



## Legislation Details (With Text)

**File #:** 17-064-O **Name:**  
**Type:** Ordinance **Status:** Passed  
**File created:** 11/21/2017 **In control:** Planning and Economic Development  
**On agenda:** 12/4/2017 **Final action:** 12/11/2017  
**Title:** AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO RECLASSIFY PROPERTY IN THE GENERAL AREA OF THE UNIVERSITY OF MINNESOTA (UMD) CAMPUS AT 1049 UNIVERSITY DRIVE, FROM R-1 AND R-2 TO MU-I AND R-C.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Attachment 1, 2. Attachment 2, 3. Attachment 3

Date	Ver.	Action By	Action	Result
12/11/2017	1	City Council	adopted	
12/4/2017	1	City Council	read for the first time	

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO RECLASSIFY PROPERTY IN THE GENERAL AREA OF THE UNIVERSITY OF MINNESOTA (UMD) CAMPUS AT 1049 UNIVERSITY DRIVE, FROM R-1 AND R-2 TO MU-I AND R-C.

**CITY PROPOSAL:**

The city of Duluth does ordain:

Section 1. That the subject properties between West College Street and Worth Street, and Brainerd Avenue and Woodland Avenue, as shown as Area A in Attachment 1, and as more particularly described as follows:

010-0590-00010

010-2710-03722, excluding the area northwesterly of Junction Avenue

010-3360-02510

010-3370-00010

The southern 656 feet of 010-3570-02410

010-4280-00410

010-4280-01970

010-4280-02140

That portion southerly of a line 100 feet northwesterly of Junction Avenue of 010-4290-00010

010-4290-00490

010-4344-00010

010-4344-00260

be rezoned from Residential-Traditional (R-1) and Residential-Urban (R-2) to Mixed-Use Institutional (MU-I).

Section 2. That the subject properties south of West Arrowhead Road, as shown as Area B in Attachment 1, and as more particularly described as follows:

010-2710-03250

010-2710-03722, excluding the areas southeasterly of Junction Avenue

010-3570-01410, excepting the southern 175 feet

010-3570-02410

010-4290-00010, excepting the southern 645 feet

010-4345-00470

010-3570-02410, excepting the southern 656 feet

010-4347-00110

be rezoned from Residential-Traditional (R-1) and Residential-Urban (R-2) to Rural-Conservation (R-C).

Section 3. That the subject properties near the intersection of West College Street and Junction Avenue, as shown as Area C in Attachment 1, and as more particularly described as follows:

010-2710-03790

010-2710-03880

010-4280-00010

be rezoned from Residential-Urban (R-2) to Mixed-Use Institutional (MU-I).

Section 4. That the official zoning map of the city of Duluth as referenced in Chapter 50 of the Duluth City Code, 1959, is amended to read as shown in Attachment 1.

Section 5. That this ordinance shall take effect and be in force 30 days from and after its passage and publication.

STATEMENT OF PURPOSE: This ordinance provides a zoning change from Residential-Traditional (R-1) and Residential-Urban (R-2) to Mixed Use-Institutional (MU-I) and Rural-Conservation (R-C) for several parcels in and near the UMD campus. This rezoning will update the City's zoning map to more clearly reflect the actual usage of the subject areas (institutional and recreation land uses) rather than what is currently reflected by the R-2 designation. This rezoning does not impact, amend, or alter UMD's authority as a land grant college or the LAWCON designation for Bagley Nature Area; it simply updates the city's zoning map.

This rezoning action is being done by the city of Duluth to address a discrepancy between the zoning map and the future land use map, and it is not in anticipation of any specific potential development, proposal, or project. The city is amending the zoning map throughout the city, and this is one of the many zoning projects, both large and small, being proposed to the planning commission over the next several months prior to the public hearing and adoption process for the Imagine Duluth 2035 Comprehensive Plan.

Based on the future land use designation of the subject property, purpose statements of the R-C, R-1, R-2, and MU-I zone districts, current land use of the subject property, and the character of the surrounding properties in the neighborhood, rezoning to MU-I and R-C is appropriate for this subject area.

On November 14, 2017, the Duluth city planning commission held a public hearing on the proposal as shown in Attachment 2, and voted 5 yeas, 0 nays, 0 abstentions, and 4 commissioners absent to recommend that the city council approve the rezoning requested for the following reasons:

- 1) The rezoning is generally consistent with the Comprehensive-Plan Future Land Use Map.
- 2) Material adverse impacts on nearby properties are not anticipated.

As the rezoning is from a residential district to a mixed use district, a motion to approve must prevail with an affirmative vote of 2/3 of the city council (per 50-37.3.B.3).

Petitioner:

City of Duluth

PL 17-165