

STAFF REPORT



A-2011-21
Registered Land Survey, Comprehensive Plan Land Use Map
Amendment, and Rezoning
A portion of 1 ATK Way
Church of St. Stephen's
December 6, 2011

BACKGROUND INFORMATION

The Church of St. Stephen's is requesting a registered land survey (RLS), comprehensive plan amendment, and rezoning for approximately 40,117 square feet of land generally located west of the Calvary Cemetery on the property at 1 ATK Way. A RLS is required to subdivide the tract of land that St. Stephen's is looking to purchase. The land purchased would be used for long term expansion of Calvary Cemetery. A rezoning to R-1 Single Family Residential is being requested as cemetery use is a permitted use in this district. A comprehensive plan land use map amendment to Institutional is being requested for consistency with the future land use.

The property is currently owned by Austin Grove, LLC. The property to be subdivided and sold to St. Stephen's is currently greenspace in front of the building. This request does not affect anything related to the continued use of the Austin Grove, LLC property/building by Alliant Techsystems (ATK).

Included for your review: Site location map, Registered Land Survey sketch, and existing zoning map.

REGISTERED LAND SURVEY

A registered land survey is a subdivision of land done to simplify a complicated metes and bounds description. The land descriptions result in a tract or tracts. The subdivision will result in a new 40,117 square foot parcel. The RLS identifies Tract A and Tract B. Tract A will contain the ATK building and parking lot. The zoning and comprehensive plan designation will remain the same for this Tract. Tract B would be purchased by St. Stephen's and be used for long term cemetery expansion. Tract B is subject to the proposed rezoning and comprehensive plan amendment. An existing utility easement along the east property line of Tract B will remain. The city is not requiring any new easements along the west property line of Tract B.

ZONING MAP AMENDMENT

The property is currently zoned M-2 General Industrial. The rezoning would change the zoning of Tract B to R-1 Single Family Residential. Tract A would remain M-2 General Industrial. Many institutional types of uses such as schools, churches and cemeteries are located in R-1

districts. The Planning Commission and City Council must consider the following criteria when considering a change to the zoning classification of a property:

1. *Whether the proposed amendment corrects an error or addresses a changing condition, trend or fact.*

Staff Findings: The land is being subdivided to create a new parcel to be purchased for cemetery purposes. This constitutes a changing condition in the neighborhood that is resulting in the need for a zoning change.

2. *Whether the proposed amendment will protect the health, safety and welfare of the public.*

Staff Findings: The amendment is being requested to allow for long term expansion of Calvary Cemetery. Cemetery impacts are physically minimal to the public compared to other potential land uses. As such, the amendment should protect the health, safety, and welfare of the public.

3. *Whether the City and other service providers will be able to provide sufficient public safety, transportation and utility facilities and services to the subject property, while maintaining sufficient levels of service to existing development.*

Staff Findings: According to data compiled for the Fiscal Impact Analysis, in 2009 this property had a total of six police calls and zero fire calls. These numbers are minimal and future expansion of the cemetery should not cause a burden on public safety. The additional property will not cause an increase in road maintenance because no new public streets or accesses are being proposed. Water and electrical uses will be minimal and not create a burden on the rest of the community.

4. *Whether the proposed rezoning will have significant adverse impacts on the natural environment, including air, water, noise, storm water management and vegetation.*

Staff Findings: The area is currently greenspace and likely would never be developed for parking or building purposes. A cemetery would have almost as minimal impact on the natural environment, including air, water, noise, storm water management and vegetation as open space.

5. *Whether the proposed amendment will have significant adverse impacts on other property in the vicinity of the subject tract.*

Staff Finding: The neighboring relationship between the industrial and cemetery use will not change other than where the property line is. Expansion of the cemetery should not impact the industrial use adversely. Properties across Highway 10 should also not be adversely impacted.

6. *The suitability of the subject property for the existing zoning classification and proposed zoning classification.*

Staff Findings: The property is located along Highway 10. The current M-2 zoning classification is appropriate for land along a highway. The proposed R-1 zoning would not be typical either adjacent to M-2 zoning or along a highway. However, because the proposed use is a cemetery, the zoning is considered reasonable to be consistent with the zoning of the existing cemetery.

7. *The need for the proposed use at the proposed location.*

Staff Finding: Typically cemetery uses are not preferred along major commercial corridors which could generate taxpaying uses. However, the cemetery existed prior to construction of Highway 10. Expansion of the cemetery will have to occur in the future and it is better for the cemetery to expand on land that would have likely remained greenspace, rather than taking land to the north or east of the cemetery that could be used for development in the future.

2030 COMPREHENSIVE PLAN LAND USE MAP AMENDMENT

The 2030 land use map has identified the larger parcel as General Industrial. The map amendment would change the newly created Tract B to Institutional. Tract A would remain General Industrial.

Surrounding Land Uses

	EXISTING USES	ZONING DISTRICT DESIGNATION	CURRENT LAND USE DESIGNATION
NORTH	Industrial - ATK	M-2 General Industrial	General Industrial
WEST	Industrial - ATK	M-2 General Industrial	General Industrial
SOUTH	Commercial - Valvoline	B-2 Shopping Center	Shopping Center
EAST	Cemetery	R-1 Single Family Residential	Institutional

Comprehensive Plan Goals and Policies

The goals and policies summarized from various chapters of the Anoka Comprehensive Plan may help frame the discussion and issues when considering the land use designation change.

Land Use Plan

The Comprehensive Plan lays out general criteria to consider when designating land use. When creating zoning ordinances, this criterion is considered as a base, and the zoning ordinance typically regulates density, uses, etc. further.

The Institutional category is designed to allow for governmental, educational, religious, social facilities or cemeteries. The proposed long term use of this land is cemetery which is consistent with the Institutional land use.

One of the policies in the land use plan is to *“Grant zoning changes only when it can be demonstrated that rezoning will result in a community or neighborhood benefit that outweighs any potential adverse impact upon surrounding properties.”* Staff believes that expansion of community uses such as a cemetery can be viewed as a benefit to the community. It is better for the cemetery to expand on adjacent, unused land, rather than purchasing land that may be used for development in the future. This would be considered an adverse impact to the community. As noted in the rezoning review, a cemetery use should have little impact on surrounding properties.

Transportation

The property is adjacent to Highway 10. The 2030 Comprehensive Plan states Highway 10 is well in excess of its designed capacity and is experiencing severe congestion as a result. In addition to the increased congestion, the mismatch between roadway design and the volume of traffic has also caused safety problems. A study was completed that showed potential Highway 10 expansion to an expressway with a grade separated interchange at Thurston Avenue and Highway 10. Recently MnDOT has removed this project from any funding sources and it is anticipated that even if money were to become available, the project would not occur for some time. If a grade separated interchange occurs, land will be needed on the north side of Highway 10. However, the land needed has been acquired by the city of Anoka when the Eniva Addition plat was approved in 2009. It is not anticipated any land would be needed in the location of the land to be purchased by St. Stephen's.

RECOMMENDATION

Staff recommends approval of the proposed amendments based on the findings listed in the staff report.

COMMISSION ACTION

The Planning Commission can recommend approval of the application, denial of the application, or postpone the decision to allow for more information to be obtained.

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