

Planning Commission Agenda
Room 303, 3rd Floor Duluth City Hall
Tuesday, November 13, 2018 – 5:00 PM

Call to Order and Roll Call

Approval of Planning Commission Minutes (October 9, 2018)

Unfinished Items

1. PL 18-122 MU-W Planning Review for 15 Room Expansion at the Existing Hotel at 1033 Minnesota Avenue by Park Point Marina Inn and Suites, LLC (Tabled from October 9, 2018, Meeting for More Information)

Consent Agenda

Items that are perceived to be non-controversial or routine will be placed on the consent agenda. There will not be an individual public hearing on each of these items unless the applicant or a member of the public wishes to speak to the matter. These items on the consent agenda will be approved by the Planning Commission with one vote.

2. PL 18-134 Concurrent Use Permit for Private Obstruction (Small Cell Antenna) on a MN Power Pole in the Public Right of Way at 4518 Trinity Road by CommNet Cellular Inc d/b/a Verizon Wireless
3. PL 18-135 Concurrent Use Permit for Private Obstruction (Small Cell Antenna) on a City Pole in the Public Right of Way at 1740 Maple Grove Road by CommNet Cellular Inc d/b/a Verizon Wireless

Public Hearings

4. PL 18-068 UDC Map Amendment to Rezone **Area C and Area D, South of Arrowhead Road** Near Kenwood Avenue from Residential-Traditional (R-1) to Mixed Use-Neighborhood (MU-N) by the City of Duluth
5. PL 18-068 UDC Map Amendment to **Rezone Area A and Area B, North of Arrowhead Road** Near Kenwood Avenue from Residential-Traditional (R-1) and Residential-Urban (R-2) to Residential-Urban (R-2) Mixed Use-Neighborhood (MU-N) by the City of Duluth
6. PL 18-125 Variance from Shoreland Setback at 3429 Minnesota Avenue by Duluth Rowing Club
7. PL 18-136 Preliminary Plat of "Hawthorne Division" to Form Three Lots from a Combination of Previously Platted and Unplatted Land at the Northwest Corner of Hawthorne Road and East Fourth Street by Julie Ann Kubat

Communications

- A. Manager's Report
- B. Reports of Officers and Committees
-Heritage Preservation Commission Representative
- C. Adjournment

City of Duluth
 Planning Commission
 October 9, 2018 Meeting Minutes
 Council Chambers - Duluth City Hall

Call to Order

President Mike Schraepfer called to order the meeting of the city planning commission at 5:00 p.m. on Tuesday, October 9, 2018, in city hall council chambers.

Roll Call

Attending: Gary Eckenberg, Janet Kennedy, Tim Meyer, Margie Nelson, Mike Schraepfer, Luke Sydow, and Zandra Zwiebel

Absent: Jason Crawford and Sarah Wisdorf

Staff Present: Adam Fulton, Robert Asleson, Steven Robertson, and Cindy Stafford

Approval of Planning Commission Minutes – September 11, 2018

MOTION/Second: Sydow/Nelson approve the minutes with minor changes

VOTE: (7-0)

Presentation

Manager Adam Fulton gives an overview regarding Twin Ports Interchange, Community Connections. Meetings were held at the meeting and convention area of Clyde Iron Works. The Minnesota Department of Transportation (MNDOT) proposes a new bridge by the M&H gas station. Lots of dialog occurred between the neighbors and MNDOT. Issues were discussed including how much traffic volume the bridge could handle. The big picture is an issue of visibility. The downtown Lincoln Park community would like easy and intuitive access. Planning commission will be involved in future planning. The city continues to have open dialog with the neighborhood. Manager Fulton welcomes feedback from the planning commission.

Zandra Zwiebel notes the importance of connections to the community. Chair Schraepfer notes the design, and asks if there will be elevation changes. Manager Fulton states some of it will change. Roberta Dwyer, project manager from MNDOT, addresses the commission. There are not a lot of footprint changes. Their goals are to remain inside the footprint and not negatively impact the neighborhood. They wish to add lanes and reduce the bridge structure. There will be one signal on 53. Gary Eckenberg asks Dwyer about connecting Portland Street to Garfield Avenue. Dwyer notes it would impact the railroad too much to be feasible. Factors included contamination issues, and possible impact on sacred burial sites; there were too many obstacles to overcome. Margie Nelson states it would be counter-intuitive to put in another bridge. Manager Fulton states the main purpose is to talk about why as it pertains to economic rationale. The location is central to our city and need to be mindful to maintain industrial properties. Janet Kenney wants to maintain a pedestrian trail without having to use a car. Manager Fulton notes they are working with closely with MNDOT.

Consent Agenda and hearing

Items that are perceived to be non-controversial or routine will be placed on the consent agenda. There will be no staff presentations on these items; the Planning Commission will be acting upon the staff recommendation and conditions written in the staff reports. There will not be an individual public hearing on each of these items unless the applicant or a member of the public wishes to speak to the matter. Instead there will be one public hearing for all the items on the consent agenda, and they will be addressed by the Planning Commission with one vote.

1. PL 18-123 Final Plat for Superior Industrial LLC at 15 South 38th Avenue West
2. PL 18-124 Minor Subdivision at 4516 Cooke Street by Lynn Shearer and Steven and Linda Zimski
3. PL 18-130 Minor Subdivision at 6023 London Road by Will Norman
4. PL 18-126 Concurrent Use Permit for Private Obstructions (Small Cell Antennas) in the Public Right of Way in the Public Right of Way at 8551 Grand Avenue by CommNet Cellular Inc d/b/a Verizon Wireless
5. PL 18-127 Concurrent Use Permit for Private Obstructions (Small Cell Antennas) in the Public Right of Way in the Public Right of Way at 6001, 6002, and 6025 East Superior Street by CommNet Cellular Inc d/b/a Verizon Wireless

Staff: Steven Roberston gives an overview

Public: No speakers.

MOTION/Second: Eckenberg/Zwiebel approve staff's recommendations for consent agenda items.

VOTE: (7-0)

Unfinished Items (From August 14, 2018, Regular Planning Commission Meeting)

6. ~~PL 18-100 Amend the Future Land Use Map from Neighborhood Mixed Use and Urban Residential to Urban Residential and Traditional Neighborhood Near the Intersection of Kenwood and Arrowhead Road.~~
Removed from consideration at this time; a neighborhood meeting is scheduled for 10/11/18 at 6:00 p.m., city hall Room 303.
7. ~~PL 18-068 UDC Map Amendment to Rezone Portions of Arrowhead Road and Kenwood Avenue from Residential Traditional (R-1) and Residential Urban (R-2) to Mixed Use Neighborhood (MU-N) by the City of Duluth by the City of Duluth~~
Removed from consideration at this time; a neighborhood meeting is scheduled for 10/11/18 at 6:00 p.m., city hall Room 303.

Public Hearings

8. PL 18-111 Final Plat for The Jigsaw at the Southwest Corner of Anderson Road and Central Entrance by Launch Properties
Staff: Steven Robertson introduces the applicant's proposal for a final plat to replat an area of approximately 3.5 acres from 7 lots into 3 lots. The Applicant intends to develop

a shopping center, and will construct 3 new principle structures for commercial uses (primarily restaurant and retail.)

This area is served by two different water systems. This development will have no impact on the water pressure of property owners SE of Anderson Road, as was asked about during the public hearing for the Preliminary Plat. Staff also discussed potential traffic generation and impacts, noting that there will be a right in and a right out on Central Entrance. Staff recommends approval with the conditions listed in the staff report.

Zwiebel asks staff to clarify access roads. Per Robertson in the 2009 Central Entrance Small Area plan, there were ideas proposed to extend or create frontage roads. It was a good recommendation to improve future traffic circulation, but there was no money allocated in previous budgets to acquire land for right of way or prepare preliminary engineering drawings. Chair Schraepfer asks about the landscape berm on Anderson Road. Robertson stated that the applicant was proposing it as a way to reduce glare and light impacts of exiting vehicles. Tim Meyer asks if additional screening can be added to the condition of the plat. Per Robertson, the additional berm was already agreed on by the applicant. Zwiebel notes the crosswalk over Central Entrance, and asked if the developer will build additional facilities beyond what is shown in the current application. Manager Fulton notes MNDOT is taking into account local streets and access and there is currently a stoplight at the intersection of Anderson and Central Entrance. It is not an appropriate condition to place on the applicant to expect them to build a crosswalk across central entrance.

Applicant: Scott Moe of Launch Properties addresses the commission. Zwiebel asks if they have heard back from the Tuominen property owners. Moe states no. Zwiebel asks the applicant if they would still entertain an offer. The applicant stats it is time to move on with the project as proposed.

Public: No speakers.

Commissioners: N/A

MOTION/Second: Zwiebel/Sydow approved as per staff's recommendations.

VOTE: (7-0)

(Sydow left the council chambers for the next item.)

9. PL 18-122 MU-W Planning Review for 15 Room Expansion at the Existing Hotel at 1033 Minnesota Avenue by Park Point Marina Inn and Suites, LLC
Staff: Steven Robertson introduces the applicant's proposal for a 3-story, 6,100 square foot, 15 room addition to the southeast side of the existing hotel. He notes the recent correspondence staff received after the Planning Commission packet was printed and mailed, which was shared with the commissioners. Staff recommends approval with the five conditions listed in the staff report.

Meyer asks what the purpose of the 90-day window is. Manager Fulton this plan has been approved a number of times, and this is a limited extension of previous plan approvals. The expectation is that the applicant should submit for a building permit application shortly, and not linger on the approval for another year or two. Meyer asks

why can't the applicant use some on-street property to meet their parking requirements. Per Robertson, any citizen can park on the street, where allowed by parking signage and restrictions. But the point of the parking requirement in the UDC is that generally developers are expected to provide sufficient parking options on site for their employees and customers, and not rely on public on-street parking to meet most or much of their parking needs. Eckenberg refers to the Marriott Hotel parking requirements, and the possible lack of consistency. Robertson states in 2015 staff made a mistake when writing a staff recommendation for an adjacent development and overlooked the additional standards for off-street parking in the MU-W zone district. Despite the fact that staff had an oversight when applying the rules to a different development does not exempt other future developments in the MU-W zone district from conforming to the zoning code; the rule needs to be followed moving forward. Robertson noted that a recent ordinance change in the MU-W zone district clarified some of the language related to off-street parking standards, which should reduce confusion in the future.

Applicant: Terry Anderson of Park Point Marina Inn and Suites LLC addresses the commission. He feels he should be entitled to a reduction in the required parking and would like to see the condition for an additional 13 parking spaces stricken from the staff report. He also feels that submitting a building permit application within 90 days is not reasonable. He would like to start construction in the late fall 2019, and not July 2019. He would like to meet all of the code requirements without asking for a variance, but he may need to ask for a variance in the future. Eckenberg asks the applicant which recommendation he would like to see removed. Applicant clarified conditions: 1, 2 and 4.

Public: Dawn Buck, lives on park point. She asks what the hotel width is now. She urges commissioners to look and follow the rules. When is enough, enough? She is concerned about parking, noise and additional developments.

Pete Raukar on behalf of Deb and Mike Medlin. This expansion violates UDC rules which limits the width of the building to 200 feet. There needs to be space between the structures. This decreases the homeowner's rights. He opposes the expansion.

Vicki McNabny, 1123 MN Ave. She is concerned about carbon monoxide. She is concerned with global warming and erosion. She is also concerned about the plants and animals. She is opposed to the hotel expansion.

Andrew Slade, 1026 MN Ave. He lives a block away, and doesn't want the parking reduction granted. The transit bus is not suitable for hotel guests. There are no weekend busses. Currently the view out his front door is the harbor. He is concerned about the decreased view.

Gerald, 1119 MN Avenue. He disagrees with Director Hamre's interpretation/decision of the 200 foot rule. He thinks it needs to be enforced.

Terry Anderson, applicant, notes the views obstructed doesn't apply to the existing obstructed views.

Commissioners: Zwiebel asks for clarification on 200 foot rule. Robertson explained the reason for limiting the width of new, or additions to existing, structures in the MU-W district. He also explained briefly the decision that the City made relate to how to apply the 200 foot rule to this hotel and existing structures on site already blocking views to the waterfront. Eckenberg asks if there was litigation related to the 200 foot rule. Per Robertson, not to his knowledge, and notes there were internal staff decisions in 2015/2016 as to how to fairly interpret the 200 foot rule.

Manager Fulton states construction was to begin within a certain time frame of previous approvals. The 90 day timeline ensures current circumstances are appropriate and that there is not another long delay before beginning construction. Staff doesn't want to keep extending the time frame indefinitely, considering how the building and zoning code changes. Meyer adds discussion about mitigation with added parking.

Chair Schraepfer re-opens the public meeting.

Deb Medlin addresses the commission. She notes all structures should have a 200 foot maximum width. Director Hamre's interpretation is not binding. She opposes.

Manager Fulton states if the commissioners would like to table the item, staff can provide additional information on the 200 feet rule. Zwiebel notes this item is before them because it was initially approved. Per Robertson, this application was submitted three months ago and was withdrawn at that time, before being resubmitted with an updated building elevation/transparency exhibit.

MOTION/Second: Kennedy/Zwiebel table for more information

VOTE: (3-3, Zwiebel, Meyer and Eckenberg opposed, Sydow Abstained) – MOTION FAILED

MOTION/Second: Meyer/Eckenberg Approve with added changes to allow until 11/1/19 to apply for a building permit, and acceptable parking mitigation for offsite parking to be approved by planning staff

VOTE: (3-3, Nelson, Kennedy, and Schraepfer opposed, Sydow Abstained) – MOTION FAILED

MOTION/Second: Zwiebel/Kennedy table for more information

VOTE: (6-0, Sydow Abstained)

(Sydow returns to the council chambers. Chair Schraepfer leaves the council chambers for the next item, and Kennedy is acting chair in his absence.)

10. PL 18-107 Interim Use Permit for Vacation Dwelling Unit at 3 Mesaba Place by Lake View Land Co, LLC and Michael Schraepfer

Staff: Steven Robertson introduces the applicant's proposal for an interim use permit for the use of a single-family home with three legal bedrooms as a vacation rental property. Staff recommends approval with the standard conditions.

Applicant: Dana Morrison of Heirloom Property Management (managing agent) addresses the commission. They currently manage two other vacation rentals. She invites questions. There are none.

Public: Jeff Strencha, addresses the commission. He is concerned with the aggregate impact of vacation rentals, which brings outside people into neighborhoods. He doesn't have a specific concern with this particular vacation rental, and is neutral.

Commissioners: Zwiebel notes the city has capped the limit at 60. She doesn't feel there are negative impacts. Per Robertson, in the past two years he has not heard of any complaints. Kennedy affirms the city council has had many conversations about this issue. They are still weighing the impacts before they vote to increase the limit.

MOTION/Second: Eckenberg/Nelson recommend approval as per staff's recommendations.

VOTE: (6-0, Shraepfer Abstained)

(Chair Schraepfer re-enters the council chambers.)

Communications

- A. Manager's Report – Adam Fulton gives an overview. There is a neighborhood meeting for the Kenwood neighborhood on Thursday. The Medical District Update meeting is scheduled for 10/30 at 5:30 p.m. at the Central Hillside Community Center. The city has wrapped up the Imagine Canal Park summer pilot projects. The final report will be shared with the commissioners probably in the next two months.
- B. Reports of Officers and Committees
 - Heritage Preservation Commission – Zwiebel gives an update. The HPC nominated the Lake Superior and Mississippi Railroad for historic nomination. The nomination will now go to the city council.
- C. Meeting adjourned at 7:22 p.m.

Respectfully,

Adam Fulton - Manager
Community Planning

DATE: November 6, 2018
TO: President Schraepfer and Planning Commissioners
FROM: Adam Fulton, Community Planning Manager
RE: Monthly Status Update

Projects

Medical District Planning

A neighborhood meeting was held by the City on October 30th to provide community members an opportunity to learn more about the medical district plans that are currently underway. The meeting was well attended. At the meeting, Essentia presented some of its plans for the Essentia Vision Northland project, part of the medical district updates. Commissioners can review the presentation from that meeting on the City's website at: <http://www.duluthmn.gov/community-planning/vision-northland/>

An EAW for the Vision Northland project is underway. Barr Engineering is completing the EAW at the direction of Community Planning staff. Initial review of the EAW by the Planning Commission is anticipated in January.

Imagine Canal Park

The Imagine Canal Park summary report will be provided to Commissioners at the December meeting. At present, the draft report is being finalized by the project consultant, 8-80 Cities. The summary report will be first provided to the community at the next meeting of the Canal Park Business Group, later in the month.

Twin Ports Interchange

Staff continues to support Mn/DOT efforts to establish a sound basis for *Community Connections* within the context of the Twin Ports Interchange (TPI). Additional information will be provided to the Planning Commission at its December meeting with final recommendations regarding how the TPI project fits into the broader context of the Imagine Duluth 2035 Comprehensive Plan update.

Other Updates

Community Planning Offices

The Community Planning division has moved! The office is now located on the first floor of City Hall, in Room 110. This long-planned move of the offices allowed for consolidation of all staff from the division into a single office space. The primary meeting rooms to support the Room 110 office will be in Rooms 116 and 106A.

In addition to Community Planning, the other half of the department, Construction Services and Inspections (CSI), has also moved to the first floor of City Hall. The CSI office includes the One Stop Shop where many zoning questions can be first addressed.

Lakewalk Issues

The Lakewalk was further damaged by an October storm, which occurred before restoration could be completed following the 2017 storms. Information about the Lakewalk can be found on the City's website at: <http://www.duluthmn.gov/parks/parks-planning/lakewalk-trail-restoration-2018-2019/>. A temporary path has been established to continue to allow access to the Lakewalk during the restoration work.



CITY OF DULUTH
Community Planning Division

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

| | | | | |
|-----------------------------|--------------------------------------|---------------------------------|--------------------|-------------------|
| File Number | PL 18-122 | Contact | Jenn Reed Moses | |
| Type | MU-W Planning Review | Planning Commission Date | November 13, 2018 | |
| Deadline for Action | Application Date | September 20, 2018 | 60 Days | November 19, 2018 |
| | Date Extension Letter Mailed | October 1, 2018 | 120 Days | January 18, 2019 |
| Location of Subject | 1033 Minnesota Avenue | | | |
| Applicant | Park Point Marina Inn and Suites LLC | Contact | Terry Anderson | |
| Agent | N/A | Contact | N/A | |
| Legal Description | 010-4390-02090, 010-4400-00780 | | | |
| Site Visit Date | October 2, 2018 | Sign Notice Date | September 25, 2018 | |
| Neighbor Letter Date | October 1, 2018 | Number of Letters Sent | 23 | |

Proposal

The applicant is proposing a 3 story, 6,100 square foot, 15 room addition to the southeast side of the existing hotel. Staff has revised the report and proposed conditions since the October 9, 2018 Planning Commission meeting where the Applicant's request was tabled.

| | Current Zoning | Existing Land Use | Future Land Use Map Designation |
|----------------|-----------------------|--------------------------|-------------------------------------------|
| Subject | MU-W | Hotel | Commercial Waterfront |
| North | MU-W, R-1 | Marina, Hotel | Commercial Waterfront, Trad Neighborhood |
| South | MU-W | Residential | Mixed Use Waterfront, Transp. & Utilities |
| East | R-1 | Residential | Traditional Neighborhood |
| West | MU-W | Marina | Commercial Waterfront |

Summary of Code Requirements

Sec. 50-15.6.E - MU-W Development Standards:

- 2. To protect public views ... all primary structures shall have a maximum width of 200 feet measured along the shoreline and shall be separated from other primary structures by a minimum of 50 feet.
- 4. The quality of façade design ... facing the water shall be comparable to that on any other building façade containing a functioning entrance. The building façade facing the water shall have at least 40 percent transparency, no rectangular area greater than 30 percent of each story may be windowless, and no horizontal distance greater than 15 feet may be windowless;
- 5. The parking requirements in Section 50-24 shall be met, except that where a property is not adjacent to an R zone district, the required parking may be reduced by 30 percent if the applicant can demonstrate that nearby properties provide supplemental on-street or off-street parking.

50-18.1.E Storm Water Management – Addresses water runoff quality and quantity pre- and post-construction.

50-23 Connectivity and Circulation – Focuses on pedestrian and bicycle accommodations.

50-24 Parking and Loading – Addresses required minimum and maximum parking spaces and loading docks, dimensional standards, snow storage, and pedestrian circulation.

50-25 Landscaping and Tree Preservation – Landscaping standards such as materials, plant size, location, and tree preservation.

50-26 Screening, Walls, and Fences – Screening of mechanical equipment, loading areas, and commercial

containers, plus regulations regarding fences and retaining walls.

50-29 Sustainability Standards – Sustainability point system for new development.

50-30 Design Standards – Building standards for multi-family, commercial, institutional, and industrial buildings.

50-31 Exterior Lighting – Directs the minimum and maximum illumination values and lighting fixtures for a site.

50-37.11 Planning Review – Planning Commission shall approve the Planning Review or approve it with modifications, if it is determined that the application complies with all applicable provisions of this Chapter.

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

Governing Principle #1 – Reuse previously developed lands. This site is a former marina.

Governing Principle #4 – Support economic growth sectors. As a hotel, this site provides visitor services.

Future Land Use – Commercial Waterfront: Waterfront-dependent commercial uses, sometimes mixed with residential or adjacent to higher density residential. Includes tourist- or recreation-oriented uses. Commercial areas can be adjacent to industrial waterfront. Abuts other commercial uses and recreation areas, preservation areas. Access to regional arterial traffic and water access.

History: On April 9, 2012, the City Council approved an ordinance to rezone the property to MU-W (PL 12-017). On April 10, 2012, Planning Commission approved an MU-W Planning Review for a 55 room, 3 story hotel (PL12-028), which was revised on May 8, 2012, for 12 additional rooms (PL 12-078). Also on May 8, 2012, Planning Commission approved a variance from the MU-W transparency standards (code required 70%; applicant asked for a reduction to 26.5%) (PL12-079).

In 2015, applicant sought to define maximum width for the structure along Minnesota Avenue. On August 10, 2015, City Council affirmed Planning Commission's decision to deny an appeal of a Land Use Supervisor's decision related to the interpretation of the MU-W zone district and the 200-foot rule (PL 15-030). On December 18, 2015, Planning Commission denied a variance (PL 15-165) from the 200 foot MU-W limit. Applicant submitted an appeal to the City Council, which was later withdrawn. On January 29, 2016, the Land Use Supervisor issued an interpretation related to this hotel and the limits of a possible expansion within the confines of the 200-foot standard. The applicant asserted that exceptions from the 200-foot limit include any areas previously blocked from view due to existing buildings or trees, based on a dictionary definition of "topography." The Land Use Supervisor agreed with this definition and signed the site plan based interpretation allowing for areas previously occupied by trees and the existing marina building to be excluded from the 200-foot maximum. The site plan showing these measurements, as approved by the Land Use Supervisor, is attached to this staff report.

On January 9, 2018, Planning Commission approved a minor subdivision (PL 17-181) to combine 15 parcels into two parcels.

Review and Discussion Items

- 1) The applicant is proposing a 3 story, 6,100 square foot, 15 room addition to the existing hotel. According to the St. Louis County Assessor, the existing structure is three stories, was built in 2014, and has a total area of approximately 48,000 square feet, with a main floor area of approximately 19,800 square feet. There are 68 existing guest rooms. With 15 additional rooms, this will be an 83 room hotel.
- 2) The MU-W district is intended to provide for waterfront-dependent commercial uses and medium to high density residential development. Intended nonresidential uses include visitor-related retail and services, lodging, recreational facilities and maritime uses, as well retail and service uses that take advantage of the waterfront setting. This project meets the intent of the MU-W district.
- 3) 50-15.6.E (Development Standards) – #2 The proposed expansion will meet the required minimum 50 foot setback from adjacent structures. #4 Applicant states the project will meet the minimum 40% transparency requirement along the waterfront. #5 The proposed expansion will add rooms and take away existing off-street parking spaces; see item 5 below.
- 4) 50-18.1 (Natural Resources Overlay District) - Site is within a floodplain and will need to meet elevation requirements. Structure meets the 50 foot shoreland setback requirements. The proposed plan eliminates

some stormwater control features (landscape island SE corner of the site). According to City Engineering, this infiltration basin will need to be replaced somewhere else on the site, with plans for its replacement completed prior to issuance of a building permit.

- 5) 50-23 (Connectivity) – No new sidewalk or connection is being proposed. There is an existing connecting sidewalk from the hotel to the Minnesota Avenue right of way. The existing partial public sidewalk is in poor condition on the bay side of Minnesota Avenue (east of 11th Street South right of way). If the public sidewalk is to be used as a pedestrian connection to off-site parking, it must be replaced by Applicant.
- 6) 50-24 (Parking) - Off-street parking requirements for hotels are based on the number of rooms and accessory areas. 87 parking spaces are required. The applicant is proposing 74 off-street parking spaces. The 30% reduction is not applicable here because of the site’s location related to adjacent R-1 properties. This site was previously developed with the 30% reduction for transit proximity; however, the proposed 15-room addition is located on previously required parking areas. The addition of hotel rooms will increase parking demand. Additional staff evaluation of transit use by hotel customers or employees indicates that such use is negligible based on the lack of regular, reliable transit service in this location. The application fails to demonstrate that nearby properties provide supplemental on-street or off-street parking. The site plan indicates that the hotel will rely on the adjacent marina’s drive aisle for parking access, and that an easement for this use has been recorded.
- 7) 50-25 (Landscaping and Tree Preservation) - Landscape Plans indicate that the proposed expansion project will provide the required tree canopy coverage and frontage landscaping requirements.
- 8) 50-26 (Screening, Walls and Fences) - Applicant is not proposing any ground-mounted or roof-top mechanicals. If any are added they will need to meet the UDC requirements for screening.
- 9) 50-27 (Signage) - Applicant is not proposing any additional signage; any signs will need to apply for and receive a permit prior to installation.
- 10) 50-29 (Sustainability Standards and Building Design Standards) – This addition has to comply with the standards that the original hotel (PL 12-028 and PL 12-078) had submitted.
- 11) 50-31 (Exterior Lighting) - Applicant is not adding any new lighting, and is removing two existing light poles.
- 12) No public or state agency comments have been received to date on this application.

Staff Recommendation

Based on the above information, Staff recommends that Planning Commission approve the MU-W Planning Review for the hotel expansion with the following conditions:

1. Applicant must apply for a building permit within 180 days of Planning Commission approval. No administrative extensions shall be granted.
2. To protect the viability of the current Planning Review and its basis in establishing parameters to protect the health, safety, and welfare of the community, any further applications submitted within 180 days of Planning Commission approval by Applicant for further Planning Commission review related to Subject Property shall nullify the current action of the Planning Commission,
3. Prior to issuance of a building permit, Applicant shall submit professionally drawn elevations signed by a Licensed Architect that include measurements demonstrating that the façade facing the water meets the 40% transparency requirement of the UDC.
4. Prior to issuance of a building permit, Applicant shall provide an additional 13 parking spaces on or immediately adjacent to the site, or demonstrate that supplemental parking is available within 500 feet of the site with off-street pedestrian access using a trail or sidewalk connecting to the hotel’s primary entrance.
5. Any alterations to the approved plans must be reviewed by the Planning Commission as part of a subsequent update to the Mixed-Use Waterfront Planning Review.



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 2016





Legend

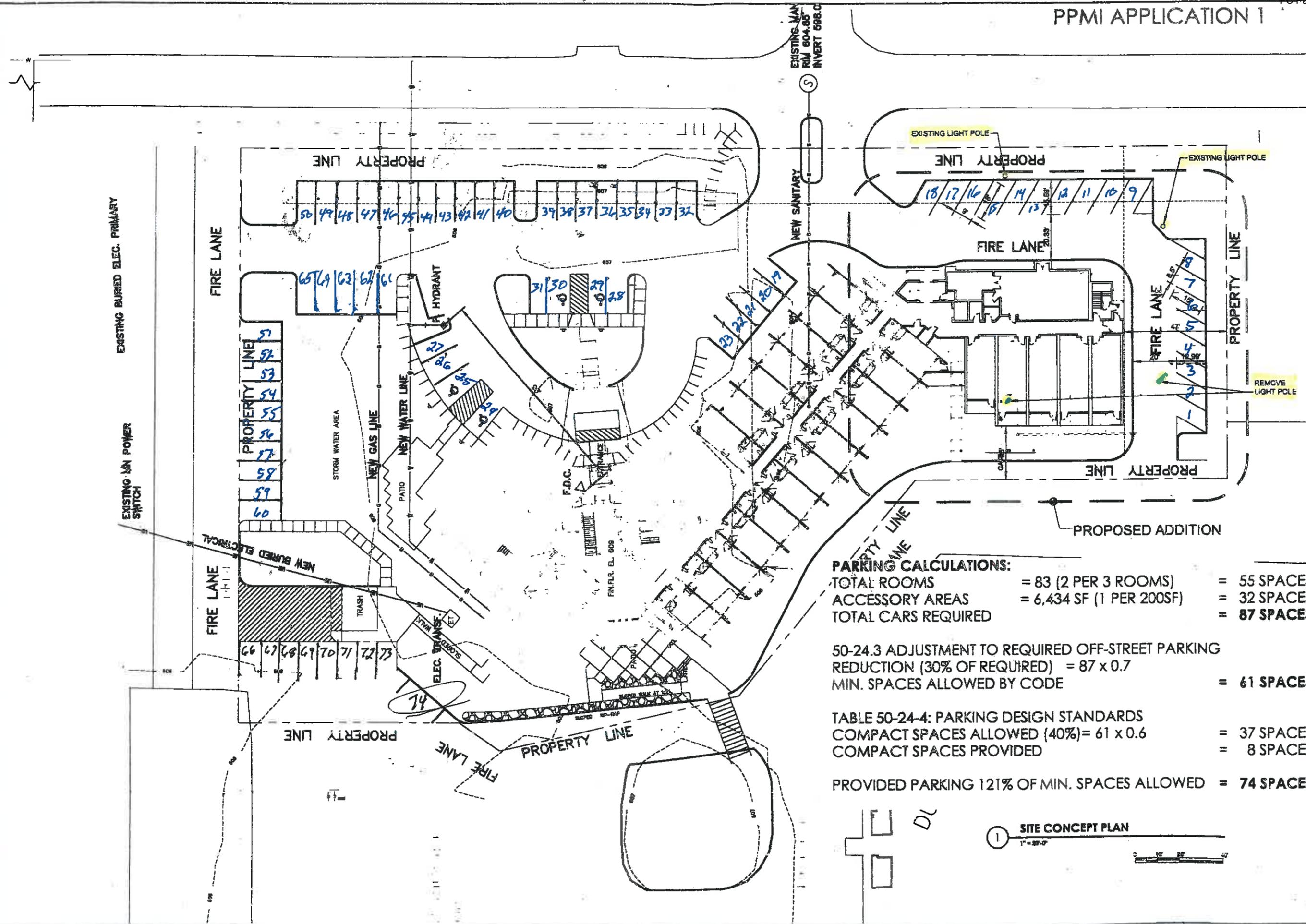
-  Zoning Boundaries
- Floodplain (UDC)**
-  General Flood Plain
-  Flood Way
-  Flood Fringe



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PPMI APPLICATION 1



PARKING CALCULATIONS:

| | | |
|------------------------------------------------------------------------------------------|--------------------------|-------------|
| TOTAL ROOMS | = 83 (2 PER 3 ROOMS) | = 55 SPACES |
| ACCESSORY AREAS | = 6,434 SF (1 PER 200SF) | = 32 SPACES |
| TOTAL CARS REQUIRED | | = 87 SPACES |
| 50-24.3 ADJUSTMENT TO REQUIRED OFF-STREET PARKING REDUCTION (30% OF REQUIRED) = 87 x 0.7 | | |
| MIN. SPACES ALLOWED BY CODE | | = 61 SPACES |
| TABLE 50-24-4: PARKING DESIGN STANDARDS | | |
| COMPACT SPACES ALLOWED (40%) = 61 x 0.6 | | = 37 SPACES |
| COMPACT SPACES PROVIDED | | = 8 SPACES |
| PROVIDED PARKING 121% OF MIN. SPACES ALLOWED | | = 74 SPACES |

1 SITE CONCEPT PLAN
1" = 20'-0"

HERE BY CERTIFY THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL ENGINEER.
PRELIMINARY
NOT FOR CONSTRUCTION
DATE: 02/21/2018
LICENSE NO. _____
CONSULTANTS _____

PARK POINT MARINA INN - ADDITION
1033 MINNESOTA AVENUE
DULUTH, MINNESOTA 55802
OWNER: PROJECT OWNER

ISSUE DATE
XX-XX-XXXX
REVISIONS

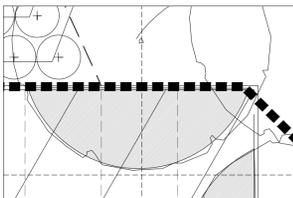
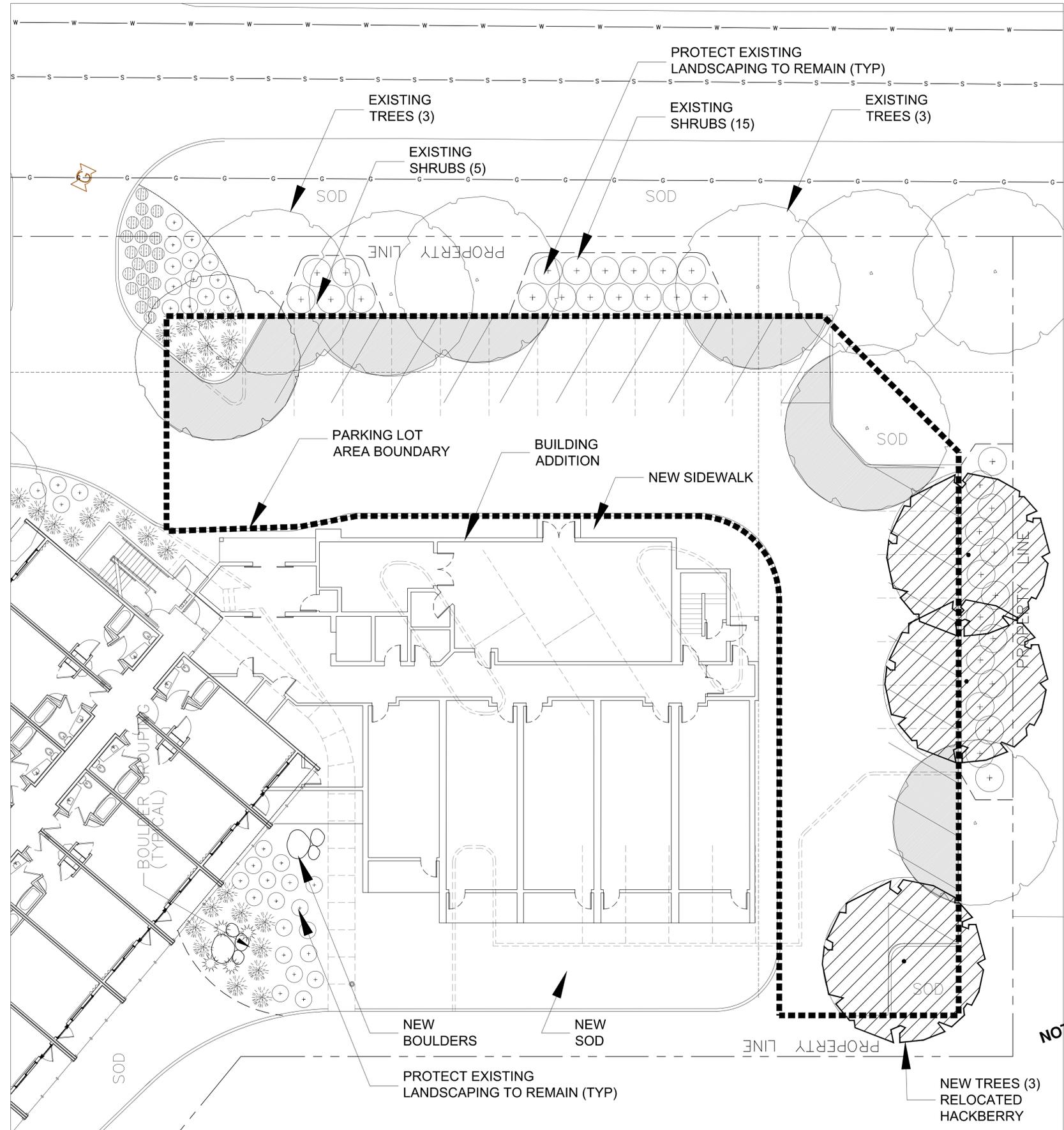
PROJECT NO.
1609
SHEET NO.
16

SK-1

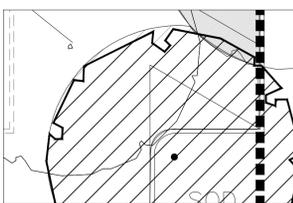
CALCULATIONS

| | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|
| PARKING LOT SIZE: | 8234 SF (18 SPACES) |
| INTERIOR LANDSCAPING: | MINIMUM 30% TREE CANOPY REQUIRED REQUIRED: 2348 SF PROVIDED: 2398 SF |
| STREET FRONTAGE #1 | Minnesota Ave |
| LINEAR STREET FOOTAGE: (FOR ADDITION LENGTH) | 165 LF |
| TREES: | 1 TREE/35 FT. LINEAR FRONTAGE REQUIRED: 5 TREES PROVIDED: 6 TREES (EXISTING) |
| SHRUBS: | 3 LARGE SHRUBS/25 FT. LINEAR FRONTAGE REQUIRED: 19 LARGE SHRUBS/GRASSES PROVIDED: 20 LARGE SHRUBS/GRASSES (EXISTING) |
| ALL PLANT SELECTIONS WILL MEET UDC REQUIREMENTS SEE LANDSCAPE SHEET FOR MATERIALS LIST ALL SHRUB PLANTING BEDS TO INCLUDE 3-4" 1" ROCK MULCH WITH LANDSCAPE FABRIC | |
| ALL DISTURBED AREAS NOT PLANTED WITH SHRUBS/TREES ARE TO BE SODDED | |

NO NEW LIGHTING WILL BE REQUIRED FOR THE PARKING LOT.



EXISTING 30% CANOPY COVERAGE



NEW 30% CANOPY COVERAGE

1 PARKING 30% SHADING AREAS
L-3 SCALE: 1"=30'

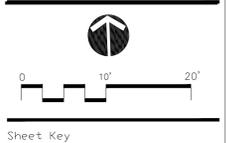


ASSOCIATES
WWW.SASLANDARCH.COM
219 WEST FIRST STREET, SUITE 350
DULUTH, MN 55802
(P) 218.391.1335
(F) 218.722.6697

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REVISIONS
UDC SUBMITTAL 2 / 06 / 19

PARK POINT MARINA INN - ADDITION
1003 Minnesota Ave
DULUTH, MN

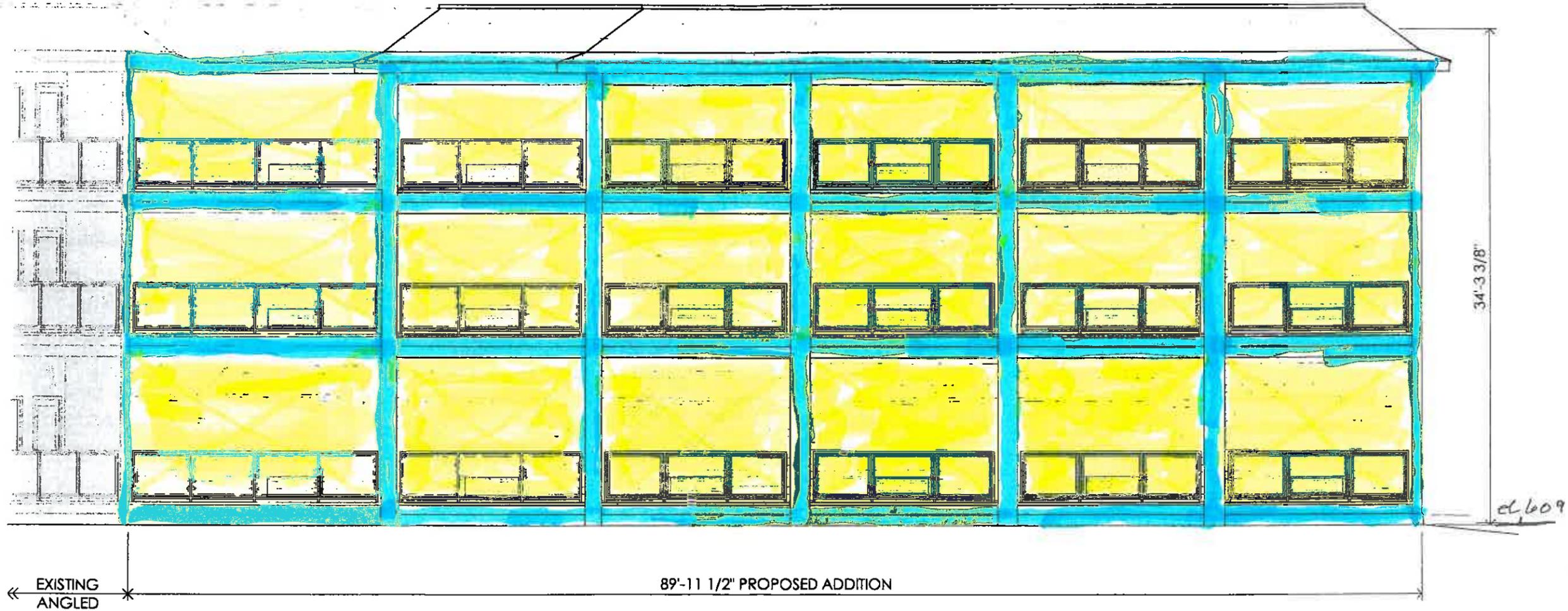


NOT FOR CONSTRUCTION

| | |
|----------------|-------------------------|
| Sheet Title | UDC LANDSCAPE / SHADING |
| Date | 2/06/2019 |
| Drawn By | LWS |
| Checked By | LWS |
| Project Number | 18050 |
| Sheet Number | L-3 |

Wednesday, January 31, 2018 12:47:15 PM: 18050 - Park Point Marina Inn Addition 18050 - 8234 Park Point Marina Inn Addition.dwg

Attachment 1-A
TA
9-12-18



← EXISTING ANGLED *

89'-11 1/2" PROPOSED ADDITION

34'-3 3/8"

el. 609

1

PROPOSED ADDITION - HARBOR ELEVATION

1/8"=1'-0"

Building façade will be designed to meet 50-15.6 E.4

I HEREBY CERTIFY THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM
PRELIMINARY
NOT FOR CONSTRUCTION
DATE 02/21/2018 LICENSE NO.

PARK POINT MARINA INN - ADDITION
1033 MINNESOTA AVENUE
DULUTH, MINNESOTA 55802
OWNER:
PROJECT OWNER

ISSUE DATE
XX-XX-XXXX
REVISIONS

PROJECT NO.
1609
SHEET NO.

SK-2

Jennifer Moses

From: Terry Anderson <ebittery@gmail.com>
Sent: Sunday, September 30, 2018 12:06 PM
To: Jennifer Moses
Subject: Re: Planning Review - 1033 Minnesota Avenue

I have received your latest email

Sent from my iPhone

On Sep 28, 2018, at 9:45 AM, Jennifer Moses <jmoses@DuluthMN.gov> wrote:

Terry,

We have reviewed the application materials and subsequent submittals for your Planning Review application at 1033 Minnesota Avenue.

Under the required Planning Review, planning commission shall approve it "if it is determined that the application complies with all applicable provisions of this Chapter." This means all development standards related to parking, landscaping, building design, and lighting; any use-specific standards; and, in the MU-W district, the very important standards related to viewsheds of and to the water, and building design along the waterfront. Because of this, the building and site plans need to be complete before they are brought to Planning Commission. In order for staff to recommend approval, we require complete and detailed building elevations with exact measurements related to window sizes and transparency percentages.

We understand that you would like to move this forward to the full design phase and that you have deadlines related to previous Land Use Supervisor interpretations for this property. To be sensitive to these deadlines, we are able to make an exception to our normal submittal requirements and send this to Planning Commission with the materials submitted to date. The recommendation will include conditions for transparency, to be detailed at the time of building permit submittal. However, we want you to be aware of the following matters related to timelines on this project:

- We are unable to extend the Land Use Supervisor approved site plan, originally from 1/29/2016, past the current deadline date which is in December of this year.
- If Planning Commission approves the Planning Review, you will have 90 days from the approval date to apply for a building permit, after which time the Land Use Supervisor interpretation will be null and void.
- Because of the short timeframe between Planning Commission approval and building permit application, you will be unable to apply for any variance to transparency.
- Note that once the building permit is received, you will have 180 days to begin construction.

Please respond to confirm your receipt of this email so we can move this forward and finish compiling the staff report.

Thanks,

Jenn

Per City of Duluth Unified Development Chapter Base Zoning Map Number 18, Revision Date April 1, 2015 this property is in Zone MU-W. Zone MU-W Dimensional Requirements are as follows:

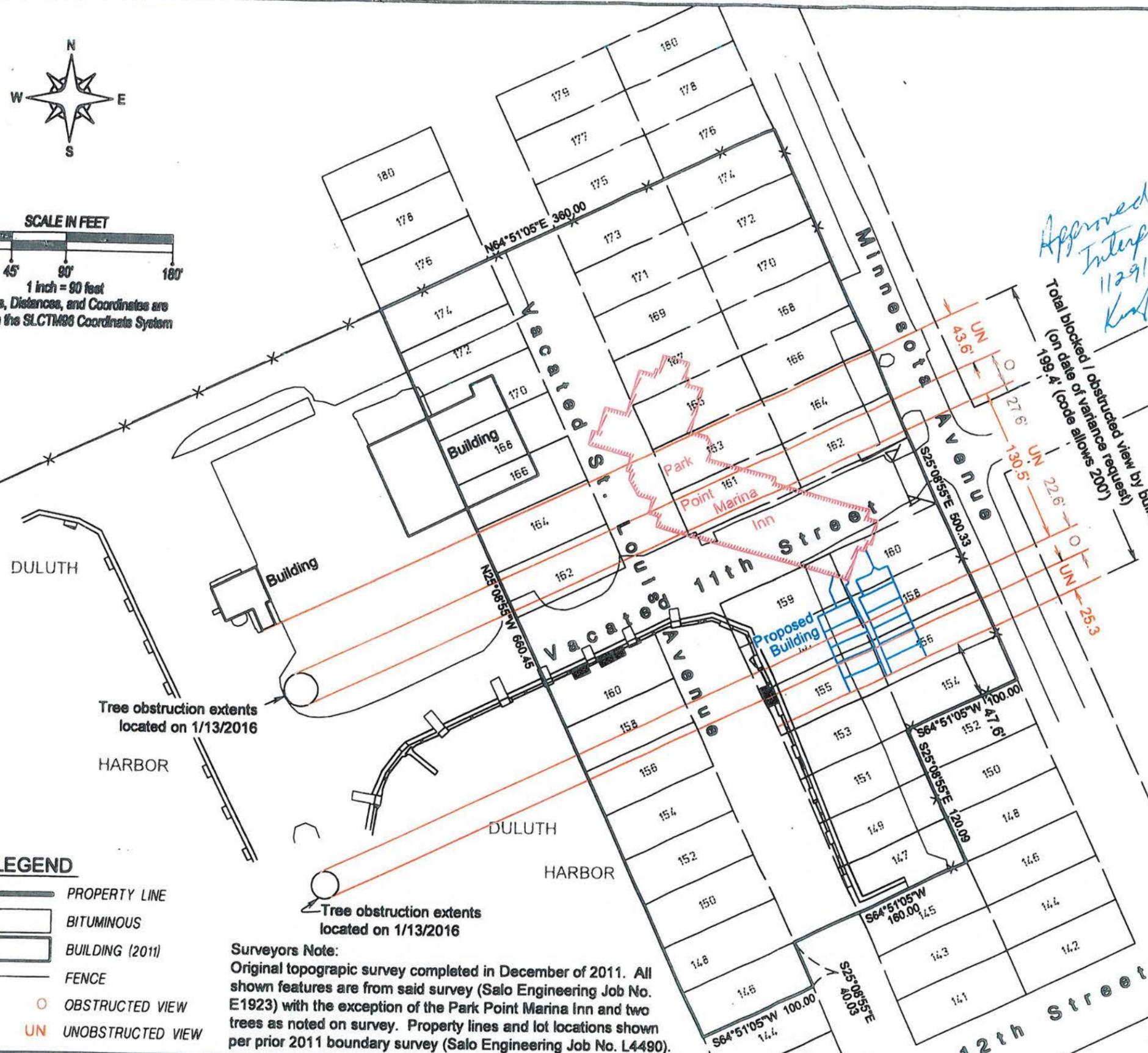
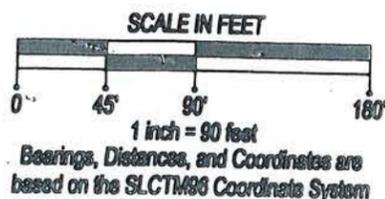
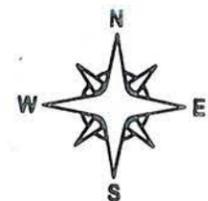
| TABLE 50-1.1 MU-W DISTRICT DIMENSIONAL STANDARDS | | |
|-----------------------------------------------------|-----------------------------------------------------------------|---------------|
| | LOT/STANDARDS | |
| Minimum lot area per family | Townhouse or live-work dwelling | 2,200 sq. ft. |
| | Multi-family | 500 sq. ft. |
| | Efficiency unit | 380 sq. ft. |
| Minimum lot frontage | | 50 ft. |
| STRUCTURE SETBACKS | | |
| Minimum depth of front yard | | 0 ft. |
| Minimum width of side yard | Non-residential use adjacent to residential district or use | 15 ft. |
| | Non-residential use adjacent to non-residential district or use | 0 ft. |
| | Multi-family adjacent to single-family district or use | 10 ft. |
| | Multi-family adjacent to multi-family district or use | 0 ft. |
| Minimum depth of rear yard | | 25 ft. |
| STRUCTURE HEIGHT | | |
| Maximum height of structure | Residential or mixed use | 120 ft. |
| | Non-residential | 45 ft. |
| | Within 500 ft. of R-1 district | 35 ft. |
| | Within 500 ft. of R-2 district | 50 ft. |

Section 50.21 Dimensional Standards contains additional regulations applicable to this district.

City of Duluth Unified Development Chapter Code, Section 50-15.6 E2 states:
To protect public views to the waterfront from the closest landward public street running approximately parallel to the water, all primary structures shall have a maximum width of 200 feet measured along the shoreline and shall be separated from other primary structures by a minimum of 50 feet. These requirements shall not apply to portions of buildings that do not block public views of Lake Superior, the harbor and the St. Louis River from the closest landward public street running approximately parallel to the water due to topography or the location.

*Approved Interpretation
11/29/2016
Karl Kasper*

Total blocked / obstructed view by building
(On date of variance request)
199.4' (code allows 200')



Tree obstruction extents located on 1/13/2016

Tree obstruction extents located on 1/13/2016

LEGEND

- PROPERTY LINE
- BITUMINOUS
- BUILDING (2011)
- FENCE
- OBSTRUCTED VIEW
- UNOBSTRUCTED VIEW

Surveyors Note:
Original topographic survey completed in December of 2011. All shown features are from said survey (Salo Engineering Job No. E1923) with the exception of the Park Point Marina Inn and two trees as noted on survey. Property lines and lot locations shown per prior 2011 boundary survey (Salo Engineering Job No. L4490).

4560 Norway Pines Place
Duluth, MN 55811
218-727-8796
tkda.com

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, 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 SZYSZKOSKI MINNESOTA LICENSE NUMBER 47046

| NO | DATE | REVISION |
|----|------------|------------------------------------------|
| 1 | 10/13/2015 | Removed 'Removed Buildings' from drawing |
| 2 | 10/28/2015 | Added additional dimensions as requested |
| 3 | 1/15/2016 | Added Tree obstructions and dimensions |

Topographic Survey / Proposed Building Exhibit of Harbor Cove Marina
aka Park Point Marina Inn, City of Duluth, Minnesota
For: Globe Duluth Enterprises

JOB NO. 15513.179 FILE NO. E1923C DATE OF FIELD WORK: 12/2011 & 9/2015





CITY OF DULUTH

Community Planning Division

411 W 1st St, Rm 208 * Duluth, Minnesota 55802-1197

Phone: 218/730.5580 Fax: 218/723-3559

| | | | | |
|-----------------------------|-------------------------------------------------------------------------------------------------------------------|---------------------------------|--------------------------------|-----------------|
| File Number | PL 18-134, CUP | Contact | Steven Robertson, 218-730-5295 | |
| Type | Concurrent Use Permit to Place Private Obstructions in Public Right of Way/Public Facilities (Utility/Light Pole) | Planning Commission Date | November 13, 2018 | |
| Deadline for Action | Application Date | October 9, 2018 | | |
| | Date Extension Letter Mailed | N/A | 90 Days* (237.163) | January 7, 2019 |
| Location of Subject | 3800 Trinity Road | | | |
| Applicant | Verizon Wireless | Contact | | |
| Agent | Amy Dresch, Jacobs Telecom | Contact | | |
| Legal Description | | | | |
| Site Visit Date | November 6, 2018 | Sign Notice Date | October 30, 2018 | |
| Neighbor Letter Date | N/A for Concurrent Use | Number of Letters Sent | N/A for Concurrent Use | |

Proposal: The applicant is seeking a concurrent use permit to allow a private obstruction (utility pole mounted antennas and related equipment) in the public right of way.

Recommended Action: Recommend to the City Council to Approve With Conditions (Ordinance).

| | Current Zoning | Existing Land Use | Future Land Use Map Designation |
|----------------|-----------------------|--------------------------|----------------------------------------|
| Subject | MU-C | Public Right of Way | Large Scale Commercial |
| North | MU-C | Undeveloped/ Commercial | Large Scale Commercial |
| South | MU-C/R-1 | Undeveloped | Preservation |
| East | MU-C | Commercial | Large Scale Commercial |
| West | MU-C | Commercial | Large Scale Commercial |

Summary of Code Requirements

UDC Section 50-37.7.C. The planning commission shall review the application, and council shall approve the application or approve it with modifications, if it determines that:

- 1) The proposed concurrent use will not harm or inconvenience the health, safety and general welfare of the city;
- 2) No portion of a public easement proposed of use is being physically occupied by the public.

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

Principle #4 - Support emerging economic growth sectors. Emerging economic sectors add economic, cultural and social diversity. These include higher education, medical, value-added manufacturing, commercial outdoor recreation, historic resources interpretation, arts and music, information technology and visitor services.

The installation falls with the provisions of Minnesota Statute 237.162 and 247.1643, as amended in 2017.

Future Land Use: Large Scale Commercial Mall, shopping center and big box retail development, with associated surrounding retail and service uses, but only ancillary office uses and no residential uses. Oriented primarily to the motorist, with planned internal circulation patterns while still accommodating pedestrian movement. Requires access to regional transportation routes. May include regional green infrastructure for watershed protection.

Review and Discussion Items

1) The applicant is seeking a concurrent use permit to allow a private obstruction (utility pole mounted antennas and equipment mount) in the public right of way.

According to the application submitted, the "small wireless facility (will be installed) on a replacement wood utility pole, which will be 5 feet taller than the current pole for a height of 36 feet above ground level. The new equipment will be installed at least 34 feet above ground level and the new ancillary equipment will be installed at least 19 feet above ground level with no ground equipment". The wireless facilities will not be stealthed or camouflaged; the equipment will be visibly attached to the exterior of the pole. The attachments will include 1 exterior mounted panel antenna and 2 radio units.

2) The applicant included a letter from Minnesota Power, dated October 5, 2018, giving consent to allow the wireless facility (DUL Miller Hill Mall SC1) on their pole, with the understanding that Verizon will obtain an attachment permit from Minnesota Power.

3) Granting a concurrent use permit would give the applicant the ability to use dedicated public rights-of-way, with conditions, while preserving other existing public uses in the same right-of-way corridors. Concurrent use permits require a public hearing and recommendation by the Planning Commission, and is approved by the City Council via ordinance. Unlike street right-of-way vacations, concurrent use permits are not recorded at the County as they are voidable permits issued by the City to applicants who are private users of public rights-of-way.

4) Ownership of the poles will remain with Minnesota Power, and the public right of way will remain unchanged.

5) Granting the proposed concurrent use permits will not harm or inconvenience the health, safety and general welfare of the city. The area proposed for the concurrent use permit will not take away from the public's ability to use the public right-of-way. The city will own the poles and continue to use them for utility purposes (lighting).

6) The UDC generally requires that new wireless facilities follow a location standard: first they should be collocated on existing towers or other structures on city owned properties first, and then existing towers or other structures on other (private) property, and so forth down the location standard list. As these small wireless facilities would be located on existing infrastructure in public right of way, and as per the recent change in state statute, the city is processing these applications as concurrent use permits and not special use permits, and the UDC's use-specific standards do not apply in this specific situation.

7) The city has the ability to regulate land use, however, the Federal Communications Commission preempts local review on the potential environmental effects of radio frequency (RF) emissions, with the presumption that the applicant and service provider complies with the Commission's RF rules. The applicant included an FCC checklist used to determine exemption from RF regulations (unlikely to cause exposure in excess of the FCC's guidelines).

8) At the time that this memo was written, no written comments from the public have been received. City Engineering was still reviewing the exhibits at the time this staff report was written, and will likely have some requests for changes related to some of the technical aspects of the installations in the right of way.

Staff Recommendation:

Based on the above findings, Staff recommends that the Planning Commission recommend approval of the two concurrent use permits subject to the following conditions:

- 1) The project be limited to, constructed, and maintained according to construction drawings submitted and included with this staff report (signed 10/9/2018)
- 2) Applicant, and/or successors, shall remove the proposed obstructions at applicant's expense if directed to do so by the City with appropriate notice, and shall adhere to other standards and obligations established in the approving document (ordinance).
- 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, all other changes must be approved by amending the City Council's approved ordinance.



Legend

- Zoning Boundaries
- Shoreland (UDC)**
- Cold Water
- Natural Environment
- General Development
- Trout Stream (GPS)
- Other Stream (GPS)

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.





Legend

- Gas Main
- Water Main
- Hydrant
- Sanitary Sewer Mains**
- CITY OF DULUTH
- WLSSD; PRIVATE
- Sanitary Sewer Forced Main
- Storage Basin
- Pump Station
- Storm Sewer Mains**
- Storm Sewer Pipe
- Storm Sewer Catch Basin
- Trout Stream (GPS)
- - - Other Stream (GPS)

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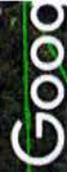




DUL Burning Tree Plaza SC3 & DUL Miller Hill Mall SC1

Proposed Site Candidate Locations

Verizon Small Cell

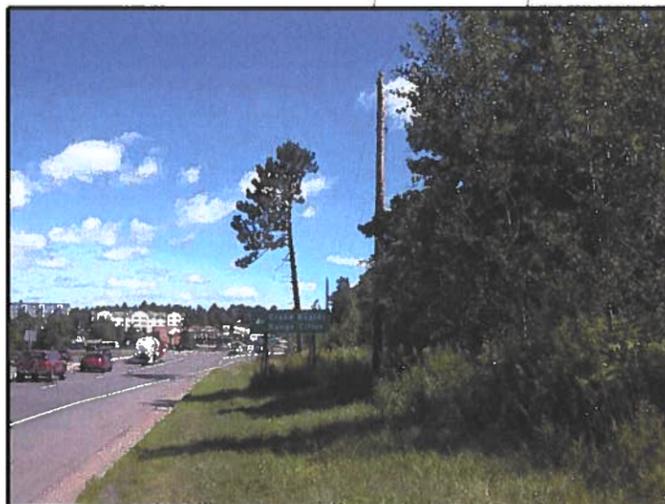




A AERIAL OVERVIEW



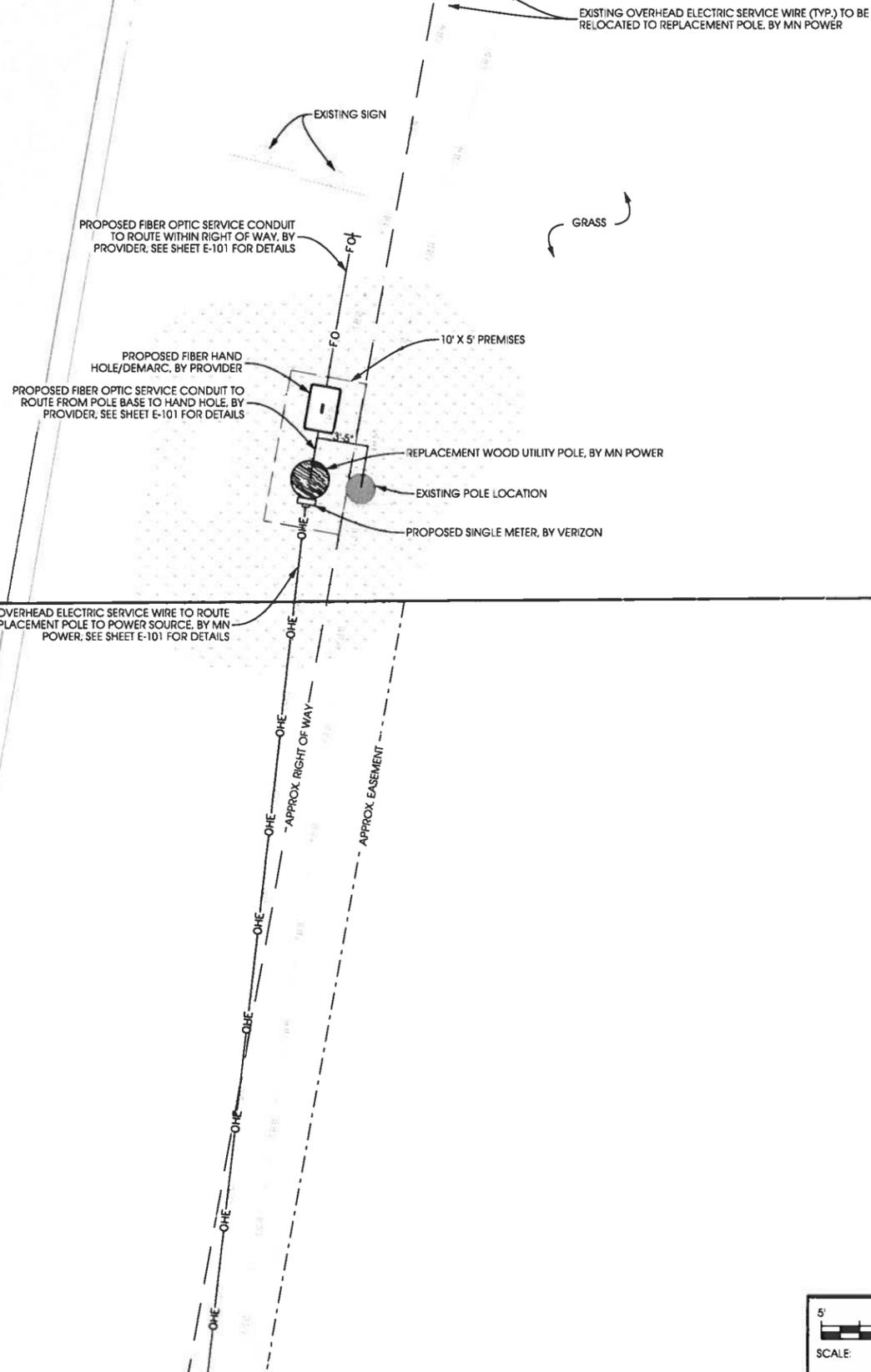
B SITE OVERVIEW



C SITE OVERVIEW

POWER AND FIBER ROUTING NOTE:
 THE PROPOSED POWER AND FIBER ROUTES ARE PRELIMINARY, AND WILL BE CONFIRMED WITH THE LANDLORD AND FIBER PROVIDER PRIOR TO CONSTRUCTION. IF THE GENERAL CONTRACTOR NOTICES ANY DISCREPANCIES BETWEEN THESE PLANS AND THE ACTUAL SOURCES OF POWER AND FIBER, THE VERIZON CONSTRUCTION ENGINEER AND PROJECT ENGINEER ARE TO BE NOTIFIED PRIOR TO COMMENCING WORK.

TRINITY RD/US HWY 53



| | |
|------------------|-------------|
| PROJECT NO: | 20181847133 |
| LOCATION CODE: | 504067 |
| EDGE PROJECT NO: | 20095 |
| CHECKED BY: | OGD |

| REV. | DATE | DESCRIPTION | INT. |
|------|------------|------------------------|------|
| A | 08/09/2018 | PRELIM SMALL CELL DWGS | MWH |
| B | 08/28/2018 | PRELIM SMALL CELL DWGS | MWH |
| 0 | 10/08/2018 | FINAL SMALL CELL DWGS | JMK |
| | | | |
| | | | |
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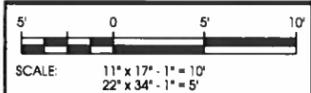


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DUL MILLER HILL MALL SC
 DULUTH, MN
 REPLACEMENT WOOD UTILITY POLE
 SMALL CELL DRAWINGS

SHEET TITLE
SITE PLAN

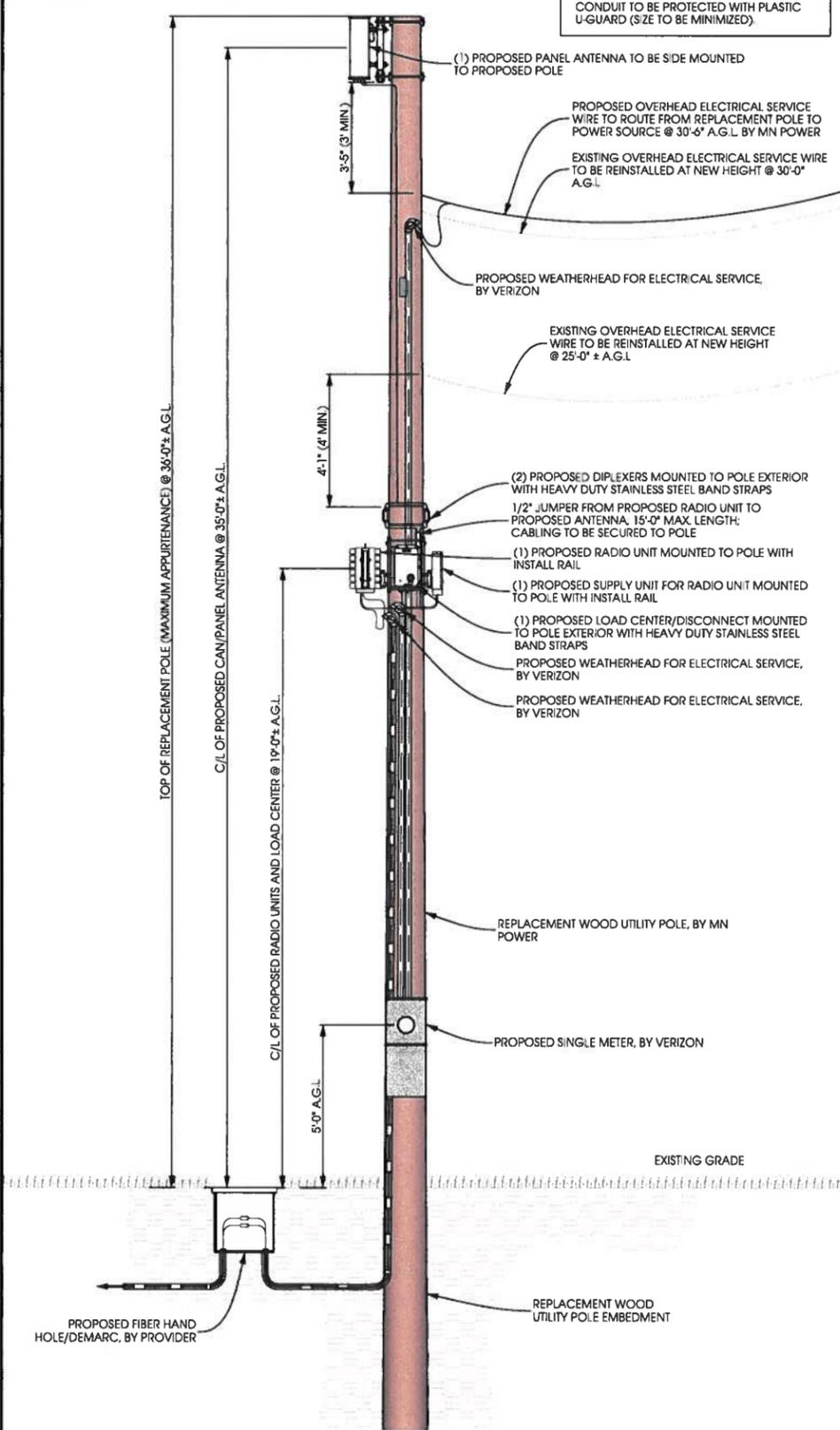
SHEET NUMBER
C-101
 28



| EXISTING POLE | |
|------------------------------|---------------|
| POLE HEIGHT: | 33'-5" A.G.L. |
| MAXIMUM APPURTENANCE HEIGHT: | 34'-2" A.G.L. |

| PROPOSED POLE | |
|------------------------------|---------------|
| POLE HEIGHT: | 36'-0" A.G.L. |
| ANTENNA TIP HEIGHT: | 36'-0" A.G.L. |
| MAXIMUM APPURTENANCE HEIGHT: | 36'-0" A.G.L. |

NOTES:
 PROPOSED POWER AND FIBER RISE CONDUITS TO BE GROUPED TOGETHER TO MAXIMIZE AVAILABLE FREE SPACE ON POLE.
 PROPOSED POWER AND FIBER RISE CONDUIT SIZES TO BE MINIMIZED WHERE POSSIBLE.
 ALL PROPOSED JUMPER CABLES NOT IN CONDUIT TO BE PROTECTED WITH PLASTIC U-GUARD (SIZE TO BE MINIMIZED).



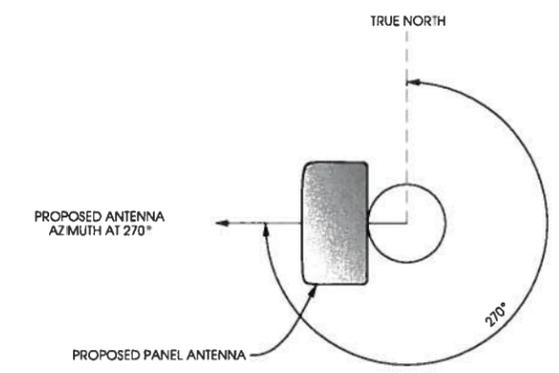
A POLE ELEVATION
 SCALE: 11" x 17" - 1" = 5'-0"
 22" x 34" - 1" = 2'-6"



B SITE ELEVATION



NOTES:
 VERIZON TO PROVIDE FINAL RF CONFIGURATION



C ANTENNA ORIENTATION
 SCALE: NTS

| ANTENNAS | | | | | |
|----------|--------|-----------------|------------|------------|---------|
| QUANTITY | MAKE | MODEL | CENTERLINE | TIP HEIGHT | AZIMUTH |
| 1 | ANDREW | HBXX-6513DS-A2M | 35'-0" AGL | 36'-0" AGL | 270° |

| EQUIPMENT | | | |
|-----------|----------|-----------|---------------|
| QUANTITY | TYPE | MAKE | MODEL |
| 1 | RRU | ERICSSON | RRUS8843 |
| 1 | PSU | ERICSSON | PSU 6302 |
| 2 | DIPLEXER | COMMSCOPE | CBC1293T-4310 |

| CABLING | | | |
|----------|------|-----------|--------------|
| QUANTITY | TYPE | MAKE | MODEL |
| 12 | COAX | COMMSCOPE | F4-HMDM-1M-D |

D ANTENNA AND CABLING
 SCALE: NTS

PC Packet 11-13-18



JACOBS
 Jacobs Engineering Group, Inc
 2727 Patton Road
 Roseville, Minnesota 55113
 www.jacobs.com

Edge
 Consulting Engineers, Inc.
 2101 Highway 13 W
 Burnsville, MN 55337
 608.644.1449 voice
 608.644.1549 fax
 www.edgeconsult.com

PROJECT NO: 20181847133
 LOCATION CODE: 504067
 EDGE PROJECT NO: 20095
 CHECKED BY: OGD

| REV | DATE | DESCRIPTION | INT. |
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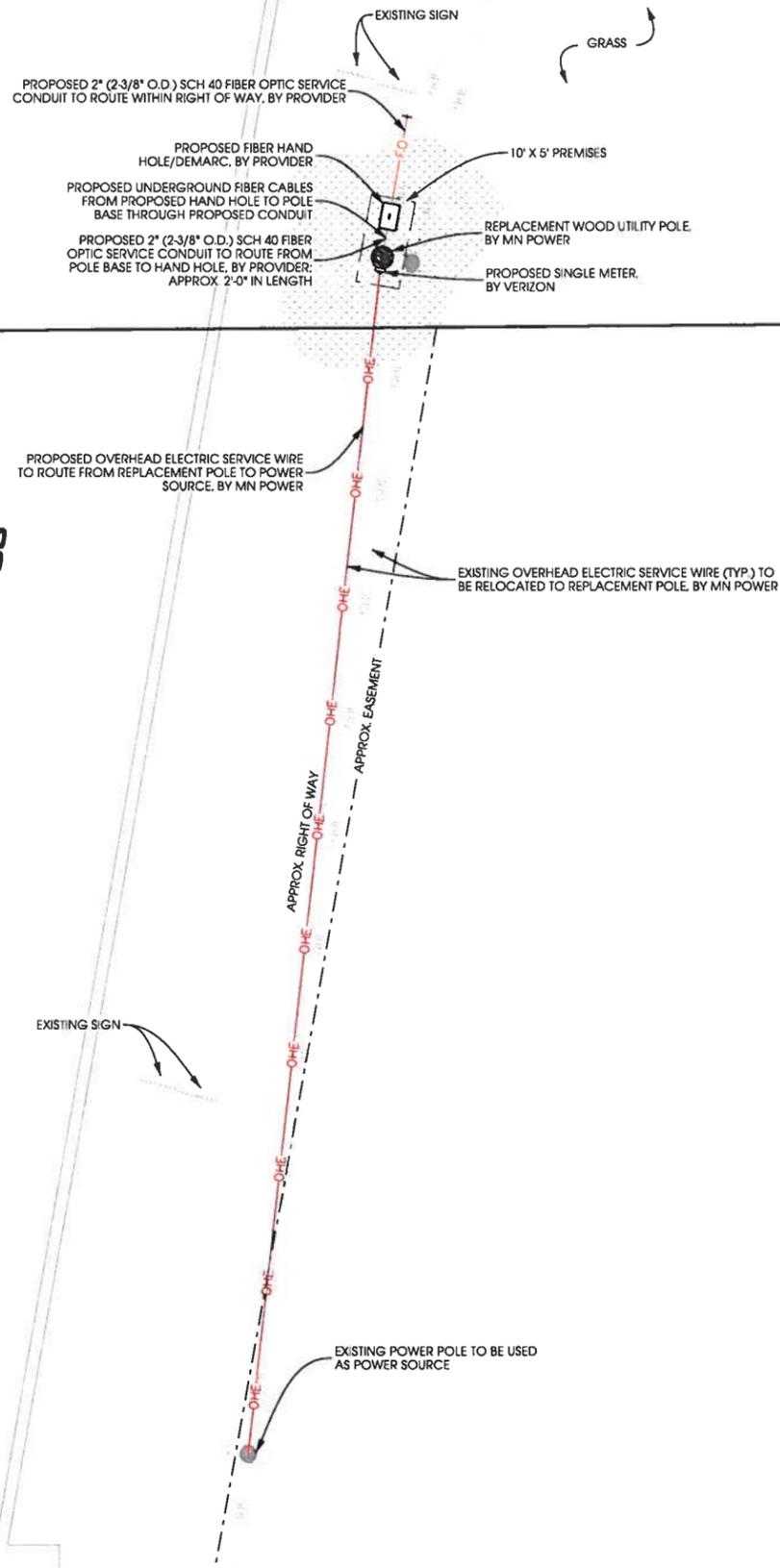
OTTO G. DINGFELDER III
 LICENSED PROFESSIONAL ENGINEER
 49720
 10/9/2018
 I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

DUL MILLER HILL MALL SC
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 REPLACEMENT WOOD UTILITY POLE
 SMALL CELL DRAWINGS

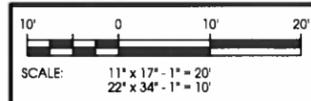
SHEET TITLE
SITE ELEVATION

SHEET NUMBER
T-201
 29

POWER AND FIBER ROUTING NOTE:
 THE PROPOSED POWER AND FIBER ROUTES ARE PRELIMINARY, AND WILL BE CONFIRMED WITH THE LANDLORD AND FIBER PROVIDER PRIOR TO CONSTRUCTION. IF THE GENERAL CONTRACTOR NOTICES ANY DISCREPANCIES BETWEEN THESE PLANS AND THE ACTUAL SOURCES OF POWER AND FIBER, THE VERIZON CONSTRUCTION ENGINEER AND PROJECT ENGINEER ARE TO BE NOTIFIED PRIOR TO COMMENCING WORK.



A UTILITY PLAN



1. SUBMITTAL OF BID INDICATES CONTRACTOR IS AWARE OF ALL JOB SITE CONDITIONS AND WORK TO BE PERFORMED UNDER THIS CONTRACT.
2. CONTRACTOR SHALL PERFORM ALL VERIFICATION OBSERVATION TESTS, AND EXAMINE WORK PRIOR TO THE ORDERING OF THE ELECTRICAL EQUIPMENT AND THE ACTUAL CONSTRUCTION. CONTRACTOR SHALL ISSUE A WRITTEN NOTICE OF ALL FINDINGS TO THE ARCHITECT LISTING ALL MALFUNCTIONS, FAULTY EQUIPMENT AND DISCREPANCIES.
3. HEIGHTS SHALL BE VERIFIED WITH OWNER PRIOR TO INSTALLATION.
4. THESE PLANS ARE DIAGRAMMATIC ONLY. FOLLOW AS CLOSELY AS POSSIBLE.
5. EACH CONDUCTOR OF EVERY SYSTEM SHALL BE PERMANENTLY TAGGED IN EACH PANEL BOARD, PULLBOX, J-BOX, SWITCH BOX, ETC. IN COMPLIANCE WITH OCCUPATIONAL SAFETY AND HEALTH ACT (O.S.H.A.)
6. CONTRACTOR SHALL PROVIDE LABOR, MATERIALS, INSURANCE, EQUIPMENT, INSTALLATION, CONSTRUCTION TOOLS, TRANSPORTATION, ETC. FOR A COMPLETE AND PROPERLY OPERATIVE SYSTEM ENERGIZED THROUGHOUT AND AS INDICATED ON DRAWINGS, AS SPECIFIED HEREIN AND/OR AS OTHERWISE REQUIRED.
7. ALL MATERIALS AND EQUIPMENT SHALL BE NEW AND IN PERFECT CONDITION WHEN INSTALLED AND SHALL BE OF THE BEST GRADE AND OF THE SAME MANUFACTURER THROUGHOUT FOR EACH CLASS OR GROUP OF EQUIPMENT. MATERIALS SHALL BE LISTED AND APPROVED BY THE UNDERWRITER'S LABORATORY AND SHALL BEAR THE INSPECTION LABEL 'U' WHERE SUBJECT TO SUCH APPROVAL. MATERIALS SHALL MEET WITH APPROVAL OF THE DIVISION OF INDUSTRIAL SAFETY AND ALL GOVERNING BODIES HAVING JURISDICTION. MATERIALS SHALL BE MANUFACTURED IN ACCORDANCE WITH APPLICABLE STANDARDS ESTABLISHED BY ANS, NEMA, AND NBFU.
8. CONTRACTOR SHALL CARRY OUT HIS WORK IN ACCORDANCE WITH ALL GOVERNING STATE, COUNTY AND LOCAL CODES AND O.S.H.A.
9. CONTRACTOR SHALL SECURE ALL NECESSARY BUILDING PERMITS.
10. COMPLETE JOB SHALL BE GUARANTEED FOR A PERIOD OF ONE (1) YEAR AFTER THE DATE OF JOB ACCEPTANCE BY OWNER. ANY WORK, MATERIAL OR EQUIPMENT FOUND TO BE FAULTY DURING THAT PERIOD SHALL BE CORRECTED AT ONCE, UPON WRITTEN NOTIFICATION, AT THE EXPENSE OF THE CONTRACTOR.
11. ALL CONDUIT ONLY (C.O.) SHALL HAVE A PULL WIRE OR ROPE.
12. PROVIDE CONSTRUCTION ENGINEER WITH ONE SET OF COMPLETE ELECTRICAL "AS INSTALLED" DRAWINGS AT THE COMPLETION OF THE JOB, SHOWING ACTUAL DIMENSIONS, ROUTINGS, AND CIRCUITS.
13. ALL BROCHURES, OPERATING MANUALS, CATALOGS, SHOP DRAWINGS, ETC. SHALL BE TURNED OVER TO OWNER AT JOB COMPLETION.
14. USE T-TAP CONNECTIONS ON ALL MULTI-CIRCUITS WITH COMMON NEUTRAL CONDUCTOR.
15. ALL CONDUCTORS SHALL BE COPPER.
16. ALL CIRCUIT BREAKERS, FUSES AND ELECTRICAL EQUIPMENT SHALL HAVE AN INTERRUPTING RATING NOT LESS THE MAXIMUM SHORT CIRCUIT CURRENT TO WHICH THEY MAY BE SUBJECTED, AND A MINIMUM OF 10,000 A.I.C.
17. THE ENTIRE ELECTRICAL INSTALLATION SHALL BE GROUNDED AS REQUIRED BY ALL APPLICABLE CODES AND DRAWINGS.
18. RECEPTACLES SHALL BE 20 AMPERE, 125 VOLT A.C., WHITE AS REQUIRED BY THE ARCHITECT OR APPROVED EQUAL.
19. WALL SWITCHES SHALL BE SINGLE-POLE, HUBBELL #1201 OR EQUIVALENT, WHITE AS REQUIRED BY THE ARCHITECT.
20. PLASTIC PLATES FOR ALL SWITCHES, RECEPTACLES, TELEPHONE AND BLANKED OUTLETS, SHALL HAVE ENGRAVED LETTERING WHERE INDICATED ON THE DRAWINGS. WEATHERPROOF RECEPTACLES SHALL HAVE RACO #800, 1/2" RAISED WORK COVERS.
21. WIRE AND CABLE CONDUCTORS SHALL BE COPPER #12 AWG MINIMUM, NO BX OR ROMEX CABLE IS PERMITTED UNLESS SPECIFICALLY NOTED OTHERWISE ON DRAWINGS.
22. GROUND RODS SHALL BE AS SPECIFIED ON THE GROUNDING DRAWINGS.
23. METER SOCKET AMPERES, VOLTAGE, NUMBER OF PHASES SHALL BE AS NOTED ON THE DRAWINGS. MANUFACTURED BY SQUARE D COMPANY OR APPROVED EQUAL. IF HOST FACILITY REQUIRES THE NEW SERVICE TO BE SUB-METERED FROM THE EXISTING SERVICE, SUB-METER SHALL BE OF THE 10x OR 16x TYPE.
24. ALL MATERIALS SHALL BE U.L. LISTED.
25. CONDUIT:
 - A. SERVICE CONDUITS SHALL BE GRAY SCH 40 PVC BURIED MIN. 36", EXCEPT THAT SCH 80 SHALL BE USED UNDER ROADWAYS AND IN LOCATIONS SUBJECT TO CASUAL IMPACTS. BENDS SHALL BE MADE USING "WIDE SWEEP" (12" MIN. RADIUS) ELBOW FITTINGS. ANY CODE-REQUIRED RIGID STEEL CONDUIT SHALL BE U.L. LABEL GALVANIZED INSIDE AND OUTSIDE. CONDUIT SHALL EXTEND MIN. 36" BELOW GRADE, WITH "SWEEP" ELBOWS (12" R. MIN.) ENDING IN PVC TRANSITION FITTINGS. RIGID CONDUIT IN CONTACT WITH EARTH SHALL BE 1/2 LAP-WRAPPED WITH HUNTS PROCESS NO. 3 EXTENDING MIN. 12" ABOVE GRADE.
 - B. INTERIOR CONDUITS SHALL BE ELECTRICAL METALLIC TUBING HAVING U.L. LABEL, FITTINGS SHALL BE GLAND RING COMPRESSION TYPE.
 - C. FLEXIBLE METALLIC CONDUIT SHALL HAVE U.L. LISTED LABEL AND MAY BE USED WHERE PERMITTED BY CODE. FITTINGS SHALL BE "JAKE" OR "SQUEEZE" TYPE, SEAL TIGHT FLEXIBLE CONDUIT. NO SUCH CONDUIT SHALL EXCEED SIX FEET IN LENGTH.
26. ALL ELECTRICAL EQUIPMENT SHALL BE LABELED WITH PERMANENT ENGRAVED PLASTIC LABELS.
27. PATCH, REPAIR, AND PAINT ANY AREA THAT HAS BEEN DAMAGED IN THE COURSE OF THE ELECTRICAL WORK.
28. PENETRATIONS IN FIRE RATED WALLS SHALL BE FIRE STOPPED IN ACCORDANCE WITH SECTION 712, PENETRATIONS - INTERNATIONAL BUILDING CODE (IBC)
29. DRILLING OR CORING HOLES IN CONCRETE WALLS OR DECKS, WHETHER FOR FASTENING OR ANCHORING PURPOSES, REQUIRES THAT TENDONS OR REINFORCING STEEL MUST BE SEARCHED FOR BY APPROPRIATE METHODS AND EQUIPMENT (X-RAY OR OTHER DEVICE) THAT CAN ACCURATELY LOCATE THEM. TENDONS OR REINFORCING MUST NOT BE DRILLED, CUT OR DAMAGED UNDER ANY CIRCUMSTANCES.
30. UPON COMPLETION OF WORK, CONDUCT CONTINUITY, SHORT CIRCUIT, AND FALL POTENTIAL GROUNDING TESTS FOR APPROVAL. SUBMIT TEST REPORTS TO CONSTRUCTION ENGINEER. CLEAN PREMISES OF ALL DEBRIS RESULTING FROM WORK AND LEAVE WORK IN A COMPLETE AND UNDAMAGED CONDITION.
31. CONTRACTOR TO COORDINATE WITH UTILITY COMPANY FOR CONNECTION OF BOTH TEMPORARY AND PERMANENT POWER TO THE SITE. THE TEMPORARY POWER AND ALL HOOKUP COSTS TO BE PAID BY CONTRACTOR.
32. CONTRACTOR SHALL PROVIDE LABOR AND MATERIALS AS NECESSARY TO COMPLETE THE INSTALLATION OF ANY TOWER LIGHTING SYSTEM DESCRIBED IN THE RFG.

GENERAL ELECTRICAL NOTES



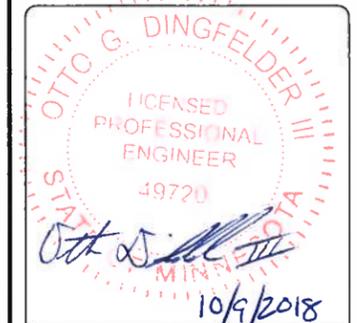
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|------------------|-------------|
| PROJECT NO: | 20181847133 |
| LOCATION CODE: | 504067 |
| EDGE PROJECT NO: | 20095 |
| CHECKED BY: | OGD |

| REV. | DATE | DESCRIPTION | INT. |
|------|------------|------------------------|------|
| A | 08/09/2018 | PRELIM SMALL CELL DWGS | MWH |
| B | 08/28/2018 | PRELIM SMALL CELL DWGS | MWH |
| D | 10/08/2018 | FINAL SMALL CELL DWGS | JMK |
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DUL MILLER HILL MALL SC
 DULUTH, MN
 REPLACEMENT WOOD UTILITY POLE
 SMALL CELL DRAWINGS

SHEET TITLE
UTILITY PLAN

SHEET NUMBER
E-101

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CITY OF DULUTH

Community Planning Division

411 W 1st St, Rm 208 * Duluth, Minnesota 55802-1197

Phone: 218/730.5580 Fax: 218/723-3559

| | | | | |
|-----------------------------|-------------------------------------------------------------------------------------------------------------------|---------------------------------|--------------------------------|-----------------|
| File Number | PL 18-135, CUP | Contact | Steven Robertson, 218-730-5295 | |
| Type | Concurrent Use Permit to Place Private Obstructions in Public Right of Way/Public Facilities (Utility/Light Pole) | Planning Commission Date | November 13, 2018 | |
| Deadline for Action | Application Date | October 9, 2018 | | |
| | Date Extension Letter Mailed | N/A | 90 Days* (237.163) | January 7, 2019 |
| Location of Subject | 2247 Maple Grove Road | | | |
| Applicant | Verizon Wireless | Contact | | |
| Agent | Amy Dresch, Jacobs Telecom | Contact | | |
| Legal Description | | | | |
| Site Visit Date | November 6, 2018 | Sign Notice Date | October 30, 2018 | |
| Neighbor Letter Date | N/A for Concurrent Use | Number of Letters Sent | N/A for Concurrent Use | |

Proposal: The applicant is seeking a concurrent use permit to allow a private obstruction (utility pole mounted antennas and related equipment) in the public right of way.

Recommended Action: Recommend to the City Council to Approve With Conditions (Ordinance).

| | Current Zoning | Existing Land Use | Future Land Use Map Designation |
|----------------|-----------------------|--------------------------|----------------------------------------|
| Subject | MU-C | Public Right of Way | Large-Scale Commercial |
| North | MU-C | Commercial | Large-Scale Commercial |
| South | MU-C | Commercial | Large-Scale Commercial |
| East | MU-C | Commercial | Preservation/Large Scale Commercial |
| West | MU-C | Commercial | Large-Scale Commercial |

Summary of Code Requirements

UDC Section 50-37.7.C. The planning commission shall review the application, and council shall approve the application or approve it with modifications, if it determines that:

- 1) The proposed concurrent use will not harm or inconvenience the health, safety and general welfare of the city;
- 2) No portion of a public easement proposed of use is being physically occupied by the public.

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

Principle #4 - Support emerging economic growth sectors. Emerging economic sectors add economic, cultural and social diversity. These include higher education, medical, value-added manufacturing, commercial outdoor recreation, historic resources interpretation, arts and music, information technology and visitor services.

The installation falls with the provisions of Minnesota Statute 237.162 and 247.1643, as amended in 2017.

Future Land Use: Large Scale Commercial Mall, shopping center and big box retail development, with associated surrounding retail and service uses, but only ancillary office uses and no residential uses. Oriented primarily to the motorist, with planned internal circulation patterns while still accommodating pedestrian movement. Requires access to regional transportation routes. May include regional green infrastructure for watershed protection.

Review and Discussion Items

1) The applicant is seeking a concurrent use permit to allow a private obstruction (utility pole mounted antennas and equipment mount) in the public right of way. Maple Grove Road is a county maintained public right of way.

According to the application submitted, the "small wireless facility (will be installed) on a replacement City of Duluth mental light pole, which will remain the same height as the existing light pole (35 feet above ground level). The new equipment will be installed at least 27 feet above ground level and the new ancillary equipment will be installed at least 21 feet above ground level, with no associated ground equipment". The wireless facilities will not be stealthed or camouflaged; the equipment will be visibly attached to the exterior of the pole. The attachments will include 1 exterior mounted panel antenna and 2 radio units.

2) Granting a concurrent use permit would give the applicant the ability to use dedicated public rights-of-way, with conditions, while preserving other existing public uses in the same right-of-way corridors. Concurrent use permits require a public hearing and recommendation by the Planning Commission, and is approved by the City Council via ordinance. Unlike street right-of-way vacations, concurrent use permits are not recorded at the County as they are voidable permits issued by the City to applicants who are private users of public rights-of-way.

3) Ownership of the poles will remain with the City of Duluth, with the poles in dedicated public rights-of-way. Liability, maintenance, and operation of the small wireless facilities will remain the responsibility of the applicant. In the event of an accident, such as a vehicle hitting the utility pole, the city is not responsible for restoring or replacing any of the applicant's equipment.

4) The existing city utility pole will be replaced with a new pole, as specified and approved by the City engineer. The new poles will have a structural analysis by the manufacturer to ensure that they can support the weight of the private small cell facilities and required public infrastructure.

5) Granting the proposed concurrent use permits will not harm or inconvenience the health, safety and general welfare of the city. The area proposed for the concurrent use permit will not take away from the public's ability to use the public right-of-way. The city will own the poles and continue to use them for utility purposes (lighting).

6) The UDC generally requires that new wireless facilities follow a location standard: first they should be collocated on existing towers or other structures on city owned properties first, and then existing towers or other structures on other (private) property, and so forth down the location standard list. As these small wireless facilities would be located on existing infrastructure in public right of way, and as per the recent change in state statute, the city is processing these applications as concurrent use permits and not special use permits, and the UDC's use-specific standards do not apply in this specific situation.

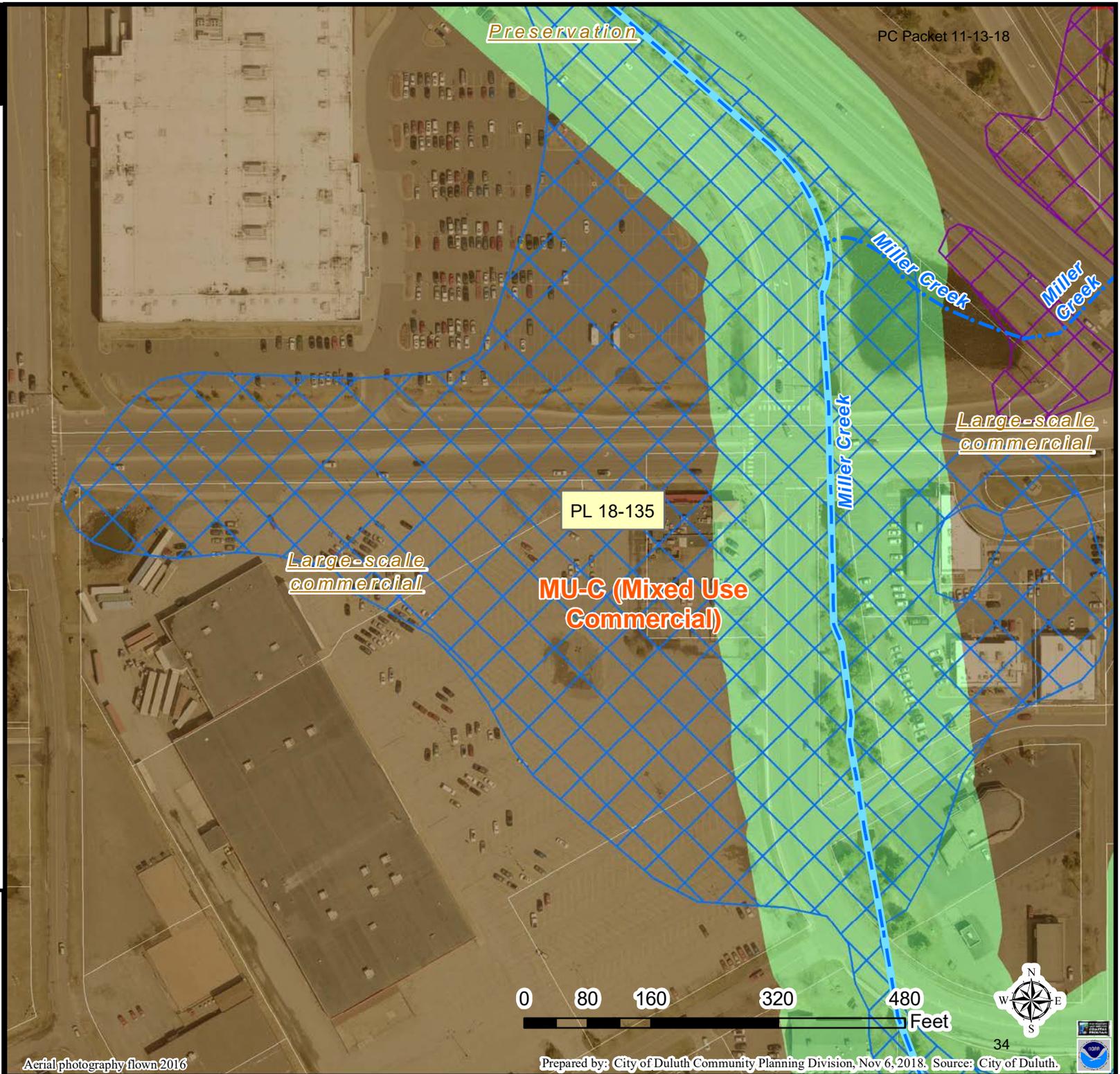
7) The city has the ability to regulate land use, however, the Federal Communications Commission preempts local review on the potential environmental effects of radio frequency (RF) emissions, with the presumption that the applicant and service provider is in compliance with the Commission's RF rules. The applicant included an FCC checklist used to determine exemption from RF regulations (unlikely to cause exposure in excess of the FCC's guidelines).

8) At the time that this memo was written, no written comments was received. However, for a previous application in Maple Grove Road, Vic Lund, Traffic Engineering for St. Louis County, wrote that "Installation of facilities within the county road right-of-way must be approved by St. Louis County Public Works Department by way of the St. Louis County Right-of-Way (Utility) Permit".

Staff Recommendation:

Based on the above findings, Staff recommends that the Planning Commission recommend approval of the two concurrent use permits subject to the following conditions:

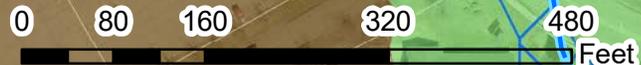
- 1) The project be limited to, constructed, and maintained according to construction drawings submitted and included with this staff report (signed 10/9/2018)
- 2) Applicant, and/or successors, shall remove the proposed obstructions at applicant's expense if directed to do so by the City with appropriate notice, and shall adhere to other standards and obligations established in the approving document (ordinance).
- 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, all other changes must be approved by amending the City Council's approved ordinance.



Legend

-  Zoning Boundaries
- Floodplain (UDC)**
-  General Flood Plain
-  Flood Way
-  Flood Fringe
-  Trout Stream (GPS)
-  Other Stream (GPS)

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.



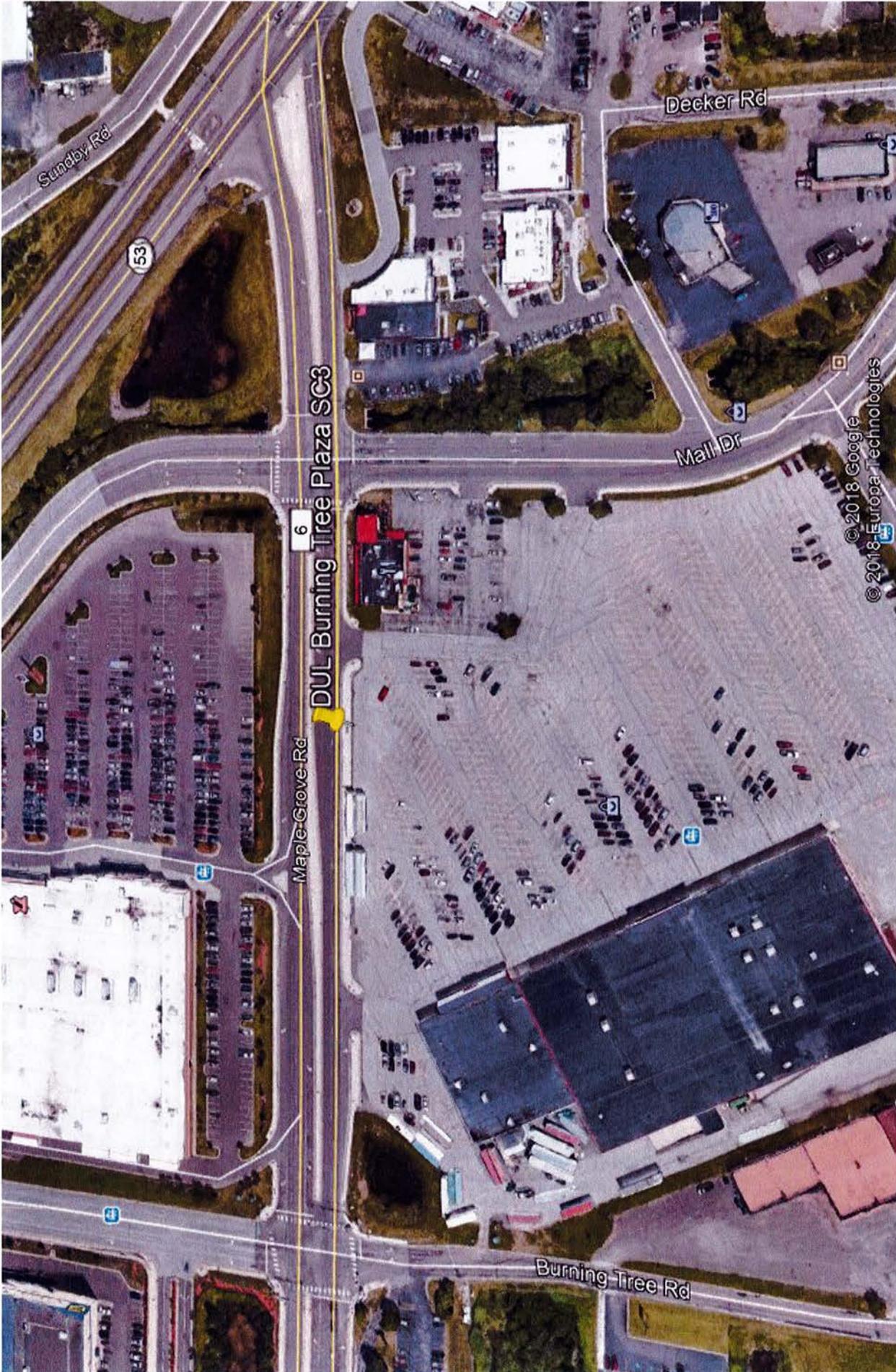


Legend

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

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JACOBS

DUL Burning Tree Plaza SC3
 Proposed Site Candidate Locations
 Verizon Small Cell

verizon



SITE NAME: DUL BURNING TREE PLAZA SC3
SITE NUMBER: 20181847132
LOCATION CODE: 504066
SITE TYPE: SMALL CELL
INSTALLATION TYPE: REPLACEMENT LIGHT POLE



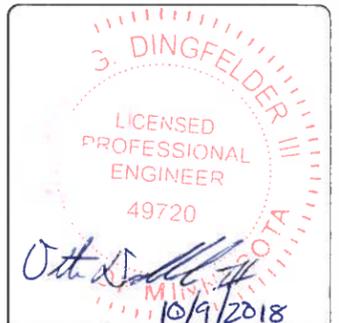
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 www.jacobs.com



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 608.644.1449 voice
 608.644.1549 fax
 www.edgeconsult.com

PROJECT NO: 20181847132
 LOCATION CODE: 504066
 EDGE PROJECT NO: 20096
 CHECKED BY: OGD

| REV. | DATE | DESCRIPTION | INT. |
|------|------------|------------------------|------|
| A | 08/29/2018 | PRELIM SMALL CELL DWGS | JMK |
| 0 | 09/10/2018 | FINAL SMALL CELL DWGS | JMK |
| 1 | 10/08/2018 | FINAL SMALL CELL DWGS | JMK |



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DUL BURNING TREE PLAZA SC3
 DULUTH, MN
 REPLACEMENT LIGHT POLE
 SMALL CELL DRAWINGS

SHEET TITLE
TITLE SHEET & PROJECT DATA

SHEET NUMBER
G-001
 37

| SITE INFORMATION | REPLACEMENT POLE | PROJECT DESCRIPTION/SOW | | SHEET INDEX | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|
| | | WORK PRODUCT | INSTALLED BY | NO: | SHEET TITLE |
| <p>APPROXIMATE ADDRESS: 2247 MAPLE GROVE RD. DULUTH, MN 55806 ST. LOUIS COUNTY</p> <p>SITE COORDINATES: LAT: 46°-48'-26.86"N LONG: 92°-09'-59.89"W GROUND ELEVATION: 1318.9' AMSL (PER 1A CERTIFICATE)</p> | | REPLACEMENT STEEL LIGHT POLE | VERIZON | G-001 | TITLE SHEET & PROJECT DATA |
| | | CONCRETE POLE FOUNDATION | VERIZON | G-002 | GENERAL SPECIFICATIONS |
| <p>APPLICABLE CODES</p> <p>ALL WORK SHALL COMPLY WITH THE FOLLOWING APPLICABLE CODES: - 2012 INTERNATIONAL BUILDING CODE - 2014 NATIONAL ELECTRIC CODE - TIA/EIA-222-G OR LATEST EDITION</p> <p>IN THE EVENT OF CONFLICT, THE MOST RESTRICTIVE CODE SHALL PREVAIL</p> | <p>LOCATION MAP</p> | GROUND RING AROUND POLE FOUNDATION | VERIZON | G-003 | GENERAL SPECIFICATIONS |
| | | ELECTRICAL CONDUIT, BETWEEN POLE BASE AND POWER SOURCE, TO BE TRENCHED/DIRECTIONALLY BORED BELOW GRADE | VERIZON | N/A | SURVEY |
| | | FIBER CONDUIT, BETWEEN HAND HOLE AND POLE BASE, TO BE TRENCHED/DIRECTIONALLY BORED BELOW GRADE | FIBER PROVIDER | C-101 | SITE PLAN |
| | | FIBER CONDUIT, WITHIN RIGHT OF WAY, TO BE TRENCHED/DIRECTIONALLY BORED BELOW GRADE | FIBER PROVIDER | C-102 | ENLARGED SITE PLAN |
| | | FIBER HAND HOLE AT POLE BASE | FIBER PROVIDER | C-501 | TRAFFIC CONTROL PLANS |
| | | DIPLEXERS | VERIZON | T-201 | SITE ELEVATION |
| | | LOAD CENTER | VERIZON | T-501 | ANTENNA DETAILS |
| | | ELECTRICAL METER | VERIZON | T-502 | EQUIPMENT DETAILS |
| | | ERICSSON RRUS AND POWER CONVERTERS | VERIZON | S-001 | STRUCTURAL NOTES ** |
| | | PANEL ANTENNA | VERIZON | S-501 | STRUCTURAL DETAILS ** |
| | | | | E-101 | UTILITY PLAN |
| | | | | E-102 | UTILITY PLAN |
| | | | | E-103 | GROUNDING PLAN |
| | | | | E-501 | UTILITY DETAILS |
| | | E-502 | GROUNDING DETAILS | | |
| | | | * COMPLETED BY OTHERS | | |
| | | | ** REVIEWED AND APPROVED BY STRUCTURAL ENGINEER | | |
| | | PROJECT DIRECTORY | | 11"x17" PLOT WILL BE HALF SCALE UNLESS OTHERWISE NOTED | |
| | | <p>LESSEE: VERIZON WIRELESS 10801 BUSH LAKE RD BLOOMINGTON, MN 55438 CONTACT: AMANDA TURNER PHONE: 612.720.1657</p> | <p>LESSOR: CITY OF DULUTH 411 W 1ST ST DULUTH, MN 55802 PHONE: 218.730.5000</p> | <p>CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS/CONDITIONS ON SITE. IMMEDIATELY NOTIFY ENGINEER OF ANY DISCREPANCIES PRIOR TO PERFORMING ANY WORK OR BE RESPONSIBLE FOR THE SAME.</p> | |
| | | <p>ENGINEERING COMPANY: EDGE CONSULTING ENGINEERS, INC. 2101 HIGHWAY 13 W BURNSVILLE, MN 55337 CONTACT: OTTO DINGFELDER III PHONE: 952.683.1032</p> | <p>RF ENGINEER: VERIZON WIRELESS 10801 BUSH LAKE RD BLOOMINGTON, MN 55438 CONTACT: MICHAEL KOCH</p> | <p>ENGINEER OF RECORD</p> <p>EDGE CONSULTING ENGINEERS, INC. CONTACT: OTTO DINGFELDER III (PE # 49720 (MN)) PHONE: 608.644.1449</p> | |
| | | <p>SITE ACQUISITION: JACOBS ENGINEERING GROUP, INC. 2727 PATTON ROAD ROSEVILLE, MN 55113 CONTACT: AMY DRESCH PHONE: 952.831.1043</p> | | <p>STRUCTURAL REVIEW</p> <p>STRUCTURAL ANALYSIS COMPLETED BY: EDGE CONSULTING ENGINEERS, INC. PROJECT #: 20096 DATE: 08/21/2018</p> | |
| | | | | <p>CONTRACTOR TO REVIEW STRUCTURAL REPORT IN ITS ENTIRETY. ANY DISCREPANCIES OR DISAGREEMENTS BETWEEN THE REPORT AND THESE PLANS SHOULD BE RESOLVED PRIOR TO CONSTRUCTION.</p> | |
| <p>LOCATION SCAN</p> | | | | | |



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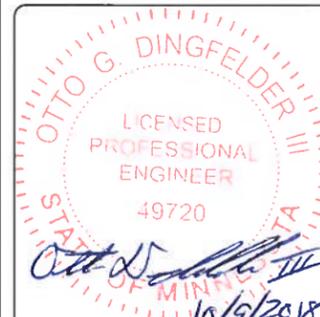
PROJECT NO: 20181847132

LOCATION CODE: 504066

EDGE PROJECT NO: 20096

CHECKED BY: OGD

| REV | DATE | DESCRIPTION | INT. |
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| A | 08/29/2018 | PRELIM SMALL CELL DWGS | JMK |
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DUL BURNING TREE PLAZA SC3
DULUTH, MN
REPLACEMENT LIGHT POLE
SMALL CELL DRAWINGS

SHEET TITLE
SITE PLAN

SHEET NUMBER
C-101
38



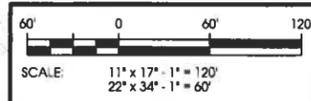
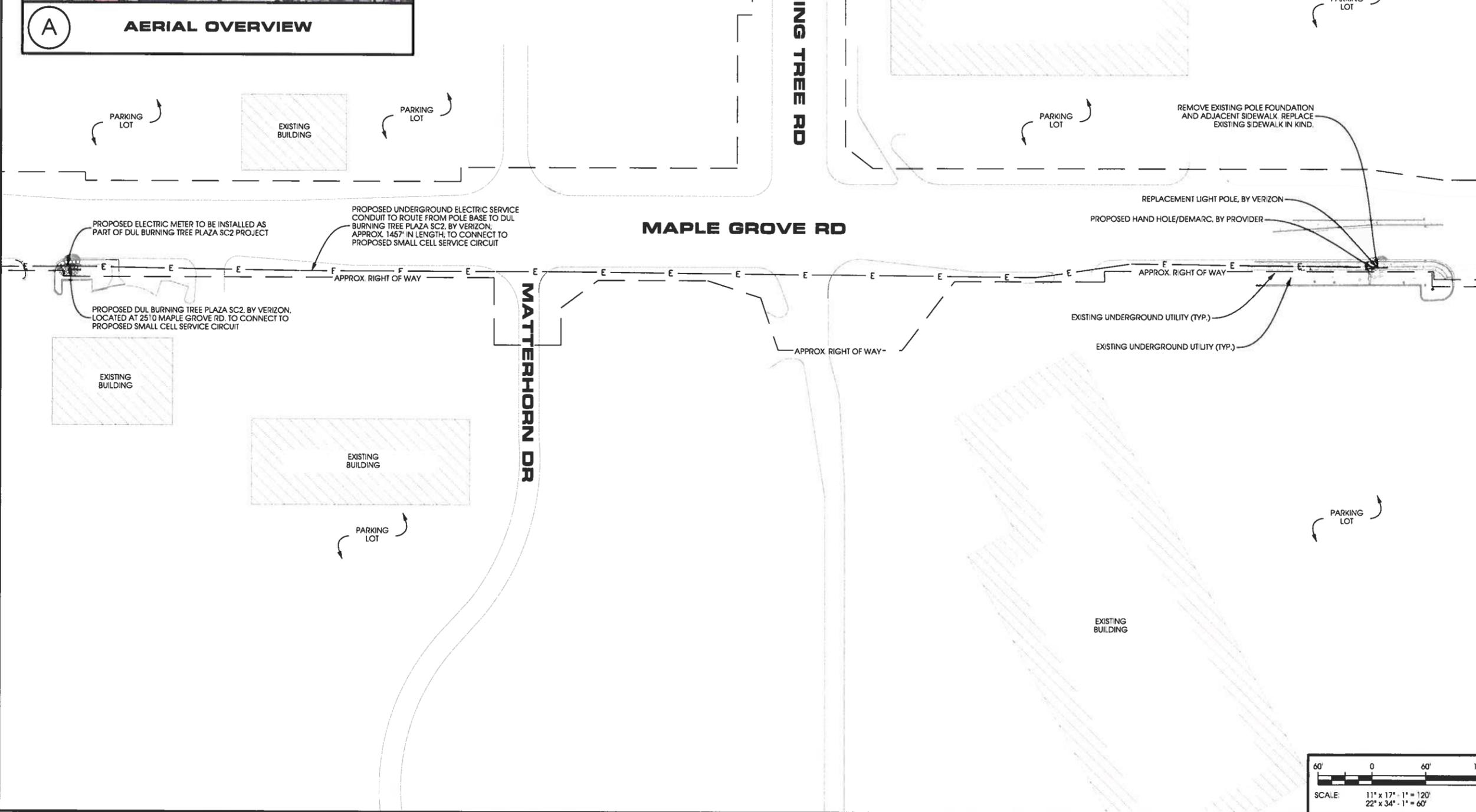
A AERIAL OVERVIEW

QUALIFICATION OF WORKERS NOTE:
ANY WORK ON EQUIPMENT WILL NEED TO BE DIRECTLY SUPERVISED OR PERFORMED BY A CONTRACTOR EMPLOYEE WHO IS MNDOT SIGNAL AND LIGHTING CERTIFIED.
MINNESOTA 2018 STANDARD SPECIFICATIONS 2545.1 DESCRIPTION B QUALIFICATION OF WORKERS
PARSONS ELECTRIC
CONTACT: TORY
PHONE: 218-591-1621
HUNT ELECTRIC
CONTACT: JEFF
PHONE: 218-628-3323

EXCAVATION NOTE:
THE CITY OF DULUTH GAS UTILITY MUST BE NOTIFIED 2 WORKING DAYS PRIOR TO ANY EXCAVATION OR DIRECTIONAL DRILLING WITHIN 6 FEET OF A 6 INCH OR LARGER NATURAL GAS MAIN. DEPARTMENT PERSONNEL WILL BE ON SITE TO MONITOR EXCAVATION AND INSPECT ANY EXPOSED STEEL MAIN 6 INCHES OR LARGER. NOTIFY THE ENGINEERING DIVISION AT 730-5200 TO COORDINATE THIS INSPECTION.
THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY ANY TIME A STEEL NATURAL GAS MAIN SMALLER THAN 6 INCHES IS EXPOSED WITHIN AN EXCAVATION. CONTACT THE ENGINEERING DIVISION AT 730-5200 TO COORDINATE AN INSPECTION OF THE EXPOSED MAIN.

NOTES:
CONTRACTOR TO COMPLETE A UTILITY LOCATE PRIOR TO COMMENCING ALL CONSTRUCTION ACTIVITIES.
CONTRACTOR TO RE-SEED ANY AND ALL DISTURBED GRASS AREAS. REFER TO THE LOCAL MUNICIPALITY FOR SEEDING SPECIFICATIONS.

PERSUANT TO DIRECTION FROM DULUTH CITY ENGINEER, VERIZON ELECTRICAL SERVICE WILL BE ROUTED USING SEPARATE CONDUIT OUTSIDE OF CITY'S EXISTING CONDUIT. #10 AWG CONDUCTORS ARE NOT REQUIRED.



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DUL BURNING TREE PLAZA SC3
DULUTH, MN
REPLACEMENT LIGHT POLE
SMALL CELL DRAWINGS

SHEET TITLE
ENLARGED SITE PLAN

SHEET NUMBER
C-102
39



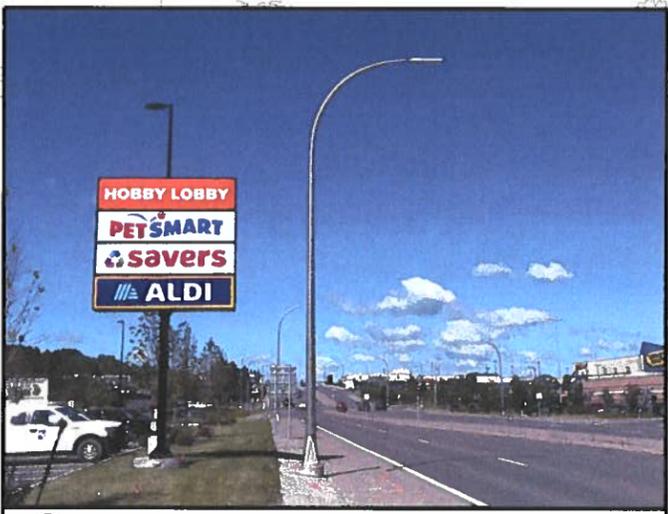
A AERIAL OVERVIEW

EXCAVATION NOTE:
THE CITY OF DULUTH GAS UTILITY MUST BE NOTIFIED 2 WORKING DAYS PRIOR TO ANY EXCAVATION OR DIRECTIONAL DRILLING WITHIN 6 FEET OF A 6 INCH OR LARGER NATURAL GAS MAIN. DEPARTMENT PERSONNEL WILL BE ON SITE TO MONITOR EXCAVATION AND INSPECT ANY EXPOSED STEEL MAIN 6 INCHES OR LARGER. NOTIFY THE ENGINEERING DIVISION AT 730-5200 TO COORDINATE THIS INSPECTION.

THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY ANY TIME A STEEL NATURAL GAS MAIN SMALLER THAN 6 INCHES IS EXPOSED WITHIN AN EXCAVATION. CONTACT THE ENGINEERING DIVISION AT 730-5200 TO COORDINATE AN INSPECTION OF THE EXPOSED MAIN.

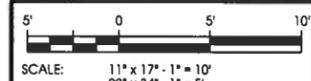
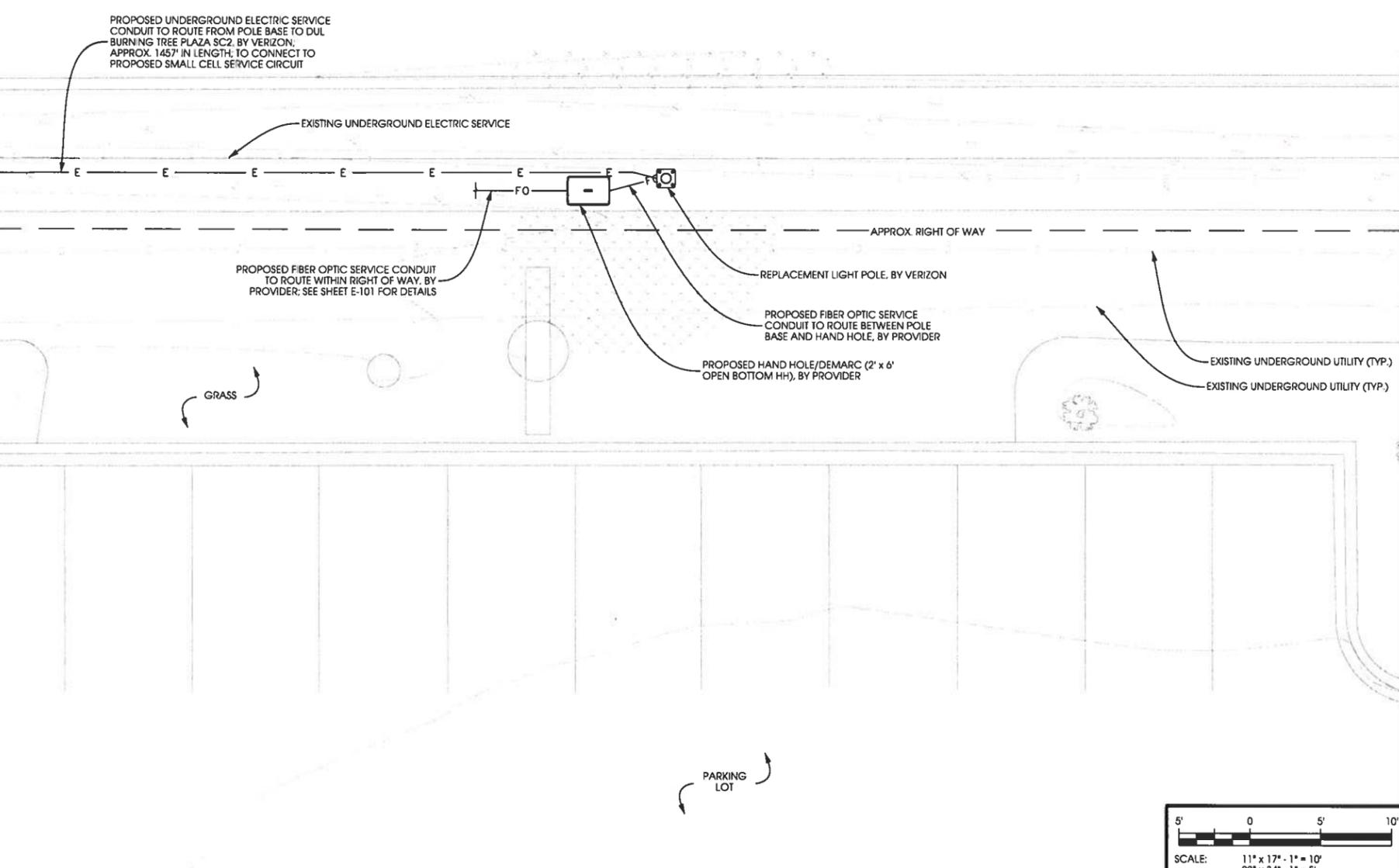


B SITE OVERVIEW [LOOKING EAST]



C SITE OVERVIEW [LOOKING WEST]

MAPLE GROVE RD



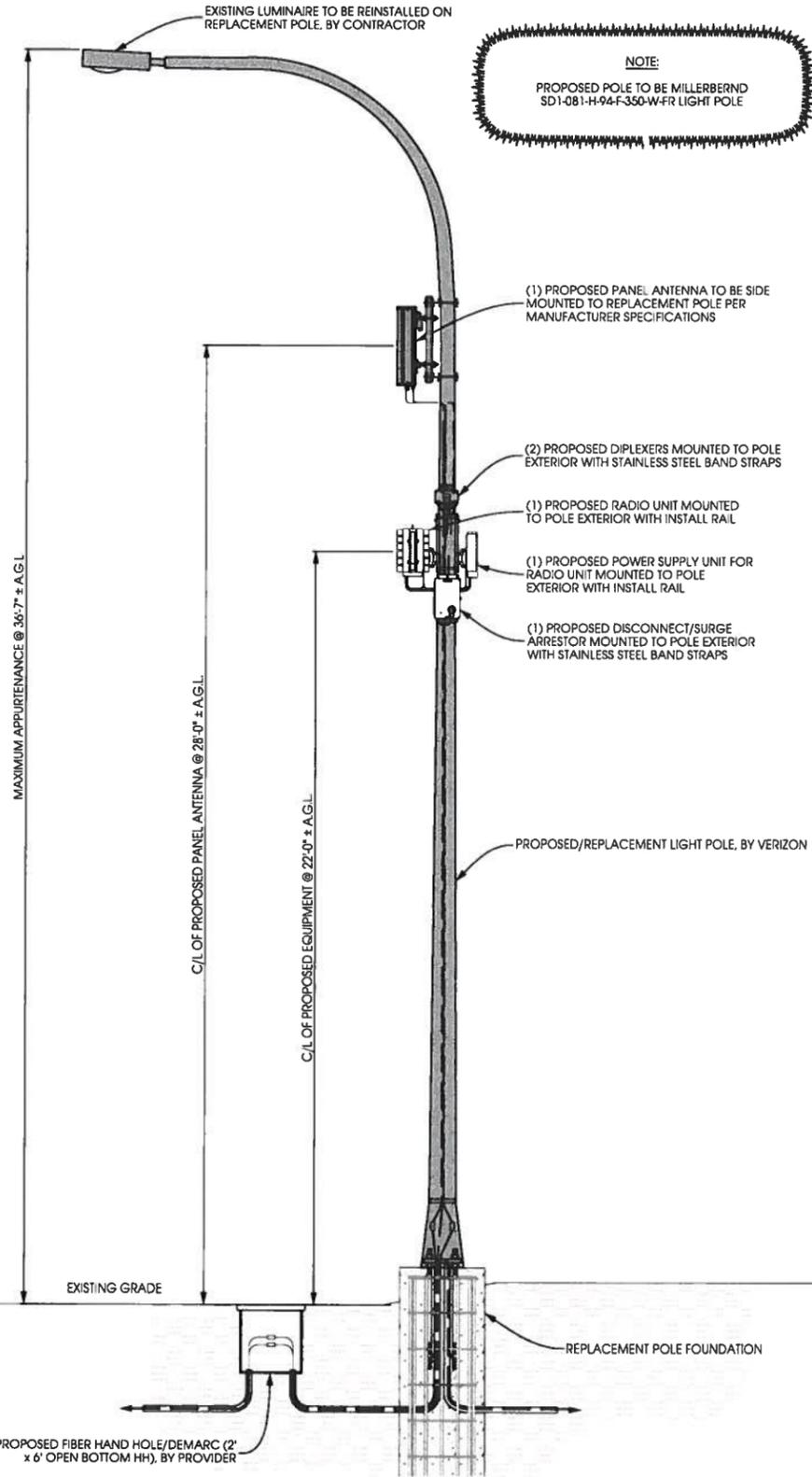
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| EXISTING POLE | |
|------------------------------|---------------|
| POLE HEIGHT: | 34'-7" T.O.C. |
| MAXIMUM APPURTENANCE HEIGHT: | 35'-1" A.G.L. |

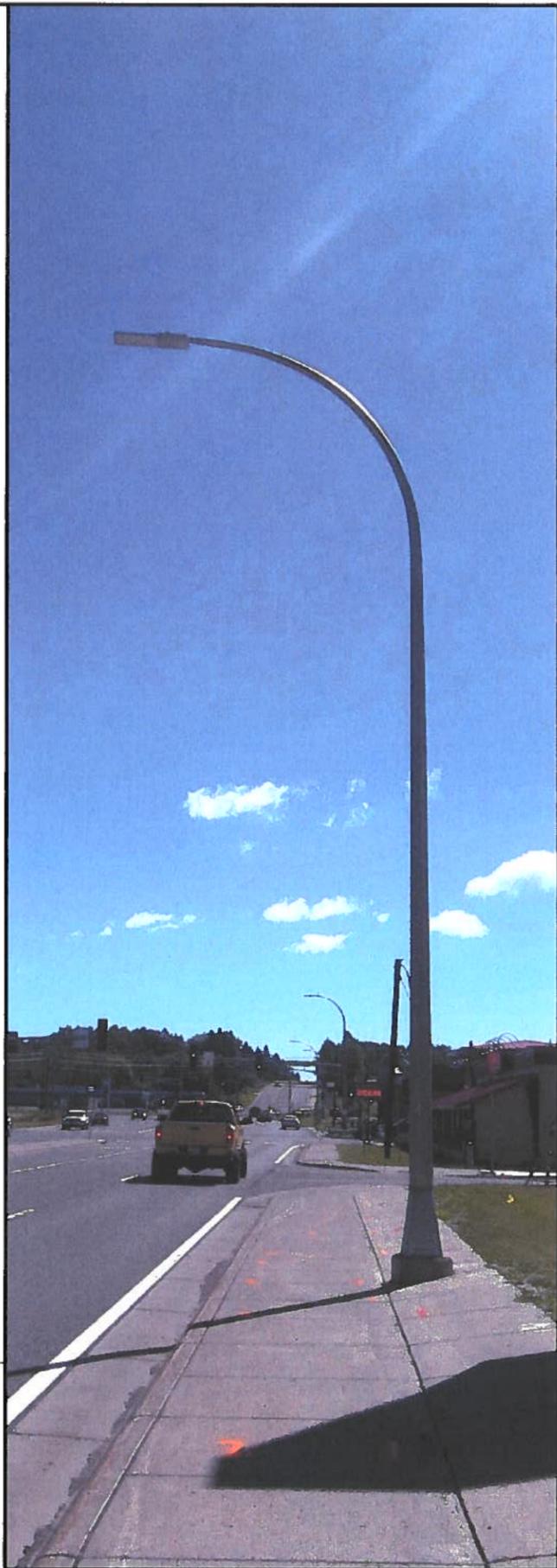
| PROPOSED POLE | |
|------------------------------|---------------|
| POLE HEIGHT: | 35'-0" T.O.C. |
| ANTENNA TIP HEIGHT: | 29'-2" A.G.L. |
| MAXIMUM APPURTENANCE HEIGHT: | 36'-7" A.G.L. |

NOTES:
 TYPICAL INSTALLATION SHOWN
 ALL ELEVATIONS ARE ASSUMED TO BE MEASURED FROM ABOVE GRADE LEVEL.
 ALL PROPOSED POLE-MOUNTED EQUIPMENT TO BE PAINTED TO MATCH POLE

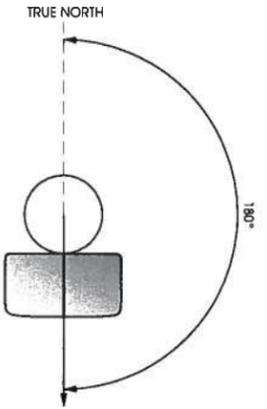
NOTE:
 PROPOSED POLE TO BE MILLERBERND SD1-081-H-94-F-350-W-FR LIGHT POLE



A POLE ELEVATION
 SCALE: 1" = 5'-0"
 22" x 34" = 1" = 2'-6"



B SITE ELEVATION



C ANTENNA ORIENTATION
 SCALE: NTS

| ANTENNAS | | | | | |
|----------|--------|-----------------|------------|------------|---------|
| QUANTITY | MAKE | MODEL | CENTERLINE | TIP HEIGHT | AZIMUTH |
| 1 | ANDREW | HBXX-6513DS-A2M | 28'-0" AGL | 29'-2" AGL | 180° |

| EQUIPMENT | | | |
|-----------|----------|-----------|-------------------------|
| QUANTITY | TYPE | MAKE | MODEL |
| 1 | RRU | ERICSSON | RRUS8843 |
| 1 | PSU | ERICSSON | PSU 6302 |
| 2 | DIPLEXER | COMMSCOPE | CBC1923T-4310 E11F13PO6 |

| CABLING | | | |
|----------|------|-----------|--------------|
| QUANTITY | TYPE | MAKE | MODEL |
| 12 | COAX | COMMSCOPE | F4-HMDM-1M-D |

D ANTENNA AND CABLING
 SCALE: NTS

CAUTION

WARNING

NOTICE

E RF WARNING SIGNS
 SCALE: NTS



JACOBS
 Jacobs Engineering Group, Inc
 2727 Patton Road
 Roseville, Minnesota 55113
 www.jacobs.com

Edge
 Consulting Engineers, Inc.
 2101 Highway 13 W
 Burnsville, MN 55337
 608.644.1449 voice
 608.644.1549 fax
 www.edgeconsult.com

PROJECT NO: 20181847132
 LOCATION CODE: 504066
 EDGE PROJECT NO: 20096
 CHECKED BY: OGD

| REV | DATE | DESCRIPTION | INT. |
|-----|------------|------------------------|------|
| A | 08/29/2018 | PRELIM SMALL CELL DWGS | JMK |
| 0 | 09/10/2018 | FINAL SMALL CELL DWGS | JMK |
| 1 | 10/08/2018 | FINAL SMALL CELL DWGS | JMK |

OTTO G. DINGFELDER
 LICENSED PROFESSIONAL ENGINEER
 40720
 10/9/2018

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

DUL BURNING TREE PLAZA SC3
 DULUTH, MN
 REPLACEMENT LIGHT POLE
 SMALL CELL DRAWINGS

SHEET TITLE
SITE ELEVATION

SHEET NUMBER
T-201
 40



JACOBS
Jacobs Engineering Group, Inc
2727 Patton Road
Roseville, Minnesota 55113
www.jacobs.com



Edge
Consulting Engineers, Inc.
2101 Highway 13 W
Burnsville, MN 55337
608.644.1449 voice
608.644.1549 fax
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DUL BURNING TREE PLAZA SC3
DULUTH, MN
REPLACEMENT LIGHT POLE
SMALL CELL DRAWINGS

SHEET TITLE
UTILITY PLAN

SHEET NUMBER
E-101
41

- NOTES:
- CONTRACTOR TO COMPLETE UTILITY LOCATE PRIOR TO COMPLETING ANY CONSTRUCTION ACTIVITIES.
 - CONTRACTOR TO MAINTAIN A MINIMUM 48" OF COVER BETWEEN DIRECTIONAL CORE AND ROADWAY PAVEMENT TO THE EXTENT PRACTICAL.
 - CONTRACTOR TO PROVIDE A MINIMUM OF 12" OF CLEARANCE BETWEEN PROPOSED CONDUIT AND EXISTING UTILITIES.
 - ALL CONCRETE DAMAGED AS PART OF THIS WORK TO BE REPAIRED/REPLACED TO ITS ORIGINAL CONDITION.
 - ALL ASPHALT REMOVED DURING CONSTRUCTION IS TO BE PATCHED AND REPAIRED TO ITS ORIGINAL CONDITION.
 - TEMPORARY HARD SURFACE TO BE PROVIDED IMMEDIATELY UPON BACK FILL UNTIL PERMANENT REPAIR IS MADE.
 - NOTIFY CITY OF DULUTH, 218.730.4130, 2 WORKING DAYS PRIOR TO EXCAVATION OR DIRECTIONAL DRILLING WITHIN 6FT OF NATURAL GAS MAINS.
 - OBTAIN PERMIT FROM ST. LOUIS COUNTY FOR ELECTRIC CONDUIT.



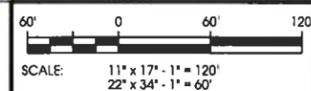
PROPOSED SINGLE METER FOR DUL BURNING TREE PLAZA SC2, BY VERIZON
PROPOSED DUL BURNING TREE PLAZA SC2 SITE, LOCATED AT 2510 MAPLE GROVE RD, BY VERIZON, TO CONNECT TO PROPOSED SMALL CELL SERVICE CIRCUIT

PROPOSED ELECTRIC SERVICE CONDUIT TO ROUTE FROM POLE BASE TO PROPOSED SMALL CELL SERVICE CIRCUIT VIA PROPOSED DUL BURNING TREE PLAZA SC2 LOCATED AT 2510 MAPLE GROVE RD, TO BE DIRECTIONALLY BORED BELOW GRADE BY VERIZON, APPROX. 1457' IN LENGTH. CONTRACTOR TO COMPLY WITH CITY STANDARD SPECIFICATIONS FOR HORIZONTAL DIRECTIONAL DRILLING

PROPOSED FIBER OPTIC SERVICE CONDUIT TO ROUTE WITHIN EXISTING RIGHT OF WAY, BY PROVIDER
PROPOSED FIBER HAND HOLE/DEMARC, BY PROVIDER

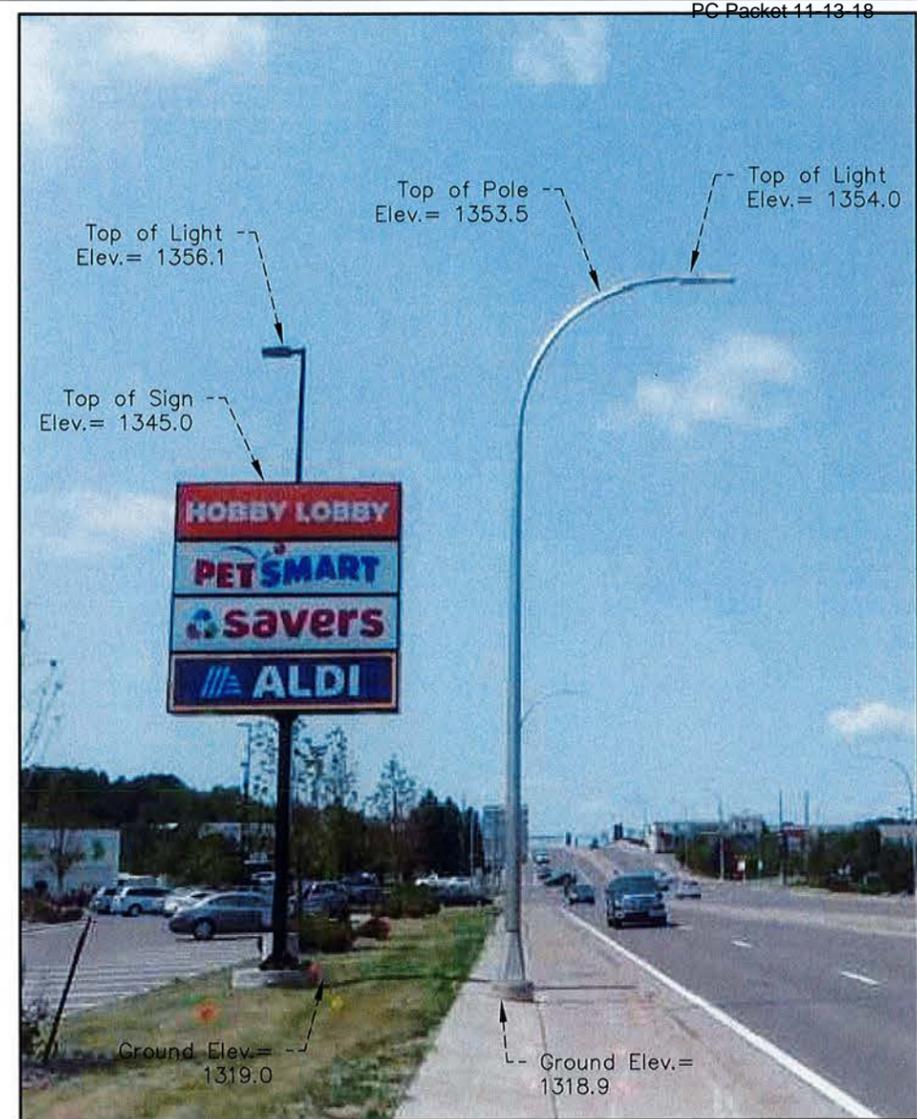
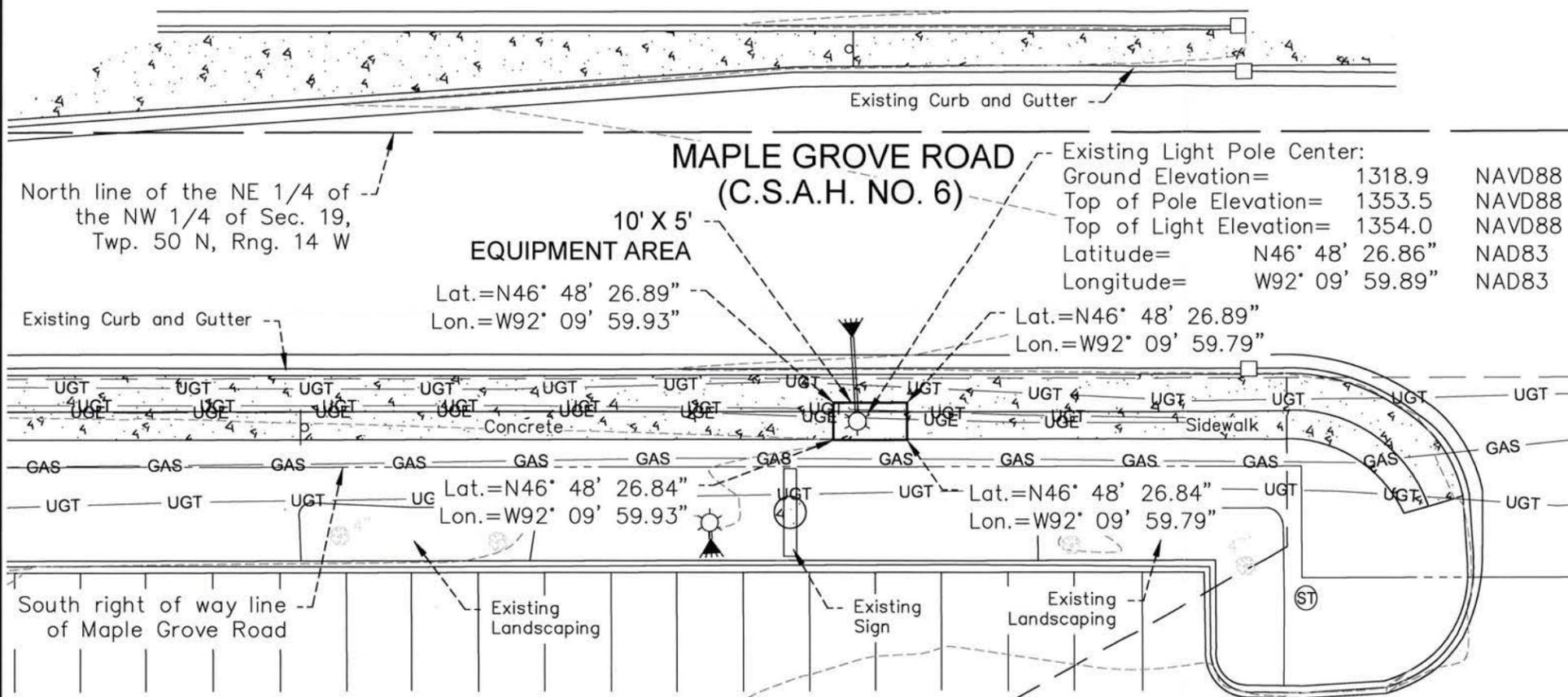
REPLACEMENT LIGHT POLE

A UTILITY PLAN



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DUL BURNING TREE PLAZA SC3



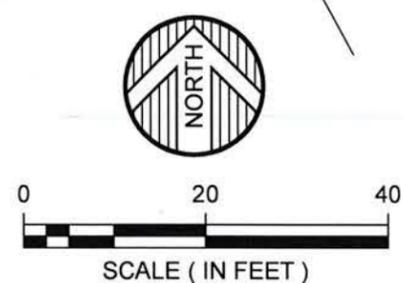
VILLAGE
 PID=010-4427-00010
 NLD DULUTH SC, LLC

PID=010-4427-00011
 NLD DULUTH SC, LLC

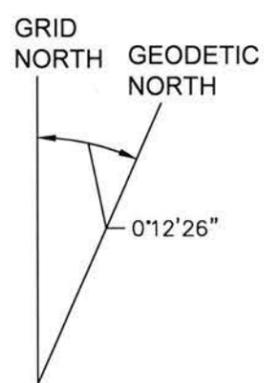
1
 BLOCK 1

LEGEND

| | | | |
|--|------------------|--|-------------------|
| | DECIDUOUS TREE | | UNDERGROUND TELE |
| | SIGN | | UNDERGROUND GAS |
| | LIGHT | | UNDERGROUND ELEC |
| | LIGHT POLE | | SECTION LINE |
| | STORM MANHOLE | | RIGHT OF WAY LINE |
| | CATCH BASIN | | LOT LINE |
| | CONCRETE SURFACE | | PARCEL LINE |
| | | | LEASE AREA |



ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE ST. LOUIS COUNTY SOUTH ZONE COORDINATE SYSTEM NAD83 (2011)



SURVEYOR NOTES:

- Utilities are per observed evidence and markings from GOPHER STATE ONE CALL Locate Request Ticket No. 181981445, dated July 17, 2018.

DATE: 8/2/18
 SCALE: AS SHOWN
 DRAWN BY: JMB
 CHECKED BY: SMK
 FILE NUMBER: 494A1818.003





CITY OF DULUTH
Community Planning Division

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

| | | | | |
|-----------------------------|-------------------------------------------------------------------------|---------------------------------|-------------------|------------------|
| File Number | PL 18-068 | Contact | John Kelley | |
| Type | UDC Map Amendment, Rezone R-1 to R-2 and R-1 to MU-N | Planning Commission Date | November 13, 2018 | |
| Deadline for Action | Application Date | N/A, City Action | 60 Days | N/A, City Action |
| | Date Extension Letter Mailed | N/A, City Action | 120 Days | N/A, City Action |
| Location of Subject | Kenwood Avenue and West Arrowhead Road area in the Kenwood Neighborhood | | | |
| Applicant | City of Duluth, Community Planning | Contact | John Kelley | |
| Agent | N/A | Contact | | |
| Legal Description | See attached map | | | |
| Site Visit Date | July 31, 2018 | Sign Notice Date | | |
| Neighbor Letter Date | November 2, 2018 | Number of Letters Sent | 148 | |

Proposal

The City is proposing to rezone properties in the general area of West Arrowhead Road, Kenwood Avenue, Maryland Street and Warren Avenue from Residential-Traditional (R-1) to Urban Residential (R-2) and Urban Residential (R-2) to Mixed Use-Neighborhood (MU-N), and areas south of West Arrowhead Road and west of Kenwood Avenue from Residential-Traditional (R-1) to Mixed Use-Neighborhood (MU-N).

The areas proposed for rezoning each have unique characteristics related to existing land use and current zoning in proximity to the Kenwood Neighborhood commercial node. Based on these characteristics Areas A & B (located north of West Arrowhead Road) and Areas C & D (located south of West Arrowhead Road), all depicted on attached map, shall be considered under separate review and recommended action.

| | Current Zoning | Existing Land Use | Future Land Use Map Designation |
|----------------|-----------------------|--------------------------|----------------------------------------|
| Subject | R-1, R-2 | Residential | Urban Res, Trad Res, Nghbrd Mixed Use |
| North | R-1, MU-N | Residential/Commercial | Urban Res, Trad Res, Nghbrd Mixed Use |
| South | R-1, MU-N | Residential/Commercial | Urban Res, Nghbrd Mixed Use |
| East | MU-P/MU-N/R-1 | Commercial/Residential | Nghbrd Mixed use, Trad Nghbrd |
| West | R-1, MU-N | Commercial/Residential | Urban Res, Trad Res, Nghbrd Mixed Use |

Summary of Code Requirements

- UDC Sec. 50-37.3.B: Planning Commission shall review the application, conduct a public hearing ... with public notice ... and make a written recommendation to council.
- UDC Sec. 50-37.3.C: The Planning Commission shall review the application, and Council shall approve the application or approve it with modifications, if it determines that the application:
 1. Is consistent with the Comprehensive Land Use Plan; 2. Is reasonably related to the overall needs of the community, to existing land use, or to a plan for future land use; 3. Is required by public necessity, convenience, or general welfare, or good zoning practice; 4. 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.
- 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 else be considered arbitrary and capricious.

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

Traditional Neighborhood: Characterized by grid or connected street pattern, houses oriented with shorter dimension to the street and detached garages, some with alleys. Limited commercial, schools, churches, and home-businesses. Parks and open space areas are scattered through or adjacent to the neighborhood. Includes many of Duluth's older neighborhoods, infill projects and neighborhood extensions, and new traditional neighborhood areas.

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.

Urban Residential: Greatest variety of building types, medium to high densities. Applicable to larger infill areas close to downtown, entertainment or activity centers, and waterfront residential areas. May include student housing areas, live/work units, and limited neighborhood retail. Connected or adjacent to parks and open space.

Economic Development: Policy #2: S1 - Prioritize redevelopment efforts in the Core Investment Areas. Encourage collaboration between existing businesses in individual Core Investment Areas to support increased business activity overall and to improve its aesthetic and social environment. Recognize Core Investment Areas as hubs of the sharing and remote-work economy.

Governing Principle #4 - Support emerging economic growth sectors

Emerging economic sectors add economic, cultural and social diversity. These include higher education, medical, value-added manufacturing, commercial outdoor recreation, historic resources interpretation, arts and music, information technology and visitor services.

Governing Principle #8 - Encourage mix of activities, uses and densities

Cities have evolved as a mix of land uses, building types, housing types, and activities. Accommodating choice while protecting investment is a balance to strike in land use regulation. Mixed uses provide opportunity for a diversity of activity that segregated, uniform uses do not provide

The City recognizes this neighborhood as a core investment area in the Imagine Duluth 2035 Comprehensive Land Use Plan based on the existing character and redevelopment potential for the area. To help achieve priorities and opportunities for this core investment area the City is proposing to rezone property in the general area of Kenwood Drive and West Arrowhead Road.

Recent History:

FN 11-042 Rezone R-2 to MU-N – Northwest corner area of West Arrowhead Road and Kenwood Avenue

FN 11-105 Rezone R-1 to R-2 – North side of West Arrowhead Road between Warren Avenue and Dodge Avenue

PL 12-008 Rezone R-1 to R-2 – Kenwood/Edison School, 1750 Kenwood Avenue

PL 15-060 Rezone R-1 to MU-N – Southwest corner of West Arrowhead Road

Review and Discussion Items

Staff finds that:

1) State Statute requires that a community's zoning map implement the general objectives of the Comprehensive Plan. The City recognizes the Kenwood Neighborhood as a Core Investment Area (CIA) in the Imagine Duluth 2035 Comprehensive Land Use Plan based on the existing character and redevelopment potential for the area. The CIAs are intended to serve as neighborhood focal points, enhancing access by current residents to retail and service businesses, and protecting existing housing types outside the core zone. The proposed rezoning's will help lay the ground work for establishing a CIA in the Kenwood neighborhood.

2) This proposed rezoning is to update the city's zoning map so that it matches the community's vision in the Imagine Duluth 2035 Comprehensive Land Use Plan. The City will be amending the zoning map throughout the city to align with the future land use changes, and this is one of the many rezoning actions implementing the

comprehensive plan, both large and small, being proposed to the Planning Commission over the next several quarters.

- 3) 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. Good zoning practice requires that zone districts be consistent with the future land use category identified for the area.
- 4) Area A (in the purple box of the Proposed Rezoning Area Map) has a future land use designation of Urban Residential, which can translate into the Unified Development Chapter's R-2, Residential-Urban and Mixed Use-Neighborhood (MU-N) zoning district. It is zoned R-1, Residential Traditional. All the parcels are privately owned with single family homes.
- 5) Area B (in the blue box of the Proposed Rezoning Area Map) has a future land use designation of Urban Residential, which can translate into the Unified Development Chapter's R-2, Residential-Urban and/or Mixed Use-Neighborhood (MU-N) zoning district. It is currently zoned R-2, Residential-Urban. The two parcels are privately owned and were rezoned from R-1 to R-2 in 2011. The current land use is office and single family home.
- 6) Area C (in the yellow box of the Proposed Rezoning Area Map) has a future land use designation of Traditional Neighborhood, which can translate into the Unified Development Chapter's R-1 or R-2 zoning districts. All the parcels are privately owned with single family homes.
- 7) Area D (in the red box of the Proposed Rezoning Area Map) has a future land use designation of Neighborhood Mixed Use, which can translate into the Unified Development Chapter's Mixed Use-Neighborhood (MU-N) zoning districts. All the parcels are privately owned with single family homes and one office building.
- 8) The MU-N district is established to accommodate a mix of neighbor-hood-scale, neighbor-hood serving non-residential uses and a range of residential uses located in close proximity. This district accommodates both horizontal (uses located in separate structures) and vertical (uses located in the same building) types of mixed use. Non-residential uses may include small-scale retail, service and professional offices that provide goods and services to the residents of the surrounding neighborhood or the unique development needs and impacts of major medical, educational and research institutional development.
- 9) The R-2 district is established to accommodate multi-family apartments and townhouses, in an urban setting. This district also allows for single-family detached dwellings, duplexes and group living accommodations. The district is intended primarily for locations closer to commercial and mixed use activity centers, and may serve as a transition between lower density residential areas and more intense commercial and mixed use neighborhoods.
- 10) The City is looking to finalize the boundary of the Kenwood Commercial area. There is no commercial project that is driving this rezoning. Finalizing the boundary of the Kenwood Commercial node was an unfinished item from the 2006 Comprehensive Land Use plan and the city is just now completing this task
- 11) Impacts from developing property in MU-N zone district would be mitigated by implementing UDC development standards such as buffering and landscaping, as well as storm water treatment and detention. In addition, access management controls (reducing conflict points on roads) would help to reduce additional vehicle traffic.
- 12) Based on the policies and objectives of the Imagine Duluth 2035 Comprehensive Land Use Plan future land use, character and development history of this neighborhood and the purpose statements of the R-2 and MU-N zone districts, rezoning as proposed in areas A, B, C and D identified on the attached map, titled Proposed Rezoning Area Map, is appropriate for this neighborhood.
- 13) The city, as of the date this was written, has received two formal written comments in regard to this proposal from citizens and has had several emails and phone calls with residents and business of the area.

Staff Recommendation

Based on the above findings, staff recommends that the Planning Commission recommend approval to the City Council of the rezoning as shown on the proposed rezoning area maps and as follows:

- 1) The rezoning is consistent with the Imagine Duluth 2035 Future Land Use Map.
- 2) The City recognizes this neighborhood as a core investment area in the Imagine Duluth 2035 Plan based on the existing character and redevelopment potential for the area.
- 3) The proposed zone district is most reasonably able to implement the objectives of the Imagine Duluth 2035 Plan related to the proposed land use for this area.
- 4) Material adverse impacts on nearby properties are not anticipated.

Action 1

Rezone Area A from R-1 to R-2 and Area B from R-2 to MU-N.

Action 2

Rezone Area C and D from R-1 to MU-N.

KENWOOD NEIGHBORHOOD MEETINGOctober 11, 2018

- Too much traffic during construction.
- Traffic backed up stoplights would not turn green for long periods of time. Would take about 10 minutes just to drive across the street.
- People cut through the plaza where it would be unsafe. Accidents could easily happen. – Leah Bennett
- Roads need to be expanded.
- Plaza should expand parking lot. The parking lot needs to manage parking by putting symbols on the road to drive up or down.

Kenwood Villages

- Jim Steenerson - Parking, traffic, safety of stop signs.
- Jed S – listening has land in across from area B.
- Dave H. – Kenwood Village too small. Needs more parking spaces
- Hillary & Darryl – Wants more information, parking on Cleveland. Residential parking on cul dul sac development. Will parking congestion be safe for pedestrians?
- Carol & Tom – Alley Kenwood to West of Toledo – suggest more houses to be bought to widen Area B to the west.
- Lucas – Area C Arrowhead – Currently a two-lane road, driveway parking is unsafe. No increase to 4-way lane – no! Speed bumps.
- Property values, Holiday station, built-up, Core investment areas are transitional areas, safe pedestrian access, Rentals, Area D master plan before development.
- Kenwood Village Developer and University stockholder are not present.

Area A R-1 to R-2

- Multi-family building
- How many residential homes will be taken down if it is changed to R-2 for development?
- There are already 4 apartment buildings surrounding the neighborhood.
- Traffic and parking horrible. People cut thru the neighborhood. Can't imagine adding apartments.
- Buffer?
- There are people already knocking at the door to buy houses along Dodge St.
- Change Area D but leave A & B along. (Especially A)
- Property value for houses up. (Maryland St. and up).
- R-1 is safe for Area A.

- Affordable apartment rentals.
- Nature
- Problems with student parking
- Area C – R-2? Not MU-N
- Neighborhood business

Adam, We were unable to attend the meeting last Thursday, but want you to know that we vehemently object to the rezoning in our area. We have lived on Woodrich Circle for over 40 years and have seen several generations of families grow up here. We know 40 of the neighbors on Woodrich, Dodge, Maryland, and Warren and have kept a photo album of the annual holiday gathering since 1990. It is a wonderful, close neighborhood and has been a great place for families. Any rezoning would undoubtedly greatly increase traffic up our street and on the other streets. Has anyone counted the cars that travel on Arrowhead and Kenwood? I can't imagine adding more, especially since we have so many young families with children and no sidewalks. And parking is another issue. Our home already has cars parked in front of it daily because of the group home next door which was approved in spite of having no parking on the street available in front of it. How would you feel if this were your neighborhood? Development along Arrowhead would be fine, but don't let developers money ruin a long-standing, safe and perfect family oriented neighborhood. Kathy Croke 1210 Woodrich Circle

John:

My name is Tom O'Brien. I own 2 homes in the area of your planned rezoning and land use changes for the Kenwood neighborhood. Both these homes are located in Area C, 1222 and 1246 W. Arrowhead Road. I want you to know that I support the proposed changes you are requesting. If you ever want to contact me by phone, 715-795-2146, or 651-330-6517.

Sincerely,

Tom O'Brien

Shamrock Management LLC

Bretmin Corporation

Edgewater Services, Inc. Infinity Management, Inc.

5979 Birch Point Road

Saginaw, MN 55779

Phone (218)-348-1782

Email bretmin@gmail.com

October 6, 2018

Planning Commission
City of Duluth
411 West First St
Room 208
Duluth, MN 55802

Dear Members of the Duluth Planning Commission,

I received the letter from the Duluth Planning Commission dated October 1, 2018 regarding the re-zoning of R-1 to MU-N in the Kenwood/Arrowhead area. Since I will not be available to attend the meeting on October 11, 2018 I would like to offer my response to the re-zoning.

As stated in my previous letter, I am a commercial property owner at 1520 Kenwood Avenue. I believe that letter clarified my position on this re-zoning.

I am not opposed to commercial re-zoning in this area. However, I continue to be concerned for the residential properties effected by this change. Depending on the MU-N development this could have a devastating effect on the residential property owners that would find themselves abutted to a commercial zone.

In consideration of the neighbors please listen to their concerns regarding traffic, noise, congestion and impact prior to making a final decision on the rezoning issues.

Sincerely,

Daniel J Thompson
President
Infinity Management, Inc.

Good Afternoon,

I am requesting to have the easterly half of my property that is currently R1 (010-2710-02950) to go to R2 and or MU-N. The city currently is asking to rezone North of West Arrowhead between Warren Ave and Dodge ave. My property resides direct across the street from both Avenues. The westerly half of my property currently is R2. It would be in my best interest to ask for this request because the city is changing the Zoning in the areas that are directly next to my property. This would allow opportunity for future developments. Also, this would Hopefully eliminate applied rezoning fees. Please fee free to contact me with questions or concerns.

Thank you

Greg Carlson

218-590-5658



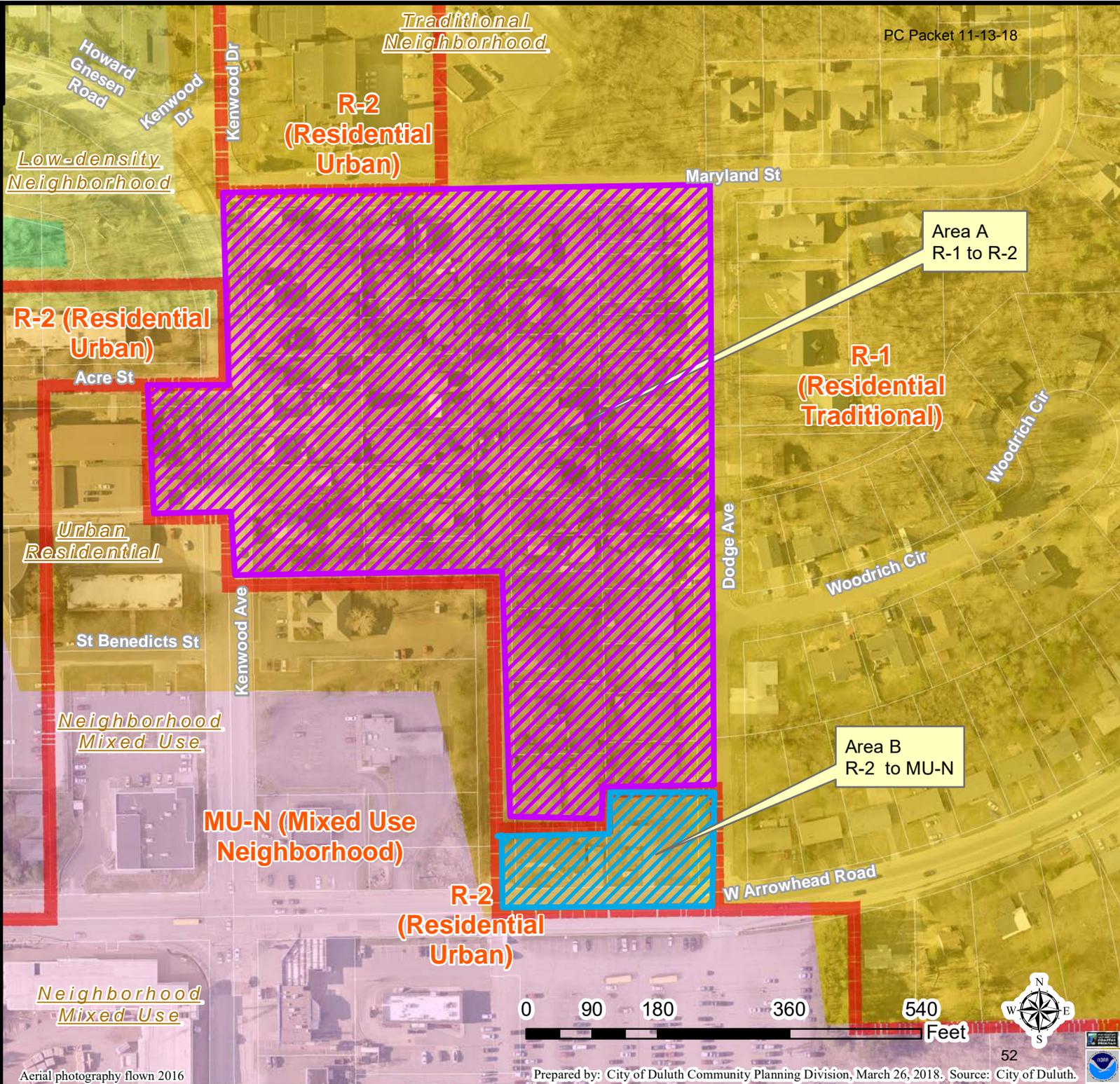
Legend

Zoning Boundaries

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



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.



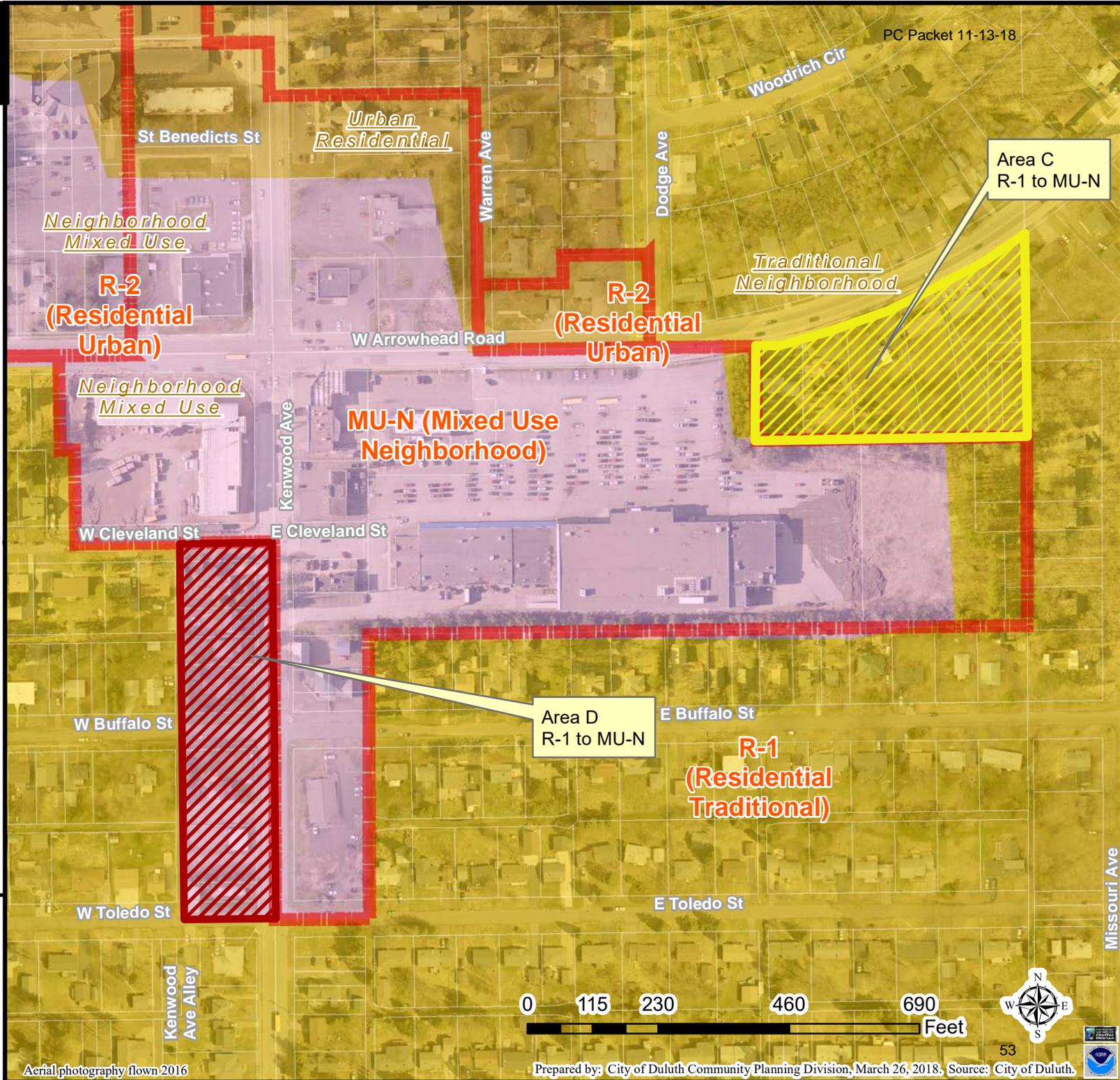
Legend

Zoning Boundaries

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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Area C
R-1 to MU-N

Area D
R-1 to MU-N





CITY OF DULUTH

Community Planning Division

411 W 1st St, Rm 208 * Duluth, Minnesota 55802-1197

Phone: 218/730.5580 Fax: 218/723-3559

| | | | | |
|-----------------------------|-------------------------------------|---------------------------------|-----------------------------------|------------------|
| File Number | PL 18-125 | Contact | John Kelley, jkelley@duluthmn.gov | |
| Type | Variance from Shoreland Setbacks | Planning Commission Date | November 13, 2018 | |
| Deadline for Action | Application Date | Sept 4, 2018 | 60 Days | November 3, 2018 |
| | Date Extension Letter Mailed | Sept 18, 2018 | 120 Days | January 2, 2019 |
| Location of Subject | 3911 Minnesota Avenue | | | |
| Applicant | Duluth Rowing Company | Contact | | |
| Agent | Tom Griggs | Contact | thomg0313@gmail.com | |
| Legal Description | PID 010-3580-00009 | | | |
| Site Visit Date | November 2, 2018 | Sign Notice Date | October 30, 2018 | |
| Neighbor Letter Date | November 2, 2018 | Number of Letters Sent | 25 | |

Proposal

Applicant is requesting a variance to place an 8' x 20' storage container on an engineered concrete slab approximately 4 feet from the Ordinary High Water Level (OHWL) instead of the required 50 feet.

| | Current Zoning | Existing Land Use | Future Land Use Map Designation |
|---------|-----------------------|------------------------------|----------------------------------------|
| Subject | P-1 | Rowing club | Traditional Neighborhood/ Preservation |
| North | R-1 | Undeveloped shoreland | Traditional Neighborhood |
| South | P-1 | Undeveloped shoreland | Preservation |
| East | R-2, R-1 | Assisted living, Residential | Traditional Neighborhood |
| West | N/A | N/A | N/A |

Summary of Code Requirements

Sec. 50-18.1.D-1 – Minimum Shoreland Area Standards: for General Development Waters, maintain a minimum structure setback of 50 feet.

Sec. 50-37-9.B – Variance Procedures: “The Planning Commission shall... make a decision on the application based on the criteria in subsections 50-37.9.C – 50.37.9.M...”

Sec. 50-37.9.C – General Variance Criteria (paraphrased): Granting of variances of any kind is limited to situations where, due to characteristics of the applicant’s property, enforcement of the ordinance would cause the landowner exceptional practical difficulties or undue hardship. The Planning Commission must find the following for a variance to be granted: a) that the landowner is proposing to use the property in a reasonable manner, b) that the need for relief from the normal regulations is due to circumstances unique to the property and not caused by the landowner, c) that granting the variance will not alter the essential character of the area, d) that granting the variance is consistent with the intent of the UDC and the Comprehensive Plan.

Sec. 50-37.9.L – Standards for Variances in Shorelands: “No variance shall be granted that compromises the general purposes or intent of Section 50-18.1.D or results in adverse consequences to the environment. Variances shall include a requirement for the applicant to mitigate the impacts of the variance on shoreland areas.”

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

Future Land Use – Traditional Neighborhood: Characterized by grid or connected street pattern, houses oriented with shorter dimension to the street and detached garages, some with alleys. Limited commercial, schools, churches, and home businesses. Parks and open space areas are scattered through or adjacent to the neighborhood.

Future Land Use – Preservation: Lands with substantial restrictions. High natural resource or scenic value, or severe development limitations. Primarily public lands but limited private use is anticipated subject to use and design controls. Examples include: most city parklands and primary viewsheds; shorelands of lake, rivers, streams; wetlands and floodplains; high-value habitat; low-intensity private or public uses.

Site History – In 2015, the Planning Commission approved a shoreland variance for the Duluth Rowing Club to construct a clubhouse approximately 3 feet from the Ordinary High Water Level (OHWL) instead of the required 50 feet.

Review and Discussion Items

Staff finds that:

- 1) Applicant is seeking a shoreland setback variance for an existing 8' x 20' storage container on wheels with a hitch located behind the new clubhouse. The applicant proposes to remove the wheels and place the container on an engineered concrete slab. The container would be set back approximately 4 feet from the OHWL of the Superior Bay/Harbor.
- 2) The Applicant stated that the container is required for insurance purposes to store fuel that cannot otherwise be stored within the clubhouse. The container will also store life jackets and other equipment for the rowing club daily use. The desired location for the container is due to its proximity to the coach boats that use the stored fuel and that the container would be blocked from view of neighboring properties.
- 3) Review of the site indicates that there are locations on the property outside of the 50' setback that could accommodate storage structures, and that the storage could be incorporated into the building if appropriate building code requirements were addressed for storage of fuels or other necessary storage matters.
- 4) The site has been utilized as a boathouse and similar functions with outdoor storage of materials has existed on the property for many years. The proposed project will not alter the essential character of the area.
- 5) The need for the variance will not result in practical difficulties for the Applicant, as there are other available locations suitable for storage structures.
- 6) No public, agency, or City comments have been received.

Staff Recommendation

Based on the above findings, Staff finds that the standard for variance has not been met and, recommends the Planning Commission deny the requested variance because there are not practical difficulties resulting from adherence to the required setbacks for the property. There are locations on the site outside of the 50' setback that could accommodate the container as a trailer with the wheels and hitch or as a storage container/shed on a foundation. The need for the variance is caused by the Applicant's desired location for the storage container and is not caused by the shape of the lot, its topography, or other features unique to the site.

Duluth Rowing Club
Attn Tom Griggs
3429 Minnesota Ave
Duluth Minnesota 55802

October 9, 2018

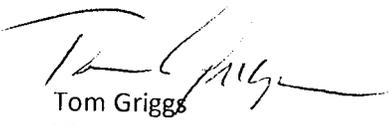
City of Duluth
Department of Planning and Construction Services
Attn: John Kelly
422 W First St Rm 208
Duluth MN 55802

This is in response to your letter dated September 18, 2018 concerning the Duluth Rowing Club request for variance for placement of a storage container within the 50 foot setback from the water.

Attached is a site plan showing the placement of the storage container west of the clubhouse and the southwest corner of the container being 4 feet from the water. The advantage of this location is the container is hidden from view of the neighbors and vehicles or people walking past the Rowing Center; and is located close to the coach boats which must have fuel containers, life jackets and other equipment carried to and from the boats every rowing day.

The second site is located on the east side of the clubhouse, and is *the only space outside the setback* other than the property used for required parking or the driveway. This location would cover the shutters the Planning Commission required when approving the Clubhouse variance and would be visible to neighbors and traffic, both vehicular and foot. Logistically it would be a longer haul to get the boats on and off the water.

Thank you for your consideration.



Tom Griggs
Vice President
Duluth Rowing Club
218 260-6056

Duluth Rowing Club
3429 Minnesota Ave
Duluth Minnesota 55802

October 15, 2018

City of Duluth
Planning Commission
422 W First St Rm 208
Duluth MN 55802

Subject: Mitigation Plan

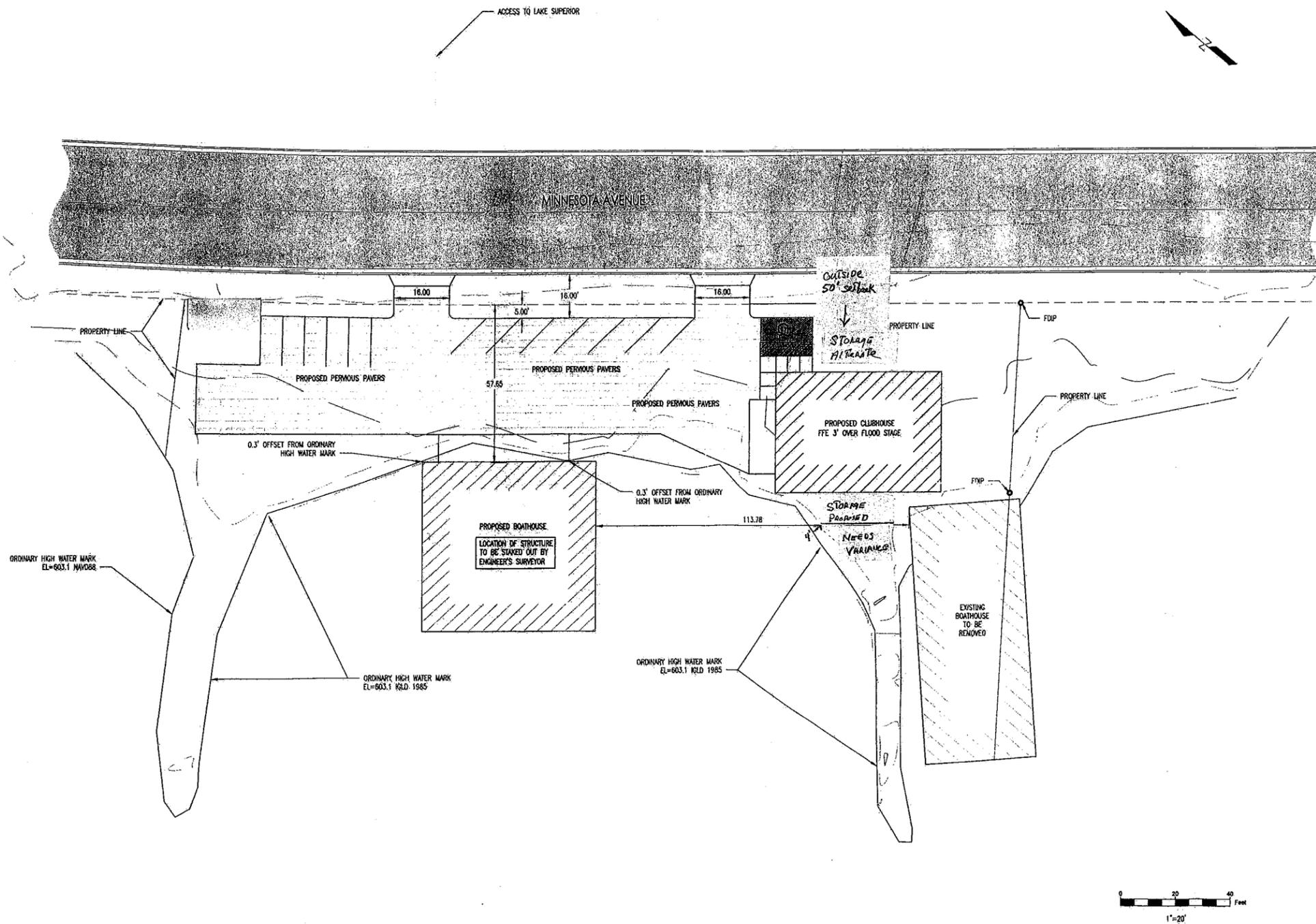
The Duluth Rowing Club proposes that in consideration for approval of the request for variance to place a storage container within the 50-foot setback as shown on the site plan, we will place heavy stone for rip rap along the entire north shore of the north peninsula to mitigate erosion. See attached site plan.

Landscape cloth will be placed all along the shoreline before placing the stone. This shore does get the brunt of the west and northwest winds across the bay causing erosion. We believe this action on our part will stop or severely curtail any future erosion.



Thomas Griggs
Vice President
Duluth Rowing Club
218 260-6056

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AMI
Consulting Engineers P.A.
91 Main Street
Superior, WI 54880
PH 715.718.2193 Fax 877.761.7058

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, AND REPORT 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 WISCONSIN.
NAME: CHAD W. SCOTT
SIGNATURE: [Signature]
DATE: 9-22-15
LIC. NO.: 42431

| DATE | REV. | DESCRIPTION | REV. BY |
|---------|------|-------------------------|---------|
| 9-22-15 | 0 | ISSUED FOR CONSTRUCTION | CWS |

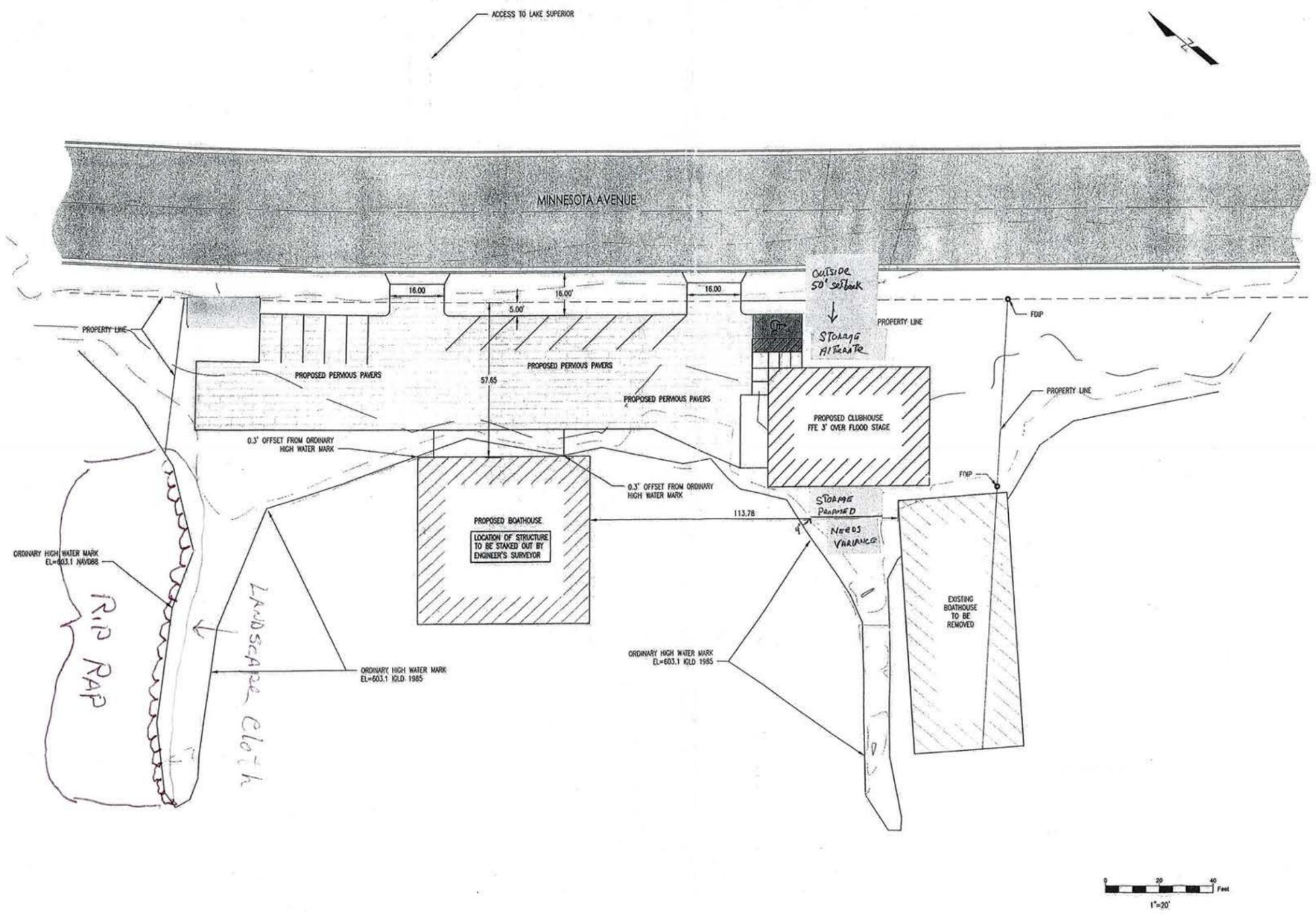
**NEW BOATHOUSE FOR
DULUTH ROWING CLUB
SOUTH LAKE AVE
DULUTH, MINNESOTA**

PROPOSED SITE PLAN

JOB No: 131037
DATE: 9-22-15
DRAWN BY: STF/SAJ
DESIGNED BY: IMS

SHEET:
S1.0

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AMI
 Consulting Engineers P.A.
 91 Main Street
 Superior, WI 54880
 PH 715.718.2193 Fax 877.761.7058

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, AND CALCULATIONS WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF WISCONSIN.
 NAME: CHAD W. SCOTTY
 SIGNATURE: [Signature]
 DATE: 9-22-15
 LIC. NO.: 42431

| REV. | REV. BY: | DESCRIPTION |
|------|----------|-------------------------|
| 0 | CWS | ISSUED FOR CONSTRUCTION |

DATE: 9-22-15
 NEW BOATHOUSE FOR
 DULUTH ROWING CLUB
 SOUTH LAKE AVE
 DULUTH, MINNESOTA
 PROPOSED SITE PLAN

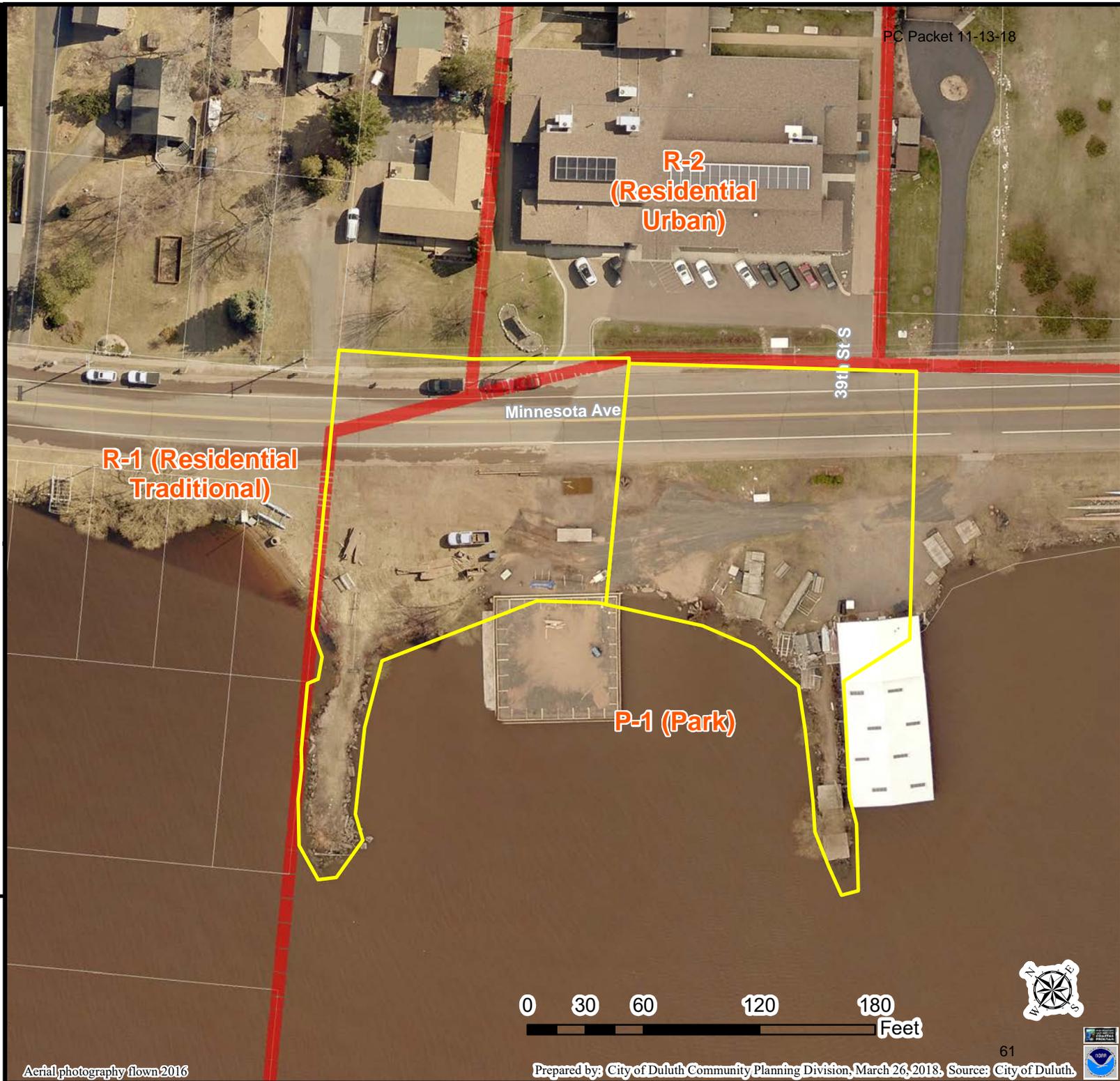
JOB No: 131037
 DATE: 9-22-15
 DRAWN BY: STF/SAJ
 DESIGNED BY: IMS

SHEET:
S1.0



Legend

 Zoning Boundaries



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Aerial photography flown 2016





CITY OF DULUTH
Community Planning Division

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

| | | | | |
|-----------------------------|---------------------------------------------------------------------|---------------------------------|-----------------------------------------------------------------------------|------------------|
| File Number | PL 18-136 | Contact | Kyle Deming, kdeming@duluthmn.gov | |
| Type | Preliminary Plat | Planning Commission Date | November 13, 2018 | |
| Deadline for Action | Application Date | October 9, 2018 | 60 Days | December 8, 2018 |
| | Date Extension Letter Mailed | October 30, 2018 | 120 Days | February 6, 2018 |
| Location of Subject | Northwest corner of Hawthorne Road and E. Fourth St. (Congdon Park) | | | |
| Applicant | Julie Ann Kubat | Contact | | |
| Agent | Alta Survey | Contact | Dave Evanson | |
| Legal Description | See Attached | | | |
| Site Visit Date | October 30, 2018 | Sign Notice Date | October 30, 2018 | |
| Neighbor Letter Date | November 1, 2018 | Number of Letters Sent | 26 | |

Proposal

Requested is approval of the preliminary plat to create three conforming lots in the R-1 district ranging in size from 0.61 acres to 1.97 acres from a combination of currently platted and unplatted land. The proposal will create two new building sites, to be developed at a later time.

| | Current Zoning | Existing Land Use | Future Land Use Map Designation |
|----------------|-----------------------------|--------------------------|----------------------------------------|
| Subject | R-1 Residential-Traditional | One family dwelling | Traditional Neighborhood |
| North | R-1 Residential-Traditional | One family dwellings | Traditional Neighborhood |
| South | R-1 Residential-Traditional | School | Institutional |
| East | R-1 Residential-Traditional | One family dwellings | Traditional Neighborhood |
| West | R-1 Residential-Traditional | One family dwellings | 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 where adequate police, fire and emergency facilities are 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 Principle #1 - Reuse previously developed lands,
 Principle #5 – Promote investment in neighborhoods,
 Principle #7 – Create and maintain connectivity,
 Principle #8 – Encourage a mix of activities, uses and densities,
 Principle #9 – Support private actions that contribute to the public realm
 Principle #10 - Take actions that enhance the environment, economic and social well-being of the community,
 Principle #12 – Create efficiencies in delivery of public services,

Future Land Use – Traditional Neighborhood – Characterized by grid or connected street pattern, houses oriented with shorter dimension to the street and detached garages, some with alleys.

History:

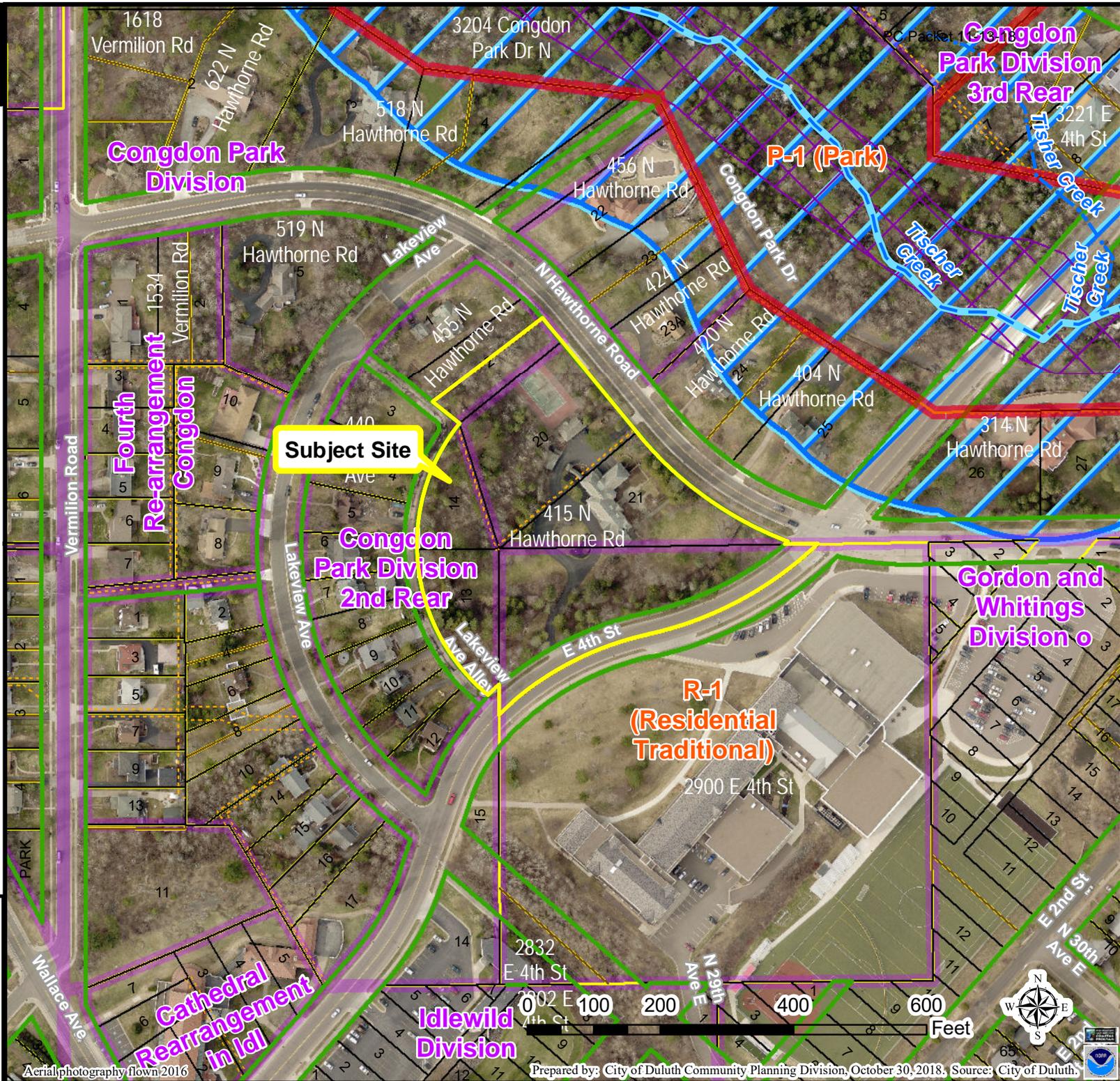
1. Most of the subject site was platted as part of the Congdon Park Division on July 2, 1910.
2. The existing home at 415 N. Hawthorne Rd. was constructed in 1916.
3. The westerly half of the subject site was part of a replatting on April 6, 1921 called Second Rearrangement of Congdon Park Division.
4. The southeasterly part of the subject site has remained unplatted.
5. Right of way for East Fourth Street was secured along the southerly edge of the subject site.

Review and Discussion Items**Staff finds:**

- 1) The applicant would like to alter the subdivision of their land into three building lots consisting of a lot containing the existing home and garage and two additional lots to be developed at a later time.
- 2) Proposed Lot 1 is 1.97 acres with 370 feet of frontage on Hawthorne Rd. and 407 feet of frontage on E. Fourth St. It contains the existing home and garage that comply with zoning setbacks.
- 3) Proposed Lot 2 is 1.18 acres with 107 feet of frontage on E. Fourth St. and is undeveloped forestland.
- 4) Proposed Lot 3 is 0.61 acres with 139 feet of frontage on Hawthorne Rd. and contains a tennis court.
- 5) The area to be platted is 3.76 acres and is sloped from northwest to southeast. The site is west of Tischer Creek. There are no shoreland, wetland, or flood plain areas in the proposed plat or otherwise affecting the property.
- 6) The proposed lots will be served by existing utilities including Lots 1 and 3 by water, sanitary sewer and gas piping in Hawthorne Rd. and Lot 2 by water and gas piping in E. Fourth St. and sanitary sewer in Lakeview Ave. Alley.
- 7) Easements dedicated by the existing plats will be retained through the replatting, including slope, fill and retaining wall easements, sewer rights of way, and building line easements.
- 8) The applicant has offered a 10-foot-wide “slopes and fill easement” along the northwest side of E. Fourth St. that is scheduled to be approved by City Council November 2018. Upon recording the easement in the St. Louis County Auditor’s office information will be added to the Hawthorne Division plat likely before final plat.
- 9) Staff find that the preliminary plat conforms to the requirements of Sec 50-37.5. The preliminary plat is consistent with the comprehensive land use plan, is consistent with all applicable requirements of MSA 462.358 and Chapter 505.
- 10) No citizen comments have been received on this project.

Staff Recommendation

Based on the above findings, staff recommends that Planning Commission approve the Preliminary Plat.



Legend

- Lots
- Parcels
- Subdivision Boundaries
- Boundary Lines
 - <all other values>
- Subtype, ROW_TYPE
 - Lot Line
 - Parcel Line
 - ROW (Road)
 - ROW (Not Road)
 - Subdivision Line
 - Water Line
 - Survey Line
- Municipal Boundary
- Zoning Boundaries
- Floodplain (UDC)
 - General Flood Plain
 - Flood Way
 - Flood Fringe
- Shoreland (UDC)
 - Cold Water
 - Natural Environment
 - General Development
 - Trout Stream (GPS)
 - Other Stream (GPS)
 - Wetlands (NRR1)

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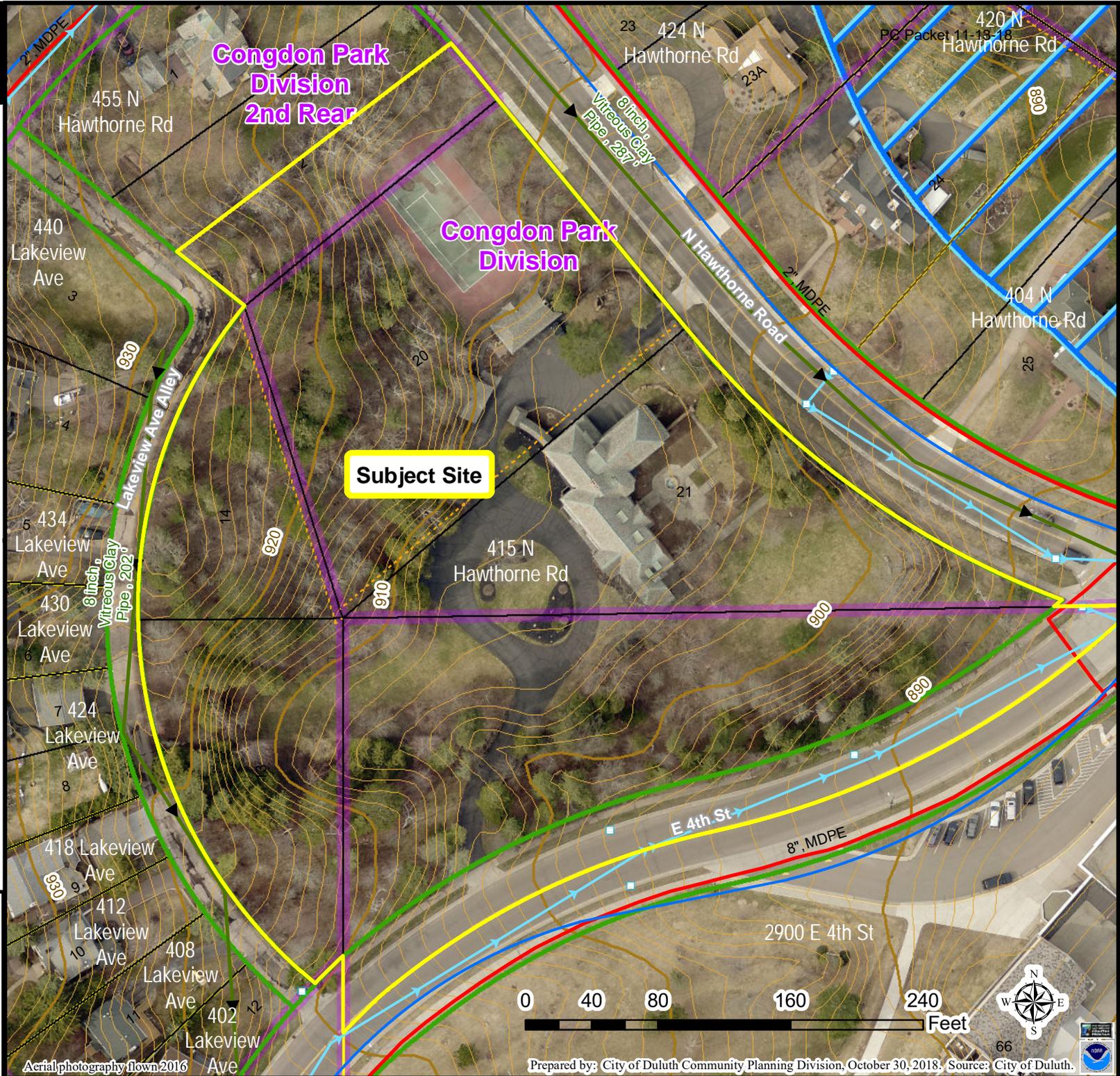


PL 18-136
 Preliminary Plat
 Julie Ann Kubat

Legend

- Gas Main
- Water Main
- Hydrant
- Sanitary Sewer Mains**
- CITY OF DULUTH
- WLSSD; PRIVATE
- Sanitary Sewer Forced Main
- Storage Basin
- Pump Station
- Storm Sewer Mains**
- Storm Sewer Pipe
- Storm Sewer Catch Basin
- Lots**
- Parcels
- 1 Ft contour
- 10 Ft contour
- Subdivision Boundaries
- Boundary Lines**
- <all other values>
- Subtype, ROW_TYPE**
- Lot Line
- Parcel Line
- ROW (Road)
- - - ROW (Not Road)
- Subdivision Line
- Water Line
- - - Survey Line
- - - Municipal Boundary
- Floodplain (UDC)**
- General Flood Plain
- Flood Way
- Flood Fringe
- Shoreland (UDC)**
- Cold Water
- Natural Environment
- General Development
- Trout Stream (GPS)
- Other Stream (GPS)

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Aerial photography flown 2016

Prepared by: City of Duluth Community Planning Division, October 30, 2018. Source: City of Duluth.



Legend

Floodplain (UDC)

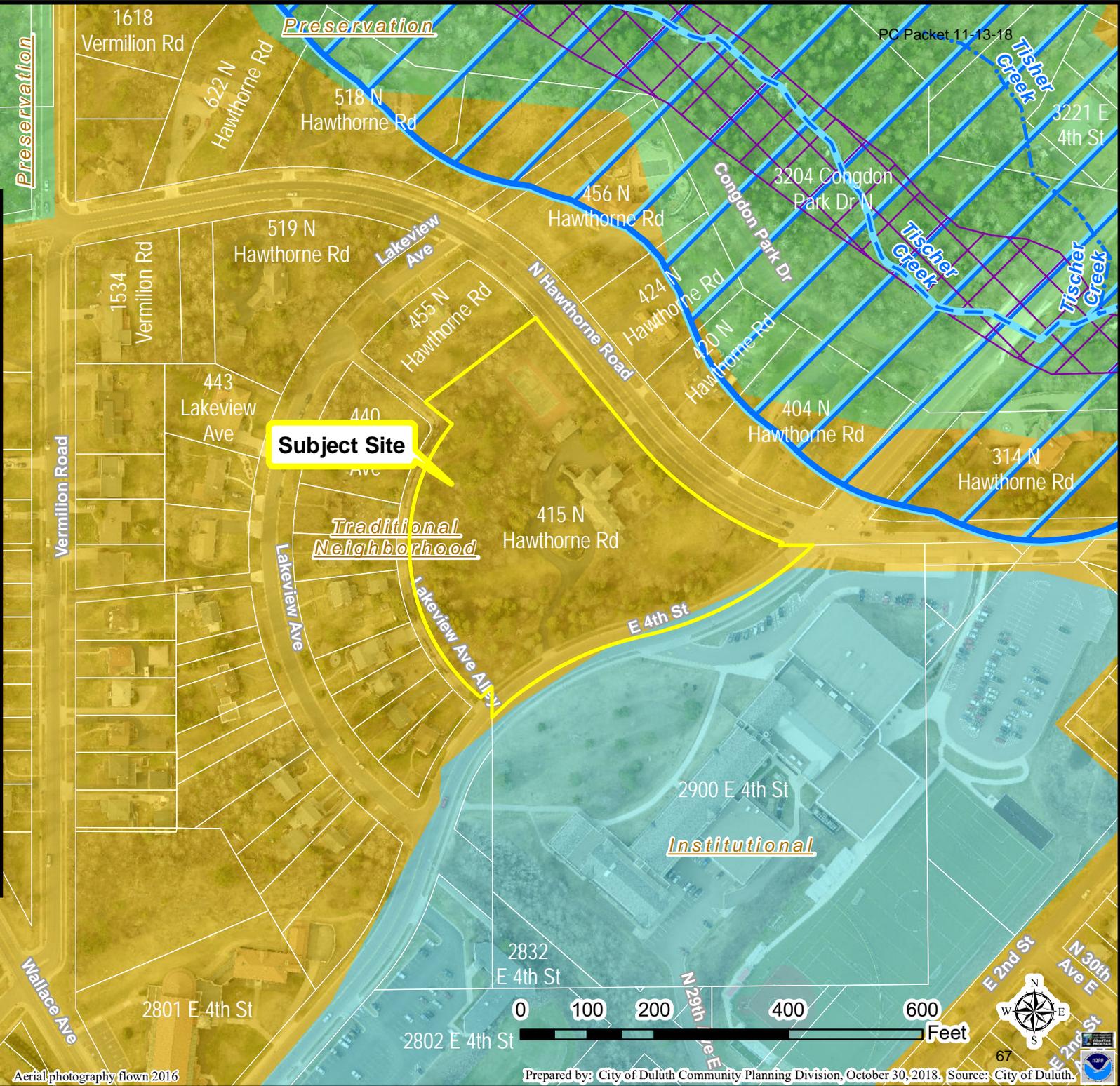
- General Flood Plain
- Flood Way
- Flood Fringe

Shoreland (UDC)

- Cold Water
- Natural Environment
- General Development
- Trout Stream (GPS)
- Other Stream (GPS)

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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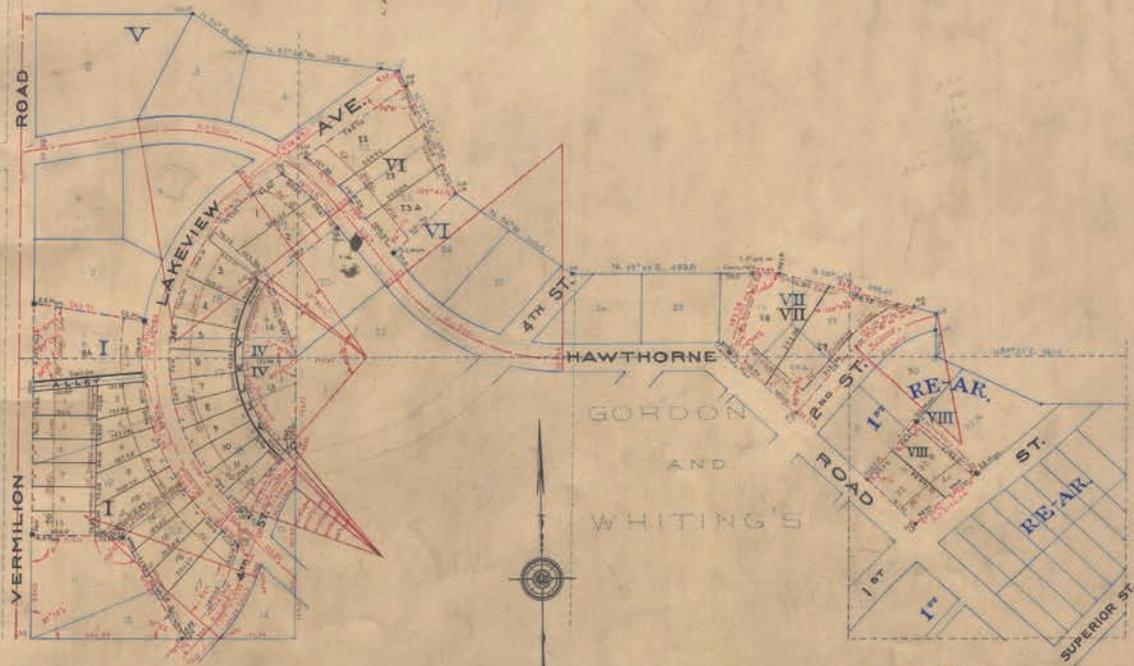
Second Re-arrangement

IN

CONGDON PARK DIVISION

SCALE 1" = 150'

The Duluth Engineering Co.



IDLEWILD DIV.

Taxes for the year of 1920 on lands described within, P.A.I.D.
 G. B. TITIAN, Cassia Treasurer
 No. 1011
 Taxes paid and transfer without fine
 263 day April 4, 1921
 W. H. BROWN, County Clerk
 in presence of

Accurate
 RECORDED
 city and

Know All Men by These Presents: That HARTMAN BUILDING COMPANY, a Minnesota Corporation, being the owner of the following described property lying and being in the County of St. Louis and State of Minnesota, to-wit: All of Lots Eight (8), Nine (9), Ten (10), and Thirteen (13), Block One (1), Lake Section (14), Sections (17), Eighteen (18), and Nineteen (19), Block Five (IV), and Lots Twenty-two (22), and Twenty-three (23), Block Six (VI), all in Congdon Park Division of Duluth, according to the recorded plat thereof; Lot Twenty-eight (28), Block Seven (VII), except that part lying westerly and southerly of a straight line running from a point on the northerly line of said Lot 28, distant seventy-five (75) feet from the westerly corner thereof, to a point on the southerly line of said Lot 28, distant thirty (30) feet from the westerly corner thereof; all of Lots Twenty-nine (29) and Twenty-nine A (29A), Block Seven (VII), and Lot Thirty-two (32) Block Eight (VIII), all in First Re-arrangement in Congdon Park Division of Duluth, according to the recorded plat thereof; and being desirous of re-arranging and replating the same into Lots, Blocks and Alleys, have caused the same to be surveyed, and the annexed plat thereof as is made, in accordance with the statutes in such case made and provided.

Now, therefore, we the hereby ratify and confirm in all respects said survey, and the plat thereof, as "Second Re-arrangement in Congdon Park Division"; and do hereby declare to public use the alleys, building lines, sewer and water easements thereon delineated.

IN WITNESS WHEREOF, the said Corporation hath caused these presents to be duly executed by its officers, and its corporate seal to be hereunto affixed, this _____ day of April, A. D. 1921.

In the presence of:
 HARTMAN BUILDING COMPANY.
 By *[Signature]* President
 Attest *[Signature]* Secretary

State of Minnesota,)
 County of St. Louis,)
 On this _____ day of April, A. D. 1921, before me personally appeared A. W. Hartman and T. C. Hartman, who being by me first duly and severally sworn, each for himself, did say that he the said A. W. Hartman is President and the said T. C. Hartman is Secretary of Hartman Building Company, a Minnesota Corporation; that the seal affixed to said instrument is the corporate seal of said Corporation, and that said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors, and that A. W. Hartman and T. C. Hartman acknowledged said instrument to be the free act and deed of said Corporation.
 My commission expires _____ 1921

State of Minnesota,)
 County of St. Louis,)
 I, Lyonal Ayres, do hereby certify that I am a Surveyor, and that I have, at the request of the proponent thereof, made a careful survey of the property described in the foregoing certificate of the proponent, and have plotted the same into Lots, Blocks, and Alleys, as more fully appears on the annexed plat entitled "Second Re-arrangement in Congdon Park Division," which plat is a correct representation of the survey. The size of all lots and the lengths and widths of all alleys are correctly given on the plat all curved lines of center, blocks and lots here, the radius, course and distances of each distinctly shown by letters and figures. The bearings of all lots or curves, are the chord lengths thereof, except where otherwise marked. Measurements have been correctly plotted as shown, except where measurements were found to be erroneous at the time of the survey, and which are marked "old measure" on the annexed plat.
 The topography of the land is correctly shown on tracing and blueprints accompanying the annexed plat. The boundaries of the land platted are shown on the plat by red-dotted lines.
 The original plotting is shown on the plat by blue lines.
 I hereby certify that the above instrument is correct.
 My commission expires _____ 1921

I hereby certify that the annexed plat of Second Re-arrangement in Congdon Park Division was approved by the Council of the City of Duluth, on the _____ day of April, A. D. 1921.

OFFICE OF REGISTRAR OF TITLES
 STATE OF MINNESOTA
 County of St. Louis
 I hereby certify that the within instrument was filed in this office the _____ day of April, 1921.
 21
 22
 23
 24
 25
 26
 27
 28
 29
 30
 31

PRELIMINARY PLAT OF HAWTHORNE DIVISION

LOCATED IN PART OF BLOCK 4, CONGDON PARK DIVISION OF DULUTH, PART OF BLOCK 4, SECOND RE-ARRANGEMENT IN CONGDON PARK DIVISION AND IN PART OF THE NE 1/4 OF THE SW 1/4 OF THE NW 1/4 SECTION 13, TOWNSHIP 50 NORTH, RANGE 14 WEST CITY OF DULUTH, ST. LOUIS COUNTY, MINNESOTA

LEGAL DESCRIPTION FOR PRELIMINARY PLAT PURPOSES ONLY

That part of Lots 20 and 21, Block 4, CONGDON PARK DIVISION OF DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota, that part of Lots 2, 13 and 14, Block 4, SECOND RE-ARRANGEMENT IN CONGDON PARK DIVISION, according to the recorded plat thereof, St. Louis County, Minnesota and that part of the Northeast Quarter of the Northwest Quarter of the Northwest Quarter of Section 13, Township 50 North, Range 14 West of the Fourth Principal Meridian, St. Louis County, Minnesota, described as follows:

Beginning at the most Easterly corner of said Lot 2, Block 4, SECOND RE-ARRANGEMENT IN CONGDON PARK DIVISION, said point being marked with a sandstone monument as shown on said SECOND RE-ARRANGEMENT IN CONGDON PARK DIVISION; thence on an assumed bearing of South 39 degrees 14 minutes 35 seconds East, along the Southwesterly right of way line of Hawthorne Road as dedicated and delineated on said plat of CONGDON PARK DIVISION OF DULUTH for a distance of 184.70 feet; thence Southeast 280.06 feet, along said Southwesterly right of way line, along a tangential curve, concave to the Northeast, having a central angle of 30 degrees 06 minutes 20 seconds and a radius of 533.00 feet to the intersection with the Northwesterly right of way line of East 4th Street as traveled; thence Southwesterly 239.88 feet, along said Northwesterly right of way line, along a non-tangential curve, concave to the Northwest, having a central angle of 29 degrees 25 minutes 50 seconds, a radius of 467.00 feet, a chord bearing of South 63 degrees 20 minutes 43 seconds West and a chord length of 237.25 feet; thence Southwesterly 251.69 feet, along said Northwesterly right of way line, along a non-tangential curve, concave to the Southeast, having a central angle of 27 degrees 10 minutes 29 seconds and a radius of 533.00 feet, a chord bearing of South 64 degrees 28 minutes 24 seconds West and a chord length of 250.43 feet; thence Southwesterly 21.57 feet to the West line of said Lot 13, Block 4, SECOND RE-ARRANGEMENT IN CONGDON PARK DIVISION; thence Northerly 454.80 feet, along the West line of said Lots 13 and 14, Block 4, along a non-tangential curve, concave to the East, having a central angle of 88 degrees 58 minutes 50 seconds, a radius of 292.85 feet, a chord bearing of North 05 degrees 34 minutes 55 seconds West and a chord length of 410.45 feet to the most Northerly corner of said Lot 14, Block 4, SECOND RE-ARRANGEMENT IN CONGDON PARK DIVISION; thence North 51 degrees 05 minutes 30 seconds West, along the Southwesterly line of said Lot 2, Block 4 for a distance of 51.93 feet; thence North 52 degrees 41 minutes 59 seconds East 207.40 feet to said Southwesterly right of way line of Hawthorne Road; thence South 39 degrees 33 minutes 28 seconds East, along said Southwesterly right of way line 43.79 feet to the point of beginning.

LEGEND

| | | | | | |
|--|--------------------|-------------|----------------------------------------------------------|--|------------------------------|
| | CONCRETE SURFACE | FFE R/W POB | FINISHED FLOOR ELEVATION RIGHT OF WAY POINT OF BEGINNING | | GAS METER |
| | BITUMINOUS SURFACE | | RETAINING WALL | | GAS VALVE |
| | GRAVEL SURFACE | | TREE/BRUSH LINE | | HYDRANT |
| | LANDSCAPED SURFACE | | UNDERGROUND ELEC | | WATER VALVE |
| | PAVER SURFACE | | OVERHEAD UTILITIES | | TELECOM PEDESTAL |
| | EXISTING BUILDINGS | | SANITARY SEWER | | LIGHT POLE |
| | STONE SURFACE | | STORM SEWER | | CONIFEROUS TREE |
| | | | WATER MAIN | | CONTROL POINT |
| | | | UNDERGROUND CABLE TV | | FOUND CAPPED REBAR RLS 49505 |
| | | | DITCH/SWALE | | FOUND IRON PIPE |
| | | | CENTER LINE | | FOUND SANDSTONE MONUMENT |
| | | | RIGHT OF WAY LINE | | FOUND CAPPED REBAR RLS 15294 |
| | | | BOUNDARY LINE AS SURVEYED | | ELEC METER |
| | | | | | ELEC MANHOLE |
| | | | | | UTILITY ANCHOR |
| | | | | | MISC MANHOLE |
| | | | | | SANITARY MANHOLE |
| | | | | | STORM MANHOLE |
| | | | | | CIRCULAR GRATE CATCH BASIN |
| | | | | | SQUARE GRATE CATCH BASIN |

OWNER AND DEVELOPER
 JULIE ANN KLUBAT
 415 N HAWTHORNE RD DULUTH, MN 55812

PRELIMINARY PLAT PREPARED BY ALTA LAND SURVEY COMPANY
 SEPTEMBER 5, 2018
 P.O. BOX 161138
 102 S. 21ST AVE. W. SUITE 4
 DULUTH, MN 55816-1138
 PHONE (218) 727-5211
 DAVID R. EVANSON MINNESOTA STATE REG. NO. 49505

ZONING PROVIDED BY THE CITY OF DULUTH

| TABLE 50-14.5-1 R-1 DISTRICT DIMENSIONAL STANDARDS | | CO-LOCATIONS |
|-------------------------------------------------------|------------------------------------------------------|------------------------------------------------------------------------------------------------|
| Minimum lot area per family (One-family) [1] [2] | Minimum lot area per family (Two-family) [1] [2] [3] | The smaller of 4,000 sq. ft. or average of developed 1-family lots on the block face |
| Minimum lot area per family (Townhouse) [1] | Minimum lot area per family (Townhouse) [1] | The smaller of 3,000 sq. ft. or average of developed 2-family lots on the block face |
| Minimum lot frontage (one-family) [1] | Minimum lot frontage (one-family) [1] | The smaller of 40 ft. or average of developed lots with similar sizes on the block face |
| Minimum lot frontage (two-family and townhouses) [1] | Minimum lot frontage (two-family and townhouses) [1] | The average of developed lots with similar sizes on the block face, but not less than 40 feet. |
| Minimum depth of front yard | Minimum depth of front yard | The smaller of 25 ft. or average of adjacent developed lots facing the same street |
| Minimum width of side yard (one- and two-family) | Minimum width of side yard (one- and two-family) | 6 ft. |
| Minimum width of side yard (Townhouse) | Minimum width of side yard (Townhouse) | 10 ft., if adjacent to another lot 25 ft., if adjacent to platted street |
| Corner lot width of front side yard | Corner lot width of front side yard | 15 ft. |
| Maximum height of building | Maximum height of building | 30 ft. |

[1] Determined using "Lots on the block face" definition. When doing this calculation, exclude the subject lot from the calculation.
 [2] Lots without municipal sewer must also meet requirements of 50-21.2.
 [3] Existing structures that have a change of use from one-family to two-family must meet minimum lot area and frontage, but not setbacks.

SURVEYORS NOTES

BENCH MARK SHOWN ON SURVEY.

UTILITIES WERE LOCATED IN THE FIELD AND BY SKETCHES AND GIS DATA PROVIDED BY THE UTILITY COMPANIES AND BY THE CITY OF DULUTH PER GOPHER STATE ONE CALL TICKET NO. 172481524.

BEARINGS ARE BASED ON THE ST. LOUIS COUNTY TRANSVERSE MERCATOR COORDINATE SYSTEM OF 1996.

NO SPECIFIC SOILS INVESTIGATION HAS BEEN COMPLETED ON THIS LOT BY ALTA LAND SURVEY COMPANY. THE SUITABILITY OF SOILS TO SUPPORT THE SPECIFIC STRUCTURE PROPOSED IS NOT THE RESPONSIBILITY OF ALTA LAND SURVEY COMPANY OR THE SURVEYOR.

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.

UTILITY PROVIDERS LIST PER TICKET NO. 172481524

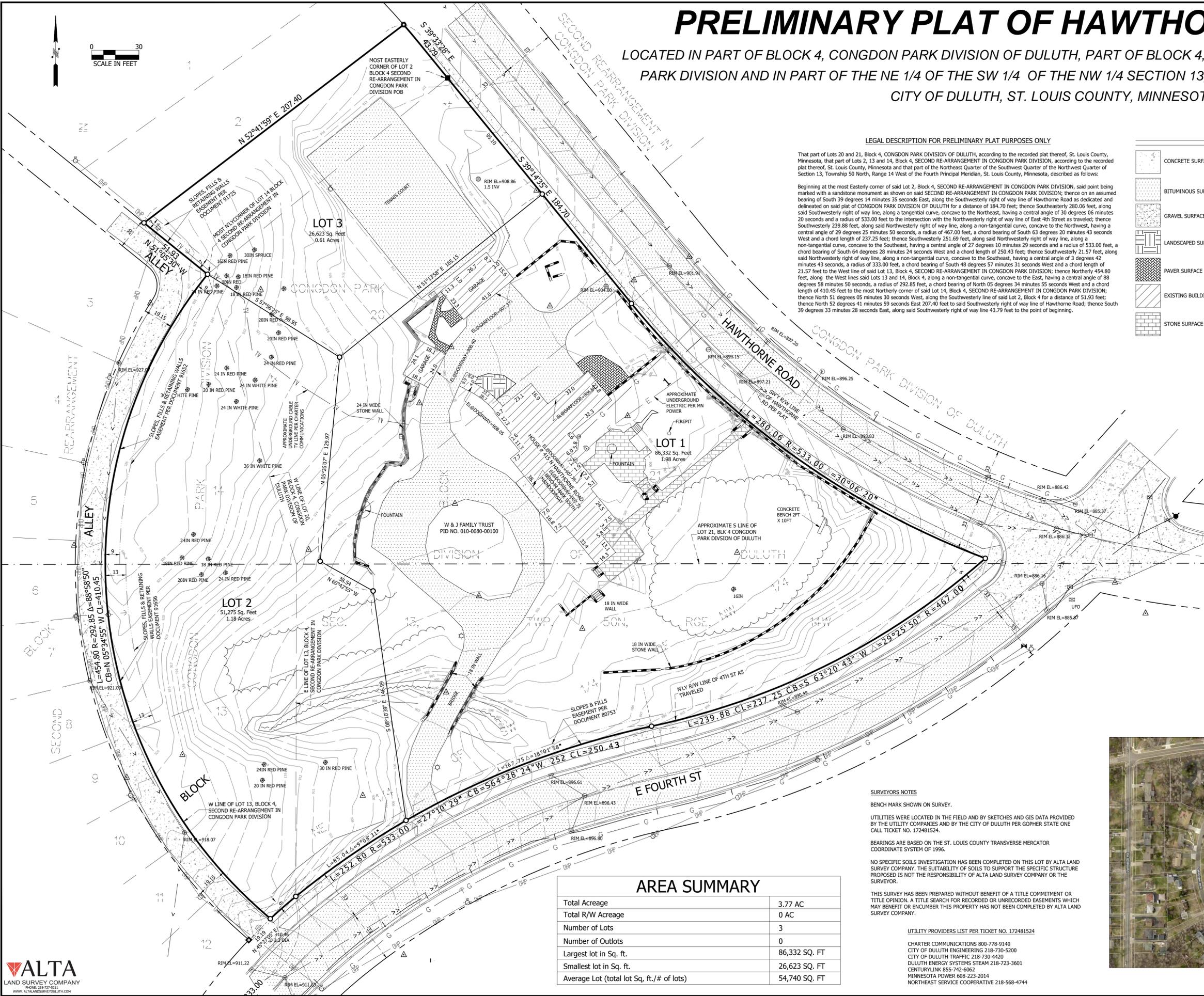
CHARTER COMMUNICATIONS 800-778-9140
 CITY OF DULUTH ENGINEERING 218-730-5200
 CITY OF DULUTH TRAFFIC 218-730-4420
 DULUTH ENERGY SYSTEMS STEAM 218-723-3601
 CENTURYLINK 855-742-6062
 MINNESOTA POWER 608-223-2014
 NORTHEAST SERVICE COOPERATIVE 218-568-4744

AREA SUMMARY

| | |
|-------------------------------------------|---------------|
| Total Acreage | 3.77 AC |
| Total R/W Acreage | 0 AC |
| Number of Lots | 3 |
| Number of Outlots | 0 |
| Largest lot in Sq. ft. | 86,332 SQ. FT |
| Smallest lot in Sq. ft. | 26,623 SQ. FT |
| Average Lot (total lot Sq. ft./# of lots) | 54,740 SQ. FT |



VICINITY MAP
NO SCALE



PRELIMINARY PLAT OF HAWTHORNE DIVISION

LOCATED IN PART OF BLOCK 4, CONGDON PARK DIVISION OF DULUTH, PART OF BLOCK 4, SECOND RE-ARRANGEMENT IN CONGDON PARK DIVISION AND IN PART OF THE NE 1/4 OF THE SW 1/4 OF THE NW 1/4 SECTION 13, TOWNSHIP 50 NORTH, RANGE 14 WEST CITY OF DULUTH, ST. LOUIS COUNTY, MINNESOTA

LEGAL DESCRIPTION FOR PRELIMINARY PLAT PURPOSES ONLY

That part of Lots 20 and 21, Block 4, CONGDON PARK DIVISION OF DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota, that part of Lots 2, 13 and 14, Block 4, SECOND RE-ARRANGEMENT IN CONGDON PARK DIVISION, according to the recorded plat thereof, St. Louis County, Minnesota and that part of the Northeast Quarter of the Southwest Quarter of the Northwest Quarter of Section 13, Township 50 North, Range 14 West of the Fourth Principal Meridian, St. Louis County, Minnesota, described as follows:

Beginning at the most easterly corner of said Lot 2, Block 4, SECOND RE-ARRANGEMENT IN CONGDON PARK DIVISION, said point being marked with a sandstone monument as shown on said SECOND RE-ARRANGEMENT IN CONGDON PARK DIVISION, thence on an assumed bearing of South 39 degrees 14 minutes 35 seconds East, along the Southwesterly right of way line of Hawthorne Road as dedicated and delineated on said plat of CONGDON PARK DIVISION OF DULUTH for a distance of 184.70 feet; thence Southeastly 280.06 feet, along said Southwesterly right of way line, along a tangential curve, concave to the Northeast, having a central angle of 30 degrees 06 minutes 20 seconds and a radius of 533.00 feet to the intersection with the Northwesterly right of way line of East Fourth Street, said point being the Southeast corner of Lot 21, Block 4, said CONGDON PARK DIVISION OF DULUTH; thence Southwesterly 246.31 feet, along said Northwesterly right of way line, along a non-tangential curve, concave to the Northwest, having a central angle of 28 degrees 13 minutes 31 seconds, a radius of 500.00 feet, a chord bearing of South 63 degrees 55 minutes 28 seconds West and a chord length of 243.83 feet; thence Southwesterly 246.31 feet, along said Northwesterly right of way line, along a non-tangential curve, concave to the Southwest, having a central angle of 3 degrees 41 minutes 21 seconds, a radius of 333.00 feet, a chord bearing of South 48 degrees 58 minutes 12 seconds West and a chord length of 21.44 feet to the West line of said Lot 13, Block 4, SECOND RE-ARRANGEMENT IN CONGDON PARK DIVISION; thence Northely 454.80 feet, along the West lines said Lots 13 and 14, Block 4, along a non-tangential curve, concave to the East, having a central angle of 88 degrees 58 minutes 50 seconds, a radius of 292.85 feet, a chord bearing of North 05 degrees 34 minutes 55 seconds West and a chord length of 430.45 feet to the most Northwesterly corner of said Lot 14, Block 4, SECOND RE-ARRANGEMENT IN CONGDON PARK DIVISION; thence North 51 degrees 05 minutes 30 seconds West, along the Southwesterly line of said Lot 2, Block 4 for a distance of 51.93 feet; thence North 52 degrees 41 minutes 59 seconds East 207.40 feet to said Southwesterly right of way line of Hawthorne Road; thence South 39 degrees 14 minutes 35 seconds East, along said Southwesterly right of way line 43.79 feet to the point of beginning.

LEGEND

- SECTION SUBDIVISION LINE
- - - CENTER LINE
- RIGHT OF WAY LINE
- - - EASEMENT LINE
- LOT LINE
- PLAT BOUNDARY LINE
- FOUND CAPPED REBAR RLS 49505
- FOUND IRON PIPE
- FOUND SANDSTONE MONUMENT
- ◆ FOUND CAPPED REBAR RLS 15294
- R/W
- POB
- (M) MEASURED DIMENSION
- (R) RECORD DIMENSION

OWNER AND DEVELOPER

JULIE ANN KUBAT
415 N HAWTHORNE RD DULUTH, MN 55812

PRELIMINARY PLAT PREPARED BY ALTA LAND SURVEY COMPANY
SEPTEMBER 5, 2018
P.O. BOX 141138
100 S. 21ST AVE. W. SUITE 4
DULUTH, MN 55816-1138
PHONE (218) 727-5211
DAVID R. EVANSON MINNESOTA STATE REG. NO. 49565

ZONING PROVIDED BY THE CITY OF DULUTH

| TABLE 50-14.5-1 R-7 DISTRICT DIMENSIONAL STANDARDS | |
|-------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|
| | Lot Size (Square Feet) |
| Minimum lot area per family (One-family) [1] | The smaller of 4,000 sq. ft. or average of developed 1-family lots on the block face |
| Minimum lot area per family (Two-family) [1] | The smaller of 3,000 sq. ft. or average of developed 2-family lots on the block face |
| Minimum lot area per family (Townhouse) [1] | 3,000 sq. ft. |
| Minimum lot frontage (One-family) [1] | The smaller of 40 ft. or average of developed lots with similar uses on the block face, but not less than 40 feet |
| Minimum lot frontage (Two-family and townhouse) [1] | The average of developed lots with similar uses on the block face, but not less than 40 feet |
| Minimum depth of front yard | The smaller of 25 ft. or average of adjacent developed lots facing the same street |
| Minimum width of side yard (one and two-family) | 6 feet |
| Minimum width of side yard (Townhouse) | Lots with less than 50 ft. frontage and 600 sq. ft. Combined width of side yards must be at least 12 ft. |
| Minimum width of side yard (Townhouse) | 10 ft. if adjacent to another lot |
| Corner lot width of front side yard | 15 ft. if adjacent to another street |
| Corner lot width of front side yard | Dwelling 20 ft. Detached accessory building 20 ft. Furnished non-residential building 25 ft. |
| Minimum depth of rear yard | 25 ft. |
| Maximum height of building | 35 ft. |

[1] Determined using "Lot" on the block face definition. When doing this calculation, exclude the subject lot from the calculation.
[2] Lots without municipal sewer must also meet requirements of 50-21.2.
[3] Existing structures that have a change of use from one-family to two-family must meet minimum lot area and frontage, but not setbacks.
Section 50.21 Dimensional standards contain additional regulations applicable to this district.

AREA SUMMARY

| | |
|-------------------------------------------|----------------|
| Total Acreage | 3.76 AC |
| Total R/W Acreage | 0 AC |
| Number of Lots | 3 |
| Number of Outlots | 0 |
| Largest lot in Sq. ft. | 85,869 SQ. FT. |
| Smallest lot in Sq. ft. | 26,623 SQ. FT. |
| Average Lot (total lot sq. ft./# of lots) | 54,570 SQ. FT. |

SURVEYORS NOTES

BEARINGS ARE BASED ON THE ST. LOUIS COUNTY TRANSVERSE MERCATOR COORDINATE SYSTEM OF 1995.
NO SPECIFIC SOILS INVESTIGATION HAS BEEN COMPLETED ON THIS LOT BY ALTA LAND SURVEY COMPANY. THE SUITABILITY OF SOILS TO SUPPORT THE SPECIFIC STRUCTURE PROPOSED IS NOT THE RESPONSIBILITY OF ALTA LAND SURVEY COMPANY OR THE SURVEYOR.
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.



VICINITY MAP
NO SCALE

