



PLANNING COMMISSION
DATE: 08/12/19
AGENDA ITEM: 4B – BUSINESS ITEM
CASE #

ITEM: **Minor Subdivision – Outlot O of Inwood Addition (Inwood 6th 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 Desoto to divide Outlot O of the Inwood Addition into three separate parcels. The proposed minor subdivision would facilitate the transfer of 2.27 acres of land to Kwik Trip for the construction of a new fuel station/convenience store to be located on the southeast corner of Inwood Avenue North and 5th Street North. Staff is recommending approval of the minor subdivision as presented, subject to conditions of approval.

GENERAL INFORMATION

Applicant: RPS Legacy Desoto, Little Canada MN 55117

Property Owners: RPS Legacy Desoto, Little Canada MN 55117

Location: Outlot O, Inwood Addition. PID Number 33.029.21.13.0017

Request: Application for a Minor Subdivision to split said property into three 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 – Future commercial development site across 5th Street;
East – Future High density residential site (Outlot A of Inwood) across Island Trail; West – Oakdale across Inwood Avenue North; 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 5th Street North.

Deadline for Action: Application Complete – 7-12-2019
60 Day Deadline – 9-11-2019
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 Outlot O of the Inwood Addition into three lots. The purpose of the proposed minor subdivision is to facilitate the transfer of 2.27 acres of land from the property owners to Kwik Trip for the construction of a new fuel station/convenience store. The proposed minor subdivision also would create 1.9-acre outlot (Outlot A) immediately east of the Kwik Trip site and a 5.72-acre outlot (Outlot B) lying west of Island Trail. The property owner intends to develop the future Outlot A for commercial uses and Outlot B for high-density 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 August 6, 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.
- The developer/owner should consider adjusting the east lot line of Outlot A further west to facilitate shared commercial driveway access between Outlot A and Outlot B. As proposed, Outlot B would not have access to the new driveway along the east side of Outlot A as there would be a strip of land as part of Outlot A along the east side of the driveway.
- 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

When the City approved the Inwood PUD, the project plans showed property for public parks and trails over about 12 percent of the residential portion of the development (lying north of 5th Street). There were at that time, however, no provisions or park dedications made to the City for the commercial areas of the PUD or for area south of 5th Street.

The proposed development does not propose a public park and staff would not recommend a park land dedication with this proposal. The current City Code standard for park dedication for developments in a commercial zoning district is a fee of \$4,500 per acre. At \$4,500 an acre, the park dedication fee for this 2.27 acre site will be \$10,215. The City will require the developer to pay this fee before issuing a grading or building permit for the site.

EASEMENT VACATIONS

The applicant also is requesting that the City vacate the existing easements on and around Outlot O as part of this plat approval. They are making this request as it would be easier and cleaner for the applicant to record the new plat with the existing easements vacated. The proposed plat will have new easements on it that will replace the easements the City will be vacating. City staff is recommending as a condition of approval that the plat or subdivision show a 10-foot-wide drainage and utility easement along the entire perimeter of the plat and property.

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

Recommended Conditions of Approval. Staff recommends the following conditions of approval for Inwood 6th addition:

1. All required modifications to the plans as requested by the City Engineer in the review letter dated August 6, 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 in lieu of land for park dedication equal to 10% of the fair market value of the Lot 1, Block 1.
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 to divide Outlot O of Inwood Addition into three separate parcels.

Suggested motion:

“Move to recommend approval of the Minor Subdivision request to split Outlot O of Inwood Addition into three lots, subject to the conditions of approval as listed in the City staff report.”

ATTACHMENTS:

1. Minor Subdivision Survey
2. City Engineer Review comments dated August 6, 2019