

Department of Community Planning and Economic Development – Planning Division
Preliminary Plat
PL-155
Vacations of Streets and Easements
Vac-1444a – Vac1444t

Date: August 16, 2004; September 13, 2004; September 27, 2004; October 13, 2004

Applicant: City of Minneapolis

Address of Property: These multiple applications are within an area roughly bounded by Girard Avenue North on the west, 5th Avenue North on the north, Aldrich Avenue North on the east, and a line midway between Glenwood Avenue North and 4th Avenue North on the south.

Project Name: Heritage Park

Name of Plat: CITY OF MINNEAPOLIS HERITAGE PARK PLAT 4

Contact Person and Phone: Lois Eberhart, (612) 673-5041

Planning Staff and Phone: Tom Leighton, (612) 673-3853

Date Application Deemed Complete: Vacation, July 10, 2004. Plat, August 4, 2004.

End of 60-Day Decision Period: September 8, 2004

Ward: 5 **Neighborhood Organization:** Harrison Neighborhood Association

Existing Zoning: R4

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 12, 13

Legal Description: Not applicable for this application

Proposed Use: Right of way layout for fourth phase of Heritage Park

Concurrent Review:

Vacations: Vacation of multiple sections of right of way and utility easements

Plat: Platting of right of way

Applicable zoning code provisions: Chapter 598, Land Subdivision Regulations

Background: There have been no previous approvals for this part of Heritage Park. The plat and easement vacations (PL-143, Vac-1426) pertaining to the right of way to the north and east of the subject plat was approved by the City Planning Commission on January 26, 2004.

Vacations 1444a – 1444q are right of way vacations. 1444r – 1444t are vacations of drainage and utility easements. Vacation 1444t has been withdrawn by the applicant.

Vac-1444a – Vac-1444f and Vac-1444n – Vac-1444p are for sections of the 5th Avenue North right of way between Lyndale Avenue North and Girard Terrace. Vac-1444g and Vac-1444h are for sections of the Dupont Avenue North right of way between 4th and 5th Avenues. Vac-1444i is for a section of the 4th Avenue North right of way and part of the Dupont Avenue North right of way in the vicinity of the intersection of Dupont and 4th Avenues. Vac-1444j – Vac-1444m are for sections of the 4th Avenue North right of way between Dupont and Girard Avenues. Vac-1444q is for a section of the Bryant Avenue North right of way adjacent to Olson Memorial Highway. Vac-1444r and Vac-1444s are for various utility easements in the area bounded by Girard Terrace, and 4th, 5th, and Dupont Avenues.

The preliminary plat was approved by the City Planning Commission at its meeting of September 27, 2004.

VACATION (Vac-1444)

Development Plan: The site plan for the development is attached. It is simply the proposed layout of streets in this part of Heritage Park.

Responses from Utilities and Affected Property Owners: Of the utilities that have responded, only Centerpoint Energy Minnegasco has requested the retention of easements in any of the proposed vacated areas. They have requested the retention of easements over all of vacated areas Vac-1444i through Vac-1444m.

Findings—Vac-1444a through Vac-1444s: The Public Works Department and City Planning Division of CPED find that the area proposed for vacation is not needed for any public purpose, and is not part of a public transportation corridor, given that the street network is being reconstructed as defined by the accompanying plat PL-155.

The City of Minneapolis Public Works Department has requested that drainage and utility easements be retained in the vacated right of way represented by the applications Vac-1444f through Vac-1444m since these sections of vacated 4th Avenue and Dupont Avenue will continue to carry utilities.

Drainage and utility easements retained in relation to Vac-1444a and Vac-1444r are only required until December 31, 2005.

FINAL PLAT (PL-155)

Development Plan: The development plan for this plat is the street layout as illustrated on the preliminary and final plat. Future development of the area will require a subsequent subdivision application of the outlot blocks to create parcels suitable for development. The future subdivision application(s) will be considered in conjunction with relevant site layout plans, and with all development applications required by the proposed development.

Background: The final plat is in conformance with the preliminary plat. Title documentation has been reviewed by the City Attorney and is acceptable.

RECOMMENDATIONS

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the vacation of right of way (Vac-1444a):

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission and City Council adopt the above findings and **approve** the proposed vacation of a part of 5th Avenue North subject to the retention of a temporary drainage and utility easement over the entire area until December 31, 2005.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the vacation of right of way (Vac-1444b, Vac-1444c, Vac-1444d, Vac-1444e):

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission and City Council adopt the above findings and **approve** the proposed vacation of a part of 5th Avenue North.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the vacation of right of way (Vac-1444f):

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission and City Council adopt the above findings and **approve** the proposed vacation of a part of 5th Avenue North subject to the retention of a drainage and utility easement over the entire area.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the vacation of right of way (Vac-1444g, Vac-1444h):

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission and City Council adopt the above findings and **approve** the proposed vacation of a part of Dupont Avenue North subject to the retention of a drainage and utility easement over the entire area.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the vacation of right of way (Vac-1444i, Vac-1444j, Vac-1444k, Vac-1444l, Vac-1444m):

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission and City Council adopt the above findings and **approve** the proposed vacation of a part of 4th Avenue North subject to the retention of a drainage and utility easement over the entire area, and subject to the retention of easement by CenterPoint Energy over the entire area for existing facilities.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the vacation of right of way (Vac-1444n, Vac-1444o, Vac-1444p):

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission and City Council adopt the above findings and **approve** the proposed vacation of a part of 5th Avenue North subject to the retention of a drainage and utility easement over the entire area.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the vacation of right of way (Vac-1444q):

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission and City Council adopt the above findings and **approve** the proposed vacation of a part of Bryant Avenue North subject to the retention of a drainage and utility easement over the entire area.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the vacation of utility easements (Vac-1444r):

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission and City Council adopt the above findings and **approve** the proposed vacation of public easement subject to the retention of a temporary drainage and utility easement over the entire area until December 31, 2005.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the vacation of right of way (Vac-1444s):

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission and City Council adopt the above findings and **approve** the proposed vacation of public easement.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the vacation of right of way (Vac-1444t):

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission **accept** the applicant’s withdrawal of this vacation application.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the final plat (PL-155):

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the final plat titled CITY OF MINNEAPOLIS HERITAGE PARK PLAT 4.