



# City of Duluth

Council Chambers, City  
Hall

## Meeting Agenda Planning Commission.

*Council Chambers*

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Tuesday, March 11, 2025

5:00 PM

Council Chambers

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### CALL TO ORDER AND ROLL CALL

### APPROVAL OF PLANNING COMMISSION MINUTES

[PL 25-0211](#) Planning Commission Minutes 02/11/25

**Attachments:** [2-11-25 PC Minutes \(not approved yet\)](#)

[PL 25-0303](#) Planning Commission Minutes 03/03/25

**Attachments:** [3-3-25 PC Annual Meeting Summary \(not approved yet\)](#)

### PUBLIC COMMENT ON ITEMS NOT ON AGENDA

### CONSENT AGENDA

[PLIUP-2502-002](#) Interim Use Permit for a Vacation Dwelling Unit at 1003 S Lake Ave by Island Twin Homes LLC

**Attachments:** [PLIUP-2502-0002 staff report and attachments](#)

[PLSUB-2501-0002](#) Minor Subdivision at Parcel Number 010-3890-01010 Near Anderson Rd and Fountain Gate Dr by Dirt Inc

**Attachments:** [PLSUB-2501-0002 staff report and attachments](#)

[PLSUP-2501-0015](#) Special Use Permit for a Water Pumping Station at 408 N 34th Avenue E by Lakehead Contractors Inc

**Attachments:** [PLSUP-2501-0015 Staff Report and Attachments](#)

[PLVAC-2502-0001](#) Vacation of Right of Way at Mission Creek Cemetery (W 4th St and 133rd Ave W) by City of Duluth

**Attachments:** [PLVAC-2502-0001 Staff Report with Attachments](#)

[PLVAC-2407-0002](#) Vacation of Right of Way near 1206 W 1st St by Jason Vincent

**Attachments:** [PLVAC-2407-0002 Staff Report with attachments](#)

[PLVAR-2502-0003](#) Variance from Shoreland Setbacks at the Lakewalk by City of Duluth

**Attachments:** [PLVAR-2502-0003 Staff Report with Attachments](#)

**PUBLIC HEARINGS**

[PLIUP-2411-0018](#) Interim Use Permit for a Vacation Dwelling Unit at 608 W 4th St by Justin Voegele

**Attachments:** [PLIUP-2411-0018 Staff Report and Attachments Revised](#)

[PLSUB-2502-0003](#) Minor Subdivision at 2125 Abbotsford Ave by Christopher Michael

**Attachments:** [PLSUB-2502-0003 Staff Report with Attachments](#)

**COMMUNICATIONS**

Land Use Supervisor Report

Heritage Preservation Commission Report

Duluth Midway Joint Powers Zoning Board Report

# City of Duluth Planning Commission

February 11<sup>th</sup>, 2025 – City Hall Council Chambers  
Meeting Minutes

## Call to Order

Jenn Moses called to order the meeting of the city of Duluth Planning Commission at 5:04 p.m. on Tuesday, February 11<sup>th</sup>, 2025, in the Duluth city hall council chambers.

## Roll Call

### **Attendance:**

Members Present: Jason Crawford, Brian Hammond, Danielle Rhodes, Dave Sarvela, and Andrea Wedul

Members Absent: Chris Adatte, Jason Hollinday, Gary Eckenberg, and Margie Nelson

Staff Present: Nick Anderson, Amanda Mangan, Chris Lee, Jason Mozol, Jenn Moses, Ariana Dahlen, Natalie Lavenstein, and Sam Smith

Jenn Moses asked the commissioners to nominate someone amongst them to serve as acting president in the absence of President Eckenberg and Vice President Hollinday.

**MOTION/Second:** Wedul/Sarvela nominate and elect Commissioner Brian Hammond to serve as acting president for this meeting.

**VOTE: (5-0)**

## Approval of Planning Commission Minutes

Planning Commission Meeting – January 14<sup>th</sup>, 2024 –

**MOTION/Second:** Sarvela/Wedul approved

**VOTE: (5-0)**

## Public Comment on Items Not on Agenda

No comments.

## Consent Agenda

PLIUP-2411-0018 Interim Use Permit for a Vacation Dwelling Unit at 608 W 4th St by

Justin Voegele

**MOTION/Second:** Wedul/Rhodes motion to postpone this item

**VOTE: (5-0)**

PLIUP-2411-0021 Interim Use Permit Renewal for a Vacation Dwelling Unit at 3 Mesaba Pl by Lakeview Land Company LLC  
PLIUP-2412-0023 Interim Use Permit for a Vacation Dwelling Unit at 1932 London Rd by Jason Kleiman  
PLIUP-2501-0001 Interim Use Permit for a Vacation Dwelling Unit at 5721 Grand Ave by Paul Nelson  
PLSUP-2411-0011 Special Use Permit for Wireless Facility at 2120 Jean Duluth Rd by Fullerton Engineering  
PLVAR-2501-0001 Variance to Reduce Build-to-Zone Near 21 W 4th St by Kevin Ellingson

**Staff:** Jenn Moses addressed the commissioners. The applicant of first agenda item, Justin Voegele, requested that the consideration of his application be postponed and moved to the March planning commission meeting, as he is unable to attend tonight's meeting. Legal counsel advises that the commissioners make a motion/second to postpone this item until the March meeting, followed by a vote. After action has been taken on the first agenda item, the commissioners can take action on the remainder of the consent agenda.

**Commissioners:** Commissioner Rhodes noted that PLIUP-2411-0021 has an incorrect parcel ID listed on the staff report, but the address is correct.

**Staff:** Moses responded that the correction to that item will be made.

**Public:** No speakers.

**MOTION/Second:** Wedul/Sarvela approve the consent agenda items as per staff recommendations.

**VOTE: (5-0)**

## **Public Hearings**

### PLUTA-2412-0003 UDC Text Amendment for Floodplain Regulations

**Staff:** Jason Mozol addressed the commissioners and gave a presentation about the City's Unified Development Code (UDC) amendment to floodplain regulations. The current floodplain maps for St Louis County, including Duluth, are the result of a study conducted by the Federal Emergency Management Agency (FEMA) in 1982. To update and modernize this resource, FEMA conducted a new Flood Insurance Study (FIS). This study, and the associated public review process, has been ongoing for the last several years. Through this process, City staff and members of the public have provided FEMA with feedback on the preliminary outputs of the study. As the end of this update process nears, the FIS and new Flood Insurance Rate Maps (FIRMs) are expected to become effective on March 25, 2025. As a requirement for the City of Duluth to remain a participating community in the National Flood Insurance Program (NFIP), FEMA and the Minnesota Department of Natural Resources (DNR) require the City to adopt updated floodplain management measures. In Duluth's regulatory framework, these updates require amendments to the City's UDC.

FEMA's previous study was done using a 1-dimensional model, which basically modeled the water flowing down the water course and identified where it would back up. These older maps were a bit smoother and more generalized, while the new ones are more specific. The new floodplain study uses a 2-dimensional model, which also accounts for where water might flow out of the water course, but on a more detailed and modernized level. The purpose of these amendments is to promote the public health, safety, and general welfare by minimizing these

losses and disruptions. Floodplain regulation supports the public interest to promote sound land use practices, and floodplains are a land resource to be developed in a manner which will result in minimum loss of life and threat to health, and reduction of private and public economic loss caused by flooding. Floodplain regulation also intends to preserve the natural characteristics and functions of watercourses in order to moderate flood and stormwater impacts, improve water quality, reduce soil erosion, protect aquatic and riparian habitat, provide recreational opportunities, provide aesthetic benefits and enhance community and economic development. The Department of Natural Resources (DNR) works closely with FEMA and the City of Duluth in establishing these updated regulations. They provided model language as well as and guidance and feedback when applying these regulations in the future. Most of these regulations will be applied by staff when they are working with applicants on proposed projects, but Mozol suspected that planning commissioners will see citations for these regulations in future staff reports.

Most floodplains are broken down into 3 sections – the floodway and two the flood fringe districts. On the floodplain maps in Mozol’s staff report, the red area represents the floodway. The blue areas represent the 1% annual chance, or 100-year flood, and the green represents the 0.2% annual chance, or 500-year flood. The floodway, often the middle of the channel, is calculated to include the space necessary to allow flood waters to move through an area and is often associated with higher velocity water movement. The flood fringe is the area that water will back up into and occupy but not necessarily flow through. Development is severely limited in the floodway because higher water velocities pose risk to those properties. Additionally, development in the floodway may have impacts on other properties, in or adjacent to the floodplain, as flood waters are diverted elsewhere. Generally, development in the flood fringe is less limited if it is elevated or protected above the regulatory flood protection elevation (RFPE), since risk to the property is primarily due to inundation.

A key consideration in floodplain management is the Regulatory Flood Protection Level (RFPE). The RFPE is the level structures in floodplains must be protected at, with some exceptions for uses that are of minimal value or are naturally resistant to flooding, such as small sheds or parking lots. The RFPE is defined as the elevation two feet above the modeled water level of the 1% annual chance flood. The 1% chance flood elevation is calculated based on expected water volumes in an area, downstream constrictions of water flow, local topography, and other associated factors. The additional two feet above that level allows for added protection to structures, life, and property while taking into consideration the inherent unpredictability of floods.

FEMA also added coastal districts to the new maps. They’ve recognized that Lake Superior acts similarly to an ocean in some ways, such as that there is a limited amount of storm surge and then some potential flooding from wave action. Due to the steep nature of the north shore and the sandy areas of Park Point, these mapped coastal floodplains don’t go very far into the land. Staff does not anticipate very many projects where these zones would be applied, but it is still interesting to see the different standards being applied to Lake Superior.

Like residential or mixed-use zone districts, each floodplain district has allowable uses and special uses. The standards and permit requirements for each is outlined in the associated section. The allowed and special uses are similar to what has previously been allowed with a few additional restrictions to minimize risk and promote sound land use practices. Several definitions in this section were added, updated, or removed to align with the intent of the updated DNR regulations and related federal and state laws. Among these changes are the definitions for structures and building definitions. The rest of the zoning code has separate definitions for what is a structure and what is a building, but when working with the floodplain

regulations, structures and buildings have the same definitions. One public comment was received and was provided to the commissioners prior to this meeting. Staff recommends that the planning commission recommends approval of these changes to the UDC.

**Commissioners:** Commissioner Wedul question asked a clarifying question regarding the RFPE and wondered what the elevation is supposed to be. She stated that staff noted the elevation to be 2 ft, but diagram 50-18.1.C-3 in the staff report shows that the value is greater than 1 ft. She wanted to know if one of these values could be changed to match up with the other one to make the document more consistent and less confusing.

Wedul also asked staff how the 1% and 0.2% chance language was coined, and what the correlation is between the percentages and the 100-year/500-year time lengths.

**Staff:** Mozol responded that the RFPE is defined in the definition section as 2 ft. above the base flood elevation. In the past, the city has used 2 ft as the standard, so staff decided to stick with it. The figures provided are from FEMA so it would be hard to change, but the definitions are there to reference.

The percentages and 100-year/500-year marks are away for FEMA to communicate the likelihood of floods each year. There is information somewhere on FEMA's website explaining this, but staff can put more focus on this clarification for the public to reference when looking at the maps on the city website.

**Commissioners:** Commissioner Rhodes asked if the public maps from the city as well as St. Louis County will be consistent with the FEMA data. She also asked if there is some kind of relief program that FEMA offers to people whose homes are in a floodplain.

**Staff:** Mozol stated that there is a public map application that the city maintains, and it contains both the old and the new data sets. He will follow up with her and send her a link. Jenn Moses added that about a year ago, staff created a page on the city's website about the new floodplain data. Staff made it so the public would be able to search their address on the map with the floodplain overlay, which includes the old and new data.

Both FEMA and the city put out several press releases when FEMA was in town to conduct public information sessions. Though these are not the city's regulations and maps, staff felt it was important to attend those sessions as well as disseminate that information to the public. There are a few small areas in the maps that staff has reviewed that could be more accurate, and FEMA provides ways for staff to amend the maps if needed. Overall, most of the new floodplain data reflects the flooding that Duluth saw in the 2012 floods.

By having city staff work with FEMA to implement this new data, it allows people to buy into the National Floodplain Insurance program, which provides some protection in the event of a flood. Once Duluth has adopted FEMA's ordinances, which are designed to minimize risk within those floodplain areas, then the homeowners will be able to buy in to this insurance program. After the floods in 2012, there were many impacted property owners that were helped by FEMA because of this program.

**Public:** No speakers.

**Motion/second:** Sarvela/Crawford approve as per staff recommendation

**Vote: (5-0)**

### **Other Business**

No other business.

## **Communications**

Land Use Supervisor (LUS) Report – Jenn Moses addressed the commissioners. She announces that the annual planning commission meeting will be held on Monday, March 3<sup>rd</sup> at Mr. D's in West Duluth, and more details would be coming soon. At this meeting, staff member Kyle Deming will give an update on the Core Investment Area work for Spirit Valley that has been taking place.

There will also be a guest speaker, Dr. Jennifer Webb, who is a professor at UMD. She teaches an Urban Planning class and studies artwork around Duluth, and she will give a presentation titled "Duluth as a work of Art".

At the annual meeting, the election of officers will take place. Staff will also be recognizing the two outgoing planning commission members Jason Holliday and Margie Nelson, and Moses added that staff are looking for people to fill those positions.

Finally, Moses gave an update on the Sofidel project. Planning commission sees projects far in advance on the front end, and she wanted to inform the commissioners that Sofidel has put in permits for foundation so they should expect to see that work happening soon.

Heritage Preservation Commission Report – No report.

Duluth Midway Joint Powers Zoning Board – No report.

## **Adjournment**

Meeting adjourned at 5:38 p.m.

Respectfully,

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Jenn Moses, Manager  
Planning & Economic Development

# City of Duluth Planning Commission

March 3<sup>rd</sup>, 2025 – Mr. D's Bar & Grill  
Annual Meeting Summary

## **Call to Order**

President Gary Eckenberg called to order the meeting of the City of Duluth Planning Commission Annual Meeting at 5:30 p.m. on Monday, March 3<sup>rd</sup>, 2025, at Mr. D's Bar & Grill in West Duluth.

## **Roll Call**

### **Attendance:**

Members Present: Chris Adatte, Jason Crawford, Gary Eckenberg, Brian Hammond, Jason Hollinday, Margie Nelson, Danielle Rhodes, Dave Sarvela, and Andrea Wedul  
Members Absent: none

Staff Present: Amanda Mangan, Chris Lee, Jason Mozol, Jenn Moses, Ben VanTassel, Ariana Dahlen, Natalie Lavenstein, Kyle Deming, James Gittemeier, Christian Huelsman, and Sam Smith

## **Guest Speaker: "Duluth as a Work of Art" with Dr. Jennifer Webb**

Dr. Jennifer Webb, an Associate Professor of Art History at UMD, gave a presentation to the commissioners. She prefaced with a summary of her background, including her personal and academic life, followed by a presentation on the history of art in Duluth.

Dr. Webb described the different ways art and structure impacts the way people feel and interact with the spaces they live in. Part of her presentation focused on different sub-parts of the West Duluth area. Dr. Webb talked about the Kom On Inn and the art on the walls inside, and how it sparks memories for folks when they look at the pieces. With most of the pictures she presented, at least one of the commissioners or others in the audience chimed in with a memory or experience they had relating to the content in the image.

Webb also spoke of her students, who are currently collaborating on and creating different neighborhood plan concepts in light of the Core Investment Area (CIA) work being conducted by city staff. She presented some of the illustrations that her students have produced in her classes.

## **Spirit Valley Core Investment Area Update**

Kyle Deming gave a brief presentation to update the commissioners on the Spirit Valley CIA project. His presentation outlined the boundaries of the project area as well as the different sub-sections within it. CIA planning has been identified as a tool in the Comprehensive Plan, and West Duluth was a clear first choice for staff to start working on. Deming also talked about the Spirit Valley CIA webpage on the City of Duluth website.

Deming stated that staff has explored a variety of methods in terms of community engagement. Staff has participated in Spirit Valley Days, there have been a couple Spirit Valley Strolls, surveys have been conducted, public meetings have been held, and there will be more community



engagement to come. He encouraged folks to reach out to him directly if they'd like to discuss this project.

**Zenith Award Nominations & Vote**

Jenn Moses addressed the commissioners. Planning commission has presented these awards to projects in Duluth since 2010. This purpose of this tradition is to give recognition to projects that come through the Planning Commission.

Chris Lee gave a presentation for the Zenith Award for Plan Implementation. He reviewed the projects that received awards the previous year and then provided a list of projects that came through in 2024 that are eligible to receive a 2025 Zenith Award. He encouraged commissioners to add to the list if they had any other projects they would like to nominate.

Discussion ensued amongst the commissioners about various projects they saw over the course of 2024. Commissioners nominated Brewery Creek and Bailey Builds to receive 2025 Zenith Awards.

**MOTION/Second:** Sarvela/Adatte approve

**VOTE: (9-0)**

**Election of Officers**

Staff and commissioners gave outgoing members Jason Holliday and Margie Nelson recognition and appreciation for their service. Holliday served for 4 years, and Nelson served for 8 years. Jenn Moses informed the commissioners that 20 applications for new commission members have come in, so there will be 2 new members soon. She noted that there will also be an upcoming special meeting for the Planning Commission, and more information is forthcoming.

Nominations for President: Gary Eckenberg.

**MOTION/Second:** Crawford/Adatte approve by voice vote.

**VOTE: (9-0)**

Nominations for Vice President: Brian Hammond and Andrea Wedul nominated themselves. The candidates each advocated for their nomination. By secret ballot, Wedul was duly elected the new Vice President.

**Adjournment**

Meeting adjourned at 6:47 p.m.

Respectfully,

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Jenn Moses, Manager  
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](mailto:planning@duluthmn.gov)

<b>File Number</b>	PLIUP-2502-0002	<b>Contact</b>	Chris Lee, <a href="mailto:clee@duluthmn.gov">clee@duluthmn.gov</a>	
<b>Type</b>	Interim Use Permit – Vacation Dwelling Unit - Renewal	<b>Planning Commission Date</b>		March 11, 2025
<b>Deadline for Action</b>	<b>Application Date</b>	February 5, 2025	<b>60 Days</b>	April 6, 2025
	<b>Date Extension Letter Mailed</b>	February 14, 2025	<b>120 Days</b>	June 5, 2025
<b>Location of Subject</b>	1003-1005 S Lake Ave			
<b>Applicant</b>	Island Twin Homes, LLC	<b>Contact</b>	Joel Johnson, Lakehead Boat Basin	
<b>Agent</b>	Jodie Dahl	<b>Contact</b>		
<b>Legal Description</b>	PIN: 010-4380-02120			
<b>Site Visit Date</b>	February 26, 2025	<b>Sign Notice Date</b>		February 21, 2025
<b>Neighbor Letter Date</b>	February 21, 2025	<b>Number of Letters Sent</b>		34

**Proposal**

The applicant proposes to renew a 3-bedroom dwelling as a vacation dwelling unit at 1003 and 1005 South Lake Ave. This property was previously approved as permit PL18-160.

**Recommended Action:** Staff recommends that Planning Commission approve the interim use permit.

	<b>Current Zoning</b>	<b>Existing Land Use</b>	<b>Future Land Use Map Designation</b>
<b>Subject</b>	R-1	Two-Family Dwelling	Traditional Neighborhood
<b>North</b>	R-1	Single Family Home	Traditional Neighborhood
<b>South</b>	R-1	Vacant	Traditional Neighborhood
<b>East</b>	R-1	Single Family Home	Traditional Neighborhood
<b>West</b>	R-1	Boat Storage	Traditional Neighborhood

**Summary of Code Requirements:**

UDC Section 50-19.8. Permitted Use Table. A vacation dwelling unit is an Interim Use in the R-1 zone district.

UDC Section 50-20.3. Use-Specific Standards. Lists all standards specific to vacation dwelling units.

UDC Sec. 50-37.10.E . . . the commission shall only approve an interim use permit, or approve it with conditions, if it determines that: 1. A time limit is needed to protect the public health, safety and welfare from potential longer term impacts of the requested use in that location ....; 2. The applicant agrees to sign a development agreement with the city.

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

Governing Principle #4- Support economic growth sectors

A short-term rental supports the tourism industry and provides a service for visitors.

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.

**History:** The subject property is a twin home built in 2010. The property had an existing vacation dwelling unit that expires in 2025.

**Review and Discussion Items:**

Staff finds that:

- 1) Applicants' property is located at 1003 and 1005 S Lake Ave. The dwelling units contains 3 bedrooms, which allow for a maximum of 7 guests per unit.
- 2) The minimum rental period will be two nights.
- 3) The applicant is proposing four off-street parking stalls Satisfying the parking requirement.
- 4) The applicant has indicated they will allow motorhome or trailer parking on the street.
- 5) The site plan does not indicate any outdoor amenities and has acceptable screening.
- 6) Permit holders must designate a managing agent or local contact who resides within 25 miles of the City and who has authority to act for the owner in responding 24 hours a day to complaints from neighbors or the City. Permit holders must provide the contact information for the managing agent or local contact to all property owners within 100 feet of the property boundary. The applicant has listed Jodie Dahl to serve as the managing agent.
- 7) Find our standard text for existing VDUs ... i.e. no known issues or complaints etc.
- 8) A time limit is needed on this Interim Use Permit ("IUP") to protect the public health, safety and welfare from potential longer-term impacts of the requested use at the location of the subject property. Section 50-20.3.U.7 states the IUP shall expire upon change in ownership of the property or in six years, whichever occurs first.
- 9) Applicant must comply with the City's vacation dwelling unit regulations, including providing information to guests on city rules (included with staff report as "Selected City Ordinances on Parking, Parks, Pets, and Noise").
- 10) There are currently 167 licensed vacation dwelling units in the city, with 82 of those in form districts; the remaining 85 are subject to the cap of 100. The subject property is located within a residential district and is subject to the cap.
- 11) No City, public or agency comments were received.
- 12) The permit will lapse if no activity takes place within 1 year of approval.

**Staff Recommendation:**

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

- 1) The applicant shall adhere to the terms and conditions listed in the Interim Use Permit.
- 2) Any alterations to the approved plans that do not alter major elements of the plan and do not constitute a variance from the provisions of Chapter 50 may be approved by the Land Use Supervisor without further Planning Commission review.

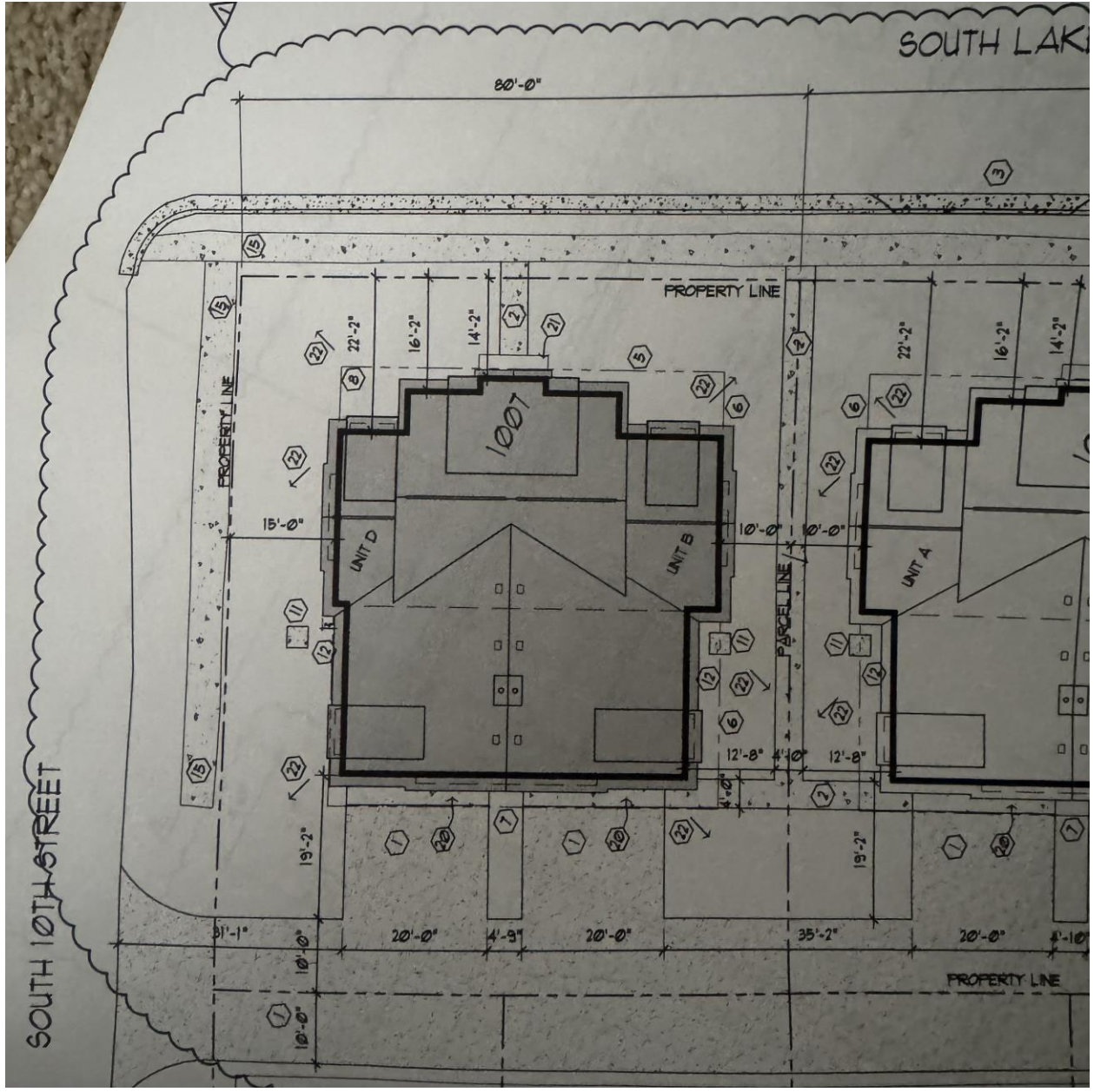


PLIUP-2502-0002  
Interim Use Permit  
1003 Lake Ave S



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.





# Vacation Dwelling Unit Worksheet

1. The minimum rental period shall be not less than two consecutive nights (does not apply to Form districts).

**What will be your minimum rental period?**

2 night(s).

2. The total number of persons that may occupy the vacation dwelling unit is one person plus the number of bedrooms multiplied by two. You may rent no more than four bedrooms.

**How many legal bedrooms are in the dwelling?**

3

**What will be your maximum occupancy?**

7 or Bedroom # + 1

3. Off-street parking shall be provided at the following rate:
  - a. 1-2 bedroom unit, 1 space
  - b. 3 bedroom unit, 2 spaces
  - c. 4+ bedroom unit, number of spaces equal to the number of bedrooms minus one.
  - d. Vacation dwelling units licensed on May 15, 2016, are entitled to continue operating under the former off-street parking requirement. The parking exemption for vacation dwelling units licensed on May 15, 2016, expires upon transfer of any ownership interest in the permitted property.
  - e. Form districts are not required to provide parking spaces.

**How many off-street parking spaces will your unit provide?**

4

4. Only one motorhome (or pickup-mounted camper) and/or one trailer either for inhabiting or for transporting recreational vehicles (ATVs, boat, personal watercraft, snowmobiles, etc.) may be parked at the site, on or off the street.

**Will you allow motorhome or trailer parking?**

Yes

**If so, where?**

off street

5. The property owner must provide required documents and adhere to additional requirements listed in the City of Duluth's UDC Application Manual related to the keeping of a guest record, designating and disclosing a local contact, property use rules, taxation, and interim use permit violations procedures.
6. The property owner must provide a site plan, drawn to scale, showing parking and driveways, all structures and outdoor recreational areas that guests will be allowed to use, including, but not limited to, deck/patio, barbeque grill, recreational fire, pool, hot tub, or sauna, and provide detail concerning the provision of any dense urban screen that may be required to buffer these areas from adjoining properties. Please note that this must be on 8 x 11 size paper.

7. The interim use permit shall expire upon change in ownership of the property or in six years, whichever occurs first. An owner of a vacation dwelling unit permitted prior to May 15, 2016, may request, and the land use supervisor may grant, an application for adjustment of an existing permit to conform to this section, as amended, for the remainder of the permit term.
8. Permit holder must keep a guest record including the name, address, phone number, and vehicle (and trailer) license plate information for all guests and must provide a report to the City upon 48 hours' notice.

**Please explain how and where you will keep your guest record (log book, excel spreadsheet, etc):**  
hard copy in file cabinet at office

9. Permit holder must designate a managing agent or local contact who resides within 25 miles of the City and who has authority to act for the owner in responding 24-hours-a-day to any complaints from neighbors or the City. The permit holder must notify the Land Use Supervisor within 10 days of a change in the managing agent or local contact's contact information.

**Please provide the name and contact information for your local contact:**

Jodie Dahl  
1003 S Lake Ave  
(218) 390-7926  
lbb@lakeheadboatbasin.com

10. Permit holder must disclose in writing to their guests the following rules and regulations:
  - a. The managing agent or local contact's name, address, and phone number;
  - b. The maximum number of guests allowed at the property;
  - c. The maximum number of vehicles, recreational vehicles, and trailers allowed at the property and where they are to be parked;
  - d. Property rules related to use of exterior features of the property, such as decks, patios, grills, recreational fires, pools, hot tubs, saunas and other outdoor recreational facilities;
  - e. Applicable sections of City ordinances governing noise, parks, parking and pets;

**Please state where and how this information will be provided to your guests:**  
In our welcome book at the rental

11. Permit holder must post their permit number on all print, poster or web advertisements.

**Do you agree to include the permit number on all advertisements?**

Yes

12. Prior to rental, permit holder must provide the name, address, and phone number for the managing agent or local contact to all property owners within 100' of the property boundary; submit a copy of this letter to the Planning and Community Development office. In addition, note that permit holder must notify neighboring properties within 10 days of a change in the managing agent or local contact's contact information.





**Planning & Development Division**  
*Planning & Economic Development Department*

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<b>File Number</b>	PLSUB-2501-0002	<b>Contact</b>	Chris Lee, <a href="mailto:clee@duluthmn.gov">clee@duluthmn.gov</a>	
<b>Type</b>	Minor Subdivision	<b>Planning Commission Date</b>		March 11, 2025
<b>Deadline for Action</b>	<b>Application Date</b>	January 28, 2025	<b>60 Days</b>	March 29, 2025
	<b>Date Extension Letter Mailed</b>	February 14, 2025	<b>120 Days</b>	May 28, 2025
<b>Location of Subject</b>	On Fountain Gate Drive, just north of Anderson Road			
<b>Applicant</b>	Dirt Inc.	<b>Contact</b>	Sherri Irving	
<b>Agent</b>		<b>Contact</b>		
<b>Legal Description</b>	010-3890-01010			
<b>Site Visit Date</b>	February 27, 2025	<b>Sign Notice Date</b>		N/A
<b>Neighbor Letter Date</b>	N/A	<b>Number of Letters Sent</b>		N/A

**Proposal**

Subdivide the property to create 4 separate lots.

**Recommended Action:** Approve with conditions.

	<b>Current Zoning</b>	<b>Existing Land Use</b>	<b>Future Land Use Map Designation</b>
<b>Subject</b>	R-1	Undeveloped	Urban Residential
<b>North</b>	R-1	Undeveloped	Urban Residential
<b>South</b>	R-1	Residential	Urban Residential
<b>East</b>	R-1	Undeveloped	Urban Residential
<b>West</b>	R-1	Undeveloped	Urban Residential

**Summary of Code Requirements:**

50-33.1 General: All subdivision plats and replats, and all registered land surveys, shall create lots, streets and walkways and open spaces consistent with the requirements of the zone district within which the land is located.

50-37.5, D 1. The planning commission shall approve the application if it determines that: (a) The lot or lots to be subdivided or combined have frontage on an improved public street; (b) Each proposed lot meets the minimum zoning requirements of the district that it is in; (c) If an existing structure on a lot complies with the requirements of this Chapter, then after the minor subdivision structures on each of the resulting lots will still comply with the requirements of this Chapter; and (d) If one or more of the existing lots, or a structure on one or more of those lots, does not comply with the requirements of this Chapter, the proposed relocation will not create any new nonconformity or increase any existing nonconformity between the requirements of this Chapter.

50-14.5-1 R-1 minimum lot area: 4,000 square ft for a one family dwelling or average on block face, 2,000 sq ft per family for a two-family dwelling; minimum lot frontage: 40 ft for one or two family or average of developed lots on block face

and 20 ft for townhome.

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

Principle #1- Reuse Previously Developed Land- This subdivision will allow the applicant to divide a larger parcel to densify housing.

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

**History:** The existing parcel was platted as part of the Randall’s Division of Duluth. The parcel has not been developed.

**Review and Discussion Items:**

Staff finds:

1. Applicant is requesting a Minor Subdivision to divide one parcel into 4 parcels. The land is owned by the applicant. The parcels are currently undeveloped with no structures present. The proposed parcels will be 56.25’ x 125’.
2. Lots created by this subdivision are subject to the zoning requirements of the R-1 district. All parcels will meet the frontage and lot area requirements for the R-1 district.
3. All parcels have access to gas in Fountain Gate Drive; the applicant will need to bring sewer and water to service the parcels.
4. The proposed subdivision, if approved, would not make the parcels non-conforming due to lot frontage, lot area, or similar bulk standard.
5. City Engineering commented that there is not water main or sanitary sewer serving these properties. No other public, agency, or other City comments were received.
6. The attached exhibit demonstrates compliance with Minnesota statutes 462.358 and 505 or 508, as applicable.
7. Approval of this Minor Subdivision signifies that City of Duluth UDC standards are met. St. Louis County may have additional requirements. This subdivision approval lapses if deeds are not recorded with St. Louis County within 180 days. Applicant must provide the City with proof of recording.

**Staff Recommendation:**

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

1. Appropriate deeds be filed with St. Louis County within 180 days. Prior to recording the deed that results from this adjustment, the Planning Division will need to stamp the deed, indicating compliance with the local zoning code.
2. Any alterations to the approved plans that do not alter major elements of the plan may be approved by the Land Use Supervisor without further Planning Commission approval; however, no such administrative approval shall constitute a variance from the provisions of Chapter 50.



PLSUB-2501-0002  
 Minor Subdivision  
 Fountain Gate Dr

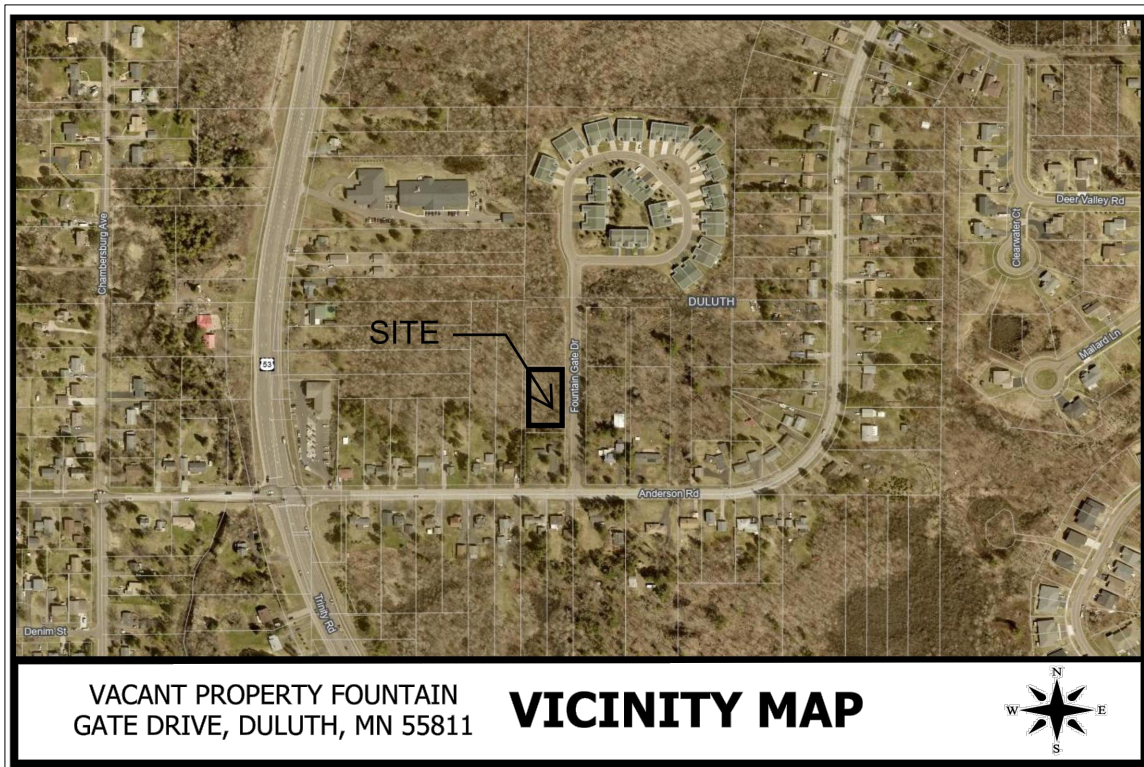


The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used 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 & Economic Development, March 4, 2025. Source: City of Duluth





PARENT LEGAL DESCRIPTION FOR PARCEL NO. 010-3890-01010 PER DOCUMENT NO. 1500904  
 Lots 9 through 17, Block 5, Randall's Division of Duluth, St. Louis County, Minnesota.






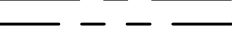





LEGAL DESCRIPTION FOR PARCEL A  
 Lot 9 and Lot 10, and the Northerly 6.25 feet of Lot 11, Block 5, RANDALL'S DIVISION OF DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota. Said parcel contains 7,031 Sq. Feet or 0.16 Acres.

LEGAL DESCRIPTION FOR PARCEL B  
 Lot 11, EXCEPT the Northerly 6.25 feet thereof, Lot 12 and the Northerly 12.50 feet of Lot 13, Block 5, RANDALL'S DIVISION OF DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota. Said parcel contains 7,031 Sq. Feet or 0.16 Acres.

LEGAL DESCRIPTION FOR PARCEL C  
 Lot 13, EXCEPT the Northerly 12.50 feet thereof, Lot 14 and the Northerly 18.75 feet of Lot 15, Block 5, RANDALL'S DIVISION OF DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota. Said parcel contains 7,031 Sq. Feet or 0.16 Acres.

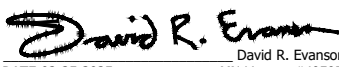

LEGAL DESCRIPTION FOR PARCEL D  
 Lot 15, EXCEPT the Northerly 18.75 feet thereof, Lots 16 and 17, Block 5, RANDALL'S DIVISION OF DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota. Said parcel contains 7,031 Sq. Feet or 0.16 Acres.

**LEGEND**

	BITUMINOUS SURFACE		TREE/BRUSH LINE		FOUND IRON PIPE
			SECTION SUBDIVISION LINE		SET CAPPED REBAR RLS. NO. 49505
			CENTER LINE		
			RIGHT OF WAY LINE		
			BOUNDARY LINE AS SURVEYED		
			EXISTING PLAT LINE		
			PROPOSED PARCEL LINE		
			CONCRETE CURB & GUTTER		

**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. BEARINGS ARE BASED ON THE ST. LOUIS COUNTY TRANSVERSE MERCATOR COORDINATE SYSTEM OF 1996. (NAD 83 2011)
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.

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 MN License #49505 DATE:02-25-2025	<b>CERTIFICATE OF SURVEY</b>		 <b>ALTA</b> LAND SURVEY COMPANY PHONE: 218-727-5211 LICENSED IN MN & WI WWW. ALTALANDSURVEYDULUTH.COM
	CLIENT:DIRT INC. ADDRESS:XXXX FOUNTAIN GATE DRIVE DULUTH, MN 55811 DATE:02-25-2025	REVISIONS:  JOB NO:25-002	

AUDITOR'S PLAT OF TRINITY ROAD ACRES

ALLEY (NOT BUILT)  
N00°03'00"E 225.00

WEST LINE OF RANDALL'S DIVISION OF DULUTH

RANDALL'S

56.25

56.25

56.25

56.25

56.25

56.25

N89°57'34"W 125.00

N89°57'34"W 125.00

N89°57'34"W 125.00

S89°57'34"E 125.00

S89°57'34"E 125.00

**PARCEL A**

7,031 Sq. Feet  
0.16 Acres  
DIRT INC  
PID NO. 010-3890-01010

**PARCEL B**

7,031 Sq. Feet  
0.16 Acres  
DIRT INC  
PID NO. 010-3890-01010

**PARCEL C**

7,031 Sq. Feet  
0.16 Acres  
DIRT INC  
PID NO. 010-3890-01010

**PARCEL D**

7,031 Sq. Feet  
0.16 Acres  
DIRT INC  
PID NO. 010-3890-01010

FOUND PIPE  
S 85°37'30" W  
3.18 FT FROM  
COMPUTED CORNER

N'LY 6.25 FT

N'LY 6.25 FT

N'LY 12.5 FT

N'LY 12.5 FT

N'LY 18.75 FT

N'LY 18.75 FT

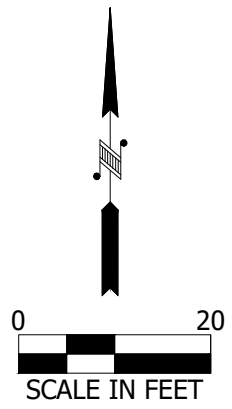
33

33

FOUNTAIN GATE DRIVE  
(BESSEL AVE. PER PLAT)

BLOCK

DULUTH



**CERTIFICATE OF SURVEY**

CLIENT:DIRT INC.  
ADDRESS:XXXX FOUNTAIN GATE DRIVE  
DULUTH, MN 55811  
DATE:02-25-2025

REVISIONS:  
JOB NO:25-002 SHEET 2 OF 2

**ALTA**  
LAND SURVEY COMPANY  
PHONE: 218-727-5211  
LICENSED IN MN & WI  
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

<b>File Number</b>	PLSUP-2501-0015		<b>Contact</b>	Chris Lee, clee@duluthmn.gov	
<b>Type</b>	Special Use Permit – Water Pumping Station		<b>Planning Commission Date</b>	March 11, 2025	
<b>Deadline for Action</b>	<b>Application Date</b>	January 28, 2025	<b>60 Days</b>	March 29 2025	
	<b>Date Extension Letter Mailed</b>	February 14, 2025	<b>120 Days</b>	May 28, 2025	
<b>Location of Subject</b>	408 N 34 <sup>th</sup> Ave E				
<b>Applicant</b>	City of Duluth		<b>Contact</b>		
<b>Agent</b>	Lakehead Constructors		<b>Contact</b>	Robert Mackereth	
<b>Legal Description</b>	PID: 010-2710-03610				
<b>Site Visit Date</b>	February 23, 2025		<b>Sign Notice Date</b>	February 21, 2025	
<b>Neighbor Letter Date</b>	February 23, 2025		<b>Number of Letters Sent</b>	36	

**Proposal**

A Special Use Permit to construct a new structure to house a water pumping booster station for the City of Duluth.

**Recommended Action:** Approve with conditions.

	<b>Current Zoning</b>	<b>Existing Land Use</b>	<b>Future Land Use Map Designation</b>
<b>Subject</b>	R-1	Public Utilities	Traditional Neighborhood
<b>North</b>	R-1	Residential	Traditional Neighborhood
<b>South</b>	R-1	Public Utilities	Traditional Neighborhood
<b>East</b>	R-1	Residential	Traditional Neighborhood
<b>West</b>	R-1	Residential	Traditional Neighborhood

**Summary of Code Requirements**

UDC Section 50-37.10. Special Use Permits. The Planning Commission shall approve the application or approve it with modifications if the commission determines that the application meets the following criteria: 1. The application is consistent with the Comprehensive Land Use Plan; 2. The application complies with all applicable provisions of this Chapter, including without limitation any use-specific standards applicable to the proposed use, development or redevelopment, and is consistent with any approved district plan for the area; 3. Without limiting the previous criteria, the commission may deny any application that would result in a random pattern of development with little contiguity to existing or programmed development or would cause anticipated negative fiscal or environmental impacts on the community.

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

Governing Principle # 1- Reusing of previously developed lands: this proposal is utilizing existing developed lands for improved utilities resilience.

Governing Principle #12 - Create efficiencies in delivery of public services: this proposal is adding capacity to improve utility access for the City.

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.

History: The property is currently a water pumping booster station that was constructed in 1914.

**Review and Discussion Items**

Staff finds that:

1. The applicant is proposing to construct a new 1,591 square foot water pumping booster station. The structure will be a single story with a maximum height at the parapet of 22 feet.
2. Th existing booster station will be demolished and the site of the old booster station will be restored to vegetation. As demonstrated with the governing principles above as well as the future land use of Traditional Neighborhood, this proposal meets the goals of the comprehensive plan.
3. UDC Sec. 50-24 (Parking and loading). The site plan indicates a parking pad that can accommodate 3 vehicles.
4. UDC Sec. 50-25 (Landscaping and Tree Preservation). The applicant is not proposing any trees or shrubs as there is extensive underground infrastructure. The disturbed soils and removed structure will be replaced with grass.
5. UDC Sec. 50-26 (Screening, Walls and Fences). No commercial containers or fencing is being installed. The plans indicate the rooftop vents will be screened with parapets and not be visible from the street.
6. UDC Sec. 50-29 (Sustainability Standards). Does not apply as the structure is under 10,000 square feet.
7. UDC Sec. 50-30 (Building Design Standards). The proposed structure meets these requirements for wall articulations, roof design, and glazing.
8. UDC Sec. 50-31 (Exterior Lighting). Building mounted LED lighting appears to be appropriate with downcast fixtures. This will be verified at the time of building permit application.
9. As demonstrated by the above findings, this proposal meets all application provisions of the UDC.
10. The proposed pump house will not result in a random pattern of development or have anticipated negative fiscal or environmental impacts.
11. No City, agency, or public comments have been received.
12. 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.

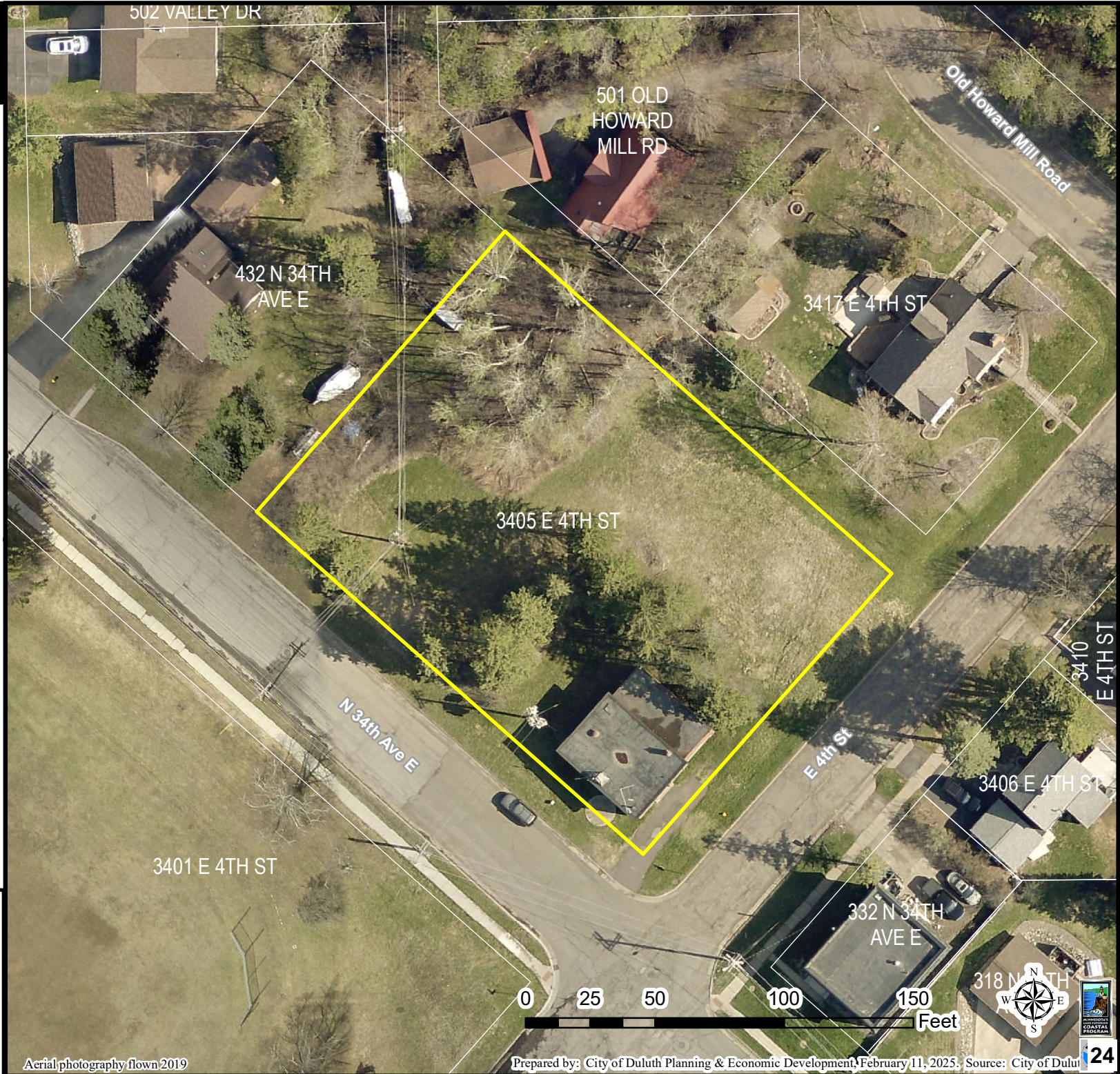
**Staff Recommendation**

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

1. The project be limited, constructed, and maintained consistent with plans submitted and included in this report.
2. Exterior lighting will meet all zoning requirements; applicant shall provide a lighting plan at the time of building permit application to confirm compliance with these requirements.
3. Any alterations to the approved plans that do not alter major elements of the plan may be approved by the Land Use Supervisor without further Planning Commission approval; however, no such administrative approval shall constitute a variance from the provisions of Chapter 50.



PLSUP-2501-0015  
 Special Use Permit  
 3405 E 4th St



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Aerial photography flown 2019

Prepared by: City of Duluth Planning & Economic Development, February 11, 2025. Source: City of Duluth





NOTES:  
 1. THESE IMAGES ARE CONCEPTUAL AND FOR GENERAL REFERENCE - SEE DRAWINGS FOR ALL DESIGN AND DETAILING.  
 2. FINAL COLOR SELECTION TO BE DETERMINED.

Construction Services & Inspections  
 Reviewed For Code Compliance  
 MSBC 2020  
 Kaleb Montgomery 12/02/2024

PROJECT DATE:	DRAWN BY:	No	DATE	REVISIONS	BY
FEBRUARY 26, 2024	MAM/JFG				
	DESIGNED BY: AJS				
	CHECKED BY: Checker				

HEREBY CERTIFY THAT THIS PLAN, REPORT, OR SPECIFICATION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A FULLY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA. DATE: FEBRUARY 26, 2024

ENGINEER: ALLEN J. SZYMANSKI  
 LICENSE # 204026

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 (218) 722-3915 www.msa-ps.com  
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**WOODLAND BOOSTER STATION IMPROVEMENTS**  
 CITY OF DULUTH  
 ST. LOUIS COUNTY, MINNESOTA

**BOOSTER STATION - ARCHITECTURAL PERSPECTIVE**

PROJECT NO.  
00616177  
 SHEET  
30-A100

PLOT DATE: 2/23/2024 11:42:40 AM - Address: C:\Users\mami\OneDrive\Documents\8202\8202\8202\WOODLAND PUMP STATION\_ARCH\_PERS.rvt

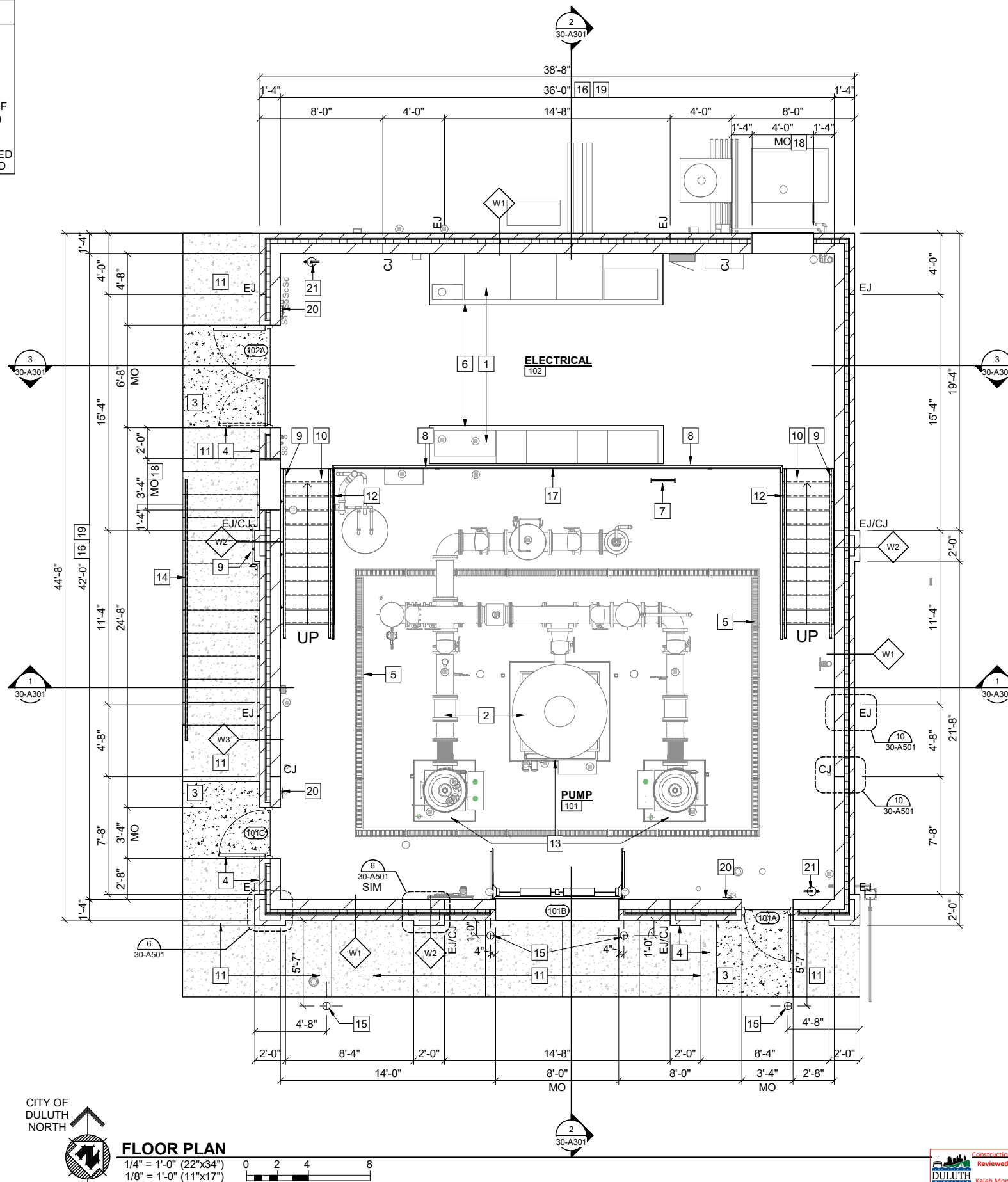
**GENERAL NOTES**

- A. ALL DIMENSIONING IS TO FACE OF CONCRETE MASONRY UNIT OR CONCRETE.
- B. DO NOT SCALE DRAWINGS. IF DIMENSIONS ARE IN QUESTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING CLARIFICATION FROM THE ARCHITECT BEFORE CONTINUING WITH CONSTRUCTION.
- C. THE CONTRACT DOCUMENTS CONSIST OF THE SPECIFICATION MANUAL AND DRAWINGS WHICH ARE INTENDED TO BE COMPLEMENTARY AND TO BE USED IN CONJUNCTION WITH ONE ANOTHER.
- D. IF DISCREPANCIES OCCUR BETWEEN THE SPECIFICATION MANUAL AND THE DRAWINGS, NOTIFY THE ARCHITECT FOR A RESOLUTION.
- E. EXTERIOR WALL AND RELATED OPENINGS BY ALL TRADES SHALL BE FLASHED AND CAULKED BY THE GC. ALL ROOFING PENETRATIONS SHALL BE FLASHED BY THE ROOFING CONTRACTOR.
- F. OPENINGS FOR PLUMBING, PROCESS, VENTILATING, AND ELECTRICAL WORK IN WALLS, FLOORS, CEILINGS, AND ROOF SHALL BE PROVIDED BY THE GC. LOCATION AND SIZE SHALL BE THE RESPONSIBILITY OF THE RESPECTIVE CONTRACTORS.
- G. CONTRACTOR TO COORDINATE STRUCTURAL, ARCHITECTURAL, HVAC, AND PLUMBING PLANS FOR DETAILS, DIMENSIONS, ELEVATIONS, OPENINGS, INSERTS, ETC. NOTIFY ARCHITECT OF ANY VARIANCE BEFORE COMMENCING CONSTRUCTION.
- H. IN NO CASE SHALL STRUCTURAL ALTERATIONS OR WORK AFFECTING A STRUCTURAL MEMBER BE MADE, UNLESS APPROVED BY THE ENGINEER.
- I. GENERAL CONTRACTOR SHALL PROVIDE ALL CONCRETE EQUIPMENT HOUSEKEEPING PADS INSIDE THE BUILDING AS INDICATED ON THE PLUMBING, PROCESS MECHANICAL, HVAC, AND ELECTRICAL DRAWINGS.
- J. ALL PIPE AND CONDUIT PENETRATIONS THROUGH EXTERIOR WALLS SHALL BE PER DETAIL 2/30-A503. CONDUIT MAY BE GROUTED SOLID IN LIEU OF PERIMETER SEALANT. PIPES SHALL BE SEALED ON BOTH SIDES.
- K. ALL NEW EXPOSED ANCHORS, PIPING, CONDUIT, DUCTWORK, INSULATION (WITHOUT FINISHED JACKET), HANGERS, BRACKETS, SUPPORTS, FASTENERS, ETC. SHALL BE PAINTED, INTERIOR AND EXTERIOR, UNO.

**KEY NOTES #**

- 1 ELECTRICAL PANEL LOCATION - SEE ELECTRICAL
- 2 PROCESS EQUIPMENT OR PIPING, TYP - SEE PROCESS MECHANICAL
- 3 CONCRETE STOOP - SEE FOUNDATION PLAN
- 4 1/2" EXPANSION JOINT MATERIALS w/ REMOVABLE CAP AND SELD-LEVELING SEALANT BETWEEN SIDWALK, BUILDING AND STOOP FOUNDATION, TYP
- 5 TRENCH DRAIN - SEE PLUMBING
- 6 3 1/2" HIGH CONCRETE HOUSEKEEPING PAD BY GC FOR ELECTRICAL EQUIPMENT. PROVIDE 6x6-W2.9xW2.9 WWM AND RADIUS TOOLED EXPOSED EDGES. PAD TO BE 4" BEYOND FACE AND EXPOSED END OF ELECTRICAL EQUIPMENT, UNO. VERIFY FINAL SIZE REQUIRED w/ ELECTRICAL
- 7 ROOF ACCESS LADDER - SEE DETAIL 3/30-A503
- 8 GUARDRAIL w/ TOE PLATE - SEE DETAIL 9/30-A503
- 9 WALL MOUNTED HANDRAIL - SEE DETAIL 7/30-A503
- 10 STEEL STAIR - SEE DETAIL 6/30-A503
- 11 CONCRETE SIDEWALK w/ BROOM FINISH AND TOOLED CONTROL JOINTS AS SHOWN OVER MIN 6" COMPACTED GRANULAR FILL. SLOPE AWAY FROM BUILDING. CROSS SLOPE MAX 1:50. RUNNING SLOPE MAX 1:20. SEE SITE/CIVIL
- 12 GUARDRAIL w/ HANDRAIL - SEE DETAIL 8/30-A503
- 13 RAISED CONCRETE EQUIPMENT PAD - SEE PRECESS MECHANICAL AND STRUCTURAL
- 14 TOP MOUNTED HANDRAIL - SEE SHEET 05-C511
- 15 PIPE BOLLARD - SEE SITE/CIVIL
- 16 PAINT ALL INTERIOR CMU WALLS - FULL HEIGHT
- 17 PAINT CONCRETE WALL - FULL HEIGHT - WALL TO WALL
- 18 MASONRY OPENING FOR LOUVER - SEE DETAIL 9/30-A502
- 19 PAINT ENTIRE EXPOSED UNDERSIDE OF ROOF STRUCTURE INCLUDING STEEL JOISTS, METAL DECK AND MISC FRAMING AND BRIDGING COMPLETE.
- 20 WALL MOUNTED TACTILE "EXIT" SIGN - SEE DETAIL 1/30-A503
- 21 FIRE EXTINGUISHER w/ WALL BRACKET, TOP AT 48" AFF

CODE SUMMARY	
2020 MINNESOTA STATE BUILDING CODE	
ICC CODE	2020
OCCUPANCY CLASSIFICATION	F-2
CONSTRUCTION TYPE	VB
STORIES/ LEVELS	1
BUILDING AREA	1,727 SF
BUILDING VOLUME	25,000 > X < 50,000 CF
OCCUPANT LOAD (OL)	6 (CODE)
REQUIRED EXITS	1
EXIT DISTANCE	75 FT
SPRINKLERS SYSTEM	NONE REQUIRED OR PROVIDED
BUILDING IS MECHANICAL SPACE ONLY - NOT OCCUPIED	



**FLOOR PLAN**

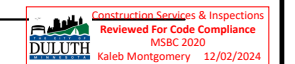
PROJECT DATE:	DRAWN BY:	No	DATE	REVISIONS	BY
FEBRUARY 26, 2024	MAM/JFG				
	DESIGNED BY: AJS				
	CHECKED BY: SC				

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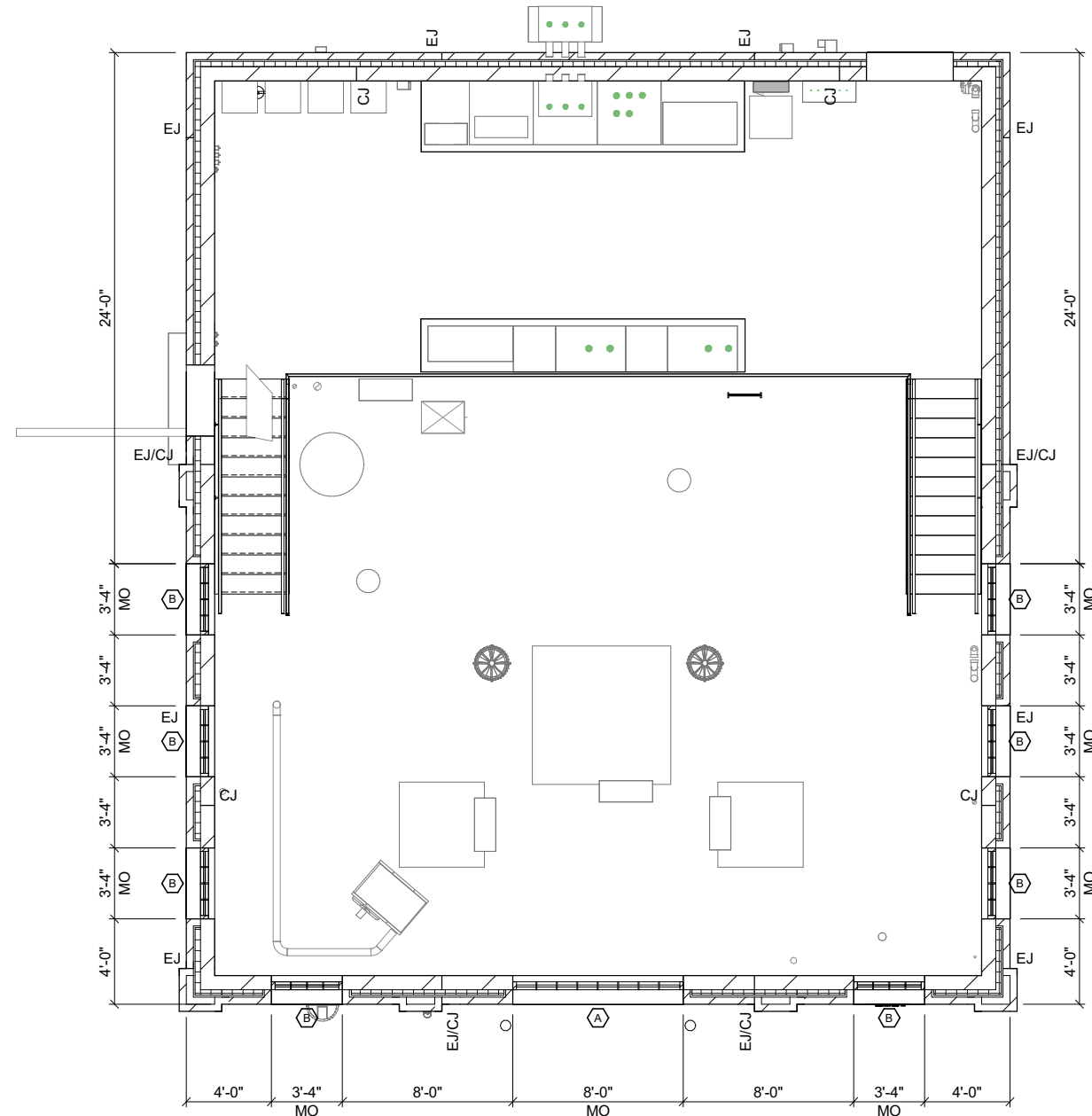
**WOODLAND BOOSTER STATION IMPROVEMENTS**  
 CITY OF DULUTH  
 ST. LOUIS COUNTY, MINNESOTA

**BOOSTER STATION - ARCHITECTURAL**  
 FLOOR PLAN

PROJECT NO.  
00616177  
 SHEET  
30-A101



PLOT DATE: 2/23/2024 11:44:44 AM  
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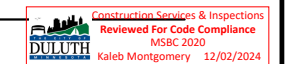


CITY OF  
DULUTH  
NORTH



**CLEARSTORY PLAN**

1/4" = 1'-0" (22"x34")  
1/8" = 1'-0" (11"x17")



PLOT DATE: 2/23/2024 11:44:45 AM ... Address: Coon #0005177 - Duluth Woodland Pump Station #0005177 - DULUTH WOODLAND PUMP STATION #0005177

PROJECT DATE:	DRAWN BY:	No	DATE	REVISIONS	BY
FEBRUARY 26, 2024	MAM/JFG				
	DESIGNED BY: AJS				
	CHECKED BY: SC				

ENGINEER: ALLEN J. SZYMANSKI  
LICENSE # 204426



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**WOODLAND BOOSTER STATION IMPROVEMENTS**  
CITY OF DULUTH  
ST. LOUIS COUNTY, MINNESOTA

**BOOSTER STATION - ARCHITECTURAL  
CLEARSTORY PLAN**

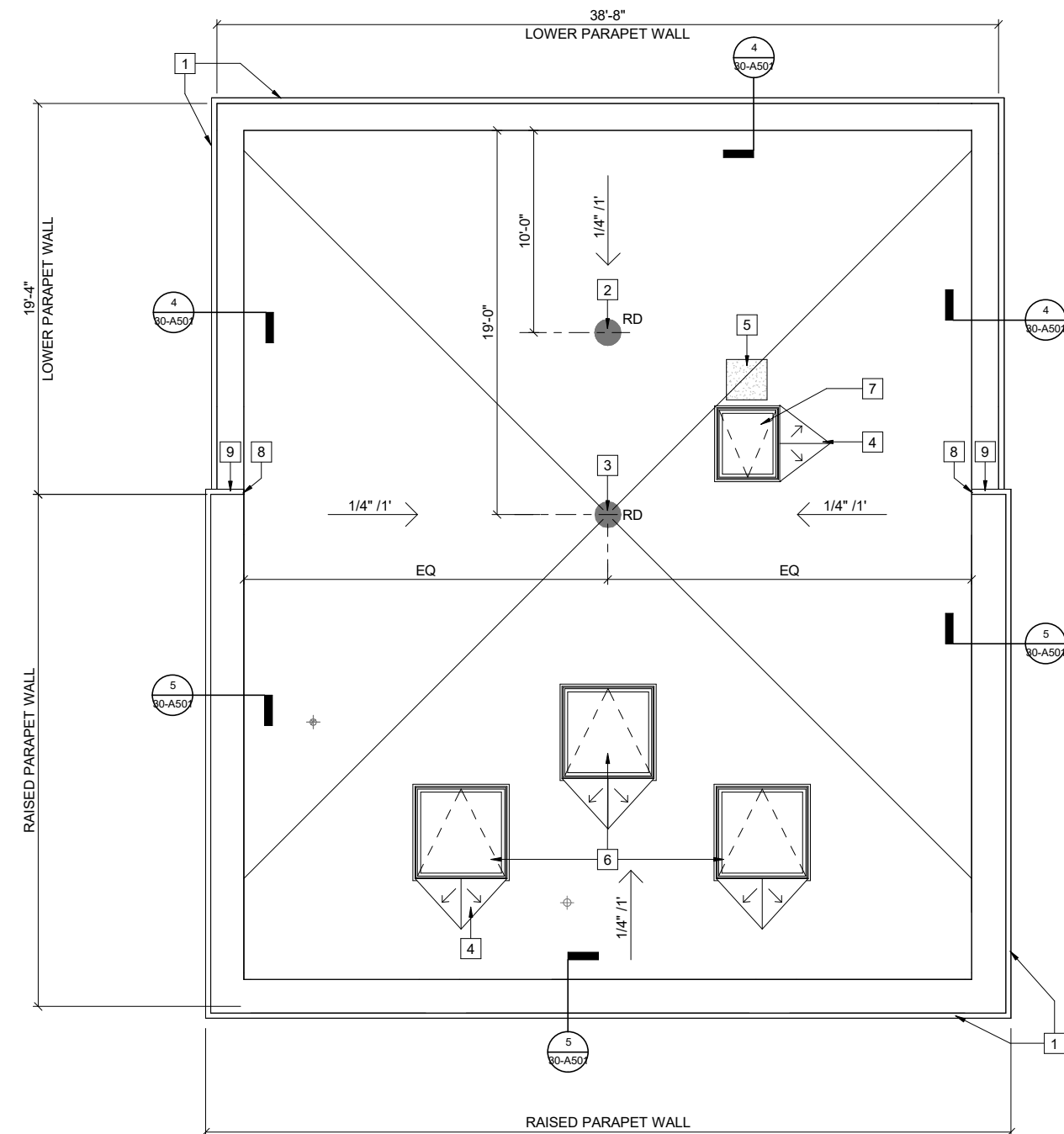
PROJECT NO.  
00616177  
SHEET  
30-A102

**KEY NOTES** #

- 1 PREFINISHED ROOF EDGE/FASCIA, TYP
- 2 OVERFLOW ROOF DRAIN - SEE DETAIL 3/30-A501
- 3 ROOF DRAIN - SEE DETAIL 3/30-A501
- 4 ROOF SADDLE 1/2 INCH PER FOOT TAPERED ISO INSULATION WITH 1/2 INCH EDGE THICKNESS, TYP - BY ROOFING CONTRACTOR
- 5 WALKING PAD BY ROOFING MANUFACTURER, TYP
- 6 EQUIPMENT ACCESS HATCH, SHALL BE CENTERED OVER PUMPS AND TANK - SEE DETAIL 2/30-A501 SIM
- 7 ROOF ACCESS HATCH - SEE DETAIL 2/30-A501
- 8 METAL FASCIA END CAP
- 9 PREFINISHED METAL FASCIA TO WRAP PARAPET - SEE DETAIL 7/30-A501

**FULLY ADHERED MEMBRANE ROOFING SYSTEM**

- FULLY ADHERED 60 MIL EPDM MEMBRANE ROOF SYSTEM
- 2 INCH FLAT POLYISO INSULATION BOARD
- 1/4 INCH PER FOOT FOUR WAY TAPERED POLYISO INSULATION WITH 1/2 INCH EDGE THICKNESS AT THE RD
- 2 INCH FLAT POLYISO INSULATION BOARD
- VAPOR RETARDER
- STEEL ROOF DECK - SEE STRUCTURAL

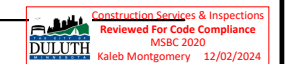


CITY OF DULUTH NORTH



**ROOF PLAN**

1/4" = 1'-0" (22"x34")  
 1/8" = 1'-0" (11"x17")



PLOT DATE: 2/23/2024 11:42:48 AM ... Addendum 0001 (7) - Duluth Wastewater Pump Station Improvements - DULUTH WOODLAND PUMP STATION - ARCH - R2174

PROJECT DATE:	DRAWN BY:	No	DATE	REVISIONS	BY
FEBRUARY 26, 2024	MAM/JFG				
	DESIGNED BY: AJS				
	CHECKED BY: Checker				



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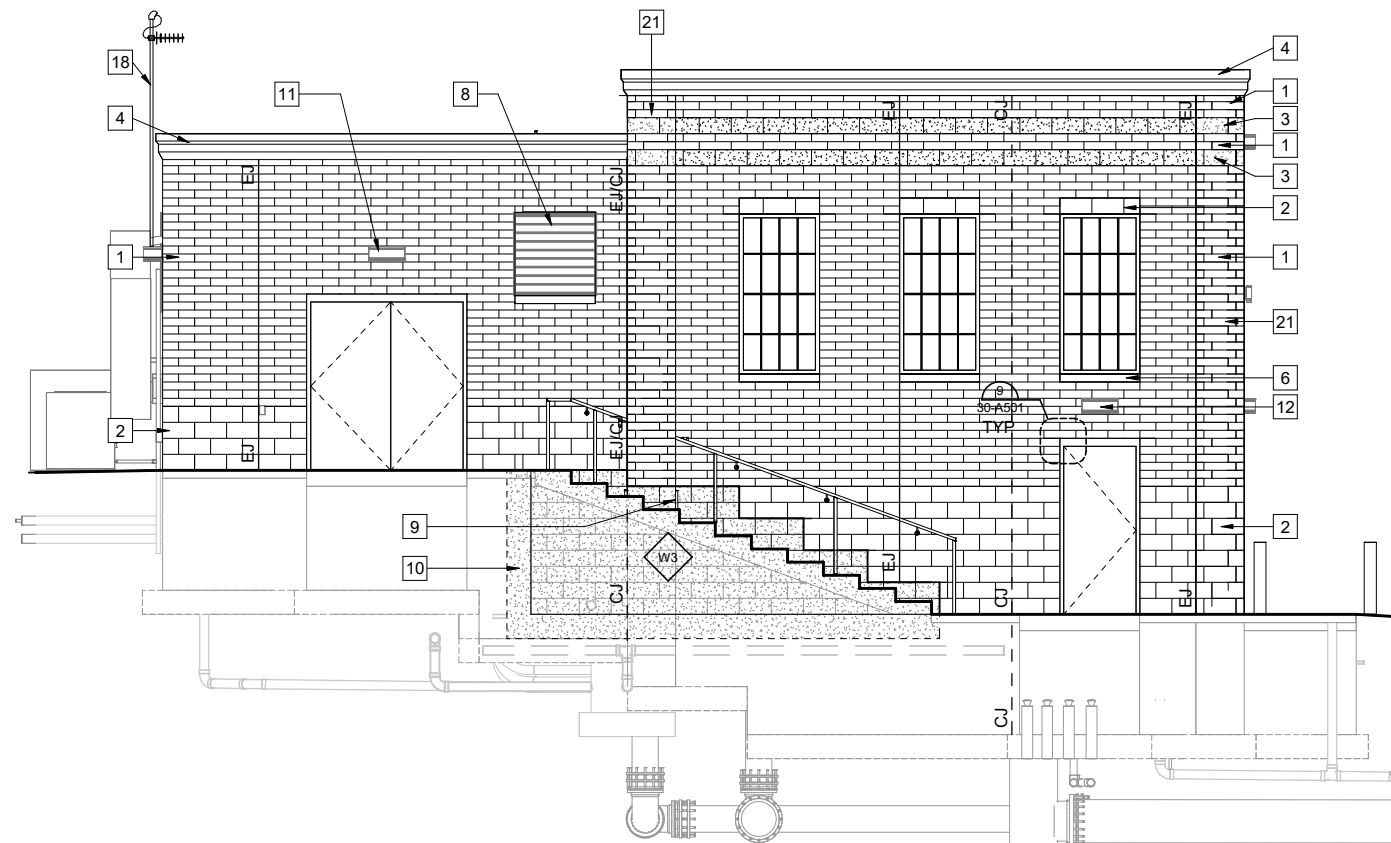
**WOODLAND BOOSTER STATION IMPROVEMENTS**  
 CITY OF DULUTH  
 ST. LOUIS COUNTY, MINNESOTA

**BOOSTER STATION - ARCHITECTURAL ROOF PLAN**

PROJECT NO. 00616177
SHEET 30-A103

**KEY NOTES #**

- 1 4" HIGH BRICK - TYPE A, 4"x4"x16"
- 2 8" HIGH BRICK - TYPE B, 4"x8"x16"
- 3 8" HIGH BRICK - TYPE C, 4"x8"x16"
- 4 PREFINISHED ROOF EDGE/FASCIA, TYP
- 5 8" HIGH LETTERS - CENTER IN BRICK ABOVE OVERHEAD DOOR
- 6 CAST STONE SILL, TYP
- 7 6" HIGH ADDRESS NUMBERS - VERIFY FINAL NUMBER WITH OWNER - CENTER ABOVE WALK DOOR
- 8 PREFINISHED LOUVER - SEE HVAC
- 9 PAINT EXPOSED CMU
- 10 EXTENT OF SHEET MEMBRANE WATER PROOFING
- 11 PREFINISHED LIGHT FIXTURE, TYP - SEE ELECTRICAL. MOUNT CENTER OF LIGHT AT 8'-8" AFF, CENTERED OVER DOOR
- 12 PREFINISHED LIGHT FIXTURE, TYP - SEE ELECTRICAL. MOUNT CENTER OF LIGHT AT 8'-8" AFF, CENTERED BELOW WINDOW
- 13 PREFINISHED LIGHT FIXTURE, TYP - SEE ELECTRICAL. MOUNT CENTER OF LIGHT AT 13'-6" AFF, CENTERED ON PIER
- 14 PREFINISHED LIGHT FIXTURE, TYP - SEE ELECTRICAL. MOUNT CENTER OF LIGHT AT 19'-8" AFF, CENTERED BETWEEN PIERS
- 15 PREFINISHED LIGHT FIXTURE, TYP - SEE ELECTRICAL. MOUNT CENTER OF LIGHT AT 8'-10" AFF, CENTER ON WALL
- 16 PREFINISHED LIGHT FIXTURE, TYP - SEE ELECTRICAL. MOUNT CENTER OF LIGHT AT 8'-10" AFF
- 17 DEDICATION PLAQUE - FURNISHED BY OWNER. INSTALLED BY CONTRACTOR.
- 18 ANTENNA, PIPE MAST, MOUNTING BRACKETS AND CABLE BY ELECTRICAL - SEE ELECTRICAL. PAINT PIPE AND BRACKETS, TYP
- 19 PIPE BOLLARD - SEE SITE/CIVIL. PAINT, TYP
- 20 GAS METER AND PIPING - PAINT
- 21 SEE DETAIL 11/30-A503 FOR MASONRY LAYOUT AT PIERS AND CORNER PIERS.



**WEST EXTERIOR BUILDING ELEVATION**

1/4" = 1'-0" (22"x34")  
1/8" = 1'-0" (11"x17")



**SOUTH EXTERIOR BUILDING ELEVATION**

1/4" = 1'-0" (22"x34")  
1/8" = 1'-0" (11"x17")

PLOT DATE: 2/23/2024 11:42:43 AM. Address: 600 Superior St., Duluth, Woodland Water Pump Station, Duluth, MN 55802. R23-14

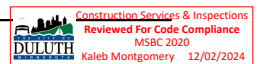
PROJECT DATE:	DRAWN BY:	DESIGNED BY:	CHECKED BY:	DATE:	REVISIONS	BY:
FEBRUARY 26, 2024	MAM/JFG	AJS	Checker			

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 DATE: FEBRUARY 26, 2024  
 ENGINEER: ALLEN J. SZYMANSKI  
 LICENSE #: 204426

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**WOODLAND BOOSTER STATION IMPROVEMENTS**  
 CITY OF DULUTH  
 ST. LOUIS COUNTY, MINNESOTA

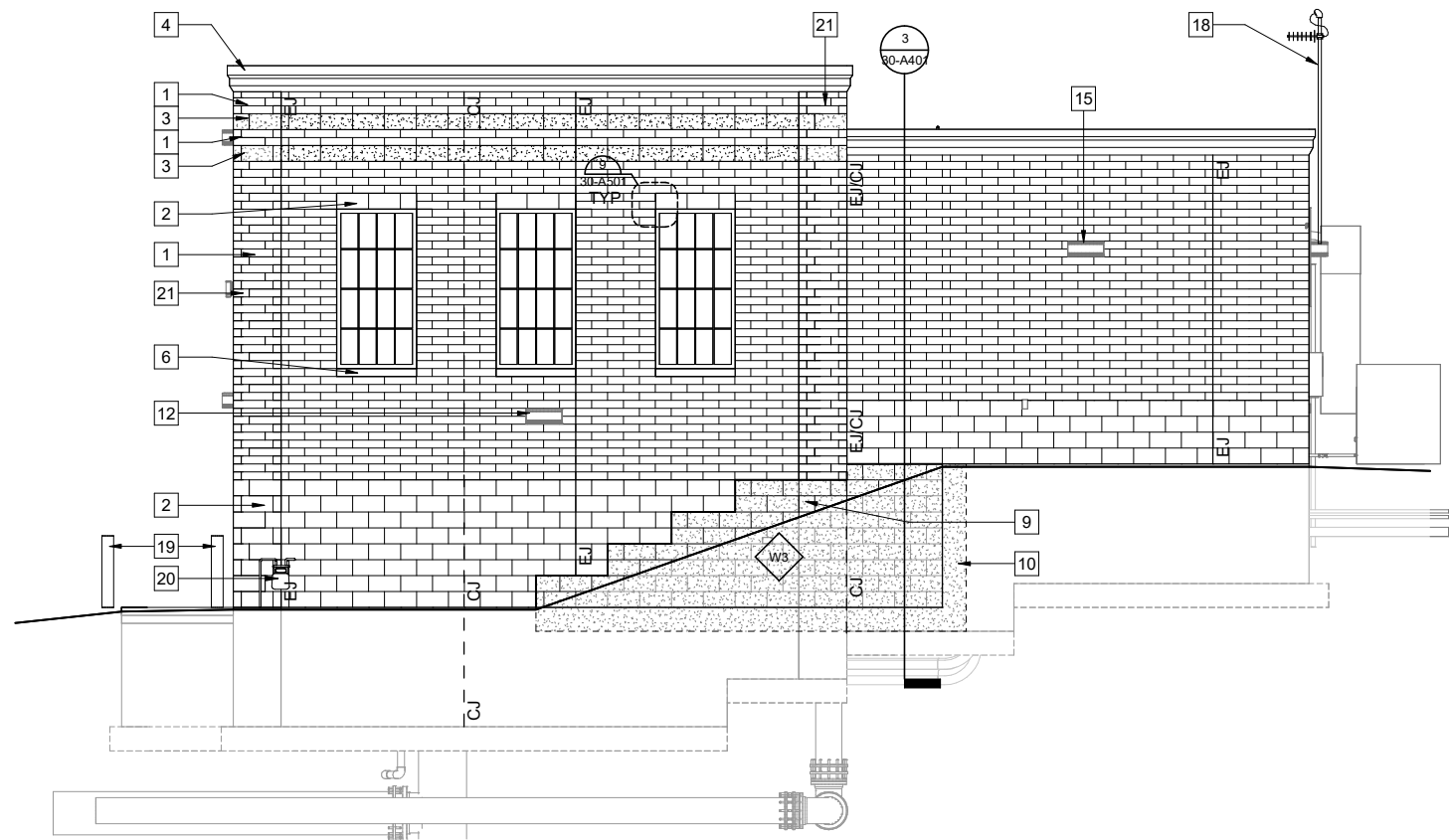
**BOOSTER STATION - ARCHITECTURAL EXTERIOR ELEVATIONS**



PROJECT NO.  
00616177  
SHEET  
30-A201

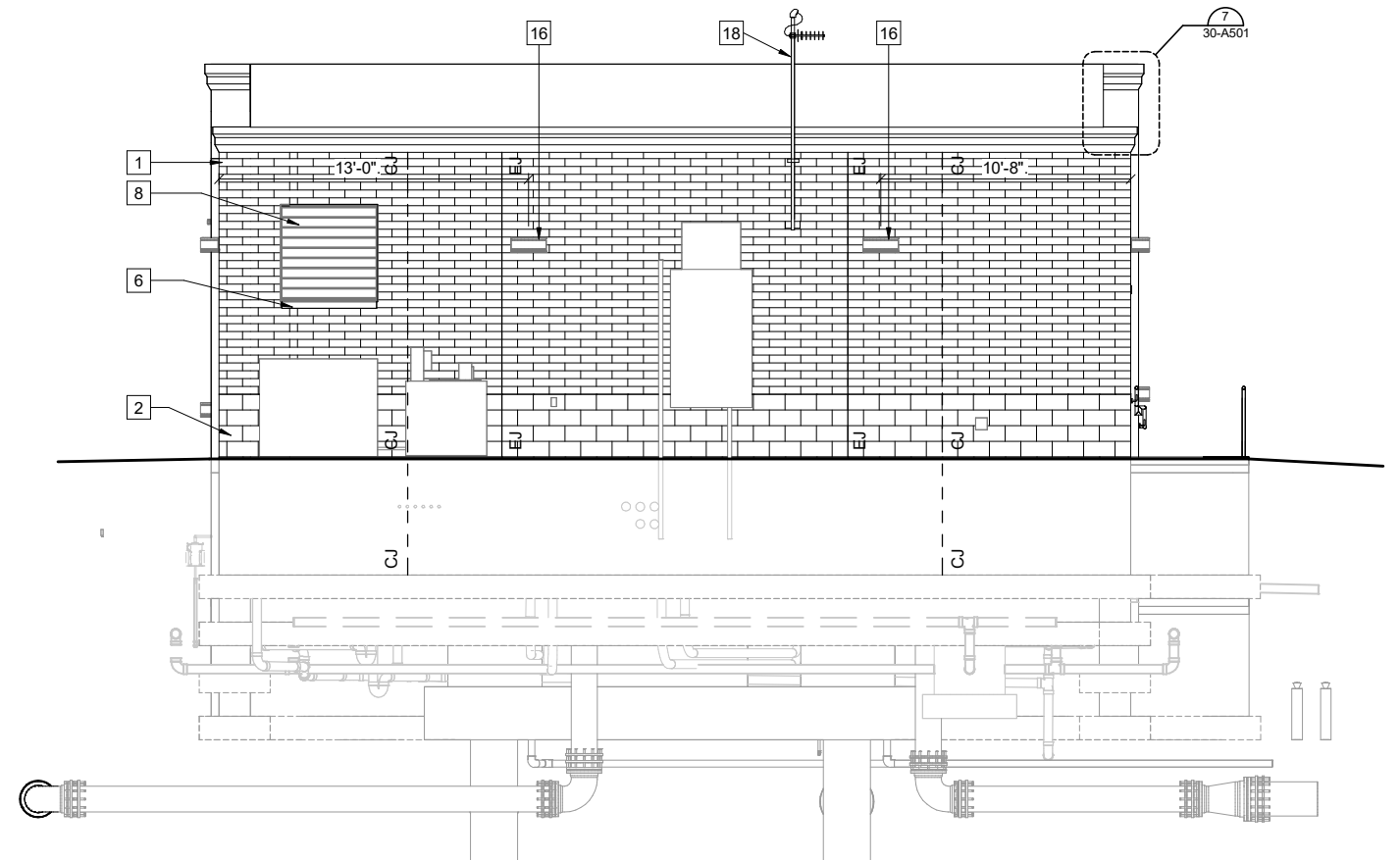
**KEY NOTES #**

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- 8 PREFINISHED LOUVER - SEE HVAC
- 9 PAINT EXPOSED CMU
- 10 EXTENT OF SHEET MEMBRANE WATER PROOFING
- 11 PREFINISHED LIGHT FIXTURE, TYP - SEE ELECTRICAL. MOUNT CENTER OF LIGHT AT 8'-8" AFF, CENTERED OVER DOOR
- 12 PREFINISHED LIGHT FIXTURE, TYP - SEE ELECTRICAL. MOUNT CENTER OF LIGHT AT 8'-8" AFF, CENTERED BELOW WINDOW
- 13 PREFINISHED LIGHT FIXTURE, TYP - SEE ELECTRICAL. MOUNT CENTER OF LIGHT AT 13'-6" AFF, CENTERED ON PIER
- 14 PREFINISHED LIGHT FIXTURE, TYP - SEE ELECTRICAL. MOUNT CENTER OF LIGHT AT 19'-8" AFF, CENTERED BETWEEN PIERS
- 15 PREFINISHED LIGHT FIXTURE, TYP - SEE ELECTRICAL. MOUNT CENTER OF LIGHT AT 8'-10" AFF, CENTER ON WALL
- 16 PREFINISHED LIGHT FIXTURE, TYP - SEE ELECTRICAL. MOUNT CENTER OF LIGHT AT 8'-10" AFF
- 17 DEDICATION PLAQUE - FURNISHED BY OWNER. INSTALLED BY CONTRACTOR.
- 18 ANTENNA, PIPE MAST, MOUNTING BRACKETS AND CABLE BY ELECTRICAL - SEE ELECTRICAL. PAINT PIPE AND BRACKETS, TYP
- 19 PIPE BOLLARD - SEE SITE/CIVIL. PAINT, TYP
- 20 GAS METER AND PIPING - PAINT
- 21 SEE DETAIL 11/30-A503 FOR MASONRY LAYOUT AT PIERS AND CORNER PIERS.



**EAST EXTERIOR BUILDING ELEVATION**

1/4" = 1'-0" (22"x34")  
1/8" = 1'-0" (11"x17")



**NORTH EXTERIOR BUILDING ELEVATION**

1/4" = 1'-0" (22"x34")  
1/8" = 1'-0" (11"x17")

PLOT DATE: 2/23/2024 11:42:52 AM - Addendum 001 to Woodland Booster Pump Station - DULUTH WOODLAND PUMP STATION - MSJC - R23-14

PROJECT DATE:	DRAWN BY:	DESIGNED BY:	CHECKED BY:	DATE:	REVISIONS	BY:
FEBRUARY 26, 2024	MAM/JFG	AJS	Checker			

ENGINEER: ALLEN J. SZYMANSKI  
LICENSE # 204426

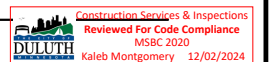


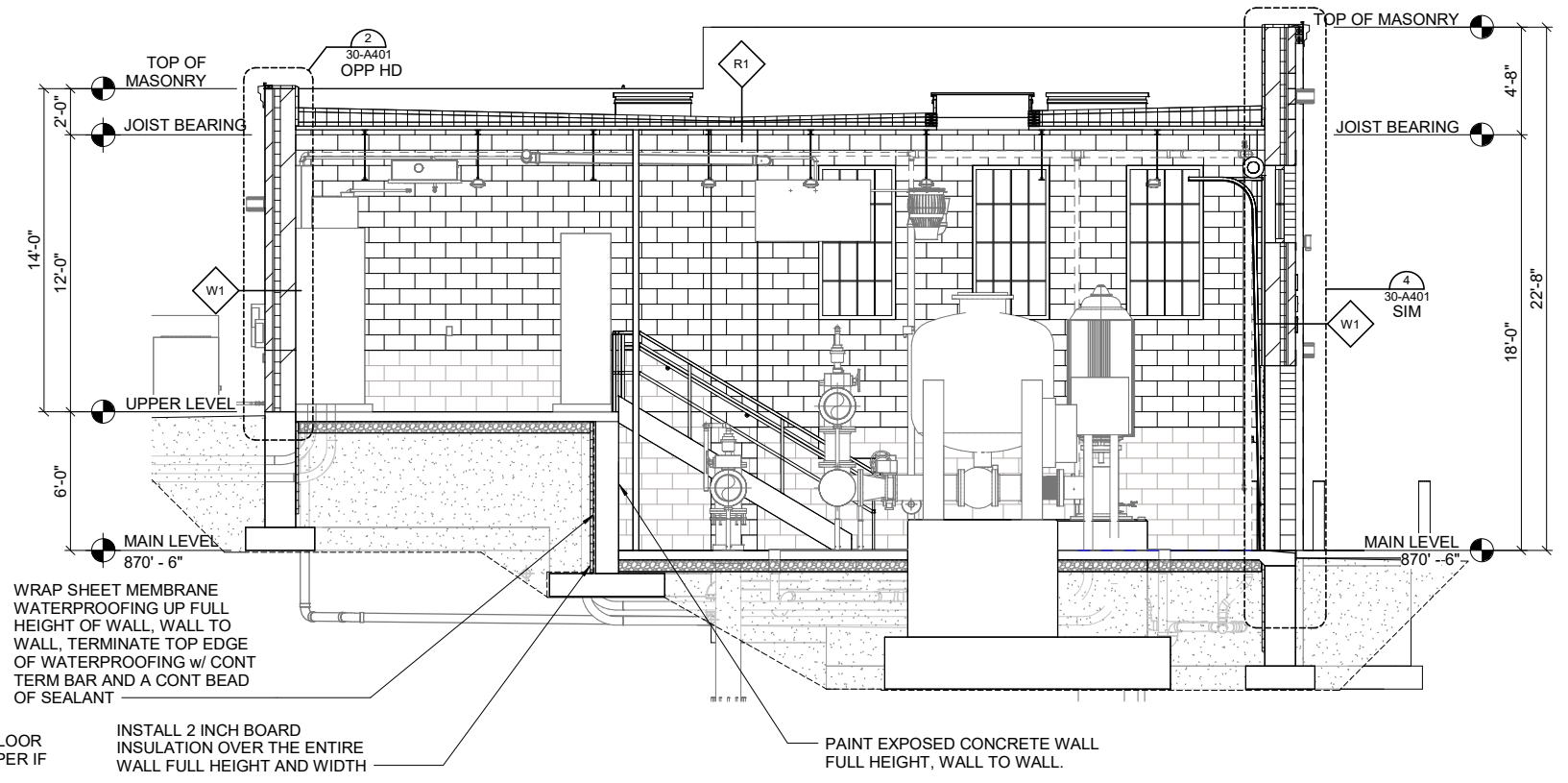
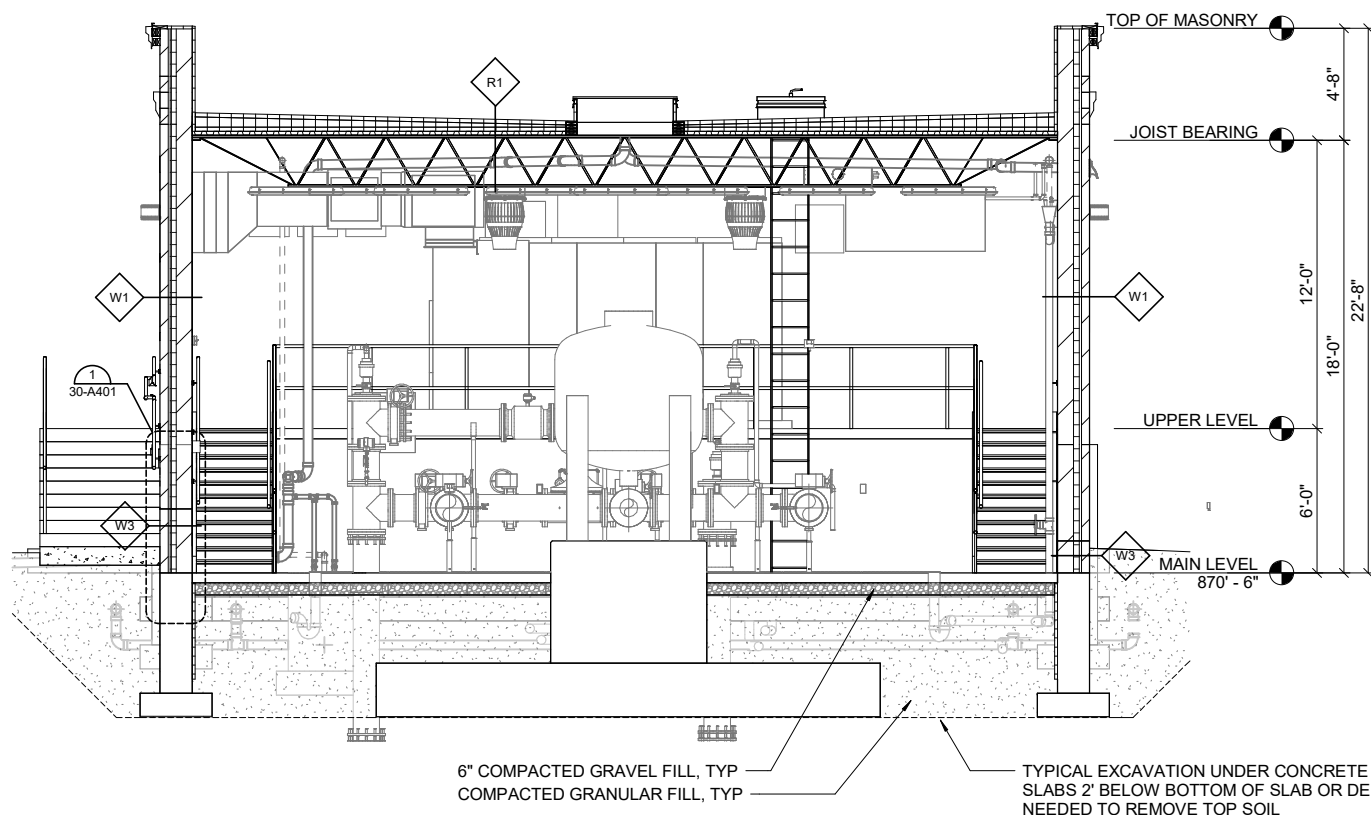
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**WOODLAND BOOSTER STATION IMPROVEMENTS**  
CITY OF DULUTH  
ST. LOUIS COUNTY, MINNESOTA

**BOOSTER STATION - ARCHITECTURAL  
EXTERIOR ELEVATIONS**

PROJECT NO.  
00616177  
SHEET  
30-A202





**1 BUILDING SECTION**

30-A301 1/4" = 1'-0" (22" x 34") 0 2 4 8  
 1/8" = 1'-0" (11" x 17")

**2 BUILDING SECTION**

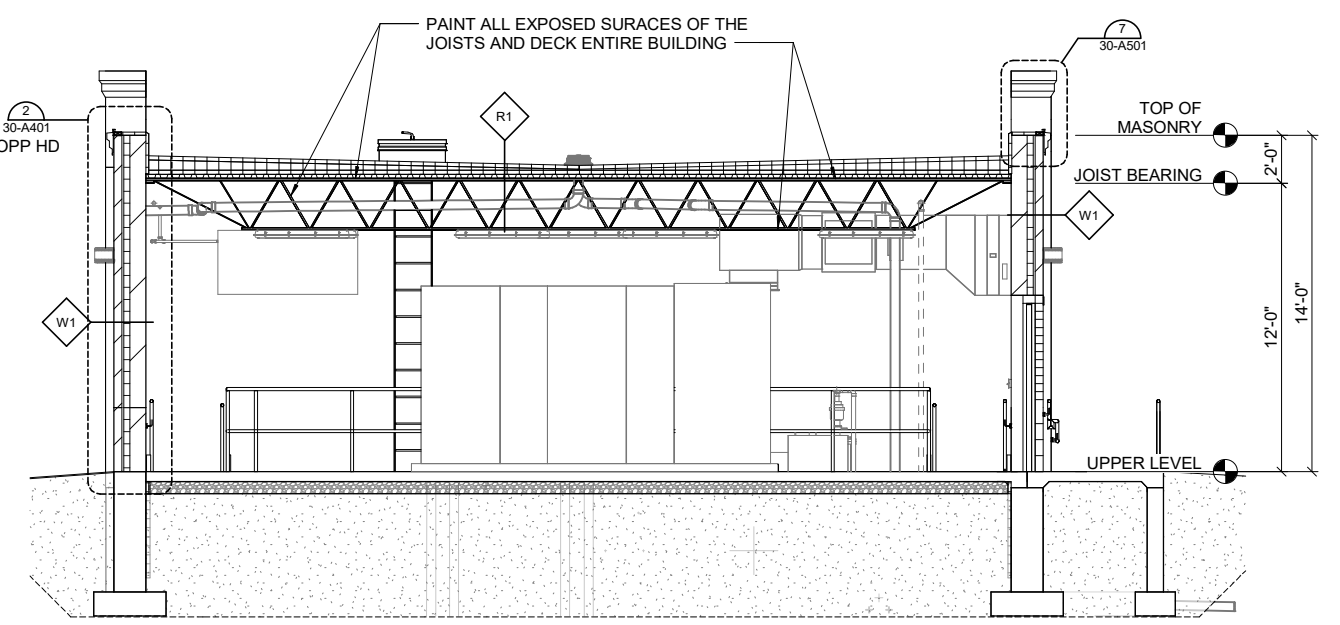
30-A301 1/4" = 1'-0" (22" x 34") 0 2 4 8  
 1/8" = 1'-0" (11" x 17")

6" COMPACTED GRAVEL FILL, TYP  
 COMPACTED GRANULAR FILL, TYP  
 TYPICAL EXCAVATION UNDER CONCRETE FLOOR  
 SLABS 2' BELOW BOTTOM OF SLAB OR DEEPER IF  
 NEEDED TO REMOVE TOP SOIL

WRAP SHEET MEMBRANE  
 WATERPROOFING UP FULL  
 HEIGHT OF WALL, WALL TO  
 WALL, TERMINATE TOP EDGE  
 OF WATERPROOFING w/ CONT  
 TERM BAR AND A CONT BEAD  
 OF SEALANT

INSTALL 2 INCH BOARD  
 INSULATION OVER THE ENTIRE  
 WALL FULL HEIGHT AND WIDTH

PAINT EXPOSED CONCRETE WALL  
 FULL HEIGHT, WALL TO WALL.



**3 BUILDING SECTION**

30-A301 1/4" = 1'-0" (22" x 34") 0 2 4 8  
 1/8" = 1'-0" (11" x 17")

PLOT DATE: 2/23/2024 11:45:56 AM ... Addendum 001 to Woodland Pump Station, MSJC, RD174

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	DESIGNED BY: AJS				
	CHECKED BY: Checker				

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ENGINEER: ALLEN J. SZYMANSKI  
 LICENSE # 204426

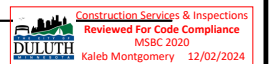


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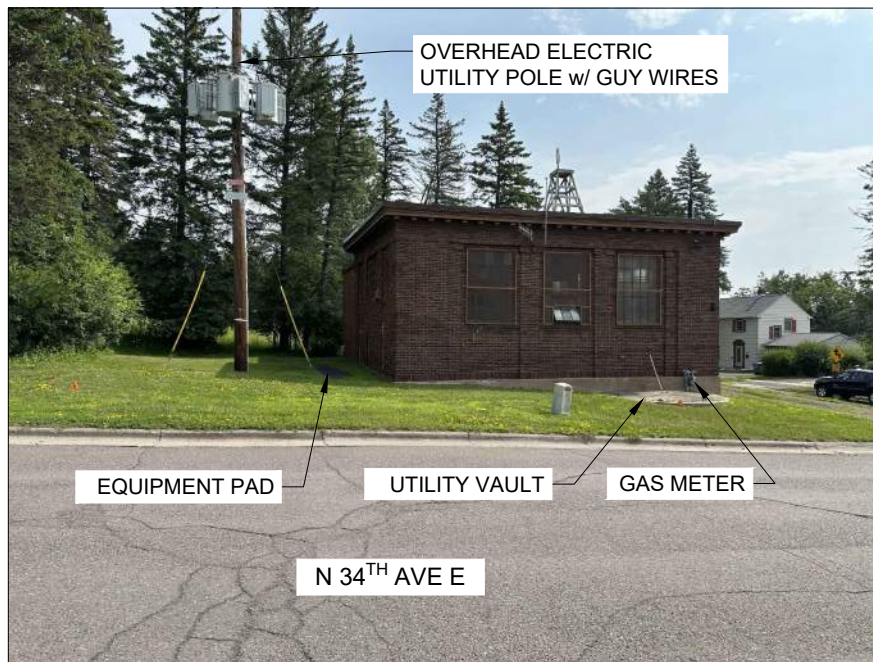
**BOOSTER STATION - ARCHITECTURAL  
 BUILDING SECTIONS**

PROJECT NO.  
00616177  
 SHEET  
30-A301

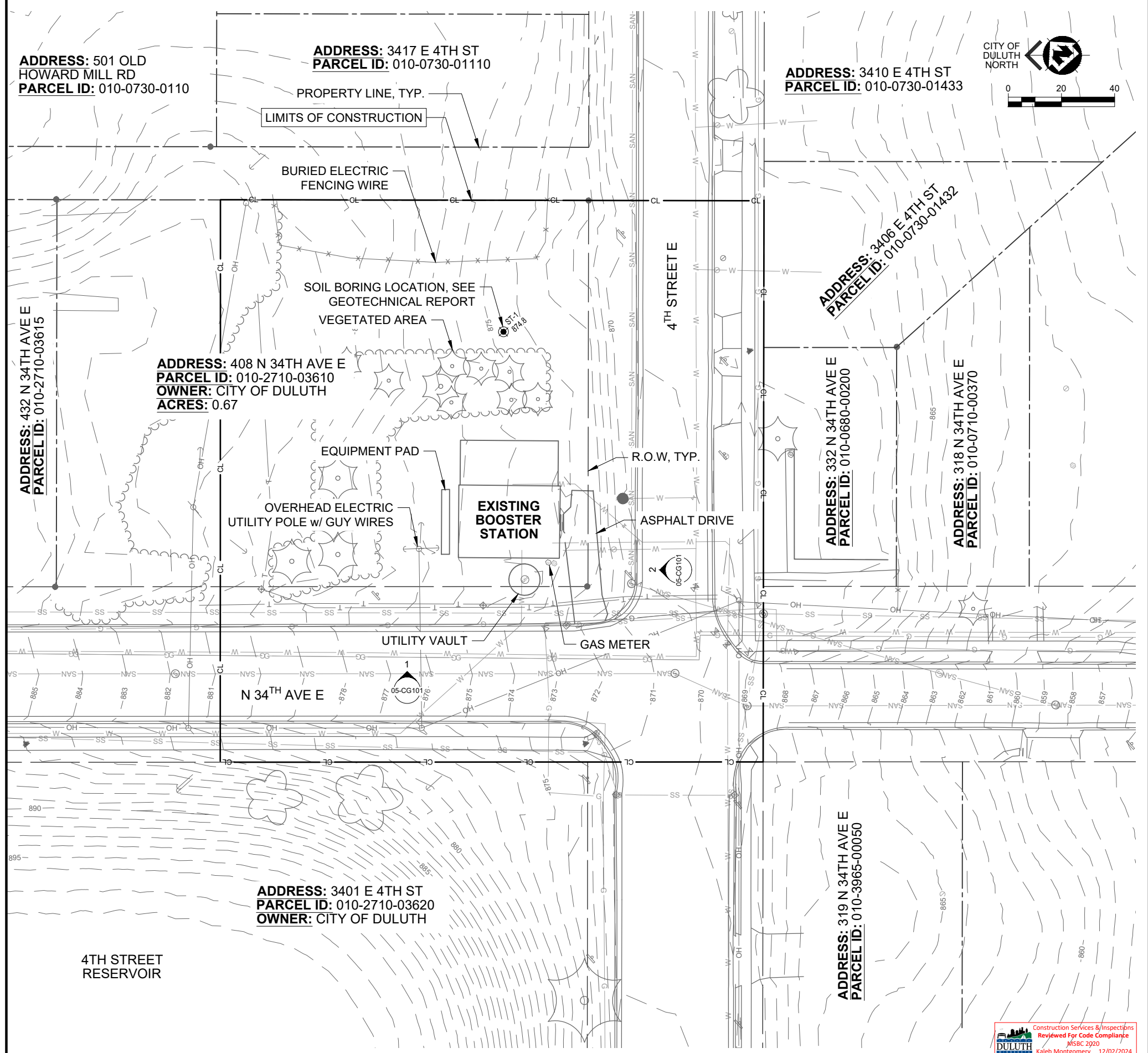




**1 EXTERIOR WALL LOOKING NORTH**  
05-CG101 NO SCALE



**2 EXTERIOR WALL LOOKING EAST**  
05-CG101 NO SCALE



PLOT DATE: 2/26/2024 7:58 AM C:\00016080\0177\CAD\Drawings\Drawings\05-CG101.dwg PROJECT: 010-0730-01110 0177 EXISTING SITE PLAN.dwg

PROJECT DATE: FEBRUARY 26, 2024	DRAWN BY: WT	---	---	---
	DESIGNED BY: JL	---	---	---
	CHECKED BY: SRC	---	---	---

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**WOODLAND BOOSTER STATION IMPROVEMENTS**  
 CITY OF DULUTH  
 ST. LOUIS COUNTY, MINNESOTA

**SITE-CIVIL EXISTING SITE PLAN**

Construction Services & Inspections  
 Reviewed For Code Compliance  
 MSBC 2020  
 Kaleb Montgomery 12/02/2024

PROJECT NO. 00616177
SHEET 05-CG101

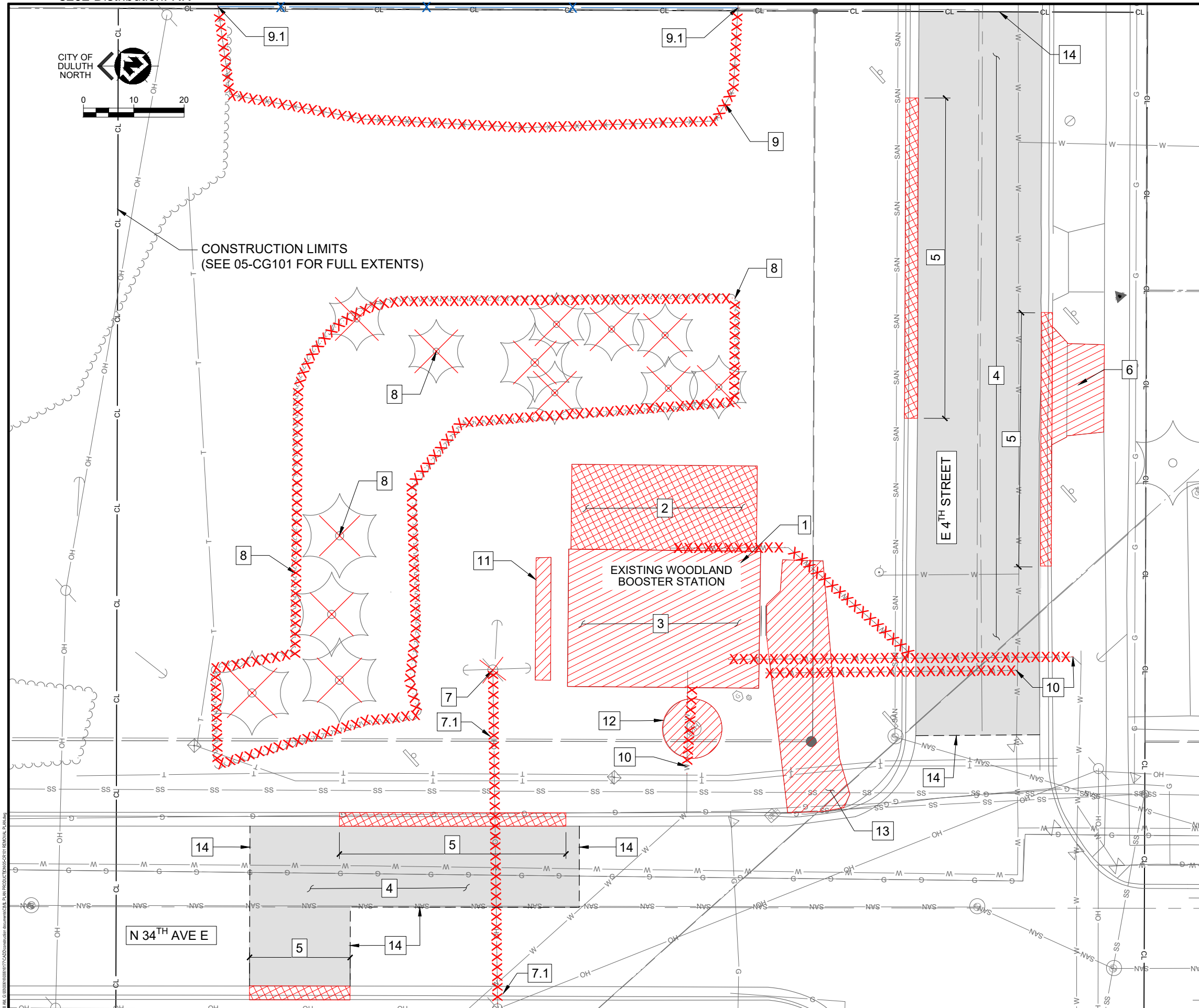




CONSTRUCTION LIMITS  
(SEE 05-CG101 FOR FULL EXTENTS)

**KEY NOTES #**

- 1 EXISTING BOOSTER STATION SHALL REMAIN OPERATIONAL UNTIL NEW BOOSTER STATION IS COMMISSIONED AND PROVEN RELIABLE. WRITTEN APPROVAL FROM ENGINEER REQUIRED PRIOR TO DEMOLISHING.
- 2 DEMOLISH ADDITION PORTION OF EXISTING BOOSTER STATION, INCLUDING STRUCTURE FOOTINGS, ONCE PROPOSED BOOSTER STATION IS IN OPERATION
- 3 DEMOLISH ORIGINAL STRUCTURE OF EXISTING BOOSTER STATION, INCLUDING INTERIOR SLAB (ASSUME 24" SLAB THICKNESS) ONCE PROPOSED BOOSTER STATION IS IN OPERATION. FOUNDATION TO BE ABANDONED - SEE SHEET 20-RSA102.
- 4 DEMOLISH AND REPLACE BITUMINOUS STREET RESTORATION FOR ALL PAVEMENT DISTURBANCE (SEE DETAIL STR-8/05-C510). GRADE TO MATCH EXISTING
- 5 DEMOLISH AND REPLACE CONCRETE CURB & GUTTER (SEE DETAIL 5 & 6/05-C507). GRADE TO MATCH EXISTING
- 6 DEMOLISH AND REPLACE CONCRETE APRON. GRADE TO MATCH EXISTING
- 7 PROTECT & DEMOLISH POWER POLE ONCE PROPOSED BOOSTER STATION IS OPERATIONAL
- 7.1 PROTECT & DEMOLISH OVERHEAD ELECTRIC UTILITY. COORDINATE DEMOLITION WITH MINNESOTA POWER
- 8 DEMOLISH TREES & SHRUBS, CLEAR AND GRUB SITE (COMPLETE)
- 9 COORDINATE WITH HOMEOWNER OF 3417 E 4TH STREET AND RELOCATE EXISTING UNDERGROUND ELECTRIC FENCE
- 9.1 PROVIDE SPLICE BOX - 2 (REQUIRED)
- 10 CAP AND ABANDON WATER LINES AFTER NEW BOOSTER STATION IS COMMISSIONED AND PROVEN RELIABLE. WRITTEN APPROVAL FROM ENGINEER REQUIRED PRIOR TO ABANDONMENT.
- 11 DEMOLISH CONCRETE EQUIPMENT PAD
- 12 DEMOLISH CONCRETE VAULT AFTER NEW BOOSTER STATION IS COMMISSIONED AND PROVEN RELIABLE
- 13 DEMOLISH EXISTING BOOSTER STATION DRIVEWAY AFTER NEW BOOSTER STATION IS COMMISSIONED AND PROVEN RELIABLE. WRITTEN APPROVAL FROM ENGINEER REQUIRED PRIOR TO DEMOLISHING.
- 14 SAW CUT ALONG THIS LINE FOR PAVEMENT REMOVALS



No	DATE	REVISIONS	BY

PROJECT DATE: FEBRUARY 26, 2024  
 DRAWN BY: WT  
 DESIGNED BY: JL  
 CHECKED BY: SRC

DATE: February 26, 2024  
 ENGINEER: SCOTT R. CHILSON  
 LICENSE #: 44297

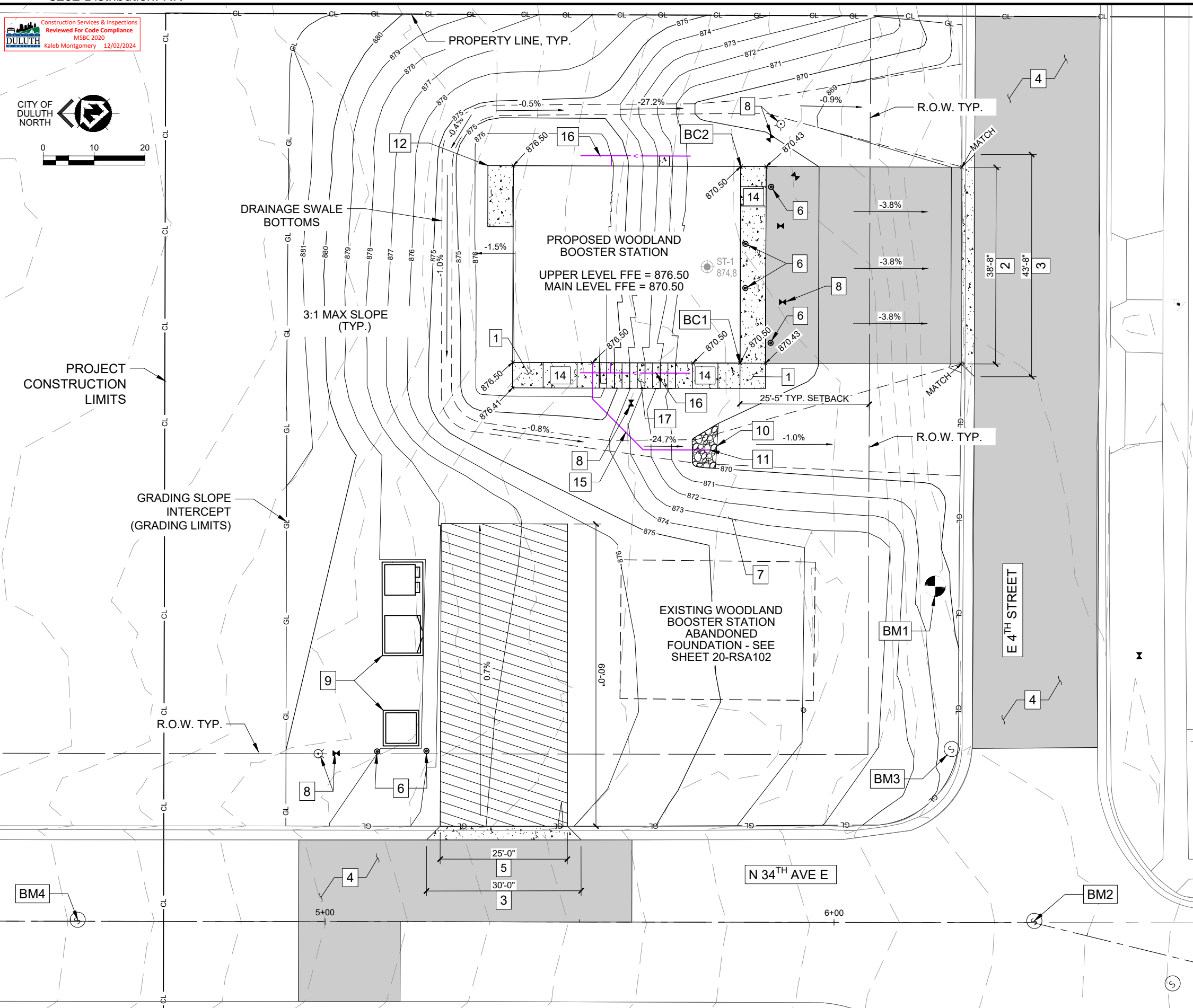
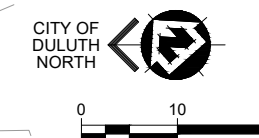
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**WOODLAND BOOSTER STATION IMPROVEMENTS**  
 CITY OF DULUTH  
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**SITE-CIVIL  
 REMOVAL PLAN**



PROJECT NO. 00616177
SHEET 05-CR101



- KEY NOTES**
- 1 PROVIDE 7" THICK CONCRETE SIDEWALK w/BROOM FINISH AND TOOLED CONTROL JOINTS AS SHOWN ON SHEET 30-A101. SLOPE AWAY FROM BUILDING. CROSS SLOPE MAX: 1/4" PER FOOT. RUNNING SLOPE MAX: 1/2" PER FOOT. SEE DETAILS 2/05-C507 & 3/05-C507.
  - 2 PROVIDE ASPHALT DRIVEWAY SEE DETAIL 7/05-C507
  - 3 PROVIDE SURMOUNTABLE CURB AND GUTTER AT DRIVEWAY ENTRANCE - SEE DETAIL 5/05-C507. TAPER SURMOUNTABLE CURB TO BLEND w/ EXISTING CURB AT BOTH ENDS.
  - 4 PROVIDE BITUMINOUS STREET RESTORATION FOR ALL PAVEMENT DISTURBANCE (SEE DETAIL STR-8/05-C510). GRADE TO MATCH EXISTING SLOPE
  - 5 PROVIDE REINFORCED TOPSOIL DRIVEWAY FOR MAINTENANCE ACCESS - SEE DETAIL 4/05-C507
  - 6 PIPE BOLLARD, TYP. - SEE DETAIL 1/05-C507
  - 7 SITE GRADING TO BE COMPLETED AFTER EXISTING BOOSTER STATION HAS BEEN DEMOLISHED
  - 8 AT-GRADE PROPOSED UTILITY FEATURE, TYP. - SEE YARD PIPING PLANS
  - 9 ELECTRICAL EQUIPMENT CONCRETE PAD - TOP OF SLAB SHALL BE 6" ABOVE SURROUNDING GRADE - REFER TO ELECTRICAL SITE PLAN ON SHEET 05-CE101
  - 10 PROVIDE RIPRAP AT DRAIN OUTLET
  - 11 PROVIDE VARMINT GUARD AND VERTICAL MARKER AT OUTLET OF DRAINAGE PIPE
  - 12 PROVIDE 6'X12' CONCRETE PAD FOR HVAC STRUCTURES. VERIFY PAD SIZE WITH EQUIPMENT MANUFACTURER. TOP OF SLAB SHALL BE MINIMUM 2" ABOVE GRADE
  - 13 PROVIDE 2'X2' CONCRETE SPLASH PAD FOR OVERFLOW DRAIN
  - 14 CONCRETE STOOP - SEE DETAIL 11/30-S501 FOR REINFORCEMENT AND SLOPE
  - 15 4"Ø HDPE STORMWATER EJECTOR FORCE MAIN. ROUTE FROM STUB OUT AT BUILDING (BY PLUMBING CONTRACTOR) TO DAYLIGHT IN SWALE - SEE SHEET 30-P102
  - 16 DRAIN TILE STORMWATER EJECTOR SYSTEM (BY PLUMBING CONTRACTOR) - SEE SHEET 30-P102
  - 17 CONCRETE STEPS ALONG EXTERIOR OF BUILDING - SEE DETAIL STR7/05-C510.

**BUILDING CORNER SCHEDULE**

BUILDING CORNER	DESCRIPTION	NORTHING	EASTING
BC1	EXTERIOR CORNER W4 FDN WALL	3356109.13	4854964.22
BC2	EXTERIOR CORNER W4 FDN WALL	3356138.36	4854990.52

**BENCHMARK SCHEDULE**

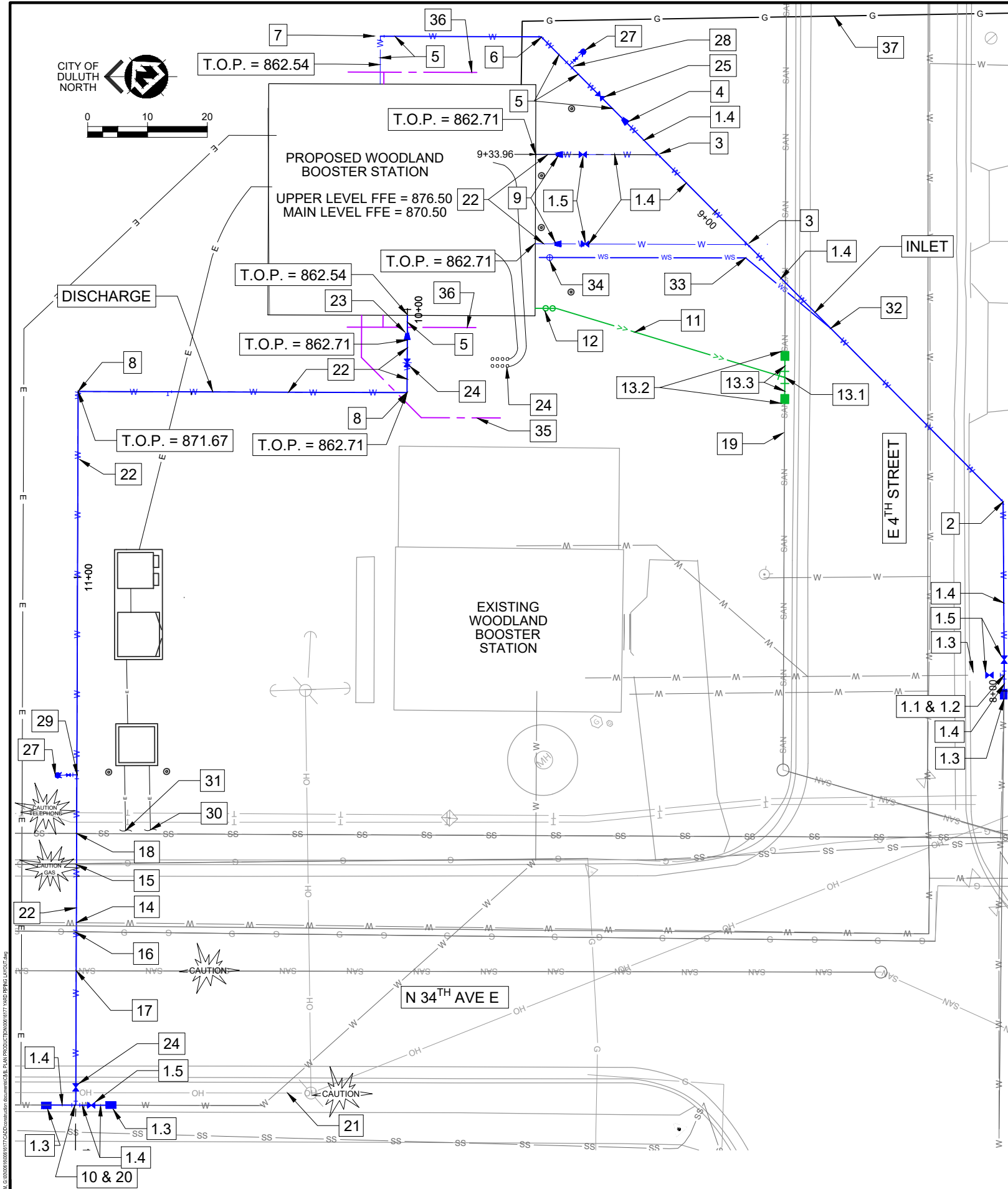
BM. NO.	DESCRIPTION	NORTHING	EASTING	ELEV.
BM1	HYDRANT TOP NUT	3356051.35	4854963.55	872.50
BM2	MH 0490011 RIM	3355989.21	4854934.19	870.60
BM3	MH 0490007 RIM	3356025.32	4854944.70	870.22
BM4	MH 0820049 RIM	3356114.64	4854794.26	881.88

PROJECT DATE:	DRAWN BY:	DESIGNED BY:	CHECKED BY:	DATE	REVISIONS	BY
FEBRUARY 26, 2024	WT	JL	SRC			

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**WOODLAND BOOSTER STATION IMPROVEMENTS**  
 CITY OF DULUTH  
 ST. LOUIS COUNTY, MINNESOTA

**SITE-CIVIL GRADING PLAN**  
 PROJECT NO. 00616177  
 SHEET 05-C101



- KEY NOTES #**
- 1.1 DEMO EXISTING 90° BEND
  - 1.2 PROVIDE 20"X20"X20" MJ TEE
  - 1.3 PROVIDE 20" ROMAC COUPLING
  - 1.4 20" DIP
  - 1.5 PROVIDE 20" MJ BUTTERFLY VALVE W/ VALVE BOX
  - 2 PROVIDE 20" MJ 45° BEND
  - 3 PROVIDE 20" MJ WYE
  - 4 PROVIDE 20"X12" MJ REDUCER
  - 5 12" DIP
  - 6 PROVIDE 12" MJ 45° BEND
  - 7 PROVIDE 12" MJ 90° BEND
  - 8 PROVIDE 16" MJ 90° BEND
  - 9 PROVIDE 20"X16" MJ REDUCER
  - 10 TIE INTO EXISTING WATERMAIN
  - 11 6" C900 PVC SANITARY LATERAL
  - 12 PROVIDE 2-WAY SANITARY CLEANOUT
  - 13.1 TIE INTO EXISTING 8" SANITARY SEWER MAIN WITH 6"X8" PVC WYE
  - 13.2 CLAY TO PVC CONNECTION COUPLING (2 - REQ'D)
  - 13.3 8" C900 PVC SANITARY PIPE
  - 14 PROTECT EXISTING 8" CAST IRON WATER MAIN
  - 15 PROTECT EXISTING 10" COATED STEEL GAS MAIN
  - 16 PROTECT EXISTING LOW PRESSURE GAS LINE
  - 17 PROTECT EXISTING 15" CLAY SANITARY SEWER MAIN
  - 18 PROTECT EXISTING 15" RC STORM SEWER MAIN
  - 19 PROTECT EXISTING 8" CLAY SANITARY SEWER MAIN
  - 20 PROVIDE 20"X20"X16" MJ TEE
  - 21 PROTECT OVERHEAD POWER LINES - COORDINATE WITH UTILITIES
  - 22 16" DIP
  - 23 PROVIDE 16"X12" MJ REDUCER
  - 24 PROVIDE 16" BUTTERFLY VALVE W/ VALVE BOX
  - 25 PROVIDE 12" BUTTERFLY VALVE W/ VALVE BOX
  - 26 ANODE BANK
  - 27 PROVIDE HYDRANT W/ GATE VALVE & VALVE BOX
  - 28 PROVIDE 12"X12"X6" MJ TEE
  - 29 PROVIDE 16"X16"X6" MJ TEE
  - 30 PROVIDE UTILITY CONNECTION TO SOUTH GRID SOURCE - COORDINATE WITH MINNESOTA POWER
  - 31 PROVIDE UTILITY CONNECTION TO NORTH GRID SOURCE - COORDINATE WITH MINNESOTA POWER
  - 32 PROVIDE 1" CORPORATION IN WATERMAIN
  - 33 PROVIDE 1" POLYETHYLENE WATER SERVICE
  - 34 PROVIDE 1" CURBSTOP
  - 35 4"Ø HDPE STORMWATER EJECTOR FORCE MAIN - SHEET SHEET 05-C101
  - 36 DRAIN TILE STORMWATER EJECTOR SYSTEM (BY PLUMBING CONTRACTOR) - SEE SHEET 30-P102
  - 37 GAS SERVICE BY GAS UTILITY - VERIFY FINAL ROUTE AND GAS METER LOCATION WITH GAS UTILITY. UTILITY MAY PREFER TO EXTEND SERVICE FROM EXISTING WOODLAND BOOSTER STATION TO PROPOSED STATION.

**GENERAL NOTE:**  
 ACTUAL OUTSIDE DIAMETER OF EXISTING WATER MAIN AND SANITARY MAIN MAY EXCEED CURRENT DIPRA STANDARDS. THE CONTRACTOR SHALL TEST PIT AND CONFIRM COMPATIBILITY OF COUPLING FITTINGS TO BE USED

PROJECT DATE:	DRAWN BY:	DESIGNED BY:	CHECKED BY:	DATE:	REVISIONS	BY:
FEBRUARY 26, 2024	WT	JL	SRC			

HEREBY CERTIFY THAT THIS PLAN, REPORT, OR SPECIFICATION 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.

DATE: February 26, 2024

ENGINEER: SCOTT R. CHILSON  
 LICENSE #: 44297

**MSA**  
 ENGINEERING | ARCHITECTURE | SURVEYING  
 FUNDING | PLANNING | ENVIRONMENTAL  
 332 W Superior Street, Duluth MN 55802  
 (218) 722-3915 www.msa-ps.com  
 © MSA Professional Services, Inc.

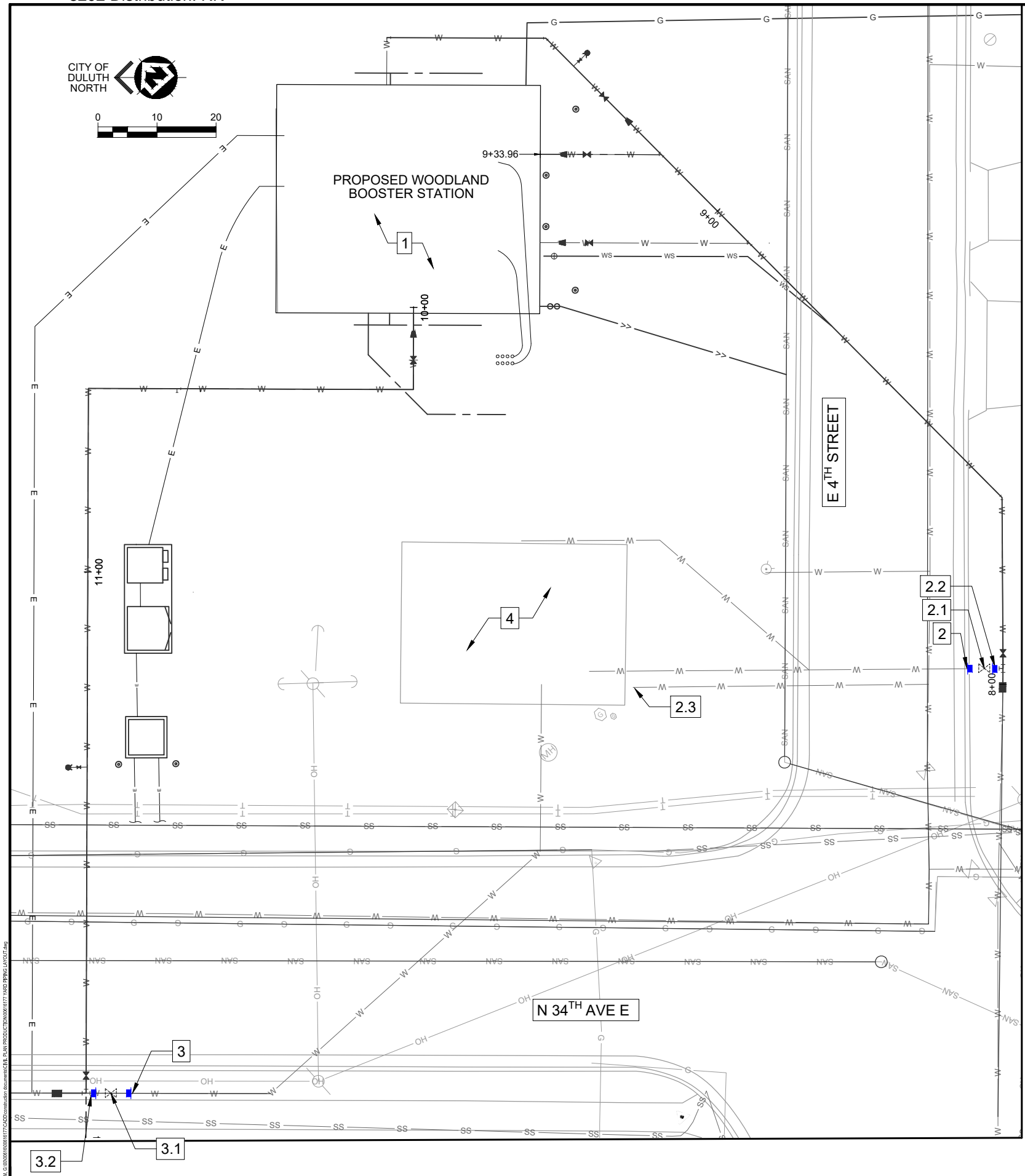
**WOODLAND BOOSTER STATION IMPROVEMENTS**  
 CITY OF DULUTH  
 ST. LOUIS COUNTY, MINNESOTA

**SITE-CIVIL**  
**YARD PIPING PLAN - PHASE 1**

PROJECT NO.  
00616177

SHEET  
05-C102





**KEY NOTES #**

- 1 PHASE 2 TO BEGIN ONCE NEW BOOSTER STATION IS COMMISSIONED AND PROVEN RELIABLE. WRITTEN APPROVAL FROM ENGINEER REQUIRED PRIOR TO COMMENCEMENT OF PHASE 2 WORK.
- 2 CAP & ABANDON IN PLACE EXISTING 20" DIP
- 2.1 SALVAGE PREVIOUSLY INSTALLED 20" MJ BUTTERFLY VALVE & VALVE BOX
- 2.2 PROVIDE 20" PLUG ON UNUSED BRANCH OF PREVIOUSLY INSTLAED 20" MJ TEE
- 2.3 DISCONNECT & ABANDON IN PLACE EXISTING WATER SERVICE
- 3 CAP & ABANDON IN PLACE EXISTING 20" DIP
- 3.1 SALVAGE PREVIOUSLY INSTALLED 20" MJ BUTTERFLY VALVE & VALVE BOX
- 3.2 PROVIDE 20" PLUG ON UNUSED BRANCH OF PREVIOUSLY INSTLAED 20" MJ TEE
- 4 REMAINING CONCRETE FOUNDATION APPROXIMATELY 24" BELOW FINISHED GRADE

PROJECT DATE:	DRAWN BY:	No	DATE	REVISIONS	BY
FEBRUARY 26, 2024	WT	---	---	---	---
	DESIGNED BY:	---	---	---	---
	CHECKED BY:	---	---	---	---
I HEREBY CERTIFY THAT THIS PLAN, REPORT, OR SPECIFICATION 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.					
DATE: February 26, 2024	LICENSE #: 44287	ENGINEER:	<i>[Signature]</i>		

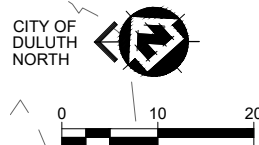
**MSA**  
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**WOODLAND BOOSTER STATION IMPROVEMENTS**  
 CITY OF DULUTH  
 ST. LOUIS COUNTY, MINNESOTA

**SITE-CIVIL**  
**YARD PIPING PLAN - PHASE 2**

PROJECT NO.  
00616177  
 SHEET  
05-C104





EROSION CONTROL BLANKETS, SEE NOTE #3

CONSTRUCTION LIMITS, TYP.

PROPOSED WOODLAND BOOSTER STATION

BITUMINOUS DRIVEWAY

4TH STREET

INSTALL AND MAINTAIN BIOROLL

SEED, FERTILIZE, & MULCH DISTURBED GROUND

34TH AVE E

INSTALL AND MAINTAIN INLET PROTECTION

ESTIMATED RESTORATION

AREA OF WORK: 14,865 S.F.

DRIVEWAY/SIDEWALK/PAVEMENT: 1,930 S.F.

AREA TO BE RESTORED: 11,223 S.F.

GENERAL NOTES:

1. CONTRACTOR SHALL CUT AND REMOVE STUMPS OF TREE FROM FRONT OF STRUCTURE. TREES HAVE BEEN REMOVED BY THE CITY OF DULUTH IN PRIOR WORK. STUMPS WERE NOT REMOVED BUT WILL NEED TO BE TO COMPLETE THIS PROJECT.
2. ALL DISTURBED AREAS, UNLESS OTHERWISE NOTED IN THE DRAWINGS OR SPECIFICATIONS, SHALL BE RESTORED WITH SEED PER MNDOT 3878.
3. ALL SLOPES STEEPER THAN 4:1 (H:V) SHALL BE PROTECTED FROM EROSION WITH EROSION CONTROL BLANKETS PER MNDOT 2575. ALL ROLLED EROSION PRODUCTS SHALL BE CATEGORY 3N.
4. CONTRACTOR MAY PROPOSE HYDRAULIC EROSION CONTROL PRODUCT AS AN ALTERNATE AT NO ADDITIONAL COST TO THE OWNER.
5. CONTRACTOR SHALL INSPECT THE WORK AREA AND ADJACENT STREETS FOR SEDIMENT TRACKING. SEDIMENT TRACKED ONTO PAVED SURFACES SHALL BE SWEEPED WITHIN 24 HOURS.

PLOT DATE: 2/26/2024 8:00 AM... ENGINEER: SCOTT R. CHILSON LICENSE #: 44297

PROJECT DATE:	DRAWN BY:	No	DATE	REVISIONS	BY
FEBRUARY 26, 2024	WT	---	---	---	---
	DESIGNED BY:	---	---	---	---
	CHECKED BY:	---	---	---	---
<small>HEREBY CERTIFY THAT THIS PLAN, REPORT, OR SPECIFICATION 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. DATE: February 26, 2024</small>					



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**WOODLAND BOOSTER STATION IMPROVEMENTS**  
 CITY OF DULUTH  
 ST. LOUIS COUNTY, MINNESOTA

**SITE-CIVIL  
 EROSION CONTROL PLAN**

PROJECT NO.  
 00616177  
 SHEET  
 05-C107





**Planning & Development Division**  
*Planning & Economic Development Department*

Room 160  
 411 West First Street  
 Duluth, Minnesota 55802

218-730-5580

[planning@duluthmn.gov](mailto:planning@duluthmn.gov)

<b>File Number</b>	PLVAC-2502-0001	<b>Contact</b>	Jason Mozol, <a href="mailto:jmozol@duluthmn.gov">jmozol@duluthmn.gov</a>	
<b>Type</b>	Vacation of Street	<b>Planning Commission Date</b>	March 11, 2025	
<b>Deadline for Action</b>	<b>Application Date</b>	February 4, 2025	<b>60 Days</b>	N/A
	<b>Date Extension Letter Mailed</b>	N/A	<b>120 Days</b>	N/A
<b>Location of Subject</b>	W 4 <sup>th</sup> St between 132 <sup>nd</sup> and 134 <sup>th</sup> Ave W and 133 <sup>rd</sup> Ave W between W 3 <sup>rd</sup> St and W 4 <sup>th</sup> St			
<b>Applicant</b>	City of Duluth	<b>Contact</b>	Danielle Erjavec	
<b>Agent</b>		<b>Contact</b>		
<b>Legal Description</b>	See attached			
<b>Site Visit Date</b>	February 24, 2025	<b>Sign Notice Date</b>	February 24, 2025	
<b>Neighbor Letter Date</b>	February 19, 2025	<b>Number of Letters Sent</b>	15	

**Proposal**

The applicant is requesting to vacate a sections of platted W 4<sup>th</sup> St and platted 133<sup>rd</sup> Ave W with retention of utility easements.

**Staff Recommendation**

Staff is recommending approval with conditions.

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

**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. Where the street terminates at a waterfront or shoreline, the street is not and will not be needed to provide pedestrian or recreational access to the water;
3. 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 #10 – Take actions that enhance the environment, economic, and social well-being of the community.

Governing Principle #6- Reinforce the place specific.

Vacating this street will allow for the transfer of the property to the Fond du Lac band and preservation of the cemetery.

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.

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.

Recent History

The streets were platted as part of Fond du Lac. During reconstruction of MN Hwy 23, it was discovered that human remains existed in the area and plans have developed to transfer the property to the Fond du Lac band for preservation of the cemetery. The State of Minnesota Archaeologist designed this site as the Mission Creek Cemetery in 2020 and the streets proposed to be vacated lie within the designated boundary.

W 4<sup>th</sup> Street was previously constructed outside the alignment of the platted right of way but it has been abandoned. Electric and communication utilities exist in the rights-of-way proposed to be vacated, so utility easements will be maintained.

**Review and Discussion Items:**

Staff finds that:

1. The applicant is requesting to vacate a section of platted W 4<sup>th</sup> St and platted 133<sup>rd</sup> Ave W and establish utility easements over the area, as described in the attached exhibit.
2. W 4<sup>th</sup> St was previously built but out of alignment with the platted right-of-way. It crossed the platted right-of-way but crossed a portion of the 133<sup>rd</sup> Ave W right-of-way.
3. The proposed vacation is necessary to facilitate transfer of the property to the Fond du Lac band.
4. The platted street contains electric and communication utilities. Easements will be established to allow those uses to continue.
5. The platted street will not be needed by the City for the promotion of public health, safety, or welfare of the citizens of Duluth.
6. Vacating the platted street will not impact or deny access to other property owners.
7. The City Engineering office has reviewed the proposed vacation and has indicated it does not expect to need the area for future utilities or drainage.
8. No other public, agency, or City comments have been received.
9. All affected property owners have consent to the vacation.
10. 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 approval of the vacation with the following conditions:

1. City Council must approve the vacation with at least 6/9 vote.

2. The vacation and easements must be recorded within 90 days of final approval by City Council, or such approval will lapse.





PLVAC-2502-0001  
 Right of Way Vacation  
 W 4th St and 133rd Ave W



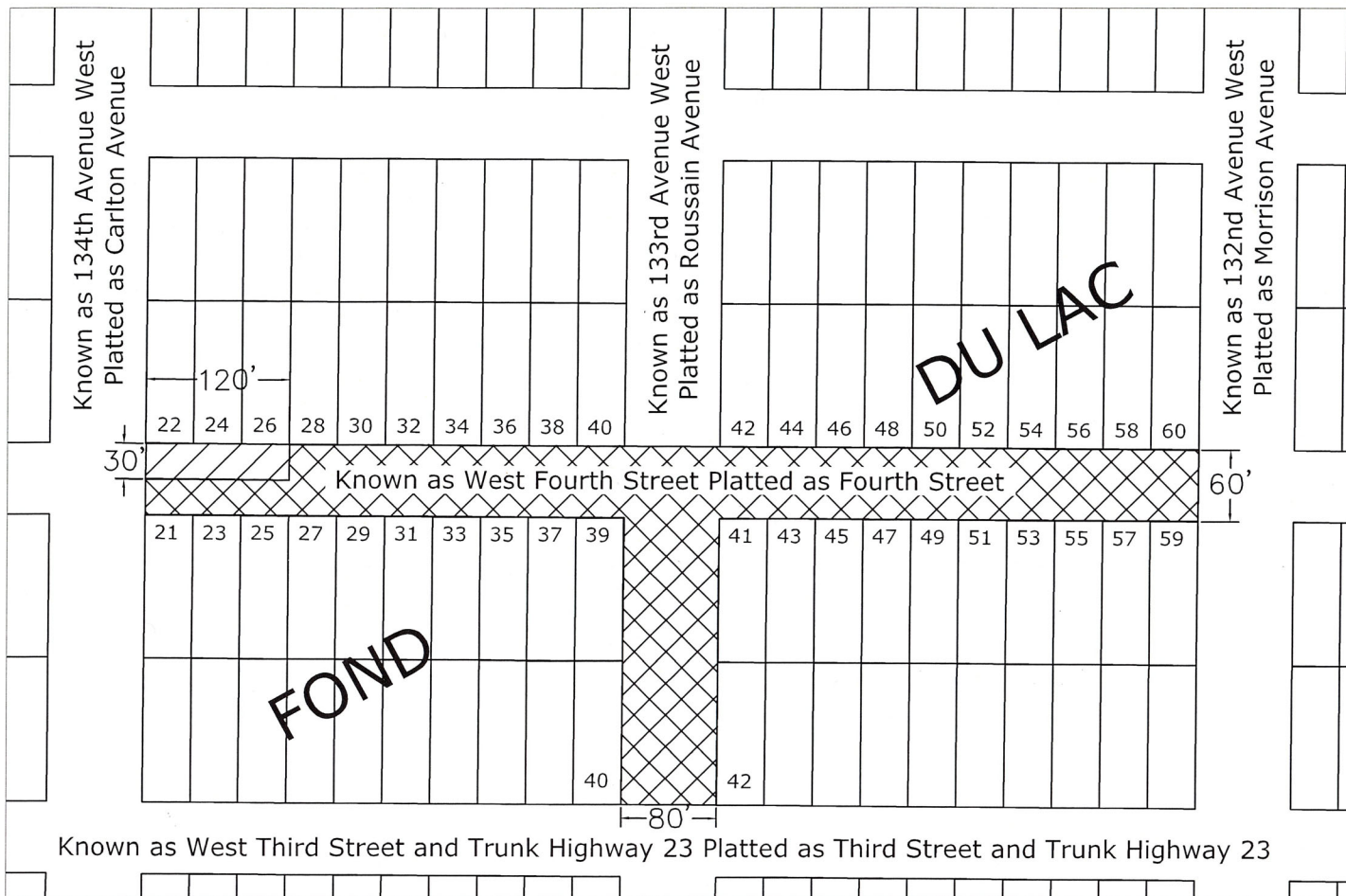
Area to be Vacated



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.

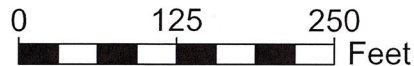
Aerial photography flown 2019

Prepared by: City of Duluth Planning & Economic Development, October 23, 2023; Source: City of Duluth

### VACATION EXHIBIT



-  Area to be vacated, with utility easement retained
-  Area previously vacated




Legal description of vacation of West Fourth Street and 133<sup>rd</sup> Avenue West

All that part of Fourth Street and Roussain Avenue of FOND DU LAC, according to the recorded plat thereof, St. Louis County, Minnesota, said right of way is also known as West Fourth Street and 133<sup>rd</sup> Avenue West respectively, described as follows:

That part of Fourth Street bounded on the west by the extension of the east right of way of Carlton Avenue of FOND DU LAC, also known as 134<sup>th</sup> Avenue West; and bounded on the east by the extension of the west right of way of Morrison Avenue, also known as 132<sup>nd</sup> Avenue West.

EXCEPT that part of the north half of Fourth Street extending 120 feet east of said 134<sup>th</sup> Avenue West previously vacated under City of Duluth Resolution No. 03-0680 registered with the St. Louis County Registrar of Titles on May 10, 2004 as Doc. No. 775608 and recorded with the St. Louis County Recorder on May 10, 2004 as Doc. No. 942981

AND that part of Roussain Avenue bounded on the north by the extension of the north right of way of said Fourth Street, and bounded on the south by the extension of the north right of way of Third Street, also known as West Third Street, Trunk Highway 23.

<p>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.</p> <p> 21774 Feb. 4, 2025          Greg Stoewer MN. License # Date</p>	<p>Approved by the City Engineer of the City of Duluth, MN</p> <p>Signed by: <u>Cindy Vogt</u> February 4 day of 2025.</p> <p>By: <u>Cindy Vogt</u></p> <p>153BCC1A236A4E8...</p> <p>PAGE 1 of 1</p>
---	--

# Petition to Vacate Street, Alley, or Utility Easement

Name: City of Duluth

Description of street, alley, or easement to vacate: West Fourth Street platted as Fourth Street and 133rd Avenue platted as Roussain Avenue.

My request for this vacation is to (indicate purpose of vacation):  
Vacate the rights of ways within the Mission Creek Cemetery boundary.

The City of Duluth will not need this street, alley, or easement in the future because:  
City streets and utilities have been abandoned and/or relocated in coordination with MnDOT

**PLEASE TAKE NOTICE:** Pursuant to Section 50-37.6 of the Duluth City Code, the above-identified applicant(s) petition the Duluth City Council to vacate the street, alley, or easement described in the attached legal description.

This petition is made upon the following facts and reasons (Identify the factual basis and reasons supporting the petition) <sup>1</sup>:

The City is supporting the Fond du Lac Band and MnDOT on the Mission Creek Cemetery site,  
that was inadvertently disturbed by MnDOT's bridge replacement project in 2017. MnDOT is completing a  
landscape project. The parties intend that all property within the cemetery boundary will be transferred to  
the Fond du Lac Band.

This petition is supported by a majority of the person(s) who own a majority of the lineal frontage of the land abutting upon the portion of the public easement proposed to be vacated. A copy of the signatures of these persons is attached hereto and made a part hereof. <sup>2</sup>

The petitioner(s) agree to provide the city with a plat of the easement(s) as required by Section 50-37.6B(3) of the Duluth City Code upon approval of the vacation. We understand that the vacation cannot occur without the submission of the required plat. We understand that the cost of producing the plat is the responsibility of the petitioner(s). We also understand that the approval will lapse and be of no effect if the plat and clerk certification is not recorded with the county recorder within 90 days after final approval.

Signature(s): DocuSigned by:  
*Danielle Erjavec*  
CC0443FF174A497... Danielle Erjavec, Sr. Property Services Specialist  
City of Duluth

Date: 2/7/2025 | 13:51:12 CST

**Notice: This is public data.**

<sup>1</sup> In order to vacate a public easement it must be demonstrated that the easement is useless for the purpose for which it was dedicated.

<sup>2</sup> If a property is owned in joint tenancy or by tenants in common, each individual with an ownership interest will be counted to determine if a majority of owners have signed the petition. An owner cannot sign for another owner unless legally authorized to do so, i.e. power of attorney, trustee, or court approved guardianship or conservatorship.

### Petition Signature Form

We, the undersigned, do hereby request that the City of Duluth consider vacating: West Fourth Street platted as Fourth Street and 133rd Avenue platted as Roussain Avenue

Name (Print)	Signature	Property Address (Ownership Entity)	Lot # (if known)
Duane Hill, District Engineer, MnDOT		MnDOT	
Jason Meyer, Land Commissioner, St. Louis County	<b>Jason Meyer</b> <small>Digitally signed by Jason Meyer Date: 2025.02.07 12:09:35 -06'00'</small>	St. Louis County on behalf of State of Minnesota	

## Petition Signature Form

We, the undersigned, do hereby request that the City of Duluth consider vacating: West Fourth Street platted as Fourth Street and 133rd Avenue platted as Roussain Avenue

Name (Print)	Signature	Property Address (Ownership Entity)	Lot # (if known)
Duane Hill, District Engineer, MnDOT	<b>Duane Hill</b> <small>Digitally signed by Duane Hill Date: 2025.02.06 08:19:18 -06'00'</small>	MnDOT	
Julie Marinucci, Deputy County Administrator		St. Louis County on behalf of State of Minnesota	



**Planning & Development Division**  
*Planning & Economic Development Department*

Room 160  
 411 West First Street  
 Duluth, Minnesota 55802

218-730-5580

planning@duluthmn.gov

<b>File Number</b>	PLVAC-2407-0002	<b>Contact</b>	Jason Mozol, jmozol@duluthmn.gov	
<b>Type</b>	Vacation of Street	<b>Planning Commission Date</b>	March 11, 2025	
<b>Deadline for Action</b>	<b>Application Date</b>	January 30, 2025	<b>60 Days</b>	N/A
	<b>Date Extension Letter Mailed</b>	N/A	<b>120 Days</b>	N/A
<b>Location of Subject</b>	1206 W 1 <sup>st</sup> St			
<b>Applicant</b>	Jason Vincent and Jeff Anderson	<b>Contact</b>		
<b>Agent</b>		<b>Contact</b>		
<b>Legal Description</b>	See attached			
<b>Site Visit Date</b>	February 25, 2025	<b>Sign Notice Date</b>	February 25, 2025	
<b>Neighbor Letter Date</b>	February 19, 2025	<b>Number of Letters Sent</b>	16	

**Proposal**

The applicant is requesting to vacate a section of undeveloped platted W 1<sup>st</sup> St.

**Staff Recommendation**

Staff is recommending approval with conditions.

	<b>Current Zoning</b>	<b>Existing Land Use</b>	<b>Future Land Use Map Designation</b>
<b>Subject</b>	R-2	Residential/Undeveloped	Traditional Neighborhood/ Open Space
<b>North</b>	R-2	Residential	Traditional Neighborhood/ Open Space
<b>South</b>	R-2	Undeveloped	Open Space
<b>East</b>	R-2	Undeveloped/ Stream	Open Space
<b>West</b>	R-2	Undeveloped	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. Where the street terminates at a waterfront or shoreline, the street is not and will not be needed to provide pedestrian or recreational access to the water;

3. 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 #5 – Promote Reinvestment in Neighborhoods

This vacation will provide a larger buildable area for the applicant to construct an addition on their home.

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.

**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.

Recent History

The northerly half of W 1<sup>st</sup> St was platted as a part of Duluth Proper Second Division and the southerly half was platted as a part of Glen Place Division. The platted street is in an area of very steep, rocky terrain and has not ever been constructed.

**Review and Discussion Items:**

Staff finds that:

1. The applicant is requesting to vacate a section of platted W 1<sup>st</sup> St as described in the attached exhibit. This street is undeveloped.
2. The proposed vacation will allow the applicant to construct an addition to their existing home.
3. The platted street does not contain public utilities or infrastructure.
4. The platted street will not be needed by the City for the promotion of public health, safety, or welfare of the citizens of Duluth.
5. Vacating the platted street will not impact or deny access to other property owners.
6. The City Engineering office has reviewed the proposed vacation and has indicated it does not expect to need the area for future utilities or drainage.
7. No other public, agency, or City comments have been received.
8. 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 approval of the vacation with the following conditions:

1. City Council must approve the vacation with at least 6/9 vote.
2. The vacation and easements must be recorded within 90 days of final approval by City Council, or such approval will lapse.



PLVAC-2407-0002  
 Right of Way Vacation  
 1206 W 1st St



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Aerial photography flown 2019

Prepared by: City of Duluth Planning & Economic Development, October 23, 2023; Source: City of Duluth





LEGAL DESCRIPTION OF RIGHT OF WAY VACATION

Those parts of West 1st Street abutting Lots 193 and 195, Block 108, DULUTH PROPER SECOND DIVISION and Point of Rocks Park, GLEN PLACE DIVISION, according to the recorded plats thereof, St. Louis County, Minnesota bounded by the following described lines:

On the Northeast: By the Southeasterly extension of the Southwesterly line of North 12th Avenue West as dedicated on said DULUTH PROPER SECOND DIVISION.

On the Southeast: By the Southeasterly right of way line of West 1st Street as dedicated on said GLEN PLACE DIVISION.

On the Southwest: By the Southeasterly extension of the Southwesterly line of Lot 195, Block 68, said DULUTH PROPER SECOND DIVISION.

On the Northwest: By the Southeasterly line of Block 68, said DULUTH PROPER SECOND DIVISION.

Said right of way vacation contains 6,595 Sq. Feet or 0.15 Acres.

SURVEYOR'S NOTES

- 1. NEW LOCATION OF W 1ST STREET PER BOOK C OF PLATS, PG. 1, RECORDED SEPTEMBER 24, 1888.
2. 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.
3. THIS IS NOT A BOUNDARY SURVEY.

LEGEND

R/W-RIGHT OF WAY



RIGHT OF WAY VACATION AREA



CENTER LINE



RIGHT OF WAY LINE



EXISTING PLAT LINE

Approved by the City Engineer of the City of Duluth, MN this 30 day of Jan. 2025

Gandy Voigt

153BCC1A236A4E8...

RIGHT OF WAY VACATION EXHIBIT

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

David R. Evanson
David R. Evanson
MN License #49505
DATE:02-13-2024

CLIENT:JEFF ANDERSON

REVISIONS:

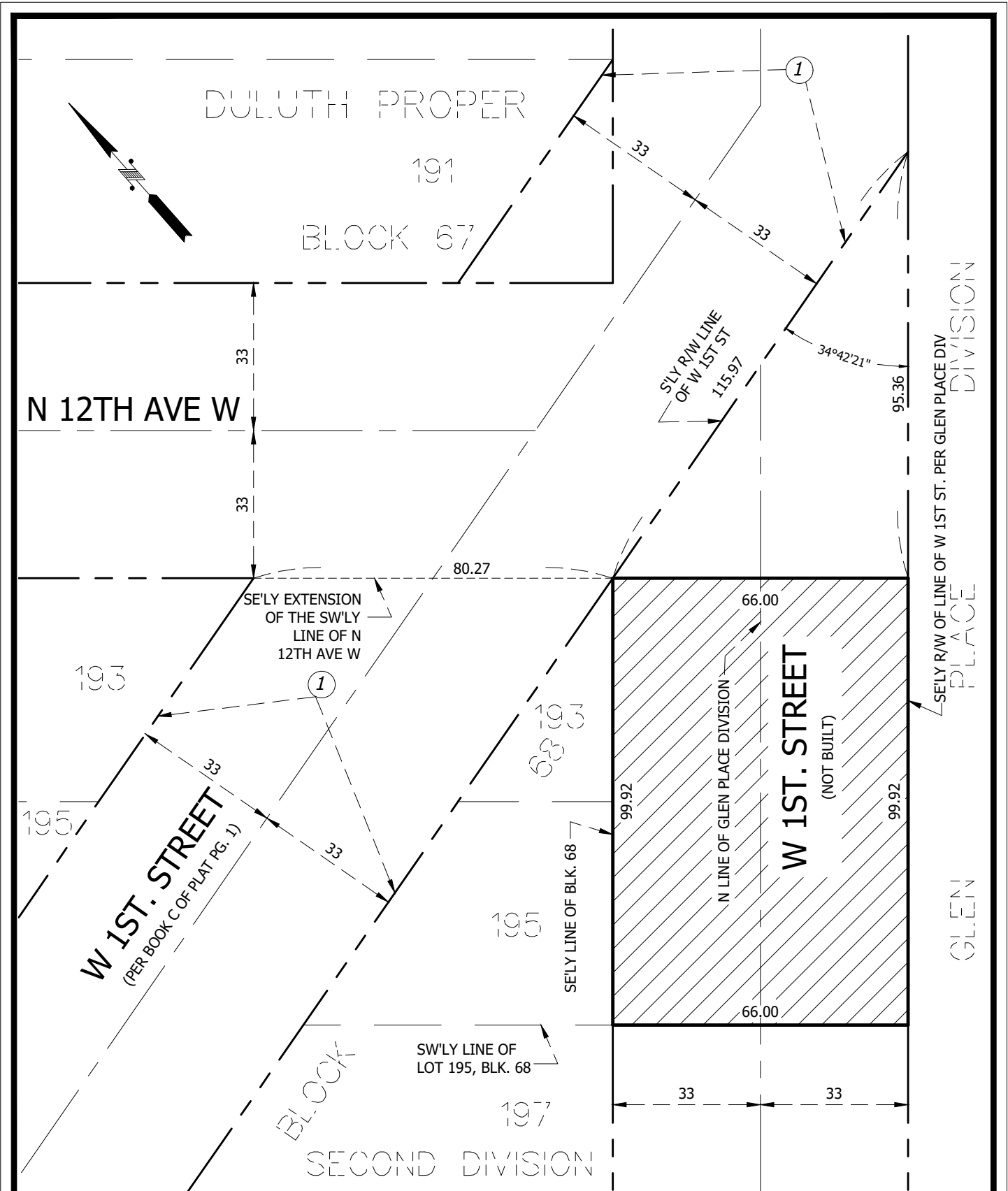
ADDRESS:1206 W 1ST ST,
DULUTH, MN 55806

DATE:02-13-2024

JOB NO:24-027 SHEET 1 OF 2



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



**RIGHT OF WAY VACATION EXHIBIT**

CLIENT: JEFF ANDERSON	REVISIONS:
ADDRESS: 1206 W 1ST ST, DULUTH, MN 55806	
DATE: 02-13-2024	JOB NO: 24-027 SHEET 2 OF 2


**ALTA**  
 LAND SURVEY COMPANY  
 PHONE: 218-727-5211  
 LICENSED IN MN & WI  
 WWW.ALTLANDSURVEYDULUTH.COM

# Petition to Vacate Street, Alley, or Utility Easement

Name: JASON R. Vincent + JEFFERY D. ANDERSON

Description of street, alley, or easement to vacate: 1206 W 1st St - BETWEEN 12th + 13th AVE W + 1st St.

My request for this vacation is to (indicate purpose of vacation):  
Allow for possible home addition.

The City of Duluth will not need this street, alley, or easement in the future because:  
It is all rock + is undevelopable.

**PLEASE TAKE NOTICE:** Pursuant to Section 50-37.6 of the Duluth City Code, the above-identified applicant(s) petition the Duluth City Council to vacate the street, alley, or easement described in the attached legal description.

This petition is made upon the following facts and reasons (Identify the factual basis and reasons supporting the petition)<sup>1</sup>:

- Paper Street
- Undevelopable for a street
- 1st St already developed
- Yard established on paper street

This petition is supported by a majority of the person(s) who own a majority of the lineal frontage of the land abutting upon the portion of the public easement proposed to be vacated. A copy of the signatures of these persons is attached hereto and made a part hereof.<sup>2</sup>

The petitioner(s) agree to provide the city with a plat of the easement(s) as required by Section 50-37.6B(3) of the Duluth City Code upon approval of the vacation. We understand that the vacation cannot occur without the submission of the required plat. We understand that the cost of producing the plat is the responsibility of the petitioner(s). We also understand that the approval will lapse and be of no effect if the plat and clerk certification is not recorded with the county recorder within 90 days after final approval.

Signature(s): Jason R. Vincent Jeffery D. Anderson

Date: July 1, 2024

**Notice: This is public data.**

<sup>1</sup> In order to vacate a public easement it must be demonstrated that the easement is useless for the purpose for which it was dedicated.

<sup>2</sup> If a property is owned in joint tenancy or by tenants in common, each individual with an ownership interest will be counted to determine if a majority of owners have signed the petition. An owner cannot sign for another owner unless legally authorized to do so, i.e. power of attorney, trustee, or court approved guardianship or conservatorship.



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*Planning & Economic Development Department*

Room 160  
 411 West First Street  
 Duluth, Minnesota 55802

218-730-5580

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<b>File Number</b>	PLVAR-2502-0003	<b>Contact</b>	Jason Mozol, jmozol@duluthmn.gov	
<b>Type</b>	Variance from Shoreland Setbacks	<b>Planning Commission Date</b>	March 11, 2025	
<b>Deadline for Action</b>	<b>Application Date</b>	February 18, 2025	<b>60 Days</b>	April 18, 2025
	<b>Date Extension Letter Mailed</b>	February 25, 2025	<b>120 Days</b>	June 17, 2025
<b>Location of Subject</b>	Lakewalk			
<b>Applicant</b>	City of Duluth	<b>Contact</b>	Jim Shoberg	
<b>Agent</b>	LHB	<b>Contact</b>	Heidi Bringman	
<b>Legal Description</b>	See attached			
<b>Site Visit Date</b>	February 25, 2025	<b>Sign Notice Date</b>	February 25, 2025	
<b>Neighbor Letter Date</b>	February 19, 2025	<b>Number of Letters Sent</b>	112	

**Proposal**

The applicant proposes to widen the existing Lakewalk trail and conduct shoreline stabilization work.

**Recommended Action:** Staff recommends that Planning Commission approve the variance with conditions.

	<b>Current Zoning</b>	<b>Existing Land Use</b>	<b>Future Land Use Map Designation</b>
<b>Subject</b>	I-G, F-8, MU-N, MU-B	Trail/Park	Open Space
<b>North</b>	I-G, F-8, MU-N, MU-B	Railroad/Commercial	Open Space/Transportation and Utilities
<b>South</b>	Lake	Lake	N/A
<b>East</b>	MU-B, MU-N	Trail/Residential	Open Space/Residential
<b>West</b>	I-G, F-9	Trail/Park	Open Space

**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 practical difficulties. The Planning Commission must find the following for a variance to be granted: a) That the landowner is proposing to use the property in a reasonable manner, b) that the need for relief from the normal regulations is due to circumstances unique to the property and not caused by the landowner, c) that granting the variance will not alter the essential character of the area, d) that granting the variance is consistent with the intent of the UDC and the Comprehensive Plan.

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

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

Governing Principle #4- Support economic growth sectors

Governing Principle #6 - Reinforce the place specific

Governing Principle #7 - Create and maintain connectivity

Governing Principle #10 - Take actions that enhance the environment, economic, and social well-being of the community

Governing Principle #13- Develop a healthy community

This project accomplishes several comprehensive plan goals by providing recreation space to residents, an attraction to tourists, connection to the waterfront, a safe transportation route for pedestrians, and will mitigate erosion into Lake Superior.

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:** The Lakewalk was developed in the late 80's and early 90's to reconnect the City's residents with the waterfront. Numerous storms, most notably in 2012, have damaged the trail and eroded the shoreline.

**Review and Discussion Items:**

Staff finds that:

- 1) The applicant proposes to restabilize the shore, including construction of a retaining wall. They also propose to widen and repave the Lakewalk trail while moving the trail inland where possible to protect against future erosion.
- 2) The applicant is requesting to reduce the required shoreland structure setback from 50' to 0' for the retaining wall. They also propose to reduce the impervious surface setback from 50' to 20' or greater for 10,070 linear feet of trail.
- 3) Staff finds the applicant has demonstrated practical difficulty due to the project's necessity to be near the water, the inherent challenges due to wave action, soils and topography of the site, and the lack of other available property. This public facility is a reasonable use on the waterfront that provides numerous public benefits. It would be impractical to locate the trail elsewhere while still accomplishing the stated goal of connecting residents and visitors to the waterfront.
- 4) The applicant's practical difficulty was not created by the landowner but is due to the existing location of the trail and the need for these facilities to be on the waterfront.
- 5) The variance will not alter the essential character of the neighborhood where there is an existing trail that supports residents in accessing the waterfront.
- 6) The variance allowing a reduction of a setback will not impair an adequate supply of light and air to adjacent properties.
- 7) The proposal will not increase congestion in public streets or unreasonably diminish or impair established property values within the surrounding areas.
- 8) *Standards for variances in shorelands (does not compromise intent of shoreland regulations and mitigates impacts).* To mitigate shoreland impacts, the applicant proposes to revegetate impacted areas with native plants and to create a vegetated buffer above the retaining wall that will allow for infiltration. The proposed trail alignment also retreats from the shore where practical, reducing impacts to the shoreland.
- 9) To further reduce shoreland impacts, staff recommends that the wall must be stained to blend in with the surrounding shoreline/ledgerock so that it is not an aesthetic intrusion.
- 10) No comments from the public, or other City departments were received. Feedback was provided by the DNR regarding mitigation strategies.
- 11) 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 approve the permit subject to the following conditions:

- 1) The project be constructed and limited to the plans submitted with the application, allowing a retaining wall 0' and a paved trail no less than 20' from the Ordinary High Water Level of the Lake Superior.
- 2) The retaining wall must be stained to blend in with the surrounding shoreline/ledgerock.
- 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 review; however, no such administration approval shall constitute a variance from the provisions of Chapter 50.

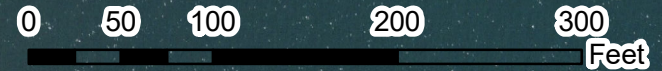


PLVAC-2502-0003  
 Shoreland Variance for  
 Lakewalk Improvements  
 and Restoration  
 Segment A



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PLVAC-2502-0003  
 Shoreland Variance for  
 Lakewalk Improvements  
 and Restoration  
 Segment B



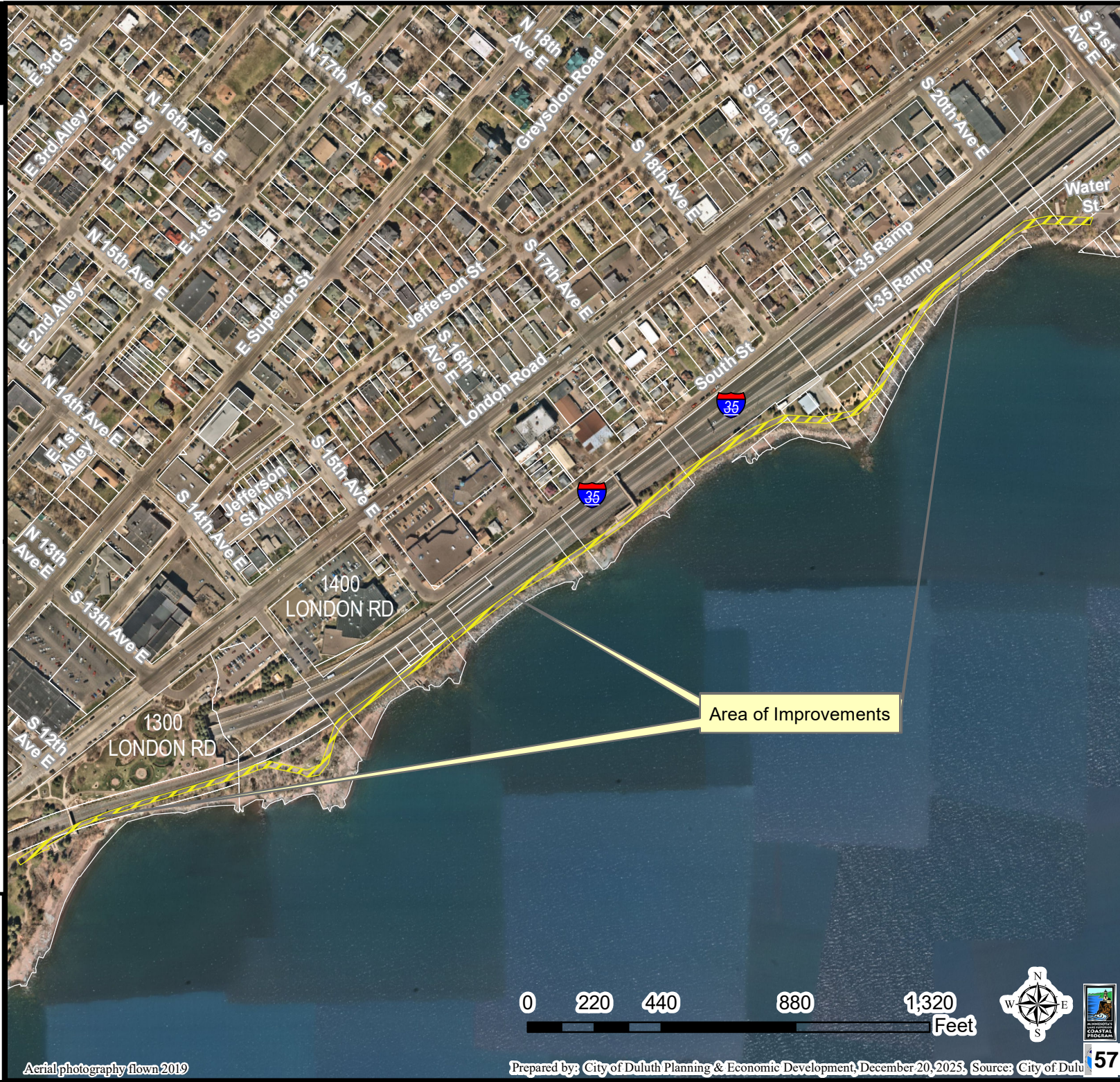
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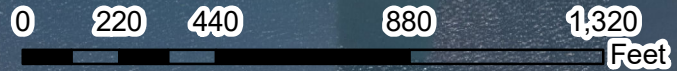


PLVAC-2502-0003  
 Shoreland Variance for  
 Lakewalk Improvements  
 and Restoration  
 Segment C



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LHB PROJECT NO. 210260

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.

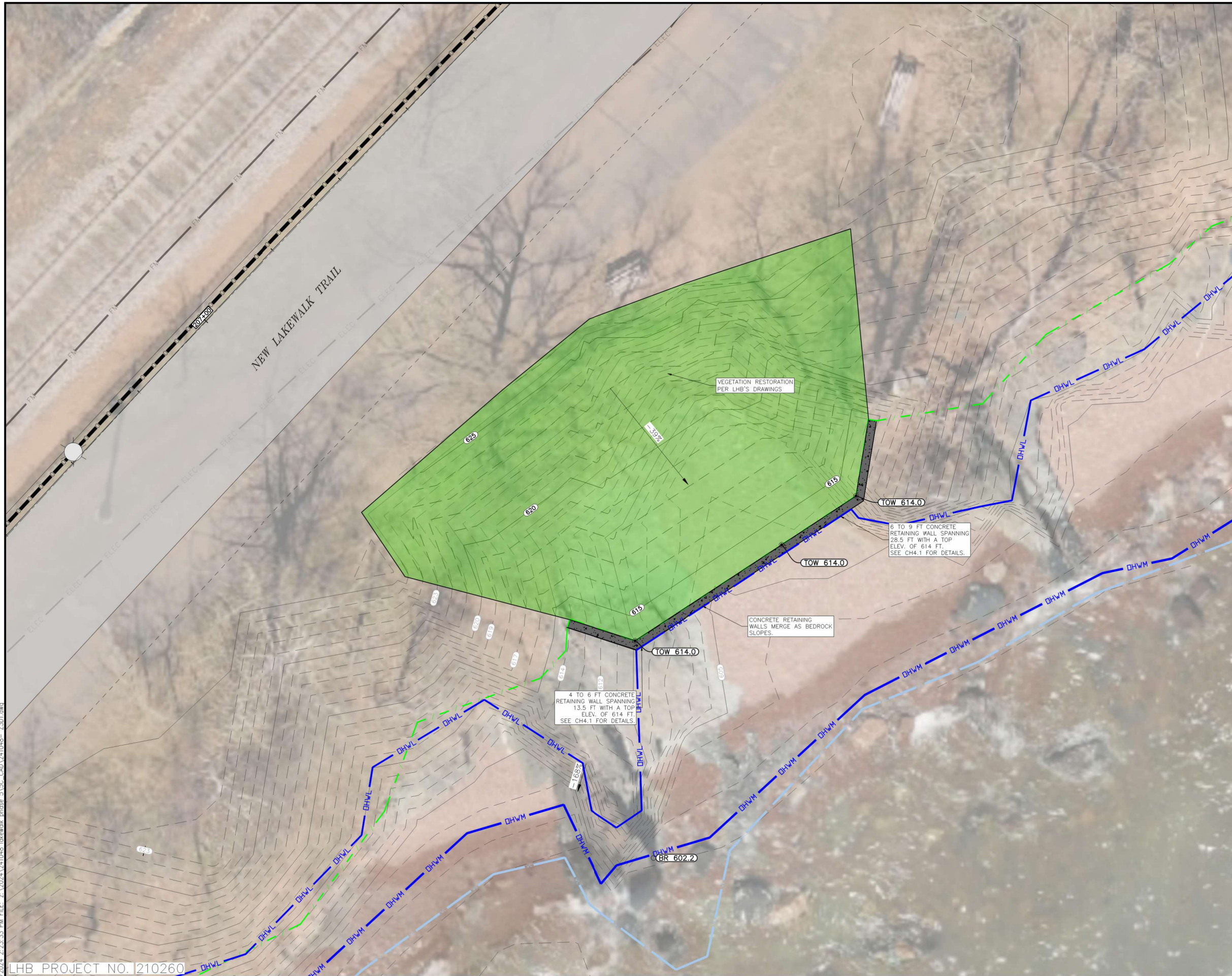
PRINTED NAME

SIGNATURE

XX-XX-XXXX  
DATE  
LIC. NO.

S.P. 118-090-029  
DULUTH LAKEWALK

SHORELINE REHABILITATION PLAN  
SHEET NO. CH4.0 OF XX SHEETS



**SITE LEGEND:**

- 37% FLOW ARROW AND GRADE
- 608 EXISTING MINOR CONTOUR
- 605 EXISTING MAJOR CONTOUR
- 608 PROPOSED MINOR CONTOUR
- 605 PROPOSED MAJOR CONTOUR
- USACE ORDINARY HIGH WATER MARK - 603.5 FT
- MN DNR ORDINARY HIGH WATER LEVEL - 610.0 FT
- LAKE WATERLINE
- PROPOSED VEGETATION LINE
- CONCRETE RETAINING WALL
- VEGETATION REESTABLISHMENT
- REQUIRED GREEN SPACE ALONG TRAIL

**ESTIMATED QUANTITIES BREAKDOWN**

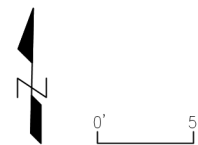
CONCRETE	23 CY
GENERAL FILL	215 CY

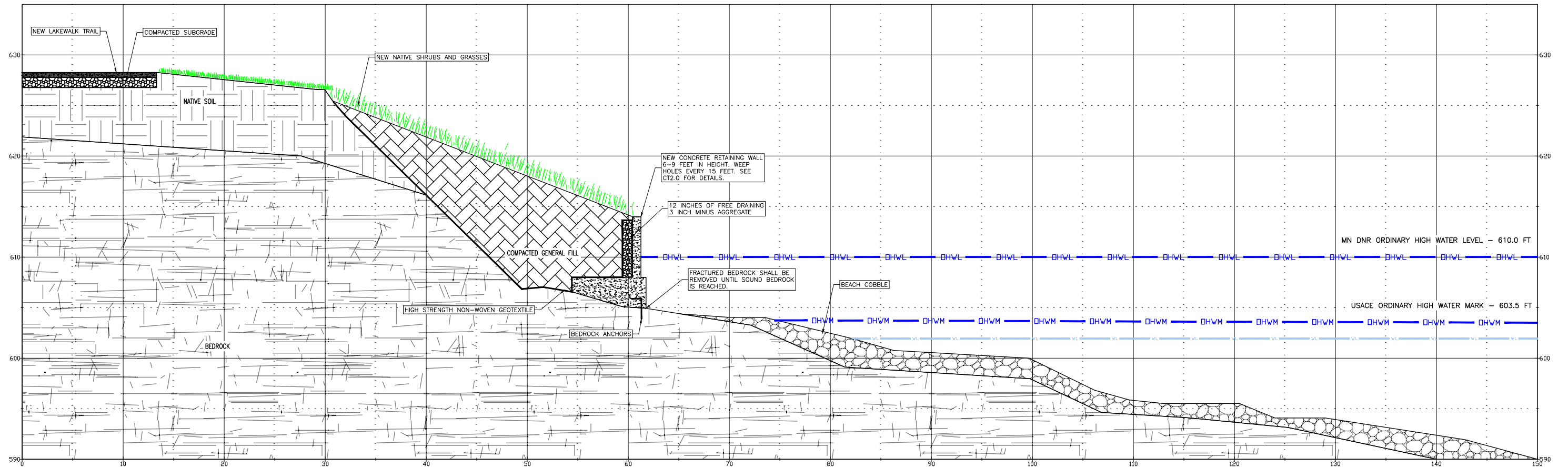
**MN DNR MATERIAL ESTIMATES**

APPROXIMATE VOLUME OF MATERIAL TO BE EXCAVATED BELOW THE OHWL	0 CY
APPROXIMATE VOLUME OF MATERIAL TO BE PLACED BELOW THE OHWL	62 CY

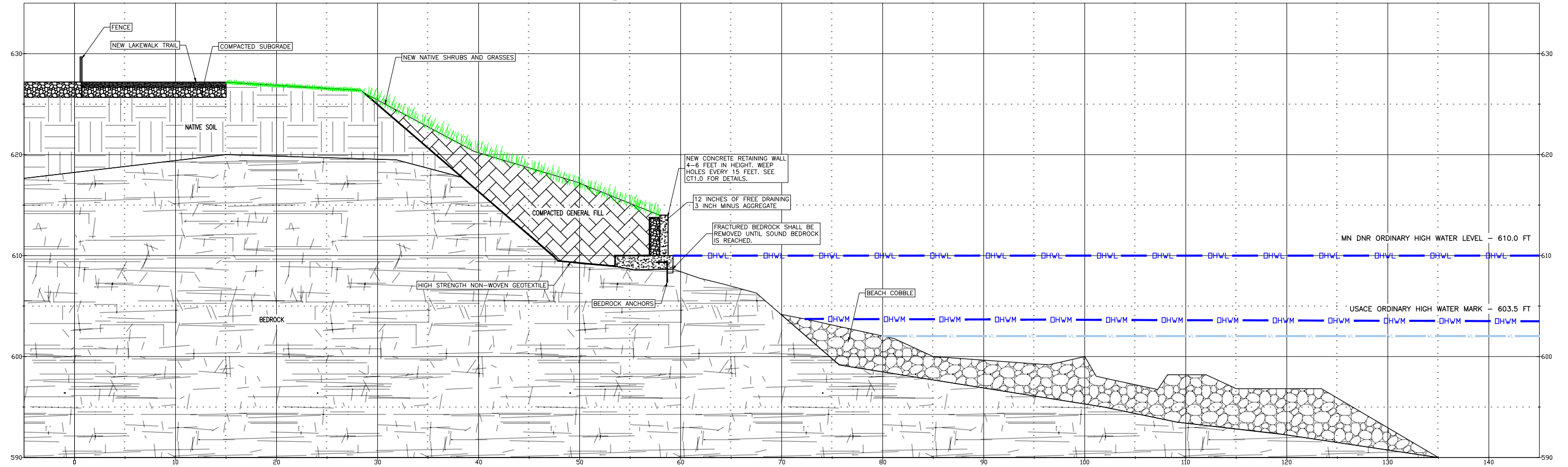
**USACE MATERIAL ESTIMATES**

APPROXIMATE AREA IN PLAN VIEW OF MATERIAL TO BE PLACED BELOW THE OHWM	0 SF
LENGTH OF SHORELINE WITH MATERIAL TO BE PLACED BELOW THE OHWM	0 LF
APPROXIMATE VOLUME OF MATERIAL TO BE PLACED BELOW THE OHWM	0 CY
APPROXIMATE VOLUME OF MATERIAL TO BE TEMPORARILY PLACED BELOW THE OHWM	0 CY





1 PROPOSED TYPICAL DETAILS  
CH4.1 From STA 207+14 to STA 207+42



2 PROPOSED TYPICAL DETAILS  
CH4.1 From STA 207+00 to STA 207+42

LHB PROJECT NO. 210260

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.

PRINTED NAME

SIGNATURE

XX-XX-XXXX  
DATE  
LIC. NO.

S.P. 118-090-029  
DULUTH LAKEWALK

SHORELINE REHABILITATION CROSS-SECTION  
SHEET NO. CH4.1 OF XX SHEETS



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*Planning & Economic Development Department*

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<b>File Number</b>	PLIUP-2411-0018	<b>Contact</b>	Chris Lee, clee@duluthmn.gov	
<b>Type</b>	Interim Use Permit – Vacation Dwelling Unit	<b>Planning Commission Date</b>	February 11, 2025	
<b>Deadline for Action</b>	<b>Application Date</b>	November 2, 2024	<b>60 Days</b>	March 1, 2025 (extended)
	<b>Date Extension Letter Mailed</b>	November 20, 2024	<b>120 Days</b>	April 30, 2025 (extended)
<b>Location of Subject</b>	608 West 4 <sup>th</sup> Street, Unit 3			
<b>Applicant</b>	Justin & Alyssa Voegele	<b>Contact</b>		
<b>Agent</b>		<b>Contact</b>		
<b>Legal Description</b>	PID # 010-1270-01150			
<b>Site Visit Date</b>	November 23, 2024	<b>Sign Notice Date</b>	January 17, 2024	
<b>Neighbor Letter Date</b>	November 18, 2024	<b>Number of Letters Sent</b>	36	

**Proposal**

Applicant proposes to use a one-bedroom unit within an existing multi-family dwelling located at 608 West 4th Street, Unit 3 as a vacation dwelling unit. Up to 3 people would be allowed to stay in the unit. This property was on the eligibility list for a vacation dwelling unit.

**Recommended Action:** Staff recommends that Planning Commission deny the interim use permit based on the lack of available off street parking in a complaint location.

	<b>Current Zoning</b>	<b>Existing Land Use</b>	<b>Future Land Use Map Designation</b>
<b>Subject</b>	R-2	Residential	Traditional Neighborhood
<b>North</b>	R-2	Vacant land	Traditional Neighborhood
<b>South</b>	R-2	Vacant land	Traditional Neighborhood
<b>East</b>	R-2	Vacant land	Traditional Neighborhood
<b>West</b>	R-2	Residential	Traditional Neighborhood

**Summary of Code Requirements:**

UDC Section 50-19.8. Permitted Use Table. A vacation dwelling unit is an Interim Use in the R-1 zone district.

UDC Section 50-20.3.V Use-Specific Standards. Lists all standards specific to vacation dwelling units.

UDC Sec. 50-37.10.E . . . the commission shall only approve an interim use permit, or approve it with conditions, if it determines that: 1. A time limit is needed to protect the public health, safety and welfare from potential longer term impacts of the requested use in that location ....; 2. The applicant agrees to sign a development agreement with the city.

UDC Sec. 50-24.4 Location of parking spaces... parking is only permitted in the rear yard, and the rear yard, and the area



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between one side lot line and the nearest side wall of the dwelling unit and its extension to the improved street abutting the front yard.

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

Governing Principle #8 - Encourage mix of activities, uses, and densities. A short-term rental allows property owners to generate income and provide a service for tourists.

Econ. Dev. Policy #3 - Build on Existing Economic Strengths & Competitive Advantages

- **S9:** Encourage expansion of the city's tourism economy through efforts to expand in areas of current activity, such as in Canal Park, but also through marketing and investment in destination neighborhoods and iconic tourism experiences unique to Duluth.

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 3,245 sq ft home was built in 1890. The home is a 4-unit multifamily dwelling. Units 1 and 4 have been issued interim use permits for vacation dwelling units.

**Review and Discussion Items:**


**Staff finds that:**

- 1) Applicant's property is located at 608 West 4th Street. The property is zoned R-2, Urban Residential. Unit 3 is located on the first floor of a four-unit multifamily dwelling. The proposed vacation dwelling unit ("VDU") contains 1 bedroom, which would allow for a maximum of 3 guests for a minimum rental period of two nights.
- 2) The applicant failed to demonstrate compliance with the parking standards in Section 50-20.3.V.3, which require operators of one-bedroom VDUs to provide at least one legally authorized off-street parking space. Specifically, the application included a parking space located in the property's front yard in violation of the parking restrictions in UDC Section 50-24.4 for residentially zoned property.
- 3) The applicant contends the City already authorized use of the proposed parking stall, citing a building permit and site plan issued on June 22, 1977 (attached). However, the building permit applications state that they are for the construction of an addition and deck. The building permit application does not request approval of construction of parking regardless of the site plan. The permit cost stated on the application is the cost of construction of the addition and deck, not the parking areas.
- 4) The Duluth City Code has continuously prohibited front yard parking spaces in residential districts since 1958. See Ord. No. 7158, § 20.3.3 (July 14, 1958). As such, even assuming the 1977 permit authorized one or more front yard parking spaces on the applicant's property, that decision was not supported by law and the past errors of City officials do not legally justify approval of new or continued uses that violate the UDC. See *Mohler v. City of St. Louis Park*, 643 N.W.2d 623, 634 (Minn. Ct. App. 2002).
- 5) The applicant has indicated they will not allow motorhome or trailer parking.
- 6) The site plan indicates a deck as the only outdoor amenity.
- 7) Permit holders must designate a managing agent or local contact who resides within 25 miles of the City and who has



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authority to act for the owner in responding 24 hours a day to complaints from neighbors or the City. Permit holder must provide the contact information for the managing agent or local contact to all property owners within 100 feet of the property boundary. The applicant has listed David Hagemann to serve as the managing agent.

- 8) A time limit on this Interim Use Permit ("IUP") is needed to minimize negative impacts to surrounding residential uses thereby causing damage to the public's health, safety and welfare. Section 50-20.3.U.7 states the IUP shall expire upon change in ownership of the property or in six years, whichever occurs first.
- 9) An applicant that is approved for an IUP to operate a vacation dwelling unit must comply with vacation dwelling unit regulations, including providing information to guests on city rules (included with staff report as "Selected City Ordinances on Parking, Parks, Pets, and Noise").
  - 10) There are currently 167 licensed vacation dwelling units in the city, with 82 of those in form districts; the remaining 85 are subject to the cap of 100.
- 11) No City, public or agency comments were received.
- 12) The permit will lapse if no activity takes place within 1 year of approval.

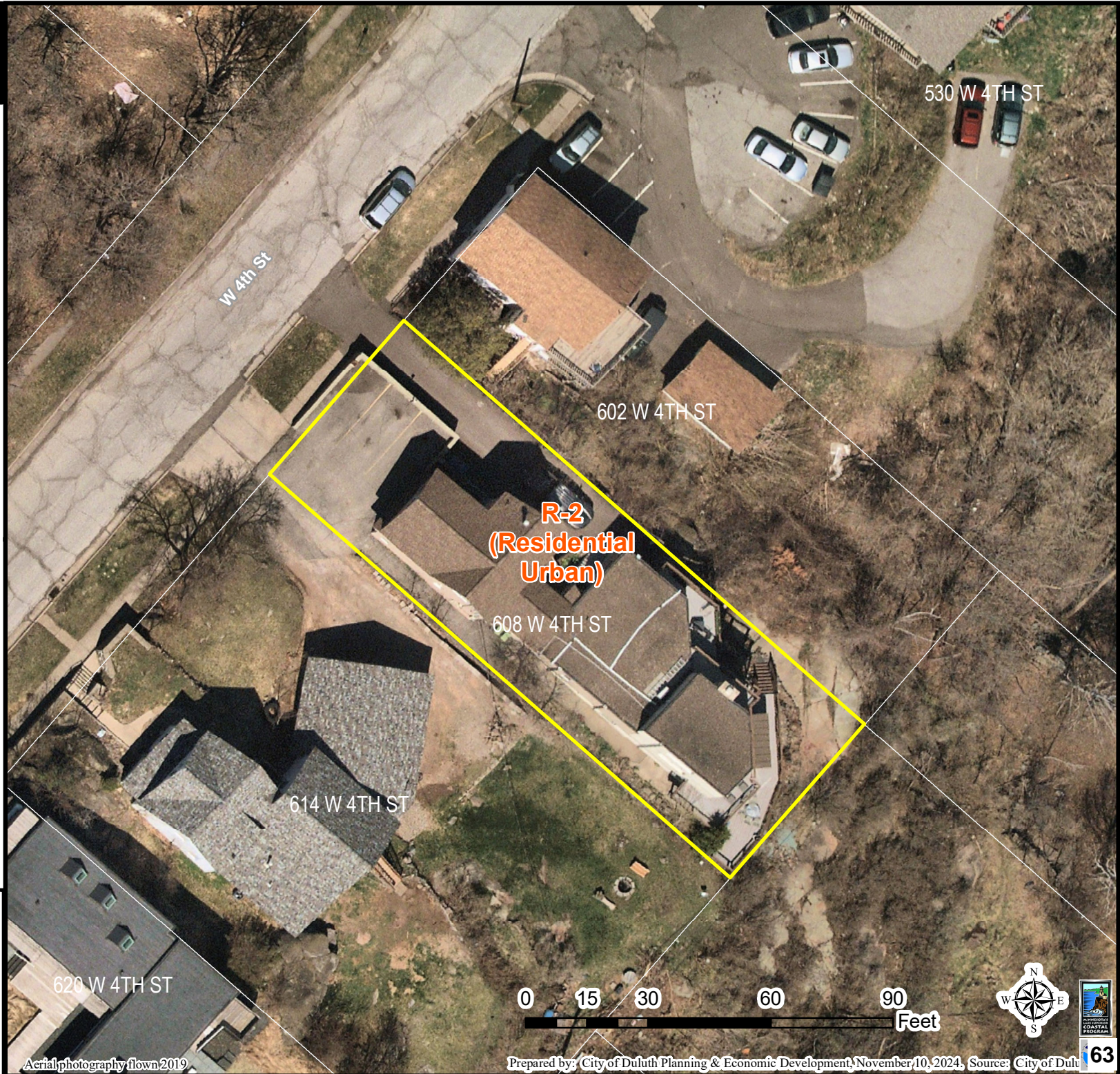
**Staff Recommendation:**

Based on the above findings, Staff recommends that Planning Commission deny the permit based on the following reason:

- 1) The off-street parking space proposed by the applicant is prohibited under UDC 50-24.4, so the application does not satisfy the off-street parking requirement to operate a vacation dwelling unit under 50-20.3.V.3.



PLIUP-2411-0018  
Interim Use Permit  
608 E 4th St



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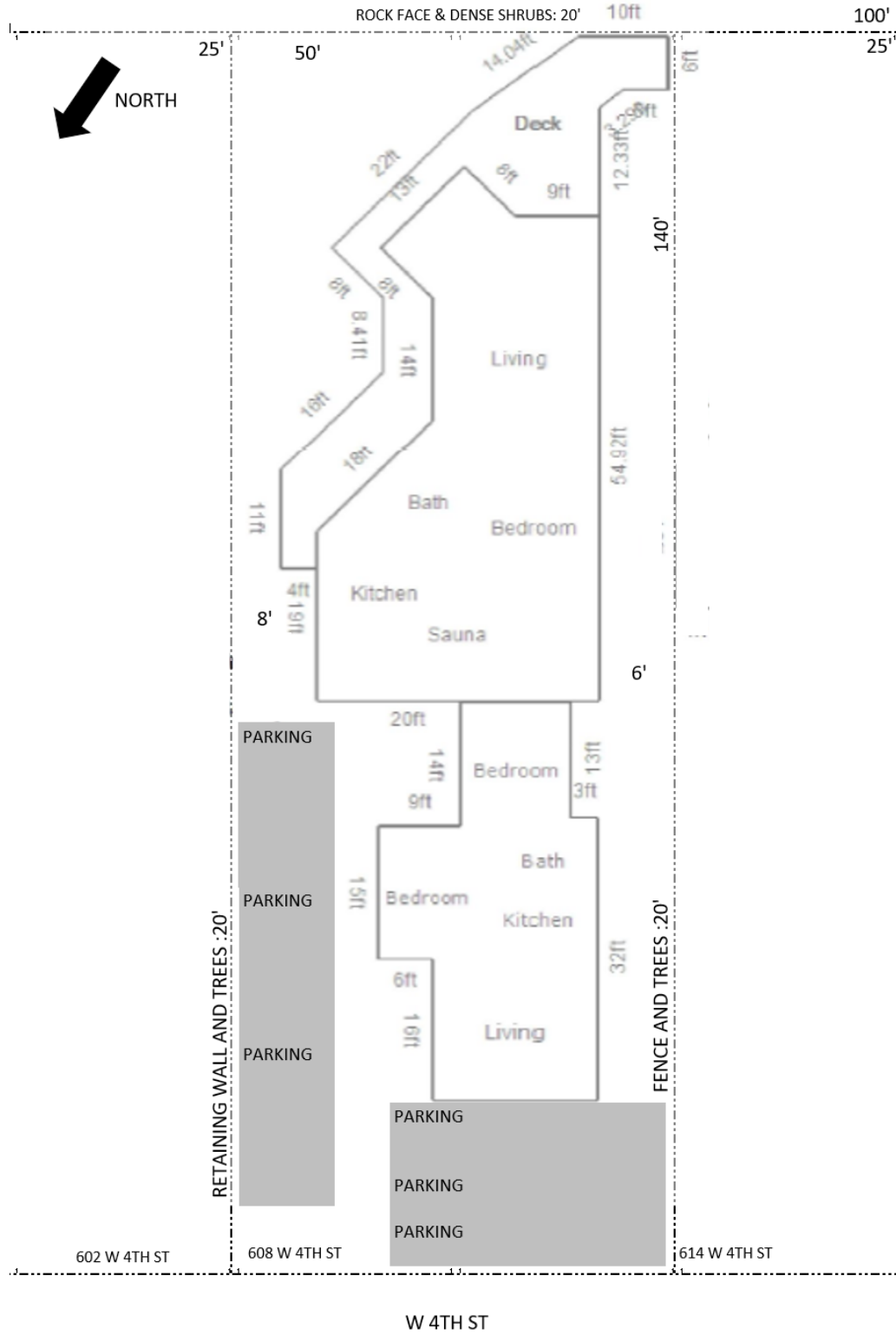
Aerial photography flown 2019

Prepared by: City of Duluth Planning & Economic Development, November 10, 2024, Source: City of Duluth



# 608 W 4TH STREET, DULUTH SITE MAP

608 SITE PLAN: NOTHING ADDITIONAL NEEDED DUE TO PRESENCE OF TREES ON PROPERTY LINES





# Vacation Dwelling Unit Worksheet

1. The minimum rental period shall be not less than two consecutive nights (does not apply to Form districts).

**What will be your minimum rental period?**

2 night(s).

2. The total number of persons that may occupy the vacation dwelling unit is one person plus the number of bedrooms multiplied by two. You may rent no more than four bedrooms.

**How many legal bedrooms are in the dwelling?**

1

**What will be your maximum occupancy?**

3 or Bedroom # + 1

3. Off-street parking shall be provided at the following rate:
  - a. 1-2 bedroom unit, 1 space
  - b. 3 bedroom unit, 2 spaces
  - c. 4+ bedroom unit, number of spaces equal to the number of bedrooms minus one.
  - d. Vacation dwelling units licensed on May 15, 2016, are entitled to continue operating under the former off-street parking requirement. The parking exemption for vacation dwelling units licensed on May 15, 2016, expires upon transfer of any ownership interest in the permitted property.
  - e. Form districts are not required to provide parking spaces.

**How many off-street parking spaces will your unit provide?**

1

4. Only one motorhome (or pickup-mounted camper) and/or one trailer either for inhabiting or for transporting recreational vehicles (ATVs, boat, personal watercraft, snowmobiles, etc.) may be parked at the site, on or off the street.

**Will you allow motorhome or trailer parking?**

No

**If so, where?**

N/A

5. The property owner must provide required documents and adhere to additional requirements listed in the City of Duluth's UDC Application Manual related to the keeping of a guest record, designating and disclosing a local contact, property use rules, taxation, and interim use permit violations procedures.
6. The property owner must provide a site plan, drawn to scale, showing parking and driveways, all structures and outdoor recreational areas that guests will be allowed to use, including, but not limited to, deck/patio, barbeque grill, recreational fire, pool, hot tub, or sauna, and provide detail concerning the provision of any dense urban screen that may be required to buffer these areas from adjoining properties. Please note that this must be on 8 x 11 size paper.

7. The interim use permit shall expire upon change in ownership of the property or in six years, whichever occurs first. An owner of a vacation dwelling unit permitted prior to May 15, 2016, may request, and the land use supervisor may grant, an application for adjustment of an existing permit to conform to this section, as amended, for the remainder of the permit term.
8. Permit holder must keep a guest record including the name, address, phone number, and vehicle (and trailer) license plate information for all guests and must provide a report to the City upon 48 hours' notice.

**Please explain how and where you will keep your guest record (log book, excel spreadsheet, etc):**

EXCEL SPREADSHEET STORED ON A GOOGLE DRIVE

9. Permit holder must designate a managing agent or local contact who resides within 25 miles of the City and who has authority to act for the owner in responding 24-hours-a-day to any complaints from neighbors or the City. The permit holder must notify the Land Use Supervisor within 10 days of a change in the managing agent or local contact's contact information.

**Please provide the name and contact information for your local contact:**

DAVID HAGEMANN

608 W 4th St

2187274489

DAVIDHAGEMANN@CHARTER.NET

10. Permit holder must disclose in writing to their guests the following rules and regulations:
  - a. The managing agent or local contact's name, address, and phone number;
  - b. The maximum number of guests allowed at the property;
  - c. The maximum number of vehicles, recreational vehicles, and trailers allowed at the property and where they are to be parked;
  - d. Property rules related to use of exterior features of the property, such as decks, patios, grills, recreational fires, pools, hot tubs, saunas and other outdoor recreational facilities;
  - e. Applicable sections of City ordinances governing noise, parks, parking and pets;

**Please state where and how this information will be provided to your guests:**

WILL BE LISTED ON THE VACATION RENTAL LISTING SITE AS WELL AS A BINDER IN THE HOME

11. Permit holder must post their permit number on all print, poster or web advertisements.

**Do you agree to include the permit number on all advertisements?**

Yes

12. Prior to rental, permit holder must provide the name, address, and phone number for the managing agent or local contact to all property owners within 100' of the property boundary; submit a copy of this letter to the Planning and Community Development office. In addition, note that permit holder must notify neighboring properties within 10 days of a change in the managing agent or local contact's contact information.



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*Planning & Economic Development Department*

Room 160  
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 Duluth, Minnesota 55802

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<b>File Number</b>	PLSUB-2502-0003		<b>Contact</b>	Natalie Lavenstein, nlavenstein@duluthmn.gov	
<b>Type</b>	Minor Subdivision		<b>Planning Commission Date</b>	March 11, 2025	
<b>Deadline for Action</b>	<b>Application Date</b>		February 2, 2025	<b>60 Days</b>	April 3, 2025
	<b>Date Extension Letter Mailed</b>		February 14, 2025	<b>120 Days</b>	June 2, 2025
<b>Location of Subject</b>		2125 Abbotsford Ave			
<b>Applicant</b>	Christopher Davies		<b>Contact</b>		
<b>Agent</b>			<b>Contact</b>		
<b>Legal Description</b>		010-1850-01420			
<b>Site Visit Date</b>		February 27, 2025	<b>Sign Notice Date</b>		N/A
<b>Neighbor Letter Date</b>		N/A	<b>Number of Letters Sent</b>		N/A

**Proposal**

Applicant is requesting a Minor Subdivision to divide a parcel into 2 parcels.

**Recommended Action:** Staff recommends approval.

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

**Summary of Code Requirements**

50-33.1 General: All subdivision plats and replats, and all registered land surveys, shall create lots, streets and walkways and open spaces consistent with the requirements of the zone district within which the land is located.

50-37.5, D 1: The planning commission shall approve the application if it determines that: (a) The lot or lots to be subdivided or combined have frontage on an improved public street; (b) Each proposed lot meets the minimum zoning requirements of the district that it is in; (c) If an existing structure on a lot complies with the requirements of this Chapter, then after the minor subdivision structures on each of the resulting lots will still comply with the requirements of this Chapter; and (d) If one or more of the existing lots, or a structure on one or more of those lots, does not comply with the requirements of this Chapter, the proposed relocation will not create any new nonconformity or increase any existing nonconformity between the requirements of this Chapter.

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

Principle #5. Promote Reinvestment in neighborhoods. Support neighborhood scale commercial areas, neighborhood parks with links to larger parks and trails systems, a variety of housing, and a street pattern that contributes to the neighborhood identity.

Principle #8 Encourage mix of activities, uses, and densities. Accommodating choice while protecting investment is a balance to strike in land use regulation. Mixed uses provide opportunities for a diversity of activities that segregated, uniform uses do not provide.

**Future Land Uses: Traditional Neighborhood and Open Space** - The T-N district is characterized by grid or connected street pattern, houses oriented with shorter dimensions 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. The O-S district is characterized by high natural resources or scenic value, with substantial restrictions and development limitations.

**History:**

The subject property consists of three structures. Proposed parcel A contains one existing residential structure and one accessory structure. The proposed parcel B contains one existing residential structure. Both residential structures were built in 1914. The underlying plat is "Glen Avon 3<sup>rd</sup> Division of Duluth." The property had various uses including a dormitory, group home, and renewal center.

**Review and Discussion Items**

Staff finds that:

1. Proposed Parcel A contains one residential structure and one accessory structure. Proposed Parcel B contains one residential structure.
2. Proposed Parcel A has frontage along Harvard Avenue. Proposed Parcel B has frontage along Abbotsford Avenue and West Lewis Street. Both parcels meet the frontage requirements for the R-1 district.
3. The proposed subdivision, if approved, would not make the parcels non-conforming due to lot frontage, lot area, or similar bulk standard.
4. The proposed subdivision, if approved, would create a nonconforming building due to the accessory structure in the front yard of proposed Parcel A. This structure will need to be removed to avoid creating a greater nonconformity.
5. Proposed Parcel A does not have its own water or sewer utilities; sewer utilities will need to be provided per City Engineering guidelines.
6. Proposed Parcel B does have its own water and sewer utilities.
7. No public or agency comments were received. City comments were received regarding the lack of water and sewer utilities on proposed Parcel A.
8. The attached exhibit demonstrates compliance with Minnesota statutes 462.358 and 505 or 508, as applicable.
9. The application and attached exhibit demonstrate compliance with the City of Duluth's UDC minor subdivision standards. This report does not address St. Louis County requirements that may govern the applicant's subdivision plan and should not be construed as County approval. If applicable, the Applicant is separately responsible for complying with any additional St. Louis County standards and application review/approval processes. This subdivision approval lapses if deeds are not recorded with St. Louis County within 180 days and the Applicant must provide the City with proof of recording.

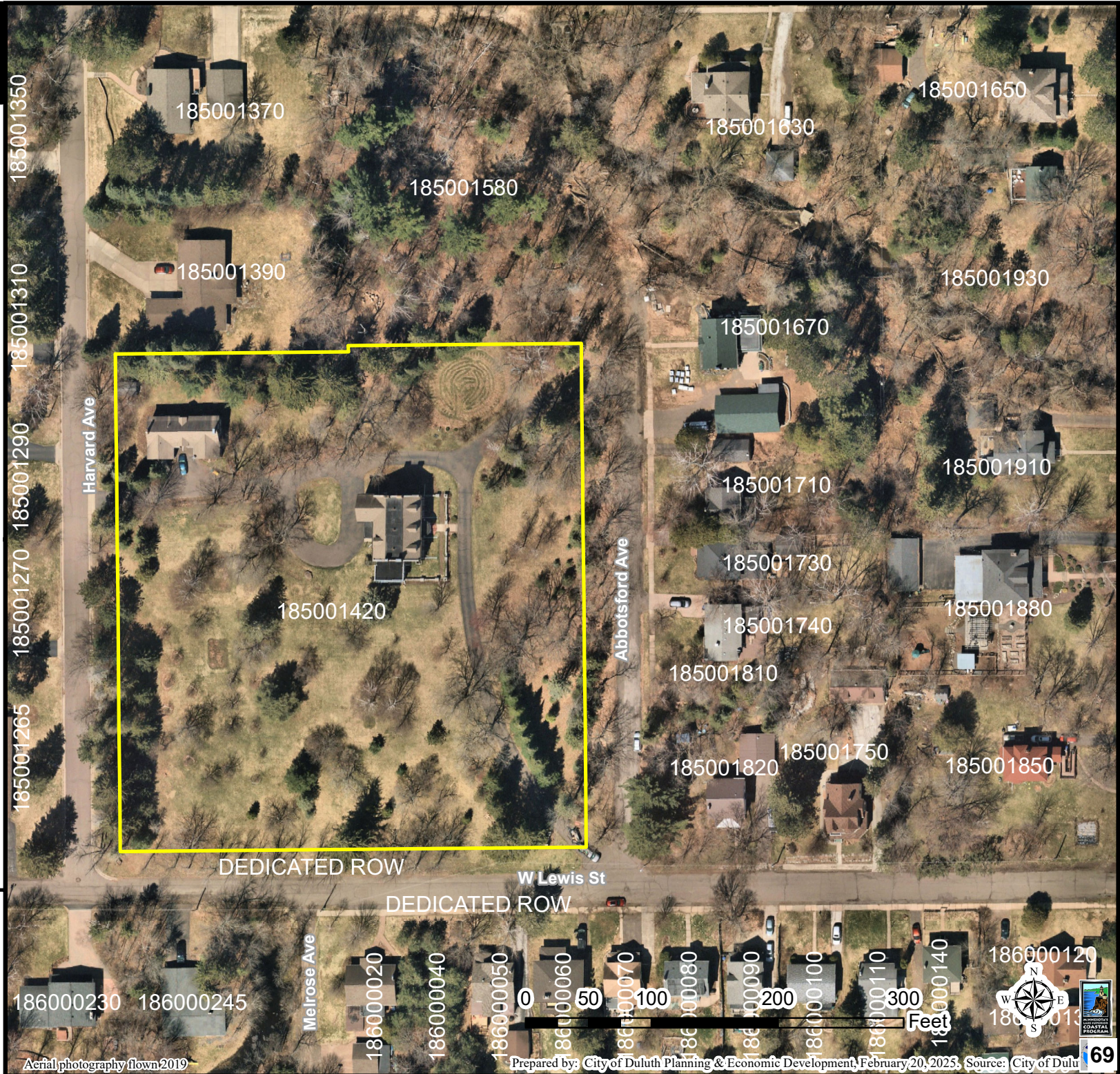
**Staff Recommendation**

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

1. Prior to recording the deeds, applicant must provide evidence that the accessory structure located on proposed Parcel A was removed or relocated.
2. Prior to recording the deeds, proposed Parcel A and Proposed parcel B must have separate sewer utilities up to the main per the City Chief Utility Engineer.
3. Appropriate deeds to accomplish the land subdivision must be recorded with St. Louis County within 180 days. Prior to recording the deeds that result from these adjustments, the applicant must provide deeds for each parcel to the Planning Division to certify compliance with the local zoning code.
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 approval; however, no such administrative approval shall constitute a variance from the provisions of Chapter 50.



PLSUB-2502-0003  
 Minor Subdivision  
 2125 Abbotsford Ave



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.



LEGAL DESCRIPTION OF PARCEL A

Those parts of Lots 6, 7, and 8, Block 13, THIRD GLEN AVON DIVISION OF DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota described as follows:

Beginning at the Southwest corner of said Lot 8; thence on an assumed bearing of North 89 degrees 53 minutes 50 seconds East, along the South line of said Lot 8 for a distance of 105.00 feet; thence North 28 degrees 44 minutes 16 seconds East 165.54 feet to a line parallel with and distant 5.00 feet South of the North line of said Lot 6; thence South 89 degrees 53 minutes 20 seconds West, along said parallel line 185.00 feet to the West line of said Lot 6; thence South 00 degrees 09 minutes 37 seconds East, along the West lines of said Lots 6, 7 and 8 for a distance of 145.00 feet to the point of beginning. Said parcel contains 21,025 square feet or 0.48 acres.

LEGAL DESCRIPTION OF PARCEL B

Lots 9 through 21, Block 13, THIRD GLEN AVON DIVISION OF DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota.

AND

Those parts of Lots 6, 7, and 8, Block 13, THIRD GLEN AVON DIVISION OF DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota lying Southeasterly of the following described line:

Commencing at the Southwest corner of said Lot 8; thence on an assumed bearing of North 89 degrees 53 minutes 50 seconds East, along the South line of said Lot 8 for a distance of 105.00 feet to the point of beginning of said line; thence North 28 degrees 44 minutes 16 seconds East 165.54 feet to a line parallel with and distant 5.00 feet South of the North line of said Lot 6 and said line there terminating.

Said parcel contains 126,050 square feet or 2.89 acres.

PARENT LEGAL PER CERTIFICATE OF TITLE NO. 171694

Lot 6, EXCEPT the Northerly 5 feet thereof, Block 13, THIRD GLEN AVON DIVISION OF DULUTH  
 Lot 7 Block 13 THIRD GLEN AVON DIVISION OF DULUTH  
 Lot 8 Block 13 THIRD GLEN AVON DIVISION OF DULUTH  
 Lot 9 Block 13 THIRD GLEN AVON DIVISION OF DULUTH  
 Lot 10 Block 13 THIRD GLEN AVON DIVISION OF DULUTH  
 Lot 11 Block 13 THIRD GLEN AVON DIVISION OF DULUTH  
 Lot 12 Block 13 THIRD GLEN AVON DIVISION OF DULUTH  
 Lot 13 Block 13 THIRD GLEN AVON DIVISION OF DULUTH  
 Lot 14 Block 13 THIRD GLEN AVON DIVISION OF DULUTH  
 Lot 15 Block 13 THIRD GLEN AVON DIVISION OF DULUTH  
 Lot 16 Block 13 THIRD GLEN AVON DIVISION OF DULUTH  
 Lot 17 Block 13 THIRD GLEN AVON DIVISION OF DULUTH  
 Lot 18 Block 13 THIRD GLEN AVON DIVISION OF DULUTH  
 Lot 19 Block 13 THIRD GLEN AVON DIVISION OF DULUTH  
 Lot 20 Block 13 THIRD GLEN AVON DIVISION OF DULUTH  
 Lot 21 Block 13 THIRD GLEN AVON DIVISION OF DULUTH  
 Lot 22 Block 13 THIRD GLEN AVON DIVISION OF DULUTH  
 Lot 23 Block 13 THIRD GLEN AVON DIVISION OF DULUTH  
 Lot 24 Block 13 THIRD GLEN AVON DIVISION OF DULUTH  
 Lot 25 Block 13 THIRD GLEN AVON DIVISION OF DULUTH  
 Lot 26 Block 13 THIRD GLEN AVON DIVISION OF DULUTH

**LEGAL DESCRIPTION OF PARCEL A**

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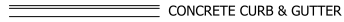


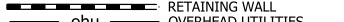


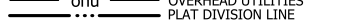

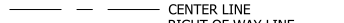



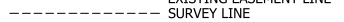

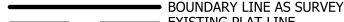









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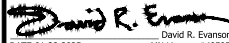
Said parcel contains 126,050 square feet or 2.89 acres.

**LEGEND**

	CONCRETE SURFACE	(M)-FIELD MEASURED DIMENSION (R)-RECORD DIMENSION		CONCRETE CURB & GUTTER		LIGHT POLE
	BITUMINOUS SURFACE		RETAINING WALL		#	REFER TO SURVEYOR'S NOTES
	EXISTING BUILDINGS		OVERHEAD UTILITIES		⊗	FOUND IRON PIPE
			PLAT DIVISION LINE		⊙	FOUND T-STAKE MONUMENT
			CENTER LINE		⊗	FOUND IRON ROD
			RIGHT OF WAY LINE		⊙	SET MAG NAIL
			EXISTING EASEMENT LINE		⊙	SET CAPPED REBAR RLS. NO. 49505
			SURVEY LINE		⊙	UTILITY POLE
			BOUNDARY LINE AS SURVEYED		⊙	POB-POINT OF BEGINNING
			EXISTING PLAT LINE		⊙	POT-POINT OF TERMINATION
			PROPOSED PARCEL LINE		⊙	POC-POINT OF COMMENCEMENT

**SURVEYOR'S NOTES**

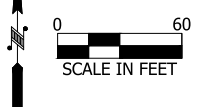
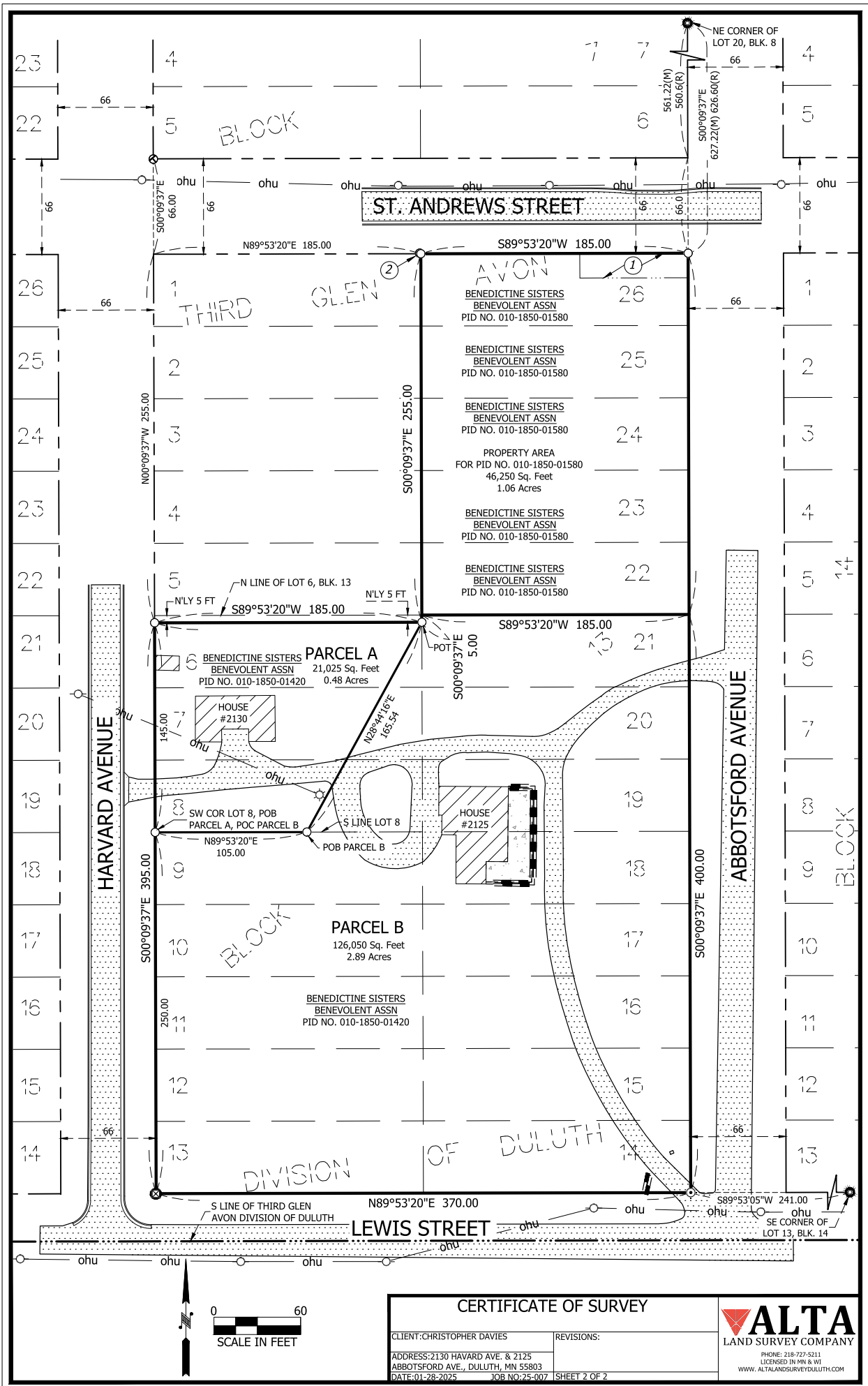
- 17 FOOT WIDE UTILITY EASEMENT PER DOCUMENT NO. 701016.
- FOUND T STAKE MONUMENT NEAR THE NORTHWEST CORNER OF LOT 26, BLOCK 13. THIS CORNER LIES 0.8 FEET WESTERLY OF THE COMPUTED NORTHWEST CORNER OF LOT 26, BLOCK 13 AND DOES NOT FIT WITH OTHER FOUND MONUMENTATION IN THE AREA. A NEW CORNER WAS SET AT THE COMPUTED POSITION FOR THE NORTHWEST CORNER OF LOT 26, BLOCK 13.
- 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)
- DUE TO SNOW AND ICE COVERAGE, SOME FEATURES MAY NOT HAVE BEEN VISIBLE DURING THE COURSE OF THIS SURVEY.

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  
 MN License #49505  
 DATE: 01-28-2025

**CERTIFICATE OF SURVEY**

CLIENT: CHRISTOPHER DAVIES	REVISIONS:
ADDRESS: 2130 HAVARD AVE & 2125 ABBOTSFORD AVE, DULUTH, MN 55803	DATE: 01-28-2025
JOB NO: 25-007	SHEET 1 OF 2

**ALTA**  
 LAND SURVEY COMPANY  
 PHONE: 218-727-5211  
 LICENSED IN MN & WI  
 WWW.ALTLANDSURVEYDULUTH.COM

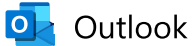


CERTIFICATE OF SURVEY	
CLIENT: CHRISTOPHER DAVIES	REVISIONS:
ADDRESS: 2130 HAVARD AVE. & 2125 ABBOTSFORD AVE., DULUTH, MN 55803	
DATE: 01-28-2025	JOB NO: 25-007 SHEET 2 OF 2

**ALTA**  
LAND SURVEY COMPANY

PHONE: 218-727-5211  
LICENSED IN MN & WI  
WWW.ALTAANDSURVEYDULUTH.COM





Outlook

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**RE: PLSUB-2502-0003\_Minor Subdivision at 2125 Abbotsford Ave for Christopher Michael**

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**From** Howard Smith <hsmith@DuluthMN.gov>

**Date** Mon 3/3/2025 5:50 PM

**To** Peggy Billings <pbillings@DuluthMN.gov>; Natalie Lavenstein <nlavenstein@DuluthMN.gov>

**Cc** Bill Bergstrom <bbergstrom@DuluthMN.gov>

Natalie,

We talked about this a fair amount in our office and I want to be clear that I would like to see the City require upon the current owner splitting the property to separate the sewers all the way to the main. If there was a problem with this sewer the day after they closed on the carriage house I will not let them repair an old sewer which can not pass an air test. And any work on a shared sewer is prohibited, as it currently triggers the requirements for separation. With the age, I'm sure this is a clay tile sewer, which means someday it's going to have a problem and both owners are going to argue about it the ramifications of my "no repair" rules. If we enforce this now, it places that financial burden on the owner splitting the parcel which is where it should be to make the new lot complaint with current standards. Now is the time to solve this problem.

I'm not as adamant about the water because water spot repairs are allowed, costs are much less, and two homeowners can figure out how to split that up. Plus the City can always turn a valve and shut them off, can't do that with a sewer.

**Howard Smith, P.E.** | Chief Utility Engineer| MN licensed PE | **City of Duluth** | 411 West 1<sup>st</sup> Street, Duluth, MN 55802 | 218-730-5092 | [hsmith@duluthmn.gov](mailto:hsmith@duluthmn.gov)

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