

**CITY OF HAMBURG
NOTICE OF SPECIAL MEETING
MINOR SUBDIVISION**

Notice is Hereby Given that the Hamburg City Council will hold a Special Meeting on November 21, 2023, at 7:00 p.m. at the Hamburg City Hall at 181 Broadway Ave., Hamburg, MN.

The reason for the special meeting is to consider a Minor Subdivision for two properties in the northwest quarter of Township 115, Range 026, Section 28. The PIDs are 45.0282010 and 45.0282500. The city-initiated minor subdivision will result in two parcels with updated boundaries.

If you have any questions or concerns about this meeting feel free to attend the meeting, call the City Offices at (952) 467-3232 or write in advance to the City of Hamburg, 181 Broadway Ave., Hamburg, MN 55339.

Jeremy Gruenhagen
City Clerk-Treasurer



MEMORANDUM

DATE: November 21, 2023

TO: Honorable Mayor and City Council Members
Jeremy Gruenhagen, City Administrator

FROM: Corrin Bemis, AICP, Consultant Planner

SUBJECT: **Minor Subdivision Request – Public Hearing Required**

Council Should Consider the Following:

Motion to adopt Resolution 2023-11 approving a minor subdivision for two properties in the northwest quarter of Township 115, Range 026, Section 28. The PIDs are 45.0282010 and 45.0282500. The city-initiated minor subdivision will result in two parcels with updated boundaries. The City Council is being asked to determine if the minor subdivision should be approved. The evaluation of the proposal should be based on Chapter 160B – Subdivision Ordinance of the Hamburg City Code.

Background

The City of Hamburg is initiating a minor subdivision to create two new parcels from the existing parcels #45.0282010 and #45.0282500 within Township 115, Range 026, Section 28. The subject properties are located in the A-1 Restricted Agricultural District (#45.0282010) and the B Business District (#45.0282500). Parcel #45.0282010 is guided for Park, Recreation, or Preserve in the Land Use chapter of the Hamburg 2040 Comprehensive Plan. Parcels #45.0282500 is guided for Mixed Use.

Plan Review

The city-initiated minor subdivision will result in two parcels with updated boundaries. The Hamburg Zoning Code requires that the minimum lot size should be no smaller than 5,000 square feet, and each of the proposed new parcels would meet this requirement. The proposed new parcels also meet the lot width requirement of at least 40 feet and the length requirement of at least three times the lot width as specified in the Hamburg Zoning Code. While Carver County considers parcel #45.0282500 to be residential vacant, there is an existing structure on the parcel that appears to be a commercial use. The structure meets all requirements of the Business Zoning District. All structures on these two parcels would not be impacted by the proposed minor subdivision. There is also an existing parking lot crossing over property lines between parcels #45.0282500 and #45.0282010.

Subdivision Review

The City Council may grant a minor subdivision in instances where the enactment of a minor subdivision would abide by regulations laid out in the Hamburg Subdivision Ordinance. These regulations provide for and guide orderly, economic, and safe development and redevelopment of land and are in place to avoid piecemeal and inefficient planning efforts, as stated in Chapter 160B, Section B, items A through H. The Hamburg Subdivision Ordinance also states that the City Council serves as the platting authority in accordance with Minnesota State Statutes 462.358 and 505. Proposed minor subdivisions should be consistent with the spirit and intent of the Zoning Ordinance.

Zoning Review

Currently, the subject properties are located in the A-1 Restricted Agricultural District (#45.0282010) and the B Business District (#45.0282500). The proposed subdivision would result in two zoning classifications for the proposed Tract 1—A-1 Restricted Agricultural District and B Business District. Tract 2 would be classified as A-1 Restricted Agricultural District. While a split-zoning is not prohibited by the Hamburg Zoning Code, staff recommends a future rezoning action to one classify Tract 1 as one zoning district. The reason for this rezoning shall be to improve the city's ability to administer the requirements of the zoning code. Staff recommends classifying proposed Tract 1 as B Business District and proposed Tract 2 as A-1 Restricted Agricultural District.

Findings of Fact

The City Council must make a finding as to whether the proposed subdivision would adversely affect the surrounding neighborhood or the greater community, based on the aforementioned factors. Staff offers the following findings for consideration:

1. The subject properties are located in the A-1 Restricted Agricultural District (#45.0282010) and the B Business District (#45.0282500).
2. Parcel #45.0282010 is guided for Park, Recreation, or Preserve in the Land Use chapter of the Hamburg 2040 Comprehensive Plan. Parcel #45.0282500 is guided for Mixed Use.
3. The City of Hamburg is initiating the process for a minor subdivision to create two new parcels with updated property lines from parcels #45.0282010 and #45.0282500.
4. The proposed subdivision would result in two zoning classifications, A-1 Restricted Agricultural District and B Business District, for proposed Tract 1.
5. There is one existing structure within the study area on parcel #45.0282500 (Tract 1).
6. There is an existing parking lot that extends from parcel #45.0282500 into parcel #45.0282010.
7. The proposed minor subdivision does not require a variance from the Hamburg Zoning Code.
8. The proposed minor subdivision will not be detrimental to the public welfare or injurious to adjacent tracts in the area in which the subdivision tract is located.
9. Subdivisions are only permitted when they are in harmony with the general purposes and intent of the zoning ordinance.
10. The proposed subdivision would not alter the essential character of the neighborhood because the subject properties would be consistent and compatible with the neighborhood.
11. The findings of fact above related to the proposed subject properties.

Notice and Public Comments

Notice was published in the newspaper on November 9, 2023. Consultant Staff has not received any letters, e-mails, or telephone calls from property owners or residents regarding this planning case. A public hearing for the proposed minor subdivision is being held at the City Council meeting on November 21, 2023.

Council shall Consider

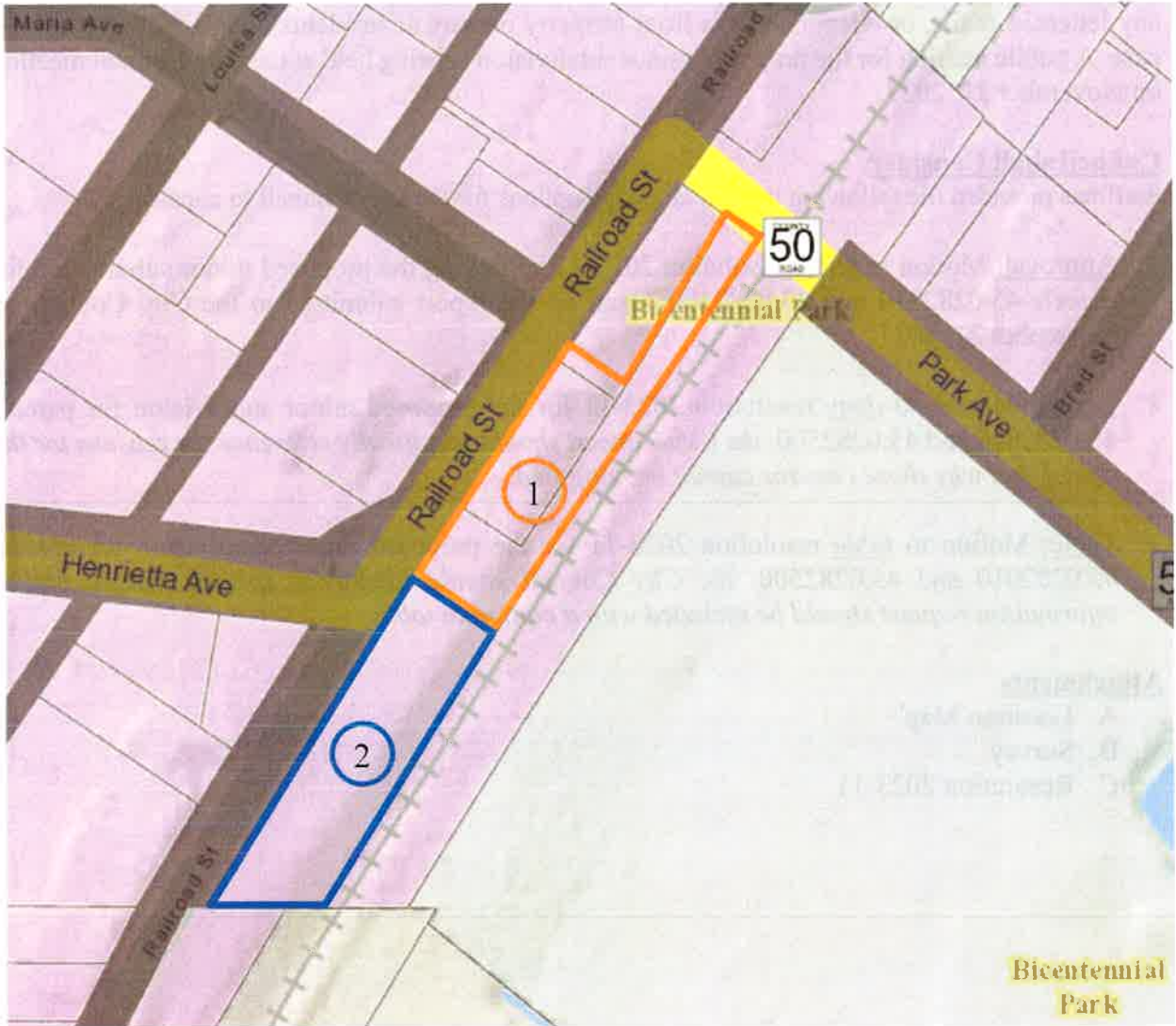
Staff has provided the following motion language options for the City Council to consider.

1. Approval: Motion to adopt resolution 2023-11 approving the proposed minor subdivision for parcels 45.0282010 and 45.0282500 based on the report submitted to the City Council on November 21, 2023.
2. Denial: Motion to *deny* resolution 2023-11 for the proposed minor subdivision for parcels 45.0282010 and 45.0282500: *the City Council should specifically reference the reasons for the denial and why those reasons cannot be mitigated.*
3. Table: Motion to *table* resolution 2023-11 for the proposed minor subdivision for parcels 45.0282010 and 45.0282500: *the City Council should identify a specific reason and/or information request should be included with a motion to table.*

Attachments

- A. Location Map
- B. Survey
- C. Resolution 2023-11

Attachment A – Location Map



CITY OF HAMBURG, MINNESOTA

RESOLUTION NUMBER 2023-11

A RESOLUTION APPROVING A MINOR SUBDIVISION FOR PARCELS 45.0282010 AND 45.0282500 WITHIN THE CITY OF HAMBURG

WHEREAS, the City of Hamburg initiated the process of a minor subdivision of parcels 45.0282010 and 45.0282500 within Township 115, Range 026, Section 28, and

WHEREAS, the City of Hamburg is proposing to move the property lines on the two subject parcels, and

WHEREAS, the Zoning Ordinance provides guidance to the City of Hamburg, and

WHEREAS, the subject properties are located in the A-1 Restricted Agricultural Zoning District (#45. 0282010) and the B Business Zoning District (#45.0282500), and

WHEREAS, parcel #45.0282010 is guided for Park, Recreation, or Preserve in the Land Use chapter of the Hamburg 2040 Comprehensive Plan. Parcel #45.0282500 is guided for Mixed Use, and

WHEREAS, the proposed minor subdivision would result in Tract 1 being zoned as A-1 Restricted Agricultural and B Business. Tract 2 would be zoned as A-1 Restricted Agricultural, and

WHEREAS, guidelines for minor subdivisions are outlined in Chapter 160B, Section B, items A through H in The Hamburg Zoning Code, and

WHEREAS, the Hamburg City Council serves as the platting authority as outlined in Minnesota State Statutes 462.358 and 505, and

WHEREAS, the proposed minor subdivision is in line with the City of Hamburg 2040 Comprehensive Plan and Hamburg Zoning Code, and

WHEREAS, the City of Hamburg has scheduled a public hearing, and notice of the proposed minor subdivision was published in the newspaper on November 9, 2023.

THEREFORE, BE IT RESOLVED, that the City Council of the City of Hamburg hereby adopts Resolution 2023-11 approving the proposed minor subdivision for parcels 45.0282010 and 45.0282500 within Township 115, Range 026, Section 28.

“The City of Hamburg is an Equal Opportunity Employer and Provider.”



I CERTIFY THAT the above resolution was adopted by the City Council of Hamburg, Carver County, Minnesota this 21st day of November 2023.

Chris Lund, Mayor

ATTEST:

Jeremy Gruenhagen, City Clerk/Treasurer

“The City of Hamburg is an Equal Opportunity Employer and Provider.”

