Council Agenda Item 26-0673R

MEETING DATE:

SUBJECT/TITLE: RESOLUTION VACATING A PORTION OF RIGHT-OF-WAY ALONG 18 ½ AVENUE WEST BETWEEN WEST 4TH STREET AND WEST 5TH STREET, IN THE PLAT OF MYERS REARRANGEMENT OF BLOCKS 105-106-127-128 & 142 IN DULUTH PROPER SECOND DIVISION.

SUBMITTED BY: Jenn Moses, Land Use Supervisor

RECOMMENDATION: Approve

BOARD/COMMISSION/COMMITTEE RECOMMENDATION: Planning Commission

PREVIOUS COUNCIL ACTION: N/A

BACKGROUND: The resolution is to vacate an unimproved street right-of-way. The applicant is requesting to vacate 18 ½ Avenue West in the Myers Rearrangement of Blocks 105-106-127-128 & 142 in Duluth Proper Second Division as described in the attached exhibit. The City Engineering office has reviewed the proposed vacation and has indicated it does not expect to need the area for future utilities or drainage, or for the safe and efficient circulation of automobiles and pedestrians. The City has determined it will not be needed by the City for the promotion of public health, safety, or welfare of the citizens of Duluth. Vacating the right of way will not impact or deny access to other property owners. The property owner requests this vacation to consolidate a collection of parcels on both sides of the right-of-way.

At its regular meeting on July 14, 2026, the planning commission held a public hearing on the proposed vacation (Exhibit A), reviewed staff report findings and conclusions associated with the vacation request (Exhibit B), Staff Report (File No. PLVAC-2605-0003), and discussed and deliberated the matter as a commission. The planning commission considered a motion to recommend to city council to approve the vacation request with the motion passing on a vote of 8 yeas, 0 nays and 0 abstentions.

Having reviewed and considered the Application and conducted a public hearing, the planning commission recommends that the city council approve the vacation of right-of-way with the conditions stated for the following reasons:

1) This proposal is reasonably related to the overall needs of the community, to existing land use, or to a plan for future land use;
2) This proposal is required by public necessity, convenience, or general welfare, or good zoning practice; and;
3) Material adverse impacts on nearby properties are not anticipated or will be mitigated.

BUDGET/FISCAL IMPACT: N/A

OPTIONS: Approve or deny the vacation application

NECESSARY ACTION: Not Applicable

ATTACHMENTS:

- Exhibit A – Exhibit/Legal Description
- Exhibit B – Staff Report and Conclusions