

## Community Planning and Economic Development Planning Division Report

Registered Land Survey  
RLS-67

**Date:** September 19, 2012

**Applicant:** Metro Transit

**Address Of Property:** 400 3<sup>rd</sup> Street S

**Project Name:** Gateway Ramp RLS

**Contact Person And Phone:** Paul Thorp, Hansen Thorp Pellinen Olson Inc.- 952-829-0700

**Planning Staff And Phone:** Kimberly Holien- 612-673-2402

**Date Application Deemed Complete:** August 9, 2012

**End of 60-Day Decision Period:** October 8, 2012

**Ward: 7      Neighborhood Organization:** Downtown Minneapolis Neighborhood Association

**Existing Zoning:** B4-1, Downtown Business District

**Existing Overlay Districts:** DP Downtown Parking Overlay District

**Plate Number:** 19

**Legal Description:** Not applicable for this application.

**Existing Use:** Principal Parking Facility.

**Concurrent Review:**

**Registered land Survey (RLS):** To create separate ownership tracts.

**Applicable zoning code provisions:** Chapter 598 Subdivisions.

**Background:** The existing structure is a principal parking facility that also functions as a bus layover and transit connection facility for Metro Transit. The transit facilities are on the first floor and the second through sixth floors function as a parking ramp. There is no change in use proposed as part of this application. The applicant has applied for a Registered Land Survey (RLS) to create separate ownership tracts for the street-level transit related areas within the building.

The City Attorney has reviewed and approved the final RLS title documents. Public Works has also reviewed and approved the preliminary and final Registered Land Survey.

As of the writing of this staff report, staff has not received written comments from the neighborhood group, but will forward comments, if any, at the City Planning Commission meeting.

**REGISTERED LAND SURVEY**

**Required Findings:**

- 1. The subdivision is in conformance with the land subdivision regulations including the requirements applicable regulations of the zoning ordinance, and policies of the comprehensive plan.**

The configuration of the RLS tracts, as proposed by the applicant, does not meet the prohibition against lots with more than five sides for Tracts A, B, C, D and E on the ground level. Tracts on the ground level are subject to the same requirements as platted lots. The solution to this technical problem is to record the conditions of approval that indicate that approval of the RLS does not constitute approval of the separate redevelopment of any tract if such tract does not comply with applicable zoning and subdivision ordinances. With the recommended conditions of approval, the RLS is in conformance with the subdivision regulations, zoning code, and comprehensive 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 purpose of the RLS is to delineate ownership and location of various tracts on the site. This shall have no impact on surrounding properties.

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

The site does not pose the above 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.**

The site contains an existing parking ramp and no modifications are proposed to said ramp at this time. Access is existing and adequate.

- 5. The subdivision makes adequate provision for stormwater 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 will not exceed the amount occurring prior to development.**

Existing utility and drainage provisions are adequate for the existing structure and the creation of different tracts within the building will not affect erosion or stormwater management.

**RECOMMENDATIONS:**

**Recommendation of the Community Planning and Economic Development Department – Planning Division for the variance to reduce the Registered Land Survey:**

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission **approve** the preliminary and final Registered Land Survey application for property located at 400 3<sup>rd</sup> Street S, subject to the following conditions:

1. This RLS creates certain tracts (namely, Tracts A, B, C, D and F) that, if separately redeveloped, would not meet the requirement of the zoning and subdivision ordinances that prohibits lots with more than five sides. Approval of this RLS does not constitute approval for the separate redevelopment of any tract if such tract does not comply with applicable zoning and subdivision ordinances.
2. This action of the Planning Commission shall be recorded with Hennepin County at or prior to such time as the signed RLS is presented for recording with Hennepin County.

**Attachments:**

- 1) Statement from the applicant and subdivision required findings.
- 2) Copy of letter sent to CM Goodman and Downtown Minneapolis Neighborhood Association.
- 3) Letter from Public Works.
- 4) Zoning map.
- 5) Survey and RLS.
- 6) Aerial photos.