



**Planning & Development Division**  
*Planning & Economic Development Department*

Room 160  
 411 West First Street  
 Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

|                      |                              |  |                        |                   |
|----------------------|------------------------------|--|------------------------|-------------------|
| File Number          | PL 23-032                    | Contact  | Jenn Moses             |                   |
| Type                 | UDC Map Amendment            | Planning Commission Date   |                        | March 14, 2023    |
| Deadline for Action  | Application Date             | N/A  | 60 Days                | N/A               |
|                      | Date Extension Letter Mailed | N/A  | 120 Days               | N/A               |
| Location of Subject  |                              | South of W 1 <sup>st</sup> Street, Between 19 <sup>th</sup> Avenue W and 20 <sup>th</sup> Avenue W                     |                        |                   |
| Applicant            | City of Duluth               | Contact  |                        |                   |
| Agent                |                              | Contact  |                        |                   |
| Legal Description    |                              | Parcels 010-1120-05620, 010-1120-05560, 010-1120-05560, 010-1120-05520, 010-1120-05540, 010-1120-05541, 010-1120-05550 |                        |                   |
| Site Visit Date      |                              | February 27, 2023  | Sign Notice Date       | February 28, 2023 |
| Neighbor Letter Date |                              | February 27, 2023  | Number of Letters Sent | 53                |

**Proposal**

UDC Map Amendment (rezoning) to change the zoning of one-half block from Mixed Use-Business (MU-B) to Form District 5 (F-5).

**Staff Recommendation**

Staff recommend that the Planning Commission recommend approval of the rezoning amendment to the City Council.

|                | <b>Current Zoning</b> | <b>Existing Land Use</b>      | <b>Future Land Use Map Designation</b> |
|----------------|-----------------------|-------------------------------|--|
| <b>Subject</b> | MU-B                  | Vacant, Commercial            | Central Business Secondary             |
| <b>North</b>   | MU-B                  | Residential, Light Industrial | Central Business Secondary             |
| <b>South</b>   | F-5                   | Commercial                    | Central Business Secondary             |
| <b>East</b>    | MU-B                  | Light Industrial              | Central Business Secondary             |
| <b>West</b>    | MU-B                  | Light Industrial              | Central Business Secondary             |

**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 Principle #1 – Reuse previously developed lands:** Directs new investment to sites which have the potential to perform at a higher level than their current state. This strengthens neighborhoods and supports reuse of existing public infrastructure.

**Governing Principle #5 – Promote reinvestment in neighborhoods:** Land use and transportation should foster neighborhood reinvestment,...strengthen neighborhood commercial centers, or diversify residential opportunities that fit the neighborhood's character.

**Future Land Use – Central Business Secondary:** Encompasses a broad range of uses and intensities, such as governmental campuses, retail, entertainment and lodging, and high-density housing. High height and density limits; form-based guidelines; pedestrian-oriented design.

**History:** Most of the site was previously used for a creamery (Kemps), demolished in 2022.

### **Review and Discussion Items:**

Staff finds that:

1. This site was formerly home to the Kemps Creamery, a building that was built in 1914. For many decades, this stretch of W 1<sup>st</sup> Street through Lincoln Park has been primarily industrial in nature, and the current zone district of MU-B has been appropriate for these types of uses.
2. As noted in the 2015 *Lincoln Park Small Area Plan*, "the area is slowly transitioning from more intensive land use activity such as industrial and manufacturing to a neighborhood and destination commercial use." As manufacturing industries have declined, Lincoln Park has reinvented itself with new businesses and craft industries. The sale of the Kemps Creamery site and subsequent building demolition continues this trend of land use transition.
3. The Minnesota Planning Act provides that zoning (an "official control") should implement the general objectives of the Comprehensive Plan. The comprehensive plan future land use designates this area as Central Business Secondary; as noted above, Central Business Secondary includes a broad range of uses and form-based design standards. This is consistent with the proposed zone district of F-5.
4. The property owners for majority of the area have expressed interest in finding a developer to redevelop the site with uses that will complement the mix of housing and commercial in the Lincoln Park Craft District. Building Types allowed in the F-5 district include Main Street Building II, Corridor Building II, and Iconic. The maximum height for these buildings is 55'.
5. Form districts require that buildings adhere to a build-to zone along primary streets. As part of this rezoning, Staff recommends that 19<sup>th</sup> and 20<sup>th</sup> Avenues be considered primary streets; the avenues are the narrowest dimensions of the lots, which also meets the UDC definition of lot frontage, and the avenues provide the key pedestrian circulation that connect to W Superior Street and the center of this form district.
6. This amendment will not create material adverse impacts on nearby properties; the F-5 district matches zoning to the south and requires a high degree of pedestrian-oriented design; UDC development standards such as landscaping, trash, screening, etc. will also apply to any future development.
7. No public, agency, or City comments were received.

**Staff Recommendation:**

Based on the above findings, staff recommends to Planning Commission the UDC Map Amendment be recommended for approval by City Council for the following reasons:

- 1) This proposal is consistent with the Comprehensive Land Use Plan.
- 2) The proposed amendment is consistent with the future land use category of “Central Business Secondary.”
- 3) Material adverse impacts on nearby properties are not anticipated.





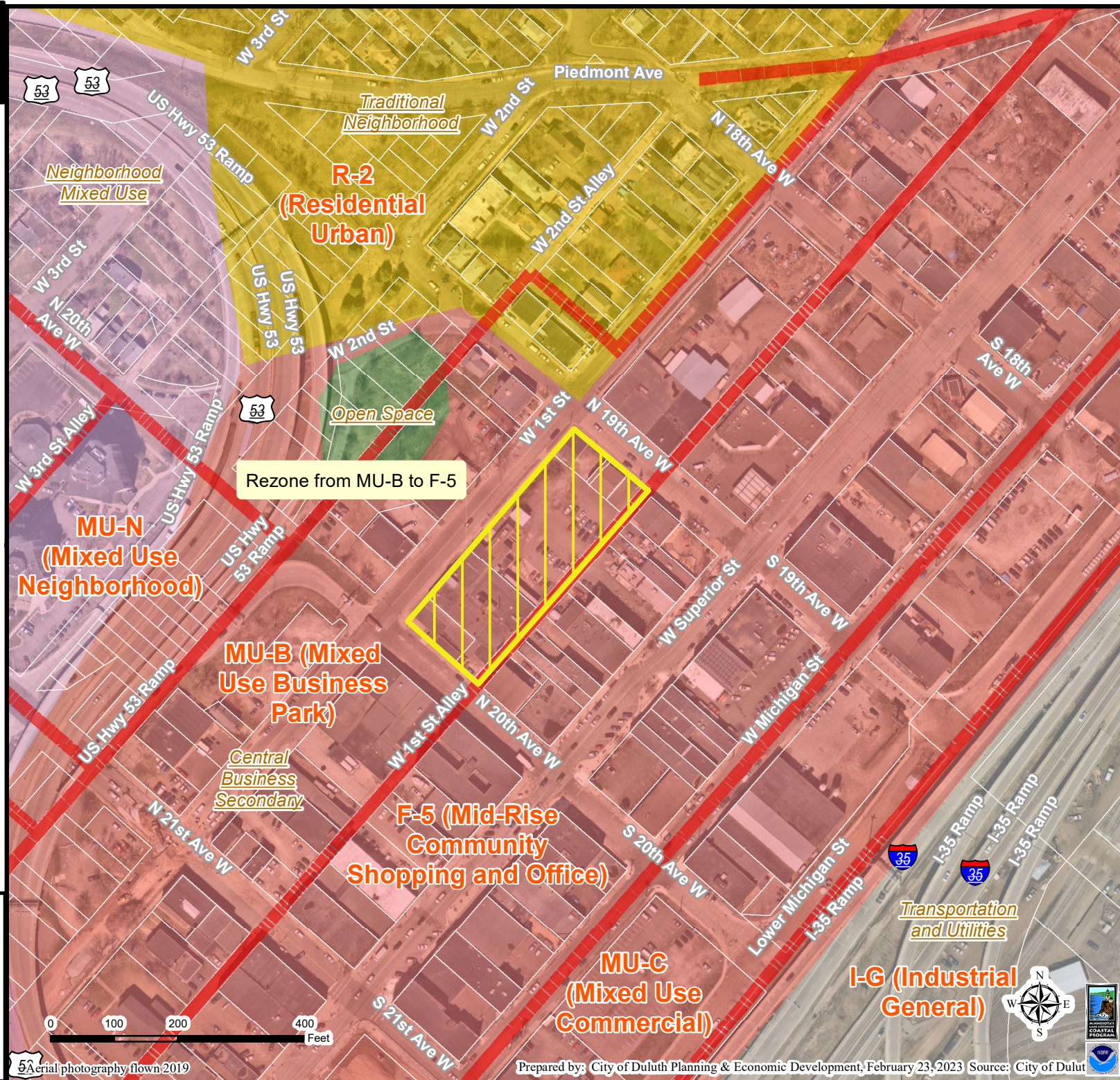
PL 23-032  
Rezone MU-B to F-5  
1900 Blk W 1st St

Legend

Zoning Boundaries

Future Land Use Plus

- Open Space
- Open Space/Outside Duluth
- Rural Residential
- Low-density Neighborhood
- Traditional Neighborhood
- Urban Residential
- Neighborhood 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



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.

59 Aerial photography flown 2019

Prepared by: City of Duluth Planning & Economic Development, February 23, 2023 Source: City of Duluth