

**Department of Community Planning and Economic Development – Planning Division**  
Preliminary & Final Registered Land Survey  
RLS-29

**Date:** November 8, 2004

**Applicant:** Falls Realty Corp., Residential Garage LLC, & Pinnacle Realty Corp.

**Address Of Property:** 110 First Avenue NE and 20 Second Street NE

**Contact Person And Phone:** Larry Berg – Fredrikson & Byron 612-492-7000

**Planning Staff And Phone:** Jim Voll 612-673-2587

**Date Application Deemed Complete:** October 4, 2004

**End of 60 Day Decision Period:** December 3, 2004

**Ward: 5      Neighborhood Organization:** Nicollet Island/East Bank

**Existing Zoning:** C3A Community Activity Center District

**Overlay Districts:** MR Mississippi River Critical Area Overlay District and the PO Pedestrian Oriented Overlay District.

**Existing Use:** Residential (condos and apartments) building with a parking structure.

**Background:** The purpose of this RLS is to separate parcels to conform to existing ownership and usage.

**Required Findings:**

**1. Subdivision is in conformance with the land subdivision regulations including the requirements applicable regulations of the Zoning Code, and policies of the Comprehensive Plan.**

The RLS is in conformance with the subdivision regulations, zoning code, and comprehensive plan. The site is in the East Hennepin Activity Center. Larger scale residential uses are appropriate in Activity Centers. The building is existing and the RLS will reconfigure tracts within this building.

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- 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 purpose of the RLS is to delineate ownership 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 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 building is built and the site is fully developed. 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 building is built and the site has been developed. Access is existing and adequate.

- 5. The subdivision makes adequate provision for storm or surface water runoff, and temporary and permanent erosion control. The storm water 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.**

The building is built and the site has been developed.

**Recommendation of the Community Planning and Economic Development Department - Planning Division:**

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the preliminary and final RLS application for the Falls Condominiums and the Pinnacle Apartments for property located at 110 First Avenue NE and 20 Second Street NE if the City Attorney approves the RLS before the Planning Commission meeting. If it is not approved, then staff recommends that the final RLS be **continued** to the December 13, 2004 meeting of the City Planning Commission.