

Department of Community Planning and Economic Development – Planning Division
Minor Subdivision Application
MS-222

Date: July 16, 2012

Applicant: Bernick Lifson, P.A.

Addresses of Property: 606 River Street

Project Name: 606 River Street Minor Subdivision

Contact Person and Phone: Marvin A. Liszt, esq., (763) 546-1200

Planning Staff and Phone: Shanna Sether, (612) 673-2307

Date Application Deemed Complete: June 22, 2012

End of 120-Day Decision Period: October 20, 2012

Ward: 7 Neighborhood Organization: North Loop Neighborhood Association

Existing Zoning: C3A Community Activity Center District, R6 Multiple Family District and MR Mississippi River Critical Area Overlay District

Proposed Zoning: Not applicable for this application.

Zoning Plate Number: 13

Legal Description: See attached survey.

Proposed/Existing Use: Planned Residential Development

Concurrent Review:

Minor Subdivision: To allow the transfer of land from one parcel to another parcel.

Applicable Code Provisions: Chapter 598 Subdivisions.

Development Plan and Background: The Landings at Sawmill Run is a 61-unit townhouse development (C-1706) that was approved by the City Planning Commission on October 11, 1995. The subject property includes a single residential townhome with an attached garage and driveway. River Street, adjacent to the subject parcel, is an existing outlot (Outlot C) and is owned by The Landings Homeowners Association, Inc. A portion of the subject property is used by the homeowners association and the owners of 608 River Street for driveway purposes and ingress and egress for access to River Parkway West. The applicants are requesting a minor subdivision to allow for the transfer of approximately 1,392 square feet of lot area from 606 River Street to the homeowners association.

Required Findings for a minor subdivision:

1. The subdivision is in conformance with the land subdivision regulations and the applicable regulations of the zoning ordinance and policies of the comprehensive plan.

The parcel at 606 River Street is one platted lot, Lot 2. The applicants are requesting a minor subdivision to allow for the transfer of approximately 1,392 square feet of lot area (Parcel A) from 606 River Street to the homeowners association.

Zoning code:

Parcel A would not be in conformance with the zoning code in regards to the minimum lot width, minimum lot area and having frontage on a public street. Therefore, staff is recommending that Parcel A be combined with Outlot C under one tax parcel to continue to serve as a driveway and ingress and egress for access to River Street. Parcel B will be in conformance with the requirements of the zoning code.

Subdivision regulations:

Parcels A and B are in conformance with the design requirements of the land subdivision regulations except for Section 598.240 (2) [a], which requires that no residential lot shall be created that has more than five (5) sides. The existing parcel has seven sides and the proposed Parcel B has seven sides; therefore, staff is not requiring an additional subdivision variance based on the similarity between the existing condition and the proposed parcel.

Comprehensive plan

The Minneapolis Plan for Sustainable Growth designates this development area as Urban Neighborhood on the future land use map. Urban Neighborhood is described as a “predominantly residential area with a range of densities. May include other small-scale uses, including neighborhood serving commercial, and institutional and semipublic uses (for example, schools, community centers, religious institutions, public safety facilities, etc.) scattered throughout. More intensive non-residential uses may be located in neighborhoods closer to Downtown and around Growth Centers.” It is the staff opinion that the subdivision is consistent with the above noted language of the plan.

2. The subdivision will not be injurious to the use and enjoyment of other property in the immediate vicinity, nor be detrimental to present and potential surrounding land uses, nor add substantially to congestion in the public streets.

The proposed subdivision will transfer property, identified on the survey as Parcel A, from the property owner of 606 River Street to The Landings Homeowners Association for continued use as a driveway and ingress and egress to River Street. No new development is proposed. This will not be out of character with the area and will not add congestion to the public streets.

3. All land intended for building sites can be used safely without endangering the residents or users of the subdivision and the surrounding area because of flooding, erosion, high water table, severe soil conditions, improper drainage, steep slopes, rock formations, utility easements, or other hazard.

The subject property is developed and the site does not present the above noted hazards.

4. The lot arrangement is such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits and in providing driveway access to buildings on such lots from an approved street. Each lot created through subdivision is suitable in its natural state for the proposed use with minimal alteration.

There are no proposed changes to the existing site. Parcel A will be transferred to the homeowners association, but will allow for the continued use of a driveway and access to River Street for 608 River Street.

5. The subdivision makes adequate provision for storm or surface water runoff, and temporary and permanent erosion control in accordance with the rules, regulations and standards of the city engineer and the requirements of these land subdivision regulations. To the extent practicable, the amount of stormwater runoff from the site after development does not exceed the amount occurring prior to development.

Existing utility and drainage provisions are adequate for the area.

RECOMMENDATIONS:

Recommendation of the Community Planning and Economic Development Department – Planning Division for the minor subdivision:

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the minor subdivision of 606 River Street in the C3A Community Activity Center District, R6 Multiple Family District and MR Mississippi River Critical Area Overlay District, subject to the following condition of approval:

1. Parcel A shall be combined into one tax parcel with Outlot C and recorded with Hennepin County by July 16, 2013, unless extended by the Zoning Administrator.

Attachments:

- 1) Written descriptions and findings submitted by the applicant.
- 2) Copy of the letter sent to the North Loop Neighborhood Association and CM Goodman
- 3) Zoning map
- 4) Hennepin County map
- 5) Survey
- 6) Photos