



Planning & Development Division
Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802

218-730-5580

planning@duluthmn.gov

File Number	PLVAC-2602-0001	Contact	Chris Lee, clee@duluthmn.gov	
Type	Vacation of Slopes and Fills Easement	Planning Commission Date	March 10, 2026	
Deadline for Action	Application Date	February 10, 2026	60 Days	N/A
	Date Extension Letter Mailed	February 12, 2026	120 Days	N/A
Location of Subject	102 West 2nd Street			
Applicant	CHUM	Contact		
Agent	Architecture Advantage	Contact	Anna Ashton	
Legal Description	PIN: 010-0960-00600			
Site Visit Date	February 25, 2026	Sign Notice Date	February 23, 2026	
Neighbor Letter Date	February 18, 2026	Number of Letters Sent	31	

Proposal:

The applicant has requested to vacate a slopes and fill easement along the south side of W 2nd St in the Central Hillside neighborhood.

Recommended Action: Staff recommends that Planning Commission recommend approval to City Council with conditions.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	F-5	Residential care/Parking Lot	Central Business Secondary
North	F-5	Office	Central Business Secondary
South	F-8	Mixed Use	Central Business Primary
East	F-5	Office	Central Business Secondary
West	F-5	Parking Lot	Central Business Secondary

Summary of Code Requirements:

Vacation of public rights of way and/or easements require a Planning Commission public hearing with a Recommendation to City Council. City Council action is to approve or deny by resolution. Resolutions approving either a full or partial vacation require a 6/9's vote of the council.

UCD Sec. 50-37.6.C – The Planning Commission shall review the proposed vacation, and Council shall approve the proposed vacation, or approve it with modifications, if it determines that the street, highway, or easement proposed for vacation:

1. Is not and will not be needed for the safe and efficient circulation of automobiles, trucks, bicycles, or pedestrians or the efficient supply of utilities or public services in the city;
2. Where the street terminates at a waterfront or shoreline, the street is not and will not be needed to provide pedestrian or recreational access to the water;
3. Is not otherwise needed to promote the public health, safety, or welfare of the citizens of Duluth.

Comprehensive Plan Governing Principle and/or Policies and Current History (if applicable):

Future Land Use – Central Business Secondary: An area adjacent to and supporting the central business primary area or a standalone area providing a similar mix of destination land uses but at a lower intensity than the primary Central Business area. Includes mixed regional and neighborhood retail, employment centers, public spaces, medium density residential, and public parking facilities.

History: The slopes and fill easement was platted as a part of Duluth Proper 1st Division West 2nd Street. Slopes and fill easements were common when properties were first being developed, especially in the Hillside neighborhoods. The property has been used by Chum since the 1970s. Currently the area is occupied by a parking lot that serves the CHUM shelter.

Review and Discussion Items:

Staff finds that:

1. The applicant is requesting to vacate a platted slopes and fill easement along the platted and developed W 2nd St, as described in the attached exhibit. All the vacated area is within Lot 18 and 20 of the plat of Duluth Proper 1st Division.
2. A slopes and fill easement allows for activities like excavation and grading to accommodate public infrastructure. Such easements were common in early plats of Duluth to allow for infrastructure in places of steep slopes.
3. The City Engineering office has reviewed the proposed vacation and has indicated it does not expect to need the area for future roadway, utilities, or drainage.
4. The proposed vacation will allow the owner to make property improvements – specifically for the expansion of the Chum Shelter to make way for new programming and increase capacity for individuals and families experiencing homelessness.
5. The easement is no longer needed for the W 2nd St, and the City has determined it will not be needed by the City for the promotion of public health, safety, or welfare of the citizens of Duluth and is not needed for the efficient supply of utilities or public services in the city.
6. A Petition to Vacate Street, Alley, or Easement was requested by the applicant, the sole adjacent owner (CHUM).
7. Vacating the easement will not impact or deny access to other property owners.
8. No city, public or agency comments were received.
9. Vacations of rights of way and easements lapse unless the vacation is recorded with the county recorder within 90 days after final approval. The vacation recording is facilitated by the City of Duluth.

Staff Recommendation:

Based on the above findings, Staff recommends that Planning Commission recommend approval of the vacation with the following conditions:

- 1) The vacation must be recorded within 90 days of final approval by City Council or such approval will lapse.
- 2) The vacation must be approved with a 6/9 vote from City Council.



PLVAC-2602-0001

Vacation of Slopes & Fills Easement
102 W 2nd St

Legend

-  Lots
-  County Parcel Data
-  Zoning Boundaries
-  Road or Alley ROW

Vacation

-  Proposed Vacation Area



Proposed Vacation Area

The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used as one. The drawing/data is a compilation of records, information and data located in various City, County and State offices and other sources affecting the area shown and is to be used for reference purposes only. The City of Duluth shall not be liable for errors contained within this data provided or for any damages in connection with the use of this information contained within.

Aerial Imagery Captured 2025



Prepared by: City of Duluth Planning & Economic Development, February 6, 2026. Source: City of Duluth.



LEGAL DESCRIPTION OF SLOPES AND FILLS EASEMENT VACATION

All that part of Lots 18 and 20, DULUTH PROPER FIRST DIVISION, WEST SECOND STREET according to the recorded plat thereof, St. Louis County, Minnesota described as follows:

Beginning the North most corner of said Lot 18; thence on an assumed bearing of North 90 degrees 00 minutes 00 seconds West, along the Southerly right of way line of West Second Street 100.00 feet the Westerly line of said Lot 20; thence South 00 degrees 00 minutes 00 seconds East, along said Westerly line 8.60 feet; thence South 89 degrees 05 minutes 00 seconds East 50.01 feet; thence North 83 degrees 29 minutes 47 seconds East 50.32 feet to the Easterly line of said Lot 18; thence North 00 degrees 00 minutes 00 seconds West, along said Easterly line 3.70 feet to the point of beginning. Said easement vacation area contains 778 square feet or 0.02 acres.

SURVEYOR'S NOTES

1. PORTION OF LOTS 18 AND 20, DULUTH PROPER FIRST DIVISION, WEST SECOND STREET CONDEMNED BY THE CITY OF DULUTH FOR SLOPE EASEMENT PER INSTRUMENT RECORDED IN THE OFFICE OF THE ST. LOUIS COUNTY RECORDER ON FEBRUARY 7, 1891 IN BOOK C, PAGE 321.
2. THIS IS NOT A BOUNDARY SURVEY.

Approved by the City Engineer of the
City of Duluth, MN this _____ day
of _____ 20__

By _____

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.


David R. Evanson
MN License #49505

DATE:02-02-2026

VACATION EXHIBIT

CLIENT:NCE

REVISIONS:

ADDRESS:102 W 2ND STREET
DULUTH, MN 55802

DATE:02-02-2026

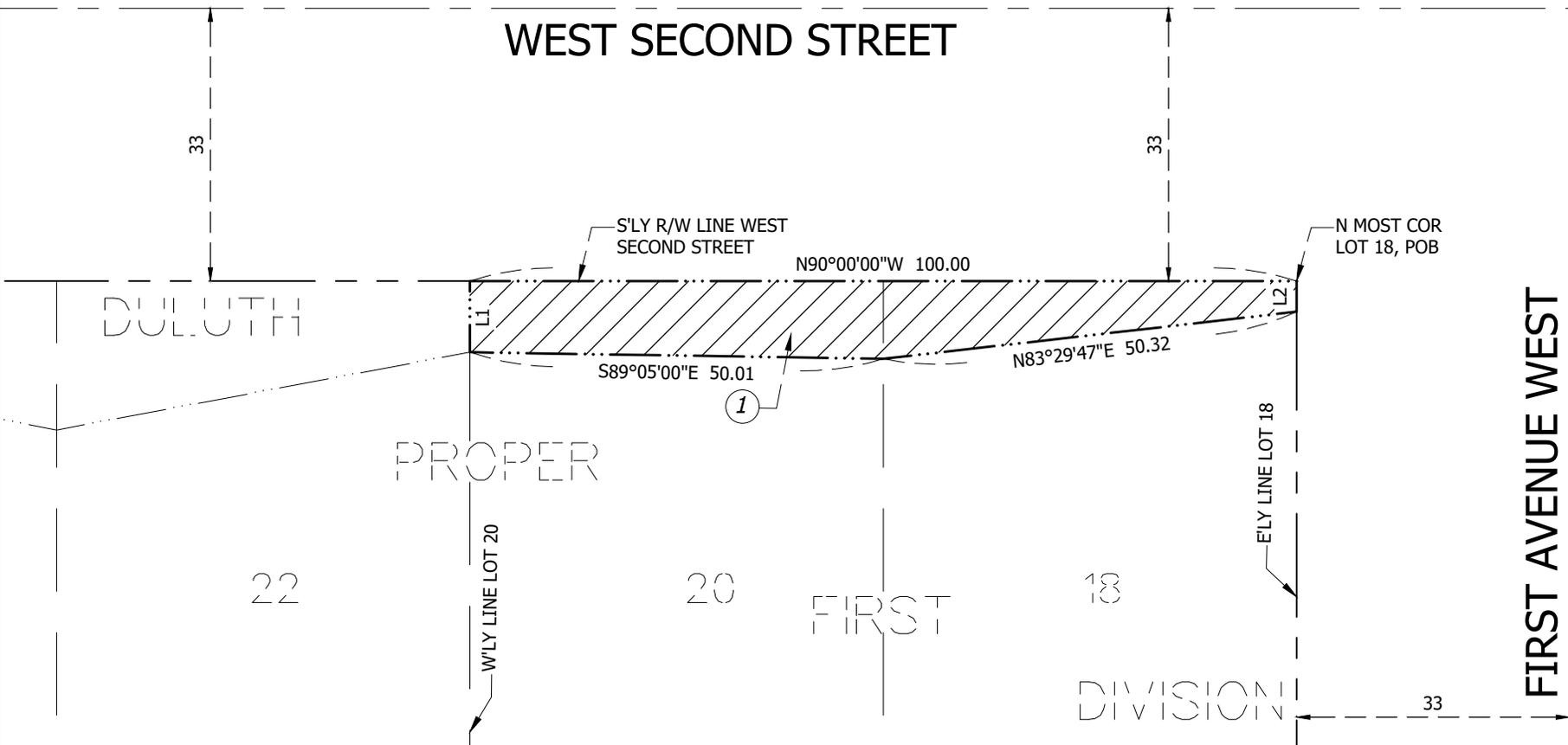
JOB NO:24-368

SHEET 1 OF 2


ALTA
LAND SURVEY COMPANY

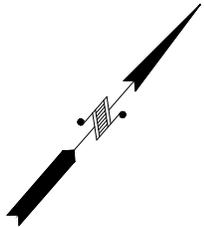
PHONE: 218-727-5211
LICENSED IN MN & WI
WWW.ALTALANDSURVEYDULUTH.COM

WEST SECOND STREET



LEGEND

- ① REFER TO SURVEYOR'S NOTES
- R/W-RIGHT OF WAY
- POB-POINT OF BEGINNING
- CENTER LINE
- - - RIGHT OF WAY LINE
- · - · - EASEMENT VACATION LINE
- · — · — EXISTING PLAT LINE
- · - · - EXISTING EASEMENT LINE
-  EASEMENT VACATION AREA



LINE	BEARING	DISTANCE
L1	S00°00'00"E	8.60
L2	N00°00'00"W	3.70

VACATION EXHIBIT

CLIENT:NCE
 ADDRESS:102 W 2ND STREET
 DULUTH, MN 55802
 DATE:02-02-2026

REVISIONS:

 JOB NO:24-368 SHEET 2 OF 2

 **ALTA**
 LAND SURVEY COMPANY
 PHONE: 218-727-5211
 LICENSED IN MN & WI
 WWW. ALTALANDSURVEYDULUTH.COM

W. H. P. P. 1881 p. 4

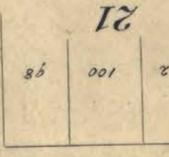
8841 #

Piedmont

Ave. E.

Ave. W.

6th



Lake

Avenue

51



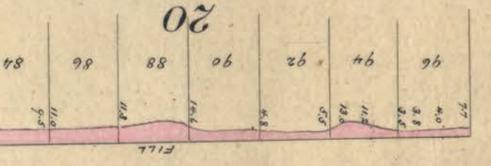
Ave. E.

7th



1st

Ave. E.



6th

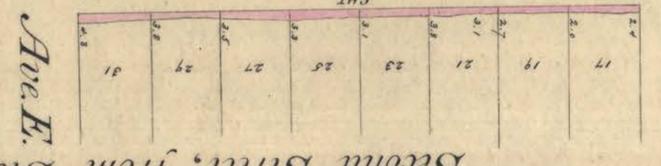
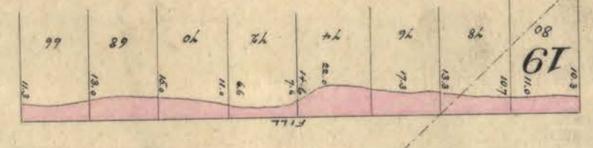
5th

Ave. W.

29

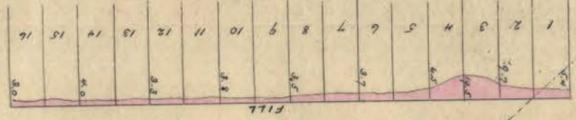
Ave. W.

4th



Ave. E.

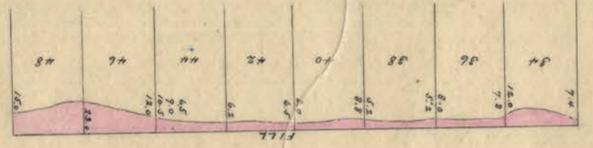
2nd



9th

Ave. E.

54

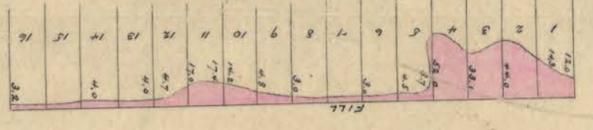


3rd

Ave. E.

3rd

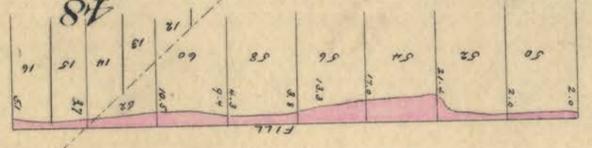
Ave. W.



10th

Ave. E.

55

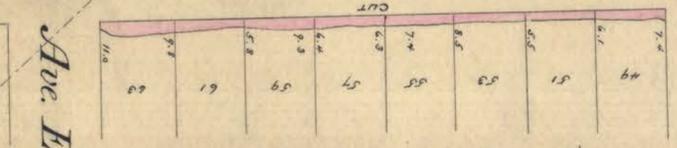


4th

Ave. E.

2nd

Ave. W.



(Map continued on other side.)

Condemnation Plat for Easement of Slopes on Second Street, from Sixth Ave. W. to Thirteenth Ave. E.

Ave. W.
31
29
27
25
23
21
19
17

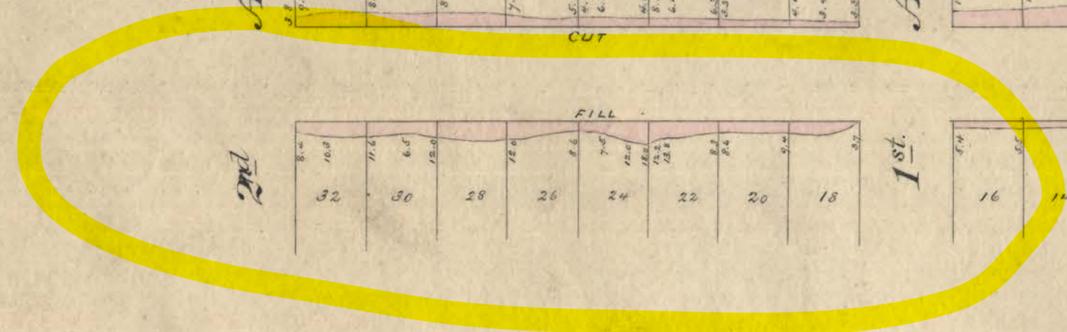
Ave. W.
15
13
11
9
7
5
3
1

Avenue

2nd
32
30
28
26
24
22
20
18

1st.
16
14
12
10
8
6
4
2

Lake



Ave. E.
49
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16

Ave. E.
50
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16

Ave. E.

4th
47
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16

5th
46
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16

6th

Ave. E.
56
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16

11th Ave. E.

57
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16

Ave. E.

58
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
88
22
10
9
6

Ave. E.

10th
40
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16

39
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16

12th

38
1
2
3
4
5
6
7
8
21
6
7
8

13th