



Planning & Development Division
Planning & Economic Development Department

Room 160
411 West First Street
Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

File Number	PLSUB-2411-0006		Contact	Jason Mozol, jmozol@duluthmn.gov	
Type	Minor Subdivision		Planning Commission Date		January 14, 2025
Deadline for Action	Application Date		November 15, 2024	60 Days	January 14, 2025
	Date Extension Letter Mailed		December 20, 2024	120 Days	March 15, 2025
Location of Subject		631 E 3 rd St			
Applicant	Top Dog Investments LLC		Contact	Leah Holliday	
Agent	Architectural Associates		Contact	Ryan Mears	
Legal Description		010-3830-10690			
Site Visit Date		December 27, 2024	Sign Notice Date		December 31, 2024
Neighbor Letter Date		N/A	Number of Letters Sent		N/A

Proposal

Subdivide the property to create separate lots for each existing building on the site.

Recommended Action: Approve with conditions.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	MU-N	Residential	Neighborhood Mixed Use
North	F-6	Parking/Grocery Store	Neighborhood Mixed Use
South	MU-N	Residential	Urban Residential
East	MU-N	Parking Lot	Neighborhood Mixed Use
West	MU-N	Residential	Neighborhood Mixed Use & Open Space

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.

50-15.2-1 MU-N minimum lot area: 4,000 square ft for a one family dwelling, 2,500 sq ft per family for a two-family dwelling, and 500 sq ft per unit in multi-family; minimum lot frontage: 30 ft for one or two family and 50 ft for multi

family.

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

Principle #1- Reuse Previously Developed Land- This subdivision will allow the applicant to reuse an existing building previously damaged by fire.

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.

History: The proposed parcel A contains a duplex home that was built in 1881. The proposed parcel B contains a multi-family structure that was built in 1902. The parcel is in the Hillside neighborhood. The underlying plat is the “Portland Division of Duluth”. The multi-family building was condemned in 2023 following damage from a fire. The current property owner intends to renovate and restore the building back to function as a multi-unit structure.

Review and Discussion Items:

Staff finds:

1. Applicant is requesting a Minor Subdivision to divide one parcel and create two parcels. The land is owned by the applicant. Parcel A and Parcel B of the minor subdivision each have primary structures present.
2. Lots created by this subdivision are subject to the zoning requirements of the MU-N district. Parcel B will meet minimum frontage and lot area requirements. Parcel A will meet minimum frontage requirements but not minimum lot area. This subdivision is conditional to approval of a variance from lot area standards, PLVAR-2411-0010.
3. Both parcels have access to gas, water and sanitary sewer utilities in the streets and alleys surrounding the site.
4. The proposed subdivision, if approved in conjunction with PLVAR-2411-0010, would not make the parcels non-conforming due to lot frontage, lot area, or similar bulk standard.
5. No public, agency, or other City comments were received.
6. The attached exhibit demonstrates compliance with Minnesota statutes 462.358 and 505 or 508, as applicable.
7. 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:

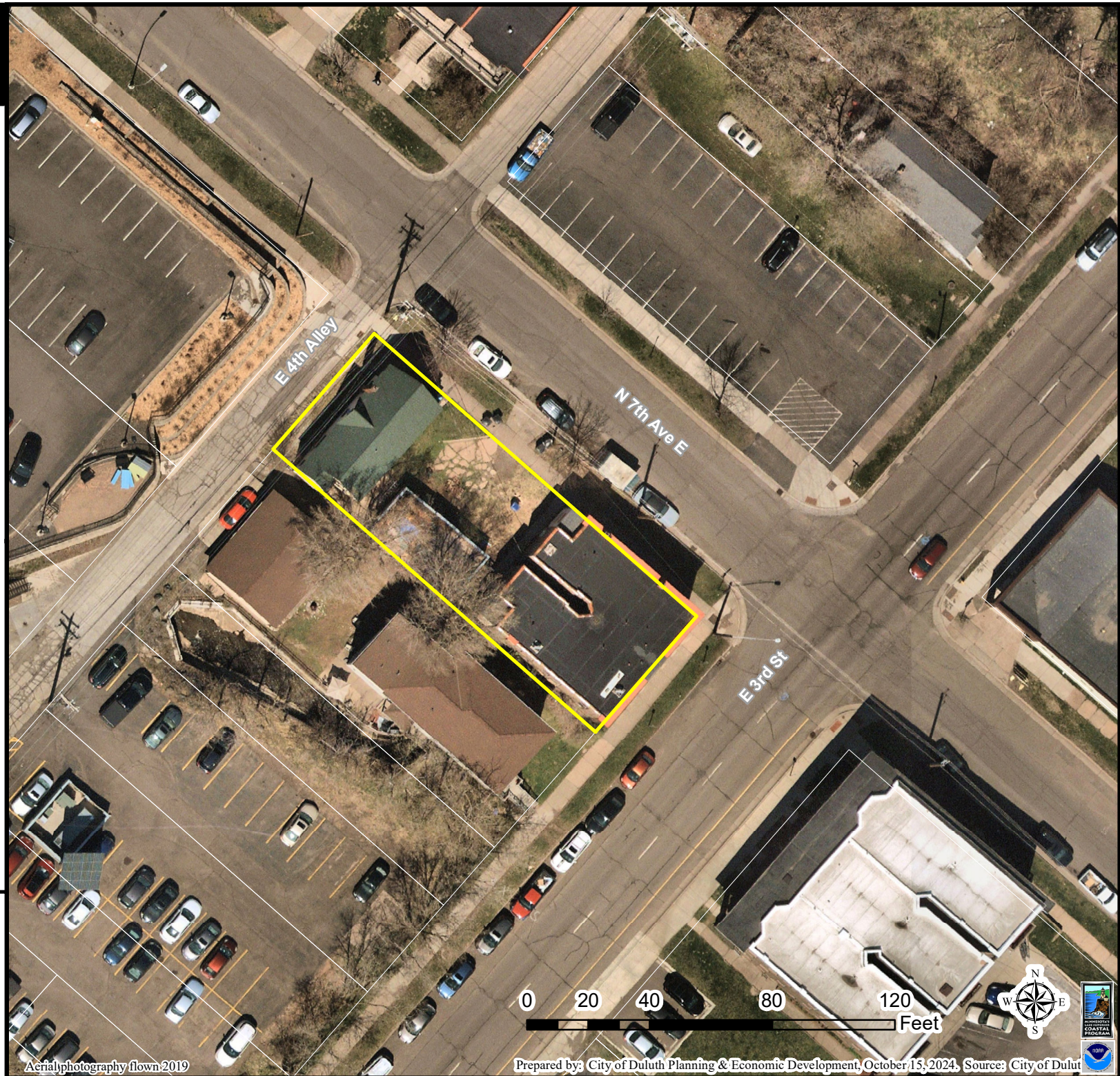
Based on the above findings, Staff recommends that Planning Commission approve the Planning Review with the following conditions:

1. This approval is conditional to approval of PLVAR-2411-0010 to allow parcel A to have a lot size less than the required minimum.
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.



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631 E 3rd St

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.



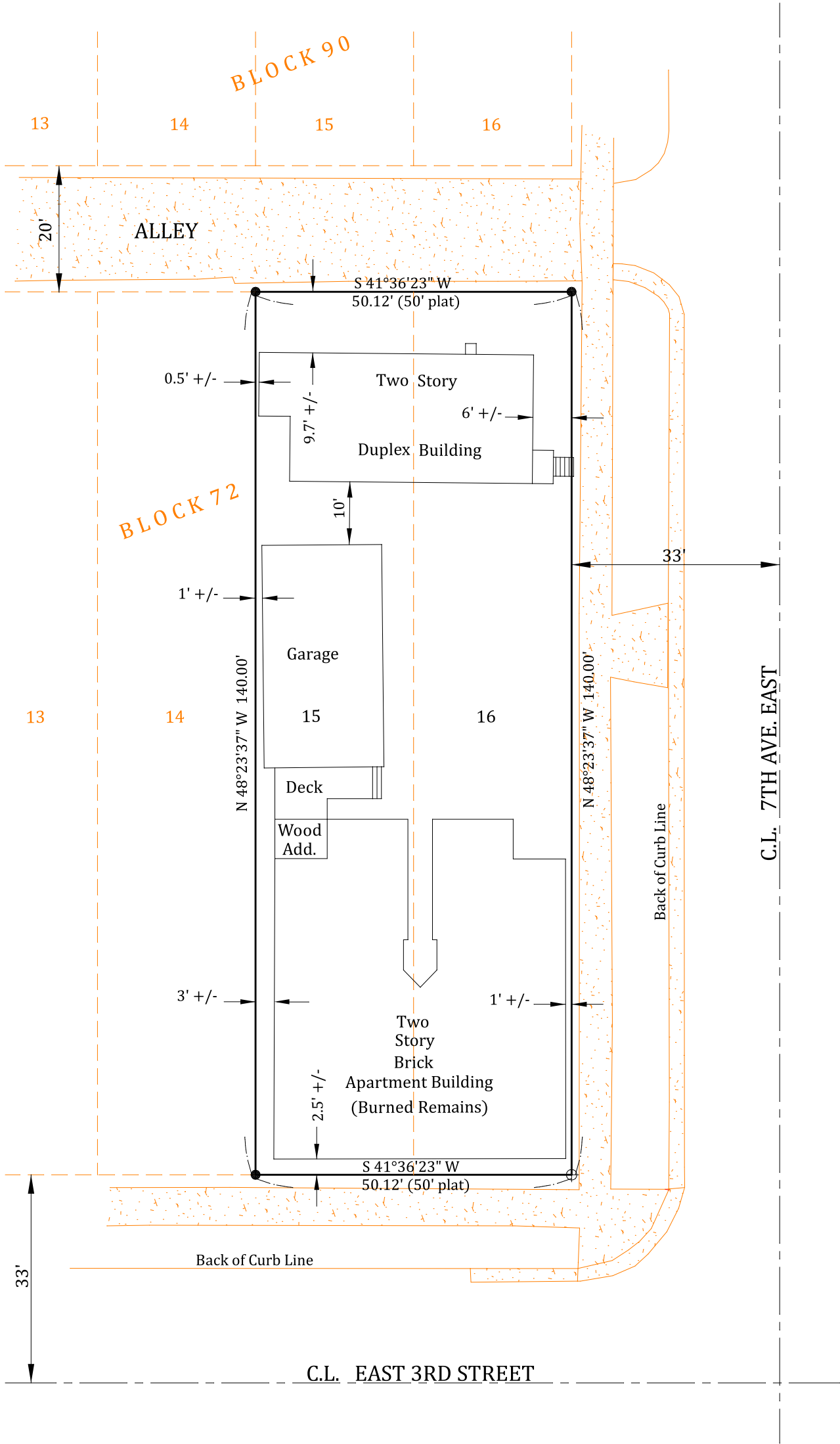
Aerial photography flown 2019

Prepared by: City of Duluth Planning & Economic Development, October 15, 2024; Source: City of Duluth

CERTIFICATE OF SURVEY
LOTS 15 AND 16, BLOCK 72
PORTLAND DIVISION OF DULUTH
CITY OF DULUTH, ST. LOUIS COUNTY, MINNESOTA

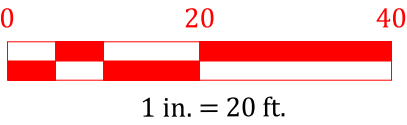
Parcel No.: 010-3830-10690
631 E. 3rd. Street

Bearings Referenced to
St. Louis County Transverse
Mercator 96 Coordinate System.



LEGEND

- Set 3/4 in. Dia. Rebar with Aluminum Cap inscribed "Nelson LS 49578"
- ⊕ Set 7 in. Spike - subsurface rock.
- Concrete.



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.

SurveyScience Land Surveying, LLC
Duluth, Minnesota
(218) 428 - 4327

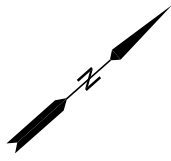
Survey for: Top Dog Investments, LLC

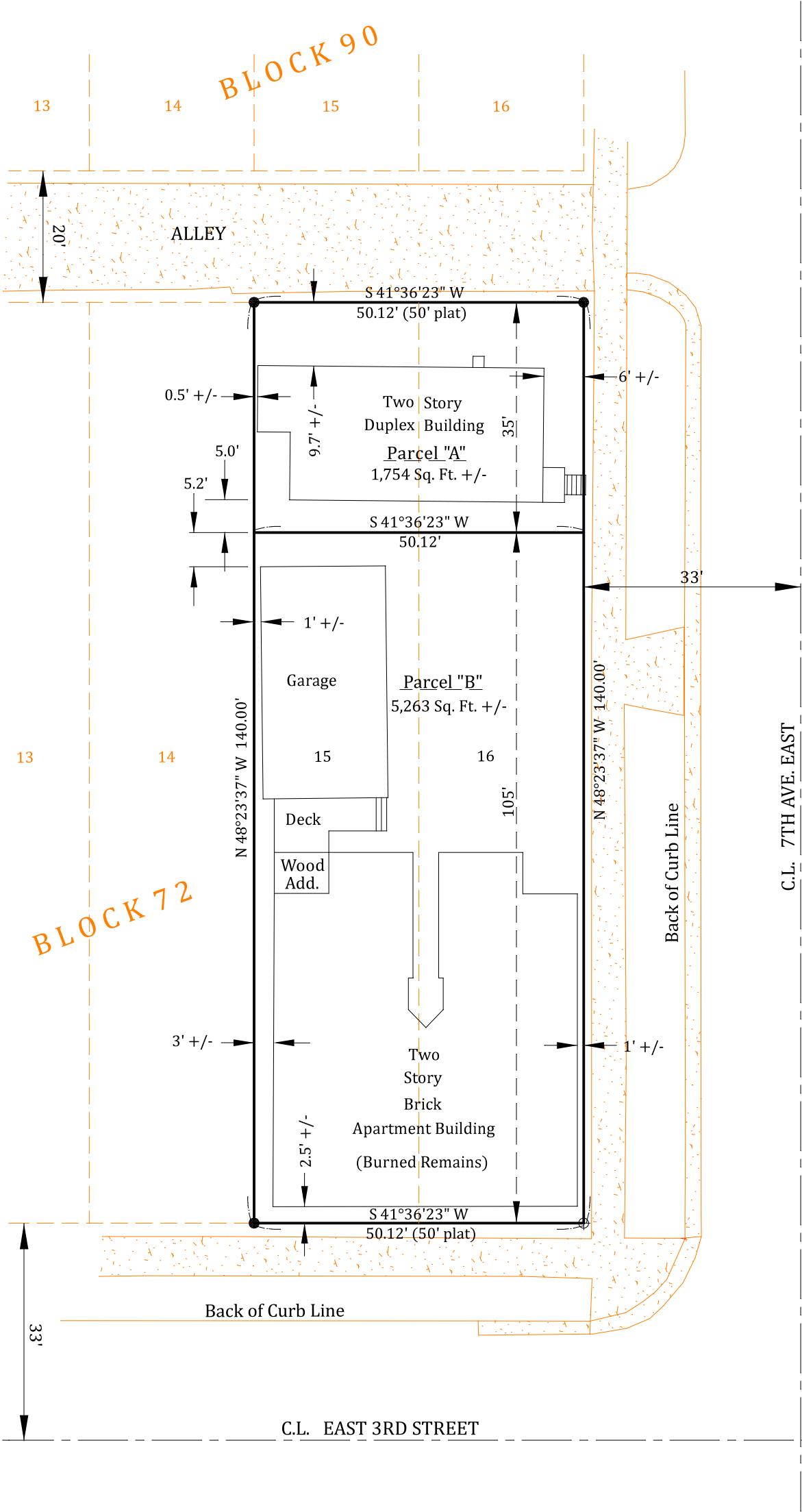
James T. Nelson

Date: Nov. 6th, 2024
License Number: 49578

PROPOSED SUBDIVISION OF
LOTS 15 AND 16, BLOCK 72
PORTLAND DIVISION OF DULUTH
CITY OF DULUTH, ST. LOUIS COUNTY, MINNESOTA

Parcel No.: 010 - 3830 - 10690
631 East 3rd. Street



Bearings Referenced to
St. Louis County Transverse
Mercator 96 Coordinate System.

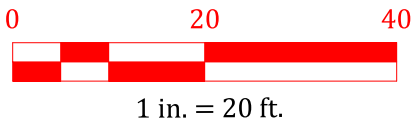


Proposed Parcel "A" Legal Description.
The Northerly 35 feet of Lots 15 and 16, Block 72
Portland Division of Duluth
City of Duluth, St. Louis County Minnesota.

Proposed Parcel "B" Legal Description.
The Southerly 105 feet of Lots 15 and 16, Block 72
Portland Division of Duluth
City of Duluth, St. Louis County Minnesota.

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Survey for: Top Dog Investments, LLC

James T. Nelson

Date: Nov. 15th, 2024
License Number: 49578