



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 21-144	Contact	Adam Fulton	
Type	Preliminary Plat	Planning Commission Date		September 28, 2021
Deadline for Action	Application Date	August 19, 2021	60 Days	October 18, 2021
	Date Extension Letter Mailed	Sept. 2, 2021	120 Days	December 17, 2021
Location of Subject	Northwest of intersection of Skyline Parkway and Hwy 2 (PIN 010-2741-01076)			
Applicant	Cynthia and Rick Crawford, owners	Contact	Available, on file	
Agent	Northland Consulting Engineers, SAS Landscape Architects, Alta Surveyors	Contact	Available, on file	
Legal Description	See Attached Map			
Site Visit Date	September 9, 2021	Sign Notice Date		September 14, 2021
Neighbor Letter Date	September 2, 2021	Number of Letters Sent		7

Proposal: Requested is approval of the preliminary plat of SUGARLOAF to provide for subdivision of the referenced 67.71 acre site for development of 13 rural residential lots in the RR-1 district. The proposal includes construction of a new public street.

Staff Recommendation

Approval of the preliminary plat, subject to included conditions and contingent upon approval of the requested variance in PL 21-145.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	RR-1	Vacant	Low density neighborhood
North	R-1	Rural residential	Low density neighborhood
South	RR-1	Vacant	Low density neighborhood
East	RR-1	Vacant	Open space
West	R-1	Mobile home park	Open space, Traditional neighborhood

Summary of Code Requirements

The planning commission shall approve the application, or approve it with modifications if it determines that:

- (a) Is consistent with the comprehensive land use plan;
- (b) Is consistent with all applicable requirements of MSA 462.358 and Chapter 505;
- (c) Is consistent with all applicable provisions of this Chapter;
- (d) Is consistent with any approved district plan covering all or part of the area of the preliminary plat;
- (e) Is located in an area with adequate police, fire and emergency facilities available to serve the projected population of the subdivision within the City's established response times, or the applicant has committed to constructing or financing public facilities that will allow police, fire or emergency service providers to meet those response times;
- (f) Will not create material adverse impacts on nearby properties, or if material adverse impacts may be created they will be mitigated to the extent reasonably possible;

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

Governing Principles

The following Imagine Duluth 2035 Governing Principles should be considered when reviewing the request:

Governing Principle #3: Support existing economic base. Supporting Duluth’s existing economic foundation maintains jobs, tax base, and opportunity. Economic activity with specific location requirements may be subject to displacement or site competition with changes in real estate values. This traditional economic activity faces change as a result of global economic patterns, changing markets, new regulation, and aging of extensive infrastructure. Nevertheless, fundamentals remain and the economic contribution, sometimes taken for granted, is significant.

Future Land Use

Low density neighborhood: Single-family housing with urban services. Typified by curvilinear streets, houses with longer dimension parallel to street, and attached garages. Includes a range of house sizes and lot sizes. Non-residential uses are mainly uses such as schools and churches. Parks and open space are located within or adjacent. This land use category was specified in support of residential development of this site. The site is not proposed to have urban services for sewer or water, which will both be provided through private systems.

Site History or Previous Studies

A plat for this site was reviewed and approved between 2006 and 2007. The proposal at that time called for development of 72 units of housing on the site. Because of changes in the housing market, the plat was not filed and the site remained undeveloped.

In 2019, the site was rezoned from R-1, Single Family Residential, to RR-1, Rural Residential. The rezoning change altered the total number of permissible lots, changing the minimum lot size from 4,000 square feet (0.091 acres) to a minimum lot size of five (5) acres.

The concept plan for the site’s development has gone through several iterations and has been reviewed by city staff. Comments have been provided related to stormwater management systems, construction of the proposed public street, and other site characteristics, such as its proposed access onto Skyline Parkway.

Review and Discussion Items

- 1) Request. The applicant is seeking Planning Commission approval of a preliminary plat. The proposal is to subdivide 67.71 acres, creating 13 lots of five (5) or more acres each accessed by a public street connected to Skyline Parkway immediately east of US Trunk Highway 2. The proposed design layout for lot sizes and widths for the site conforms to the basic requirements of the RR-1 zoning district.
- 2) Character of Area. This parcel is located immediately south of existing rural residential areas of the city, and east of the Zenith Terrace mobile home park. The site is wooded and undeveloped. Kingsbury Creek flows along the western edge of the site. The site features rock outcrops, wetlands, and is otherwise predominately a mature maple basswood forest. The proposed development is consistent with the lot configuration in the surrounding single family area, which is generally low density and rural in character along Vinland Street and side streets as Vinland Street runs downhill from the city of Proctor toward Getchell Road / Highland Street.
- 3) Site Plan. The site plan includes a depiction of the proposed thirteen lots to be created as part of the preliminary plat of “SUGARLOAF.” The preliminary plat appropriately identifies wetlands, proposed driveway locations, and proposed building envelopes for the 13 new houses. The plat also includes two potential locations for septic systems on each lot.
- 4) Site Access. The proposed plat calls for dedication of a 66 foot wide right-of-way. The proposed street would include curb and gutter through the steepest segment, then be constructed as a typical rural segment at the top of the hill where grades are not as steep. Access is via a new street onto Skyline Parkway.
- 5) Pedestrian access. No pedestrian access is proposed. This location is not being developed at a sufficient density to warrant sidewalk or trail. No existing or proposed public trails pass through the site. The nearest accesses to public trails

are below Skyline Parkway, where the Superior Hiking Trail is located, or west toward Proctor, where the proposed Hermantown-Proctor Munger Trail connector is proposed near Spirit Mountain.

- 6) Wetlands. Wetland impacts are anticipated to result as an outcome of this development. A complete wetland delineation is on file. Conditions are included to require modifications to reduce avoidable wetland impacts on the final plat. Those conditions relate to modifications to driveway locations and reconsideration of site layouts on several lots.
- 7) Future connectivity. The proposed terminus of the cul-du-sac will end at the junction of Lots 7, 8, and 9. However, additional right-of-way is to be dedicated on the final plat to provide for access to the northeast, where a future development could potentially connect to the city's existing street grid in this location. At present, there is no access to those streets except across private property. Were that private property developed, the street network could be connected.
- 8) Environmental Review. The proposed project does not trigger any mandatory EAW reviews.
- 9) Natural Features. The site has a dramatic slope to the south and east. The overall elevation change is approximately 125 feet across the site. Kingsbury Creek is located on the southwest corner of the property.
- 10) Water/Sewer/Natural Gas. There are no public utilities serving the site. The electric network will be connected privately. All water, sewer, and non-electric energy utilities will be provided privately.
- 11) Conformance with UDC and State Statute. The preliminary plat is consistent with the comprehensive land use plan designation of this site, which is for low density neighborhood development. A variance is required to validate compliance with the UDC related to inability to cluster homes on the site. The preliminary plat is located in an area of the city with adequate police, fire and emergency facilities available to serve the anticipated housing development proposed for this site. Staff finds that, other than the items addressed above and referenced in the recommendations below, the preliminary plat conforms to the requirements of Sec 50-37.5. and is consistent with all applicable requirements of MSA 462.358 and Chapter 505.
- 12) Development Agreement. A development agreement for the improvement of public streets is required, and shall be reviewed by city staff and approved by the City Council prior to initiating site work for the project.
- 13) Public Comments. No citizen comments have been received to date.
- 14) City Staff Comments. The City Engineering division has reviewed the proposed stormwater management systems and the proposed public street, and provided feedback. No other comments were received from city departments.
- 15) The approval of the Preliminary Plat of SUGARLOAF is contingent on the Planning Commission's approval of the variance request in Planning File PL 21-145. If the variance request is denied, the Preliminary Plat application must also be denied because it is non-compliant with the requirements of the UDC in the absence of the variance.

Staff Recommendation

Based on the above findings, staff recommends that Planning Commission approve the application with the following conditions:

1. The approval is conditional upon the concurrent approval of the variance application in PL 21-145.
2. The final plat shall be drafted with modifications to the following elements depicted on the preliminary plat:
 - a. The proposed driveway serving Lot 9 shall be relocated, either through modification to the lot line between Lot 9 and Lot 10, or through alternate means, to avoid wetland impacts resultant through construction of said driveway.
 - b. Drainage and utility easements shall be provided consistent with UDC requirements for shoreland protections to ensure the preservation of natural vegetation near Kingsbury Creek along Lots 2 and 3. Permanent metallic markers on rigid metal posts shall be placed at the location of shoreland setbacks indicating that all natural vegetation between the permanent markers and the creek is to remain in a natural state.
 - c. Drainage and utility easements shall be established over no less than 90% of the wetlands existing on Lot 9.
 - d. Stormwater ponds are currently depicted on Lots 1 and 13 on the submitted "Stormwater Concept Plan." All stormwater ponds shall be redesigned to be located fully outside wetland areas, including those wetlands on Lot 13.
 - e. Drainage and utility easements shall be provided consistent with UDC requirements for shoreland protections for the drainage way between Lots 10 and 11, which provides for the uplands for creeks referenced in the stormwater plan. Permanent metallic markers on rigid metal posts shall be placed at the location of shoreland setbacks indicating that all natural vegetation between the permanent markers and the creek is to remain in a natural state.
3. Prior to undertaking any site work, the following conditions shall be met:
 - a. The development agreement and final plat shall be recorded;
 - b. All necessary permits shall be obtained;
 - c. Erosion control measures shall be installed and inspected by appropriate city officials;
 - d. Tree removal shall be exempt from this requirement so long as no grubbing, or removal of stumps, takes place during said removal.
4. The applicant shall enter into a development agreement addressing applicable development terms as identified by City staff herein, and as further identified in the review of the Final Plat of SUGARLOAF. The development agreement shall be approved and recorded with the appropriate St. Louis County offices.
5. The development agreement must be recorded prior to the Planning Commission President and Secretary signing the Final Plat.
6. Wetlands shall be fully protected during construction, monitored for impacts due to silt and sediment, and restored if required upon inspection by appropriate city officials.
7. The City Forester must approve the tree replacement plan and shall validate that the construction process does not impact the trees indicated for preservation on the site.

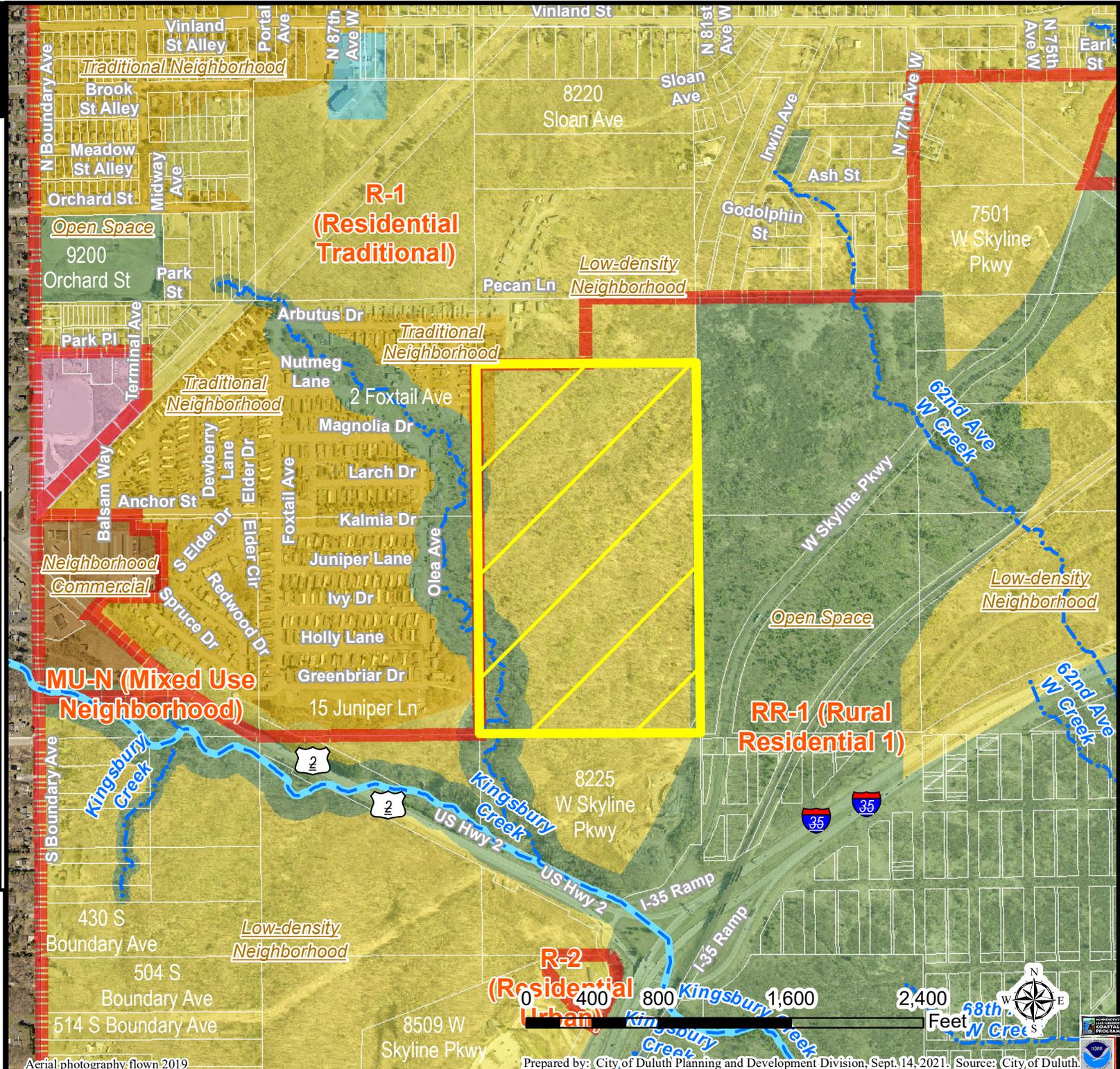


PL21-144
 Preliminary Plat of
 Sugarloaf
 Cynthia Crawford

Legend

- Zoning Boundaries
- Trout Stream (GPS)
- Other Stream (GPS)
- 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
- Transportation and Utilities/Outside Duluth
- 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.



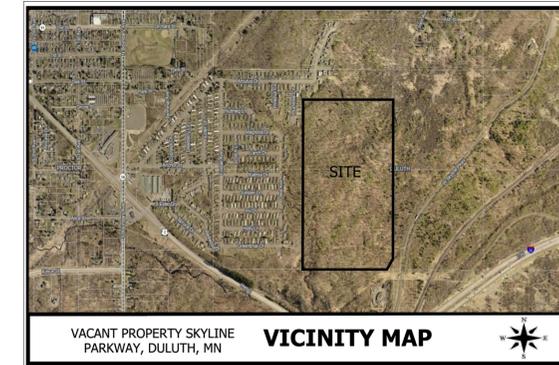
Aerial photography flown 2019

Prepared by: City of Duluth Planning and Development Division, Sept. 14, 2021. Source: City of Duluth



PRELIMINARY PLAT OF SUGARLOAF

LOCATED IN PART OF SEC. 11, TWP. 49 N, RGE. 15W ST. LOUIS COUNTY MINNESOTA



AREA SUMMARY	
TOTAL AREA	68.22 AC
TOTAL LOT AREA	68.22 AC
TOTAL ROAD EASEMENT AREA	4.39 AC
NUMBER OF LOTS	13
NUMBER OF BLOCKS	1
NUMBER OF OUTLOTS	0
LARGEST LOT IN SQ. FEET	288,295 SQ. FEET
SMALLEST LOT IN SQ. FEET	217,657 SQ. FEET

LEGAL DESCRIPTION FOR PRELIMINARY PLAT PURPOSES ONLY
 NW 1/4 of SE 1/4 EXCEPT the Nly 400 feet thereof Section 11 Township 49 North Range 15 West of the Fourth Principal Meridian

AND
 SW 1/4 of SE 1/4 Section 11 Township 49 North Range 15 West of the Fourth Principal Meridian EXCEPT that part described as follows:
 Commencing at the SE corner of said SW 1/4 of SE 1/4; thence North along the Ely line of said SW 1/4 of SE 1/4 a distance of 137 feet, more or less, to a point; thence SW 1/4 in a straight line to a point on the Sly boundary line of said SW 1/4 of SE 1/4 distant 84.85 feet West of the SE corner of said SW 1/4 of SE 1/4; thence Ely along the Sly line of said SW 1/4 of SE 1/4 a distance of 84.85 feet to the SE corner of said SW 1/4 of SE 1/4 which is the point of beginning and ending, as set out in Book 625 of Deeds page 273.

OWNER/DEVELOPER
 RICK & CYNTHIA CRAWFORD
 28 EAST PINE MOUNTAIN RD.
 GRAND MARAIS, MN 55604

CIVIL ENGINEER
 NORTHLAND CONSULTING ENGINEERS L.L.P.
 102 S 21ST AVENUE WEST, SUITE 1
 DULUTH, MN 55806
 PHONE (218) 727-5995
 EMAIL info@nce-duluth.com

SURVEYOR
 ALTA LAND SURVEY COMPANY
 DAVID R. EVANSON, MN STATE REG. NO. 49505
 P.O. BOX 161138
 102 S 21ST AVENUE WEST, SUITE 4
 DULUTH, MN 55816-1138
 PHONE (218) 727-5211
 EMAIL info@altasurvey.com
 PRELIMINARY PLAT COMPLETED AUGUST 2, 2021

LEGEND

- BITUMINOUS SURFACE
- PROPOSED ROAD & DRIVEWAY S
- PROPOSED WET LAND FILL AREA
- EXPOSED LEDGE ROCK PER OTHERS
- WET LAND PER OTHERS
- 4,800 Sq. Feet PROPOSED BUILDING PAD
- C/L OF CREEK PER OTHERS
- CREEK BANK PER OTHERS
- TREE/BRUSH LINE PER OTHERS
- PROPOSED SEPTIC LINE
- DITCH/SWALE
- SETBACK LINE
- WET LAND LINE PER OTHERS
- SECTION SUBDIVISION LINE
- RIGHT OF WAY LINE
- PROPOSED EASEMENT LINE
- BOUNDARY LINE AS SURVEYED
- PROPOSED PARCEL LINE
- ALUM CAPPED MONUMENT
- FOUND T-STAKE MONUMENT
- FOUND SANDSTONE MONUMENT
- SET CAPPED REBAR RLS. NO. 49505
- PROPOSED WELL LOCATION

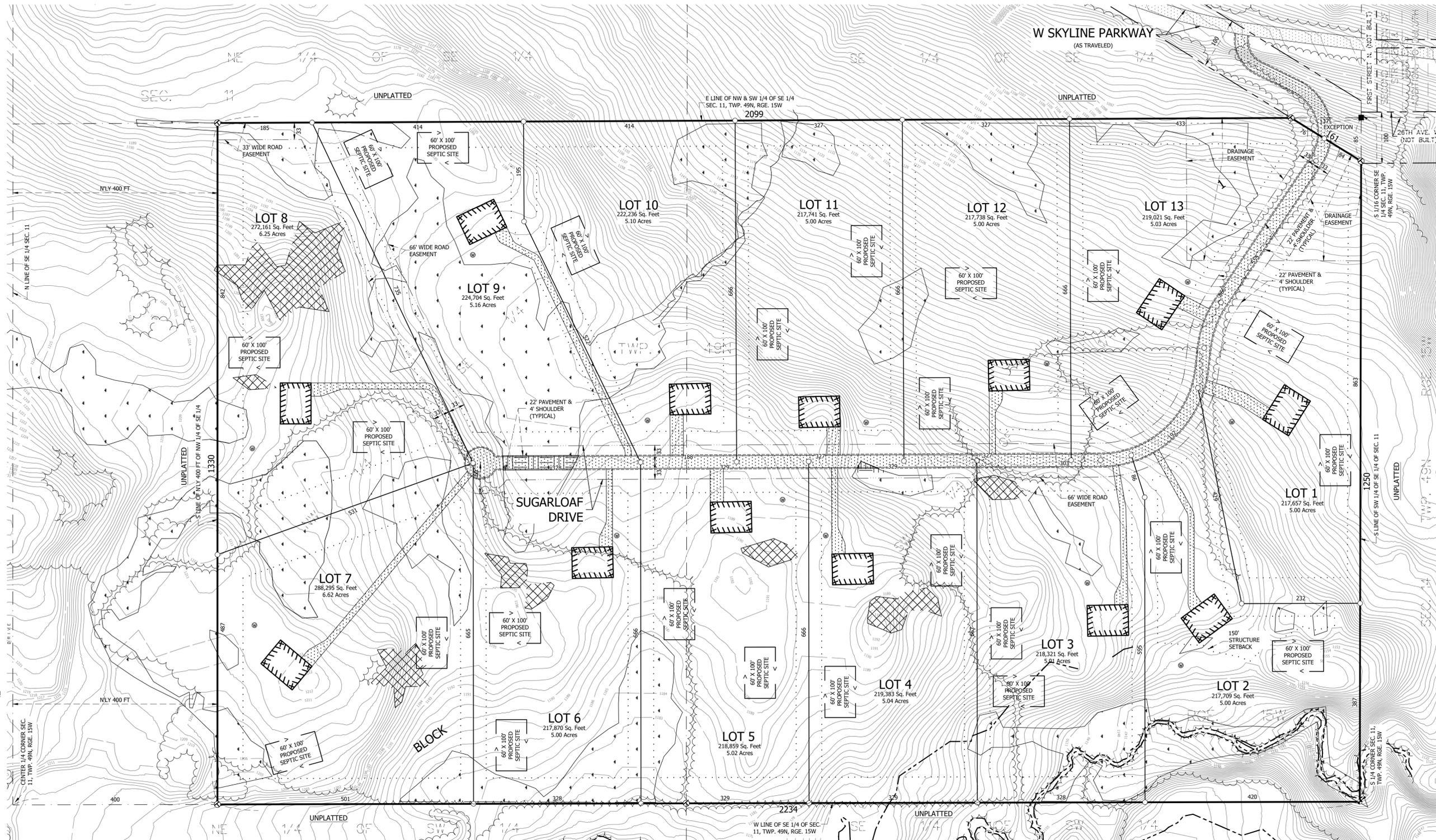
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ZONING AND BUILDING SETBACKS PER THE CITY OF DULUTH CURRENTLY ZONED- RR-1 RESIDENTIAL RURAL. SEE TABLE 50-14.3 FOR DISTRICT DIMENSIONAL STANDARDS.

FLOOD ZONE INFORMATION
 BUILDINGS LOCATED WITHIN ZONE C (AREAS MINIMAL FLOODING), PER FIRM FLOOD INSURANCE RATE MAP COMMUNITY-PANEL NUMBER 270421 0035 C, EFFECTIVE DATE: APRIL 2, 1982.

SITE ADDRESS
 VACANT PROPERTY
 PID NO. 010-2741-01076

ALTA
 LAND SURVEY COMPANY
 PHONE: (218) 727-5211
 WWW.ALTLANDSURVEY.COM



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PRELIMINARY STORMWATER CONCEPT PLAN

- LEGEND**
- BITUMINOUS SURFACE
 - PROPOSED ROAD & DRIVEWAY S
 - PROPOSED WET LAND FILL AREA
 - EXPOSED LEDGE ROCK PER OTHERS
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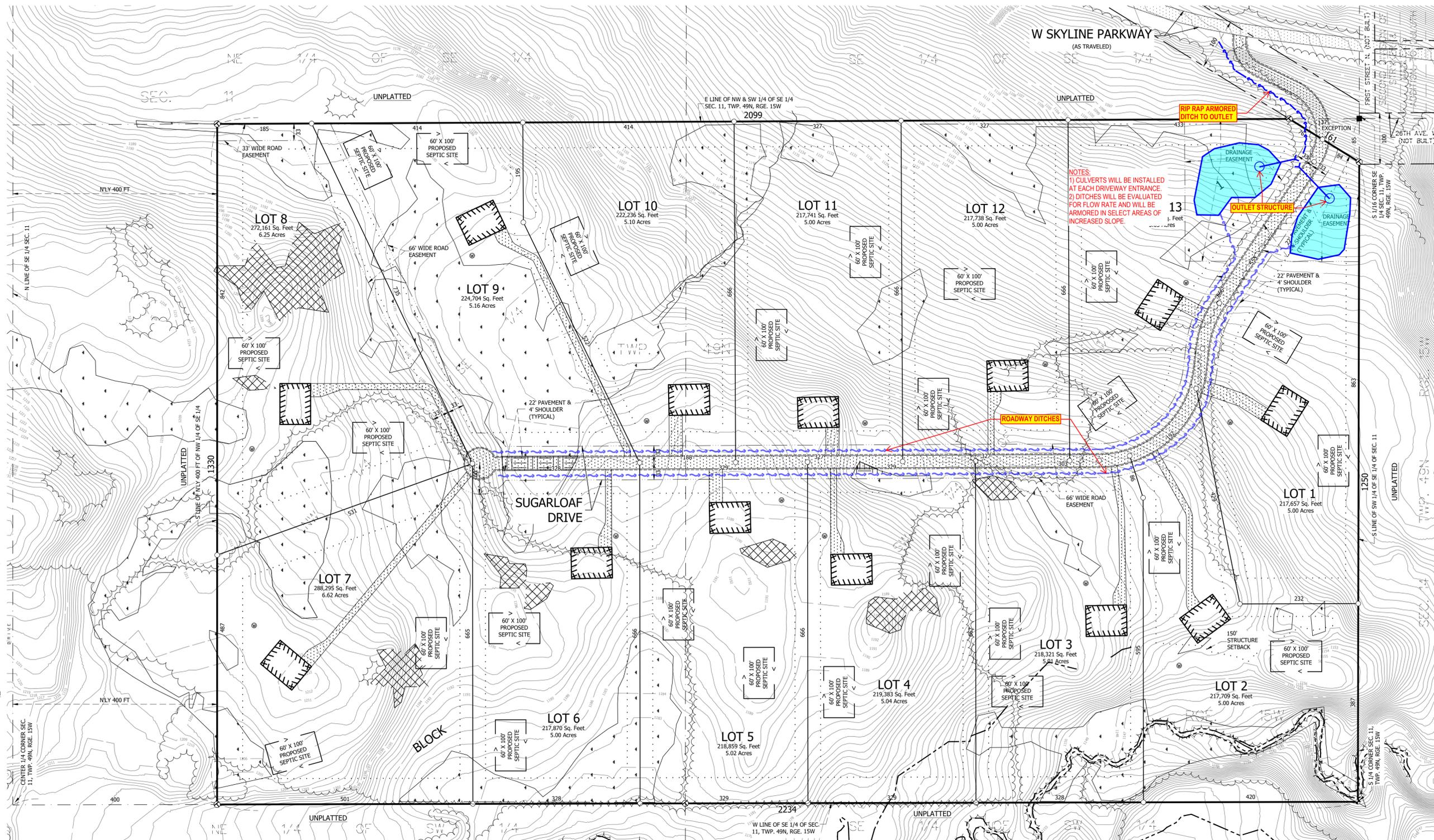
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- NOTES:**
- CULVERTS WILL BE INSTALLED AT EACH DRIVEWAY ENTRANCE.
 - DITCHES WILL BE EVALUATED FOR FLOW RATE AND WILL BE ARMORED IN SELECT AREAS OF INCREASED SLOPE.

Sugarloaf Subdivision Drainage Memo (8/10/21)

Northland Consulting Engineers is assisting a land owner in subdividing their parcel of property along Skyline Parkway. The parcel is currently undeveloped and completely wooded except a gravel access road off of Skyline that extends into the site. The proposed subdivision would create (13) 5+ acres lots accessed by the construction of a 20' roadway. The road will be constructed privately and turned over to the City of Duluth upon as built and final acceptance.

Existing Site Drainage Conditions

The site is 67.71 acres according to St. Louis County Land Explorer. As mentioned above, the site is completely undeveloped and wooded. Kingsbury Creek flows along and across the west edge of the property. Approximately one third of the site drains to the west towards Kingsbury Creek. The eastern two thirds flow to the south and east into a watershed labeled 62nd and 68th Ave. W. Creek. This watershed ultimately enters the St. Louis River emptying into Stryker Bay. The overall site is situated on the hill just above Skyline Parkway. Across the site from north to south the site has 125 feet of elevation change. Currently there are no BMP's on-site treating storm water.

Post-Construction Site Drainage Conditions

The subdivision development proposes (13) lots. Lots will be 5+ acres as required in RR-1 zoning and the expected user is a single-family home development. It is estimated that each home will develop an average of 7,500 square feet of impervious surface between the driveway, home and garage. This results in approximately 97,500 square feet of impervious area outside the public road. The 2,350 linear feet of public road will be 20' wide with 2' gravel shoulders which will generate about 56,400 square feet of impervious area. The roadway will be constructed as a rural section so the roadway will have ditches on both sides to convey road runoff and any runoff from outside the right of way. Special attention will be given to the ditch design to ensure they will stable during an following construction. With significant grades along the roads, ditches may require rip rap armoring to resist erosion.

These ditches will serve as a BMP to convey and treat the first flush of runoff from the road using ditch checks. They then will flow into a filtration basin on either side of the road near the projects entrance. The filtration basin will drain via perforated PVC pipes set below a sand filter layer. The BMP will treat the stormwater for total suspended solids and will be constructed with live storage and an outlet structure to manage the discharge rates per the City of Duluth UDC requirements. It is understood that the site sits above the bluff line and may be required to meet more restrictive peak discharge rate requirements.

The site and stormwater design has been designed to meet the requirements of the City of Duluth UDC and Engineering Guidelines. Prior to the issuance of building permits, an MS4 Statement of Compliance will be issued when the stormwater management plan is approved. The stormwater conveyance and treatment system will be ultimately be constructed in a drainage easement dedicated to the City of Duluth for ownership and maintenance. The Certificate of Occupancy will be issued after the record drawing for the stormwater management BMPs have been issued to the City.



Northland

Consulting Engineers L.L.P.

Structural, Civil and Forensic Engineering

102 South 21st Ave. West, Duluth, MN 55806
(V)218-727-5995, (F)218-727-7779

	Pre-Development		Post-Development	
	Area (SF)	% of Total Site	Area (SF)	% of Total Site
Total Site Area	2,949,448	100%	2,949,448	100%
Impervious Area	0	0%	153,900	5.2%
Pervious Area	2,949,448	100%	2,795,548	94.8%

Narrative Prepared by: Adam Zwak, P.E.