



## Legislation Details (With Text)

<b>File #:</b>	22-006-O	<b>Name:</b>	
<b>Type:</b>	Ordinance	<b>Status:</b>	Passed
<b>File created:</b>	1/13/2022	<b>In control:</b>	Planning and Economic Development
<b>On agenda:</b>	1/24/2022	<b>Final action:</b>	2/14/2022
<b>Title:</b>	AN ORDINANCE AMENDING THE R-P ZONE REGULATING PLAN FOR RAMSEY VILLAGE AFFECTING FIVE LOTS ON THE WEST SIDE OF NORTH 53RD AVENUE WEST NORTH OF RAMSEY STREET AND FIVE LOTS ON THE EAST SIDE OF 54TH AVENUE WEST NORTH OF RAMSEY STREET TO REPLACE THE CURRENTLY ALLOWED BUILDING TYPES WITH BUILDING TYPES I, VI, AND VII THAT ALLOW ONE-FAMILY DETACHED RESIDENTIAL STRUCTURES, FOUR-UNIT MULTI-FAMILY RESIDENTIAL STRUCTURES, AND EIGHT-UNIT MULTI-FAMILY RESIDENTIAL STRUCTURES.		

**Sponsors:**

**Indexes:**

**Code sections:**

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

Date	Ver.	Action By	Action	Result
2/14/2022	1	City Council	adopted	Pass
1/24/2022	1	City Council	read for the first time	

AN ORDINANCE AMENDING THE R-P ZONE REGULATING PLAN FOR RAMSEY VILLAGE AFFECTING FIVE LOTS ON THE WEST SIDE OF NORTH 53<sup>RD</sup> AVENUE WEST NORTH OF RAMSEY STREET AND FIVE LOTS ON THE EAST SIDE OF 54<sup>TH</sup> AVENUE WEST NORTH OF RAMSEY STREET TO REPLACE THE CURRENTLY ALLOWED BUILDING TYPES WITH BUILDING TYPES I, VI, AND VII THAT ALLOW ONE-FAMILY DETACHED RESIDENTIAL STRUCTURES, FOUR-UNIT MULTI-FAMILY RESIDENTIAL STRUCTURES, AND EIGHT-UNIT MULTI-FAMILY RESIDENTIAL STRUCTURES.

**CITY PROPOSAL:**

The city of Duluth does ordain:

Section 1. After reviewing the Planning Commission File PL-21-209 and the record pertaining thereto and based on the recommendation of the Planning Commission at its meeting of January 11, 2022, the City Council hereby finds that the application:

- A. Is consistent with the Comprehensive Land Use Plan;
- B. Is reasonably related to the overall needs of the community, to existing land use, or to a plan for future land use;
- C. Is required by public necessity, convenience, or general welfare, or good zoning practice; and.
- D. Will not create material adverse impacts on nearby properties.

Section 2. That the Residential-Planned (R-P) Zone District Regulating Plan for Ramsey Village, as it relates to the subject property located on the west side of North 53<sup>rd</sup> Avenue West north of Ramsey Street, be amended to replace the currently allowed Type I (Village House), and Type IV (Townhouse) Buildings with

Type I (Village House), Type VI (Four-Unit Apartment), and Type VII (Eight-Unit Apartment) Buildings on the subject property shown in Attachment 1 and described as follows:

Southerly 12 ½ feet of Lot 2 and all of Lots 3 through 6, inclusive, Block 3, in the plat of West Duluth First Division.

Section 3. That the Residential-Planned (R-P) Zone District Regulating Plan for Ramsey Village, as it relates to the subject property located on the east side of North 54<sup>th</sup> Avenue West north of Ramsey Street, be amended to replace the currently allowed Type II (Detached Single-Family House), Type III (Twin House) Buildings with Type I (Village House), Type VI (Four-Unit Apartment), and Type VII (Eight-Unit Apartment) Buildings on the subject property shown in Attachment 1 and described as follows:

Southerly 12 ½ feet of Lot 9 and all of Lots 10 through 13, inclusive, Block 4, in the plat of West Duluth First Division.

Section 4. That this ordinance shall take effect and be in force 30 days from and after its passage and publication.

STATEMENT OF PURPOSE: The ordinance is to change the structures allowed for two areas consisting of five lots each located on the block in the Ramsey Village neighborhood bounded by 53<sup>rd</sup> Ave. W., 54<sup>th</sup> Ave. W., Ramsey St. and Wadena St. from allowing primarily one and two-family dwellings and townhouses to allow one-family detached dwellings, four-unit apartment dwellings, and eight-unit apartment dwellings.

This property is zoned R-P Residential-Planned and has a previously adopted regulating plan governing uses and structures in the R-P zoned property. The applicant is requesting a change to the allowed structures and uses in the existing regulating plan which, according to Section 50-14.7.J of the Duluth Legislative Code, requires approval by the city council through the rezoning process provided for in Section 50-37.11.

On January 11, 2022, the Duluth city planning commission held a public hearing on the proposed regulating plan amendment and considered the findings in the staff report with file number PL 21-209 (Attachment 2) and voted 7 yeas, 0 nays, 0 abstentions, to recommend that the city council approve the regulating plan amendment requested for the following reasons:

- 1) The proposal is consistent with the Comprehensive Plan Future Land Use Map classification of Urban Residential.
- 2) Material adverse impacts on nearby properties are not anticipated as the applicant has constructed four- and eight-unit structures of similar design and appearance in the immediate neighborhood.

The motion to approve an amendment to the concept by the city council must prevail with a simple majority.

If approved, the overall zoning designation of R-P (Residential-Planned) will remain for this area. There will be no change to the City of Duluth official zoning map; the changes will be noted in the files related to the Ramsey Village R-P Regulating Plan.

Date of application: December 15, 2021

Action deadline: April 14, 2022

