

Department of Community Planning and Economic Development – Planning Division
Registered Land Survey
RLS – 34

Date: February 7, 2005

Applicant: Security Warehouse Lofts, LLC

Address of Property: 201 – 5th Ave. N.

Project Name: 5th Avenue Lofts

Contact Person and Phone: Lynn Leegard, (763) 421-3500

Planning Staff and Phone: Jason Wittenberg, (612) 673-2297

Date Application Deemed Complete: January 6, 2005

End of 120-Day Decision Period: May 6, 2005

Ward: 5 **Neighborhood Organization:** North Loop Neighborhood Assn.

Existing Zoning: C3A with the DP (Downtown Parking) Overlay District

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 13

Proposed Use: Mixed use planned unit development. The overall project, including the attached Security Warehouse Lofts building, was approved for up to 215 dwelling units.

Concurrent Review: Not applicable for this application

Background: A land use application (BZZ-1627) was approved by the City Planning Commission on April 19, 2004, to allow a mixed use planned unit development. A preliminary plat (PL - 148) was approved as part of this application. The purpose of this RLS is to allow for the condominium units to be conveyed to the individuals that are purchasing the units. The Public Works Department and City Attorney have reviewed the RLS.

Note that the RLS does not substitute for the need to submit a final plat of the overall planned unit development.

REGISTERED LAND SURVEY -

Required Findings for the Registered Land Survey:

- 1. Subdivision is in conformance with the land subdivision regulations including the requirements of section 598.80 relating to protection of natural resources, 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 *Downtown 2010 Plan* is the part of the comprehensive plan that guides development for downtown. Policy number four of the Downtown Living chapter of the plan (see page 44) states that the city should “locate medium to high-density housing in areas designated as a Riverfront Residential District located adjacent to and near the West River Parkway. This district should provide locations for housing that can take advantage of the open space and recreational amenities of the riverfront. The primary use of this district should be housing. Other retail, office, cultural and recreational uses should be encouraged, especially those that revitalize historic structures, but should be compatible with housing.” This development is in conformance with this goal.

- 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. Doing so will 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 201 5th Avenue site (5th Avenue Lofts) consists of a new building with residential uses and ground level commercial uses. The site does not pose any of the hazards noted above.

- 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 under construction. Access is 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 Public Works Department reviewed the project for compliance with applicable drainage standards and to ensure that utilities were adequate for the intended use.

RECOMMENDATION

Recommendation of the Community Planning and Economic Development Department – Planning Division for the 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 application for a preliminary and final registered land survey for the 5th Avenue Lofts located at 201 5th Avenue North.