

Community Planning and Economic Development Planning Division Report

Registered Land Survey RLS-58

Date: March 29, 2010

Applicant: URS Corporation

Addresses Of Property: 408 4th Avenue North, 335 5th Street North, 353 5th Street North, 401 5th Street North, 326 7th Street North and 335 3rd Avenue North

Project Name: Target Field RLS – Vertical

Contact Person And Phone: Tom Holker and Keith Dahl – URS Corporation, 612-370-0700

Planning Staff And Phone: Shanna Sether, 612-673-2307

Date Application Deemed Complete: March 5, 2010

End of 120-Day Decision Period: July 3, 2010

Ward: 7 **Neighborhood Organization:** North Loop Neighborhood Association and Downtown Minneapolis Neighborhood Association

Existing Zoning: B4C-2 Downtown Commercial District, B4S Downtown Service District and I2 Medium Industrial

Existing Overlay Districts: DP Downtown Parking Overlay District

Plate Number: 19

Legal Description: See survey.

Existing Use: Regional sports arena for an open-air major league baseball stadium with approximately 40,000 seats

Concurrent Review:

Registered land Survey (RLS): different ownership, leasehold and use tracts for the Ballpark structure and related enhancements on and near the Ballpark property.

Applicable zoning code provisions: Chapter 598 Subdivisions.

Background: On May 26, 2006, Governor Pawlenty signed legislation authorizing a new ballpark in downtown Minneapolis' North Loop neighborhood. On November 13, 2007, the City Planning Commission took action to recommend that the City Council approve the recommendation of the Ballpark Implementation Committee regarding the design and layout of the new major league ballpark now known as Target Field. On December 7, 2007, the City Council approved the new 40,000 seat ballpark.

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The ballpark is located in the area generally bounded by 5th Street North, the BNSF railroad right of way, 7th Street North, and I-394; with accessory off-street parking between 7th Street North and 12th Street North. The ballpark, which is owned by the Minnesota Ballpark Authority (MBA) and operated by the Twins, will open in April of 2010.

Interim accessory parking and loading will take place to the southwest of the ballpark, extending underneath the 7th Street North and 10th Street North bridges. Parking in this area will be primarily for the Twins (players, coaches, personnel, etc.) as well as media vehicles. The MBA has an agreement with the team to develop this property. If the property is not developed within 15 years, the MBA may market the site to other developers.

The City has been working to extend the Cedar Lake Trail to the Mississippi River. The ballpark project team has provided space for the Cedar Lake Trail at ground-level through the ballpark site. The trail will run beneath the ballpark, adjacent to the BNSF and Northstar railroad tracks. A segment of BNSF main line was shifted to the northwest in order to allow the ballpark and trail to coexist on the site.

As part of the Northstar commuter rail project, the Hiawatha Light Rail Transit line has been extended along 5th Street and includes a stop immediately adjacent to the ballpark and the proposed commuter rail line. The Northstar commuter rail station is being integrated into the north end of the ballpark, which includes vertical circulation to and from the commuter rail platform located below street level. The administrative offices for the Minnesota Twins are also located near the Northstar station.

On January 11, 2010, the City Planning Commission approved a horizontal, two-dimensional registered land survey to create different ownership, leasehold and use tracts for the Ballpark structure and related enhancements on and near the Ballpark property. The applicant is now requesting a second registered land survey to further subdivide the original horizontal RLS in 114 tracts, each tract conforming to a particular use of or interest in the property, in a vertical, three-dimensional manner. The tracts will be vertically limited by elevation; therefore the RLS will be three-dimensional.

The City Attorney and Public Works Department have reviewed and approved the preliminary and final Registered Land Surveys and the final RLS title documents.

As of the writing of this staff report, staff has not received written comments from the neighborhood group, but will forward comments, if any, at the City Planning Commission meeting.

REGISTERED LAND SURVEY

Required Findings:

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

The configuration of the RLS tracts, as proposed by the applicant, does not meet the lot frontage requirements of the code for Tracts B, D, E, J, K, L, M, N, O, P, R, S, X, Y, Z, AA, AB, AC, AD, AE, AF, AG, AH, AI, AJ, AK, AL, AM, AN, AO, AP, AQ, and AZ on the ground level. Tracts on the ground level are subject to the same requirements as platted lots. The solution to this technical

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problem is to record an agreement that if the site is ever redeveloped for a different use, then the tracts on the ground floor will be replatted into lots or tracts that meet the requirements of the zoning ordinance. Further, a subdivision shall not result in more than one zoning classification on a single lot. There is existing split zoning over the subject properties. The proposed RLS should not affect the existing zoning.

There is existing split zoning over the subject properties. As mandated by Minn. Stat. 473.758 subd. 2, “construction of a ballpark within the development area is consistent with the adopted area plan, is the preferred ballpark location, and is a permitted land use.” The proposed RLS should not affect the existing zoning.

State statute identifies the ballpark as consistent with adopted plans for the area. In terms of specific guidance in adopted City plans, the recommended land use plan in the Downtown East/North Loop Master Plan identifies the site as "cultural/entertainment" in anticipation of a ballpark at the site. Further, Downtown 2010, the comprehensive plan's downtown element, includes the following policy guidance: "Maintain downtown as the location for the region's professional sports teams, and ensure that future sports facilities are located where they can complement the existing retail and entertainment districts, take advantage of existing parking and transit facilities and maximize direct economic benefits to downtown.”

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 certain proposed uses of the Ballpark and appurtenant areas on and near the Ballpark 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 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.**

Site and construction plans have been approved and the building is under construction. Access is existing and adequate.

- 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.

Existing utility and drainage provisions, as well as relocated utilities and drainage improvements completed during construction of the project are adequate for the Ballpark and related enhancements.

RECOMMENDATIONS:

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

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission **approve** the preliminary and final Registered Land Survey application for the Twins Ballpark located in B4C-2 Downtown Commercial District, B4S Downtown Service District, I2 Medium Industrial District and DP Downtown Parking Overlay District, subject to the following conditions of approval:

- 1) This RLS creates certain tracts (namely, Tracts B, D, E, J, K, L, M, N, O, P, R, S, X, Y, Z, AA, AB, AC, AD, AE, AF, AG, AH, AI, AJ, AK, AL, AM, AN, AO, AP, AQ, and AZ) that, if separately redeveloped, would not meet the requirements of the zoning and subdivision ordinances for street frontage at ground level. Approval of this RLS does not constitute approval for the separate redevelopment of any tract if such tract does not comply with applicable zoning and 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) Statement from the applicant and subdivision required findings
- 2) Copy of letter sent to CM Goodman, Warehouse District North Loop Neighborhood Association and Downtown Minneapolis Neighborhood Association
- 3) Public Works approval letter
- 4) Zoning map
- 5) Survey and RLS
- 6) Aerial photos