

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

09-0071R

RESOLUTION DENYING THE VACATION OF ALLEYWAYS WITHIN A CITY BLOCK BOUNDED BY ARROWHEAD ROAD, HUMES AVENUE, CLEVELAND STREET AND KENWOOD AVENUE (DULUTH TEACHERS CREDIT UNION).

CITY PROPOSAL:

RESOLVED, that:

(a) The city council finds a sufficient petition was filed with the city clerk requesting the vacation of alleyways within a city block bounded by Arrowhead Road, Humes Avenue, Cleveland Street and Kenwood Avenue legally described as those alleyways adjacent to Lots 1 through 18, Block 2, Lots 1 through 18, Block 11, and the south 6 feet of Lot 5, Lots 6 through 10, Block 1, Myers and Whipples Addition to Duluth; and

(b) Pursuant to Section 100 of the City Charter and Article IV of Chapter 45 of the Duluth City Code, 1959, as amended, such petition was duly referred to the city planning commission and such commission gave due notice of public hearing and did consider same in public hearing on January 13, 2009; and

(c) The planning commission, at its January 13, 2009, regular meeting, approved a motion recommending the denial of the application on the following grounds: the record does not support a finding that the alleyways are useless.

RESOLVED FURTHER, that based on the record before the council the petition to vacate is denied upon the following grounds: the record does not support a finding that the alleyways are useless.

Approved as to form:

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Attorney

PC/PLNG CF:cm 1/16/2009

STATEMENT OF PURPOSE: This resolution denies the vacation of alleyways within a city block bounded by Arrowhead, Humes, Cleveland and Kenwood as these alleyways are not considered useless. Resolution 09-0070 is a counter resolution for approval of the request. The purpose of the request to vacate the alleyways was to allow the applicant to develop property for commercial purposes.

On January 13, 2009, the planning commission held a public hearing on the proposal, and voted 10-1-0 to recommend that the city council deny the vacation as requested

Petition received: November 11, 2008

Action deadline: There is no action deadline for this resolution.