

Memorandum

TO: City Council
FROM: Allison Eddins , Senior planner
DATE: April 21, 2025
SUBJECT: Preliminary Plat (Major Subdivision) - 4304 Victoria Street North - Harstad Hills, Inc.
ITEM NUMBER: 10.b
SECTION: GENERAL BUSINESS

REQUESTED MOTION

To approve the preliminary plat, submitted by Harstad Hills, Inc., to subdivide the property at 4304 Victoria Street North subject to the conditions listed below:

1. The preliminary plat approval is for the creation of 13 lots for detached residential development and the extension of the Brigadoon Drive right-of-way.
2. Final grading, drainage, erosion control, and tree inventory plans are subject to review and approval by the public works director prior to the approval of the final plat. Concerns identified by public works staff shall be addressed with the final plat submittal.
3. Final utility plans are subject to review and approval by the public works director.
4. Final street design is subject to review and approval by the public works director and the Lake Johanna Fire Marshal.
5. A subdivision agreement and erosion control agreement shall be finalized prior to the approval of the final plat.
6. A Public Recreation Use Dedication fee and/or land dedication, if appropriate, shall be submitted prior to the release of the final plat.
7. The developer shall secure a permit from the Ramsey Washington Metro Watershed District prior to commencing any grading on the property.
8. The developer shall work with city staff to study the feasibility of constructing a pedestrian/bike path to connect the proposed Brigadoon Drive cul-de-sac to the Victoria Street trail. A pedestrian/bike path shall be included in the final design plans if considered feasible by city staff.
9. This approval shall expire after one year if the plat has not been recorded with Ramsey County.

The recommendation of approval is based on the following findings of fact:

1. The proposed land use and subdivision are consistent with the goals and policies of the comprehensive plan.
2. The lots will comply with the minimum standards of the R1, Detached Residential zoning district.

INTRODUCTION

The applicant and property owner, Harstad Hills, Inc., has submitted a preliminary plat application for their property located at 4304 Victoria Street North, the former Papenheim

Victoria Valley Apple Orchard. Harstad Hills is proposing to subdivide the 5.4 acre property into 13 R1 lots for future detached single family homes.

The preliminary plat shows nine lots with frontage and access on the new portion of the Brigadoon Drive right-of-way, three lots with frontage and access on Victoria Street and one lot with frontage and access on Vivian Avenue.

The subdivision, as proposed, will require the applicant to plat and develop an extension of the Brigadoon Drive right-of-way. The applicant is proposing to extend the right-of-way approximately 275 feet and creating a cul-de-sac turnaround. The right-of-way currently dead ends without a turnaround.

The lots will be reviewed for compliance with the subdivision standards in [Section 105](#) and the zoning district standards in [Section 107](#). The new right-of-way will be reviewed for compliance with the local road standards in [Chapter 34](#) of the Shoreview Municipal Code and the requirements of the Lake Johanna Fire Department. The utilities and stormwater management will be reviewed for compliance with city standards in [Section 105](#). The stormwater management also requires the review and approval of the Ramsey Washington Metro Watershed District. Tree preservation will be reviewed for compliance with the environmental standards in [Chapter 115, Article III](#).

The proposed use of the lots, the design of the subdivision and the density of the development will be reviewed for compliance with the comprehensive plan. Agency comments are included in the discussion below. The full comments are included as an attachment to this report.

The planning commission held a public hearing to review the proposed subdivision on February 25, 2025. The commission unanimously voted to recommend approval of the preliminary plat with conditions.

DISCUSSION

Development Code Review

Zoning District Standards - The subject property and the surrounding neighborhood are zoned R1, Detached Residential. As shown in the table below, the new lots will meet the minimum dimensional requirements in [Section 107.67](#) for lot area, width, depth and right-of-way frontage. The definitions for these terms are found in [Section 101.2](#) and are described below.

- Lot area means the land area within the lot lines, excluding any street rights-of-way and easements for street rights-of-way.
- Lot width means the mean width of a lot measured at right angles to the mean depth.
- Lot depth means the mean horizontal distance between the front property line and the rear lot line. The greater frontage of a corner lot is its depth and its lesser frontage is the width.

Victoria Valley Orchard Subdivision	R1 Lot Area Minimum Requirement - 10,000 sf	R1 Lot Width Minimum Requirement - 75 ft	R1 Lot Depth Minimum Requirement - 125 ft.	Right-of-Way Frontage Minimum Requirement - 30 ft.
Lot 1	12,836 sf.	86.96 ft.	144.4 ft.	88.6 ft.
Lot 2	12,777 sf.	87.5 ft.	146 ft.	87.5 ft.
Lot 3	11,983 sf.	90 ft.	131 ft.	101.4 ft.
Lot 4	21,594 sf.	187 ft.	130 ft.	57.3 ft.
Lot 5	18,635 sf.	75 ft.	247 ft.	75.8 ft.
Lot 6	15,293 sf.	75 ft.	210 ft.	75 ft.
Lot 7	18,749 sf.	89.4 ft.	209.5 ft.	89.1 ft.
Lot 8	18,832 sf.	90 ft.	209.3 ft.	90 ft.
Lot 9	35,563 sf.	186 ft.	172 ft.	63.4 ft.
Lot 10	15,498 sf.	135 ft.	150.35 ft.	63.1 ft.
Lot 11	11,144 sf.	87.8 ft.	131.8 ft.	99 ft.
Lot 12	10,718 sf.	80 ft.	134 ft.	80 ft.
Lot 13	10,760 sf.	80.4 ft.	135 ft.	80 ft.

Subdivision Standards

Large Lot Subdivision - [Section 105.5](#) states that when a preliminary plat is proposing a lot with an area that is greater than 24,000 square feet or wider than 150 feet at the front setback line that plat shall show how the lot can be further subdivided at a later date.

The preliminary plat, and the table above, show that Lot 9 will be 35,563 square feet. Lot 9 also has a drainage and utility easement that is approximately 11,388 square feet. [Section 105.3](#) states that no land shall be subdivided that is held unsuitable by the city for reason of flooding, inadequate drainage, water supply or sewage treatment. The easement is intended to be large enough to handle water in a 100 year flood event therefore making this land unsuitable for future subdivision. For this reason, staff is not requiring the applicant to show how Lot 9 could be further subdivided.

Key Lots - [Section 105, Article IV](#) contains the city's subdivision standards for lot layout, easements, utilities and street design. The city's subdivision standards discourage the creation of key lots. These are defined as lots with a rear lot line that abuts the side lot line of an adjoining lot or with a side lot line abuts the rear lot line of an adjoining lot. The existing lot is a key lot with the side lot lines abutting the rear lot lines of 10 adjoining lots and the rear lot line abutting the side lot lines of two adjoining lots. The preliminary plat would create three key lots - Lots 4, 5 and 9. While these types of lots are discourage, they can be permitted provided the lots have at least 15 feet more depth or width than required under to zoning district standards in [Section 107](#). This is to ensure that each lot has enough buildable area while also maintaining enough area for adequate light, air and open space. The table above shows that Lots 4, 5 and 9 will provide the additional 15 feet required.

Each lot will have drainage and utility easements along the front, rear and side lot lines. Lots 5, 6, 7, 8 and 9 will have larger easements along their rear lot lines in order to accommodate the

sediment basin, filtration basin and the 100 year flood event drainage area. The Ramsey Washington Metro Watershed District has conditionally approved a watershed permit for this project.

Right of Way - The proposed right-of-way will be an extension of Brigadoon Drive, a city-owned local road. The right-of-way will be 50 feet wide with a roadway that will be 25 feet wide. These are the standard dimensional requirements for local roads. The cul-de-sac, when measured from the Highland Drive intersection, will be approximately 555 feet long. [Section 105.88](#) states that the maximum permitted length of a cul-de-sac is 500 feet. Where certain topographic features or other unusual circumstances dictate, special consideration may be given to accepting a longer cul-de-sac. City engineering staff believes that the topography of the site, with a steep slope in the middle dividing the site into eastern and western halves, does meet the special consideration to allow a longer cul-de-sac. The Fire Marshal has reviewed the proposal and does not have any concerns with the road design or length of the cul-de-sac.

Trail and Walkway Improvements - [Chapter 34 Section 28](#) states that the city may require construction of walkways or bikeways in compliance with the comprehensive plan which states that the city should evaluate development proposals and require trail and walkway improvements where appropriate in order to expand the city's trail network.

Victoria Street has a multi-use trail, considered a primary north-south local route, but Brigadoon Drive does not have any pedestrian and bikeway facilities. Due to the street network layout, if a resident wanted to walk or bike from the end of the new cul-de-sac to the Victoria Street trail they would have to travel half-a-mile down Brigadoon or Highland Drive and then to Heather Drive in order to get to the Victoria Street trail. City staff believes there may be an opportunity to connect the cul-de-sac bubble to Victoria Street by constructing a multi-use trail over the drainage and utility easement and/or the maintenance access easement.

If a trail were to be constructed with this development, it would be approximately 500 feet from the end of the cul-de-sac to Victoria Street, a much shorter route. The steep grade in the middle of the site may require trail pull-out areas to meet ADA requirements. The planning commission recommended a condition of approval that would require the applicant to continue to work with city staff to study the feasibility of a trail at this location.

Public Recreation Use Dedication - [Section 105, Article III](#) states that the city council, as part of the subdivision review, may require the developer to dedicate or convey to the city up to 10 percent of the total subdivision area for public recreation. Where land dedication is not desired or feasible, the city council may require a cash equivalent payment called a Public Recreation Use Dedication Fee. This payment amount is based on density.

The preliminary plat shows a density of 2.4 units per acre. Based on the table in [Section 105.63](#), the maximum fee amount that the city would charge is five percent of the fair market value. Fair market value is based on current market data or by obtaining an appraisal of the land. Cash payments received in lieu of land dedication are placed in a special fund and used only for the acquisition or development of land for parks, playgrounds, trails or open space or for the retirement of debt incurred for such purposes.

Tree Preservation - [Chapter 115, Article III](#) states that all private-sector development proposals that involve the construction of a public street require the submittal of a tree preservation plan and a tree replanting plan. The tree replacement requirement is one-to-one,

up to a maximum of 15 trees per acre, for any healthy trees in excess of four inches in diameter. The replacement threshold for boxelder, cottonwood and willow trees is 8 inches in diameter. Trees that are preserved on site can count toward the 15 trees per acre maximum replacement requirement. The 15 tree per acre maximum only applies to non-landmark trees. Landmark trees must be replaced at a six-to-one ratio.

The site has 367 apple trees that the applicant intends to remove along with 122 other trees of which 24 are landmark trees. Using the replacement ratio for non-landmark trees, the tree replacement requirement would be close to 465 trees. When the maximum replacement of 15 trees per acre is factored in, the non-landmark tree replacement is 81 trees (15 x 5.4 acres). Next, the number of trees that are being preserved are factored in. The applicant intends to preserve 57 trees on site however, 14 of those are ash trees. Due to the prevalence of Emerald Ash Borer, Shoreview would prefer that all ash trees are removed from the site. This brings the number of trees preserved on site to 43. When all of the code requirements are factored it appears that the non-landmark tree replacement for this project will be 38 trees.

The tree preservation plan that was submitted with the preliminary plat shows that 24 landmark trees will be removed. With a replacement ratio of six-to-one, the replacement requirement for landmark trees will be 138 trees.

Comprehensive Plan Review

Future Land Use Designation - The comprehensive plan designates the future land use for this lot to be Residential Low Density (RL). RL allows densities up to four units per acre. The preliminary plat indicates that this subdivision will be developed at 2.4 units per acre, well below the maximum density allowed. Areas that are undeveloped or under developed that are designated as RL are expected to develop in a similar pattern to that of the surrounding neighborhood. The 13 new lots will match the development pattern of the Brigadoon and Victoria Hills neighborhoods.

Chapter 4, Land Use - Chapter 4 contains the city's goals and policies to help guide development that will be responsive to the city's changing needs while still preserving our existing neighborhoods. A few of those goals and policies that are related to residential land uses are listed below.

- Encourage the redevelopment of under-utilized properties in a manner that increases the value to the community while mitigating impacts on surrounding land uses.
- Maintain and enhance the quality of all residential neighborhoods.
- Preserve the character of our residential neighborhoods.

Chapter 7, Housing - Chapter 7 contains the goals and policies to help guide development in our residential neighborhoods. Although Shoreview is mostly fully developed, the city will continue to grow through infill development. Forecasts from the Metropolitan Council estimate that 1,298 additional housing units will be constructed in Shoreview by 2040. The comprehensive plan recognizes that infill development can be challenging when trying to balance growth with preserving and enhancing the character of existing neighborhoods. The goals and policies in Chapter 7 are meant to help strike this balance and a few of those goals and policies are listed below.

- Maintain the quality of life in our neighborhoods by encouraging reinvestment, preserving neighborhood assets and fostering a safe and healthy environment.
- Provide housing opportunities through infill and redevelopment that is sensitive to the surrounding environment, complements existing land uses and meets community needs.

- Support the redevelopment of under-utilized property for residential and mixed use to increase housing opportunities.
- Recognize existing residential development patterns and neighborhood character when considering infill and redevelopment projects that are near or adjacent to established neighborhoods.

This site started as an apple orchard over 50 years ago. The uniqueness of having a working apple orchard within a nearly fully built-out community was something many Shoreview residents enjoyed. The orchard has been closed for almost two years and the family sold the land to Harstad Hills. The subdivision layout and the proposed residential use will preserve the character of the surrounding neighborhood while providing the community much needed new housing.

PUBLIC COMMENT

A public notice was published in the February 11, 2025 edition of the Shoreview Press. Notices were also mailed to each property owner within 350 feet of the development site. Staff has received three written comments. None of the respondents have stated that they are opposed to the project. There is concern regarding the site lines along the curve of the Victoria Street roadway and the lack of a through street connecting Brigadoon Drive to Victoria Street. One resident asked if the city had considered saving the old Apple House Barn. City staff will connect the Shoreview Historical Society with Harstad Hills, Inc.

A third neighbor expressed concern over the proposed relocation of the retaining wall along Victoria. The new location would be much closer to four trees along his property line and would likely require the removal of those trees. The applicant has submitted a revised retaining wall plan that will likely only require the removal of one tree.

During the public hearing, a number of residents spoke. There was general concern about construction traffic especially during outdoor neighborhood events, like Fourth of July and Night to Unite. Staff explained that construction traffic restrictions that are intended to preserve the health and safety of the nearby residents will be part of the development agreements that the city and the applicant will enter into prior to the city endorsing the final plat. The applicant stated that he is open to this and would even provide the neighbors with his personal phone number so that they could report any violations directly to him.

PLANNING COMMISSION COMMENTS

The planning commission held a public hearing on February 25, 2025 and unanimously voted to recommend approval of the preliminary plat with the added condition that the applicant continue to work with staff to study the feasibility of a pedestrian/bike trail connecting to Victoria Street. Commissioners did acknowledge that topography may present some challenges for the trail construction. Commissioners also stated that they would like to see the city explore installing a cross walk over Victoria Street, if a trail connecting Brigadoon and Victoria Street is approved.

BIKEWAYS AND TRAILS COMMITTEE COMMENTS

The Bike and Trail Committee reviewed the preliminary plat at their March 6, 2025 and April 3, 2025 meetings. The committee acknowledged the site characteristics that may make this location less than ideal for a trail including the site's topography and the vehicle sight distance constraints along Victoria. The committee would still encourage the city and the developer to thoroughly explore other options to build a trail or find other ways to improve safety and

convenience for residents in the neighborhood wanting to access city trails. The committee appreciated the opportunity to review and provide feedback on this development.

RECOMMENDATION

The preliminary plat that has been submitted by Harstad Hills, Inc. is found to be compliant with the requirements of the city's development code and the goals and policies of the comprehensive plat. Staff is recommending that the city council approves the preliminary plat, submitted by Harstad Hills, Inc., to subdivide the property at 4304 Victoria Street North subject to the conditions listed below:

1. The preliminary plat approval is for the creation of 13 lots for detached residential development and the extension of the Brigadoon Drive right-of-way.
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9. This approval shall expire after one year if the plat has not been recorded with Ramsey County.

The recommendation of approval is based on the following findings of fact:

1. The proposed land use and subdivision are consistent with the goals and policies of the comprehensive plan.
2. The parcels will comply with the minimum standards of the R1, Detached Residential zoning district.

ATTACHMENTS

[Location Map](#)

[Preliminary Plat and Updated Surveys](#)

[Agency Comments](#)

[Combined Public Comments](#)

[Bikeways and Trails Committee March Minutes](#)