

REQUEST FOR COUNCIL ACTION

DATE: 5/5/2014
ITEM NO: 11.a

Department Approval

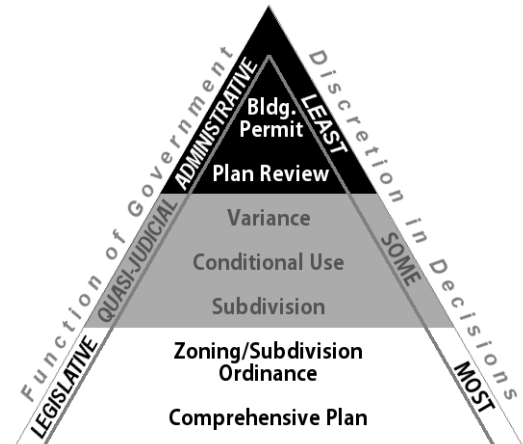
City Manager Approval

Item Description: A request by Gary Boryczka for approval of a **minor subdivision** of the property at 2250 Acorn Rd. (PF2781)

Application Review Details

- RCA prepared: April 30, 2014
- City Council action: May 5, 2015
- Sixty-day action deadline: June 2, 2014

Action taken on a minor subdivision request 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.



1.0 REQUESTED ACTION

Mr. Boryczka requests approval of the proposed MINOR SUBDIVISION, creating one additional residential parcel from the existing lot area.

2.0 SUMMARY OF RECOMMENDATION

The Planning Division recommends approval of the proposed MINOR SUBDIVISION; see Section 6 of this report for the detailed recommendation.

7 **3.0 BACKGROUND**

8 4.1 The property, located in Planning District 13, has a Comprehensive Plan land use
9 designation of Low-Density Residential (LR) and a zoning classification of Low-Density
10 Residential 1 (LDR-1) District.

11 4.2 A MINOR SUBDIVISION application has been submitted in lieu of the preliminary plat/final
12 plat process because §1104.04E (Minor Subdivision) of the City Code establishes the
13 three-parcel minor subdivision process to simplify those subdivisions “which create a
14 total of three or [fewer] parcels, situated in an area [adequately served by public utilities
15 and streets], and the new parcels meet or exceed the size requirements of the zoning
16 code.” The current application meets all of these criteria.

17 4.3 This same MINOR SUBDIVISION was approved in 1995 but, since it was not recorded at
18 Ramsey County, the approval has since expired.

19 **5.0 REVIEW OF PROPOSED MINOR SUBDIVISION**

20 5.1 City Code §1103.06 (Lot Standards) requires one-family residential parcels at street
21 corners to be at least 100 feet in both dimensions and comprise a minimum of 12,500
22 square feet of land area; interior parcels must be a minimum of 85 feet wide and have at
23 least 11,000 square feet of area. The proposed parcels are identified as Tract A and Tract
24 B in the site plan included with this staff report as Attachment C. Both parcels, each
25 having area of approximately 31,500 square feet and dimensions not less than 130 feet,
26 would exceed the Subdivision Code’s minimum standards.

27 5.2 City Code §1103.07 (Park Dedication) specifies that park dedication applies “when a
28 new building site is created in excess of one acre;” by these parameters, park dedication
29 is not required for the proposed Tract A.

30 5.3 City Code §1103.04 (Easements) requires 12-foot-wide drainage and utility easements
31 centered on the rear and new, common side property lines; these easements are illustrated
32 in Attachment C.

33 5.4 In reviewing the application, comments from Roseville’s Development Review
34 Committee (DRC) were primarily from Public Works Department staff; their main
35 comments involved the fact that storm water requirements of the City and the watershed
36 district have changed significantly in the past 20 years, and future new construction on
37 the vacant parcel will need to comply with the requirements in effect at that time.

38 5.5 According to the procedure established in §1104.04E, if a MINOR SUBDIVISION application
39 is approved, a survey of the approved parcels, the new legal descriptions, and any
40 necessary Quit Claim or Warranty deeds must be submitted within 30 days for
41 administrative review to verify consistency with the City Council’s approval; then the
42 required easements must be prepared, and the easements and legal descriptions must be
43 filed by the applicant with the Ramsey County Recorder.

44 5.6 A tree preservation plan will also be required as part of the application for a building
45 permit for a home on the new Tract A, pursuant to §1011.04 (Tree Preservation and
46 Restoration) of the City Code.

47 **6.0 RECOMMENDATION**

48 Based on the comments and findings outlined in Sections 4 – 5 of this report, Planning
49 Division staff recommends approval of the proposed MINOR SUBDIVISION, with the
50 condition that drainage and utility easements shall be dedicated as illustrated on the site
51 plan reviewed with this application.

52 **7.0 POSSIBLE COUNCIL ACTIONS**

53 **7.1 Pass a motion approving the proposed MINOR SUBDIVISION of the residential**
54 **property at 2250 Acorn Road, as recommended,** based on the comments and findings
55 of Sections 4 – 5 and the recommendation and conditions of Section 6 of this report.

56 **7.2 Pass a motion to table the item for future action.** Tabling beyond June 2, 2014 may
57 require extension of the 60-day action deadline.

58 **7.3 Pass a motion, to deny the requested approvals.** Denial should be supported by
59 specific findings of fact based on the City Council’s review of the application, applicable
60 zoning regulations, and the public record.

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Attachments: A: Site plan

