



City of Duluth

Meeting Agenda

Planning Commission.

Tuesday, October 12, 2021

5:00 PM

Council Chamber, Third Floor, City Hall, 411
West First Street

To view the meeting, visit <http://www.duluthmn.gov/live-meeting>

CALL TO ORDER AND ROLL CALL

APPROVAL OF PLANNING COMMISSION MINUTES

[PL 21-0914](#) Minutes 9/14/21

Attachments: [09-14-21 PC Minutes \(not approved yet\) \(1\)](#)

[PL 21-0928](#) Minutes 9/28/21

Attachments: [09-28-21 PC Minutes \(not approved yet\)](#)

PUBLIC COMMENT ON ITEMS NOT ON AGENDA

PRESENTATION

Duluth Citizens' Climate Action Plan

CONSENT AGENDA

[PL 21-105](#) Variance for Deck at 107 E 9th Street

Attachments: [PL 21-105 Staff Report and Attachments](#)

[PL 21-151](#) Concurrent Use Permit for Stairway at 107 E 9th Street by Scott Holm

Attachments: [PL 21-151 Staff Report and Attachments](#)

[PL 21-155](#) Concurrent Use Permit for Shed, Fence, and Erosion Improvements in the Right of Way at 802 Lake Ave S by Thomas and Bridget Reistad

Attachments: [PL 21-155 Staff Report and Attachments](#)

[PL 21-158](#) Vacation of Utility Easement near Decker Road and Anderson Road by Lon Hovland

Attachments: [PL21-158 Staff Report - Final with attachments](#)

[PL 21-164](#) Vacation of Utility Easement at 1 Viewcrest Ave by City of Duluth

Attachments: [PL 21-164 Staff Report and Attachments](#)

[PL 21-165](#) Variance from Height Requirements for 16 Unit Building at 22xx Water Street by Sanford Hoff

Attachments: [PL 21-165 Staff Report and Attachments](#)

PUBLIC HEARINGS

[PL 21-156](#) Subdivision Plat for Western Woods near Decker & Anderson by Lon Hovland

Attachments: [PL21-156 Staff Report - Final with attachments](#)

[PL 21-157](#) Variance from Shoreland Setback for Garage at Hartley Nature Center, 3001 Woodland Avenue, by City of Duluth

Attachments: [PL 21-157 Staff Report - final with attachments](#)

[PL 21-163](#) MU-C Planning Review for New Dental Office at 17 W Central Entrance by Joe Kleiman

Attachments: [PL 21-163 Staff Report and Attachments](#)

[PL 21-162](#) MU-C Planning Review for Building Expansion at 1902 Miller Trunk Highway by Target Corporation

Attachments: [PL21-162 Staff Report - final with attachments](#)

OLD BUSINESS

[PL 21-096](#) Minor Subdivision at Glen Place and W Michigan Street by Aaron Schweiger

COMMUNICATIONS

Land Use Supervisor Report

Historic Preservation Commission Report

Joint Airport Zoning Board Report

Duluth Midway Joint Powers Zoning Board Report

NOTICE: The Duluth Planning Commission will be holding its October 12, 2021 Meeting by other electronic means pursuant to Minnesota Statutes Section 13D.021 in response to the COVID-19 emergency. Some members of the Commission will be participating through video conference. Due to the COVID-19 emergency and the closure of City facilities, public comment will not be taken in person. However, members of the public can monitor the meeting and provide public comment on agenda items through WebEx Events. Visit <https://duluthmn.gov/live-meeting> to access the meeting. The public is also encouraged to submit written comment to planning@duluthmn.gov prior to the meeting. Please include "Planning Commission Agenda" in the subject line, and include your name and address and the agenda item you are speaking to. Please note that all public comment is considered Public Data.

City of Duluth Planning Commission

September 14, 2021
Meeting Minutes

Due to the COVID-19 emergency, many planning commission members participated through video conference from home. The meeting was held as a Special Meeting pursuant to Minnesota Statute 13D.021 in response to the Covid-19 emergency. Public comment was taken at planning@duluthmn.gov prior to and during the meeting, and via verbal comment through public attendance in the WebEx video conference during the meeting.

Call to Order

President Margie Nelson called to order the meeting of the city planning commission at 5:00 p.m. on Tuesday, September 14th, 2021.

Roll Call

Attendance: (* Via WebEx video conferencing – all votes conducted via roll call)

Members Present: Jason Crawford*, Gary Eckenberg*, Jason Hollinday*, Margie Nelson*, Eddie Ranum*, Michael Schraepfer* (entered after approval of minutes), Sarah Wisdorf* (entered after approval of minutes), and Zandra Zwiebel*

Members Absent: Andrea Wedul

Staff Present: Adam Fulton*, Robert Asleson*, Steven Robertson*, Jenn Moses*, Kyle Deming*, Chris Lee*, Theresa Bajda*, and Cindy Stafford*

Public Comment on Items Not on Agenda

No speakers.

Approval of Planning Commission Minutes -

Planning Commission Meeting – August 10, 2021

MOTION/Second: Eckenberg/Hollinday approved

VOTE: (6-0)

Planning Commission Meeting – August 24, 2021 – Special Meeting

MOTION/Second: Eckenberg/Zwiebel approved

VOTE: (6-0)

Commissioner Gary Eckenberg requested that the interim use permit items be withdrawn from the consent agenda. Renewals may be appropriate for consent, but new applications deserve more scrutiny.

(Items PL21-125 and PL21-146 were pulled from the consent agenda items and moved to the public hearing portion.)

Consent Agenda

- PL 21-106 Concurrent Use Permit for Small Cell Wireless at 1 N 6th Avenue by SAC Wireless/AT&T
- PL 21-140 Concurrent Use of Streets Permit for a Small Cell Wireless Facility on an Existing Utility Pole at 830 North 11th Avenue East by SAC Wireless
- PL 21-141 Concurrent Use of Streets Permit for a Small Cell Wireless Facility on an Existing Utility Pole at 2401 London Road by SAC Wireless
- PL 21-142 Concurrent Use of Streets Permit for a Small Cell Wireless Facility on an Existing Utility Pole at 1439 North 8th Avenue East by SAC Wireless
- PL 21-143 Vacation of East 7th Street Between 20th Avenue E and 21st Avenue E
- PL 21-147 Concurrent Use Permit for Underground Fiber-Optic Lines in the Right of Way of 5th and 6th Avenues East and East 5th Street by Essentia Health East
- PL 21-148 Vacation of Alley Between 50th and 51st Avenues W by the City of Duluth

Public: No speakers.

MOTION/Second: Zwiebel/Crawford approved consent agenda items as per staff recommendations

VOTE: (8-0)

Public Hearings**PL 21-125 Interim Use Permit for a Vacation Dwelling Unit at 216 W 6th Street by Danielle Thralow**

Staff: Chris Lee gave an overview. Staff received one public comment with concerns about parking. Staff recommends approval with the conditions listed in the staff report. Commissioner Eckenberg asked if the applicant lives at the property. Lee stated the applicant is the owner, but is unsure about her living situation. Eckenberg noted the managing agent is listed as the owner. Would she be within 25 miles? Lee deferred to the applicant. Deputy Director Adam Fulton noted the applicant is allowed to modify her managing agent.

Applicant: Danielle Thralow addressed the commission. If she is not in town, she will make sure she has another managing agent lined up within 25 miles.

Public: Sarah Lawrence addressed the commission and noted the applicant is a good neighbor, but she is concerned with the number of vacation rentals allowed. She doesn't want rental corporations saturating her neighborhood. She likes having her actual neighbors present. Julia Williams addressed the commission. She is concerned about the density of vacation rentals in residential neighborhoods and is concerned that the neighborhood will be turned into a commercial enterprise, and move away from families. She is concerned about the future of their neighborhood.

Applicant: Thralow bought her home in 1998 and loves Duluth. She wants to keep this house, but she travels a lot, and would like to see it used.

Commissioners: Eckenberg noted the city council is addressing certain vacation rental issues, but hasn't addressed the minimum distance between each other. There is a special planning commission meeting on 9/28, which is open to the public. If residents are concerned about density he invites them to comment at the public hearing. Michael Schraepfer attended all of the city council meetings, and the council did discuss density in districts, but decided not to act upon, because it was fairly evenly dispersed. The reality is only 60 are allowed, with a proposed increase to 70. The issue has been hashed over so many times. There has been past dialog from the city council about density, but it has not been an issue.

MOTION/Second: Wisdorf/Zwiebel recommended approval as per staff recommendations.

VOTE: (8-0)

PL 21-146 Interim Use Permit for a Vacation Dwelling at 1033 S Lake Avenue by Shannon Gardner

Staff: Jenn Moses gave an overview. This is a duplex, and the applicant would like to rent out the entire unit. The applicant is proposing two off street parking spaces. There are two managing agents who are both on site. Staff recommends approval with the standard conditions listed in the staff report. Eckenberg noted the city council is proposing a change in ordinance regarding screening. The applicant's plan shows a fence around the fire pit. Moses noted it could be a condition to have in place before renting.

Applicant: Shannon Gardner addressed the commission. They do have a fence in place along with a secondary fence with ivy. They live across the street and keep a watchful eye on the property. Eckenberg asked about screening to the north and south of the property. Does the applicant see a need for it? Gardner noted the empty lot across the street, along with lots of vegetation in the area. She doesn't feel there is a need for additional screening.

Public: No Comments

MOTION/Second: Zwiebel/Crawford recommended approval as per staff recommendations.

VOTE: (8-0)

(Commissioner Crawford recused himself from the following item due to a conflict of interest.)

PL 21-071 Vacation of 19th Avenue W Between Michigan Street and Lower Michigan Street by Bent Paddle Brewing

Staff: Jenn Moses introduced the applicant's proposal to vacate the existing right of way of 19th Avenue West for vehicular use, while preserving a pedestrian and utility easement. Due to covid the applicant received a temporary use permit for outdoor dining. MNDot replaced utilities underneath. The applicant wants to vacate the area for an ongoing open space within the Lincoln Park District. The cross city trail runs along lower Michigan Avenue, which is an important connection. The city sent a letter to MNDot stating the city is in support. Traffic will be rerouted to Michigan Ave for the next two years. Staff recommends approval with the conditions listed in the staff report; including the city and Bent Paddle complete a development agreement regarding temporary and long-term design, construction obligations, private and public use, and long-term maintenance and operational responsibility for the space. Zwiebel questioned the map in the staff report. Moses stated this is platted so this in 1/2 of one block. The black and white sketch shows the plat, but they are only vacating a portion of that.

Applicant: Karen Tonnis addressed the commission and appreciates the city's help. There are multiple reasons for the street vacation. They are excited to add more green space, and it is an improvement for safety reason. They purchased a 20-bike station, which will be a great addition to the cross city trail. They are excited to support local arts and music and extend outdoor green space. Zwiebel asked about the ground surface. Along with sod, there will be a gravel area along with tables. The gravel will allow easy access for MNDot to access anything underneath. There will be nothing permanent due to the utilities living below. Moses noted the purpose for the gravel was for fire truck access. The final design will be approved in the development agreement.

Public: Mike Casey addressed the commission. He appreciates the proposed 20-stall bike parking. He thanked Bent Paddle, and noted his is a cross city trail advocate.

MOTION/Second: Zwiebel/Eckenberg recommended approval as per staff recommendations.

VOTE: (7-0, Crawford Abstained)

PL 21-115 Planning Review for an 800-Stall Parking Structure at 502 E 2nd Street by Essentia Health East

Staff: Steven Robertson introduced the applicant's proposal for a plan review approval to construct a new approximately 800-space parking ramp within the Regional Exchange District as a third-party contractor-agent for the City of Duluth, pursuant to the terms of the Parking Ramp Development Agreement dated March 30, 2020. According to the applicant, it will be a 6-story, 290,000 square feet multi-model parking structure and will provide parking for cars, motorcycles, and bicycles and include provisions for electric vehicle charging stations (conduit only, not actual charging stations). It will be connected to Essentia Health's new inpatient medical tower by way of a pedestrian walkway above 4th avenue east, and the city of Duluth skywalk system, this parking structure will be owned and operated by the city of Duluth, and is intended to serve patients and visitors to Essentia Health as well as other developing businesses in the west medical district of the city. Staff recommends approval with the conditions listed in the staff report, noting that staff recommend that any future change to the exterior facade or similar elements come back to the Planning Commission for a new public hearing and a new review. Zwiebel asked at what point will city ownership take place. Robertson stated that likely when the certificate of occupancy is issued. Zwiebel asked if at a future point could solar panels and EV charges be added. Robertson affirmed that in the future that could happen, if the city receives grant funding or allocates tax dollars. Zwiebel noted the many overhead utility lines. Will they be buried underground? Robertson is unsure.

Applicant: Evan Aljoe of LHB addressed the commission. They have been working on the project for over a year. Their intent is to have the power lines buried underground as there is plenty of room in the alley to have them go underneath. The infrastructure is in place to add conduit for 16 future potential EV stations along with future heated bike storage and future potential solar panels. This is a great use to consolidate parking and will have a 50-year estimated life.

Public: Mark Baker addressed the commission. He noted the legislature allocated money for the ramp not to exceed 36 million. He google searched the cost of parking ramps and at \$75 a square foot should be 21 million. He noted the elimination of the heated bike storage and ev stations. Was the legislature so far off in allocating funds that they couldn't include those project in the initial bid? He is confused about the cost. Aljoe noted construction costs, the cost of land acquisition, along with utility and bedrock issues. Their budget was established in 2018 with an average escalation of costs during covid reaching 16%. He noted Baker's figure of \$75 a square foot may have been for construction costs only. They are closer to \$90-\$100 per square foot. Steep hillside construction is a challenge.

MOTION/Second: Zwiebel/Schraepfer approved as per staff recommendations.

VOTE: (8-0)

PL 21-150 Final Plat for Sam Herzog's Arrowhead Acres Between Arrowhead and Marble Street, West of Arlington Avenue by Unique Opportunities, LLC

Staff: Kyle Deming introduced the applicant's proposal to subdivide 20 acres into 4 lots and 1 outlot with one new street and completing streets that were parts of adjacent plats. The 20 acre tract of land was previously a farm with a dwelling and has never been subdivided. The plat shows a subdivision with four building lots, an outlot for storm water treatment and wetland preservation, land dedicated along the north, south, and west perimeter to complete previously dedicated streets as well as a new interior street called Eischen Court. Staff recommends approval with the conditions listed in the staff report which include the applicant must meet the city's requirements related to pedestrian and utility easements extending southeast from Eischen Court. There is a tree replacement plan in place. Staff received public

comment regarding a Stanford Avenue connection. The road will not be connected, but there will be a pedestrian connection.

Applicant: Samuel Herzog addressed the commission. He has no intention for Stanford Road to go through, and is happy to answer any questions. Zwiebel stated she appreciates the sidewalk connectivity for pedestrians.

Public: Paul Newberg addressed the commission. He isn't sure what the pedestrian connectivity will look like, but he is happy the road isn't going through.

Commissioners: Zwiebel noted the sidewalks on the map. Deming affirmed a sidewalk will be in place on Stanford from Eischen to Marble Street. Deputy Director Fulton noted the pedestrian connectivity will be used for children to go to neighboring houses, etc, and/or a quicker way to get the store, etc. President Nelson asked if the platted road will remain open space. Deming affirmed that whatever is not needed for pedestrian or utilities. Additional tree clearing may be needed for utilities or grading, but no buildings are allowed.

MOTION/Second: Crawford/Eckenberg approved as per staff recommendations.

VOTE: (8-0)

Old Business

PL 21-096 Minor Subdivision at Glen Place and W Michigan Street by Aaron Schweiger

Staff: Kyle Deming gave an update. The applicant is still looking at options, and this item will remain tabled. The applicant will extend the 120 day deadline. Eckenberg asked if a clear title has been clarified. Deming noted the open space language on lot 4 is not a dedication to the public. Per Bob Asleson, it is not a dedication to the public and is not a park. Zwiebel asked if the applicant did not extend the 120 day timeline would it be automatically approved. Deming affirmed, but noted an extension will be made.

Public: Colleen Christensen addressed the commission. Plat 4 is to be used for open space. The court house refused to print a copy for her. She was working with an Abstract Company, and can bring it in for the city to review.

Staff: Deputy Director Fulton asked city attorney Asleson if he had immediate comment. Asleson noted the language in the plat did not constitute use of occupants in the plat. It is private and not a public restriction.

Item to Remain on the Table for more Plat Research

New Business

PL 21-139 Review List of Proposed Reclassification of Tax Forfeit Parcels

Staff: Steven Robertson gave an overview. The sub-committee met today. In attendance were Commissioners Andrea Wedul and Gary Eckenberg - two out of the four members. They had no concerns other than a utility easement was needed for a utility stormwater.

MOTION/Second: Eckenberg/Zwiebel with recommendation by the tax forfeit subcommittee, the planning commission did not contest the reclassification of the tax forfeited parcels.

VOTE: (8-0)

PL 21-152 Resolution of Intent to Sell a portion of Lester Park Golf Course

Staff: Deputy Director Fulton gave an overview and noted the planning commission's role is to fulfill a statutory requirement. Jason Hale, senior housing developer, shares a slide presentation with the commissioners providing some background information. Currently the resolution for the planning commission to consider proposes the sale of approximately 37 acres, or 14% of the

site, for mixed use, mixed-income development. The total area is 13 acres less than previously discussed and leaves the remainder of the property and its use open for future evaluation. The sale of park property must be approved by the planning commission. Zwiebel asked if the reason is because Duluth is a charter city. Deputy Director Fulton noted in 1955 a law specific to Duluth was made. Asleson noted park property dedicated to the public is special. Legislation didn't want to alienate park property. Legislation sought to simplify the process.

Public: Tim Allen, a long time golfer and lakeside resident addressed the commission. He noted they are just discussing the land that abuts the clinic and the driving range. The Lake – 9 portion is not originally part of the park system. There are benefits to having a golf course and he hopes a driving range is still included.

Commissioners: Jason Crawford is on the golf sub-committee. This is a great piece of property to sell off, and he is in support.

MOTION/Second: Crawford/Holliday recommended approval as per staff recommendations.

VOTE: (7-1, Ranum Opposed)

Communications

Land Use Supervisor (LUS) Report – Deputy Director Fulton gave an overview. He took a poll on who could make a 9/28 special planning commission meeting. There were five at least. The special meeting will comprise of the Sugar Loaf Plat and the UDC Vacation rental amendment. There will be a public meeting on 9/23, which will allow the public to voice their opinion. Deputy Director Fulton noted senior transportation Kris Liljeblad retired and the city is advertising the position. Bluestone is open for leasing. The planning office is working on Broad Band connections. Commissioner Holliday stated he is happy to consult as needed. Zwiebel asked about the Rebuild Duluth program. Theresa Bajda gave an overview. There were two properties from Round 1 who broke ground. Three extensions will go before DEDA for 2022 constructions. She will provide a written update to share with commissioners tomorrow.

Heritage Preservation Commission – Vice-President Wisdorf gave an overview. They continued to discuss downtown design guidelines. There will be a public meeting in October. The HPC determined the remodeling of Upham Road townhomes did not affect historical aspects.

Joint Airport Zoning Board – Commissioner Eckenberg noted the ordinance was presented, and they are still in a 90-day waiting period.

Duluth Midway Joint Powers Zoning Board – No updates.

Adjournment

Meeting adjourned at 7:37 p.m.

Respectfully,

Adam Fulton – Deputy Director
Planning & Economic Development

City of Duluth Planning Commission – Special Meeting

**September 28, 2021
Meeting Minutes**

Due to the COVID-19 emergency, many planning commission members participated through video conference from home. The meeting was held as a Special Meeting pursuant to Minnesota Statute 13D.021 in response to the Covid-19 emergency. Public comment was taken at planning@duluthmn.gov prior to and during the meeting, and via verbal comment through public attendance in the WebEx video conference during the meeting.

Call to Order

President Margie Nelson called to order the special meeting of the city planning commission at 5:00 p.m. on Tuesday, September 28th, 2021.

Roll Call

Attendance: (* Via WebEx video conferencing – all votes conducted via roll call)

Members Present: Gary Eckenberg*, Jason Hollinday*, Margie Nelson*, Michael Schraepfer*, Sarah Wisdorf*, and Zandra Zwiebel*

Members Absent: Jason Crawford, Eddie Ranum, Andrea Wedul

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

Public Comment on Items Not on Agenda

No speakers.

Public Hearings

(Presentation combined the next two related items.)

PL 21-145 Variance from Cluster Requirements at xxx Skyline Drive by Cynthia Crawford

Staff: Deputy Direct Adam Fulton introduced the applicant's proposal for a variance to provide an exemption from the clustering requirements of UDC Section 50-33.5 in the RR-1 zoning district and the preliminary plat. This is a 67 acre parcel with no utilities. It is zoned RR-1 which requires a 5 acre minimum. The applicant is proposing 13 houses with a single access driveway. The developer is avoiding bedrock and wetlands, and has provided the most feasible layout. There will be two septic systems on each lot. For the preliminary plat the development agreement must be recorded. Commissioner Gary Eckenberg noted this was plotted for 72 units in 2006. What was the configuration then? Per Deputy Director Fulton these were proposed as single family 4,000 square foot sites, but the sites were rocky and the utilities were too expensive. Currently lot 10 will be reduced and lot 9 increased to allow for a driveway. This will avoid wetlands as required by law. Commissioner Zandra Zwiebel noted the 4.8k square foot building pads. Once lots are sold, will the driveways be constructed at that time? Deputy Director Fulton deferred to the applicant. Fulton noted a site plan will be required prior to

permitting. Zwiebel asked what the hardship is. Deputy Director Fulton noted the practical difficulty is the septic on two locations for each site, minimizing wetland impacts, the location bedrock and the steep slope of the lots. Because of these constraints, he said it is not possible to cluster development on one portion of the site under the existing RR-1 zoning.

Applicant: David Bohlf on Northland Consulting Engineers addressed the commission. He noted that the lots will each have a house, a driveway, two septic tanks and a well all within the five acre lot. Each homeowner will have control of where the home will be located within the setbacks. He noted the question about 70 lots in 2006. That project had public utilities proposed to allow for that density. Then the market tanked and the project did not move forward. They are seeking a variance to minimize the impact to trees and wetlands. Commissioner Zwiebel asked why would it be 1,000 more feet if clustered? Bohlf noted because of the big interior loop needed. The cluster would be south of lot 11. It seems counter-intuitive, but by clustering you are actually disturbing more wetlands.

Public: No speakers.

MOTION/Second: Eckenberg/Wisdorf approved as per staff recommendations.

VOTE: (6-0)

PL 21-144 Preliminary Plat at xxx Skyline Drive by Cynthia Crawford

Staff: (See above)

Applicant: (See above)

Public: Mike Casey of Smithville addressed the commission. He feels roads should serve a public purpose. This proposed road goes nowhere and just enters private properties. The city has trouble maintaining existing roads. Why does this city allow this? The development should maintain the road and not be asked to maintain it by the citizens of Duluth.

Commissioners: Zwiebel asked if the city builds roads, wouldn't the private residents be assessed? Deputy Director Fulton noted the increased sales tax dedicated to roads which began in 2017. The city is not assessing private parties. The curbs and gutters on the street will be constructed to modern city standards. If rebuilt, then the property owners could be assessed.

MOTION/Second: Zwiebel/Wisdorf approved as per staff recommendations.

VOTE: (6-0)

PL 21-136 UDC Text Amendments for Vacation Dwelling Units

Staff: Deputy Director Fulton thanked the commissioners for their efforts and dedication. Senior planner Steven Robertson gave an overview and proceeded with a power point presentation. He noted the 2018 waiting list for an interim use permit for a vacation dwelling unit (VDU) is now down to seven. Approximately one third of the existing VDUs are on Park Point. There are six main proposed changes:

- a. Approval of interim use permits will now be granted by the planning commission.
- b. New vacation dwelling unit homes may not exceed rental of four bedrooms.
- c. A dense urban screen or fence will be required.
- d. An increase of the current cap of 60 will be 10 percent per year of new units created, or 10, whichever is less, but not to exceed 120 units total.
- e. Retaining exemption to the cap in form districts.
- f. Creation of a new, over the counter, annual permit, called "limited". This will be for short term rentals which will allow owners to rent their owner-occupied homestead properties for no more than 21 days per year.

Changes that are not approved at this time, but discussed in the past, include:

1. Limiting the number of vacation dwelling units that any individual or organization may have.
2. Increasing the cap immediately to 120.
3. Changing the period of the permit from six years to three years.
4. Minimum distance or setbacks between existing VDU's.

Staff recommends that the planning commission hold a public hearing, discuss the proposed modifications to the UDC and provide further modifications as appropriate, and recommend approval of the UDC updates to the city council. Commissioner Eckenberg asked about renewals. Robertson stated the normal term of a VDU is six years, and then the applicant can re-apply. Accessory Home Share and Limited permits are for three years. Eckenberg questioned why these wouldn't also be six years. Per Robertson, the Life Safety office operates on a three-year rotation on rental licenses, and these would coincide with them. When the applicant re-applies, they must meet current standards, zoning, or fire, or building code. Eckenberg noted items 13 and 14 under Accessory vacation dwelling units seem redundant. Robertson noted legal counsel also pointed that out too and they will be condensed. Eckenberg asked about accessory home share permits. There is no minimum of two days listed. Robertson affirmed and stated it's standards are less rigorous than vacation dwelling units. The owner is generally supposed to be on site, and wouldn't be allowed to go to work for eight hours, etc.

Zwiebel asked if the VDU permit goes with the property once it is sold. Per Robertson, no. The permit does not add value to the home for the next owner. Zwiebel commented on a large house with eight bedrooms; could they receive two VDU permits for a single home to increase the room count? Robertson stated only one VDU per dwelling is allowed. Zwiebel asked if there was any incentive for someone to release their VDU back into the pool, if it is not being used. Robertson stated not at this time. He also noted eight of the current active VDU's have five or more bedrooms, which is roughly ten percent.

Commissioner Michael Schraepfer noted accessory home share permits. The owner can't go to work while the home is being rented? This seems absurd. They shouldn't be house-bound. Deputy Director Fulton noted the intent is not for the owner to be home 100 percent of the time. Robertson noted there should be one owner on or about the premises at all times. Schraepfer thinks this may need a revision. He also noted the new fence rule is vague. He noted it shouldn't be necessary in a commercial area. Are they required in a form district? Robertson stated Schraepfer has good comments.

Schraepfer asked about the VDU lottery three years ago. Should the pool of interested applicants be updated? Robertson noted in the future he presumes there will be a large time frame for interested people to apply for the waiting list and then they can establish a new list. Deputy Director Fulton noted the planning commission can recommend to the city council what they want. Some permits might convert to the "limited" variety. The eligible to apply list will be updated after approved by the city council. Eckenberg noted the possibility of VDU's switching to Limited. He doesn't think this will be a big draw with the limitation of only allowing 21 days of rental per year. Where does the 21 number come from? Deputy Director Fulton noted the city council rationalized seven – 3-day weekends or three full weeks. Homestead status creates murky waters if it is more than 21 days. Zwiebel agrees with Schraepfer that an accessory home share applicant should be allowed to leave for work as long as they come home as the existing resident.

Public: Mike Casey addressed the commission. He noted the new fence rule is a fence for the neighbor, too. He feels the city council is seeking to fix a problem that doesn't exist. He thinks they should get rid of erroneous rules. If a fence is needed, add it. Doug KMan of Lake Superior Area Realtors addressed the commission. He suggests there be a VDU cap relative to the housing stock. It may be beneficial to evaluate the number of residents. How many are homesteaded as a percentage to sustainable growth. He appreciates the planning commission's discussion.

Commissioners: Zwiebel referred to several years back when Terry Guggenbuehl was a planning commissioner. At that time they proposed the limit be 1/100th of a percent of the total housing stock. Zwiebel likes that idea. Eckenberg asked about home share permits. What districts are they allowed in? Per Robertson, they are allowed in all residential districts, MU-N districts and form districts.

MOTION/Second: Schraepfer/Eckenberg recommended approval with added condition that a fence only be required between residential uses if the neighbor desires it.

(Amendments follow before original motion was voted on.)

VOTE: (6-0)

MOTION/ Eckenberg asked for a motion for all permit types be three years. (There was no second.)

MOTION/Second: Eckenberg/Schraepfer recommended approval to strike items 6 – residency under Accessory Home Share (UDC 50-20.5G) (Language is vague regarding when the owner needs to be present.)

VOTE: (6-0)

MOTION/Second: Zwiebel/Eckenberg recommended approval to raise cap limit to 1/100th % of available housing stock (currently 120) (Vacation dwelling Units UDC 50-20.3U)

VOTE: (2-4, Eckenberg, Hollinday, Nelson and Wisdorf Opposed) – Motion Fails

Commissioner Sarah Wisdorf asked by raising the cap would it eliminate the acceleration clause? Zwiebel state yes, but if the housing stock grows, the cap would grow. It could shift annually. Schraepfer appreciates the proposed amendment, but he doesn't think the city council has any interest in this.

MOTION/ Wisdorf asked for a motion to increase the cap with an acceleration clause. (There was no second.)

Adjournment

Meeting adjourned at 6:50 p.m.

Respectfully,

Adam Fulton – Deputy Director
Planning & Economic Development



Planning & Development Division
Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802

218-730-5580

planning@duluthmn.gov

File Number	PL 21-105	Contact	Chris Lee	
Type	Variance from setbacks	Planning Commission Date	October 12, 2021	
Deadline for Action	Application Date	August 19, 2021	60 Days	October 18, 2021
	Date Extension Letter Mailed	September 3, 2021	120 Days	December 17, 2021
Location of Subject	107 E 9 th St.			
Applicant	Scott Holm	Contact		
Agent	David Marshall	Contact		
Legal Description	See Attached	Sign Notice Date	September 28, 2021	
Site Visit Date	September 28, 2021	Number of Letters Sent	45, mailed 9/29/21	

Proposal

The applicant is seeking a variance to reduce the setbacks in the front and side yard to construct an attached deck. The reduction of 25 feet will create a new setback of zero feet from the front property line. Side yard setbacks will be reduced from 6 feet to 1.5 feet on the west property line and 2.9 feet on the east property line.

Staff Recommendation

Staff recommends that the Planning Commission adopt the findings of fact and approve the variance.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-1	Residential	Traditional Neighborhood
North	R-1	Residential	Traditional Neighborhood
South	R-1	Residential	Traditional Neighborhood
East	R-1	Residential	Traditional Neighborhood
West	R-1	Residential	Traditional Neighborhood

Summary of Code Requirements

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.

Comprehensive Plan Governing Principle and/or Policies and Current History (if applicable):**Governing Principle #5 -Promote reinvestment in neighborhoods.**

Duluth is strongly defined by its neighborhoods. This system should be supported through land use and transportation that foster neighborhood reinvestment. New development or redevelopment should maximize public investment that strengthens neighborhood commercial centers or diversifies residential opportunities that fit the neighborhood's character.

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. Includes many of Duluth's older neighborhoods, infill projects, neighborhood extensions, and new traditional neighborhood areas.

History

The home is 798 square feet containing 2 bedrooms built in 1906. This lot is 30 feet wide by 63 feet deep. There is an existing deck which is constructed without easement over the property line to the southwest.

Review and Discussion Items:

- 1) The applicant is seeking a variance to the front yard setbacks to construct a deck. This deck will be 9' x 26' with a 4' x 8.33' segment located in the right of way. The setbacks will be reduced to 0' in the front yard, 1'6" on the west side, and 2'11" on the east property line. In R-1 districts with less than 50' of lot frontage, the side yard setbacks must equal 12' total with a minimum of 3' on one side.
- 2) The applicant states that the variance is requested due to the existing conditions of the home. There is currently a deck on the home that is illegally constructed, and is located over the property line and is deteriorating. The applicant intends to rebuild and expand the deck, and eliminate the portion of the deck that is current on their neighbor's property.
- 3) The applicant is proposing to use the property in a reasonable manner by constructing a deck to their home. The existing front yard is steep, and cannot be put to a practical use based on the site's topography. The deck will allow for use of the front yard area of the property.
- 4) The applicant's practical difficulty was not created by the landowner but rather is due to the existing conditions present on the lot and topography of the site. The variance will not alter the essential character of the neighborhood as the proposed addition will resemble similar alterations to other homes in the area.
- 5) No public, agency, or other City comments were received.
- 6) Per UDC Section 50-37.1.N,. approved variances lapse if the project or activity authorized by the permit or variance is not begun within one-year.

Staff Recommendation

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

- 1) The deck, be limited to, constructed, and maintained according to the site plan dated on December 2, 2020; and
- 2) Any alterations to the approved plans that do not alter major elements of the plan may be approved by the Land Use Supervisor without further Planning Commission; however, no such administration approval shall constitute a variance from the provisions of Chapter 50.



115 E 9th St

922
Mesaba
Ave

107 E 9th St

904
Mesaba
Ave

8 inch Vitreous
Clay Pipe
341-268946

2" MDPE

E 9th St

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

The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used as one. The drawing/data is a compilation of records, information and data located in various City, County and State offices and other sources affecting the area shown and is to be used for reference purposes only. The City of Duluth shall not be liable for errors contained within this data provided or for any damages in connection with the use of this information contained within.

Aerial photography flown 2019



HOLM DECK

MESABA AVENUE

PARCEL ID #: 010-1350-08910
 PLAT DESCRIPTION: DULUTH PROPER THIRD DIVISION
 LEGAL DESCRIPTION: S 82 8'10" FT OF E 30' LOT: 019 BLOCK: 128

ZONING REVIEW:
 ZONING DISTRICT: R-1 (RESIDENTIAL TRADITIONAL)

SETBACKS AND AREAS:	REQUIREMENTS:	PROPOSED:
FRONT YARD:	25'-0"	EXISTING
REAR YARD:	25'-0"	EXISTING
SIDE YARD 1:	5'-0"	EXISTING
SIDE YARD 2:	5'-0"	EXISTING
STREET FRONTAGE:	24'-0"	EXISTING
STREET FRONTAGE:	24'-0"	EXISTING
HEIGHT:	<30'-0"	EXISTING



1 SITE PLAN
 T-13-20



REAR YARD: 12'-0" SETBACK
 SIDE YARD 1: 5'-0" SETBACK
 SIDE YARD 2: 5'-0" SETBACK
 STREET FRONTAGE: 24'-0" SETBACK
 EXISTING DECK TO BE REMOVED
 NEW DECK
 EXISTING DECK
 EXISTING TREE
 UTILITY POLE
 PROPERTY LINE
 OPEN-AREA UTILITIES
 SETBACKS
 EXISTING DECK TO BE REMOVED
 SHRUBS

DATE: 12-2-2020
 PROJECT NUMBER: 2030
 SHEET NUMBER: A1

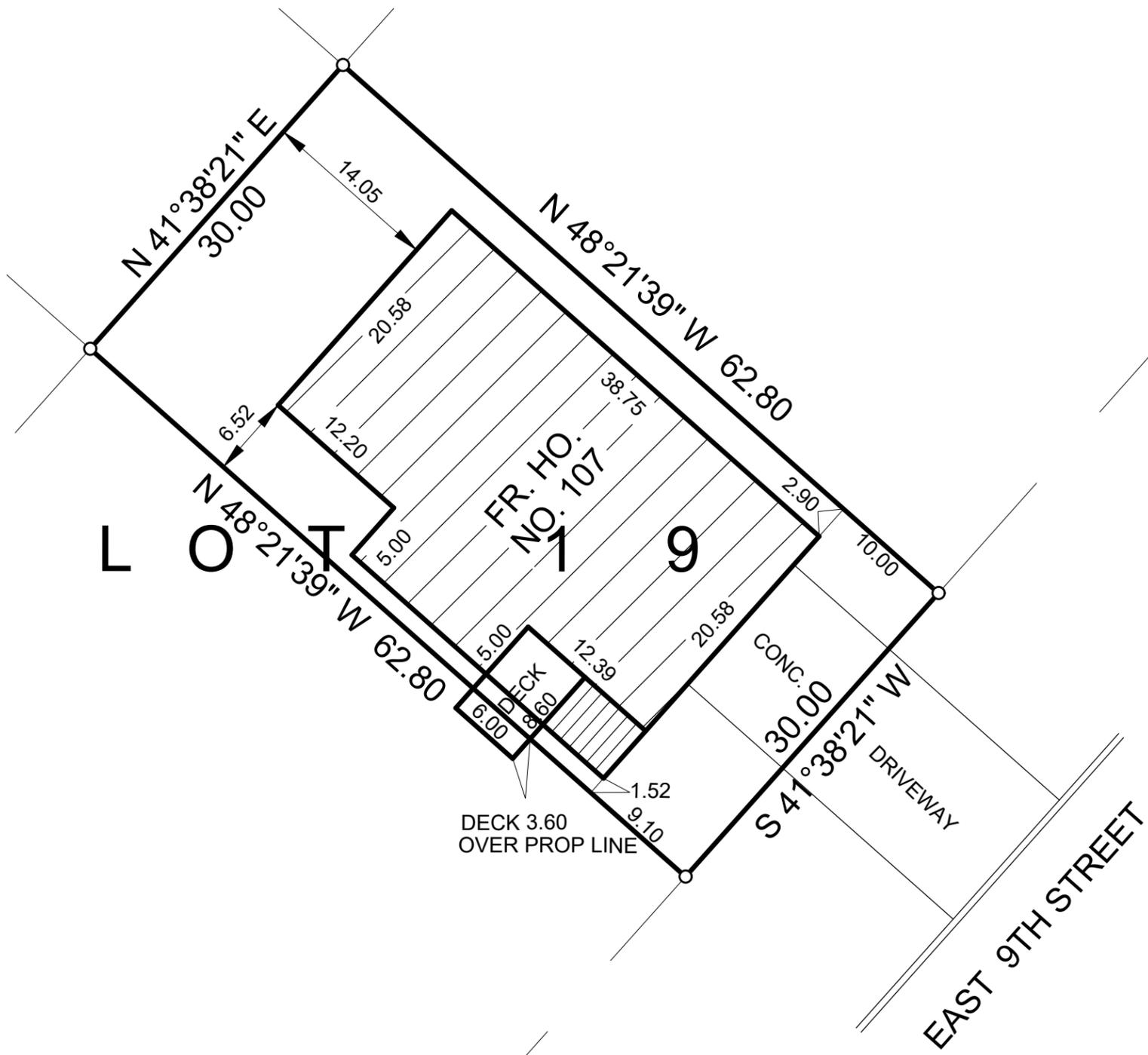
SHEET TITLE: HOLM DECK
 SITE PLAN
 CODE REVIEW

HOLM DECK
 107 E 9TH ST
 DULUTH, MN 55805
 OWNER: SCOTT HOLM - 107 E 9TH ST - DULUTH, MN 55805

CONSULTANTS:
 MARSHALL CONSTRUCTION SERVICES
 4107 W MICHIGAN ST
 DULUTH, MN 55807

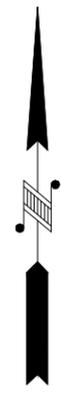
BOECKER
 Drafting and Design
 TRAVIS BOECKER: 218.503.4600
 5431 ARNATA ST. DULUTH, MN 55812
 Page 19 of 142

CERTIFICATE OF SURVEY FOR: SCOTT HOLM



LEGAL DESCRIPTION

THE SOUTH 62.80 FEET OF THE EAST 30.0 FEET OF LOT 19,
BLOCK 128, DULUTH PROPERTHIRD ADDITION



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.

Date: 9-16-2020

Ronald L. Krueger
Ronald L. Krueger MN License No. 14374

RON KRUEGER
Land Surveyor
7066 HIGHWAY 8
SAGINAW, MN 55779
Phone: 218-390-4030

DATE: 9/16/20
SCALE: 1 IN = 20 FEET
PROP ADD: 107 EAST 9TH STREET
PROJECT NO: 20-19





Planning & Development Division
 Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802

218-730-5580
 planning@duluthmn.gov

File Number	PL 21-151	Contact	Chris Lee	
Type	Concurrent Use Permit	Planning Commission Date	October 12, 2021	
Deadline for Action	Application Date	August 19, 2021	60 Days	October 18, 2021
	Date Extension Letter Mailed	September 3, 2021	120 Days	December 17, 2021
Location of Subject	107 E 9 th St.			
Applicant	Scott Holm	Contact		
Agent	David Marshall	Contact		
Legal Description	See Attached	Sign Notice Date	September 28, 2021	
Site Visit Date	September 28, 2021	Number of Letters Sent	N/A	

Proposal

The applicant is seeking a concurrent use permit to construct a deck and associated stairs into the right of way of East 9th Street

Staff Recommendation

Staff recommend that the Planning Commission recommend approval of the concurrent use permit to the City Council (via ordinance).

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-1	Residential	Traditional Neighborhood
North	R-1	Residential	Traditional Neighborhood
South	R-1	Residential	Traditional Neighborhood
East	R-1	Residential	Traditional Neighborhood
West	R-1	Residential	Traditional Neighborhood

Summary of Code Requirements

UDC Section 50-37.7C. 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. Any proposed skywalk will significantly improve the circulation of pedestrians in the city without exposure to weather conditions (does not apply in this instance);
3. No portion of a public easement proposed for use is being physically used or occupied by the public.

Comprehensive Plan Governing Principle and/or Policies and Current History (if applicable):**Governing Principle #5 - Promote reinvestment in neighborhoods.**

Duluth is strongly defined by its neighborhoods. This system should be supported through land use and transportation that foster neighborhood reinvestment. New development or redevelopment should maximize public investment that strengthens neighborhood commercial centers or diversifies residential opportunities that fit the neighborhood's character.

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. Includes many of Duluth's older neighborhoods, infill projects, neighborhood extensions, and new traditional neighborhood areas.

History

The home is 798 square feet containing 2 bedrooms built in 1906.

Review and Discussion Items:

- 1) The applicant is seeking a concurrent use permit to construct a new deck into the right of way of East 9th Street. This deck will be 9' x 26' with a 4' x 8.33' segment located in the right of way.
- 2) The area proposed for the concurrent use permit will not take away from the public's ability to use the public right-of-way, nor will it harm or inconvenience the health, safety and general welfare of the city. The closest point of the deck will be approximately 14' from the street curb. There are no sidewalks on the side of East 9th Street and the deck will not interfere with pedestrian circulation.
- 3) Concurrent use permits are approved by the City Council via an ordinance. Unlike street right-of-way vacations, concurrent use permits are not recorded at with St. Louis County as they are voidable agreements between the City and property owners.
- 4) The City of Duluth requires concurrent use permits to include liability insurance to indemnify the City against all occurrences in the right-of-way. Other protections for the city and the public are typically included in the ordinance that is submitted for the City Council's review. The ordinance will require that the project proposer will locate any underground items in accordance with Gopher State One Call rules, and that the city will bear no responsibility for locating any facility related to the concurrent use permit except as it is legally responsible under the Gopher State One Call rules.
- 5) No comments were received from the public or other government agencies at the time this staff report was written, except for minor comments from engineering on the exhibits (scale bars have the wrong dimensions).
- 6) Per UDC Sec. 50-37.1.N, approved concurrent use permits lapse if the project or activity authorized by the permit has not begun within one-year.

Staff Recommendation

Based on the above findings, Staff recommends that the Planning Commission recommend to the City Council approval of the concurrent use permit with the following conditions:

- 1) Applicant construct and maintain the project as identified in the attached exhibits.
- 2) Applicant provide annual proof of liability insurance to indemnify the City against any occurrences in the right of way that are due to items covered under this permit.
- 3) Applicant will remove the obstructions at the applicant's expense if directed to by the City with appropriate notice.
- 4) The structure will need to comply with any applicable engineering standards, or building or fire code requirements.
- 5) Any alterations to the approved plans that do not alter major elements of the plan may be approved by the Land Use Supervisor without further Planning Commission approval; however, no such administrative approval shall constitute a variance from the provisions of Chapter 50.



115 E 9th St

922
Mesaba
Ave

107 E 9th St

904
Mesaba
Ave

8 inch Vitreous
Clay Pipe
341-268946

2" MDPE

E 9th St

Legend

- Gas Main
- Water Main
- Hydrant

Sanitary Sewer Mains

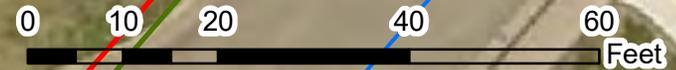
- CITY OF DULUTH
- WLSSD; PRIVATE
- Sanitary Sewer Forced Main
- Storage Basin
- Pump Station

Storm Sewer Mains

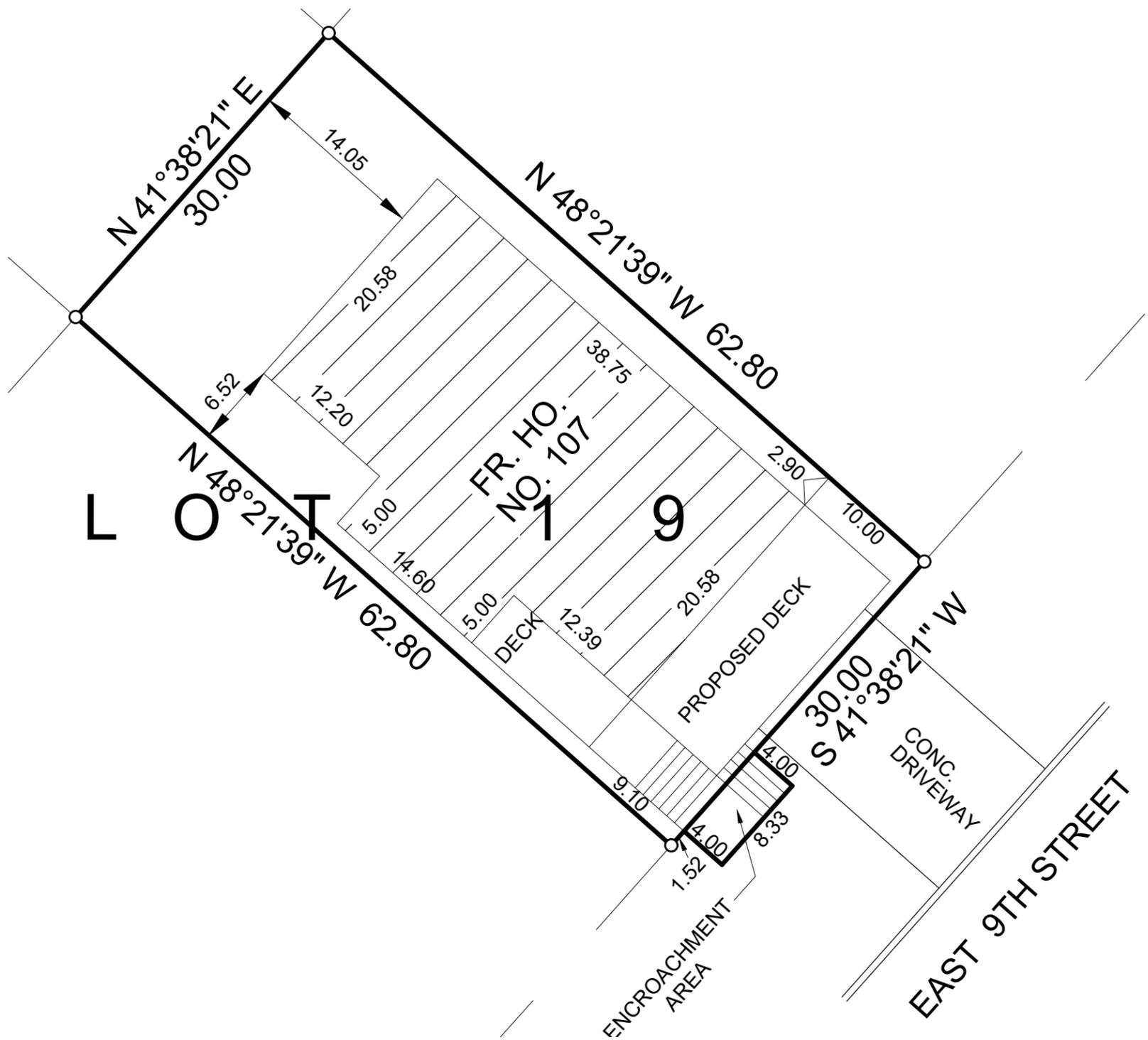
- Storm Sewer Pipe
- Storm Sewer Catch Basin

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Aerial photography flown 2019



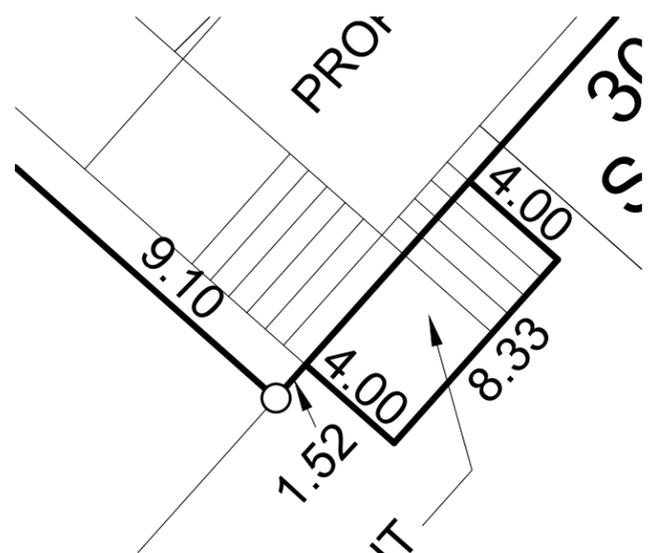
CERTIFICATE OF SURVEY FOR: SCOTT HOLM



ENCROACHMENT LEGAL DESCRIPTION

That part of the East 9th Street right of way lying adjacent to the Southerly 62.80 feet of the Easterly 30.0 feet of Lot 19, Block 128 described as follows:

Commencing at the most Southerly corner of the Easterly 30.0 feet of the Southerly 62.80 feet of said Lot 19; thence Northeasterly along the Southerly line of said Lot 19 a distance of 1.52 feet to the point of beginning of the parcel to be described; thence Southeasterly at right angles a distance of 4.0 feet; thence Northeasterly at right angles a distance of 8.33 feet; thence Northwesterly at right angles a distance of 4.0 feet to the Southeasterly line of the Southerly 62.80 feet of the Easterly 30.0 feet of said Lot 19; thence Southwesterly along said line to the point of beginning and there terminating.



ENCROACHMENT DETAIL

LEGAL DESCRIPTION

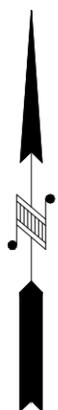
THE SOUTH 62.80 FEET OF THE EAST 30.0 FEET OF LOT 19, BLOCK 128, DULUTH PROPERTY THIRD ADDITION

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.

Date: 7-28-2021
Ronald L. Krueger

Ronald L. Krueger MN License No. 14374

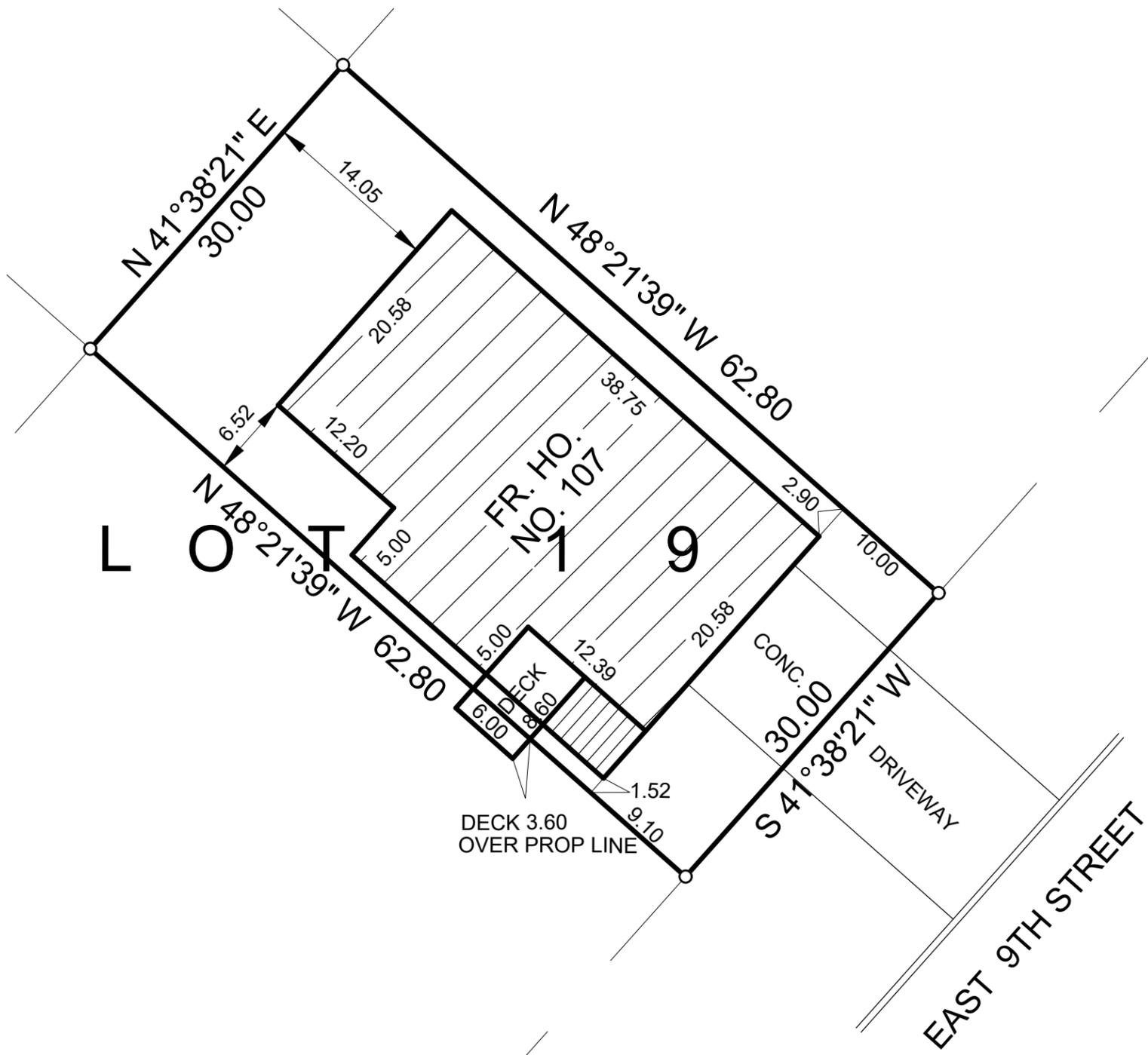
RON KRUEGER
Land Surveyor
7066 HIGHWAY 8
SAGINAW, MN 55779
Phone: 218-390-4030



SCALE IN FEET

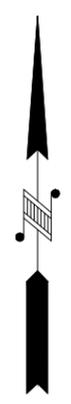
DATE: 7/28/21
SCALE: 1 IN = 20 FEET
PROP ADD: 107 EAST 9TH STREET
PROJECT NO: 20-19

CERTIFICATE OF SURVEY FOR: SCOTT HOLM



LEGAL DESCRIPTION

THE SOUTH 62.80 FEET OF THE EAST 30.0 FEET OF LOT 19,
BLOCK 128, DULUTH PROPERTHIRD ADDITION



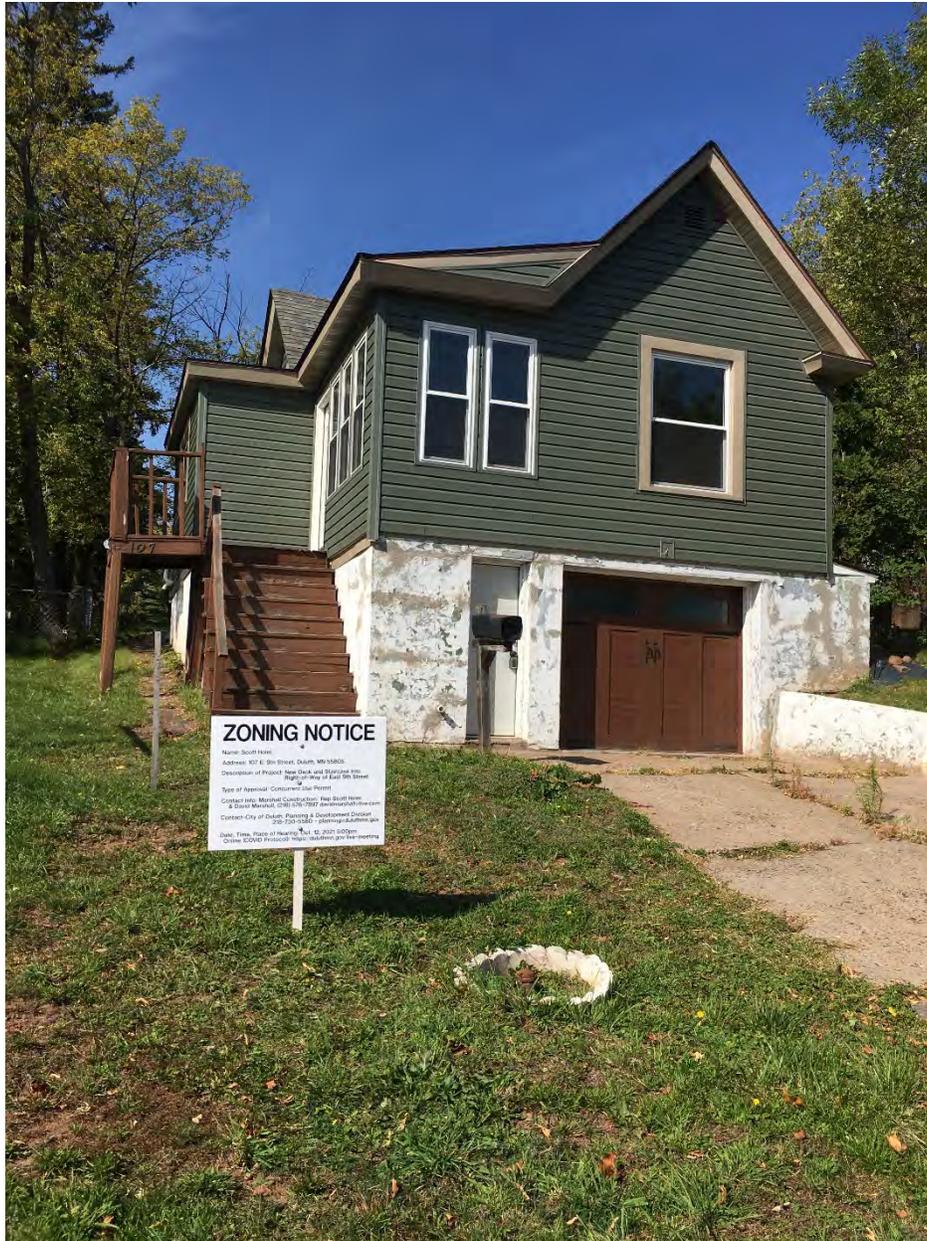
I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Date: 9-16-2020

Ronald L. Krueger
 Ronald L. Krueger MN License No. 14374

RON KRUEGER
 Land Surveyor
 7066 HIGHWAY 8
 SAGINAW, MN 55779
 Phone: 218-390-4030

DATE: 9/16/20
 SCALE: 1 IN = 20 FEET
 PROP ADD: 107 EAST 9TH STREET
 PROJECT NO: 20-19





Planning & Development Division
 Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802

218-730-5580
 planning@duluthmn.gov

File Number	PL 21-155	Contact	Chris Lee	
Type	Concurrent Use Permit	Planning Commission Date	October 12, 2021	
Deadline for Action	Application Date	September 3, 2021	60 Days	November 2, 2021
	Date Extension Letter Mailed	September 10, 2021	120 Days	January 1, 2022
Location of Subject	802 South Lake Avenue			
Applicant	Thomas & Bridget Reistad	Contact		
Agent		Contact		
Legal Description	See Attached	Sign Notice Date	September 28, 2021	
Site Visit Date	September 28, 2021	Number of Letters Sent	N/A	

Proposal

The applicant is seeking a concurrent use permit to retain a shed and fence and construct erosion control improvements in the right of way.

Staff Recommendation

Staff recommend that the Planning Commission recommend approval of the concurrent use permit to the City Council (via ordinance).

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-1	Residential	Traditional Neighborhood
North	R-1	Residential	Traditional Neighborhood
South	R-1	Residential	Traditional Neighborhood
East	R-1	Beach	Traditional Neighborhood
West	R-1	Residential	Traditional Neighborhood

Summary of Code Requirements

UDC Section 50-37.7C. 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. Any proposed skywalk will significantly improve the circulation of pedestrians in the city without exposure to weather conditions (does not apply in this instance);
3. No portion of a public easement proposed for use is being physically used or occupied by the public.

Comprehensive Plan Governing Principle and/or Policies and Current History (if applicable):**Governing Principle #5 -Promote reinvestment in neighborhoods.**

Duluth is strongly defined by its neighborhoods. This system should be supported through land use and transportation that foster neighborhood reinvestment. New development or redevelopment should maximize public investment that strengthens neighborhood commercial centers or diversifies residential opportunities that fit the neighborhood's character.

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. Includes many of Duluth 's older neighborhoods, infill projects, neighborhood extensions, and new traditional neighborhood areas.

History

This property is a 5 bedroom, 2,900 square foot residential structure built in 1909. It has been reconstructed into a three-unit dwelling based on buildings permits issued in February 2021.

Review and Discussion Items:

- 1) The applicant is seeking a concurrent use permit to retain a shed and fence in the right of way. This proposal also includes erosion controls to protect the home from shoreland erosion. This space will be 33' x 100' and occupy 3,300 square feet.
- 2) Sandy areas of Park Point frequently contain areas of beach grass, which is important to the dune ecosystem. No known beach grass is located within the concurrent use permit area [confirm with aerial photo and street view/site visit] but applicant and contractor should assess the area prior to construction and ensure any beach grass be avoided and undisturbed during improvements.
- 3) Because of the importance of the dune ecosystem, applicant is advised to check with the DNR on any necessary approvals needed for work within this area, including plantings.
- 4) Platted streets on Park Point that abut the beach and waterfront provide important public access. The applicant's exhibit shows the area of the right-of-way that will continue to allow pedestrians to travel to and from the beach area. The area proposed for the concurrent use permit will not take away from the public's ability to use the public right-of-way, nor will it harm or inconvenience the health, safety and general welfare of the city.
- 5) Concurrent use permits are approved by the City Council via an ordinance. Unlike street right-of-way vacations, concurrent use permits are not recorded at with St. Louis County as they are voidable agreements between the City and property owners.
- 6) The City of Duluth requires concurrent use permits to include liability insurance to indemnify the City against all occurrences in the right-of-way. Other protections for the city and the public are typically included in the ordinance that is submitted for the City Council's review. The ordinance will require that the project proposer will locate any underground items in accordance with Gopher State One Call rules, and that the city will bear no responsibility for locating any facility related to the concurrent use permit except as it is legally responsible under the Gopher State One Call rules.
- 7) No comments were received from the public or other government agencies at the time this staff report was written, except for minor comments from engineering on the exhibits.
- 8) Per UDC Sec. 50-37.1.N, approved concurrent use permits lapse if the project or activity authorized by the permit has not begun within one-year.

Staff Recommendation

Based on the above findings, Staff recommends that the Planning Commission recommend to the City Council approval of the concurrent use permit with the following conditions:

- 1) Applicant shall construct and maintain the project as identified in the attached exhibits.
- 2) Applicant shall maintain pedestrian access through the 8th Street right-of-way between Lake Avenue South and the beach along Lake Superior. The pedestrian access shall not be blocked or impeded in any manner whatsoever.
- 3) Applicant shall provide annual proof of liability insurance to indemnify the City against any occurrences in the right of way that are due to items covered under this permit.
- 4) Applicant will remove the obstructions at the applicant's expense if directed to by the City with appropriate notice.
- 5) Applicant and contractor will assess the area for beach grass prior to commencing any work, and will indicate on plans for any City permits the existence of any beach grass in the area. Any beach grass disturbance may also need permits from City Engineering and the DNR.
- 6) The structure shall comply with any applicable engineering standards, or building or fire code requirements.
- 7) Any alterations to the approved plans that do not alter major elements of the plan may be approved by the Land Use Supervisor without further Planning Commission approval; however, no such administrative approval shall constitute a variance from the provisions of Chapter 50.

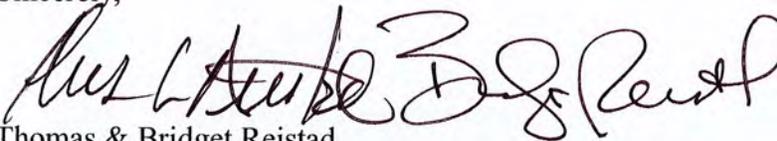
system at the site. A concurrent use permit would allow us the ability to create a safe, private, and secure environment for the tenants and owners of 802 S. Lake Avenue.

3. Sand Retention

As recommended by the St. Louis County Conservation Specialist Ben Carey, we propose planting vegetation in the right-of-way area to help control flow of blowing sand off the beach and eventually into the City sewer system. Our plantings would not restrict pedestrian traffic flow to the beach and would enhance the 30' of right-of-way we are discussing.

Maintenance of this area is a responsibility we are willing to assist in. We currently pick up a significant amount of litter in the right-of-way, especially liquor bottles. Over the past year, we have invested in significantly renovating this highly visible, historic site. We would appreciate the opportunity to continue this work by working to rehabilitate the right-of-way .

Sincerely,



Thomas & Bridget Reistad



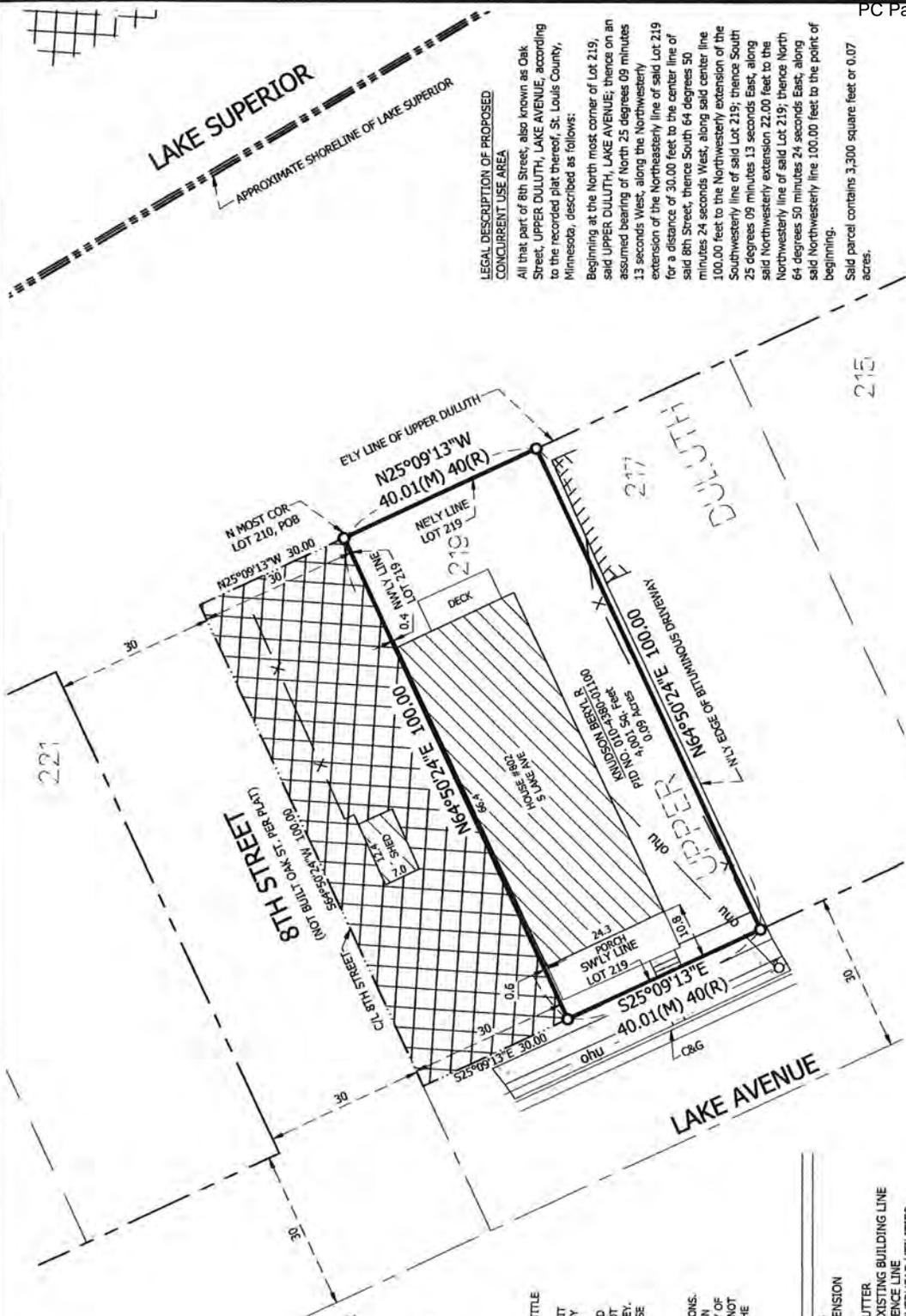
Shoreline Erosion



Right of way when we purchased the property.



Current right-of-way



LEGAL DESCRIPTION OF PROPOSED CONCURRENT USE AREA

All that part of 8th Street, also known as Oak Street, UPPER DULUTH, LAKE AVENUE, according to the recorded plat thereof, St. Louis County, Minnesota, described as follows:
 Beginning at the North most corner of Lot 219, said UPPER DULUTH, LAKE AVENUE; thence on an assumed bearing of North 25 degrees 09 minutes 13 seconds West, along the Northwesterly extension of the Northwesterly line of said Lot 219 for a distance of 30.00 feet to the center line of said 8th Street, thence South 64 degrees 50 minutes 24 seconds West, along said center line 100.00 feet to the Northwesterly extension of the Southwesterly line of said Lot 219; thence South 25 degrees 09 minutes 13 seconds East, along said Northwesterly extension 22.00 feet to the Northwesterly line of said Lot 219; thence North 64 degrees 50 minutes 24 seconds East, along said Northwesterly line 100.00 feet to the point of beginning.
 Said parcel contains 3,300 square feet or 0.07 acres.



LEGAL DESCRIPTION PER DOC. NO. 8029275
 Lot Two Hundred Nineteen (219), LAKE AVENUE, UPPER DULUTH, according to the recorded plat thereof, SUBJECT to claim of State of Minnesota in and to the riparian rights abutting said lot on the Easterly side thereof, as more particularly shown in Book 670 of Deeds, page 16 thereof, and Book 679 of Deeds, page 185 thereof, respectively, on file in the Office of the County Recorder of St. Louis County, Minnesota.

SURVEYOR'S NOTES

1. THIS SURVEY HAS BEEN PREPARED WITHOUT BENEFIT OF A TITLE COMMITMENT OR TITLE OPINION. A TITLE SEARCH FOR RECORDED OR UNRECORDED EASEMENTS WHICH MAY BENEFIT OR ENCUMBER THIS PROPERTY HAS NOT BEEN COMPLETED BY ALTA LAND SURVEY COMPANY. THE SURVEYOR ASSUMES NO RESPONSIBILITY FOR SHOWING THE LOCATION OF RECORDED OR UNRECORDED EASEMENTS OR OTHER ENCUMBRANCES NOT PROVIDED TO THE SURVEYOR AS OF THE DATE OF THE SURVEY. BEARINGS ARE BASED ON THE ST. LOUIS COUNTY TRANSVERSE MERCATOR COORDINATE SYSTEM OF 1996. (NAD 83 2011)
2. BUILDING DIMENSIONS SHOWN ARE FOR HORIZONTAL & VERTICAL PLACEMENT OF STRUCTURE ONLY. SEE ARCHITECTURAL PLAN FOR BUILDING FOUNDATION DIMENSIONS.
3. 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.

LEGEND

	CONCRETE SURFACE		POB-POINT OF BEGINNING
	EXISTING BUILDINGS		(M)-FIELD MEASURED DIMENSION
	PROPOSED CONCURRENT USE AREA		(R)-RECORD DIMENSION
	SET CAPPED REBAR		C&G-CONCRETE CURB & GUTTER
	UTILITY POLE		EXISTING BUILDING LINE
			FENCE LINE
			OVERHEAD UTILITIES
			SHORELINE
			CENTER LINE
			RIGHT OF WAY LINE
			BOUNDARY LINE AS SURVEYED
			PROPOSED CONCURRENT USE LINE

ALTA LAND SURVEY COMPANY
 LICENSED IN MN & WI
 WWW.ALTAUSURVEYING.COM
 PHONE: 218-724-5111

CERTIFICATE OF SURVEY

CLIENT: THOM AND BRIDGET REISTAD
 ADDRESS: 302 S LAKE AVE,
 DULUTH, MN 55802
 DATE: AUGUST 10, 2020 JOB NO: 20-233 SHEET 1 OF 1

REVISIONS: 9-30-2021 ADD PROPOSED CONCURRENT USE AREA

David R. Evans
 David R. Evans
 MN Lic. No. 49505

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.



Mrs. Bridget Reistad
802 South Lake Avenue
Duluth, MN 55802

August 16, 2021

Dear Mrs. Reistad,

My name is Ben Carey and I am a Conservation Specialist with South St. Louis Soil and Water Conservation District. On June 24th, 2021, a coworker and I visited a site located at 802 South Lake Avenue in Duluth, MN. During the site visit, we met with you about concerns that you had for erosion happening at the site. We discussed reasons why the erosion may be occurring and what could be done in the future to prevent further erosion.

Reasons erosion may be occurring at the site could be from an absence of well-rooted vegetation that would normally stabilize and prevent soil and sand from being carried by wind or water and accumulating elsewhere at the site. Shallow, nutrient poor soil could be causing signs of distress to existing vegetation and trees such as buttressing roots. Allowing native plants to become reestablished at the site may stabilize and add organic matter to the soil. This could add nutrients to the soil and reduce the amount of soil and sand from being carried by wind and water in the future.

If you have additional questions, please don't hesitate to reach out to me for assistance.

Sincerely,

Ben Carey
Conservation Specialist
South St. Louis SWCD
ben.carey@southstlouisswcd.org
(218) 723-4867



Erosion and Sediment Control Application and Permit

(Required For Land Disturbance of 3,000 sq ft or greater**) (See City of Duluth UDC Article 2, Section 50-18.1.E) Revised January 2020

The entire permit application needs to be completed in full or it will be returned to the applicant for completeness.

SITE LOCATION	
Site Address: 802 S Lake Ave	Date: 9/2/2021
Lot: 0219	Plat & Parcel: UPPER DULUTH LAKE AVENUE 010-4380-01100
Nature of Project Erosion Protection	
Est. Start Date: 09/15/2021	Est. Completion Date: 10/15/2021

OWNER / CONTRACTOR			
Thomas & Bridget Reistad	breistad@gmail.com	218-349-3508	
Property Owners Name	Email:	Telephone No.	
Address 2536 Minnesota Ave, Duluth, MN 55802	City	State	Zip
Ryan Dagger	ryan.dagger@amiengineers.com	715-718-5722	
Contractors Name	Email:	Telephone No.	
Address 91 Main St, Superior, WI 54880	City	State	Zip

CITY USE ONLY	
City Engineer Approval:	Date:
Permit Number:	Permit Fee: \$175 \$350

SEE REVERSE SIDE FOR FEE SCHEDULE AND ADDITIONAL REQUIREMENTS

(Attach the Erosion and Sediment Control Plan (ESCP) to this application page)

MS-4 Statement of Compliance (not for permanent stormwater management)

The property owner and the contractor conducting work on the site are responsible for all the construction activities that occur on the site. By signing this permit both parties are required to install and maintain all erosion and sediment control BMPs to ensure that sediment, soil and debris does not leave the construction site. This includes but is not limited to tracking of soil /mud onto public streets and roadways from vehicles leaving the site, soil eroding from the site onto roadways or drainage ditches or onto neighboring property. If sediment, soil/mud and/or debris leaves the site, both parties are responsible for the immediate clean up and all costs and fines associated with it. Both parties are also responsible for the total restoration of vegetation on the site (seed/mulch, sod, gardens...) after construction disturbance is substantially complete, and only after vegetation has been established with vigorous growth can BMPs be cleaned and removed.

Property Owner	/	/
	Telephone #	Date
<i>Ryan Dagger</i>	715 / 718-5722	/ 09/02/2021
Contractor	Telephone #	Date

EROSION CONTROL PERMIT FEES

Size of Project* (*****)	Erosion and Sediment Control Plan / SWPPP ***	Erosion and Sediment Control Permit	FEE
Land Disturbance Area less than 3,000 s.f.**	Specific plan not required, but must follow BMPs	No	No Fee
Land Disturbance Area greater than 3,000 s.f. and less than 10,000 s.f.	Yes	Yes	\$175
Land Disturbance Area greater than 10,000 s.f. and less than 1 acre.	Yes	Yes	\$350
Land Disturbance Area equal to or greater than 1 acre.	Yes	Yes ****	Copy of MPCA CSW Permit

* All projects regardless of area disturbed, will be inspected for compliance with Erosion and Sediment Control Best Management Practices (BMPs), see attached .

** If city engineer determines that the proposed development is in a vulnerable area (steep slopes, erodible soils, adjacent to sensitive areas, etc.) and may cause degradation of the waters connected to the City's storm water system, then the provisions applicable to land disturbance areas between 3,000 and 10,000 sq. ft. shall apply.

*** A site specific Storm Water Pollution Prevention Plan (SWPPP) meeting MPCA NPDES Permit requirements for Construction Activity is required and shall be submitted to the City for review. An individual one-family or two-family residence (that is not part of a common plan of development) with less than 10,000 sq. ft. of disturbance and less than 7,500 sq. ft. of new impervious area does not have to prepare a SWPPP, but shall submit an erosion control plan meeting the requirements of this document and attachments.

**** The MPCA Permit No. MN R 100001 is required (General Permit Authorization to Discharge Stormwater Associated with Construction Activity under the National Pollutant Discharge Elimination), and a copy of permit to be submitted to City. See this page for internet link.

***** Please see the City of Duluth UDC Article Two, Section 50-18.1.E to determine if the proposed project is required to meet permanent stormwater quality and rate control requirements and applicable fees.

NOTE: For projects disturbing one acre or more, the MPCA Stormwater Permit for Construction Activity must be completed AND the City of Duluth's form. There is no charge for the city permit form, the city is responsible for tracking and inspection of all sites.

www.pca.state.mn.us/water/stormwater/stormwater-c.html

**The entire MS4 Permit may also be found at the MPCA:
website:**

www.pca.state.mn.us/water/stormwater/stormwater-ms4.html#requirements

City of Duluth Erosion and Sediment Control Plan Guidelines

Erosion and Sediment Control Plan (ESCP)

The Permit Application should be filled out and the Erosion and Sediment Control Plan should be prepared as follows:

- Complete the attached Narrative form Item No. 1, or use a separate sheet. Fill in **all** areas as completely as possible.
- Complete a Site Map / Plan showing the items listed below in item No. 2 and see Elements of Erosion Control Plan, Site Map Requirements for further guidance to address specific item for each plan. Additionally see example site map / plan.
- Incomplete Narratives or Site Map / Plans will be returned for additional information and will delay permit approval.

Erosion and Sediment Control Methods

Control of sediment is required so that it does not migrate to an adjoining property, roadway, catch basin, or a wetland/watercourse. Diagrams are attached that depict some of the control methods commonly used for erosion and sediment control. Silt fence barriers and crushed rock temporary entrances are common control methods that can be effective for small projects. Additional methods, such as sediment traps and detention structures, are required for some projects and a qualified professional may need to specify the appropriate erosion and sediment control methods. See attached sheet titled Commonly Used Erosion Controls.

Activities Exempt from the Ordinance

Minor land disturbing activities are exempt such as: home gardens, landscaping, repairs and maintenance work, utility work, certain septic tank work, fencing, tilling, planting, or harvesting of agricultural, horticultural, or silviculture crops, and certain emergency repairs.

GENERAL NOTES FOR EROSION CONTROL

STRAW BALES or SILT FENCE or BIO-ROLLS

- *Put up before any other work is done
- *Install on downslope side(s) of site with ends extended up sideslopes a short distance
- *Place parallel to the contour of the land to allow water to pond behind the fence
- *Entrench 4 inches deep (see diagram)
- *Stake (every 3 feet minimum)
- *Leave no gaps/ overlap if necessary
- *Inspect often and maintain
- *Remove sediment when deposits reach half way up fence or bale

ROCK CONSTRUCTION ENTRANCE

- *Install a single construction access using large crushed rock (1 ½ “ to 2 ½ “) to prevent tracking of soils off project site
- *Put rock 6 inches deep, 12 feet wide, 50 feet long
- * Maintain rock access through project end
- *All vehicles to use rock entrance

SEDIMENT CLEANUP

- * By the end of each work day, sweep/scrape up soil tracked on roads, alley , sidewalk
- * After a storm clean up soil washed off site onto sidewalks, streets, alleys.

REVEGETATION

- *Seed & mulch, sod or mulch disturbed area as soon as project is completed

PRESERVING EXISTING VEGETATION

- *Preserve existing trees, shrubs, sod, as much as possible

WARNING! Extra measures may be needed if your site:

- *Has highly erodible soils
- *Is within 200 feet of a river or stream
- *Is within 1,000 feet of a lake
- *Is steeply sloped
- *Receives runoff from adjacent land

For more information on appropriate measures for your site, please call the City of Duluth Engineering Division at 730-5200.

ELEMENTS OF EROSION & SEDIMENT CONTROL PLAN (ESCP)**ESCP Project Narrative**

- (1) Project description
- (2) Phasing of construction
- (3) Existing site conditions
- (4) Adjacent areas affected by project
- (5) Critical areas identified
- (6) Erosion and sediment control measures
- (7) Soil descriptions
- (8) Permanent stabilization methods
- (9) Stormwater management considerations
- (10) Maintenance schedule for erosion and sediment measures
- (11) Calculations
- (12) Additional information required by the city engineer

Criteria to be considered in the ESCP

- (1) Stabilization of denuded areas and soil stockpiles
- (2) Establishment of permanent vegetation
- (3) Protection of adjacent properties
- (4) Timing and stabilization of sediment trapping measures
- (5) Use of sediment basins
- (6) Cut and fill slopes
- (7) Stormwater management criteria for controlling off site erosion
- (8) Stabilization of waterways and outlets
- (9) Stormwater management criteria for controlling off site erosion
- (10) Working in or crossing water bodies
- (11) Underground utility construction
- (12) Construction access routes
- (13) Disposition of temporary erosion and sediment

control measures

- (14) Maintenance of erosion and sediment control practice

Site Map Requirements

- (1) Location Map
- (2) North Arrow
- (3) Scale (1 inch = 100 ft. or greater detail)
- (4) Benchmark
- (5) Existing contours at two ft. intervals, 200 ft. beyond boundary - show watercourses/wetlands
- (6) Final contours
- (7) Existing vegetation - trees, shrubs, grasses
- (8) Soil boundaries
- (9) Property boundary and lot lines
- (10) Elevations and grades - street grades, pond elevations, etc.
- (11) Drainage arrows
- (12) Critical erosion areas
- (13) Clearing and grubbing limits
- (14) Utility plans
- (15) Location of erosion and sedimentation control practices - basins, swales, silt fence, bales
- (16) Location of other practices
- (17) Plan preparer's signature, address and phone number
- (18) Responsible party name, address, and phone number
- (19) Delineation of applicable zoning boundaries

DATE:	
REV:	
DRAWN:	
CHECKED:	
DATE:	
REV:	
DRAWN:	
CHECKED:	

SITE LEGEND:

- 37.27%
- FLOW ARROW AND GRADE
- EXISTING MAJOR CONTOUR
- EXISTING MAJOR CONTOUR
- APPROXIMATE PROPERTY LINE
- WATERLINE
- OVERHEAD ELECTRIC UTILITY
- SALT FENCE
- EXISTING FENCE
- PROPOSED CONDUIT USE AREA
- VEGETATED AREA
- PROPERTY CORNER
- DECIDUOUS TREE

GENERAL PROJECT NOTES:

- CONTRACTOR WILL VISIT THE SITE TO UNDERSTAND THE SCOPE OF THE WORK AND TO VERIFY THE INFORMATION PROVIDED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES AND FOR OBTAINING NECESSARY PERMITS PRIOR TO STARTING WORK.
- THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL REQUIRED PERMITS PRIOR TO STARTING WORK.
- EXISTING TOPOGRAPHIC AND BOUNDARY INFORMATION TAKEN FROM SURVEY BY AM CONSULTING ENGINEERS, PA DATED 06/27/2021.
- BACKGROUND IMAGERY WAS TAKEN BY AM CONSULTING ENGINEERS, PA DATED 09/07/2021.
- EXISTING PROPERTY LINES AND SHOWN UTILITY INFORMATION TAKEN FROM SURVEY BY AM CONSULTING ENGINEERS, PA DATED 06/27/2021. AS APPROXIMATE LOCATIONS ONLY AND SHALL BE FIELD VERIFIED PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DISCREPANCIES ARE DISCOVERED.
- THE LOCATIONS OF ALL EXISTING UTILITIES SHOWN ON THIS PLAN HAVE BEEN DETERMINED FROM THE BEST INFORMATION AVAILABLE AND ARE SHOWN AS APPROXIMATE LOCATIONS ONLY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DISCREPANCIES ARE DISCOVERED. THE CONTRACTOR SHALL NOTIFY THE CITY OF ANY DISCREPANCIES ARE DISCOVERED. THE CONTRACTOR IS REQUIRED TO TAKE DUE PRECAUTIONARY MEASURES TO PROTECT ALL UTILITIES LOCATED AT THE WORK SITE.
- PROTECT AND MAINTAIN TRAFFIC CONTROL DEVICES WHERE NECESSARY. PLACEMENT OF THESE DEVICES SHALL BE APPROVED BY THE CITY AND SHALL MEET THE REQUIREMENTS OF THE MUTCD, CURRENT EDITION.
- CONTRACTOR SHALL MAINTAIN FULL ACCESS TO ADJACENT PROPERTIES DURING CONSTRUCTION AND TAKE ALL PRECAUTIONS NECESSARY TO AVOID PROPERTY DAMAGE TO ADJACENT PROPERTIES.
- CONTRACTOR SHALL MAINTAIN FULL ACCESS TO ADJACENT PROPERTIES DURING CONSTRUCTION AND TAKE ALL PRECAUTIONS NECESSARY TO AVOID PROPERTY DAMAGE TO ADJACENT PROPERTIES.
- NEARBY NEIGHBORHOODS IF ANY HEAVY EQUIPMENT WILL BE DELIVERED ON SITE OUTSIDE OF 8AM - 5PM.
- PROTECT THE PUBLIC.



THE CITY OF SUPERIOR IS PROVIDING THIS INFORMATION AS A SERVICE TO THE PUBLIC. THE CITY DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED. THE CITY DOES NOT TAKE ANY LIABILITY FOR ANY DAMAGE TO PERSONS OR PROPERTY THAT MAY OCCUR AS A RESULT OF THE USE OF THIS INFORMATION. THE CITY DOES NOT TAKE ANY LIABILITY FOR ANY DAMAGE TO PERSONS OR PROPERTY THAT MAY OCCUR AS A RESULT OF THE USE OF THIS INFORMATION.



COMMERCIAL PROPERTY COVERAGE PART DECLARATIONS

Insurance
Policy No. VEP0221225

Effective Date: 2021-07-27
12:01 A.M. Standard Time
[] Supplemental Declarations is Attached.

BUSINESS DESCRIPTION*						
DESCRIPTION OF PREMISES						
PREM.NO.	BLDG.NO.	LOCATION, CONSTRUCTION, AND OCCUPANCY				
001	001	802 S Lake Ave, Duluth, MN 55802-2404; Frame/Brick Veneer; Dwelling Under Reno-Contractors				
COVERAGES PROVIDED INSURANCE AT THE DESCRIBED PREMISES APPLIES ONLY FOR COVERAGES FOR WHICH A LIMIT OF INSURANCE IS SHOWN.						
PREM.NO.	BLDG.NO.	COVERAGE	LIMIT OF INSURANCE	COVERED CAUSES OF LOSS	COINSURANCE+	RATES
001	001	Dwelling Under Reno-Contractors	\$150,000 Basic (incl. VMM)		80%	INCLUDED
001	001	Renovation	\$200,000 Basic (incl. VMM)		100%	INCLUDED
OPTIONAL COVERAGES APPLICABLE ONLY WHEN ENTRIES ARE MADE IN THE SCHEDULE BELOW. + IF EXTRA EXPENSE COVERAGE, LIMITS ON LOSS PAYMENT						
AGREED VALUE			REPLACEMENT COST ()			
PREM.NO.	BLDG.NO.	EXPIRATION DATE	COVERAGE	AMOUNT	BUILDING	PERSONAL PROPERTY INCLUDING "STOCK"
INFLATION GUARD (Percentage)		++MONTHLY LIMIT OF INDEMNITY (Fraction)		++MAXIMUM PERIOD OF INDEMNITY (X)		++EXTENDED PERIOD OF INDEMNITY (Days)
PREM.NO.	BLDG.NO.	BUILDING	PERSONAL PROPERTY			
MORTGAGE HOLDER(S) ++ APPLIES TO BUSINESS INCOME ONLY						
PREM.NO.	BLDG.NO.	MORTGAGE HOLDER NAME AND MAILING ADDRESS				
001	All	North Shore Bank of Commercsc, 131 W Superior St, Duluth, MN 55802-3026 Loan No.				
DEDUCTIBLE						
\$2,500						
FORMS AND ENDORSEMENTS (other than applicable Forms and Endorsements shown elsewhere in the policy)						
Forms and Endorsements applying to this Coverage Part and made part of this policy at time of issue:						
APPLICABLE TO ALL COVERAGES: SEE ATTACHED SCHEDULE OF POLICY FORMS AND ENDORSEMENTS SAA-100						
APPLICABLE TO SPECIFIC PREMISES/COVERAGES:						
PREM. NO.	BLDG. NO.	COVERAGES	FORM NUMBERS			
PREMIUM						
Premium for this Coverage Part \$ INCLUDED						

*Information omitted if shown elsewhere in the policy. **Inclusion of date optional.

THESE DECLARATIONS ARE PART OF THE POLICY DECLARATIONS CONTAINING THE NAME OF THE INSURED AND THE POLICY PERIOD.

POLICY NUMBER:

COMMERCIAL GENERAL LIABILITY

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**ADDITIONAL INSURED – STATE OR POLITICAL
SUBDIVISIONS – PERMITS RELATING TO PREMISES**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART.

SCHEDULE

State or Political Subdivision:

City of Duluth will be added w/permit

(If no entry appears above, information required to complete this endorsement will be shown in the Declarations as applicable to this endorsement.)

WHO IS AN INSURED (Section II) is amended to include as an insured any state or political subdivision shown in the Schedule, subject to the following additional provision:

This insurance applies only with respect to the following hazards for which the state or political subdivision has issued a permit in connection with premises you own, rent, or control and to which this insurance applies:

1. The existence, maintenance, repair, construction, erection, or removal of advertising signs, awnings, canopies, cellar entrances, coal holes, driveways, manholes, marquees, hoist away openings, sidewalk vaults, street banners, or decorations and similar exposures; or
2. The construction, erection, or removal of elevators; or
3. The ownership, maintenance, or use of any elevators covered by this insurance.







Planning & Development Division
Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802

218-730-5580
 planning@duluthmn.gov

File Number	PL 21-158	Contact	Kyle Deming	
Type	Vacation of Street and Utility Easements	Planning Commission Date		October 12, 2021
Deadline for Action	Application Date	September 7, 2021	60 Days	November 6, 2021
	Date Extension Letter Mailed	September 28, 2021	120 Days	January 5, 2022
Location of Subject	South and east of the intersection of Anderson Rd. and Decker Rd. (Piedmont Heights)			
Applicant	HNH LLC (Lon Hovland – Owner), Kathleen and Michael Wilson	Contact	Available, on file	
Agent	Northland Consulting Engineers – David Bolf; Alta Land Survey Co. – David Evanson	Contact	Available, on file	
Legal Description	See Attached Map			
Site Visit Date	September 28, 2021	Sign Notice Date	September 28, 2021	
Neighbor Letter Date	September 28, 2021	Number of Letters Sent	50	

Proposal: Approval of the vacation of streets and utility easements for the re-platting of REARRANGEMENT OF PART OF WESTERN WOODS DIVISION and the vacation of the utility easement in Lot 8, Block 1, Western Woods Division.

Staff Recommendation

Approval of the vacations contingent upon Planning Commission approval of the final plat of REARRANGEMENT OF PART OF WESTERN WOODS DIVISION in PL21-156 and it's timely recording.

	<i>Current Zoning</i>	<i>Existing Land Use</i>	<i>Future Land Use Map Designation</i>
Subject	R-1	Vacant	Traditional Neighborhood
North	R-1	Dwellings	Traditional Neighborhood
South	R-1	Dwelling on large lot	Traditional Neighborhood
East	R-1	Dwellings and wetland	Traditional Neighborhood
West	R-1	Dwellings	Traditional Neighborhood

Summary of Code Requirements

Vacation of public rights of way and/or easements require a Planning Commission public hearing with a Recommendation to City Council. City Council action is to approve or deny by resolution. Resolutions approving either a full or partial vacation require a 6/9's vote of the council.

UCD Sec. 50-37.6.C – The Planning Commission shall review the proposed vacation, and Council shall approve the proposed vacation, or approve it with modifications, if it determines that the street, highway, or easement proposed for vacation:

1. Is not and will not be needed for the safe and efficient circulation of automobiles, trucks, bicycles, or pedestrians or the efficient supply of utilities or public services in the city;
2. Is not otherwise needed to promote the public health, safety, or welfare of the citizens of Duluth.

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

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

Governing Principle #7 – Create and maintain connectivity. The vacation action will be contingent upon re-platting the area to maintain connectivity for people, vehicles, and utilities.

Governing Principle #9 – Support private actions that contribute to the public realm. Vacation will allow for the re-platting of the land for a better housing layout.

Governing Principle #12- Create efficiencies in delivery of public services. Vacation and the subsequent re-platting will create a more efficient utility layout for the area by allowing sanitary sewer from Decker Rd. to flow by gravity to Denim St. rather than by pumping.

Housing Policy #2 - Provide affordable, attainable housing opportunities. Vacation will support re-platting into a better layout for housing development.

Housing Policy #4 – Improve the quality of the city’s housing stock and neighborhoods. Vacation will provide for re-platting to support the provision of more housing.

Future Land Use

Characterized by grid or connected street pattern, houses oriented with shorter dimension to the street and detached garages, some with alleys. Includes many of Duluth’s older neighborhoods, infill projects, neighborhood extensions, and new traditional neighborhood areas. Densities of 4 -8 units/acre. Development types include a mix of housing types (i.e. town homes and 4-plexes) at corners and conservation development an option.

Zoning

Residential-Traditional (R-1): traditional neighborhoods of single-family, duplexes and townhouses on moderately sized lots. Intended to be used primarily in established neighborhoods. Dimensional standards require development and redevelopment to be consistent with development patterns, building scale, and building location of nearby areas.

Site History or Previous Studies

Wetland Delineation approved 12/20/2016 (file no. PL16-133). Pre-application concept review 1/27/2020 and 2/3/2020.

Review and Discussion Items

1. The proposal is to vacate existing streets and utility easements in preparation for re-platting the area into REARRANGEMENT OF PART OF WESTERN WOODS DIVISION. The proposal also includes vacating a utility easement in an adjacent lot (Lot 8, Block 1, Western Woods Division).
2. No streets or utilities have been installed in the streets and utility easements proposed for vacation with the exception of the municipal sanitary sewer connecting Decker Rd. to Denim St. This sewer will be located in easements in the re-plat and the vacation action is contingent upon recording the re-plat.
3. With the re-platting of the area, the existing streets will be useless for providing the public access to the land and space for utility connections. Therefore, the Council resolution for this vacation will need to make final approval of the vacation contingent on the recording of the re-plat. Additionally, the utility easement in Lot 8, Block 1 is also useless since, with the other vacations, there are no longer utility easements to which it would connect to the north.
4. Comments have been received from the City Engineer and City Property Services Specialists concerning details of the vacation exhibit, which will be incorporated in the final exhibit.
5. Vacations of rights of way and easements lapse unless the vacation is recorded with the county recorder within 90 days after final approval. The vacation recording is facilitated by the City of Duluth.

Staff Recommendation:

Based on the above findings, staff recommends that Planning Commission recommend to City Council approval of the petitioned alley vacation with the following condition:

- 1) The vacation not be recorded until the final plat of REARRANGEMENT OF PART OF WESTERN WOODS DIVISION is approved by Planning Commission and recorded by the developer.
- 2) The vacation must be recorded within 90 days of final approval by City Council, or such approval will lapse.



PL21-156
 Preliminary Plat of
 Rearrangement of
 Part of Western
 Woods by
 Lon Hovland

PC Packet 10-12-2021



Legend

- 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.



Aerial photography flown 2019

LEGAL DESCRIPTION OF PROPOSED UTILITY EASEMENT VACATION

All that part of the platted utility easements lying within the following described property:

Lots 6 and 7, Block 1, WESTERN WOODS DIVISION, according to the recorded plat thereof, St. Louis County, Minnesota.

AND

Lots 9, 10, 11, 12, 13, 14, 15, 16, and 17, Block 1, WESTERN WOODS DIVISION, according to the recorded plat thereof, St. Louis County, Minnesota.

AND

Lots 1, 2, 3, 4, and 5, Block 2 WESTERN WOODS DIVISION, according to the recorded plat thereof, St. Louis County, Minnesota.

Said proposed utility easement area to be vacated containing 58,296 square feet or 1.34 acres.

LEGAL DESCRIPTION OF PROPOSED RIGHT OF WAY VACATION

All of Westwood Street as dedicated on the plat of WESTERN WOODS DIVISION, according to the recorded plat thereof, St. Louis County, Minnesota.

AND

All of Wildwood Lane as dedicated on the plat of WESTERN WOODS DIVISION, according to the recorded plat thereof, St. Louis County, Minnesota.

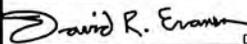
Said proposed right of way area to be vacated containing 89,585 square feet or 2.06 acres.

SURVEYOR'S NOTES

1. THIS SURVEY HAS BEEN PREPARED WITHOUT BENEFIT OF A TITLE COMMITMENT OR TITLE OPINION. A TITLE SEARCH FOR RECORDED OR UNRECORDED EASEMENTS WHICH MAY BENEFIT OR ENCUMBER THIS PROPERTY HAS NOT BEEN COMPLETED BY ALTA LAND SURVEY COMPANY. THE SURVEYOR ASSUMES NO RESPONSIBILITY FOR SHOWING THE LOCATION OF RECORDED OR UNRECORDED EASEMENTS OR OTHER ENCUMBRANCES NOT PROVIDED TO THE SURVEYOR AS OF THE DATE OF THE SURVEY.
2. THIS IS NOT A BOUNDARY SURVEY

SHEET 1 OF 2

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

 David R. Evanson

Date: FEBRUARY 5, 2018 MN Lic. No. 49505

UTILITY EASEMENT AND RIGHT OF WAY VACATION EXHIBIT

CLIENT: NORTHLAND CONSULTING ENGINEERS, LLP	REVISIONS: XXX
DATE: FEBRUARY 5, 2018	
ADDRESS: N/A	
JOB NUMBER: 18-001	



LAND SURVEY COMPANY

- * LAND SURVEYING
 - * LAND DEVELOPMENT
 - * PLATTING
 - * LEGAL DESCRIPTIONS
 - * CONSTRUCTION STAKING
- PHONE: 218-727-5211
LICENSED IN MN & WI
CERTIFIED FEDERAL SURVEYOR
WWW.ALTALANDSURVEYDULUTH.COM



Planning & Development Division
 Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802

218-730-5580
 planning@duluthmn.gov

File Number	PL 21-164	Contact	Jenn Moses
Type	Vacation of Public Easement	Planning Commission Date	October 12, 2021
Deadline for Action	Application Date	Sept 10, 2021	60 Days November 9, 2021
	Date Extension Letter Mailed	N/A	120 Days January 8, 2022
Location of Subject	1 Viewcrest Avenue		
Applicant	City of Duluth	Contact	Cindy Voigt
Agent	N/A	Contact	N/A
Legal Description	Outlot 1, Plat of Riverside (see attached)		
Site Visit Date	October 1, 2021	Sign Notice Date	September 28, 2021
Neighbor Letter Date	September 27, 2021	Number of Letters Sent	43

Proposal:

The City of Duluth proposes to vacate an unimproved storm sewer easement. As part of the vacation, a new easement will also be dedicated as a replacement easement.

Recommendation: Staff recommends approval of the vacation, subject to conditions.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-1	Residential/Undeveloped	Traditional Neighborhood
North	R-1	Residential	Traditional Neighborhood
South	R-1	Residential/Undeveloped	Traditional Neighborhood, Preservation
East	R-1	Residential	Traditional Neighborhood
West	R-1	Undeveloped	Traditional Neighborhood, Preservation

Summary of Code Requirements:

Vacation of public rights of way and/or easements require a Planning Commission public hearing with a Recommendation to City Council. City Council action is to approve or deny by resolution. Resolutions approving either a full or partial vacation require a 6/9's vote of the council.

UCD Sec. 50-37.6.C – The Planning Commission shall review the proposed vacation, and Council shall approve the proposed vacation, or approve it with modifications, if it determines that the street, highway, or easement proposed for vacation:

1. Is not and will not be needed for the safe and efficient circulation of automobiles, trucks, bicycles, or pedestrians or the efficient supply of utilities or public services in the city;
2. Is not otherwise needed to promote the public health, safety, or welfare of the citizens of Duluth.

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

Governing Principle #12 – Create efficiencies in delivery of public service. As this storm sewer easement is not needed, it can be vacated.

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. Includes many of Duluth 's older neighborhoods, infill projects, neighborhood extensions, and new traditional neighborhood areas

History: Riverside was platted in 1930. The storm sewer easement was dedicated in the plat over portions of Outlot 1, but the easement was never used for a storm sewer or other conveyance.

Review and Discussion Items:

- 1) This easement was platted as part of Riverside in 1930, and has never been developed with storm sewer or other utility infrastructure.
- 2) A replacement to the existing infrastructure in this location, to include improved conveyance for portions of the existing stormwater conveyance, is currently proposed. The existing waterway provides conveyance to the St. Louis River at the western side of the Riverside neighborhood.
- 3) City Engineering states that an easement for the nearby existing storm sewer infrastructure will be brought to the City Council at the same time as this vacation.
- 4) Staff finds that the existing easement is not needed for the supply of utilities nor to promote the public health, safety, or welfare.
- 5) One inquiry was received from the property owner with questions about the vacation. No other public or City comments have been received at the time of drafting this report.
- 6) Vacations of rights of way and easements lapse unless the vacation is recorded with the county recorder within 90 days after final approval. The vacation recording is facilitated by the City of Duluth.

Staff Recommendation:

Based on the above findings, staff recommends that Planning Commission recommend to City Council approval of the petitioned alley vacation with the following condition:

- 1) The vacation must be recorded within 90 days of final approval by City Council, or such approval will lapse.
- 2) The Council resolution considering the vacation shall include appropriate replacement easements to provide for conveyance of applicable surface water runoff from this area of the city.



PL21-164
Vacation of Easement
1 Viewcrest Ave

PC Packet 10-12-2021

Legend

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



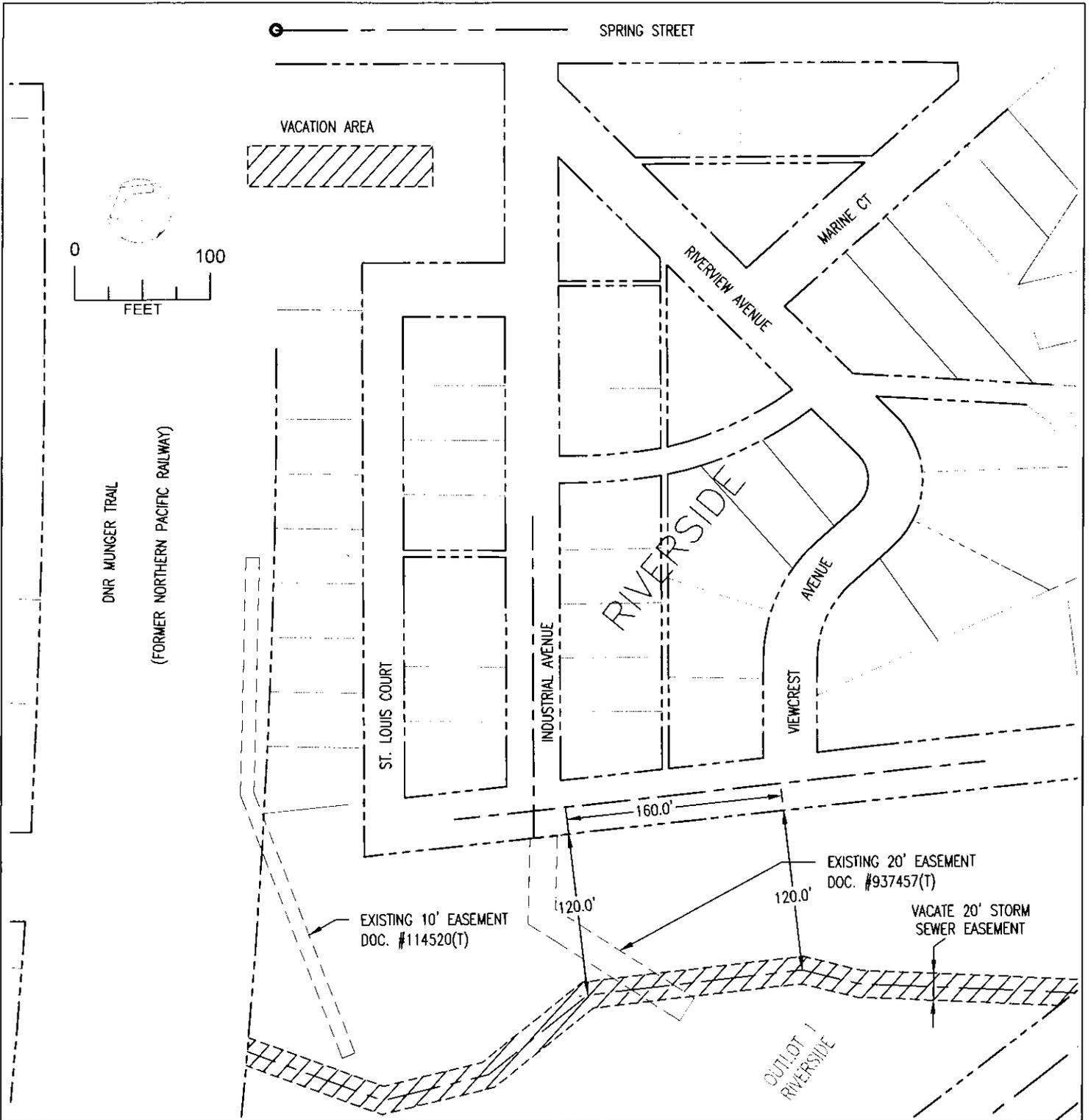
The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used as one. The drawing/data is a compilation of records, information and data located in various City, County and State offices and other sources affecting the area shown and is to be used for reference purposes only. The City of Duluth shall not be liable for errors contained within this data provided or for any damages in connection with the use of this information contained within.

Aerial photography flown 2019

Prepared by: City of Duluth Planning and Development Division, Sept. 24, 2021. Source: City of Duluth



EXHIBIT A



That platted 20.0 foot wide sewer easement located in Outlot 1 of Riverside and dedicated in the plat of Riverside, St. Louis County, Minnesota.

Approved by the City Engineer of the City of Duluth, MN this the 15 day of Sept 2021.

By [Signature]

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.

VACATE 20' SEWER EASEMENT

PROJECT #1769

PAGE 1 OF 1

Greg Stoeber
Greg Stoeber

21774
License #

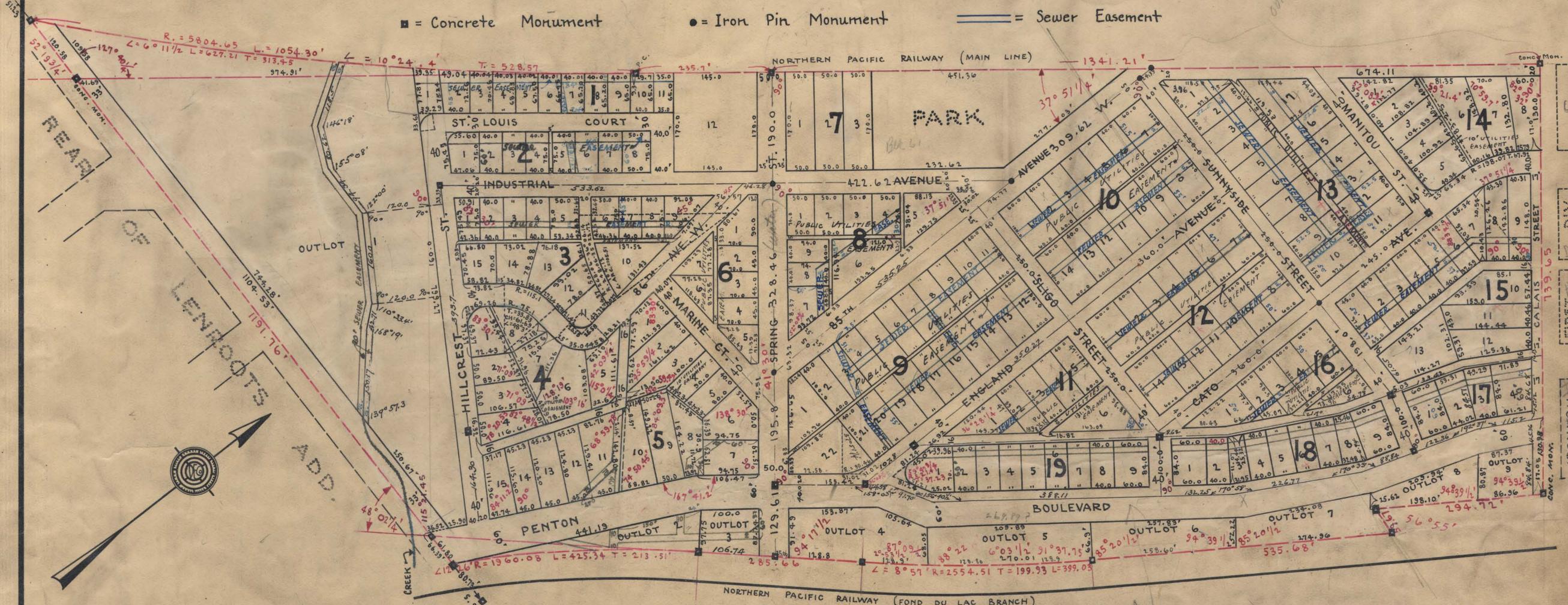
Sept. 15, 2021
Date

RIVERSIDE DULUTH, MINN.

Scale: 1" = 100'

The Duluth Engineering Co.

■ = Concrete Monument ● = Iron Pin Monument — = Sewer Easement



Know All Men By These Presents, That McDougall-Duluth Shipbuilding Company, a Minnesota Corporation, being the owner of the following described property lying and being in the County of St. Louis, State of Minnesota, to-wit:

All that part of Ironton, First Division, and Ironton, Second Division, which lies between the southerly boundary line of the right-of-way of the main line of the Northern Pacific Railroad, formerly St. Paul and Duluth Railroad, the center line of Gogebic Street, the easterly boundary line of Out Lot number one (1), in Ironton, First Division, and the northerly boundary line of the right-of-way of the Northern Pacific Railroad, formerly the right-of-way of the St. Paul and Duluth Railroad, called its Fond du Lac Branch, all according to the respective recorded plats thereof on file and of record in the office of the Register of Deeds in and for St. Louis County, Minnesota.

And being desirous of plating the same into Lots, Blocks, Streets, Avenues, Alleys, Courts, Boulevard and Park, has caused the same to be surveyed and the annexed plat thereof to be made in accordance with the statutes in such case made and provided.

Now Therefore, the said McDougall-Duluth Shipbuilding Company, does ratify and confirm in all respects said survey and the plat thereof, and does hereby dedicate an easement for sewers and public utilities as shown on said plat, does hereby dedicate an easement for slopes on all Streets, Avenues, Alleys, Courts and Boulevard and does hereby dedicate to public use the Streets, Avenues, Courts, Boulevard and Park therein designated.

In Witness Whereof, McDougall-Duluth Shipbuilding Company has caused these presents to be signed by its Vice President and Secretary and its corporate seal to be attached to this 2nd day of November, A. D. 1930.

At the presence of
 McDougall-Duluth Shipbuilding Company,
 By *W. C. Johnson*
 Its Vice President,
 By *H. K. Pratt*
 Its Secretary.

State of Minnesota,
 COUNTY OF ST. LOUIS.

On this 2nd day of November, A. D. 1930, before me, a Notary Public, within and for said County, personally appeared Ward Ames, Jr. and H. K. Pratt, to me personally known, who being by me duly sworn, did say that they are the Vice President and Secretary, respectively, of McDougall-Duluth Shipbuilding Company, the Corporation named in the foregoing instrument, and 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 By-Laws, and said Ward Ames, Jr. and H. K. Pratt, each acknowledged said instrument to be the free act and deed of said Corporation.

J. B. Johnson
 Notary Public, St. Louis County, Minn.
 My Commission expires *Sept. 13, 1931.*

I, Lyond Ayres, do hereby certify that I am a surveyor, and that I have at the request of the proprietor thereof, made a careful survey of the property described in the foregoing certificate of the proprietor, and have platted the same into Lots, Blocks, Streets, Avenues, Alleys, Courts, Boulevard and Park as more fully appears on the annexed plat entitled RIVERSIDE, which plat is a correct representation of the survey; that all distances and lot dimensions are correctly designated on said plat; that monuments for the guidance of future surveys have been correctly placed on the ground as shown; that the outside boundary lines are correctly designated on said plat by red dotted lines and figures; that there are no rivers, streams, creeks, lakes, ponds or swamps, or public highways opened or traveled, existing before the plating, other than shown on the plat.

I hereby certify the above instrument is true and correct.

Lyond Ayres
 Surveyor.
 Subscribed and sworn to before me this 2nd day of November, A. D. 1930.
J. B. Johnson
 Notary Public, St. Louis County, Minn.
 My Commission expires *Sept. 13, 1931.*

I hereby certify that the annexed plat of RIVERSIDE was approved by the Council of the City of Duluth on the 31st day of *December*, A. D. 1930.

[Signature]
 City Clerk.

Approved by City Planning Commission,
 Dec. 26th 30
[Signature] Sec'y & Eng.

11018
 DIVISION OF REGISTRAR OF DEEDS
 STATE OF MINNESOTA,
 County of St. Louis,
 I hereby certify that the within instrument was filed in this office on the 3rd day of *Jan*, A. D. 1931.
 Book *4* Page *4*
 Approved by the City Plat Commission
 Dec. 26-1930
John McMillan
 Chairman Plat Commission
 Approved as to form, correctness and validity.
[Signature]
 CITY ATTORNEY
 Dec. 29, 1930.
 Taxes for the year 1929 on lands described herein, PAID
 (Initials) (Date)



Planning & Development Division
 Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802

218-730-5580
 planning@duluthmn.gov

File Number	PL 21-165	Contact	Jenn Reed Moses	
Type	Variance – Height	Planning Commission Date	October 12, 2021	
Deadline for Action	Application Date	Sept. 10, 2021	60 Days	November 9, 2021
	Date Extension Letter Mailed	Sept. 16, 2021	120 Days	January 8, 2022
Location of Subject	22xx Water Street			
Applicant	The Breakers on Water Street, LLC	Contact	Available, on file	
Agent	Ryan Arola, Arola Architecture	Contact	Available, on file	
Legal Description	PIDs 010-1420-00260, -00270, -00280, -00290			
Site Visit Date	October 1, 2021	Sign Notice Date	September 28, 2021	
Neighbor Letter Date	September 28, 2021	Number of Letters Sent	30	

Proposal: Applicant is requesting a variance from UDC Section 50-14.6 for an additional 10’ in height for a 4-story, 16-unit multi-family dwelling.

Recommended Action: Staff recommends approval, subject to the conditions of this report.

	<i>Current Zoning</i>	<i>Existing Land Use</i>	<i>Future Land Use Map Designation</i>
Subject	R-2	Undeveloped	Urban Residential
North	MU-B	Roadway	Transportation and Utilities
South	N/A	Lake	N/A
East	R-2	Residential	Urban Residential
West	R-2	Office	Urban Residential

Summary of Code Requirements:

Sec 50-14.6 – Maximum height of building is 45 ft.

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.

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

Governing Principle #1 – Reuse previously developed lands: Directs new investment to sites which have the potential to perform at a higher level than their current state. This property is a previously developed brownfield site.

Governing Principle #12 – Create efficiencies in delivery of public services: As a location on an existing public street with adjacent utilities, this location is supported by the comprehensive plan's emphasis on infill development.

Future Land Use – Urban Residential: Greatest variety of residential building types, medium to high densities.

History: According to the applicants' research, the site initially developed in the late 1800s to early 1900s. Through at least 1949, it was developed with a boat ramp and a small building initially used as a stable. It was later occupied by a large building with a dirt floor which appears to have been used for storage. Petroleum and non-petroleum related contaminants were detected in the soil and petroleum VOCs were detected in the soil vapor. The source of the contaminants are unknown but due to the risk for vapor intrusion from previous uses, the applicants have a Response Action Plan (RAP) that was approved by MPCA in August.

Review and Discussion Items:

Staff finds that:

- 1) Applicant is proposing a 16-unit, four-story building that would be 55' in height instead of the allowed 45' in the R-2 district.
- 2) Applicant states that a 45' building height allows approximately 3.5 stories once the building's infrastructure and building systems are incorporated; to allow 4 stories, they would either need to lower floor-to-floor heights to a very shallow distance or get a height variance.
- 3) Approximately ¼ of the rear lot area is occupied by utility and access easements, as well as the shoreland setback from Lake Superior, that preclude any structures from encroaching into this space, leaving limited building area for development.
- 4) In order to incorporate structured parking on a small site, this design uses a parking ramp slope of 13% and a run length of 100'. With an entry off Water Street and shallow bedrock, this limits the possible depth of the parking level, necessitating a higher overall building height.
- 5) Applicant asserts that other multifamily buildings within the vicinity have wider lakefront properties which allow dwelling units to be dispersed with fewer floors and a reduced building height. Staff finds that the difficulty is due to circumstances unique to this property and do not apply generally to other land or buildings in the vicinity
- 6) The density of units is supported by the future land use designation in the comprehensive plan as well as by the purpose statement and allowed density in the R-2 district. The property owner proposes to use the property in a reasonable manner.
- 7) The relief will not impair an adequate supply of light and air to neighboring properties or impair the public health, safety, or welfare.
- 8) No public, agency, or City comments have been received.
- 9) Per UDC Section 50-37.1. N. approved variances lapse if the project or activity authorized by the permit or variance is not begun within one-year.

Staff Recommendation:

Based on the above findings, Staff recommends that Planning Commission grant the variance to allow a height of up to 55', with the following conditions:

- 1) The project be limited to, constructed, and maintained based on the plans submitted with the application.
- 2) Any alterations to the approved plans that do not alter major elements of the plan may be approved by the Land Use Supervisor without further Planning Commission; however, no such administration approval shall constitute a variance from the provisions of Chapter 50.



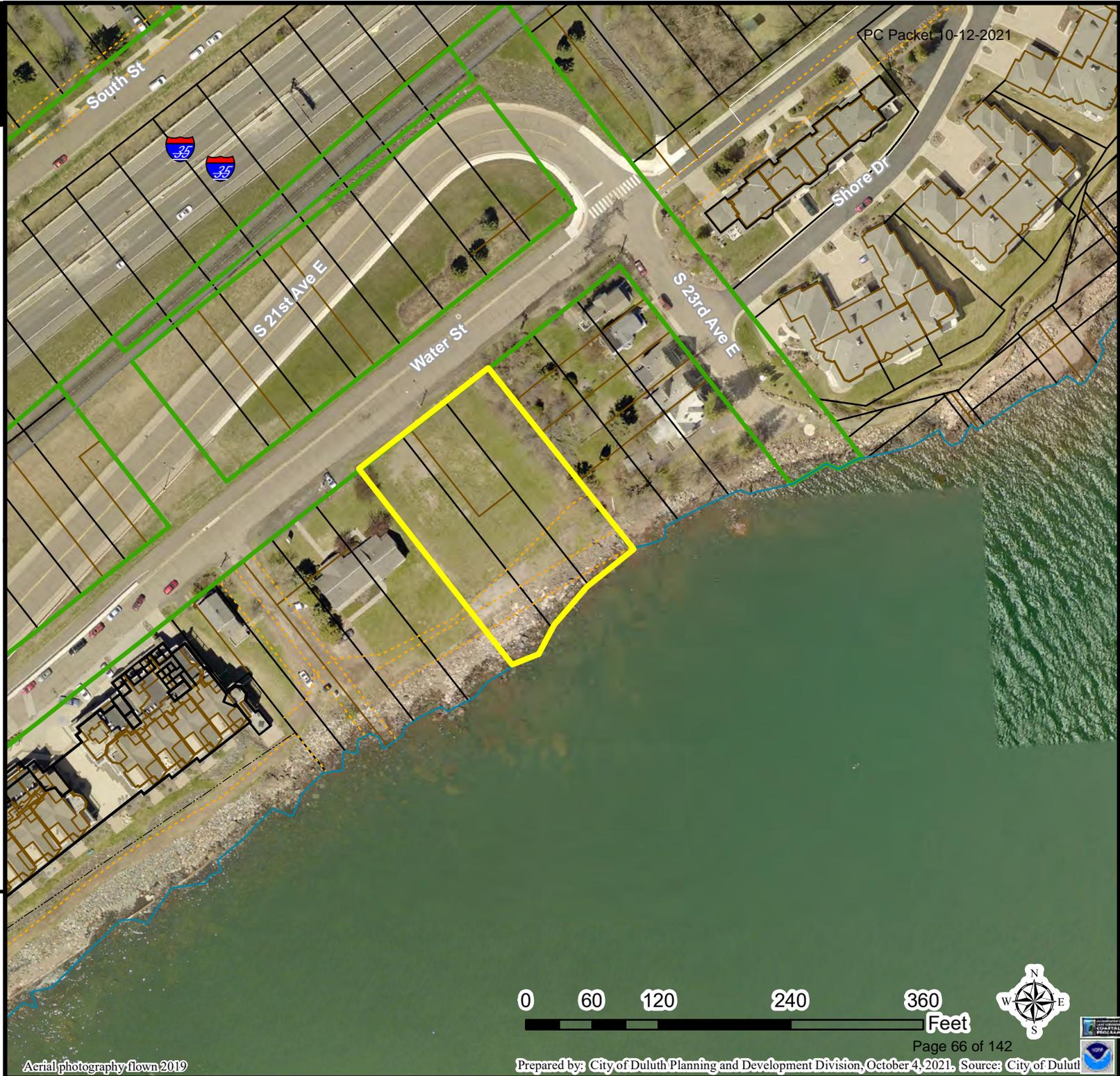
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Boundary Lines

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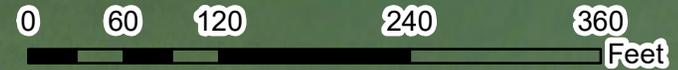
Subtype, ROW_TYPE

- Lot Line
- Parcel Line
- ROW (Road)
- - - - - ROW (Not Road)
- Subdivision Line
- Water Line
- - - - - Survey Line
- Municipal Boundary



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Aerial photography flown 2019





VICINITY MAP

LEGAL DESCRIPTION PER DOCUMENT NO.1097847
 Lots 4 and 5, Block C, ENDION DIVISION

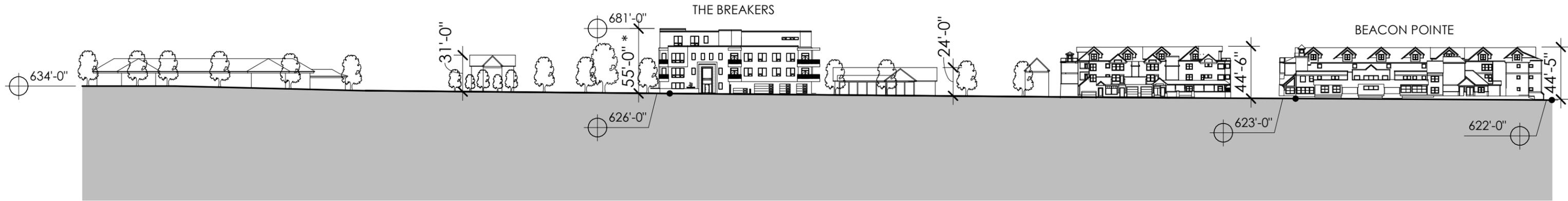
LEGAL DESCRIPTION AS SURVEYED
 Lots 3, 4 and 5, Block C, ENDION DIVISION OF DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota.

SURVEYORS NOTES

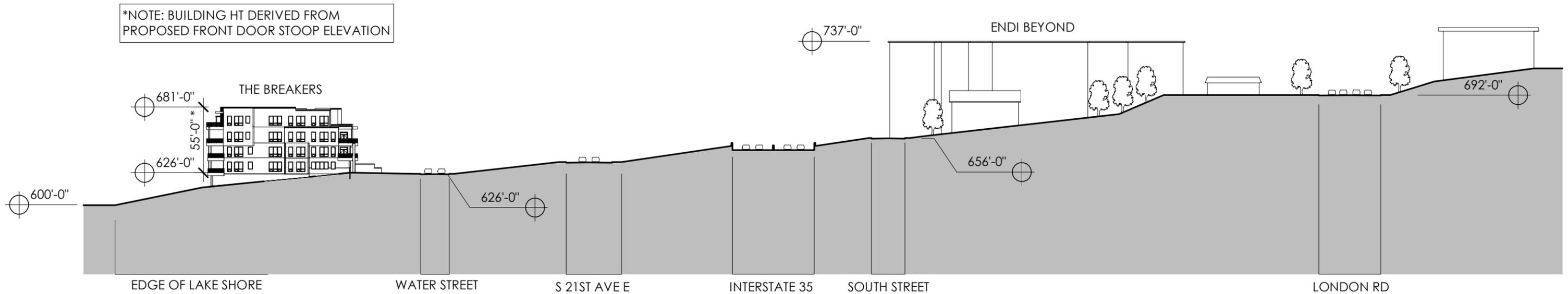
1. BEARINGS ARE BASED ON THE ST. LOUIS COUNTY TRANSVERSE MERCATOR COORDINATE SYSTEM OF 1996.
2. NO SPECIFIC SOILS INVESTIGATION HAS BEEN COMPLETED ON THIS LOT BY ALTA LAND SURVEY COMPANY. THE SUITABILITY OF SOILS TO SUPPORT THE SPECIFIC STRUCTURE PROPOSED IS NOT THE RESPONSIBILITY OF ALTA LAND SURVEY COMPANY OR THE SURVEYOR.
3. THIS SURVEY HAS BEEN PREPARED WITHOUT BENEFIT OF A TITLE COMMITMENT OR TITLE OPINION. A TITLE SEARCH FOR RECORDED OR UNRECORDED EASEMENTS WHICH MAY BENEFIT OR ENCUMBER THIS PROPERTY HAS NOT BEEN COMPLETED BY ALTA LAND SURVEY COMPANY.



THE BREAKERS SITE PLAN



1 SECTION THRU LAKE STREET



2 SECTION PERPENDICULAR TO LAKE STREET

THE BREAKERS SITE SECTIONS

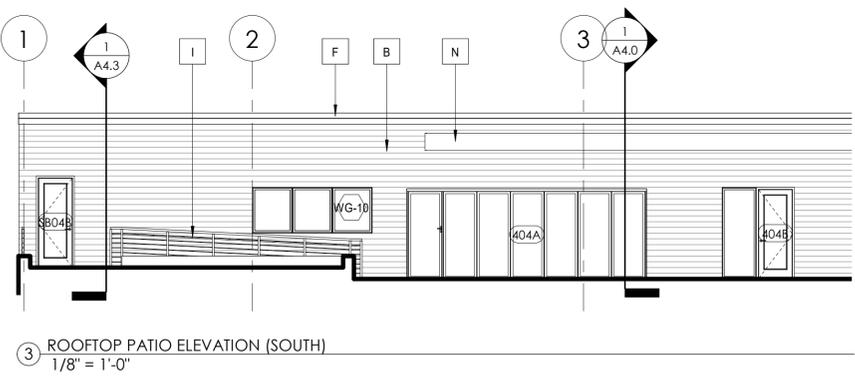


PRELIMINARY
NOT FOR CONSTRUCTION
DATE: 8.12.2021

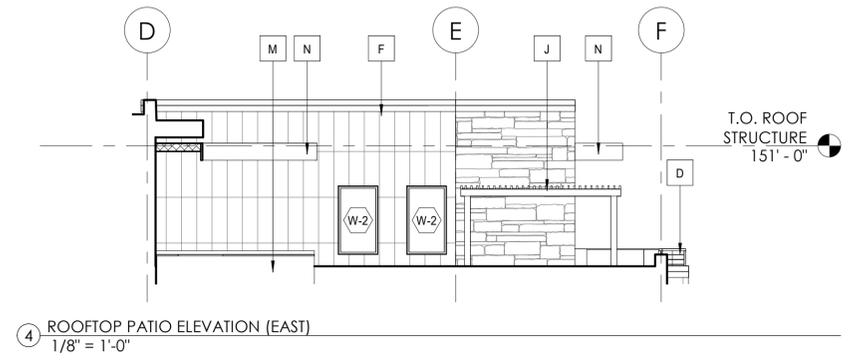
THE BREAKERS
2200 WATER STREET
DULUTH, MN 55812

ISSUE DATE
Issue Date
PROJECT NO.
2137
REVISIONS

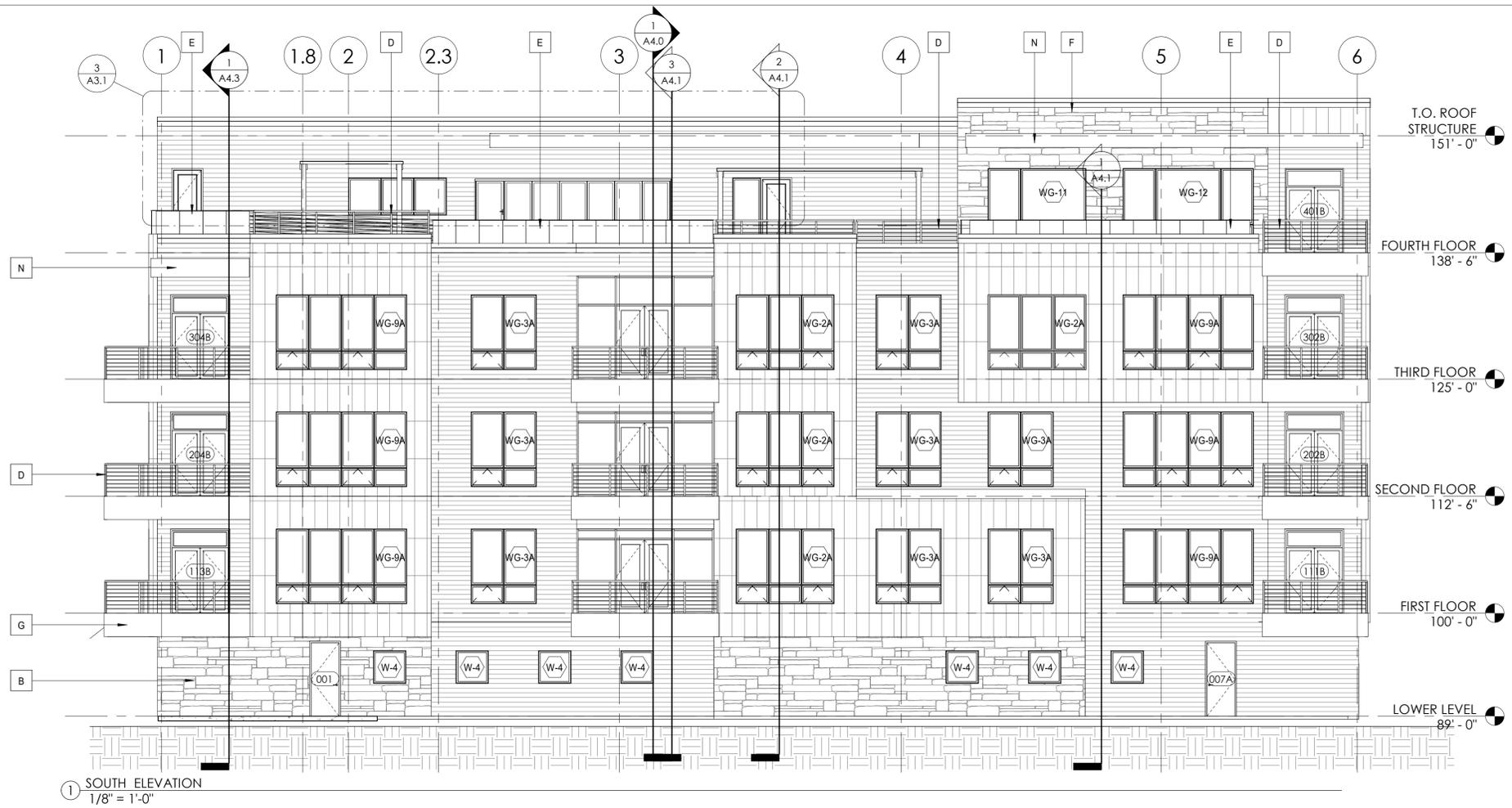
SHEET NO.
A3.1



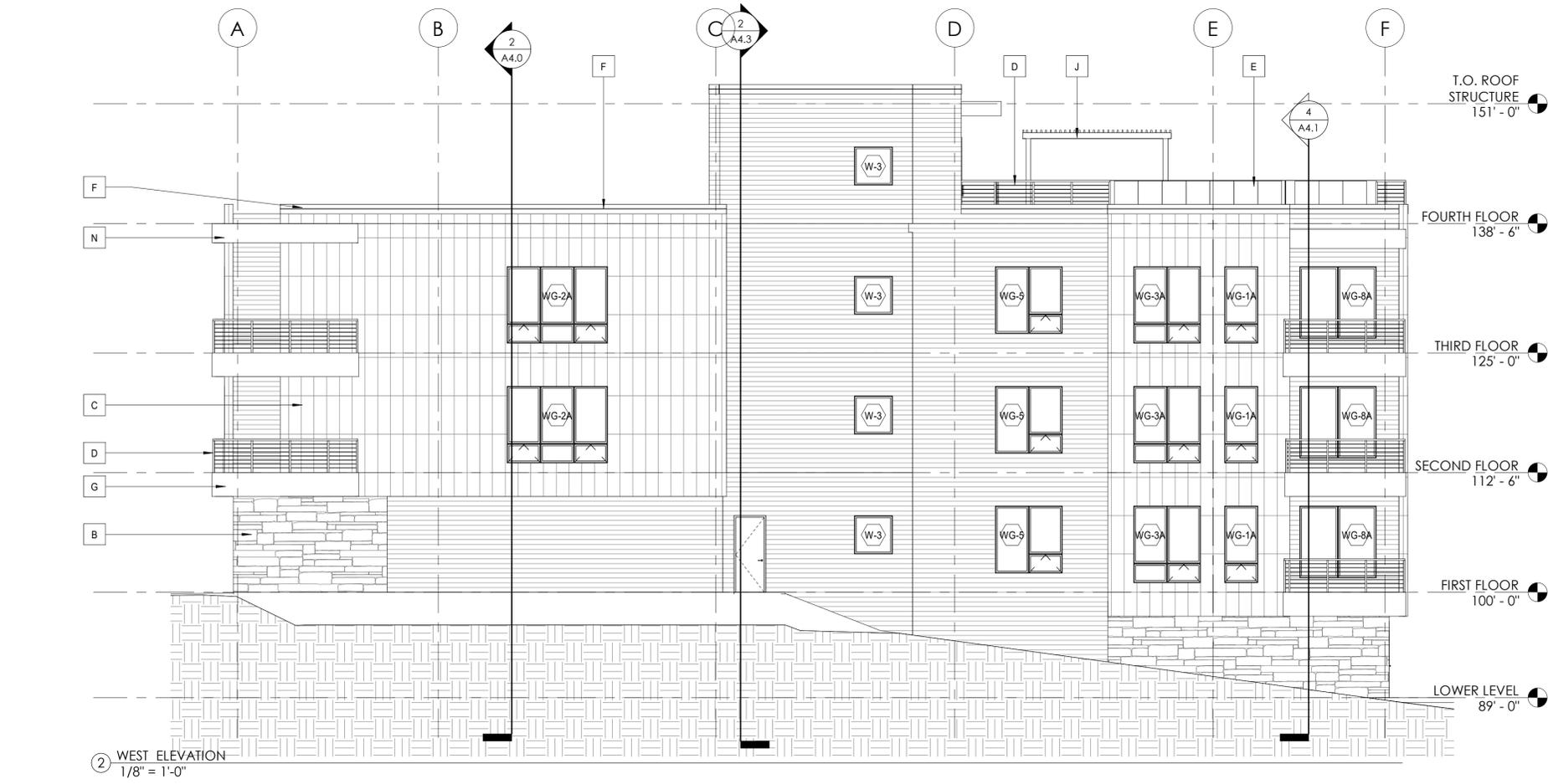
3 ROOFTOP PATIO ELEVATION (SOUTH)
1/8" = 1'-0"



4 ROOFTOP PATIO ELEVATION (EAST)
1/8" = 1'-0"



1 SOUTH ELEVATION
1/8" = 1'-0"



2 WEST ELEVATION
1/8" = 1'-0"

LEGEND

- A THIN VENEER STONE CLADDING
BUECHEL AS BASIS OF DESIGN
- B METAL PANEL CLADDING
CENTRIA AS BASIS OF DESIGN
- C COMPOSITE CLADDING
TRESPA AS BASIS OF DESIGN
- D CABLE RAILING SYSTEM WITH POWDER
COATED STEEL TUBE BALUSTERS
- E GLASS RAILING SYSTEM
- F PREFINISHED METAL COPING/FLASHING
- G BALCONY - COMPOSITE DECKING OVER
EDPM ROOF SYSTEM WITH PROTECTION
BOARD AND RIGID INSULATION. COMPOSITE
DECKING AT UNDERSIDE. PREFINISHED METAL
FASCIA.
- H STONE CAP
- I POWDER COATED STEEL RAILING
- J ALUMINUM FRAMED PERGOLA
WITH MOBILE FABRIC CANOPY
- K ALUMINUM STOREFRONT ENTRY SYSTEM
- L ENTRY CANOPY. CONCRETE PIER
FOUNDATION. STEEL STUD FRAMED WITH
COMPOSITE CLADDING
- M EXTERIOR KITCHEN
- N CANOPY - EPDM ROOF SYSTEM WITH
PROTECTION BOARD AND RIGID INSULATION.
COMPOSITE WOOD AT UNDERSIDE.
PREFINISHED METAL FASCIA.
- O "THE BREAKERS" BUILDING SIGNAGE



Planning & Development Division
Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

Variance Application Supplemental Form

In order to submit a complete variance application, please explain how your request meets all of the below variance criteria. This is information that is required by the zoning code and will be shared with the Planning Commission during their review. You may fill out this form, or attach your information in a separate letter. This information will be shared with the Planning Commission in order to help them determine the appropriateness of the variance application and request.

List the UDC Section you are seeking relief from (example: "50-14.5 – front yard setback in an R-1"):

50-14.5 - Maximum height of building in an R-2 District. An additional 10' of height is sought above the 45' maximum building height.

1. Please explain how the exceptional narrowness, shallowness or shape of the property, or exceptional topographic or other conditions related to the property, would result in practical difficulties under strict application of the requirements of the UDC:

The proposed Waterstreet site presents issues including site and building design challenges that require relief from the Unified Development Code (UDC) height requirement. The narrow site, with incorporated setbacks, prevents the opportunity for a shorter, elongated building similar to developments along Waterstreet.

The maximum building height allows for 45 feet or approximately 3.5 building stories. To obtain four usable building stories at this height, shallow floor to floor heights would be required and is not ideally suited per the building system's infrastructure.

2. Please explain how the special circumstances or conditions that create the need for relief is due to circumstances unique to the property, and were NOT created by the property owner or the property owners' predecessors-in-interest:

Technical design challenges and shallow bedrock are other problems that hinder the vertical placement of the building.

Due to site boundary constraints, the vehicle entry (ramp) into the lower level prevents the lower level from being set deeper into the grade. The ramp's slope and run, in relation to the Waterstreet entry is constrained from other solutions due to the nature of the site's narrow boundary geometry. The current ramp design has a maximum practical slope (13%) and the run length (100') is at the maximum per the building constraints in relation to the property lines and setbacks. This prevents the building from dropping into the grade.

In addition, a recent geotechnical study indicates that shallow bedrock is present on the site. Minimizing the amount of rock removal necessitates a higher overall building height to accommodate the lower level (parking garage) and 4 stories (above grade plane) with adequate floor-to-floor heights.

3. Please explain the special circumstances or conditions applying to the building or land in question are peculiar to this property or immediately adjoining properties, and do not apply generally to other land or buildings in the vicinity:

Our proposed site presents a narrow footprint and bedrock near the surface. Other multifamily buildings within the vicinity have much wider lakefront properties in which they are able to sprawl dwelling units out with less floors to maintain a reduced building height.

4. Please explain how the application proposes to use the property in a reasonable manner, which would not be permitted by this code except for a variance:

The project looks to maximize the usable development area with four (4) floors above grade plane to be feasible.

5. Please explain how that if the variance is granted it will not impair an adequate supply of light and air to adjacent property, or unreasonably increase the congestion in public streets or the danger of fire or imperil the public safety, or unreasonably diminish or impair established property values within the surrounding areas, or in any other respect impair the health, safety or public welfare of the inhabitants of the city:

A variance to the maximum building height would not impair light, air, or congestion. The peril of fire hazard would not increase nor create dangers to public safety as the building will be built as noncombustible constructions with appropriate protected openings where required. This improvement will enhance Water Street's aesthetics, as well as having a positive impact on neighboring property values.

In addition, the brownfield industrial site is being redeveloped to meet a critical city need and desire to establish more housing.

6 Please explain how, if the variance is granted, it will not substantially impair the intent of zoning code and the official zoning map, and will not alter the essential character of the neighborhood:

The building will blend in with the neighborhood character by playing to the human scale. The building will mindfully utilize architectural projections and recesses, architectural features (overhangs and balconies), contrasting exterior materials, and a fourth story setback (at Waterstreet) to aid in the reduction of building scale for pedestrians and passerbys.

Does your variance request need to meet any of the specific criteria in UDC Section 50-37.9, subsections D through M (E. Unsewered Areas, F. Two Family Dwellings in R-1, G. Parking Regulations, H. Reduce Setbacks, I. MU-C District, J. Airport Overlay, K. Flood Plain Regulations, L. Shorelands, or M. Non-Conforming Buildings)? Yes No

Discuss what subsections are applicable and how this request meets those: _____

Not Applicable To Project.



Planning & Development Division
Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802

218-730-5580
 planning@duluthmn.gov

File Number	PL 21-156	Contact	Kyle Deming	
Type	Preliminary Plat	Planning Commission Date		October 12, 2021
Deadline for Action	Application Date	September 7, 2021	60 Days	November 6, 2021
	Date Extension Letter Mailed	September 28, 2021	120 Days	January 5, 2022
Location of Subject	South and east of the intersection of Anderson Rd. and Decker Rd. (Piedmont Heights)			
Applicant	HNH LLC (Lon Hovland – Owner) and Michael and Kathleen Wilson (owners)	Contact	Available, on file	
Agent	Northland Consulting Engineers – David Bolf; Alta Land Survey Co. – David	Contact	Available, on file	
Legal Description	See Attached Map			
Site Visit Date	September 28, 2021	Sign Notice Date	September 28, 2021	
Neighbor Letter Date	September 28, 2021	Number of Letters Sent	50	

Proposal: Approval of the preliminary plat of REARRANGEMENT OF PART OF WESTERN WOODS DIVISION to provide for re-platting of 16 lots on 8.31 acres into 14 lots on a shortened street in an R-1 district. The proposal includes construction of a new public street and utilities. 9/30/2021 amendment to application: Addition of Lot 8, Block 1, Western Woods Division to the area to be re-platted.

Staff Recommendation

Approval of the preliminary plat, subject to included conditions and contingent upon approval of the requested street and utility easement vacation in PL21-158.

	<i>Current Zoning</i>	<i>Existing Land Use</i>	<i>Future Land Use Map Designation</i>
Subject	R-1	Vacant	Traditional Neighborhood
North	R-1	Dwellings	Traditional Neighborhood
South	R-1	Dwelling on large lot	Traditional Neighborhood
East	R-1	Dwellings and wetland	Traditional Neighborhood
West	R-1	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 with adequate police, fire and emergency facilities available to serve the projected population of the subdivision within the City’s established response times, or the applicant has committed to constructing or financing public facilities that will allow police, fire or emergency service providers to meet those response times;

(f) Will not create material adverse impacts on nearby properties, or if material adverse impacts may be created they will be mitigated to the extent reasonably possible;

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

Governing Principles

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

- Governing Principle #7 – Create and maintain connectivity. This subdivision provides pedestrian connectivity through the end of the cul du sac and road connectivity to Decker Rd.
- Governing Principle #12- Create efficiencies in delivery of public services. This subdivision provides space for public utilities serving the surrounding neighborhood to flow through to an existing sanitary sewer, which is at a lower cost to the alternative disconnected systems.
- Housing Policy #2 - Provide affordable, attainable housing opportunities. Two of the lots in the subdivision will be smaller and, therefore, more affordable.
- Housing Policy #4 – Improve the quality of the city’s housing stock and neighborhoods. This subdivision will provide lots for new housing development.

Future Land Use

Characterized by grid or connected street pattern, houses oriented with shorter dimension to the street and detached garages, some with alleys. Includes many of Duluth’s older neighborhoods, infill projects, neighborhood extensions, and new traditional neighborhood areas. Densities of 4 -8 units/acre. Development types include a mix of housing types (i.e. town homes and 4-plexes) at corners and conservation development an option.

Zoning

Residential-Traditional (R-1): traditional neighborhoods of single-family, duplexes and townhouses on moderately sized lots. Intended to be used primarily in established neighborhoods. Dimensional standards require development and redevelopment to be consistent with development patterns, building scale, and building location of nearby areas.

Site History or Previous Studies

The site is a portion of the original plat of Western Woods Division, platted in 1960. Wetland Delineation approved 12/20/2016 (file no. PL16-133). Pre-application concept review 1/27/2020 and 2/3/2020.

Review and Discussion Items

- 1) Request. The applicant is seeking Planning Commission approval of a preliminary plat. The proposal is to re-plot 16 lots and associated streets and easements into 14 lots each with access to a new 1,900 foot long public street (Westwood Cir.) connected to Decker Rd. The proposed lot sizes and widths conforms to the basic requirements of the R-1 zoning district. 9/30/2021 amendment: The re-plot area now includes Lot 8, Block 1 of Western Woods Division in order to simplify the plat boundary and street dedication. Since this lot is already developed with a dwelling, the effect of adding this lot to the plat is to increase the number of lots in the re-plot from 14 to 15. The proposed re-plot is generally consistent with the intent of the original plat, but re-orientes the rights-of-way and location of utilities to make development of the site practical.
- 2) Character of Area. This re-plot will create lots sized 0.14 acres to 0.99 acres with most lots approximately 0.5 acres. The proposed development is consistent with the lot configuration in the surrounding single family area, which is generally low density.
- 3) Area Transportation System. Decker Rd. and Anderson Rd. are paved municipal state aid streets with sidewalks on one side (and street trees in the case of Anderson Rd.) Anderson Rd. includes a striped bike lane and Decker Rd. is slated to include future bike facilities. The nearest transit route is ¼ mile away at Trinity Rd.
- 4) Site Access. The proposed plat includes dedication of a 66-foot-wide street, “Westwood Circle,” extending from Decker Rd. and ending in a cul du sac. Final street design details will be determined by the City Engineer, but plans include a 28-foot-wide street with curb and gutter and sidewalk on one side. To comply with site connectivity requirements, staff recommends a pedestrian easement be added connecting the cul du sac to Anderson Rd. and the outlot in Sackette

Division to the east.

- 5) Natural Features. The site is wooded and undeveloped with the land sloping downward from northwest to southeast to a wetland corridor containing approximately 1 acre of Type 6 (shrub) wetland. The site eventually drains to a tributary to Miller Creek, a trout stream, approximately 450 feet south of the site.
- 6) Wetlands. A complete wetland delineation is on file. A wetland corridor crosses Lots 11-14. There is sufficient space for development on Lot 11 without impacting wetlands, but there are concerns about Lots 12 and 13 detailed in the "Storm Water" section below. Lot 14 development will necessitate a driveway crossing the wetland corridor. Staff recommends the development include a requirement that wetland boundaries be permanently marked to prevent accidental impact and that a drainage and utility easement be placed on wetlands.
- 7) Tree Inventory and Replacement Plans. A tree replacement plan is required for this re-plat. Staff recommends the tree inventory be completed and approved by the City before application for the Final Plat is made and that the tree replacement plan be approved by the City prior to issuance of any permits for land disturbing activities on the site.
- 8) Utilities. The site will be connected to City water in Anderson Rd. via an existing platted, but unbuilt, street right of way at the northeast corner of the site. Municipal water pipe will be installed in the entire length of Westwood Cir. creating a looped system when connected to an existing municipal water pipe in Decker Rd. Municipal sanitary sewer pipes were installed in the proposed streets and are gravity flow draining to an existing municipal sewer pipe in Denim Dr. They were installed at the time that the City-initiated sanitary sewer was installed connecting Decker Rd. to Denim St. earlier in 2021. Natural gas, electricity, and communications utilities can be extended to the site from Decker Rd. adjacent to the proposed Westwood Cir. or from Anderson Rd.
- 9) Storm Water. A preliminary drainage report and storm water system layout has been provided by the civil engineer and is not yet approved by City Engineering. Two storm water detention basins are planned for the east side of Westwood Cir., discharging to the wetland corridor in Lots 11-14. The City Engineer commented that these facilities need to be located in utility easements, which is a recommended condition of approval of the plat. Additional study is requested to document existing drainage patterns compared to proposed drainage patterns so the size of the detention basins can be calculated and verified by the City's storm water engineer. Additional BMPs may be needed to capture and treat areas not draining to the storm water basins shown. Lastly, because the site drains to Miller Creek, a trout stream, the wetlands are critically important for stream viability and there is concern that development on Lots 12 and 13 will result in wetland impacts due to the depth of the lots. Any wetland impacts need to be accounted for in the sizing of the storm water treatment basins.
- 10) Conformance with UDC and State Statute. The preliminary plat is consistent with the comprehensive land use plan designation of this site, which is for a traditional neighborhood development. The preliminary plat is located in an area of the city with adequate police, fire, and emergency facilities to serve the anticipated housing development. Staff finds that, other than the items addressed above and referenced in the recommendations below, the preliminary plat conforms to the requirements of Sec 50-37.5. and is consistent with all applicable requirements of MSA 462.358 and Chapter 505.
- 11) Development Agreement. A development agreement for the improvement of public streets and dedication of required easements is required, and shall be reviewed by City staff and approved by the City Council prior to initiating site work for the project.
- 12) Public Comments. No citizen comments have been received to date.
- 13) City Staff Comments. The City Engineering division has reviewed the proposed stormwater management systems and the proposed public street, and provided feedback. The City's property services specialist commented that the plat boundaries extend to Anderson Rd. and Decker Rd. covering existing platted streets, which may not be necessary. This will be resolved for the final plat.
- 14) The approval of the Preliminary Plat of REARRANGEMENT OF PART OF WESTERN WOODS DIVISION Page 7 of 12

City Council's approval of the vacation of existing streets and utility easements in the area to be re-platted (file no. PL21-158).

Staff Recommendation

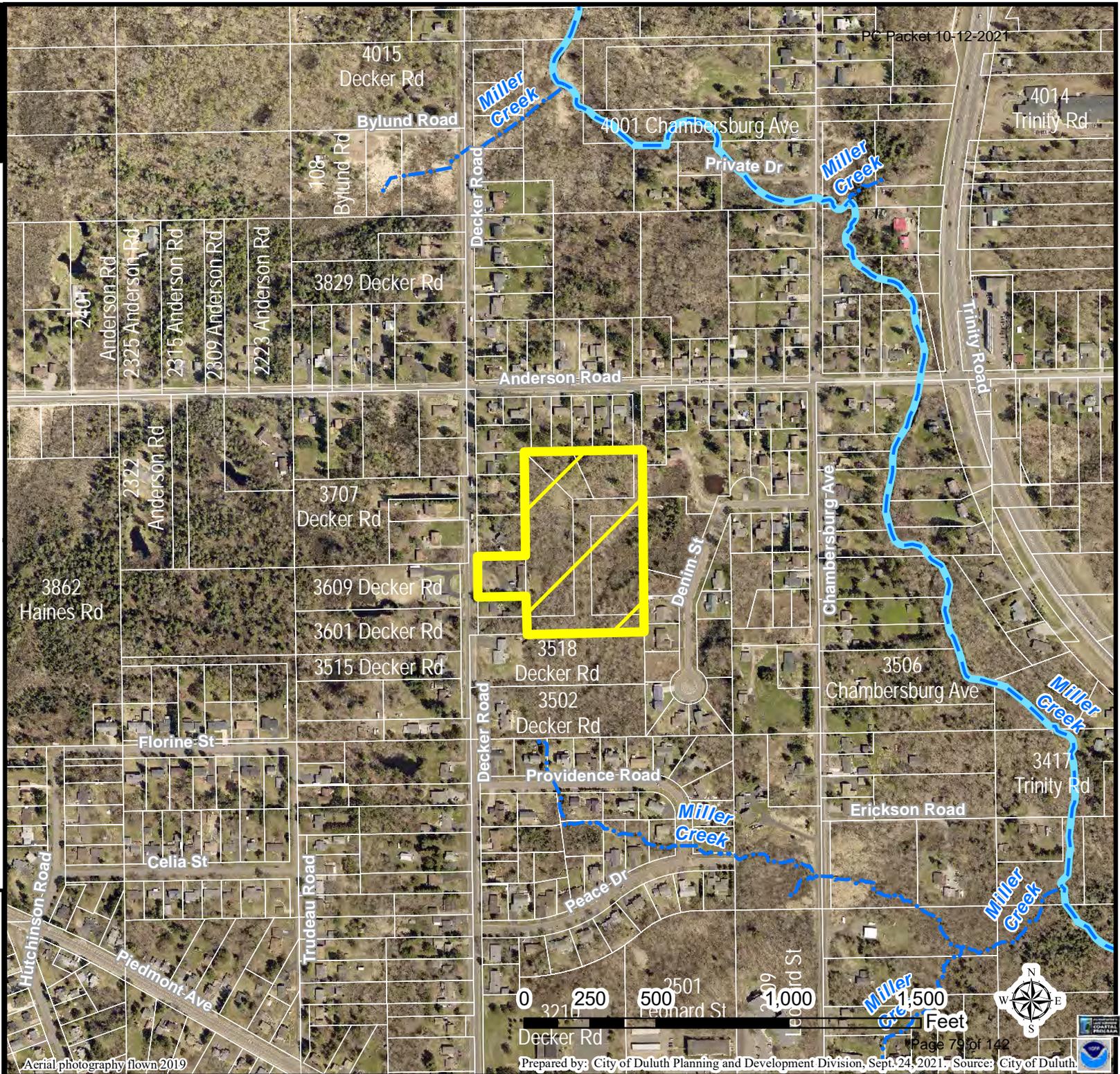
Based on the above findings, staff recommends that Planning Commission approve the application with the following conditions:

1. The approval is conditioned upon the City Council's approval of the vacation of existing streets and utility easements in the plat area (file no. PL21-158).
2. The final plat shall be drafted with modifications to the following elements depicted on the preliminary plat:
 - a. Drainage and utility easements shall be provided over wetlands on those portions of Lots 11-14. Permanent metallic markers on rigid metal posts shall be placed at the location of wetland boundaries with signs indicating the presence of wetlands to be left in a natural state.
 - b. Stormwater treatment facilities shall be sized and located in utility easements as approved by City Engineering.
 - c. Plat boundaries be adjusted in the area of existing streets relative to surveying and legal requirements and to include Lot 8, Block 1, Western Woods Division.
3. Prior to undertaking any tree or land disturbing work, the following conditions shall be met:
 - a. The developer shall enter into a development agreement addressing applicable development terms as identified by City staff in this report and as further identified in the review of the Final Plat. The development agreement shall be approved by City Council and recorded with the appropriate St. Louis County offices.
 - b. A pedestrian easement through Lot 10 connecting the cul du sac to Anderson Rd. shall be conveyed to the public and its presence noted on the Final Plat.
 - c. The Final Plat shall be recorded.
 - d. All necessary permits shall be obtained.



PL21-156
 Preliminary Plat of
 Rearrangement of
 Part of Western
 Woods by
 Lon Hovland

PC Packet 10-12-2021



Legend

- 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.

0 250 500 1,000 1,500 Feet

Page 79 of 142

Prepared by: City of Duluth Planning and Development Division, Sept. 24, 2021. Source: City of Duluth

Aerial photography flown 2019



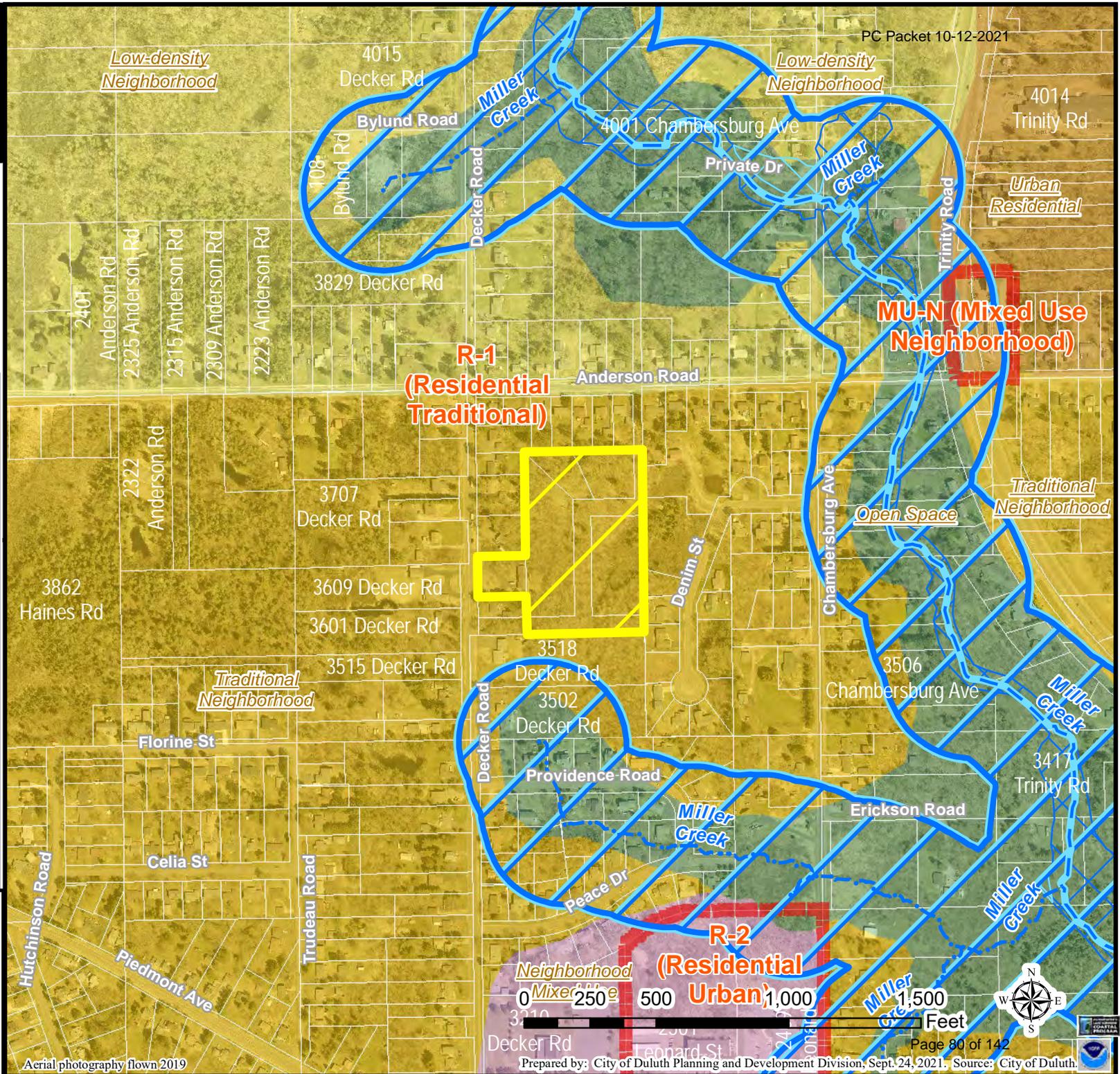
PL21-156
 Preliminary Plat of
 Rearrangement of
 Part of Western
 Woods by
 Lon Hovland

PC Packet 10-12-2021

Legend

- 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)
- Open Space
- Open Space/Outside Duluth
- Rural Residential
- Low-density Neighborhood
- Traditional Neighborhood
- Urban Residential
- Neighborhood Commercial
- Central Business Secondary
- Central Business Primary
- Large-scale commercial
- Tourism/Entertainment District
- Commercial Waterfront
- General Mixed Use
- Neighborhood Mixed Use
- Light Industrial
- General Industrial
- Industrial Waterfront
- Business Park
- Transportation and Utilities
- Transportation and Utilities/Outside Duluth
- Medical District
- Institutional

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Aerial photography flown 2019

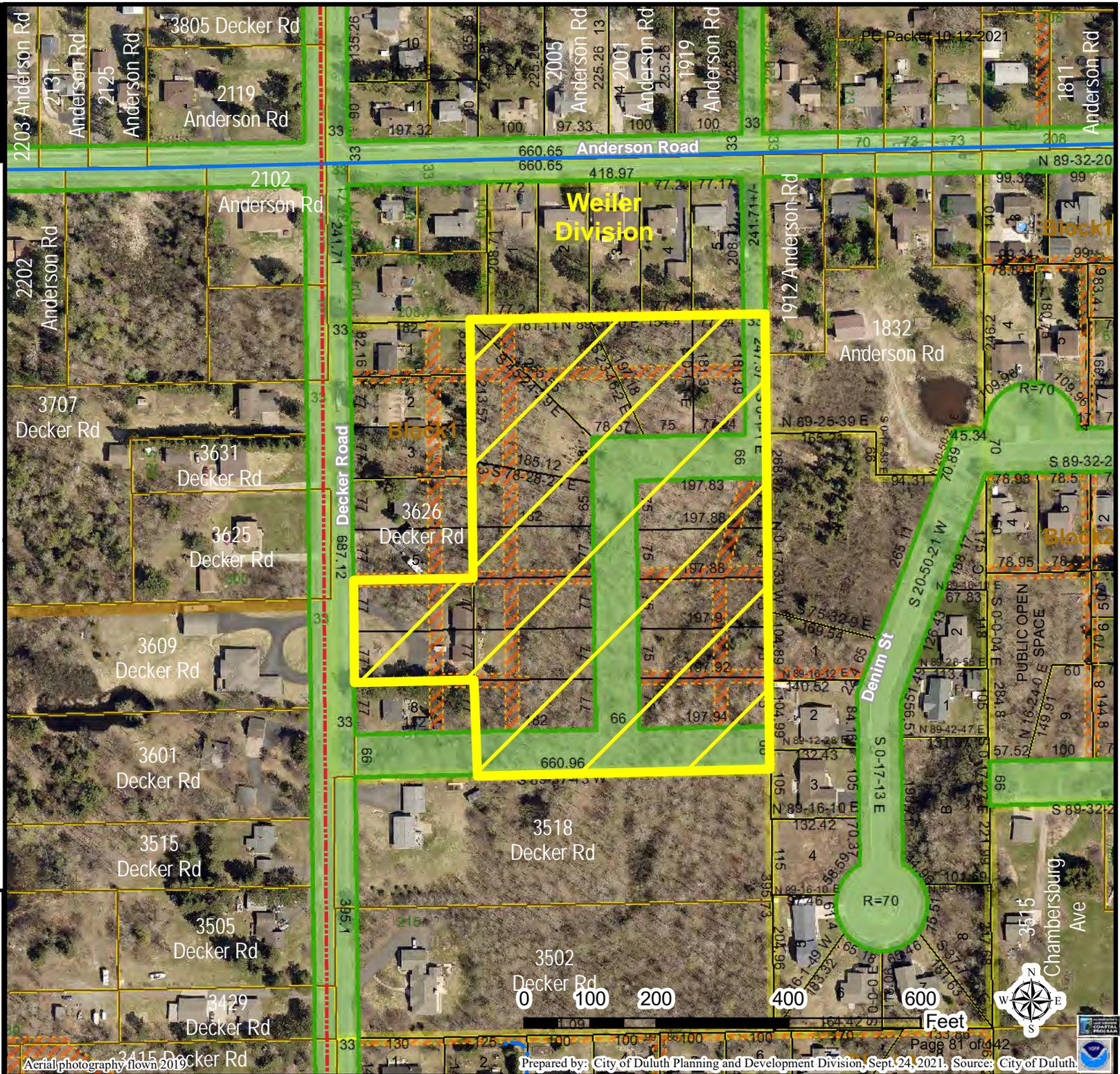


PL21-156
Preliminary Plat of
Rearrangement of
Part of Western
Woods by
Lon Hovland

Legend

- <all other values>
- Bike_Facil**
 - Bikelane
 - Future Bike Facility
 - Multi-Use Path
 - Seasonal Multi-Use
 - Signed Bikeable Shoulder
 - Signed Shared Lane
 - Study Route
- Blocks
- Lots
- Parcels
- ROW**
- 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
 - Trout Stream (GPS)
 - Other Stream (GPS)

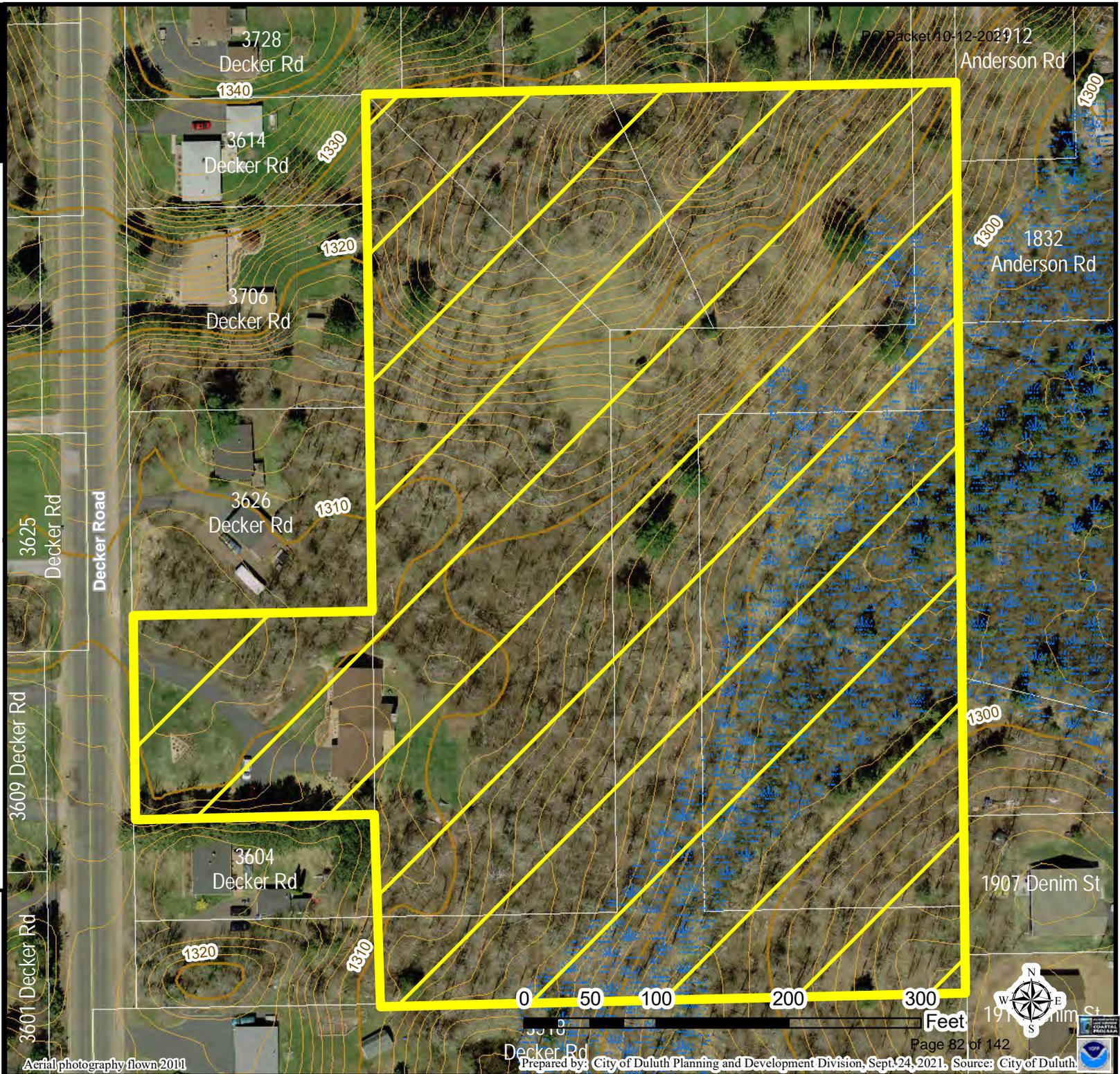
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PL21-156
 Preliminary Plat of
 Rearrangement of
 Part of Western
 Woods by
 Lon Hovland

PP Packet 10-12-2021 12



Legend

- 1 Ft contour
- 10 Ft contour
- Trout Stream (GPS)
- Other Stream (GPS)
- Wetlands (NRR1)

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Aerial photography flown 2011

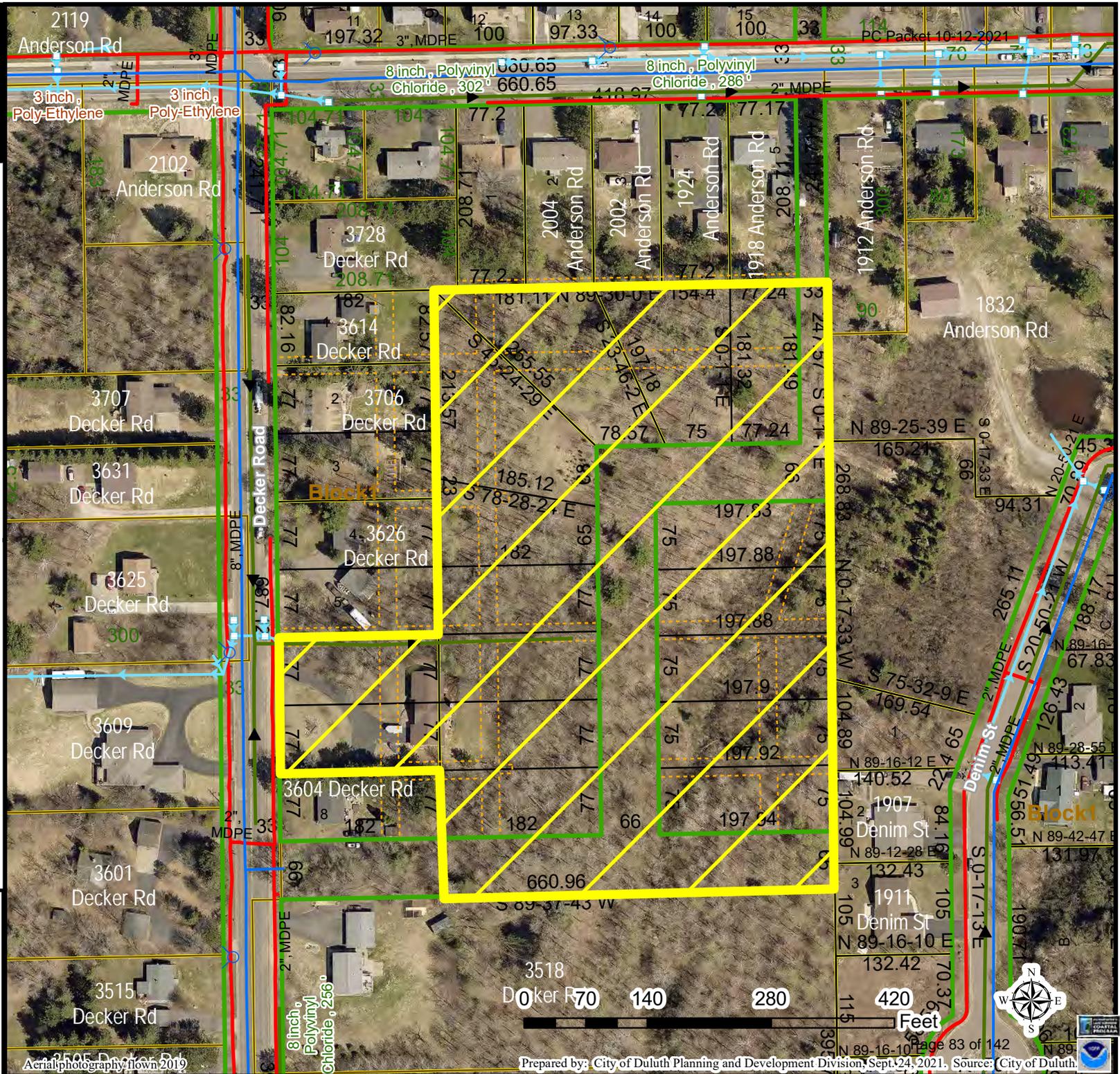


PL21-156
 Preliminary Plat of
 Rearrangement of
 Part of Western
 Woods by
 Lon Hovland

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
- Blocks**
- Lots**
- Parcels
- 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
- Trout Stream (GPS)
- Other Stream (GPS)

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Aerial photography flown 2019

WESTERN WOODS DIVISION

LOCATED IN

NW 1/4 NE 1/4 SEC. 30. T50N-R14W. 4TH P.M.

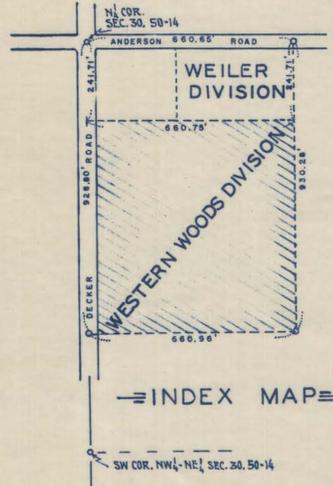
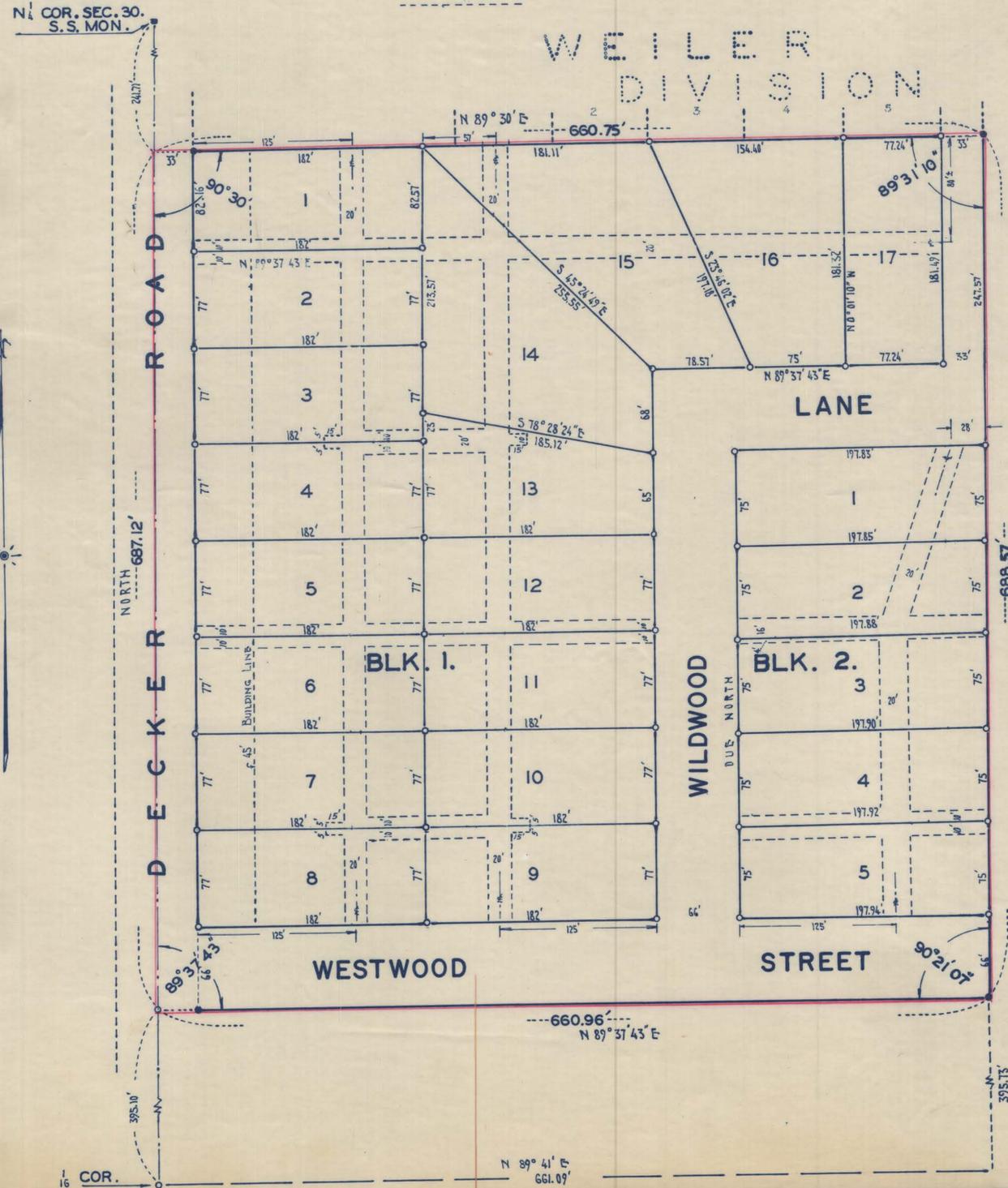
SCALE: 1" = 60'

DATE: OCT. 1959

LEGEND

- = DEFORMED IRON RODS
- = IRON PINS

ELEVATIONS FOR CONTOURS ARE FROM CITY DATUM
 - - - - - = 20' UTILITY EASEMENTS



PLAT DEDICATION

KNOW ALL MEN BY THESE PRESENTS: That Consolidated Realty Company, a corporation under the laws of the State of Minnesota, being the owner of the following described property, lying and being in the City of Duluth, County of St. Louis and State of Minnesota, to-wit:
 That part of the West Half of Northwest Quarter of Northeast Quarter (W 1/2 of NW 1/4 of NE 1/4) of Section Thirty (30), Township Fifty (50) North, Range Fourteen (14) West of the Fourth Principal Meridian, Minnesota, according to the United States Government Survey thereof, described as follows:

Beginning at the Northwest corner of said W 1/2 of NW 1/4 of NE 1/4, Section 30, Township 50 North, Range 14 West, thence due South along the West boundary of said NW 1/4 of NE 1/4 for a distance of 928.80 feet to a point, thence North 89°37'43" East for a distance of 660.96 feet, more or less, to the East boundary of said W 1/2 of NW 1/4 of NE 1/4, thence North 0°01'10" West for a distance of 930.28 feet, more or less, to the North boundary of said NW 1/4 of NE 1/4, thence South 89°30' West for a distance of 660.65 feet to the point of beginning.

EXCEPTING thereout and therefrom the following described land:

Beginning at the Northwest corner of said W 1/2 of NW 1/4 of NE 1/4, Section 30, Township 50 North, Range 14 West, thence due South along the West boundary of said NW 1/4 of NE 1/4 for a distance of 241.71 feet to a point, thence North 89°30' East for a distance of 660.75 feet, more or less, to the East boundary of said W 1/2 of NW 1/4 of NE 1/4, thence North 0°01'10" West for a distance of 241.71 feet, more or less, to the North boundary of said NW 1/4 of NE 1/4, thence South 89°30' West for a distance of 660.65 feet to the point of beginning.

and being desirous of platting the same into lots, streets and utility easements, has caused the same to be surveyed and the annexed plat thereof to be made in accordance with the statutes in such cases made and provided. Now, therefore, do we hereby ratify and confirm in all respects said survey and the plat thereof as "WESTERN WOODS DIVISION" and sign, seal and execute said plat and hereby dedicate to the public the use of the road, streets and utility easements herein delineated.

IN WITNESS WHEREOF: We hereunto set our hands and corporation seal this 14th day of June, A.D. 1960.

Signed in Presence of:
Ann T. Rella
Charles L. Brander

CONSOLIDATED REALTY COMPANY.
C. A. Carlson, Vice-President
R. T. Lundberg, Secretary

STATE OF MINNESOTA } ss
 County of St. Louis }

On this 14th day of June, 1960, before me, a Notary Public within and for said County, personally appeared C. A. Carlson and R. T. Lundberg to me personally known, who, being each by me duly sworn did say that they are respectively the Vice-President, and the Secretary of the corporation named in the foregoing instrument, and 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 said C. A. Carlson and R. T. Lundberg acknowledged said instrument to be the free act and deed of said corporation.

Charles L. Brander
 Notary Public, St. Louis County, Minn.
 My Commission expires 12/27/62

STATE OF MINNESOTA } ss
 County of St. Louis }

I, Ray S. Matson, being first duly sworn on oath, say: That I am a Registered Land Surveyor and that I have, at the request of the proprietors thereof, made a careful survey of the property described in the foregoing certificate of the proprietors and have platted the same into lots, streets and utility easements as more fully appears on the annexed plat entitled "WESTERN WOODS DIVISION". The plat is a correct representation of the survey, all distances are correctly shown on the plat, monuments for the guidance of future surveys have been correctly placed in the ground as shown thusly: • = 1" deformed iron rods, ○ = iron pins. The outside boundary lines are correctly designated by a solid red line. I hereby certify that the above instrument is correct. There are no wet lands, rivers, streams, creeks, lakes, ponds, swamps or public highways and thoroughfares laid out, opened or traveled existing before the platting other than shown on the plat.

Ray S. Matson
 Surveyor
 Reg. No. 1239

Subscribed and sworn to before me this 11th day of July, 1960.

Sam J. Sicilia
 NOTARY PUBLIC, St. Louis County, Minn.
 My Commission Expires Oct. 23, 1960

We hereby certify that the annexed plat entitled "WESTERN WOODS DIVISION" was approved by the Duluth City Planning Commission on the 15th day of June, 1960.

938985
 OFFICE OF REGISTER OF DEEDS
 STATE OF MINNESOTA
 County of St. Louis }

I hereby certify that the within instrument was filed in this office for record
JUN 15 1960 at 3 P. M.
 and was duly entered in Book 6-1
 of PLATS Page 8
 CHAS. CALLIGAN
 REGISTER OF DEEDS

William J. Ward
 President
John A. Hansen
 Director of City Planning

Taxes paid and transfer entered this
15 day of June, A. D. 1960
 W. H. BORBEN, County Auditor
 By Ensign Deputy

Taxes for the year 1959 on
 lands described within, PAID
 FRED W. SCHILLER, County Treas.
 By W. H. Borben Deputy

No assignments, assignment certificates or deeds
 entered against above described property.
City Clerk 6/15/60

Deed tax hereon due \$ 1.10
R. T. Lundberg
 Asst. for Member of Circuit

Deed Tax hereon of \$ 1.10 paid
 Receipt No. 25329
 F. W. Schiller, County Treasurer
 By Al Jackson Deputy

PRELIMINARY PLAT OF REARRANGEMENT OF PART OF WESTERN WOODS

LOCATED IN PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER SECTION 30, TOWNSHIP 50 NORTH, RANGE 14 WEST OF THE FOURTH PRINCIPAL MERIDIAN, ST. LOUIS COUNTY, MINNESOTA

LEGEND

	CONCRETE SURFACE		TREE/BRUSH LINE		GAS METER		CONTROL POINT
	BITUMINOUS SURFACE		FENCE LINE		HYDRANT		FOUND IRON PIPE
	PAVER SURFACE		OVERHEAD UTILITIES		WATER VALVE		FOUND CAPPED REBAR RLS. NO. 15294
	PROPOSED STREET		SANITARY SEWER		TELECOM PEDESTAL		FOUND REBAR
			WATER MAIN		SIGN		FOUND CAPPED REBAR RLS. NO. 14374
			WET LAND LINE BASED ON EXISTING FLAGS BY OTHERS AND AS SHOWN ON THE PLAT OF SACKETTE ADDITION		CONIFEROUS TREE		FOUND IRON ROD
			EXISTING BUILDING LINE		SET REBAR RLS. 49505		ELEC PEDESTAL
			SECTION SUBDIVISION LINE		EXIST SANITARY		ELEC METER
			CENTER LINE		MANHOLE		SANITARY MANHOLE
			RIGHT OF WAY LINE		PROPOSED SANITARY MANHOLE		SQUARE GRATE CATCH BASIN
			BOUNDARY LINE AS SURVEYED				
			PROPOSED EASEMENT LINE				
			SANITARY SEWER LINE				
			WATERMAIN LINE				

AREA SUMMARY

Total Acreage	8.31 AC
Total Lot Acreage - R/W	5.91 AC
Total R/W Acreage	2.40 AC
Number of Lots	14
Largest lot in Sq. ft.	42,961 SQ. FT
Smallest lot in Sq. ft.	6,083 SQ. FT
Average Lot (total lot sq. ft./# of lots)	18,389 SQ. FT

LEGAL DESCRIPTION PER CERTIFICATE OF TITLE NO. 344559

Lot 9 Block 1 WESTERN WOODS DIVISION
 Lot 10 Block 1 WESTERN WOODS DIVISION
 Lot 11 Block 1 WESTERN WOODS DIVISION
 Lot 12 Block 1 WESTERN WOODS DIVISION
 Lot 13 Block 1 WESTERN WOODS DIVISION
 Lot 14 Block 1 WESTERN WOODS DIVISION
 Lot 16 Block 1 WESTERN WOODS DIVISION
 Lot 17 Block 1 WESTERN WOODS DIVISION
 Lot 1 Block 2 WESTERN WOODS DIVISION
 Lot 2 Block 2 WESTERN WOODS DIVISION
 Lot 3 Block 2 WESTERN WOODS DIVISION
 Lot 4 Block 2 WESTERN WOODS DIVISION
 Lot 5 Block 2 WESTERN WOODS DIVISION

OWNER/DEVELOPER
 LON HOVLAND
 3612 DECKER ROAD
 DULUTH, MN 55811
 EMAIL: lon@hovlandinc.com

ENGINEER
 NCE CONSULTING ENGINEERS, LLP
 DAVID BOLF, P.E.
 MINNESOTA STATE REG. NO. 40926
 P.O. BOX 161138
 102 S. 21ST AVE. W., SUITE 1
 DULUTH, MN 55806
 PHONE: (218) 727-5995
 EMAIL: david@nce-duluth.com

LEGAL DESCRIPTION PER CERTIFICATE OF TITLE NO. 344558

Lot 6 Block 1 WESTERN WOODS DIVISION
 Lot 7 Block 1 WESTERN WOODS DIVISION

SURVEYOR
 ALTA LAND SURVEY COMPANY, PC
 DAVID R. EVANSON
 MINNESOTA STATE REG. NO. 49505
 P.O. BOX 161138
 102 S. 21ST AVE. W. SUITE 4
 DULUTH, MN 55816-1138
 PHONE: (218) 727-5211
 EMAIL: davee@altasurveyduluth.com

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY TO BE INCLUDED WITHIN PLAT

And: All of Westwood Street, as delineated and dedicated in WESTERN WOODS DIVISION, according to the recorded plat thereof, St. Louis County, Minnesota.

And: All of Wildwood Lane, as delineated and dedicated in WESTERN WOODS DIVISION, according to the recorded plat thereof, St. Louis County, Minnesota.

And: All of the Platted Road, lying adjacent to Lot 5, WEILER DIVISION, according to the recorded plat thereof, St. Louis County, Minnesota.

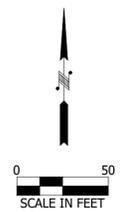
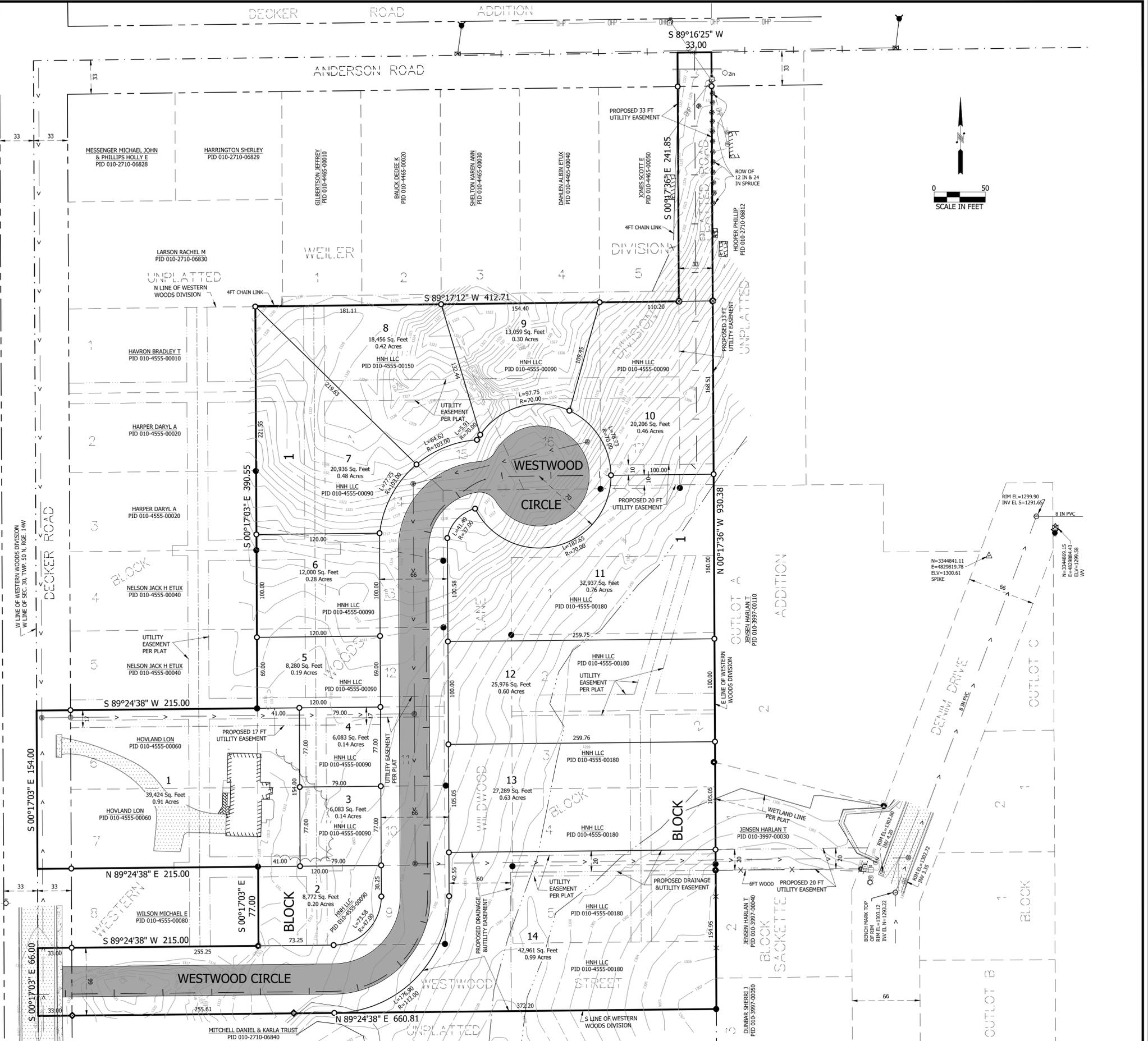
SURVEYORS NOTES

- UTILITIES WERE LOCATED IN THE FIELD BY OBSERVED EVIDENCE, BY UTILITY SKETCHES PROVIDED BY UTILITY COMPANIES AND THE CITY OF DULUTH PER GOPHER STATE ONE CALL TICKET NO. 173630085.
- UTILITIES SHOWN ON THIS SURVEY ARE SHOWN FOR APPROXIMATE LOCATION ONLY AND SHOULD BE VERIFIED BEFORE ANY EXCAVATION OR CONSTRUCTION.
- DUE TO SNOW AND ICE COVERAGE, SOME FEATURES MAY HAVE NOT BEEN VISIBLE DURING THE COURSE OF THIS SURVEY.
- 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.
- SITE ZONED R-1 RESIDENTIAL. TRADITIONAL PER THE CITY OF DULUTH PLANNING AND ZONING. SEE TABLE 50-14.5-1 FOR STANDARDS.
- BENCHMARK SHOWN ON SURVEY.

TABLE 50-14.5-1 R-1 DISTRICT DIMENSIONAL STANDARDS		City Ordinance
Minimum lot area per family (One-family) [10]	5,000 sq. ft.	The area of 4,000 sq. ft. for detached developed 1-family lots on the block face.
Minimum lot area per family (Two-family) [10]	10,000 sq. ft.	The area of 8,000 sq. ft. for detached developed 2-family lots on the block face.
Minimum lot area per family (Townhouse) [11]	5,000 sq. ft.	The area of 4,000 sq. ft. for detached developed lots with similar uses on the block face, but not less than 40 feet.
Minimum lot footage (One-family) [11]	10,000 sq. ft.	The coverage of developed lots with similar uses on the block face, but not less than 40 feet.
Minimum lot footage (Two-family and townhouse) [11]	20,000 sq. ft.	The coverage of developed lots with similar uses on the block face, but not less than 40 feet.
Minimum depth of front yard	10 ft. if adjacent to another lot 25 ft. if adjacent to platted street	Structural Standard
Minimum width of side yard (one- and two-family)	5 ft.	Structural Standard
Minimum width of side yard (Townhouse)	5 ft.	Structural Standard
Minimum width of front side yard	15 ft.	Structural Standard
Minimum depth of front side yard	15 ft.	Structural Standard
Minimum length of building	30 ft.	Structural Standard



VICINITY MAP
NO SCALE



PRELIMINARY PLAT OF REARRANGEMENT OF PART OF WESTERN WOODS

LOCATED IN PART OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 50 NORTH, RANGE 14 WEST OF THE FOURTH PRINCIPAL MERIDIAN, ST. LOUIS COUNTY, MINNESOTA

LEGEND

	CONCRETE SURFACE		TREE/BRUSH LINE		GAS METER		CONTROL POINT
	BITUMINOUS SURFACE		FENCE LINE		HYDRANT		FOUND IRON PIPE
	PAVER SURFACE		OVERHEAD UTILITIES		WATER VALVE		FOUND CAPPED REBAR RLS. NO. 15294
	PROPOSED STREET		SANITARY SEWER		TELECOM PEDESTAL		FOUND REBAR
			WATER MAIN		SIGN		FOUND CAPPED REBAR RLS. NO. 14374
			WET LAND LINE BASED ON EXISTING FLAGS BY OTHERS AND AS SHOWN ON THE PLAT OF SACKETTE ADDITION		CONFEDEROUS TREE		FOUND IRON ROD
			EXISTING BUILDING LINE		SET REBAR RLS. 49505		ELEC PEDESTAL
			SECTION SUBDIVISION LINE		EXIST SANITARY		ELEC METER
			CENTER LINE		UTILITY POLE		SANITARY MANHOLE
			RIGHT OF WAY LINE		MANHOLE		PROPOSED SANITARY MANHOLE
			EXISTING EASEMENT LINE		PROPOSED SANITARY MANHOLE		SQUARE GRATE CATCH BASIN
			BOUNDARY LINE AS SURVEYED				
			PROPOSED EASEMENT LINE				
			SANITARY SEWER LINE				
			WATERMAIN LINE				

AREA SUMMARY

Total Acreage	8.31 AC
Total Lot Acreage - R/W	5.91 AC
Total R/W Acreage	2.40 AC
Number of Lots	12
Largest lot in Sq. ft.	51,591 SQ. FT.
Smallest lot in Sq. ft.	8,772 SQ. FT.
Average Lot (total lot sq. ft./# of lots)	21,453 SQ. FT.

LEGAL DESCRIPTION PER CERTIFICATE OF TITLE NO. 344559

Lot 9 Block 1 WESTERN WOODS DIVISION
 Lot 10 Block 1 WESTERN WOODS DIVISION
 Lot 11 Block 1 WESTERN WOODS DIVISION
 Lot 12 Block 1 WESTERN WOODS DIVISION
 Lot 13 Block 1 WESTERN WOODS DIVISION
 Lot 14 Block 1 WESTERN WOODS DIVISION
 Lot 16 Block 1 WESTERN WOODS DIVISION
 Lot 17 Block 1 WESTERN WOODS DIVISION
 Lot 1 Block 2 WESTERN WOODS DIVISION
 Lot 2 Block 2 WESTERN WOODS DIVISION
 Lot 3 Block 2 WESTERN WOODS DIVISION
 Lot 4 Block 2 WESTERN WOODS DIVISION
 Lot 5 Block 2 WESTERN WOODS DIVISION

OWNER/DEVELOPER
 LON HOVLAND
 3612 DECKER ROAD
 DULUTH, MN 55811
 EMAIL: lon@hovlandinc.com

ENGINEER
 NCE CONSULTING ENGINEERS, LLP
 DAVID BOLF, P.E.
 MINNESOTA STATE REG. NO. 40926
 P.O. BOX 161138
 102 S. 21ST AVE. W., SUITE 1
 DULUTH, MN 55806
 PHONE: (218) 727-5995
 EMAIL: david@nce-duluth.com

TABLE 50-14.5-1 R-1 DISTRICT DIMENSIONAL STANDARDS	
Minimum lot area per family (One-family) [1]	The area of 4,000 sq. ft. for detached single-family lots on the block face.
Minimum lot area per family (Two-family) [2]	The area of 3,000 sq. ft. for detached 2-family lots on the block face.
Minimum lot area per family (Townhouse) [3]	5,000 sq. ft.
Minimum lot footage (One-family) [1]	The width of 40 ft. in coverage of developed lots with similar uses on the block face, but not less than 40 feet.
Minimum lot footage (Two-family and townhouse) [2]	The coverage of developed lots with similar uses on the block face, but not less than 40 feet.
Minimum depth of front yard	The width of 25 ft. in coverage of adjacent developed lots facing the same street.
Minimum width of side yard (One and two-family) [1]	5 ft.
Minimum width of side yard (Townhouse) [3]	Continual width of side yards must be at least 12 ft.
Minimum width of side yard (Two-family) [2]	10 ft. if adjacent to another lot; 25 ft. if adjacent to platted street.
Minimum width of front side yard	15 ft.
Minimum length of building	30 ft.
Minimum length of building (Detached) [1]	Determined using formula on the block face definition. When doing this calculation, exclude the subject lot from the calculation.
Minimum length of building (Two-family and townhouse) [2]	Lot without detached garage must also meet requirements of 50-21.2.
Minimum length of building (Townhouse) [3]	Existing structures that have a change of use from one-family to two-family must meet minimum lot area and footage, but not setbacks.
Minimum length of building (Townhouse) [3]	Section 50.21 Dimensional standards contain additional regulations applicable to the district.

LEGAL DESCRIPTION PER CERTIFICATE OF TITLE NO. 344558

Lot 6 Block 1 WESTERN WOODS DIVISION
 Lot 7 Block 1 WESTERN WOODS DIVISION

SURVEYOR
 ALTA LAND SURVEY COMPANY, PC
 DAVID R. EVANSON
 MINNESOTA STATE REG. NO. 49505
 P.O. BOX 161138
 102 S. 21ST AVE. W. SUITE 4
 DULUTH, MN 55816-1138
 PHONE: (218) 727-5211
 EMAIL: davee@altasurveyduluth.com

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY TO BE INCLUDED WITHIN PLAT

And: All of Westwood Street, as delineated and dedicated in WESTERN WOODS DIVISION, according to the recorded plat thereof, St. Louis County, Minnesota.

And: All of Wildwood Lane, as delineated and dedicated in WESTERN WOODS DIVISION, according to the recorded plat thereof, St. Louis County, Minnesota.

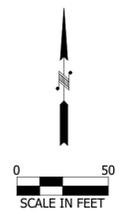
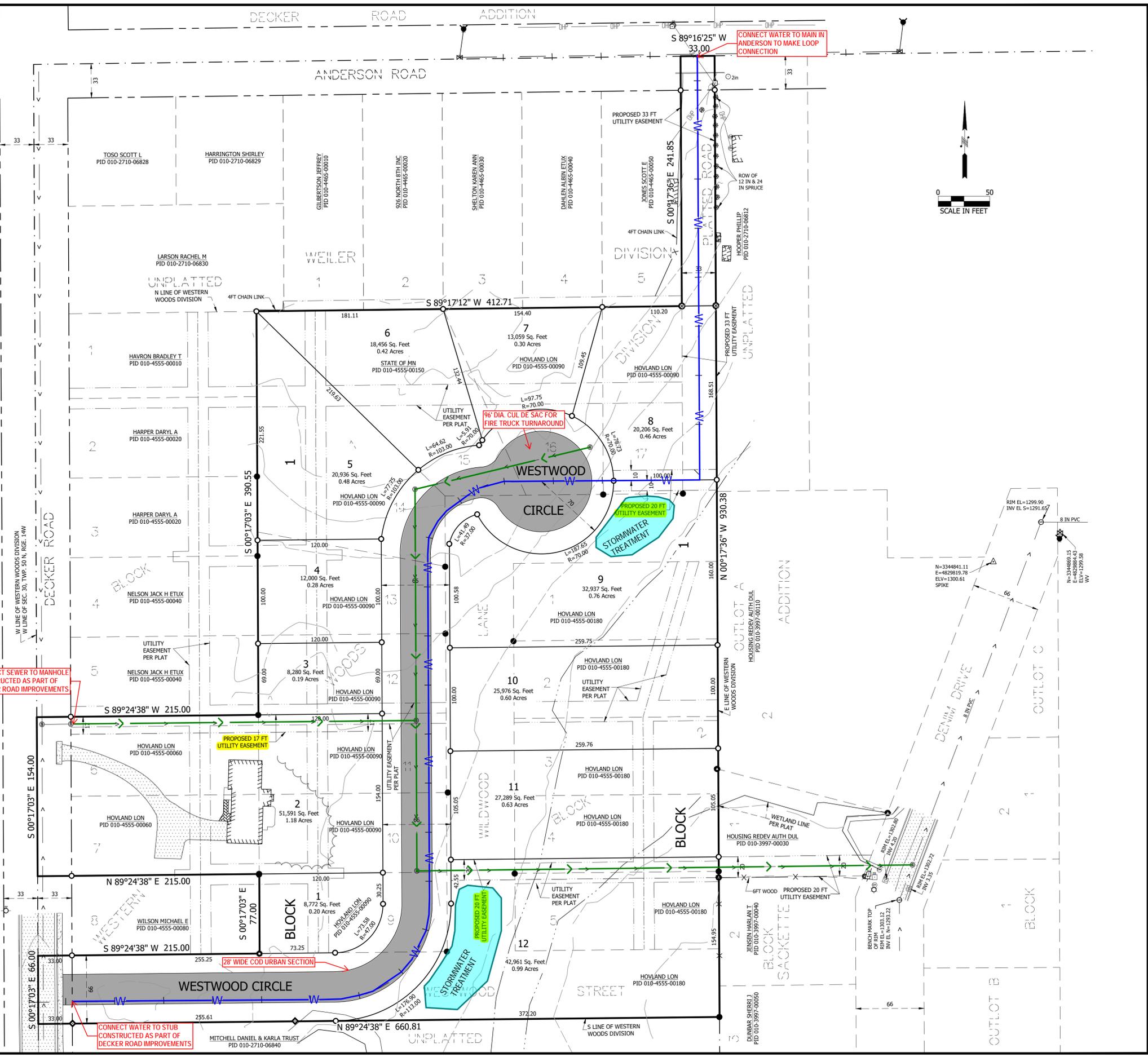
And: All of the Platted Road, lying adjacent to Lot 5, WEILER DIVISION, according to the recorded plat thereof, St. Louis County, Minnesota.

SURVEYORS NOTES

- UTILITIES WERE LOCATED IN THE FIELD BY OBSERVED EVIDENCE, BY UTILITY SKETCHES PROVIDED BY UTILITY COMPANIES AND THE CITY OF DULUTH PER GOPHER STATE ONE CALL TICKET NO. 173630085.
- UTILITIES SHOWN ON THIS SURVEY ARE SHOWN FOR APPROXIMATE LOCATION ONLY AND SHOULD BE VERIFIED BEFORE ANY EXCAVATION OR CONSTRUCTION.
- DUE TO SNOW AND ICE COVERAGE, SOME FEATURES MAY HAVE NOT BEEN VISIBLE DURING THE COURSE OF THIS SURVEY.
- 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.
- SITE ZONED R-1 RESIDENTIAL TRADITIONAL PER THE CITY OF DULUTH PLANNING AND ZONING. SEE TABLE 50-14.5-1 FOR STANDARDS.
- BENCHMARK SHOWN ON SURVEY.



VICINITY MAP
 NO SCALE



Westwood Circle Subdivision Drainage Memo (9/7/21)

Northland Consulting Engineers is assisting a land owner in subdividing their parcel of property with access off of Decker Road. The parcel is currently undeveloped and completely wooded. The proposed subdivision would create (14) lots accessed by the construction of a 28' wide roadway meeting City of Duluth standards. The road will be constructed privately and turned over to the City of Duluth upon as built and final acceptance.

Existing Site Drainage Conditions

The site is 8.31 acres according to the boundary survey provided by ALTA Land Survey Company. As mentioned above, the site is completely undeveloped and wooded. The site sits within the Miller Creek watershed. This water shed ultimately enters the St. Louis River. The site is situated between Decker and Denim Road just south of Anderson Road. The site currently flows from north to south through a wetland complex. Currently, there are no BMP's on-site treating storm water.

Post-Construction Site Drainage Conditions

The subdivision development proposes (14) lots. Lots will range in size from 0.14 acres to 0.76 acres meeting the requirements of the R-1 zoning. The expected user is a single-family home development. It is estimated that each home will develop an average of 4,200 square feet of impervious surface between the driveway, home and garage. This results in approximately 58,800 square feet of impervious area outside the public road. The 1,900 linear feet of public road will be 28' wide with a 5' concrete walk generating about 65,000 square feet of impervious area. The roadway will be constructed as an urban section so the roadway will have curb and gutter on both sides to convey road runoff and any runoff from outside the right of way.

The curb and gutter and subsequent storm sewer will convey stormwater runoff to a BMP to treat the runoff. Storm sewer will then flow into one of two filtration basins located along the east side of the road. The filtration basins will drain via perforated PVC pipes set below a sand filter layer. The BMP will treat the stormwater for total suspended solids and will be constructed with live storage and an outlet structure to manage the discharge rates per the City of Duluth UDC requirements. It is understood that the site sits above the bluff line and may be required to meet more restrictive peak discharge rate requirements.

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

	Pre-Development		Post-Development	
	Area (SF)	% of Total Site	Area (SF)	% of Total Site
Total Site Area	361,983	100%	361,983	100%
Impervious Area	0	0%	123,800	34%
Pervious Area	361,983	100%	238,183	66%

Narrative Prepared by: Adam Zwak, P.E.

WETLAND DELINEATION REPORT

PREPARED FOR

TELLOR – MALLOW DEVELOPMENT

DECKER HEIGHTS TOWNHOMES

OCTOBER 13, 2016

I. Introduction/Project Description

LHB Inc. has completed a wetland delineation for Tellor-Mallow Development in Duluth, MN. The wetlands delineated fall within a ± 7.25 acre study area between the residences of Decker Road, Denim Street, Anderson Road, and Providence Road in Section 30, Township 50 North, Range 14 West.

II. Methods for Delineation

A wetland boundary was delineated using methods described in the 1987 USACOE Wetlands Delineation Manual, Routine Delineation, the Northcentral and Northeast Regional Supplements, and the April 2013 and March 2015 Public Notice Guidance (MN).

For assistance on soils determinations, USDA soil definitions were used. Soil colors were described on-site according to the *Munsell Soil Color Charts* (1998 Revised Edition) from sample points in and adjacent to the identified wetlands. The USDA/NRCS guide for *Field Indicators of Hydric Soils in the United States*, version 7.0 was also used to identify hydric soil conditions.

Regional plant identification resources were utilized in the identification of plant species, with indicator status taken from the *National List of Plant Species That Occur in Wetlands: North Central Region (Region 3)* (US Fish and Wildlife Service, 1988). Plant species dominance was estimated based on the percent aerial coverage for herbaceous, shrub-sapling, and tree strata.

Wetland Determination Data Forms for the Northcentral and Northeast Regions, version 2.0, were used to record vegetation, hydrology, and soil characteristics at sample points conducted in and adjacent to the wetlands. The data forms for the sample points are found in the Appendix.

All survey data for the wetland boundaries were collected using a handheld Trimble GPS unit with a 3' submeter accuracy, and were imported into a CAD base map for illustration on the attached Wetland Delineation Map (W1.0).

Resource Materials

- Topographic Mapping: 1' contour information was used to assess existing elevations.
- Aerial Photography Mapping: An aerial photography map was used to identify the location of adjacent roads, structures, water bodies, vegetation, and drainage patterns that might be present in the area.
- Soil Survey Mapping: Soil survey data from the USDA Web Soil Survey was used to identify soil types within the study area and is attached in the appendix of this report.
- NWI Mapping: National Wetlands Inventory Mapping was used to identify any potential wetlands in the area.

Field Delineation

The site was field delineated on October 13, 2016. During the delineation, wetland areas were marked with pink ribbon flagging labeled "WETLAND BOUNDARY". Sample points were used to record detailed information about wetland plants, soils, and hydrology, and were marked with blue ribbon flags. The sample points occurred in semi-linear transects, with one point representing upland conditions and one point representing wetland conditions in most instances. Both the wetland boundary and sample points are labeled on the attached Wetland Delineation Map.

III. Results of the Delineation

Site Description

The study area is located between the residences of Decker Road, Denim Street, Anderson Road, and Providence Road in Duluth, Minnesota. Mature vegetation flourished throughout the entire site. Land use in this region is residential. The primary landscape in this area is mostly upland hillslopes and dominated by upland herbaceous species, pine, aspens, and birch. There were two distinct wetland areas which were located in the lowest portions of the site: Wetland 1 located between the toes of two slopes sprawls northeast of the site and Wetland 2 located in a small depression on the northern edge of the delineation limits. Topography grades were generally 0-20%.

Wetland Type & Vegetation

Wetlands were delineated using the *United States Fish and Wildlife Circular 39* classification system developed by Shaw and Fredine, 1971.

Wetlands 1 and 2 consisted of Type 6 Shrub Swamp conditions. Dominant obligate and facultative-wet species included Dewberry, Dwarf Raspberry, Speckled Alder, and Green Ash.

The National Wetlands Inventory (NWI) map attached identifies a PSS1B encompassing a PFO4B (both Freshwater Forested/Shrub) wetland on-site in the general region of the delineated Wetland 1.

Hydrology

Hydrology for this wetland area is occurring from natural precipitation and the groundwater table. According to the Web Soil Survey attached, the soils observed in the wetland locations were Tacoosh Mucky Peat which is hydric. Secondary indicators included moss trim lines, geomorphic positioning, and a positive FAC-Neutral test. Mud and surface water was present approximately 10' away from the test location. This region had experienced precipitation in the few days prior to delineation.

Soils

According to the Natural Resources Conservation Service, a hydric soil is a soil that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part. Most hydric soils exhibit characteristic morphologies that result from repeated periods of saturation or inundation which last more than a few days. Hydric soil indicators are formed predominantly by the accumulation or loss of iron, manganese, sulfur, or carbon compounds in a saturated and anaerobic environment.

Soils typical of Type 6 wetlands were found throughout the wetland locations. The wetland soils tested were clay loam with 30% to 50% redox concentrations in the matrix. Hydric soil Indicator F6 Redox Dark Surface persisted here. Upland soils were lighter in color and had the texture sandy loam.

IV. Jurisdiction

The wetlands located on this site are administered by the Wetland Conservation Act (WCA) and are regulated by the Local Government Unit (LGU). The LGU for this site is the City of Duluth Planning & Zoning Office with assistance from the South St. Louis County Soil and Water Conservation District. The US Army Corps of Engineers (COE), the Minnesota Department of Natural Resources (DNR), the Minnesota Board of Water & Soil Resources (BWSR) and the local Watershed Conservation District (SWCD) may also have jurisdiction over these wetlands. These regulatory authorities constitute the minimum number of observed stakeholders for a Technical Evaluation Panel (TEP).

V. Standard of Care

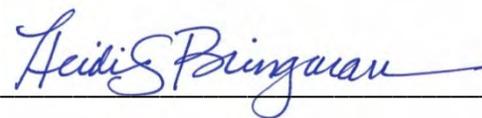
Data collection and exploration of the site identifies plants, hydrology and soil conditions only at points where samples were taken. Soils were examined to a maximum depth of 20". The soil information collected is not acceptable for geotechnical purposes. The delineation methods used on this site were based on methods described in this report. The recommended delineation practices and data collection techniques were followed according to current available standards for this specific site. Based on the findings, using recommended practices, reasonable judgment was used to make a boundary determination. The boundary determination is not exempt from regulatory examination and is subject to change. A regulatory TEP should occur on site to review the boundary.

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision.

Report prepared by: Maia Harold
Civil Designer III
MN Wetland Delineator In-Training # 5200



Report reviewed by: Heidi S. Bringman
Landscape Architect/Wetland Specialist
MN Certified Wetland Delineator # 1196



Site Photos



Figure 1: Upland Areas



Figure 2: 1-WET Test Location

Site Photos



Figure 3: On toe of slope looking at upland to the left and wetland to the right

CLIENT:
RANDY MALLOW

**3612 DECKER ROAD
DULUTH, MN 55811**

THIS SQUARE APPEARS 1/2" x 1/2" ON
FULL SIZE SHEETS.

OCTOBER 2016 REGULATORY APPROVAL
NO DATE ISSUED FOR

NO DATE REVISION

**PRELIMINARY
NOT FOR CONSTRUCTION
OCTOBER 2016**

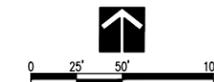
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PROJECT NAME:
**PIEDMONT HEIGHTS
RETIREMENT VILLAS**

**DECKER ROAD
DULUTH, MN 55811**

DRAWING TITLE:
**WETLAND DELINEATION
EXHIBIT**

FILE: ..160484600 Drawings\Bases\Wetlands\160484_cWET.dwg
DRAWN BY:
CHECKED BY:
PROJ. NO: 160484
DRAWING NO:





Planning & Development Division
 Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802

218-730-5580
 planning@duluthmn.gov

File Number	PL 21-157	Contact	Kyle Deming	
Type	Variance – structure setback to stream	Planning Commission Date	October 12, 2021	
Deadline for Action	Application Date	September 7, 2021	60 Days	November 6, 2021
	Date Extension Letter Mailed	September 28, 2021	120 Days	January 5, 2022
Location of Subject	Near Hartley Nature Center (3001 Woodland Ave.)			
Applicant	City of Duluth/Hartley Nature Center	Contact	Jim Shoberg/Tom O'Rourke	
Agent		Contact		
Legal Description	SE ¼ of SW ¼, Section 2, Township 50N, Range 14W (010-2710-00330)			
Site Visit Date	September 28, 2021	Sign Notice Date	September 28, 2021	
Neighbor Letter Date	September 28, 2021	Number of Letters Sent	11	

Proposal

Construct a 30' x 40' stewardship garage for storage related to Hartley Nature Center. A variance is requested to reduce the Cold Water stream setback from 150' to 129.1'.

Recommended Action: Approve variance with conditions.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	P-1 Park	Undeveloped/Open Space	Open Space and Shoreland
North	P-1 Park	Undeveloped/Open Space	Open Space and Shoreland
South	P-1 Park	Hartley Nature Center	Open Space and Shoreland
East	P-1 Park	Undeveloped/Open Space	Open Space and Shoreland
West	P-1 Park	Undeveloped/Open Space	Open Space and Shoreland

Summary of Code Requirements

Sec. 50-18.1.D.3(a) – Minimum distance structures are to be setback from Cold Water streams – 150 feet.

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 for 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 Principles and/or Policies and Current History (if applicable):

Governing Principle #2 – Declare the necessity and secure the future of undeveloped places. Project allows the construction of a stewardship garage to provide space to store equipment needed to maintain the park and nature center.

Zoning –P-1 Park (paraphrased). The P-1 district is intended to protect and reserve lands for recreational, scenic and natural resource uses. Both passive and active recreational uses may be permitted. Small-scale buildings, structures and development that are incidental to and supportive of an approved use may also be permitted. All uses and structures shall be compatible in scale, design and impact with the natural features and character of the land.

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

History – Property was once a large vegetable and livestock farm. Land was donated to the City for a park. Hartley Nature Center and parking lot were constructed in 2003. Tributary to Tischer Creek was re-routed by South St. Louis County Soil and Water Conservation District in 2020 to restore it to its natural course. Portions of Hartley Park were recently designated as part of the Duluth Natural Area Program (DNAP). The proposed stewardship garage was anticipated as part of that application, is located outside of the DNAP area, and will support the activities of the DNAP for purposes of site restoration.

Review and Discussion Items

Staff finds that:

- 1) Hartley Park consists of 660 acres of trails and otherwise undeveloped land used by the public for recreational purposes. Hartley Nature Center was constructed in 2003 to enhance the public’s connection to nature through recreation. While the building includes space for public use, office space for staff, and a preschool, Hartley Nature Center needs additional space to store items and equipment related to the management of the park. This includes vehicles, canoe trailer, snowblower, and other equipment. Hartley Nature Center has experienced vandalism and theft of equipment due to the remote location and lack of secure storage space.
- 2) The applicant is proposing to construct a 30’ x 40’ garage in which to store equipment. Its location is proposed to be 129.1 feet from a tributary to Tischer Creek.
- 3) An analysis (see attached) for siting the garage was completed by Hartley Nature Center and City staff, an architect, and project manager. Four sites were considered according to six criteria (proximity, terrain, wetlands, creek, aesthetics, trail impacts) and the selected site was deemed least impactful.
- 4) The applicant is proposing to use the property in a reasonable manner by constructing a storage building for items and equipment related to the use and management of the park and nature center. However, the location of Tischer Creek and its tributary, wetlands, and steep slopes are special circumstances that present a practical difficulty in siting the needed storage building.
- 5) Reviewing the attached site map and site plan shows that the property is severely impacted by the presence of streams, wetlands, and slopes. The garage could not be located to the south or west of the existing nature center building due to the presence of Tischer Creek and re-routed tributary. The slope to Woodland Ave. limits alternative locations to the east of the nature center and parking lot. Extensive wetland areas further limit options for the building.
- 6) To mitigate for the location of the building closer to the stream, the applicant has stated that they will direct rainwater from the portion of the roof within 150 feet of the tributary into an infiltration basin at the southwest corner of the garage. The basin will contain riprap at the terminus of the rain leader, which will discharge to a vegetated swale that flows east to the proposed storm water treatment system being constructed for the Hartley Nature Center expansion. Under small and normal rain-flow events, this basin will allow infiltration of the rainwater to adjoining wetlands and creek. During high-flow events, the grassy swale will direct the increased volume. Additionally, the area behind the garage will be left natural and any areas impacted during construction of the garage will be planted in a native seed mix and allowed to return to a natural state.

- 7) The variance, if granted, would not alter the essential character of the area because the garage's proposed location is adjacent to the nature center building, parking, and access road. Locating the garage further away from the developed portion of Harley Park would have a greater impact on users of the park and the natural environment due to the need to extend a road to the building for access. Additionally, the building will not be visible from neighbors to the park.
- 8) The garage, if constructed, would not impair access to light or air for adjacent properties, nor would it increase traffic congestion or increase public safety risks. Due to its location far from the boundaries of the park it would not impair established property values for surrounding landowners.
- 9) The variance, if granted, would not impair the intent of the UDC expressed in Sec. 50-2. The variance is consistent with the Comprehensive Plan designation of the property as Open Space because it provides a reasonable space for storage of items related to management of the park.
- 10) The proposed location for the garage is located outside the DNAP area of Hartley Park.
- 11) No comments from citizens, City staff, or any other entity were received regarding the application.
- 12) Per UDC Section 50-37.1.N. approved variances lapse if the project or activity authorized by the permit or variance is not begun within one-year.

Staff Recommendation

Based on the above findings, staff recommends that Planning Commission adopt the findings of fact in the staff report and approve the Variance with the following conditions:

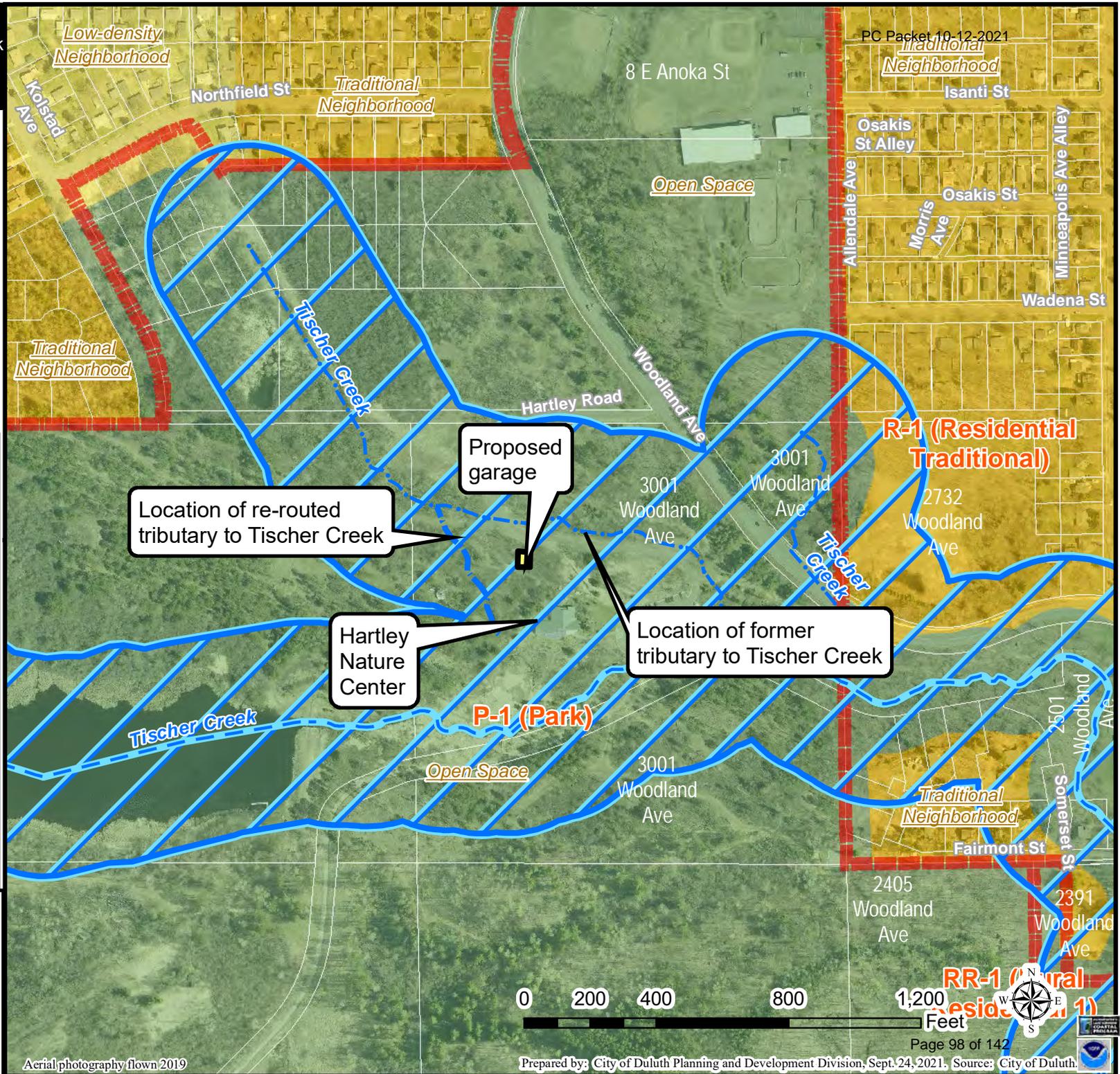
- 1) The project be limited to constructing a 30' x 40' detached accessory building occupying the areas of the site shown on Sheet C201 of plans drawn by LHB titled "Hartley Nature Center Building Addition – Overall Site Plan" dated 9/9/2021 and the related rainwater basin and swale.
- 2) Prior to construction, the applicant's surveyor shall locate the corners of the garage and certify in writing that the finished garage is located in compliance with the plans listed above.
- 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; however, no such administration approval shall constitute a variance from the provisions of Chapter 50.



PL21-157
 Variance to stream setback
 for garage at Hartley
 Nature Center

Legend	
	Zoning Boundaries
Shoreland (UDC)	
	Cold Water
	Natural Environment
	General Development
	Trout Stream (GPS)
	Other Stream (GPS)
	Open Space
	Open Space/Outside Duluth
	Rural Residential
	Low-density Neighborhood
	Traditional Neighborhood
	Urban Residential
	Neighborhood Commercial
	Central Business Secondary
	Central Business Primary
	Large-scale commercial
	Tourism/Entertainment District
	Commercial Waterfront
	General Mixed Use
	Neighborhood Mixed Use
	Light Industrial
	General Industrial
	Industrial Waterfront
	Business Park
	Transportation and Utilities
	Transportation and Utilities/Outside Duluth
	Medical District
	Institutional

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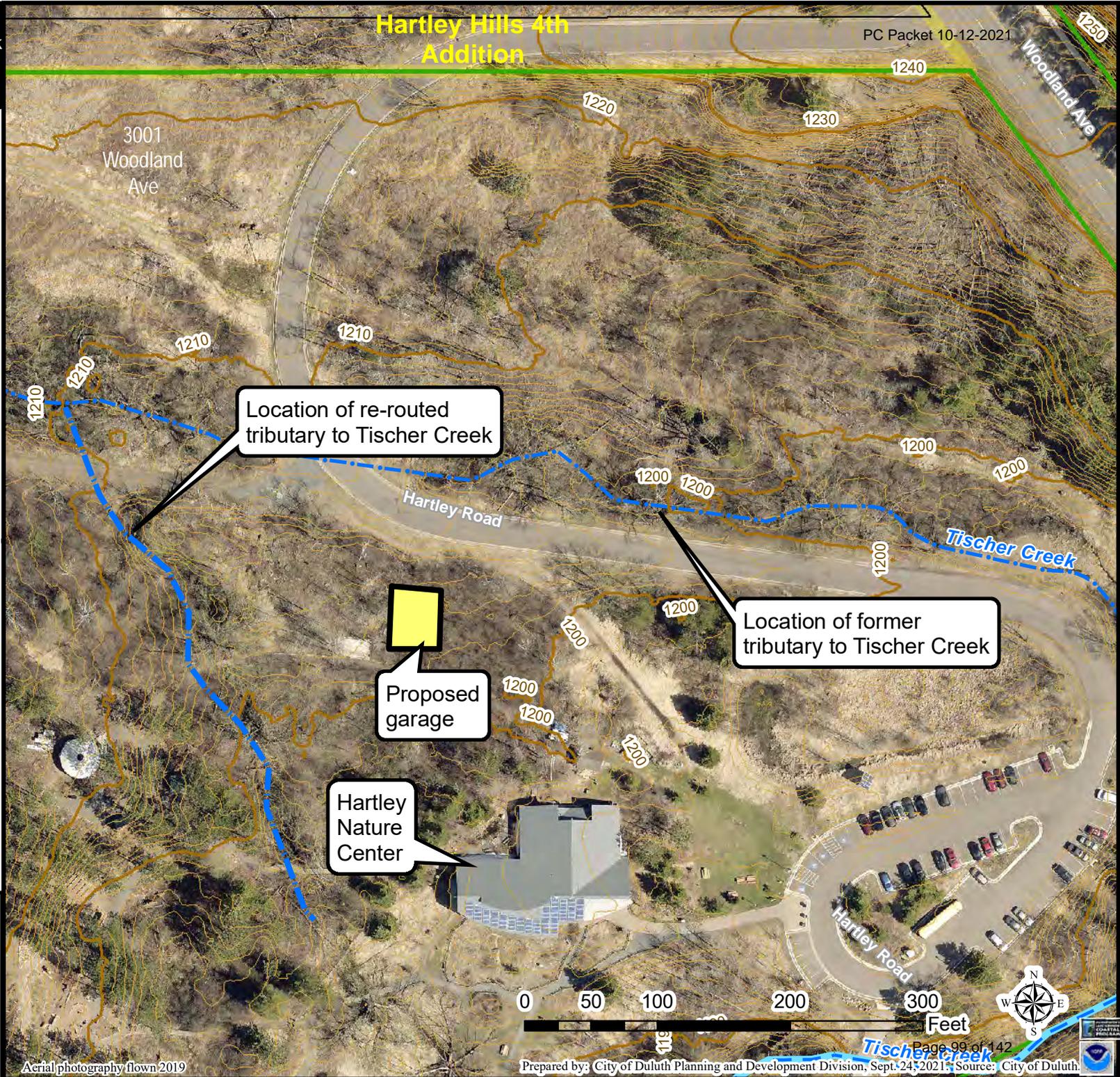




PL21-157
 Variance to stream setback
 for garage at Hartley
 Nature Center

Hartley Hills 4th Addition

PC Packet 10-12-2021



Legend

Elevation

- 1 Ft contour
- 10 Ft contour

Blocks

- Lots

Subdivision Boundaries

- Subdivision Boundaries

Boundary Lines

< call other values >

Subtype, ROW, TYPE

- Lot Line
- Parcel Line
- ROW (Road)
- ROW (Not Road)
- Subdivision Line
- Water Line
- Survey Line
- Municipal Boundary
- Trout Stream (GPS)
- Other Stream (GPS)

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Aerial photography flown 2019

Prepared by: City of Duluth Planning and Development Division, Sept. 24, 2021; Source: City of Duluth



PERFORMANCE DRIVEN DESIGN.

LHBcorp.com

21 W. Superior St., Ste. 500 | Duluth, MN 55802 | 218.727.8446

CLIENT: CITY OF DULUTH

411 West 1st Street
Duluth, MN 55802

THIS SQUARE APPEARS 1/2" x 1/2" ON FULL SIZE SHEETS.

04/20/2021 CD SUBMITTAL
NO DATE ISSUED FOR

NO DATE REVISION

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.

SIGNATURE: *Megan Goplin*

TYPED OR PRINTED NAME: MEGAN GOPLIN

DATE: 04/20/2021 REG. NO.: 53018

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PROJECT NAME:
HARTLEY NATURE CENTER
BUILDING ADDITION

3001 WOODLAND AVENUE
DULUTH, MN 55803

DRAWING TITLE:
OVERALL SITE PLAN

FILE: ..\magopli\ACCDocs\LHB\190961 Hartley Addition\Project Files\Civil_LAICiv1
DRAWN BY: MAG
CHECKED BY: -
PROJ. NO: agopli
DRAWING NO:

C201

LEGEND

- CONSTRUCTION LIMITS
- PROPOSED BITUMINOUS PAVEMENT
- PROPOSED GRAVEL BUILDING PAD
- PROPOSED CURB & GUTTER
- PROPOSED CONCRETE WALK
- PROPOSED NATURAL SURFACE TRAIL
- PROPOSED FENCE
- PROPOSED STORMWATER POND
- PROPOSED STORM APRON
- PROPOSED STORM MANHOLE
- WETLAND IMPACTS (9,690 SF)
- EXISTING WETLAND
- SURVEYED TOP OF EAST BANK (SEE SURVEYOR'S NOTE THIS SHEET)

KEYNOTES

- 1 REUSE EXISTING FENCING AND WOOD IN GOOD CONDITION. REPLACE ANY ROTTEN OR DAMAGED FENCING PIECES TO MATCH EXISTING. SEE DETAIL 5/C402.
- 2 END FENCE AT BRIDGE ENDS. COORDINATE CONNECTION TO BRIDGE RAILINGS WITH NEW BRIDGE WORK (UNDER SEPARATE CONTRACT).
- 3 END FENCE AT BRIDGE ENDS. CONNECT TO EXISTING BRIDGE RAILINGS.

SURVEYOR'S NOTE:

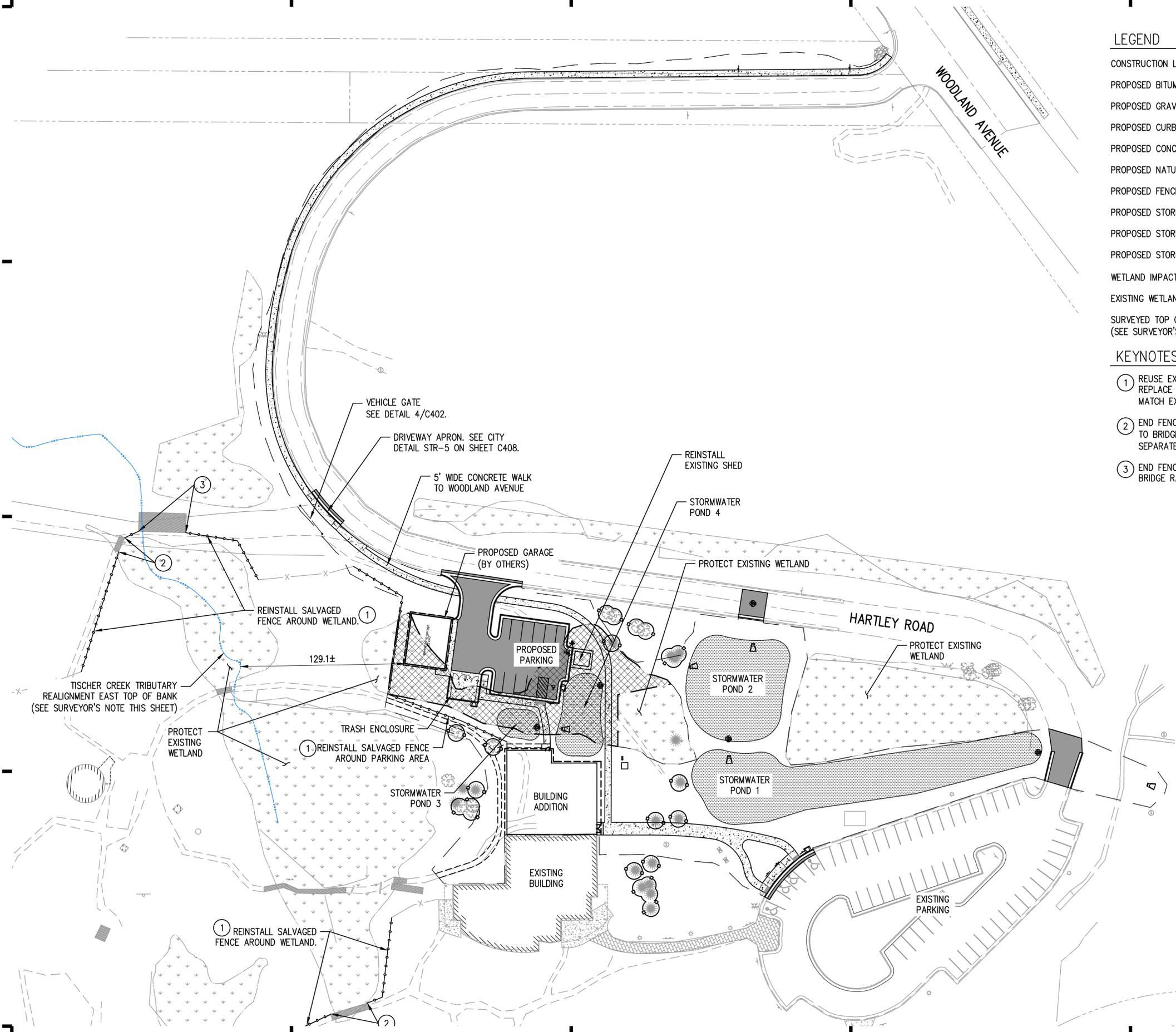
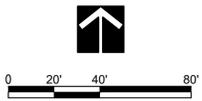
LHB SURVEY OF EAST TOP OF BANK OF TISCHER CREEK TRIBUTARY PER SWCD IMPROVEMENTS. SURVEY DATE: SEPTEMBER, 09, 2021.

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.

Print Name: Paul A. Vogel License # 44075

Signature: *Paul A. Vogel* Date: 09/09/2021

WARNING
LOCATION OF UNDERGROUND UTILITIES TO BE VERIFIED BY CONTRACTOR. CALL BEFORE DIGGING. GOPHER STATE ONE CALL 1-800-252-1166 REQUIRED BY LAW



VEHICLE GATE
SEE DETAIL 4/C402.

DRIVEWAY APRON. SEE CITY
DETAIL STR-5 ON SHEET C408.

5' WIDE CONCRETE WALK
TO WOODLAND AVENUE

REINSTALL
EXISTING SHED

STORMWATER
POND 4

PROPOSED GARAGE
(BY OTHERS)

PROTECT EXISTING WETLAND

HARTLEY ROAD

PROTECT EXISTING
WETLAND

STORMWATER
POND 2

STORMWATER
POND 1

PROPOSED
PARKING

REINSTALL SALVAGED
FENCE AROUND WETLAND. 1

129.1±

TISCHER CREEK TRIBUTARY
REALIGNMENT EAST TOP OF BANK
(SEE SURVEYOR'S NOTE THIS SHEET)

PROTECT
EXISTING
WETLAND

TRASH ENCLOSURE

1 REINSTALL SALVAGED FENCE
AROUND PARKING AREA

STORMWATER
POND 3

BUILDING
ADDITION

EXISTING
BUILDING

EXISTING
PARKING

1 REINSTALL SALVAGED
FENCE AROUND WETLAND.

PROJECT:

TISCHER TRIBUTARY CHANNEL RESTORATION

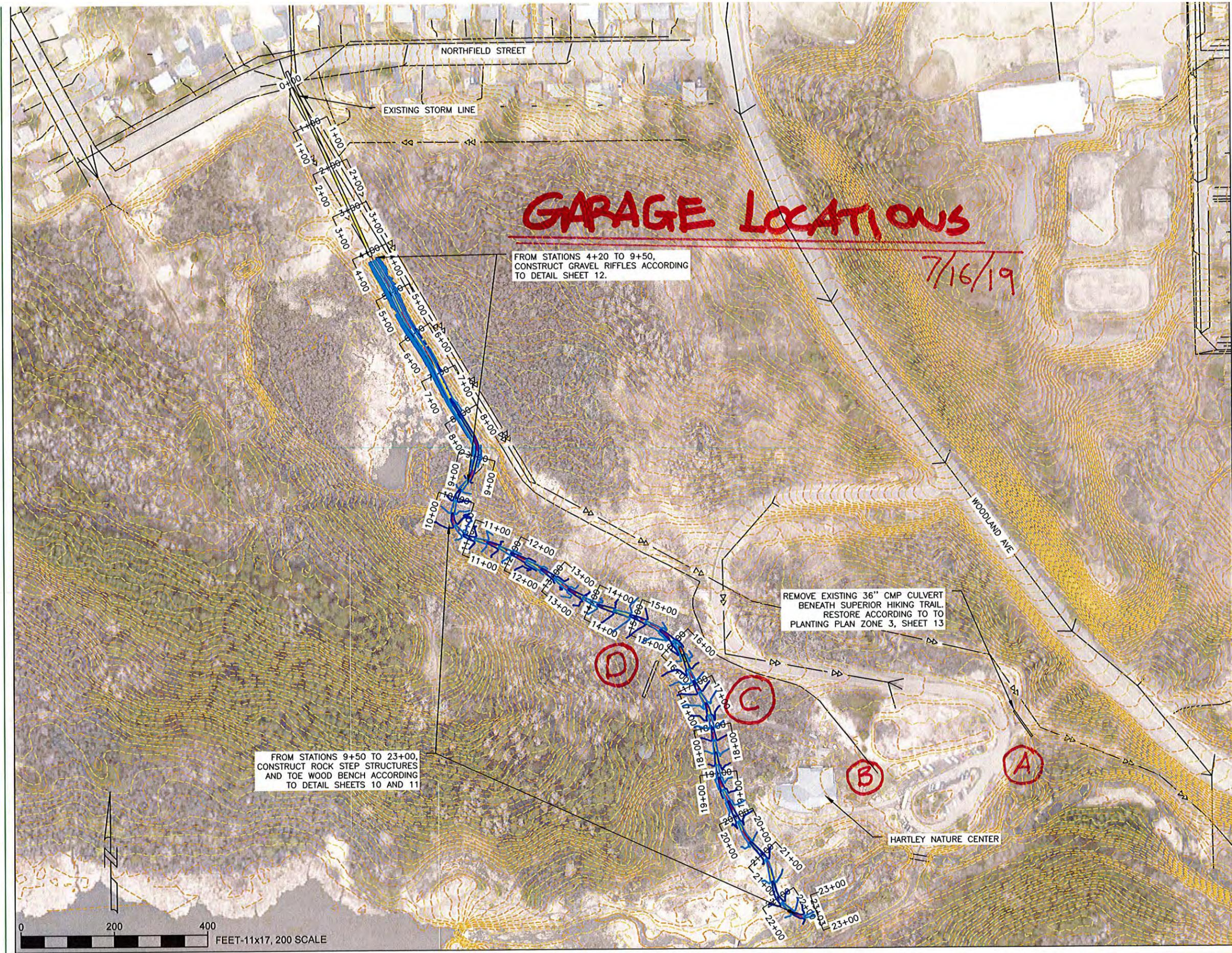
LOCATION:

HARTLEY PARK, 3001 WOODLAND AVE, DULUTH, MN 55803

DISTRICT:

SOUTH ST. LOUIS

NOTES:



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.

NOT FOR CONSTRUCTION

PRINTED BY: [Signature]
SIGNATURE: [Signature]
PLANS ARE SUBJECT TO REVIEW AND CHANGE.
DATE: [Date] NOT TO BE USED FOR CONSTRUCTION.

LIC NO 42827

DESIGNED: MV	DATE: 9/2018		
DRAWN: MV	DATE: 9/2018		
CHECKED:	DATE:		
REVISION:	BY:	DATE:	APPROVED:
---	---	---	---
---	---	---	---

2 - OVERVIEW

\\ACTIVE_PROJECTS\SouthStLouis\2018_Tischer_Tributary\Plans\SHEET SET\DETAIL_STORAGE_FOLDERY2_OVERVIEW.dwg, 9/21/2018 2:48:04 PM, DWG To PDF.pc3

Garage Site Study							
Site	Proximity to Nature Center	Terrain Suitability	Wetland Impacts	Creek Setbacks	Site Aesthetics Impacts	Impacts Programming or Trails	Score
A	1	1	1	1	5	5	14
B	5	5	5	5	0	0	20
C	5	5	3	3	5	5	26
D	1	3	3	1	5	5	18

HOW SCORES ARE CALCULATED:

*5 points for a YES, 0 points for a NO; GOOD gets 5 points, FAIR 3 and POOR 1 (inverse for "Impacts to Programming")



Planning & Development Division
Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802

218-730-5580
 planning@duluthmn.gov

File Number	PL 21-163	Contact	Chris Lee	
Type	MU-C Planning Review	Planning Commission Date	October 12, 2021	
Deadline for Action	Application Date	September 10, 2021	60 Days	November 9, 2021
	Date Extension Letter Mailed	September 15, 2021	120 Days	January 8, 2022
Location of Subject	17 West Central Entrance			
Applicant	Joe Kleiman	Contact		
Agent	Greg Strom	Contact	Foundations Architecture	
Legal Description	010-0890-20540			
Site Visit Date	September 28, 2021	Sign Notice Date	September 28, 2021	
Neighbor Letter Date	September 28, 2021	Number of Letters Sent	28	

Proposal

A 2,700 sq. ft. new constructed medical office/dental office structure, with associated parking, landscaping, lighting, and connectivity located on a formerly developed site.

Recommendation

Staff recommends approval, subject to conditions.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	MU-C	Vacant Lot	General Mixed Use
North	MU-C	Undeveloped	General Mixed Use
South	MU-C	Gas Station	General Mixed Use
East	MU-C	Commercial	General Mixed Use
West	MU-C	Vacant Lot	General Mixed Use

Summary of Code Requirements

50-15.3.E MU-C District – Planning review by the Planning Commission is required for most development and redevelopment. Development Standards:

1. Curb cuts shall be designed to minimize traffic congestion or hazard in the area. Traffic control improvements and right-of-way or easements needed shall be provided by the property owner at no cost to the city;
2. Any necessary public easements over the subject property shall be dedicated, and any necessary improvements within such easements or other easements adjacent to the subject property shall be made.

50-18.1 Shoreland, Flood Plains, Wetlands, Stormwater.

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

50-24 Parking and Loading – Addresses required parking spaces, loading docks, and snow storage.

50-25 Landscaping and Tree Preservation – Landscaping requirements and tree preservation

50-26 Screening, Walls, and Fences – Screening of equipment, loading areas, etc., plus fences & 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.

Economic Development Policy #3: Priority will be given to investment that reuses previously developed lands and limits increase in utility operation or maintenance costs.

Zoning – MU-C District: Established to provide for community and regional commercial development along commercial corridors and nodal centers. Intended non-residential uses include retail, lodging, service, and recreational facilities needed to support the community and region. Development should facilitate pedestrian connections between residential and no-residential uses.

Future Land Use – General Mixed Use: The broadest mix of uses, including light industrial, office, commercial, and residential use, with performance standards to ensure compatibility. Includes areas that are in transition from industrial uses and large redevelopments that require master plans and phased development. General or heavy industrial can be included when a large site is master planned to allow appropriate separation of uses.

Site history: The site is the location of a former Pizza Hut that was removed in 2017. The new building will be built upon the existing foundation, and will use the existing curb cut to Central Entrance.

Review and Discussion Items

Staff finds that:

- 1) 50-15.3 (MU-C District) – Applicant has provided required plan documents.
- 2) 50-15.3.E (Development Standards) – The project will utilize a driveway off Central Entrance and access from the alley on the north side of the parcels. No traffic study is needed, per Cari Pedersen, City Engineering. No additional public easements are needed.
- 3) 50-18.1.B (Wetlands) – There are no wetlands present on the site. The entire site is currently impervious surface from previous development
- 4) 50-18.1.E (Stormwater Management) – The applicant plans to discharge water into the nearby storm sewer. Stormwater plans will need to be approved before building permits can be issued.
- 5) 50-23 (Connectivity) – Central Entrance is a major transit corridor. Public sidewalks exist along Central

Entrance. The site plan shows a new sidewalk connecting from the building connections to the Central Entrance sidewalks. Applicant has indicated that they will review the condition of the sidewalk on Central Entrance and make repairs as warranted.

- 6) 50-24 (Parking) – Minimum required parking is 7 spaces (utilizing the 30% transit reduction) with plans showing 8 spaces.
- 7) 50-25 (Landscaping) – The landscape plan indicates compliance with street frontage landscaping requirements. The applicant has calculated 36% canopy coverage at maturity for trees. Other landscaping includes shrubs on the Central Entrance frontage.
- 8) 50-26 (Screening) – Plans show screening to meet UDC requirements for the dumpster and exterior mechanical equipment.
- 9) 50-27 (Signs) – Plans show the addition of shrubs at the base of the existing pole sign to bring it to compliance. Any additional changes to the sign would need a separate sign permit.
- 10) 50-29 (Sustainability) – Not Applicable.
- 11) 50-30 (Design Standards) – Not Applicable.
- 12) 50-31 (Exterior Lighting) – Site lighting and photometric plans show compliant fixtures.
- 13) Applicant intends to use the existing curb cut to access Central Entrance for vehicular access. The site also has access to a partial alley to the rear, which has access to side streets, including Arlington Avenue.
- 14) The following interagency comments were received regarding this application:
 - Metropolitan Interstate Council: MIC has expressed concern with the access to the site from the existing curb cut due to public safety near a busy intersection. The MIC also expresses concern with future improvements to Central Entrance in 2026 and the impacts of this development with goals of the Central Entrance Transportation Plan.
 - WSB Engineering: WSB Engineering (in consultation with the MIC) is concerned with access onto Central Entrance and the curb cut location near a busy intersection.
 - MnDOT has requested that the Applicant consider a master plan for the other properties owned by Applicant in the vicinity, and that the Applicant eliminate the access point onto Central Entrance.
- 15) Per UDC 50-37.1.N, an approved Planning Review will expire if the project or activity authorized is not begun within one year, which may be extended for one additional year at the discretion of the Land Use Supervisor.

Staff Recommendation

Based on the above findings, staff recommends that Planning Commission approve the Planning Review, subject to the following conditions:

- 1) The project be limited to, constructed, and maintained according to the construction and building plans submitted with this application titled "Professional Building."
- 2) Applicant will submit an escrow valued at 100% of the installed value of the landscaping to insure survivability for at least 1-year after installation.
- 3) Applicant will need to submit stormwater plans prior to approval of building permit.
- 4) 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; however, no such administrative approval shall constitute a variance from the provisions of UDC Chapter 50.



213 N
Arlington
Ave

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

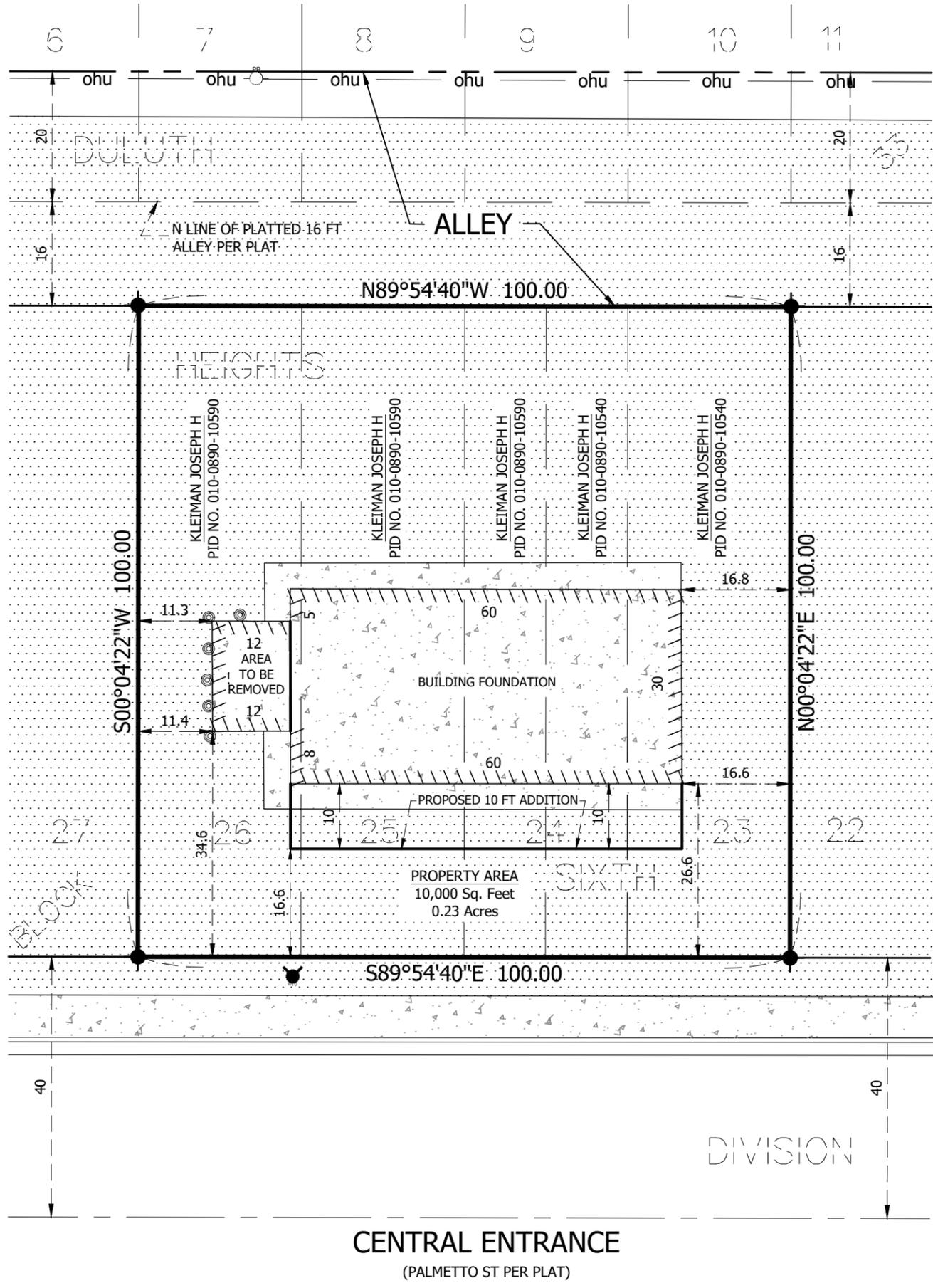
- Storm Sewer Pipe
- Storm Sewer Catch Basin

Easement Type

- Utility Easement
- Other Easement



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.



CENTRAL ENTRANCE
(PALMETTO ST PER PLAT)

LEGAL DESCRIPTION AS SURVEYED

Lots 23, 24, 25 and 26, Block 33, DULUTH HEIGHTS SIXTH DIVISION, according to the recorded plat thereof.



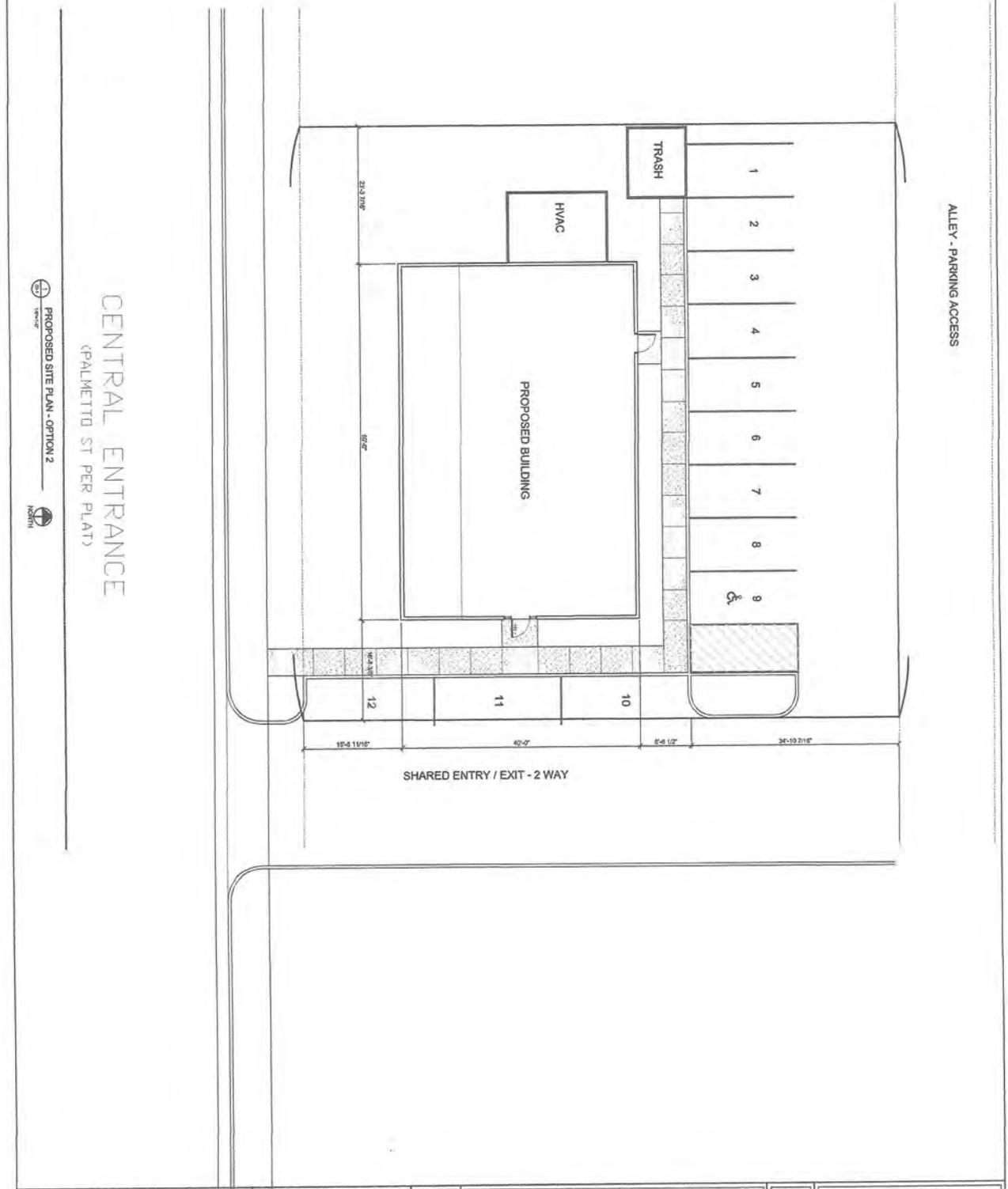
LEGEND

	CONCRETE SURFACE		OVERHEAD UTILITIES
	BITUMINOUS SURFACE		CENTER LINE
	HYDRANT		RIGHT OF WAY LINE
	BOLLARD		BOUNDARY LINE AS SURVEYED
			EXISTING PLAT LINE
			EXISTING BUILDING FOUNDATION PERIMETER
			CONCRETE CURB & GUTTER
			SET MAG NAIL
			UTILITY POLE

SURVEYOR'S NOTES

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

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota. David R. Evanson DATE: 6-2-2021 MN License #49505	CERTIFICATE OF SURVEY		 ALTA LAND SURVEY COMPANY PHONE: 218-727-5211 LICENSED IN MN & WI WWW.ALTLANDSURVEYDULUTH.COM
	CLIENT: JOE KLEIMAN ADDRESS: 17W CENTRAL ENTRANCE, DULUTH, MN 55811 DATE: 6-2-2021	REVISIONS: JOB NO: 21-177	



PROPOSED SITE PLAN - OPTION 2



SI-1

PROPOSED SITE PLAN - OPTION 2

DATE: 6-14-2021
 JOB NO.: 2113
 DRAWN BY: DPS
 APPROVED BY: GFS

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

DATE: X-X-XX
 ARCHITECT: GREGORY P. STROM
 REG. NO. 2887

NEW PROFESSIONAL BUILDING AT:
 17 EAST CENTRAL ENTRANCE
 DULUTH, MN 55807

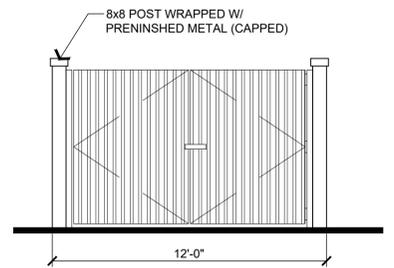
BOECKER
 ARCHITECTURE

FOUNDATIONS
 ARCHITECTURE
 2100 VILLAS ROAD
 DULUTH, MN 55804
 gpe_foundations@gmail.com
 TEL: 218-826-4728
 CELL: 218-391-7743

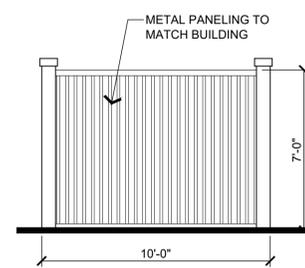
ZONING SUMMARY

CODE USED:	UNIFIED DEVELOPMENT CHAPTER - FEBRUARY 2021				
ZONING DISTRICT:	BASE ZONING MAP 21	MU-C			
REQUIREMENTS:	SECTION 50-15.3 MU-C	ELEMENT:	REQUIREMENT:	PROPOSED:	NOTES:
		MINIMUM LOT FRONTAGE:	0 FT	100 FT	
		MINIMUM FRONT YARD:	0 FT	16 FT	
		MINIMUM SIDE / REAR YARD:	0 FT	16 FT	NON-RESIDENTIAL USES ADJ
		MAXIMUM HEIGHT	45 FT	18 FT	NON-RESIDENTIAL USE
MEDICAL OFFICE USE:	TABLE 50-19.8	PERMITTED USE - PLAN REVIEW REQUIRED			
PARKING:	TABLE 50-24.1	BUILDING AREA:	PARKING RATIO:	BASE REQ. MAX: @ 150%:	BUS REDUC. PROPOSED:
		2,700 SF	4/1000	10.8 16.2	7.1 11
				CARS CARS	CARS CARS
LANDSCAPING - FRONTAGE:	SECTION 50-25.3	FRONTAGE:	TREES REQUIRED @ 1.35%:	SHRUBS REQUIRED @ 1.25%:	
		100 FT	3	4	
LANDSCAPING - PRKING LOT:	SECTION 50-25.4	ITEMS 1-5:	ITEM 6:		
		EXEMPT, LOT < 25 CARS	PROVIDE TREE CANOPY W 30% SHADING AT MATURITY		

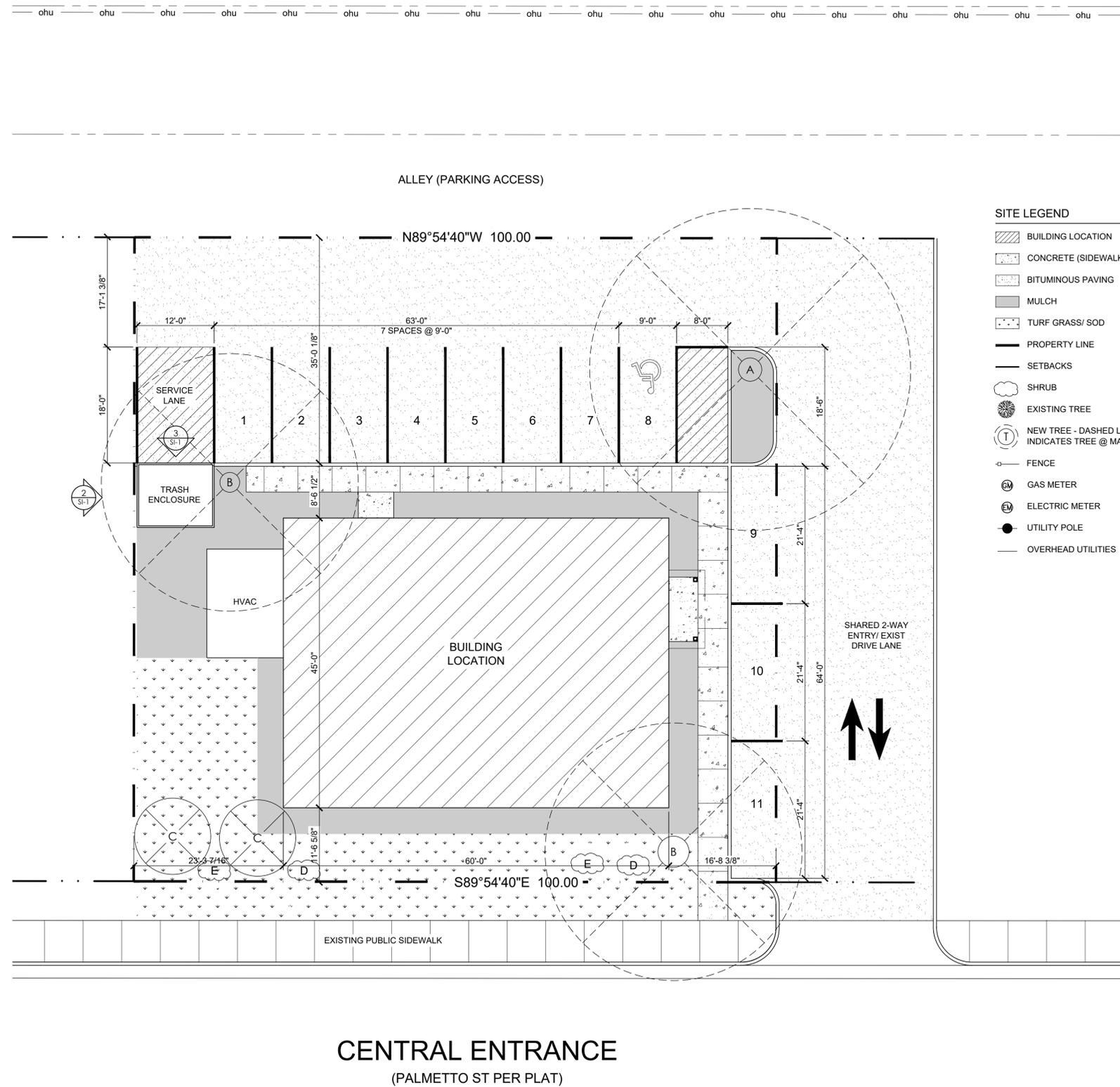
LANDSCAPING SPECIES SCHEDULE				
LETTER	SPECIES	TREE/ SHRUB	SIZE	CANOPY MATURITY
A	SUGAR MAPLE	TREE	2" CAL	50'Ø
B	BURR OAK	TREE	2" CAL	40'Ø
C	IRONWOOD	TREE	2" CAL	N/A
D	DWARF MTN PINE	SHRUB	5 GALLON	N/A
E	KOREAN DWARF LILAC	SHRUB	5 GALLON	N/A
PARKING LOT SHADING:				
TOTAL AREA: 6,423 SF / SHADED AREA AT TREE MATURITY: 2,343 SF (36%)				



3
SI-1
1/4"=1'-0" TRASH ENCLOSURE



2
SI-1
1/4"=1'-0" TRASH ENCLOSURE



CENTRAL ENTRANCE
(PALMETTO ST PER PLAT)

1
SI-1
1"=10'-0" SITE PLAN/ LANDSCAPING PLAN



FOUNDATIONS ARCHITECTURE
GREGORY P. STROM, ARCHITECT
218 525-4336
2150 CULAS ROAD
DULUTH, MN 55804
CELL: 218 591-7334
gps-foundations@gmail.com

BOECKER
Drafting and Design
TRAVIS J. BOECKER (T.J.B.)
TRAVIS@BOECKERDRAFTING.COM

NEW CONSTRUCTION:
PROFESSIONAL BUILDING
17 WEST CENTRAL ENTRANCE
DULUTH, MN 55807

SHEET TITLE:
SITE PLAN/ LANDSCAPING
ZONING SUMMARY

HEREBY GENERALIZING THE PLAN, SPECIFICATION OR REPORT THAT THE SIGNATURE IS THE PROPERTY OF
PRELIMINARY
NOT FOR CONSTRUCTION
DATE: _____
GREGORY P. STROM
REG. NO. 26197

DATE: _____
JOB NO.: 2113
DRAWN BY: TJB
APPROVED BY: CFS

REVISIONS:

SI-1

FOUNDATIONS
 ARCHITECTURE
 GREGORY P. STROM, ARCHITECT
 2130 CULAS ROAD
 DULUTH, MN 55804
 TEL: 218 525-4326
 CELL: 218 591-7334
 gps_foundations@gmail.com

BOECKER
 Drafting and Design
 TRAVIS J. BOECKER (T.B.)
 TRAVIS@BOECKERDRAFTING.COM

NEW CONSTRUCTION:
PROFESSIONAL BUILDING
17 WEST CENTRAL ENTRANCE
 DULUTH, MN 55807

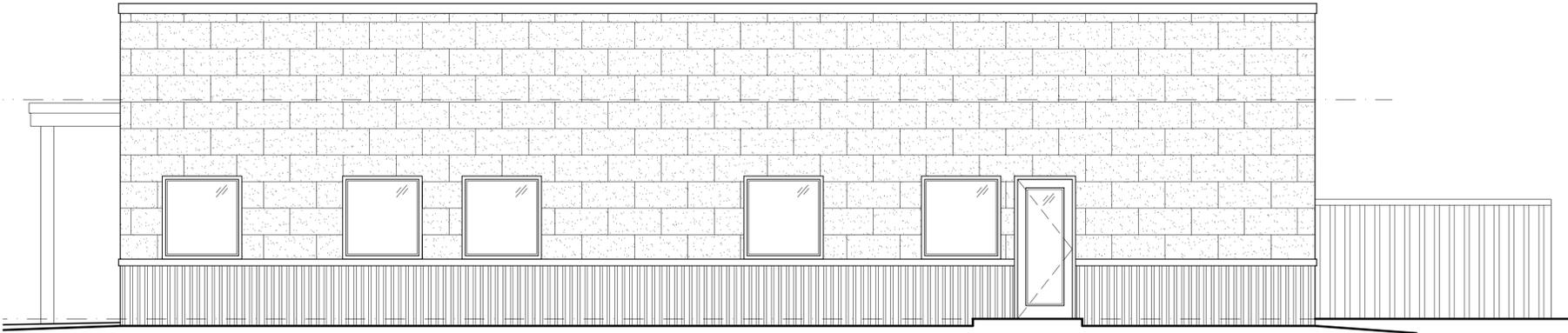
SHEET TITLE:
 EXTERIOR ELEVATIONS
 DETAILS

HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, REPORT, DESIGN AND DRAWING IS THE ORIGINAL WORK OF
PRELIMINARY
 NOT FOR CONSTRUCTION
 DATE: _____
 GREGORY P. STROM
 REG. NO. 26197

DATE: _____
 JOB NO.: 2113
 DRAWN BY: TJB
 APPROVED BY: GFS

REVISIONS:

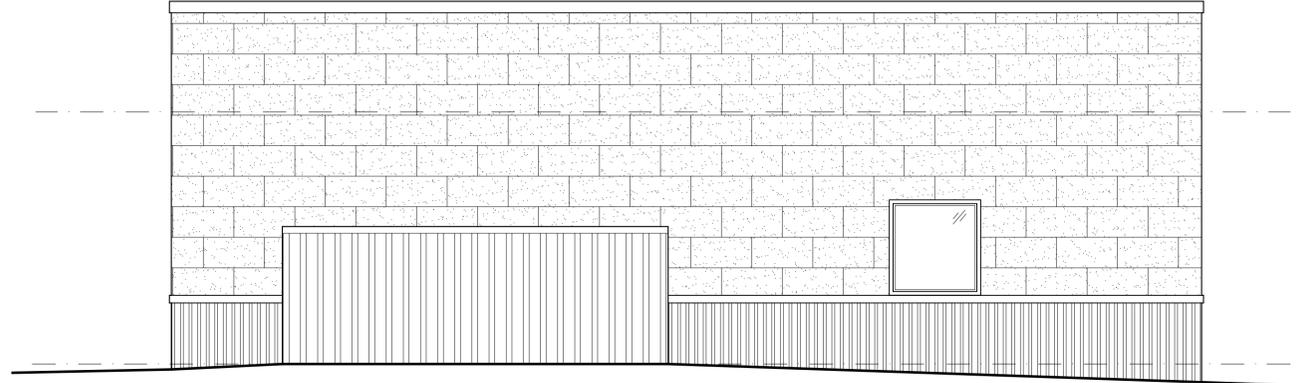
A200



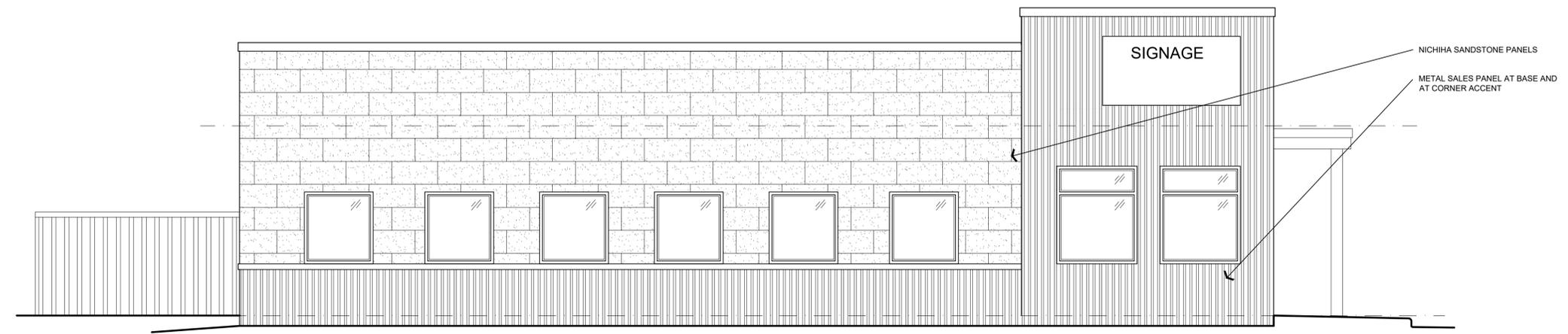
1 NORTH ELEVATION
 A200 1/4"=1'-0"



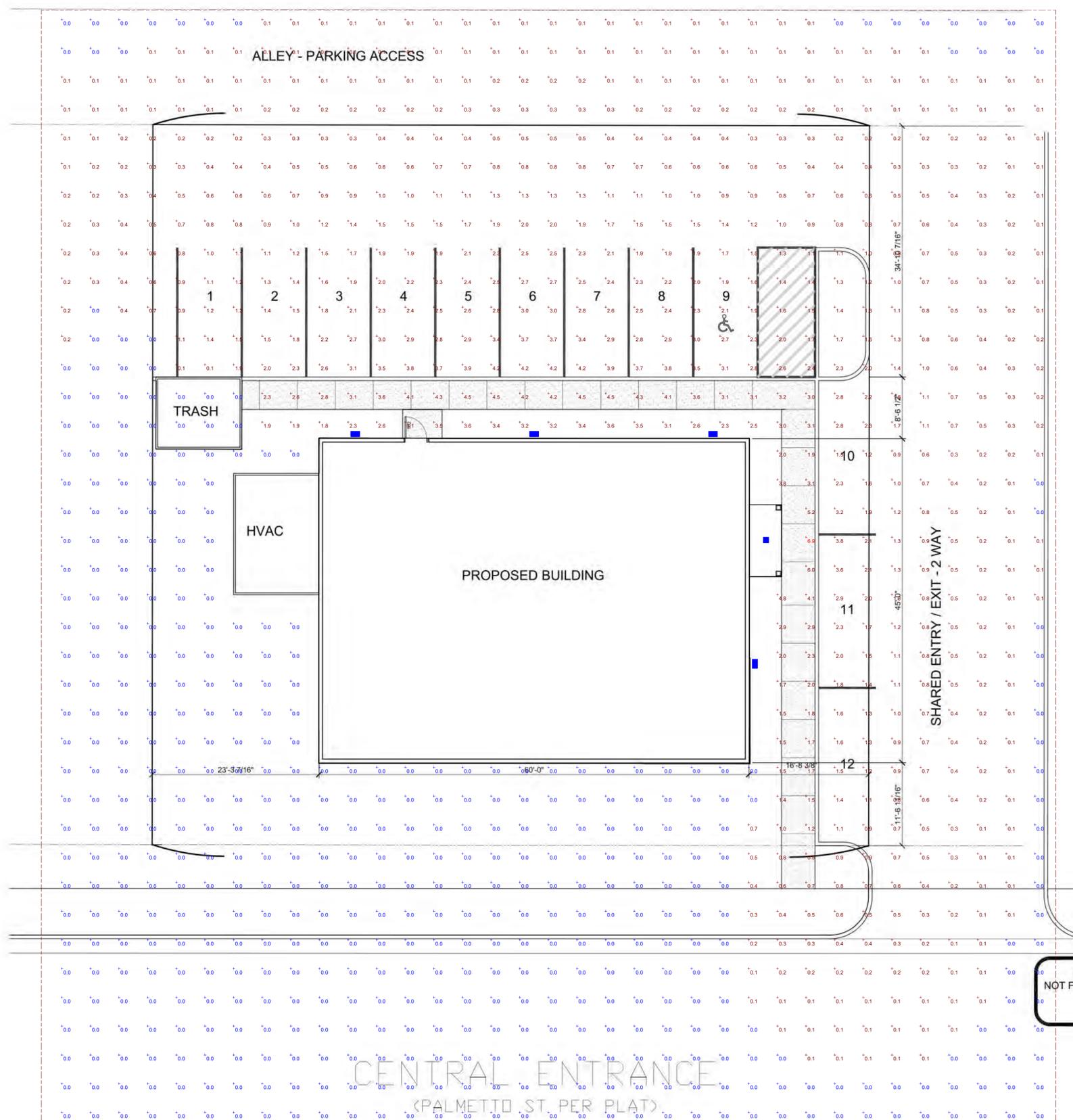
2 EAST ELEVATION
 A200 1/4"=1'-0"



4 WEST ELEVATION
 A200 1/4"=1'-0"



3 SOUTH ELEVATION
 A200 1/4"=1'-0"



Symbol	Label	Image	Quantity	Manufacturer	Catalog Number	Number Lamps	Description	Lumens Per Lamp	Light Loss Factor	Wattage	Plot
[Symbol]	A2		3	HUBBELL OUTDOOR	RWL1-48L-25-4K7-4W-U	1		3680	0.95	28	
[Symbol]	B1		1	HUBBELL OUTDOOR	RWL1-48L-20-4K7-3-U	1		2799	0.95	19.9	
[Symbol]	A		1	HUBBELL OUTDOOR	SGC-20-4K	1	Square Ceiling Garage LED Light w/ Designed Clear Reflector	2814	0.95	22	



Duluth-Superior Metropolitan Interstate Council

Guiding the Future of Transportation for the Twin Ports Area

September 28, 2021

City of Duluth Planning Commission
Attn: Chris Lee, City of Duluth Planning & Development

Hello. I am writing on behalf of the Duluth-Superior Metropolitan Interstate Council (MIC) with two recommendations regarding request PL 21-163 regarding the planning review of a new dental office at 17 W Central Entrance that is to be brought before you October 12, 2021.

Infrastructure along Central Entrance is aging and deteriorating, and MnDOT has scheduled a full reconstruction of Central Entrance from Mesaba Avenue to Trinity Road in 2026. In preparation for this reconstruction, the MIC and its consultant WSB are currently working on the Central Entrance Transportation Plan that will set the vision and provide direction for MnDOT’s upcoming preliminary design and public involvement/engagement processes by advancing the vision of a walkable, bikeable, transit-oriented urban thoroughfare that (1) is safe and comfortable to use by both motorized and non-motorized users and (2) encourages new types of residential and commercial development. The plan is being developed with significant community engagement and input from key partners including MnDOT, the City of Duluth, and DTA, and is to be completed by the end of 2021. The final plan will consider and incorporate the numerous past plans along this key regional corridor, including the City of Duluth’s Central Entrance-Miller Hill Small Area Plan (SAP) adopted by the City Council in 2009.

Recommendation 1: Do not allow the direct access to Central Entrance as shown in the PL 21-163 site plan. While it is an existing curb cut from the past, it has not been used as a regular access point for many years, and this access is no longer consistent with existing plans, nor is it likely to be consistent with recommendations of the ongoing planning/visioning effort as access management is a topic of concern to improve safety of all users of the corridor. Page 37 of the SAP includes, “Encourage site designs that limit curb cuts on Central Entrance, where possible, through requiring shared driveways and only allow “right-in, right-out” driveways where necessary.” The proposed access to Central Entrance is not necessary as 1) there is a functional alley access off Arlington Avenue, and 2) there is an opportunity for a shared access with the neighboring property immediately to the west. This would also keep the access further from the busy Central Entrance – Arlington Avenue intersection, improving safety.

Recommendation 2: From a transportation planning and long-term corridor visioning perspective consider delaying development within this property until a master site plan is established for the combined three parcels (parcel IDs 010-0890-10590, 010-0890-10540, and 010-0890-10490 with addresses of 17 W, 15 W, and 3 W Central Entrance) that considers the current planning work that is to be completed by the end of the year and that furthers past planning. Such a site plan can consider SAP vision recommendations such as, encouraging multi-story mixed use developments for improved placemaking (pg 35) and development that supports a more traditional main street corridor for the Central Entrance business district (pg 32).

Thank you for the opportunity to provide comments and for considering these recommendations regarding request PL 21-163. Please contact me if you have any questions regarding this letter.

Sincerely,

Mike Wenholtz

Senior Planner, mwenholz@ardc.org

221 West
First Street
Duluth, MN
55802
Tel 218-529-7541
Fax 218-529-7592
www.dsmic.org

*Duluth-Superior
urban area
communities
cooperating in
planning and
development
through a joint
venture of the
Arrowhead Regional
Development
Commission and the
Northwest Regional
Planning Commission*

*ARDC is an equal
opportunity employer*



September 27, 2021

Chris Lee
Planner II
City of Duluth Planning and Development Division
411 W 1st Street Room 160
Duluth, MN 55802

Re: PL 21-163, October 12th Duluth Planning Commission Meeting

Dear Chris,

I am reaching out to provide comments on application PL 21-163, concerning a new dental office to be located at 17 W Central Entrance. WSB is currently assisting the Duluth-Superior Metropolitan Interstate Council (MIC) with the Central Entrance Transportation Plan. One of the primary goals of this planning process is to advance the vision for a more walkable, bikeable, and transit-oriented roadway design for Central Entrance between Trinity Road and Mesaba Avenue. One of the primary concerns relevant to improving the nonmotorized transportation facilities in the corridor is the proximity and frequency of driveways and other access locations.

PL 21-163 is a proposal to construct a new dental office on a largely vacant parcel on the north side of Central Entrance just west of Arlington Ave (CSAH 90). Access to the site is proposed to be provided by an existing curb cut, however this access point is largely inactive today. In addition, there are existing curb cuts in close proximity to the east and west.

The Central Entrance-Miller Hill Small Area Plan (2009) includes the following recommendation:

“Encourage site designs that limit curb cuts on Central Entrance, where possible, through requiring shared driveways and only allow “right-in, right-out” driveways where necessary.”

Based on the analysis and public engagement activities conducted to date as part of the current planning process, it is likely that the Central Entrance Transportation Plan will include access management recommendations largely consistent with this prior recommendation. While we understand that our process has not yet concluded, we anticipate that the plan will be completed by the end of 2021. We strongly encourage the City of Duluth to consider opportunities to consolidate access points for this and future development proposals in the Central Entrance corridor.

Thank you for the opportunity to provide comments.

Sincerely,
Austin

Austin Hauf, AICP
Transportation Planner
WSB Project Manager, Central Entrance Transportation Plan

701 XENIA AVENUE S | SUITE 300 | MINNEAPOLIS, MN | 55416 | 763.541.4800 | WSBENG.COM



Sept. 30, 2021

City of Duluth
Planning and Development Division
Room 160
411 West First Street
Duluth, Minnesota 55802

City of Duluth Planning Commission,

The Minnesota Department of Transportation (MnDOT) District 1 in Duluth, MN, has reviewed the proposed reuse of the property at 17 W. Central Entrance (Highway 194) PL 21-163. As part of this review, MnDOT is providing comments to the City of Duluth Planning Commission in the form of this letter.

In preparation for a future reconstruction project currently programmed for the year 2026 along this portion of Highway 194 (Central Entrance), the Metropolitan Interstate Council (MIC) is currently working on a transportation plan to assist MnDOT in visioning and prioritizing needs along the corridor. As part of this plan, several roadway configurations are being considered and may impact the future access to this property.

This transportation plan is being created with a focus to build a more pedestrian friendly Central Entrance. Driveway entrance frequency and locations are key factors to the safety and walkability within a commercial district. The three consecutive commercial properties from Arlington Avenue to the west are all owned by one developer, providing an opportunity to make a master development plan that would allow them to consolidate entrances and improve traffic flow and pedestrian safety in this area. Because of this development location, being in proximity of a busy intersection and the availability of the alley access on the back side of the property, MnDOT would like the Planning Commission to strongly consider if there is a need for this driveway access.

MnDOT requires the developer apply for an access permit for properties that have a change of use along a trunk highway. This applies to properties requesting a new access or an existing access to a new business.

Thank you for the consideration of these items regarding request PL 21-163.

Please contact me if you have any questions regarding this letter.

Sincerely,

Doug Kerfeld

Doug Kerfeld, P.E.
Project Manager, MnDOT - District 1
Douglas.kerfeld@state.mn.us
218/725-2746



Planning & Development Division
 Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802

218-730-5580
 planning@duluthmn.gov

File Number	PL 21-162	Contact	Kyle Deming	
Type	MU-C Planning Review	Planning Commission Date	October 12, 2021	
Deadline for Action	Application Date	September 9, 2021	60 Days	November 8, 2021
	Date Extension Letter Mailed	September 28, 2021	120 Days	January 7, 2022
Location of Subject	1902 Miller Trunk Highway – Target Store			
Applicant	Target Corporation	Contact	John Dietrich	
Agent	Sambatek, Inc.	Contact	Michele Caron, P.E.	
Legal Description	See sheet C-2.01			
Site Visit Date	September 28, 2021	Sign Notice Date	September 28, 2021	
Neighbor Letter Date	September 28, 2021	Number of Letters Sent	18	

Proposal

A 16,448 sq. ft. store expansion and reconfiguration of the parking lot north of the building into a 24-stall customer pickup area with related landscaping and storm water improvements.

Staff recommends approval with conditions.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	MU-C	Retail	Large-Scale Commercial
North	MU-C	Creek and Hwy 53	Open Space and Large-Scale Commercial
South	MU-C	Retail	Large-Scale Commercial
East	MU-C	Creek and Hwy 53	Open Space and Large-Scale Commercial
West	MU-C	Retail	Large-Scale Commercial

Summary of Code Requirements:

50-15.3.E MU-C District – Planning review by the Planning Commission is required for most development and redevelopment. Development Standards:

1. The location, size and number of curb cuts shall be designed to minimize traffic congestion or hazard in the area. Any traffic control improvements required as a result of the proposal such as traffic signals, turning lanes, medians, signage and other types of improvements necessary to accommodate traffic flow to and from the proposed project shall be paid for by the property owner. Any additional right-of-way or easements needed shall be provided by the property owner at no cost to the city;
2. Any necessary public easements over the subject property shall be dedicated, and any necessary improvements within such easements or other easements adjacent to the subject property shall be made.

50-18.1 Shoreland, Flood Plains, Wetlands, Stormwater

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

50-24 Parking and Loading – Addresses required parking spaces, loading docks, and snow storage.
 50-25 Landscaping and Tree Preservation – Landscaping requirements and tree preservation
 50-26 Screening, Walls, and Fences – Screening of equipment, loading areas, etc., plus fences & 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: includes adaptive reuse of existing building stock and historic resources, as this strengthens neighborhoods. The applicant is proposing to make substantial investments by improving the current store and parking lot. This will include storm water improvements for the reconfigured parking.
 Governing Principle #3 – Support existing economic base. Applicant’s store provides economic benefits through provision of a wide-variety of goods at affordable prices and contributing to the sales tax revenues of the City and State.

Future Land Use – Large-Scale Commercial. Mall, shopping center, and big box retail development, with associated surrounding retail and service uses. Oriented primarily to the motorist, with planned internal circulation patterns while still accommodating pedestrian movement. Building footprints exceed 50,000 sq. ft. with site design including generous landscaping of parking areas.

Zoning – Mixed Use-Commercial. Provides for community and regional commercial development along commercial corridors and nodal centers. Intended non-residential uses include retail, lodging, service, and recreational facilities needed to support the community and region.

History: The store and parking lot was originally constructed in 1962. It has been remodeled and expanded several times since, the most recent extensive interior remodel was in 2016 and expansion of the building was in 2000.

Review and Discussion Items:

Staff finds that:

- 1) 50-15.3 (MU-C District) – Applicant has provided required plan documents. Proposal is to expand the building from 138,915 sq. ft. to 155,353 sq. ft. and reconfigure the north parking lot into 24 drive up/customer pick up stalls and additional landscaping. The entire store, interior and exterior, will be remodeled and signage modified. Storm water treatment will be enhanced and exterior storage containers removed.
- 2) 50-15.3.E (Development Standards) – None that apply as internal changes to the parking lot do not affect the access points to public streets.
- 3) 50-18.1.E (Stormwater Management) – The applicant’s plans show multiple improvements to existing storm water infrastructure that discharges to City storm water pipes and Miller Creek. Impervious area will decrease 0.19 acres and additional storm water treatment elements will be incorporated that reduce the amount of sediment, oils, and trash entering the storm water system. The City’s storm water engineer’s preliminary review of the planned storm water improvements is that they will provide benefits to Miller Creek.
- 4) 50-23 (Connectivity) – Plans do not change pedestrian access to the site. There are currently sidewalk connections from the building entrance to public sidewalks in Mall Dr. and Maple Grove Rd. that will remain.
- 5) 50-24 (Parking) – Proposal will eliminate 74 parking stalls from the site through reconfiguring the north parking lot into 24 stalls for drive up/customer pick up and additional landscaping. This will keep the number of parking stalls (523 stalls) between the minimum (466 stalls) and the maximum (699 stalls). This is not accounting for a 30% transit reduction that could be applied.
- 6) 50-25 (Landscaping) – The landscape plan shows planting 8 canopy trees and 11 conifers and ornamental trees in addition to 48 shrubs. Calculations were not provided to verify that the trees adjacent to the reconstructed parking lot results in 30% tree canopy coverage as is required by Sec. 50-25.4.B.3 and parking lot perimeter screening per Sec. 50-25.4.A. Staff can verify these calculations at time of building permit application with additional info. provided by the applicant.

- 7) 50-26 (Screening) – Applicant has provided a view analysis showing that new roof-top mechanical units will be screened from most views except for the point where Mall Dr. is near Burning Tree Rd. Screening roof-top units from that area is not feasible given the high elevation of the roadway relative to the store. No changes are proposed to how trash is handled. Existing compactors and containers are behind the building located below Burning Tree Rd.
- 8) 50-27 (Signs) – Plans show new faces for the pole sign that is currently landscaped as required by the UDC as well as new building wall signs and signs for drive up/customer pick up space. The applicant will seek sign permits separately from this zoning review.
- 9) 50-29 (Sustainability) – Not Applicable.
- 10) 50-30 (Design Standards) – Not Applicable.
- 11) 50-31 (Exterior Lighting) – No changes to lighting the existing parking lot south and east of the store. Plans show removal and replacement of an existing parking lot light pole and luminaries and the installation of a new pole and luminaries in the north parking lot. Since this north parking lot is being reconstructed, lighting levels and fixtures should comply with current UDC requirements. Staff recommends that applicant submit a photometric plan showing fixtures compliant with Sec. 50-31 for the north parking lot at time of building permit application.
- 12) The existing temporary shipping containers will be removed from the site as this building expansion will accommodate the need for storage.
- 13) No comments were received from the city, outside agencies, and the public at the time of writing this report.
- 14) Per UDC 50-37.1.N, an approved Planning Review will expire if the project or activity authorized is not begun within one year, which may be extended for one additional year at the discretion of the Land Use Supervisor.

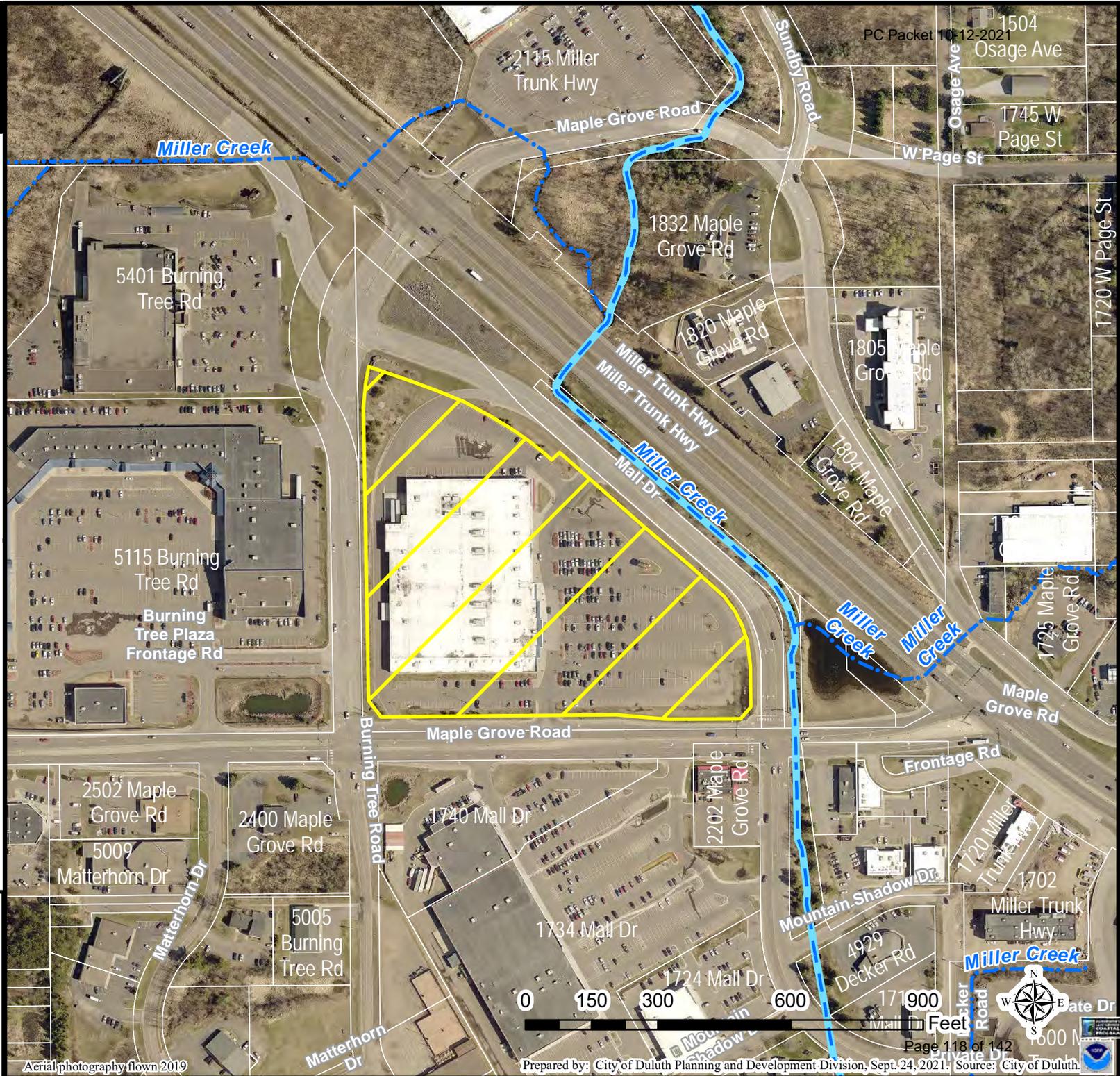
Staff Recommendation:

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

1. The project be limited to, constructed, and maintained according to the construction and building plans submitted with this application titled “Preliminary Site Development Plans for Target T-0004 Expansion and Remodel Project” by Sambatek dated 9/3/2021.
2. Applicant provide photometric plan and fixture details compliant with Sec. 50-31 at time of building permit application.
3. Applicant provide landscape plans with calculations tree canopy coverage and parking lot perimeter landscaping for the north parking lot at time of building permit application.
4. Financial security to guarantee installation of required landscaping shall be provided consistent with UDC requirements be provided in advance of the issuance of a building permit. Landscaping shall be continuously maintained on the site consistent with the submitted landscape plans.
5. When the project is finished, all shipping containers will be removed from the site per zoning requirements.
6. Any alterations to the approved plans that do not alter major elements of the plan may be approved by the Land Use Supervisor without further Planning Commission approval; however, no such administrative approval shall constitute a variance from the provisions of Chapter 50.



PL21-162
 MU-C Planning Review
 Target Store Expansion
 and Remodelling
 by Target Corp.



Legend

- 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.

Aerial photography flown 2019

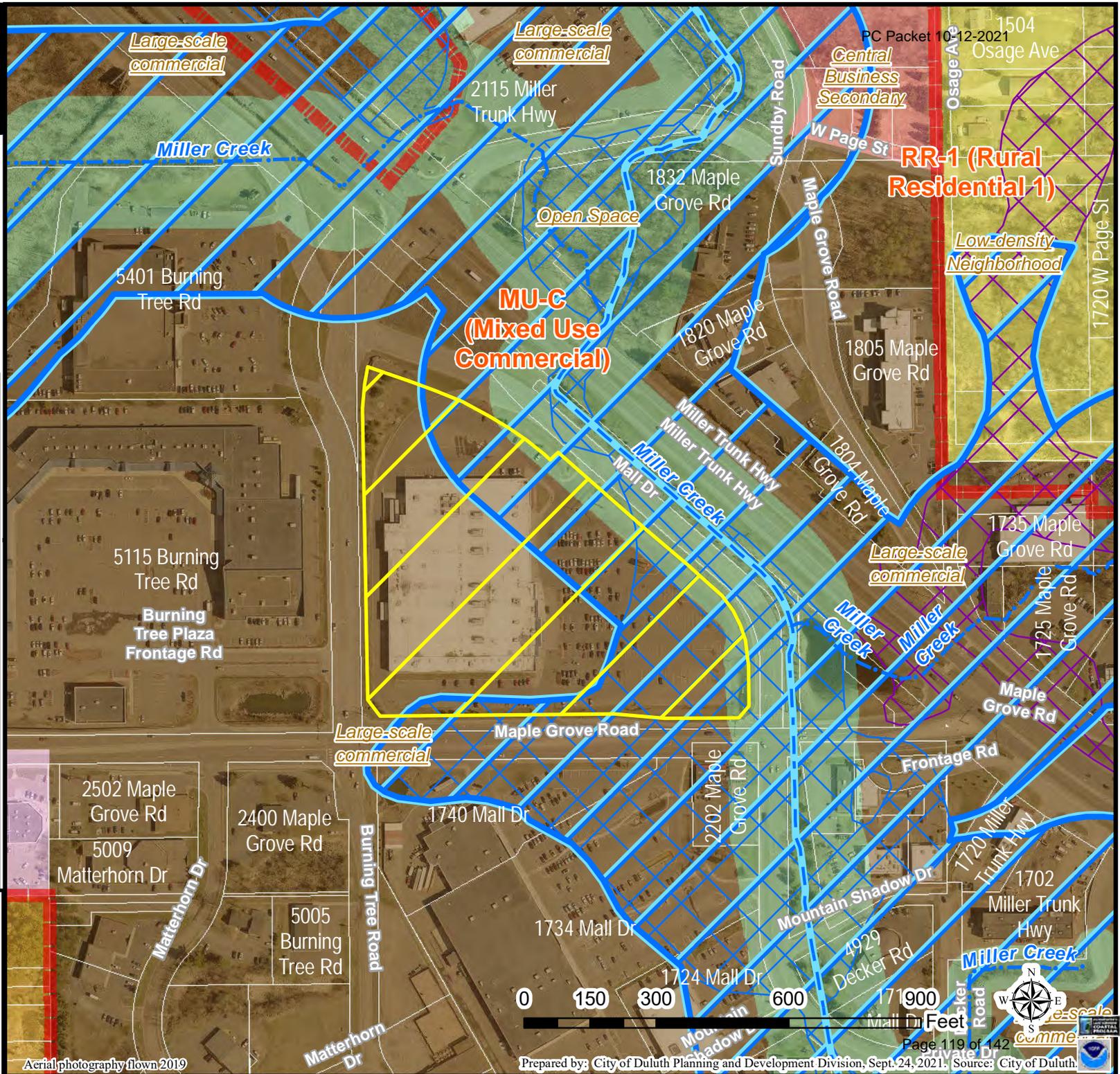


PL21-162
 MU-C Planning Review
 Target Store Expansion
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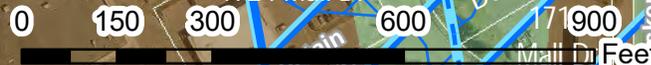
Legend

	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)
	Open Space
	Open Space/Outside Duluth
	Rural Residential
	Low-density Neighborhood
	Traditional Neighborhood
	Urban Residential
	Neighborhood Commercial
	Central Business Secondary
	Central Business Primary
	Large-scale commercial
	Tourism/Entertainment District
	Commercial Waterfront
	General Mixed Use
	Neighborhood Mixed Use
	Light Industrial
	General Industrial
	Industrial Waterfront
	Business Park
	Transportation and Utilities
	Transportation and Utilities/Outside Duluth
	Medical District
	Institutional

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Aerial photography flown 2019



**Target T-0004 Duluth
Expansion and Remodel Project
DEVELOPMENT APPLICATION
PROJECT NARRATIVE
September 3, 2021**

PROJECT OVERVIEW:

Target Corporation has operated a general merchandise store at 1902 Miller Trunk Highway in the City of Duluth since 1962. The past couple of years in the retail industry have seen exponential growth in online sales and a completely new way of delivering product to our guests. Target has continued to be one of the most innovative industry leaders in blending online sales and fulfillment with a brick and mortar store; this new wave of retail innovation require that changes be made to our current store footprint and operation.

As has been the case since 1962, Target regularly reinvests in our property to stay current with the new innovations, and today Target is again requesting the City of Duluth review and approve a complete store remodel, exterior upgrade and expansion of 16,448 SF at the north side of the store. The new store will be 155,353 SF in size; the reorganized interior layout will enable Target to have the right combination of retail sales floor, storage and inventory to address and delivery product to our guests, be it in the store, directly to their cars or to their homes.

This reinvestment in our store and property will enable Target to continue to be a strong employment center and sales tax generator for the City of Duluth and the surrounding community for decades to come. This proposed multimillion dollar remodel and expansion investment will allow Target to improve our guest experience, product deliver and operational efficiency, be it in the store or through online fulfillment services.

An overview of the remodel and expansion will include the following:

- A store expansion of 16,448 SF to allow for a total store size of 155,353 SF
- A new adult beverage department with a separate entry per code
- Reorganized guest services, check out and front of store service options
- Relocated Drive Up to the north side of the store with 24 stalls which feature contactless product delivery by Team members, usually within two minutes of arrival
- Increase in the back of house storage and fulfillment operations to address the growth in online sales, ship from store, self-checkout, Drive Up while continuing to improve guest services
- Complete remodel of the interior sales floor, lighting, product lines, expanded grocery and new restroom facilities
- Removal of the “permanent” storage containers from the rear of the store; containers may still be utilized for special sales events for a limited time of placement
- Updated exterior building elevations, building signage and a reface of the existing pylon sign to be consistent with our national image
- Parking counts and lot design meeting code requirements
- Improvement of the water quality discharge to Miller Creek
- A revised snow storage area meeting city requirements
- Site, civil and landscape design meeting City requirements and improving the pervious percentage of the site

Target T-0004 Expansion and Remodel
 Development Application Narrative
 September 3, 2021
 Page 2

- The store will be fully operational during the construction. Construction traffic will be limited to the expansion area on the site, and will avoid the main parking lot area
- The loading dock will remain open for deliveries and service vehicles throughout the construction period.
- Contractor employee parking will be located in an area of the parking lot that is not used by Guests.

PROPOSED IMPROVEMENTS:

Zoning District: MU-C

Existing Building Area: 138,915 SF
 Proposed Expansion: 16,448 SF
 Total New Building Area: 155,353 SF

Improvements are limited to the site area within the current curb limits. All setbacks are met with the proposed building and parking improvements as shown on the Preliminary Site Plan. This includes the 150' Shoreland setback from Miller Creek.

As a result of the proposed parking lot improvements, additional landscaping islands and green space will be constructed as shown on the Preliminary Site Plan. The green space on the site will be increased by 0.19 Acres, or 1.7%.

A Preliminary Landscape Plan is attached that indicates proposed plantings and surface treatments for the new green spaces.

PARKING SUMMARY:

Existing: (entire site)

Accessible: 20 Stalls
 Drive Up: 12 Stalls
 Standard: 565 Stalls
 Total: **597 Stalls**

Proposed: (entire site)

Accessible: 20 Stalls
 Drive Up: 24 Stalls
 Standard: 479 Stalls
 Total: **523 Stalls**

Required Parking:

3 Stalls / 1000 SF Gross Floor Area = $3/1000 \times 155,353 \text{ SF} = \mathbf{466 \text{ Stalls}}$

Target T-0004 Expansion and Remodel
 Development Application Narrative
 September 3, 2021
 Page 3

The project will result in more parking stalls than required by code. The accessible parking requirements should not change with this expansion. The additional store area will be used entirely for storage or Drive Up operations and will not increase store visits by Guests.

SITE SIGNAGE:

New site signage will be submitted for permit separately. The ground mounted signage will include:

1. DRIVE UP BEACON: Beacon signs are lit with solar panels. They are placed to bring Guests to the Drive Up stall locations. See attached Exhibit.
2. DRIVE UP SIGNAGE: Signs will be located at the head of each Drive Up stall that will indicate the stall number for loading coordination by the Team member, as shown in the Preliminary Site Plan.
3. DIRECTIONAL SIGN: There will be a two- sided sign that directs traffic to the Drive Up area, as located on the Site Plan at the entrance of the Drive Up parking area. See attached exhibit.

The existing Target pylon sign is located in an island in the parking field east of the store near Mall Drive. The existing sign panel will be replaced with a new sign panel exhibiting the current Target signage logo. The new pylon sign will be somewhat shorter than the existing pylon sign. A signage application for the pylon sign modification will be submitted separately.

Building mounted signage is indicated on the building elevations.

SIGHT LINE STUDY FROM MALL DRIVE

The Architect has analyzed the sight lines from Mall Drive to the proposed mechanical equipment on the roof of the expansion. A sight line exhibit is attached. The new mechanical equipment does not result in a significant visual impact.

DRAINAGE IMPROVEMENTS:

Proposed Piping Improvements:

There is an existing storm sewer pipe that runs from the trench drain at the top of the loading dock (northwest corner of the building) around the north end of the store; this pipe picks up drainage from several catch basins in the northeast portion of the parking lot via lateral pipes. The system connects to a catch basin in Mall Drive. The existing pipe is relatively flat and appears to flow backwards in some sections.

As part of the expansion project, this storm sewer will be relocated outside the expansion envelope further to the north. The project proposes to connect the north run directly to the catch basin in the street which has a lower invert, which will allow the slope of the run to be increased and improve the flow in the pipe. All existing catch basins that are to remain will be reconnected to this new pipe.

The entire new parking area will be drained into catch basins that are connected to this relocated pipe.

The remaining storm sewer piping system throughout the overall Target property will continue to capture and route runoff to the various discharge points around the site. The existing drainage patterns will be maintained.

Quality Improvements for Discharges to Miller Creek:

The proposed project improvements will decrease the overall impervious area by approximated 0.19 acre or 1.7% of the original impervious area, which will decrease the overall volume of runoff and sediment being carried off the site and into the creek.

The storm sewer system within the site currently discharges all runoff directly into Miller Creek, through several storm drain outlets at various discharge points around the site. As part of the proposed drainage improvements, Target is planning to construct treatment structures over the existing piping at certain locations and replace existing drainage structures with treatment facilities in other locations. The proposed structures, including Stormceptor manholes and a Rain Guardian curb inlet, will provide treatment for the stormwater within the existing Target storm drainage system and improve the quality of runoff to Miller Creek.

The locations of these proposed treatment facilities and associated stormwater discharge points from the site are shown on the attached Drainage Exhibit.

The Stormceptor structures will remove oil, sediment and other particulates from the majority of the runoff in the piping system before it reaches Miller Creek. A Rain Guardian turret will be installed at the parking lot curb cut inlet at the existing basin at the southeast corner of the site. The Rain Guardian will prevent trash, particulates and other solids from entering the basin.

Based on documented performance for the Stormceptor and Rain Guardian installations, the proposed improvements will significantly reduce the sediment and particulate load from the site into Miller Creek. The area of the site that is now being discharged directly into Miller Creek and will soon be routed through the treatment structures is approximately 10.07 acres, which includes 9.26 acres of impervious area.

As a result of the planned improvement of the quality of the runoff from the site, Target is requesting that the stormwater fees for the site are reduced to account for the increase in treatment.

During construction, the Contractor will maintain the Best Management Practices (BMPs) identified in the Stormwater Pollution Prevention Plan (SWPPP).

Target will implement a maintenance plan that includes regular checks of the Stormceptor and Rain Guardian facilities for cleaning out as needed.

UTILITIES:

The water and sanitary sewer services for the expansion will be extended within the building to serve the expansion area as needed. Other utilities will also be extended within the building envelope.

The existing electric power poles that are located along the north side of the existing store will be removed. It is anticipated that the building service will be replaced with an underground electric service.

No other external utility installation is anticipated, other than roof drain connections to the relocated storm sewer in the Drive Up parking lot, that will be designed as part of the building permit submittal and construction plans.

Target T-0004 Expansion and Remodel
Development Application Narrative
September 3, 2021
Page 5

LIGHTING

The existing parking lot south and east of the store will not be impacted by the expansion. Light fixtures and photometric levels will remain the same.

Proposed lighting modifications are shown on the Preliminary Site Plan.

The proposed parking area at the north end of the store will be reduced in size compared to the existing parking area. The existing parking lot light pole and fixture will be relocated to the new landscape island east of the new Drive Up stalls. A second light pole and fixture will be installed at the west end of the Drive Up stalls in the landscape island. The existing light pole just west of the truck drive will remain in place. The resulting light levels across the Drive Up parking area will be increased.

PROJECT SCHEDULE:

Construction of the proposed expansion and remodel is currently scheduled to begin in the spring of 2022 and will be completed in 2023.

Please contact Michele Caron, PE, at mcaron@sambatek.com or 952-250-8640 if you have any questions.

Attachments:

Signed Application Form
Pre-Application Verification (email from Kyle Deming)
Review Fee Check of \$1,051 (this will be mailed with a copy of the Application form)
Floor Plan
Preliminary Site Development Plan Set
Building Elevations with Exterior Signage
Site Signage (Drive Up Directional Signage, Drive Up Beacons)
Refaced Pylon Sign Exhibit
Sight Line Study for New Rooftop Equipment from Mall Drive
Drainage Exhibit

Preliminary Site Development Plans

for

TARGET T-0004

EXPANSION AND REMODEL PROJECT

Duluth, Minnesota

Presented by:

Target Corporation

CONSULTANT CONTACT LIST:

<p>DEVELOPER/OWNER TARGET CORPORATION 1000 NICOLLET MALL (TPN-12K) MINNEAPOLIS, MN 55403 TEL: 612-761-7034 EMAIL: JOHN.DIETRICH@TARGET.COM CONTACT: JOHN DIETRICH</p>	<p>CIVIL ENGINEER SAMBATEK 12800 WHITEWATER DRIVE, SUITE 300 MINNETONKA, MN 55343 TEL: 763-476-6010 EMAIL: M CARON@SAMBATEK.COM CONTACT: MICHELE CARON, P.E.</p>
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<p>ARCHITECT RSP ARCHITECTS 1220 MARSHALL STREET NE MINNEAPOLIS, MN 55413 TEL: 612-677-7259 EMAIL: MITCH.STEINHOFF@RSPARCH.COM CONTACT: MITCHELL STEINHOFF</p>	<p>SURVEYOR SAMBATEK 12800 WHITEWATER DRIVE, SUITE 300 MINNETONKA, MN 55343 TEL: 763-476-6010 EMAIL: MSALO@SAMBATEK.COM CONTACT: MARK SALO, P.L.S.</p>
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<p>GEOTECHNICAL AMERICAN ENGINEERING TESTING, INC. ADDRESS ADDRESS TEL EMAIL CONTACT: WILLIAM CODY</p>	<p>LANDSCAPE ARCHITECT SAMBATEK 12800 WHITEWATER DRIVE, SUITE 300 MINNETONKA, MN 55343 TEL: 763-476-6010 EMAIL: JWORKMAN@SAMBATEK.COM CONTACT: JOHNNIE WORKMAN, P.L.A.</p>
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UTILITY & GOVERNING AGENCIES CONTACT LIST:

<p>ELECTRICAL COMPANY ADDRESS ADDRESS TEL EMAIL CONTACT:</p>	<p>GAS COMPANY ADDRESS ADDRESS TEL EMAIL CONTACT:</p>
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COMMUNICATIONS COMPANY
 ADDRESS
 ADDRESS
 TEL
 EMAIL
 CONTACT:



VICINITY MAP
NO SCALE

SHEET INDEX

SHEET	DESCRIPTION
C-1.01	TITLE SHEET
C-2.01	EXISTING CONDITIONS
C-3.01	PRELIMINARY DEMOLITION PLAN
C-4.00	PRELIMINARY OVERALL SITE PLAN
C-4.01	PRELIMINARY SITE PLAN
C-5.01	PRELIMINARY GRADING PLAN
C-5.02	PRELIMINARY GRADING NOTES
C-6.01	PRELIMINARY EROSION CONTROL PLAN
C-6.02	PRELIMINARY EROSION CONTROL DETAILS
C-6.03	PRELIMINARY EROSION CONTROL DETAILS
C-6.04	PRELIMINARY STORM WATER POLLUTION PREVENTION PLAN
C-6.05	PRELIMINARY STORM WATER POLLUTION PREVENTION PLAN
C-7.01	PRELIMINARY UTILITY PLAN
C-8.01	PRELIMINARY DETAILS
C-8.02	PRELIMINARY DETAILS
L-1.01	LANDSCAPE PLAN
L-1.02	LANDSCAPE NOTES AND DETAILS

GOVERNING SPECIFICATIONS

CITY OF DULUTH SPECIFICATIONS (20XX)
 CITY ENGINEER'S ASSOCIATION OF MINNESOTA STANDARD SPECIFICATIONS (2018)
 MNDOT STANDARD SPECIFICATIONS FOR CONSTRUCTION (2020 EDITION)

22.05 (LWS TECH) | KENNETH STEWART | 9/3/2021 9:04:47 AM
 L:\PROJECTS\22350\CAD\CIVIL\SHEETS\22350-C1 TITLE SHEET.DWG:C-1.01

NO	DATE	BY	CKD	APPR	COMMENT



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.

Print Name: MICHELE J. CARON

Date: 9/3/2021 License #: 26254

PRELIMINARY
DESIGN REVIEW
PERMIT SUBMITTAL
CONSTRUCTION DOCUMENTS

DRAWN BY
KLS
DESIGNED BY
CDC
CHECKED BY
MJC
PROJECT NO.
22350



TITLE SHEET
 TARGET CORPORATION
 TARGET T-0004
 EXPANSION AND REMODEL PROJECT
 DULUTH, MN

SHEET
C-1.01

LEGEND		
● FOUND MONUMENT	○ SET MONUMENT MARKED LS 47481	⊕ WATERMAIN
⊛ ELECTRIC METER	⊛ LIGHT	⊕ SANITARY SEWER
⊛ AIR CONDITIONER	⊛ GUY ANCHOR	⊕ STORM SEWER
⊛ HANDICAP STALL	⊛ UTILITY POLE	⊕ FLARED END SECTION
⊛ POST	⊛ SIGN	⊕ ELECTRIC TRANSFORMER
⊛ EASEMENT LINE	⊛ RESTRICTED ACCESS	⊕ TELEPHONE PEDESTAL
⊛ CONCRETE CURB	⊛ BUILDING LINE	⊕ GAS METER
⊛ BUILDING CANOPY	⊛ BITUMINOUS SURFACE	⊕ CHAIN LINK FENCE
⊛ CONCRETE SURFACE	⊛ CONCRETE SURFACE	⊕ IRON FENCE
⊛ LANDSCAPE SURFACE	⊛ DECIDUOUS TREE	⊕ WIRE FENCE
⊛ CONIFEROUS TREE		⊕ WOOD FENCE

DESCRIPTION

SE1/4 of SW1/4 Section 18 Township 50 North Range 14 West EXCEPT those parts thereof described as follows, to-wit:

- That part thereof lying Nly and Ely of the right of way of U.S. Highway No. 53 as now laid out and in use,
- That portion of the SE1/4 of SW1/4 of Section 18 Township 50 North, Range 14 West of the Fourth Principal Meridian, being a strip of land 40.00 feet wide and lying 20.00 feet on each side of the following described line EXCEPT the last 150.00 feet of said described line being a strip of land 25 feet wide and lying 20.00 feet Sly and 5.00 feet Nly of said described line: Commencing at the South quarter corner of said Section 18; thence South 87 degrees 50 minutes 15 seconds West along the Sly of Section 18 a distance of 350.00 feet to the point of beginning of said strip of land; thence North 02 degrees 40 minutes 15 seconds West a distance of 260.89 feet; thence along a curve to the left, with a long chord of 111.66 feet bearing North 26 degrees 37 minutes 37 seconds West a radius of 137.50 feet and a central angle of 47 degrees 54 minutes 45 seconds West, an arc distance of 114.98 feet to a point; thence North 50 degrees 35 minutes 00 seconds West, being parallel with U.S. Highway No. 53, a distance of 694.79 feet to the point of termination. SUBJECT TO highway or road easement. The South 33.00 feet thereof.
- That part of the SE1/4 or SW1/4 of Section 18, Township 50 North, Range 14 West of the Fourth Principal Meridian more particularly described as follows: Commencing at the South Quarter corner of said Section 18; thence Nly along the North-South quarter line a distance of 33.00 feet to a point; thence deflect 89 degrees 29 minutes 30 seconds to the left in a Wly direction distance of 33.00 feet to a point on the Nly right of way line of Maple Grove Road, said point being the point of beginning of the parcel of land herein described; thence continuing Nly along said right of way line and being parallel with the Sly line of said Section 18 a distance of 297.00 feet to a point thence deflect 89 degrees 29 minutes 30 seconds to the right in a Nly direction a distance of 298.05 feet to a point on the Sly right of way line of U.S. HWY 53; thence deflect 132 degrees 05 minutes 15 seconds to the right in a SEly direction along said right of way line a distance of 400.19 feet to a point on the Wly right of way line of Decker Road; thence deflect 47 degrees 54 minutes 45 seconds to the right in a Sly direction along said right of way line a distance of 32.45 feet to the point of beginning.
- That portion of the SE1/4 of the SW1/4, which lies Ely and Nly of a line run parallel with and distant 30 feet Wly and SWly of line 1 described below: Line 1. Beginning at a point on the South line of said Section 18 distant 392.85 feet West of the South quarter thereof; thence run Nly at an angle 90 degrees 24 minutes 50 seconds from said South Section line (measured West to North) for 176.02 feet; thence deflect to the left on a tangential curve having a radius of 272.84 feet and a delta angle of 48 degrees 43 minutes 09 seconds for 232.00 feet; thence on tangent to said curve for 147.40 feet; thence deflect to the left on a tangential curve having a radius of 577.96 feet and a delta angle of 06 degrees 41 minutes 43 seconds for 66.95 feet; thence on tangent to said curve for 370.00 feet and there terminating.

PROPERTY SUMMARY

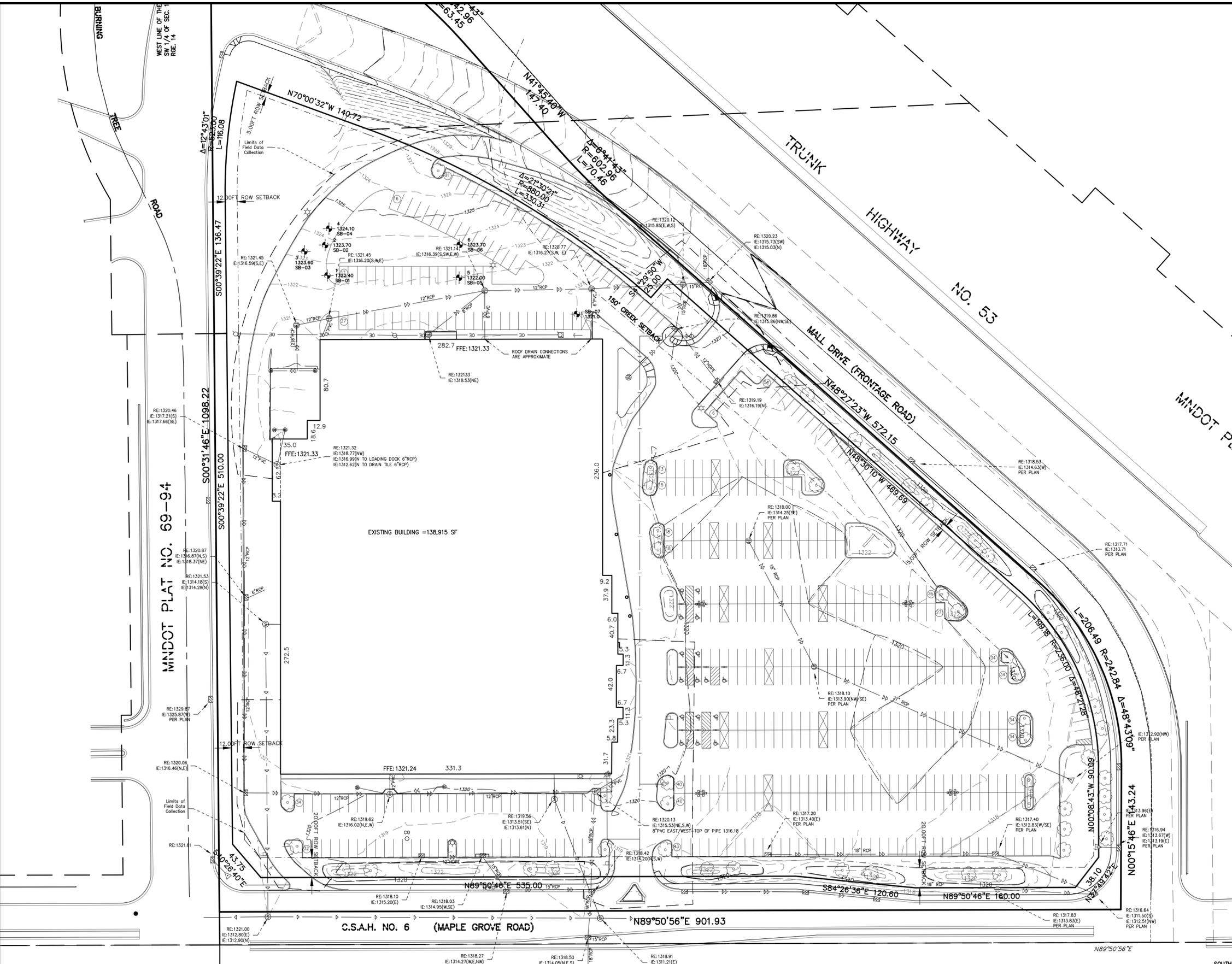
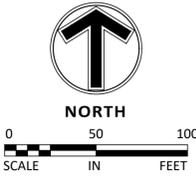
- Subject property's address is 1902 Miller Trunk Hwy, Duluth, MN 55811, its property identification number is 010-2710-04646.
- The gross area of the subject property is 13.88 Acres or 604654.12 Square Feet. The Right of Way area is 2.78 Acres or 121174.00 Square Feet. The site area is 11.09 Acres or 483480.12 Square Feet.
- The subject property is zoned MU-C (Mixed Use Commercial), per St. Louis County.

BENCHMARKS

- The vertical datum is based on NAVD88. The originating bench marks are 6915 P and 6915 B Reset, both referenced from the MNDOT Geodetic Database.
BENCHMARK #1
6915 P. Elev.=1344.26
- BENCHMARK #2
6915 B Reset. Elev.=1336.083

SURVEY NOTES

- The bearing system for this survey is based on the St Louis County coordinate system, NAD 83 (1996 adjustment). The south line of Section 18, Township 50, Range 14 is assumed to bear N89°50'56"E.
- This survey was prepared without the benefit of a title commitment or abstract and the surveyor has made no independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence or any other facts that an accurate title search may disclose. Therefore, this survey may be revised by showing that which would be cited in a title commitment and then illustrated on the survey.
- Field work was completed on 10/22/2020.
- The building(s) and exterior dimensions of the outside wall at ground level are shown on the survey. It may not be the foundation wall.



NO	DATE	BY	CKD	APPR	COMMENT



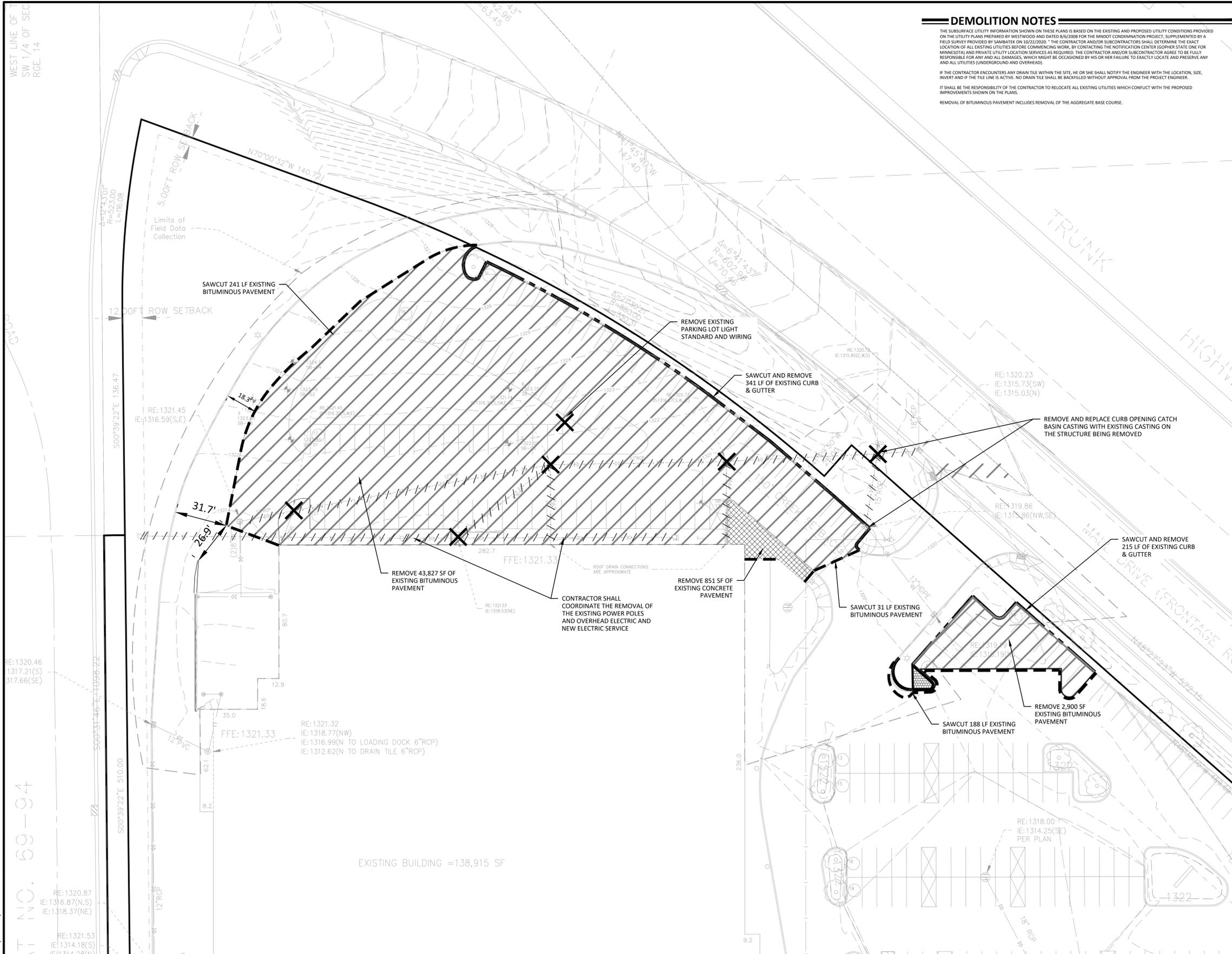
I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the State of Minnesota.
Print Name: MARK SALO
Date: 9/3/2021 License # 43933

PRELIMINARY	DRAWN BY EH
DESIGN REVIEW	DESIGNED BY AAA
PERMIT SUBMITTAL	CHECKED BY MS
CONSTRUCTION DOCUMENTS	PROJECT NO. 22350



EXISTING CONDITIONS	SHEET
TARGET CORPORATION	C-2.01
TARGET T-0004	
EXPANSION AND REMODEL PROJECT	
DULUTH, MN	

22.05 (LWS TECH) | KENNETH STEWART | 9/3/2021 9:05:38 AM
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DEMOLITION NOTES

THE SUBSURFACE UTILITY INFORMATION SHOWN ON THESE PLANS IS BASED ON THE EXISTING AND PROPOSED UTILITY CONDITIONS PROVIDED ON THE UTILITY PLANS PREPARED BY WESTWOOD AND DATED 8/6/2008 FOR THE MINOT CONDAMNATION PROJECT, SUPPLEMENTED BY A FIELD SURVEY PROVIDED BY SAMBATEK ON 10/22/2020. THE CONTRACTOR AND/OR SUBCONTRACTORS SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK. BY CONTACTING THE NOTIFICATION CENTER (OPHER STATE ONE FOR MINNESOTA) AND PRIVATE UTILITY LOCATION SERVICES AS REQUIRED, THE CONTRACTOR AND/OR SUBCONTRACTOR AGREE TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES, WHICH MIGHT BE OCCASIONED BY HIS OR HER FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UTILITIES (UNDERGROUND AND OVERHEAD).

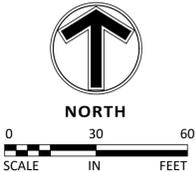
IF THE CONTRACTOR ENCOUNTERS ANY DRAIN TILE WITHIN THE SITE, HE OR SHE SHALL NOTIFY THE ENGINEER WITH THE LOCATION, SIZE, INVERT AND IF THE TILE LINE IS ACTIVE. NO DRAIN TILE SHALL BE BACKFILLED WITHOUT APPROVAL FROM THE PROJECT ENGINEER.

IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.

REMOVAL OF BITUMINOUS PAVEMENT INCLUDES REMOVAL OF THE AGGREGATE BASE COURSE.

LEGEND

- EXISTING**
- GAS METER
 - HYDRANT
 - LIGHT
 - STORM SEWER
 - DRAIN TILE
 - WATERMAIN
 - FORCE MAIN
 - SANITARY SEWER
 - OVERHEAD ELECTRIC
 - UNDERGROUND TELEPHONE
 - UNDERGROUND CABLE TV
 - UNDERGROUND ELECTRIC
 - UNDERGROUND GAS
 - WIRE FENCE
 - IRON FENCE
 - WOOD FENCE
 - CHAIN LINK FENCE
 - STONE RETAINING WALL
 - SPRINKLER HEAD
 - SPRINKLER VALVE
 - GUARD RAIL
 - HANDRAIL
 - EDGE OF TREES
 - TREES / SHRUBS
 - CONCRETE
 - GUARD POLES
 - SIGNS
 - CONCRETE CURB
 - BITUMINOUS CURB
 - BUILDING
 - REMOVE EXISTING UTILITY LINE
 - REMOVE EXIST CONCRETE CURB
 - SAW CUT EXIST BITUMINOUS PAVEMENT
 - REMOVE EXISTING BITUMINOUS PAVEMENT
 - REMOVE EXISTING CONCRETE PAVEMENT
 - REMOVE EXISTING BUILDING
 - REMOVE EXISTING GRAVEL DRIVE
 - REMOVE EXISTING LANDSCAPING
 - REMOVE EXISTING TREE
 - REMOVE EXISTING
 - REMOVE EXISTING UTILITY
 - REMOVE EXISTING CHAIN LINK FENCE
 - REMOVE EXISTING LIGHT FIXTURE



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NO	DATE	BY	CKD	APPR	COMMENT



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.

Print Name: MICHELE J. CARON

Date: 9/3/2021 License #: 26254

PRELIMINARY
DESIGN REVIEW
PERMIT SUBMITTAL
CONSTRUCTION DOCUMENTS

DRAWN BY
KLS
DESIGNED BY
CDC
CHECKED BY
MJC
PROJECT NO.
22350



PRELIMINARY DEMOLITION PLAN
TARGET CORPORATION
TARGET T-0004
EXPANSION AND REMODEL PROJECT
DULUTH, MN

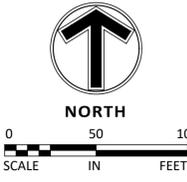
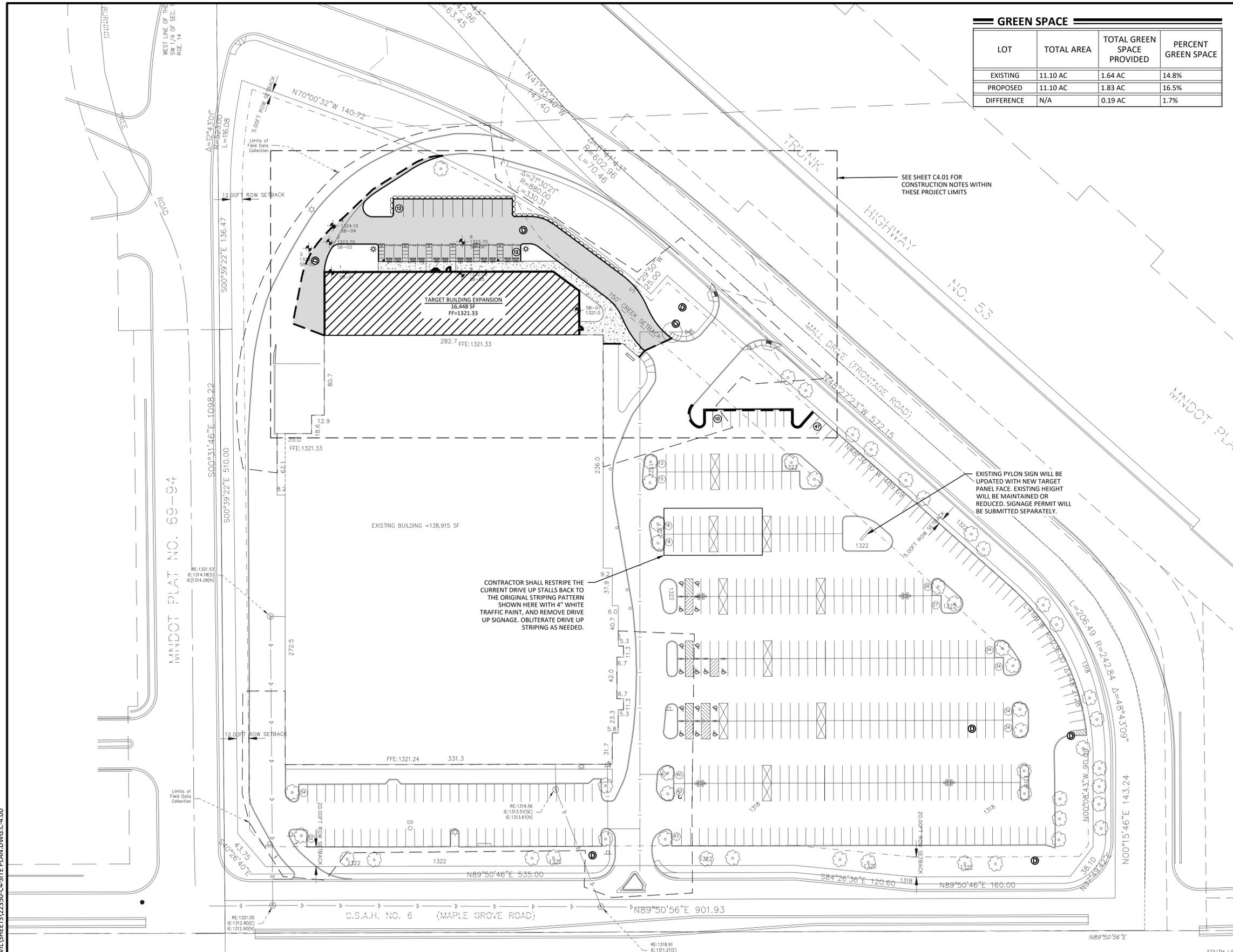
SHEET
C-3.01

GREEN SPACE			
LOT	TOTAL AREA	TOTAL GREEN SPACE PROVIDED	PERCENT GREEN SPACE
EXISTING	11.10 AC	1.64 AC	14.8%
PROPOSED	11.10 AC	1.83 AC	16.5%
DIFFERENCE	N/A	0.19 AC	1.7%

LEGEND			
	PROPOSED	EXISTING	
PROPERTY LIMIT	---	---	STANDARD DUTY ASPHALT PAVING
CURB & GUTTER	---	---	HEAVY DUTY ASPHALT PAVING
EASEMENT	---	---	CONCRETE PAVING
BUILDING	---	---	CONCRETE SIDEWALK
RETAINING WALL	---	---	PAVEMENT BY OTHERS (SEE ARCHITECTURAL PLANS)
WETLAND LIMITS	---	---	
TREELINE	---	---	
SAWCUT LINE	---	---	
SIGN	---	---	
PIPE BOLLARD	---	---	
NUMBER OF PARKING STALLS PER ROW	---	---	
KEY NOTE	---	---	

DEVELOPMENT SUMMARY			
AREA			
GROSS SITE AREA	604,654.12 SF	13.88 AC	
LESS R-O-W	121,174.00 SF	2.78 AC	
NET SITE AREA	483,480.12 SF	11.10 AC	
BUILDING SETBACKS			
FROM MILLER CREEK/SHORELAND			150 FEET
FRONT YARD:			
FOR BUILDING HEIGHT >= 35'			0 FEET
FOR BUILDING HEIGHT > 35'			12 FEET
SIDE YARD AND REAR YARD			0 FEET
BUILDING SUMMARY			
EXISTING BUILDING AREA	138,915 SF		
PROPOSED EXPANSION AREA	16,448 SF		
TOTAL BUILDING AREA	155,363 SF		
PARKING SETBACKS			
THE ORIGINAL 22.5' PARKING SETBACK REQUIRED BY THE CITY OF DULUTH (25' LESS 10% ALLOWED VARIANCE) WAS MODIFIED TO MITIGATE SITE IMPACTS OF THE 2007 MNDOT CONDEMNATION. RESULTING REDUCED SETBACKS INCLUDE A 5' PARKING SETBACK ALONG THE NORTH AND EAST SIDES OF THE SITE, 20' PARKING SETBACK ALONG THE SOUTH SIDE OF THE SITE AND A 12' MINIMUM SETBACK TO THE EXISTING CURB ALONG THE WEST SIDE OF THE SITE.			
ZONING			
EXISTING ZONING			MU-C
PROPOSED ZONING			MU-C
PARKING SUMMARY			
PROPOSED PARKING (TOTAL SITE):			
ACCESSIBLE STALLS			20 STALLS
STANDARD STALLS			479 STALLS
DRIVE UP STALLS			24 STALLS
TOTAL PROPOSED STALLS			523 STALLS
EXISTING PARKING			
ACCESSIBLE STALLS			20 STALLS
STANDARD STALLS			565 STALLS
DRIVE UP STALLS			12 STALLS
TOTAL EXISTING STALLS			597 STALLS
NET REDUCTION IN STALLS			-74 STALLS
PARKING PROVIDED			523 STALLS
PARKING REQUIRED			466 STALLS
(3 STALLS/1000 SF GROSS FLOOR AREA)			

- DEVELOPMENT NOTES**
- ALL DIMENSIONS ARE ROUNDED TO THE NEAREST TENTH FOOT.
 - ALL DIMENSIONS SHOWN ARE TO THE FACE OF CURB TO FACE OF CURB UNLESS OTHERWISE NOTED.
 - CONTRACTOR SHALL REVIEW PAVEMENT GRADIENT AND CONSTRUCT "GUTTER OUT" WHERE WATER DRAINS AWAY FROM CURB. ALL OTHER AREAS SHALL BE CONSTRUCTED AS "GUTTER IN" CURB. COORDINATE WITH GRADING CONTRACTOR.
 - ALL AREAS ARE ROUNDED TO THE NEAREST SQUARE FOOT.
 - ALL PARKING STALLS TO BE 9' IN WIDTH AND 18' IN LENGTH UNLESS OTHERWISE INDICATED.
 - CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF EXIT DOORS, RAMPS, PRECISE BUILDING DIMENSIONS AND EXACT BUILDING UTILITY ENTRANCE LOCATIONS.
 - SEE SIGNAGE PLANS FOR PYLON SIGN DETAILS
 - SEE LIGHTING PLANS FOR LIGHT POLE FOUNDATION DETAIL AND FOR EXACT LOCATIONS OF LIGHT POLE.
 - ALL GRADIENTS ON SIDEWALKS ALONG THE ADA ROUTE SHALL HAVE A MAXIMUM LONGITUDINAL SLOPE OF 5% (1:20), EXCEPT AT CURB RAMPS (1:12), AND A MAXIMUM CROSS SLOPE OF 2.08% (1:48). THE MAXIMUM SLOPE IN ANY DIRECTION ON AN ADA PARKING STALL OR ACCESS AISLE SHALL BE 2.08% (1:48). THE CONTRACTOR SHALL REVIEW AND VERIFY THE GRADIENT IN THE FIELD ALONG THE ADA ROUTES PRIOR TO PLACING CONCRETE OR BITUMINOUS PAVEMENT. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY IF THERE IS A DISCREPANCY BETWEEN THE GRADIENT IN THE FIELD VERSUS THE DESIGN GRADIENT AND COORDINATE WITH GRADING CONTRACTOR.



22.05 (LWS TECH) | KENNETH STEWART | 9/3/2021 9:07:24 AM
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NO	DATE	BY	CKD	APPR	COMMENT



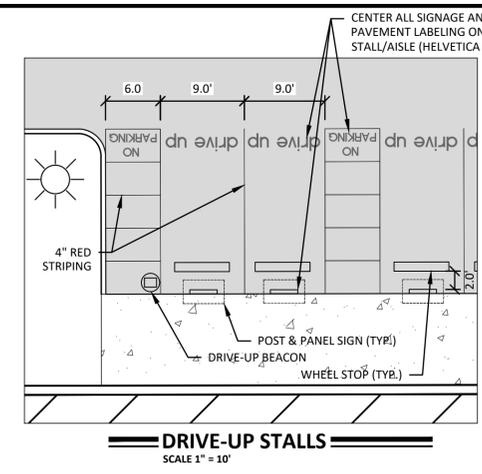
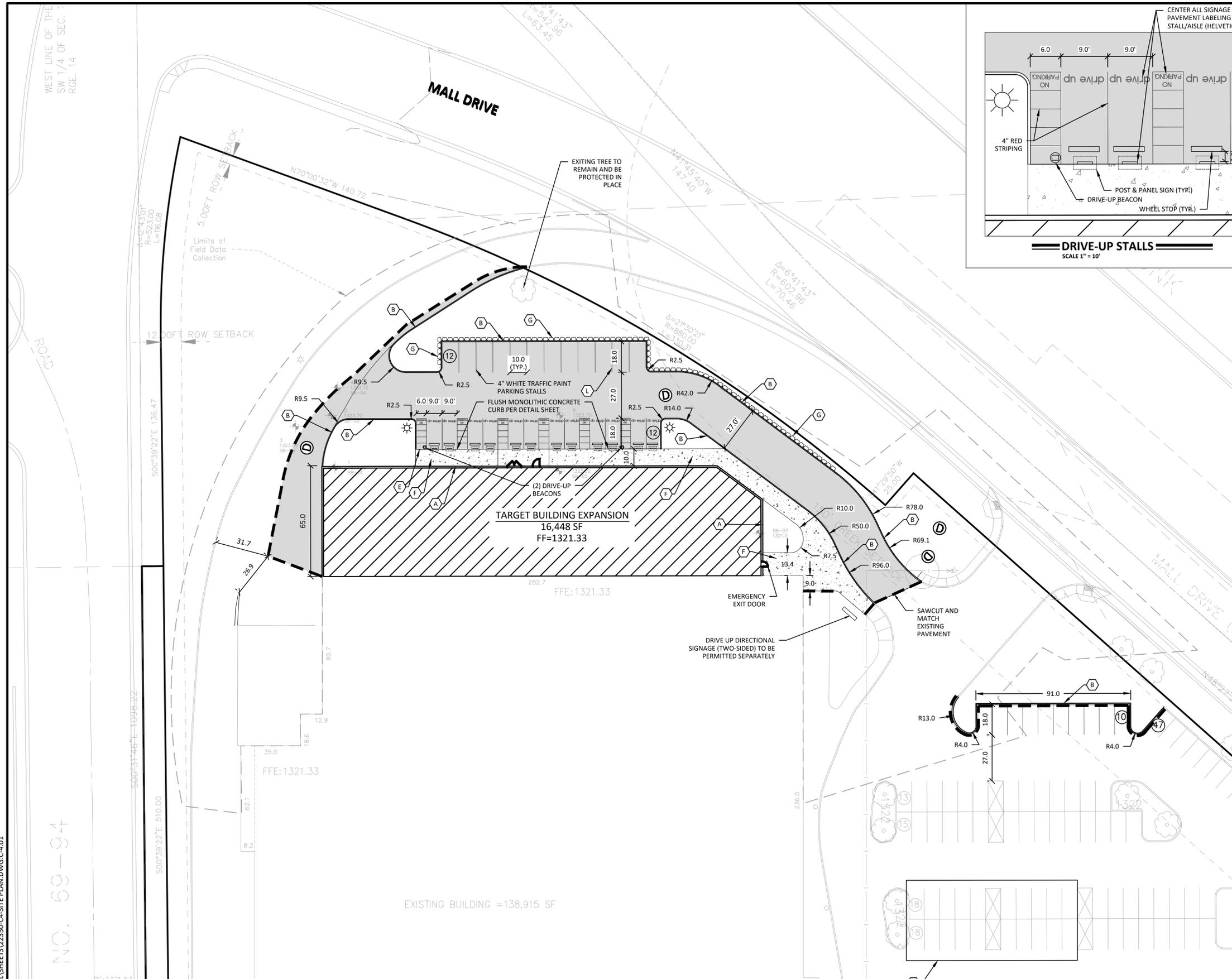
I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the State of Minnesota.
 Print Name: MICHELE J. CARON
 Date: 9/3/2021 License #: 26254

PRELIMINARY	DRAWN BY KLS
DESIGN REVIEW	DESIGNED BY CDC
PERMIT SUBMITTAL	CHECKED BY MJC
CONSTRUCTION DOCUMENTS	PROJECT NO. 22350



PRELIMINARY OVERALL SITE PLAN
 TARGET CORPORATION
 TARGET T-0004
 EXPANSION AND REMODEL PROJECT
 DULUTH, MN

SHEET
C-4.00

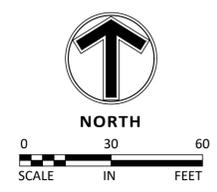


LEGEND

	PROPOSED	EXISTING	
PROPERTY LIMIT	---	---	STANDARD DUTY ASPHALT PAVING
CURB & GUTTER	---	---	HEAVY DUTY ASPHALT PAVING
EASEMENT	---	---	CONCRETE PAVING
BUILDING	---	---	CONCRETE SIDEWALK
RETAINING WALL	---	---	PAVEMENT BY OTHERS (SEE ARCHITECTURAL PLANS)
WETLAND LIMITS	---	---	
TREELINE	---	---	
SAWCUT LINE	---	---	
SIGN	---	---	
PIPE BOLLARD	---	---	
NUMBER OF PARKING STALLS PER ROW	---	---	
KEY NOTE	---	---	

- DEVELOPMENT NOTES**
- ALL DIMENSIONS ARE ROUNDED TO THE NEAREST TENTH FOOT.
 - ALL DIMENSIONS SHOWN ARE TO THE FACE OF CURB TO FACE OF CURB UNLESS OTHERWISE NOTED.
 - CONTRACTOR SHALL REVIEW PAVEMENT GRADIENT AND CONSTRUCT "GUTTER OUT" WHERE WATER DRAINS AWAY FROM CURB. ALL OTHER AREAS SHALL BE CONSTRUCTED AS "GUTTER IN" CURB. COORDINATE WITH GRADING CONTRACTOR.
 - ALL AREAS ARE ROUNDED TO THE NEAREST SQUARE FOOT.
 - ALL PARKING STALLS TO BE 9' IN WIDTH AND 18' IN LENGTH UNLESS OTHERWISE INDICATED.
 - CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF EXIT DOORS, RAMPS, PRECISE BUILDING DIMENSIONS AND EXACT BUILDING UTILITY ENTRANCE LOCATIONS.
 - SEE SIGNAGE PLANS FOR PYLON SIGN DETAILS
 - SEE LIGHTING PLANS FOR LIGHT POLE FOUNDATION DETAIL AND FOR EXACT LOCATIONS OF LIGHT POLE.
 - ALL GRADIENTS ON SIDEWALKS ALONG THE ADA ROUTE SHALL HAVE A MAXIMUM LONGITUDINAL SLOPE OF 5% (1:20), EXCEPT AT CURB RAMPS (1:12), AND A MAXIMUM CROSS SLOPE OF 2.08% (1:48). THE MAXIMUM SLOPE IN ANY DIRECTION ON AN ADA PARKING STALL OR ACCESS AISLE SHALL BE 2.08% (1:48). THE CONTRACTOR SHALL REVIEW AND VERIFY THE GRADIENT IN THE FIELD ALONG THE ADA ROUTES PRIOR TO PLACING CONCRETE OR BITUMINOUS PAVEMENT. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY IF THERE IS A DISCREPANCY BETWEEN THE GRADIENT IN THE FIELD VERSUS THE DESIGN GRADIENT AND COORDINATE WITH GRADING CONTRACTOR.
 - ALL DRIVE UP STALLS SHALL BE 4" WIDE RED STRIPING.
 - TARGET TO PROVIDE GC WITH "drive up" AND "NO PARKING" TEMPLATES FOR PAVEMENT MARKINGS.

- KEY NOTES**
- A. BUILDING, STOOPS, STAIRS (SEE ARCHITECTURAL PLANS)
 - B. B-612 CONCRETE CURB AND GUTTER
 - C. B-618 6CONCRETE CURB AND GUTTER
 - D. CONCRETE APRON
 - E. FLAT CURB SECTION
 - F. CONCRETE SIDEWALK
 - G. SEGMENTAL BLOCK RETAINING WALL
 - H. ACCESSIBLE RAMP
 - I. ACCESSIBLE STALL STRIPING
 - J. ACCESSIBLE PARKING SIGN
 - K. TRANSFORMER
 - L. PARKING STALLS SHALL BE STRIPED WITH 4" TRAFFIC PAINT, COLOR AS NOTED



22.05 (LWS TECH) | KENNETH STEWART | 9/3/2021 9:07:24 AM
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NO. 69-94

NO	DATE	BY	CKD	APPR	COMMENT



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Print Name: MICHELE J. CARON

Date: 9/3/2021 License #: 26254

PRELIMINARY
DESIGN REVIEW
PERMIT SUBMITTAL
CONSTRUCTION DOCUMENTS

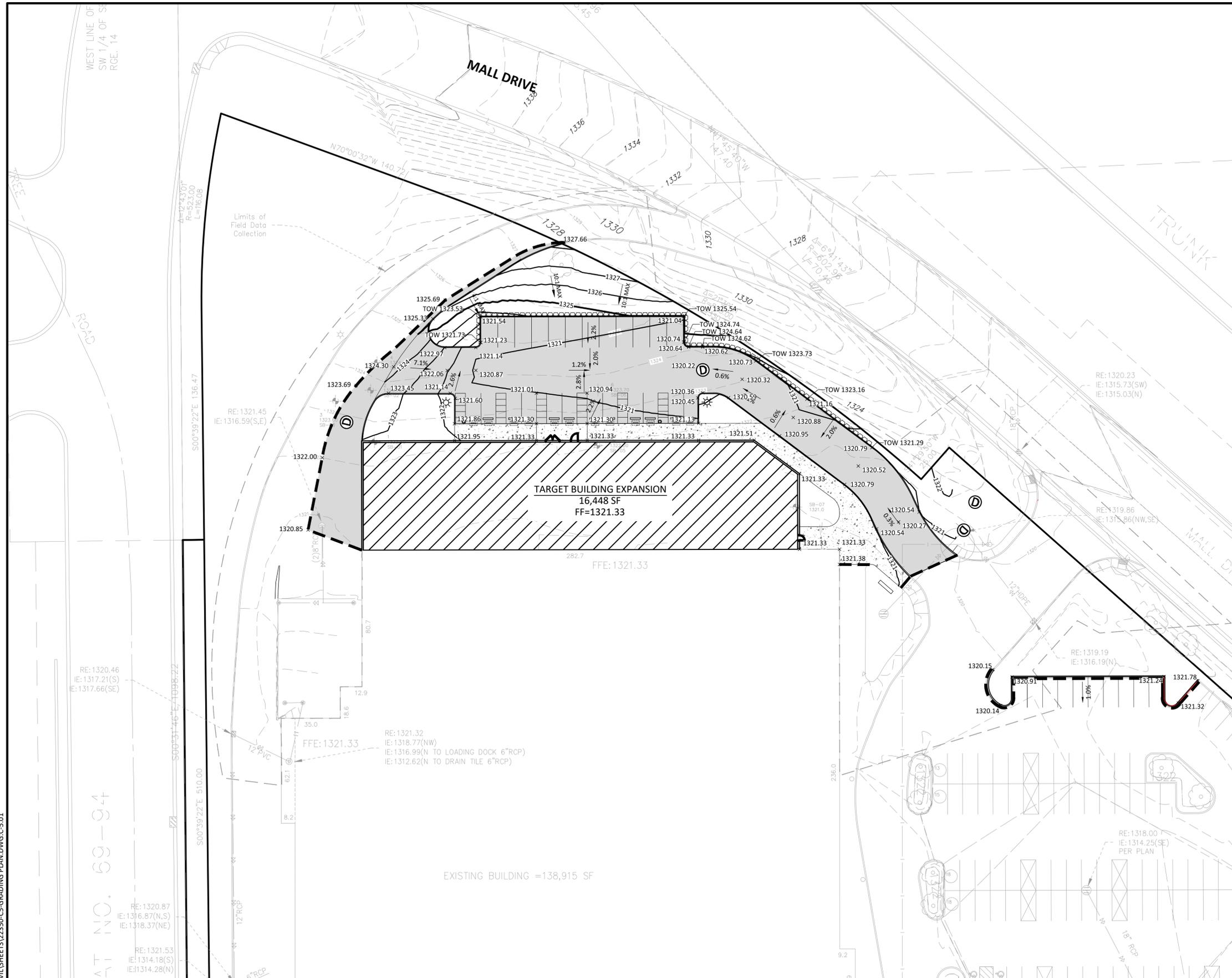
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DESIGNED BY
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PROJECT NO.
22350



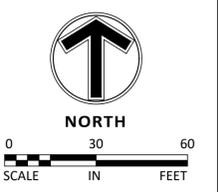
PRELIMINARY SITE PLAN
TARGET CORPORATION
TARGET T-0004
EXPANSION AND REMODEL PROJECT
DULUTH, MN

SHEET
C-4.01

	PROPOSED	EXISTING
PROPERTY LIMIT	---	---
CURB & GUTTER	--->---	---
STORM SEWER	--->---	---
DRAINTILE	--->---	---
BUILDING	---	---
RETAINING WALL	--->---	---
WETLAND LIMITS	---	---
TREELINE	---	---
SPOT ELEVATION	902.5 x 902	902.5 x 902
CONTOUR	---	---
RIP RAP	---	---
OVERFLOW ELEV.	EOFF 902.5	57.5 902.5
SOIL BORINGS	---	---
TOP OF WALL ELEV.	TOW 902.5	---



AT NO. 69-94



22.05 (LWS TECH) | KENNETH STEWART | 9/3/2021 9:08:57 AM
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NO	DATE	BY	CKD	APPR	COMMENT



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 Print Name: MICHELE J. CARON
 Date: 9/3/2021 License #: 26254

PRELIMINARY
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 PROJECT NO.
 22350



PRELIMINARY GRADING PLAN
 TARGET CORPORATION
 TARGET T-0004
 EXPANSION AND REMODEL PROJECT
 DULUTH, MN

SHEET
C-5.01

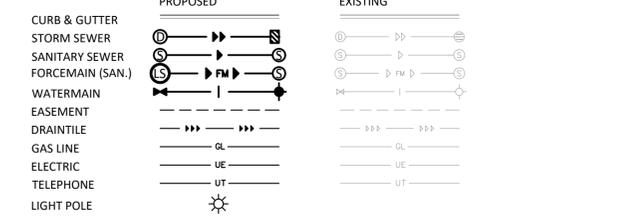
STORM SEWER STRUCTURE SCHEDULE

Table with 3 columns: NUMBER, TYPE, CASTING*. Lists structures STO-100 through STO-500.

*INDICATES NEENAH FOUNDRY CASTING NO., OR APPROVED EQUAL. NOTE: CONTRACTOR AND THEIR SUPPLIER SHALL DETERMINE THE MINIMUM DIAMETER REQUIRED FOR EACH STORM SEWER STRUCTURE.

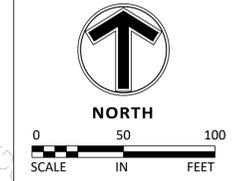
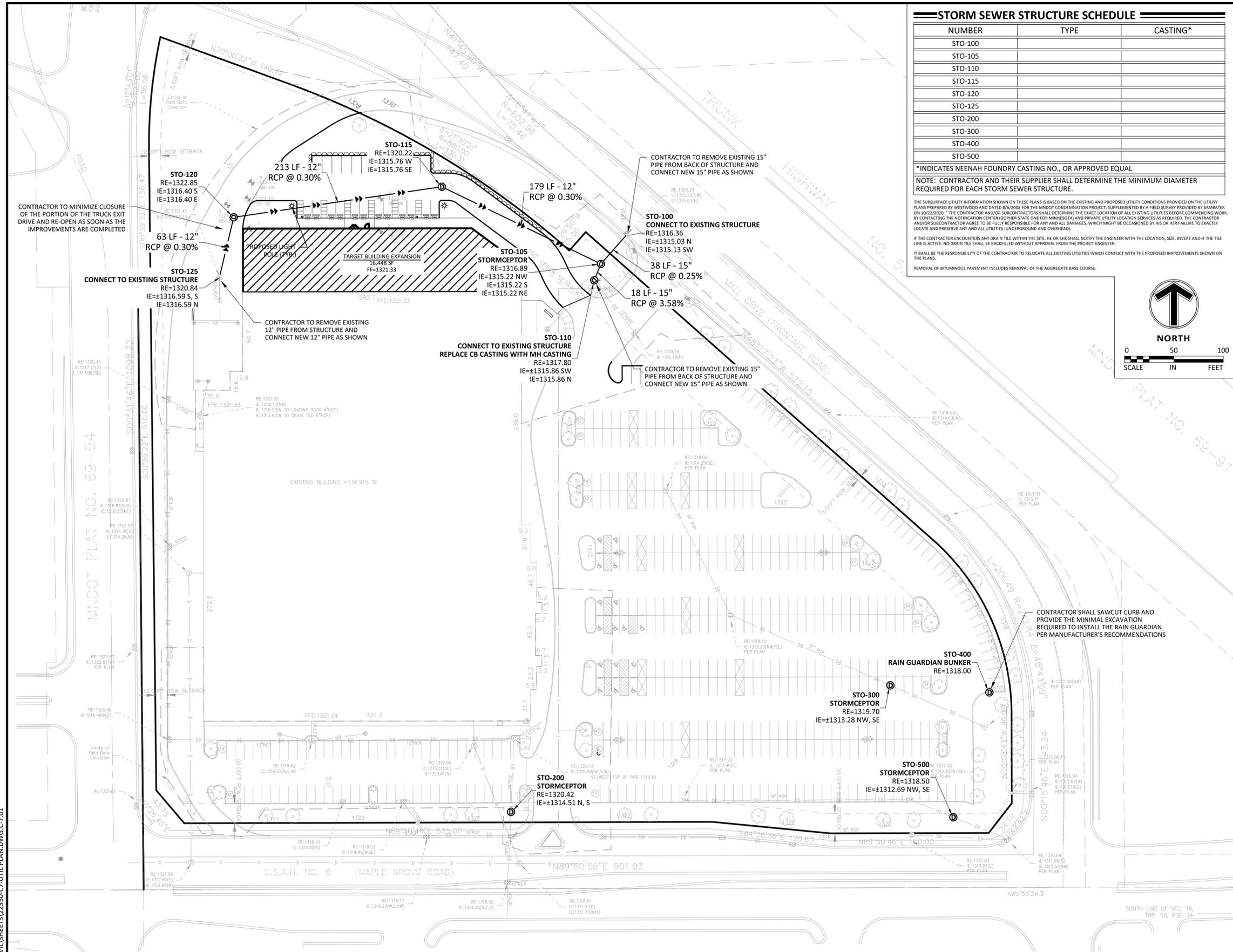
THE SUBSURFACE UTILITY INFORMATION SHOWN ON THESE PLANS IS BASED ON THE EXISTING AND PROPOSED UTILITY CONDITIONS PROVIDED ON THE UTILITY PLANS PREPARED BY WESTWOOD AND DATED 8/6/2008 FOR THE MNDOT CONDEMNATION PROJECT...

LEGEND



UTILITY CONSTRUCTION NOTES

- 1. THE UTILITY IMPROVEMENTS FOR THIS PROJECT SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE "STANDARD UTILITIES SPECIFICATIONS" AS PUBLISHED BY THE CITY ENGINEERS ASSOCIATION OF MINNESOTA (CEAM), EXCEPT AS MODIFIED HEREIN.
1.1. ALL UTILITIES SHALL BE CONSTRUCTED IN ACCORDANCE WITH CITY REQUIREMENTS.
1.2. CONTRACTOR SHALL NOT OPEN, TURN OFF, INTERFERE WITH, OR ATTACH ANY PIPE OR HOSE TO OR TAP WATERMAIN BELONGING TO THE CITY UNLESS DULY AUTHORIZED TO DO SO BY THE CITY...



Revision table with columns: NO, DATE, BY, CKD, APPR, COMMENT.



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.
Print Name: MICHELE J. CARON
Date: 9/3/2021 License #: 26254

PRELIMINARY
DESIGN REVIEW
PERMIT SUBMITTAL
CONSTRUCTION DOCUMENTS

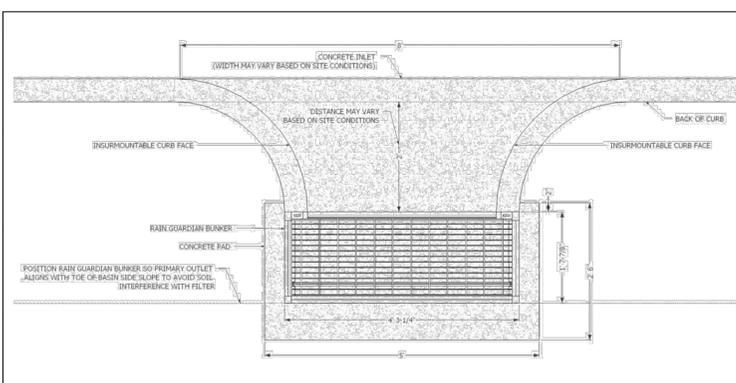
DRAWN BY: KLS
DESIGNED BY: CDC
CHECKED BY: MIC
PROJECT NO.: 22350



PRELIMINARY UTILITY PLAN
TARGET CORPORATION
TARGET T-0004
EXPANSION AND REMODEL PROJECT
DULUTH, MN

SHEET C-7.01

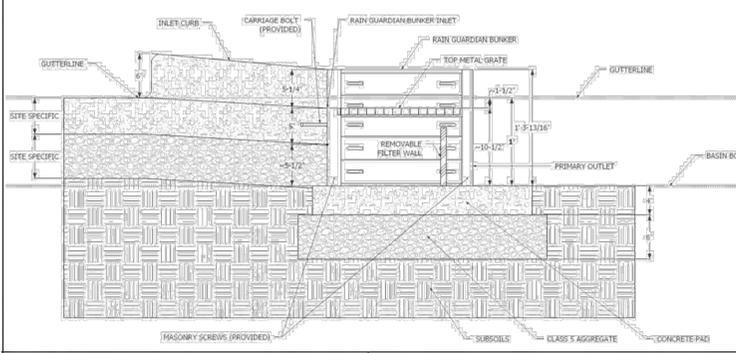
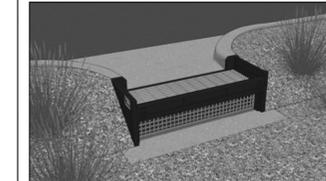
22.05 (LWS TECH) | KENNETH STEWART | 9/3/2021 9:13:34 AM
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PLAN VIEW NOTES

1. INLET WIDTH AND DISTANCE BETWEEN BACK OF CURB AND RAIN GUARDIAN BUNKER MAY VARY WITH SITE CONDITIONS. INSTALLATION FLUSH WITH THE BACK OF THE CURB CAN ALSO BE COMPLETED WITH THE RAIN GUARDIAN BUNKER.
2. CONCRETE PAD EXTENDS BEYOND THE FILTER WALL OF THE RAIN GUARDIAN BUNKER TO SERVE AS A SPLASH DISSIPATOR.

INSTALLED VIEWS



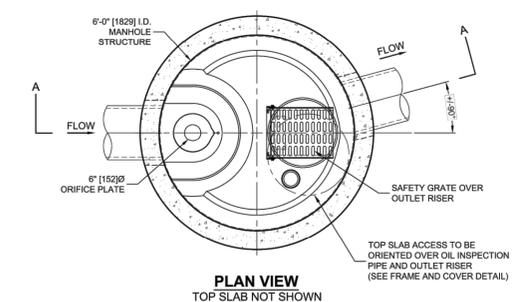
CROSS-SECTION VIEW NOTES

1. THE TOP OF THE CLASS 5 BASE (COMPACTED TO 95% STANDARD PROCTOR) IS PRECISELY 1'4" BELOW THE GUTTERLINE ELEVATION.
2. THE TOP OF THE CONCRETE PAD IS PRECISELY 1" BELOW THE GUTTERLINE.

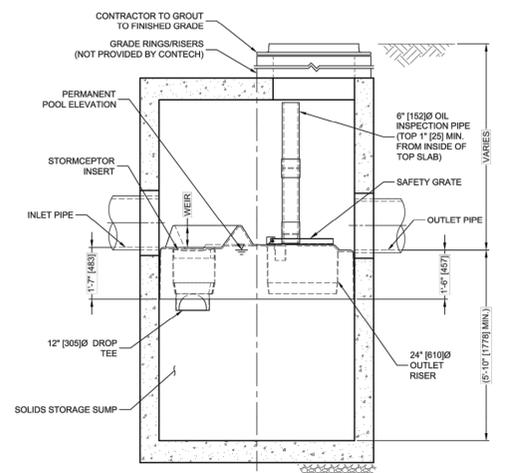
INSTALLATION NOTES

1. INSTALL THE CONCRETE PAD WITH A 1' 10" OFFSET FROM THE BACK OF THE CURB TO ACCOMMODATE THE CONCRETE INLET. THIS DISTANCE MAY VARY BASED ON SITE CONDITIONS, BUT CONSIDERATIONS SHOULD INCLUDE SLOPE OF THE INLET AND BASIN SIDE SLOPES ADJACENT TO THE RAIN GUARDIAN BUNKER. POSITION RAIN GUARDIAN BUNKER SO PRIMARY OUTLET ALIGNS WITH TOE OF BASIN SIDE SLOPE TO AVOID SOIL INTERFERENCE WITH REMOVABLE FILTER WALL. THE CONCRETE PAD SHOULD BE REINFORCED WITH REBAR.
2. EXCAVATE 1' 10" BELOW THE GUTTERLINE ELEVATION (I.E. THE BIORETENTION OVERFLOW ELEVATION) TO ACCOMMODATE THE 1' PONDING DEPTH, 6" CLASS 5 AGGREGATE, AND 4" CONCRETE PAD TO WHICH THE RAIN GUARDIAN BUNKER WILL BE SECURED. THEREFORE, THE TOP OF THE FINISHED CONCRETE PAD IS PRECISELY 1' BELOW THE GUTTERLINE ELEVATION. THE TOP OF THE RAIN GUARDIAN BUNKER METAL GRATE WILL BE 10-1/2" ABOVE THE TOP OF THE CONCRETE PAD AND 1-1/2" BELOW THE GUTTERLINE ELEVATION TO ACCOMMODATE A SLOPED INLET FROM THE GUTTER TO THE RAIN GUARDIAN BUNKER.
3. THE RAIN GUARDIAN BUNKER SHOULD BE POSITIONED 2" FROM THE EDGE OF THE CONCRETE PAD CLOSEST TO THE BACK OF THE CURB. THEREFORE, THE RAIN GUARDIAN BUNKER WILL BE 2" FROM THE BACK OF THE CURB.
4. USING THE PILOT HOLE IN EACH OF THE FOUR CORNER POSTS, PREDRILL 5/32" HOLES INTO THE CONCRETE PAD WITH A 4-1/2" MASONRY BIT AND HAMMER DRILL.
5. SECURE RAIN GUARDIAN BUNKER TO CONCRETE PAD WITH FOUR 3/16" X 2-3/4" MASONRY SCREWS (PROVIDED).
6. INSTALL FRAMING FOR INLET BETWEEN RAIN GUARDIAN BUNKER AND BACK OF CURB. TOP ELEVATIONS OF THE FRAMING SHOULD MATCH THE TOP OF THE CURB ON THE STREET SIDE AND THE TOP OF THE RAIN GUARDIAN BUNKER ON THE BIORETENTION SIDE.
7. WHEN POURING THE CONCRETE INLET, ENSURE THE CARRIAGE BOLTS ON THE RAIN GUARDIAN BUNKER ARE SURROUNDED BY AT LEAST 2" OF CONCRETE ON ALL SIDES.
8. SIDE CURBS OF THE POURED INLET MUST HAVE AN INSURMOUNTABLE PROFILE TO PREVENT WATER FLOW FROM OVERTOPPING THE DOWNSTREAM SIDE OF THE INLET.
9. WRAP CABLE THROUGH TOP METAL GRATE AND SECURE WITH PROVIDED CLAMP. ENSURE SUFFICIENT SLACK EXISTS IN CABLE TO ALLOW FOR GRATE REMOVAL AND PLACEMENT IN CONCRETE INLET DURING CLEANING. REMOVABLE FILTER WALL SHOULD BE INSTALLED WITH FILTER FABRIC FACING THE RAIN GUARDIAN BUNKER INLET.

L:\COMMERCIAL\TREATMENT\23 STORMCEPTOR\STANDARD DRAWING\IN PROCESS\STC1200-DTL.DWG 2/2/2019 2:49 PM



PLAN VIEW
TOP SLAB NOT SHOWN

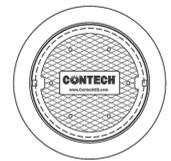


SECTION A-A



STORMCEPTOR DESIGN NOTES

THE STANDARD STC1200 CONFIGURATION IS SHOWN.



FRAME AND COVER
(MAY VARY)
NOT TO SCALE

SITE SPECIFIC DATA REQUIREMENTS			
STRUCTURE ID			
WATER QUALITY FLOW RATE (cfs [L/s])			
PEAK FLOW RATE (cfs [L/s])			
RETURN PERIOD OF PEAK FLOW (yrs)			
PIPE DATA			
PIPE DATA	INVERT	MATERIAL	DIAMETER
INLET PIPE 1			
INLET PIPE 2			
OUTLET PIPE			
NOTES / SPECIAL REQUIREMENTS:			

GENERAL NOTES

1. CONTECH TO PROVIDE ALL MATERIALS UNLESS NOTED OTHERWISE.
 2. FOR SITE SPECIFIC DRAWINGS WITH DETAILED STRUCTURE DIMENSIONS AND WEIGHT, PLEASE CONTACT YOUR CONTECH ENGINEERED SOLUTIONS LLC REPRESENTATIVE. www.contechES.com
 3. STORMCEPTOR WATER QUALITY STRUCTURE SHALL BE IN ACCORDANCE WITH ALL DESIGN DATA AND INFORMATION CONTAINED IN THIS DRAWING. CONTRACTOR TO CONFIRM STRUCTURE MEETS REQUIREMENTS OF PROJECT.
 4. STORMCEPTOR STRUCTURE SHALL MEET AASHTO H200 LOAD RATING, ASSUMING EARTH COVER OF 0' - 2' (0.10), AND GROUNDWATER ELEVATION AT, OR BELOW, THE OUTLET PIPE INVERT ELEVATION. ENGINEER OF RECORD TO CONFIRM ACTUAL GROUNDWATER ELEVATION. CASTINGS SHALL MEET AASHTO M306 AND BE CAST WITH THE CONTECH LOGO.
 5. STORMCEPTOR STRUCTURE SHALL BE PRECAST CONCRETE CONFORMING TO ASTM C478 AND AASHTO LOAD FACTOR DESIGN METHOD.
 6. ALTERNATE UNITS ARE SHOWN IN MILLIMETERS [mm].
- INSTALLATION NOTES**
- A. ANY SUB-BASE, BACKFILL DEPTH, AND/OR ANTI-FLOTATION PROVISIONS ARE SITE-SPECIFIC DESIGN CONSIDERATIONS AND SHALL BE SPECIFIED BY ENGINEER OF RECORD.
 - B. CONTRACTOR TO PROVIDE EQUIPMENT WITH SUFFICIENT LIFTING AND REACH CAPACITY TO LIFT AND SET THE STORMCEPTOR MANHOLE STRUCTURE.
 - C. CONTRACTOR TO INSTALL JOINT SEALANT BETWEEN ALL STRUCTURE SECTIONS AND ASSEMBLE STRUCTURE.
 - D. CONTRACTOR TO PROVIDE, INSTALL, AND GROUT INLET AND OUTLET PIPE(S). MATCH PIPE INVERTS WITH ELEVATIONS SHOWN. ALL PIPE CENTERLINES TO MATCH PIPE OPENING CENTERLINES.
 - E. CONTRACTOR TO TAKE APPROPRIATE MEASURES TO ASSURE UNIT IS WATER TIGHT, HOLDING WATER TO FLOWLINE INVERT MINIMUM. IT IS SUGGESTED THAT ALL JOINTS BELOW PIPE INVERTS ARE GROUTED.



STC1200
STORMCEPTOR
STANDARD DETAIL



RAIN GUARDIAN BUNKER
PRETREATMENT CHAMBER
BIORETENTION PONDING DEPTH: 1'
TYPICAL DETAIL

REVISION HISTORY			
REV	BY	DATE	DESCRIPTION
A	MDH	12/1/15	BUNKER-1'
SCALE	VARIABLE		
U.S. PATENT	8,501,016		



NO	DATE	BY	CKD	APPR	COMMENT



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.
Print Name: MICHELE J. CARON
Date: 9/3/2021 License #: 26254

PRELIMINARY
DESIGN REVIEW
PERMIT SUBMITTAL
CONSTRUCTION DOCUMENTS

DRAWN BY
KLS
DESIGNED BY
CDC
CHECKED BY
MJC
PROJECT NO.
22350



PRELIMINARY DETAILS
TARGET CORPORATION
TARGET T-0004
EXPANSION AND REMODEL PROJECT
DULUTH, MN

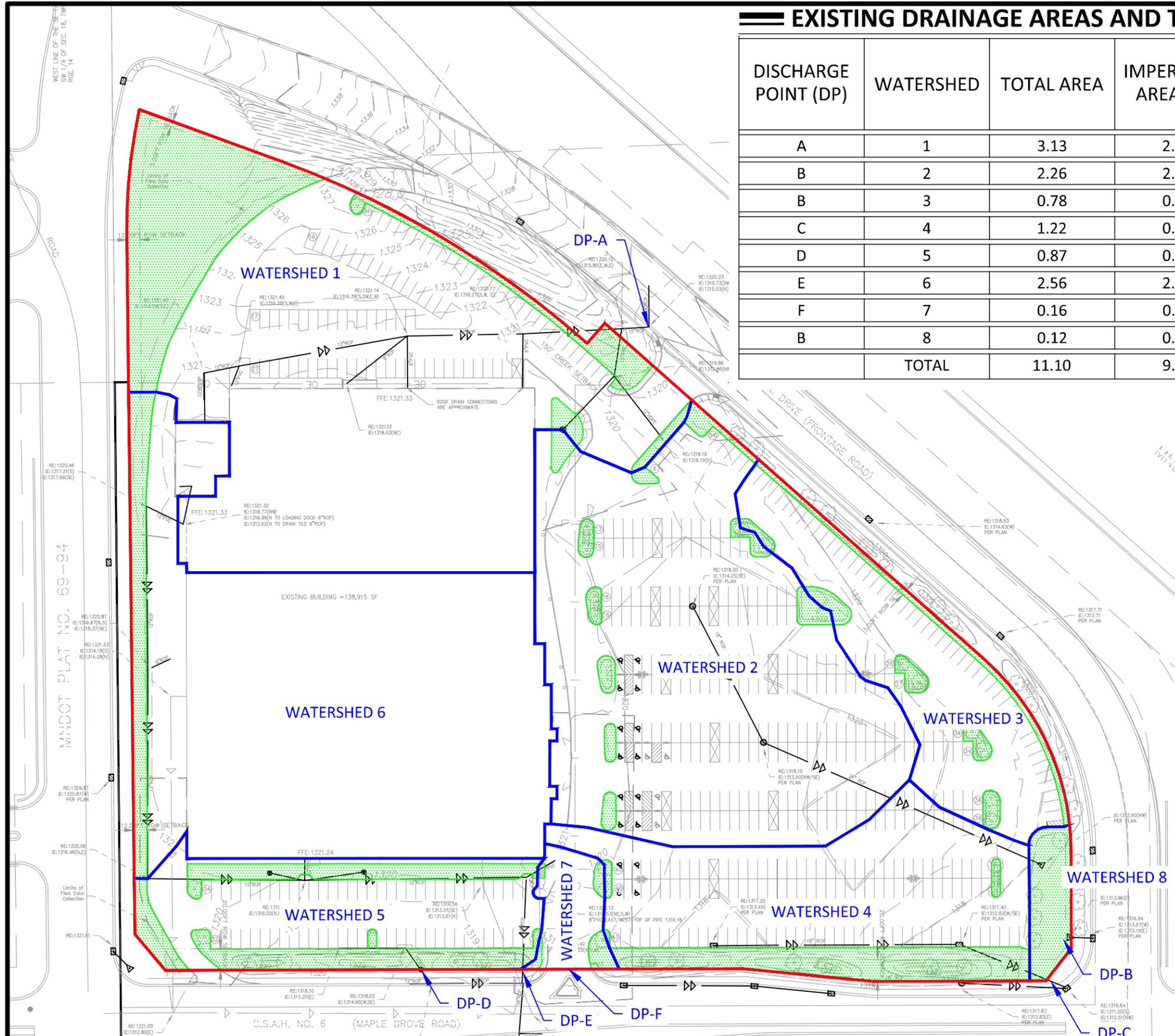
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C-8.02

22:05 (LWS TECH) | KENNETH STEWART | 9/3/2021 9:15:00 AM
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EXISTING DRAINAGE AREAS AND TREATMENT

PG Packet 10-12-2021

DISCHARGE POINT (DP)	WATERSHED	TOTAL AREA	IMPERVIOUS AREA (AC)	PERVIOUS AREA (AC)	TOTAL AREA WITH QUALITY IMPROVEMENTS (AC)	TREATMENT
A	1	3.13	2.54	0.59	0.00	NONE
B	2	2.26	2.21	0.05	2.26	DETENTION BASIN
B	3	0.78	0.67	0.11	0.78	DETENTION BASIN
C	4	1.22	0.98	0.24	0.00	NONE
D	5	0.87	0.58	0.29	0.00	NONE
E	6	2.56	2.41	0.15	0.00	NONE
F	7	0.16	0.13	0.03	0.00	NONE
B	8	0.12	0.00	0.12	0.12	DETENTION BASIN
	TOTAL	11.10	9.52	1.58	3.16	N/A



GREEN SPACE

- GREEN SPACE
- PROPERTY LINE
- WATERSHED LIMITS

NO	DATE	BY	CKD	APPR	COMMENT



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.

Print Name: MICHELE J. GARON

Date: 9/3/2021 License #: 26254

PRELIMINARY
DESIGN REVIEW
PERMIT SUBMITTAL
CONSTRUCTION DOCUMENTS

DRAWN BY
KLS
DESIGNED BY
CDC
CHECKED BY
MJC
PROJECT NO.
22350



DRAINAGE EXHIBIT - EXISTING CONDITIONS

TARGET CORPORATION
TARGET T-0004
EXPANSION AND REMODEL PROJECT
DULUTH, MN

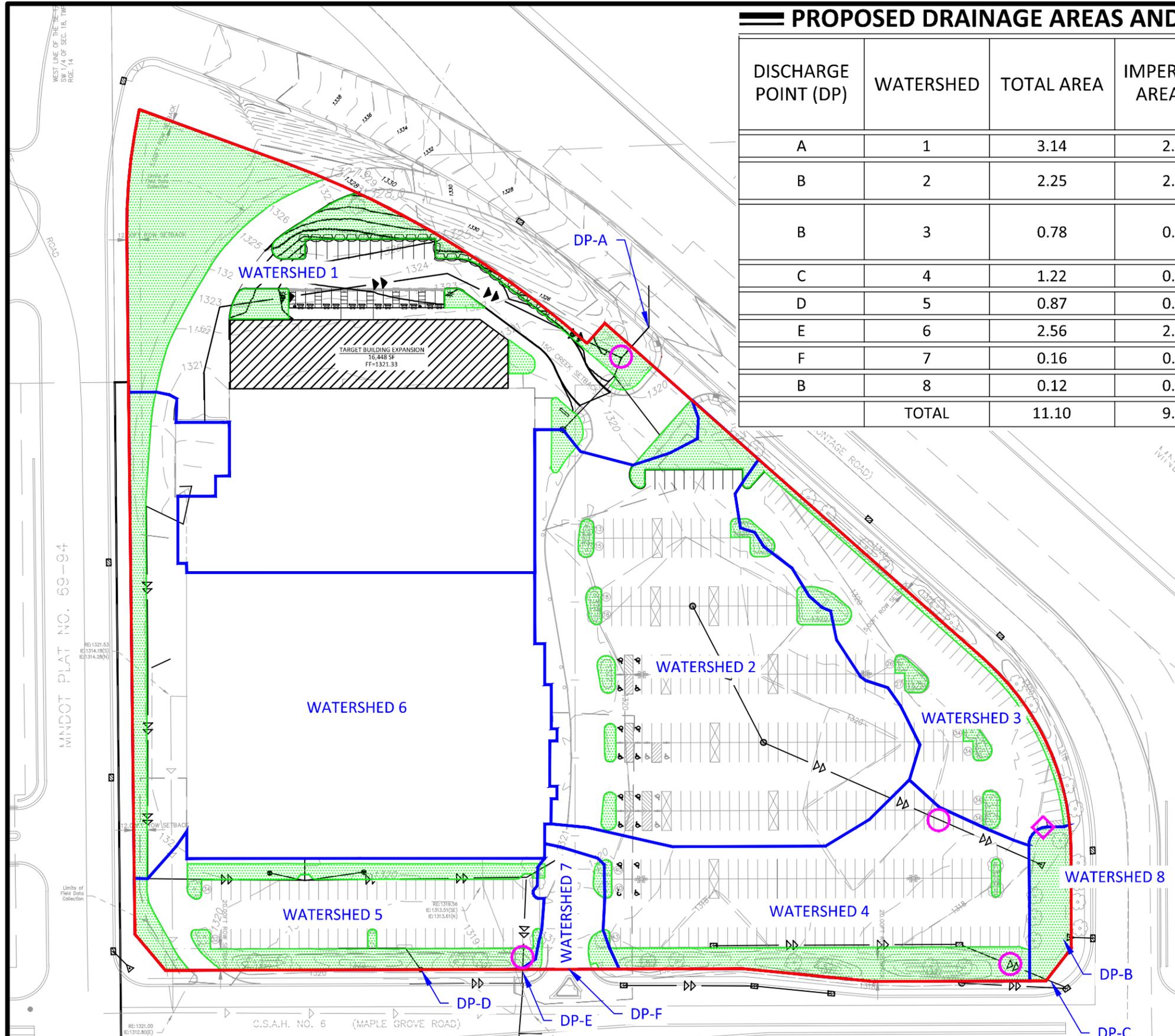
Page 134 of 142

SHEET
EX A

PROPOSED DRAINAGE AREAS AND TREATMENT

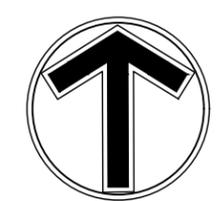
PG Packet 10-12-2021

DISCHARGE POINT (DP)	WATERSHED	TOTAL AREA	IMPERVIOUS AREA (AC)	PERVIOUS AREA (AC)	TOTAL AREA WITH QUALITY IMPROVEMENTS (AC)	TREATMENT
A	1	3.14	2.40	0.74	3.14	STORMCEPTOR
B	2	2.25	2.09	0.16	2.25	STORMCEPTOR, DETENTION BASIN
B	3	0.78	0.67	0.12	0.78	RAIN GUARDIAN TURRET, DETENTION BASIN
C	4	1.22	0.98	0.24	1.22	STORMCEPTOR
D	5	0.87	0.58	0.29	0.00	NONE
E	6	2.56	2.41	0.15	2.56	STORMCEPTOR
F	7	0.16	0.13	0.03	0.00	NONE
B	8	0.12	0.00	0.12	0.12	DETENTION BASIN
	TOTAL	11.10	9.26	1.84	10.07	N/A

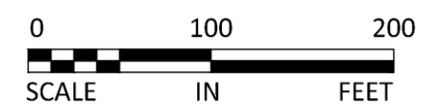


GREEN SPACE

- GREEN SPACE
- PROPERTY LINE
- WATERSHED LIMITS
- STORMCEPTOR
- RAIN GUARDIAN TURRET



NORTH



NO	DATE	BY	CKD	APPR	COMMENT



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.
 Print Name: MICHELE J. GARON
 Date: 9/3/2021 License #: 26254

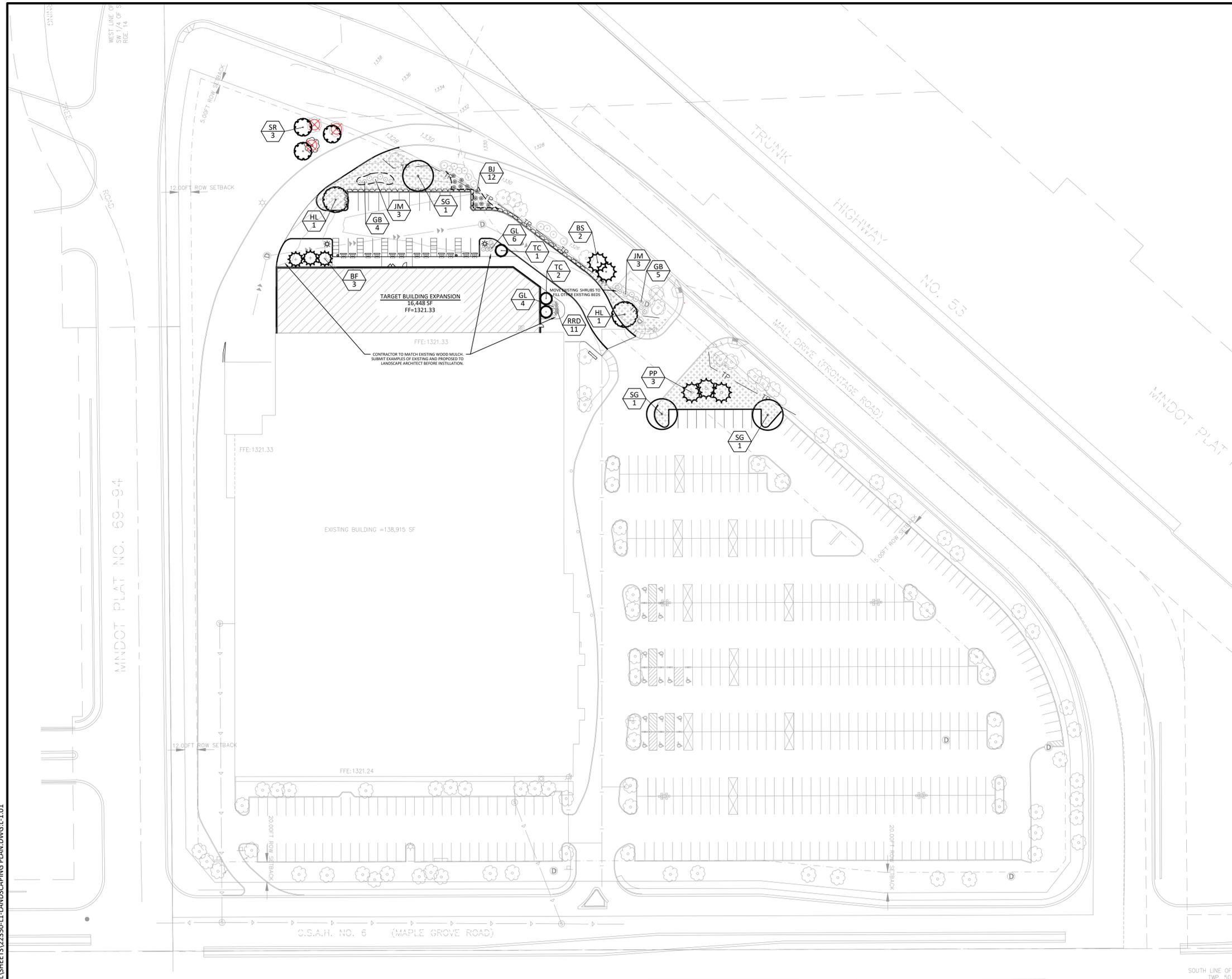
PRELIMINARY
 DESIGN REVIEW
 PERMIT SUBMITTAL
 CONSTRUCTION DOCUMENTS

DRAWN BY: KLS
 DESIGNED BY: CDC
 CHECKED BY: MJC
 PROJECT NO.: 22350



DRAINAGE EXHIBIT - PROPOSED CONDITIONS
 TARGET CORPORATION
 TARGET T-0004
 EXPANSION AND REMODEL PROJECT
 DULUTH, MN

SHEET
EX B
 Page 135 of 142



LEGEND

	PROPOSED	EXISTING	
PROPERTY LIMIT	—	---	STANDARD DUTY ASPHALT PAVING
CURB & GUTTER	—	---	CONCRETE PAVING
EASEMENT	---	---	CONCRETE SIDEWALK
BUILDING	—	---	
RETAINING WALL	—	---	
WETLAND LIMITS	—	---	
TREELINE	—	---	
LANDSCAPE EDGING	—	---	
STORM SEWER	—	---	
SANITARY SEWER	—	---	
FORCEMAIN (SAN.)	—	---	
WATERMAIN	—	---	
YARDDRRAIN	—	---	
LIMITS OF DISTURBANCE	—	---	
TREE PROTECTION FENCE	—	---	
TREE TO BE REMOVED	—	---	
SIGN	—	---	
PIPE BOLLARD	—	---	
RIPRAP	—	---	

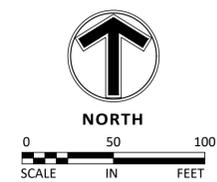
DULUTH LANDSCAPE CODE

CALCULATIONS	REQUIRED	EXISTING	PROPOSED
ONE TREE PER 10 PARKING SPACES	61	66	10
ONE 2" TREE PER PARKING ISLAND	12	19	5
EXISTING TREES TO BE REMOVED		-1	
TOTAL TREES:	73	88	+15

SCREENING REQUIREMENTS	REQUIRED	EXISTING	PROPOSED
4' ABOVE FIRST FLOOR ELEVATION OR 4' ABOVE PARKING (SETBACK BETWEEN 5' - 22.5')	50%	50%	50%

PLANT SCHEDULE

TREES	CODE	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	QTY
SG	SG	Acer freemanii 'Sienna Glen' / Sienna Glen Maple	B & B	3' Cal.		3
SR	SR	Acer rubrum 'Autumn Spire' / Autumn Spire Red Maple	B & B	2' Cal.		3
HL	HL	Gleditsia triacanthos 'Skyline' / Skyline Honey Locust	B & B	3' Cal.		2
CONIFERS	CODE	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	QTY
BF	BF	Abies balsamea / Balsam Fir	B & B	6'		3
BS	BS	Picea glauca densata / Black Hills Spruce	B & B		8'	2
PP	PP	Pinus ponderosa / Ponderosa Pine	B & B		8'	3
ORN. TREES	CODE	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	QTY
TC	TC	Malus x 'Evereste' TM / Perpetu Evereste Crabapple	B & B	2' Cal.		3
SHRUBS	CODE	BOTANICAL / COMMON NAME	CONT	SIZE	QTY	
GB	GB	Aronia melanocarpa elata / Glossy Black Chokeberry	5 gal		9	
JM	JM	Juniperus chinensis 'Maney' / Maney Juniper	5 gal		6	
BJ	BJ	Juniperus sabinna 'Broadmoor' / Broadmoor Juniper	5 gal		12	
GL	GL	Rhus aromatica 'Gro-Low' / Gro-Low Fragrant Sumac	5 gal		10	
PERENNIALS	CODE	BOTANICAL / COMMON NAME	CONT	SIZE	QTY	
RRD	RRD	Hemerocallis x 'Rosy Returns' / Daylily	1 gal		11	
GROUND COVERS	CODE	BOTANICAL / COMMON NAME	CONT	SIZE	QTY	
TUR HIG	TUR HIG	Turf Sod Highland Sod / Sod				



22.05 (LWS TECH) | KENNETH STEWART | 9/3/2021 9:32:15 AM
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NO	DATE	BY	CKD	APPR	COMMENT



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.
 Print Name: JOHN R. WORKMAN
 Date: 9/3/2021 License #: 59119

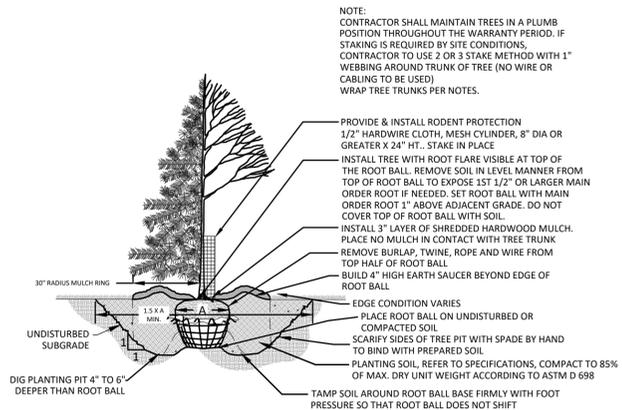
PRELIMINARY
 DESIGN REVIEW
 PERMIT SUBMITTAL
 CONSTRUCTION DOCUMENTS

DRAWN BY
 MJL
 DESIGNED BY
 MJL
 CHECKED BY
 JRW
 PROJECT NO.
 22350

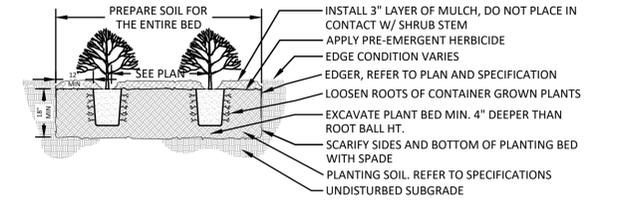


LANDSCAPE PLAN
 TARGET CORPORATION
 TARGET T-0004
 EXPANSION AND REMODEL PROJECT
 DULUTH, MN

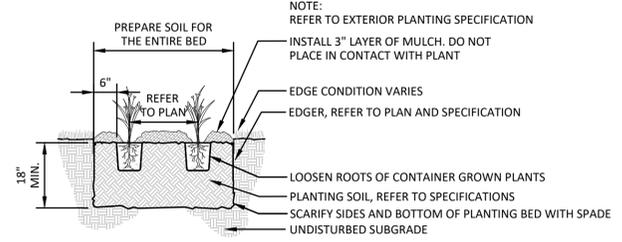
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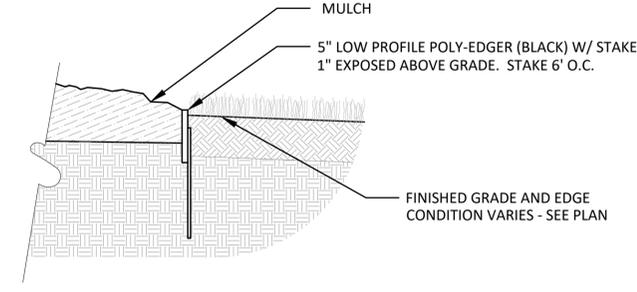
1 TREE PLANTING DETAIL
L-1.02 1/4" = 1'-0" P-01



2 SHRUB PLANTING DETAIL
L-1.02 3/8" = 1'-0" P-02



3 PERENNIAL PLANTING DETAIL
L-1.02 1/2" = 1'-0" P-03



4 LOW PROFILE POLY EDGER
L-1.02 1 1/2" = 1'-0" P-30

GENERAL NOTES

1. THE CONTRACTOR SHALL INSPECT THE SITE AND BECOME FAMILIAR WITH THE EXISTING CONDITIONS RELATING TO THE NATURE AND SCOPE OF THE WORK.
2. THE CONTRACTOR SHALL VERIFY PLAN LAYOUT AND BRING TO THE ATTENTION OF THE LANDSCAPE ARCHITECT DISCREPANCIES WHICH MAY COMPROMISE THE DESIGN OR INTENT OF THE LAYOUT.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLYING WITH ALL APPLICABLE CODES, REGULATIONS, AND PERMITS GOVERNING THE WORK.
4. THE CONTRACTOR SHALL PROTECT EXISTING ROADS, CURBS/GUTTERS, TRAILS, TREES, LAWNS AND SITE ELEMENTS DURING CONSTRUCTION. DAMAGE TO SAME SHALL BE REPAIRED AND/OR REPLACED AT NO ADDITIONAL COST TO THE OWNER.
5. LOCATE AND VERIFY ALL UTILITIES, INCLUDING IRRIGATION LINES, WITH THE OWNER FOR PROPRIETARY UTILITIES AND GOPHER STATE ONE CALL 48 HOURS BEFORE DIGGING. CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND REPAIR OF ANY DAMAGES TO SAME. NOTIFY THE LANDSCAPE ARCHITECT OF ANY CONFLICTS TO FACILITATE PLANT RELOCATION.
6. THE CONTRACTOR SHALL COORDINATE THE PHASES OF CONSTRUCTION AND PLANTING INSTALLATION WITH OTHER CONTRACTORS WORKING ON SITE.
7. THE CONTRACTOR SHALL REVIEW THE SITE FOR DEFICIENCIES IN SITE CONDITIONS WHICH MIGHT NEGATIVELY AFFECT PLANT ESTABLISHMENT, SURVIVAL OR WARRANTY. UNDESIRABLE SITE CONDITIONS SHALL BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT PRIOR TO BEGINNING OF WORK.
8. THE PLAN TAKES PRECEDENCE OVER THE LANDSCAPE LEGEND IF DISCREPANCIES EXIST. QUANTITIES SHOWN IN THE PLANTING SCHEDULE ARE FOR THE CONTRACTOR'S CONVENIENCE. CONTRACTOR TO VERIFY QUANTITIES SHOWN ON THE PLAN.
9. THE SPECIFICATIONS TAKE PRECEDENCE OVER THE PLANTING NOTES AND GENERAL NOTES.
10. EXISTING TREES AND SHRUBS TO REMAIN SHALL BE PROTECTED TO THE DRIP LINE FROM ALL CONSTRUCTION TRAFFIC, STORAGE OF MATERIALS ETC. WITH 4' HT. ORANGE PLASTIC SAFETY FENCING ADEQUATELY SUPPORTED BY STEEL FENCE POSTS 6' O.C. MAXIMUM SPACING.
11. LONG-TERM STORAGE OF MATERIALS OR SUPPLIES ON-SITE WILL NOT BE ALLOWED.
12. CONTRACTOR SHALL REQUEST IN WRITING, A FINAL ACCEPTANCE INSPECTION.

PLANTING NOTES

1. NO PLANTS SHALL BE INSTALLED UNTIL FINAL GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA.
2. ALL PLANTING STOCK SHALL CONFORM TO THE "AMERICAN STANDARD FOR NURSERY STOCK," ANSI-Z60, LATEST EDITION, OF THE AMERICAN ASSOCIATION OF NURSERYMEN, INC. AND SHALL CONSTITUTE MINIMUM QUALITY REQUIREMENTS FOR PLANT MATERIALS.
3. OVERSTORY TREES SHALL BEGIN BRANCHING NO LOWER THAN 6' ABOVE PAVED SURFACES.
4. ALL PLANTS MUST BE HEALTHY, VIGOROUS MATERIAL, FREE OF PESTS AND DISEASE AND BE CONTAINER GROWN OR BALLED AND BURLAPPED AS INDICATED IN THE LANDSCAPE LEGEND.
5. PLANT MATERIALS TO BE INSTALLED PER PLANTING DETAILS.
6. ALL TREES MUST BE STRAIGHT TRUNKED AND FULL HEADED AND MEET ALL REQUIREMENTS SPECIFIED.
7. THE LANDSCAPE ARCHITECT RESERVES THE RIGHT TO REJECT ANY PLANTS WHICH ARE DEEMED UNSATISFACTORY BEFORE, DURING, OR AFTER INSTALLATION.
8. NO SUBSTITUTIONS OF PLANT MATERIAL SHALL BE ACCEPTED UNLESS APPROVED IN WRITING BY THE LANDSCAPE ARCHITECT.
9. ALL PLANT MATERIAL QUANTITIES, SHAPES OF BEDS AND LOCATIONS SHOWN ARE APPROXIMATE. CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLETE COVERAGE OF ALL PLANTING BEDS AT SPACING SHOWN AND ADJUSTED TO CONFORM TO THE EXACT CONDITIONS OF THE SITE. THE LANDSCAPE ARCHITECT SHALL APPROVE THE STAKING LOCATION OF ALL PLANT MATERIALS PRIOR TO INSTALLATION.
10. ALL PLANTING AREAS MUST BE COMPLETELY MULCHED AS SPECIFIED.
11. MULCH: SHREDDDED HARDWOOD MULCH, COLORED RED CANYON, BY SYLIA, OR APPROVED EQUAL, CLEAN AND FREE OF NOXIOUS WEEDS OR OTHER DELETERIOUS MATERIAL, IN ALL MASS PLANTING BEDS AND FOR TREES, UNLESS INDICATED AS ROCK MULCH ON DRAWINGS. SUBMIT SAMPLE TO LANDSCAPE ARCHITECT PRIOR TO DELIVERY ON-SITE FOR APPROVAL. DELIVER MULCH ON DAY OF INSTALLATION. USE 4" FOR SHRUB BEDS, AND 3" FOR PERENNIAL/GROUND COVER BEDS, UNLESS OTHERWISE DIRECTED.
12. *CONTRACTOR TO MATCH EXISTING WOOD MULCH. SUBMIT EXAMPLES OF EXISTING AND PROPOSED TO LANDSCAPE ARCHITECT BEFORE INSTALLATION.
13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL MULCHES AND PLANTING SOIL QUANTITIES TO COMPLETE THE WORK SHOWN ON THE PLAN.
14. USE ANTI-DESICCANT (WILT-PROOF OR APPROVED EQUAL) ON DECIDUOUS PLANTS MOVED IN LEAF AND FOR EVERGREENS MOVED ANYTIME. APPLY AS PER MANUFACTURER'S INSTRUCTION. ALL EVERGREENS SHALL BE SPRAYED IN THE LATE FALL FOR WINTER PROTECTION DURING WARRANTY PERIOD.
15. PLANTING SOIL FOR TREES, SHRUBS AND GROUND COVERS: FERTILE FRIABLE LOAM CONTAINING A LIBERAL AMOUNT OF HUMUS AND CAPABLE OF SUSTAINING VIGOROUS PLANT GROWTH. IT SHALL COMPLY WITH MNDOT SPECIFICATION 3877 TYPE B SELECT TOPSOIL. MIXTURE SHALL BE FREE FROM HARDPACK SUBSOIL, STONES, CHEMICALS, NOXIOUS WEEDS, ETC. SOIL MIXTURE SHALL HAVE A PH BETWEEN 6.1 AND 7.5 AND 10-0-10 FERTILIZER AT THE RATE OF 3 POUNDS PER CUBIC YARD. IN PLANTING BEDS INCORPORATE THIS MIXTURE THROUGHOUT THE ENTIRE BED BY ROTO-TILLING IT INTO THE TOP 12" OF SOIL.
16. ANY PLANT STOCK NOT PLANTED ON DAY OF DELIVERY SHALL BE HELED IN AND WATERED UNTIL INSTALLATION. PLANTS NOT MAINTAINED IN THIS MANNER WILL BE REJECTED.
17. ALL PLANTS SHALL BE GUARANTEED FOR TWO COMPLETE GROWING SEASON (APRIL 1 - NOVEMBER 1), UNLESS OTHERWISE SPECIFIED. THE GUARANTEE SHALL COVER THE FULL COST OF REPLACEMENT INCLUDING LABOR AND PLANTS.
18. CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT AT LEAST 3 DAYS PRIOR TO PLANNED DELIVERY. THE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT AT LEAST 24 HOURS IN ADVANCE OF BEGINNING PLANT INSTALLATION.
19. SEASONS/TIME OF PLANTING AND SEEDING: NOTE: THE CONTRACTOR MAY ELECT TO PLANT IN OFF-SEASONS ENTIRELY AT HIS/HER RISK. DECIDUOUS

18.1. POTTED PLANTS:	4/1 - 6/1; 9/21 - 11/1
18.2. DECIDUOUS /B&B:	4/1 - 6/1; 9/21 - 11/1
18.3. EVERGREEN POTTED PLANTS:	4/1 - 6/1; 9/21-11/1
18.4. EVERGREEN B&B:	4/1 - 5/1; 9/21 - 11/1
18.5. TURF/LAWN SEEDING:	4/1 - 6/1; 7/20 - 9/20
18.6. NATIVE MIX SEEDING:	4/1 - 7/20; 9/20-10/20
20. MAINTENANCE SHALL BEGIN IMMEDIATELY AFTER EACH PORTION OF THE WORK IS IN PLACE. PLANT MATERIAL SHALL BE PROTECTED AND MAINTAINED UNTIL THE INSTALLATION OF THE PLANTS IS COMPLETE, INSPECTION HAS BEEN MADE, AND PLANTINGS ARE ACCEPTED EXCLUSIVE OF THE GUARANTEE. MAINTENANCE SHALL INCLUDE WATERING, CULTIVATING, MULCHING, REMOVAL OF DEAD MATERIALS, RE-SETTING PLANTS TO PROPER GRADE AND KEEPING PLANTS IN A PLUMB POSITION. AFTER ACCEPTANCE, THE OWNER SHALL ASSUME MAINTENANCE RESPONSIBILITIES. HOWEVER, THE CONTRACTOR SHALL CONTINUE TO BE RESPONSIBLE FOR KEEPING THE TREES PLUMB THROUGHOUT THE GUARANTEE PERIOD.
21. ANY PLANT MATERIAL WHICH DIES, TURNS BROWN, OR DEFOLIATES (PRIOR TO TOTAL ACCEPTANCE OF THE WORK) SHALL BE PROMPTLY REMOVED FROM THE SITE AND REPLACED WITH MATERIAL OF THE SAME SPECIES, QUANTITY, AND SIZE AND MEETING ALL LANDSCAPE LEGEND SPECIFICATIONS.
22. WATERING: MAINTAIN A WATERING SCHEDULE WHICH WILL THOROUGHLY WATER ALL PLANTS ONCE A WEEK. IN EXTREMELY HOT, DRY WEATHER, WATER MORE OFTEN AS REQUIRED BY INDICATIONS OF HEAT STRESS SUCH AS WILTING LEAVES. CHECK MOISTURE UNDER MULCH PRIOR TO WATERING TO DETERMINE NEED. CONTRACTOR SHALL MAKE THE NECESSARY ARRANGEMENTS FOR WATER.

TURF NOTES

- TURF ESTABLISHMENT SHALL BE ACCOMPLISHED IN ACCORDANCE WITH THE PROVISIONS OF THE MNDOT 2105 AND 2575 EXCEPT AS MODIFIED BELOW:
1. ALL AREAS TO RECEIVE SOD SHALL ALSO RECEIVE 4" OF TOPSOIL PRIOR TO INSTALLING SOD. TOPSOIL SHALL BE FREE OF TREE ROOTS, STUMPS, BUILDING MATERIAL, AND TRASH, AND SHALL BE FREE OF STONES LARGER THAN 1 1/2" INCHES IN ANY DIMENSION.
 2. WHERE SOD ABUTS PAVED SURFACES, FINISHED GRADE OF SOD/SEED SHALL BE HELD 1" BELOW SURFACE ELEVATION OF TRAIL, SLAB, CURB, ETC.
 3. SOD SHALL BE LAID PARALLEL TO THE CONTOURS AND SHALL HAVE STAGGERED JOINTS. ON SLOPES STEEPER THAN 3:1 OR IN DRAINAGE SWALES, SOD SHALL BE STAKED SECURELY.
 4. TURF ON ALL OTHER AREAS DISTURBED BY CONSTRUCTION SHALL BE RESTORED BY SEEDING, MULCHING AND FERTILIZING. SEED MIXTURE NO.25-151 (FORMERLY MndOT 240) WILL BE PLACED AT THE RATE OF 120 POUNDS PER ACRE.
 5. ALL DISTURBED AREAS TO BE TURF SEEDDED, ARE TO RECEIVE 4" TOP SOIL, SEED, MULCH, AND WATER UNTIL A HEALTHY STAND OF GRASS IS OBTAINED. FOR SLOPES STEEPER THAN 3:1 OR IN DRAINAGE SWALES INSTALL EROSION CONTROL BLANKET.
 6. ALL DISTURBED AREAS TO RECEIVE NATIVE WETLAND SEEDDED, ARE TO RECEIVE ENGINEERED SOIL, SEED, MULCH, AND WATER UNTIL A HEALTHY STAND OF GRASS IS OBTAINED. FOR SLOPES STEEPER THAN 3:1 OR IN DRAINAGE SWALES INSTALL EROSION CONTROL BLANKET.

22.05 (LWS TECH) | KENNETH STEWART | 9/3/2021 9:32:15 AM
L:\PROJECTS\22350\CAD\CIVIL\SHEETS\22350-L1-LANDSCAPING PLAN.DWG:L-1.02

NO	DATE	BY	CKD	APPR	COMMENT



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.

Print Name: JOHN R. WORKMAN

Date: 9/3/2021 License # 59119

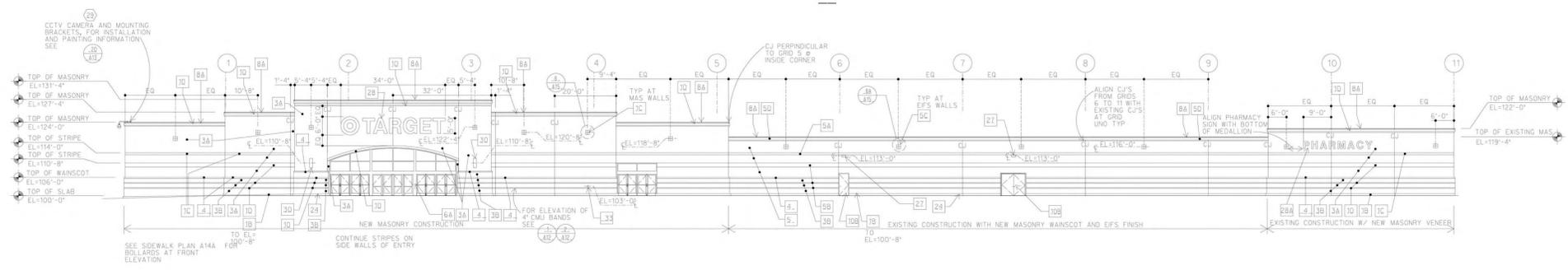
PRELIMINARY	DRAWN BY MJL
DESIGN REVIEW	DESIGNED BY MJL
PERMIT SUBMITTAL	CHECKED BY JRW
CONSTRUCTION DOCUMENTS	PROJECT NO. 22350



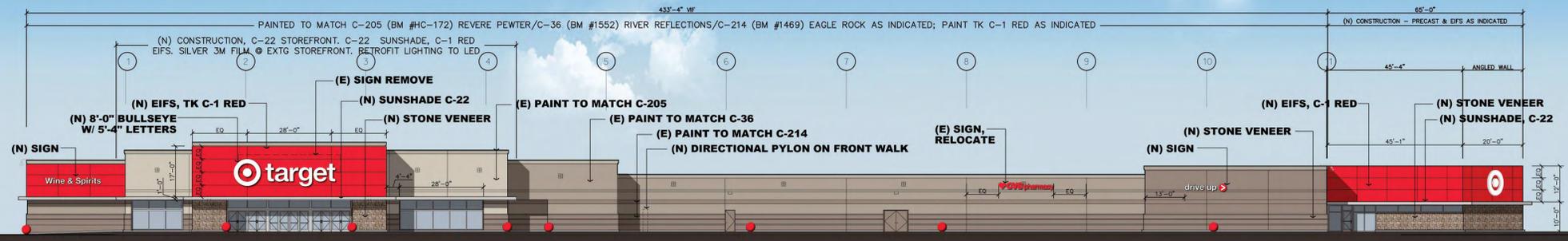
LANDSCAPE NOTES AND DETAILS

TARGET CORPORATION
TARGET T-0004
EXPANSION AND REMODEL PROJECT
DULUTH, MN

SHEET
L-1.02

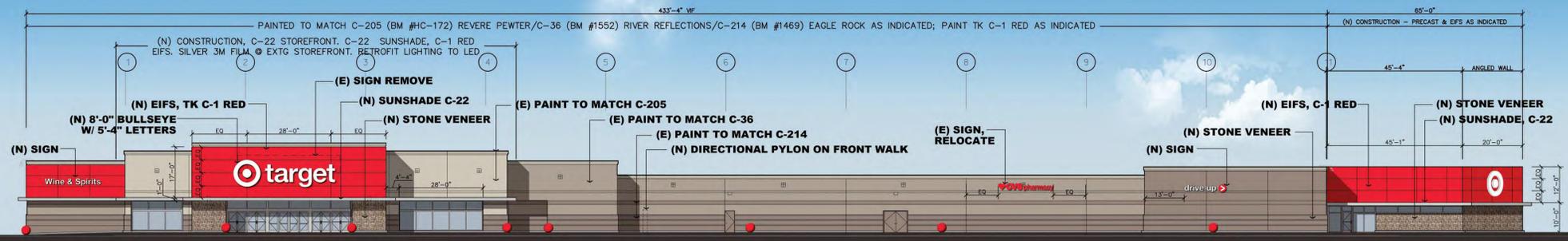


Existing Condition

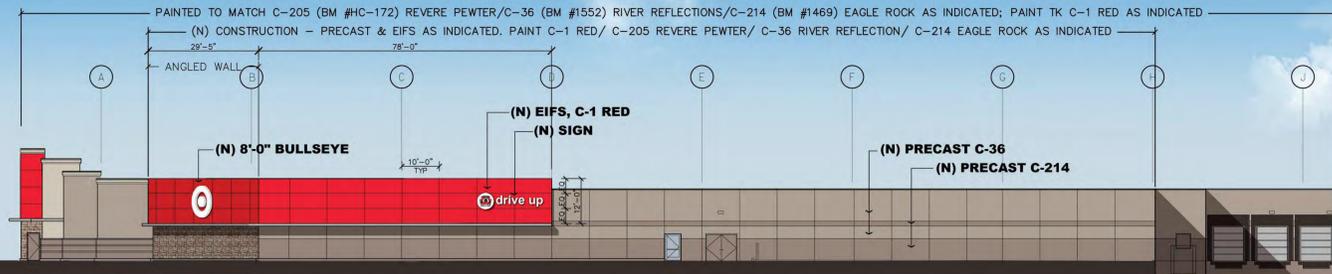


Proposed Front Elevation

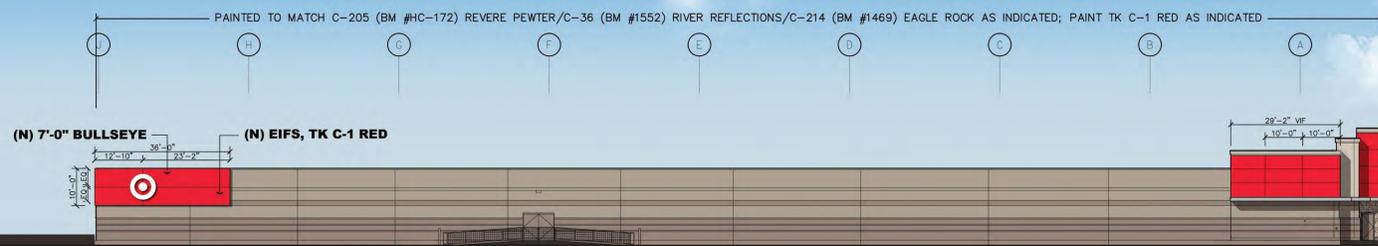
T-0004 Duluth, MN: Exterior Elevation Refresh



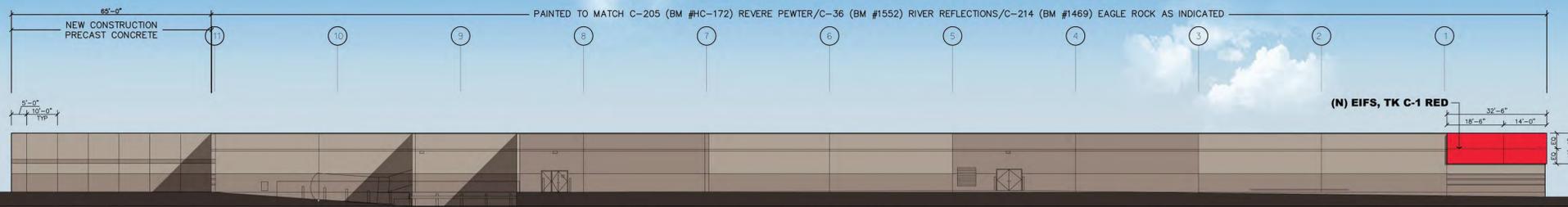
East Elevation



North Elevation

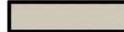
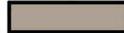
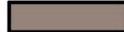


South Elevation



West Elevation

COLOR KEY:

-  C-205 (BM #HC-172) REVERE PEWTER
-  C-36 (BM #1552) RIVER REFLECTIONS
-  C-214 (BM #1469) EAGLE ROCK
-  C-1 (TK #8010-1) RED
-  C-22 CLEAR ANODIZE
-  STONE VENEER
-  (E) SOFFIT PAINT C-6 OXFORD WHITE

NOTE:

- * ALL COLORS ARE FOR REFERENCE ONLY.
- * EXISTING PREFINISHED METAL-NO PAINT, UNLESS NOTED OTHERWISE
- *STORE EXTERIOR WALLS ARE PRIMARILY CMU & EIFS
- *BEN-2 : MODERN, COLOR.....SILVER

GENERAL NOTE

- * AREA TO BE PAINTED STARTS AT TOP OF CURB OR REVEAL AND CONTINUES TO TOP OF PARAPET/FLASHING OR REVEAL. PAINT COLOR AND FINISH TRANSITIONS OCCUR AT EXISTING VERTICAL CONTROL JOINTS OR AT INSIDE BUILDING CORNERS, U.N.O.
- * ALL EXISTING WALL-MOUNTED ITEMS TO BE PAINTED TO MATCH ADJ. WALL SURFACE, U.N.O.
- * PATCH ALL VISIBLE HOLES FROM MOUNTING OF REMOVED SIGNS WITH LIKE MATERIALS. RESTORE WALL SURFACE TO ' LIKE NEW' APPEARANCE.

Proposed Elevations

August 26, 2022



T-0004 Duluth, MN: Exterior Elevation Refresh



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Revisions:

1	12-08-17 JK ADD OPTION 2
2	
3	
4	
5	
6	

Account Rep: **BOYD HIPPENSTIEL**

Project Manager: **CHERYL YOUNG**

Drawn By: **JOE KNESTRICK**

Project / Location:



UL Underwriters Laboratories Inc. ELECTRICAL TO USE U.L. LISTED COMPONENTS AND SHALL MEET ALL N.E.C. STANDARDS
ALL ELECTRICAL SIGNS ARE TO COMPLY WITH U.L. 84 AND ARTICLE 405 OF THE N.E.C. STANDARDS, INCLUDING THE PROPER GROUNDING AND BONDING OF ALL SIGNS.

Client Approval/Date:

Landlord Approval/Date:

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Colors Depicted In This Rendering May Not Match Actual Material Finishes. Refer To Product Samples For Exact Color Match.

Job Number: **23-45905-10**

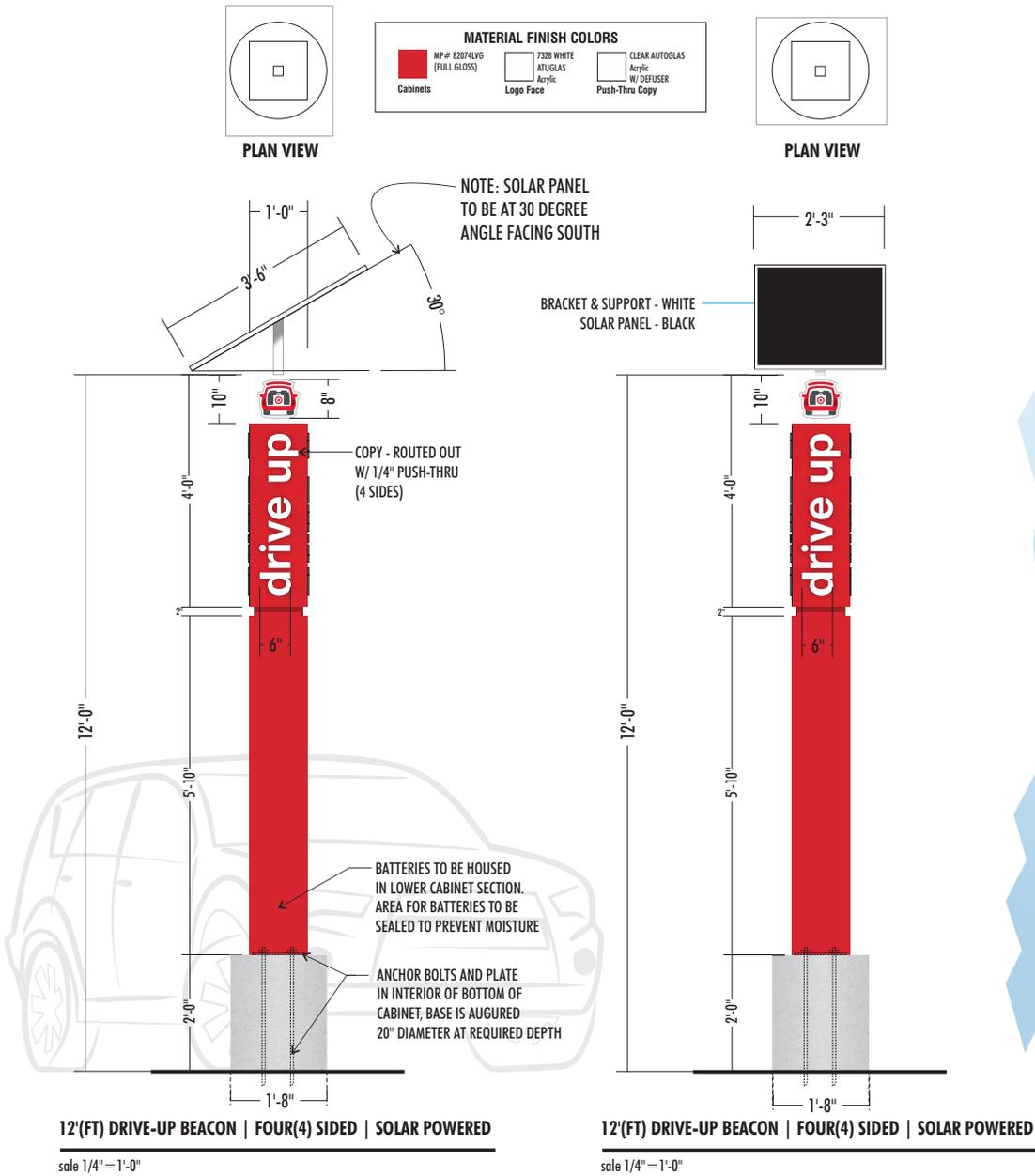
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Sheet Number:

Design Number: **23-45905-10 R1**

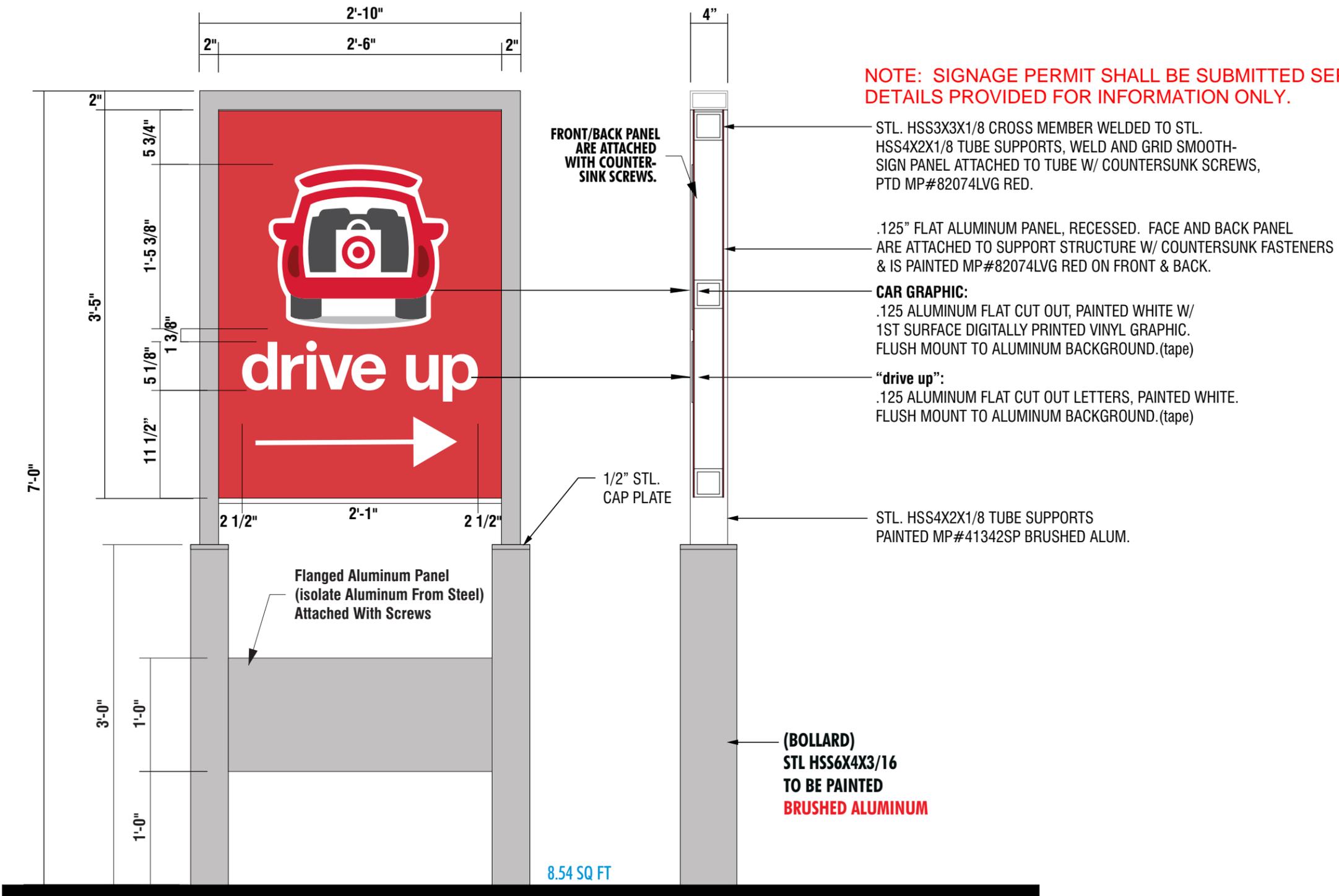
DESCRIPTION OF WORK

MANUFACTURE AND INSTALL BEACON SIGN AS SHOWN AND NOTED .125" ALUM SKIN & FRAME. COPY TO BE ROUT-OUT WITH 1/4" PUSH THRU. PUSH THRU IS 1/2" SHOULDER-CUT CLEAR ACRYLIC W/ FIRST SURFACE WHITE VINYL AND DIFFUSER 2ND SURFACE. TOP (LOGO) IS 7328 WHITE ACRYLIC VINYL GRAPHICS FIRST SURFACE. SERVICE DOORS AS REQUIRED. ALL FASTENERS TO BE COUNTER-SUNK SCREWS. FACES AND POLE COVER TO BE PAINTED RED (SEE CHART) WHITE LED ILLUMINATION WITH SOLAR PANELS. BATTERIES SELF-CONTAINED AS NOTED.





Store Number: xxxx
 TARGET COR
 MINNEAPOLIS, MN 55440



CAR LOGO COLORS

	Target Red PMS 186		DARK RED PMS 188		DARK GRAY PMS 425		LIGHT GRAY PMS 421
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SINGLE FACE SIGN ELEVATION

DRIVE UP DIRECTIONAL SIGNAGE (TWO SIDED)