

**Department of Community Planning and Economic Development - Planning Division**  
Vacation 1578

**Date:** April 11, 2011

**Applicant:** Mozaic Partners, LLC, Attn: Thatcher Imboden, 3033 Excelsior Boulevard, Suite 10, Minneapolis, MN 55416, (612) 824-2100

**Address of Property:** Petition to vacate the retained utility easement covering all of vacated Girard Avenue South, Lagoon Avenue and 29<sup>th</sup> Street West in the Mozaic project site (see attached map).

**Contact Person and Phone:** Mozaic Partners, LLC, Attn: Thatcher Imboden, 3033 Excelsior Boulevard, Suite 10, Minneapolis, MN 55416, (612) 824-2100

**Planning Staff and Phone:** Becca Farrar, (612) 673-3594

**60-Day Review Decision Date:** Not Applicable

**Ward:** 10      **Neighborhood Organization:** Lowry Hill East Neighborhood Association (LHENA)

**Existing Zoning:** C3A (Community Activity Center District), PO (Pedestrian Oriented) Overlay District

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

**Zoning Plate Number:** 24

**Legal Description:** See attached legal description.

**Existing Use:** A surface parking lot, however, a new three-phase, mixed-use Planned Unit Development was recently approved on the subject site. The phased plan includes a 10-story parking ramp and office structure, restaurants and commercial space centered on a public plaza.

**Concurrent Review:** Not applicable for this application.

**Background:** The applicant intends to vacate an existing utility easement to allow for redevelopment of an existing parking lot into a new mixed-use development. The easement is no longer necessary due to the proposal to remove a large segment of an existing sewer line on the property and replace a short section on the south side of the site. The applicant is proposing to vacate the easement in its entirety and re-dedicate an easement for the portion of the site that will continue to have sewer service. The future use of the vacated land will be used for underground infiltration tanks and other site infrastructure that includes a parking ramp exit tunnel, public plaza and landscaping.

**Development Plan:** A Planned Unit Development (BZZ-4954) was recently approved on the subject site. The phased plan includes a 10-story parking ramp and office structure, restaurants and commercial space centered on a public plaza. The development was approved by the Minneapolis Planning Commission on November 15, 2010.

**Responses from Utilities and Affected Property Owners:** Minneapolis Public Works reviewed the vacation petition and recommends approval of the request subject to the retention of a utility easement. The letter has been attached for reference. The applicant is currently working on the relocation of Xcel facilities in the area; therefore, Xcel Energy has no opposition to the vacation. The letter has been attached for reference. Planning Staff would encourage the applicant to continue to work closely with Xcel Energy.

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**Findings:** The CPED Planning Division finds 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 and stipulations requested above and as attached are granted by the petitioner. Further, the applicant will need to continue to work with Xcel Energy per the attached letter.

### **Recommendation of the Department of Community Planning and Economic Development – Planning Division:**

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 (Vacation File 1578) subject to the provision of a new utility easement dedicated to the City of Minneapolis.

### **Attachments:**

1. Resolution
2. Correspondence - Public Works, Xcel Energy
3. Maps