



9/27/2011 - Postponed 2 cycles

Request for City Council Committee Action From the Department of Public Works

Date: September 27, 2011
To: Honorable Sandra Colvin Roy, Chair Transportation & Public Works Committee
Subject: Inglewood Addition Development Agreement

Recommendation:

- a) Authorize and direct the proper City Officers to negotiate a proposed development agreement with Inglewood Development Co., LLC for requested public roadway and utility improvements.
- b) Direct the City Engineer to prepare a report outlining relevant facts related to the requested improvements.
- c) Direct the City Engineer to return to City Council for final approval of the proposed development agreement with Inglewood Development Co., LLC.

Previous Directives:

- July 11, 2003 - Resolution 2003R-303, providing endorsement for the Hennepin County Department of Environmental Services to award a grant of \$10,000 to the Minnesota Environmental Initiative for an environmental assessment of the Anwatin Woods site.

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Don Elwood, PE, Director of Transp. Planning and Engineering, 673-3622

Approved by:

Steven A. Kotke, P.E., City Engineer, Director of Public Works

Presenters: Paul Miller, Project Manager
Department of Public Works, Transportation Planning & Engineering Division

Reviews

Permanent Review Committee (PRC):	Approval	NA	Date
Civil Rights Affirmative Action Plan	Approval	NA	Date
Policy Review Group (PRG):	Approval	NA	Date

Financial Impact

Action is within current department budget

Community Impact

Neighborhood Notification: Pending authorization of this Request for Council Action, the Owner/Developer has been directed to attend and present to an upcoming Bryn Mawr Neighborhood Association Meeting.

City Goals: The city's infrastructure will be well-maintained, people will feel safe in the city.

Comprehensive Plan: Consistent

Zoning Code: Consistent

Background/Supporting Information

A landowner (Frank Stucky) and developer (Inglewood Development Co., LLC) have informally approached City staff with a proposal to build single family homes on platted, vacant lots in the Bryn Mawr neighborhood. The platted area is identified as Inglewood Addition (also known as Anwatin Woods) and is located on the west side of Minneapolis immediately adjacent to Theodore Wirth Park and the City of Golden Valley. The lots in question are located adjacent to city streets which were dedicated on the applicable plat, but were never opened or improved. In addition, the vacant lots are currently not served by municipal utilities.

The Owner/Developer wishes to begin discussions with Public Works staff concerning the possibility of constructing roadways and related utilities on the unimproved portions of the platted, dead end streets specifically located at Xerxes Avenue South and Vincent Avenue South, south of Chestnut Avenue West. Currently, limited street and utility improvements exist on both Xerxes and Vincent but stop short of the lots; as such the lots are landlocked and not adjacent to a passable roadway system. The Owner of the lots has requested that the City open the unimproved portions of Xerxes and Vincent, so as to allow for the development of new homes on the currently vacant lots.

In discussions with the City Attorney's office, it has been determined that the following apply to this situation:

- 1) The City is generally obligated to allow new development of platted land if the property is platted and zoned appropriately for the proposed use.
- 2) The City is not obligated to improve the currently unopened, platted streets.
- 3) An owner of property that is adjacent to a dedicated, unopened street has a legal right to develop that street for personal use that is consistent with the location's zoning. However, the owner would still be obligated to follow the appropriate planning and zoning processes, obtain planning and zoning approvals, obtain the required permits, abide by all applicable ordinances, provide improvements based on applicable City standards and specifications for roadway and utility design and construction, and bear all costs associated with said improvements.

Therefore, for the purposes of pursuing further the request by Inglewood Development Co., LLC to open the platted streets of Xerxes Ave. S. and Vincent Ave. S. and to insure that the roadway and related utility design and construction is completed in accordance with the appropriate City standards and specifications, we are requesting the proper City Officials to grant authorization for the City Engineer to do the following:

- a) Negotiate a proposed development agreement with Inglewood Development Co., LLC for the requested public roadway and utility improvements.

and;

- b) Prepare a report which outlines the following facts: identification of all applicable permits, processes, ordinances, and standards related to Public Works and Planning & Zoning for single family home development; the estimated cost of maintaining the improved roadways and related utilities; the estimated cost to construct the roadways and related utilities; documentation that confirms that the Owner/Developer is willing to bear the costs of such improvements; the proposed prospect for developing the currently vacant lots; estimated tax revenues to be derived from the developed lots vs. vacant lots; the ability of the roads to bear emergency vehicle access; the wishes of the neighboring landowners with respect to the opening of the roads and the development of the lots; identification of relative hardships, if any, caused by not opening the roads vs. relative hardships, if any, caused by opening the roads.

and;

- c) Return to City Council for final approval of the proposed development agreement with Inglewood Development Co., LLC.

Upon completion of a successful development agreement, Inglewood Development Co., LLC would also need to obtain all the applicable permits and abide by all applicable ordinances and standards related to single family home development.

Proposed Single Family Homes

