



City of Duluth
Planning Division

411 West First Street • Room 208 • Duluth, Minnesota 55802-1197
218-730-5580 • Fax: 218-730-5904 • www.duluthmn.gov

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MEMORANDUM

DATE: October 30, 2015
TO: Planning Commission
FROM: John Kelley, Planner II
SUBJECT: PL15-169 Rezoning - Lincoln Park Small Area Plan

The Lincoln Park Small Area Plan (SAP) was unanimously approved by City Council per resolution 15-0524R. The SAP identified five categories for review and analysis including a major emphasis on land use. The study area boundaries for the rezoning run east to west from North 12th Avenue West to North 39th Avenue West, and north to south from the alley above West 3rd Street to the Freeway (I-35).

In order to implement the land use recommendations from the SAP, the proposal before the Planning Commission is to adjust the zoning map designations within the study area. These changes to better reflect existing land use within the area and implement the SAP recommendations while minimizing potential negative impacts to surrounding area. Most of the proposed rezoning essentially rearranges and/or expands the current zone districts which include: Park and Open Space (P-1), Residential-Traditional (R-1), Residential-Urban (R-2), Mixed Use- Business (MU-B), Mixed Use-Neighborhood (MU-N), Industrial-General (I-G), and Form District 5 (F-5) mid-rise community shopping and office. This rezoning also introduces to the area Mixed Use-Commercial (MU-C), which is a new mixed use zone district for the area (see attached future zoning map).

The boundaries of the zoning districts will be established per Section 50-13.4 Zoning Map of the Unified Development Chapter (see attached table of boundary descriptions).

Current Zoning/Existing Land Use

The areas to be rezoned currently have a number of zone districts including P-1, R-1, R-2, MU-B, MU-N, I-G, and F-5 (see attached current zoning map). The area surrounding the study boundary has zoning that includes residential to the north, east and west and industrial to the south. Existing land use in the study area is predominantly residential and commercial with some manufacturing and light industrial. Adjacent land use is primarily residential and commercial.

I.B-1

Future Land Use

The future land use map generally calls for a mixed land use type throughout the central and northern portions of study area. These land use categories include Neighborhood Commercial, Neighborhood Mixed Use and General Mixed use. The future land use category for the eastern end of the study area calls for a land use category of Central Business Secondary which would include mixed regional and neighborhood retail, employment centers and medium density residential.

Comprehensive Plan Findings

Future Land Use:

Central Business Secondary - An area adjacent to and supporting the primary central business area or a stand-alone area providing a similar mix of destination land uses but at a lower intensity than the primary CB area. Includes mixed regional and neighborhood retail, employment centers, public spaces, medium density residential, and public parking facilities.

Neighborhood Commercial:

Small- to moderate scale commercial, serving primarily the adjacent neighborhood(s). May include specialty retail; community gathering businesses such as coffee shops or lower intensity entertainment; offices; studios or housing above retail (storefront retail with vertical mixed use). Typically situated in or adjacent to residential neighborhoods. May transition to neighborhood mixed use.

General Mixed Use:

The broadest mix of uses, including light industrial, office, commercial, and residential use, with performance standards to ensure compatibility. Includes areas that are in transition from industrial uses and large redevelopments that require master plans and phased development. General or heavy industrial can be included when a large site is master planned to allow appropriate separation of uses.

Neighborhood Mixed Use:

A transitional use between more intensive commercial uses and purely residential neighborhoods. Includes conversions of houses to office or live-work spaces. May include limited commercial-only space oriented to neighborhood or specialty retail markets

Governing Principles in support of rezoning:

Principle #4 - Support emerging economic growth sectors

Emerging economic sectors add economic, cultural and social diversity. These include higher education, medical, value-added manufacturing, commercial outdoor recreation, historic resources interpretation, arts and music, information technology and visitor services.

Principle #8 - Encourage mix of activities, uses and densities

Cities have evolved as a mix of land uses, building types, housing types, and activities. Accommodating choice while protecting investment is a balance to strike in land use regulation. Mixed uses provide opportunity for a diversity of activity that segregated, uniform uses do not provide.

Summary of Code Requirements

- 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.

Discussion:

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.

3.) Good zoning practice requires that zone districts be consistent with the future land use categories identified for the area. The proposed zoning districts are established to provide a broad mix of neighborhood and regional commercial uses, and to accommodate a mix of residential housing types for the area. The rezoning changes the zoning map designations to better reflect existing land use while minimizing potential negative impacts to surrounding area.

4.) The proposed rezoning reasonably relates to the future land use map designations of Neighborhood Commercial, Neighborhood Mixed Use, General Mixed Use, Central Business Secondary, and to the existing land use.

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

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

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

- 1.) This proposal is consistent with the Comprehensive Land Use Plan.
- 2.) The rezoning is consistent with the land use implementation strategy of the approved Lincoln Park Small Area Plan.
- 2.) The proposed zone districts are consistent with the future land use categories and better reflect existing land use.
- 3.) Material adverse impacts on nearby properties are not anticipated.

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Future Zoning



Zoning in Study Area

Future Zoning

-  F-5
-  I-G
-  MU-B
-  MU-C
-  MU-N
-  P-1
-  R-1
-  R-2
-  Official Study Area



B-5

Current Zoning



Zoning in Study Area

Current Zoning

- F-5
- I-G
- MUB
- MUN
- P-1
- R-1
- R-2

Official Study Area

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	Plan Recommendation	Lead	Partners	Timeline
GOAL 1: Change zoning map designation to better reflect existing land use while minimizing potential negative impacts to surrounding area.				
LAND USE				
1-A	12th Avenue West (M&H Gas Station) along W. Superior St. from Garfield Ave, South to Freeway: From R-2 and MU-N to MU-B	City of Duluth Planning		2015-2017
1-B	14th Avenue West along W. 1st Street to 17th Avenue W. down to Piedmont/Garfield Ave and W. Superior Street (Gospel Tabernacle Church) back to 14th Avenue W. : From MU-B & R-2 to MU-N	City of Duluth Planning		2015-2017
1-C	Below W. Michigan Street at Garfield Ave. to 22nd N. 22nd Avenue West down to Freeway: From I-G to MU-C	City of Duluth Planning		2015-2017
1-D	Alley above W. Superior Street to from Hwy 53/22nd Avenue between Piedmont Ave. and N. 22nd West: From I-G to MU-B.	City of Duluth Planning		2015-2017
1-E	N. 20th Avenue West to N. 39th Avenue West from Alley above and below West 3rd Street to MU-N	City of Duluth Planning		2015-2017
1-f	Extending F5 from N. 22nd Avenue West to N. 30th Avenue West between W. Michigan Street and W. 1st Street	City of Duluth Planning		2015-2017
1-G	S. 22nd Avenue W to S. 26th Avenue West between W. Michigan Street and Freeway (DTA): From I-G to MU-B	City of Duluth Planning		2015-2017
1-H	S. 26th Avenue W. to S. 31st Avenue West between W. Michigan and Freeway (Clyde Iron, Post Office) from I-G to MU-C	City of Duluth Planning		2015-2017
1-I	Freeway to RR Tracks at N. 33rd Avenue West along W. Superior Street to Carlton Street and South to Freeway: From I-G to MU-B	City of Duluth Planning		2015-2017

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