

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

11-016-O

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH AS REFERENCED IN CHAPTER 50 OF THE DULUTH CITY CODE, 1959, AS AMENDED, TO PROVIDE FOR THE RECLASSIFICATION OF THE PLAZA AREA BUSINESS DISTRICT, FROM TENTH AVENUE EAST TO 15TH AVENUE EAST, FROM MIXED USE-NEIGHBORHOOD (MU-N) TO FORM DISTRICT MID-RISE COMMUNITY MIX (F-4) AND THE LONDON ROAD BUSINESS DISTRICT AREA FROM 14TH AVENUE EAST TO 21ST AVENUE EAST FROM THE UTILITY EASEMENT ABOVE LONDON ROAD TO SOUTH STREET, FROM MIXED USE-NEIGHBORHOOD (MU-N) AND MIXED USE-BUSINESS PARK (MU-B) TO FORM DISTRICT LOW-RISE NEIGHBORHOOD MIX (F-2), RESPECTIVELY (CITY OF DULUTH).

CITY PROPOSAL:

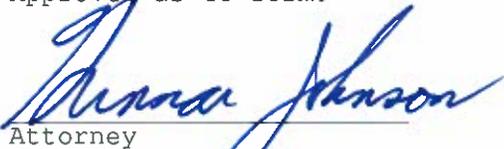
The city of Duluth does ordain:

Section 1. That the subject property, located in Plaza and London Road business districts, described above, and as more particularly described in Exhibit A (Public Document No. _____), be reclassified from its current designation as Mixed Use-Neighborhood (MU-N) and Mixed Use-Business Park (MU-B) to form districts Low-Rise Neighborhood Mix (F-2) and Mid-Rise Community Mix (F-4), and that the official zoning map of the city of Duluth as referenced in Chapter 50 of the Duluth City Code, 1959, is amended to read as follows:

(Ref. File No. 11-028)

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

PC/PLNG JJ:eu 4/18/2011

STATEMENT OF PURPOSE: This zoning map amendment provides a zoning change from Mixed Use-Neighborhood (MU-N) and Mixed Use-Business Park (MU-B) to Form District Mid-Rise Community Mix (F-4) for the Plaza business district and Low-Rise Neighborhood Mix (F-2) for the London Road business district.

On April 12, 2011, the Duluth city planning commission held a public hearing on the proposal and voted 5-0 to recommend that the city council approve the rezoning request for following reasons:

- 1) The rezoning request is consistent with the comprehensive land use plan;
- 2) A form-based code is a regulatory tool that places primary emphasis on the physical form of the built environment with the end goal of producing a specific type of "place."
- 3) Form-based standards described in comprehensive land use plan for the city were targeted for specific districts and corridors where higher intensities, a diversity of uses, or a more pedestrian-oriented environment are desired, including commercial corridors such as London Road between Tenth and 21st avenues East; and
- 4) During the development of the UDC, the city and it's project consultants surveyed, measured and analyzed the areas identified in the comprehensive plan for consideration as form-based districts. A visual preference survey was conducted in each of the neighborhoods and additional research was performed to provide the guidelines for the form-based building types and regulations for each individual district.

Date of application: March 1, 2011
Action deadline: Not applicable

Petitioner:
City of Duluth
Planning Division
Room 208
City Hall
Duluth, Minnesota 55802

FN 11-028

EXHIBIT A
Parcels of Plaza Business District to be Re-zoned to Form District F-4
File No. 11-028

That part of Banning & Ray's Subdivision, that part of Auditor's Plat B and that part of Endion Division, according to the recorded plats thereof at St. Louis County Recorder's Office, Minnesota, described as follows:

Beginning at a point of intersection of the center line of 12th Avenue East with the center line of Superior Street (now London Road), as dedicated in said Banning & Ray's Subdivision;
Thence northwesterly along said centerline of 12th Avenue East to the southwesterly extension of centerline of the alley of Block 40, Endion Division;
Thence northeasterly along said centerline of the alley of Block 40 and its extension to the southeast extension of the northeast line of Lot 3 of Auditor's Plat B;
Thence northwest along said northeast line of Lot 3, Auditor's Plat B, and its extension to the center line of Jefferson Street, Endion Division;
Thence northeasterly along said centerline of Jefferson Street to the center line of New York Avenue (now 15th Avenue East), Endion Division;
Thence northwesterly along said centerline of 15th Avenue East to the center line of Bench Street (now Superior Street), Endion Division;
Thence southwesterly along said center line of Superior Street to the center line of 14th Avenue;
Thence northwesterly along said centerline of 14th Avenue East to the centerline of 1st Street, Endion Division;
Thence southwesterly along said center line of 1st Street to the center line of 13th Avenue East, Banning & Ray's Subdivision;
Thence southeasterly along said center line of 13th Avenue East to the northeasterly extension of the center line of the alley between Block 11 and 15 of Banning & Ray's Subdivision;
Thence southwesterly along said alley center line and its extensions to the center line of 12th Avenue East, Banning & Ray's Subdivision;
Thence southeasterly along said centerline of 12th Avenue East to the center line Superior Street (now London Road);
Thence northwest along said center line of London Road to the point of beginning.

EXHIBIT A
Parcel of London Road Business District to be Re-zoned to Form District F-2
(File No. 11-028)

That part of Banning & Ray's Subdivision and that part of Endion Division, according to the recorded plats thereof at St. Louis County Recorder's Office, Minnesota, described as follows:

Beginning at a point of intersection of the center line of 12th Avenue East with the center line of Superior Street (now London Road), as dedicated in said Banning & Ray's Subdivision;
Thence southeasterly along said centerline of 12th Avenue East to the northwest right-of-way Interstate 35, SP 6982 (T.H. 35-396);
Thence northeasterly along said northwest right-of-way of Interstate 35 to the intersection of the northeast line of Lot 10, Block 24 of said Endion Division;
Thence continuing on a northeasterly extension of the northwest right-of-way line of Interstate 35 across said Lot 10, extending to the center line of Oregon Avenue (now 21st Avenue East) as dedicated in said Endion Division;
Thence northwesterly along said center line of 21st Avenue East to the northeasterly extension of a line parallel distant 30.00 feet southeast from the northwest line of Lot 9, Block 34, Endion Division;
Thence southwesterly along said parallel line and its extension to the southwest line of said Lot 10;
Thence northwesterly along said southwest line of Lot 10 to the west corner of Lot 10;
Thence southwesterly along the mid-block lot lines and their extensions across the Avenues of Blocks 34, 35, 36, 37, 38 and 39, all Blocks in said Endion Division, to the southwest line of said Block 39;
Thence continuing southwesterly across 15th Avenue East and along the centerline of the alley of Block 40 and its extension, Endion Division, to the center line of 14th Avenue East;
Thence southeasterly along said centerline of 14th Avenue East to the point of beginning.