



Planning & Development Division
Planning & Economic Development Department

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File Number	PL 21-116	Contact	Jenn Moses	
Type	Rezone from F-2 to MU-I	Planning Commission Date	August 10, 2021	
Deadline for Action	Application Date	July 7, 2021	60 Days	September 5, 2021
	Date Extension Letter Mailed		120 Days	November 4, 2021
Location of Subject	South Side of London Road, Between 14 th Avenue E and 16 th Avenue E			
Applicant	Duluth Lakewalk Offices LLC	Contact	Dr. Andrew Baertsch	
Agent	Hanft Fride Law	Contact	William M. Burns	
Legal Description	See Attached Map			
Site Visit Date	July 30, 2021	Sign Notice Date	July 26, 2021	
Neighbor Letter Date	July 27, 2021	Number of Letters Sent	49	

Proposal

Rezone property from the current zoning of Form District 2 (F-2) to Mixed Use-Institutional (MU-I).

Staff Recommendation

Staff recommends that the Planning Commission recommend approval of the proposed rezoning to MU-I.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	F-2	Medical, Commercial	Central Business Secondary, N'hood Mixed Use
North	F-2	Mixed Use	Central Business Secondary, N'hood Mixed Use
South	MU-B	Freeway	Transportation and Utilities
East	F-2	Multi-family, Single-family	Neighborhood Mixed Use
West	MU-N	Park	Open Space

Summary of Code Requirements

- 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.

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

Governing Principles

The following Imagine Duluth 2035 Governing Principle(s) should be considered when reviewing the request:

Principle #4 – Support economic growth sectors. Emerging and growing economic sectors add economic, cultural, and social diversity. Medical is included in these sectors. This principle also encourages support of locally owned and entrepreneurial ventures.

Future Land Use

Central Business Secondary – An area adjacent to and supporting the central business primary area or a stand-alone area providing a similar mix of destination land uses...includes mixed regional and neighborhood retail, employment centers, etc. Medium densities; multi-story and mixed-use buildings encouraged. Form-based guidelines and pedestrian-oriented design.

Neighborhood Mixed Use – A transitional use between more intensive commercial uses and purely residential neighborhoods. May include limited commercial-only space oriented to neighborhood or specialty retail markets. Site design should maintain a largely residential building character.

Site History or Previous Studies

The Lakewalk Surgical Center was built in 1998 at 1420 London Road, with a subsequent building built in 2007 at 1502 London Road. The site design included buildings situated on the rear of the parcels to take advantage of the lake views. The 2006 Comprehensive Land Use Plan identified Future Land Uses of Central Business Secondary for the 1400 block and Neighborhood Mixed Use for the 1500 block, which reflected the mixture of land uses at that time. To implement the comprehensive plan, the City adopted the Unified Development Chapter (UDC) in 2010, and adopted new zone districts for all land in the city. Several neighborhoods were identified as places for Form-Based Zoning, including the stretch of London Road from Superior Street to 21st Avenue E. This area was rezoned to Form Districts in 2011 (PL 11-028, Ordinance 11-016-O). These two blocks have experienced land use and ownership changes in the last year, including the closure and demolition of the Valentini's Restaurant building, and the pending sale of the London Road Car Wash.

Review and Discussion Items:

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 be considered arbitrary and capricious. Good zoning practice requires that zone districts be consistent with the future land use category identified for the area. Other criteria for zoning may include considering existing land use patterns and if the rezoning is related to the needs to the community or existing land use.
2. The proposed rezoning area has historically been a mixture of land uses including residential, commercial, and medical. In 2020, Valentini's Restaurant at 1400 London Road closed, and was demolished to add additional parking and landscaping for Lakewalk Surgical Center. The London Road Car Wash Properties are also being purchased by the Lakewalk Surgical Center, for additional medical center facilities. Thus, the existing land use in the area has changed from being a mixture of uses to being predominantly a medical center.
3. The future land use designations are Central Business Secondary and Neighborhood Mixed Use. These designations were established in 2006 and accurately depicted the mix of land uses at that time as well as uses anticipated in the future. However, given the recent changes to the commercial properties in this area, Staff finds that these future land use designations do not accurately reflect the future development of this area.
4. The area is currently zoned Form District 2 (F-2), which is a low-rise neighborhood mix district allowing a variety of building types and uses. This district requires development to be located close to London Road to support a pedestrian-oriented neighborhood.
5. The area is proposed to be rezoned to MU-I. The MU-I district is established to provide for the unique development needs and impacts of major medical, educational and research institutional development. The intent is to give institutional landowners the flexibility to plan and develop their facilities while ensuring that surrounding neighborhoods are protected from adverse impacts, such as traffic, overshadowing buildings, noise and unexpected

expansion of institutional uses into residential areas.

6. While medical and dental clinics are allowed in the F-2 district, Staff finds that the MU-I district better meets the existing land use, anticipated future development, and the needs of the Lakewalk medical campus. This determination is based on: A) the character of the neighborhood in general and the proposed rezoning area in particular; B) the purpose statement of the MU-I zone district, and its correlation to the owner's long-term intent for this medical campus along London Road and C) changes to the land use ownership and use within this area, providing for a larger cohesive campus. As such, the rezoning as proposed is appropriate for this property.
7. The rezoning to MU-I requires that future development be set forth through a District Plan (UDC Section 50-37.4) for the medical campus. The District Plan will set forth parameters for the campus and layout of buildings, parking areas, pedestrian connections, and other functional aspects to the medical campus. The District Plan requires a future public hearing and approval by Planning Commission. As part of this process, future plans for development, including potential building locations, will be reviewed for conformity with the requirements of the UDC, including parking, landscaping, connectivity, screening, building design, and lighting. The process of creating a District Plan, once such a plan is approved, will allow for more rapid issuance of building permits as it creates development parameters for additional buildings within the district.
8. One question was received from a neighbor who inquired about the criteria for rezoning. No other agency, City, or public comments have been received.

Staff Recommendation:

Based on the above findings, staff recommends that the Planning Commission recommend approval to the City Council of the rezoning to MU-I for the following reason:

1. This proposal is reasonably related to the existing and proposed future land use.
2. Material adverse impacts on nearby properties are not anticipated.



PL 21-116
UDC Map Amend
F-2 to MU-I
London Road



Legend
 Zoning Boundaries

The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used as one. The drawing/data is a compilation of records, information and data located in various City, County and State offices and other sources affecting the area shown and is to be used for reference purposes only. The City of Duluth shall not be liable for errors contained within this data provided or for any damages in connection with the use of this information contained within.

Aerial photography flown 2019

