

Department of Community Planning and Economic Development – Planning Division
Vacation of right-of-way
Vac-1467

Date: October 31, 2005

Applicant: Heritage Development

Address of Property: Vacation occurring within the block bounded by Portland Avenue South, East Grant Street, Park Avenue and 10th Street South

Project Name: 1010 Park

Contact Person and Phone: Michael Moriarty, (651) 481-0017

Planning Staff and Phone: Hilary Watson, (612) 673-2639

Date Application Deemed Complete: Not applicable for this application

End of 60-Day Decision Period: Not applicable for this application

End of 120-Day Decision Period: Not applicable for this application

Ward: 7 **Neighborhood Organization:** Elliot Park Neighborhood Inc.

Existing Zoning: OR2, R6 and C1 zoning are all adjacent to the site

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 20

Legal Description: Not applicable for this application

Proposed Use: Mixed-use development including residential and commercial

Concurrent Review:

Vacation 1467: Heritage Development has applied to vacate 7th Avenue South.

Applicable zoning code provisions: Not applicable for this application

Background: The applicant is proposing to construct a mixed-use development including both residential and commercial. The proposed development requires an EAW which the applicant is currently preparing. It is anticipated that the EAW will be before the Zoning and Planning Committee in December. Typically all applications for a development project are reviewed concurrently before the City Planning Commission. In this case once the public right-of-way is vacated it will revert back to the State of Minnesota. Once vacated the applicant then needs to start the process of obtaining the land

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from the State. Given the time that it will take to do this the Planning Division and Public Works have made an exception to allow this application to move through the City's process without the remainder of the land use application. It is anticipated that the land use applications will be before the City Planning Commission in January.

VACATION (Vac1467) – That part of the Alley (commonly known as 7th Avenue South) in W.E. Jones's Addition to Minneapolis, deeded to the City of Minneapolis by W.E. Jones and Lorenzo D. Day, filed in the Hennepin County recorders office as Book 51 of Deeds, Page 606, more particularly described as follows: Commencing at a point in the southwesterly line of 10th Street South, 20 feet easterly from the northwest corner of said Lot A, in W. E. Jones' Addition to Minneapolis; thence southwesterly and parallel with the Westerly line of said Lot A to a point which shall be the intersection of the West line of Lot G in said Addition produced in a northerly direction with said parallel line; thence South on said produced line, and said West line of said Lot G to the north line of Grant Street East (as opened); thence northwesterly on said North line of Grant Street to the southeasterly corner of Tract B, Registered Land Survey No. 805; thence north along the east line of Tract B and its northerly extension, to a point which shall be in Lot D in said Addition and on a line parallel with and 10 feet westerly from and at right angles to said westerly line of Lot A; thence northeasterly and parallel with and 10 feet distant westerly from said westerly line of said Lot A and through Lot B in said Addition said southwesterly line of 10th Street South; thence southeasterly along said southwesterly line of 10th Street South, 30 feet to place of beginning.

Development Plan: The site plan for the development is attached.

Responses from Utilities and Affected Property Owners: Of the utilities and/or affected property owners that have responded Xcel Energy and Qwest have requested an easement.

Findings: The Public Works Department and the Community Planning and Economic Development Department – Planning Division find that the area proposed for the vacation is not needed for any public purpose and it is not part of a public transportation corridor. The existing street is not a piece of an interconnected street grid.

RECOMMENDATIONS

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the vacation (Vac1467):

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission and the City Council accept the above findings and **approve** the vacation application subject to the retention of an easement in favor of Xcel Energy and Qwest.

Attachments:

1. Site plan

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2. Information pertaining to Vac1467 and responses from the utilities and/or affected property owners