

Department of Community Planning and Economic Development – Planning Division
Vacation of right-of-way
Vac-1528

Date: October 1, 2007

Applicant: American Spirit Graphics

Address of Property: 801 and 829 9th Street Southeast

Project Name: Not applicable for this application

Contact Person and Phone: A. Oscar Carlson, (612) 623-3333

Planning Staff and Phone: Hilary Dvorak, (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: 3 **Neighborhood Organization:** Marcy Holmes

Existing Zoning: I2, Medium Industrial District

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 15

Legal Description: Not applicable for this application

Proposed Use: Parking lot and snow storage area

Concurrent Review:

Vacation 1528: Petition to vacate that portion of 9th Avenue Southeast not previously vacated

Applicable zoning code provisions: Not applicable for this application

Background: The applicant has petitioned to vacate the remaining portion of 9th Avenue Southeast not previously vacated located north of 9th Street Southeast and south of the railroad corridor (see aerial photograph). The applicant is proposing to use the vacated space for extra space and snow storage in the wintertime. If in the future the applicant decides to expand the parking lot over this area the site plan will need to be reviewed for compliance with the landscaping and screening requirements of Chapter 530, Site Plan Review.

VACATION (Vac1528) – All of 9th Avenue Southeast not previously vacated, as platted between Block 7 and Block 8, Andrews and Moulton’s Addition to Minneapolis, located north of a line extended southeast from the south line of Lot 5, Block 8, said Addition, and south of the Burlington Northern & Santa Fe Railroad. All according to the plat of record and previous right of way vacations on file at the Hennepin County Recorders office, Minneapolis Minnesota.

Development Plan: The site plan is included in the packet.

Responses from Utilities and Affected Property Owners: Of the utilities and/or affected property owners that have responded Center Point Energy has requested that an easement be retained over the area to be vacated. It will be the applicant’s responsibility to work directly with the utilities and/or affected property owners to resolve any problems such easements create.

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.

RECOMMENDATIONS

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

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 application to vacate all of 9th Avenue Southeast not previously vacated, as platted between Block 7 and Block 8, Andrews and Moulton’s Addition to Minneapolis, located north of a line extended southeast from the south line of Lot 5, Block 8, said Addition, and south of the Burlington Northern & Santa Fe Railroad. All according to the plat of record and previous right of way vacations on file at the Hennepin County Recorders office, Minneapolis Minnesota, subject to the retention of an easement in favor of Center Point Energy.

Attachments:

1. Vacation petition, maps and site drawings
2. Responses from the utilities and affected property owners
3. Photos of the site and surrounding properties