



STAFF REPORT

TO: Chair Kwapick and Planning Commission Members

FROM: Jane Kansier, AICP, Senior Planner, Bolton and Menk
Corrin Wendell, AICP, Community Development Director

DATE: Thursday, August 11th, 2022

RE: Preliminary Plat and Variance – 0 Edgerton Street (PID 052922340061)

ACTION TO BE CONSIDERED

To consider approval of a Preliminary Plat and Variance application for the property located at 0 Edgerton Street (PID 052922340061) to subdivide the parcel into seven lots. A Variance is requested for a reduction in the rear yard setback and lot depth of each lot.

BACKGROUND

At the Planning Commission meeting on July 14th, the Planning Commission reviewed the application and recommended approval (5-1) with additional guidance to the City Council. At the City Council meeting on July 27th, the City Council reviewed the application as well and listened to input from the public during the public comment period. The City Council tabled the discussion until their August meeting and referred the application back to the Planning Commission to review changes that have been made to the Preliminary Plat site plan given new information from the watershed district, input from the residents, and recommendations from the Council meeting.

For the revised Preliminary Plat, the following items have been modified:

- One lot has been eliminated on the north end of the parcel, total lots decreased from 8 lots to 7.
- An outlot has been created on the north end of the parcel to accommodate stormwater management.
- All 7 lots now meet the R-1 district requirement for lot area, (10,000 sq ft), which eliminates the need for the request for this type of variance.
- The watershed district continues to review the application for compliance with their requirements. The City Engineer is working closely with the watershed district in evaluating the upcoming soil borings results and next steps in approvals.
- The road width of the development may change from 28 feet in width to 26 feet in width to reduce impervious surface and stormwater management. This will be evaluated by the City Engineer.
- The street grade has been reduced from 8.0% to 7.5% with the inclusion of a longer flat area (2.5%) near the curve and intersection with Edgerton Street.
- More retaining walls, some rather large, have been added to the plan to reduce steep grades within the site. The City Engineer will continue coordinating with the Developer and his Engineer on modifications to the grading plan.

The Preliminary Plat application from Cara Builders, LLC, to construct a single-family community with (7) single-family homes. The proposal seeks to comply with an overall R-1, Low Density Residential zoning district and in alignment with the Low Density Residential guided land use in the Comprehensive Plan.

Applicant / Owner:

Sean Keatts
Cara Builders, LLC
1475 18th Ave, N.W., New Brighton, MN 55112

Address/Location:

0 Edgerton Street, Little Canada. The property is located east of I-35E and south of I-694 within the Little Canada city limits.

Property Legal Description:

HUOT ADDITION OUTLOT A (PID 052922340061)

Property Acreage:

3.13 acres, subject to any drainage and utility easements. This property is also subject to any other easement of record.

Zoning:

The property is zoned R-1, Low Density Residential

Shoreland Overlay/Floodplain District:

This property is located within the Shoreland Overlay and the northern portion of the parcel is located in Zone A per the FIRM floodplain maps. The RWMWD, Watershed District, has made a “no delineation” for a wetland. There are no wetlands within the evaluation area.

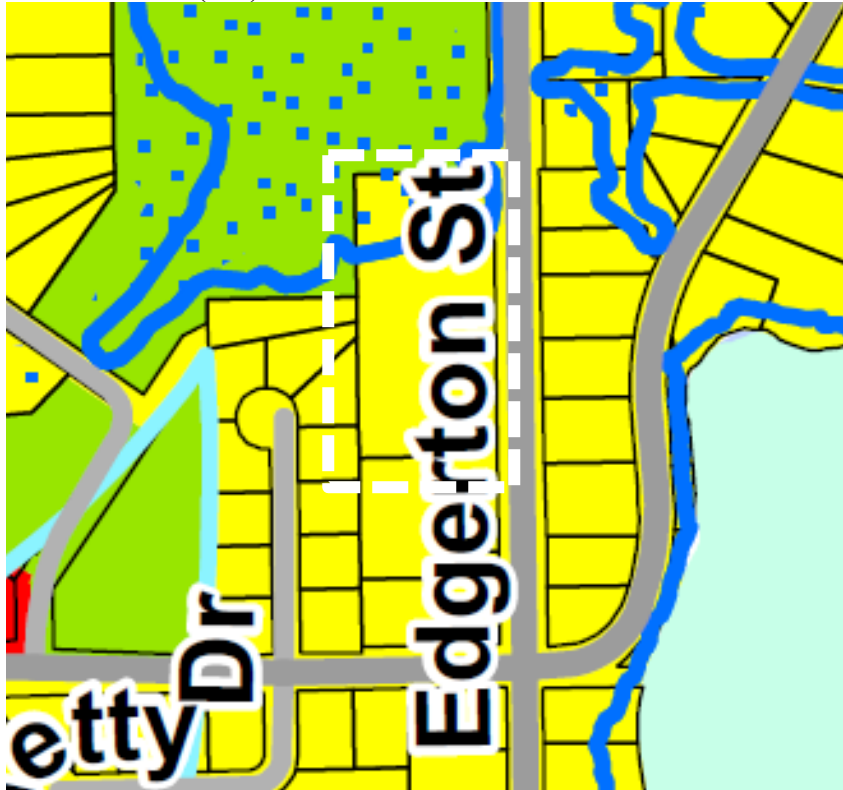
Attachments:

Please see the enclosed Supplemental Information.

AERIAL MAP (Source: Ramsey County GIS)



ZONING MAP (R-1)



COMPREHENSIVE PLAN FUTURE LAND USE MAP (Yellow, Low Density Residential)



FINDINGS

What is a Major Subdivision?

A major subdivision is a division of a single parcel, lot, or tract into four or more separate parcels, lots, or tracts. Subdivision by definition is the division of land by platting, conveyance, registered land survey or other means into four or more lots, plats, sites or other divisions.

Major Subdivision Filing Requirements:

- 1) Legal Description of land you want to divide.
The applicant has provided a legal description to the City as shown on the application.
- 2) Proposed split line(s). Clearly identify each new parcel.
The applicant has provided the proposed split lines clearly identifying each new parcel as shown on the certificate of survey.
- 3) Dimensions of all property lines and Proposed use and area of each new lot.
The applicant intends on utilizing the parcels as R-1, Low Density Residential for single-family homes. The applicant has provided the dimensions of all property lines as shown on the survey. The applicant will be seeking a Variance for the Rear Yard Setbacks for each lot and Lot Depth reduction for each lot as described below:

Block 1, Lot Number	Lot Area	Lot Width	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Lot Depth
1	10,000 sf	75 ft	30 ft	30 ft	7.5 ft/30 ft	98.59 ft
2	10,000 sf	75 ft	30 ft	30 ft	7.5 ft/7.5 ft	98.50 ft
3	10,000 sf	75 ft	30 ft	30 ft	7.5 ft/7.5 ft	98.50 ft
4	10,000 sf	75 ft	30 ft	30 ft	7.5 ft/7.5 ft	98.50 ft
Outlot A	23,987 sf					
Block 2, Lot Number						
1	11,000 sf	85 ft	30 ft	30 ft	7.5 ft/30 ft	98.50 ft
2	10,000 sf	75 ft	30 ft	30 ft	7.5 ft/7.5 ft	98.50 ft
3	22,831 sf	117.48 ft	30 ft	30 ft	7.5 ft/30 ft	98.50 ft

Section 904.020 R-1, Low Density Residential states the requirements for parcels within the R-1 zoning district.

	Front	Side	Corner Side	Rear
Single-Unit Dwelling	30 ^{1, 2, 3}	7.5 ⁴	20 ⁵	40
Driveway	Not applicable	5	20	--
Parking ⁶	10	5	20	5
Porch	22 ²	7.5	20 ²	30
Deck	22 ²	7.5	20 ²	30

Table 904-4: Minimum Lot Dimensions, R-1 District

	Area	Width	Depth
Single-Family Detached Building			
Interior lot	10,000	75	130
Corner lot	11,000	80	130

- 4) Existing and proposed drainage and contour plan. The easements must be reflected on the survey.
The applicant has provided drainage and utility easements as shown on the certificate of survey. The Watershed District is reviewing the northern area of the parcel for stormwater requirements as it lies within the Zone A floodplain.
- 5) Location and widths of proposed utility easements.
The applicant has provided utility easements as shown on the certificate of survey. The applicant complies with this standard.
- 6) Existing street rights-of-way, railroad and utility rights-of-way, parks and other public open space, permanent building and easements within the existing lot and adjoining lots.
The applicant has provided new street right-of-way as shown on the certificate of survey. Street improvement and right-of-way dedication will include a cul-de-sac extending from Edgerton Street for a distance of approx. 414 feet (max 500 ft). The proposed street is consistent with City standards and with sanitary sewer and water facilities. The roadway will be developed with concrete curb and gutter and bituminous street pavement. Underground private utilities of gas and electric are planned.
- 7) Areas, other than street and utility easements, that you intend to dedicate for public use, including their areas.
The applicant describes no other areas used for public use other than the public cul-de-sac street that will be constructed. There will be an Outlot A created at the northern end to accommodate stormwater requirement.
- 8) Scale of the drawing and north arrow.
The applicant has provided a north arrow as shown on the certificate of survey.
- 9) Certificate of Survey.
The applicant has provided a certificate of survey.

Section 915, General Development Requirements:

Off-Street Parking and Loading: 1, 2, and 3-unit buildings, (2) spaces per dwelling unit for residents' use counting the space in the driveway. *The proposal complies with this requirement and provides 2 spaces per unit.*

Section 915.140, Landscaping and Screening:

Single-family detached houses shall have at least one overstory tree per house, with a minimum caliper size of 2.0 inches. Existing trees may count toward this requirement. *The proposal will outline the Landscaping Plan and Tree Preservation in the Final Plat stage.*

Zoning Code Section 917.080, Variances:

The variance process is intended to provide limited relief from the strict requirements of this ordinance in those cases where the reasonable conditions of a particular requirement will create practical difficulties because of circumstances unique to the property. It is not intended that variances be granted to allow a use not permitted by the underlying zoning district, nor to merely remove inconveniences or financial burdens that the requirements of this ordinance may impose on property owners in general. Variances are intended to address extraordinary, exceptional or unique situations that were not caused by the applicant's act or omission. Variances may be allowed from restrictions placed on nonconformities.

Criteria for Approving a Variance:

1. A variance may be approved only if these criteria are met:
 - a. The request is in harmony with the purposes and intent of this ordinance.
 - b. The variance is consistent with the Comprehensive Plan.
 - c. The applicant can demonstrate that there are “practical difficulties” in complying with the regulation(s) in question. Determination of whether practical difficulties exist shall be based on the following:
 1. The property owner proposes to use the property in a reasonable manner permitted by this ordinance;
 2. The plight of the land owner is due to circumstances unique to the property not created by the landowner;
 3. The variance will maintain the essential character of the locality.
2. Practical difficulties include, but are not limited to, inadequate access to direct sun light for solar energy systems.
3. Economic considerations alone shall not constitute a sufficient basis for a Variance if reasonable use for the property exists under the regulation.
4. Variances shall be granted for earth-sheltered construction as defined in Minnesota Statutes 216C, Subd. 14, when in harmony with this ordinance.
5. The City Council may impose conditions in the granting of a variance. Such conditions must be directly related to and bear a rough proportionality to the impact created by the variance.

The applicant has submitted supplemental information regarding the existing conditions and unique circumstances related to this property. Cara Builders seeks a Variance for the reduction in the rear yard setback and lot depth for Lots 1-7.

Block 1, Lot

Number	Rear Yard Setback	Requirement
1	30 ft	40 ft
2	30 ft	40 ft
3	30 ft	40 ft
4	30 ft	40 ft
5	30 ft	40 ft

Block 2, Lot

Number	Rear Yard Setback	Requirement
1	30 ft	40 ft
2	30 ft	40 ft
3	30 ft	40 ft

Block 1, Lot		
Number	Lot Depth	Requirement
1	98.59 ft	130 ft
2	98.50 ft	130 ft
3	98.50 ft	130 ft
4	98.50 ft	130 ft
5	98.50 ft	130 ft

Block 2, Lot		
Number	Lot Depth	Requirement
1	98.50 ft	130 ft
2	98.50 ft	130 ft
3	98.50 ft	130 ft

The lot configuration of the parcel proves to be unique as well as the floodplain (Zone A) located at the northern part of the property and the placement of the city standard cul-de-sac prevent some of the lots from conforming to the regular standards of the R-1 District.

City staff does not find this proposal to be detrimental to the public health, welfare, or injurious to other property in the territory in which the property is situated.

The physical aspects of the property are the main reason for the variance request in that it produces an extreme hardship that is limited to the configuration of the site along with the floodplain located on the site. In addition, under Minnesota law, we find that practical difficulty has been met, meaning (1) the property owner proposes to use the property in a reasonable manner permitted by the ordinance, (2) the owner's plight is due to circumstances unique to the property not created by the property owner.

The request for variance is not based on an economic hardship and solely based on the physical aspects of the site and is the best and highest use of the property.

Development Review Committee:

The Development Review Committee is made up of city staff including the City Administrator, Community Development Director, Public Works Director, City Engineer, Code Enforcement, Fire Chief, and Building Official. The proposal has been reviewed by the committee and comments have been provided to the applicant.

Site Plan reviews include the following:

- Land use, setbacks, number of housing units, land coverage, parking, environmental impacts, traffic circulation,
- Landscape improvements, vehicle and pedestrian movements, drainage and utilities, security, fire protection, life and safety issues, grading, site preparation, right-of-way, easements, tree preservation, outdoor trash,
- Screening, signage, stormwater, wetlands, exterior lighting, and storm sewer alignment.

Preliminary Engineering Comments:

Engineering staff has performed a cursory review of the proposed development. Generally, the proposed infrastructure to serve the development meets the City's engineering guidelines. As the development plan progresses, engineering staff will perform a higher level of design review on the following elements: site grading, underground utilities, stormwater management, street, and erosion control. All future engineering comments will need to be addressed prior to final plat approval.

Agencies:

The RWMWD (Ramsey Washington Metro Watershed District), DNR, and Ramsey County continue to review this development proposal. Following the initial meeting with a RWMWD representative, the City was informed that the Watershed would require a zero run-off condition for the development. This is due to the existing conditions of the site and how it currently handles infiltration and runoff. The existing site includes a large basin area at the north end of the parcel that has no outlet, and per the drainage calculations has zero run-off in the existing condition. It is very unusual for a site to have zero runoff in existing conditions, however this site currently infiltrates stormwater very well. Based on the Ramsey-Washington Watershed rules, any increase in runoff rates for a proposed development would require a variance. The current stormwater management plan maintains the zero runoff rate, however final soil conditions have not been verified. This will be provided prior to consideration of approval of the Preliminary Plat currently anticipated at the August 24th City Council meeting.

Park Dedication:

Per City Code, parcels that are subdivided are subject to a park dedication fee of either a portion of the land donated to the City or a fee in lieu of donated land. This will be negotiated through the Development Agreement process.

Comprehensive Plan:

The proposal is consistent with the Comprehensive Plan. The Plan states that the R-1 Low Density Residential District is reserved for a density range of 2.5 to 4 units/acres.

The density of this project is stated below:

- Total acres: 3.13 acres (136,342 sf)
- Total (infrastructure) area: 0.62 acres (26,717 sf) of proposed right-of-way
- Outlot A which includes the floodplain area (23,987 sf) has been netted out

Density: 7 units/ Net acres 1.96 acres (85,638 sf) is 3.57 units/acre

Public Comments:

City staff has received comments related to this proposal prior to the Planning Commission meeting on July 14th and July 27th. At the meeting on the 14th and 27th, there was additional public comment related to the development. These comments are noted below:

- Lot sizes could be made larger
- Preferred front yard setback variances to rear yard setback variances
- Continue watershed involvement in review of the development
- Allow a one-sided fronted road instead of a cul-de-sac
- Concerns for stormwater impact
- Concerns about privacy for homes on Schletty
- Concerns on Edgerton access/driveway/slope

Planning Commission:

At their meeting on July 14th, the Planning Commission recommended approval (5-1) to the City Council, with the following conditions:

- Concerns with minimum lot size
- Improved sight lines at the connection to Edgerton Street
- Contingency on the decisions and input of the Watershed District
- Addressing concerns related to stormwater management and privacy

Public Hearing:

A Preliminary Plat and Variance requires a Public Hearing and the City Council opened the hearing on July 27th, 2022. Public hearing notice letters were sent to addresses within 350 feet of the parcel as well as to the Pioneer Press for publication.

Next Steps:

The proposed development will follow the process schedule below:

July 14th – Planning Commission Preliminary Plat and Variance

July 27th – City Council Preliminary Plat and Variance

August 11th – Planning Commission Preliminary Plat and Variance

August 24th – City Council Preliminary Plat and Variance

September – Planning Commission Final Plat and Variance

September – City Council Final Plat, Variance and Development Agreement

RECOMMENDED ACTION

To consider approval of a Preliminary Plat and Variance application for the property located at 0 Edgerton Street (PID 052922340061) to subdivide the parcel into seven lots. A Variance is requested for a reduction in the rear yard setback and lot depth of each lot.

