

MOTION TO AMEND ORDINANCE 11-024-O

BY COUNCILOR FOSLE:

I move to amend Section 1 of Ordinance 11-024-O as follows:

(a) The city council finds that a petition for the concurrent use of streets was filed with the city by the Duluth Transit Authority for a bus stop zone and shelter at the northeast corner of Grand Avenue and 59th Avenue West was filed with the city; and

(b) Pursuant to Section 100 of the City Charter and Section 50-37.7 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 (FN 11060) and, the city planning commission found that the petition for the concurrent use of a street does not meet the standard to protect the health, safety and welfare of the city as the concurrent use will compel a potentially hazardous midblock crossing of pedestrians; and

(c) The planning commission, at its June 14, 2011, regular meeting did recommend denial of the petition for the concurrent use of streets; and

(d) That the city council finds that the current safety concerns at the bus shelter location at the northwest corner of 57th Avenue West and Grand Avenue outweigh the potentially hazardous midblock crossing of pedestrians at the northeast corner of Grand Avenue and 58th Avenue West; and

(~~e~~) That the city council of the city of Duluth ~~denies~~ approves the petition for a concurrent use of street at the northeast corner of Grand Avenue and 58th Avenue West ~~as the proposed concurrent use of streets does not protect the health safety and welfare of the city as stated above in paragraph (b).~~