# Legislation Details (With Text)

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| **File #:** | 21-026-O | **Name:** | |
| **Type:** | Ordinance | **Status:** | Passed |
| **File created:** | 7/9/2021 | **In control:** | Planning and Economic Development |
| **On agenda:** | 7/19/2021 | **Final action:** | 8/23/2021 |
| **Title:** | AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO RECLASSIFY PROPERTY AT 6920 GRAND AVENUE FROM RESIDENTIAL-TRADITIONAL (R-1) TO MIXED USE-NEIGHBORHOOD (MU-N). | | |
| **Sponsors:** | | | |
| **Indexes:** | | | |
| **Code sections:** | | | |
| **Attachments:** | 1. Attachment 1, 2. Attachment 2 | | |

| Date | Ver. | Action By | Action | Result |
|---|---|---|---|---|
| 8/23/2021 | 1 | City Council | adopted | |
| 8/16/2021 | 1 | City Council | tabled | |
| 7/19/2021 | 1 | City Council | read for the first time | |

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO RECLASSIFY PROPERTY AT 6920 GRAND AVENUE FROM RESIDENTIAL-TRADITIONAL (R-1) TO MIXED USE-NEIGHBORHOOD (MU-N).

CITY PROPOSAL:

The city of Duluth does ordain:

Section 1. That the subject property at 6902 Grand Avenue, and as depicted in Attachment 1, and as more particularly described as follows:

010-2420-02070 and 010-2420-02120

be rezoned from Residential-Traditional (R-1) to Mixed Use-Neighborhood (MU-N).

Section 2. 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 3. 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) Mixed Use-Neighborhood (MU-N).

This property has been historically used for small manufacturing or commercial uses. In 1998 it was rezoned to a residential zone district, but the use of the property continued to be for small manufacturing or commercial. The property is currently used as a commercial use, specifically vehicle repair and maintenance, and there is a desire to expand the current business on site. However, as this commercial business is considered a non-conforming use in a residential zone district, expansion is not possible. Based on the development history of this site and adjacent properties, a rezoning to a district that would support limited

commercial use is appropriate, especially considering this property is located between a major road and a railroad and due to noise and light concerns has little realistic possibility for future new residential development or residential use.

Rezoning this from R-1 to MU-N would allow the current business to expand. A vehicle repair and maintenance use in the MU-N district does require a special use permit, however, so any future expansion would need to be reviewed and approved by the planning commission.

This proposed rezoning would change this property from a residential district to a mixed use district, per 50-37.3.B.3(a). However, the applicant did submit a petition and written consent of over 2/3 of the owners of properties within 100 feet of the property to be rezoned.

On June 8, 2021 the Duluth city planning commission held a hearing on the proposal as described in Attachment 2, and voted 9 yeas, 0 nays, 0 abstention, to recommend that the city council approve the rezoning requested for the following reasons:

1) Material adverse impacts on nearby properties are not anticipated.

Petitioner: City of Duluth

PL 21-068



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