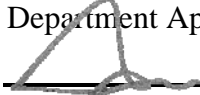


ROSEVILLE
REQUEST FOR COUNCIL ACTION

DATE: 5/5/2014
ITEM NO: 11.b

Department Approval

City Manager Approval

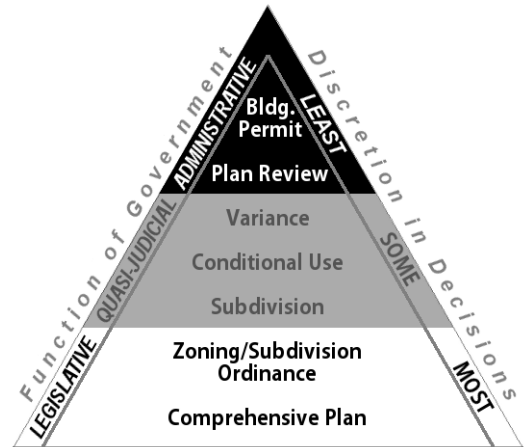


Item Description: Request by OP2 Evergreen, LLC, for Approval of a Minor Subdivision of the Property at 1720 Terrace Dr.

Application Review Details

- RCA prepared: April 30, 2014
- City Council action: May 5, 2015
- Sixty-day action deadline: June 1, 2014

Action taken on a minor subdivision request is **quasi-judicial**; the City's role is to determine the facts associated with the request, and weigh those facts against the legal standards contained in State Statute and City Code.



1 **1.0**

REQUESTED ACTION

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3
4

OP2 Evergreen, LLC, requests approval of the proposed MINOR SUBDIVISION, enabling separation of the two commercial structures on the single, existing parcel onto two parcels with one building each to be held by different owners.

5 **2.0**

SUMMARY OF RECOMMENDATION

6
7

The Planning Division recommends approval of the proposed MINOR SUBDIVISION; see Section 6 of this report for the detailed recommendation.

8 **3.0 BACKGROUND**

9 4.1 The property, located in Planning District 10, has a Comprehensive Plan land use
10 designation of Community Mixed-Use (CMU) and a corresponding zoning classification
11 of Community Mixed-Use (CMU) District.

12 4.2 A MINOR SUBDIVISION application has been submitted in lieu of the preliminary plat/final
13 plat process because §1104.04E (Minor Subdivision) of the City Code establishes the
14 three-parcel minor subdivision process to simplify those subdivisions “which create a
15 total of three or [fewer] parcels, situated in an area [adequately served by public utilities
16 and streets], and the new parcels meet or exceed the size requirements of the zoning
17 code.” The current application meets all of these criteria.

18 **5.0 REVIEW OF PROPOSED MINOR SUBDIVISION**

19 5.1 Neither the CMU District nor the Subdivision Code established minimum dimensions or
20 area for CMU parcels.

21 5.2 City Code §1103.04 (Easements) requires 12-foot-wide drainage and utility easements
22 centered on the rear and new, common side property lines; these easements are illustrated
23 in Attachment A.

24 5.3 City Code §1103.07 (Park Dedication) specifies that park dedication applies “when a
25 new building site is created in excess of one acre.” While park dedication is not triggered
26 by the proposed MINOR SUBDIVISION because no new building sites are being created, the
27 property owner recognizes that future redevelopment of the parcels may well increase
28 demand for park facilities and is working on documentation committing the owners of the
29 properties to park dedication contributions at the time of future redevelopment. Such
30 documentation will be included among the attachments to this RCA.

31 5.4 In reviewing the application, comments from Roseville’s Development Review
32 Committee (DRC) were primarily from Public Works Department staff; their main
33 comments were as follows:

- 34 a. The utility services for each building must not cross the new, shared property
35 boundary;
- 36 b. An easement or other agreement providing shared access of the parking facilities and
37 site entrances will be necessary; and
- 38 c. A building code analysis by an architect will be required to provide allowable area
39 calculations and verify that no increased ratings would be required due to the
40 proposed location of the property line.

41 5.5 Depending on the results of the architect’s analysis of the existing buildings, the
42 proposed common parcel boundary may shift from its proposed location. The final
43 location of the new parcel boundary will need to be such that both new parcels meet all
44 applicable requirements of the Zoning Code.

45 5.6 According to the procedure established in §1104.04E, if a MINOR SUBDIVISION application
46 is approved, a survey of the approved parcels, the new legal descriptions, and any
47 necessary Quit Claim or Warranty deeds must be submitted within 30 days for

48 administrative review to verify consistency with the City Council’s approval; then the
49 required easements must be prepared, and the easements and legal descriptions must be
50 filed by the applicant with the Ramsey County Recorder.

51 **6.0 RECOMMENDATION**

52 Based on the comments and findings outlined in Sections 4 – 5 of this report, Planning
53 Division staff recommends approval of the proposed MINOR SUBDIVISION, with the
54 following conditions:

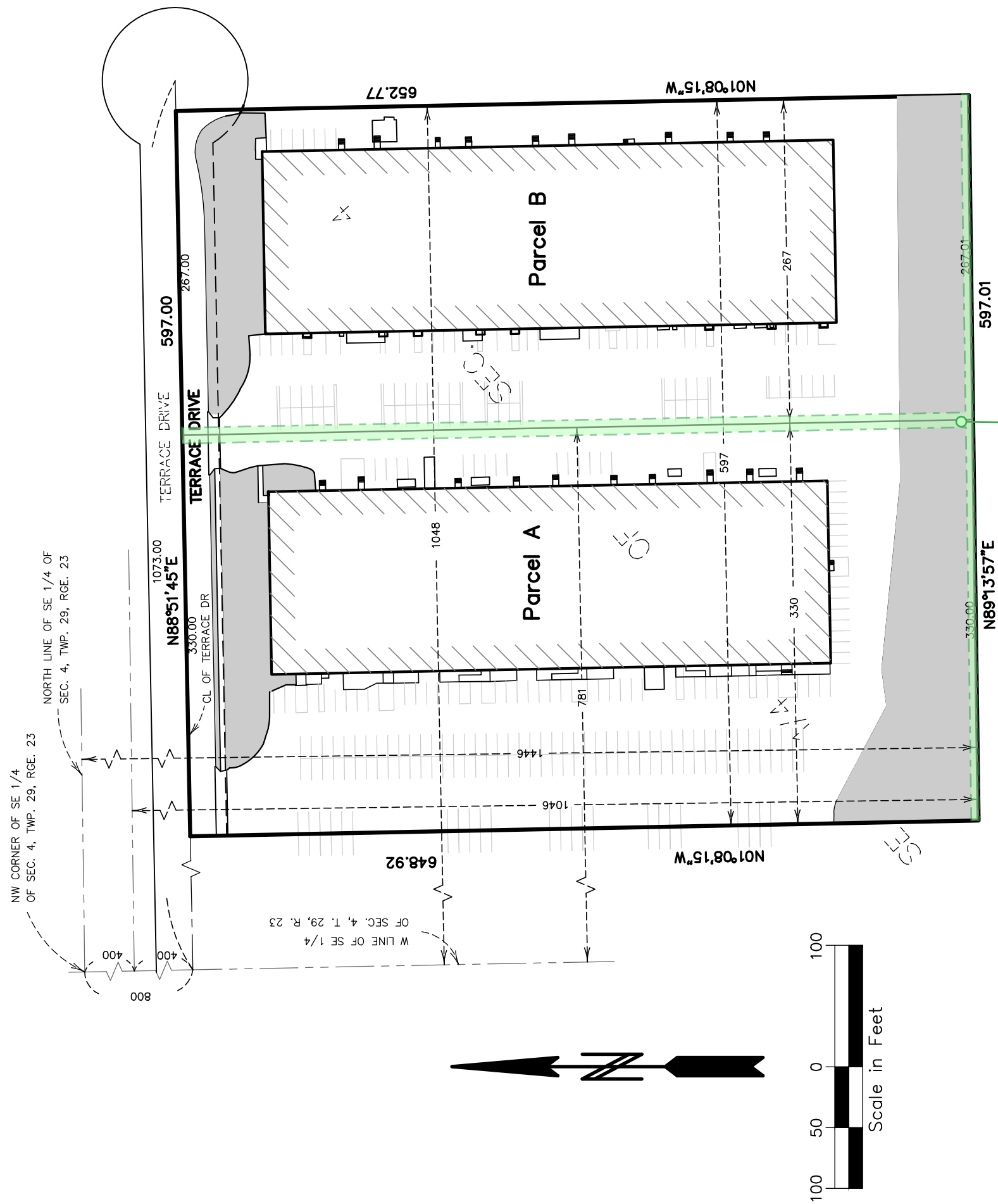
- 55 a. Drainage and utility easements shall be dedicated as illustrated on the site plan
56 reviewed with this application;
- 57 b. The utility services for each building shall not cross the new, shared property
58 boundary;
- 59 c. An easement or other agreement providing shared access of the parking facilities and
60 site entrances shall be submitted for administrative review and approval prior to
61 recording the subdivision documents at Ramsey County;
- 62 d. A building code analysis by an architect providing allowable area calculations and
63 verifying that no increased ratings would be required due to the proposed location of
64 the property line shall be submitted for administrative review and approval prior to
65 recording the subdivision documents at Ramsey County; and
- 66 e. Documentation committing the owners of the properties to park dedication
67 contributions at the time of future redevelopment shall be submitted prior to
68 recording the subdivision documents at Ramsey County.

69 **7.0 POSSIBLE COUNCIL ACTIONS**

- 70 7.1 **Pass a motion approving the proposed MINOR SUBDIVISION of the property at 1720**
71 **Terrace Drive, as recommended**, based on the comments and findings of Sections 4 – 5
72 and the recommendation and conditions of Section 6 of this report.
- 73 7.2 **Pass a motion to table the item for future action.** Tabling beyond June 1, 2014 may
74 require extension of the 60-day action deadline.
- 75 7.3 **Pass a motion, to deny the requested approvals.** Denial should be supported by
76 specific findings of fact based on the City Council’s review of the application, applicable
77 zoning regulations, and the public record.

Prepared by: Senior Planner Bryan Lloyd
651-792-7073 | bryan.lloyd@ci.roseville.mn.us

Attachments: A: Site plan



12-foot easements,
centered on
property lines

Denotes Pervious Surface

Current Legal Description

That part of the east 597 feet of the west 1048 feet of the south 1046 feet of the north 1446 feet of Southeast Quarter, Section 4, Township 29 North, Range 23 West, Ramsey County, Minnesota lying south of the following described line: Commencing at a point on the west line of said Southeast Quarter distant 400 feet south of the northwest corner of said Southeast Quarter; thence South along said west line a distance of 400 feet to the point of beginning; thence East along a line drawn at right angles to said west line, and also being the center line of Terrace Drive, a distance of 1073 feet, and there terminating.

Proposed Legal Descriptions

PARCEL A
That part of the east 330 feet of the west 781 feet of the south 1046 feet of the north 1446 feet of Southeast Quarter, Section 4, Township 29 North, Range 23 West, Ramsey County, Minnesota lying south of the following described line: Commencing at a point on the west line of said Southeast Quarter distant 400 feet south of the northwest corner of said Southeast Quarter; thence South along said west line a distance of 400 feet to the point of beginning; thence East along a line drawn at right angles to said west line, and also being the center line of Terrace Drive, a distance of 1073 feet, and there terminating.

PARCEL B
That part of the east 267 feet of the west 1048 feet of the south 1046 feet of the north 1446 feet of Southeast Quarter, Section 4, Township 29 North, Range 23 West, Ramsey County, Minnesota lying south of the following described line: Commencing at a point on the west line of said Southeast Quarter distant 400 feet south of the northwest corner of said Southeast Quarter; thence South along said west line a distance of 400 feet to the point of beginning; thence East along a line drawn at right angles to said west line, and also being the center line of Terrace Drive, a distance of 1073 feet, and there terminating.

PARCEL A

TOTAL AREA	214,494	SQ. FT.
TOTAL IMPERVIOUS AREA	178,003	SQ. FT.
% OF IMPERVIOUS SURFACE	83.0%	

PARCEL B

TOTAL AREA	174,061	SQ. FT.
TOTAL IMPERVIOUS AREA	147,316	SQ. FT.
% OF IMPERVIOUS SURFACE	84.6%	

- * This sketch does not purport to show the existence or nonexistence of any encroachments from or onto the hereon described land, easements of record or unrecorded easements which affect said land or any improvements to said land.
- * Planimetric data taken from ALTA survey prepared by Sunde Land Surveying, LLC.

REVISED: 3/24/14 - Lot line moved west

PIONEER engineering
 CIVIL ENGINEERS LAND PLANNERS LAND SURVEYORS LANDSCAPE ARCHITECTS
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 Mendota Heights, MN 55120
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 Fax: 681-9488
 www.pioneereng.com

Cad File: 113176-Area Sketch
 Date: 7/9/13
 Drawn by: mdp

Description Sketch for:
 OP2 Evergreen, LLC
 (c/o The Excelsior Group, LLC)