

Department of Community Planning and Economic Development – Planning Division
Sewer Easement Vacation
Vac-1491

Date: 7/17/06

Applicant: Common Bond Communities, 328 Kellogg Blvd., St. Paul, MN 55102

Address of Property: 4550 Humboldt Ave. N.

Project Name: Kingsley Commons

Contact Person and Phone: Jon Weiss, CommonBond Communities, 328 Kellogg Blvd., St. Paul, MN 55102-1900, 651-291-1750

Staff Contact Person and Phone: J. Michael Orange, consulting planner. Phone: 612-673-2347; facsimile: 673-2728; TDD: 673-2157; e-mail: michael.orange@ci.minneapolis.mn.us

Ward: 4 **Neighborhood Organization:** Shingle Creek Neighborhood Revitalization Program and Lind-Bohanon Neighborhood Association

Existing Zoning:

- R5, Multiple-Family District
- Shoreland Overlay District (northeast corner of site only, refer to Attachment X))

Zoning Plate Number: 2

Proposed Use: Application by Common Bond Communities to vacate a 30-foot wide sewer easement located on the northern portion of the property at 4550 Humboldt Ave. N. where Common Bond has permits to build the Kingsley Commons project

Comprehensive Plan and City Goals: The *Minneapolis Plan* does not contain policies that provide direct guidance as to the proposed vacation of a sewer easement on private property. The vacation is required for construction of the Kingsley Commons project and the staff report prepared for this project (8/29/05) concluded the project was consistent with all but minor aspects of the numerous adopted policies and plans applicable to the project.

Background: The Multiple Sclerosis Society, Minnesota Chapter and the Powderhorn Community Council (PCC) selected CommonBond Communities to develop, own, and manage an affordable housing community for low-income people with multiple sclerosis and similar diseases. Kingsley Commons will be a community of 18 one-bedroom and 6 two-bedroom units, plus a caretaker's unit (25 total units). The building and grounds will be fully accessible. The proposed site for Kingsley Commons is immediately adjacent to Shingle Creek Commons (4600 Humboldt Ave. North), a 75 unit affordable housing community for seniors that CommonBond developed in 2003. Shingle Creek Commons is owned by a non-profit organization controlled by

<p>Attention: If you want help translating this information, call - Hmong - Ceeb toom. Yog koj xav tau kev pab txhais cov xov no rau koj dawb, hu 612-673-2800; Spanish - Atención. Si desea recibir asistencia gratuita para traducir esta información, llama 612-673-2700; Somali - Ogow. Haddii aad dooneyso in lagaa kaalmeeyo tarjamadda macluumaadkani oo lacag la' aan wac 612-673-3500</p>
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CommonBond. Both projects are located in the Humboldt Greenway Redevelopment Area. With the addition of Kingsley Commons, CommonBond is intentionally creating an affordable housing campus that will serve 100 families and individuals.

Development Plan: Refer to Attachment 2.

Other Zoning Applications Required: The Planning Commission approved the necessary land use applications for the project on 8/29/05.

Responses from Utilities and Affected Property Owners: Notice for the proposed vacation was sent on 4/25/04 to the appropriate list of governmental agencies and utility companies seeking their input. The following summarizes the responses received to date:

- Minneapolis Public Works: Recommends approval of vacation, subject to the legal description as stated in its letter of 6/26/06 and in the below recommendation.
- Minneapolis Fire Department: Conditional approval of vacation subject to final approval, based on final plans and/or any changes submitted.
- Minnesota Department of Transportation: No objection to the vacation.
- Hennepin County Transportation Department: No objection to the vacation.
- Xcel Energy: No objection to the vacation.
- MCI: No objection to the vacation.
- Center Point Energy: No objection to the vacation.
- Time Warner Cable: No objection to the vacation.
- Qwest: The company's statement is as follows: "Qwest has agreed with developer to give up 50' easement if a new 20' easement is established."

Findings: The vacation will remove a sewer easement for an area that has no sewer utilities within it and that is no longer needed for sewer purposes. The Public Works Department and the Department of Community Planning & Economic Development – Planning Division find that the area proposed for vacation is not needed for any public purpose, that it is not part of a public transportation corridor, and that it can be vacated.

RECOMMENDATION

Recommendation of the Department of Community Planning & Economic Development – Planning Division:

The Department of Community Planning & Economic Development – Planning Division recommends that the City Planning Commission and City Council **approve** the proposed vacation of the sewer easement located at 4550 Humboldt Ave. N., subject to the following legal description: "A thirty (30) foot wide sewer easement being 15 feet either side of the following described line: Beginning at a point in 46th Avenue North being 92 feet east of the southerly extension of the west line of Lot 8, Block 4, and 25 feet south line of said Lot 8, Block 4, and 25 feet south of the south line of said Lot 8, Block 4, Gillespie's Camden Oaks Addition to Minneapolis, thence east a distance of 380 feet; thence northeasterly at a 30 degree angle a

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distance of 70 feet and there terminating; all according to the recorded plats thereof, Hennepin County, Minnesota.”

Attachments:

1. Zoning and lot lines in the vicinity of the site
2. Vacation application
3. Rendering of the Kingsley Commons project
4. Letter from Public Works