

Department of Community Planning and Economic Development – Planning Division
Final Plat
PL-178

Date: December 3, 2012

Applicant: ROF Calhoun Square LLC

Address of Property: 1301, 1311, 1323, 1401 and 1409 West Lake Street, 3008 and 3012 Fremont Avenue South and 3003, 3027, 3037, 3043 and 3045 Hennepin Avenue

Project Name: Calhoun Square

Contact Person and Phone: Carol Lansing with Faegre Baker Daniels LLP, 612-766-7005

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

Date Application Deemed Complete: November 20, 2012

End of 120-Day Decision Period: March 20, 2013

Ward: 10 Neighborhood Organization: Calhoun Area Residents Action Group, East Calhoun Community Organization, East Isles Residents Association, Lowry Hill East Neighborhood Association

Existing Zoning: C3A Community Activity Center District with the PO Pedestrian Oriented Overlay District

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 24

Legal Description: Not applicable for this application

Proposed Use: Planned Unit Development

Concurrent Review: Final Plat

Applicable zoning code provisions: Chapter 598, Land Subdivision Regulations.

Background: In March of 2008, the City Planning Commission approved land use applications, including a preliminary plat, for a planned unit development for Calhoun Square. This was a proposal for a Planned Unit Development including a total of approximately 245,763 square feet of commercial and office space and 108 dwelling units (BZZ-3915). Except for the development of the housing component of the project, the redevelopment of the shopping center is complete.

After the preliminary plat was approved the applicant met with Hennepin County and discovered that there were issues with the Torrens registration for the Calhoun Square property that needed to be addressed in order to record the final plat. Those issues have now been resolved with Hennepin County and the applicant would like to complete the platting process with the City at this time.

FINAL PLAT - PL-178

Required Findings:

- 1. The subdivision is in conformance with these land subdivision regulations, the applicable regulations of the Zoning Code and policies of the Comprehensive Plan.**

DESIGN REQUIREMENTS

Planned Unit Developments are exempt from the requirement requiring frontage on a public street. However, this site does have frontage on four public streets.

The platting of the property does not result in more than one zoning classification on a single lot.

No nonconforming structures or uses result from this application.

RESIDENTIAL DEVELOPMENT DESIGN

Planned Unit Developments are exempt from these requirements.

ZONING CODE

The development is in conformance with the applicable regulations of the C3A zoning district.

THE MINNEAPOLIS PLAN FOR SUSTAINABLE GROWTH

The site is located on the southeast corner of West Lake Street and Hennepin Avenue South. Both West Lake Street and Hennepin Avenue South are designated Commercial Corridors. Please note that south of West 31st Street Hennepin Avenue is a designated Community Corridor. The intersection of West Lake Street and Hennepin Avenue South is also a designated Activity Center. According to the policies and implementation steps outlined in *The Minneapolis Plan for Sustainable Growth*, the following apply to this proposal:

Land Use Policy 1.1 states, “Establish land use regulations to achieve the highest possible development standards, enhance the environment, protect public health, support a vital mix of land uses, and promote flexible approaches to carry out the comprehensive plan.”

Land Use Policy 1.2 states, “Ensure appropriate transitions between uses with different size, scale, and intensity.” This policy includes the following applicable implementation step: (1.2.1) “Promote quality design in new development, as well as building orientation, scale, massing, buffering, and setbacks that are appropriate with the context of the surrounding area.”

Land Use Policy 1.3 states, “Ensure that development plans incorporate appropriate transportation access and facilities, particularly for bicycle, pedestrian, and transit. This policy includes the following applicable implementation steps: (1.3.1) “Require safe, convenient, and direct pedestrian connections between principal building entrances and the public right-of-way in all new development and, where practical, in conjunction with renovation and expansion of existing buildings”; (1.3.2) “Ensure the provision of high quality transit, bicycle, and pedestrian access to and within designated land use features”; (1.3.3) “Encourage above-ground structured parking facilities to incorporate development that provides active uses on the ground floor.”

Land Use Policy 1.4 states, “Develop and maintain strong and successful commercial and mixed use areas with a wide range of character and functions to serve the needs of current and future users.” This policy includes the following applicable implementation steps: (1.4.1) “Support a variety of commercial districts and corridors of varying size, intensity of development, mix of uses, and market served”; (1.4.2) “Promote standards that help make commercial districts and corridors desirable, viable, and distinctly urban, including: diversity of activity, safety for pedestrians, access to desirable goods and amenities, attractive streetscape elements, density and variety of uses to encourage walking, and architectural elements to add interest at the pedestrian level.”

Land Use Policy 1.5 states, “Promote growth and encourage overall city vitality by directing new commercial and mixed use development to designated corridors and districts. This policy includes the following applicable implementation step: (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 1.10 states, “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. This policy includes the following applicable implementation step: (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.”

Land Use Policy 1.12 states, “Support Activity Centers by preserving the mix and intensity of land uses and by enhancing the design features that give each center its unique urban character.” This policy includes the following applicable implementation steps: (1.12.1) “Encourage a variety of commercial and residential uses that generate activity all day long and into the evening;” (1.12.3) “Encourage active uses on the ground floor of buildings in Activity Centers”; (1.12.5) “Encourage a height of at least two stories for new buildings in Activity Centers, in keeping with neighborhood character.”; (1.12.8) “Support district parking strategies in Activity Centers, including shared parking facilities with uniform signage, and other strategies”; (1.12.9) “Encourage architectural design, building massing and site plans to create or improve public and semi-public spaces in Activity Centers.”

The Planning Division believes that the proposed project is in conformance with the above policies and implementation steps of *The Minneapolis Plan for Sustainable Growth*.

The *Uptown Small Area Plan* was adopted by the Minneapolis City Council on February 1, 2008. In the plan the majority of the Calhoun Square site is located in the area designated as the Activity Center. However, a small portion of the site located to the east of the vacated alley along Fremont Avenue South is located in the area designated as the Urban Village. The plan recognizes that Calhoun Square is a major asset to the Uptown area and that it should remain an anchor for restaurants and commercial businesses. The plan suggests that housing and office uses be added to the site to ensure that the site remains active 24 hours a day.

The plan discusses what the future redevelopment of the shopping center should look like (it should be noted that the site was changing ownership during the planning process for the Uptown Small Area Plan and that the future plans for the site were not known). It indicates that the site should be more urban and interact better with the surrounding streets. It says that the businesses within the building should open up to the sidewalks and that the sidewalks around the site should be made wider. The plan calls for a redesigned interior of the shopping center with programmable spaces that can accommodate a range of users, including families. The plan also calls for a pedestrian plaza along vacated Girard Avenue South that will act as a walkway between the Mozaic development and Calhoun Square. The heights discussed in the plan for both the Activity Center and the Urban Village are preferred to be three to five stories but suggests that there are opportunities for buildings up to 84 feet in height along the major corridors. However, the plan suggests that buildings up to 56 feet in height are more appropriate on the south side of West Lake Street in order to create better transitions into the neighborhood fabric.

The Planning Division believes that the proposed project is in conformance with the above policies of the *Uptown Small Area Plan*. Although the proposed heights for the development are taller than what the plan calls for it does acknowledge the past approvals for this development and does not suggest that the past approvals be revisited.

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 a planned unit development would be injurious to the use and enjoyment of other property in the area. The mix of retail sales and services uses, food and beverage uses and the major sports and health facility component of the development blend nicely with those uses already located in and around Calhoun Square.

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 site is relatively flat and 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 parcels created by this application present no foreseeable difficulties for this development. No significant alterations to the land appear necessary.

5. The subdivision makes adequate provision for storm or surface water runoff, and temporary and permanent erosion control. The stormwater 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 Public Works Department has reviewed and approved the drainage and sanitary system plans for this development.

RECOMMENDATIONS

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the final plat:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the final plat application for the property located at 1301, 1311, 1323, 1401 and 1409 West Lake Street, 3008 and 3012 Fremont Avenue South and 3003, 3027, 3037, 3043 and 3045 Hennepin Avenue.

Attachments:

1. Response from Public Works regarding the plat
2. Response from the City Attorney's office regarding the plat
3. Final Plat