

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

13-0044R

RESOLUTION AMENDING THE COMPREHENSIVE PLAN - FUTURE LAND USE MAP FROM NORTH EIGHTH AVENUE EAST TO NORTH NINTH AVENUE BETWEEN EAST FIRST STREET TO EAST FIRST STREET ALLEY (CITY OF DULUTH).

CITY PROPOSAL:

RESOLVED, that the city council makes the following findings:

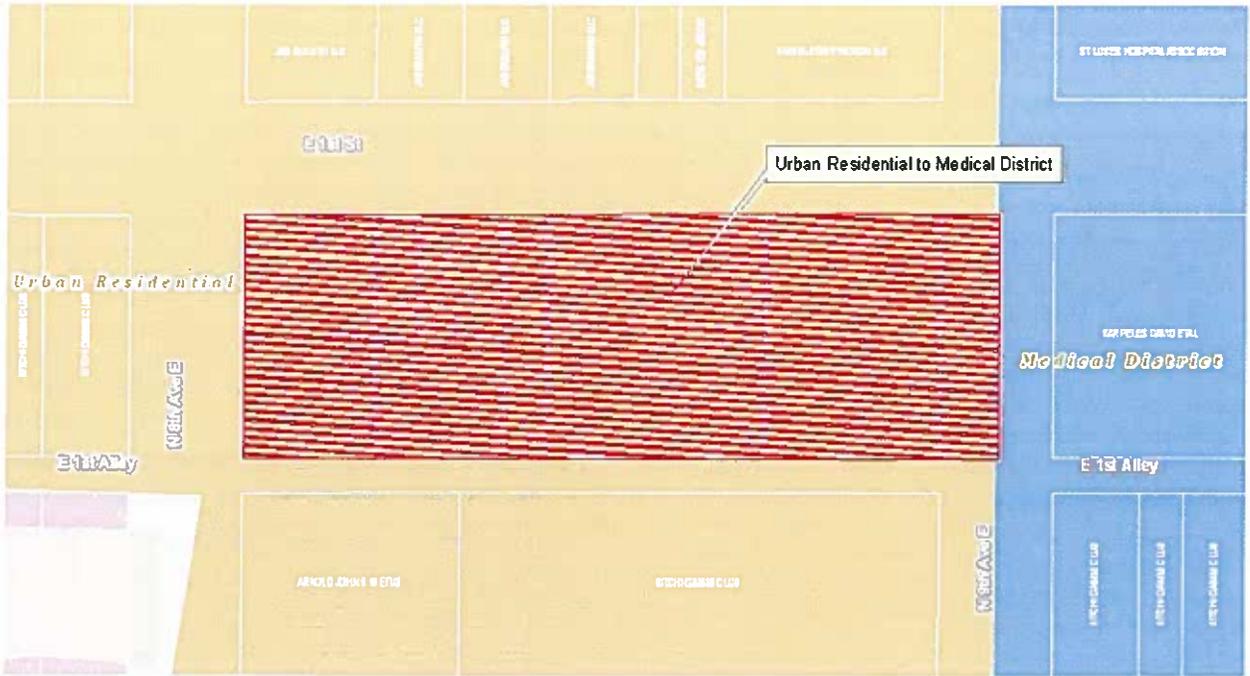
(a) The city council adopted the Duluth comprehensive land use plan on June 26, 2006, via Resolution 06-0491, which outlined the desired arrangement of land uses for the next 20 years; and

(b) The city planning division has conducted an analysis of land use in the area from North Eighth Avenue East to North Ninth Avenue between East First Street to East First Street Alley, with the findings showing the existing land use supports the medical campus and provides parking for St. Luke's Hospital; and

(c) The existing zoning is Mixed Use-Institutional (MU-I), which allows uses that support the St. Luke's Medical Campus, with related parking, commercial and office uses. However, the area zoning is inconsistent with the comprehensive land use plan. In order to bring this area into compliance with the UDC and the MU-I zoning, the comprehensive land use plan needs to be amended; and

(d) The Municipal Planning Act requires that zoning implement a city's comprehensive plan; and

(e) Based on the review conducted by the planning division and public input, the city proposes amending the comprehensive land use plan - future land use map from Urban Residential to Medical District, as described and depicted below; and



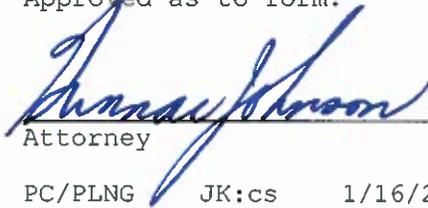
(Ref. File. No. 12-177)

(f) The city planning commission has reviewed this future land use amendment, conducted a public hearing on January 8, 2013 at their regular planning commission meeting, and recommends adoption of the proposed future land use map amendment; and

(g) The city council action shall be by resolution, with the affirmative votes of at least two-thirds 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 described above.

Approved as to form:



Attorney

PC/PLNG JK:cs 1/16/2013

STATEMENT OF PURPOSE: This resolution amends the comprehensive land use plan - future land use map for the area from North Eighth Avenue East to North Ninth Avenue between East First Street to East First Street Alley.

(a) The uses permitted in MU-I area based on the comprehensive plan description of "Institutional" and are, therefore, consistent with the comprehensive plan;

(b) It is reasonably related to the overall need of the community and to existing land use;

(c) It promotes the best interests of the city and the general health, safety and welfare of the citizens of Duluth;

(d) Material adverse impacts on nearby properties are not anticipated.

At their regular public meeting on January 8, 2013, the city planning commission held a public hearing and voted unanimously (9-0) to recommend adoption of the map amendment.

Date of application: November 26, 2012

Action deadline: Not applicable

PL 12-177



CITY OF DULUTH
Planning Division

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

STAFF REPORT

File Number	PL 12-177	Contact	John Judd, jjudd@duluthmn.gov	
Application Type	Comprehensive Plan – Amendment	Planning Commission Date	January 8, 2013	
Deadline for Action	Application Date	November 26, 2012	60 Days	Not Applicable
	Date Extension Letter Mailed	Not Applicable	120 Days	Not Applicable
Location of Subject	North 8th Avenue East to North 9th Avenue between East 1st Street to East 1st Street Alley			
Applicant	City of Duluth Planning Division	Contact	jjudd@duluthmn.gov	
Agent	John Judd, jjudd@duluthmn.gov	Contact	See above	
Legal Description	See attached			
Site Visit Date	November 29, 2012	Sign Notice Date		
Neighbor Letter Date	Not Applicable	Number of Letters Sent	Not Applicable	

Proposal

Amend the Comprehensive Land Use Plan-Future Land Use Map as follows: From Urban Residential to Medical District the area from North 8th Avenue East to North 9th Avenue between East 1st Street to East 1st Street Alley (See attached map)

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	Mixed Use-Institutional	Commercial & Public	Urban Residential
North	Mixed Use-Institutional	Residential	Medical District
South	Form Based (F-8)	Commercial / Residential	Transportation & Utilities
East	Form Based (F-8)	Commercial / Medical	Medical District
West	Mixed Use-Neighborhood	Commercial / Residential	Urban Residential

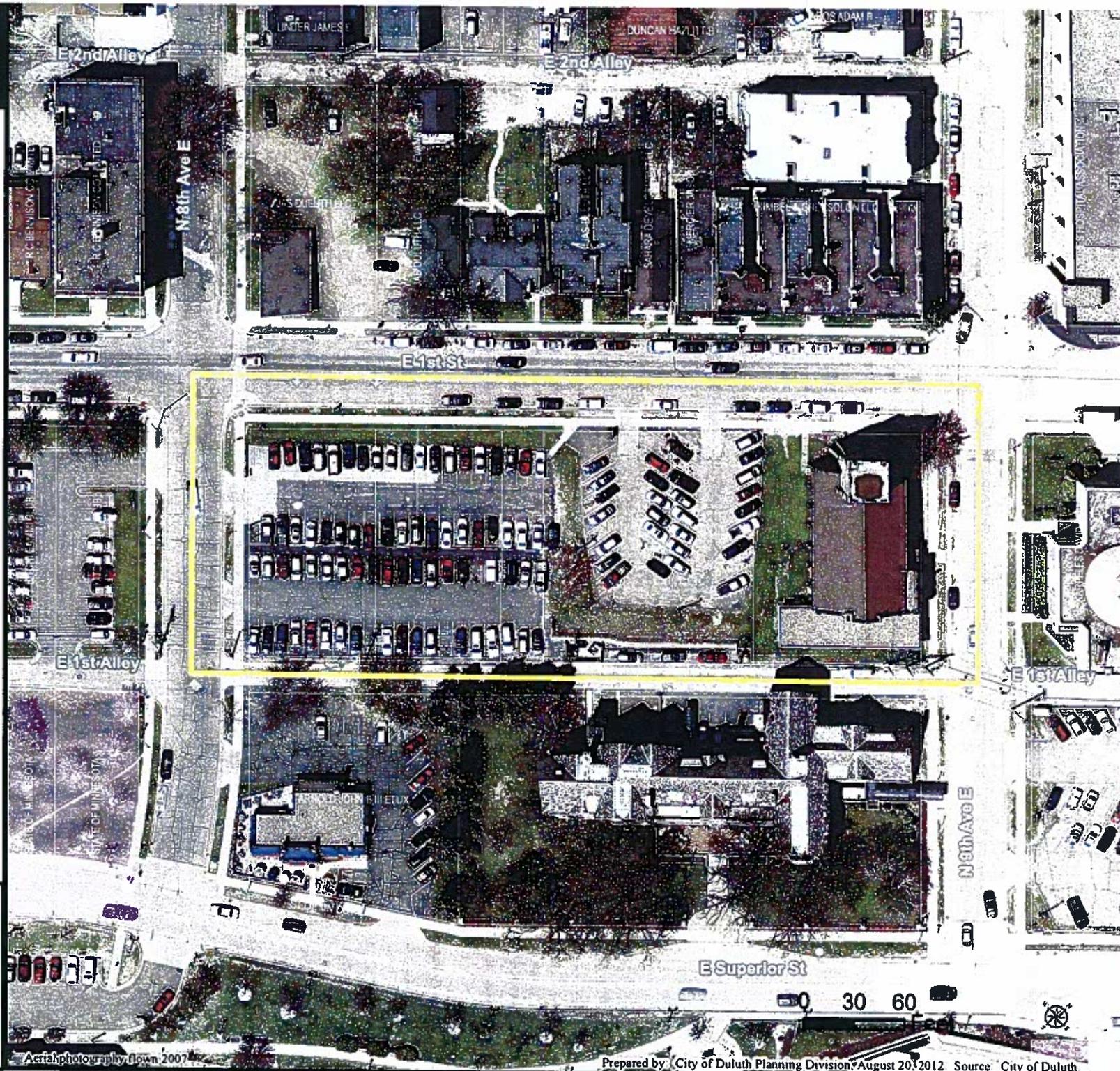
Summary of Code Requirements (reference section with a brief description):

- 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.

City Planning

PL 12-177
Comprehensive Land Use Plan
Change to Future Land Use

 Subject Property



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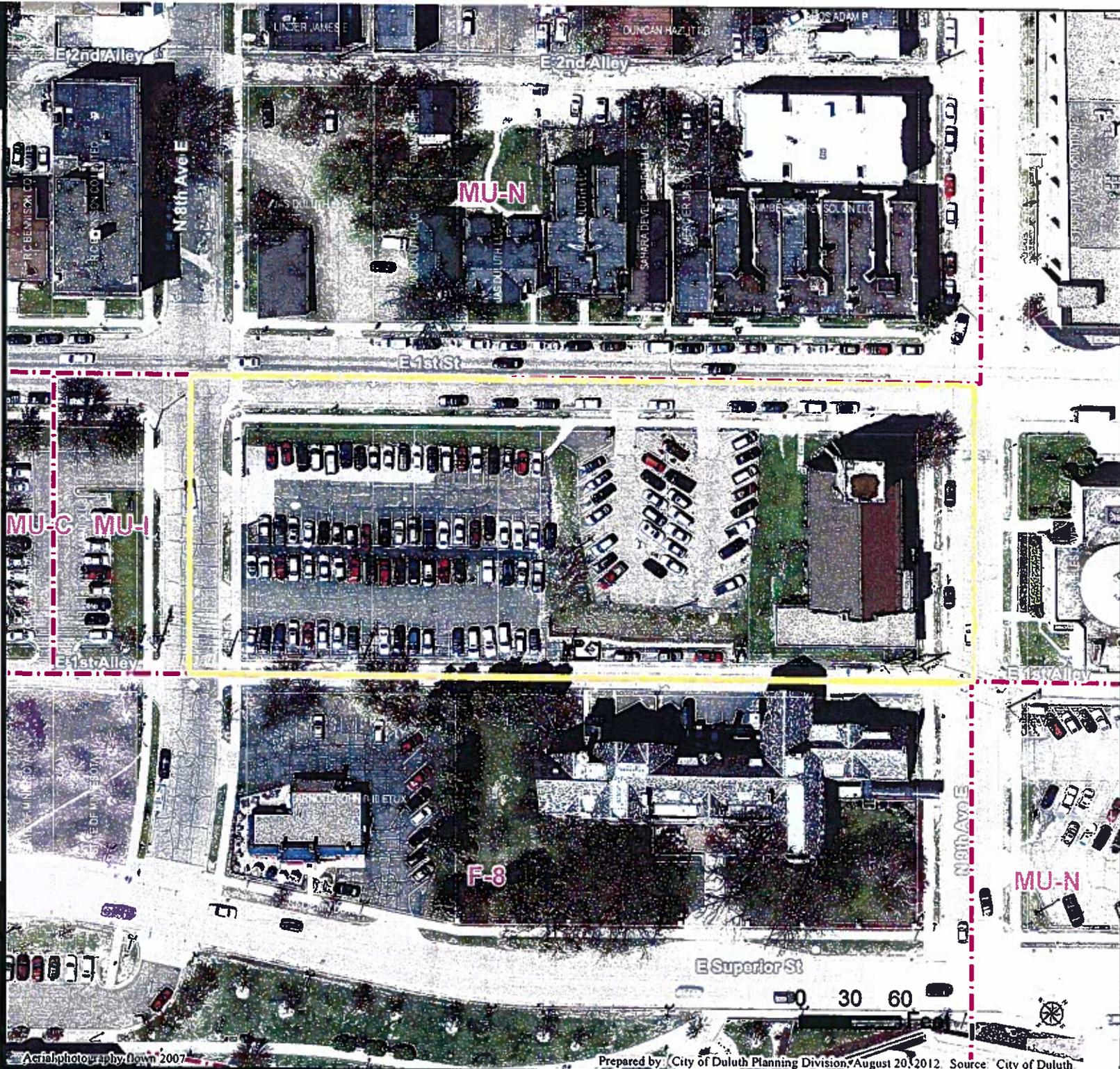
Aerial photography flown 2007

Prepared by City of Duluth Planning Division August 20, 2012 Source City of Duluth

City Planning
PL 12-177

Comprehensive Land Use Plan
Change to Future Land Use
Zoning Map

 Subject Property



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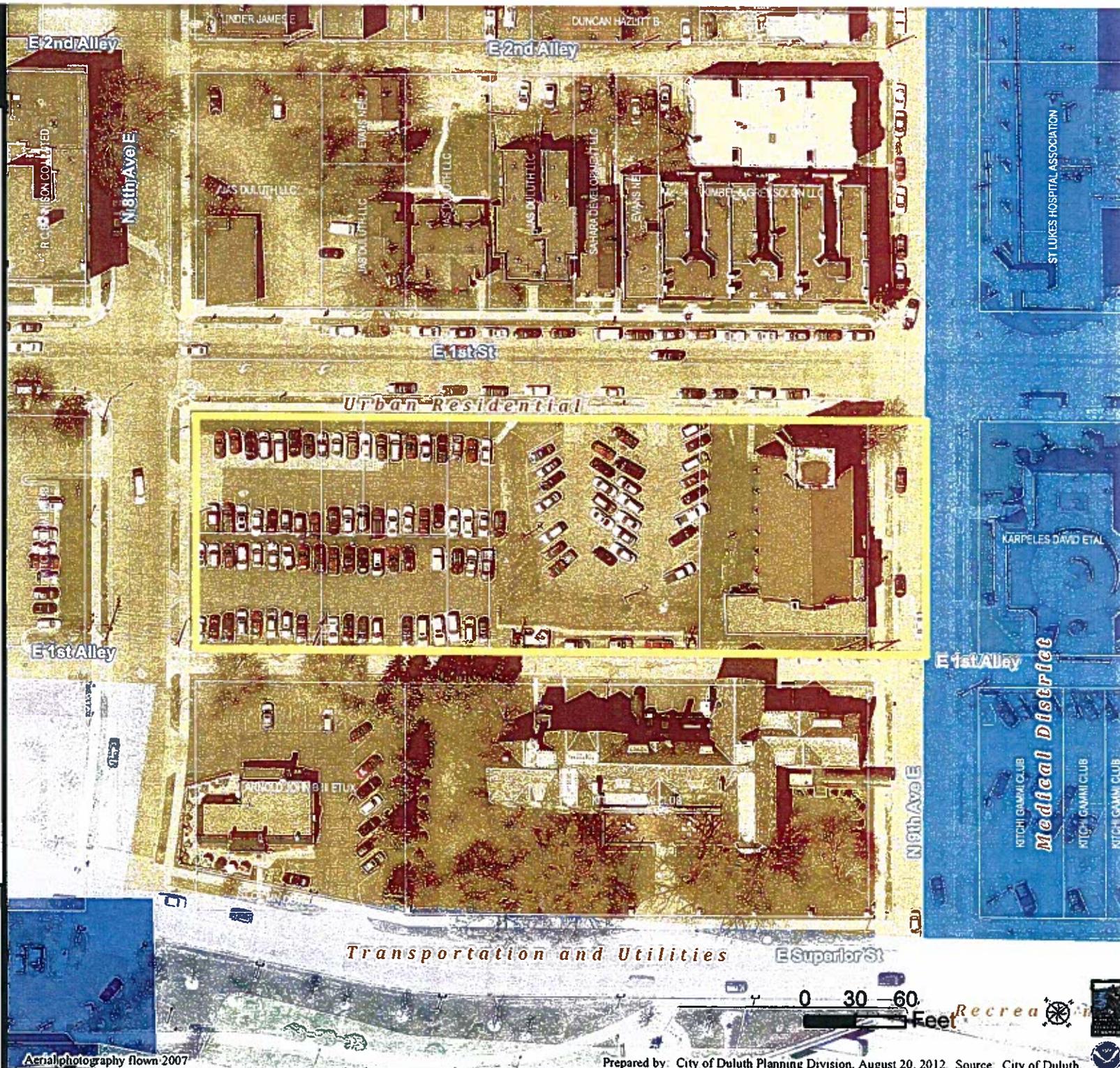


City Planning

PL 12-177

Comprehensive Land Use Plan
Change to Future Land Use
FLU Map

 Subject Property



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