

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

09-0131R

REPLACEMENT

RESOLUTION DENYING A REQUEST TO AMEND CHAPTER 50 OF THE DULUTH CITY CODE, 1959, AS AMENDED, ZONING DISTRICT MAP NO. 27 AS CONTAINED IN THE APPENDIX TO CHAPTER 50, TO PROVIDE FOR THE RECLASSIFICATION FROM R-1-B, ONE-FAMILY RESIDENTIAL, AND S, SUBURBAN, TO C-5, PLANNED COMMERCIAL, FOR PROPERTY LOCATED ON BOTH SIDES OF SUNDBY ROAD, NORTH OF PAGE STREET (MISSION DEVELOPMENT LLC/ARROWHEAD COMMERCIAL PARTNERS, LLC).

CITY PROPOSAL:

The city council denies a petition submitted by Mission Development, LLC/Arrowhead Commercial Partners, LLC, to rezone 29.66 acres of the subject property located on both sides of Sundby Road, north of Page Street, from R-1-b, One Family Residential, and S, Suburban, to C-5, Planned Commercial, based on the following findings:

(a) A commercial development at this location is not consistent with the comprehensive land use plan's designation on the future land use map as urban residential and environmentally sensitive;

(b) A comprehensive market analysis by MXD Development Strategists, being conducted for the Central Entrance - Miller Hill small area plan, indicates that there is already sufficient land commercially zoned in the Miller Hill area to capture future market demand;

(c) Rezoning the area to commercial would result in additional wetland impacts and could cause further degradation of Miller Creek.

Approved as to form:

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Attorney

PLNG CP:tmf 2/19/2009

STATEMENT OF PURPOSE: This zoning map amendment would provide a zoning change from R-1-b and S to C-5 for property located on both sides of Sundby Road, north of Page Street. The reason for the request is to develop a commercial campus with 105,000 square feet to 230,000 square feet of commercial development.

On February 18, 2009, the Duluth city planning commission held a public hearing on the proposal and voted 6-0-1 to recommend that the city council deny the rezoning request. This resolution is a counter to Ordinance 09-006, which is to approve the amendment.

Date of certification: December 4, 2008

Action deadline: April 3, 2009