

LAND USE APPLICATION SUMMARY

Property Location: 2903, 2905, 2907, 2911 Harriet Avenue South & 2900, 2904, 2910, and 2912 Grand Avenue South
Project Name: Harriet Avenue Apartments
Prepared By: Lisa Steiner, Senior City Planner, (612) 673-3950
Applicant: Curt Gunsbury & Robb Miller
Project Contact: Dan Pellinen, Tushie Montgomery Architects
Request: Final plat
Required Applications:

Plat	Final plat
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SITE DATA

Existing Zoning	R5 Multiple-Family District
Lot Area	Developable lot: 34,136 square feet Outlot: 1,271 square feet Total Lot Area: 35,407
Ward	10
Neighborhood	Whittier
Designated Future Land Use	Urban Neighborhood
Land Use Features	None; One block from Lyn-Lake Activity Center, One block from Commercial Corridor (Lake Street), Two blocks from Commercial Corridor (Lyndale Avenue)
Small Area Plans	<u>Midtown Greenway Land Use and Development Plan (2007)</u> <u>Lyn-Lake Small Area Plan (2009)</u>

Date Application Deemed Complete	August 30, 2016	Date Extension Letter Sent	Not applicable
End of 60-Day Decision Period	October 29, 2016	End of 120-Day Decision Period	Not applicable

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. The subject property is composed of eight parcels located south of the Midtown Greenway between Grand Avenue South and Harriet Avenue South. The site is bisected by an existing public alley. In the previous approvals noted below, the alley was vacated and would be rerouted to the south. The site currently includes two houses and a garage that are proposed to be demolished as well as a surface parking lot.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The proposal is located in the Whittier neighborhood. The surrounding area includes a variety of uses and a mix of zoning districts. An industrially-zoned two-story commercial building is located directly south of the subject property on Harriet Avenue and a residentially-zoned duplex is located south of the project site on Grand Avenue. The adjacent properties across Harriet Avenue and Grand Avenue are zoned industrially, as is a self-storage facility across the Midtown Greenway. Diagonally across the Midtown Greenway is a multi-family residential building that is zoned R5. Various commercial uses are present along both Lake Street and Lyndale Avenue. Along the Midtown Greenway, there is a mix of industrial, commercial, residential, and office residential zoning, including several residential buildings which have been built within the last decade.

PROJECT DESCRIPTION. The plat is related to the construction of a 111-unit, 6-story multi-family residential building. The land use applications for the construction of the building were approved by the City Planning Commission on March 28, 2016, including the preliminary plat. The properties were rezoned to the R5 Multiple-Family District, which was approved by the City Council on April 29, 2016. The applicant is now requesting approval of the final plat.

RELATED APPROVALS.

Planning Case #	Application	Description	Action
<u>BZZ-7587</u>	Rezoning, Conditional use permit to increase maximum height, variances, site plan review	Land use applications to construct a six-story multi-family residential building with 111 dwelling units.	<u>Approved by the City Planning Commission on March 28, 2016;</u> <u>Rezoning approved by City Council on April 29, 2016</u>
<u>PL-303</u>	Preliminary Plat	Preliminary Plat	

PUBLIC COMMENTS. No comments were received regarding the final plat application. Any correspondence received prior to the public meeting will be forwarded on to the Planning Commission for consideration.

ANALYSIS

FINAL PLAT

The Department of Community Planning and Economic Development has analyzed the application for a final plat based on the following 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.*

A lot, outlot, and dedicated alley are proposed. In order to accommodate a corner cut for the alley, a strip of unbuildable land would remain. Any lot which due to the existing grade, physical conditions, hazard of flooding, or of a size, shape or in a location not conforming to these regulations and therefore not suitable for development, may be platted as an outlot.

The subdivision is in conformance with the applicable zoning code regulations and policies of the comprehensive plan. However, it requires a variance to the subdivision regulations to allow a lot with more than five sides for a multi-family residential building. The applicant is vacating the existing public alley and dedicating a new alley. In order to accommodate a corner cut for the alley, an outlot would remain south of the alley. Due to this location of the vacation and the dedicated alley extension to Grand Avenue, the resulting property line has six sides. This variance was approved as part of the preliminary plat analysis on March 28, 2016.

Subdivision Regulations:

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.

The applicant is vacating the existing alley and dedicating a new alley extending to Grand Avenue. Due to the dimensional requirements of the new alley, a corner cut is required, which creates an outlot south of the dedicated alley. The resulting property line north of the alley would jog because of the location of the adjacent property to the south along Harriet Avenue. In order to accommodate a loading area, additional landscaping, areas for mechanical equipment, and other necessary building functions without pushing the proposed building further towards the Midtown Greenway, the property line jogs south approximately 14 feet, creating a 6-sided lot. The proposed lot configuration will allow for reasonable use of the property considering the location of the dedicated alley. This variance was approved as part of the preliminary plat analysis on March 28, 2016.

(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.

Granting the variance to create a 6 sided lot should not be detrimental to the public welfare or injurious to other property in the vicinity as a newly dedicated alley would be provided. The proposed lot configurations will have no impact beyond the property lines.

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 applicant is proposing to consolidate several existing platted lots into two new lots and dedicate an alley extension to Grand Avenue. The proposed plat would not be injurious to the use and enjoyment of other property in the immediate vicinity, nor would it be detrimental to present and surrounding land uses. The plat should not substantially add to congestion in the public streets.

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 basically level with the exception of grade changes near the Greenway, where the northernmost portion of the site slopes down significantly toward the Greenway. However, the applicant is not proposing to develop any portions of the site with steep slope and these grade changes should not impact the ability to develop the property. The site does not present other 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.*

The proposed lot is buildable, has street frontage on two streets, and is suitable for the proposed use.

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 proposed plat makes adequate provision for stormwater runoff. The Surface Waters and Sewers division of Public Works Department has initially reviewed the project for appropriate drainage and stormwater management. Specific comments related to stormwater can be found in the attached PDR report.

RECOMMENDATIONS

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt staff findings for the application by Tushie Montgomery for the properties located at 2903, 2905, 2907, and 2911 Harriet Avenue South & 2900, 2904, 2910, and 2912 Grand Avenue South:

A. Final Plat.

Recommended motion: **Approve** the final plat.

ATTACHMENTS

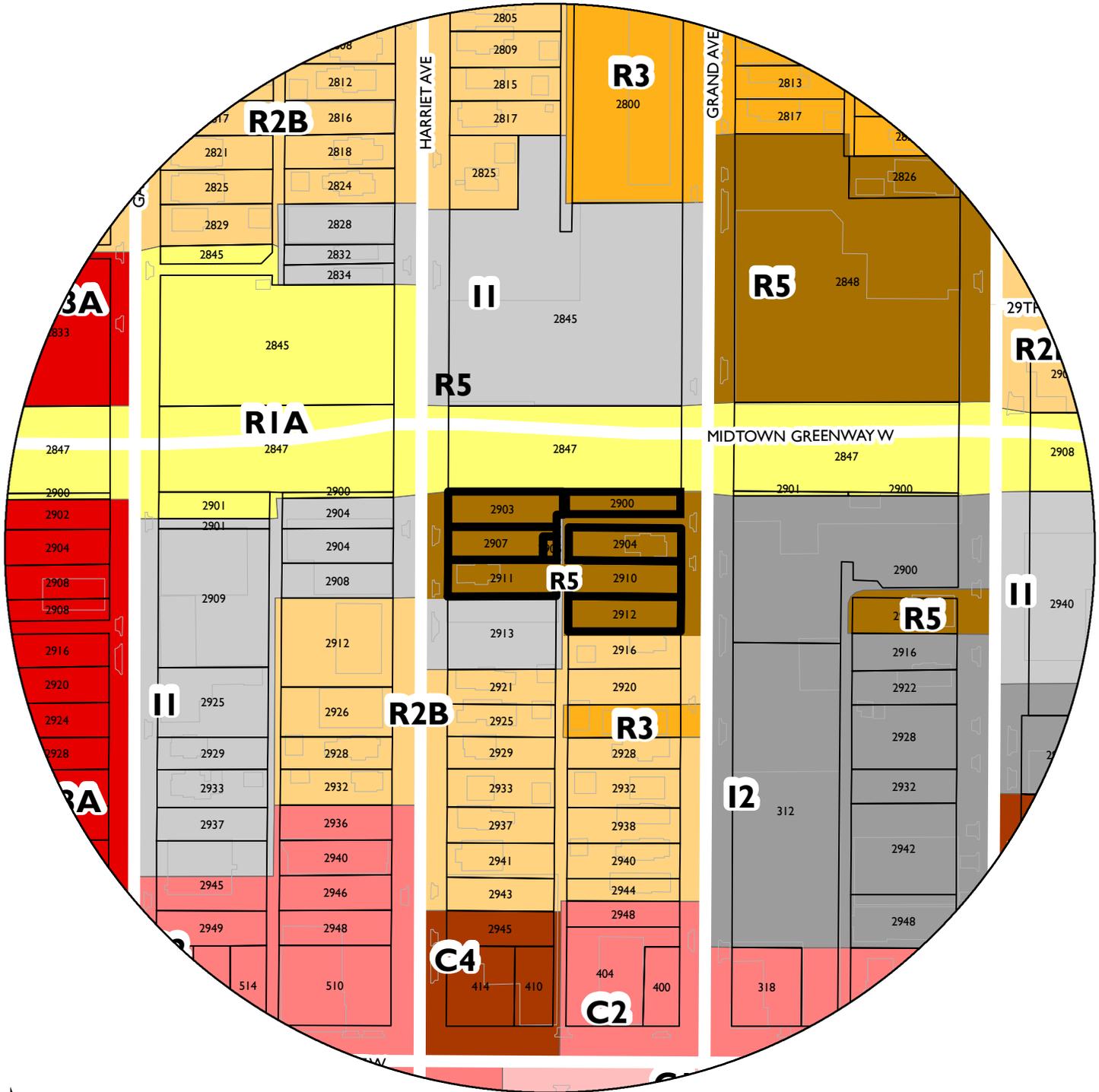
1. Zoning map
2. Final plat
3. PDR Report

Tushie Montgomery

10th

NAME OF APPLICANT

WARD

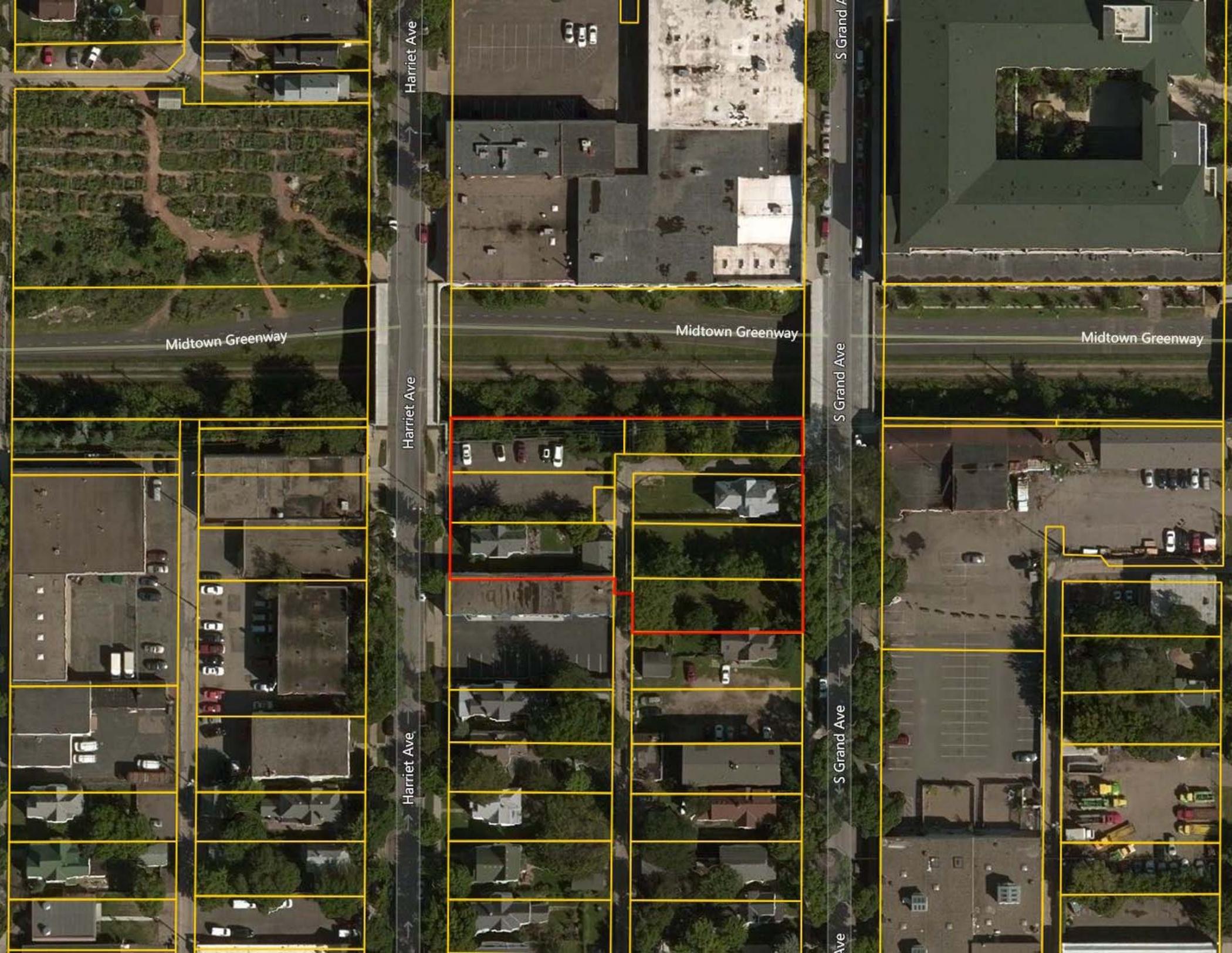


PROPERTY ADDRESS

2903, 2905, 2907, 2911 Harriet Ave S & 2900, 2904, 2910, and 2912 Grand Ave S

FILE NUMBER

PL-303



Harriet Ave

Harriet Ave

Harriet Ave

S Grand Ave

S Grand Ave

S Grand Ave

S Grand Ave

Midtown Greenway

Midtown Greenway

Midtown Greenway

HARRIET AVENUE APARTMENTS

C.R. DOC. NO. _____

KNOW ALL PERSONS BY THESE PRESENTS: That 2905 Associates LLC, a Minnesota limited liability company, fee owner, of the following described property situated in the State of Minnesota, County of Hennepin, to wit:

Lots 1 through 4 and 14 through 16, Block 6, "Excelsior Addition to Minneapolis";

Together with:

That part of the vacated alley in said Block 6, Excelsior Addition to Minneapolis, which lies northerly of a line drawn from a point on the West line of Lot 4, said Block 6 distant 14 feet south of the Northwest corner thereof, to a point on the East line of Lot 13, said Block 6 distant 14 feet south of the Northeast corner thereof; Except the West half of said vacated Alley lying adjacent to said Lot 13, Block 6 thereof.

Has caused the same to be surveyed and platted as HARRIET AVENUE APARTMENTS and do hereby dedicate to the public for public use the public way as created by this plat.

In witness whereof said 2905 Associates LLC, a Minnesota limited liability company, has caused these presents to be signed by its proper officer this _____ day of _____, 2016.

BY: 2905 ASSOCIATES

By: _____ its, _____

STATE OF MINNESOTA, COUNTY OF HENNEPIN

The foregoing instrument was acknowledged before me this _____ day of _____, 2016.

By: _____ its, _____ of 2905 Associates LLC, a Minnesota limited liability company on behalf of the company.

Notary Public, Hennepin County, Minnesota Notary Printed Name My Commission Expires: _____

SURVEYORS CERTIFICATE

I, Rory L. Systelien, do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on the plat; that all monuments depicted on the plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this _____ day of _____, 2016.

Rory L. Systelien, Licensed Land Surveyor
Minnesota License No. 44565

STATE OF MINNESOTA, COUNTY OF HENNEPIN

The foregoing instrument was acknowledged before me this _____ day of _____, 2016, by Rory L. Systelien

Notary Public, Hennepin County, Minnesota Notary Printed Name My Commission Expires: _____

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., 2016, the City of Minneapolis acting by and through its City Planning Commission duly approved the plat of HARRIET AVENUE APARTMENTS, and duly authorized such action of the Commission by its Secretary. The prescribed ten-day period for Section 598.230 of the Minneapolis Code of Ordinances.

By: _____, Secretary of Planning Commission

MINNEAPOLIS, MINNESOTA

This plat of HARRIET AVENUE APARTMENTS was approved and accepted by the City Planning Commission of Minneapolis, Minnesota at a regular meeting held this _____ day of _____, 2016. 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, Subdivision 2.

By: _____, City Clerk

RESIDENT AND REAL ESTATE SERVICES
Hennepin County, Minnesota

I hereby certify that taxes payable in _____ and prior years have been paid for land described on this plat.
Dated this _____ day of _____, 2016.

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 _____, 2016.

Chris F. Mavis, Hennepin County Surveyor

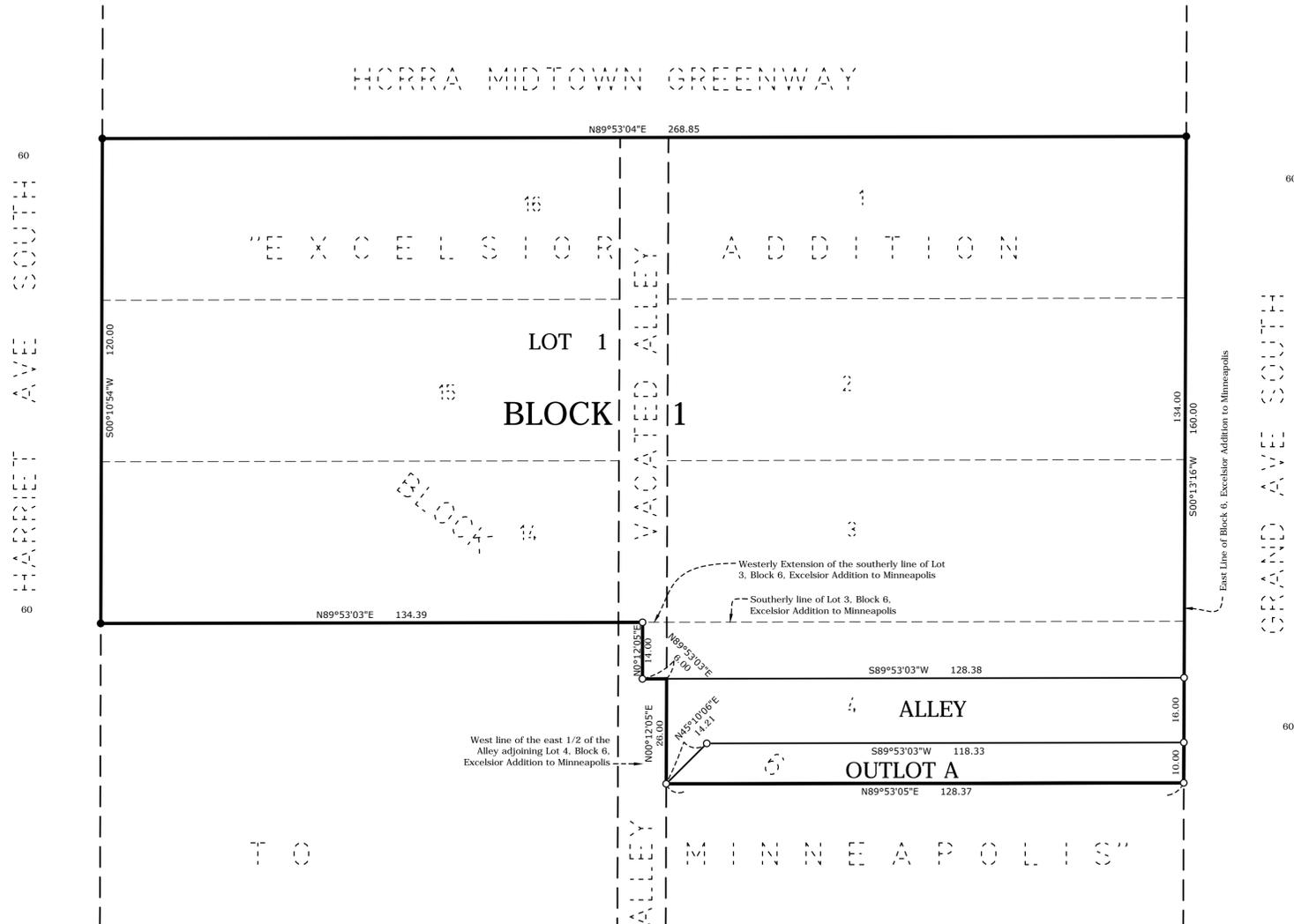
By: _____

COUNTY RECORDER
HENNEPIN COUNTY, MINNESOTA

I hereby certify that the within plat of HARRIET AVENUE APARTMENTS was recorded in this office this _____ day of _____, 2016, at _____ o'clock _____ .M.

Martin McCormick, County Recorder

By: _____, Deputy



The bearing system as shown hereon is based the east line of Block 6, "Excelsior Addition to Minneapolis" having an assumed bearing of S00°13'16"W

- SURVEY MONUMENT SET 1/2 INCH BY 14 INCH MARKED RLS 44565
- SURVEY MONUMENT FOUND

Lisa Steiner, Senior City Planner - Land Use, Design and Preservation
City of Minneapolis - Community Planning and Economic Development
250 South Fourth Street - Room 300
Minneapolis, MN 55415
Office: 612-673-3950 Email: lisa.steiner@minneapolismn.gov

**RE: Harriet Ave Apartments
HTPO Project No. 15-065**

Agreement

It is hereby agreed between Rory L. Synstelien, a licensed surveyor of HTPO, and the City of Minneapolis, Minnesota, that all monuments required to be placed per Minnesota statute 505.021 have been placed or will be placed in the ground per said statute, three of which shall conform to the specifications for city survey monuments on file with the City Public Works Engineering Office.

Sincerely,
HANSEN THORP PELLINEN OLSON, INC.



Rory Synstelien, PLS, CFedS
Professional Land Surveyor

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Eden Prairie, MN 55344
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