



Council Agenda Item 25-0952R

MEETING DATE: December 15, 2025

SUBJECT/TITLE: RESOLUTION VACATING A PORTION OF RIGHT-OF-WAY ALONG SOUTH 29TH AVENUE EAST BETWEEN JEFFERSON STREET AND THE EASTERLY PLAT BOUNDARY, IN THE PLAT OF HARRISON'S DIVISION OF DULUTH.

SUBMITTED BY: Ben Van Tassel, Planning and Economic Development Director

RECOMMENDATION: Approve

BOARD/COMMISSION/COMMITTEE RECOMMENDATION: Planning Commission

PREVIOUS COUNCIL ACTION: N/A

BACKGROUND:

The resolution is to vacate a 0.03-acre portion of the South 29th Avenue East right-of-way, between Jefferson Street and the easterly plat line of Harrison's Division of Duluth. The applicant and property owner wishes to vacate to make property improvements and to build a residential addition with proper setbacks. The remaining width of the S 29th Ave E right-of-way will be retained to maintain existing access to the Lakewalk.

At its special meeting on November 12, 2025, the planning commission held a public hearing on the proposed vacation (Exhibit A), reviewed staff report findings and conclusions associated with the vacation request (Exhibit B), Staff Report (File No. PLVAC-2510-0010), and discussed and deliberated the matter as a commission. The planning commission considered a motion to recommend to city council to approve the vacation request with the motion passing on a vote of 6 yeas, 0 nays and 0 abstentions.

Having reviewed and considered the Application and conducted a public hearing, the planning commission recommends that the city council approve the vacation of right-of-way with the conditions stated for the following reasons:

- 1) This proposal is reasonably related to the overall needs of the community, to existing land use, or to a plan for future land use;
- 2) This proposal is required by public necessity, convenience, or general welfare, or good zoning practice; and;
- 3) Material adverse impacts on nearby properties are not anticipated or will be mitigated.

BUDGET/FISCAL IMPACT: Development has the potential to increase the tax revenue produced by a property.



OPTIONS: Approve or deny the vacation application

NECESSARY ACTION: Not Applicable

ATTACHMENTS:

- Exhibit A – Exhibit/Legal Description
- Exhibit B – Staff Report Findings and Conclusions