

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

09-0057R

RESOLUTION DENYING A REQUEST TO AMEND CHAPTER 50 OF THE DULUTH CITY CODE 1959, AS AMENDED, ZONING DISTRICT MAP NO. 21 AS CONTAINED IN THE APPENDIX TO CHAPTER 50, TO PROVIDE FOR THE RECLASSIFICATION FROM M-1, MANUFACTURING, TO R-3, APARTMENT RESIDENTIAL, PROPERTY LOCATED ON WEST FIRST STREET BETWEEN 24TH AVENUE WEST AND 25TH AVENUE WEST (THOMAS SWANSON).

CITY PROPOSAL:

The city council denies a petition submitted by Thomas Swanson, to rezone the subject property located on West First Street between 24th Avenue West and 25th Avenue West, legally described as Lots 386 to 400, Block 49, Duluth Proper Second Division, from M-1, Manufacturing, to R-3, Apartment Residential, based on the following findings *[to be determined by the city council]*:

Approved as to form:

---

Attorney

PC/PLNG      CF:cm      1/14/2009

STATEMENT OF PURPOSE: This zoning map amendment provides a zoning change from M-1 to R-3 for property located lower side of West First Street between 24th Avenue West and 25th Avenue West. The reason for the request is the property is residential but zoned M-1 which makes it difficult to secure financing to buy or sell residential property.

On January 13, 2009, the Duluth city planning commission held a public hearing on the proposal and voted 11-0-0 to recommend that the city council approve the rezoning request. This resolution is a counter to ordinance 09-002-0, which is to approve 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 R-3 will allow for continued use of the area for residential purposes.

Date of certification: December 10, 2008

Action deadline: April 9, 2009