

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

10-0025R

RESOLUTION DENYING THE REQUEST FOR A SPECIAL USE PERMIT BY MINNESOTA POWER FOR AN ELECTRIC POWER SUBSTATION NEAR THE INTERSECTION OF SWAN LAKE ROAD AND KRUEGER JUNCTION ROAD.

CITY PROPOSAL:

RESOLVED, that:

(a) The city council denies the request for a special use permit submitted by Minnesota Power for an electric power substation on property near Swan Lake Road and Krueger Junction Road; and

(b) Pursuant to Section 50-32 and Section 50-35(cc) of Article IV of the Duluth City Code, 1959, as amended, such request was duly referred to the city planning commission and such commission gave due notice of public hearing and did consider same in public hearing; and

(c) The city planning commission, at their regular meeting on December 8, 2009, considered the petition's effect on the comprehensive plan and property values in the neighborhood (FN 09119); and

(d) At the meeting described in (c) above, the city planning commission considered a motion to approve the petitioned special use permit with conditions and such motion failed by a vote of 4-4 and, therefore, no recommendation is made by the body; and

(e) The record fails to support a conclusion that reasonable conditions are available that will protect the comprehensive plan, protect the neighborhood or protect the property value of neighboring properties as required by Section 50-32 of the City Code; and

(f) In addition, the city council finds as follows:

[Council to add additional reasons for denial, if any]

Approved as to form:

Attorney

PLANNING/PC KD:jab 1/4/2010

STATEMENT OF PURPOSE: This resolution denies the request for a special use permit by Minnesota Power for construction of an electric power station near the intersection of Swan Lake Road and Krueger Junction Road.

On December 8, 2009, the City Planning Commission held a public hearing on the proposal and a motion to recommend that the city council approve the communications facility as requested, with conditions, failed by a 4-4 vote and, therefore, no recommendation is made by the city planning commission.

Request filed: October 27, 2009
Action deadline: February 24, 2010