

**Department of Community Planning and Economic Development—Planning Division  
Vacation  
Vac-1463**

**Hearing Date:** 9/19/05 (Planning staff included an incorrect location for this project in the public notice for the 8/29/05 meeting so the Commission continued the project to the 9/19/05 meeting and staff re-noticed the project with the correct location.)

**Applicant:** North Second Street Steel Supply Company, 2212 2<sup>nd</sup> St. N., Minneapolis, MN 55411

**Address of Property:** The portion of 23<sup>rd</sup> Ave. N. between 1<sup>st</sup> St N. (vacated) and 2<sup>nd</sup> St. N.

**Contact Person and Phone:** Patricia Larson, Maslon Edelman Borman & Brand, LLP, 3300 Wells Fargo Center, 90 S. Seventh St., Mpls., MN 55402-4140 (612-672-8374) representing Larry Rosen of North Second Street Steel Supply Company

**Staff Contact Person and Phone:** J. Michael Orange, Principal Planner. Phone: 612-673-2347; facsimile: 673-2728; TDD: 673-2157; e-mail: [michael.orange@ci.minneapolis.mn.us](mailto:michael.orange@ci.minneapolis.mn.us)

**Ward:** 3      **Neighborhood Organization:** Hawthorne Area Community Council

**Existing Zoning:**

- Primary Zoning: I2, Medium Industrial District
- Overlay Zoning: Mississippi River Overlay District

**Comprehensive Plan and City Goals:**

**a. The City's Goals (selected goals):**

City Goal #8: Strengthen our city through infrastructure improvements.

**b. The *Minneapolis Plan* (adopted by the City Council in 2000):**

**Policy 8.1: Minneapolis will maintain and enhance the elements of a responsive transportation system through balancing the interests of economic development and neighborhood livability.**

**Implementation Steps (selected and emphasis added):**

- Maintain the continuity of the dense grid of city streets to prevent substantial traffic increases on a small number of residential streets.
- Continue to maintain roadways and bridges in the city's street system.

**Policy 9.13: Minneapolis will restore and maintain the traditional street grid.**

**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

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**Implementation Steps (selected and emphasis added):**

- Maintain the street grid as the preferred option while evaluating new development of potential street changes.
- Restore the street grid whenever possible.

- c. **Above The Falls: A Master Plan for the Upper River in Minneapolis:** This north south block orientation should be maintained, specifically on the west bank where redevelopment will include construction of new blocks, and in some new street alignments. The new street grid should in most cases follow existing block dimensions, to match street alignments across the interstate in north Minneapolis (p. 66). The Land Use Plan Map shows 23rd St. as not being vacated.

**Proposed Use:** North Second Street Steel Supply Company is seeking to vacate the portion of 23<sup>rd</sup> Ave. N. between 1<sup>st</sup> St N. (vacated) and 2<sup>nd</sup> St. N.

**Background:** Refer to the above sections and Attachment 3.

**Development Plan:** Refer to Attachment 3.

**Other Zoning Applications Required:** No other approvals are required.

**Responses from Utilities and Affected Property Owners:** Notice for the proposed vacation was sent on 4/22/05 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 denial of the vacation because the “Above The Falls: A Master Plan for the Upper River in Minneapolis” calls for this street to be maintained (Attachment 5).
- 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 comment on the vacation.
- Hennepin County Transportation Department: No objection to the vacation.
- Xcel Energy: No objection to vacation provided that utility easement rights be retained in Xcel’s favor over, under, or across the south 10 ft. of the subject portion of 23<sup>rd</sup> St. N.
- MCI: The letter from the company claimed it has facilities within the proposed vacation area and stated the company does not intend to waive any of these rights of easement.
- Center Point Energy: The company has a gas main in the proposed vacation area and is opposed to the vacation unless suitable alternative easements rights are granted the company.
- Qwest: No objection to the vacation.

**Findings:** The Department of Community Planning & Economic Development – Planning Division agrees with the “Above The Falls: A Master Plan for the Upper River in Minneapolis.” The existing right of way is expected to serve a public purpose and should not be vacated. Furthermore, the vacation is inconsistent with Policies 8.1 and 9.13 of the Minneapolis Plan and three utilities have easements within the right-of-way.

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**RECOMMENDATION**

**Recommendation of the Department of Community Planning & Economic Development – Planning Division for the proposed vacation of that portion of 23<sup>rd</sup> Ave. N. between 1<sup>st</sup> St. N. and 2<sup>nd</sup> St. N.**

The Department of Community Planning & Economic Development – Planning Division recommends that the City Planning Commission and City Council **deny** the proposed vacation of that portion of 23<sup>rd</sup> Ave. N. between 1<sup>st</sup> St. N. and 2<sup>nd</sup> St. N.

**Attachments:**

1. Primary and Overlay zoning
2. Map and aerial photo of easement
3. Vacation application letter
4. Letter of support for vacation
5. Public Works letter
6. Land Use Plan Map from “Above The Falls: A Master Plan for the Upper River in Minneapolis”