



Planning & Development Division
Planning & Economic Development Department

Room 160
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 Duluth, Minnesota 55802



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File Number	PL 23-129		Contact	Jenn Moses	
Type	UDC Map Amendment		Planning Commission Date		September 10, 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 Redruth Street and north of Sherburne Street, between S 63 rd Avenue W and S 64 th Avenue W			
Applicant	One Roof Community Housing/City of Duluth		Contact		
Agent			Contact		
Legal Description		Parcels 010-2320-01850, 010-2320-01840, 010-2320-01810, 010-2320-01790, 010-2320-01780, 010-2320-001760, 010-2320-01740, 010-2320-01720, 010-2320-01680, 010-2320-01660, 010-2320-01650, 010-2320-01640			
Site Visit Date		September 29, 2023	Sign Notice Date		September 26, 2023
Neighbor Letter Date		September 22, 2023	Number of Letters Sent		21

Proposal

UDC Map Amendment (rezoning) to change the zoning of one-half block from Mixed Use-Business (MU-B) to Mixed Use-Neighborhood (MU-N).

Staff Recommendation

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

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	MU-B	Vacant, Residential	Neighborhood Mixed Use
North	MU-B	Commercial	Neighborhood Mixed Use
South	MU-B	Railroad	General Mixed Use
East	R-1	Railroad, Residential	Traditional Neighborhood
West	MU-B	Residential, Commercial	Neighborhood Mixed Use

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 – Neighborhood Mixed Use: A transitional use between more intensive commercial uses and purely residential neighborhoods.

Review and Discussion Items:

Staff finds that:

1. The area proposed for rezoning was initiated with an application by One Roof Community Housing, which owns parcel 010-2320-01660 and, as part of housing initiatives by both One Roof and the City of Duluth, plans to use the parcel to build a single-family home.
2. The anticipated reuse of the -01660 site by One Roof, while not part of this application, is consistent and congruent with the existing neighborhood and the proposed zoning district.
3. Upon review, the City of Duluth proposes to rezone the area bordered by the railroad, Sherburne Street, and 64th Avenue W, as several other single-family homes exist in this area that are non-conforming uses in the existing MU-B zone district. As non-conforming uses, owners would not be allowed any expansions or enlargements in the existing zone district. The rezoning will improve the owners' process for reinvestment in their properties and the neighborhood, if desired and appropriate.
4. The existing lot configuration and the existing built improvements on the affected parcels are inconsistent with MU-B zoning, and pre-date it.
5. 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 Neighborhood Mixed Use. The MU-N zone district allows the single-family housing that exists and is proposed in the area, and is consistent with the Comprehensive Plan.
6. This amendment will not create material adverse impacts on nearby properties; in fact, it will allow residential properties in the area to continue and ensure that any new development in this area is more consistent with these uses than would be permitted under the current MU-B zoning.
7. No public, agency, or City comments were received.

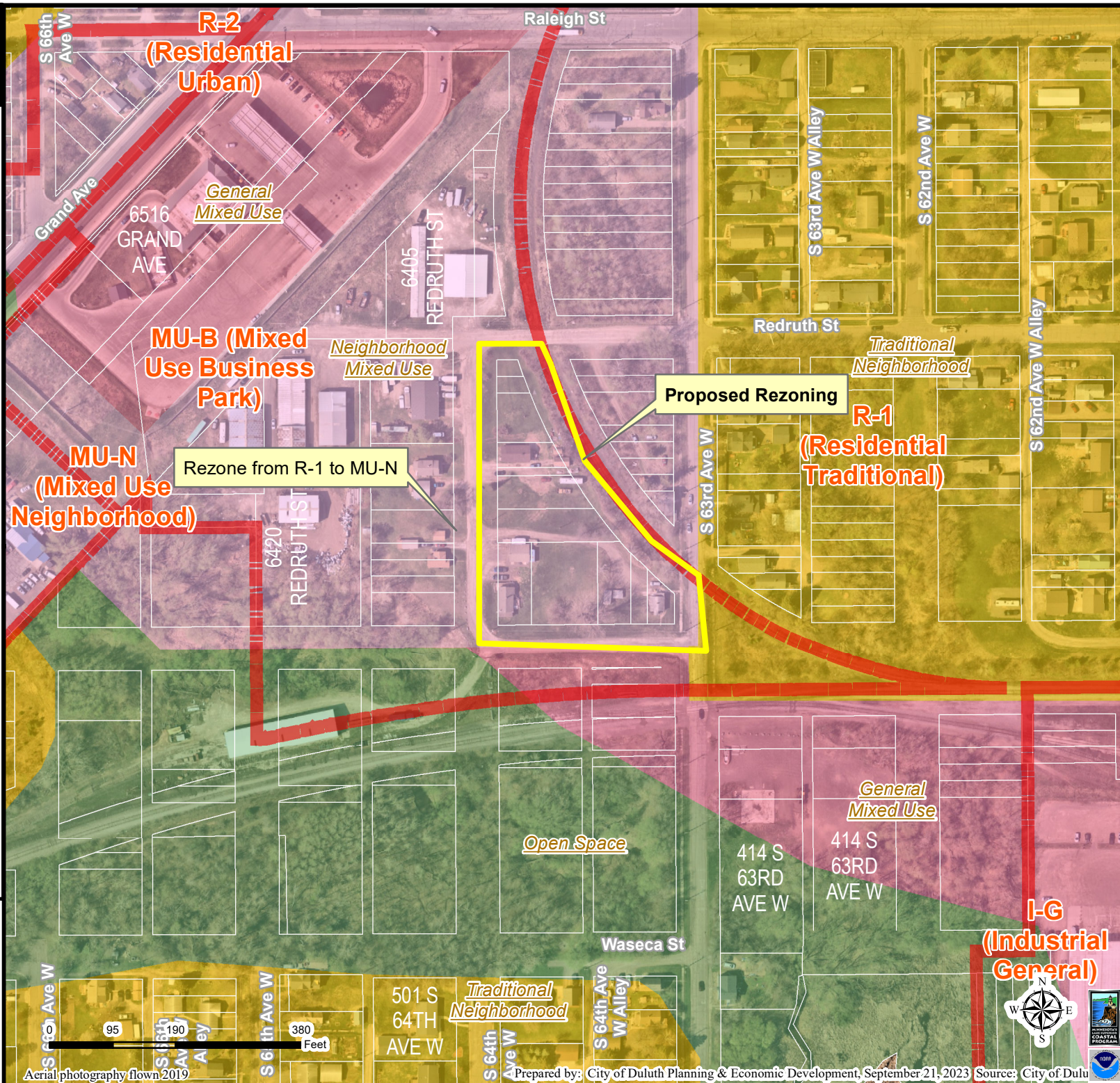
Staff Recommendation:

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 "Neighborhood Mixed Use."
- 3) Material adverse impacts on nearby properties are not anticipated.



PL 23-129
UDC Map Amendment
Sherburne & 64th Ave W



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Aerial photography flown 2019

Prepared by:

City of Duluth Planning & Economic Development, September 21, 2023

Source: City of Duluth



Legend

- Road or Alley ROW
- ☒ Vacated ROW
- Easement Type**
 - Utility Easement
 - Other Easement
- Floodplain (UDC)**
 - General Flood Plain
 - Flood Way
 - Flood Fringe

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