



PLANNING COMMISSION

DATE: 11/13/19

AGENDA ITEM: 4B

ITEM: **Minor Subdivision – Inwood Addition (Inwood 7<sup>th</sup> Addition)**

SUBMITTED BY: Ken Roberts, Planning Director

REVIEWED BY: Ben Prchal, City Planner

### **SUMMARY AND ACTION REQUESTED:**

The Planning Commission is being asked to consider a minor subdivision request from RPS Legacy to divide Outlot B of the Inwood 6<sup>th</sup> Addition into two separate parcels. The proposed minor subdivision would create a 4.4 acre lot for which they have requested City approval of a two-phase multiple-family housing development and the other parcel would be 1.29 acres reserved for future use. The site is located on the southwest corner of 5<sup>th</sup> Street North and Island Trail. Staff is recommending approval of the minor subdivision as presented, subject to conditions of approval.

### **GENERAL INFORMATION**

*Applicant:* RPS Legacy Desoto, 2935 Country Drive, Little Canada MN 55117

*Property Owners:* RPS Legacy Desoto, Little Canada MN 55117

*Location:* Outlot B, Inwood 6<sup>th</sup> Addition. Part of PID Number 33.029.21.13.0017

*Request:* Application for a Minor Subdivision to split said property into two separate parcels

*Existing Land Use and Zoning:* Open field; future development site within the Inwood PUD.  
Current Zoning: C – Commercial and HDR PUD

*Surrounding Land Use and Zoning:* North – Existing homes across 5<sup>th</sup> Street; East – Future High density residential site across Island Trail; West – Future commercial use and site of approved Kwik Trip facility; South – Outlot C, Inwood (ponding area)

*Comprehensive Plan:* MU-C (mixed use commercial)

*History:* The City Council approved the general concept plan for the Inwood PUD on September 16, 2014, the preliminary plat on December 2, 2014 and the Final Plat on May 19, 2015 for Phase 1. Since then, the City has approved several additions for the Inwood PUD, all for property north of 5<sup>th</sup> Street North.

On October 15, 2019, the City Council approved the minor subdivision for the Inwood 6<sup>th</sup> Addition and a conditional use permit for the future Kwik Trip facility.

*Deadline for Action:* Application Complete – 10-11-2019

60 Day Deadline – 12-09-2019

Extension Letter Mailed – No

120 Day Deadline – N/A

*Applicable Regulations:* Chapter 153 – Subdivision Regulations

## REQUEST DETAILS

The City of Lake Elmo has received a request from RPS Legacy Desoto (the property owners), for a minor subdivision to divide the 5.69-acre Outlot B of the Inwood 6<sup>th</sup> Addition into two lots. The purpose of the proposed minor subdivision is to create a 4.4-acre parcel for a planned multiple-family residential development and a 1.29-acre parcel (Outlot A) for future use. The property owner intends to develop the future Outlot A for additional residential land uses.

The City's Subdivision regulations allow for certain subdivisions of land to be exempt from the City's requirements for platting when no more than four lots are being created, when no new public infrastructure or rights-of-way or streets are necessary and when the proposed lots meet the minimum road frontage and area requirements of the underlying zoning. The proposed minor subdivision does not require any new public infrastructure or any new public streets as those improvements are in place. Each of the lots the minor subdivision would create exceed the commercial zoning requirements concerning lot size (20,000 square feet) and lot frontage (100 feet). As such, the proposed plat meets all the City requirements for a minor subdivision.

**CITY ENGINEER REVIEW.** I have attached the City Engineer's review comments (dated November 4, 2019) for your consideration. Items of note are as follows and I have included these as recommended conditions of approval.

- The Preliminary plat and project plans should be revised to show the proposed lot lines and easements consistent on each set of plans.
- Drainage and utility easements must be provided for any public utilities constructed as part of this project, including City-owned watermain and hydrants, with easements shown on the plat and on the project plans. Any watermain lines serving hydrants placed internal to the site require minimum 30-foot-wide easements centered over the hydrants and pipe. These easements must be dedicated to the City and be provided in the City's standard form of easement agreement.
- There were a number of other amendments required to the plan for approval, which can be reviewed in the memo. It is a recommended condition of approval that all of these comments be addressed on the plans before the applicant/developer submits a final plat for approval.

## PARKLAND DEDICATION

The proposed development does not propose a public park and staff would not recommend a park land dedication with this proposal. When the City approve the original Inwood Development, the developer dedicated 10.73 acres of parkland to the City. This dedication was 1.16 acres more than was required for parkland dedication for the residential subdivisions north of 5<sup>th</sup> Street North. The City agreed to apply the 1.16 acres of excess park dedication from those earlier phases of the Inwood development to the multi-family residential area lying south of 5<sup>th</sup> Street.

For this site, the City will apply the 1.16 acre credit toward the park dedication requirement. That means for this 4.4 acre site, the City will collect a park dedication fee for 3.24 acres. The current City Code standard for park dedication for developments in the HDR zoning district is a fee of \$4,500 per acre. At \$4,500 an acre, the park dedication fee for the 3.24 acres will be \$14,500. The City will require the developer to pay this fee before issuing a grading or building permit for the site.

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## DRAFT FINDINGS

Staff is recommending that the Planning Commission consider the following findings with regards to the proposed Minor Subdivision:

- That the Minor Subdivision is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- That the Minor Subdivision complies with the minimum lot frontage and area requirements of the City's C – Commercial Zoning District.
- That the Minor Subdivision complies with the City's subdivision ordinance and specifically the requirements concerning exceptions to platting.

## CONDITIONS OF APPROVAL

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**Recommended Conditions of Approval.** Staff recommends the following conditions of approval for Inwood 7<sup>th</sup> addition:

1. All required modifications to the plans as requested by the City Engineer in the review letter dated November 4, 2019 shall be incorporated into the plat and project plans. The City shall approve all plans before releasing the final plat for recording.
2. The developer shall pay a cash contribution of \$14,580 in lieu of land for park dedication.
3. The project landscape plan shall be approved by the City's Landscape Architect before recording of the final plat.
4. The final plat shall show a 10-foot-wide drainage and utility easement along all property lines.
5. All easements as requested by the City Engineer and Public Works Department shall be documented on the Final Plat before the execution of the final plat by City Officials.
6. Before recording the Final Plat, the Developer shall enter into a Developers Agreement or Site Work Agreement with the City. This agreement shall be in a form acceptable to the City Attorney and shall delineate who is responsible for the design, construction, and payment of public improvements and other site management and operation considerations including erosion control and construction staging.
7. Final Plat shall be contingent upon the City receiving separate drainage and utility easements in the City's standard form of easement agreement for all off-site development improvements (beyond the plat limits). All off-site easements must be clearly shown on the street, grading and utility plans, with all dimensions labeled. The easements must be obtained before the start of grading or construction.

## RECCOMENDATION:

Staff recommends that the Planning Commission recommend approval of the minor subdivision request from RPS Legacy Desoto (Inwood 7<sup>th</sup> Addition) to divide Outlot B of Inwood 6<sup>th</sup> Addition into two separate parcels.

Suggested motion:

***“Move to recommend approval of the Minor Subdivision request (Inwood 7<sup>th</sup> Addition) to split Outlot B of Inwood 6<sup>th</sup> Addition into two lots, subject to the conditions of approval as listed in the City staff report.”***

## ATTACHMENTS:

1. Minor Subdivision Survey/Preliminary Plat
2. City Engineer Review comments dated November 4, 2019