

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

13-066-0

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE APPROVED REGULATING PLAN FOR RAMSEY VILLAGE TO AMEND THE PERMITTED BUILDING TYPES TO INCLUDE FOUR UNIT APARTMENTS (RAMSEY TOWNHOUSES III, LLC).

CITY PROPOSAL:

The city of Duluth does ordain:

Section 1. That the regulating plan for Ramsey Village, as it relates to the subject property located at the northwest corner of Ramsey Street and North 54th Avenue West, be amended to allow, in addition to the currently permitted Type II (detached single family), Type III (twin home), and Type VII (eight unit apartment) and Type VIII (mixed use building with residential and commercial/retail), the construction of Type VI structures (four unit apartments). The subject property is described in Exhibit A and by the following:

Lots 9, 10, 11, 12, 13, 14, 15 and 16 of Block 5, West Duluth First Division.



Exhibit A
(Ref. File No. 13-119)

Section 2. That this ordinance shall take effect 30 days after its passage and publication.

Approved as to form:



Attorney

PC/PLNG SR/cs 10/4/2013

STATEMENT OF PURPOSE: This ordinance is to change the type of structures allowed on property located within Ramsey Village. The regulation plan had previously allowed several different building types (one and two family dwellings on the northern portion of the property, and eight unit apartments and mixed use buildings on the southern portion of the property). The petitioner wishes to construct three four-unit apartments on this property.

When the UDC became effective on November 19, 2010, all existing TND zone districts were rezoned to the R-P zone districts. Ramsey Village and Harbor Highlands were the two TND districts that were rezoned to R-P. Per Section 50-14.07.I of the City Code, requests to amend an existing regulating plan shall follow the rezoning process if the request relates to uses, densities, or height. The city council needs to approve or deny the request to change the previously approved density and uses of the regulating plan.

On October 8, 2013, the Duluth city planning commission will hold a public hearing on the proposal.

The motion to approve an amendment to the regulation plan by the city council must prevail with a simple majority.

Date of application: September 10, 2013
Action deadline: January 4, 2014



CITY OF DULUTH
 Planning Division

411 W 1st St, Rm 208 * Duluth, Minnesota 55802-1197
 Phone: 218/730.5580 Fax: 218/723-3559

STAFF REPORT

| | | | | |
|-----------------------------|---|---------------------------------|----------------------------------|------------------|
| File Number | PL 13-119 | Contact | Steven Robertson, (218) 730 5295 | |
| Application Type | Regulating Plan Amendment | Planning Commission Date | October 8, 2013 | |
| Deadline for Action | Application Date | September 10, 2013 | 60 Days | November 9, 2013 |
| | Date Extension Letter Mailed | September 16 2013 | 120 Days | January 8, 2014 |
| Location of Subject | Northwest Corner of Ramsey Street and North 54th Avenue West , 5405 Ramsey Street | | | |
| Applicant | Ramsey Townhouses III | Contact | Ken Talle | |
| Agent | William Burns | Contact | | |
| Legal Description | Lots 9, 10, 11, 12, 13, 14, 15, and 16 of Block 5 West Duluth First Division | | | |
| Site Visit Date | September 15, 2013 | Sign Notice Date | September 23, 2013 | |
| Neighbor Letter Date | September 19, 2013 | Number of Letters Sent | 43 | |

Proposal

The applicant wishes to amend an approved regulating plan to change the approved building types for an undeveloped parcel Any amendment to the Regulating Plan that involves changes to land use, density, or height is required to follow the rezoning process and receive approval from the City Council.

| | Current Zoning | Existing Land Use | Future Land Use Map Designation |
|----------------|-----------------------|--------------------------|--|
| Subject | R-P | Vacant | Urban Residential |
| North | R-P | Commercial | Urban Residential |
| South | R-P | Residential | Urban Residential |
| East | R-P | Residential | Urban Residential |
| West | F-3/F4 | Commerical | Central Business Secondary |

Summary of Code Requirements (reference section with a brief description):

UDC Sec. 50-14.07.E: The establishment of an R-P district requires rezoning the property per Section 50-37.3 from a current zone district to R-P and the approval of an R-P plan per Section 50-37.11 that governs the uses, location, density, dimensional standards and character of the proposed project. In accordance with the purpose of the R-P district, approval of the R-P plan is deemed to include subdivision approval; R-P districts are not required to submit a separate subdivision application under Section 50-37.5.

UDC Sec. 50-14.07.H: All residential developments approved prior to November 19, 2010, as low-density planned developments pursuant to Sections 50-36.1 through 50-36.3 of the previous zoning code shall be treated as approved R-P developments, and will be rezoned to the R-P zone district.

UDC Sec. 50-14.07.I: Applications to amend an existing R-P plan shall follow the process described in Section 50-37.3 if they relate to uses, densities, or height. All other amendments shall follow the process in Section 50-37.11

C-1

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

Future Land Use, Central Business Secondary- An area adjacent to and supporting the primary central business 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

Governing Principles: #6 - Reinforce the place-specific. Public and private actions should reinforce cultural, physical and economic features which have traditionally defined Duluth, its open space and its neighborhoods. This includes commercial areas providing neighborhood goods and services, ravine parks and other natural features that define neighborhood edges and view corridors to the Lake or River which serve to provide location and context.

Discussion (use numbered or bullet points; summarize and attach department, agency and citizen comments):

- 1) The Minnesota Planning Act provides that zoning (an "official control") should implement the general objectives of the Comprehensive Plan, and appellate courts have issued decisions that zoning must comply with the Comprehensive Plan or be considered arbitrary and capricious.
- 2) When the UDC became effective on November 19, 2010, all existing TND zone districts were rezoned to the R-P zone districts. Ramsey Village and Harbor Highlands were the two TND districts that were rezoned to R-P.
- 3) Any proposed change to the R-P Regulating Plan that involves land use, density, or height needs to be approved by the City Council through the rezoning process (including a public hearing in front of the Planning Commission). Other changes to the R-P Regulating Plan can be approved by the Land Use Supervisor.
- 4) The applicant wants to change the allowed building types for a parcel. The approved Regulating Plan calls for an eight unit apartment on one end of the parcel and one or two family dwellings on the other end of the parcel. The applicant is proposing three four-unit apartments.
- 5) The Approved Regulating Plan states: Ramsey Street is proposed to be rebuilt as a more neighborhood scale, pedestrian friendly street including welcoming signage at each end announcing arrival in the Ramsey Village. Larger scale residential or mixed use buildings facing Ramsey are planned for each entrance to create a sense of "arrival" into the residential neighborhood".
- 6) The proposal to change the allowed building types to four unit structures is not in conflict with the spirit of the original TND Plan. However, the proposed amendment has all three four plexes facing 54th avenue, and there is nothing proposed to add to the "sense of arrival". The amendment will not create material adverse impacts on nearby properties.
- 7) The amendment is in compliance with the City's Comprehensive Land Use Plan-Governing Principles and Policies and the Future Land Use Map.
- 8) No comments were received from the public, City Departments, or Government agencies.

Staff Recommendation (Include Planning Commission findings, i.e., recommend to approve):

Based on the above findings, staff recommends to Planning Commission that the proposed amendment to change the density and land use of the R-P Regulating Plan be recommended for approval by City Council for the following reasons:

- 1) This proposal is consistent with the Comprehensive Land Use Plan.
- 2) The proposed amendment to the Regulating Plan district is consistent with the future land use category "Central Businesses Secondary".
- 3) Material adverse impacts on nearby properties are not anticipated.

C-2

Attachments (aerial photo with zoning; future land use map; site plan; copies of correspondence)



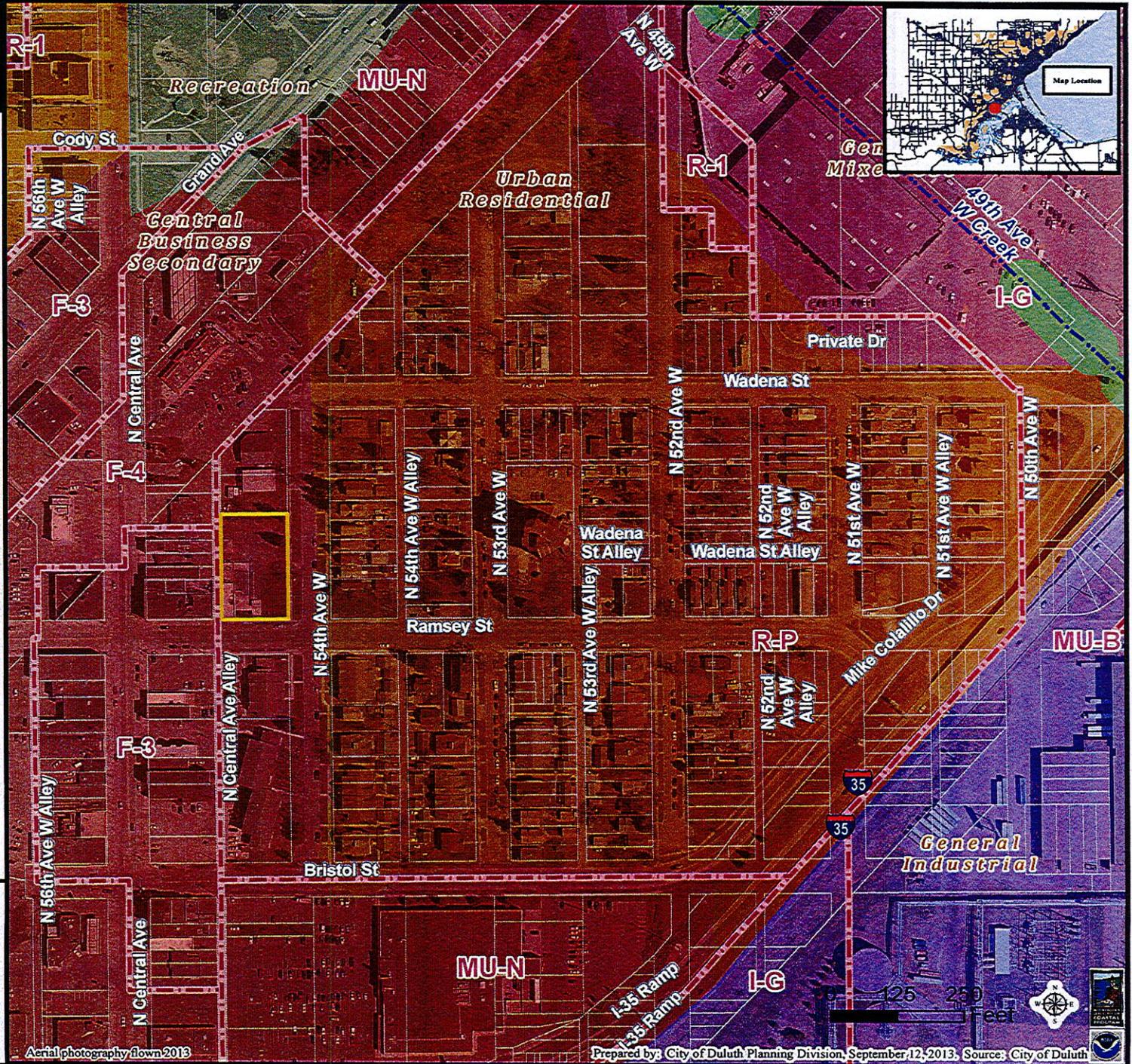
City Planning
 PL 13-119
 Ramsey Village
 R-P Amendment

Legend

- Zoning
- Future Land Use - Plus Future Land Use**
- Preservation
- Recreation
- Rural Residential
- Low-density Neighborhood
- Traditional Neighborhood
- Urban Residential
- Neighborhood Commercial
- Neighborhood Mixed Use
- General Mixed Use
- Central Business Secondary
- Central Business Primary
- Auto Oriented Commercial
- Large-scale Commercial
- Business Park
- Tourism/Entertainment District
- Medical District
- Institutional
- Commercial Waterfront
- Industrial Waterfront
- Light Industrial
- General Industrial
- Transportation and Utilities

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Aerial photography flown 2013

Prepared by: City of Duluth Planning Division, September 12, 2013. Source: City of Duluth



City Planning
PL 13-119
Ramsey Village
R-P Amendment

Legend

Water Distribution System

Nominal Diameter

- 30 - 60" Water Pipe
- 16 - 24" Water Pipe
- 4 - 6" Water Pipe

Network Structure

Subtype

- Storage Basin
- Pump Station

Sanitary Sewer Collection System
Subtypes

- Sanitary Sewer Collector
- Sanitary Sewer Interceptor
- Sanitary Sewer Forced Main
- Discharge Points
- Storm Sewer Catch Basin

Subtype

- Storm Sewer Pipe

Gas Distribution Main

Nominal Diameter

- 8" - 16" Gas Pipes
- 4" - 6" Gas Pipes
- 0" - 4" Gas Pipes

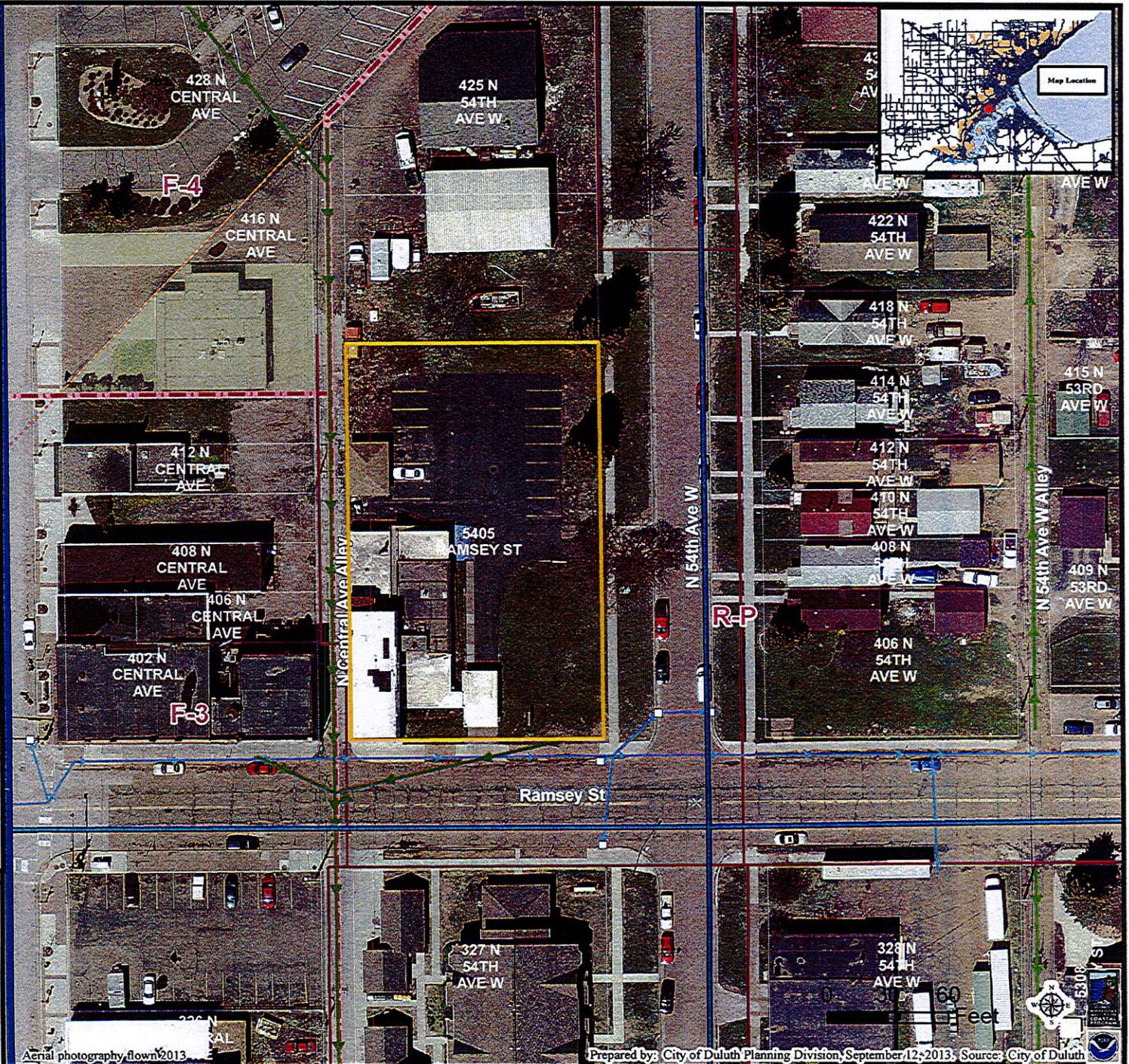
- Vacated ROW

Easement Type

- Utility Easement
- Other Easement
- Zoning

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C-4



Aerial photography flown 2013

Prepared by: City of Duluth Planning Division, September 12, 2013; Source: City of Duluth

SUMMARY OF THE RAMSEY IV PROPOSAL

SUMMARY

The Ramsey IV proposal contemplates three Four Unit Apartments at the northeast corner of 54th Avenue and Ramsey Street in West Duluth, on the site of a former funeral home. Development in this neighborhood is governed by a Traditional Neighborhood Design (TND) zoning overlay. The current TND Regulating Plan stipulates the placement of an Eight Unit Apartment on the corner (the southern portion of the parcel), and the placement of Single or Two Family homes on the northern portion of the parcel. The Ramsey IV proposal requests a change to the TND Regulating Plan to allow the construction of three Four Unit Apartments. This proposal makes feasible the construction of workforce housing consistent with the renewal of Ramsey Village to date and meets the intent and spirit of the TND.

THE SITE

The site is depicted on survey Drawing 2. It is 125 feet from alley to street and 200 feet long. The Legal description is: Lots 9, 10, 11, 12, 13, 14, 15 and 16, Block 5, West Duluth, First Division, St. Louis County.

REGULATING PLAN

Drawing A is a copy of the TND Regulating Plan. The site is highlighted in red. The southern portion, the right half of the site, allows Type VII and VIII Units (Eight Unit Apartments and Apartments over Retail, respectively). The northern half allows Types II and III, Single Family and Twin Homes respectively.

URBAN STANDARDS

Drawing B is a copy of the Urban Standards of the TND which provides the key to the allowable types of structures indicated on the Regulating Plan.

TND REVISED MASTER PLAN SUMMARY

Drawing C is a copy of the TND Master Plan Summary wherein it indicates that the Entry to Ramsey Village should have larger scale residential buildings to provide a sense of entry. This is likely the basis for the TND requirement for a Type VII (Eight Unit) on southern half of the Ramsey IV site.

RAMSEY VILLAGE OVERVIEW

Drawing 1 is an Aerial overview of Ramsey Village. Multifamily structures, Eight and Four Unit apartments as well as the Applewood West apartments in the area south of Ramsey are primarily under single ownership of Thies and Talle Management Inc. The properties of Ramsey Village are managed in an office appurtenant to an Eight Unit Apartment building directly across Ramsey Street from the Ramsey IV site. Some of the Eight and Four Unit Apartment buildings (Ramsey I) predate the TND; however they were developed consistent with its criteria. The later Eight and Four Unit Apartment buildings, (Ramsey II and Ramsey III) were developed under the criteria of the TND. Accordingly, all Ramsey Village buildings fit well with the historic character of the neighborhood and have served to renew the area consistent with its physical and pedestrian character. As apartments, they provide affordable housing for a variety of demographics, including singles, young marrieds, families and elderly. The single ownership has provided consistent leasing choices and effective maintenance. Ramsey IV is a logical extension of the project, across the street from the management office.

RECEIVED SEP 10 2013

5-9

THE RAMSEY IV PROPOSAL

Drawing 3 depicts the proposed site plan for Ramsey IV. It consists of three Four Unit Apartment buildings for a total of twelve units on the site. The building type was chosen because they add more Four Unit Apartment buildings to Ramsey Village offering more variety and choices to the apartment units within Ramsey Village (there are currently 48 units in Eight Unit Apartment buildings and 24 in Four Unit Apartment buildings). In addition, the building geometry lays out well on the site, allowing more space between the buildings than possible under the TND stipulation of a layout of Twin Houses and an Eight Unit Apartment building. The economy of scale of the construction of three Four Unit Apartment buildings makes the project feasible. Twin Houses do not have this economy of scale, accordingly the site and construction costs for Twin Houses make their necessary rents unaffordable. To address this issue, the Ramsey IV proposal of three Four Unit Apartments would have 12 units on the site, the same number and density as the TND criteria of an Eight Unit Apartment and Two Twin Houses, but utilizing efficiencies of scale to create affordable rents.

RAMSEY IV, WHY IT'S BETTER

Drawing 4 depicts an existing Four Unit Apartment and an Eight Unit Apartment group on Ramsey Street. Both Buildings have similar silhouette and mass along Ramsey Street. Ramsey IV with its Four Unit Apartment will present a profile to Ramsey Street equivalent to an Eight Unit Apartment, meeting the intent of the TND.

Drawing 5 Depicts the view of Ramsey IV from Central Avenue looking east. The mass of the Ramsey IV Four Unit Apartment building on Ramsey Street is equivalent to an Eight Unit Apartment building. Its length from front to back is similar. The Four Unit Apartment building has the advantage of a dining room bay window in lieu of the high bedroom window of the Eight Unit Apartment providing more interest on the Ramsey Street elevation. Both have the amenity of providing garages as a screen to the rear of commercial facilities on Central Avenue.

Drawing 6 depicts the view from 54th Avenue and Ramsey Street looking toward Central Avenue. The long side of the Four Unit along Ramsey provides the mass that the TND contemplated for the entry structure to the neighborhood. The relative narrow profiles of the Four Unit Apartment buildings along 54th reflect the residential mass contemplated by the TND for 54th Avenue. They are similar in scale on 54th Avenue to Detached Single Family Houses.

Drawing 7 depicts the view of Ramsey IV along 54th Street. The massing is similar with that of Detached Single Family Houses, consistent with the TND program objective.

Drawing 8 Depicts the floor plans of the Four Unit Apartments. They are front to back units. Their front width is similar to a Detached Single Family House; it gains its additional unit by adding a unit in the back. Accordingly the mass on the street is similar to Single Family Houses.

CONCLUSION

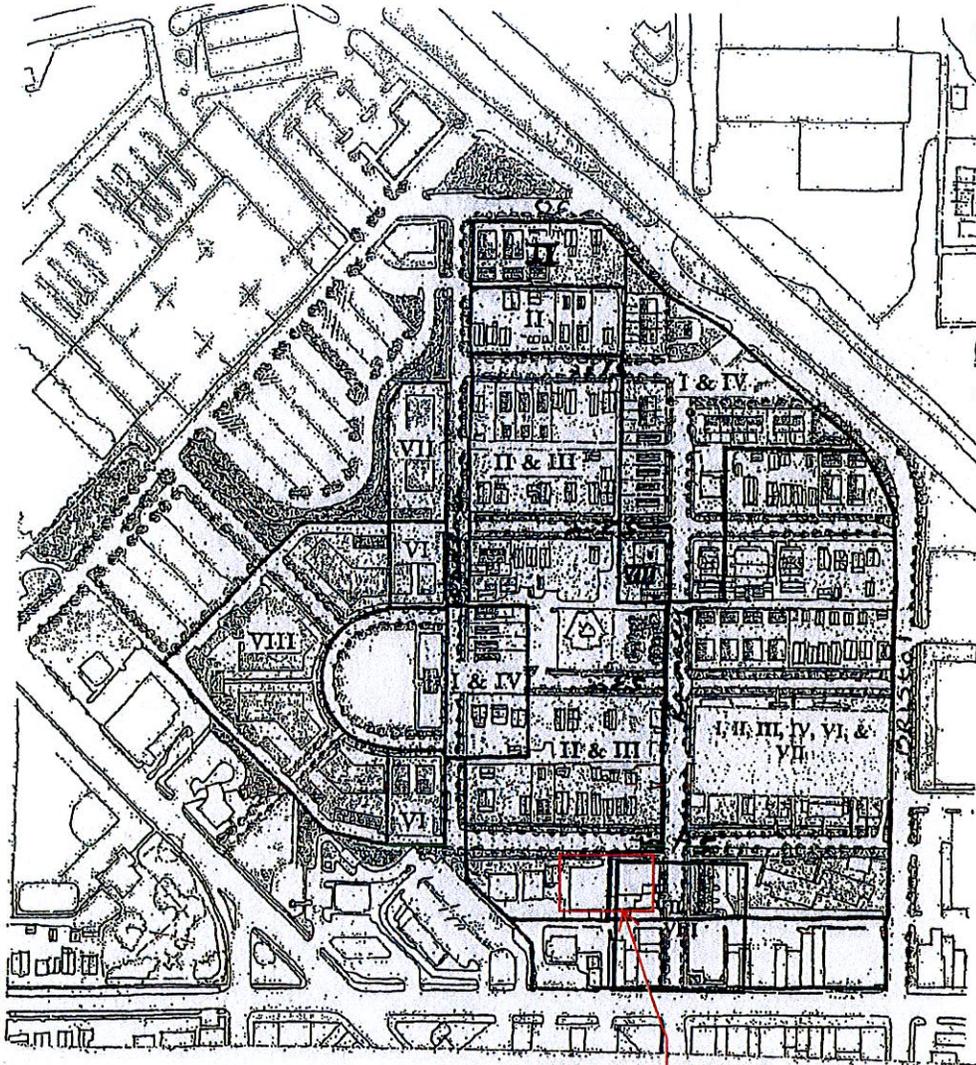
The Ramsey IV is a proposal that will provide the same site density as the TND criteria of an Eight Unit and two Twin Houses: 12 Units. It does so by incorporating the successful Four Unit Apartment building types of Ramsey Village. It allows Ramsey Village to offer additional Four Unit Apartments in their unit mix. The building entry mass conforms to the TND goal. The smaller Four Unit Apartment buildings will meet the TND goal of smaller building mass on 54th Avenue.

The Ramsey IV proposal meets the intent and goals of the TND. It requires only small changes to the TND that still allow the intent of the TND to remain. Ramsey IV will be a benefit to Ramsey Village and to the community at large.

COUNCIL COPY

To City Council NOV 24 2003
Pub. Doc. No. 03-1124-20
Referred to _____

Regulating Plan



Ramsey IV Site

1. Reference applicable Urban Standards (shown in Roman Numerals above) for designated building types.
2. Maximum lot width South of Ramsey Street shall be sixty feet (60').
3. Maximum lot width North of Ramsey Street shall be fifty feet (50').
4. Building Type V - Accessory Unit - is allowed on all lots.
5. Residential units built North of Ramsey Street should front either
 - i. Wadena Street I built adjacent to Wadena or
 - ii. The new neighborhood park
6. "Main street" building types should be located at the SE and SW corner of 54th Avenue West and Ramsey Street
7. Passive green space with trees and native plantings should be developed in the block at the SW corner of 51st Avenue West and Ramsey Street from the alley to Colalillo Drive.

Drawing A

C-1

amended
109635
9753 II instead of IV

A-5 20

Urban Standards

Urban Standards will guide the use, placement, height, bulk, and massing for private development of blocks and parcels. The standards will also physically determine build-to and/or setback criteria, encroachments, location of parking and any specific site features related to building types (e.g., outdoor courtyards, plazas, etc.).

The standards are prepared for a range of building types including mixed-use buildings, small and large apartments/condominiums, attached townhouses, accessory units, commercial buildings and other types as needed. The architectural massing and proportion of each building type are illustrated.

Lot size. The minimum allowable front property line width for a buildable lot shall be thirty (30) feet with the minimum total square footage of a buildable lot being 3000 square feet.

Accessory Units. All accessory units shall be located adjacent to and accessible by an alley with a minimum section of twenty (20) feet.

*5' rear city standard
where
silent*

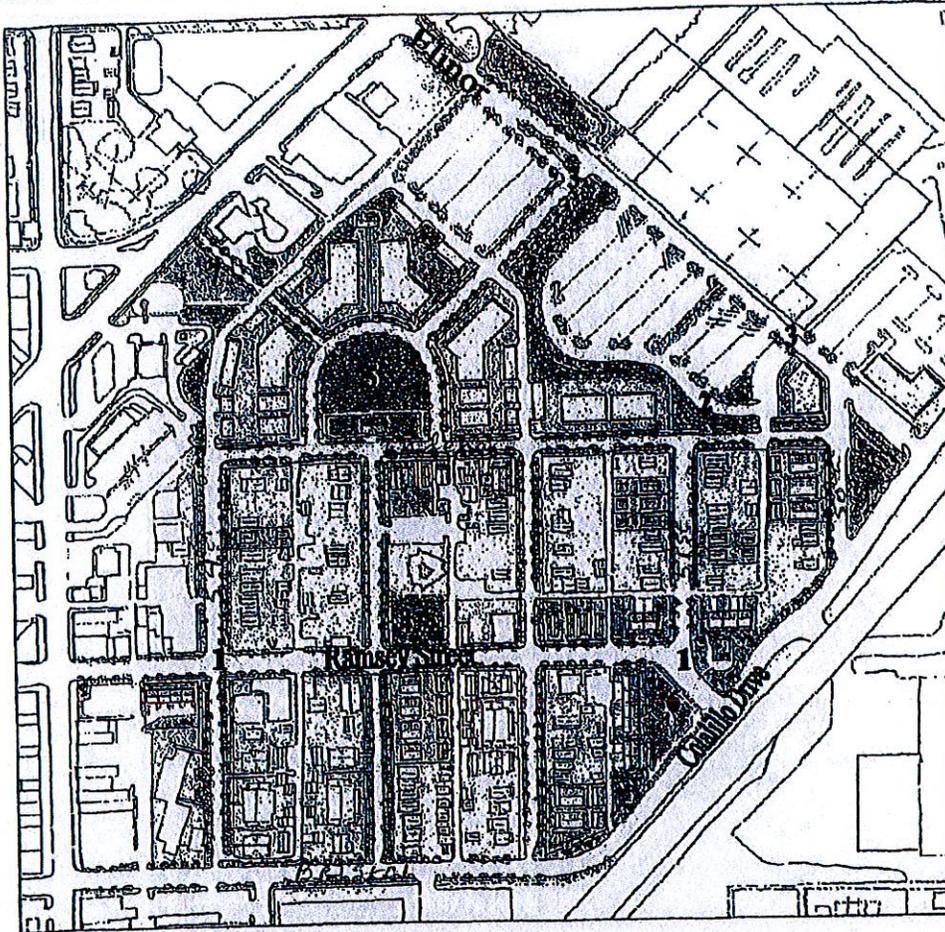
- Type I Village House
- Type II Detached Single Family House
- Type III Twin House
- Type IV Townhouse
- Type V Accessory Unit above two-car garage
- Type VI Four Unit Apartment
- Type VII Eight Unit Apartment
- Type VIII Mixed Use Building with residential & commercial/retail
- Type IX Parking Building

*(note: no allowances
for eave/overhang
into setback)*

Drawing B

C-D

Revised Master Plan Summary



1. Ramsey Street is proposed to be rebuilt as a more neighborhood scale, pedestrian-friendly street including welcoming signage at each end announcing arrival in the Ramsey Village. Larger scale residential or mixed used buildings facing Ramsey are planned for each entrance to create a sense of "arrival" into the residential neighborhood.
2. A grass covered berm, with significant shrub and tree plantings along with a decorative fence is necessary to buffer the residential area from Menard's facility. No entrances from the Menard parking lot will connect to the residential street of Wadena.
3. Elinor Street is suggested to be an entrance to the Menard facility from Grand Avenue and exit on to Colalillo Drive, with no access to Wadena Street.
4. The site on Ramsey Street alongside of Ramsey Manor is proposed to be a gentle use "pocket park" for all area residents.
5. A new neighborhood park terminates 53rd Avenue West North of Wadena Street, including a small community building.
6. Additional green space is realized along Colalillo Drive on the South side of Ramsey Street as redevelopment occurs in that area. Passive green space with trees and native plantings should be developed in the block at the SW corner of 51st Avenue West and Ramsey Street from the alley to Colalillo Drive.
7. A lighted, gravel walkway at least 15 feet wide is proposed from the new neighborhood park North of Wadena to Grand Avenue creating neighborhood access to the facilities and activities of Memorial Park.
8. Implementation of a variety of new housing units will occur on an incremental basis throughout the neighborhood.

C-9

CONSENT AND JOINDER

The undersigned, NATIONAL BANK OF COMMERCE, a National Banking Association, by Bruce Thompson, its President, hereby consents to and joins in the September 5, 2013 Zoning Map Amendment Petition of Ramsey Townhouses III, LLC to amend the zoning map of the traditional neighborhood design zoning overlay to permit four-plex construction.

IN WITNESS WHEREOF, the undersigned has caused this Consent and Joinder to be executed on the 10th day of September, 2013.

NATIONAL BANK OF COMMERCE

By: Bruce Thompson
Bruce Thompson, President

STATE OF WISCONSIN)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 10 day of September, 2013, by Bruce Thompson, the President of National Bank of Commerce, a National Banking Association, on behalf of the National Banking Association.

Heather M. Hanson
Notary Public
expires July 16, 2017

**HEATHER M. HANSON
NOTARY PUBLIC
STATE OF WISCONSIN**

THIS INSTRUMENT WAS DRAFTED BY:

William M. Burns
HANFT FRIDE,
A Professional Association
1000 U.S. Bank Place
130 West Superior Street
Duluth, MN 55802-2094
Tel. (218) 722-4766

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C-10

C-11

Site Location Ramsey Street and 54th Avenue Duluth Minnesota

Central

54th Ave

53rd Ave

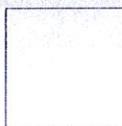
52nd Ave



Drawing 1

Drawing 1

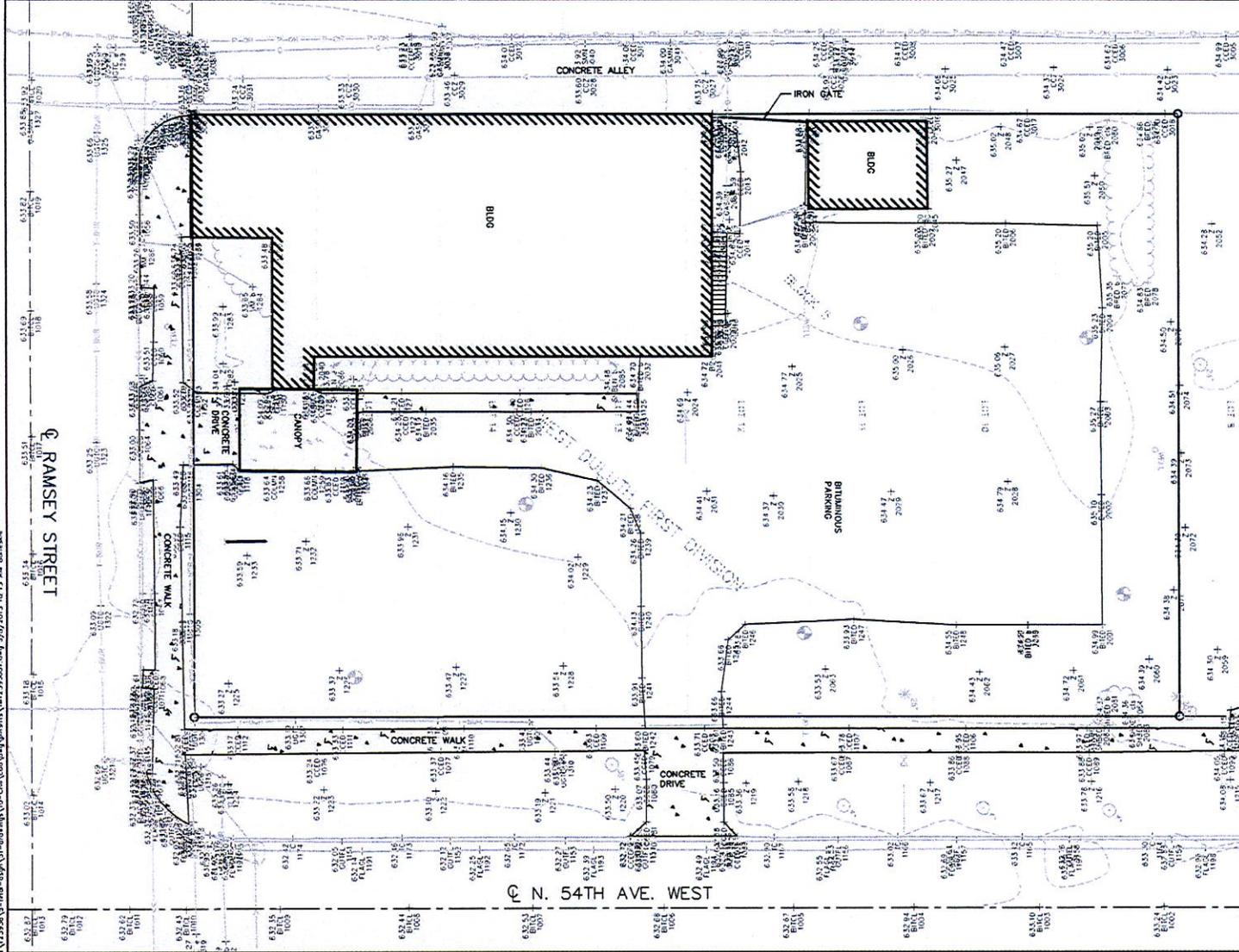
Three 4-plex Buildings
 Ramsey Village
 Ramsey and 54th Street
 Duluth, MN



STATE OF MINNESOTA
 ARCHITECTS
 LICENSE NO. 113,205
 EXPIRES 12/31/2019
 © 2019

Paul Strother
ARCHITECT
 1978 WIMWOOD ROAD
 DULUTH, MN 55832
 612.247.8332
 PSTROTHER@GMAIL.COM





GOVERNING SPECIFICATIONS
 THE 2003 EDITION OF THE MINNESOTA DEPARTMENT OF TRANSPORTATION "STANDARD SPECIFICATIONS FOR CONSTRUCTION" SHALL GOVERN EXCEPT AS MODIFIED BY THE SPECIFICATIONS FOR THIS PROJECT.

THE 2013 EDITION OF THE CITY OF DULUTH "STANDARD SPECIFICATIONS FOR CONSTRUCTION" SHALL GOVERN EXCEPT AS MODIFIED BY THE SPECIFICATIONS FOR THIS PROJECT.

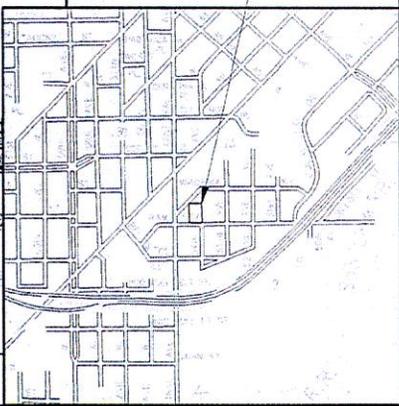
ALL TRAFFIC CONTROL DEVICES AND SIGNING SHALL CONFORM TO THE MANUAL, INCLUDING FIELD MANUAL FOR TEMPORARY TRAFFIC CONTROL ZONE LAYOUTS, - CURRENT EDITION.



Know what's below.
 Call before you dig.

Drawing 2

PROJECT LOCATION



| | | | |
|-------------|-----|------|-----------|
| DRAWN BY: | ACC | | |
| DESIGNER: | DM | | |
| CHECKED BY: | | | |
| DESIGN TEAM | | | |
| NO. | BY | DATE | REVISIONS |
| | | | |
| | | | |

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULUTH LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Name, P.E. _____
 Lic. No. 40487

PHONE: 218.279.3000
 418 W. SUPERIOR ST. S.W.
 DULUTH, MN 55802-1512
 www.sehinc.com

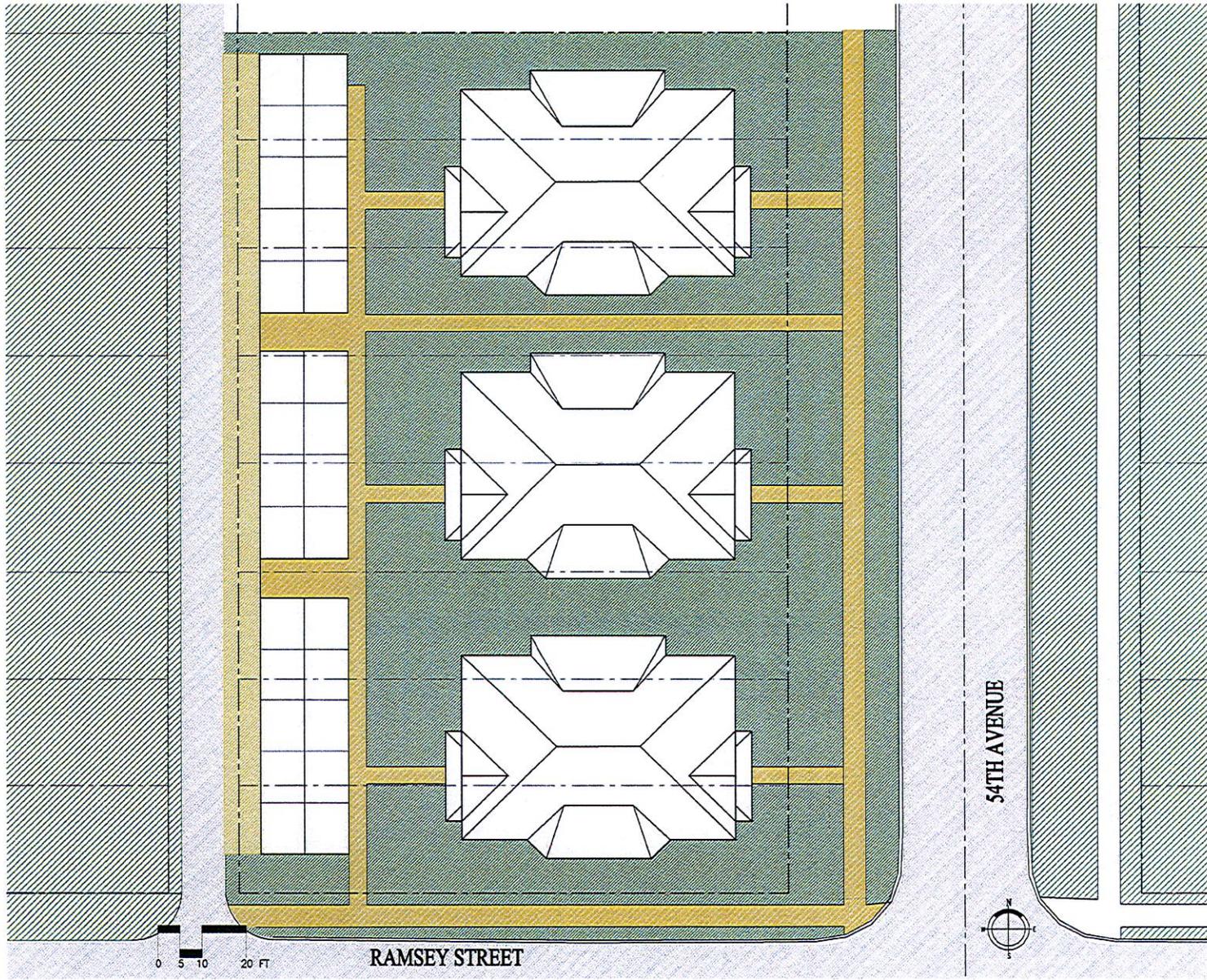
RAMSEY STREET DEVELOPMENT

EXISTING CONDITIONS

FILE NO.
 123636

1

C-12



C-13

Drawing 3



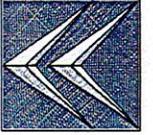
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Three Four Plex Buildings, Ramsey Village 4
 Ramsey and 54th Street
 Duluth, MN





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16341 100th
P.O. BOX 100
DULUTH, MN 55812
PSTROTH@AIAA.COM



Ramsey Village IV
Ramsey and 54th Street
Duluth, MN



FOURPLEX AND EIGHT PLEX
C-14

Drawing 4



View From Ramsey Looking Northeast

C-15

Drawing 5



Paul Strother
ARCHITECT
NEW HAVEN, CT
06511
PSTROTHER@GMAIL.COM



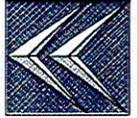
Ramsey Village IV
Ramsey and 54th Street
Duluth, MN



View From Ramsey Looking Northwest

C-16

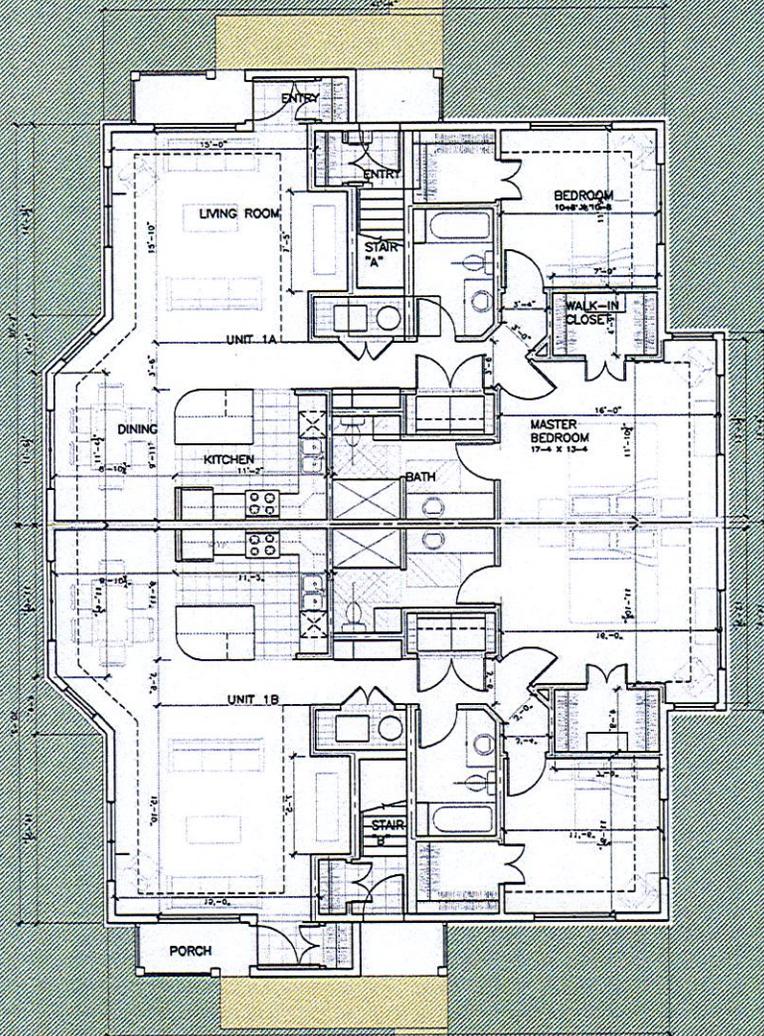
Drawing 6



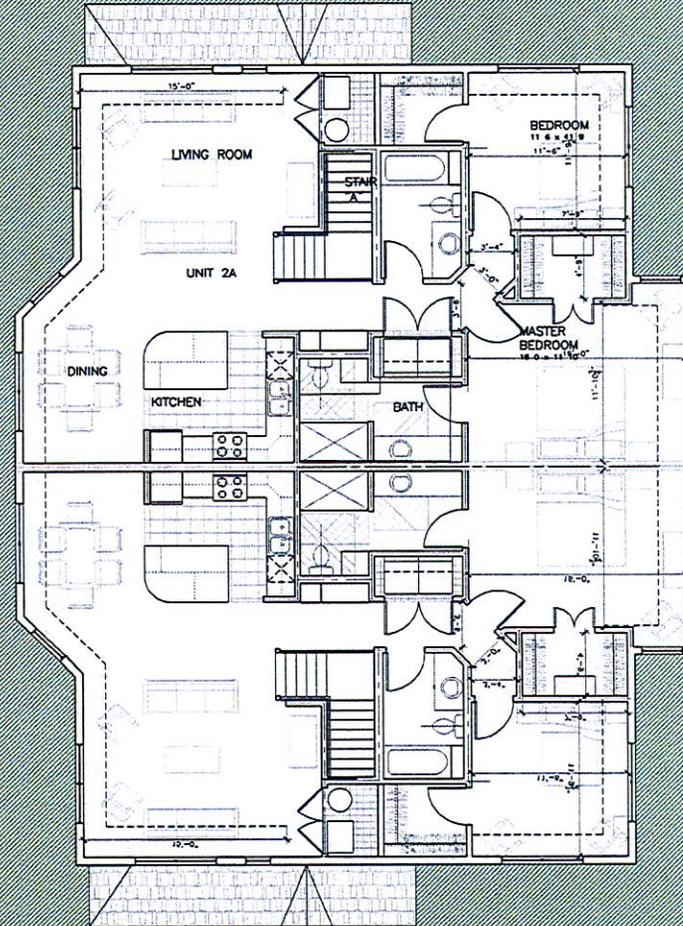
Paul Strother
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Ramsey Village IV
Ramsey and 54th Street
Duluth, MN



LOWER LEVEL



UPPER LEVEL



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Ramsey Village IV
Ramsey and 54th Street
Duluth, MN

C-19

Drawing 8



C-20



09/15/2013



09/15/2013

C-21