



Development Review Committee

Approved Minutes

Development Application, #PL202100191

Mtg Date: 9/21/2021

WebEx Meeting

Bloomington Civic Plaza

1800 West Old Shakopee Road

Staff Present:

Brian Hansen (Engineering, Chair) 952-563-4543
Kris Kaiser (Fire Prev) 952-563-8968
Laura McCarthy (Fire Prev) 952-563-8965
Kate Ebert (Public Health) 952-563-4962
Bernadette Gillespie (Bldg & Insp) 952-563-4709
Tim Kampa (Utilities) 952-563-8776
Megan Rogers (Legal) 952-563-4889
Maureen O'Brien (Legal) 952-563-8781
Bruce Bunker (Engineering) 952-563-4546
Sue Hulst Sellnow (Engineering) 952-563-4628

Jason Heitzinger (Assessing) 952-563-4512
Jen Blumers (Assessing) 952-563-8706
Erik Solie (Env Health) 952-563-8978
Julie Farnham, (Planning) 952-563-4739
Londell Pease (Planning) 952-563-8926
Michael Centinario (Planning) 952-563-8921
Glen Markegard (Planning) 952-563-8923
Mike Hiller (Planning) 952-563-4507
Julie Long (Engineering) 952-563-4865
Jason Schmidt (Community Dev) 952-563-8922

Project Information:

Project Clover Center Partial Redevelopment - Rezoning, PDP/FDP, plat, plat variance, 9728 Lyndale Ave.

Site Address 9728 LYNDALE AVE S, BLOOMINGTON, MN 55420

Plat Name

Project Description Rezoning 9728 Lyndale Avenue S. to apply the planned development (PD) overlay zoning district, preliminary development plan for a multi-phased redevelopment of the Clover Center shopper center, final development plan for a partial redevelopment of the clover center and construct a 24,000 grocery store with site modifications, preliminary and final plat to convert the metes and bounds legal description to lot and block status

Application Type Rezoning
Preliminary Development Plan
Final Development Plan

Staff Contact Mike Centinario mcentinario@BloomingtonMN.gov

Applicant Contact Tim Marco tim.marco@krausanderson.com

PC (tentative) October 14, 2021

CC (tentative) November 15, 2021

NOTE: All documents and minutes related to this case can be viewed at www.blm.mn/plcase, enter the permit number, "PL202100191" into the search box.

Guests Present:

Name	Email
Tim Marco, Kraus-Anderson	tim.marco@krausanderson.com
Dan Mossey, Kraus-Anderson	dan.mossey@krausanderson.com
Jason Scrimshaw, Kimley-Horn	Jason.Scrimshaw@kimley-horn.com
Bill Wittrock, RSP Architects	bill.wittrock@rsparch.com
Zach Kern, RSP Architects	zach.kern@rsparch.com
Dale Woodbeck, Lakewinds Co-Ops	DaleW@lakewinds.com
Chuck Levin, Charles Levin Architects	chuck@clewin.com

Introduction (Centinario):

The applicant has submitted applications for preliminary and final development plan approval for a partial redevelopment of Clover Center. The application also entails rezoning the site to apply the planned development (PD) overlay zoning district. The project would construct a new 24,000 square foot grocery store along with improvements to sidewalks, parking lot, and landscaping. A preliminary development plan would be established to set the stage for future redevelopment.

Discussion/Comments:

Please review the comment summary and plans for mark-up comments as all the comments are not discussed at the meeting.

- Renae Clark (Park and Recreation):
 - No comments
- Jason Heitzinger (Assessing):
 - No comments at this time since there is no replatting.
 - However, there is likely to be replatting in the future which may trigger a park dedication.
- Erik Solie (Environmental Health):
 - The City is a delegated agricultural representative for the state regulation program, so if the development does include a grocery store, this will come to the Environmental Health office for review. More comments will be provided once the full tenant layout is known.
- Bernadette Gillespie (Building and Inspection):
 - Comments provided are general until the point of plan review for the actual structure.
 - Must meet the Minnesota state building code, accessibility code, provide a detailed code analysis with a plan.
 - SAC review by Met Council will be required.
 - Plans will need to be signed by a licensed architect.
 - Schedule a pre-permit meeting with Building and Inspection at 80% plan set to go over the conditions for approval from council, and to discuss any building code items for which the applicant needs clarification from Staff.
- Laura McCarthy (Fire Prevention):
 - No comments other than what is included on the Comment Summary document.
- Brian Hansen (Engineering) provided the Public Works comments and noted the following:
 - Development area is located within the Nine Mile Creek Watershed District (NMCWD). Therefore, along with the Bloomington surface water requirements, a permit from NMCWD will be required for the project.
 - The City is interested in exploring the possibility of providing additional stormwater management onsite beyond the project requirements. There may be some funds available through the watershed district to engage in those activities. If applicant is interested in doing that as part the project, contact water resources staff to continue conversation.
 - Identify on Plans the clear view triangles (15' from property corner to driveway approaches). Comments made both in the traffic study and from Staff about some issues with clear view triangles, specifically at the Lyndale Ave driveway. Staff wants to ensure that as this project moves forward these areas are open to traffic for the purposes of safety and ingress / egress from the site.
 - In the northeast driveway, Staff requests the plan show two (2) outbound lanes for both the right- and left-turners to improve egress from the site.
 - Traffic study identified, and Staff reiterated the need for internal wayfinding on the site to direct people around and through the parking lot.
 - Requires ROW dedication along Lyndale Ave as part of replatting process. Staff can discuss this in more detail with the applicants.

- Tim Kampa (Utilities):
 - Ensure there is a hydrant within 50' of the fire department connection (FDC) and that a fire truck has full access to that hydrant.
 - Use 8" watermain for the loop rather than 6" as shown on the plans. Past experience indicates that a 6" main doesn't carry enough flow.
 - Included in the documents & images the standard email providing an example of the detail staff is looking for as it relates to the external grease interceptor, and requests the applicant paste this into drawings.
 - Work with B&I and Utilities Staff when ready to select a grease interceptor, to ensure appropriate sizing and approval. Staff needs to approve the design of the unit prior to it being ordered.
 - The City will be bringing in a new 8" water service across 98th Street at Aldrich Ave. Coordinate work with Bloomington to connect the water system loop with the new 8" water service. The purpose is to help with a concept of "super blocking" the area, to get better water coverage for the entire area, not just a specific project.
- Kate Ebert (Public Health):
 - No comments
- Megan Rogers (Legal):
 - No comments
- Mike Centinario (Planning):
 - Additional information is needed regarding the wood-look and black architectural panels. Interpreted as a fiber cement panel which it is considered a *secondary* material and is limited to 15% on each elevation.
 - B-4 zoning district has specific requirements on elevations. For example, on the west elevation there are transparency requirements – which is 25% of the elevation – and current plans show very little transparency. There are some alternative pathways for compliance outlined in the comment summary. Essentially if there isn't going to be transparency due to the fact that this sits "back of house" or some other impediment, there are some other architectural embellishments which can be utilized.
 - On the north portion of west elevation plans show mix of brick and CMU. A flat faced CMU isn't permitted. A rock-faced CMU is another secondary material. Further off-line discussion is needed.
 - On re-face of the existing building, plans indicate painting the brick which is not permitted. Some options are to replace the brick completely, or utilize metal panels or stucco or some other alternative. Painting the brick is not an option that staff would support.
 - Comments on the civil landscaping plans – page 7:
 - Great to see the sidewalk along 98th Street, including the removal of the retaining wall and constructing a compliant sidewalk. Also great to see the north – south sidewalk connection between the street and the buildings. These are game changers in terms of the pedestrian accommodations on site.
 - Some signage is located in spots where not permitted; specifically a monument sign very close to the lot line. This is not permitted since this is future right-of-way expansion. Need to discuss other options for locating signage.
 - Comments on the civil landscaping plans – page 16:
 - There is not that much landscaping on-site currently, so submitted plans show a significant improvement from the existing conditions. There are a few spots where trees are required and not show on the plans (i.e., end of row islands).
 - Technically city code requires the *entire* site to be brought into compliance due to the conformance trigger of redevelopment. Given the phased development approach, staff doesn't think this is the appropriate route especially as there is limited landscape yards in certain portions of the site. The approach staff will be taking is landscaping requirements based on the disturbance area, which is a more typical standard for partial redevelopment.

- Essentially, staff uses same landscaping standard but for the project's disturbance area as opposed to the total site.
- Using that calculation, the plans are a little bit low on trees, but fine on shrubs. Staff see several opportunities to incorporate trees along the grocery store building in the area that is currently depicted as concrete. This would not only bring the plans into compliance, but also improve that building elevation.
 - Review other minor landscaping comments on plans and in Comment Summary.
 - At the request of the city and requirement of applying the planned development overlay zoning district, the applicant created a Preliminary Development Plan. The PDP shows a long-term view of how the remainder of this site could evolve and be redeveloped.
 - Some of the square footages need to be cleaned up, the parking configuration in the PDP is different from what is proposed to be constructed.
 - In the northeast corner of the site, staff appreciates the inclusion of a high-density, mixed use building which is consistent with the Lyndale Retrofit Plan.
 - In the southeast corner along 98th St and Lyndale, minimum square footage for buildings of 4,000 sq. ft. is needed. Both buildings depicted on the PDP do not meet this minimum. In the spirit of the B-4 zoning district and filling out this corner, staff requests applicant put a little more planning into this area of the site. At a minimum, ensure code complying floor areas in the buildings proposed.
 - Markegard commented that the Lyndale Retrofit plan is now adopted. Reiterated staff's appreciation of the higher density, mixed use building on the site. However, on the corner of Lyndale and 98th Street staff would like to see much higher density, more massing in that area. As shown on the PDP, staff feels it is an underachievement for the corner. Staff would like to work with the applicant to put more development on this corner for better Lyndale Retrofit plan compliance. Requested comments from Julie Farnham who worked on the Lyndale Retrofit Plan.
 - Sr. Planner, Farnham reiterated comments made by Markegard. Recognizes that the Lyndale and 98th corner might not redevelop for a while, but what is being shown currently on the PDP is an underachievement and would like to see something more substantial. Appreciates the retention of some green space right at the corner which agrees with the Lyndale Retrofit Plan. Also noted that when the Orange Line BRT starts operating (planned for Dec. 2021), expects the area to become much more transit oriented and mixed use. Asks applicants to think longer term.
 - Questions from applicants:
 - Tim Marco asked for further discussion regarding the proposed painted brick on the exterior elevations. Commented that removing and replacing all the brick is not economic option, and that covering the brick is also not a good strategy. Understands that the painted brick is not an accepted material, but applicant was hoping that since it is a recessed component of the façade, set back underneath the existing overhang, that they could utilize a fresh paint color to brighten it, as opposed to keeping the dark red/maroon. Felt that this would allow for the rest of the materials and color palate to be updated to a fresher look. If applicant needs to keep the red brick they would change the color palate to a darker tone for the entire façade. Asked for an opportunity to talk through with staff how they got to the plans for painting the brick and allowing for the brighter/fresher look.
 - Centinario stated that it is a long-standing city policy and requirement *not* to coat exterior materials. Staff understands the desire to freshen up the building and painting is an easy cost effective way to accomplish this. However, staff worries about long-term maintenance and potential building ramifications with coating brick. Guidance is to revise the plans as necessary to depict not painting brick.
 - Pease made the comment that there are two recent examples of brick painting variances requested in the last year and a half, both of which were denied. Acknowledged that the applicant has a right to apply for a variance, but given these two recent examples it may not be the best route to take.
 - Marco agreed, and indicated that they will take the guidance provided today and revise plans accordingly.

- Londell commented that the elevations depicted on the PDP don't match the plans for what is proposed to be built with respect to the grocery store. Specifically the location of the main building entrance and the handicap parking. Plans appear to indicate that persons parking in the handicap would need to cross the drop-off area to get to the main entrance (not optimal), which could cause some concerns from an ADA compliance perspective.
 - Centinario requested that the applicant clean up the PDP to match the proposed construction plans. Also, asked that the PDP graphics be updated to match the design applicants are planning to construct for the grocery.
- Marco asked if there was a timeline for when the revisions requested by city staff should be completed in preparation for the review of the project at the scheduled Planning Commission meeting on October 14.
 - Centinario doesn't see anything that *must* be changed before going to the Planning Commission. Comments are relatively minor items. However, if no revisions are made it could lead to a lot of discussion at the Planning Commission. Up to the applicant how they want to handle changes, staff would address any non-compliance issues in a staff report. To the extent applicant can address staff's comments it would be helpful. In terms of timeline, staff would need to see these changes within the next week to get report done and through internal process.
 - Marco commented that it seemed like a schedule they would not be able to meet. Indicated they will follow-up with Centinario outside the meeting.



Comment Summary

Application #: PL2021-191

Address: 9728 LYNDALE AVE S, BLOOMINGTON, MN 55420

Request: **Rezone 9728 Lyndale Avenue South from B-4 to B-4(PD) to apply the planned development (PD) overlay zoning district; preliminary development plan for a multi-phased redevelopment of the Clover Shopping Center; and final development plan for a partial redevelopment of the Clover Shopping Center and to construct an approximately 24,000 square foot grocery store with site modifications.**

Meeting: Post Application DRC - September 21, 2021
Planning Commission - October 14, 2021
City Council (Projected) - November 15, 2021

NOTE: All comments are not listed below.
Please review all plans for additional or repeated comments.

Planning Review Contact: Mike Centinario at mcentinario@BloomingtonMN.gov, (952) 563-8921

- 1) Exterior materials must meet Section 19.63.08. Some of the proposed materials, brick and glass, are approved permitted materials. Additional information is needed regarding the architectural panels and wood-look panels.

Painting the existing brick is not permitted and a deviation from City Code to paint the brick would not be supported by staff. Please amend the building elevations to a Code-complying alternative.
- 2) The preliminary development plan illustrates a compliant overall floor area ratio.
- 3) A three foot high screen for a parking lot adjacent to all public streets (see City Code Section 21.301.15).
- 4) Interior trash and recycling must be provided (see City Code Section 21.301.17).
- 5) The B-4 zoning district requires minimum amount of building transparency between two and 10 feet. The southern elevation, which is the primary elevation, seems to meet the standard, but provide a percentage to confirm. Very little transparency is proposal along the west, Interstate side, building elevation. This requires a deviation from City Code. To what degree could some transparency be added to the west elevation? Otherwise, the City Code allows for design alternatives such as artwork, display boxes, green wall, etc.
- 6) Property must be platted per Chapter 22 of the City Code and the approved plat recorded at Hennepin County prior to the issuance of a foundation or building permit. According to the applicant, the preliminary and final plat application is forthcoming. To potentially have the plat application reviewed at the same City Council meeting as the preliminary and final development plans, the plat application must be submitted on Wednesday, September 29th.
- 7) Parking lot and exterior security lighting must meet Section 21.301.07. A minimum of 2.0 foot-candles is required on the parking surface (which may be reduced to 1.0 foot-candles for the outer perimeter of the parking lot. Elevated lighting levels are required at building entrances and at pedestrian crossings.
- 8) City Code includes certain landscaping compliance triggers. Due to the removal of a large portion of the overall building square footage, City Code requires the entire site to be brought up to current standards.

However, because the site is planned for phased redevelopment, City staff are supportive of development flexibility for compliance based on site disturbance. The proposed landscaping using the site disturbance approach, 148,316 square feet, requires 44 trees once the 25% mixed use district reduction is applied. Twenty-four trees must be added. For shrubs, 111 shrubs are required - the plan depicts compliance with shrubs. A landscaping surety will be required based on disturbance area.

City staff with landscape architecture backgrounds have reviewed the landscaping plans and provided comments. Those comments will be forwarded to the applicant for consideration.

- 9) If the parking island at the northwest corner of Wells Fargo is reconstructed, widen the island to meet the 8-foot minimum and shift south to align with other parking islands. Include a deciduous tree.
- 10) Extend curb and gutter along entire north drive lane. Maximize the landscape yard to provide buffer between Clover Center and the Freeway Ford.
- 11) Sign reviews are handled administratively. Monument signs are not permitted in the B-4 zoning district. Ground signs are limited to 8-feet above grade. The permitted sign area is the same as monument signs - 100 square feet. Staff is supportive of a slight reduction in sign setback provided at least a 2-foot buffer from sidewalk is maintained. Also, the stenciled graphic looks to be the grocer's logo, which would be considered signage.
- 12) Relocate sign in northeast corner of the site. Monument signs are not permitted in the B-4 district.
- 13) Include a deciduous tree in all parking islands.
- 14) Revise plan to include at least 44 trees. Landscaping, including at least a few trees, should be incorporated in front of the grocery.
- 15) There are multiple areas to incorporate additional landscaping along south building elevation.
- 16) CMUs are not a permitted exterior building material. Select brick as the proposed building material or request a deviation to allow a split-faced CMU. Staff would need to evaluate the merits of that deviation from exterior materials standards.
- 17) Are the "architectural panels" fiber cement panels? If so, they are limited to 15 percent of a given building elevation.
- 18) The north building elevation was not included in the submittal. What is proposed for the north elevation?
- 19) Provide additional information on the proposed metal panels. There are panel thickness and durability requirements. Specifically, the City requires a minimum 30-year manufacturer finish warranty.
- 20) The square footages in the preliminary development plan are inconsistent with the rest of the plan set. Amend accordingly
- 21) Neither of the future retail buildings in the southeast corner of the site meet the minimum 4,000 square foot size requirement. Adjust the building size to 4,000 square feet. Alternatively, request a deviation for the future phase and detail how the corner and the two buildings could be designed to have a unified street presence.
- 22) Please adjust this page in the preliminary development plan. There are some minor inconsistencies.
- 23) Revise sheet 1 of the preliminary development plan so the grocery building footprint, parking lot design, and pedestrian connection for the grocery are consistent with civil plans.

Building Department Review Contact: Duke Johnson at djohnson@BloomingtonMN.gov, (952) 563-8959

- 1) Must meet 2020 MN State Building Code
- 2) Must meet 2020 MN Accessibility Code.
- 3) Provide a detailed code analysis with the plans.
- 4) SAC review by MET council will be required.
- 5) Building plans must be signed by a MN licensed architect.

Environmental Health Review Contact: Erik Solie at esolie@BloomingtonMN.gov, (952) 563-8978

- 1) Provide an Environmental Health Plan Review application with plan submittal for each proposed food facility.

Fire Department Review Contact: Laura McCarthy at lmccarthy@BloomingtonMN.gov, (952) 563-8965

- 1) Provide adequate turning radius for BFD Ladder 3 for all emergency vehicle access lanes.
- 2) Hydrant coverage shall be provided within 50' of the FDC and within 150' of all portions of the structure.
- 3) Fire alarm and annunciator panels and Knox box locations to be determined by the Fire Prevention Division. This project may require multiple panels and Knox boxes.
- 4) Emergency responder radio coverage meeting the requirements of appendix L in the 2015 MSFC shall be provided throughout the property and within the structures.
- 5) Building/property shall be adequately signed for emergency response.

Construction/Infrastructure Review Contact: Brian Hansen at bhansen@BloomingtonMN.gov, (952) 563-4543

- 1) Include detail for Non-Residential Commercial Driveway Entrance

Water Resources Review Contact: Brian Hansen at bhansen@BloomingtonMN.gov, (952) 563-4543

- 1) Provide stage/storage report in future submittals.
- 2) Provide calculations showing adequate energy dissipation.
- 3) Consider routing ST-09 to ST-06.
- 4) Recommend using a distribution manifold or internal connections for underground system.
- 5) An erosion control bond is required.
- 6) A maintenance agreement must be signed by the property owner and recorded at Hennepin County.
- 7) Utility as-builts must be provided prior to issuance of Certificate of Occupancy.
- 8) HDPE pipe connections into all concrete structures must be made with water tight materials utilizing an A-Lok or WaterStop gasket or boot, cast-in-place rubber boot, or approved equal. Where the alignment precludes the use of the above approved watertight methods, Con Seal 231 WaterStop sealant, or approved equal will only be allowed as approved by the Engineer.
- 9) Submit a copy of Nine Mile Creek Watershed District permit and comments prior to issuance of City of Bloomington permits (www.ninemilecreek.org).
- 10) The City is interested in exploring the possibility of providing additional stormwater management onsite beyond the project requirements. Contact City water resources staff to continue conversation.

Utility Review Contact: Brian Hansen at bhansen@BloomingtonMN.gov, (952) 563-4543

- 1) Install hydrants to provide fire protection for entire building. Each hydrant covers 150-foot radius. Make sure there is a hydrant within 50' of the FDC and that a fire truck has full access to that hydrant. Please show the FDC location on the Plan.
- 2) Loop water system (supply from two points) to provide increased reliability of service and reduction of head loss. Use 8" watermain for the loop.
- 3) Utility and mechanical contractors must coordinate the installation of all water and sewer service pipes into the building to accommodate city inspection and testing.
- 4) All components of the water system, up to the water meter or fire service equipment must utilize protective internal coatings meeting current ANSI/AWWA standards for cement mortar lining or special coatings. The use of unlined or uncoated pipe is not allowed.
- 5) Install interior chimney seals on all sanitary sewer manholes.
- 6) See Document Markups
- 7) A minimum 10-foot horizontal separation and 18-inch vertical separation is required between watermain and sewers.
- 8) Provide a minimum of 8-feet and a maximum of 10-feet of cover over all water lines, valves, services, etc.

- 9) Utility as-builts must be provided prior to issuance of Certificate of Occupancy.
- 10) Minnesota Department of Health (MDH) water permit/review may be required. Provide a copy of MDH approval letter or written confirmation from MDH that no permit/approval is required.
- 11) Combination fire and domestic services must terminate with a thread on flange or an MJ to flange adapter. The water service must be metered within 10' of where it crosses the outside wall of the building.
- 12) Taps of live water mains are done by City forces and paid for and coordinated with the Contractor.
- 13) Any new or substantial remodel of a food service facility must provide an exterior grease interceptor and grease interceptor maintenance agreement. See Engineering Detail 412 for reference. Please add the Example City detail to the plan (Included in the Documents and Images). Work with Bloomington Utilities and B&I staff for sizing and approval of the specific Grease Interceptor Design.
- 14) Private common utility easement/and maintenance agreement must be provided for any shared water and sewer systems (i.e. the water loop serving the bank and the stores).
- 15) Sanitary sewer mainline, clean-outs, manholes, and services must be designed with adequate depth of cover or install high-density polystyrene insulation to prevent freezing. (Provide the equivalent of 9' of cover).
- 16) Minnesota Pollution Control Agency (MPCA) sanitary sewer permit/review may be required. Provide a copy of MPCA approval letter or written confirmation from MPCA that no permit/approval is required.
- 17) Use schedule 40, SDR 26, or better for PVC sewer services.
- 18) Provide valves for system isolation (longest interval cannot exceed 400 feet) and for building isolation without shutting down supply to hydrants.
- 19) Use Class 52 DIP water main for pipe 12-inches in diameter and smaller. A minimum 8 mil polywrap is required on all DIP.
- 20) All unused water services must be properly abandoned at the main. All unused sanitary sewer services must be properly abandoned at the property line.
- 21) Coordinate work with Bloomington to connect the water loop with a new 8" water service crossing W 98th St at Aldrich Ave
- 22) Install additional water valves strategically so that there is a valve at least every 400' along the water system loop.

Traffic Review Contact: Brian Hansen at bhansen@BloomingtonMN.gov, (952) 563-4543

- 1) Traffic study recommended to adjust 98th St medians to minimize potential of SB left maneuver
- 2) Illustrate on plan that the clear view triangle (15' from property corner to driveway approaches) is not obstructed by landscaping or signage.
- 3) See Document Markups.

PW Admin Review Contact: Brian Hansen at bhansen@BloomingtonMN.gov, (952) 563-4543

- 1) Property must be platted per Chapter 22 of the City Code and the approved plat recorded at Hennepin County prior to the issuance of a foundation or building permit.
- 2) Private common driveway/access easement/agreement must be provided.
- 3) Private common utility easement/agreement must be provided.
- 4) Right-of-way dedication is required on the final plat as approved by the City Engineer.
- 5) See checklist of items that must be included on the preliminary plat per the Bloomington City Code, Chapter 22.
- 6) A title opinion or title commitment that accurately reflects the state of the title of the property being platted, dated within 6 months of requesting City signatures, must be provided.
- 7) Consent to plat form is needed from any mortgage company with property interest.
- 8) \$15 fee for certified copy of the final plat must be paid. Engineering staff will obtain a certified copy of the final plat from Hennepin County.
- 9) Public drainage and utility and easements must be provided on the final plat as approved by the City Engineer.

- 10) A 10-foot sidewalk and bikeway easement shall be provided along all street frontages as approved by the City Engineer. Developer/owner shall provide the legal description and Engineering staff will prepare the easement document.
- 11) Existing easements may be vacated. Contact Bruce Bunker at 952-563-4546 or bbunker@BloomingtonMN.gov for information regarding the Public Rights-of-Way Vacation Application. It is the responsibility of the developer to determine if private utilities exist in the easement prior to submitting the application. Developer/owner to provide legal description and Engineering staff will prepare vacation document.