

**Department of Community Planning and Economic Development - Planning Division**  
Street Vacation  
VAC-1499

**Date:** May 7, 2007

**Applicant:** University of Minnesota

**Address Of Property:** Oak Street SE from 4<sup>th</sup> Street SE to University Avenue SE and a triangular portion south of University Avenue SE

**Contact Person And Phone:** Tom Yang, 612-626-0565

**Planning Staff And Phone:** Jennifer Jordan, 612-673-3859

**60 Day Review Decision Period:** Not applicable

**Ward: 2      Neighborhood Organization:** Prospect Park East River Road Improvement Association

**Existing Zoning:** C1 – Neighborhood Commercial District, OR2 – High Density Office Residence District, and OR3 – Institutional Office Residence District

**Existing Overlay Districts:** None

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

**Zoning Plate Number:** 22

**Legal Description:** See attached.

**Proposed Use:** This street vacation is being sought in order to develop a new University of Minnesota Gopher football stadium at this location.

**Concurrent Review:** Street vacation. No other applications are necessary as the stadium project is not subject to development review by the City of Minneapolis.

**Background:** This proposed street vacation is part of a number of right of way vacation applications being sought by the University of Minnesota in conjunction with development of a new University of Minnesota Gopher football stadium. Existing Oak Street SE will be vacated from 4<sup>th</sup> Street SE to University Avenue SE and a new Oak Street SE will be constructed east of its current location. On December 23, 2005, the Minneapolis City Council approved comments regarding roadway changes detailed in the Draft Environmental Impact Statement (EIS) for the proposed stadium project. On November 3, 2006, the Minneapolis City Council approved the University of Minnesota layout for changes to City and County roadways due to the proposed stadium project. Station 19, the property owner at 2001 University Avenue SE, may be adversely affected by the proposed vacation of Oak Street SE because it will change frontage and access to their property. Station 19 has not formally communicated to the City their position regarding the vacation of Oak Street SE. As a result, the City of Minneapolis will require either a letter from Station 19 consenting to the vacation or a hold harmless

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commitment from the University of Minnesota.

**Development Plan:** The Development Plan is attached.

**Responses from Utilities and Affected Property Owners:** The Minneapolis Public Works Department requires a watermain easement described as: that part of the east 30 feet of the west one half (1/2) of Oak Street SE to be vacated and a storm drain and sanitary sewer easement described as: All of Oak Street SE to be vacated. Excel Energy, Qwest, CenterPoint Energy, and MCI request easements for their facilities in the vacated right-of-way. Metro Transit requests easements for all areas concerning future location of Central Corridor LRT stations, operating tracks, and right of way.

**Findings:** The Public Works Department and CPED Planning Division find that the area proposed for vacation is not needed for public purpose because the public transportation corridor needs will be preserved through the conveyance of a new street easement for Oak Street SE and that it can be vacated if easements requested above are granted by the petitioner and all conditions are met.

### **RECOMMENDATION**

#### **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 City Council adopt the above findings and **approve** the vacation, subject to retention of easements by The City of Minneapolis, Xcel Energy, Qwest, CenterPoint Energy, MCI and Metro Transit and subject to the following conditions:

- 1) Conveyance of new street easements for Oak Street SE, University Avenue SE and Huron Boulevard SE via Easement Deeds are in a form and content acceptable to the City of Minneapolis.
- 2) Submittal of a letter from Station 19 consenting to the vacation or a hold harmless commitment from the University of Minnesota.

#### **Attachments:**

1. Public Works letter
2. Maps, aerial photo
3. Future development layout
4. Applicant statement
5. Responses from utilities, fire, and Metro Transit

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**Legal Description**

**Oak Street (North of University Avenue SE)**

- That part of Oak Street SE lying northerly of the northeasterly line of the Southwesterly 20.00 feet of Block 14, REGENTS' ADDITION, according to the recorded plat thereof, and its northwesterly prolongation and lying southerly of a line described as commencing at the intersection of the northeasterly line of said Block 14 with the northeasterly line of the Southwesterly 20.0 feet of said Block 14; thence northwesterly along said northeasterly line a distance of 467.05 feet; thence northeasterly deflecting to the right 90 degrees, 00 minutes, 00 seconds, a distance of 30.39 feet; thence northwesterly 409.81 feet along a tangential curve concave to the west having a radius of 261.00 feet and a central angle of 89 degrees, 57 minutes, 44 seconds, to the point of beginning of the line to be described; thence northwesterly, tangent to said curve, 20.03 feet; thence northwesterly 77.05 feet along a tangential curve concave to the northeast having a radius of 213.0 feet and a central angle of 20 degrees, 43 minutes, 30 seconds; thence northwesterly, tangent to said curve, to the intersection with the southeasterly prolongation of the northeasterly line of Block I, TUTTLE'S ADDITION OF ST. ANTHONY. According to the recorded plat thereof, thence northwesterly along said southeasterly prolongation of the northeasterly line of Block I to the northeast corner thereof and there terminating.

And:

**Oak Street (South of University Avenue SE)**

- That part of Oak Street SE lying southerly of the southwesterly line of the Northeasterly 20.0 feet of Block 21, REGENTS' ADDITION, according to the recorded plat thereof and its northwesterly prolongation and lying northerly of a line described as:

Commencing at the intersection of the west line of said Block 21 with the southwesterly line of the Northeasterly 20.0 feet of said Block 21; thence southeasterly along said southwesterly line a distance of 34.46 feet to the point of beginning of the line to be described; thence southwesterly 13.3 feet along a non-tangential curve concave to the northwest having a radius of 36.0 feet and a central angel of 21 degrees, 10 minutes, 04 seconds, the chord of said curve deflects 79 degrees, 24 minutes, 56 seconds to the right from said southwesterly line of Northeasterly 20.0 feet; thence southwesterly tangent to said curve, to the west line of said Oak Street SE and there terminating.

And;

That part of Arlington Avenue (formerly known as Sixth Street) as dedicated in the plat of ST. ANTHONY CITY, according to the recorded plat thereof, lying northerly of the northeasterly line of the Southwesterly 20.00 feet of Block 14, REGENTS' ADDITION, according to the recorded plat thereof, and its northwesterly prolongation.