

CPED Planning Division Report

Vacation 1399

Date: January 26, 2004

Applicant: Hillcrest Development

60-Day Review Decision Date: Not Applicable

Address of Property: That part of the west 56 feet of Stinson Boulevard NE as shown on the plat of the Minneapolis Industrial District, according to the recorded plat thereof, Hennepin County, Minnesota, which lies northerly of the easterly extension of the south line of Lot 11, Auditors Subdivision No. 268, file of the County Recorder, and which lies southerly of a line 40.00 feet southerly of and parallel with the easterly extension of the north line of Lot 1, Auditors Subdivision No. 268.

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Planning Staff and Phone: Jim Voll 612-673-3887

Ward: 1 **Neighborhood Organization:** Mid-City Industrial Area

Existing Zoning: The surrounding properties are zoned I2 Medium Industrial.

Comprehensive Plan: The comprehensive plan shows this area as an Industrial/Business Park Opportunity Area.

Proposed Use: Site access and parking.

Development Plan: No development plan has been provided at this time, but a site plan will be required for the new parking area. This plan is required to be reviewed and approved for compliance with zoning code and Public Works requirements before any construction may begin.

Other Zoning Applications Required: No other zoning applications are required at this time.

Responses from Utilities and Affected Property Owners: Minneapolis Public Works recommends approval subject to the dedication of a new easement along Broadway Street NE for future intersection improvements. The applicant and Public Works have completed an agreement for this easement.

Xcel Energy, Qwest, and CenterPoint Energy all request an easement for their facilities in the vacated right-of-way.

Findings: The Public Works Department and the CPED - Planning Division 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.

Recommendation of the CPED Planning Division:

The CPED Planning Division recommends that the City Planning Commission and the City Council accept the above findings and **approve** the vacation subject to the provision of easements to Xcel, Qwest, and CenterPoint Energy.

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Vacating that part of the west 56 feet of Stinson Boulevard NE as shown on the plat of the Minneapolis Industrial District, according to the recorded plat thereof, Hennepin County, Minnesota, which lies northerly of the easterly extension of the south line of Lot 11, Auditors Subdivision No. 268, file of the County Recorder, and which lies southerly of a line 40.00 feet southerly of and parallel with the easterly extension of the north line of Lot 1, Auditors Subdivision No. 268. (Vacation File No. 1399).

Resolved by The City Council of The City of Minneapolis:

That all that part of the west 56 feet of Stinson Boulevard NE as shown on the plat of the Minneapolis Industrial District, according to the recorded plat thereof, Hennepin County, Minnesota, which lies northerly of the easterly extension of the south line of Lot 11, Auditors Subdivision No. 268, file of the County Recorder, and which lies southerly of a line 40.00 feet southerly of and parallel with the easterly extension of the north line of Lot 1, Auditors Subdivision No. 268 is hereby vacated except that such vacation shall not affect the existing easement right and authority of Xcel, Qwest, and CenterPoint Energy, their successors and assigns, to enter upon that portion of the aforescribed alley which is described in regard to each of said corporation(s) as follows, to wit:

As to Xcel, Qwest, and CenterPoint Energy: That part of the west 56 feet of Stinson Boulevard NE, which lies northerly of the easterly extension of the south line of Lot 11, Auditors Subdivision No. 268 and southerly of the easterly extension of the north line of Lot 1 Auditors Subdivision No. 268, Minneapolis, Minnesota.

to operate, maintain, repair, alter, inspect or remove its above-described utility facilities and said easement right and authority is hereby expressly reserved to each of the above-named corporations, and no other person or corporation shall have the right to fill, excavate, erect buildings or other structures, plant trees or perform any act which would interfere with or obstruct access to said alley upon or within the above-described areas without first obtaining the written approval of the corporation(s) having utility facilities located within the area involved authorizing them to do so.