

LAND USE APPLICATION SUMMARY

Property Location: 1923 Lyndale Avenue South and a land-locked parcel with no street address
Project Name: Vacation
Prepared By: Aaron Hanauer, Senior City Planner, (612) 673-2494
Applicant: Dennis Morris, City of Minneapolis Public Works
Project Contact: Robert Carlson, City of Minneapolis Public Works
Request: To vacate Minnesota Department of Transportation Highway Turnback parcels located on the east side of Lyndale Avenue S. between Ridgewood Ave. and the I-94 eastbound on-ramp. Includes 1923 Lyndale Ave. S. and a land-locked parcel with no street address.

Required Applications:

Vacation	To vacate 1923 Lyndale Avenue South and a small neighboring land-locked parcel (no street address).
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SITE DATA

Existing Zoning	OR2/High Density Office Residence District
Lot Area	Approximately 2,500 square feet / 0.06 acres
Ward(s)	Ward 7; adjacent to Ward 10
Neighborhood(s)	Steven's Square-Loring Height; adjacent to Lowry Hill East
Designated Future Land Use	Mixed Use
Land Use Features	Commercial Corridor (Lyndale Avenue)
Small Area Plan(s)	<u>Lyn-Lake Small Area Plan (2009)</u>

BACKGROUND

SITE DESCRIPTION AND PRESENT USE.

The project site includes two properties that are currently owned by the Minnesota Department of Transportation (MnDOT) and were previously intended for Interstate 94 right-of-way purposes. However, these properties were never used as such. The parcel at 1923 Lyndale Avenue South is a linear parcel that has street frontage along Lyndale Avenue South and serves as a driveway/vehicle access point for the properties at 1901 and 1907 Lyndale Avenue South. The other parcel is a small landlocked parcel that is to the east of the properties at 1901 and 1907 Lyndale Avenue South and serves as a parking area for these buildings. MnDOT submitted a signed quitclaim deed granting the land to the City of Minneapolis for “highway purposes”.

SURROUNDING PROPERTIES AND NEIGHBORHOOD.

The subject properties are located just south of the Lyndale Avenue Interstate 94 eastbound on-ramp. The immediate surrounding area has commercial and office residential zoning and contains commercial and apartment buildings.

PROJECT DESCRIPTION.

The City of Minneapolis is looking to vacate the “highway purposes” of the subject properties. The City of Minneapolis Public Works Department has made the determination that the subject properties are not needed for a public purpose including future right-of-way needs for Interstate 94.

If the vacation is successful, it is likely the City of Minneapolis would sell the land to an adjacent property owner who has expressed an interest in purchasing the property and completing repairs to the driveway and parking area asphalt as well as the retaining walls on the property. As part of a potential land sale to the neighboring property owner, the City of Minneapolis plans to include an easement on the property that would maintain vehicle access rights to the parking areas for both 1901 and 1907 Lyndale Avenue South.

LEGAL DESCRIPTION.

The area to be vacated is legally described as follows:

All of Tract A described below:

Tract A. That part of Lots 3 and 4 in Boshart’s Subdivision of Lots 1 and 2, Block 4, Ridgewood Addition to the City of Minneapolis, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, described as follows: Beginning at the southeast corner of said Lot 3; thence run west along the south line of said Lot 3, a distance of 5.9 feet; thence run north and parallel with the east line of said Lot 3, a distance of 17.4 feet; thence run southwesterly parallel with the southerly lines of said Lots 3 and 4, a distance of 55 feet; thence run north on a line run parallel with and distant 15 feet west of the east line of said Lot 4, a distance of 108.1 feet to the southerly line of Forest Avenue; thence run easterly on the southerly line of Forest Avenue to the northeast corner of said Lot 3; thence run south on the east line of said Lot 3 to the point of beginning; lying southerly of the following described line: Beginning at a point on the west line of Lot 5, said Boshart’s Subdivision, distant 85 feet north of the southwest corner thereof; thence run easterly to a point on the east line of Lot 4, Block 4, Ridgewood Addition, according to the plat thereof, distant 120.23 feet southerly of the northeast corner thereof and there terminating; excepting therefrom that part described as follows: Beginning at the southeast corner of said Lot 3; thence run west along the south line of said Lot 3, a distance of 5.9 feet; thence run north and parallel with the east line of said Lot 3, a distance

of 17.4 feet; thence run northeasterly parallel with the south line of said Lot 3 to the east line of said Lot 3; thence run south along the east line of said Lot 3 to the point of beginning;

Tract B. Lots 6 and 7 in Boshart's Subdivision of Lots 1 and 2, Block 4, Ridgewood Addition to the City of Minneapolis, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota;

Tract C. That part of Lots 4 and 5 in Boshart's Subdivision of Lots 1 and 2, Block 4, Ridgewood Addition to the City of Minneapolis, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, lying within the following: Beginning at the southwest corner of said Lot 5 and running thence easterly along the southerly line of Lots 3, 4 and 5, said Block 4 for 130.7 feet to a point 5.9 feet westerly from the east line of said Lot 3; thence north 17.4 feet; thence westerly parallel to the south line of said Lots 3 and 4, 55 feet to a point 15 feet west of the easterly line of said Lot 4; thence north 39.8 feet; thence west 75 feet to the east line of Lyndale Avenue; thence south 67 feet to the point of beginning;

together with that part of Tracts B and C hereinbefore described, which lies northerly of a line run parallel with and distant 8 feet southerly of Line 1 described below and southerly and southeasterly of a line run parallel with and distant 10 feet northerly of Line 2 described below:

Line 1. From a point on the south line of Section 27, Township 29 North, Range 24 West said Hennepin County, distant 6.16 feet east of the southwest corner thereof, run northerly at an angle of 90 degrees 14 minutes 50 seconds from said south line (measured from east to north) for 355.54 feet to the point of beginning of Line 1 to be described; thence deflect to the right at an angle of 90 degrees 59 minutes 25 seconds for 150 feet and there terminating;

Line 2. From a point on the south line of said Section 27, distant 6.16 feet east of the southwest corner thereof, run northerly at an angle of 90 degrees 14 minutes 50 seconds from said south line (measured from east to north) for 355.54 feet to the point of beginning of Line 2 to be described; thence deflect to the right at an angle of 90 degrees 59 minutes 25 seconds for 87 feet; thence deflect to the left on a curve having a radius of 40 feet (delta angle 90 degrees 00 minutes 00 seconds) for 62.8 feet; thence on tangent to said curve to its intersection with the north line of Tract B hereinbefore described and there terminating;

also together with that part of Tract B hereinbefore described, adjoining and southerly of the above described strip, which lies northerly of a line parallel with and distant 12 feet southerly of the following described line: Beginning at a point on Line 1 described above, distant 122 feet easterly of its point of beginning; thence westerly along said Line 1 to the west line of said Tract B and there terminating;

also together with that part of Tract C hereinbefore described, adjoining and northeasterly of the second above described strip, which lies easterly of a line run parallel with and distant 15 feet westerly of the east line of said Lot 4.

PUBLIC COMMENTS. As of the publication of this staff report, there have been no public comments received. Any correspondence received after the publication of the staff report and prior to the public meeting will be forwarded on to the Planning Commission for consideration.

ANALYSIS

VACATION

The applicant is proposing to vacate the “highway purposes” of the subject properties. The area that is proposed to be vacated is the Minnesota Department of Transportation Highway Turnback parcels located on the east side of Lyndale Avenue S. between Ridgewood Ave. and the I-94 eastbound on-ramp. It includes 1923 Lyndale Ave. S. and a land-locked parcel with no street address.

RESPONSES FROM UTILITIES AND AFFECTED PROPERTY OWNERS. Minneapolis Public Works has reviewed the vacation petition and recommends approval of the request. There were three entities that responded during the comment period. The Minneapolis Fire Department and Verizon did not request an easement over the property to be vacated. However, Xcel Energy requested an easement reservation over the entire vacation area given that there are overhead electric lines located in the vacation area. CPED staff encourages the applicant to continue to work directly with Xcel Energy moving forward in regarding the easement. Staff recommends that an easement be granted over the described area to be vacated at this time.

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 they can be vacated if 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 Dennis Morris of the City of Minneapolis, subject to the retention of easements by Xcel Energy:

A. Vacation (Vac-1663)

Recommended motion: **Approve** the vacation of the subject properties for highway purposes, subject to easements by Xcel Energy.

ATTACHMENTS

1. Zoning map
2. Aerial
3. Map of area to be vacated
4. Public Works letter
5. Letter from utilities