


EXHIBIT C

DEPARTMENT OF PLANNING & CONSTRUCTION SERVICES
Planning Division

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MEMO

To: City Council
From: Keith A. Hamre, Director 
Date: March 3, 2016
Re: Land Conveyance and Conformance with the City's Comprehensive Plan

The City is collaborating with several partners to develop a community garden / greenhouse project near Denfeld High School. As property assembly and various approvals have taken place, the City vacated a portion of unbuilt right-of-way. The City was the adjacent property owner to the vacation and so acquired the former right-of-way. A small portion of one of the school driveways is located on a small strip of the former right-of-way. To allow the school district to have full access to the driveway, the City proposes conveyance of a portion of this parcel to the school district.

Section 2-176 of the City Code, Preconditions of Conveyance, requires that the City's Planning Agency "reviews proposals for conveyance for conformity to the City's comprehensive plan and shall have reported its findings in writing to the Council."

The property is owned by the City of Duluth and is guided for "Neighborhood Commercial" uses in the Comprehensive Plan Future Land Use Map. The sale of this strip of land will not affect the ability of the City to conduct the proposed use on the adjacent parcel, nor will it impede the City's ability to sell the property for alternative purposes at some time in the future should that be necessary. The city conducted an internal review of this strip of property and determined that: (a) the property is not necessary for the city's future needs, (b) the needs of the school district outweigh the importance of the City retaining the strip of land, and (c) the best interests of the citizens of the city will be best served by accomplishing the conveyance. Conveyance of the property will implement the following Comprehensive Plan Principles:

Principle #8 – Encourage a mix of activities, uses, and densities – Cities have evolved as a mix of land uses, building types, housing types, and activities. Accommodating choice while protecting investment is a balance to strike in land use regulations. Mixed Uses provide opportunity for a diversity of activity that segregated, uniform uses do not provide.

Principle #11 – Include consideration for education systems in land use actions – For K-12 and higher education both, there is a connection between land use patterns and educational facilities. School locations in neighborhoods and housing opportunities for higher education students require consideration of impacts on transportation systems, housing densities, parking, and non-student uses.

Principle #5 – Strengthen neighborhoods – The present city is an historical amalgam of villages and other independent units of government, contributing to the present condition of Duluth being strongly defined by its neighborhoods. This condition should be reinforced through land use, transportation, and public service delivery patterns which strengthen neighborhood identity.

After reviewing the proposal, the Planning Agency finds that the proposal implements the principles of the Comprehensive Plan, and is in conformance with it.