

Department of Community Planning and Economic Development – Planning Division
Preliminary RLS
RLS-42

Date: June 26, 2006

Applicant: Le Parisien, LLC

Address of Property: 2301-09 Lyndale Avenue South

Project Name: Le Parisien Flats and Marketplace

Contact Person and Phone: Mark Dziuk with Le Parisien, LLC, (612) 548-4848

Planning Staff and Phone: Hilary Dvorak, (612) 673-2639

Date Application Deemed Complete: May 30, 2006

End of 60-Day Decision Period: July 29, 2006

End of 120-Day Decision Period: Not applicable for this application

Ward: 6 **Neighborhood Organization:** Whittier Alliance and Lowry Hill East Neighborhood Association

Existing Zoning: C2, Neighborhood Corridor Commercial District

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 18

Legal Description: Not applicable for this application

Proposed Use: Mixed-use development including 13 residential condominiums and one commercial condominium

Concurrent Review:

Preliminary RLS: RLS-42

Applicable zoning code provisions: Chapter 598, Land Subdivision Regulations

Background: In August of 2005 the Minneapolis City Council approved applications for a mixed-use development including 13 residential condominiums and approximately 2,000 square feet of commercial space on the site located at 2301-09 Lyndale Avenue South. The development is currently under construction. The applicant has filed an application for a preliminary Registered Land Survey (RLS). The purpose of a RLS is to create different ownership tracts on a zoning lot.

For this development there will be one commercial condominium tract and 13 residential condominiums tracts created. The commercial space will be further divided into four separate uses.

PRELIMINARY REGISTERED LAND SURVEY – RLS-42

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 subdivision is in conformance with the design requirements of the land subdivision regulations and the regulations of the zoning code and the 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 Planning Division does not believe that the proposed development will be injurious to the use and enjoyment of surrounding property nor will it impede the normal development of the surrounding area. The development will provide additional housing types within the neighborhood and new commercial space. A development such as this would increase the property's value, contribute to the building of the city's infrastructure and contribute to the city's tax base.

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 relatively flat. The Planning Division believes that the site can be developed upon and used safely.

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 tracts created by this registered land survey present no foreseeable difficulties for this development. No significant alteration to the land appears necessary.

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.

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RLS-42

The Sewer Division of the Public Works Department has reviewed and approved the drainage and sanitary system plans for this development prior to building permits being issued.

RECOMMENDATIONS

Recommendation of the Community Planning and Economic Development Department – Planning Division for the preliminary Registered Land Survey:

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the preliminary Registered Land Survey for the property located at 2301-09 Lyndale Avenue South.

Attachments:

1. Statement of purpose
2. June 13, 2006, memo from Public Works, engineering Design Division/Right-of-Way Section
3. May 19, 2006, letters to Council Member Lilligren and the Whittier Alliance
4. Zoning Map
5. Site plan
6. RLS