

**Department of Community Planning and Economic Development – Planning Division**  
Vacation of right-of-way  
Vac-1457

**Date:** May 9, 2005

**Applicant:** Paloma Partners, LLC

**Address of Property:** 211 St. Anthony Boulevard

**Project Name:** Not applicable for this application

**Contact Person and Phone:** Ray Ellis, (612) 781-6092

**Planning Staff and Phone:** Hilary Watson, (612) 673-2639

**Date Application Deemed Complete:** Not applicable for this application

**End of 60-Day Decision Period:** Not applicable for this application

**End of 120-Day Decision Period:** Not applicable for this application

**Ward:** 1      **Neighborhood Organization:** Mid-City Industrial Area (not a neighborhood organization)

**Existing Zoning:** I2

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

**Zoning Plate Number:** 15

**Legal Description:** Not applicable for this application

**Proposed Use:** Surface parking lot

**Concurrent Review:**

**Vacation 1457:** Paloma Partners, LLC has applied to vacate right-of-way.

**Applicable zoning code provisions:** Not applicable for this application

**Background:** In 1944, a petition to vacate the subject right-of-way was submitted to the City. For an unknown reason, the vacation was never acted upon by the Minneapolis City Council. Approximately 40 years ago a building was constructed over a portion of the right-of-way although it was never officially vacated. For ease of cleaning up the title for the property, the applicant is petitioning to vacate the subject right-of-way.

**VACATION (Vac1457)** – That part of Ulysses Street NE to wit; Over that certain piece or parcel of land sixty-six (66) feet in width, the same being thirty-three (33) feet in width on each side of the east boundary line of Lots 4, 5, 6, in Auditors Subdivision No. 115, Hennepin County, Minnesota, and extending from the north line of Winter Street NE to a line parallel with and distant 661.9 feet north of the north line of said Winter Street according to the plat of said Auditors Subdivision No.115, on file and of record in said Hennepin County Recorders office.

**Development Plan:** The site plan for the development is attached.

**Responses from Utilities and Affected Property Owners:** Of the utilities and/or affected property owners that have responded Xcel Energy and the City of Minneapolis have requested an easement.

**Findings:** The Public Works Department finds that the area proposed for vacation is needed for public purpose as there is an existing sanitary sewer easement running underneath the right-of-way. The Public Works Department has recommended that this vacation be approved subject to the retention of easements on behalf of the City of Minneapolis.

## **RECOMMENDATIONS**

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

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 application subject to the retention of an easement in favor of Xcel Energy and a sanitary sewer easement in favor of the City of Minneapolis.

### **Attachments:**

1. Affidavit regarding street vacation from Dennis Morris in the Right-of-Way Department of the City of Minneapolis
2. Map and legal description of the area proposed to be vacated
3. Site plan
4. Responses from the utilities and/or affected property owners