

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

12-0261R

RESOLUTION AMENDING THE COMPREHENSIVE LANDS USE PLAN -  
FUTURE LAND USE MAP FOR FOURTH STREET CORRIDOR FROM  
MESABA AVENUE TO FOURTH AVENUE EAST.

CITY PROPOSAL:

RESOLVED, that the city council makes the following findings:

(a) The city council adopted the Duluth comprehensive land use plan on June 26, 2006, via Resolution 06-0491, which outlined the desired arrangement of land uses for the next 20 years; and

(b) The city planning division, which is implementing the comprehensive land use plan by developing new zoning regulations, looked at how zoning could encourage the new and appropriate development in locations in and near existing commercial centers, along major transit lines; and

(c) The city planning division held a public meeting on April 25, 2012, on the proposed amendment to the comprehensive land use plan - future land use map, to discuss the opportunities for the Fourth Street corridor and to gather feedback from the community; and

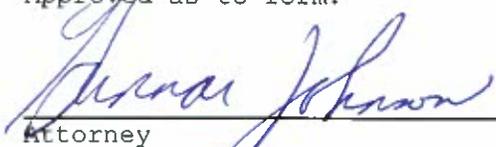
(d) Based on public comments received and the review of the area completed by the city planning division, recommended to the city planning commission that the future land use map be amended for the Fourth Street corridor, from Mesaba to Fourth Avenue East between the alley above and the alley below Fourth Street, from urban residential to neighborhood mixed-use; and

(e) The city planning commission has reviewed this future land use amendment, conducted a public hearing on May 8, 2012 at their regular planning commission meeting, and recommends adoption of the proposed future land use map amendment; and

(f) The city council action shall be by resolution, with the affirmative votes of at least 2/3's of those members constituting a quorum required to take action.

IT IS FURTHER RESOLVED, that the adopted Comprehensive Land Use Plan - Future Land Use Map, is amended as identified in Public Document No. \_\_\_\_\_.

Approved as to form:

  
\_\_\_\_\_  
Attorney

PC:plng JJ:eu 5/16/2012

STATEMENT OF PURPOSE: This resolution amends the Comprehensive Land Use Plan - Future Land Use Map for the 4<sup>th</sup> Street Corridor, from Mesaba to 4<sup>th</sup> Avenue East, between the alley above and the alley below 4<sup>th</sup> Street from Urban Residential to Neighborhood Mixed-Use as shown on the attached map.

A public meeting on this matter was held on April 25, 2012. At their regular public meeting on May 8, 2012, the city planning commission held a public hearing and voted unanimously (9-0) to recommend adoption of the map amendment.

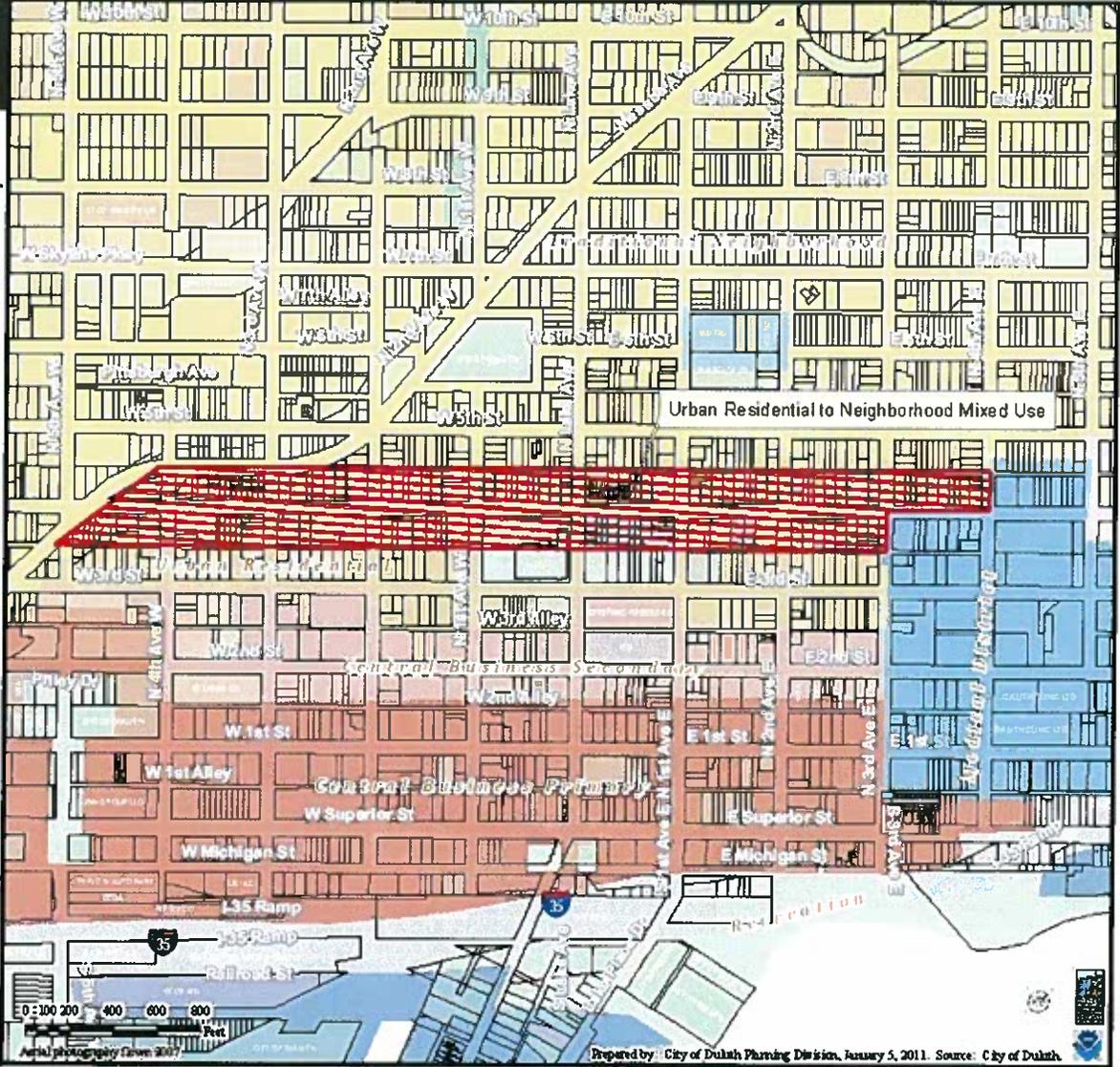
Date of application: March 20, 2012

Action deadline: Not Applicable

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

PL 12-076

 **Mesaba Ave to 4th Ave E.  
 (from the alley above  
 and below 4th)**



The City of Duluth has used to ensure that the information contained in this map is also being documented accurately. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. The information is provided as a public service and is not intended to be used as such. The drawing shall be a sample to be used for informational purposes only and shall not be used for any other purpose. The City of Duluth shall not be held liable for any errors contained within the data provided as the map is provided as a service to the public and the user of the information is advised to verify the information with the source of the information.



**CITY OF DULUTH**

Planning Division

411 W 1<sup>st</sup> St, Rm 208 \* Duluth, Minnesota 55802-1197  
 Phone: 218/730.5580 Fax: 218/723-3559

**STAFF REPORT**

<b>File Number</b>	PL 12-076	<b>Contact</b>	John Judd	
<b>Application Type</b>	Comprehensive Plan – Amendment	<b>Planning Commission Date</b>	May 8, 2012	
<b>Deadline for Action</b>	<b>Application Date</b>	March 20, 2012	<b>60 Days</b>	N/A
	<b>Date Extension Letter Mailed</b>	N/A	<b>120 Days</b>	N/A
<b>Location of Subject</b>	Mesaba Avenue to 4th Avenue East (from the alley above and below 4th street)			
<b>Applicant</b>	City of Duluth Planning Division	<b>Contact</b>	jjudd@duluthmn.gov	
<b>Agent</b>	N/A	<b>Contact</b>	See above	
<b>Legal Description</b>	See attached map			
<b>Site Visit Date</b>	N/A	<b>Sign Notice Date</b>	N/A	
<b>Neighbor Letter Date</b>	Flyers directly distributed (4/18)	<b>Number of Letters Sent</b>	Public meeting -April 25, 2012	

**Proposal**

Amend the Comprehensive Land Use Plan-Future Land Use Map as follows: From Urban Residential to Neighborhood Mixed Use the area from Mesaba Avenue to 4th Avenue East between the alley above and the alley below 4th street. (See attached map)

	<b>Current Zoning</b>	<b>Existing Land Use</b>	<b>Future Land Use Map Designation</b>
<b>Subject</b>	Mixed Use-Neighborhood	Residential/Commercial& Public	Urban Residential
<b>North</b>	Traditional Neighborhood	Residential	Traditional Neighborhood
<b>South</b>	Urban Residential	Residential	Urban Residential
<b>East</b>	Mixed Use-Institutional	Medical District	Medical District
<b>West</b>	Traditional Neighborhood	Residential	Traditional Neighborhood

**Summary of Code Requirements (reference section with a brief description):**

- UDC Sec. 50-37.2.A Pursuant to state law, only the planning agency (planning commission or planning staff) or council may initiate amendments to the Comprehensive Land Use Plan.
- UDC Sec. 50-37.2.B The proposal shall be reviewed by the land use supervisor, who shall forward a recommendation to the planning commission. The planning commission shall then review the proposal and make a recommendation to council. Council shall then make a decision to adopt, modify, or not adopt the plan or amendment pursuant to the criteria in subsection C below. Council action shall be by resolution, with affirmative votes of at least two-thirds of those members constituting a quorum required to take action.
- UDC Sec. 50-37.2.C The planning commission shall review the proposal, and council shall make a decision, based on whether the proposal promotes the best interests of the city and the general health, safety, and welfare of the citizens of Duluth.
- MSA 462.355. Adopt, Amend Comprehensive Plan; Interim Ordinance. Subd.3. Adoption by governing body. A proposed comprehensive plan or an amendment to it may not be acted upon by the governing body until it has received the recommendation of the planning agency or until 6 days have elapsed from the date an amendment proposed by the governing body has been submitted to the planning agency for its recommendation. Unless otherwise provided by charter, the governing body may by resolution by a two-thirds vote of all its members adopt and amend the comprehensive plan or portion thereof as the official municipal plan upon such notice and hearing as may be prescribed by ordinance.

IV A.1

**Comprehensive Plan Findings (Governing Principle and/or Policies) and Current History (if applicable):**

Principle #1- Reuse previously developed lands  
Principle #5 - Strengthen neighborhoods  
Principle #6 - Reinforce the place-specific  
Principle #8 - Encourage mix of activities, uses and densities

**Discussion (use numbered or bullet points; summarize and attach department, agency and citizen comments):**

1. Input from citizens, stakeholders, city staff and consultants working on the UDC found that there was much support for small-scale commercial properties in and near neighborhoods including the 4th Street corridor. More recently the Hillside Neighborhood Revitalization Plan and a market study, completed as part of the City's Higher Education Small Area Plan, have also supported this proposed change for the 4th Street corridor.
2. Principal #5 is to strengthen neighborhoods through appropriate zoning tools and neighborhood stabilization efforts. Area residents have expressed their desire to have better access to greater variety of commercial outlets in their neighborhood. Small-scale businesses provide an amenity to the neighborhood, and supporting will contribute to this neighborhood being an attractive place to live. Many businesses and multi-family dwellings already exist along 4th Street. Changing the Future Land Use from Urban Residential to Neighborhood Mixed Use would allow for conversions of houses to office or live/work spaces and may include limited commercial-only space oriented to the neighborhood or specialty retail markets.
3. Principal #6 is to reinforce the place-specific with actions that reinforce cultural, physical and economic features to define neighborhoods. A Future Land Use designation of Neighborhood Mixed Use would allow for a variety of commercial goods and services within walking distance for residents which also provides additional context to the neighborhood.
4. Principle #8 is to encourage mix of activities, uses and densities. Neighborhood Mixed Use provides allows for a mix of land uses and building types as well as opportunity for a diversity of activities that the more segregated, uniform uses do not provide.
5. The Planning Division is conducting an analysis of areas where current zoning does not match the Comprehensive Future Land Use Plan. During the Spring of this year (2012); the 4th Street corridor will be among those areas included in that review in order to determine if the rezoning of some of the properties may be proposed.
6. Comments from other neighbors, public agencies and City departments: None from public agencies or City departments. A public meeting was held regarding this proposal on April 25th. There was unanimous support by those at the meeting for this amendment to the Comprehensive Land Use Plan-Future Land Use Map.

**Staff Recommendation (include Planning Commission findings, i.e., recommend to approve):**

Based on the above findings, staff recommends that the Planning Commission recommend approval to the City Council the following amendment to the Comprehensive Land Use Plan-Future Land Use Map:

From Urban Residential to Neighborhood Mixed Use the area from Mesaba Avenue to 4th Avenue East between the alley above and the alley below 4th street. changes to the Comprehensive Future Land Use Map:

**Attachments (aerial photo with zoning; future land use map; site plan; copies of correspondence)**

IV A. 2



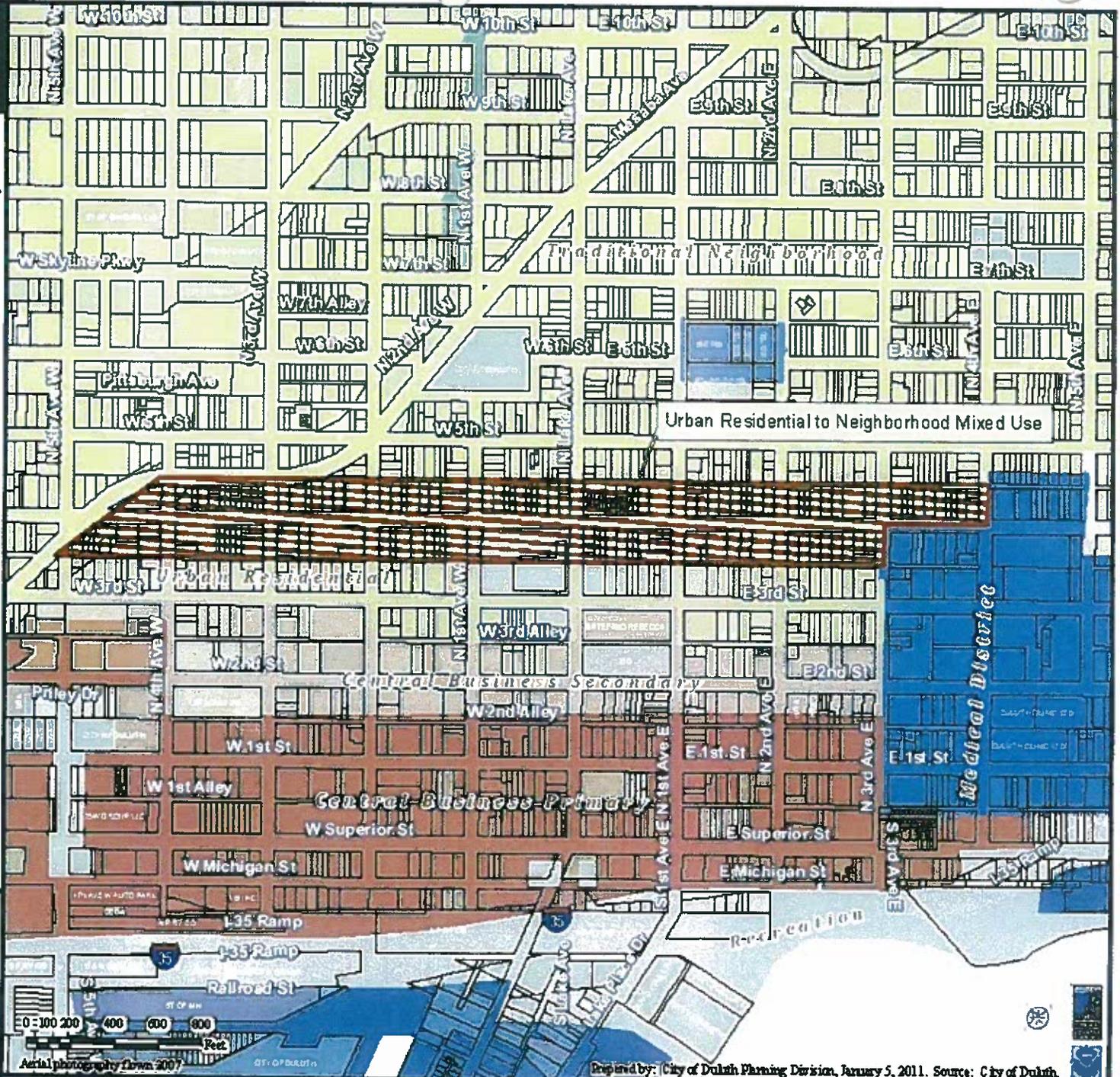
# City Planning

12-076

Comp. Plan Amendment  
Urban Residential to  
Neighborhood Mixed Use

Mesaba Ave to 4th Ave E.  
(from the alley above  
and below 4th)

IV  
A.3



The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This document is neither a legally recorded map nor a survey and is not intended to be used as one. The drawing data is a compilation of records, information, and data collected from various City, County and State files and other sources affecting the area to be used. It is to be used for reference purposes only. The City of Duluth shall not be held liable for errors contained within the data provided or for any damages in connection with the use of the information contained within.

Aerial photography from 2007

Prepared by: City of Duluth Planning Division, January 5, 2011. Source: City of Duluth.