Memorandum

TO:	City Council
FROM:	Will Harris , Associate Planner
DATE:	March 16, 2026
SUBJECT:	Minor Subdivision - 760 Heather Dr, Todd Hinz, Summit Design Build LLC
ITEM NUMBER:	8.d
SECTION:	CONSENT AGENDA

REQUESTED MOTION

To approve the minor subdivision and development agreements for Todd Hinz to allow him to divide the property at 760 Heather Drive into two parcels, subject to the following conditions:

1. The minor subdivision shall be in accordance with the plans submitted.
2. For Parcel B, a Public Recreation Use Dedication fee as required by Chapter 105, Article III of the Development Regulations, before a building permit is issued for a new home on the property. The fee will be 4% of the fair market value of the property, with credit given to Parcel A for the existing home.
3. Public drainage and utility easements shall be dedicated to the City as required by the Public Works Director. The applicant shall be responsible for providing legal descriptions for all required easements. Easements shall be conveyed before the City will endorse deeds for recording.
4. The existing single family home and detached garage shall be demolished before the City will endorse deeds for recording.
5. Municipal water and sanitary sewer service shall be provided to Parcel A and B as reflected in the City Engineer's comments, as well as curb and gutter with associated permit fees and escrows.
6. The applicants shall enter into a Subdivision Agreement with the City. This agreement shall be reviewed by the city attorney and executed prior to the City's release of the deeds for recording. A Development Agreement will also be required for the construction of new homes on Parcel A and B.
7. A permit or approval from Ramsey-Washington Watershed is required prior to issuing a building permit.
8. A tree survey and replacement plan shall be submitted prior to issuance of a building permit (including the demolition permit). The approved plan shall be implemented prior to the commencement of work on the property and maintained during the period of construction. Trees that are to remain shall be protected, including wood chips and protective fencing at the drip line of the retained trees.
9. A grading, drainage, and erosion control plan shall be submitted with the building permit application and implemented during the construction of the new residence. This plan shall be completed by a Minnesota licensed civil engineer.
10. This approval shall expire after one year if the subdivision has not been recorded with Ramsey County.

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

1. The proposed land use is consistent with the policies of the Comprehensive Plan.
2. The proposed subdivision is supported in the policies of the Comprehensive Plan by providing additional housing opportunities in the city.
3. The parcels will comply with the minimum standards of the R1, Detached Residential zoning district.

INTRODUCTION

Todd Hinz, with Summit Design Build LLC, submitted a minor subdivision application to divide the property at 760 Heather Dr into two parcels. The existing home and detached garage will be demolished for future plans to construct two new single-family homes on each of the newly created parcels.

DISCUSSION

Site Characteristics

The property is located on the west side of Heather Dr, off Victoria St, and is zoned R1, Detached Residential, as are the adjoining properties to the north, west, and south.

The property is under 1 acre in size at 25,500 sf., with a width of 150 feet and a depth of 170 feet on both sides. A single-family home was built on the property in 1950 with a detached garage. This home's current location would be bisected by the lot split, while the detached garage would be located entirely on Parcel B.

Vegetation on the property includes a mixture of open lawn area and trees. The topography changes very little on the property; it seems slightly higher at the house and gradually slopes down to the rear property line on Parcel A.

Project Description

The applicant is proposing to divide the property into two parcels. In the future, he plans to create single-family homes on each of the new parcels. The existing home and detached garage will be demolished before the City will endorse deeds for recording, as the home is located on the new property line. Future homes will be required to comply with the standards of the R1 zoning district.

Development Ordinance Requirements

Minor subdivisions require review by the Planning Commission and approval by the City Council. Minor subdivisions must be reviewed in accordance with subdivision and zoning district standards in the Development Regulations.

The City's subdivision standards (Chapter 105) require all lots to front on a publicly dedicated right-of-way. Municipal sanitary sewer must also be provided to the new lot. These standards also require 5-foot public drainage and 10-foot utility easements along property lines where necessary. Public drainage and utility easements are also required over infrastructure, watercourses, drainages or floodways.

The property is zoned R1, Detached Residential, as are the adjacent properties. In this district, lot standards (Sec. 107-67(e)) require a minimum lot area of 10,000 square feet, a width of 75 feet, and a depth of 125 feet. Minimum structure setbacks for a dwelling are 25-40 feet from a front, 30 feet from a rear property line, and 10 feet from an interior side lot line. A 5-foot minimum side yard is required for accessory buildings, including detached garages.

The existing parcel is defined as a key lot under Section 101-2 because the rear lot line abuts the side lot line of the property to the south of 4136 Victoria St. If subdivided, both of the new parcels would also be key lots and therefore subject to some additional regulations. While key lots are considered discouraged by code, they are permitted provided the lot is at least 15 feet more in depth or width than required for the zoning district to ensure there is sufficient buildable area on the parcel (Sec. 105-87 (9)). With a depth of 170' for both lots, both parcels will exceed this threshold. Key lots are also prevalent in the surrounding neighborhoods and would therefore not be uncommon.

Applicant Statement

The applicant states that they have purchased the property at 760 Heather Avenue with the intent to remove the existing structures and construct 2 new single-family residences in their place. The topography will be minimally affected as the grade already drops towards the large rear part of the property. Grading plans will be proposed as part of the new home plan review. Tree removal will be minimal, with only the choice of either the 32" elm tree at the street or the 24" oak tree in the building path. All tree replacement guidelines would be followed as part of the new home plan review.

STAFF REVIEW

Minor Subdivision

The applicant is proposing to remove the existing structures and divide the property into two parcels, with both Parcels A and B being for future single-family residential development. As shown below, the proposed parcels both exceed the minimum R1 District lot requirements.

Requirements	Parcel A	Parcel B
Area: 10,000 sf	12,750 sf	12,750 sf
Width: 75 feet	75 feet	75 feet
Depth (Key Lot): 140 feet	170 feet	170 feet

Both properties comply with the minimum lot standards and have sufficient buildable area for a new home when the minimum structure setbacks are applied. Even including the key lot restrictions to the rear yards, both properties' depths exceed the minimum depth requirements by 30 feet.

Watermain and sanitary sewer main and service depictions do not match the city's as-built records, therefore the applicant will need to verify their locations prior to approval of water and sewer permits. The existing driveway on Parcel B exceeds the 40% maximum allowed by City code. Therefore, the concrete curb and gutter on Heather Dr will need to be modified for Parcel B to bring the driveway approach into compliance, and concrete curb and gutter will need to be removed and a new driveway approach will need to be installed for Parcel A.

Escrows and associated permit fees will be required prior to the installation of the new driveways. The standard drainage and utility easements along the property lines will be required.

Tree removal, replacement, and protection will be addressed in the building permit reviews for the new homes.
A grading and drainage plan will need to be submitted with the building permit application.

Heather Dr has a paved width of 30 feet, which is in line with the city's standard road width of 28 to 30'. The City does not have specific capacity guidelines for local roadways, although there are capacity guidelines for roads that serve a higher purpose. Generally, local road capacity is based on the development potential of the area. Local roads are designed to accommodate traffic generated by low-density residential development. Single-family residential generates between 8 and 10 vehicle trips per day. The level of service on the roadway will not be reduced as a result of the subdivision.

Public and Agency Comment
Property owners within 350 feet were notified of the applicant's minor subdivision request. At the time the staff report was written, staff had not received any comments.

Planning Commission
The planning commission reviewed this application for the minor subdivision of 760 Heather Dr at the meeting on February 24th, 2026, where they also took public testimony.

Two residents came forward with public comments and questions regarding housing sizing and compatibility with the surrounding neighborhood, questions about tree removal on the site, and concerns about construction traffic and noise.

The commission recommended unanimously that the City Council approve the minor subdivision with a 6 to 0 vote.

RECOMMENDATION

Staff has reviewed the application request in accordance with the Comprehensive Plan policies and the Development Code regulations. After review, staff found it to be in compliance with these standards. Therefore, staff recommends the planning commission recommend approval of the minor subdivision for Todd Hinz to divide the property at 760 Heather Dr into two parcels, subject to the following conditions:

1. The minor subdivision shall be in accordance with the plans submitted.
2. For Parcel B, a Public Recreation Use Dedication fee as required by Chapter 105, Article III of the Development Regulations, before a building permit is issued for a new home on the property. The fee will be 4% of the fair market value of the property, with credit given to Parcel A for the existing home.
3. Public drainage and utility easements shall be dedicated to the City as required by the Public Works Director. The applicant shall be responsible for providing legal descriptions for all required easements. Easements shall be conveyed before the City will endorse deeds for recording.
4. The existing single family home and detached garage shall be demolished before the City will endorse deeds for recording.

5. Municipal water and sanitary sewer service shall be provided to Parcel A and B as reflected in the City Engineer's comments, as well as curb and gutter with associated permit fees and escrows.
6. The applicants shall enter into a Subdivision Agreement with the City. This agreement shall be reviewed by the city attorney and executed prior to the City's release of the deeds for recording. A Development Agreement will also be required for the construction of new homes on Parcel A and B.
7. A permit or approval from Ramsey-Washington Watershed is required prior to issuing a building permit.
8. A tree survey and replacement plan shall be submitted prior to issuance of a building permit (including the demolition permit). The approved plan shall be implemented prior to the commencement of work on the property and maintained during the period of construction. Trees that are to remain shall be protected including wood chips and protective fencing at the drip line of the retained trees.
9. A grading, drainage, and erosion control plan shall be submitted with the building permit application and implemented during the construction of the new residence. This plan shall be completed by a Minnesota licensed civil engineer.
10. This approval shall expire after one year if the subdivision has not been recorded with Ramsey County.

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

1. The proposed land use is consistent with the policies of the Comprehensive Plan.
2. The proposed subdivision is supported in the policies of the Comprehensive Plan by providing additional housing opportunity in the city.
3. The parcels will comply with the minimum standards of the R1, Detached Residential zoning district.

ATTACHMENTS

Location Map - 760 Heather Dr
760 Heather Ave - Statement
Proposed Subdivision Survey
DRAFT - Subdivision Agreement