



# CPED STAFF REPORT

Prepared for the City Planning Commission

CPC Agenda Item #1  
 June 23, 2014  
 RLS-72

## LAND USE APPLICATION SUMMARY

*Property Location:* 222 Hennepin Avenue  
*Project Name:* 222  
*Prepared By:* [Becca Farrar-Hughes](#), Senior City Planner, (612) 673-3594  
*Applicant:* Ryan Companies, US, Inc.  
*Project Contact:* Ryan Companies, US, Inc., Attn: Judy Hermanson  
*Request:* To separate the property both vertically as well as horizontally into independent tracts.

*Required Applications:*

<b>Preliminary and Final Registered Land Survey</b>	To separate the property both vertically as well as horizontally into independent tracts for the Whole Foods Market and the 222 Hennepin Apartments.
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## SITE DATA

<b>Existing Zoning</b>	B4S-2 District DP Overlay District
<b>Lot Area</b>	110,499 square feet / 2.54 acres
<b>Ward(s)</b>	3
<b>Neighborhood(s)</b>	North Loop Neighborhood Association; adjacent to Downtown Minneapolis Neighborhood Association
<b>Designated Future Land Use</b>	Mixed-Use, and within the designated Downtown Growth Center
<b>Land Use Features</b>	The property has frontage on Washington Avenue North and on Hennepin Avenue which are designated Commercial Corridors. The site is also located within the designated Downtown Growth Center and just outside the Warehouse District Activity Center.
<b>Small Area Plan(s)</b>	<a href="#">North Loop Small Area Plan</a>

<b>Date Application Deemed Complete</b>	April 25, 2014	<b>Date Extension Letter Sent</b>	N/A
<b>End of 60-Day Decision Period</b>	N/A	<b>End of 120-Day Decision Period</b>	August 23, 2014

## BACKGROUND

**SITE DESCRIPTION AND PRESENT USE.** The full-block property located at 222 Hennepin Avenue was previously a vacant automobile dealership. In September of 2011, a site plan review application (BZZ-5237) was approved to allow a new mixed-use development that included 287 dwelling units and an approximately 45,000 square foot grocery store on the ground floor of the structure. The project was comprised of two interconnected, 6-story buildings with heights ranging from 35 to approximately 85 feet at the tallest point on the property. The development has been constructed and is now fully occupied.

**SURROUNDING PROPERTIES AND NEIGHBORHOOD.** The site is surrounded by a mix of primarily commercial uses and parking. Gateway Park and the River Towers condominiums are located nearby to the east of the site. The ING/Reliastar complex is located directly across Hennepin Avenue from the site. A mix of surface and structured parking and low-rise buildings are located in the historic districts across 1st Avenue and 2nd Street. The Warehouse Historic District is located directly across 1st Avenue North from the site and the St. Anthony Falls Historic District is located directly across 2nd Street North. New construction is proposed and underway within the broader neighborhood.

**PROJECT DESCRIPTION.** Ryan Companies US, Inc., has submitted an application for a Registered Land Survey (RLS) for the property located at 222 Hennepin Avenue. The purpose of the RLS is to separate the property both vertically as well as horizontally into independent tracts for the Whole Foods Market and the 222 Hennepin Apartments. The City Attorney and Public Works has reviewed and approved the final RLS title documents.

### RELATED APPROVALS.

Planning Case #	Application	Description	Action
BZZ-5237	Site Plan Review	A new mixed-use development that included 287 dwelling units and an approximately 45,000 square foot grocery store on the ground floor of the structure.	Approved

**PUBLIC COMMENTS.** Staff has not received official correspondence from the North Loop Neighborhood Association or any neighborhood letters prior to the printing of this report. Any correspondence received prior to the public meeting will be forwarded on to the Planning Commission for consideration.

## ANALYSIS

### PRELIMINARY/FINAL REGISTERED LAND SURVEY

The Department of Community Planning and Economic Development has analyzed the application for a Preliminary and 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.*

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 of various tracts on the site. This shall have no impact on surrounding properties. There is an approved TDMP for the site that ensures that the development provides adequate parking for the development and would not add unacceptable congestion to 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 building has been constructed and the site is fully occupied. The site does not pose the above 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 building has been construction and the site is fully developed. Access is being provided in conjunction with the approved plan.

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 existing utility and drainage provisions are adequate for the structure. Stormwater management and other applicable civil plans have been reviewed and approved by the City's Public Works Department.

## RECOMMENDATION

### **Recommendation of the Department of Community Planning and Economic Development for the Registered Land Survey:**

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the Registered Land Survey application for the property located at 222 Hennepin Avenue.

## ATTACHMENTS

1. Written description and findings submitted by applicant
2. Correspondence – from PW and City Attorney
3. Zoning map
4. Preliminary and Final RLS
5. Approved plans

Project description:

The 222 Hennepin project on Hennepin and Washington Avenues in Downtown Minneapolis is in the process of completing a Vertical Registered Land Survey (VRLS). The VRLS is a procedural survey update for the property that will separate the property both vertically as well as horizontally into independent "tracts" for the Whole Foods Market and the 222 Hennepin Apartments respectively. The parties have agreed to the tracts that are defined in this updated VRLS.

WWW.RYANCOMPANIES.COM

RYAN A+E, INC.  
50 South Tenth Street, Suite 300  
Minneapolis, MN 55403-2012



612-492-4000 *tel*  
612-492-3000 *fax*

**TO** Allen Hanson  
**DATE** 04/14/2014  
**FROM** Ryan Companies US, Inc.  
**SUBJECT** Plat Required Findings  
**CC** Mike Ryan  
Judy Hermanson  
Tony Barranco  
Nate Carlson

**Plats and Registered Land Surveys 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 consistent with the applicable zoning ordinance regulations, and general land use, housing, economic development, environment, open space and parks, and urban design policies of 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 Vertical Registered Land Survey on the mixed use block is necessary to obtain separate lease areas for the various tenants. The subdivision of the block will not be injurious to the use and enjoyment of the surrounding land uses.**  
**The travel demand management plan confirms that the traffic congestion on public streets will be acceptable without any additional mitigation measures.**
  
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 property is located within Zone X per the current FEMA flood map. The high water table is located at an average level of 17' below the current surface elevations with the average depth to bedrock of 20'. Soil contamination will be remedied to MPCA commercial standards.**
  
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*



3701 12th Street North, Suite 206  
St. Cloud, MN 56303

PHONE 320-253-9495  
FAX 320-253-8737  
TOLL FREE 800-270-9495

[www.westwoodps.com](http://www.westwoodps.com)

April 22, 2014

William P. Brown  
Hennepin County Surveyor  
A703 Government Center  
300 South 6<sup>th</sup> Street  
Minneapolis, MN 55487

**Re: Survey Monuments**

Dear Mr. Brown:

In regards to the Registered Land Survey currently under review by the Hennepin County Surveyors Office, covering Lots 76 to 102 inclusive, and Lot 189, together with the adjoining vacated alleys, per AUDITOR'S SUBDIVISION NO. 137, Hennepin County, MN, Westwood certifies that all perimeter boundary monuments shown on the above referenced Registered Land Survey are set or will be set on or before one year from the filing date of said Registered Land Survey in accordance with the agreement with the City of Minneapolis, Minnesota.

If you have any questions, please contact me at 320-253-9495.

Thank You,

**Westwood Professional Services, Inc.**



Nate Carlson, PS, MN License No. 45873  
Project Manager



## Judy Hermanson

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**From:** Frey, Jacob <Jacob.Frey@minneapolismn.gov>  
**Sent:** Wednesday, May 21, 2014 2:20 PM  
**To:** Tony Barranco  
**Cc:** Judy Hermanson; Dan Elenbaas; Farrar, Rebecca D.  
**Subject:** RE: 222 Hennepin RLS

Thanks for the heads up, Tony. Let me know if you need anything from my office. Honestly, I am not very familiar with the VRLS process, but we can look into it.

Jacob Frey  
City Council Member, Ward 3  
612-673-2203  
<https://www.facebook.com/jacob.frey>

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**From:** Tony Barranco [mailto:Tony.Barranco@RyanCompanies.com]  
**Sent:** Wednesday, May 21, 2014 12:49 PM  
**To:** Frey, Jacob  
**Cc:** Judy Hermanson; Dan Elenbaas; Farrar, Rebecca D.  
**Subject:** Fwd: 222 Hennepin RLS

Becca,

Sorry, but I forgot to include a notification to Council Member Frey's office about our VRLS filing.

Council Member Frey,

I wanted to reach out as a follow up related to our 222 Hennepin VRLS (Vertical Registered Land Survey) process. Becca Farrar had requested (as part of our process) that we reach out to both the North Loop neighborhood and your office as well. I had sent this information to DJ and David Frank at North Loop, but I had forgot to copy you. My apologies!

We are working on a procedural survey update for the property. This does not propose any physical changes to the project, but it will update our property from a standard survey to a VRLS.

North Loop neighborhood representatives have already provided a response that they are aware of the VRLS and did not have any additional questions. No formal letter of approval is needed, but we did want to provide the courtesy of the notice to both your office and North Loop.

If you have any questions, feel free to reach out anytime.

Thanks,

Tony Barranco  
Vice President of Development  
Ryan Companies US, Inc.

-----Original Message-----

From: David Frank [mailto:[david0frank@gmail.com](mailto:david0frank@gmail.com)]

Sent: Thursday, May 15, 2014 2:30 PM

To: Tony Barranco

Cc: Dan Elenbaas; [Rebecca.Farrar@minneapolismn.gov](mailto:Rebecca.Farrar@minneapolismn.gov); DJ Heinle; Dave Decker

Subject: Re: 222 Hennepin RLS

Thanks Tony for letting us know. DJ and Dave, FYI. David

On May 15, 2014, at 12:54 PM, Tony Barranco <[Tony.Barranco@RyanCompanies.com](mailto:Tony.Barranco@RyanCompanies.com)> wrote:

David,

I hope you are doing well. (I'm sending this email with your North Loop neighborhood hat)

I wanted to reach out as a follow up related to our 222 Hennepin VRLS (Vertical Registered Land Survey) process. As a follow up to Becca Farrar's request, part of our VRLS process includes providing notice to the neighborhood group of our plans to register the new survey. Although this does not propose any physical changes to the project, this is a new submittal request as it updates from a standard property survey to the VRLS.

I don't think that we require a formal letter of approval from the North Loop, but we are required to provide notice. Are you the right person to notify on this front?

I have also copied Becca on this in the event I'm missing anything procedurally.

Thanks,

Tony Barranco | Vice President of Development Ryan Companies US,

Inc. | 50 South Tenth Street, Suite 300, Minneapolis, MN 55403-2012

612-492-4339 tel | 612-702-7340 cell | 612-492-3339 fax

[Description: RY]

Find us on: The Web<<http://www.ryancompanies.com/>> |

Twitter<[WWW.TWITTER.COM/RYANCOMPANIES](http://WWW.TWITTER.COM/RYANCOMPANIES)> |

Facebook<<http://www.facebook.com/pages/Ryan-Companies-US-Inc/90016350786?ref=ts>>

**Department of Public Works  
Engineering Design Division/Right-of-Way Section  
309 2nd Avenue South, Room 200  
673-2428**

Date: May 27, 2014

To: Becca Farrar-Hughes – CPED Planning  
Erik Nilsson – City Attorney

From: Robert Boblett, Right of Way

Subject: RLS at 222 Hennepin Ave. – Preliminary and Final

We have reviewed the preliminary and final plats of the RLS at 222 Hennepin Ave., and we have no right of way issues.



June 13, 2014

**Office of the City Attorney**

Susan L. Segal  
City Attorney

350 South 5th Street – Room 210  
Minneapolis MN 55415

Office 612 673-2010  
Civil Division Fax 612 673-3362  
Criminal Division Fax 612 673-2189  
CPED FAX 612 673-5112

TTY 612 673-2167  
Minneapolis City Council  
Room 307, City Hall  
350 South Fifth Street  
Minneapolis, MN 55415

Minneapolis Planning Commission  
Room 300, Public Service Center  
250 South Fourth Street  
Minneapolis, MN 55415

Re: Registered Land Survey (“RLS”) by Ryan Companies for property located at 222 Hennepin Avenue

Dear Members of the City Council and Planning Commission:

Pursuant to the request of the Minneapolis Planning Department, I have examined a copy of the RLS for development located at 222 Hennepin Avenue.

It appears that the required monuments have been placed and that the required information and affirmations are stated on the face of the land survey. It is my opinion that the land survey is satisfactory and meets statutory requirements.

This opinion is for the sole benefit of the Minneapolis City Council and Planning Commission. Other persons are advised that they must seek their own legal counsel relative to the matters herein discussed.

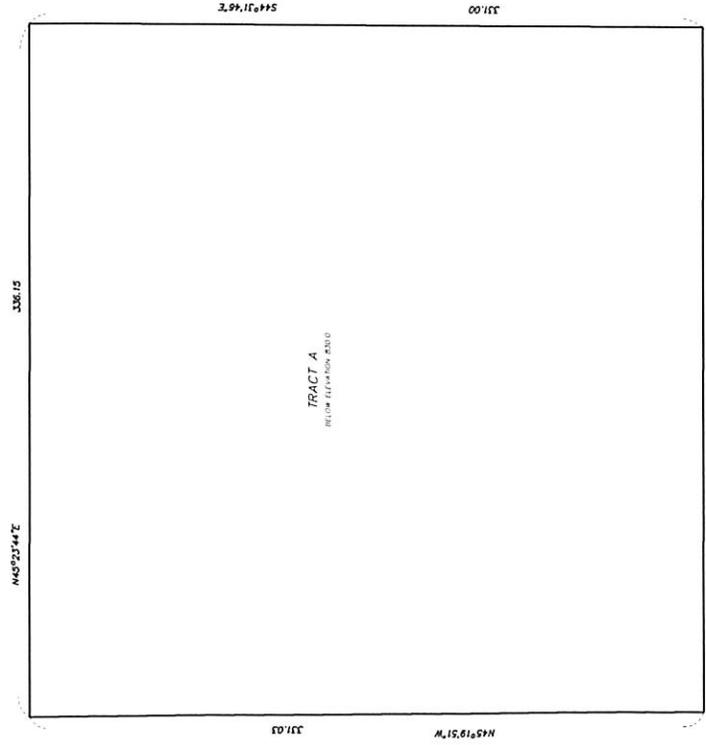
Very truly yours,

ERIK NILSSON  
Assistant City Attorney  
(612) 673-2192





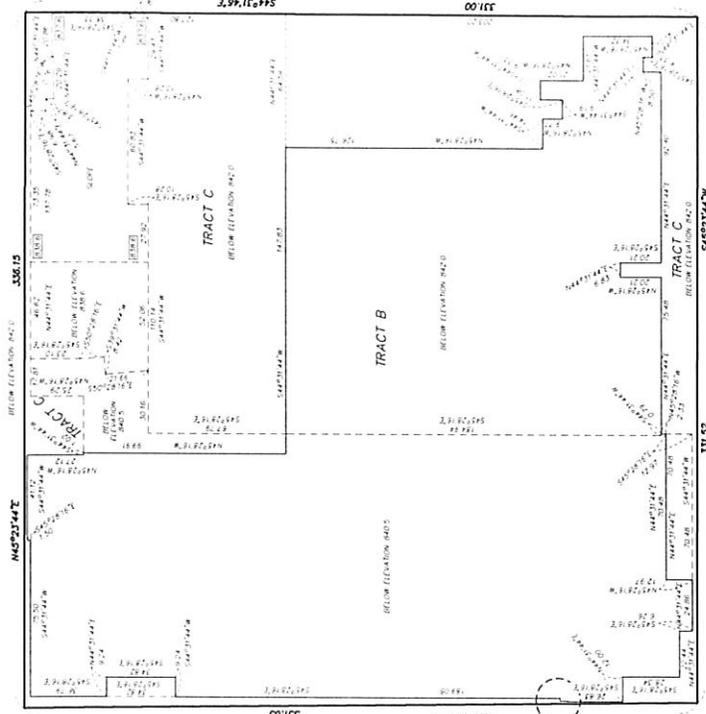




**BELOW LOWER LEVEL**



**LOWER LEVEL**



ALL OF TRACTS B AND C LIE ABOVE ELEVATION 850.0 AND BELOW THE ELEVATIONS AS NOTED

**BASE OF BEARINGS**  
 The bearings and distances shown on this plan were obtained from the records of the Minnesota State Office of the Surveyor General, and are assumed to be correct.



Westwood Professional Services, Inc.  
 11000 W. 50th St.  
 Minneapolis, MN 55425  
 PHONE: 612-333-8887  
 FAX: 612-333-8888  
 WWW.WESTWOODPROFESSIONALSERVICES.COM

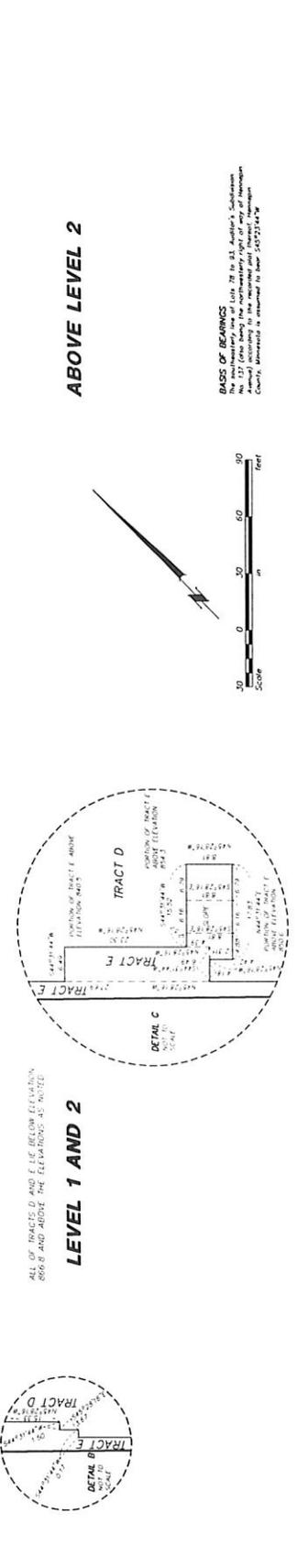
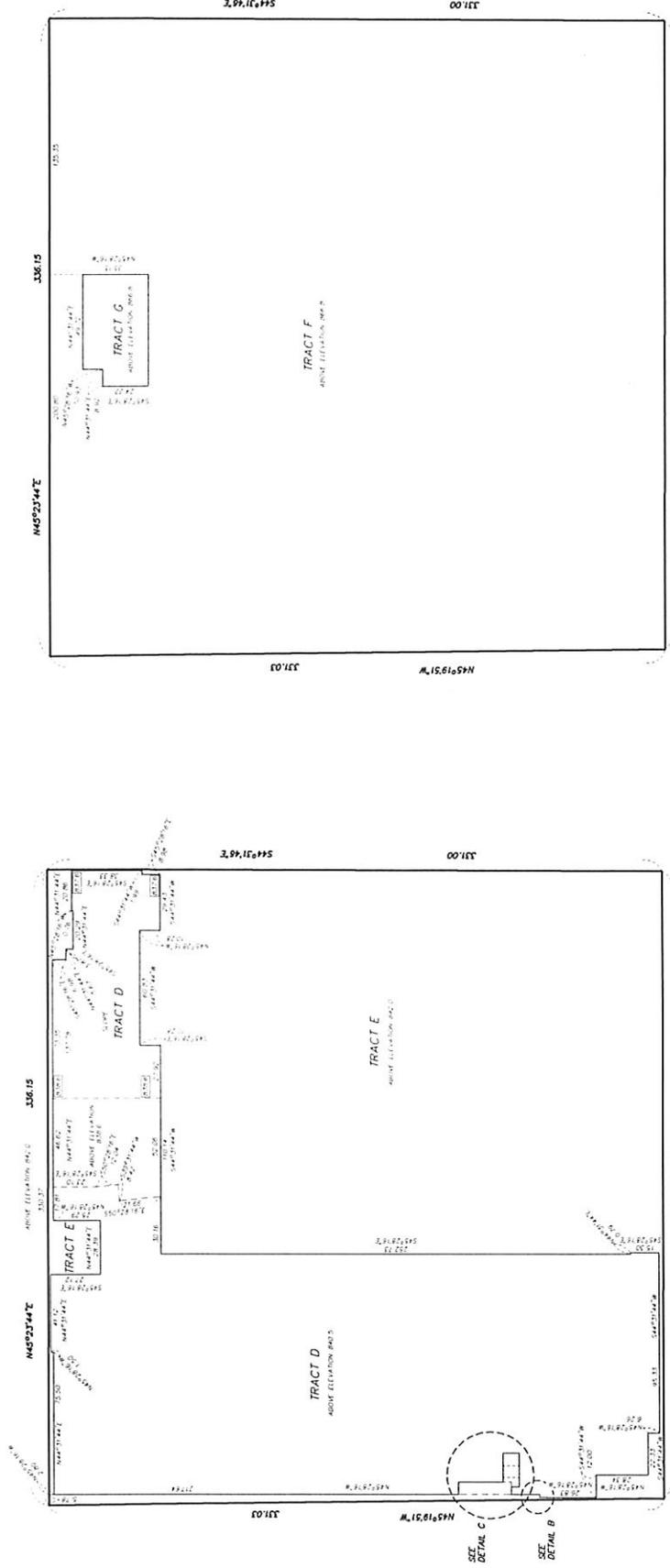
I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor.  
 Nicholas H. Carlson  
 License No. 65873  
 Date: 3/19/14

Prepared for:  
 Div. \_\_\_\_\_  
 Check \_\_\_\_\_  
 Drawn \_\_\_\_\_  
 Board Drawing Title \_\_\_\_\_

**Ryan Companies US, Inc.**  
 Minneapolis, Minnesota

**222 Hennepin**  
 Minneapolis, Minnesota  
 Preliminary Plat





ALL OF TRACTS D AND E ARE BELOW ELEVATION 860.5 AND ABOVE THE ELEVATIONS AS NOTED

**LEVEL 1 AND 2**

**ABOVE LEVEL 2**

**BASIS OF BEARINGS**  
 ALL BEARINGS ARE TO THE 1983 EDITION OF THE NAD 83 DATUM. THE BEARINGS ARE TO BE USED IN CONJUNCTION WITH THE 1983 DATUM. THE BEARINGS ARE TO BE USED IN CONJUNCTION WITH THE 1983 DATUM. THE BEARINGS ARE TO BE USED IN CONJUNCTION WITH THE 1983 DATUM.



Westwood Professional Services, Inc.  
 1000 University Ave, Suite 200  
 Minneapolis, MN 55415  
 Phone: 612-333-1997  
 Fax: 612-333-1998  
 www.westwoodpro.com

I hereby certify that the data and information on which this plan is based are true and correct to the best of my knowledge and belief.  
 Signature: \_\_\_\_\_  
 Name: Nathan H. Carlson  
 Date: 3/19/14 License No. 05873

Prepared for:  
 Client: \_\_\_\_\_  
 Checked: \_\_\_\_\_  
 Drawn: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Sheet: Drawing Title: \_\_\_\_\_

**Ryan Companies US, Inc.**  
 Minneapolis, Minnesota

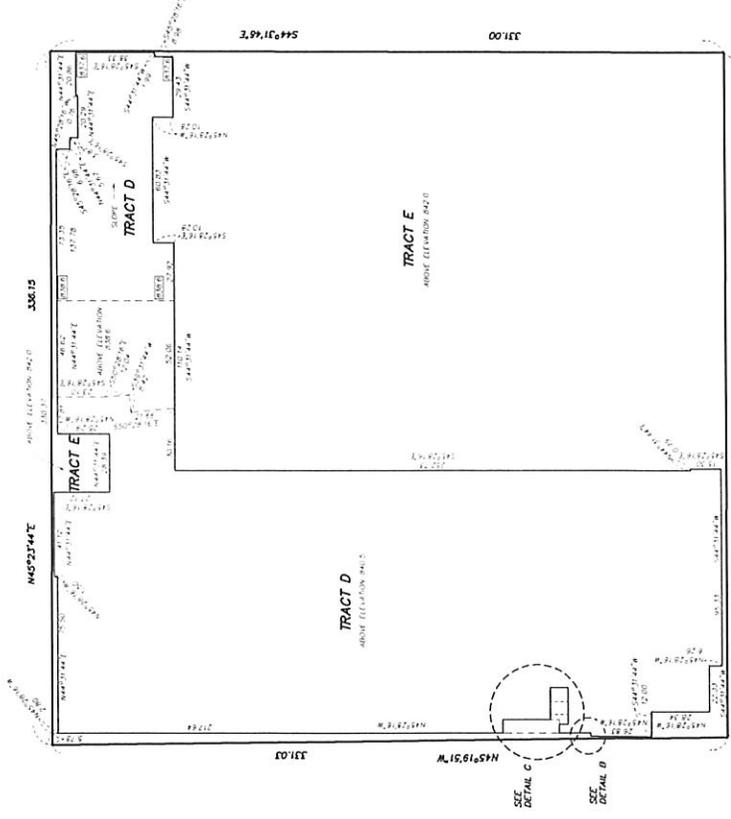
**222**  
**Hennepin**  
 Minneapolis, Minnesota

Preliminary  
 Plat

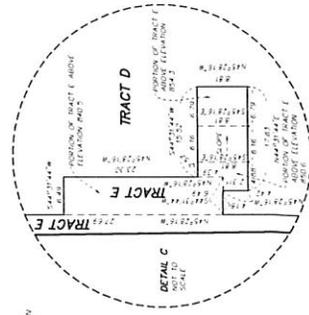
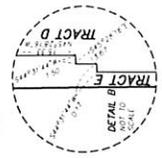


# REGISTERED LAND SURVEY NO. \_\_\_\_\_

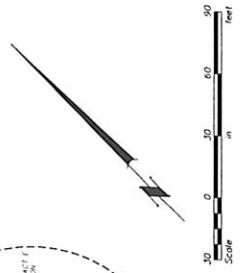
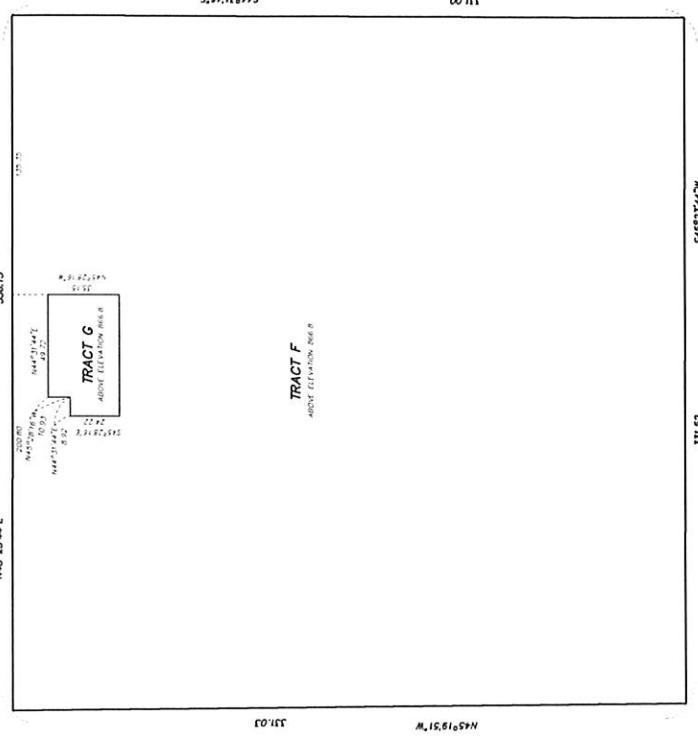
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LEVEL 1 AND 2  
 ALL OF TRACTS D AND E, THE BEYOND ELEVATION  
 REF. B AND ABOVE THE ELEVATIONS AS NOTED

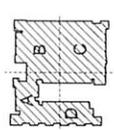


LEVEL 2  
 ABOVE LEVEL 2









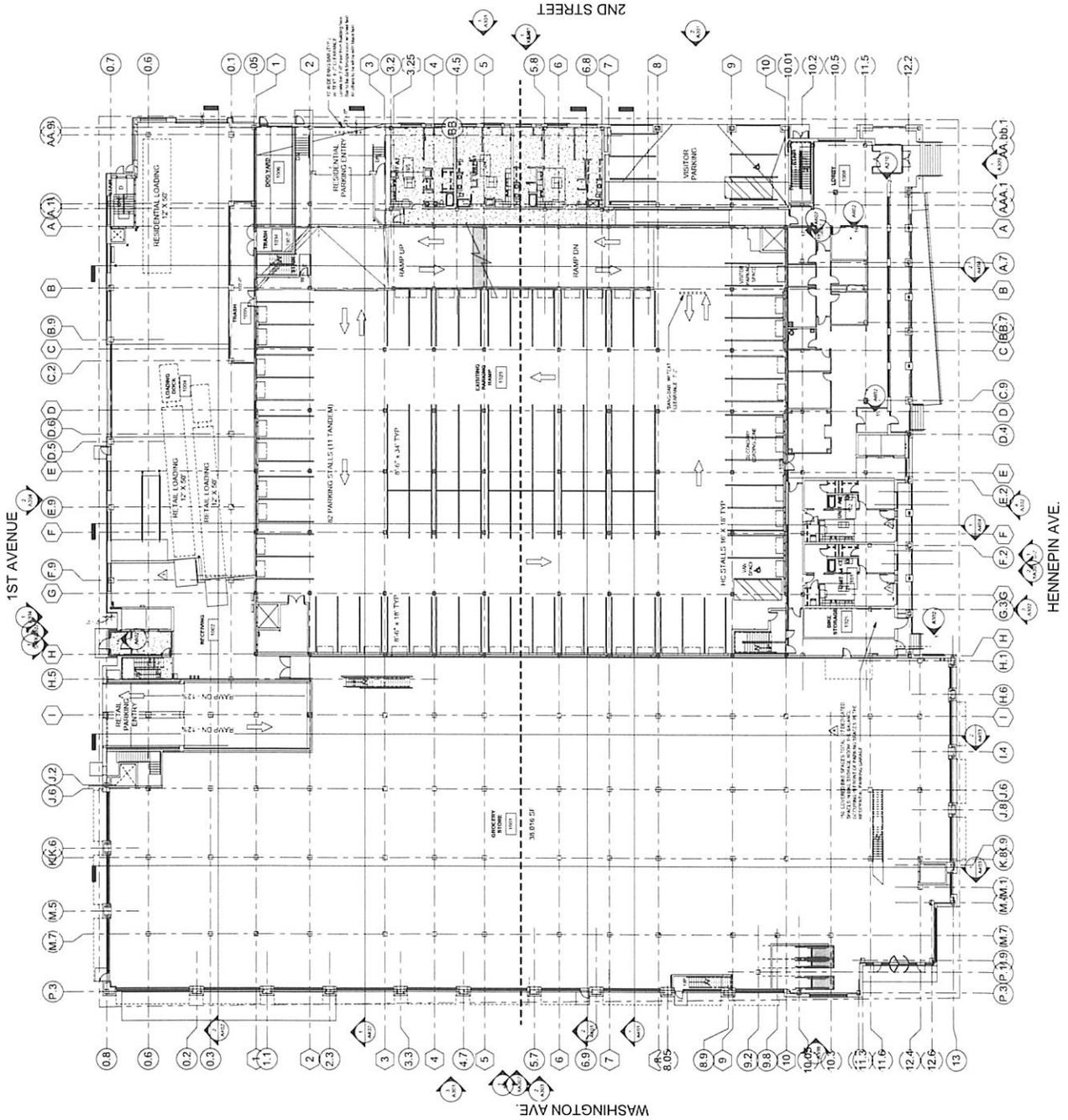
ISSUE #	DATE	DESCRIPTION
1	7-9-2013	ISSUE FOR PERMIT
2	7-9-2013	ISSUE FOR PERMIT
3	7-9-2013	ISSUE FOR PERMIT
4	7-9-2013	ISSUE FOR PERMIT
5	7-9-2013	ISSUE FOR PERMIT
6	7-9-2013	ISSUE FOR PERMIT
7	7-9-2013	ISSUE FOR PERMIT
8	7-9-2013	ISSUE FOR PERMIT
9	7-9-2013	ISSUE FOR PERMIT
10	7-9-2013	ISSUE FOR PERMIT
11	7-9-2013	ISSUE FOR PERMIT
12	7-9-2013	ISSUE FOR PERMIT
13	7-9-2013	ISSUE FOR PERMIT

A-SK 188b  
7-9-2013

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REGISTRATION	DATE	BY

SHEET TITLE  
**LEVEL ONE FLOOR PLAN**



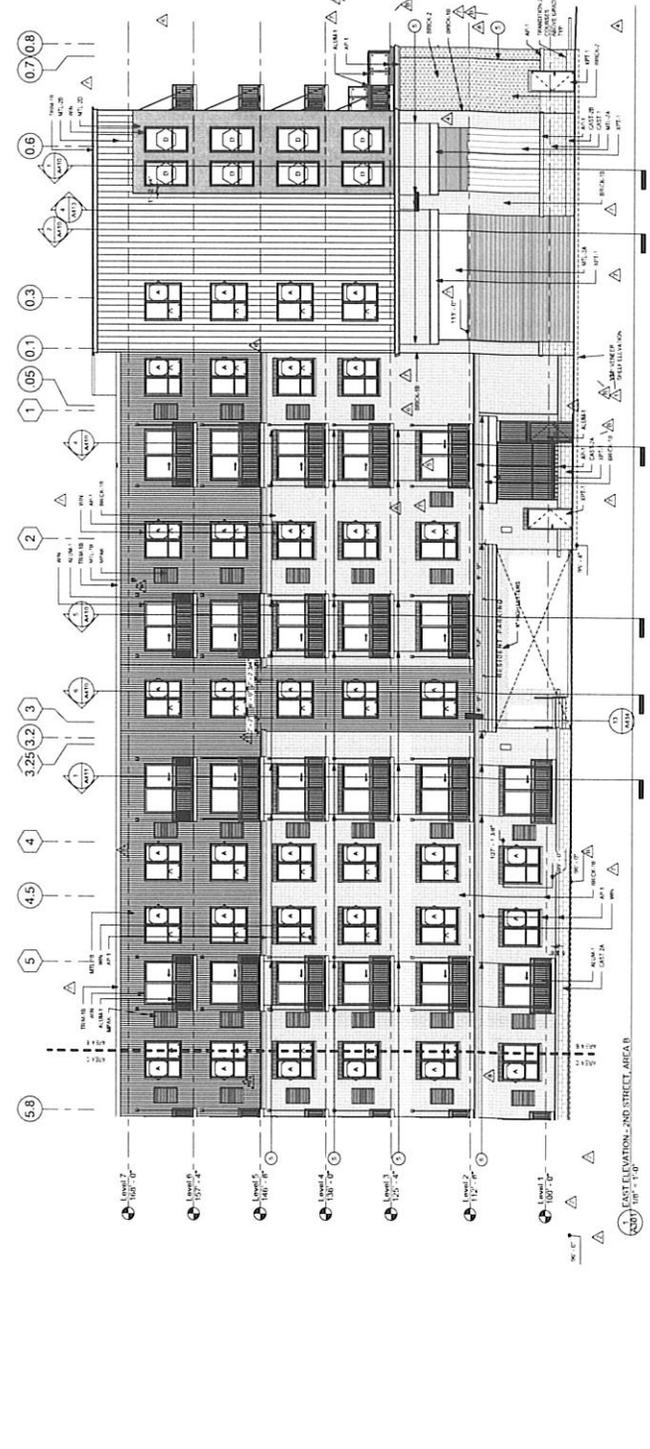
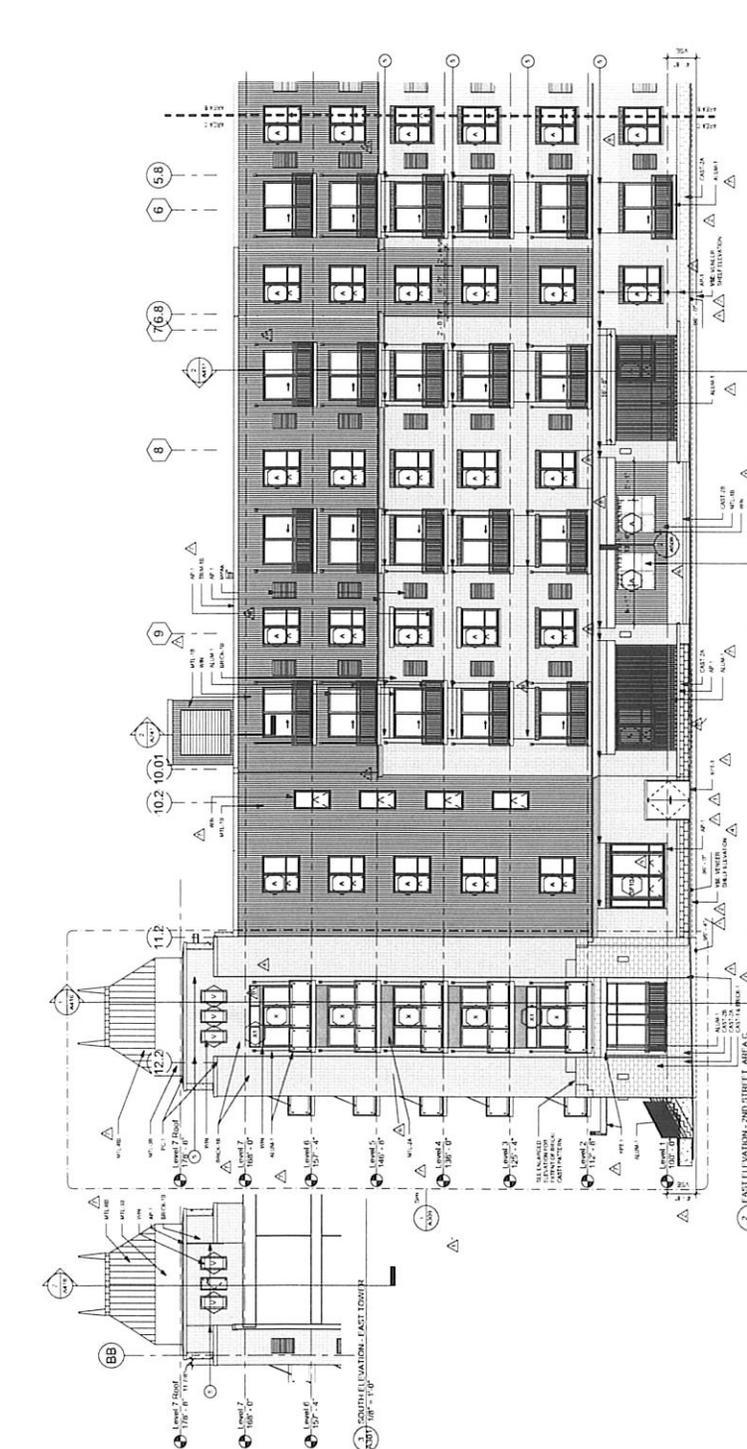
**GENERAL NOTES -  
EXTERIOR ELEVATIONS**

- 1 REFER TO ARCHITECT'S DRAWINGS AND SPECIFICATION SECTION
- 2 ALL EXTERIOR MATERIALS, FINISHES, AND COLORS ARE TO BE APPROVED BY THE ARCHITECT AND MANUFACTURER
- 3 ALL ELECTRICAL WORK IS TO BE INSTALLED TO MEET NECA/IBEW STANDARDS
- 4 CONDUIT AND TRAYS SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 70B
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**EXTERIOR ELEVATIONS  
KEYNOTES**

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3	12/15/2018	ISSUE FOR PERMITS
4	01/15/2019	ISSUE FOR PERMITS
5	02/15/2019	ISSUE FOR PERMITS
6	03/15/2019	ISSUE FOR PERMITS
7	04/15/2019	ISSUE FOR PERMITS
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