

**Department of Community Planning and Economic Development – Planning
Division
Final Plat
PL-228**

Date: October 6, 2008

Applicant: Village Green Companies, Attn: Shawn Zimny, 1201 N. Clark Street, Ste 400, Chicago, IL 60610, (312)335-2642

Addresses of Property: 603 2nd Street South and 600 Washington Avenue South

Project Name: Mill District City Apartments

Contact Person and Phone: BKV Group, Inc., Attn: Gretchen Camp, 222 N. 2nd Street, Minneapolis, MN 55401, (612)373-9122

Planning Staff and Phone: Becca Farrar, (612)673-3594

Date Application Deemed Complete: September 26, 2008

End of 60-Day Decision Period: Not applicable for this application

End of 120-Day Decision Period: January 23, 2009

Ward: 7 **Neighborhood Organization:** Downtown Minneapolis Neighborhood Association (DMNA)

Existing Zoning: C3A (Community Activity Center District), DP (Downtown Parking) Overlay District, and DH (Downtown Height) Overlay District

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 20

Lot area: 212,822 square feet or approximately 4.89 acres (This specific development is 54,026 or approximately 1.2 acres)

Legal Description: Not applicable for this application.

Proposed Use: Create one lot for a mixed-use, Planned Residential Development.

Concurrent Review:

- Final Plat (PL-228)

Applicable zoning code provisions: Chapter 598, Land Subdivision Regulations

Development Plan: The site plan was previously approved per BZZ-4035.

Background: The applicant proposes to create one lot for the development site within the planned unit development. The property is zoned C3A with DP (Downtown Parking), and DH (Downtown Height) Overlay Districts. The Planning Commission approved the preliminary plat, conditional use permit to amend a planned unit development (PUD) and site plan applications at the June 2, 2008, City Planning Commission meeting.

The proposed development is part of a larger PUD which includes two full City blocks in the Mill District area of Minneapolis bounded by Washington Avenue on the south, Portland Avenue on the west, 2nd Street to the north and Chicago Avenue on the east. The larger PUD includes the following properties and developments:

Mills District PUD Phases

Phase	Parcel	Project	Lot Size	Status	Uses
I	D West	Park Ave. Lofts West (BZZ-832)	36,023 sq. ft	Completed	38 condominium units with below-grade parking for 68 vehicles.
II	D East	Mill Quarter Municipal Parking Ramp (BZZ-2009)	45,360 sq. ft	In operation	340 stalls, 77 of which are reserved for the St. Anthony Mills Apartment residents and 263 public parking stalls.
III	D East	St. Anthony Mills Apartments (BZZ-2301)	26,005 sq. ft	Completed	93 dwelling units that form “liner development” around the Mill Quarter Municipal Parking Ramp and two commercial/retail spaces.
IV	D West	Mill District City Apartments	54,026 sq. ft	Approved by CPC June 2, 2008.	175 units of market-rate rental with below- grade parking for 171 vehicles and one 3,400 square foot commercial/retail space.
IV	D West	Central Courtyard Development as part of MDCA	14,950 sq. ft	Approved by CPC June 2, 2008.	Shared/communal open space for the Park Ave. Lofts West project and the Mill District City Apartments.
V	D East	201 Park	36,458 sq. ft	Demonstration parking lot until RFP	Surface public pay parking lot – approximately 76 stalls.
<u>Totals</u>			<u>212,822 sq. ft</u>		<u>306 dwelling units, 316 parking spaces specifically for the residential uses, and 339 public parking spaces.</u>

The City Attorney's office has indicated that it appears that the required monuments have been placed and that the required affirmations are stated on the face of the plat. It is the opinion of the City Attorney's Office that the plat is satisfactory and meets statutory requirements. Public Works has also reviewed the plat and deemed it satisfactory. Please see the attachments.

FINAL PLAT –

Required Findings:

1. Subdivision is in conformance with the land subdivision regulations including the requirements of section 598.100 relating to protection of natural resources, applicable regulations of the Zoning Code, and policies of the Comprehensive Plan.

The subdivision is in conformance with the design requirements of the land subdivision regulations except for Section 598.230 (5), which requires utility easements to be 5 feet wide on side lot lines and 10 feet wide on rear lot lines, where no alley is provided. In order to be in conformance with the land subdivision regulations, a variance of Section 598.230 (5) is required to eliminate the drainage and utility easements from the lot. While variances from the zoning code require a separate application, variances from the subdivision standards are done as a part of the subdivision application subject to the standards listed below.

598.310. Variances. Where the planning commission finds that hardships or practical difficulties may result from strict compliance with these regulations, or that the purposes of these regulations may be served to a greater extent by an alternative proposal, it may approve variances to any or all of the provisions of this chapter. In approving variances, the planning commission may require such conditions as it deems reasonable and necessary to secure substantially the objectives of the standards or requirements of these regulations. No variance shall be granted unless the planning commission makes the following findings:

- (1) There are special circumstances or conditions affecting the specific property such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of land.
- (2) The granting of the variance will not be detrimental to the public welfare or injurious to other property in the area in which the property is located.

The site would be a fully developed property with the approved land use applications and with a proposed building up to the property lines. The existing drainage and utilities would not match the required easement locations and are not necessary, so Staff recommends granting the variance.

ZONING CODE

With the former approvals of the conditional use permit to amend the PUD, site plan review and preliminary plat, as well as the proposed final plat, this development would meet the applicable requirements of the C3A zoning district.

MINNEAPOLIS PLAN

According to the *Minneapolis Downtown 2010 Plan*, this property is located in a downtown neighborhood as found on the concept plan map. The property is also subject to the *Update to the Historic Mills District Master Plan*. According to the Principles and Policies outlined in the *Minneapolis Downtown 2010 Plan*, the following apply to this proposal:

Downtown Physical Setting:

- Policy 2: Promote retail and other interesting uses at street level in order to reinforce the linking function of streets and to create vitality. These uses should be encouraged at the street level throughout downtown and required where the continuity of retail activity is important.
- Policy 7: Promote building heights and designs that protect the image and form of the downtown skyline, that provide transition to the edges of downtown and that protect the scale and qualities in areas of distinctive physical or historic character.
- Policy 13: Improve physical and visual access to the riverfront.
- Policy 14: Emphasize good open space design.
- Policy 18: Encourage new buildings adjacent to historic buildings, sites, and districts to be compatible in design.

Downtown Living:

- Policy 1: Expand housing opportunities in downtown for all income levels, with an emphasis on providing additional moderate to high income, owner-occupied units.
- Policy 2: Capitalize on sites that are well suited for housing, especially along the riverfront... by encouraging medium to high-density housing development.
- Policy 4: Locate medium to high-density housing in areas designated as a Riverfront Residential District located adjacent to and near the West River Parkway. This district should provide locations for housing that can take advantage of the open space and recreational amenities of the riverfront. The primary use of this district should be housing. Other retail, office, cultural and recreational uses should be encouraged, especially those that revitalize historic structures, but should be compatible with housing.
- Policy 5: Ensure that new residential development contributes to the sense of

neighborhoods through appropriate site planning and architectural design.

- Policy 6: Along the riverfront, ensure that development provides public access to the river as an integral part of their design.
- Policy 7: Protect residential areas from encroachment of incompatible land uses, and ensure that the physical environment of downtown residential areas is compatible with housing by minimizing traffic impacts, maintaining security, and providing and maintaining amenities.
- Policy 8: Achieve an appropriate balance between market-rate housing and publicly assisted affordable housing and ensure that publicly assisted housing is provided in a way that contributes to the physical appearance and economic and social health of downtown's neighborhoods.
- Policy 9: Support the retention and development of neighborhood-serving retail.

The applicant is proposing to construct a mixed-use development containing a total of 175 market-rate rental residential dwelling units and approximately 3,400 square feet of commercial/retail space, in the area designated as the Riverfront Residential District. The commercial use proposed within the building would be located on the first floor of the structure at the corner of Washington Avenue South and Portland Avenue. The development would help support the commercial uses in the area, the cultural amenities found along the Mississippi River and downtown in general. The proposal is in conformance with the above noted principles, policies and implementation steps of the *Minneapolis Downtown 2010 Plan*.

The *Update to the Historic Mills District Master Plan* was adopted by the City Council on September 14, 2001 and includes properties bounded by Third Avenue South, Washington Avenue South, 11th Avenue South and the West River Road. The plan calls for residential developments on the block with commercial uses located on the ground floor along Washington Avenue South. The plan further guides streetscape improvements for the block and suggests that buildings should be four to five stories in height. As proposed, this development is in conformance with the guidelines of the *Update to the Historic Mills District Master Plan*.

2. 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 plat will create one lot for the site within the planned unit development. There were various conditions of approval placed on the planned unit development site plan that would address any negative impacts of the development.

3. All land intended for building sites can be used safely without endangering the residents or uses of the subdivision and the surrounding area by peril from

floods, erosion, high water table, severe soil conditions, improper drainage, steep slopes, utility easements, rock formations, or other hazard.

The site is predominately flat and does not present 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 lot being created by this plat presents no foreseeable difficulties for the proposed development. No significant alterations to the land appear necessary.

5. The subdivision makes adequate provision for storm or surface water runoff, and temporary and permanent erosion control. The stormwater drainage system shall be separate and independent of any sanitary sewer system. All plans shall be designed in accordance with rules, regulations and standards of the city engineer. Facilities intended to be dedicated to the City shall be located in perpetual, unobstructed easements of a width determined to be adequate and necessary by the city engineer. To the extent practicable, the amount of stormwater runoff from the site after development does not exceed the amount occurring prior to development.

Public Works will review and approve drainage and sanitary system plans before issuance of building permits.

RECOMMENDATIONS:

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the preliminary plat:

The Department of Community Planning and Economic Development– Planning Division recommends that the City Planning Commission **approve** the final plat application for property located at 603 2nd Street South and 600 Washington Avenue South.

Attachments:

1. Memo from Public Works
2. Letter from the City Attorney's office
3. Final plat
4. Approved site plan