

# SUBDIVISION STAFF REPORT

**FILE NAME:** The Heights

**FILE #** 23-035-354

**TYPE OF APPLICATION:** Preliminary Plat

**HEARING DATE:** June 21, 2023

**LOCATION:** Southwest corner of Larpenteur Avenue and McKnight Road

**PIN AND LEGAL DESCRIPTION:** See subdivision documents for existing and proposed legal descriptions.

**PLANNING DISTRICT:** 2

**PRESENT ZONING:** R4

**ZONING CODE REFERENCE:** § 69.102; § 69.301; § 69.406; § 69.509; § 69.511

**STAFF REPORT DATE:** June 9, 2023

**BY:** Bill Dermody

**DATE RECEIVED:** April 28, 2023

**DEADLINE FOR ACTION:** June 27, 2023

- A. **PURPOSE:** Preliminary Plat for The Heights to create 9 mixed residential/commercial lots, 6 light industrial lots, 1 park, and 6 outlots.
- B. **PARCEL SIZE:** 112 acres
- C. **EXISTING LAND USE:** Vacant (former golf course)
- D. **SURROUNDING LAND USE:**
  - Northwest: Single-family residential, water reservoir, and trail (R2 and Maplewood)
  - North: Single-family residential, nursing home, and commercial (Maplewood)
  - East: Single-family residential and wetland (Maplewood)
  - Southeast: Railroad tracks (R3 and Maplewood)
  - South: Single-family residential (R2)
  - West: Single-family residential (R2, R3)
- E. **ZONING CODE CITATION:** § 69.102 establishes the intent of the Subdivision Regulations; § 69.301 states that platting is required when a subdivision (1) creates five or more lots or parcels each of which is 2½ acres or less in size, or (2) requires paved streets, alleys and other public improvements, or (3) is previously unplatted land. § 69.406 provides criteria for review of subdivision applications. These criteria are covered below under “Required Findings.” § 69.509 addresses preservation of natural features and amenities via subdivisions. § 69.511 regulates parkland dedication.
- F. **HISTORY/DISCUSSION:** A master plan was approved for the site by City Council in June 2022 along with a rezoning to: T1M Traditional Neighborhood with a Master Plan, T3M Traditional Neighborhood with a Master Plan, and ITM Transitional Industrial with a Master Plan. The site was used as a golf course from the 1920s through 2017, which resulted in pollution that needs to be remediated.
- G. **DISTRICT COUNCIL RECOMMENDATION:** As of this writing, the Greater East Side (District 2) Council has not provided a recommendation.
- H. **REQUIRED FINDINGS:** § 69.406 of the Zoning Code requires that all of the following findings shall be made prior to approval of a subdivision:
  - 1. *All the applicable provisions of the Legislative Code are complied with.* This finding is met. City staff have reviewed the proposed plat and have determined that all applicable provisions of the Legislative Code are met.
  - 2. *The proposed subdivision will not be detrimental to the present and potential surrounding land uses.* This finding is met. The proposed plat is consistent with the surrounding land uses, and will not be detrimental to present and future use of surrounding land. The plat implements a master plan that was designed to avoid potentially detrimental impacts on surrounding land, including thoughtful transportation connections to facilitate connectivity while discouraging cut-through traffic in surrounding neighborhoods. Mitigations identified in the Alternative Urban

Areawide Review (AUAR) environmental document (completed in 2022) will also prevent detrimental impacts.

3. *The area surrounding the subdivision can be planned and developed in coordination and compatibility with the proposed subdivision.* This finding is met. The area surrounding the proposed plat is already developed and compatible with the proposed plat.
4. *The subdivision is in conformance with the comprehensive plan.* This finding is met. The subdivision is in conformance with the 2040 Comprehensive Plan, including Policy LU-2 that designates this site as an “opportunity site” for higher-density mixed-use and employment centers, Policy LU-6 that encourages family-sustaining jobs, Policy WR-2 that encourages provision of shared stormwater, and more. The subdivision furthers implementation of the adopted master plan that achieves all of these policies and has been found in conformance with the Comprehensive Plan.
5. *The subdivision preserves and incorporates the site’s important existing natural features whenever possible.* This finding is met. The site contains important existing natural features, but it is not realistically possible for them to be preserved and incorporated in the subdivision. Of particular importance is the hilltop high point, which is the city’s highest elevation, suggests the “hillcrest” name for the former golf course and the immediate neighborhood, is principally natural, and was identified during the master plan process as an important feature to attempt to preserve.

Besides the hilltop high point, the site’s other natural features, including trees, wetlands and rolling topography, are replaceable and are not possible to maintain in significantly greater amounts than is proposed while still having a feasible development. Also, in order to remediate widespread contamination, especially in the fairways, much of the first few feet of soil will have to be disturbed, resulting in the loss of many trees. Yet, despite that challenge, the proposed plat allows for preservation of trees along the site’s perimeter and certain internal locations and preserves four of the ten existing wetlands in place. The trees lost through environmental remediation and construction can be replaced with new trees. The six impacted wetlands will be mitigated 1:1 on site, as facilitated by this plat that reserves outlot space for them.

The proposed subdivision is designed in accordance with the site’s adopted master plan, which envisions a central north-south road (Howard Street), a five-acre City Park that must be mostly flat to allow for a range of potential programming, and several large, relatively flat industrial lots that together necessitate removal of the hilltop high point and other natural features in order to provide approximately 1,000 jobs and 1,000 housing units. Although an alternative site layout for the master plan had been explored that would have preserved the hilltop high point and a greater amount of topography, it is not realistically possible to pursue that scenario (or any significantly revised layout) without jeopardizing the impending development project. In order to have a development that achieves Comprehensive Plan goals, it is only possible to preserve natural features as envisioned by the adopted master plan, as is reflected in the proposed plat.

6. *All land intended for building sites can be used safely without endangering residents by peril from floods, erosion, continuously high water table, severe soil conditions or other menace.* This finding will be met. Remediation of soil pollution will be in accordance with State of Minnesota regulations in order to ensure that site users and neighbors are not endangered.
  7. *The subdivision can be economically served with public facilities and services.* This finding is met. The subdivision can be economically served with public facilities and services from surrounding streets, as confirmed by analysis conducted during the master plan process.
- I. **PARKLAND DEDICATION:** § 69.511 allows for the City to require the dedication of parkland as part of the platting. Parks staff has reviewed this plat and recommends accepting the 5.34 acres of parkland proposed to be dedicated by the plat in order to fully satisfy the code requirements.

- J. **STAFF RECOMMENDATION:** Based on required findings 1 through 7, staff recommends approval of the preliminary plat for The Heights subject to the following conditions:
1. The applicant shall file a copy of the Council Resolution approving the plat with the Ramsey County Recorder's Office.
  2. The 3-foot right-of-way offset on the east side of Howard Street between Cottage and Ivy Avenues must be removed in the final plat, and the right-of-way on the west side of Howard Street in this stretch adjusted accordingly, in accordance with direction from the department of Public Works.

Attachments:

Application  
Preliminary Plat  
Site Location Maps