

SUBDIVISION STAFF REPORT

FILE NAME: Rivoli Bluff

FILE # 19-017-338

TYPE OF APPLICATION: Preliminary Plat

HEARING DATE: June 5, 2019

LOCATION: 660 Rivoli Street, et al., terminus of Rivoli Street south of Mt. Ida and west of Otsego

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

PLANNING DISTRICT: 5

PRESENT ZONING: R4/RT1

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

STAFF REPORT DATE: April 11, 2019

BY: Bill Dermody

DATE RECEIVED: March 5, 2019

DEADLINE FOR ACTION: July 3, 2019

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- A. **PURPOSE:** Preliminary Plat for Rivoli Bluff to create 26 one-family residential lots and 1 outlot
- B. **PARCEL SIZE:** 3.5 acres
- C. **EXISTING LAND USE:** Vacant
- D. **SURROUNDING LAND USE:**
Single-family and duplex residential to the north and east (R4, RT1), multi-family residential to the south (R4), and vacant (RT1) and railroad (I1) to the west.
- 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:** In 2018, the site received conditional use permit and variance approval to allow a 26-home cluster development.
- G. **DISTRICT COUNCIL RECOMMENDATION:** As of this writing, the District 5 Payne Phalen Community Council has not made a recommendation. They intend to review the application at their May board meeting.
- 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 can be met, provided that the site is rezoned in order to eliminate its R4/RT1 split zoning, pursuant to § 69.508(i) of the City 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 surrounding the proposed plat to the north and south is already developed and compatible with the proposed plat. The area to the northwest is a narrow piece of land on a slope that the proposed subdivision allows to be developed for uses such as gardens or solar panels that are suitable to that site.
 4. *The subdivision is in conformance with the comprehensive plan.* The subdivision is in conformance with the Land Use Chapter of the Comprehensive Plan, which designates the site as part of an Established Neighborhood. It is also in conformance with the Railroad Island Area Plan Summary (a Comprehensive Plan addendum), which encourages new housing production generally and specifically calls for new owner-occupied housing on Rivoli Bluff.
 5. *The subdivision preserves and incorporates the site’s important existing natural features whenever possible.* The site is located on a bluff with housing placement and a central green

space intended to work with the topography to take advantage of skyline views and provide stormwater detention.

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.* The site layout is designed to allow for a navigable topography that provides sufficient stormwater detention and minimizes erosion risk.
 7. *The subdivision can be economically served with public facilities and services.* The subdivision can be economically served with public facilities and services, including utilities via Otsego Street to the east.
- 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 did not recommend requiring parkland. Parkland dedication fees, if required, will be paid at the time a building permit is issued in accordance with § 63.700.
- J. **STAFF RECOMMENDATION:** Based on required findings 1 through 7, staff recommends approval of the preliminary plat for Rivoli Bluff 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 property is rezoned to eliminate split zoning prior to final plat approval.

Attachments:

- Application
- Preliminary Plat
- Site Location Maps