



City of Duluth

411 West First Street
Duluth, Minnesota 55802

Master

File Number: 16-002-O

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Type: Ordinance

Status: Passed

Version: 1

**Agenda
Section:**

Committee: Planning and
Economic
Development

File Created: 12/22/2015

Subject:

Final Action: 02/08/2016

Title: AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO PROVIDE FOR THE RECLASSIFICATION FROM R-1 TO MU-N, AND MU-N AND MU-B TO MU-C FOR PROPERTY ALONG THE NORTH AND SOUTH SIDES OF LONDON ROAD.

Internal Notes: Ordinance by John Kelley

Sponsors:

Enactment Date: 02/08/2016

Attachments: Attachment 1, Attachment 2

Enactment Number: 10433

Recommendation:

Hearing Date:

Drafter: cstafford@duluthmn.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council	01/25/2016	read for the first time				
1	City Council	02/08/2016	adopted				Pass
1	City Clerk	02/08/2016	attested				
1	Mayor	02/08/2016	approved				

Text of Legislative File 16-002-O

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO PROVIDE FOR THE RECLASSIFICATION FROM R-1 TO MU-N, AND MU-N AND MU-B TO MU-C FOR PROPERTY ALONG THE NORTH AND SOUTH SIDES OF LONDON ROAD.

CITY PROPOSAL:

The city of Duluth does ordain:

Section 1. That land located from South 22nd Ave E. to South 27th Ave. East

between London Road and I-35, and lands located from South 23rd Avenue East to South 25th Avenue East between London Road and the rear property line of the parcels facing London Road, and as more particularly described as follows:

That part of Blocks 26, 27, 28 and 29 of Endion Division of Duluth and Block 50 of Harrison's Division of Duluth, according to the recorded plats thereof, and the un-platted area between said Endion Division and Harrison's Division, described as follows:

Beginning at the intersection of center line of London Road and center line of 22nd Avenue East, as platted in said Endion Division; thence southeasterly along center line of 22nd Avenue East to the northwest right of way line of Interstate 35, Minnesota Department of Transportation Right of Way Map Number 180-22B-002; thence northeasterly along northwesterly right of way line of Interstate 35 along South Street, through said Block 29 of Endion Division, Block 50 of Harrison's Division and un-platted areas between said Divisions and along extended right of way line in said Block 50 northerly to the center line of 26th Avenue East as platted in said Harrison's Division; thence northwesterly along center line of 26th Avenue East to the centerline of said London Road; thence southwesterly along center line of London Road to the point of beginning.

Excluding lots 11 Block 30 Endion Division and adjacent right-of-way of London Road to the centerline and excluding lot 11 Block 46 Harrison's Division and excluding lot 16 Block 30 Endion Division and adjacent right-of-ways of South 24th Avenue East and London Road to the centerline.

And:

That part of Blocks 30 and 31 of Endion Division of Duluth and Block 46 of Harrison's Division of Duluth, according to the recorded plats thereof, and the un-platted area between said Endion Division and Harrison's Division, and that part of Taussig's Re-Arrangement of the South ½ of Block 45 of Harrison's Division of Duluth, according to the recorded plat thereof, described as follows:

Beginning at the intersection of center line of London Road and center line of 23rd Avenue East; thence northeasterly along center line of London Road as platted in said Endion Division and Harrison's Division to a line that is the southeasterly extension of the northeasterly line of southwesterly thirty feet Lot 2 of said Taussig's Re-Arrangement; thence northwesterly along said the northeast line of Lot 2 and its extension to the centerline of alley; thence southwest along the centerline of alley adjacent to Lots 1 and 2 of said Tausseg's Re-Arrangement and along its southwesterly extension to a line that is the northwesterly line of Lots 9 - 13 of said Block 46 and its northeasterly extension; thence southwest along north lines of Lots 9 - 13 of Block 46 of said Harrison's Division and its extensions, the northwesterly line of Lots 11 - 16 of Block 30 and Lots 9 - 16 of Block 31 of said Endion Division and its extensions to the center line of 23rd Avenue East; thence southeast along center line of 23rd Avenue East to the point of beginning.

be reclassified from Residential-Traditional (R-1) to Mixed Use-Neighborhood (MU-N), and Mixed Use Neighborhood (MU-N) and Mixed Use- Business Park (MU-B) to Mixed Use -Commercial (MU-C), and that the official zoning map of the City of Duluth as referenced in Chapter 50 of the Duluth City Code, 1959, is amended to read as shown in the attached document.

Section 2. That this ordinance shall take effect and be in force 30 days from and after its passage and publication.

STATEMENT OF PURPOSE: This amendment provides a zoning change from R-1 to MU-N, and MU-N and MU-B to MU-C for the lands described above along London Road.

On December 8, 2015, the Duluth city planning commission held a public hearing on the proposal and voted 5 yeas, 0 nays, and 0 abstentions to recommend that the city council approve the rezoning requested for the following reasons:

- 1.) This proposal is consistent with the Comprehensive Land Use Plan.
- 2.) The proposed MU-N and MU-C zone districts are consistent with the future land use category of Neighborhood Mixed Use and Central Business Secondary.
- 3.) Material adverse impacts on nearby properties are not anticipated.

The motion to approve the rezoning from R-1 to MU-N must prevail with an affirmative vote of 2/3 by the city council.

Petition Received: Not applicable

Action Deadline: Not applicable

Petitioner:
Petitioner:
City of Duluth
Planning Division
Room 208
City Hall
Duluth, Minnesota

PL 15-171