

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

08-087-0

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 50 OF THE DULUTH CITY CODE, 1959, AS AMENDED, ZONING DISTRICT MAP NO. 28 AS CONTAINED IN THE APPENDIX TO CHAPTER 50, TO PROVIDE FOR THE RECLASSIFICATION FROM R-2, TWO FAMILY RESIDENTIAL, TO C-5, PLANNED COMMERCIAL DEVELOPMENT, PROPERTY LOCATED AT 320 EAST MYRTLE STREET (GORDON AND JUDITH GRANT).

CITY PROPOSAL:

The city of Duluth does ordain:

Section 1. The northerly 127.95 feet of Lot 1, and the northerly 127.95 feet of easterly ten feet of Lot 2, Block 5, Central Acres Second Division Duluth, be reclassified from R-2, Residential, to C-5, Commercial, and that Plate No. 28 of the zoning district map as contained in the Appendix to Chapter 50 of the Duluth City Code, 1959, is amended to read as follows:

(MAP)

(Reference File No. 08044)

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

Approved as to form:

Attorney

PLNG/PC CF:cm 10/15/2008

STATEMENT OF PURPOSE: This zoning ordinance amendment provides a zoning change, from R-2, Residential, to C-5, Commercial, for property located 320 East Myrtle Street or the southwest corner of Myrtle Street and Stroll Avenue. Reason for the request is to anticipate changes to Central Entrance which will impact the Dairy Queen store located at the northwest corner of Central Entrance and Stroll Avenue.

The Duluth planning commission voted unanimously (11-0) to approve this zoning change following a public hearing held on October 14, 2008. This ordinance is a counter to Resolution 08-0636 which is to deny the amendment.

In approving the zoning change the commission made the following findings of fact:

1. The rezoning is consistent with the comprehensive plan.
2. The request is not a spot zone.
3. Rezoning to C-5 allows for the planning commission to review future development of the site.

Date of certification: August 26, 2008

Action deadline: December 24, 2008