



**Council Agenda Item 25-021-O**

**MEETING DATE:** August 25, 2025

**SUBJECT/TITLE:** AN ORDINANCE GRANTING INDEPENDENT SCHOOL DISTRICT 709 A CONCURRENT USE PERMIT TO CONSTRUCT A GUARDRAIL NEAR THE INTERSECTION OF E 11<sup>TH</sup> ST AND N 8<sup>TH</sup> AVE E.

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

**RECOMMENDATION:** Approve

**BOARD/COMMISSION/COMMITTEE RECOMMENDATION:** Planning Commission

**PREVIOUS COUNCIL ACTION:** N/A

**BACKGROUND:**

This concurrent use permit allows construction of a guardrail occupying a space of 5' x 106' in the right-of-way near the intersection of E 11<sup>th</sup> St and N 8<sup>th</sup> Ave E. The guardrail will provide a barrier between pedestrians and users of the sidewalk from traffic on adjacent streets

On August 12, 2025, the Duluth city planning commission held a public hearing on the proposal as described in Attachment 2 and voted 7 yeas, 0 nays, 0 abstentions, to recommend that the city council approve the request for a concurrent use of streets.

Having reviewed and considered the Application and conducted a public hearing, the planning commission recommends that the city council approve the concurrent use permit with the conditions stated for the following reasons:

**BUDGET/FISCAL IMPACT:** The applicant will be responsible for maintenance of the guardrail. No fiscal impacts to City budgets are anticipated.

**OPTIONS:** Approve or deny the concurrent use permit application

**NECESSARY ACTION:** N/A

**ATTACHMENTS:**



- Attachment 1- Exhibit
- Attachment 2- Staff Report and Attachments
- Attachment 3- Planning Commission Meeting Minutes