

**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

**Applicant:** City of Minneapolis

**Address of Property:** These multiple applications are within an area roughly bounded by Girard Avenue North on the west, 5<sup>th</sup> Avenue North on the north, Aldrich Avenue North on the east, and a line midway between Glenwood Avenue North and 4<sup>th</sup> 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 Vacation 1444t has been withdrawn by the applicant.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 5<sup>th</sup> 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 4<sup>th</sup> and 5<sup>th</sup> Avenues. Vac-1444i is for a section of the 4<sup>th</sup> Avenue North right of way and part of the Dupont Avenue North right of way in the vicinity of the intersection of Dupont and 4<sup>th</sup> Avenues. Vac-1444j – Vac-1444m are for sections of the 4<sup>th</sup> 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 4<sup>th</sup>, 5<sup>th</sup>, and Dupont Avenues.

The Public Works Department has reviewed the preliminary plat and has no objections to it. The Public Works Department has not yet submitted comments on the vacation applications, so staff recommends that these applications be continued to October 13, 2004.

### **PRELIMINARY PLAT (PL-155)**

#### **1. Subdivision is in conformance with the land subdivision regulations including the requirements of section 598.80 relating to protection of natural resources, applicable regulations of the Zoning Code, and policies of the Comprehensive Plan.**

Rights of way and streets comply with the dimensional requirements of the Land Subdivision regulations. All two way streets conform to minimum street widths as defined in the Land Subdivision Regulations. Paired one ways are proposed for Van White Memorial Boulevard. The proposed street width is 22 feet in width, necking to 18 feet near intersections.

Neither of the proposed blocks meets the minimum dimensions as specified in the land subdivision regulations. The block bounded by Aldrich, Bryant, 4th and 5th Avenues will be approximately 280 feet by 350 feet. The block bounded by Van White Memorial Boulevard, and 4th, 5th, and Bryant Avenues is approximately 340 feet by 500 feet. The ordinance requires that blocks be a minimum of 300 feet width and 600 feet length, and of sufficient width to provide two tiers of lots. Development on both blocks could be configured so as to provide two tiers of lots, but neither completely meets the dimensional requirements. The following variances is thus required in order to support the subject plat:

#### **Variance of minimum block dimensions for two full blocks created by plat.**

The following findings must be made affirmatively in order for the variances of minimum lot dimensions to be supported.

- a. There are special circumstances or conditions affecting the specific property such that strict application of the provisions of this chapter would deprive the applicant of the reasonable use of land.**

The block bounded by Aldrich, Bryant, 4<sup>th</sup> and 5<sup>th</sup> Avenues is constrained by existing streets on all four sides. The block bounded by Van White Memorial Boulevard, and 4<sup>th</sup>, 5<sup>th</sup>, and Bryant Avenues is defined by existing streets on its north, south and east sides. Its west side is constrained by the new Van White Memorial Boulevard, and by the proposed park across the street to the west.

- b. The granting of the variance will not be detrimental to the public welfare or injurious to other property in the area in which the property is located.**

Primary public objectives are achieved in this proposal. The land is made available for additional housing development. Adequate connections are built for automobile and pedestrian traffic. Developable lots can be configured to provide frontage on public streets and alleys.

The proposed street grid allows multiple avenues for pedestrian and vehicular movement, and good connectivity in all directions. All proposed blocks are of sufficient size to support multi-family housing development.

The adjacent residential development to the north of these blocks is part of the Heritage Park development. The granting of the variances is not expected to have a detrimental impact on these properties. Development on the subject blocks will be designed to be compatible with other phases of the Heritage Park development.

- 2. Subdivision will not be injurious to the use and enjoyment of other property in the immediate vicinity, nor be detrimental to present and potential surrounding land uses, nor add substantially to congestion in the public streets.**

The plat application is a step in the implementation of the approved Near Northside Master Plan. The platted area will be contiguous to residential development to the north, and existing commercial uses to the south along Glenwood Avenue. The development of the area will be subject to multiple development applications that will allow review of compatibility with surrounding property.

- 3. All land intended for building sites can be used safely without endangering the residents or uses of the subdivision and the surrounding area by peril from floods, erosion, high water table, severe soil conditions, improper drainage, steep slopes, utility easements, rock formations, or other hazard.**

Considerable geotechnical investigation has informed the proposed design of the site. The proposed street grid and residential development concentrate the housing on the soils most usable for building construction. City staff in the Public Works Department, along with the City's consultant, SRF Consulting Group, have given extensive attention to these issues in the design of the proposal.

- 4. The lot arrangement is such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits and in providing driveway access to buildings on such lots from an approved street. Each lot created through subdivision is suitable in its natural state for the proposed use with minimal alteration.**

Lots are to be defined in a subsequent subdivision application in connection with other development approvals related to the proposed planned residential development.

- 5. The subdivision makes adequate provision for storm or surface water runoff, and temporary and permanent erosion control. The stormwater drainage system shall be separate and independent of any sanitary sewer system. All plans shall be designed in accordance with rules, regulations and standards of the city engineer. Facilities intended to be dedicated to the City shall be located in perpetual, unobstructed easements of a width determined to be adequate and necessary by the city engineer. To the extent practicable, the amount of stormwater runoff from the site after development does not exceed the amount occurring prior to development.**

City staff in the Public Works Department, along with the City's consultant, SRF Consulting Group, have given extensive attention to these issues in the design of the proposal. Subsequent development applications will require the submission of a stormwater management plan for the area.

## **RECOMMENDATIONS**

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission **continue** the applications to October 13, 2004.

### **Recommendation of the Department of Community Planning and Economic Development – Planning Division for the vacation of utilities (Vac-1444r and Vac-1444s):**

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission **continue** the applications to October 13, 2004.

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission **approve** the application for preliminary plat.