



**Request for City Council Committee Action from the Department of Community Planning
& Economic Development – Planning Division**

Date: May 5, 2009
To: Council Member Gary Schiff, Chair of Zoning and Planning Committee
Referral to: Zoning and Planning Committee
Subject: Referral from the May 4, 2009 City Planning Commission Meeting
Recommendation: See report from the City Planning Commission

Prepared by: Lisa Baldwin, Planning Commission Committee Clerk (612-673-3710)

Approved by: Jason Wittenberg, Supervisor, CPED Planning-Development Services

Presenter in Committee:

1. Augsburg College, Vac-1552, Jim Voll, Principal Planner, x3887

Community Impact (use any categories that apply)

Other: See staff report(s) from the City Planning Commission

Background/Supporting Information Attached

The attached report summarizes the actions taken at the City Planning Commission meeting held on May 4, 2009. The findings and recommendations are respectfully submitted for the consideration of your Committee.

**REPORT
of the
CITY PLANNING COMMISSION
of the City of Minneapolis**

The Minneapolis City Planning Commission, at its meeting on May 4, 2009 took action to **submit the attached comment** on the following items:

1. Augsburg College (Vac-1552, Ward: 2), (Jim Voll).

A. Vacation: Application by Augsburg College to vacate all of 7th St S between 20th Ave S and 21st Ave S.

Action: The City Planning Commission recommended that the City Council adopt the findings and **approve** the vacation subject to the reservation of easements for Xcel, Center Point Energy, and the City of Minneapolis.

Department of Community Planning and Economic Development - Planning Division
Street Vacation
Vacation 1552

Date: May 4, 2009

Applicant: Augsburg College

Address of Property: 7th Street South between 20th Avenue South and 21st Avenue South

Contact Person and Phone: David Draus – Augsburg College 612-330-1033

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

60-Day Review Decision Date: Not Applicable

Ward: 2 Neighborhood Organization: Cedar Riverside/West Bank

Existing Zoning: OR3 Institutional Office Residence District

Proposed Zoning: Not applicable for this application.

Zoning Plate Number: 21

Legal Description: All that part of 7th Street South as dedicated in the plat of Town of Minneapolis, according to the recorded plat thereof, Hennepin County, Minnesota, lying east of a line drawn from the northwest corner of Block 199, said Town of Minneapolis, and lying west of a line drawn from the northwest corner of Block 198, said Town of Minneapolis to the southwest corner of Block 191, said Town of Minneapolis, and lying south of the south line of said Block 190 and a line drawn from the southeast corner of said Block 190 to said southwest corner of Block 191, and lying north of the north line of said Block 199 and its easterly extension.

Existing Use: Public Street.

Concurrent Review: Street vacation. No other applications are necessary at this point. In the future Augsburg College proposes a new signature academic building and other campus improvements detailed in the attached conceptual site plan. This will require site plan review and possible other land use applications, depending on the final design, and a public hearing before the City Planning Commission.

Background: Augsburg College proposes a new signature academic building and other campus improvements including a new quad and green space connection through the campus (detailed in the attached conceptual site plan and narrative). Phase one of this project is the vacation of 7th Street South. Augsburg College has completed a Travel Demand Management Plan that has been approved by Planning and Public Works that details the traffic and parking impacts of the proposed vacation and

future campus improvements. Public Works found that the vacation would not significant impact levels of service on surrounding intersections and would not significantly impact any possible conversion of Riverside Avenue to three-lane street. The vacation of 7th Street would eliminate approximately 24 on-street parking spaces. Public Works and the Fire Department will require a cul-de-sac easement at the end of 21st Avenue South for vehicle turn around; however, Augsburg College plans to keep vacated 7th Street South east of 21st Avenue South, which is not a public street, open for vehicular traffic.

Planning staff does have some concern over the removal of a public street and the loss of on-street parking, especially in the context of the comprehensive plan policy to maintain the street grid and the *Cedar Riverside Small Area Plan's* call for maintaining connectivity in the neighborhood (pages 50-52). In this case the though, the connections across campus for vehicles have already been eliminated through previous vacations. Also, the future campus master plan will provide a significant landscaped pedestrian and bicycle connection east-west through campus from 20th Avenue South to Murphy Park and north-south along 21st Avenue South.

The Minneapolis Park and Recreation Board Forestry Division will require compensation for the nine boulevard trees at approximately \$12,108 dollars (final figure to be determined by the MPRB Forestry Division). Augsburg College is aware of this requirement.

Please see the attached letter form the West Bank Community Coalition.

Development Plan: Please see the attached campus plan and proposed future academic building plan (tentative).

Responses from Utilities and Affected Property Owners: Xcel and Center Point energy have facilities in the area and request easements in the area to be vacated. The Minneapolis Public Works Department requires a cul-de-sac easement for the end of 21st Avenue South.

Findings: The Public Works Department and Community Planning and Economic Development Department – Planning Division find that the street 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 Community Planning and Economic Development Department - Planning Division:

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission and the City Council adopt the above findings and **approve** the vacation subject to the reservation of easements for Xcel, Center Point Energy, and the City of Minneapolis.

Schiff

Vacating all of 7th Street South (20th Avenue South to 21st Avenue South) as dedicated between Blocks 190 and 199, Town of Minneapolis Addition to Minneapolis; (Vacation File No. 1552).

Resolved by The City Council of The City of Minneapolis:

That all that part of 7th Street South as dedicated in the plat of Town of Minneapolis, according to the recorded plat thereof, Hennepin County, Minnesota, lying east of a line drawn from the northwest corner of Block 199, said Town of Minneapolis, and lying west of a line drawn from the northwest corner of Block 198, said Town of Minneapolis to the southwest corner of Block 191, said Town of Minneapolis, and lying south of the south line of said Block 190 and a line drawn from the southeast corner of said Block 190 to said southwest corner of Block 191, and lying north of the north line of said Block 199 and its easterly extension is hereby vacated except that such vacations shall not affect the existing easement right and authority of the City of Minneapolis, Center Point Energy, and Xcel Energy, their successors and assigns, to enter upon that portion of the aforescribed street which is described in regard to each of said corporations as follows, to wit:

As to Center Point Energy: The south half of that part of 7th Street South which lies east of the east right-of-way line of 20th Avenue South and which lies west of the west right-of-way line of 21st Avenue South, and that part of the north half of 7th Street South which lies east of the east right-of-way line of 20th Avenue South and which lies west of the southerly extension of the east line of Lot 7, Block 190, Town of Minneapolis.

As to Xcel Energy: Over the entire street to be vacated.

As to the City of Minneapolis: A public street easement over and across those parts of vacated 7th Street South and vacated 21st Avenue South, all within the plat of Town of Minneapolis, according to the recorded plat thereof, Hennepin County, Minnesota, lying within the circumference of a circle having a radius of 50.00 feet. The center of said circle is described as commencing at the northeast corner of Lot 1, Block 199, said Town of Minneapolis; thence South 89 degrees 55 minutes 42 seconds East, assumed bearing, along the easterly extension of the north line of said Lot 1, a distance of 40.00 feet to the centerline of vacated 21st Avenue South; thence north 00 degrees 07 minutes 49 seconds East, along said centerline, a distance of 33.88 feet to said center of circle.

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 the City of Minneapolis, 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 street upon or within the above-described areas without first obtaining the written approval of the corporations and the Director of Public Works of the City of Minneapolis having utility facilities located within the area involved authorizing them to do so.

Where the area described above in regard to any of the other corporations, or any part thereof lies within the area described above in regard to the City of Minneapolis, the rights reserved to the other corporation or corporations shall be subordinate to the rights reserved to the City of Minneapolis to the same extent that said rights would be subordinate if this street had not been vacated.

**Excerpt from the
CITY PLANNING COMMISSION
MINUTES**

**Minneapolis Community Planning & Economic Development (CPED)
Planning Division**

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MEMORANDUM

DATE: May 6, 2009

TO: Steve Poor, Planning Supervisor – Zoning Administrator, Community Planning & Economic Development - Planning Division

FROM: Jason Wittenberg, Supervisor, Community Planning & Economic Development - Planning Division, Development Services

CC: Barbara Sporlein, Director, Community Planning & Economic Development Planning Division

SUBJECT: Planning Commission decisions of May 4, 2009

The following actions were taken by the Planning Commission on May 4, 2009. As you know, the Planning Commission's decisions on items other than rezonings, text amendments, vacations, 40 Acre studies and comprehensive plan amendments are final subject to a ten calendar day appeal period before permits can be issued:

Commissioners present: President Motzenbecker, Bates, Gorecki, Huynh, Luepke-Pier, Norkus-Crampton, Schiff and Tucker – 8

Not present: Cohen (excused) and Nordyke

Committee Clerk: Lisa Baldwin (612) 673-3710

1. Augsburg College (Vac-1552, Ward: 2), (Jim Voll).

[Staff report](#)

A. Vacation: Application by Augsburg College to vacate all of 7th St S between 20th Ave S and 21st Ave S.

Action: The City Planning Commission recommended that the City Council adopt the findings and **approve** the vacation subject to the reservation of easements for Xcel, Center Point Energy, and the City of Minneapolis.

Commissioner Tucker opened the public hearing.

No one was present to speak to the item.

Commissioner Tucker closed the public hearing.

Commissioner Huynh moved approval of the staff recommendation (Gorecki seconded).

The motion carried 6-0.