CITY OF DULUTH
Planning Division

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STAFF REPORT

File Number	PL 15-157		**Contact**	John Kelley, jkelley@duluthmn.gov	
Application Type	UDC Map Amendment		**Planning Commission Date**		October 13, 2015
Deadline for Action	**Application Date**	N/A		**60 Days**	N/A
	Date Extension Letter Mailed	N/A		**120 Days**	N/A
Location of Subject	Vintage Acres Manufactured Housing Community & Parcel ID# 010-2730-00267				
Applicant	City of Duluth		**Contact**	John Kelley, jkelley@duluthmn.gov	
Agent	City of Duluth, Planning Division		**Contact**	John Kelley, jkelley@duluthmn.gov	
Legal Description	N/A				
Site Visit Date	October 2, 2015		**Sign Notice Date**		September 29, 2015
Neighbor Letter Date	N/A		**Number of Letters Sent**		N/A

Proposal

Rezone the Vintage Acres Manufactured Housing Community and the abutting parcel to the northwest park located in the Gary/ New Duluth neighborhood from the current zoning districts of Residential- Traditional (R-1), Mixed Use-Business (MU-B), and Industrial-General (I-G) to Residential-Urban (R-2).

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-1, R-2, MU-B, I-G	Manufactured housing	Traditional Neighborhood, Preservation
North	R-1	Undeveloped	Preservation, Low Density Neighborhood
South	RR-1	Homes & undeveloped	Preservation
East	R-1	Homes	Traditional Neighborhood
West	RR-1, I-G	Undeveloped	Preservation

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

- UDC Sec. 50-37.3.A: Any property owner may petition the Planning Commission to amend the district boundaries in which the property is located.

- UDC Sec. 50-37.3.B: Planning Commission shall review the application, conduct a public hearing ... with public notice ... and make a written recommendation to council.

- UDC Sec. 50-37.3.C: The Planning Commission shall review the application, and Council shall approve the application or approve it with modifications, if it determines that the application:
1. Is consistent with the Comprehensive Land Use Plan;
2. Is reasonably related to the overall needs of the community, to existing land use, or to a plan for future land use;
3. Is required by public necessity, convenience, or general welfare, or good zoning practice;
4. Will not create material adverse impacts on nearby properties, or if material adverse impacts may be created they will be mitigated to the extent reasonably possible.

II. A-1

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

Future Land Use:
Traditional Neighborhood - Characterized by grid or connected street pattern, houses oriented with shorter dimension to the street and detached garages, some with alleys. Limited commercial, schools, churches, and home-businesses. Parks and open space areas are scattered through or adjacent to the neighborhood. Includes many of Duluth's older neighborhoods, infill projects and neighborhood extensions, and new traditional neighborhood areas.

Preservation - Lands with substantial restrictions. High natural resource or scenic value, or severe development limitations. Primarily public lands but limited private use is anticipated subject to use and design controls. Examples include: most city parklands and primary viewsheds; shorelands of lake, rivers, streams; wetlands and floodplains; high-value habitat; low-intensity private or public uses.

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

1.) The Minnesota Planning Act provides that zoning (an "official control") should implement the general objectives of the Comprehensive Plan and appellate courts have issued decisions that zoning must comply with the Comprehensive Plan or else be considered arbitrary and capricious.

2.) The Gary/New Duluth neighborhood contains one of three manufactured housing communities in Duluth. The site currently has split zoning with four zoning districts Residential Traditional (R-1), Urban-Residential (R-2), Mixed-Use Business (MU-B) and Industrial-General (I-G). The use as a manufactured housing community is an allowable use with the issuance of a special use permit in the R-1 and R-2 zone districts. The current use as a manufactured housing community is considered to be a legal non-conforming use in the I-G and MU-B zone districts. The use can continue but not be expanded.

3.) Good zoning practice requires that zone districts be consistent with the future land use category identified for the area. The R-2 district is established to accommodate multi-family apartments and townhouses, in an urban setting. This district also allows for single-family detached dwellings, duplexes and group living accommodations. The district is intended primarily for locations closer to commercial and mixed use activity centers, and may serve as a transition between lower-density residential areas and more intense commercial and mixed use neighborhoods. The proposed rezoning to R-2 is reasonably related to the future land use map designation of Traditional Neighborhood and to the existing land use.

4.) The Gary/New Duluth Small Area Plan recommends to rezone that portion of the Vintage Acres manufactured housing community zoned MU-B and I-G to a zoning designation that is consistent with the Comprehensive Land Use Plan. The future land use for this area is traditional Residential which could support a rezoning to R-1 or R-2 zone districts.

5.) No letters were received from the public. No other public, agency, or City comments have been received.

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

Based on the above findings, staff recommends that Planning Commission recommend approval of the UDC Map Amendment, for the following reasons:

1.) This proposal is consistent with the Comprehensive Land Use Plan.

2.) The proposed R-2 zone district is consistent with the future land use category of Traditional Neighborhood.

3.) Material adverse impacts on nearby properties are not anticipated.

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

City Planning

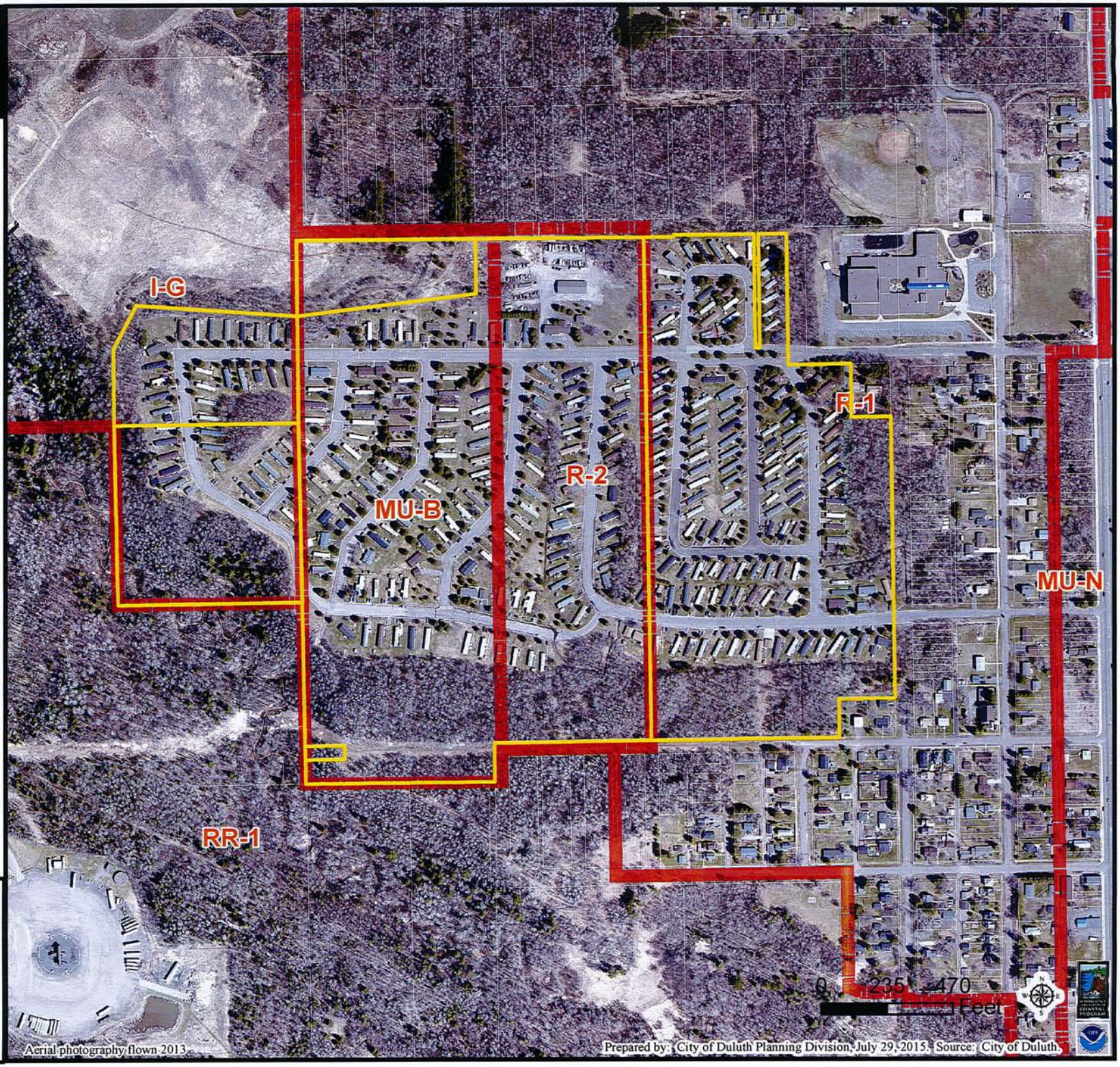
PL 15-157
Vintage Acres
Rezone to R-2
Zoning Map

Area to be rezoned

Legend

Zoning Boundaries

Zoning Boundaries



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City Planning

PL 15-157
Vintage Acres
Rezone to R-2
FLU Map

Area to be rezoned

Legend

Future Land Use

- Preservation
- Recreation
- Rural Residential
- Low-density Neighborhood
- Traditional Neighborhood
- Urban Residential
- Neighborhood Commercial
- Neighborhood Mixed Use
- General Mixed Use
- Central Business Secondary
- Central Business Primary
- Auto Oriented Commercial
- Large-scale Commercial
- Business Park
- Tourism/Entertainment District
- Medical District
- Institutional
- Commercial Waterfront
- Industrial Waterfront
- Light Industrial
- General Industrial
- Transportation and Utilities

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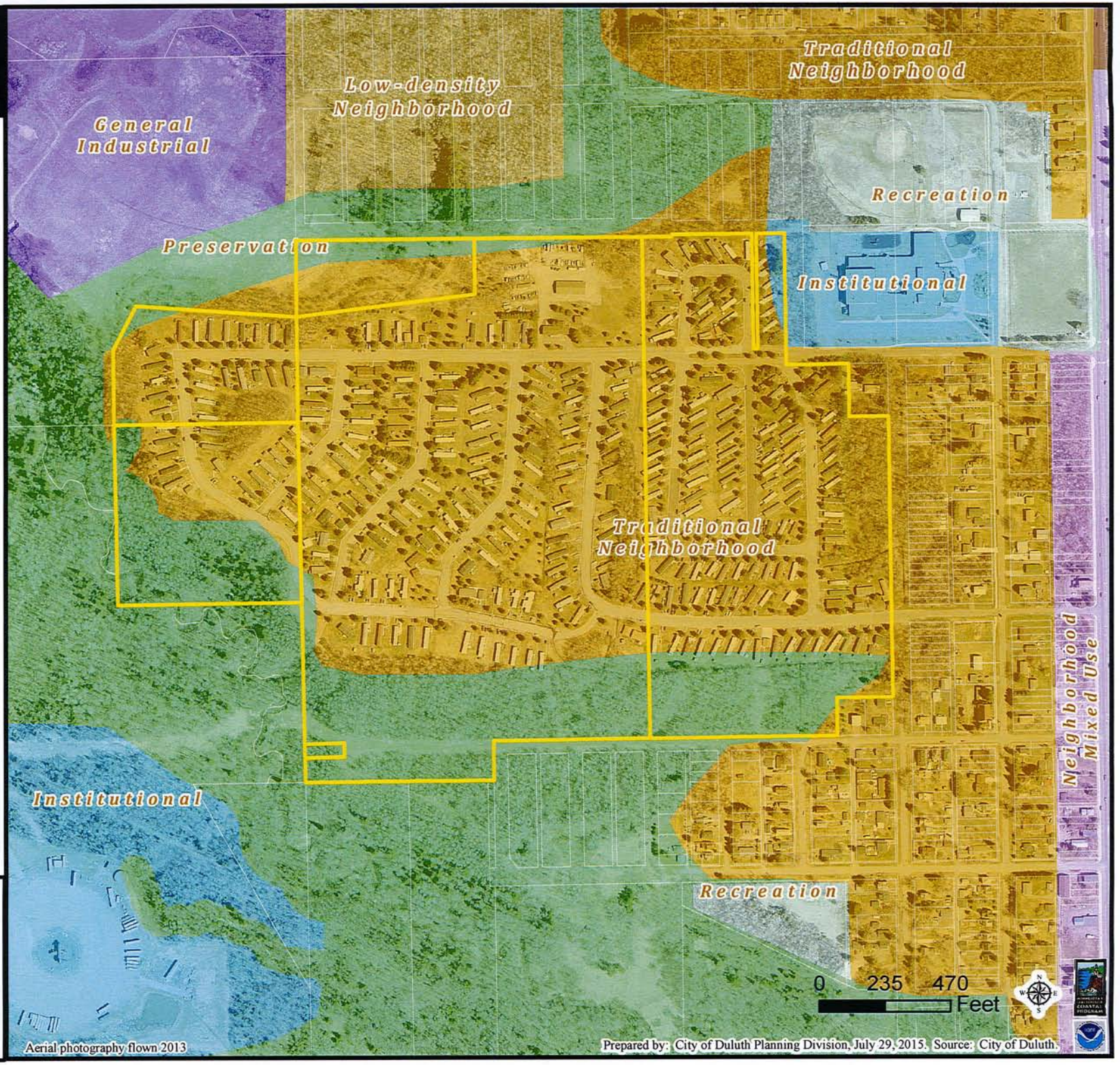
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