



MEMORANDUM

To: Mayor Stille and St. Anthony City Council
From: Stephen Gritman, City Planner
Date: City Council Meeting – December 13, 2022
NAC Project No. 323.01 – 20.17
Request: Request for Minor Subdivision/Recombination
Property PID: 07-029-23-23-0035
Property Address: 2501 Lowry Avenue NE

STAFF RECOMMENDATION

In late 2020, the owners of the Urban Grove manufactured home park requested a simple subdivision of the Urban Grove 15+ acre parcel, carving out a separate 4.3 acre parcel along Stinson Parkway for an assisted-living residential project, to be known as Hayden Grove. That subdivision was approved by the City Council, and the Hayden Grove project was commenced.

As a part of the due diligence process by a prospective purchaser of the Urban Grove site, it was discovered that the recorded subdivision did not match that of the original application nor the Council's approval. Two discrepancies were found. First, the north-south boundary line between the two parcels appeared to be shifted west by 100 feet, significantly reducing the size of the Hayden Grove site. Second, the Hayden Grove property was shown to have also acquired a narrow strip of land along the north side of the Urban Grove site, along the south side of the existing alley.

In investigating the discrepancies, it was found that the north-south boundary line was in fact a mistake of the Hennepin County GIS department, and that boundary is being redrawn on the County's property website to match the original approval. The narrow strip, however, was a mistake in the legal description submitted by the original applicant's surveyor. As such, the two property owners (of both Hayden Grove and Urban Grove) have submitted a joint application to redraw the subdivision, correcting the errant descriptions.

This new application subdivides that remnant strip from the Hayden Grove (SA Senior Living) parcel and re-conveys it to the owners of the Urban Grove parcel (The Village LLC). To ensure that this remnant strip is not left as a separate parcel, a condition of this approval is to require that the strip is concurrently recombined with the Village LLC parcel. That intent is expressed in

the proposed legal descriptions submitted as a part of the application. By approving this minor subdivision, the Council would return the properties to match the descriptions as originally intended and approved.

Minor subdivisions proceed directly to the City Council for consideration, without a requirement for Planning Commission review or public hearing.

GENERAL INFORMATION

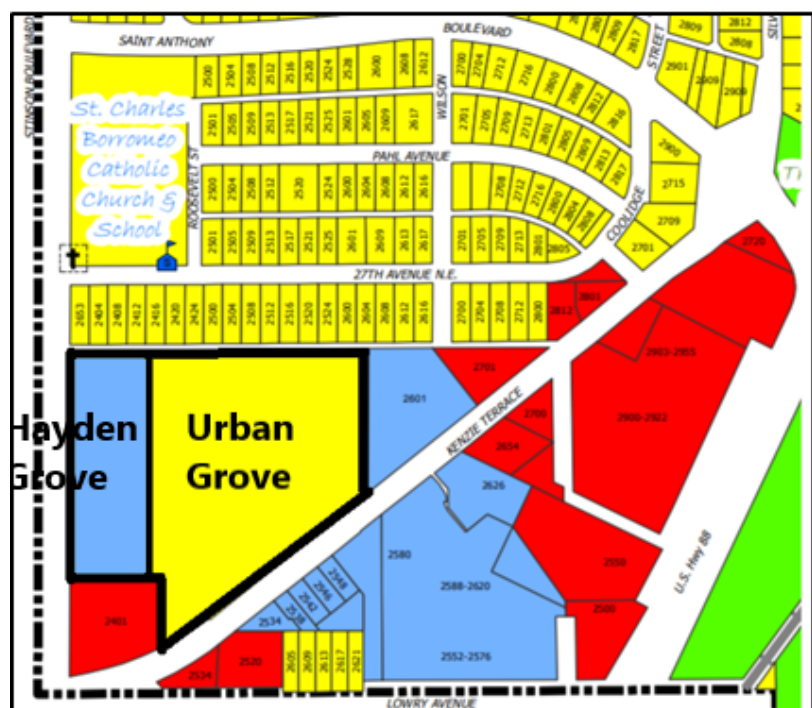
Applicant: SA Senior Living, LLC
Owner: SA Senior Living LLC with The Village LLC, dba Urban Grove
Location: 2601 Stinson Boulevard and 2501 Kenzie Terrace
Existing Land Use: Multiple Family Residential and Manufactured Home Park
Zoning: PUD, Planned Unit Development and R-1, Single Family
Surrounding Land Use / Zoning: North: Single Family; Zoned R-1
East: Multi-family; Zoned PUD
South: Commercial and Multi-Family; Zoned C and PUD
Southwest: Commercial; Zoned C
West: Single Family (City of Minneapolis)

Deadline for Agency Action: Application Complete Date: 11/3/20
60 Days: 1/2/21
Letter Sent: NA
120 Days: 2/28/21

ANALYSIS

1. Background

The applicant is proposing to re-subdivide the parcels as noted with frontage on both Stinson Parkway and Kenzie Terrace. The parcels are shown on the zoning map, with the lot lines adjusted to show the approved layout.



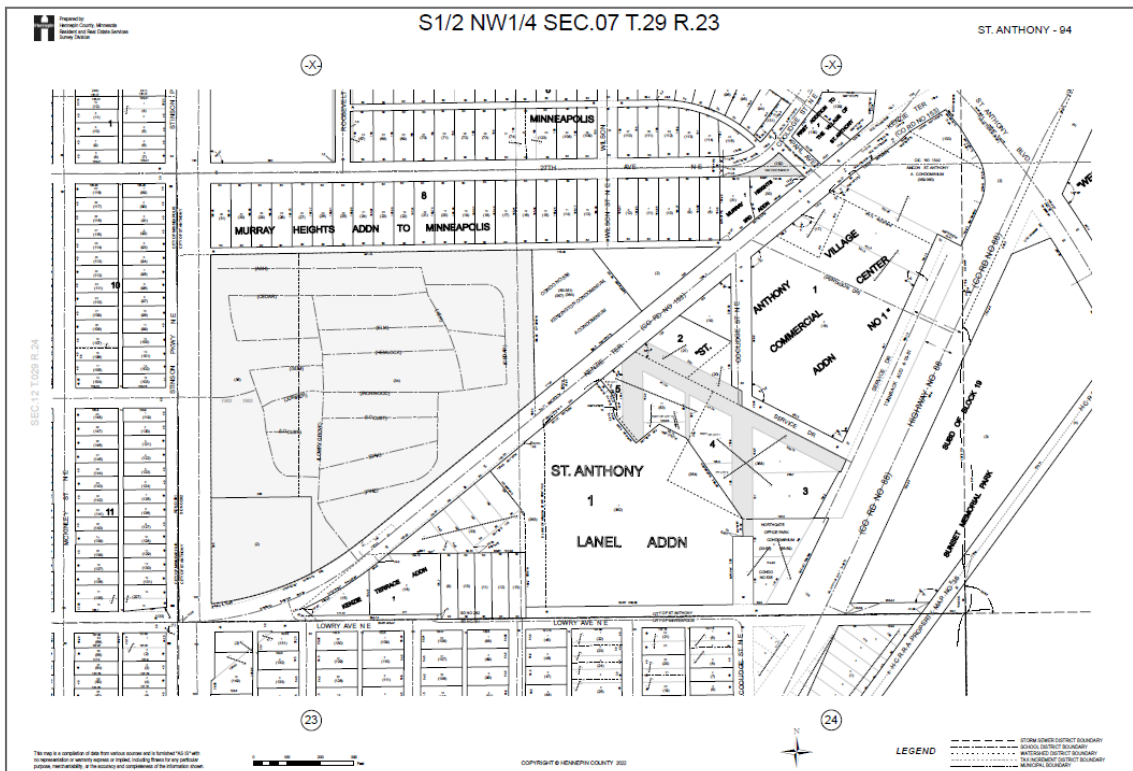
A. Subdivision

The Subdivision Ordinance provides for the following process:

§ 151.08 SUBDIVISION WITHOUT PLATTING. The City Council may waive compliance with the platting requirements of this subchapter and approve subdivision by conveyance of land by adoption of a resolution to that effect based upon findings by the City Council that: compliance with the platting requirements would create an unnecessary hardship or expense because of the nature of the subdivision, and failure to require the filing of a plat does not interfere with the purposes of this subchapter. The City Council may consider the number of parcels resulting from the subdivision, the complexity of the legal descriptions, the necessity for dedication of streets or drainage and utility easements, and the probability of future subdivision of the parcels.

Finally, the Subdivision Ordinance prohibits conveyance by metes and bounds description (an unplatted subdivision) when the lots are less than 2.5 acres and 150 feet in width. Both lots in this subdivision substantially exceed those thresholds.

As noted in the introduction, the County recording staff have indicated that the north-south boundary was a county mistake; the applicants have provided a copy of the County's revised half-section map shown the proper configuration:



2. Representative Codes Referenced.

Title XV Land Usage, Chapter 151.08 Subdivision Ordinance.

SUMMARY AND STAFF RECOMMENDATION

Subdivision. Staff recommends approval of the proposed subdivision, based on the following findings:

1. The proposed parcels exceed both zoning requirements and the minimum thresholds for consideration of subdivision without platting.
2. The parcels created will accommodate the proposed land uses allowed on the property under existing and/or future plans.
3. Platting is not necessary for these two parcels, and the process for platting would create an unnecessary procedural requirement for a minor subdivision as proposed.
4. The minor subdivision does not interfere with the purposes of the Subdivision Ordinance, the Zoning Ordinance, or other applicable regulations and plans.

City Council Action: Minor Subdivision

1. **Motion to approve the request for a subdivision for the subject property as shown on the proposed survey, based on the findings in this report, and subject to the conditions noted below:**
 - a. **County acceptance of the descriptions for recording, as submitted.**
 - b. **The Village, LLC, concurrently recombines the subdivided narrow strip described in the document entitled “Legal Description for Conveyance from SA Senior Living LLC to The Village LLC” to the principal Village parcel, and no more than 2 parcels remain once all actions have been recorded. No separate use or building rights are granted to the narrow strip created by this subdivision.**
 - c. **Continued cooperation with the City related to any final review of utility needs and impacts serving the proposed uses.**

Alternative motions:

2. Motion to deny the subdivision as requested. This recommendation would be based on findings to be noted by the City Council on the record.
3. Request Additional Information and Table Action, subject to the submission of additional information from staff and/or applicant.

ATTACHMENTS

- Exhibit A: Location map
- Exhibit B: Application and Supporting Material
- Exhibit C: Resolution