

SUBDIVISION STAFF REPORT

FILE # 24-006-669 **FILE NAME:** The Heights Habitat for Humanity Blocks 3 & 4 Preliminary Plat
TYPE OF APPLICATION: Preliminary Plat **HEARING DATE:** April 17, 2024

LOCATION: NE corner of Ivy Ave E. and Orange Ave. E.

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

PLANNING DISTRICT: 2

PRESENT ZONING: T1M

ZONING CODE REFERENCE: § 69.301; § 69.406; § 69.511

STAFF REPORT DATE: March 29, 2024

BY: Bill Dermody

- A. **PURPOSE:** Preliminary plat for The Heights Blocks 3 & 4 to create 74 lots and 13 outlots
- B. **PARCEL SIZE:** 241,322
- C. **EXISTING LAND USE:** Vacant former golf course undergoing pollution remediation and site preparation
- D. **SURROUNDING LAND USE:**
Single-family residential to the west and south; vacant former golf course to the north and east.
- E. **ZONING CODE CITATION:** § 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. §69.304 lists conditions for lot splits and adjustments of common boundaries. § 69.406 provides criteria for review of subdivision applications. These criteria are covered below under “Required Findings.” § 69.511 regulates parkland dedication.
- F. **HISTORY/DISCUSSION:** Broader 112-acre former Hillcrest golf course received final plat approval in 2023 and rezoning approval in 2022, including the subject site’s rezoning to T1M Traditional Neighborhood with a Master Plan.
- G. **DISTRICT COUNCIL RECOMMENDATION:** District 2 has provided a letter of support for the application.
- 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.* City staff have reviewed the proposed plat and have determined that all applicable provisions of city codes are met. With regard to the associated residential development that will be facilitated by the plat, in January 2024 the Board of Zoning Appeals approved a pair of variances from minimum rear yard setbacks usually required by the zoning code.
 2. *The proposed subdivision will not be detrimental to the present and potential surrounding land uses.* The proposed plat is consistent with the surrounding land uses, and will not be detrimental to present and future use of surrounding land.
 3. *The area surrounding the subdivision can be planned and developed in coordination and compatibility with the proposed subdivision.* The area to the west and south of the proposed plat is already developed and compatible with the proposed plat. The area to the east and north are being planned for a coordinated and compatible development of housing (to the north) and light industrial (to the east), as envisioned by the adopted Hillcrest Master Plan.
 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. The subdivision furthers implementation of the adopted master plan that achieves 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. Significantly sized trees are being preserved to the

extent possible given remediation and site planning needs. There are no other significant natural features in this portion of the site.

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 noted that the dedication of 5.34 acres via the larger site's platting has satisfied this requirement for The Heights.
- J. **STAFF RECOMMENDATION:** Based on required findings 1 through 7, staff recommends approval of the preliminary plat for The Heights Habitat for Humanity Blocks 3 & 4.

Attachments:

- Application
- Preliminary Plat
- Site Location Maps