

Minneapolis City Planning Department Report

Alley Vacation Application
Vac. # 1446

Date: October 13, 2004

Applicant: Diane Marie Dietzler LeBlanc

Date Application Deemed Complete: September 24, 2004

Address of Property: 115 West 29th Street

Contact Person and Phone: Diane Marie Dietzler LeBlanc, 612-879-8182

Planning Staff and Phone: Lonnie Nichols, 612-673-5468

Ward: 6 **Neighborhood Organization:** Whittier Alliance

Existing Zoning: R2B (low density, two-family residential) district

Comprehensive Plan:

The Minneapolis Comprehensive plan does not list anything specific for the subject parcel of this application, but the following objective and selected implementation step support the proposed alley vacation.

4.14 Minneapolis will maintain the quality and unique character of the city's housing stock, thus maintaining the character of the vast majority of residential blocks in the city.

Implementation Step

Provide the flexibility in the city's ordinances to improve and maintain existing structures.

Proposed Use: Private driveway and/or additional private yard and greenspace.

Background: An application was filed to vacate the northerly 90 feet of the alley, between 29th Street and the Midtown Greenway, as dedicated in Block 5, Lindley & Lingenfelter's Addition to Minneapolis. This non-paved and dead end section of alley is located adjacent to 115 29th Street West in the R2B (two family, low density residential) district.

Development Plan: The applicant has not provided a specific development plan, but has verbally indicated an interest to construct a garage on their property accessed by a private driveway with a cross easement access agreement with the adjacent residential neighbor. Permits will be required and approvals granted by the City for surfacing and construction on the said properties.

Other Zoning Applications Required: No other approvals are required.

Minneapolis City Planning Department Report
Vac. # 1446

Responses from Utilities and Affected Property Owners:

Of the utilities that have responded, Qwest and Xcel Energy have requested easements. The fire department indicated the proposed vacation will not have an impact on existing structures as it relates to fire code, but that any variation of the proposed vacation will require additional review for approval. MCI indicated they do not have facilities in the project area. Center Point Energy-Minnegasco, the Minnesota Department of Transportation, and the Hennepin County Transportation Department stated no objections. The Public Works Department recommended approval of the request.

Specific comments from the utilities requesting easements:

Qwest: Qwest has existing aerial facilities which provide services to various addresses within the limits of vacation notice 1446 and opposes the vacation unless easement is provided and/or the petitioner compensates Qwest for the relocation of the facilities that are in conflict with the vacation.

Xcel: Xcel Energy has no objection to said vacation, provided an easement be reserved for in favor of NSP/Xcel Energy to be described as: The north 10.00 feet of the alley as dedicated in Block 5, LINDLEY & LINGENFELTER'S ADDITION TO MINNEAPOLIS, according to the recorded plat thereof on file and of record in the Office of the County Recorder in and for Hennepin County, Minnesota, which part is the subject of the referenced vacation.

Findings: The Public Works Department and City Planning Department find that the area proposed for vacation is not needed for any public purpose, and it is adjacent to but not part of a public transportation corridor (Midtown Greenway), and that it can be vacated if any easements or relocation fees requested above are granted by the petitioner.

Recommendation of the City Planning Department:

The City Planning Department recommends that the City Planning Commission and the City Council accept the above findings and **approve** the vacation, subject to retention of an easement by Xcel Energy and retention of an easement or relocation fee by Qwest.

Attachments:

Staff report
Zoning Map
Alley Vacation Map