

**LAND USE APPLICATION SUMMARY**

*Property Location:* Part of 7<sup>th</sup> Avenue North, southwest of North 5<sup>th</sup> Street (Vacation 1659)  
*Project Name:* Right-of-Way Vacation  
*Prepared By:* Hilary Dvorak, Principal Planner, (612) 673-2639  
*Applicant:* Metro Transit  
*Project Contact:* Renee DuFour  
*Request:* To vacate part of 7<sup>th</sup> Avenue North, southwest of 5<sup>th</sup> Street North  
*Required Applications:*

<b>Vacation</b>	Part of 7 <sup>th</sup> Avenue North, southwest of North 5 <sup>th</sup> Street
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**SITE DATA**

<b>Legal Description</b>	<p>That part of Seventh Avenue North as shown in BRADFORD AND BASSETT'S ADDITION TO THE CITY OF MINNEAPOLIS, according to the recorded plat thereof, Hennepin county, lying southwesterly of a line drawn 8.00 feet northeasterly of, parallel with and adjacent to the following described line:</p> <p>Commencing at the southeast corner of Lot 1, Block 1, said BRADFORD AND BASSETT'S ADDITION TO THE CITY OF MINNEAPOLIS, according to the recorded plat thereof, said Hennepin County; thence South 89 degrees 48 minutes 16 seconds West, assumed bearing along the south line of said Block 1, a distance of 134.27 feet to the southwesterly corner of Lot 3, of said Block 1; thence North 00 degrees 09 minutes 37 seconds West along the east line of said Lot 3 a distance of 25 feet; thence South 89 degrees 50 minutes 23 seconds West, a distance of 3.00 feet; thence North 00 degrees 09 minutes 37 seconds West, a distance of 111.25 feet to the northeasterly line of said Block 1; thence North 45 degrees 23 minutes 32 seconds West along the northeasterly line of said Block 1 and its northwesterly extension, a distance of 207.48 feet to the southeasterly line of said Seventh Avenue North, and the point of beginning of the line to be described; thence continuing North 45 degrees 23 minutes 32 seconds West along said northwesterly extension of Block 1, a distance of 133.17 feet to the intersection of the northwesterly line of said Seventh Avenue North, and said line there terminating.</p>
<b>Existing Zoning</b>	I2 Medium Industrial District
<b>Lot Area</b>	Not applicable
<b>Ward(s)</b>	5
<b>Neighborhood(s)</b>	North Loop
<b>Designated Future Land Use</b>	Not applicable

<b>Land Use Features</b>	Not applicable
<b>Small Area Plan(s)</b>	Not applicable

## BACKGROUND

**SITE DESCRIPTION AND PRESENT USE.** The applicant is proposing to vacate a portion of 7<sup>th</sup> Avenue North, southwest of North 5<sup>th</sup> Street in downtown Minneapolis. The portion of the street to be vacated is currently grass.

**SURROUNDING PROPERTIES AND NEIGHBORHOOD.** The portion of 7<sup>th</sup> Avenue North to be vacated is surrounded by Metro Transit offices, a multiple-family residential building and a brewery.

**PROJECT DESCRIPTION.** The applicant is proposing to vacate the right-of-way in order to construct a retaining wall. The segment of 7<sup>th</sup> Avenue North, where the vacation is proposed, is a half-block street. Two properties utilize 7<sup>th</sup> Avenue North for access purposes. Vacating the proposed eight-foot wide segment will not interfere with access to those properties.

**DEVELOPMENT PLAN.** The applicant is proposing to make modifications to their site. The applicant is proposing to construct a retaining wall along the property line and in order to build the retaining wall without any jogs in it they are proposing to vacate a portion of the right-of-way.

**RELATED APPROVALS.** Not applicable.

**PUBLIC COMMENTS.** No comment letters have been received in regards to this application. 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 7<sup>th</sup> Avenue North, southwest of North 5<sup>th</sup> Street.

The area to be vacated is legally described as follows:

That part of Seventh Avenue North as shown in BRADFORD AND BASSETT'S ADDITION TO THE CITY OF MINNEAPOLIS, according to the recorded plat thereof, Hennepin county, lying southwesterly of a line drawn 8.00 feet northeasterly of, parallel with and adjacent to the following described line:

Commencing at the southeast corner of Lot 1, Block 1, said BRADFORD AND BASSETT'S ADDITION TO THE CITY OF MINNEAPOLIS, according to the recorded plat thereof, said Hennepin County; thence South 89 degrees 48 minutes 16 seconds West, assumed bearing along the south line of said Block 1, a distance of 134.27 feet to the southwesterly corner of Lot 3, of said Block 1; thence North 00 degrees 09 minutes 37 seconds West along the east line of said Lot 3 a distance of 25 feet; thence South 89 degrees 50 minutes 23 seconds West, a distance of 3.00 feet; thence North 00 degrees 09 minutes 37 seconds West, a distance of 111.25 feet to the northeasterly line of said Block 1; thence North 45 degrees 23 minutes 32 seconds West along the northeasterly line of said Block 1 and its northwesterly extension, a distance of 207.48 feet to the southeasterly line of said Seventh Avenue North, and the point of beginning of the line to be described; thence continuing North 45 degrees 23 minutes 32

seconds West along said northwesterly extension of Block 1, a distance of 133.17 feet to the intersection of the northwesterly line of said Seventh Avenue North, and said line there terminating.

**RESPONSES FROM UTILITIES AND AFFECTED PROPERTY OWNERS.** The Department of Public Works has reviewed the vacation petition and recommends approval subject to the retention of a utility easement over a portion of the area to be vacated.

Of the utilities and/or affected property owners that have responded Xcel Energy and CenturyLink have requested an easement over that part of 7<sup>th</sup> Avenue North, southwest of North 5<sup>th</sup> Street, to be vacated.

**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, and it is not part of a public transportation corridor, and that it can be vacated if any 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 Metro Transit:

**A. Vacation part of 7<sup>th</sup> Avenue North, southwest of North 5<sup>th</sup> Street.**

Recommended motion: **Approve** the vacation of a part of 7<sup>th</sup> Avenue North, southwest of North 5<sup>th</sup> Street, subject to the retention of easements for the City of Minneapolis, Xcel Energy and CenturyLink.

## ATTACHMENTS

1. Description and map of area to be vacated
2. Vacation request from Metro Transit
3. Letter from utilities
4. Public Works letter