

City of Hastings

Park and Recreation Commission Memorandum

To: Park and Recreation Commission
From: John Hinzman, Community Development Director
Date: September 10, 2013
Item: Park Dedication Variance – Extreme Sandbox

Commission Action Requested

The Park and Recreation Commission is asked to review a variance request to City Code Chapter 154.07 Park Dedication – Commercial Property for Extreme Sandbox located at 1900 Glendale Road.

Background

Extreme Sandbox seeks approval to subdivide a 10.1 acre parcel from a 26.1 acre property owned by William Holst generally located southeast of Ravenna Trail and Glendale Road. Extreme Sandbox plans to construct a permanent building for the operation of their existing business.

Park Dedication Requirements – Minor Subdivisions

City Code Chapter 154.07 establishes public land dedication requirements for subdivision of land. Minor subdivision of property require payment of park dedication in lieu of physical land dedication. The ordinance requires commercial properties to pay \$1,500 per acre in park dedication fees, resulting in a total fee of \$15,150 for the 10.1 acre parcel.

Variance Requirements

Chapter 154.08(C) of the City Code establishes the following criteria for granting variances to the Subdivision Code. Specific requirements are in **bold**, staff review is in *italics*

- **The shape of the property or physical surroundings present a practical difficulty.** *The property is larger than most commercial lots, but is valued at a substantially lower level based upon the Agricultural Zoning and lack of urban services such as city water and sewer.*
- **The conditions are unique to the tract of land and not generally applicable to other properties with similar zoning.** *Limited commercial uses are allowed within the Agriculture District; the lack of urban services is prohibitive to most commercial development. The subdivision of land zoned Agriculture for commercial use is rare, and has not occurred in at least the last twenty years.*

- **The purpose of the variance is not exclusively based upon the desire to increase value or potential income.** *The request is not exclusively based on desire to increase income.*
- **Granting the variance will not be detrimental to other lands in the vicinity.** *It does not appear that granting the variance will be detrimental.*
- **Granting the variance will not impare the supply of light or air.** *Not applicable.*
- **The variance is in harmony with the purpose and intent of the ordinance.** *The required dedication is 45% of the land value (\$35,350) of the property, substantially greater than the generally accepted 10% rate for park dedication.*
- **The variance is consistent with the Comprehensive Plan.** *The variance is consistent with the Comprehensive Plan. Funds for future park development will be provided at rates comparable to the values of other properties.*
- **There are practical difficulties in complying with the ordinance.** *The required dedication is 45% of the land value (\$35,350) of the property, substantially greater than the generally accepted 10% rate for park dedication.*

RECOMMENDATION

Approval of the variance is recommended based upon the above review. Payment of park dedication in the amount of \$3,500 (10% of the \$35,350 total land value) is recommended.

Attachments

- Location Map

