

**Department of Community Planning and Economic Development - Planning Division**  
Vacation 1546

**Date:** July 7, 2008

**Applicant:** Fremont Development Partners, LLC, Attn: Brent Rogers, 129 North Second Street, Ste. 100, Minneapolis, MN 55401, (612) 630-2542

**Address of Property:** Petition to vacate a City of Minneapolis Utility Easement on a portion of the property located at 2838 Fremont Avenue South. See attached map.

**Contact Person and Phone:** Fremont Development Partners, LLC, Attn: Brent Rogers, 129 North Second Street, Ste. 100, Minneapolis, MN 55401, (612) 630-2542

**Planning Staff and Phone:** Becca Farrar, (612) 673-3594

**60-Day Review Decision Date:** Not Applicable

**Ward:** 10    **Neighborhood Organization:** Lowry Hill East Neighborhood Association  
(LHENA)

**Existing Zoning:** R6 (Multi-family) District

**Proposed Zoning:** Not applicable for this application.

**Zoning Plate Number:** 24

**Legal Description:** See attached legal description.

**Existing Use:** Vacant. However, a 237 unit residential development project has been approved on the subject site.

**Concurrent Review:** Not applicable for this application.

**Background:** The applicant intends to vacate a utility easement in order to construct a 237-unit residential development on the property. The Acme Tag redevelopment was approved by the Minneapolis Planning Commission at its meeting of January 28, 2008, the Zoning and Planning Committee at its meeting of February 21, 2008, and the City Council at its meeting of February 29, 2008.

**Development Plan:** The vacation would allow for the construction of an approved project on the premises. Please see the attached site plan.

**Responses from Utilities and Affected Property Owners:** Minneapolis Public Works has reviewed the vacation petition and recommends approval of the request subject to a stipulation that the existing Storm Sewer be abandoned, filled or removed south of the catch basin located adjacent to Lots 5 & 8, Block 7, Windom's Addition to Minneapolis. The letter has been attached for reference. Both Xcel Energy and Qwest have requested easements as well. Planning Staff would encourage the applicant to

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work directly with both utilities to ensure that the applicable easements as requested are provided. Planning Staff would recommend that an easement be granted over the entire described areas to be vacated at this time.

**Findings:** The CPED Planning Division finds 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 any easements and stipulations requested above are granted by the petitioner.

**Recommendation of the Department of Community Planning and Economic Development – Planning Division:**

The Department of Community Planning and Economic Development– Planning Division recommends that the City Planning Commission and the City Council accept the above findings and **approve** the vacation (Vacation File 1546) subject to the provision of easements dedicated to Xcel Energy and Qwest over the entire described areas to be vacated.

**Attachments:**

1. Resolution
2. Correspondence - Public Works letter, Xcel letter and Qwest email
3. Maps
4. Site plan