



Legislation Text

File #: 22-022-O, **Version:** 1

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO RECLASSIFY 1.1 ACRES FROM RESIDENTIAL-TRADITIONAL (R-1) TO RESIDENTIAL-URBAN (R-2) AND TO RECLASSIFY 0.7 ACRES FROM R-2 TO R-1 SEVERAL AREAS NEAR THE SOUTHWEST CORNER OF PALM STREET AND BLACKMAN AVENUE.

CITY PROPOSAL:

The city of Duluth does ordain:

Section 1. After reviewing the planning commission File PL-22-060 and the record pertaining thereto and based on the recommendation of the planning commission at its meeting of May 10, 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 Official Zoning Map of the City of Duluth be amended as depicted in Attachment 1 which shows two areas comprising approximately 1.1 acres of land reclassified from Residential-Traditional (R-1) to Residential-Urban (R-2) and the two other areas comprising approximately 0.7 acres of land reclassified from Residential-Urban (R-2) to Residential-Traditional (R-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: The ordinance is to change the zoning of 1.1 acres from Residential-Traditional (R-1) to Residential-Urban (R-2) and to change the zoning of 0.7 acres from Residential-Urban (R-2) to Residential-Traditional (R-1) in order to coincide with proposed development parcel boundaries.

The applicant's property currently consists of a large area of R-2 zoned land with R-1 zoned land to the south, west, and east. The applicant is replatting the property to better fit the apartment building planned for the site that is shaped slightly differently than the current lot configuration and, therefore, the proposed Official Zoning Map Amendment is to adjust the zoning boundaries to match the updated plat's lot boundaries.

Comprehensive Plan Governing Principles listed in the staff report (Attachment 2) encourage the reinvestment in neighborhoods to support commercial centers and diversifying residential opportunities that fit neighborhood

character (#5) and encouraging a mix of uses and densities (#8). The proposed rezoning will result in development of an apartment building on the north

6.6 acres of the property close to transportation infrastructure and in support of adjacent commercial uses while allowing for the transition to lower intensity residential uses on the 7.4 acres of R-1 zoned land.

On May 10, 2022, the Duluth planning commission held a public hearing on the proposed regulating plan amendment and considered the findings in the staff report with file number PL 22-060 (Attachment 2) and voted 5 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 Land Use Plan, including the Future Land Use Map classification of Urban Residential on the subject property.
- 2) This amendment is not anticipated to create material adverse impacts on nearby properties due to the requirements contained in City ordinances including storm water management rules that will require the treatment of all storm water on site and the controlled discharge to Brewery Creek, zoning rules that will require landscape buffers adjacent to residential properties, shielded exterior lighting, and screening of trash and mechanical equipment.

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

Date of application: April 5, 2022

Action deadline: August 3, 2022