



Legislation Text

File #: 17-006-O, **Version:** 1

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO PROVIDE FOR THE RECLASSIFICATION OF PROPERTY ALONG GRAND AVENUE AND SOUTH OF WARWICK STREET FROM R-1, R-2, MU-N, AND I-G TO MU-P.

CITY PROPOSAL:

The city of Duluth does ordain:

Section 1. That land described as follows:

Ironton First Division Block 19 Lots 6 to 39, and Ironton First Division, Block 10, Lots 13 to 24, be rezoned from Residential-Traditional (R-1) to Mixed Use-Planned (MU-P)

Ironton First Division Block C, Lots 3 to 16, Block D Lots 6 to 16, and Block H Lots 8 to 16, be rezoned from Residential-Urban (R-2) to Mixed Use-Planned (MU-P)

Ironton First Division Block 10, Lots 1 to 12, Block 12, Block A, Block B, Block E, Block F, Block G, Outlot 2, and Governmental Lot Section 23 PIN 010-2746-00237, be rezoned from Mixed Use-Neighborhood (MU-N) to Mixed Use-Planned (MU-P)

Ironton First Division Block I Lots 8 to 16, and Block J, be rezoned from Industrial-General (I-G) to Mixed Use-Planned (MU-P)

and 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 the attached document.

Section 2. 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 R-1, R-2, MU-N, and I-G to MU-P for the lands adjacent to Grand Avenue and south of Warwick Street for the proposed Kayak Bay development. The Mixed Use-Plan (MU-P) zone district allows for more flexibility for development than traditional zone districts.

Following the approval of a rezoning ordinance by the city council, MU-P districts must submit a detailed Regulating Plan for approval by the Land Use Supervisor. Requirements of the Regulating Plan are listed in UDC Section 50-15.7.E and 50-15.7.F. The Regulating Plan must be consistent with the Concept Plan and must be approved before any building permits can be issued for the property. The developer is proposing a mix of 1) residential uses: dwelling, one-two family; dwelling, townhouse; dwelling, Multifamily, rental or condos, 2) commercial uses: retail store less than 15,000 sq ft; office; bank; medical or dental clinic; restaurant less than 5,000 sq ft; garden material sales; and personal service or repair, and 3) mixed uses: retail store less than 15,000 sq ft; bank; office; medical or dental clinic; lodging (hotel or motel); multifamily rental; multi-family condos; restaurant up to 5,000 sq ft or more; garden material sales; personal service or repair; dwelling, one or two family;

townhomes; and convention or event center. Any change to an approved concept plan involving a use, height, or density of a development needs to be approved by the city council through a new rezoning process.

On January 10, 2017, the Duluth city planning commission held a public hearing on the proposal and voted 7 yeas, 0 nays, and 0 abstentions to recommend that the city council approve the rezoning requested for the following reasons:

- 1) the proposed rezoning is able to implement the objectives of the Comprehensive Plan related to the proposed land use for this area.
- 2) The rezoning is consistent with the Comprehensive-Plan Future Land Use Map and the Riverside Small Area Plan.
- 3) Material adverse impacts on nearby properties are not anticipated.

The motion to approve the rezoning must prevail with an affirmative vote of a simple majority by the city council.

Petition Received: August 16, 2016

Action Deadline: April 13, 2017

Petitioner:

Spirit Valley Land Company, LLC
Attn: Brad Johnson
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Chanhassen, MN 55317

PL 16-105