



Planning & Development Division
Planning & Economic Development Department

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File Number	PL 23-184	Contact	John Kelley	
Type	Minor Subdivision	Planning Commission Date		November 14, 2023
Deadline for Action	Application Date	October 10, 2023	60 Days	December 9, 2023
	Date Extension Letter Mailed	October 19, 2023	120 Days	February 7, 2024
Location of Subject		PID # 010-1460-01410, 010-1460-01570, 010-1460-01670, 010-1460-01490, 010-1460-0453, 010-1460-01550, 010-1460-01560		
Applicant	ZMC Hotels, LLC	Contact		
Agent		Contact		
Legal Description		See Attached		
Site Visit Date		Sign Notice Date	N/A	
Neighbor Letter Date		Number of Letters Sent	N/A	

Proposal

Applicant is requesting a Minor Subdivision to combine 7 parcels and create 2 new parcels in the Endion neighborhood. Parcel A will have frontage on London Road and South 23rd Avenue East and Parcel B will have frontage on London Road.

Recommended Action: Approval with conditions.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	MU-C	Hotel	Central Business Secondary
North	MU-N	Residential	Neighborhood Mixed Use
South	MU-B	I-35	Transportation and Utilities
East	MU-B, MU-N	I-35	Transportation and Utilities
West	MU-N	Commercial	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.

50-14.5.A. R-1 minimum lot area: 4,000 square feet; minimum lot frontage: 40 feet.

Comprehensive Plan Governing Principle and/or Policies and Current History (if applicable):**Principle #1**

Reuse previously developed lands. Directs new investment to sites which have the potential to perform at a higher level than their current state. This strengthens neighborhoods and is preferred to a dispersed development pattern Site preparation or building modification costs are offset by savings in existing public infrastructure such as streets and utilities, and transit, fire, and police services.

Future Land Use: Central Business Secondary - An area adjacent to and supporting the central business primary area or a stand -alone area providing a similar mix of destination land uses but at a lower intensity than the primary CB area. Includes mixed regional and neighborhood retail, employment centers, public spaces, medium density residential, and public parking facilities.

History: The site is made up of seven parcels with an existing hotel building on the northeast portion of the site, a recently torn down portion of the hotel, and outdoor amenities including a miniature golf course. The parcels have frontage on London Road and South 23rd Avenue East, and along the unimproved portion of South Street. The parcel is located in the Endion neighborhood. The underlying plat is "Endion Division of Duluth."

Review and Discussion Items

Staff finds that:

1. Applicant is requesting a Minor Subdivision to combine seven parcels and create two parcels. The land is owned by the applicant. Parcel A is vacant land on the northern portion of the parcel and has an outdoor patio area, basketball court and miniature golf course located on the southeast portion of the lot. Parcel B of the minor subdivision has an existing hotel structure, parking lot and outdoor amenities including a pool and playscape located on the southwest corner of the parcel.
2. The subdivision will create lots that meet the zoning requirements of the MU-C district. Dimensional standards for each lot meet minimum frontage and lot area requirements.
3. The parcels have the required street frontage along London Road and South 23rd Avenue East. Parcel A and B will have frontage on London Road and South 23rd Avenue East and Parcel B will have frontage on London Road.
4. The existing basketball court and miniature golf course on Parcel A are not permitted without a primary use or structure on the lot and will need to be removed prior to the recording of the minor subdivision or the applicant provide a financial security to cover removal of the basketball court and miniature golf course within 2 years if no primary use is constructed on the parcel.
5. The proposed subdivision, if approved, would not make the parcels non-conforming due to lot frontage, lot area, or similar bulk standard.
6. No public, agency, or other City comments were received.
7. The attached exhibit demonstrates compliance with Minnesota statutes 462.358 and 505 or 508, as applicable.
8. 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

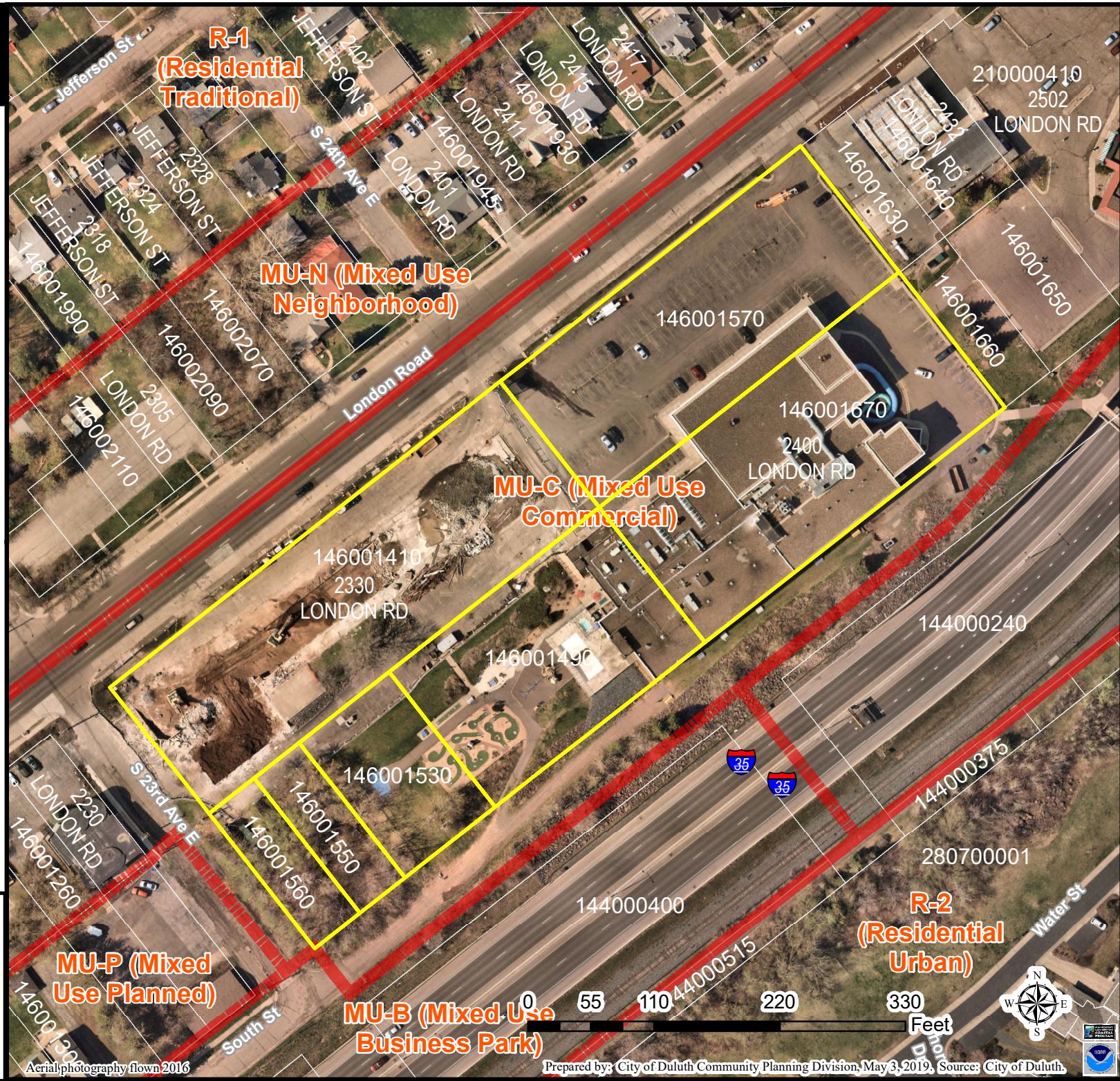
Based on the above findings, Staff recommends that Planning Commission approve the Minor Subdivision with the following conditions:

1. The existing basketball court and miniature golf course on Parcel A are not permitted without a primary structure on the lot and will need to be removed prior to the recording of the minor subdivision or the applicant provide a financial security to cover removal of the basketball court and miniature golf course within 2 years if no primary use is constructed on the parcel.
2. 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.
3. 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.



PL 23-184
Minor Subdivision
Site Map

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.



