

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Agenda Date: 8/8/2016

Agenda Item: 12.b

Department Approval

City Manager Approval

Item Description: Request for approval of a recombination minor subdivision at Roselawn Avenue and Chatsworth Street (PF16-023)

APPLICATION INFORMATION

Applicants: Robert Allen and Lee Paul

Location: 974 Roselawn Avenue and 1896 Chatsworth Street
Planning District 15

Property Owners: Robert Allen and Lee Paul

Application Submission: submitted and considered complete July 8, 2016

City Action Deadline: November 5, 2016, per Minn. Stat. §462.358 subd. 3b

GENERAL SITE INFORMATION

Land Use Context

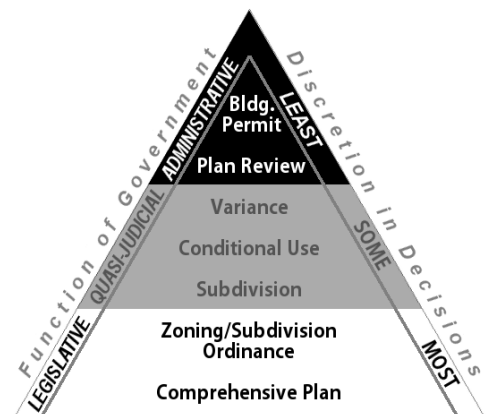
	Existing Land Use	Guiding	Zoning
Site	One-family residential, detached	LR	LDR-1
North	One-family residential, detached	LR	LDR-1
West	One-family residential, detached	LR	LDR-1
East	One-family residential, detached	LR	LDR-1
South	One-family residential, detached	LR	LDR-1

Notable Natural Features: none

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 applicants propose to transfer the southernmost 20 feet (about 2,120 square feet) of land
3 from 974 Roselawn Avenue, the “donor” parcel, to the northern side of 1896 Chatsworth Street,
4 the “receiving” parcel. The proposed recombination is illustrated in the subdivision sketch plan
5 included with this report as RCA Exhibit A.

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

16 **SUBDIVISION ANALYSIS**

17 In this case, a recombination minor subdivision application has been submitted instead of
18 preliminary plat and final plat applications because City Code §1104.04.B (Recombination)
19 provides a Recombination process to simplify subdivisions that modify the shared boundaries of
20 existing parcels without creating new development sites. The text of this provision is as follows:

21 Recombination: to divide one recorded lot or parcel in order to permit the adding of a parcel of
22 land to an abutting lot and create two buildable parcels, the proposed subdivision, in sketch
23 plan form, shall be submitted to the City Council for approval. No hearing or Planning
24 Commission review is necessary unless the proposal is referred to the commission by the
25 Community Development Director for clarification. The proposed recombination shall not
26 cause any portion of the existing lots or parcels to be in violation of this regulation or the
27 zoning code.

28 If the City Council approves a recombination, then the Subdivision Code instructs the applicant
29 to commission the preparation of a survey to formalize the dimensions and legal descriptions of
30 the newly-formed parcels, and to demonstrate that the parcels conform to all of the applicable,
31 standard City Code requirements as well as any conditions of approval.

32 As illustrated in Exhibit A, the proposed recombination would transfer the southernmost 20 feet
33 (about 2,120 square feet) of land from 974 Roselawn Avenue to the northern side of 1896
34 Chatsworth Street. The donor parcel would still exceed the minimum dimension and area
35 requirements for corner lots, and its impervious surfaces would remain well below the maximum
36 allowance. The receiving property is about 74 feet wide, which is less than the required 85-foot
37 minimum width. The additional land would add width to the front of 1896 Chatsworth Street,
38 making it about 94 feet wide, and eliminating the existing nonconformity of the substandard
39 width.

40 Planning Division staff finds that the proposed recombination minor subdivision satisfies all of
41 the applicable zoning and subdivision requirements, but two such requirements deserve
42 additional discussion.

City Code §1103.04 (Easements): This section of the code requires drainage and utility easements 12 feet in width, centered on side and rear property lines, to be provided where necessary. The City Engineer has determined that the easement is necessary along the relocated boundary common to the two subject parcels; this easement is illustrated in green annotations on Exhibit A.

City Code §1103.06.E (Lot Shapes): This newly amended section of the code pertaining to parcel shape specifically applies to new lots; because the proposal is not creating an additional parcel for new development, this provision does not apply.

Roseville's Development Review Committee (DRC) met on July 28, 2016, to discuss this application. Beyond the above comments pertaining to the zoning and subdivision codes, the DRC did not raise any additional comments or concerns.

PUBLIC COMMENT

At the time this report was prepared, Planning Division staff has not received any comments or questions from the public.

RECOMMENDED ACTION

Pass a motion approving a recombination minor subdivision to transfer the southernmost 20 feet of the entire width of the property at 974 Roselawn Avenue to the abutting property at 1896 Chatsworth Street, based on the comments and findings of this report, subject to the following conditions:

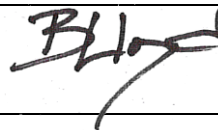
- a. The relocated boundary common to the two subject parcels shall be essentially the same as illustrated in the sketch plan reviewed for this application and shall otherwise meet all applicable zoning and subdivision standards.
- b. Drainage and utility easements shall be granted in conformance with the standards of City Code §1103.04, as illustrated on the sketch plan reviewed with this application.

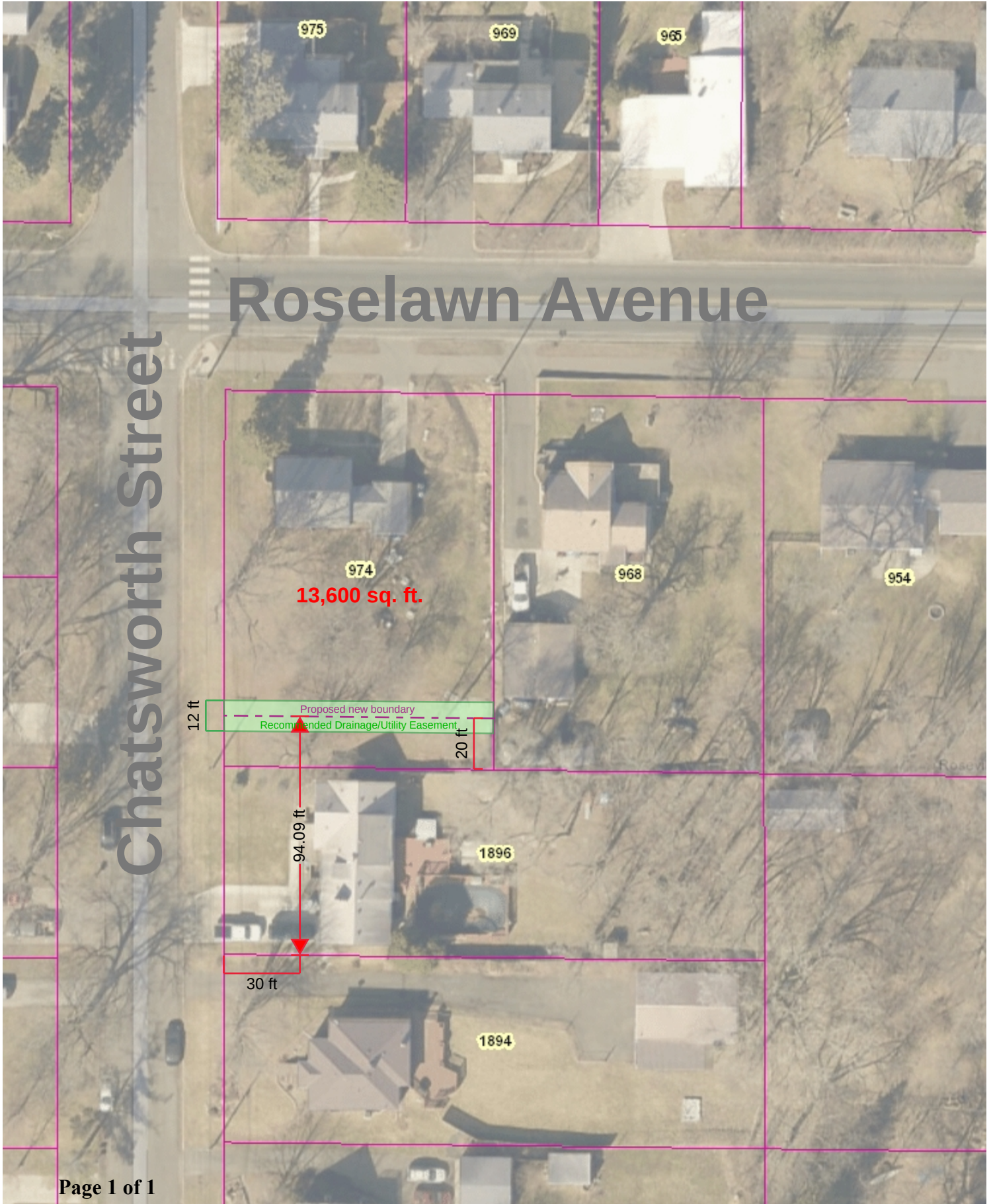
ALTERNATIVE ACTIONS

- A. **Pass a motion to table the request for future action.** Tabling beyond November 5, 2016, may require extension of the 120-day action deadline established in Minn. Stat. §462.358 subd. 3b to avoid statutory approval.
- B. **Pass a motion to deny the request.** Denial should be supported by specific findings of fact based on the City Council's review of the application, applicable zoning or subdivision regulations, and the public record.

Attachments: A: Subdivision sketch plan and written narrative

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STATEMENT OF INTENT

Robert and Randee Allen would like to sell the southern most 20' of the property located at 974 Roselawn Avenue West, (PID 142923310028) to Lee & Shelley Paul to be combined with their property located at 1896 Chatsworth Street North (PID 142923310027).

The recombination of the lots would result in 974 Roselawn Avenue West retaining 13,568 square feet of land and the new lot would be 128' on the east and west sides and 106' on the north and south sides. 1896 Chatsworth would now have 17,794 square feet of land with the addition of proposed 20' X 106' of land to its northern side.

The proposed recombination of the lots will allow much better access to the backyard of 1896 Chatsworth by its owners and will have little impact on the property located at 974 Roselawn Avenue West.

The proposed recombination of lots will result in both affected properties still complying with all of the applicable Code requirements.