



## 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	PL 19-007		Contact	Chris Lee, 720-5304	
Type	Minor Subdivision-RLS		Planning Commission Date		March 12, 2019
Deadline for Action	Application Date		January 31, 2019	60 Days	April 1, 2019
	Date Extension Letter Mailed		February 21, 2019	120 Days	May 31, 2019
Location of Subject		2906 W 15 <sup>th</sup> St			
Applicant	Gregg Anderson		Contact		
Agent			Contact		
Legal Description		See attached			
Site Visit Date		February 22, 2019	Sign Notice Date		February 26, 2019
Neighbor Letter Date		N/A	Number of Letters Sent		N/A

### Proposal

Applicant is requesting a Minor Subdivision to divide one platted lot into two lots. The current parcel is 37,401 square feet and the division will create a 18,227 square foot parcel (A) and a 19,201 square foot parcel (B).

	<b>Current Zoning</b>	<b>Existing Land Use</b>	<b>Future Land Use Map Designation</b>
<b>Subject</b>	R-1	Open Space	Open Space
<b>North</b>	R-1	Residential	Traditional Neighborhood
<b>South</b>	R-1	Open Space	Open Space
<b>East</b>	R-1	Open Space	Open Space
<b>West</b>	R-1	Open Space	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 the application:

- (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 #1 - Reuse previously developed lands. Directs investment to sites which have the potential to perform at a higher level than their current state.

Governing Principle #8 – Encourage a mix of activities, uses, and densities.

Future Land Use – Open Space: High natural resource or scenic value, with substantial restrictions and development limitations. Primarily public lands but limited private use is anticipated subject to use and design controls. Examples include: city parks and recreation areas, primary viewsheds, shorelands of the lake and streams, wetlands and floodplains, and high-value habitat.

**Review and Discussion Items**

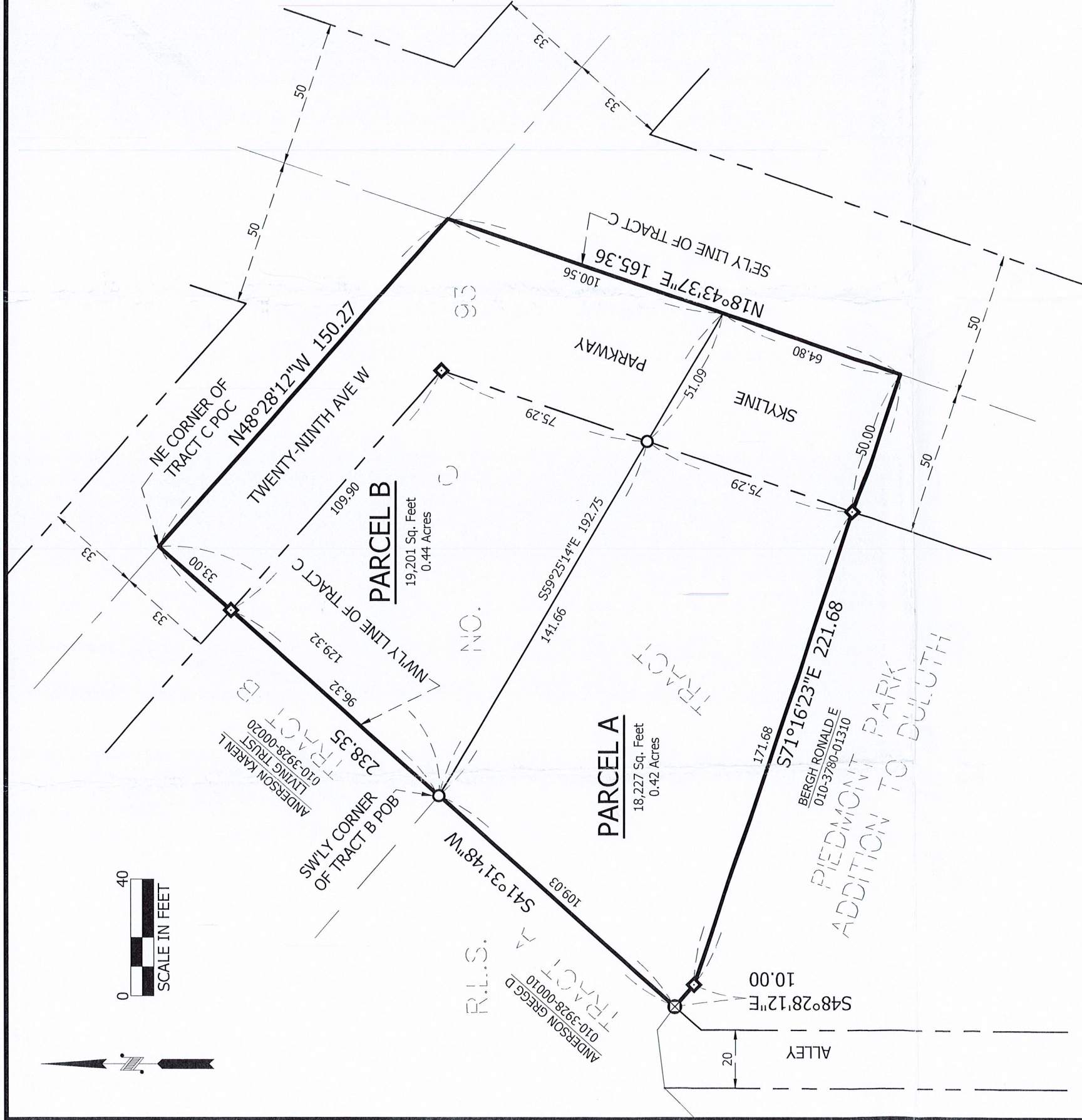
1. Applicant is requesting a Minor Subdivision to divide a single lot into two lots. Both lots are currently undeveloped and the applicant is proposing to keep them vacant for viewshed protection. The proposed subdivision, if approved, would not make the parcels non-conforming due to lot frontage, lot area, or similar bulk standard.
2. One comment was received regarding a private covenant on the property, but has no bearing on staff recommendation for this minor subdivision. No additional public, agency, or City comments were received.
3. No existing platted right of way is being proposed to be vacated with this proposal.
4. The attached exhibit demonstrates compliance with Minnesota statutes 462.358 and 505 or 508, as applicable.
5. 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 subject to 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, indication 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.





PARENT LEGAL DESCRIPTION PER CERTIFICATE OF TITLE 320878

Tract C, REGISTERED LAND SURVEY NO. 93, St. Louis County, Minnesota.

LEGAL DESCRIPTION FOR PARCEL A

That part of Tract C, REGISTERED LAND SURVEY NO. 93, St. Louis County, Minnesota, lying Southwesterly of the following described line:

Commencing at the Northeast corner of said Tract C; thence on an assumed bearing of South 41 degrees 31 minutes 48 seconds West, along the Northwesterly line of said Tract C, for a distance of 129.32 feet to the Southwesterly corner of Tract B, said REGISTERED LAND SURVEY NO. 93, said point being the point of beginning of the line herein described; thence South 59 degrees 25 minutes 14 seconds East 192.75 feet to the Southeasterly line of said Tract C and there terminating.

said parcel contains 18,227 Sq. Feet or 0.42 Acres.

LEGAL DESCRIPTION FOR PARCEL B

That part of Tract C, REGISTERED LAND SURVEY NO. 93, St. Louis County, Minnesota, lying Northeasterly of the following described line:

Commencing at the Northeast corner of said Tract C; thence on an assumed bearing of South 41 degrees 31 minutes 48 seconds West, along the Northwesterly line of said Tract C for a distance of 129.32 feet to the Southwesterly corner of Tract B, said REGISTERED LAND SURVEY NO. 93, said point being the point of beginning of the line herein described; thence South 59 degrees 25 minutes 14 seconds East 192.75 feet to the Southeasterly line of said Tract C and there terminating.

said parcel contains 19,201 Sq. Feet or 0.44 Acres.

SURVEYORS NOTES

1. THIS SURVEY HAS BEEN PREPARED WITHOUT BENEFIT OF A TITLE COMMITMENT OR TITLE OPINION. A TITLE SEARCH FOR RECORDED OR UNRECORDED EASEMENTS WHICH MAY BENEFIT OR ENCUMBER THIS PROPERTY HAS NOT BEEN COMPLETED BY ALTA LAND SURVEY COMPANY. THE SURVEYOR ASSUMES NO RESPONSIBILITY FOR SHOWING THE LOCATION OF RECORDED OR UNRECORDED EASEMENTS OR OTHER ENCUMBRANCES NOT PROVIDED TO THE SURVEYOR AS OF THE DATE OF THE SURVEY.
2. BEARINGS ARE BASED ON THE ST. LOUIS COUNTY TRANSVERSE MERCATOR COORDINATE SYSTEM OF 1996. (NAD 83 2011)

LEGEND

- CENTER LINE
- - - RIGHT OF WAY LINE
- - - PROPOSED PARCEL LINE
- BOUNDARY LINE AS SURVEYED
- ◆ FOUND CAPPED REBAR RLS. NO. 15294
- ⊗ FOUND CAPPED REBAR RLS. NO. 49505
- SET CAPPED REBAR RLS. NO. 49505
- POC-POINT OF COMMENCEMENT
- POB-POINT OF BEGINNING

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.

David R. Evanson  
David R. Evanson

Date: January 16, 2019

MN Lic. No. 49505

CERTIFICATE OF SURVEY

CLIENT: GREGG ANDERSON REVISIONS: XXX

DATE: 1-16-2019

ADDRESS: 2906 W 15TH ST  
DULUTH, MN 55806

JOB NUMBER: 18-360A



LAND SURVEY COMPANY

PHONE: 218-727-5211  
LICENSED IN MN & WI  
CERTIFIED FEDERAL SURVEYOR  
WWW.ALTLANDSURVEYDULUTH.COM





PL 19-007: Minor Sub.  
2906 W 15th St

**Legend**

- Gas Main
- Water Main
- Hydrant

**Sanitary Sewer Mains**

- CITY OF DULUTH
- WLSSD; PRIVATE
- Sanitary Sewer Forced Main

**Storage Basin**

- PS Pump Station

**Storm Sewer Mains**

- Storm Sewer Pipe
- Storm Sewer Catch Basin

**Road or Alley ROW**

**Easement Type**

- Utility Easement
- Other Easement

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Aerial photography flown 2016

Prepared by: City of Duluth Community Planning Division, January 17, 2019. Source: City of Duluth.





PL 19-007: Minor Sub.  
2906 W 15th St

### Legend

- Gas Main
- Water Main
- ⊕ Hydrant
- Sanitary Sewer Mains**
  - CITY OF DULUTH
  - WLSSD; PRIVATE
  - Sanitary Sewer Forced Main
- ⊞ Storage Basin
- PS Pump Station
- Storm Sewer Mains**
  - Storm Sewer Pipe
  - ⊞ Storm Sewer Catch Basin
- 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

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