

**Department of Community Planning and Economic Development – Planning Division**  
Vacation of right-of-way  
Vac-1466

**Date:** October 31, 2005

**Applicant:** Heritage Development

**Address of Property:** Vacation occurring within the block bounded by Portland Avenue South, East Grant Street, Park Avenue and 10<sup>th</sup> Street South

**Project Name:** 1010 Park

**Contact Person and Phone:** Michael Moriarty, (651) 481-0017

**Planning Staff and Phone:** Hilary Watson, (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:** 7      **Neighborhood Organization:** Elliot Park Neighborhood Inc.

**Existing Zoning:** OR2, R6 and C1 zoning are all adjacent to the site

**Proposed Zoning:** Not applicable for this application

**Zoning Plate Number:** 20

**Legal Description:** Not applicable for this application

**Proposed Use:** Mixed-use development including residential and commercial

**Concurrent Review:**

**Vacation 1466:** Heritage Development has applied to vacate a public alley.

**Applicable zoning code provisions:** Not applicable for this application

**Background:** The applicant is proposing to construct a mixed-use development including both residential and commercial. The proposed development requires an EAW which the applicant is currently preparing. It is anticipated that the EAW will be before the Zoning and Planning Committee in December. Typically all applications for a development project are reviewed concurrently before the City Planning Commission. In this case once the public right-of-way is vacated it will revert back to the State of Minnesota. Once vacated the applicant then needs to start the process of obtaining the land

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from the State. Given the time that it will take to do this the Planning Division and Public Works have made an exception to allow this application to move through the City’s process without the remainder of the land use application. It is anticipated that the land use applications will be before the City Planning Commission in January.

**VACATION (Vac1466)** – The entire alley as opened by conveyance of forfeited lands to the City of Minneapolis as Document No. 2308806 filed September 21, 1945, in Book 1643 of Deeds, Page 426, more particularly described as: All that part of Lot 12, Auditor’s Subdivision No.1, Hennepin County, Minnesota, which lies northwesterly and northerly of the following described line: Commencing at a point on the northeasterly line of East Grant Street as opened by the City Council distant 14 feet southeasterly measured at right angles from the northwesterly line of Lot 12, Auditor’s Subdivision No. 1, Hennepin County, Minnesota; thence northeasterly parallel with the northwesterly line of said Lot 12 to a point 34 feet southwesterly from the northeasterly line of said Lot 12; thence northeasterly and easterly on a tangential curve to the right whose radius is 20 feet to the easterly line of Lot 12, and also the southwesterly 14 feet of the northeasterly 43 feet of Lot “D” in W.E. Jones Addition to Minneapolis.

**Development Plan:** The site plan for the development is attached.

**Responses from Utilities and Affected Property Owners:** Of the utilities and/or affected property owners that have responded Xcel Energy and Qwest have requested an easement.

**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 (Vac1466):**

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 vacation application subject to the retention of an easement in favor of Xcel Energy and Qwest.

**Attachments:**

1. Site plan

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2. Information pertaining to Vac1466 and responses from the utilities and/or affected property owners