

EXHIBIT A



DEPARTMENT OF PLANNING & CONSTRUCTION SERVICES
Planning Division

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MEMO

To: City Council
From: Adam Fulton, Community Planning Manager *AF*
Date: May 13, 2016
Re: Land Conveyance and Conformance with the City's Comprehensive Plan
Parcel 010-2290-01050

The City acquired parcel 010-2290-01050 in 2007 from the state under a conditional use deed "exclusively for street and utility purposes." The City's interest in the property is limited to the deed's specific purpose. There is a risk of losing the property to the state for non-use of the intended purpose, and additional monitoring is required by the State and the City during this time.

Based on recently modified statutory requirements, the City can only use the parcel for "street and utility purposes" for thirty (30) years. This means that the City can freely convey or sell the parcel in 2037 or later. Until then, the City can only use the property for its intended purpose or re-convey the property back to the State. Based on discussions with the City's Engineering Division, there is no intention to use the parcel for these purposes at this time, and it should be reconveyed to the State.

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." This is a small portion of a rectangular residential parcel that was acquired only to use for ROW purposes and must otherwise be combined with the adjacent residential parcel.

The property is owned by the City of Duluth and is guided for "Traditional Neighborhood" uses in the Comprehensive Plan Future Land Use Map. The reconveyance of this strip of land to the State will allow for its combination with the adjacent residential property and the subsequent sale of the tax-forfeit residential property (currently landlocked) to a private property. 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 and (b) 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 Principle:

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.