

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

10-004-O

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 50 OF THE DULUTH CITY CODE 1959, AS AMENDED, ZONING DISTRICT MAP NO. 34 AS CONTAINED IN THE APPENDIX TO CHAPTER 50, TO PROVIDE FOR THE RECLASSIFICATION FROM R-1-B, ONE-FAMILY RESIDENTIAL, TO S, SUBURBAN, PROPERTY LOCATED AT THE SOUTHWEST CORNER OF RICE LAKE ROAD AND PECAN AVENUE (MILLER-DWAN FOUNDATION/CITY OF DULUTH).

CITY PROPOSAL:

The city of Duluth does ordain:

Section 1. That the approximately five acres of the subject property located at the southwest corner of Rice Lake Road and Pecan Avenue, be reclassified from R-1-b, one family residential, to S, suburban, and that Plate No. 34 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. 10003)

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

PLANNING/PC KD:jab 1/15/2010

STATEMENT OF PURPOSE: This zoning map amendment provides a zoning change from R-1-b to S for property located at the southwest corner of Rice Lake Road and Pecan Avenue. The applicants state "Miller Dwan Foundation proposes to construct an adolescent mental health (charitable) facility that cannot be constructed on this property within the current R-1-b zoning." The city of Duluth is co-applicant on this petition because it owns approximately one acre of the approximately five acres of land that is proposed for rezoning. The council will be given the opportunity to consider sale of this approximately one acre in the rezoning area via a separate ordinance.

On January 12, 2010, the Duluth city planning commission held a public hearing on the proposal and voted 8-0 with one abstention to recommend that the city council approve the rezoning request. In making this recommendation, the planning commission found that the petitioned for zoning most closely matches the comprehensive plan - future land use map recommendation of "preservation." S zoning is the least intensive zoning classification in the current Zoning Code.

Date of application: November 25, 2009
Action deadline: March 25, 2010

FN 10003