

**LAND USE APPLICATION SUMMARY**

*Property Location:* 2836 33<sup>rd</sup> Avenue South  
*Project Name:* St. Albert the Great Partial Public Alley Vacation  
*Prepared By:* Aaron Hanauer, Senior City Planner, (612) 673-2494  
*Applicant:* Church of St. Albert the Great  
*Project Contact:* Joseph Gillespie  
*Request:* To vacate a part of the alley in Block 2, South Minneapolis Addition to Minneapolis, bounded by 28<sup>th</sup> and 29<sup>th</sup> Streets E., and 32<sup>nd</sup> and 33<sup>rd</sup> Avenues S and to add a section of new alley easement to the property at 2836 33<sup>rd</sup> Avenue South.

*Required Applications:*

<b>Vacation</b>	To vacate a portion of the public alley and to add a new alley easement on the property at 2836 33 <sup>rd</sup> Avenue South.
-----------------	--

**SITE DATA**

<b>Legal Description</b>	To vacate that part of the North - South Alley donated and dedicated to the public in Block 2, South Minneapolis Addition to Minneapolis, according to the recorded plat thereof Hennepin County, Minnesota and that part of the East - West Alley conveyed to the City of Minneapolis for Alley and Highway purposes per book 1402 of Deeds, Page 468 which lies north of the north line and its westerly extension of Lot 11, said Block 2, and which lies southwesterly of a line drawn from a point on the north line of said Lot 11 distant 7.32 feet east from the Northwest corner of said Lot 11 to a point on the east line of Lot 15 said Block 2 said point being 19.32 feet north of the southeast corner of said Lot 15.
<b>Existing Zoning</b>	RIA/Single Family District
<b>Lot Area</b>	69,985 square feet / 1.61 acres
<b>Ward(s)</b>	2
<b>Neighborhood(s)</b>	Longfellow
<b>Designated Future Land Use</b>	Urban Neighborhood
<b>Land Use Features</b>	N/A
<b>Small Area Plan(s)</b>	N/A

## BACKGROUND

**SITE DESCRIPTION AND PRESENT USE.** The Church of St. Albert the Great is located in south Minneapolis along East 29<sup>th</sup> Street between 32<sup>nd</sup> Avenue South and 33<sup>rd</sup> Avenue South. There are three buildings as part of the religious institution's parcel; the church building (1949), school building (1935) and a parsonage. The church and school building front East 29<sup>th</sup> Street and the parsonage fronts 33<sup>rd</sup> Avenue South.

The portion of the parcel where the parsonage is located is separated from the rest of the parcel by a public alley. This north-south public alley services the properties on the eastern block face of 32<sup>nd</sup> Avenue South and the western block face of 33<sup>rd</sup> Avenues South. Originally, the alley spanned from East 28<sup>th</sup> Street to East 29<sup>th</sup> Street. Circa 1935, when the public school building was built, the public alley was altered to have its southern entrance/exit point be on 33<sup>rd</sup> Avenue South. Currently, a portion of the school building encroaches within the alley right-of way.

**SURROUNDING PROPERTIES AND NEIGHBORHOOD.** The surrounding properties consist of mainly low-density residential buildings. East Lake Street is located a block south of the subject property.

**PROJECT DESCRIPTION.** Joseph Gillespie, on behalf of the Church of St. Albert the Great, submitted an application to vacate the southwestern portion of the public alley that is triangular shaped. The purpose of the vacation request is twofold: 1) to facilitate better turning movements at the corner of the alley and 2) to eliminate the school building encroachment on the current alley right-of-way. As part of the vacation request, the applicant would be adding an easement to the opposite corner of the alley that would be vacated in order to allow for adequate vehicular access within the public alley. If the vacation request is approved, the southern portion of the alley would receive a new concrete surface; the northern portion of the alley was reconstructed in August. The alley is 10 feet wide for the straight portions (the legal right-of-way width will be 12 feet for the straight portions) and widens to 14 feet at the angle (the legal right of way width will be 16 feet for the angle). There are no physical changes proposed to the buildings as part of this application.

**PUBLIC COMMENTS.** There have been no public comments received at the time of publication of the staff report. Any 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, South Minneapolis Addition to Minneapolis, bounded by 28<sup>th</sup> and 29<sup>th</sup> Streets E., and 32<sup>nd</sup> and 33<sup>rd</sup> Avenues S and to have a section of new alley easement added. The area to be vacated is legally described as follows:

*To vacate that part of the North - South Alley donated and dedicated to the public in Block 2, South Minneapolis Addition to Minneapolis, according to the recorded plat thereof Hennepin County, Minnesota and that part of the East - West Alley conveyed to the City of Minneapolis for Alley and Highway purposes per book 1402 of Deeds, Page 468 which lies north of the north line and its westerly extension of Lot 11, said Block 2, and which lies southwesterly of a line drawn from a point on the north line of said Lot 11 distant 7.32 feet east from the Northwest corner of said Lot 11 to a point on the east line of Lot 15 said Block 2 said point being 19.32 feet north of the southeast corner of said Lot 15.*

The section of new alley easement that will be added to the property at 2836 33<sup>rd</sup> Avenue South is legally described as follows:

*That part of Lot 10, Block 2, South Minneapolis Addition to Minneapolis according to the recorded plat thereof Hennepin County, Minnesota which lies southerly, southwesterly and westerly of the following described line: Commencing at the southeast corner of said Lot 10; thence North 89 degrees 58 minutes 40 seconds West, assumed bearing, along the south line of said Lot 10 a distance of 108.59 feet to the point of beginning of the line to be herein described; thence North 78 degrees 40 minutes 19 seconds West 20.40 feet; thence North 44 degrees 49 minutes 41 seconds West 13.95 feet; thence North 10 degrees 59 minutes 15 seconds West 20.40 feet to a point on the west line of said Lot 10 said point being 2.09 feet south of the northwest corner of said Lot 10 and said line there terminating. Subject to Alleys.*

**RESPONSES FROM UTILITIES AND AFFECTED PROPERTY OWNERS.** Minneapolis Public Works has reviewed the vacation petition and recommends approval of the request. Center Point and Xcel Energy were the only referral agencies that responded during the comment period prior to the printing of the report. Neither agency requested an easement over the portion of the alley that is to be vacated.

**FINDINGS.** If a section of new alley easement is recorded with Hennepin County that allows public access on the portion of the property described above, 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.

## 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 Gillespie:

### A. Vacation

Recommended motion: **Approve** the application (Vacation file 1651) to vacate part of the alley in Block 2, South Minneapolis Addition to Minneapolis, bounded by 28<sup>th</sup> and 29<sup>th</sup> Streets E., and 32<sup>nd</sup> and 33<sup>rd</sup> Avenues S, subject to the recording of a new alley easement as described in the attached Easement Deed.

## ATTACHMENTS

1. Map of area to be vacated
2. Site plan showing area to be vacated
3. Survey
4. Public Works letter
5. Letter from utilities
6. Draft easement deed
7. Draft resolution
8. Aerial and images