

## LAND USE APPLICATION SUMMARY

*Property Location:* Not applicable – see attached map.  
*Project Name:* Partial alley vacation.  
*Prepared By:* Mei-Ling Smith, City Planner, (612) 673-5342  
*Applicant:* Joseph Vinar  
*Project Contact:* Joseph Vinar  
*Request:* To vacate part of the alley in the vicinity of 33<sup>rd</sup> Avenue Northeast and Taylor Street Northeast. Once vacated, the land is proposed to be incorporated into the residential uses at 3254 Taylor Street Northeast and 3259 Polk Street Northeast.

*Required Applications:*

<b>Vacation</b>	To vacate part of the alley in the vicinity of 33 <sup>rd</sup> Avenue Northeast and Taylor Street Northeast.
-----------------	---

## SITE DATA

<b>Legal Description</b>	Part of the alley in Block 2, Chute Bros. 1 <sup>st</sup> Addn., bounded by Polk and Taylor Sts. NE, 32 <sup>nd</sup> and 33 <sup>rd</sup> Aves. NE, north of the south line of Lot 2. Some maps incorrectly show this area as already vacated.
<b>Existing Zoning</b>	RIA Single-Family District
<b>Lot Area</b>	Not applicable
<b>Ward(s)</b>	I
<b>Neighborhood(s)</b>	Waite Park Community Council
<b>Designated Future Land Use</b>	Urban Neighborhood
<b>Land Use Features</b>	Not applicable
<b>Small Area Plan(s)</b>	Not applicable

## BACKGROUND

**SURROUNDING PROPERTIES AND NEIGHBORHOOD.** The surrounding properties consist of mainly low-density residential dwellings. The Central Avenue NE Community Corridor is approximately three blocks to the west of the area subject to the vacation petition.

**PROJECT DESCRIPTION.** Joseph M. Vinar has applied to vacate a portion of the alley near 33<sup>rd</sup> Avenue NE and Taylor Street NE, where it is adjacent to 3254 Taylor Street NE and 3259 Polk Street NE. The remainder of the alley was previously vacated and some maps incorrectly show the proposed area as being vacated already. Once vacated, the land would be distributed to the adjacent residential uses to the east and west.

This item was continued from the July 6, 2015, and July 20, 2015, City Planning Commission meetings. The petitioner, Joseph Vinar, no longer owns or lives at 3254 Taylor Street NE. The petitioner's intent in applying for the vacation was to clarify how the portion of the alley would be used by the adjacent property owners and to provide a basis for their easement agreement. In the meantime, CPED and Public Works staff has been in communication with the new owner and the adjacent neighbor regarding the vacation application and the existing easement agreements between the two owners. It is the understanding of City staff that the two current adjacent property owners continue to have a demonstrated interest in the vacation application.

**DEVELOPMENT PLAN.** The existing houses would remain. No changes are proposed.

**PUBLIC COMMENTS.** Staff has received one letter of support regarding this petition for a vacation. Any additional correspondence received prior to the public meeting will be forwarded on to the Planning Commission for consideration.

## ANALYSIS

### VACATION

The applicant is proposing to vacate a part of the alley in Block 2, Chute Bros. 1<sup>st</sup> Addn., bounded by Polk and Taylor Streets NE, 32<sup>nd</sup> and 33<sup>rd</sup> Avenues NE, north of the south line of Lot 2.

The area to be vacated is legally described as follows:

- That part of the alley as dedicated in Block 2, Chute Brothers 1<sup>st</sup> Addition described as follows:
- The east ½ of said alley lying north of the westerly extension of the south line of Lot 2 and lying south of the westerly extension of the north line of Lot 1.
- The west ½ of said alley lying north of the easterly extension of the south line of Lot 29 and lying south of the easterly extension of the north line of Lot 30.

**RESPONSES FROM UTILITIES AND AFFECTED PROPERTY OWNERS.** Minneapolis Public Works has reviewed the vacation petition and recommends approval of the request. Xcel Energy and Comcast have requested easements over the portion of the alley to be vacated. No other easements were requested by any of the referral agencies that responded during the comment period prior to the printing of this report.

**FINDINGS.** The Department of Public Works and the Department of Community Planning and Economic Development find that the area proposed for vacation is not needed for any public purpose, it

is not part of a public transportation corridor, and that it can be vacated if the easements requested above are granted by the petitioner.

## RECOMMENDATIONS

The Department of Community Planning and Economic Development recommends that the City Planning Commission and City Council adopt staff findings for the application by Joseph Vinar, subject to the retention of easements by Xcel Energy and Comcast:

### A. Vacation.

Recommended motion: **Approve** the vacation (Vacation file 1644) of part of the alley in the vicinity of 33rd Avenue Northeast and Taylor Street Northeast, subject to the provision of easements to Xcel Energy and Comcast.

## ATTACHMENTS

1. Map of area to be vacated
2. Public Works letter
3. Letter from utilities
4. Draft resolution
5. Public comments