

Department of Community Planning and Economic Development – Planning Division
Registered Land Survey
RLS – 41

Date: November 28, 2005

Applicant: Clare Apartments Limited Partnership

Address of Property: 929 3rd Ave. NE

Project Name: Clare Apartments

Contact Person and Phone: Nathan Kavlie, (612) 766-6811

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

Date Application Deemed Complete: October 21, 2005

End of 120-Day Decision Period: February 18, 2006

Ward: 1 **Neighborhood Organization:** St. Anthony East Neighborhood Assn.

Existing Zoning: OR2

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 15

Proposed Use: Vertically subdivide existing supportive housing facility

Concurrent Review: Not applicable for this application

Background: A land use application (BZZ-1659) was approved by the City Planning Commission on April 19, 2004, to allow a supportive housing facility serving up to 31 people on the property in question. The purpose of this RLS is to allow for separate ownership of parts of the existing building. Neither the underlying plat nor the previous land use approvals would be altered by the proposed RLS. The Public Works Department and City Attorney have reviewed the RLS.

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 site is located on a Community Corridor and the use was deemed appropriate in this location. The proposed RLS will not conflict with any adopted policy in the comprehensive plan. The building is existing and the RLS will reconfigure tracts within this building.

- 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 site consists of a new building with residential an office 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.**

Access to the site is adequate and would not be affected by the proposed RLS.

- 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.**

CPED Planning Division Report
RLS – 41

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 property located at 929 3rd Ave. NE