

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Agenda Date: 11/7/2016

Agenda Item: 12.a

Department Approval

City Manager Approval

Item Description: Request for approval of a minor subdivision of commercial property
(PF16-030)

APPLICATION INFORMATION

Applicant: Business Solutions Consulting, LLC

Location: 1935 County Rd B2; Planning District 9

Property Owner: 724 Associates, LLLP

Application Submission: submitted and considered complete on October 12, 2016

City Action Deadline: February 9, 2017, per Minn. Stat. §462.358 subd. 3b

GENERAL SITE INFORMATION

Land Use Context

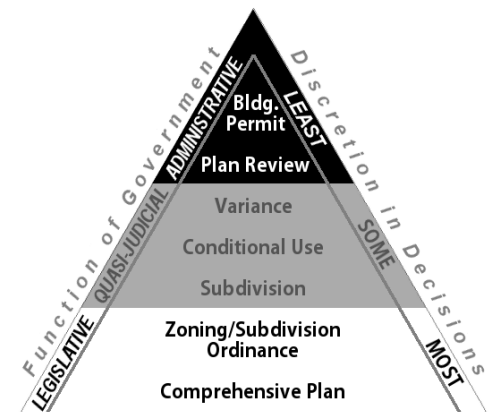
	Existing Land Use	Guiding	Zoning
Site	Office	RB	RB-2
North	Power line, Office, Limited warehousing and distribution	BP	O/BP
West	Retail, general and personal service, Medical office	RB	RB-2
East	Office	RB	RB-2
South	Office Retail, general and personal service	RB	RB-2 RB-1

Natural Characteristics: The site is mostly developed as the Windsor Office Plaza building and associated parking stalls.

Planning File History: none

LEVEL OF CITY DISCRETION IN DECISION-MAKING

Action taken on subdivision requests 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.



PROPOSAL

The applicant proposes to subdivide the existing parcel into two parcels, creating one new parcel for future commercial development; the proposal is illustrated in the subdivision sketch plan included with this report as RCA Exhibit C. There is no buyer or redevelopment concept for the proposed new parcel at this time.

When exercising the “quasi-judicial” authority on a subdivision request, the role of the City is to determine the facts associated with a particular request and apply those facts to the legal standards contained in the ordinance and relevant state law. In general, if the facts indicate the application meets the relevant legal standards and will not compromise the public health, safety, and general welfare, then the applicant is likely entitled to the approval. The City is, however, able to add conditions to a subdivision approval to ensure that the likely impacts to parks, schools, roads, storm sewers, and other public infrastructure on and around the subject property are adequately addressed. Subdivisions may also be modified to promote the public health, safety, and general welfare; and to provide for the orderly, economic, and safe development of land; and to promote housing affordability for all levels.

SUBDIVISION ANALYSIS

In light of the ongoing moratorium on minor subdivisions, it should be noted that this minor subdivision application has been accepted and processed by staff because the moratorium was written and enacted to apply specifically to *residential* minor subdivisions that create parcels for new home construction. If the City Council approves a minor subdivision, then the Subdivision Code instructs the applicant to commission the preparation of a survey to formalize the dimensions and legal descriptions of the newly-formed parcels, and to demonstrate that the parcels conform to all of the applicable, standard City Code requirements as well as any conditions of approval.

In this case, a minor subdivision application has been submitted instead of preliminary plat and final plat applications because City Code §1104.04.E (Minor Subdivision) provides a Three Parcel Minor Subdivision process to simplify subdivisions that create a total of three or fewer parcels, which are adequately served by public utilities and streets, and which satisfy all applicable requirements of the zoning and subdivision codes. No parcel shape or minimum size parameters are established in the zoning code for RB-2 properties, but the improvement area allowed on parcels in the RB-2 district is limited to 85% of the parcel area. The proposed parcel identified on the sketch plan as Tract A would be about 83% covered by the existing parking lot, and the improvement area on the proposed Tract B would remain at about the 85% limit. Tract B would also require about 262 parking stalls to meet the minimum requirements for the 27,000 square-foot office building, and information provided with the application shows that 263 parking stalls will remain on the Windsor Office Plaza property.

Planning Division staff finds that the proposed minor subdivision satisfies all of the applicable zoning and subdivision requirements; what follows is a brief discussion of requirements that either remain to be met or simply warrant additional discussion.

City Code §1103.04 (Easements): This section of the code requires drainage and utility easements 12 feet in width, where necessary, centered on side and rear property lines. Roseville’s City Engineer has indicated that such easements along the northern side of Tract A and the

42 eastern sides of Tract A and Tract B should be required as a condition of approval. The necessary
43 easements are illustrated in blue on Exhibit C.

44 Roseville's Development Review Committee (DRC) met on August 11, 2016, to discuss this
45 application. Beyond the above comments pertaining to the zoning and subdivision codes, the
46 DRC acknowledged that the future development of the new parcel will be subject to all standard
47 City requirements, including those pertaining to grading and storm water management as well as
48 tree preservation and replacement.

49 Storm water mitigation is not required as a component of minor subdivision approval, but any
50 required storm water mitigations will be identified and enforced at the time applications are
51 submitted for development permits.

52 At its meeting of November 1, 2016, the Roseville Parks and Recreation Commission voted to
53 recommend accepting park dedication of cash in lieu of land. For commercial subdivisions, the
54 cash value of park dedication is calculated as 7% of Ramsey County's current year estimate of
55 fair market value of the total subject property land area, prorated to the size of the parcel being
56 divided from the subject property. In this case, some reconciling of the size of the subject parcel
57 as understood by Ramsey County and by the applicant may be necessary, but both parties seem to
58 agree that the subdivided area is about 27.5% of the overall parcel area. If that is accurate, the
59 current park dedication calculation would be approximately $\$3,201,600 \times 0.07 \times 0.275 =$
60 $\$61,630$.

61 **PUBLIC COMMENT**

62 At the time this RCA was prepared, Planning Division staff had not received any
63 communications from the public.

64 **RECOMMENDED ACTION**

65 **Pass a motion approving a minor subdivision** of the property at 1935 County Road B2 into
66 two parcels, based on the comments and findings of this report and input received during the
67 public hearing, subject to the following conditions:

- 68 a. The location and orientation of the new side property line, and the new parcel created for
69 future development, shall be essentially the same as illustrated in the sketch plan
70 reviewed for this application.
- 71 b. Drainage and utility easements shall be granted along the northern side of Tract A and the
72 eastern sides of Tract A and Tract B, as illustrated on the site plan reviewed with this
73 application, in conformance with the standards of City Code §1103.04.
- 74 c. Pursuant to City Code §1103.07, the City will accept park dedication of cash in lieu of
75 land. The 2016 City of Roseville fee schedule establishes a park dedication fee equal to
76 7% of the fair market value of the total subject property land area, prorated to the size of
77 the parcel being divided from the subject property. Payment of the park dedication fee
78 shall be made by the property owner before the signed subdivision documents are
79 released for recording at Ramsey County.

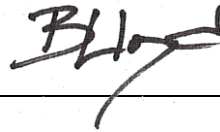
80 **ALTERNATIVE ACTIONS**

- 81 A. **Pass a motion to table the request for further review of specific information and**
82 **future action.** Tabling beyond February 9, 2017, may require extension of the 120-day
83 action deadline established in Minn. Stat. §462.358 subd. 3b to avoid statutory approval.
- 84 B. **Pass a motion to deny the request.** Denial should be supported by specific findings of
85 fact based on the City Council's review of the application, applicable zoning or
86 subdivision regulations, and the public record.

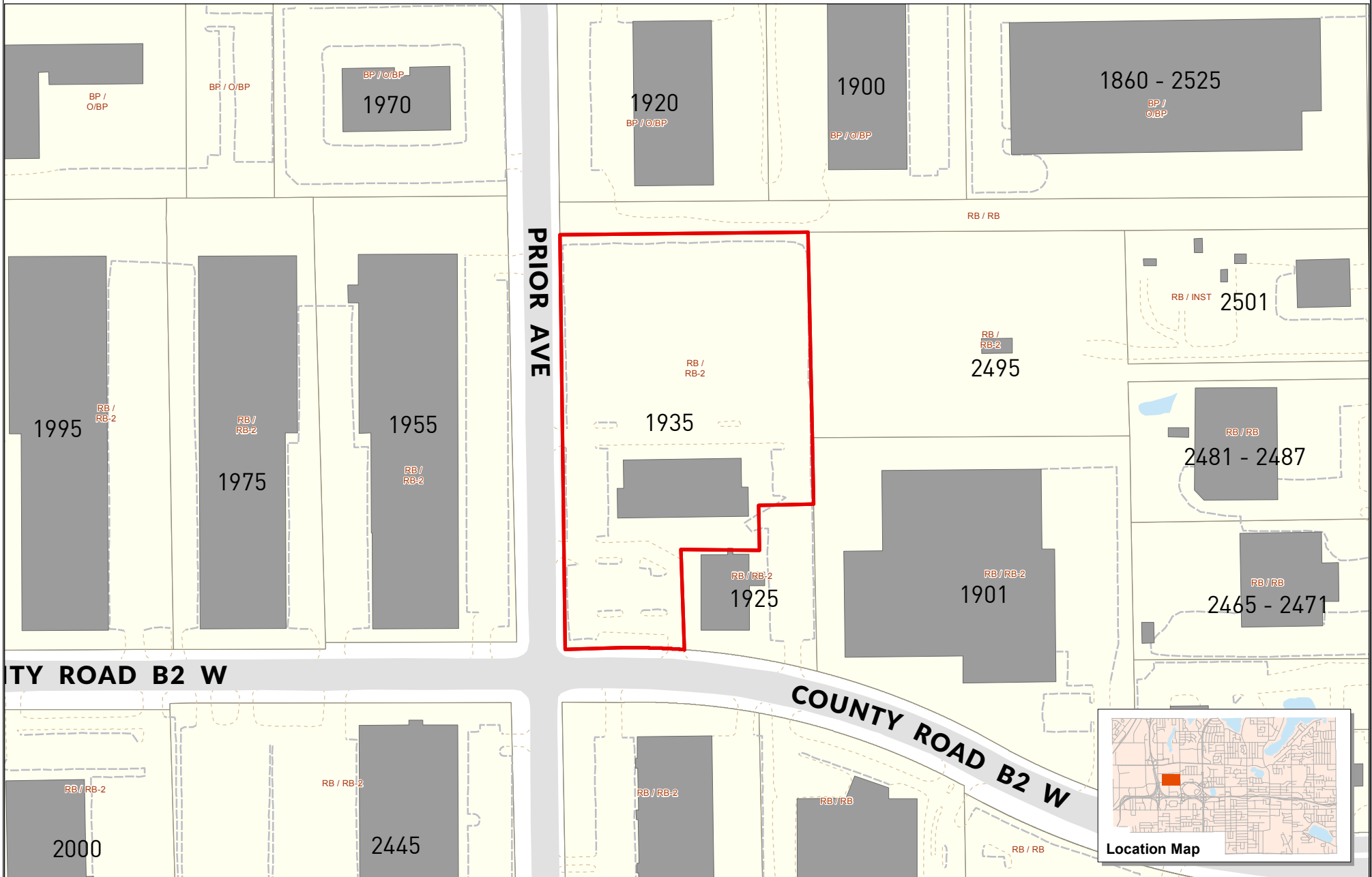
Attachments: A: Area map
B: Aerial photo

C: Subdivision sketch plan

Prepared by: Senior Planner Bryan Lloyd
651-792-7073
bryan.lloyd@cityofroseville.com



Attachment A for Planning File 16-030



Prepared by:
Community Development Department
Printed: November 2, 2016



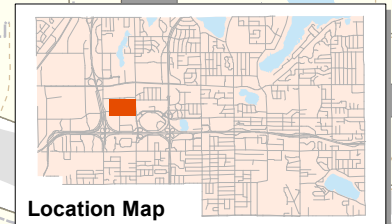
Site Location

Data Sources

* Ramsey County GIS Base Map (10/3/2016)
For further information regarding the contents of this map contact:
City of Roseville, Community Development Department,
2660 Civic Center Drive, Roseville MN

Disclaimer

This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only. The City does not warrant that the Geographic Information System (GIS) Data used to prepare this map are error free, and the City does not represent that the GIS Data can be used for navigational, tracking or any other purpose requiring exacting measurement of distance or direction or precision in the depiction of geographic features. If errors or discrepancies are found please contact 651-792-7085. The preceding disclaimer is provided pursuant to Minnesota Statutes §466.03, Subd. 21 (2000), and the user of this map acknowledges that the City shall not be liable for any damages, and expressly waives all claims, and agrees to defend, indemnify, and hold harmless the City from any and all claims brought by User, its employees or agents, or third parties which arise out of the user's access or use of data provided.



0 100 200 Feet



Attachment B for Planning File 16-030



Prepared by:

Community Development Department

Printed: November 2, 2016



Site Location

Data Sources

* Ramsey County GIS Base Map (10/3/2016)

* Aerial Data: Surdex (4/2015)

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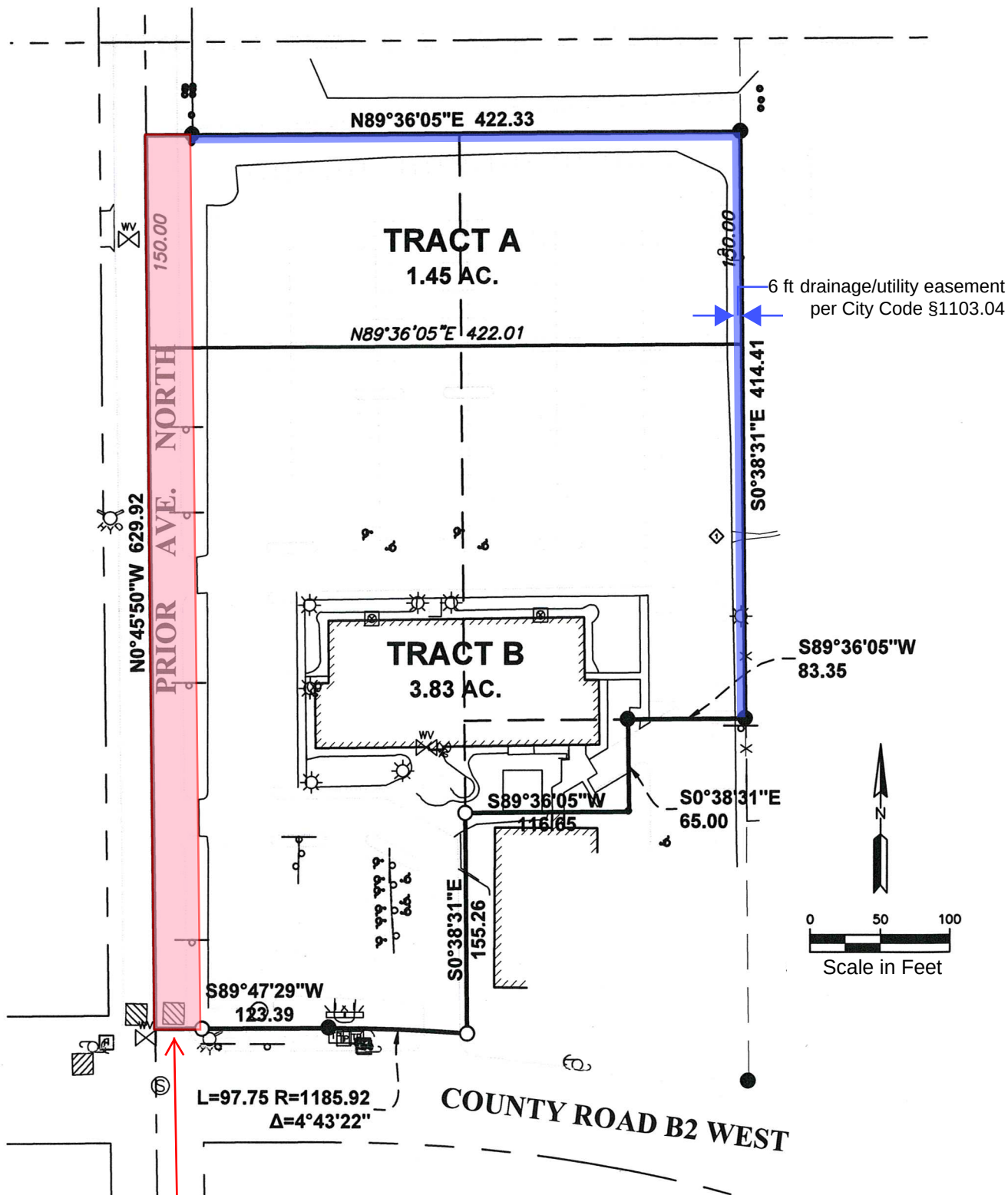
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RCA Exhibit C

SKETCH PLAN

1935 WEST COUNTY ROAD B2, ROSEVILLE, MINNESOTA



Approx. Existing
Prior Avenue
Roadway Easement
per Doc#1845960



Responsive partner. Exceptional outcomes.

CLIENT NAME

CURT MARTINSON

1802 WOODDALE DRIVE
WOODBURY, MN, 55119
Ph: 651-395-5212

PROJECT TITLE

SKETCH PLAN

DWN BY CNA	CHK'D XXX	APP'D XXX	DWG DATE JULY 2016
PROJECT NO. 0000-00	SHEET NO. 1 OF 1	SCALE 1" = 100'	