



# CPED STAFF REPORT

Prepared for the City Planning Commission

CPC Agenda Item #3  
 February 23, 2015  
 RLS-77

## LAND USE APPLICATION SUMMARY

*Property Location:* 1708-1714 W Lake Street  
*Project Name:* Seventeen10 RLS  
*Prepared By:* [Kimberly Holien](#), Senior Planner, (612) 673-2402  
*Applicant:* Seventeen10, LLC  
*Project Contact:* Carol Lansing, Faegre Baker Daniels  
*Request:* To establish separate vertical ownership tracts for a new mixed-use building.  
*Required Applications:* Registered Land Survey

<b>Preliminary and Final Registered Land Survey</b>	To create a separate ownership tract for the below-grade parking in a proposed mixed-use building.
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## SITE DATA

<b>Existing Zoning</b>	CI, Neighborhood Commercial District SH, Shoreland Overlay District
<b>Lot Area</b>	11,050 square feet / 0.25 acres
<b>Ward(s)</b>	7 (adjacent to 10)
<b>Neighborhood(s)</b>	East Isles; adjacent to ECCO
<b>Designated Future Land Use</b>	Urban Neighborhood
<b>Land Use Features</b>	Commercial Corridor (Lake Street West)
<b>Small Area Plan(s)</b>	<a href="#">Uptown Small Area Plan (2008)</a>

<b>Date Application Deemed Complete</b>	January 30, 2015	<b>Date Extension Letter Sent</b>	N/A
<b>End of 60-Day Decision Period</b>	March 31, 2015	<b>End of 120-Day Decision Period</b>	N/A

## BACKGROUND

**SITE DESCRIPTION AND PRESENT USE.** The site fronts on Lake Street W in the center of the block that is bound by Knox Avenue S to the west and James Avenue S to the east. The site currently contains two residential structures.

**SURROUNDING PROPERTIES AND NEIGHBORHOOD.** The site abuts the 1800 W Lake Street development to the west and commercial uses to the east. The properties to the north contain medium and high density residential uses. The properties to the south, across Lake Street W, have commercial zoning and contain residential uses with a range of densities.

**PROJECT DESCRIPTION.** The site is part of a future redevelopment project that consists of a four-story mixed use building. That project will include ground level retail, office uses on the second floor, six residential units on the third floor and one penthouse unit on the fourth floor. The project will include one level of below-grade parking that will serve the adjacent mixed-use development at 1800 W Lake Street. The parking level will include an internal connection to the parking level within the 1800 W Lake Street building. The purpose of the RLS is to create a separate ownership tract for this parking level. The parking in this portion of the building is provided to allow the project at 1800 W Lake Street to remain in compliance with zoning requirements for minimum parking by providing replacement parking that has been lost due to the need to fill in the lower of two underground parking levels for that building.

**RELATED APPROVALS.** The site will include a future redevelopment project that is expected to be considered at the March 16, 2015, City Planning Commission meeting. That project includes applications for a conditional use permit for height, yard variances, a variance to reduce the minimum off-street parking requirement and site plan review.

**PUBLIC COMMENTS.** No correspondence has been received as of the writing of this staff report. Any correspondence received prior to the public meeting will be forwarded on to the Planning Commission for consideration.

## ANALYSIS

### PRELIMINARY/FINAL REGISTERED LAND SURVEY

The Department of Community Planning and Economic Development has analyzed the application for a Preliminary and Final Registered Land Survey based on the following findings:

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

Subdivision Regulations:

The proposed Registered Land Survey will allow for redevelopment of the site in a manner that is consistent with the applicable subdivision regulations.

Zoning Ordinance:

The configuration of the RLS tracts, as proposed by the applicant, does not meet the street frontage requirement for Tract B. 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.

Comprehensive Plan:

*The Minneapolis Plan for Sustainable Growth* designates this development area as Urban Neighborhood on the future land use map. West Lake Street is a commercial corridor in this location. The proposed RLS is for property that is subject to a future mixed use development. The project is consistent with the applicable policies of the comprehensive plan, as outlined below:

**Land Use Policy 1.5: Promote growth and encourage overall city vitality by directing new commercial and mixed use development to designated corridors and districts.**

- 1.5.1 Support an appropriate mix of uses within a district or corridor with attention to surrounding uses, community needs and preferences, and availability of public facilities.

**Land Use Policy 1.8: Preserve the stability and diversity of the city's neighborhoods while allowing for increased density in order to attract and retain long-term residents and businesses.**

- 1.8.1 Promote a range of housing types and residential densities, with highest density development concentrated in and along appropriate land use features.
- 1.8.2 Advance land use regulations that retain and strengthen neighborhood character, including direction for neighborhood serving commercial uses, open space and parks, and campus and institutional uses.

**Land Use Policy 1.10: Support development along Commercial Corridors that enhances the street's character, fosters pedestrian movement, expands the range of goods and services available, and improves the ability to accommodate automobile traffic.**

- 1.10.1 Support a mix of uses – such as retail sales, office, institutional, high-density residential and clean low-impact light industrial – where compatible with the existing and desired character.
- 1.10.4 Encourage a height of at least two stories for new buildings along Commercial Corridors, in keeping with neighborhood character.

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 the two proposed 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 any of the above hazards. The applicant will work with Public Works to ensure that the future development complies with all applicable regulations for erosion control, drainage and utilities.

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 proposed lot arrangement should not pose any difficulties in securing building permits. The site plan for the future development shows driveway access from the alley for the at-grade parking stalls. The below grade parking will be accessed through the adjacent building at 1800 West Lake Street. The applicant would be required to work closely with the Public Works Department, the Plan Review Section of CPED and the various utility companies during the duration of the development should the RLS and future applications be approved. This would be required to ensure that all procedures are followed in order to comply with city and other applicable requirements.

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.*

The applicable erosion and stormwater management plans will be approved with the final site plan and building permits for the project. The creation of different tracts will not affect erosion or stormwater management.

## RECOMMENDATIONS

### **Recommendation of the Department of Community Planning and Economic Development for the Preliminary and Final Registered Land Survey:**

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the Registered Land Survey application for the properties located at 1708-1714 W Lake Street, subject to the following conditions:

1. This RLS creates tracts (namely Tract B) that, if separately redeveloped, would not meet the requirements of the zoning and subdivision ordinance for lot frontage on a public street. Approval of this RLS does not constitute approval for the separate redevelopment of any tract if such tract does not comply with applicable 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. Written description and findings submitted by applicant
2. Correspondence
3. Zoning map
4. Photos
5. Registered land survey

**Seventeen10, LLC**  
**Application for Registered Land Survey**

**Statement of Proposed Use and Project Description**

The proposed Seventeen10 development fronts on the north side of West Lake Street in the middle of the block between James and Knox Avenues. The site includes two properties, 1708 and 1714 W. Lake Street, with a combined area of 11,102 sf. Two residential structures currently occupy the site.

The properties are both zoned C-1 (Neighborhood Commercial) and lie within the Shoreland Overlay District. The Minneapolis Plan for Sustainable Growth guides the site as Urban Neighborhood and identifies Lake Street as a Commercial Corridor. The site is in the West Lake Street Live/Work character area of the Uptown Small Area Plan (the USAP). Land use guidance in the USAP calls for mixed use redevelopment.

The proposed redevelopment of the site is a four-story, 23,911 sf (GFA) mixed retail, office and residential development. The ground floor will contain an approximately 2,000 sf retail space fronting on Lake Street and entry lobbies for the office and residential uses. Twenty parking spaces (including six tandem spaces) will be located within the ground floor of the building, accessed from the alley. The second floor will be approximately 9,000 sf of office space. There will be six residential units on the third floor and a seventh, penthouse unit in a stepped-back fourth floor. One level of underground parking will be constructed to serve the adjacent 1800 Lake apartment building, to which it will be connected by an underground drive between the two properties. The proposed structure has a footprint of 8,625 sf, a FAR of 2.16 and a height of 56'.

The developer will be submitting land use applications for the proposed development separately at a later date. A full development plan, including stormwater management and landscape plans will be submitted at that time. The purpose of the proposed RLS is to create a separate tract for the underground parking level that will serve 1800 Lake and that needs to be financed separately from the Seventeen10 development.

### Subdivision Required Findings

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

The proposed subdivision will promote redevelopment of the site with land uses in conformance with City zoning ordinances and land use plans. The proposed tracts comply with the subdivision regulations.

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 subdivision of the property by RLS will not be injurious to the use and enjoyment of other property in the vicinity, be detrimental to surrounding land uses, or increase congestion in the public streets. The proposed subdivision is necessary to ensure that 1800 Lake remains in compliance with zoning requirements for parking by providing replacement parking for that development that has been lost due to the need to fill in the lower of two underground parking levels for that building. This will be beneficial to 1800 Lake and other surrounding properties by preventing parking congestion on the public streets. The Seventeen10 development will be reviewed by the Planning Commission separately to ensure that it does not adversely affect 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 is a previously-developed urban site and is relatively flat. The building site can be safely redeveloped and maintained without danger to the users of the subdivision or the surrounding area. The site is not subject to flooding. Any soil conditions that require environmental or other remediation will be addressed in accordance with applicable regulations. Redevelopment will also comply with all applicable regulations for erosion control, drainage and utilities.

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 City's Building Official has reviewed the proposed development and concluded that the tract arrangement will pose no difficulties in securing building permits or in providing driveway access to the site. Development of the site is subject to approval of final site plan and building construction plans.

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.*

Stormwater management and erosion control plans will be reviewed and approved as part of the final site plan and building permit review process. Subdivision of the project site by RLS will not affect implementation of the required stormwater and erosion control measures.

## Lansing, Carol

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**From:** Lansing, Carol  
**Sent:** Thursday, January 29, 2015 12:05 PM  
**To:** 'nrp@eastisles.org'; 'Lisa.Goodman@minneapolismn.gov'  
**Subject:** Registered Land Survey application for Seventeen10 Project

Monica Smith  
Coordinator for East Isles Residents Association and East Calhoun Community Organization

Lisa Goodman  
Seventh Ward Council Member

Dear Monica and Lisa,

On behalf of the property owner and applicant, Seventeen10, LLC, I am notifying you that we are submitting an application to divide the properties located at 1708 and 1714 Lake Street West by Registered Land Survey (RLS). The purpose of the RLS is to divide the above and below grade portions of the property. Underground parking will be constructed in the below grade tract and will be connected to and provide replacement parking for the adjacent apartment building at 1800 Lake. Above grade, Owner Seventeen10, LLC and Developer CPM Development are proposing to develop a 4-story mixed use building with retail and enclosed parking at grade level, office space on the second floor, 6 residential units on the third floor, and 1 penthouse residential unit on the fourth level. Applications for zoning approval for the Seventeen10 development will be submitted in the near future and we will notify you again when that occurs. The only application being submitted at this time is for the RLS.

I am the contact person for the RLS application and my contact information is below. Please let me know if you have any questions or would like any additional information at this time. Thank you.

**Carol Lansing**

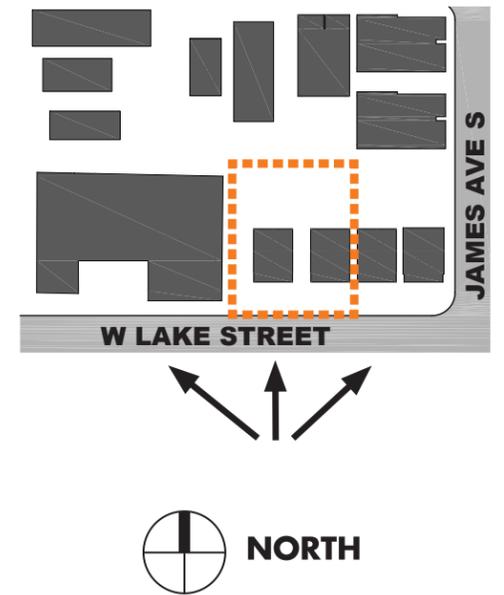
*Counsel*

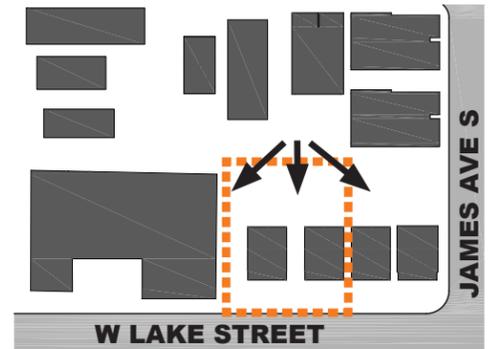
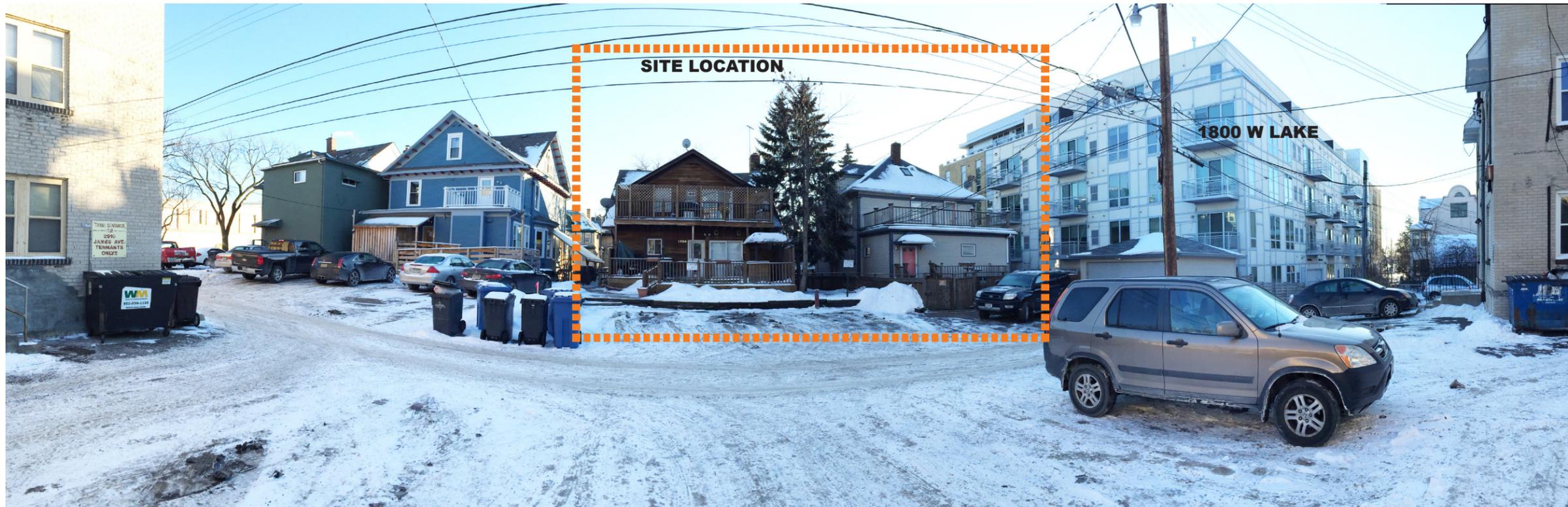
carol.lansing@FaegreSD.com   Download vCard  
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**Faegre Baker Daniels LLP**

2200 Wells Fargo Center | 90 South Seventh Street | Minneapolis, MN 55402-3901, USA







# REGISTERED LAND SURVEY NO.

HENNEPIN COUNTY, MINNESOTA

I hereby certify that in accordance with the provisions of chapter 508, Minnesota Statutes of 1949, as amended, I have surveyed the following described property in the county of Hennepin, State of Minnesota, to wit:

Lot 6 and Lot 7, Hill and Latham's Addition to Minneapolis, Hennepin County, Minnesota.

### SURVEYORS CERTIFICATION

I hereby certify that this Registered Land Survey is a correct delineation of said Survey. Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Rory L. Synsteliem, Land Surveyor, Minnesota License No. 44565

### MINNEAPOLIS, MINNESOTA

I, the Secretary of the Planning Commission of the City of Minneapolis, Minnesota, do hereby certify that on this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2015, said City of Minneapolis acting by and through its City Planning Commission duly approved this Registered Land Survey, and duly authorized such action of the Commission by its Secretary. The prescribed ten-day period for appeal has elapsed without receipt of appeal, as provided by Title 22, Section 598.320 of the Minneapolis Code of Ordinances.

Secretary of the Planning Commission

### MINNEAPOLIS, MINNESOTA

I hereby certify that this Registered Land Survey was approved by the City Planning Commission of the City of Minneapolis at a meeting thereof held this \_\_\_\_\_ day of \_\_\_\_\_, 2015. If applicable, the written comments and recommendations of the Commissioner of Transportation and the County Highway Engineer have been received by the City, or the prescribed 30 day period has elapsed without receipt of such comments and recommendations, as provided by Minnesota Statutes Section 505.03, Subd. 2.

City Clerk of Minneapolis, Minnesota

By: \_\_\_\_\_, Assistant City Clerk

### TAXPAYER SERVICES DEPARTMENT, Hennepin County, Minnesota

I hereby certify that taxes payable in \_\_\_\_\_ and prior years have been paid for land described on this Registered Land Survey. Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Mark V. Chapin, Hennepin County Auditor

By: \_\_\_\_\_, Deputy

### SURVEY DIVISION, Hennepin County, Minnesota

Pursuant to Minnesota Statutes Section 383B.565 (1969), this plat has been approved this \_\_\_\_\_ day of \_\_\_\_\_, 2015

Chris F. Mavis, Hennepin County Surveyor

By: \_\_\_\_\_

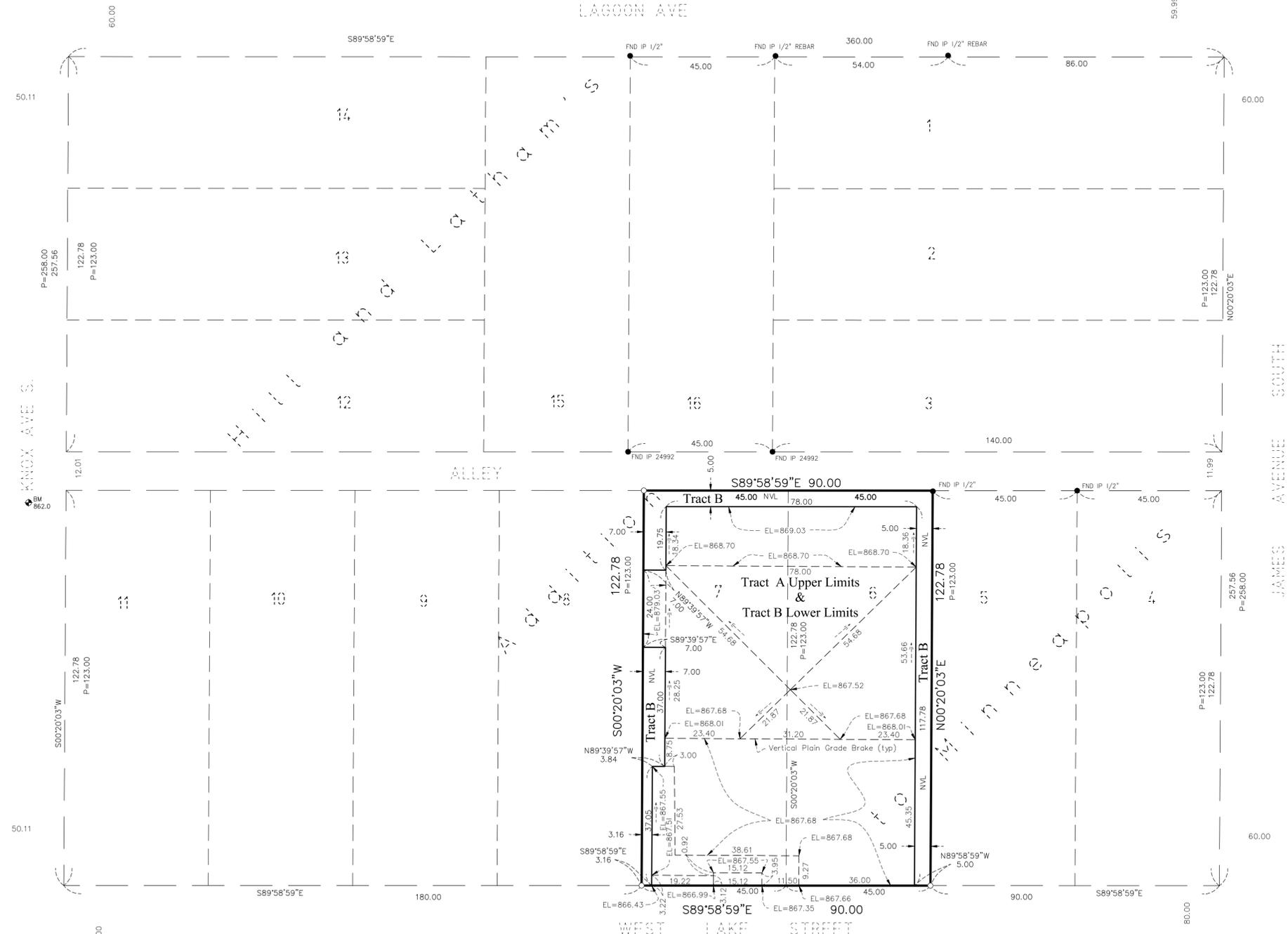
### REGISTRAR OF TITLES, Hennepin County, Minnesota

I hereby certify that the within Registered Land Survey No. \_\_\_\_\_ was filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2015 at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

Michael H. Cunniff, Registrar of Titles

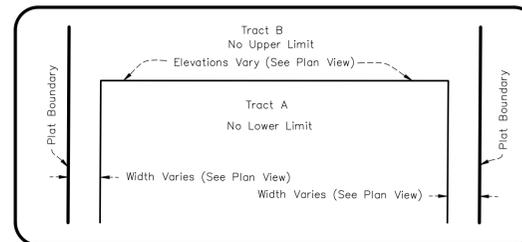
By: \_\_\_\_\_, Deputy

## Site Plan & Plan View

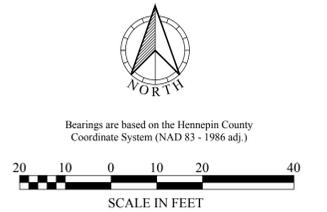


## Profile View

No Scale



- SURVEY MONUMENT SET 1/2 INCH BY 14 INCH MARKED RLS 44565
- SURVEY MONUMENT FOUND
- - - SLOPING UPWARD VERTICAL PLAIN
- EL ELEVATION
- P PLAT MEASUREMENT
- FND FOUND
- IP IRON PIPE
- NVL NO VERTICAL LIMITS
- BM BENCHMARK
- TRACT A LIES BELOW THE VERTICAL PLAIN AS DEFINED ON THE PLAN VIEW
- TRACT B LIES ABOVE THE VERTICAL PLAIN AS DEFINED ON THE PLAN VIEW
- TRACT A HAS NO LOWER LIMIT
- TRACT B HAS NO UPPER LIMIT



Bearings are based on the Hennepin County Coordinate System (NAD 83 - 1986 adj.)

**Benchmark:**  
Elevations are based on a spike in the south side of the power pole located just south of the westerly extension of the south line of the alley. Located in Knox Ave, as shown hereon. Labeled "BM" Elevation = 862.00 feet (NGVD 1929)



**SATHRE-BERGQUIST, INC.**  
150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000

## **Seventeen 10 Development**

### **Legal Description**

Existing Legal Description:

Lot 6 and Lot 7, Hill and Latham's Addition to Minneapolis, Hennepin County,  
Minnesota

Proposed Legal Description:

Tract A and Tract B, Registered Land Survey No. (TBD), Hennepin County, Minnesota