

Department of Community Planning and Economic Development—Planning Division
Alley Vacation
Vac-1530

Date: March 5, 2012

Applicant: Sarah Dietrich

Address of Property: Not applicable, see attached map.

Contact Person and Phone: Sarah Dietrich (612)-721-3009

Planning Staff and Phone: Janelle Widmeier (612)-673-3156

60-Day Review Decision Date: Not applicable

Ward: 9 **Neighborhood Organization:** Longfellow Community Council

Existing Zoning: R1A

Zoning Plate Number: 27

Legal Description: “All that portion of an un-platted alley located west of and adjacent to Lots 9, 10, and 11, Block 4, Lake Street Addition to Minneapolis, more particularly described as: Beginning at the northwest corner of Lot 9, Block 4, Lake Street Addition to Minneapolis, then south to the southwest corner of Lot 11, said Addition, thence west 25.17 feet on a line extended from the south line of Lot 11, said Addition thence north on an assumed bearing to the southwest corner of Lot 2, Block 1, V.G. Hush’s Addition to Minneapolis, thence east to the point of beginning.” All according to the plats of record at the Hennepin County (MN) Records office, and City of Minneapolis Special Street Acquisition and Improvement No. 2318, dated May 10, 1946.

Existing Use: Driveway access and a private garage for the property of 3032 30th Avenue South, driveway access and a portion of a private garage for the property of 3034 30th Avenue South, and a driveway for the property of 3038 30th Avenue South.

Concurrent Review: Not applicable for this application

Background: This application was continued indefinitely from the December 3, 2007 Planning Commission meeting. Sarah Dietrich had applied to vacate a portion of an alley adjacent to the properties of 3032, 3034, and 3038 30th Avenue South. The applicant owns the property of 3038 30th Avenue South. The applicant would like to construct a carport adjacent to the existing garage to provide sheltered parking for her tenants. Because the land proposed to be vacated did not originate from the properties east of the alley, the concern was that access to the properties east of the alley and their garages would be eliminated if the vacation application was approved. Before the area proposed to be vacated was an alley, it was part of the property to the west of the alley (currently 3029 and 3033 29th Avenue South). A land survey indicated that the title of the land proposed to be vacated was part of

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3033 29th Avenue South and that it would revert to 3033 29th Avenue South. The loss of parking and access would also create zoning violations. Staff requested that the Planning Commission continue the request indefinitely to allow the applicant time to work with the owner of 3033 29th Avenue South to transfer the title of the property. Quit claim deeds have been filed with Hennepin County for all three properties on the east side of the alley, which addresses the previous concerns.

Development Plan: The applicant would like to construct a carport adjacent to the existing garage to provide sheltered parking for her tenants.

Responses from Utilities and Affected Property Owners: An easement was requested by Xcel Energy for existing electric facilities.

Findings: The CPED Planning Division and Public Works 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 the above requested easement is 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 adopt the above findings and **approve** the vacation, subject to the retention of an easement for Xcel Energy.

Attachments:

- 1) Draft Resolution
- 2) Maps
- 3) Development plan