



# ST. LOUIS COUNTY PLANNING COMMISSION STAFF REPORT

INSPECTION DATE: 8-13-19

REPORT DATE: 11-20-20

MEETING DATE: 12-10-20

## APPLICANT INFORMATION

**APPLICANT NAME:** Warren Johnson

**APPLICANT ADDRESS:** 1003 2<sup>nd</sup> Avenue East, Ely MN 55731

**OWNER NAME:**

**SITE ADDRESS:** N/A

**LEGAL DESCRIPTION:** SW1/4 of NW1/4 EX 2 Acres in NW corner and NW1/4 of SW1/4 S35, T61N, R13W

**PARCEL IDENTIFICATION NUMBER (PIN):** 625-0011-04970, 05000

**NATURE OF REQUEST:** A preliminary subdivision plat consisting of nine lots.

**PROPOSAL DETAILS:** The applicant is proposing to create nine platted lots for residential development. The lots range in size from 5.28 to 10.89 acres. The septic suitability report indicates that there are two suitable septic sites identified for each lot. Access will be from CSAH 21 with a proposed platted road that will service eight of the lots. Lot 6 will have direct access onto CSAH 21.

## PARCEL AND SITE INFORMATION

**ROAD ACCESS NAME/NUMBER:** CSAH 21

**ROAD FUNCTIONAL CLASS:** Arterial

**LAKE NAME:** N/A

**LAKE CLASSIFICATION:** N/A

**RIVER NAME:** N/A

**RIVER CLASSIFICATION:** N/A

**DESCRIPTION OF DEVELOPMENT ON PARCEL:** The property is currently undeveloped. The owner has constructed portions of Allyson Way and Britta Lane. A power line runs through the middle of the property.

**ZONE DISTRICT:** MU 5

**PARCEL ACREAGE:** 78 acres

**LOT WIDTH:** N/A

**FEET OF ROAD FRONTAGE:** Approx. 1,700 feet

**FEET OF SHORELINE FRONTAGE:** N/A

## PARCEL AND SITE INFORMATION

**VEGETATIVE COVER/SCREENING:** The property is currently undeveloped and consists of forest land.

**TOPOGRAPHY:** The property has an elevation change of 32 feet.

**FLOODPLAIN ISSUES:** N/A

**WETLAND ISSUES:** Wetlands have been delineated and delineation has been approved. Wetland impacts are not anticipated for the construction of the platted roads or building sites on each lot.

**ADDITIONAL COMMENTS ON PARCEL:** The platted roads shall conform to St. Louis County Public Works road standards. Portions of the platted roads have been constructed and will need to be approved by the St. Louis County Public Works Department. There is no requested waiver from road construction standards.

**DESCRIPTION OF ADJACENT NEIGHBORHOOD:** The proposed subdivision will be adjacent to the plat of North Babbitt, to the south by commercially zoned property and within a quarter mile of the incorporated city limits of Babbitt. The parcel to the east was recently subdivided into four ten acre parcels as an equal subdivision per St. Louis County Subdivision Ordinance 60, Article IV, Section 4.2 E. Access to these parcels will utilize a portion of the proposed Allyson Way platted road.

## PLAT DESIGN INFORMATION

**NUMBER OF LOTS:** There are nine lots that range in size from 5.28 to 10.89 acres.

**LOT DESIGN ISSUES:** No design issues

**PROPOSED ROAD DESIGN:** The platted roads shall conform to the St. Louis County Public Works road standards. Roads serving 3-10 lots are required to have a driving surface of at least 20 feet. The road shall be dedicated to the public.

**PROPOSED ROAD WAIVER** N/A

**ROAD EXTENTION TO ADJACENT PROPERTY** A portion of Allison way will be used for access to the adjoining parcel to the east that was recently subdivided in to 4 ten acre parcels as an equal subdivision per St. Louis County Subdivision Ordinance 60, Article IV, Section 4.2 E.

**SEWAGE TREATMENT INFORMATION:** Two sites per lot have been identified for onsite sewage treatment.

**WELL INFORMATION:** N/A

**HISTORICAL OR CULTURAL ARTIFACTS INFORMATION:** A Phase I Environmental Site Assessment was conducted on the property and no known issues have been identified.

## FACTS AND FINDINGS

### A. Plans and Official Controls:

1. St. Louis County Subdivision Ordinance 60 Article VIII, Section 8.1 requires subdivisions by plat are subject to a public hearing at the preliminary plat stage.
2. A portion of the property falls within the Community Growth category of the future land use map. This identifies preferred areas for expansion of communities that have a reasonable potential to

grow. This category is intended for both incorporated and unincorporated areas. The proposed plat is within a quarter mile of the incorporated limits of the City of Babbitt.

3. The St. Louis County Comprehensive Plan Goal LU-4 states that development shall proceed in an orderly, efficient and fiscally responsible manner and ensure that development opportunities in isolated areas are self-supporting.

#### **B. Neighborhood Compatibility:**

1. A portion of the plat will be adjacent to the plat of North Babbitt which has seen development since the mid 1960's. The surrounding area is zoned Multiple Use and Residential which allows for residential development. The property to the south is zoned commercial.

#### **C. Orderly Development:**

1. The intended purpose of the proposed plat is to provide suitable residential development that addresses road access, lot coverage, suitable building and septic areas, as well as stormwater management.

#### **D. Desired Pattern of Development:**

1. The pattern of development in the area consist of residential development to the east and commercial development to the south. The residential area to the east has been developed since the early 1960's. As stated in the St. Louis Comprehensive Plan this area has been identified as an area for future community growth.

#### **E. Other Factor(s):**

1. A Phase I Environmental Site Assessment was completed on the property and revealed no evidence of recognized environmental conditions and no further investigation is recommended.

**See attachments: 1. Zoning/location map 2. Air photo 3. Site sketch 4. Project picture (if applicable) 5. Other pertinent pictures or maps**

### **PLANNING COMMISSION CRITERIA FOR APPROVAL OF A PRELIMINARY PLAT**

- 1. Does the use conforms to the land use plan?**
- 2. Is the use compatible with the existing neighborhood?**
- 3. Will the use impede the normal and orderly development and improvement of the surrounding area?**
- 4. Is the location and character of the proposed use considered consistent with a desirable pattern of development?**
- 5. What, if any, other factors should be taken into consideration on this case?**

## **RECOMMENDED CONDITIONS, IF APPROVED**

In the event that the Planning Commission determines that the proposal meets the criteria for preliminary plat approval, the following conditions shall apply:

1. The requirements of the Minnesota Wetland Conservation Act shall be followed.
2. The platted roads shall be constructed and approved by St. Louis County Public Works prior to Recording.
3. All other county, state, and federal requirements shall be followed.



# Conventional Subdivision-PRELIMINARY PLAT

APPLICATION St. Louis County, Minnesota

Reference #

**About:** Nearly all land divisions in Minnesota are regulated by local authorities. St. Louis County Ordinance 60 regulates the subdivision of land outside of municipalities (cities). For properties under the county's land use jurisdiction, the Planning and Community Development Department can tell you if your parcel is being created properly, and if it conforms to subdivision and zoning requirements. For more information, see our website at: <https://www.stlouiscountymn.gov/departments-a-z/planning-development/land-use/subdividing-property>

## PROPERTY IDENTIFICATION NUMBER (PIN) PIN is found on your Property Tax Statement

Primary PIN Structure/SSTS	6	2	5	-	0	0	1	1	-	0	4	9	7	0	Associated PIN				-				-					
Associated PIN	6	2	5	-	0	0	1	1	-	0	5	0	0	0	Associated PIN				-				-					

E.g. 123-1234-12345. Primary PIN: Parcel where Structure/SSTS are located. Associated PIN: Additional and/or adjacent property that you own or that is related to the project.  
County Land Explorer: <https://gis.stlouiscountymn.gov/landexplorer/> Property Lookup: <http://apps.stlouiscountymn.gov/auditor/parcelInfo2005Iframe/>

## APPLICANT

Applicant Name (Last, First) <b>Warren Johnson</b>		I am a... <input checked="" type="checkbox"/> Contractor <input type="checkbox"/> Homeowner <input type="checkbox"/> Other		Daytime # <b>218-343-6397</b>		Date <b>08-10-2020</b>	
Applicant Address <b>1003 2nd Ave East</b>				City Ely	State MN	ZIP 55731	
Applicant Email <b>wdjsolutions@frontiernet.net</b>							
Contact Person <i>If applicable</i> <b>Warren Johnson</b>				Contact Person #			
Mailing Address (Where to Send Permit)				City	State	ZIP	
Email Address (Where to Email Permit)							

## SITE INFORMATION

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Does this property have frontage along a public road?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Does the property have legally demonstrated access to a public road?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Is there an easement to access the property? If, yes: <input checked="" type="checkbox"/> Private easement <input type="checkbox"/> State/federal/county easement If yes, you must attach easement documentation.
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Is the property located in one of the following Townships: <b>Duluth, Gnesen, Lakewood or Midway?</b> If yes, the Township Zoning Administrator must provide zoning information and signoff below:

Zone District: Does the subdivision meet zoning requirements? ☒ Yes ☐ No

Township Zoning Administrator Signature:

**RECEIVED**  
NOV 09 2020  
BY: \_\_\_\_\_

## TYPE OF PROPOSED SUBDIVISION

- ☐ Conventional or Conservation Subdivision Plat (less than or equal to 3 lots)- **\$630**  
☒ Conventional or Conservation Subdivision Plat (greater than 3 lots)- **\$1,260**

## AGREEMENT

By submitting this application, I certify and agree that I am the owner or the authorized agent of the owner of the above property, and that all uses will conform to the provisions of St. Louis County. I further certify and agree that I will comply with all conditions imposed in connection with the approval of the application. Applicants may be required to submit additional property descriptions, property surveys, site plans, building plans and other information before the application is accepted or approved. **Intentional or unintentional falsification of this application or any attachments thereto will make the application, any approval of the application and any resulting permit invalid.** I authorize St. Louis County staff to inspect the property to review the application and for compliance inspections. Furthermore, by submitting this application, I release St. Louis County and its employees from any and all liability and claims for damages to person or property in any manner or form that may arise from the approval of the application or any related plans, the issuance of any resulting permit or the subsequent location, construction, alteration, repair, extension, operation or maintenance of the subject matter of the application.





# Conventional Subdivision

Reference # 

## PRELIMINARY PLAT WORKSHEET St. Louis County, Minnesota

**About: Conventional Subdivision Plat** - A pattern of subdivision development that is characterized by lots that are spread uniformly throughout a parcel in a lot and block design, as per Minnesota Statutes, Chapter 505. **Preliminary Plat** - A map and related written materials, documents and information required by the Ordinance and/or Director in order to adequately review a proposed subdivision.

### APPLICANT

Name

Warren Johnson

Address

1003 2nd Ave East

City  
ElyState  
MN

ZIP

55731

Email

wdjsolutions@frontiernet.net

Contact Person

Warren Johnson

Contact Person #

218-343-6397

Contact Person Email

### DEVELOPER, IF DIFFERENT FROM APPLICANT ABOVE

Name

Address

City

Email

Contact Person

Contact Person #

### SURVEYOR

Name

JPJ Engineering

Address

303 East 19th Street

City

Hibbing MN 55746

Email

jjamnick@jppeng.com

Contact Person

Randy Larson

Contact Person #

218-262-5528

Contact Person Email

rmorton@jppeng.com

### SEPTIC SYSTEM DESIGNER

Name

Warren Johnson Excavating

Address

1003 2nd Ave East

City  
Ely

MN

55731

Email

wdjsolutions@frontiernet.net

Contact Person

Warren Johnson

Contact Person #

218-343-6397

Contact Person Email

## REQUIRED ATTACHMENTS

Submittals shall be an electronic map or sketch in a format determined by the Director and supporting documents as follows:

### 1. Electronic Map or Sketch:

All requirements of the concept plan.

✓ Boundary lines with lengths and bearings, taken from a boundary survey drawn by a licensed land surveyor with the legal description of the property, total acreage, north arrow, graphic bar scale, name of the fee owner, developer and surveyor.

✓ Date of boundary survey.

✓ Layout of existing and proposed roads, trails, driveways, blocks, lots, outlots, and structures drawn to the same scale.

✓ Plan, profile, and a typical cross section of proposed roadways including proposed road rights-of-way and drainage features such as culverts and ditching.

✓ Legal access to the property.

✓ Locations of existing and proposed wells and sewage treatment systems, and sewer or water systems, connections, and extensions, with grades shown.

✓ Potential locations and estimated depth to a restrictive layer for all proposed subsurface sewage treatment systems, a minimum of two per lot.

✓ Small-scale context map showing location by section, town, and range.

✓ The existing zoning classification and the zoning classification of adjacent parcels.

✓ Wetland identified by delineation.

✓ Extent of anticipated vegetation and topographic alterations.

✓ Dimensions scaled to nearest foot of all lot lines, road widths, easement widths and lakeshore lengths and total acreage for each lot created.

✓ Buildable areas of proposed lots.

✓ Structure setback lines from roadways, lot lines and ordinary high water level.

✓ Proposed common open space, with area shown.

✓ Proposed public dedication areas other than roads, trails, or walkways, with the area shown.

Proposed stages of development.

### 2. Documents:

✓ Legal description of the proposed and parent parcels.

✓ Evidence of ownership.

✓ SSTS suitability report in accordance with state statutes and St. Louis County Ordinance 61.

✓ Draft dedications, declarations, and easements.

✓ Proposed covenants or other restrictive documents.

✓ Proposed methods of controlling stormwater management that comply with St. Louis County policy.

✓ Title opinion and an abstract of title and/or certificate of title, less than 60 days old.



## AGREEMENT

By submitting this application, I certify and agree that I am the owner or the authorized agent of the owner of the above property, and that all uses will conform to the provisions of St. Louis County. I further certify and agree that I will comply with all conditions imposed in connection with the approval of the application. Applicants may be required to submit additional property descriptions, property surveys, site plans, building plans and other information before the application is accepted or approved. ***Intentional or unintentional falsification of this application or any attachments thereto will make the application, any approval of the application and any resulting permit invalid.*** I authorize St. Louis County staff to inspect the property to review the application and for compliance inspections. Furthermore, by submitting this application, I release St. Louis County and its employees from any and all liability and claims for damages to person or property in any manner or form that may arise from the approval of the application or any related plans, the issuance of any resulting permit or the subsequent location, construction, alteration, repair, extension, operation or maintenance of the subject matter of the application.

## CONTACT: Planning and Community Development Department

### Technical Assistance

Toll Free: 1-800-450-9777

Land Use Information

[www.stlouiscountymn.gov/landuse](http://www.stlouiscountymn.gov/landuse)

### Duluth

Government Services Center  
320 West 2<sup>nd</sup> Street, Suite 301  
Duluth, MN 55802  
(218) 725-5000

### Virginia

Government Services Center  
201 South 3<sup>rd</sup> Avenue West  
Virginia, MN 55792  
(218) 749-7103

### Office Use Only

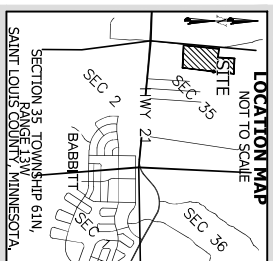
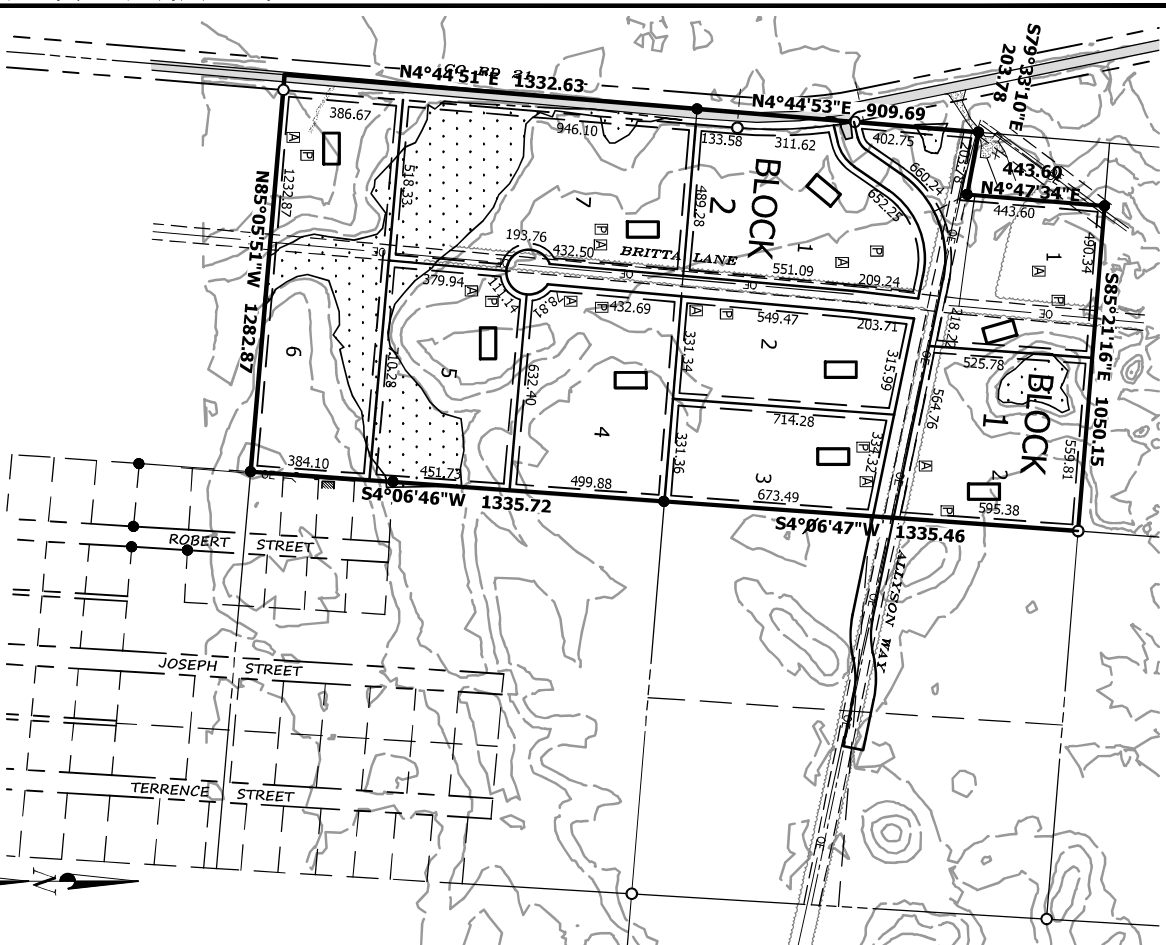
Receipt # \_\_\_\_\_

Receipt Date \_\_\_\_\_

Payment Amount \_\_\_\_\_

Paid By \_\_\_\_\_





### LOCATION MAP

**LEGAL DESCRIPTION**

The SW 1/4 of the NW 1/4, 1/4 EXCEPT that part of the SW 1/4 of the NW 1/4 described as follows: Beginning at the northwest corner of said SW 1/4 of NW 1/4; thence south along the west boundary, therefrom 42.50 feet; thence deflect left an angle of 82 degrees 42 minutes 37 seconds 12.00 feet; thence deflect left an angle of 37 degrees 12 minutes 48.00 feet; thence deflect left an angle of 87 degrees 60 minutes 4.00 feet; thence deflect left an angle of 67 degrees 06 minutes 4.00 feet to the SW 1/4, 1/4 to the point of beginning; and the NW 1/4 of the SW 1/4, 1/4 of Township 51 North of Range 13 West of the 5th Principal Meridian.

## TOPOGRAPHIC INFORMATION

ALL CONTOURS ARE BASED ON NAVD88 LIDAR DATA. THE CONTOUR INTERVAL IS 2 FEET.

## ENGINEER

**JPJ ENGINEERING, INC.**  
425 GRANT STREET  
HIBBING, MN 55746  
P: 218-262-5528  
F: 218-262-5059  
CONTACT: JOHN JAMNICK

## OWNER/DEVELOPER

WARREN JOHNSON  
1003 2ND AVE EAST  
ELY, MN 55731  
P: 218-343-6397  
CONTACT: WARREN JOHNSON

## LEGEND

\_\_\_\_\_  
PROPERTY LINE

\_\_\_\_ \_  
LOT SETBACK

NTS MAPPING WETLANDS\*\*

**BUILDABLE AREA (ALL AREAS SHOWN ARE 0.11 ACRES IN SIZE)**

**PROPOSED PRIMARY SSTS  
LOCATION\***

**PROPOSED ALTERNATIVE SSTS  
LOCATION\***

\*\*\* WETLAND INFORMATION OBTAINED FROM  
WETLAND DELINEATION REPORT 10952A PREPARED  
BY NORTHEAST TECHNICAL SERVICES, INC.

\* SUBSURFACE SEWAGE TREATMENT SYSTEMS (SSTS) LOCATIONS AS DETERMINED BY WARREN JOHNSON EXCAVATING

## LOT AREAS

Block	Lot	Area (sq.ft.)	Use
BLOCK 1	Lot 1	317,153 sq.ft.	7.28 ac
	Lot 2	313,804 sq.ft.	7.20 ac
BLOCK 2	Lot 1	333,579 sq.ft.	7.66 ac
	Lot 2	237,823 sq.ft.	5.46 ac
	Lot 3	229,887 sq.ft.	5.28 ac
	Lot 4	330,599 sq.ft.	7.59 ac
	Lot 5	315,172 sq.ft.	7.23 ac
	Lot 6	474,271 sq.ft.	10.89 ac
	Lot 7	470,427 sq.ft.	10.80 ac

## PROJECT DESCRIPTION

PRIVATE ROAD  
UNPAVED GRAVEL ROAD- SHARED MAINTENANCE  
22' WIDE DESIGN SPEED 20 mph > 50 CARS PER DAY  
EAST TO WEST -ALLYSON WAY  
NORTH TO SOUTH -BRITTA LANE

## ZONING NOTES

PARENT LOT 3,209,595 sqft. 73.68 ac

UTILITIES:

UTILITIES: WATER - INDIVIDUAL WELLS  
SEWER - SEPTIC SYSTEMS  
ELECTRIC - PRIVATE

**REQUIREMENTS:**

MINIMUM LOT AREA: 2.5 ACRES  
MINIMUM LOT WIDTH: 200 FT  
MAXIMUM LOT COVERAGE: 25%  
SETBACK-PRINCIPAL STRUCTURE: 20 FT  
SETBACK ACCESSORY STRUCTURE: 10 FT

PRELIMINARY SKETCH OF:  
ANNIELAND

ANNIELAND  
DEVELOPMENT  
BABBITT, MINNESOTA

www.jpjeng.com

5670 Miller Trunk Hwy  
Duluth, MN 55811  
(218) 720-6219

## Site Development

**JPJ ENGINEERING, INC.**  
425 Grant Street  
Hibbing, MN 55746  
(218) 262-5528

I hereby certify that this plan 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.

**PRELIMINARY**

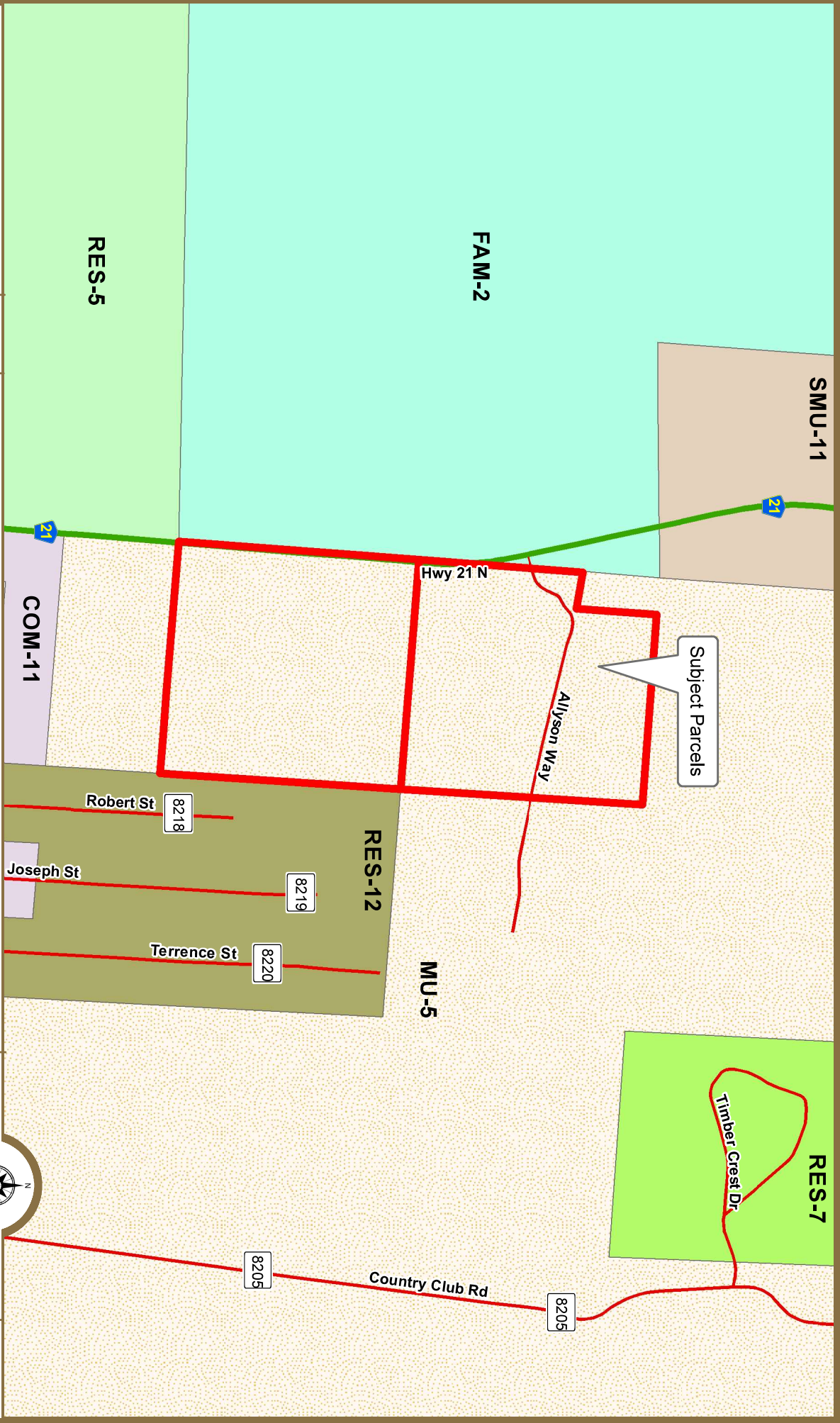
JOHN P. JAMNICK, P.E.

20-709  
PROJECT #

1 of 1

# St. Louis County

## December PC Meeting



Prepared By: **Planning & Community Development**  
(218) 725-5000  
www.stlouiscountymn.gov

Source: **St. Louis County**

Map Created: 11/17/2020

Disclaimer: This is a compilation of records as they appear in the St. Louis County Offices affecting the area shown. This drawing is to be used only for reference purposes and the County is not responsible for any inaccuracies herein contained.

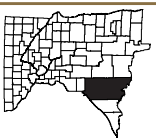
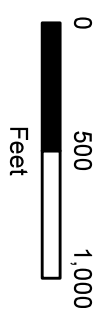
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### Warren Johnson

#### Zoning Map

PIN: 625-0011-04970, 625-0011-05000

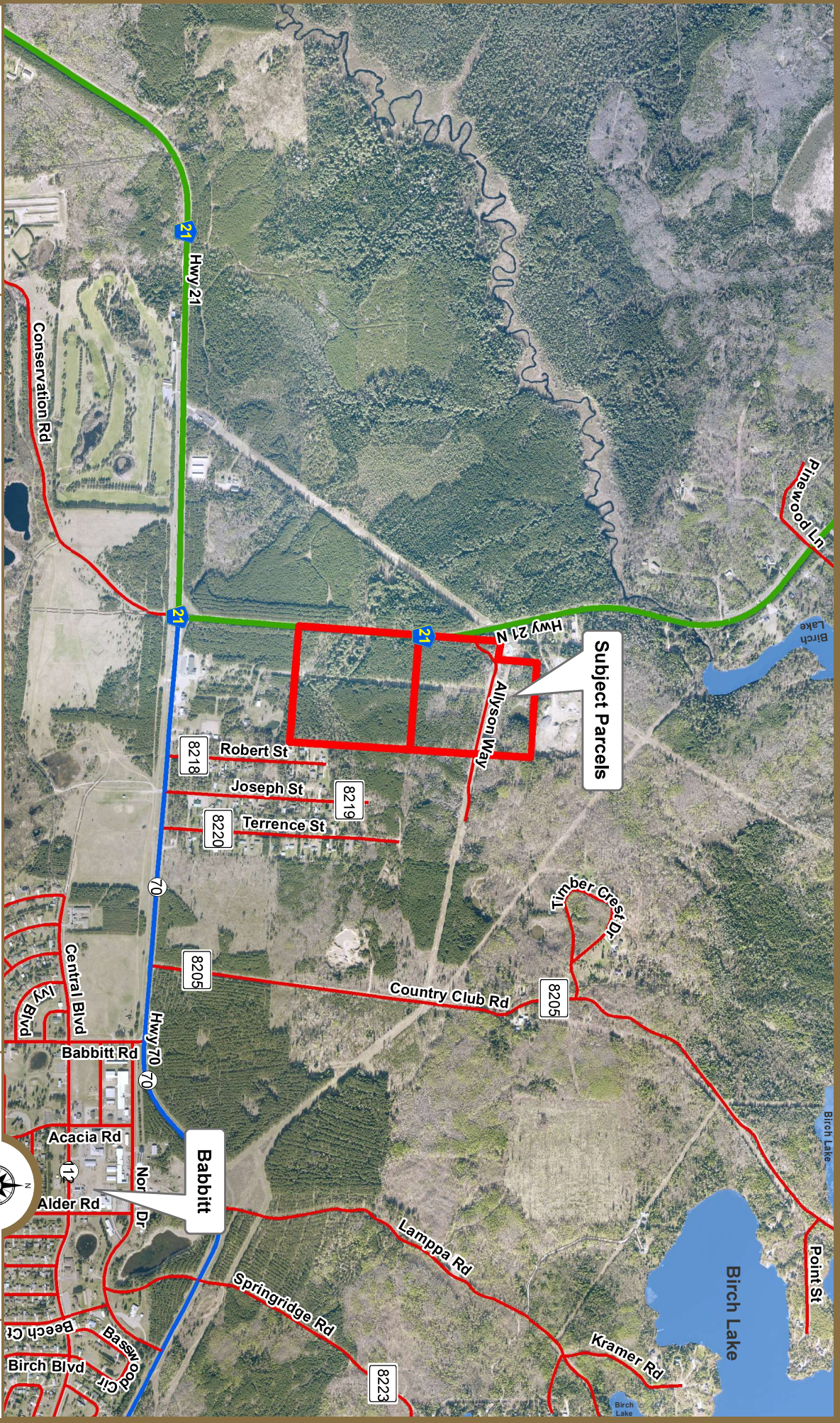


St. Louis County MN



# St. Louis County

December PC Meeting



Prepared By: **Planning & Community Development**  
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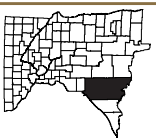
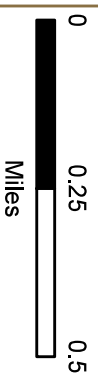
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## Warren Johnson

### Location Map

PIN:625-0011-04970, 625-0011-05000

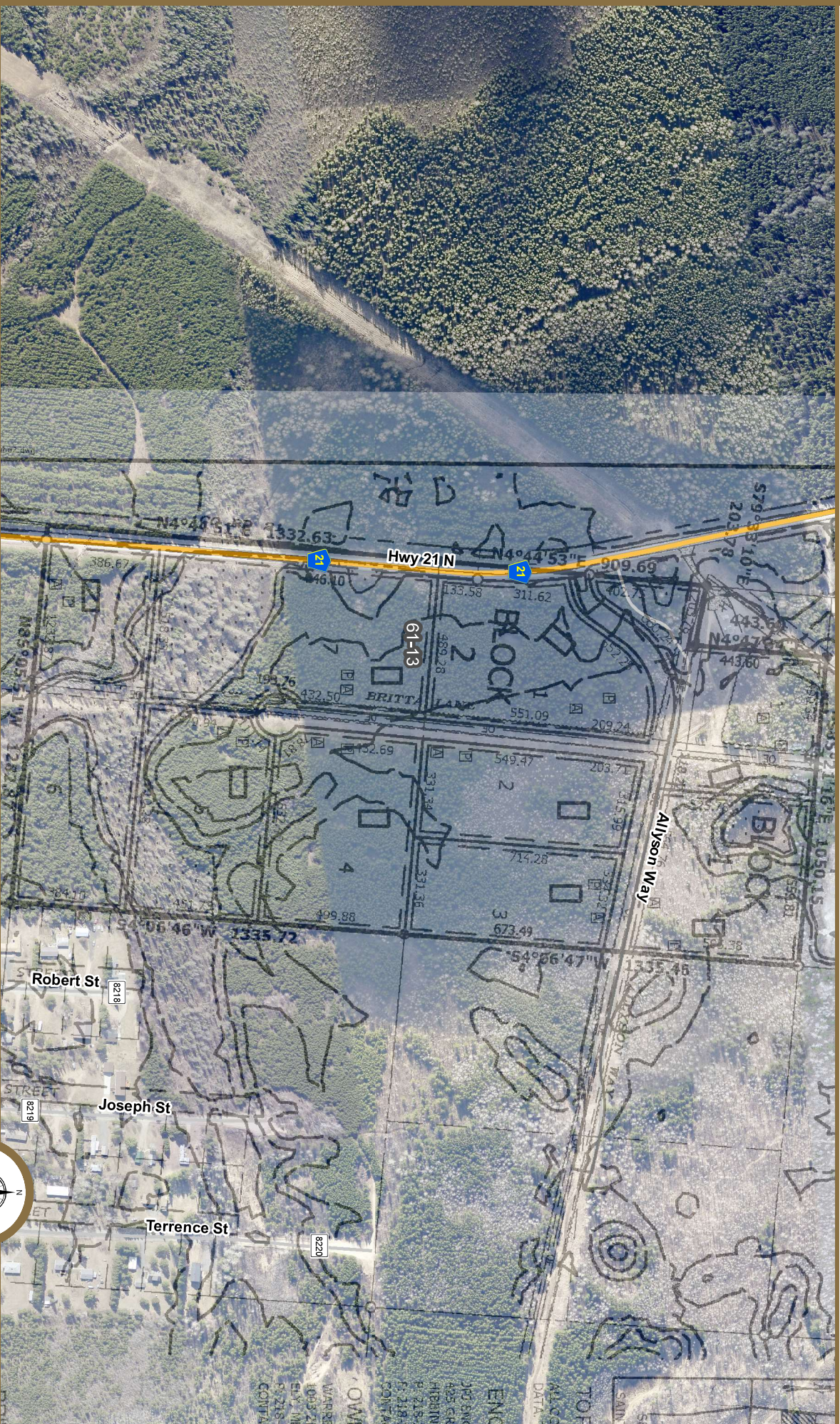


St. Louis County MN



# St. Louis County

December PC Meeting



**Planning & Community Development**  
(216) 725-5000  
www.stlouiscountymn.gov

Source: St. Louis County

Map Created: 11/10/2020

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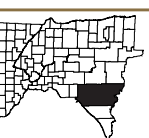
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## Warren Johnson

Proposed Plat

PIN: 625-0011-04970 and -05000



St. Louis County MN