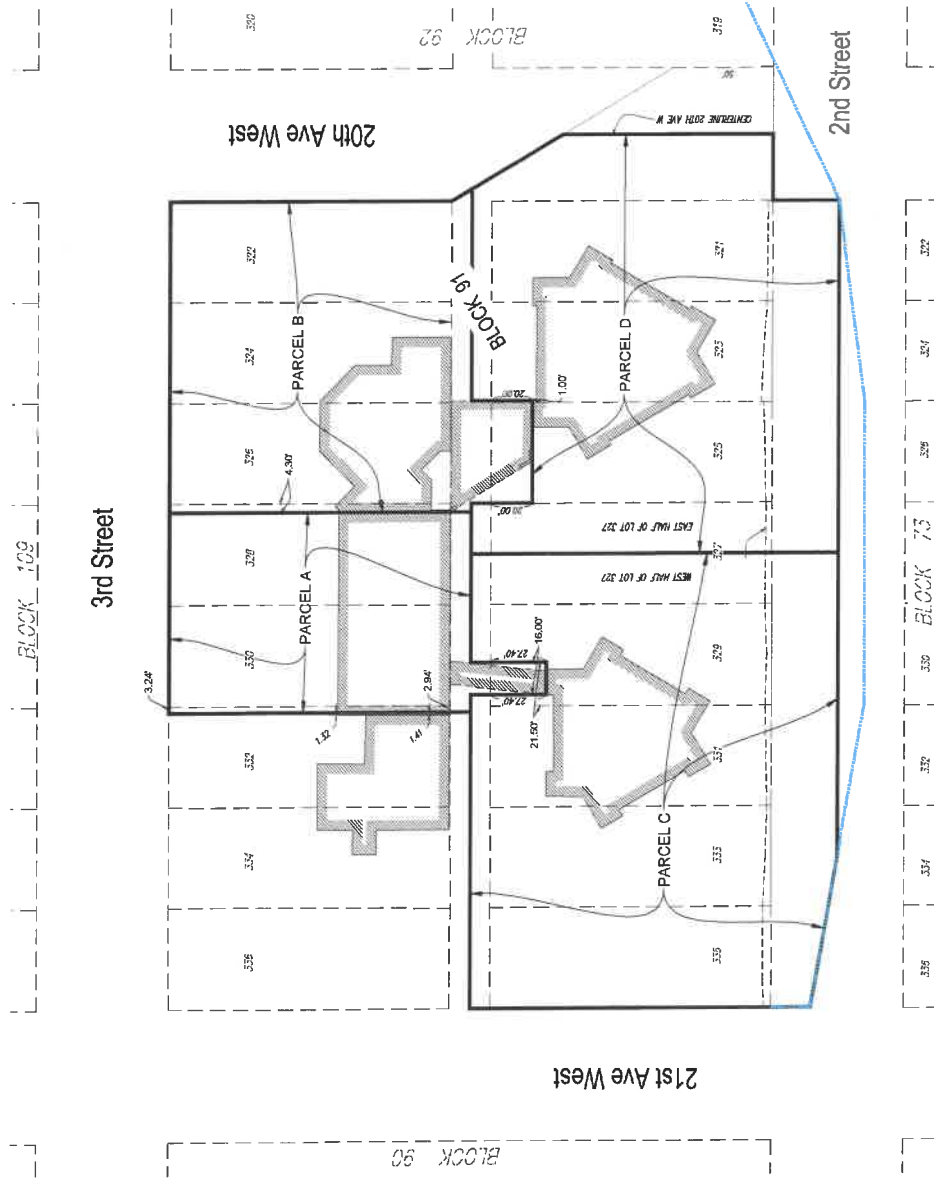
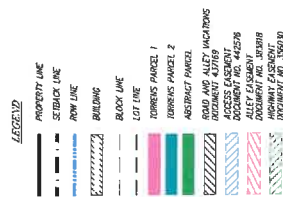


Aerial photography from 2019

Prepared by: City of Duluth Planning & Economic Development, September 21, 2022. Source: City of Duluth

Duluth HRA

*part of Block 91, Duluth Proper Second Division
City of Duluth, St. Louis County, MN*



DESCRIPTIONS:

PARCEL A

at 228 enter the northeastern 4.30 face thereof; Lat. 330, and thence part of lat. 332 described as follows: Beginning at the northwesterly corner of said lot 332; thence southerly along northwesterly line of said lot 332, a distance of 3.34 feet; thence easterly, to a point on the northwesterly line of said lot 332, distant 2.94 feet southerly of the northeast corner of said lot 332; thence northeasterly along said southerly line, a distance of 2.94 feet; thence southerly along the northwesterly line of said lot 332, to the northwesterly corner of said lot 332; thence southerly along the northwesterly line of said lot 332 to the point of beginning, all in Block 91, PLATITUDE PROPER, SECOND DIVISION, St. Louis County, Minnesota. TOGETHER WITH the northwesterly one-half of quarter 40 of section 40, township 40 north, range 10 west.

UNIT

The northwesterly 27.40 feet of the northeasterly 16.00 feet of the southwesterly 21.50 feet of Lot 329, Block 91, DULUTH PROPER SECOND DIVISION, SE, Lewis County, Minnesota

TOGETHER WITH THE SOUTH AFRICAN COUNCIL OF CHURCHES AND ALLIANCE CHURCHES

TABLE 8

[illegible]

100

The northwesterly 20.00 feet of the southwesterly 1.00 feet of lot 323 and the northwesterly 20.00 feet of lot 325; all in Block 91, DULUTH PROPER SECOND DIVISION, St. Louis County, Minnesota. **TWENTYSEVEN** WITH the southeasterly one-half of section 16, said adjacent thereto

PARCEL C
Lots 335, 333, 331, 329 and the southwest one-half of lot 327, Block 91, DULUTH PROPER SECOND DIVISION, St. Louis County, Minnesota TOGETHER

Sullivan

EXCEPT
The northwesterly 27.40 feet of the northeasterly 16.00 feet of the southwesterly 21.50 feet of Lot 325, Block 91, DULUTH PROPER SECOND DIVISION, St.

Louis County

PARCEL D

Vol. 371, 3

southwesterly one-half of adjacent vacated 2nd Street adjacent thereto, and that part of the southwesterly one-half of adjacent vacated 2nd Street adjacent thereto; Beginning at the most easterly corner of lot 322, southerly of the line described as follows: Beginning at a point on the West line of and 50 feet North of the Southwest corner of lot 319, containing 332 block 91, DULUTH-PROPER SECOND DIVISION; thence easterly to a point on the West line of and 50 feet North of the Southwest corner of lot 319, containing 332 block 91, DULUTH-PROPER SECOND DIVISION;

Block 92 sa

EXCEPT
The northwesterly 20.00 feet of the southwesterly 1.00 feet of Lot 323 and the northwesterly 20.00 feet of Lot 325 Block 91, OLLUTH PROPER SECOND

DIVISION, St. Louis County, Minnesota.

CERTIFICATION:

To Outfit HERA:

This is to certify that this map or plot and the survey on which it is based were made in accordance with the 2011 *Minimum Standard Detail for ALTA/ACSM Land Surveying*, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 6a, 6b, 8, 11a, 11b, 13, 16, 17, 18, 19, and 20 of Table A thereof. The field work was completed between December 08, 2020 and February 15, 2021.

Order of Efficiacy of Means: Phosphorus was 53729

PAUL A. VOGL
Minnesota Professional Land Surveyor No. 44075



I hereby certify that the facts, verifications, or material upon which I am relying are true and correct to the best of my knowledge and belief, and that I am not aware of any material facts which might be in dispute. Date of Statement: _____		Signature: _____ Title: _____	
Date of Receipt: _____ By: _____		Date: _____ By: _____	

EXHIBIT

Lots 321, 323, 325 and the northeasterly one-half of Lot 327 Block 91, DULUTH PROPER SECOND DIVISION, St. Louis County, Minnesota. TOGETHER WITH the southeasterly one- half of vacated Alley adjacent thereto, the northwesterly one-half of adjacent vacated 2nd Street adjacent thereto, and that part of the southwesterly one-half of vacated 20th Avenue West adjacent to Lot 321, southerly of the line described as follows: Beginning at the most easterly corner of Lot 322, Block 91, DULUTH PROPER SECOND DIVISION; thence easterly to a point on the West line of and 50 feet North of the Southwest corner of Lot 319, Block 92 said DULUTH PROPER SECOND DIVISION and said line there terminating.

EXCEPT

The northwesterly 20.00 feet of the southwesterly 1.00 feet of Lot 323 and the northwesterly 20.00 feet of Lot 325 Block 91, DULUTH PROPER SECOND DIVISION, St. Louis County, Minnesota.

Area containing 0.934 Acres or 40,670 Square Feet, more or less.

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

012/02/2022

License No. 44075

EXHIBIT

Lots 322, 324, 326, and the northeasterly 4.30 feet of Lot 328, Block 91 DULUTH PROPER SECOND DIVISION, St. Louis County, Minnesota. TOGETHER WITH the northwesterly one-half of vacated alley adjacent thereto AND that part of the southwesterly one-half of vacated 20th Avenue West adjacent to Lot 322, southerly of the line described as follows: Beginning at the most easterly corner of Lot 322, Block 91, DULUTH PROPER SECOND DIVISION; thence easterly to a point on the West line of and 50 feet North of the Southwest corner of Lot 319, Block 92 said DULUTH PROPER SECOND DIVISION and said line there terminating.

AND

The northwesterly 20.00 feet of the southwesterly 1.00 feet of Lot 323 and the northwesterly 20.00 feet of Lot 325; all in Block 91, DULUTH PROPER SECOND DIVISION, St. Louis County, Minnesota. TOGETHER WITH the southeasterly one-half of vacated Alley adjacent thereto.

Area containing 0.568 Acres or 24,760 Square Feet, more or less.

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

12/02/2022

License No. 44075

EXHIBIT

Lots 335, 333, 331, 329 and the southwesterly one-half of Lot 327, Block 91, DULUTH PROPER SECOND DIVISION, St. Louis County, Minnesota TOGETHER WITH the southeasterly one-half of adjacent vacated Alley adjacent thereto and the northwesterly one-half of vacated 2nd Street adjacent thereto.

EXCEPT

The northwesterly 27.40 feet of the northeasterly 16.00 feet of the southwesterly 21.50 feet of Lot 329, Block 91, DULUTH PROPER SECOND DIVISION, St. Louis County, Minnesota. TOGETHER WITH the southeasterly one-half of vacated Alley adjacent thereto.

Area containing 0.934 Acres or 40,670 Square Feet, more or less.

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

12/02/2022

License No. 44075

EXHIBIT

Lots 328 except the northeasterly 4.30 feet thereof, Lot 330, and that part of Lot 332 described as follows: Beginning at the Northwestern corner of said Lot 332; thence southwesterly along northwesterly line of said Lot 332, a distance of 3.24 feet; thence southeasterly to a point on the southeasterly line of said Lot 332 distant 2.94 feet southwesterly of the northeast corner of said Lot 332; thence northeasterly along said southeasterly line, a distance of 2.94 feet to the northeasterly corner of said Lot 332; thence northwesterly along the northeasterly line of said Lot 332 to the point of beginning; all in Block 91, DULUTH PROPER SECOND DIVISION, St. Louis County, Minnesota. TOGETHER WITH the northwesterly one-half of vacated Alley adjacent thereto.

AND

The northwesterly 27.40 feet of the northeasterly 16.00 feet of the southwesterly 21.50 feet of Lot 329, Block 91, DULUTH PROPER SECOND DIVISION, St. Louis County, Minnesota.

TOGETHER WITH the southeasterly one-half of vacated Alley adjacent thereto.

Area containing 0.355 Acres or 15,450 Square Feet, more or less.

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

12/02/2022

License No. 44075