

## GENERAL INFORMATION

Applicant:	LTF Real Estate Company (owner) Enclave Companies (user)
Location:	6701 West 78th Street
Request:	Preliminary and Final Plat to subdivide one lot into two lots
Existing Land Use and Zoning:	Vacant; zoned C-4(PD)
Surrounding Land Use and Zoning:	East – Office; zoned C-4 South – Interstate Highway 494 West – Office and Nine Mile Creek; zoned C-4 and C-4(FH) North – (City of Edina) Single-family and two-family residential; zoned R-1 and PRD-3
Comprehensive Plan Designation:	Office

## HISTORY

City Council Action:	07/23/2018 – Approved a Rezoning from C-4(FH) to C-4(PD)(FH), Conditional Use Permit for a residential care facility, and Preliminary and Final Development Plans for a four-story, 186-unit residential care and senior living facility with a 100-person day care (Case PL2018-191). NOTE: Approvals expired.
City Council Action:	02/12/2024 – Approved a Preliminary and Final Development Plans for a five-story, 208-unit apartment building and detached 11,000 square foot day care facility and Conditional Use Permit for an 11,000 square foot day care facility (Case PL2023-193).

## CHRONOLOGY

Planning Commission	04/04/2024	Public Hearing held, recommended approval (vote: 5-0)
City Council	04/15/2024	Review scheduled (Consent Agenda)

## DEADLINE FOR AGENCY ACTION

Application Date:	02/28/2024
60 Days:	04/28/2024
Extension Letter Mailed:	No
120 Days:	06/27/2024
<b>Applicable Deadline:</b>	<b>04/28/2024</b>
Newspaper Notification:	Confirmed – (03/21/2024 Sun Current – 10 day notice)
Direct Mail Notification:	Confirmed – (500 buffer – 10 day notice)

## STAFF CONTACT

Liz O'Day  
Phone: (952) 563-8919 E-mail: eoday@BloomingtonMN.gov

## PROPOSAL

The property owner seeks to subdivide the property, zoned C-4 (PD), located at 6701 West 78<sup>th</sup> Street. The subject property was platted in 1968 and is 308,200 square feet in size. The applicant recently received Preliminary and Final Development Plan approval for a five-story, 208-unit apartment building and detached 11,000 square foot daycare. The submitted Preliminary and Final Plat proposes to split the lot so the daycare and apartment building can have separate ownership. The property owner intends to sell the newly created daycare lot (Lot 1). The new Plat would be titled Nine Mile West Fourth Addition.

## ANALYSIS

### Land Use

The subject property is guided Office. Subdividing the property into two separate lots is not in conflict with the Comprehensive Plan. Both properties would remain zoned C-4(PD) and guided Office.

### Code Compliance

The proposed subdivision would create two lots that comply with minimum standards of the C-4 zoning district and other performance standards. Table 1 provides a City Code compliance analysis of the proposed subdivision.

**Table 1: City Code Analysis – Regulations in compliance**

<b>Standard</b>	<b>Code Required</b>	<b>Provided</b>
Minimum Site Area Sec. 21.301.01(d)	120,000 square feet	Site – 308,232 sq. ft. Lot 1 – 56,002 sq. ft. Lot 2 – 252,230 sq. ft.
Minimum Lot Width Sec. 21.301.01(d)	200 feet	Lot 1 – 217 feet Lot 2 – 385 feet
Maximum Impervious Surface Sec. 21.301.01(d)	90%	Lot 1 – 40% Lot 2 – 50%

The proposed lots, as designed by the surveyor, meet the minimum C-4 zoning district dimensional requirements except for the minimum site area for Lot 1. The development is a two building, two parcel, planned development. In the case of planned developments, the full planned development is considered to constitute the “site”. The proposed plat meets the minimum *site* standards for the C-4 zoning district.

The dividing property line would be on the east side of the daycare building. The parking lot would be shared with the apartment building and the daycare. The Final Plat must include typical easements for drainage and utilities and for sidewalk/bikeway purposes as required by City Code (Sec. 22.09(b)). The drainage and utility and sidewalk/bikeway easements are shown on the Final Plat document.

Park Dedication is triggered when land is subdivided. The park dedication amount cited at Post Application Development Review Committee was based on a 201-unit proposal. The applicant revised the plans to increase the unit count to 208 units. The Assessing Division has amended the calculation, and the total park dedication amount is \$435,105.

## **FINDINGS**

### **Required Preliminary Plat Findings – Section 22.05(d)(1-8):**

<b>Required Finding</b>	<b>Finding Outcome/Discussion</b>
(1) The plat is not in conflict with the Comprehensive Plan.	<b>Finding Made</b> – The subject site is guided Office in the City’s Comprehensive Plan. Subdivision of the lots would support compliant development and would not conflict with the Comprehensive Plan.
(2) The plat is not in conflict with any adopted District Plan for the area.	<b>Finding Made</b> – The subject property is not located in an area subject to any adopted District Plan.
(3) The plat is not in conflict with City Code provisions.	<b>Finding Made</b> – The proposed lots comply with the site area and width requirements of the

	C-4 zoning district. The plat is not in conflict with City Code provisions.
(4) The plat does not conflict with existing easements.	<b>Finding Made</b> – The new plat would include drainage, utility and sidewalk/bikeway easements dedicated to the City. The plat does not conflict with existing easements.
(5) There is adequate public infrastructure (roads, utilities, storm water systems, emergency services, schools, etc.) to support additional development potential created by the plat.	<b>Finding Made</b> –The approved development would be served by a street and public utilities. There is adequate public infrastructure to support the development.
(6) The plat design mitigates potential negative impacts on the environment, including, but not limited to, topography; steep slopes; trees; vegetation; naturally occurring lakes, ponds, rivers and streams; susceptibility of the site to erosion, sedimentation or flooding; drainage; and storm water storage needs.	<b>Finding Made</b> – Future construction or site disturbance activities from the approved development must comply with typical stormwater management, erosion control and other established engineering and environmental requirements.
(7) The plat will not be detrimental to the public health, safety or welfare.	<b>Finding Made</b> – The proposed plat is not anticipated to be detrimental to the public health, safety or welfare.
(8) The plat is not in conflict with an approved development plan or plat.	<b>Finding Made</b> – The proposed plat is consistent with the approved development plan.

**Required Final Plat Finding – Section 22.06(d)**

Required Finding	Finding Outcome/Discussion
(1) The plat is not in conflict with the approved preliminary plat or the preliminary plat findings.	<b>Finding Made</b> – the final plat is consistent with the preliminary plat and preliminary plat findings.

**RECOMMENDATION**

The Planning Commission and staff recommend approval of the Preliminary and Final Plat through the following motion:

Motion made by \_\_\_\_\_, seconded by \_\_\_\_\_, In Case PL2024-26, having been able to make the required findings, I move to approve the Preliminary Plat and adopt Resolution 2024-\_\_\_\_, a resolution approving the Final Plat of Nine Mile West 4<sup>th</sup> Addition, , subject to the conditions and Code requirements attached to the staff report.