

**Department of Community Planning and Economic Development—Planning Division  
Vacation, Vac-1438**

**Hearing Date:** 11/14/05

**Applicant:** 1805 E. Hennepin, LLC; 1323 Tyler St. NE, Mpls., MN 55413

**Address of Property:** The area to be vacated is an irregularly shaped storm sewer easement in the previously vacated eastern portion of the right-of-way of Stinson Blvd. located directly north of E. Hennepin.

**Contact Person and Phone:** Dan Voss, 1805 E. Hennepin, LLC; 1323 Tyler St. NE, Mpls., MN 55413, 952-837-1000

**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:** 1      **Neighborhood Organization:** Northeast Park Neighborhood Association and Southeast Como Improvement Association

**Existing Zoning:** I1, Light Industrial District

**Comprehensive Plan and City Goals:**

- City Goal #8: Strengthen our city through infrastructure improvements.
- The *Minneapolis Plan* does not contain policies that provide direct guidance as to the proposed vacation of the storm sewer easement.

**Proposed Use:** E. Hennepin, LLC is seeking to vacate an irregularly shaped storm sewer easement in the previously vacated eastern portion of the right-of-way of Stinson Blvd. located directly north of E. Hennepin for the expansion of the building for the Skyway Events Services company.

**Background:** The applicant created a situation where storm sewer easements now cross property they obtained through the approval of two prior vacation requests (Vac-1376, approved 10/17/02; and Vac-1408 approved 8/11/03, refer to Attachment 5). The current application is to modify these prior actions by narrowing the scope of the vacations. This action (Vac-1438) eliminates the two prior easements the City retained via Vac-1376 and Vac-1408. This is possible because the applicant has recently provided to the City one clearly defined easement for the existing storm sewer. (Refer also to Attachments 2-6.)

**Development Plan:** Refer to Attachment 2.

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

**Responses from Utilities and Affected Property Owners:** Notice for the proposed vacation was sent on 4/14/04 to the appropriate list of governmental agencies and utility companies seeking their input. The following summarizes the responses received to date:

**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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- Minneapolis Public Works: Recommends approval of vacation subject to the legal descriptions contained in attached letter (Attachment 6).
- 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 response to the vacation notice.
- Hennepin County Transportation Department: No response to the vacation notice.
- Xcel Energy: The company has no objection to said vacation, provided that easement rights be reserved in favor of Northern States Power Company d/b/a Xcel Energy within the northerly 10 feet of that part of the irregularly shaped storm sewer easement being the vacated east right-of-way of Stinson Blvd., located directly north of Hennepin Avenue East and directly south of Kennedy Street NE.
- MCI: No objection to the vacation.
- Center Point Energy: No objection to the vacation.
- Qwest: The company submitted a map that shows the approximate location of a conduit (Attachment 7).

**Findings:** The vacation will remove two existing City easements which are no longer needed because the applicant has recently provided to the City one clearly defined storm sewer easement for the existing sewer. 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 subject to the applicant provided that easement rights be reserved in favor of Northern States Power Company d/b/a Xcel Energy within the northerly 10 feet of that part of the irregularly shaped storm sewer easement being the vacated east right-of-way of Stinson Blvd., located directly north of Hennepin Avenue East and directly south of Kennedy Street NE., and to Qwest for the facilities the company owns in the subject easement area.

**RECOMMENDATION**

**Recommendation of the Department of Community Planning & Economic Development – Planning Division for the proposed vacation of the irregularly shaped storm sewer easement in the previously vacated eastern portion of the right-of-way of Stinson Blvd. located directly north of E. Hennepin.**

The Department of Community Planning & Economic Development – Planning Division recommends that the City Planning Commission and City Council **approve** the proposed vacation of the irregularly shaped storm sewer easement in the previously vacated eastern portion of the right-of-way of Stinson Blvd. located directly north of E. Hennepin, subject to retention of easements by Xcel Energy and Qwest.

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**Attachments:**

1. Zoning map
2. Easement request, and map and aerial photo of easement
3. Letter from the applicant
4. Survey
5. Prior City actions: Vac-1376 (2002) and Vac-1408 (2003)
6. Public Works letter
7. Map from Quest
8. Draft Resolution