



**Council Agenda Item 25-0952R**

**MEETING DATE:** December 15, 2025

**SUBJECT/TITLE:** RESOLUTION VACATING A PORTION OF RIGHT-OF-WAY ALONG SOUTH 29<sup>TH</sup> AVENUE EAST BETWEEN JEFFERSON STREET AND THE EASTERLY PLAT BOUNDARY, IN THE PLAT OF HARRISON'S DIVISION OF DULUTH.

**SUBMITTED BY:** Ben Van Tassel, Planning and Economic Development Director

**RECOMMENDATION:** Approve

**BOARD/COMMISSION/COMMITTEE RECOMMENDATION:** Planning Commission

**PREVIOUS COUNCIL ACTION:** N/A

**BACKGROUND:**

The resolution is to vacate a 0.03-acre portion of the South 29<sup>th</sup> Avenue East right-of-way, between Jefferson Street and the easterly plat line of Harrison's Division of Duluth. The applicant and property owner wishes to vacate to make property improvements and to build a residential addition with proper setbacks. The remaining width of the S 29th Ave E right-of-way will be retained to maintain existing access to the Lakewalk.

At its special meeting on November 12, 2025, the planning commission held a public hearing on the proposed vacation (Exhibit A), reviewed staff report findings and conclusions associated with the vacation request (Exhibit B), Staff Report (File No. PLVAC-2510-0010), and discussed and deliberated the matter as a commission. The planning commission considered a motion to recommend to city council to approve the vacation request with the motion passing on a vote of 6 yeas, 0 nays and 0 abstentions.

Having reviewed and considered the Application and conducted a public hearing, the planning commission recommends that the city council approve the vacation of right-of-way with the conditions stated for the following reasons:

- 1) This proposal is reasonably related to the overall needs of the community, to existing land use, or to a plan for future land use;
- 2) This proposal is required by public necessity, convenience, or general welfare, or good zoning practice; and;
- 3) Material adverse impacts on nearby properties are not anticipated or will be mitigated.

**BUDGET/FISCAL IMPACT:** Development has the potential to increase the tax revenue produced by a property.



**OPTIONS:** Approve or deny the vacation application

**NECESSARY ACTION:** Not Applicable

**ATTACHMENTS:**

- Exhibit A – Exhibit/Legal Description
- Exhibit B – Staff Report Findings and Conclusions