

**MEMORANDUM**

DATE: September 8, 2021

TO: Planning Commission Chair and Commissioners

FROM: Jessica Jagoe, Senior Planner

SUBJECT: Planning Case #21-023 – No Public Hearing Required
Applicant: City of Arden Hills
Request: Sale of City Owned Parcel at 3588 Ridgewood Road

Requested Action

The Planning Commission shall review and provide a recommendation whether a potential sale of the City owned parcel at 3588 Ridgewood Road would be in compliance with the City's Comprehensive Plan.

Background

Earlier this year, the City was contacted by two interested parties regarding purchasing the City owned parcel at 3588 Ridgewood Road (Attachments A & B). City Staff had several internal discussions about how the City acquired the lot and development logistics in adherence to city code requirements. City Staff was unable to obtain title information from the Ramsey County Recorder's Office document search for the subject parcel. Therefore, the City Attorney was directed to begin the process of a title search in order to obtain an Owners/Encumbrances Report. On August 6th, the City received the completed title report (Attachment C) which confirmed that the property came from State through County as part of turnback of the old Snelling Avenue corridor ROW. There are no deed restrictions prohibiting the City from selling this parcel. Ramsey County records show the value of the parcel at \$68,400.

The lot is considered a nonconforming lot. The R-1 District requires a 14,000 square foot lot with 95 ft. width and 130 ft. depth. This irregular shaped lot is about 13,500 square feet. The City Attorney has confirmed that a variance for the building of a structure on the lot would be required. At the August 16th City Council Work Session, the Council discussed whether or not there was interest in selling the parcel and directed Staff to proceed with the process for potential listing. Additionally, the Council discussed the options for processing of a variance. The consensus of the Council was that any future listing of the property would disclose to a potential Buyer that they would need to have the variance applied for and approved prior to the closing of the property, as part of the purchase agreement. This way the City has an opportunity to approve the concept of buildability as long as all yard setbacks and design standards are met. The Council did not grant approval of the variance or review potential site layouts. Those items will

be considered at a later date and would be up to the Future Buyer to provide documentation on site layout and code compliance.

Based off of the direction given by the Council, Staff is presenting this item to the Planning Commission for review of consistency with the City's Comprehensive Plan. The City has verified that the parcel is not dedicated for a public purpose that would prohibiting the sale (i.e. park land or public improvements). The parcel is not identified in the City's Comprehensive Plan as a site for future development to meet the needs of city infrastructure or operational activities. If the Commission recommends the disposal, Staff would begin the process of listing the property and allow a defined period of time for offers to be submitted.

Site Evaluation

The property at 3588 Ridgewood Road is zoned R-1, Single Family Residential. The 2040 Comprehensive Plan has this property guided towards LDR, Low Density Residential. The parcel is currently undeveloped and is expected to be sold for the development of a single-family residential dwelling which is permitted in this zoning district. No additional information is available at this time with regards to future plans for construction.

This is a nonconforming lot of record because the lot does not meet the minimum lot requirements in the R-1 zoning district. The parcel has an irregular shape with double road frontage along Ridgewood Road and Snelling Avenue North.

	Total Lot Area	Lot Width	Lot Depth
Zoning Code R-1 District	14,000 square feet	95 feet	130 feet
3588 Ridgewood Drive	13,500 square feet	Approx. 100 feet	Approx. 99 feet to 115 feet

As previously noted, the parcel would require a variance for development of the site. However, a Future Buyer would need to demonstrate that future construction of a dwelling meets all applicable city codes with regards to setbacks, FAR, lot coverage, etc. prior to closing of the property.

General Procedures

City Ordinance Chapter 2, Section 220.03 Subd.2.B for Planning Commission Powers and Duties states the following:

B. The Planning Commission shall review the proposed acquisitions and disposal of real property and proposed public improvements to real property and shall advise the City Council in writing whether such acquisitions, disposals, or improvements are in compliance with the City's Comprehensive Municipal Plan. Failure of the Planning Commission to report on the proposal within forty-five (45) days after referral by the City Council or within such other reasonable period as may be designated by the City Council shall be deemed to have satisfied this review requirement. The City Council may, by resolution adopted by an affirmative vote of four (4) Council Members, dispense with this review requirement if in its judgment the City Council determines that such proposal has no relationship to the City's Comprehensive Municipal Plan.

The review of the Planning Commission is further instructed in State Statute 462.356, Subd. 2 Procedure to Effect Plan: Generally which requires that, before a City acquire or dispose of any

interest in property that the Planning Commission review the proposed transaction for consistency with the comprehensive plan. Below is the language in its entirety from this subdivision:

Subd. 2. Compliance with plan.

After a comprehensive municipal plan or section thereof has been recommended by the planning agency and a copy filed with the governing body, no publicly owned interest in real property within the municipality shall be acquired or disposed of, nor shall any capital improvement be authorized by the municipality or special district or agency thereof or any other political subdivision having jurisdiction within the municipality until after the planning agency has reviewed the proposed acquisition, disposal, or capital improvement and reported in writing to the governing body or other special district or agency or political subdivision concerned, its findings as to compliance of the proposed acquisition, disposal or improvement with the comprehensive municipal plan. Failure of the planning agency to report on the proposal within 45 days after such a reference, or such other period as may be designated by the governing body shall be deemed to have satisfied the requirements of this subdivision. The governing body may, by resolution adopted by two-thirds vote dispense with the requirements of this subdivision when in its judgment it finds that the proposed acquisition or disposal of real property or capital improvement has no relationship to the comprehensive municipal plan.

The City Attorney has advised that a public hearing is not required for the disposal of city property. Notification was prepared in accordance with City policy and neighboring property owners were notified.

Additional Review

David Swearingen, Interim Public Works Director, has indicated that water and sewer service stubs do not exist for the property. The extension of services to the property must be connected at the City mainline located within the street which is more costly as a result. This is additional information that would be beneficial to include in the listing and would be at the expense of the Future Buyer to install.

Findings of Fact

The Planning Commission must make a finding as to whether or not the proposed disposal of real property is in compliance with the City's Comprehensive Plan based on the aforementioned factors. Staff offers the following findings for consideration:

General Findings:

1. The property at 3588 Ridgewood Road is located in the R-1, Single Family Residential Zoning District.
2. The Arden Hills 2040 Comprehensive Plan has the property guided toward Low Density Residential on the Future Land Use Plan.
3. The subject property is a nonconforming lot.
4. The development of the site for a single family residential dwelling is a permitted use within the R-1 Zoning District.
5. The adjacent properties are developed as single family residential and are zoned R-1 Single Family Residential and are guided Low Density Residential uses in the Arden Hills 2040 Comprehensive Plan.
6. The sale of the city owned parcel at 3588 Ridgewood Road is determined to be consistent with the City's Comprehensive Plan.

Options and Motion Language

Staff has provided the following options and motion language for this case.

- **Recommend Approval:** Motion to recommend *approval* of Planning Case 21-023 recommending that a potential sale of City owned property at 3588 Ridgewood Road would be consistent with the City's Comprehensive Plan as presented in the September 8, 2021 Report to the Planning Commission.
- **Recommend Denial:** Motion to recommend *denial* of Planning Case 21-023: *findings to deny should specifically reference the reasons for denial.*
- **Table:** Motion to table Planning Case 21-023: *the Planning Commission should identify a specific reason and/or information request should be included with a motion to table.*

Public Notices

A public hearing is not required for this review. Notice was published in the *Pioneer Press* on August 26, 2021. Notice was prepared by the City and mailed to property owners within 500 feet of the subject property. The City has not received any public comments regarding this case.

Attachments

- A. Location Map
- B. Location Map with Dimensions
- C. Title Search