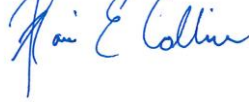


ROSEVILLE
REQUEST FOR COUNCIL ACTION

Agenda Date: **06/13/2016**

Agenda Item: 12.c

Department Approval



City Manager Approval



Item Description: Request for approval of a minor subdivision of the residential property at 545 Roselawn Avenue into three parcels (PF16-014)

APPLICATION INFORMATION

Applicant: Bald Eagle Builders, Inc.

Location: 545 Roselawn Avenue

Property Owner: Agnes Mae Moser

Application Submission: considered complete on May 4, 2016

City Action Deadline: September 2, 2016, per Minn. Stat. §462.358 subd. 3b

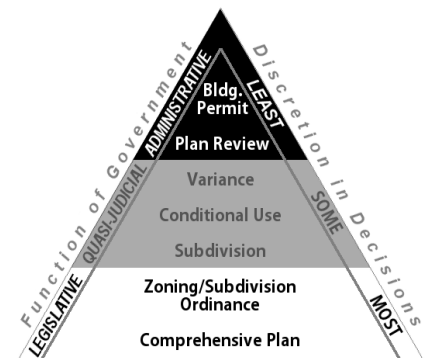
GENERAL SITE INFORMATION

Land Use Context

	Existing Land Use	Guiding	Zoning
Site	One-family residential, detached	LR	LDR-1
North	One-family residential, detached	LR	LDR-1
West	One-family residential, detached	LR	LDR-1
East	Water ponding	W	INST
South	One-family residential, detached	LR	LDR-1

Natural Characteristics: The site has some mature trees and steep grade on the north side and a slight grade change adjacent to Roselawn.

Planning File History: none



LEVEL OF CITY DISCRETION IN DECISION-MAKING

Action taken on subdivision requests is **quasi-judicial**; the City's role is to determine the facts associated with the request, and weigh those facts against the legal standards contained in State Statute and City Code.

1 **PROPOSAL**

2 The applicant proposes to subdivide the existing parcel into three parcels for future development
3 of one-family, detached homes. The existing home, small barn, and accessory structure, will all
4 be razed to make way for three new single-family homes. The proposed subdivision is illustrated
5 in the subdivision survey included with this report as RCA Exhibit C.

6 When exercising the so-called “quasi-judicial” authority on a subdivision request, the role of the
7 City is to determine the facts associated with a particular request and apply those facts to the
8 legal standards contained in the ordinance and relevant state law. In general, if the facts indicate
9 the application meets the relevant legal standards and will not compromise the public health,
10 safety, and general welfare, then the applicant is likely entitled to the approval. The City is,
11 however, able to add conditions to a subdivision approval to ensure that the likely impacts to
12 parks, schools, roads, storm sewers, and other public infrastructure on and around the subject
13 property are adequately addressed. Subdivisions may also be modified to promote the public
14 health, safety, and general welfare, and to provide for the orderly, economic, and safe
15 development of land, and to promote housing affordability for all levels.

16 **SUBDIVISION ANALYSIS**

17 A minor subdivision application has been submitted in lieu of the preliminary plat/final plat
18 process because City Code §1104.04E (Three Parcel Minor Subdivision) establishes the three-
19 parcel minor subdivision process to simplify those subdivisions “which create a total of three or
20 [fewer] parcels, situated in an area [adequately served by public utilities and streets], and the new
21 parcels meet or exceed the size requirements of the zoning code.” The current application meets
22 all of these criteria.

23 Specifically §1104.04E reads as follows: *Three Parcel Minor Subdivision: When a subdivision
24 creates a total of three or fewer parcels, situated in an area where public utilities and street
25 rights of way to serve the proposed parcels already exist in accordance with City codes, and no
26 further utility or street extensions are necessary, and the new parcels meet or exceed the size
27 requirements of the zoning code, the applicant may apply for a minor subdivision approval. The
28 proposed subdivision, in sketch plan form, shall be submitted to the City Council at a public
29 hearing with notice provided to all property owners within 500 feet. The proposed parcels shall
30 not cause any portion of the existing lots, parcels, or existing buildings to be in violation of this
31 regulation or the zoning code. Within 30 days after approval by the City Council, the applicant
32 shall supply the final survey to the Community Development Director for review and approval. A
33 certificate of survey shall be required on all proposed parcels. After completion of the review
34 and approval by the City Manager, the survey shall be recorded by the applicant with the
35 Ramsey County Recorder within 60 days. Failure to record the subdivision within 60 days shall
36 nullify the approval of the subdivision. (Ord. 1171, 9-23-1996) (Ord. 1357, 1-14-2008) (Ord.
37 1395, 9-13-2010)*

38 Minor subdivision applications are reviewed primarily for the purpose of ensuring that all
39 proposed parcels meet the minimum size requirements of the zoning and subdivision codes, and
40 that adequate easements and rights-of-way are in place or provided. As a minor subdivision of
41 residential property, the proposal is subject to the minimum lot size, easement, and right-of-way
42 standards established in Chapter 1103 (Design Standards) of the subdivision code. The proposed
43 subdivision and the applicable standards are reviewed below.

44 **City Code §1103.02 (Rights-Of-Way)**
45 Collector streets, like Roselawn Avenue, require 66 feet of right-of-way (ROW). Roselawn
46 Avenue, at the subject location, lies within a 72 foot wide ROW and the Public Works
47 Department does not see a need for additional ROW or foresee any future plans to widen
48 Roselawn.

49 **City Code §1103.04 (Easements):** Drainage and utility easements 12 feet in width, centered on
50 side and rear property lines, are required. The City Engineer is requesting provision of a 12 foot
51 wide utility and drainage easement around the periphery of the three parcels and 6 foot wide
52 utility and drainage easement centered on the interior property lines.

53 **City Code §1103.06 (Lot Standards):** The Planning Division and City Engineer have
54 determined the proposed minor subdivision, specifically the western property line, to be an
55 interior lot. Although the property to the west dedicated a partial right-of-way, the City has no
56 intentions of developing a street in this location and thus will not be requiring additional right-of-
57 way with this minor subdivision.

58 Interior lots must be at least 85 feet wide, 110 feet deep and comprise at least 11,000 square feet
59 in area. All three proposed parcels and the parcel boundaries in the proposed subdivision allow
60 all of them exceed all width, depth, and area requirements; proposed dimensions are:

61 Parcel 1	65 Parcel 2	69 Parcel 3
62 94.4 ft. wide	66 94.4 ft. wide	70 94.4 ft. wide
63 228 ft. deep	67 228 ft. deep	71 228ft. deep
64 21,432 sq. ft.	68 21,432 sq. ft.	72 21,432 sq. ft.

73 Future development of the new parcels will be subject to all standard City requirements,
74 including those of the recently-adopted tree preservation and replacement ordinance.

75 At its meeting of May 3, 2016, Roseville's Parks and Recreation Commission reviewed the
76 proposed minor subdivision against the park dedication requirements of City Code §1103.07 and
77 recommended a dedication of cash in lieu of land. Since the existing land comprises one
78 buildable residential parcel, the proposed three-parcel subdivision would create two new building
79 sites. The 2016 Fee Schedule establishes a park dedication amount of \$3,500 per residential unit.
80 The two newly-created residential parcels would have a total park dedication amount of \$7,000,
81 to be collected prior to filing approved subdivision documents at Ramsey County.

82 Roseville's Development Review Committee (DRC) met on May12, and 19, 2016, to discuss this
83 application. Beyond the above comments pertaining to easements and determination of interior
84 lot versus corner lot, the DRC did not have any other comments about the proposal.

85 **PUBLIC COMMENT**

86 At the time this report was prepared, Planning Division staff has not received any comments or
87 questions from the public. The public hearing is required to take place at a City Council meeting.

88 **RECOMMENDED ACTION**

89 **Pass a motion approving a minor subdivision** to allow the property at 545 Roselawn Ave. to
90 be subdivided into three conforming parcels, based on the comments and findings of this report
91 and input received during the public hearing, subject to the following conditions:

- 92 a. Drainage and utility easements shall be granted in conformance with the standards of City
93 Code §1103.04, as illustrated on the subdivision survey reviewed with this application;
- 94 b. Payment of the \$7,000 park dedication shall be made by the applicant before approved
95 subdivision documents are released for filing at Ramsey County; and

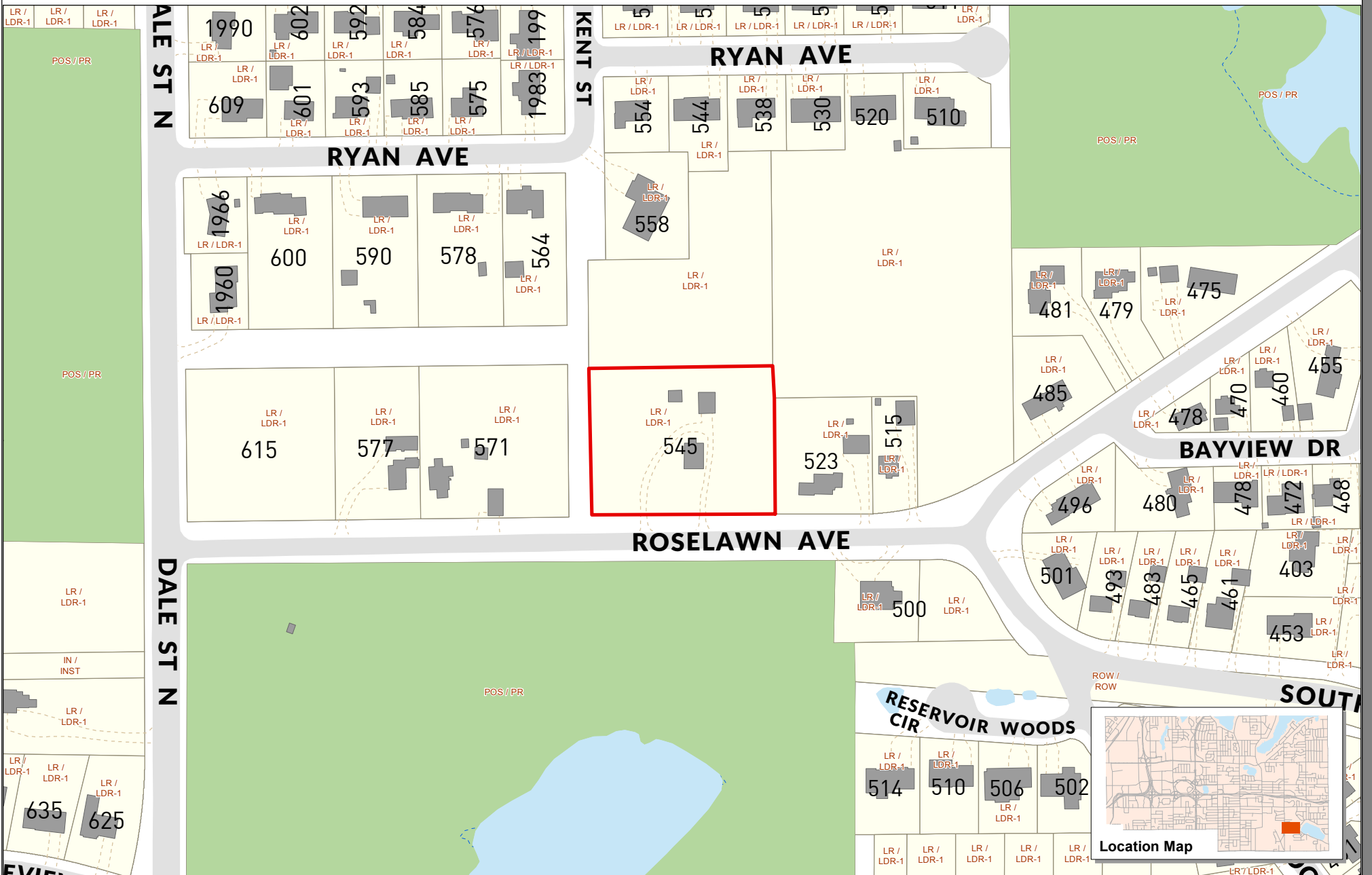
96 **ALTERNATIVE ACTIONS**

- 97 A. **Pass a motion to table one or more of the items for future action.** Tabling beyond
98 September 3, 2016, would require extension of the 120-day action deadline established in
99 Minn. Stat. §462.358 subd. 3b to avoid statutory approval.
- 100 B. **By motion, recommend denial of the proposed preliminary plat.** Denial should be
101 supported by specific findings of fact based on the City Council’s review of the
102 application, applicable zoning or subdivision regulations, and the public record.

Prepared by: City Planner Thomas Paschke
651-792-7074 | thomas.paschke@cityofroseville.com

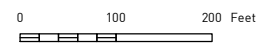
Attachments: A: Area map B: Proposed parcel plan

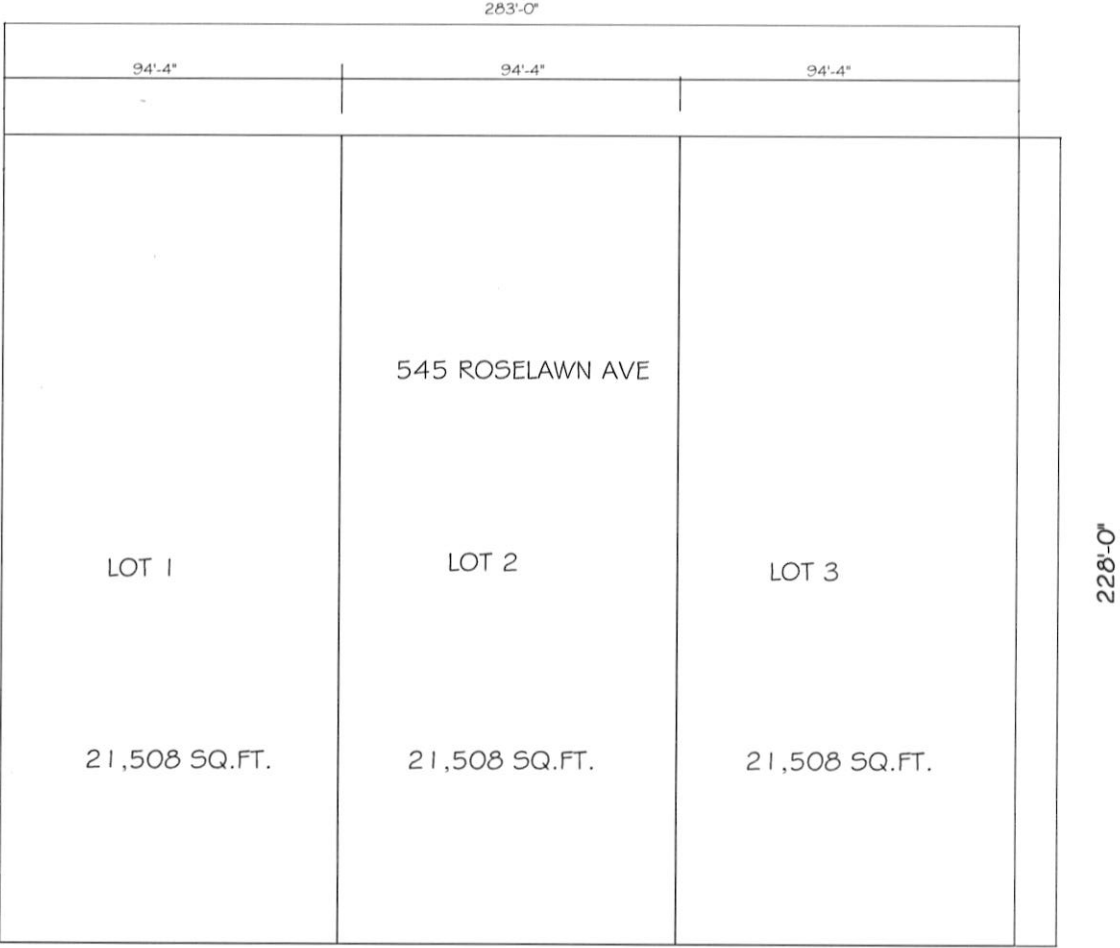
Attachment A for Planning File 16-012



Data Sources
 * Ramsey County GIS Base Map (4/1/2016)
 For further information regarding the contents of this map contact:
 City of Roseville, Community Development Department,
 2660 Civic Center Drive, Roseville MN

Disclaimer
 This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only. The City does not warrant that the Geographic Information System (GIS) Data used to prepare this map are error free, and the City does not represent that the GIS Data can be used for navigational, tracking or any other purpose requiring exacting measurement of distance or direction or precision in the depiction of geographic features. If errors or discrepancies are found please contact 651-792-7085. The preceding disclaimer is provided pursuant to Minnesota Statutes §466.03, Subd. 21 (2000), and the user of this map acknowledges that the City shall not be liable for any damages, and expressly waives all claims, and agrees to defend, indemnify, and hold harmless the City from any and all claims brought by User, its employees or agents, or third parties which arise out of the user's access or use of data provided.





NOTES:
 1. THIS PLAN AND SPECIFICATIONS ARE THE PROPERTY OF THE ARCHITECT.
 2. THE CLIENT HAS REVIEWED AND APPROVED THIS PLAN AND SPECIFICATIONS.
 3. THE ARCHITECT HAS REVIEWED AND APPROVED THIS PLAN AND SPECIFICATIONS.
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DESIGNED BY	
CHECKED BY	
DATE	
SCALE	1/4" = 1'-0"
JOB NO.	
SHEET	A-103