

Department of Community Planning and Economic Development - Planning Division
Street Vacation
Vac-1549

Date: September 8, 2008

Applicant: Carol Lorence

60-Day Review Decision Date: Not Applicable

Address of Property: That part of 45th Street West shown on the plat of Waveland Park Addition to Minneapolis, lying 60 feet north of the North line of Lot 1, Block 22 said Addition, and 36 feet east of the west line of said Lot 1 as extended north, and south of the South line of 45th Street West as opened by the City Council on November 14, 1924.

Contact Person and Phone: Carol Lorence (612) 354-2076

Planning Staff and Phone: Kimberly Holien (612) 673-2402

Ward: 13 **Neighborhood Organization:** Linden Hills

Existing Zoning: R1, Single Family Residential

Zoning Plate Number: 29

Legal Description: That part of 45th Street West shown on the plat of Waveland Park Addition to Minneapolis, lying 60 feet north of the North line of Lot 1, Block 22 said Addition, and 36 feet east of the west line of said Lot 1 as extended north, and south of the South line of 45th Street West as opened by the City Council on November 14, 1924.

Proposed Use: Landscaped open space.

Development Plan: No development plan has been provided at this time. The applicant has indicated that the vacated right-of-way would be used as additional landscaped yard space. A landscape plan for the right-of-way has been provided.

Other Zoning Applications Required: No other zoning applications are required at this time.

Background: The applicant has requested a vacation for an unimproved portion of the 45th Street West right-of-way which lies directly west of the applicant's property, abutting the existing driveway at 4500 Beard Avenue S. The applicant is proposing to landscape the vacated right-of-way and install a brick patio. No change is proposed for the existing sidewalk.

Responses from Utilities and Affected Property Owners: Minneapolis Public Works recommends approval of the vacation subject to the following legal description:

All that portion of 45th Street West, not heretofore vacated, as dedicated in the original plat of Waveland Park Addition to Minneapolis, lying between the north line of Lot 1, Block 22 of said Addition , and the south line of 45th Street West as opened by the City Council on November 14, 1924, as follows; Beginning at the northwest corner of Lot 1, Block 22, said Addition, thence north 60.00 feet on an assumed bearing to the south line of 45th Street West, thence 36.00 feet east along the south line of 45th Street West as opened by the City of Minneapolis, thence south 60.00 feet to the north line of said Lot 1, thence west to the point of beginning

Xcel Energy and Qwest have requested an easement for their facilities in the vacated right-of-way. Detailed easement descriptions will be required.

Findings: The Public Works Department and the CPED - Planning Division find 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 the easements requested above are granted by the petitioner.

RECOMMENDATION

Recommendation of the CPED Planning Division:

The CPED Planning Division recommends that the City Planning Commission and the City Council accept the above findings and **approve** the vacation subject to the above legal description prepared by Public Works and the provision of easements to Xcel Energy and Qwest.