

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

Date: December 3, 2007

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 alley opened by the City of Minneapolis and located in the Northeast quarter of the Northeast quarter of Section 01, Township 028, Range 24 and lying east of the following described line: Beginning at a point on the southwest corner of Lot 11, Block 4, Lake Street Addition thence west along the westerly extension of the south line of said Lot 11 a distance of 25.7 feet to the point of beginning of the line to be described, thence north to the southwest corner of Lot 2, Block 1, V. G. Hush's Addition and there terminating.

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: Sarah Dietrich originally 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. However, 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). It is likely that this land would revert to 3029 29th and/or 3033 Avenue South. Only when the alley is vacated, would the County make that determination. Staff is concerned that access to the properties east of the alley and their garages would be eliminated if the vacation application is approved. The loss of parking and access would also create zoning violations. Because of these concerns, the applicant had requested that the vacation be continued indefinitely to work with the surrounding property owners before proceeding.

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At the November 13th Planning Commission meeting, Council Member Schiff indicated he is working with the applicant to vacate only the portion of the alley directly behind her property, 3038 30th Avenue South. Some progress has been made since the November 13th Planning Commission meeting; however, pertinent information has not been submitted to inform a staff recommendation. Because the alley vacation request has changed, Public Works will need to issue a new letter stating their recommendation. The applicant has hired a title company to research where the property originated from, but had not heard from them at the time this report was written. In the case that the land goes to the property owner across the alley, staff has also encouraged the applicant submit a letter from that property owner indicating they will sell the land to her.

For the above reasons, staff is recommending that the alley vacation be continued indefinitely. Alley vacations are not subject to MN Statute 15.99 requiring a decision within 60 days.

**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 continue the vacation indefinitely.

Attachments: Map