

**Request for City Council Committee Action
from the Department of Community Planning and Economic Development**

Date: January 4, 2011

To: Council Member Lisa Goodman, Chair, Community Development Committee

Subject: Authorize CPED to swap deeds to vacated alley splinter parcels adjacent to the 54th and Riverview Road development site

Recommendation: **Authorize CPED staff to swap deeds to vacated alley splinter parcels adjacent to the 54th and Riverview Road development site.**

Previous Directives: On December 10, 2010, the City Council authorized CPED staff to execute the necessary agreements to extend the development rights and financing for the proposed Riverview Apartments Senior Housing development to close on or before December 31, 2011.

On February 26, 2010, the City Council approved an allocation of 2009 Affordable Housing Trust Funds of \$834,602 for the Riverview Apartments development proposed by the Community Development Collaborative, LLC, a joint partnership of the Plymouth Church Neighborhood Foundation and CommonBond Communities or an affiliated entity;

On March 27, 2009, the City Council 1.) approved the sale of Lot 2 of the 54th & Riverview Road Development Project for \$11.59 per square foot to PCNF Acquisition LLC or an affiliated entity created specifically to undertake the development of the Riverview Apartments project; 2.) authorized CPED to reduce its Good Faith Deposit from 10% to 5% of the purchase price; and 3.) authorized appropriate City staff to execute a redevelopment contract in accordance with the terms of this report.

On December 12, 2008, the City Council approved an allocation of 2008 Affordable Housing Trust Funds of \$800,000 and Non-Profit Housing Development Assistance Funds of \$30,000 for the Riverview Apartments development proposed by Plymouth Church Neighborhood Foundation and CommonBond Communities or an affiliated entity.

On January 18, 2008, the City Council approved the selection of a joint partnership of the Plymouth Church Neighborhood Foundation, CommonBond Communities, and Twin Cities Habitat for Humanity, Inc. as the combined developers of the 54th & Riverview Road Development Site.

Department Information

Prepared by:	Theresa Cunningham, Senior Project Coordinator, 612.673.5237
Approved by:	Charles T. Lutz, Deputy CPED Director _____ Thomas Streitz, Director, Housing Policy and Development _____
Presenters in Committee:	Theresa Cunningham, Senior Project Coordinator

Financial Impact: No financial impact

Community Impact

- **Neighborhood Notification:** The Nokomis East Neighborhood Association is currently working with the development team to finalize design features of the proposed development.
- **City Goals:** Foster the development and preservation of a mix of quality housing types that are available, affordable, meets current needs and promotes future growth. Support the development of new medium and high density housing in appropriate locations throughout the city. Support housing

density in locations that are well connected by transit, and are close to commercial, cultural and natural amenities. Increase housing that is affordable to low and moderate income households.

- **Sustainability Targets:** Affordable Housing Units
- **Comprehensive Plan:** On July 24, 2008, the Planning Commission completed a land sale review of this parcel and approved the proposed development finding it consistent with the Comprehensive Plan.
- **Zoning Code:** The site is currently zoned R1. To accomplish the proposed development, the Developer will be required to apply for a zoning change, alley vacation/re-alignment, conditional use permit and site plan review as the proposed development will require.
- **Living Wage/Job Linkage:** NA
- **Other:** NA

Background Information:

The 54th & Riverview Road development site includes approximately 78,000 square feet of land which is bisected by an alley right of way which was depicted on the original plat, but inadvertently not described in the legal description. Attached is a site plan for the proposed development of the Riverview Apartments Senior Housing complex that is proposed south of the existing alley right of way and an 8-unit townhouse development proposed north of the existing alley right of way. The proposed site plan required a quiet title action dedicating the curved alley that was depicted in the original plat for the site, but which was never fully constructed. A portion of that alley is expected to be vacated in connection with the Riverview Senior Apartments project.

Now that the quiet title action is completed, the City and the two adjacent property owners desire to exchange quit claim deeds so that each party's ownership of the portion of the alley that abuts their respective properties will be described according to the extended lot lines of the properties rather than being described as perpendicular to the centerline of the alley, which would result in awkward parcel configurations as a result of the alley being curved.

At this time, staff is seeking authorization to exchange and accept deeds to the splinter parcels. This action will re-align the property lines and clean up the boundaries of the newly reconfigured alley abutting the development site and the adjacent property owners located to the east of the development site. Attached is a map that depicts the small pie-shaped sliver parcels that are being exchanged.

CPED staff urges the City Council to authorize the appropriate City officials to accept and swap deeds to the vacated alley splinter parcels.

Authorizing the Exchange of Land.

Whereas, in connection with a development proposal for the 54th and Riverview Road development site (the "Site"), the City of Minneapolis, hereinafter known as the City, completed a quiet title action to dedicate a curved alley that had been depicted in the existing plat for the Site in the Nokomis East neighborhood (the "Alley"). The City and the two private property owners that own property abutting the Alley, Andrew Neary and Sherri Neary (collectively, "Neary") and Richard S. Blackman, Michele L. Keir and Rachael K. Blackman (collectively, "Blackman/Keir") desire to exchange quit claim deeds so that each party's ownership of the portion of the Alley that abuts their respective properties will be described according to the extended lot lines of the properties rather than being described as perpendicular to the centerline of the Alley to wit:

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on December 24, 2010, a public hearing on the proposed deed swap was duly held on January 4, 2011, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

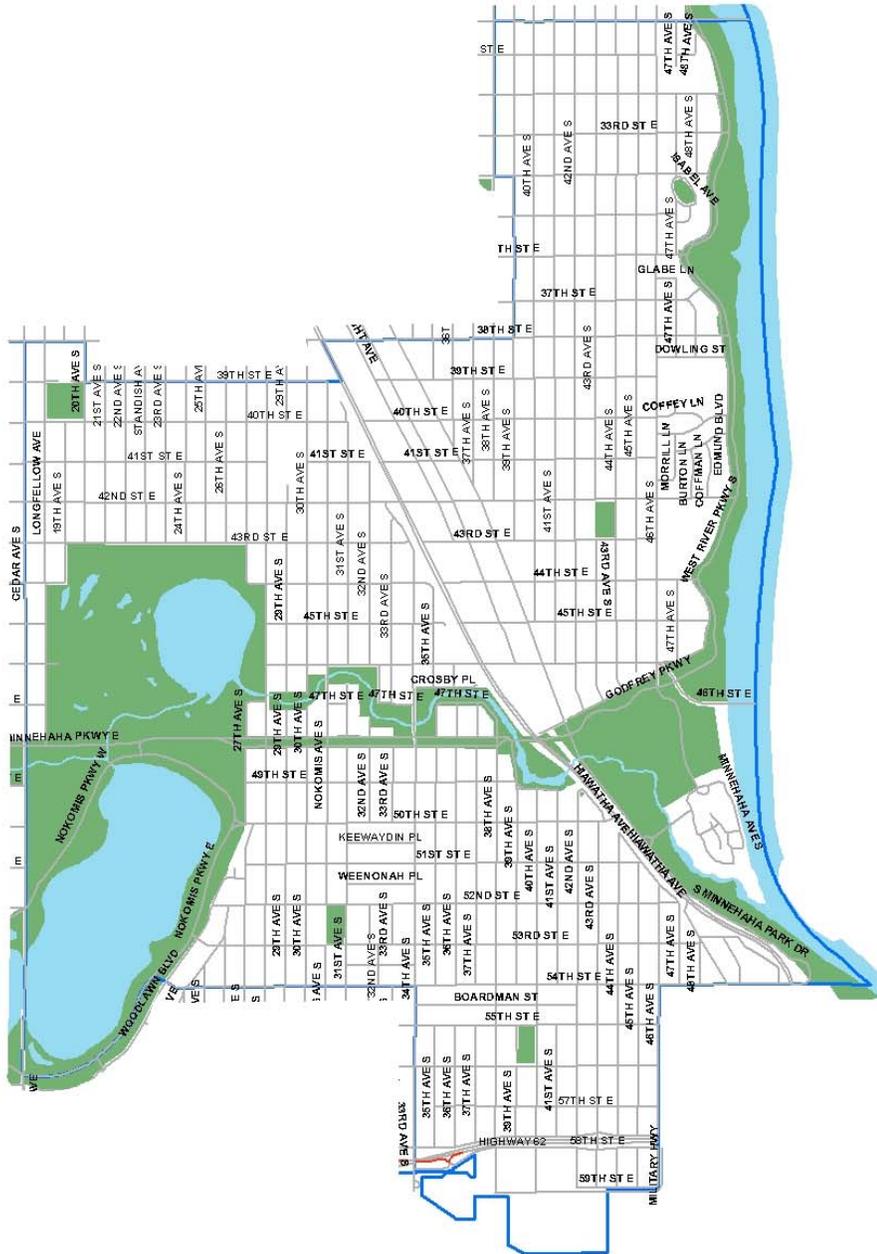
Whereas, the City agrees to accept from Neary a quit claim deed for the land legally described as follows: All that part of the northerly and northeasterly one-half of the Alley as depicted in the plat of THORPE BROS. MINNEHAHA GROVE ADDITION TO MINNEAPOLIS, which lies southeasterly of the southeasterly line of Lot 10 of said plat, as extended to the centerline of said Alley.

Whereas, the City agrees to deliver to Neary a quit claim deed for the land described as follows: All that part of the northerly one-half of the Alley as depicted in the plat of THORPE BROS. MINNEHAHA GROVE ADDITION TO MINNEAPOLIS, which lies between the northwesterly and southwesterly lines of Lot 10 of said plat, as extended to the centerline of said Alley.

Whereas, the City agrees to deliver to Blackman/Keir a quit claim deed for the land described as follows: All that part of the south one-half of the Alley as depicted in the plat of THORPE BROS. MINNEHAHA GROVE ADDITION TO MINNEAPOLIS, which lies easterly of Lot 16 of said plat, as extended to the centerline of said Alley.

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute, deliver and accept the quit claim deeds described above, as appropriate, provided however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate official of the City.

WARD 12



0 0.25 Miles

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