

**Department of Community Planning and Economic Development – Planning
Division**

Rezoning, Conditional Use Permits, Variances and Major Site Plan Review

BZZ-2286

Preliminary Plat

PL-169

Date: May 9, 2005

Applicant: The Ackerberg Group, Stuart Ackerberg, 3033 Excelsior Blvd., Suite 10,
Minneapolis, MN 55416 (612)924-6400

Addresses of Property: 1320 Lagoon Avenue South, 2900 Fremont Avenue, 2904
Fremont Avenue and 2908 Fremont Avenue

Project Name: Lagoon Mixed-Use Development

Contact Person and Phone: Gretchen Camp, BKV Group, 222 N. 2nd Street,
Minneapolis, MN 55401, (612)373-9122

Planning Staff and Phone: Becca Farrar, (612)673-3594

Date Application Deemed Complete: April 8, 2005

End of 60-Day Decision Period: June, 6, 2005

End of 120-Day Decision Period: Not applicable for this application

Ward: 10 **Neighborhood Organization:** Lowry Hill East Neighborhood Assn.

Existing Zoning: C2 (Neighborhood Corridor Commercial District), C3A (Community
Activity Center District), PO (Pedestrian Oriented) Overlay District

Proposed Zoning: C3A (Community Activity Center District)

Zoning Plate Number: 24

Lot area: 110,692 square feet or 2.54 acres

Legal Description: See attachment.

Proposed Use: A mixed-use, Planned Commercial Development. The project would
include a 6-story office building, 112 unit 13-story residential building, restaurant, art
gallery and expanded theatre.

Concurrent Review:

- Petition to rezone a portion of the subject property from the C2 district to the C3A district.
- Conditional Use Permit for the expansion of the Lagoon Theatre.
- Conditional Use Permit for a Planned Unit Development.
- Variances of the Pedestrian Overlay Standards.
- Variance of the required rear and interior side yard setbacks for the proposed residential structure.
- Major Site Plan Review.
- Preliminary plat.

Applicable zoning code provisions: Chapter 525, Article VI Zoning Amendments, Chapter 525, Article VII, Conditional Use Permits, Chapter 525 Article IX, Variances & Chapter 530 Site Plan Review.

Background: The applicant proposes to construct a mixed-use Planned Commercial Development. The property is currently zoned both C2 and C3A. The applicant is proposing to rezone the entire parcel to C3A. The project would include a 6-story office building, 112-unit 13-story residential building, restaurant, art gallery, retail spaces and expanded theatre. The project includes a large urban public plaza with an underground parking garage, and an above grade parking garage located in the office building. The project site is bounded by the Midtown Greenway to the North, Lagoon Avenue to the South, Fremont Avenue to the East and Hennepin Avenue to the West.

The project was originally continued from the April 25, 2005, Planning Commission public hearing until the May 9, 2005, Planning Commission public hearing to work out issues centralized around the Travel Demand Management Plan (TDMP) and site plan. A continuance was necessary in order for the applicant to work with Public Works and Planning Staff to resolve those issues.

The project is now being continued until the May 23, 2005, Planning Commission public hearing as a citizen petition was filed with the Environmental Quality Board requesting that an EAW be prepared. The City Council will need to determine if a discretionary EAW is needed before the project can move forward.

RECOMMENDATIONS:

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

The Department of Community Planning and Economic Development - Planning Division recommends that the City Planning Commission **continue** the rezoning petition to change the zoning classification of the property located at 1320 Lagoon Avenue South,

2900 Fremont Avenue, 2904 Fremont Avenue and 2908 Fremont Avenue to the meeting of May 23, 2005.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the conditional use permit:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission continue the application for a conditional use permit to allow for a theatre expansion for property located at 1320 Lagoon Avenue South, 2900 Fremont Avenue, 2904 Fremont Avenue and 2908 Fremont Avenue to the meeting of May 23, 2005.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the conditional use permit:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission continue the application for a conditional use permit to allow for a Planned Commercial Development for property located at 1320 Lagoon Avenue South, 2900 Fremont Avenue, 2904 Fremont Avenue and 2908 Fremont Avenue to the meeting of May 23, 2005.

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission continue the application for a variance of the Pedestrian Overlay District standards for property located at 1320 Lagoon Avenue South, 2900 Fremont Avenue, 2904 Fremont Avenue and 2908 Fremont Avenue to the meeting of May 23, 2005.

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission continue the variance of the required rear yard setbacks for the proposed residential structure for property located at 1320 Lagoon Avenue South, 2900 Fremont Avenue, 2904 Fremont Avenue and 2908 Fremont Avenue to the meeting of May 23, 2005.

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission continue the variance of the required interior side yard setbacks for the proposed residential structure for property

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located at 1320 Lagoon Avenue South, 2900 Fremont Avenue, 2904 Fremont Avenue and 2908 Fremont Avenue to the meeting of May 23, 2005.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the site plan review:

The Department of Community Planning and Economic Development– Planning Division recommends that the City Planning Commission continue the site plan review application for property located at 1320 Lagoon Avenue South, 2900 Fremont Avenue, 2904 Fremont Avenue and 2908 Fremont Avenue to the meeting of May 23, 2005.

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

The Department of Community Planning and Economic Development– Planning Division recommends that the City Planning Commission continue the preliminary plat application for property located at 1320 Lagoon Avenue South, 2900 Fremont Avenue, 2904 Fremont Avenue and 2908 Fremont Avenue to the meeting of May 23, 2005.