



CITY OF DULUTH

Community Planning Division

411 W 1st St, Rm 208 * Duluth, Minnesota 55802-1197
Phone: 218/730.5580 Fax: 218/723-3559

File Number	PL18-095	Contact	Jenn Moses, jmoses@duluthmn.gov	
Type	UDC Map Amendment	Planning Commission Date		September 11, 2018
Deadline for Action	Application Date	July 25, 2018	60 Days	September 23, 2018
	Date Extension Letter Mailed	August 1, 2018	120 Days	November 22, 2018
Location of Subject	4610 W Arrowhead Rd, Duluth, MN			
Applicant	Lisa & Matt Mahoney	Contact		
Agent	N/A	Contact		
Legal Description	See attached			
Site Visit Date	August 1, 2018	Sign Notice Date	July 30, 2018	
Neighbor Letter Date	August 1, 2018	Number of Letters Sent	15	

Proposal

Rezone the remaining portion of 4610 W Arrowhead Road in the Duluth Heights neighborhood from RR-1 to MU-B so the parcel has one zoning designation and is consistent with adjacent properties.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	MU-B and RR-1	Equipment dealership	Central Business Secondary
North	MU-C	Undeveloped	Business Park
South	RR-1	Undeveloped, residential	Central Business Secondary
East	MU-C	Religious assembly	Central Business Secondary
West	MU-B	Office/contractor shop	Central Business Secondary

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.

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

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

History: The 1980 Miller Hill Corridor Plan recommended this site as a rural residential designation. The subsequent Northwest Corner Study recommended this area as business park, with a greenbelt buffer to the east and medium density residential to the south. In 2002, applicant applied to rezone all 3.4 acres of land to M-1, but due to a desire for a buffer between this and surrounding properties, only 2.4 acres were rezoned (Ordinance 9569, PL 02-070). After adoption of the UDC in 2010, all property in the city was rezoned to new zone districts, and the M-1 zone designation was reclassified as MU-B.

The 2006 Comprehensive Land Use Plan identified the Future Land Use for the area as Auto-Oriented Commercial. With the recently adopted comprehensive plan, Imagine Duluth 2035, the Future Land Use category of Auto-Oriented Commercial was deleted, and the Future Land Use for this site was amended to Central Business Secondary.

Review and Discussion Items

Staff finds that:

- 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.
- 2) Applicant is requesting to rezone to Mixed Use-Business. The intent of the MU-B district is to accommodate modern light industrial and technology-based developments of attractive integrated design and function. This district allows many of the uses suggested by the future land use category of Central Business Secondary.
- 3) While the zone district most closely aligned with the future land use designation is Mixed Use-Commercial, such a zone district would not align with the remainder of this property, which is zoned MU-B. Therefore, staff finds the MU-B zone district a reasonable continuation of the zoning designation that exists on the remainder of the property.
- 4) This request is reasonably related to the plan for future land use and to current use of the property.
- 5) As surrounding properties are zoned MU-B and MU-C, this zone designation will not result in adverse impacts.

Staff Recommendation

Based on the above findings, staff recommends that the Planning Commission recommend approval to the City Council of the rezoning, to be consistent with the attached exhibits, for the following reasons:

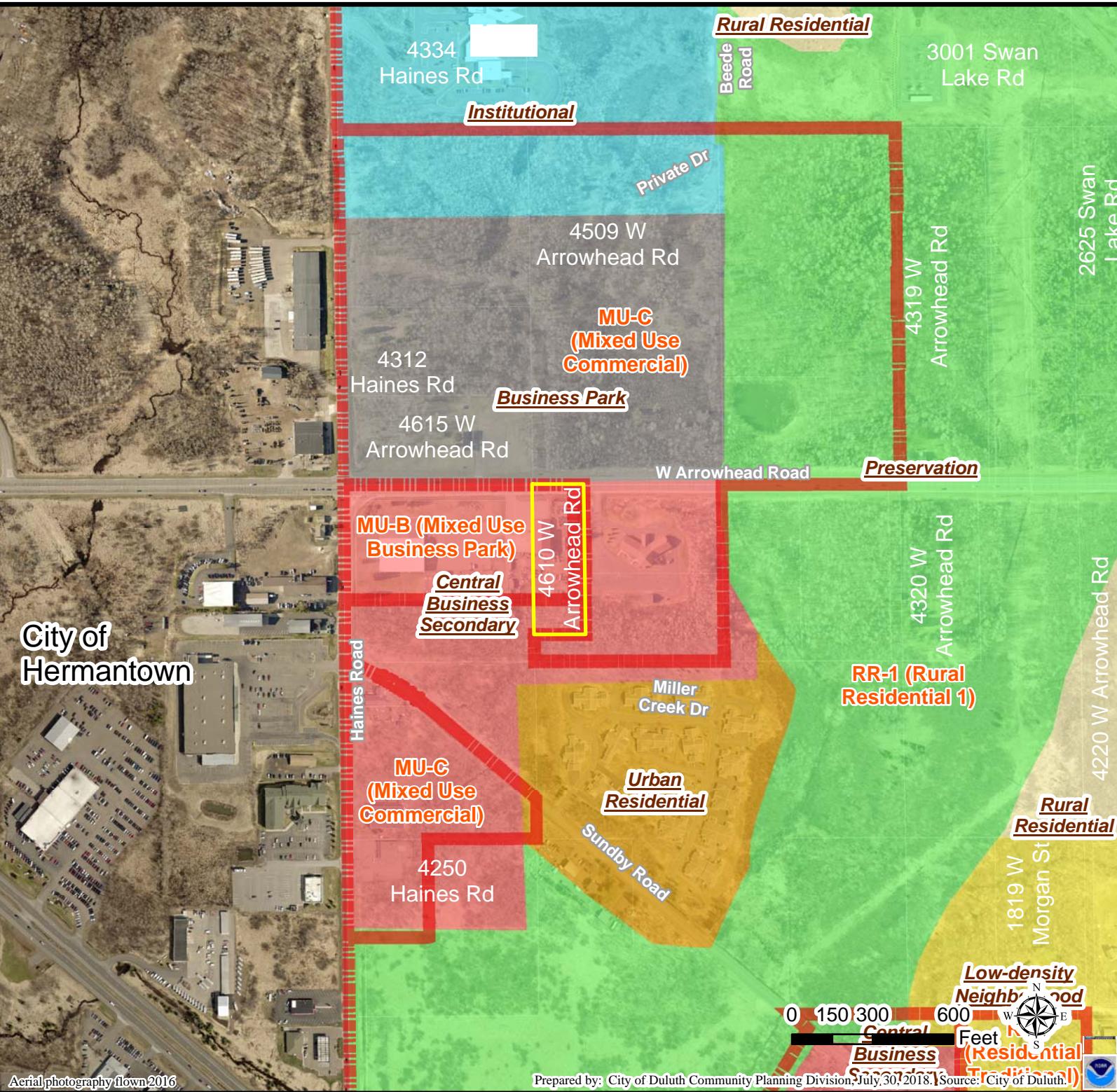
- 1) The rezoning is consistent with the comprehensive plan.
- 2) The proposed zone district is reasonably able to implement the objectives of the Comprehensive Plan related to the proposed land use for this area.
- 3) Material adverse impacts on nearby properties are not anticipated.



PL 18-095
Map Amendment
4610 W Arrowhead Rd

Legend

- Zoning Boundaries
- Future Land Use**
 - Preservation
 - Preservation/Outside Duluth
 - Recreation
 - Recreation/Outside Duluth
 - Rural Residential
 - Low-density Neighborhood
 - Traditional Neighborhood
 - Urban Residential
 - Neighborhood Commercial
 - Auto Oriented Commercial
 - Central Business Secondary
 - Central Business Primary
 - Large-scale commercial
 - Tourism/Entertainment District
 - Commercial Waterfront
 - General Mixed Use
 - Neighborhood Mixed Use
 - Light Industrial
 - General Industrial
 - Industrial Waterfront
 - Business Park
 - Transportation and Utilities
 - Transportation and Utilities/Outside Duluth
 - Medical District
 - Institutional





Legend

Zoning Boundaries

- Gas Main
- Water Main



Sanitary Sewer Mains

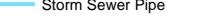
- CITY OF DULUTH
- WLSSD; PRIVATE



- Storage Basin
- Pump Station

Storm Sewer Mains

- Storm Sewer Pipe



Floodplain (UDC)

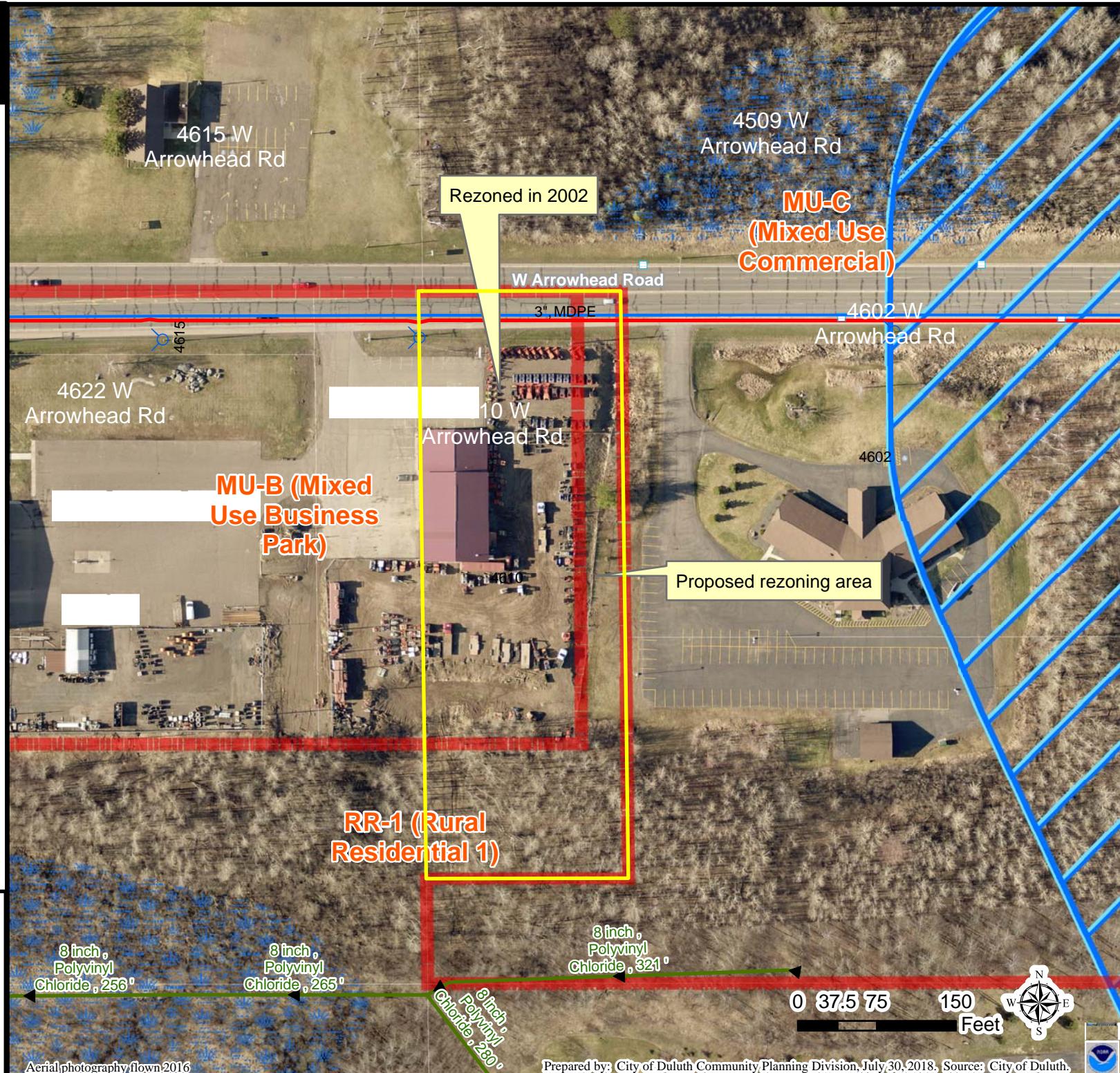
- General Flood Plain
- Flood Way



Shoreland (UDC)

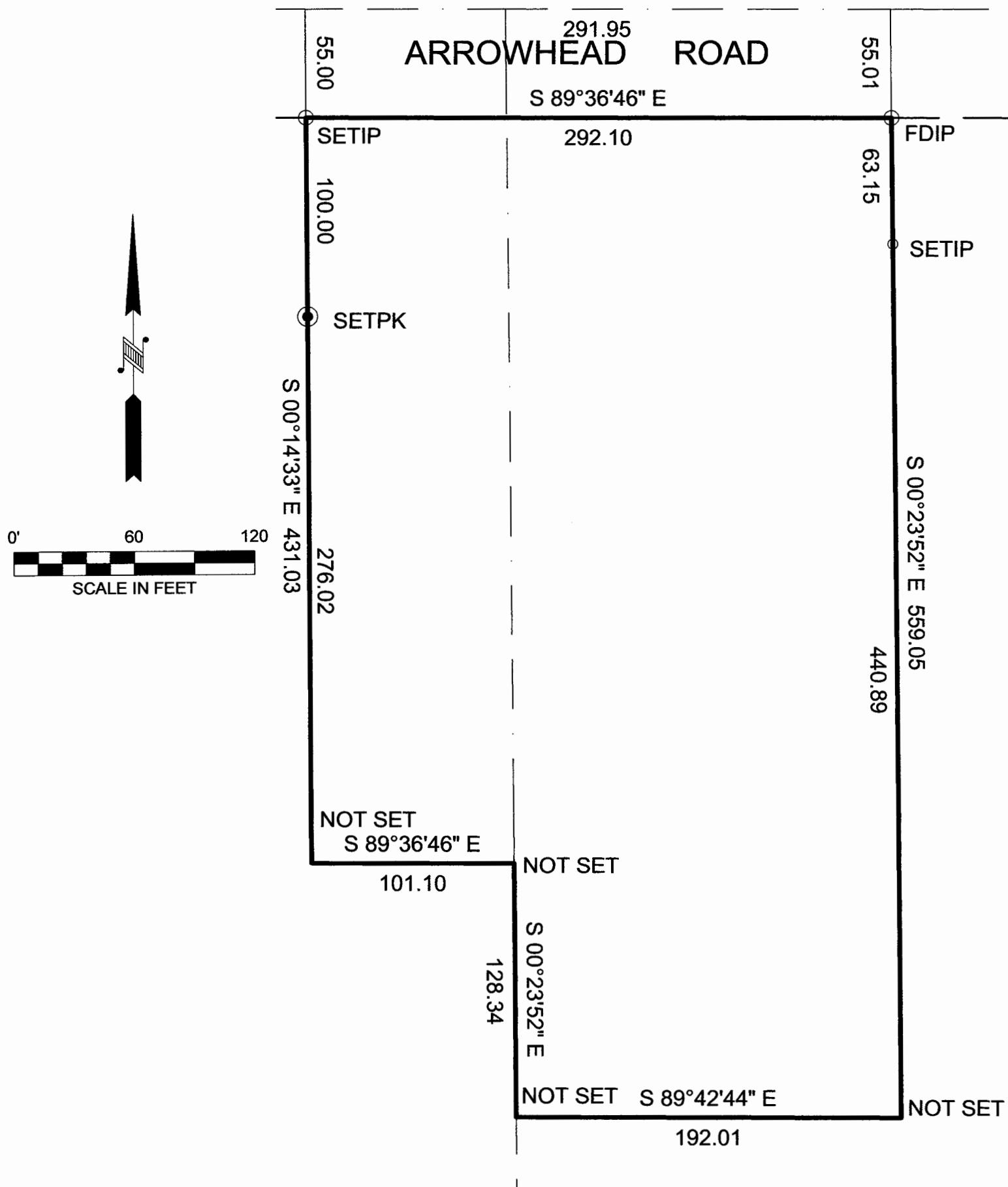
- Cold Water
- Natural Environment
- General Development
- Trout Stream (GPS)
- Other Stream (GPS)
- Wetlands (NRRI)

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.



**CERTIFICATE OF SURVEY
FOR: MATT MAHONEY**

S 89°36'46" E



LEGAL DESCRIPTION

The North 431.00 feet of the Northwest Quarter of the Northwest Quarter of the Northwest Quarter of Section 18, Township 50, Range 14, EXCEPT the Westerly 602.35 feet thereof.

Also the Westerly 192.00 feet of the Northeast Quarter of the Northwest Quarter of the Northwest Quarter Section 18, Township 50, Range 14 EXCEPT the Southerly 100.00 feet thereof, all in St. Louis County Minnesota.

THIS SURVEY HAS BEEN PREPARED WITHOUT BENEFIT OF A TITLE COMMITMENT OR TITLE OPINION. A TITLE SEARCH FOR RECORDED OR UNRECORDED EASEMENTS WHICH MAY BENEFIT OR ENCUMBER THIS PROPERTY HAS NOT BEEN COMPLETED BY RON KRUEGER, LAND SURVEYOR.

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Date: 6-28-18

Date: 29-11-1998
Ronald J. Krueger
Ronald J. Krueger MN License No. 14274

RON KRUEGER
Land Surveyor
7066 HIGHWAY 8
SAGINAW, MN 55779
Phone: 218-390-4030

Site Photos

4610 W Arrowhead Rd

