

To: **Planning Commission**  
Through: **Ben Boike, Asst. Comm. Dev. Director/City Planner**  
From: **Melissa Sonnek, Comm. Dev. Coordinator**  
Date: **June 18, 2019**

## **Plat/Subdivision Application – Bakewell Addition**

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### **REQUEST:**

Josh Kirchert is requesting a preliminary and final plat review for the subdivision of the southeast corner of Marie and Delaware. The proposed subdivision would create three new lots (five total) and allow for the construction of four new single-family homes (in addition to the existing single family home on the eastern most portion of the property).

### **ATTACHMENTS:**

Application Package

Plat Drawings

Notice

Engineering/Stormwater, Fire, & Dakota County Plat Commission Memos

Staff Presentation



## EXISTING LAND USES AND ZONING:

	Land Use	Zoning
Subject Property	Vacant/Single Family Home	R1C, Single Family
Properties to North	Single-family homes	R1C, Single Family
Properties to East	Single-family homes	R1C, Single Family
Properties to South	Single-family homes	R1C, Single Family
Properties to West	Henry Sibley High School	Single Family (Mendota Heights)

## ANALYSIS:

Total Acreage:	3.14 acres
Proposed Number of Lots:	5
Largest Lot Size:	43,533 sq. ft. or 1 acre
Smallest Lot Size:	18,617 sq. ft. or .42 acres
Net Density:	1.6 lots/acre
Total Right-of-Way (ROW):	36,743 sq. ft. or .84 acres
2040 Comp Plan Designation:	Single Family Residential

## BACKGROUND:

Josh Kirchert is requesting a preliminary plat review for the subdivision of what is presently two single family lots located at the southeastern corner of Marie and Delaware.

The property owner of the eastern lot (1846 Delaware Ave) has agreed to sell a portion of their property (roughly ½ acres) so that the western portion of the property can be added into the proposed subdivision.

## EXISTING CONDITIONS:

The proposal includes two properties; the western property is a vacant lot that is currently undeveloped, the eastern property is occupied by a single family home, which will remain unchanged during the proposed subdivision. The area is heavily wooded and has a wetland area on the northwestern corner.

## COMPREHENSIVE PLAN CONSISTENCY:

The 2040 Comprehensive Plan designates this property, and the surrounding properties, as single-family residential, with an expected development density of three to six units per acre.

The applicant is proposing 1.6 units per acre; and while this particular application does not fall within the range listed in the 2040 plan, City Staff feels comfortable with approving the application because not all applications will fall perfectly within the above listed range. Some applications will be above the range, and some applications will be below the range, the intent is to have the overall average density be between three and six units per acre.

The current zoning code for the R1-C district requires a minimum lot size of 15,000 sq. ft. and has no maximum lot size; compared to the R1-A district on the northern portion of town, the minimum lot size is only 7,000 sq. ft. With the widely varying lot sizes throughout the city, it would be difficult for all applications to fall within the 3-6 units per acre density requirement.

## **SUBDIVISION DESIGN:**

The applicant is proposing a total of five lots (the site currently has two lots), and four new single-family homes with the existing single-family home on site remaining unaltered.

## **DAKOTA COUNTY REVIEW:**

Since the proposed plat abuts Delaware Ave, which is a County road, the Dakota County Plat Commission reviewed the proposed plat at their May 28, 2019 meeting. The applicant initially proposed to use the existing driveway for the existing homes from Delaware Ave to serve as a private driveway for the five newly created lots. However, the County is requesting that the existing access on Delaware be removed due to the property's close proximity to the intersection of Delaware and Marie. As a result, the existing driveway must be closed at Delaware and access for the proposed subdivision must be provided by a new driveway off Marie Ave.

Per request of the County, the applicant has revised the plans by providing a new north-south private driveway from Marie Ave between Lots 4 and 5 (two most eastern lots) that connects south to the existing east-west driveway along the southern property line (see preliminary plat drawing). The applicant is proposing to rear load the homes by building the garages in the south side of the new homes.

In addition, the applicant is proposing to dedicate 50 feet of half right-of-way for Delaware Ave. The Dakota County Plat Commission indicated that 50 feet was adequate.

## **TREES:**

According to section 4.13 of the Subdivision Ordinance, Street trees shall be planted a minimum of 40 feet apart and a minimum of one tree per lot. It is preferable that said street trees are planted between three and six feet from the property line. The site currently has several large, mature trees that meet and exceed the required minimums.

Since the amount of east/west traffic along the private drive will be increasing, Staff is requiring as a condition of approval that the applicant provide additional screening in the form of trees or fencing between the private drive and the properties to the south.

On a side note, the city ordinance does not require tree replacement for single-family development. That said, the developer is planning to preserve as many trees as possible for the marketability of the lots.

## **LOT SIZE:**

The minimum lot size in the R1-C zoning district is 15,000 sq. ft. All of the proposed lots comply with this requirement, as the smallest lot size is 18,617 sq. ft.

## **LOT WIDTH:**

The minimum lot width requirement in the R1-C zoning district is 100 feet. However, the code allows for up to a ten percent deviation from this requirement, if the overall average of the lot depths meets the 100 feet requirement.

The proposed lot widths are as follows:

<b>Lot 1</b>	129 feet
<b>Lot 2</b>	90 feet
<b>Lot 3</b>	90 feet
<b>Lot 4</b>	90 feet
<b>Lot 5</b>	211 feet (existing home)
<b>Average Lot Width</b>	122 feet

Since the overall average lot width is above 100 feet, the proposal meets the requirement when accounting for the ten percent deviation.

### **SETBACKS:**

The minimum setback requirements for the R1-C zoning district are as follows:

<b>Front</b>	30 ft
<b>Rear</b>	41 ft*
<b>Side - Adjacent to a Lot</b>	10 ft
<b>Side - Adjacent to a Street</b>	30 ft

*\*code reads 30 feet, or 20% of the average lot depth, whichever is greater.*

Details on the individual building setbacks were not included in the submitted plans as they will be determined upon application of a building permit. While the proposed lots provide a large enough building envelope within the minimum setback areas, Staff is still requiring a condition of approval that all homes comply with the setback requirements outlined in section 153.083(B) of the zoning code.

### **ENGINEERING/STORMWATER REVIEW:**

The City Engineer reviewed the plat application and stated the following requirements:

1. Prior to final plat review, the applicant shall submit required stormwater information for the proposed subdivision,
2. The subdivision must meet the requirements of §153.472 of the City's Ordinances.
  - a. These requirements follow the most current version of the NPDES Construction Stormwater General Permit and Municipal Separate Storm Sewer (MS4) Permit including erosion control and post-construction stormwater management.
  - b. Stormwater management requirements may include rate control, volume control, and water quality depending on the proposed increase in impervious.
3. The final plat shall include public drainage and utility easements along all property lines, specifically 5 feet adjacent to all interior property lines and 10 feet adjacent to all public streets.
4. Parkland dedication shall be paid upon application of a building permit. Fee shall be in accordance to City Ordinance, Section 1022.11, and
5. Permits from the appropriate regulatory agencies must be obtained, including but not limited to the MPCA, Dakota County, MnDOT, etc.

## **SOUTH METRO FIRE REIVEW:**

New Fire Marshal Terry Johnson reviewed the submitted plans and required additional fire apparatus access to the homes since the drive will be serving more than two private residences. The following condition was recommended by the Fire Marshal:

1. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building here after constructed or moved into or within the jurisdiction. The fire apparatus access road shall extend to within 150' of all portions of the facility and all portions of the exterior walls of the building as measured by an approved route around the exterior of the building. MSFC 503.1.1, and
2. Dead-end fire apparatus access roads in excess of 150' in length shall be provided with an approved area for turning around fire apparatus. MSFC 503.2.5.

City Staff is requiring as a condition of approval that the applicant comply with the requirements detailed in the Fire Marshal's memo dated June 12, 2019.

## **FINAL PLAT APPROVAL:**

Staff is recommending approval of the preliminary plat at this time. Prior to approving the final plat, Staff is requesting stormwater information per the memo provided by the City Engineer in order assure proper grading/stormwater retention for the proposed subdivision. Once submitted, the final plat can be reviewed for final approval.

## **STAFF RECOMMENDATION:**

**Staff recommends the APPROVAL of the Preliminary Plat for the Bakewell Addition at the southeast corner of Marie Avenue and Delaware Avenue, subject to the following conditions:**

1. The applicant shall apply for and obtain all applicable building and sign permits with the City of West St. Paul,
2. The applicant shall provide additional screening in the form of trees or fencing between the private drive and the properties to the south,
3. The applicant shall ensure that all homes within the subdivision comply with setback requirements as detailed in section 153.083(B) of the zoning code,
4. The applicant shall comply with the requirements detailed in the County Plat Commission letter dated May 29, 2019, the Engineering memo dated April 8, 2019, and the Fire memo dated June 12, 2019.

## **TIMELINE:**

June 18: Planning Commission Recommendation

June 24: City Council Preliminary Plat Review