

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

10-006-0

AS AMENDED

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AUTHORIZING A PURCHASE AGREEMENT AUTHORIZING SALE OF PROPERTY AT RICE LAKE ROAD AND PECAN AVENUE TO THE MILLER-DWAN FOUNDATION HOSPICE HOUSE ~~FOUNDATION~~, LLC, FOR AN ADOLESCENT MENTAL HEALTH FACILITY.

CITY PROPOSAL:

The city of Duluth does ordain:

Section 1. That pursuant to the requirements of Section 2-176 of the Duluth City Code, 1959, as amended, the city council finds that:

(a) The planning commission manifested their approval of the proposed sale of the property described in that agreement on file in the office of the city clerk as Public Document No. \_\_\_\_\_ by approval of the rezoning of said property for the project thereby finding that the sale to the Miller-Dwan Foundation Hospice House ~~Foundation~~, LLC, their use in accordance with said agreement to facilitate development of an adolescent mental health facility conforms to the city's comprehensive plan; and

(b) The city assessor has provided an estimate of value for said property indicating that, given the limitations of use contained in the agreement, the proposed sale price is not less than the estimated market value of the property; and

(c) The city council finds that the sale of the property described in Public Document No. \_\_\_\_\_ to the Miller-Dwan Foundation Hospice House ~~Foundation~~, LLC, will further the important city interest of promoting the mental health of the city's children, adolescent and college-age residents on an out-patient basis and providing assistance to such citizens who are in need of help in dealing with mental health issues.

Section 2. That, pursuant to the provisions of Section 2-177.4 of the Duluth City Code, 1959, as amended, the proper city officials are hereby authorized to enter into a purchase agreement substantially in the form of that on file in the office of the city clerk as Public Document No. \_\_\_\_\_

authoring the sale by quit claim deed of the property therein described to the Miller-Dwan Foundation Hospice House ~~Foundation~~, LLC, for the amount of \$13,300, said sum to be payable to Fund 110, Agency 700, Organization 1420, Object 4640.

Section 3. That this ordinance shall take effect 30 days after its passage and publication.

PED REA:jkw 1/21/2010

STATEMENT OF PURPOSE: The purpose of this ordinance is to authorize the sale of slightly less than one acre of city-owned property located on the west side of the intersection of Rice Lake Road and Pecan Avenue to the Miller-Dwan Foundation Hospice House ~~Foundation~~, LLC, to allow them to construct an out-patient mental health facility to serve the city's children, adolescents and college-age persons needing assistance in dealing with mental health issues.

The need for mental health facilities aimed at the problems of children, adolescents and college-age young people is one which is growing with the increasing complexity of life in the 21st Century and the perception of this need has become clearer with each study of this problem.

The foundation is the owner of a larger tract of land north of the subject property; the northerly portion of this property is already occupied by their hospice house facility. They are desirous of construction a two story, 35,000 square foot facility, anticipated to have a footprint of about 22,000 square feet, to serve the city's young people in need of mental health issues which can be dealt with on an out-patient basis. The city's property is needed to provide access to the site of the proposed facility as well as to meet zoning and environmental code requirements for the development.

The property itself will be used only for driveway access to the facility and for signage at the entrance to it; the remainder of the property will remain unmodified and its character will not be changed. The city will be retaining easements for all of the adjacent public street and utilities along Rice Lake Road and Pecan Avenue. The foundation will be paying the city \$13,300 for the property which is a fair market value for the property, especially in view of the limitations being placed on it. The sale will result in negligible impact on property taxes if any.