

SUBDIVISION STAFF REPORT

FILE # 10-906-663

1. **FILE NAME:** Melissa Hill Addition **HEARING DATE:** February 16, 2011
2. **TYPE OF APPLICATION:** Preliminary Plat
3. **LOCATION:** North side of Burlington Road at Upland & Groveland
4. **PIN AND LEGAL DESCRIPTION:** See subdivision documents for existing and proposed legal descriptions.
5. **PLANNING DISTRICT:** 1 **PRESENT ZONING:** R1, RC3
6. **ZONING CODE REFERENCE:** §69.301; §69.406; §69.511
7. **STAFF REPORT DATE:** January 26, 2011 **BY:** Patricia James
8. **DATE RECEIVED:** October 4, 2010 **DEADLINE FOR ACTION PRELIM. PLAT:** 2/16/2011
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- A. **PURPOSE:** Preliminary Plat for Melissa Hill Addition to create seven (7) residential parcels
- B. **PARCEL SIZE:** 174,532 sq. ft., with 907.33 ft. of frontage on Burlington Road
- C. **EXISTING LAND USE:** Single family home
- D. **SURROUNDING LAND USE:**
North: Ramsey County correctional facility (Totem Town) (R1)
East: Low density residential (R1)
South: Low density residential (R1)
West: Low density residential (R1)
- 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. §69.406 provides criteria for review of subdivision applications. These criteria are covered below under "Required Findings." §69.511 regulates parkland dedication.
- F. **HISTORY/DISCUSSION:** There is no zoning history specific to this property.
- G. **DISTRICT COUNCIL RECOMMENDATION:** The District 1 Community Council Land Use Committee recognizes the right of the property owner to divide his property, but expressed concerns that buyers of the new lots be fully informed of the development restrictions and tree preservation requirements. The Council also expressed concerns about stormwater management.
- 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. The property is previously unplatted land located in the RC3 River Corridor Urban Open Overlay District and the TP Tree Preservation Overlay District. Sec. 69.509(c) requires site plan review prior to approval of a preliminary plat when there are lots with slopes of 12% or greater. A site plan for the proposed preliminary plat has been through site plan review and was approved subject to conditions on December 17, 2010. In addition, Sec. 68.103(d) of the Zoning Code requires site plan approval for any development on property within the River Corridor District.
 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 provided that the proposed conditions are met and that each lot, as it is developed, goes through the site plan review process as required by the Zoning Code.
 3. *The area surrounding the subdivision can be planned and developed in coordination and compatibility with the proposed subdivision.* The area surrounding the proposed plat is already largely developed and compatible with the proposed plat.

4. *The subdivision is in conformance with the comprehensive plan.* The subdivision is in conformance with the comprehensive plan. The Land Use chapter classifies the area as 'Established Neighborhood' – a predominantly residential area in which single family houses predominate. The Land Use and Housing chapters call for preserving, promoting, and maintaining the character of these areas. The proposed plat is consistent with this policy, creating seven additional single family lots.
5. *The subdivision preserves and incorporates the site's important existing natural features whenever possible.* Steep slopes are the main important natural feature of the site. The preliminary plat site plan has been approved by City staff with conditions. Among those conditions is a requirement that each lot go through the site plan review process as it is developed, including erosion control, a tree preservation plan, and an evaluation of impact on steep slopes and surrounding lots. In addition, a potential wetland has been identified at the western end of the site (on proposed Lot 1). Prior to final plat approval, a wetland determination must be made on this lot to determine if the area is a wetland and, if so, whether or not it is exempt.
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.* Building sites and driveways shown on the preliminary plat avoid steep slopes; however, each lot needs its own site plan review prior to issuance of building permits to confirm the location of buildings and the impact on existing slopes and trees. An erosion and sediment control plan will also be required.
7. *The subdivision can be economically served with public facilities and services.* The subdivision can be economically served with public facilities and services from surrounding streets.

- I. **PARKLAND DEDICATION:** §69.511 requires dedication of two (2) percent of the total land area of the plat for public use, for parks, playgrounds, trails, open space, or conservation purposes. At the discretion of the City Council, a cash dedication in lieu of land may be paid prior to the city clerk's signing of the final plat.

For this subdivision, Parks staff recommends a cash dedication in the amount of \$1,987.33 in lieu of dedication of land. The cash dedication will be required as part of the final plat approval process. (Additional cash dedication will be required at the time of building permits for each of the new houses.)

- J. **STAFF RECOMMENDATION:** Based on required findings 1 through 7, staff recommends approval of the preliminary plat for Melissa Hill Addition subject to the following conditions:

1. A wetland determination by a qualified professional is provided for Lot 1 prior to submission of the final plat. If it is determined that a non-exempt wetland exists on Lot 1, the final plat will be revised accordingly.
2. The final plat is submitted for City Council approval within one year following approval of this preliminary plat.

Conditions to be placed on a final plat approval include:

- a) A parkland cash dedication in the amount of \$1987.33 is paid prior to the city clerk signing the final plat.
- b) Prior to development, each lot will undergo site plan review to address the issues identified as part of the preliminary plat site plan review as required by the Zoning Code. Among other items, the review will include a tree preservation plan, and an erosion/sediment plan.
- c) As each lot gets developed, a copy of a certified survey of the whole site showing existing building(s), new structure(s), and addition(s), as well as site drainage must be submitted.