

ROSEVILLE
REQUEST FOR CITY COUNCIL ACTION

Agenda Date: **06/08/2015**

Agenda Item: 14.b

Department Approval



City Manager Approval



Item Description: Request by Cities Edge Architects for approval of an **Amended Common Interest Community Plat** at 2715 Long Lake Road

GENERAL SITE INFORMATION

Applicant: Cities Edge Architects

Location: 2715 Long Lake Road

Property Owner: HIX Roseville LLC

Land Use Context

	Existing Land Use	Guiding	Zoning
Site	Fully developed – hotel and office buildings	BP	O/BP
North	Metz Bakery	BP	O/BP
West	Magellan (tank farm)	I	I
East	Interstate 35W and Twin Lakes	CMU	CMU
South	Tesoro (tank farm)	I/BP	I/O/BP

1 **Natural Characteristics:** Fully developed site that currently includes a number of offices
2 (FICO and Minnesota State Lottery) and a hotel. There are no known wetlands, steep slopes, or
3 other significant natural resources on this site.

4 **Planning Commission Action:** On May 6, 2015, the Planning Commission unanimously
5 recommended approval of the amended CIC plat.

6 **PROPOSAL**

7 Cities Edge Architects in cooperation with the owner of the Holiday Inn Express proposes to
8 correct/modify Rosedale Corporate Plaza Condominium (condominium no. 266) a Common
9 Interest Community (CIC) Plat. The Holiday Inn Express, as a condominium property, is a
10 distinct real property interest, therefore, modifications to the property lines require re-platting,
11 just like any other property subdivision application. The proposed amended CIC plat
12 information, the staff analysis presented in the Request for Planning Commission Action, and
13 other supporting documentation is included with this report as RCA Exhibit A.

14 **PUBLIC COMMENT**

15 The public hearing for this application was held by the Planning Commission on May 6, 2015;
16 draft minutes of the public hearing are included with this report as RCA Exhibit B. No members
17 of the public spoke to this issue at the public hearing. After discussing the application and the
18 comment received prior to the hearing, the Planning Commission voted unanimously to
19 recommend approval of the proposed amended CIC plat. At the time this report was prepared,
20 Planning Division staff has not received any additional public comments.

21 **RECOMMENDATION**

22 The amended CIC plat meets or exceeds all applicable requirements, however, after the Planning
23 Commission hearing on this matter, the City Planner determined the following condition should
24 be included in the approval:

- 25 **1.** *The applicant/property owner is responsible for providing written evidence of approval to*
26 *modify Unit 6 from the Condo Association, thus allowing a small portion of common area to*
27 *be added into the building area.*

28 Based on the comments and findings outlined above, the Planning Division recommends
29 approval of the proposed AMENDED CIC PLAT pursuant to Title 11 of the Roseville City Code.

30 **SUGGESTED ACTION**

31 **By motion, recommend approval of the proposed change to Unit 6 of Rosedale Corporate**
32 **Plaza Condominium AMENDED CIC PLAT** based on the comments, findings, and condition
33 stipulated above.

34 **ALTERNATIVE ACTIONS**

35 **Pass a motion to table the item for future action.** Per Minnesota State Statutes §462.358, the
36 City Council has until August 7, 2015, (120 days) to approve/deny the request before an
37 extension is necessary.

38 **Adopt a resolution to deny the requested approval.** Denial should be supported by specific
39 findings of fact based on the Planning Commission's review of the application, applicable
40 zoning or subdivision regulations, and the public record.

Prepared by: City Planner Thomas Paschke - 651-792-7074 | thomas.paschke@cityofroseville.com
RCA Exhibits: A: Preliminary plat information and B: PC final minutes of 05/06/15
05/06/15 RPCA packet



REQUEST FOR PLANNING COMMISSION ACTION

Agenda Date: **05/06/2015**Agenda Item: **5b**

Division Approval

Agenda Section

PUBLIC HEARINGS

Item Description: Request by Cities Edge Architects for approval of a **Common Interest Community Plat** at 2715 Long Lake Road (PF15-005).

GENERAL SITE INFORMATION

Applicant: Cities Edge Architects

Location: 2715 Long Lake Road

Property Owner: HIX Roseville, LLC

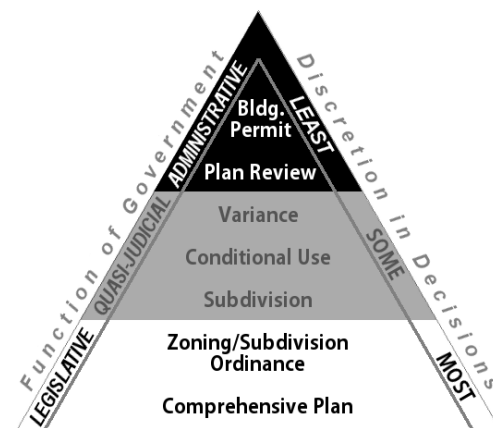
Land Use Context

	Existing Land Use	Guiding	Zoning
Site	Fully developed	BP	O/BP
North	Metz Bakery	BP	O/BP
West	Magellan	I	I
East	Interstate 35W and Twin Lakes	CMU	CMU
South	Tesoro and multi-tenant office	I/BP	I/O/BP

Natural Characteristics: Fully developed site that currently includes a number of offices (FICO and Minnesota State Lottery) and a hotel. There are no known wetlands, steep slopes or other significant natural resources on this site.

LEVEL OF CITY DISCRETION IN DECISION-MAKING

Action taken on a variance 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 and City Code. Statute



2 **REQUESTED ACTION**

3 Cities Edge Architects in cooperation with the owner of the Holiday Inn Express proposes to
4 correct/modify Rosedale Corporate Plaza Condominium (condominium no. 266) a Common
5 Interest Community (CIC) Plat. The Holiday Inn Express, as a condominium property, is a
6 distinct real property interest. Therefore, modifications to the property lines require re-platting,
7 just like any other property subdivision application.

8 **BACKGROUND**

9 The subject property, located in Planning District 11, has a Comprehensive Plan land use
10 designation of Business Park (BP) and a Zoning District classification of Office/Business Park
11 (O/BP) District. The CIC revision and PRELIMINARY PLAT proposal has been prompted by plans
12 to develop a swimming pool addition to the south side of the building, which requires a
13 modification in the Unit description.

14 When exercising the so-called “quasi-judicial” authority when acting on a PLAT request, the role
15 of the City is to determine the facts associated with a particular request and apply those facts to
16 the legal standards contained in the ordinance and relevant state law. In general, if the facts
17 indicate the applicant meets the relevant legal standard, then they are likely entitled to the
18 approval, although the City is able to add conditions to a PLAT approval to ensure that the likely
19 impacts to urban design, roads, storm sewers, and other public infrastructure on and around the
20 subject property are adequately addressed. A CIC is not all that different from standard plats, but
21 in this instance requires less review of our platting requirements since all that is being proposed
22 is an addition to the existing building, which affects few platting standards in Chapter 11 of the
23 City Code.

24 **PRELIMINARY PLAT ANALYSIS**

25 PLAT proposals are reviewed primarily to ensure that all proposed lots meet the minimum size
26 requirements of the Zoning Code, have desirable lot layout and grading, protect natural
27 resources, have adequate streets and other public infrastructure in place or identified and a plan
28 to be constructed, and have addressed potential storm water issues to prevent problems either on
29 nearby property or within the storm water system. As a PRELIMINARY PLAT of a property in the
30 O/BP district, the proposal leaves no zoning issues to be addressed since the Zoning Code does
31 not establish minimum lot dimensions or area. The proposed PRELIMINARY PLAT is included with
32 this report as Attachment C.

33 On April 16 and 23, 2015, the Development Review Committee (DRC) met to review/discuss the
34 submitted plans. No substantial comments were offered as the proposal is to expand the
35 building, triggering the need for a new legal description for Unit 6, for which the legal
36 description and increase in unit size found no objections by the DRC.

37 The building/unit addition space is currently “common elements” under the recorded Rosedale
38 Corporate Place Condominium and is under negotiation with the other property owners for
39 removal and inclusion into the modified Unit 6 description. Assuming final agreements can be
40 reached with all property owners, the final description would be created and final plat sought
41 from the City.

PUBLIC COMMENT

At the time this report was prepared, Planning Division staff has not received any communications from the public about the PRELIMINARY PLAT request.

RECOMMENDATION

Based on the comments and findings outlined above, the Planning Division recommends approval of the proposed PRELIMINARY PLAT pursuant to Title 11 of the Roseville City Code.

SUGGESTED ACTION

By motion, recommend approval of the proposed change to Unit 6 of Rosedale Corporate Plaza Condominium PRELIMINARY PLAT, based on the comments, findings, and conditions stipulated above.

ALTERNATIVE ACTIONS

Pass a motion to table the item for future action. Per Minnesota State Statutes §462.358, the City Council has until August 1, 2015, (120 days) to approve/deny the request before an extension is necessary.

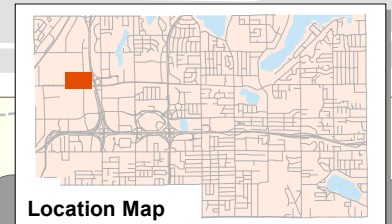
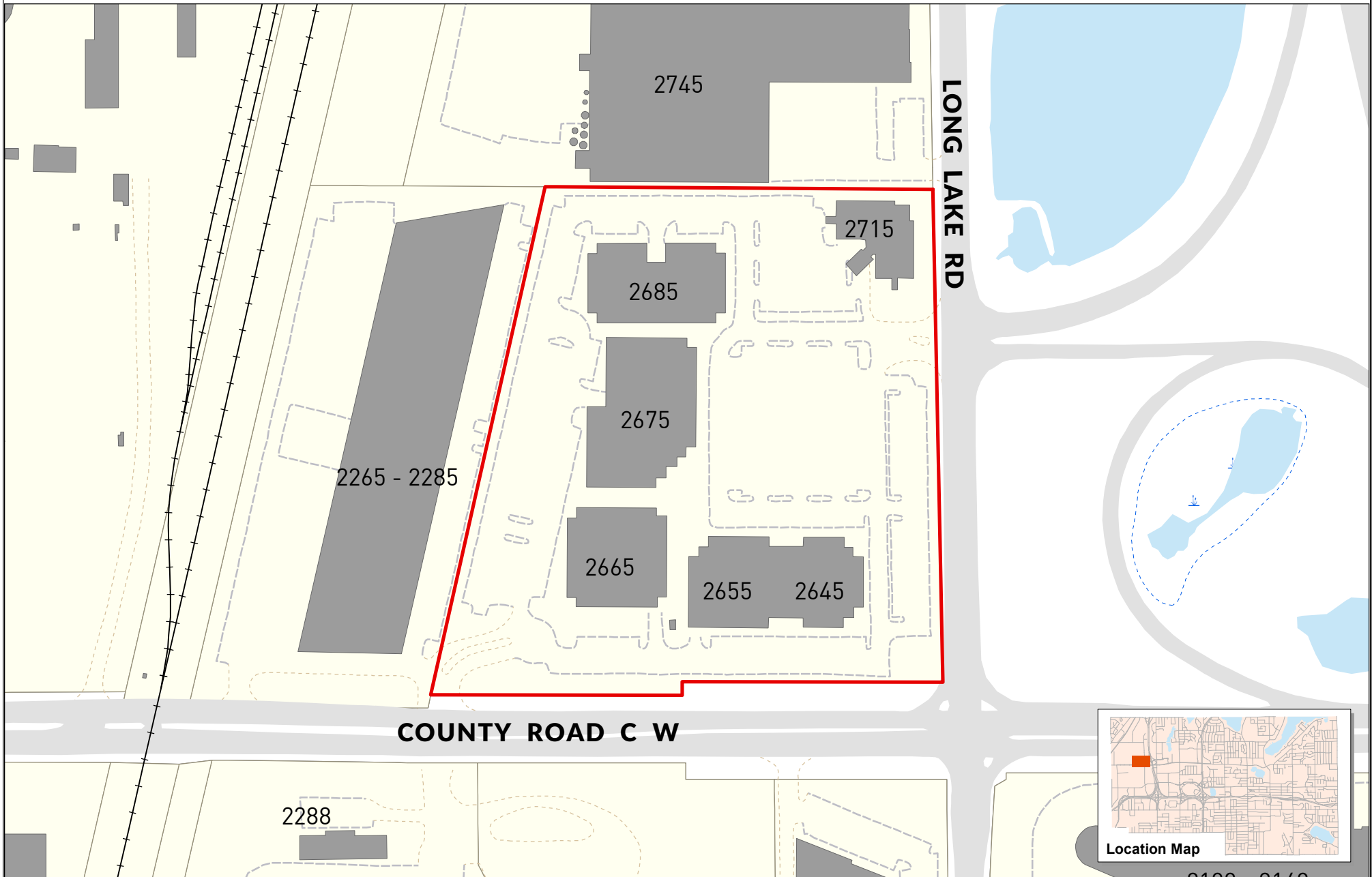
Adopt a resolution to deny the requested approval. Denial should be supported by specific findings of fact based on the Planning Commission's review of the application, applicable zoning or subdivision regulations, and the public record.

Prepared by: City Planner Thomas Paschke - 651-792-7074 | thomas.paschke@ci.roseville.mn.us

Attachments: A: Area map
B: Aerial photo

C: Existing CIC
D: Proposal

Attachment A for Planning File 15-005



Prepared by:
Community Development Department
Printed: April 20, 2015



Site Location

Comp Plan / Zoning
Designations
LR / LDR-1

Data Sources

* Ramsey County GIS Base Map (3/2/2015)
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



mapdoc: planning_commission_location.mxd

Attachment B for Planning File 15-005



Prepared by:

Community Development Department

Printed: April 22, 2015



Site Location

Data Sources

* Ramsey County GIS Base Map (4/2/2015)

* Aerial Data: MnGeo (4/2012)

For further information regarding the contents of this map contact:
City of Roseville, Community Development Department,
2660 Civic Center Drive, Roseville MN

Disclaimer

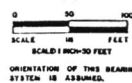
This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only. 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 §466.02, 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 50 100 Feet



OFFICIAL

or 2395835



X BENCHMARK - TOP NUT HYDRA-
NORTHWEST QUADRANT OF COUNTY
ROAD C & LONG LAKE ROAD.
BENCHMARK ELEVATION: 829.26 FT
(1929 NAVD DATUM)

● DENOTES IRON MONUMENT FOUND.

○ DENOTES IRON MONUMENT
SET WITH CAP STAMPED
WITH RLS NO. 12254

The undersigned, being first duly sworn under oath, certifies and deposes that this Condominium Plat of Condominium No. 366 - ROSEDALE CORPORATE PLAZA CONDOMINIUM, being located

All that part of the Southeast Quarter of Section 5, T 29 N, R 23 W, Ramsey County, Minnesota, described as follows:

beginning at a point on the South line of said Section 5 distant 1850.0 feet West (assumed bearing) of the Southeast corner of said Section 5, said point referred to as point "A"; thence continuing West along said Section line 396.01 feet; thence North 12°59'30" East along said Section line 1403.04 feet to the intersection of said Section line with the right-of-way line of Minnesota Bell Telephone Company 1409.44 feet; thence continuing westerly along said right-of-way line of Long Lake Road; thence South 0°59'59" East 758.17 feet along said West line to a point herein referred to as point "B"; thence West 291.29 feet; thence South 1°14'52" East 70.02 feet to the point of beginning. Subject to Highway Taking for County Road C;

fully and accurately depicts all information required by Minnesota Statutes, Section 515A.2-110, as amended.

Dated this 4TH day of AUGUST, 19 87

Thomas H. Veenker

Thomas H. Veenker, Land Surveyor
Minnesota Registration No. 12254

STATE OF MINNESOTA
COUNTY OF HENNEPIN

The foregoing instrument was acknowledged before me this 4th day of August, 1977, by Thomas H. Yeenker, a Registered Professional Land Surveyor.



DAVID L. PUTNAM, a Registered Professional Engineer in the State of Minnesota, pursuant to Minnesota Statutes, Section 515A.2-101(b) does hereby certify that all structural components and mechanical systems serving more than one unit of all buildings containing or consisting of units hereby certified are substantially completed consistent with the floor plans of this Condominium Unit, CONDOMINIUM NO. 266, ROSEDALE CORPORATE PLAZA CONDOMINIUM.

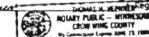
Dated this 4th day of August, 1907

David L. Felby

DAVID L. PUTNAM, ENGINEER
Minnesota Registration No. 13492

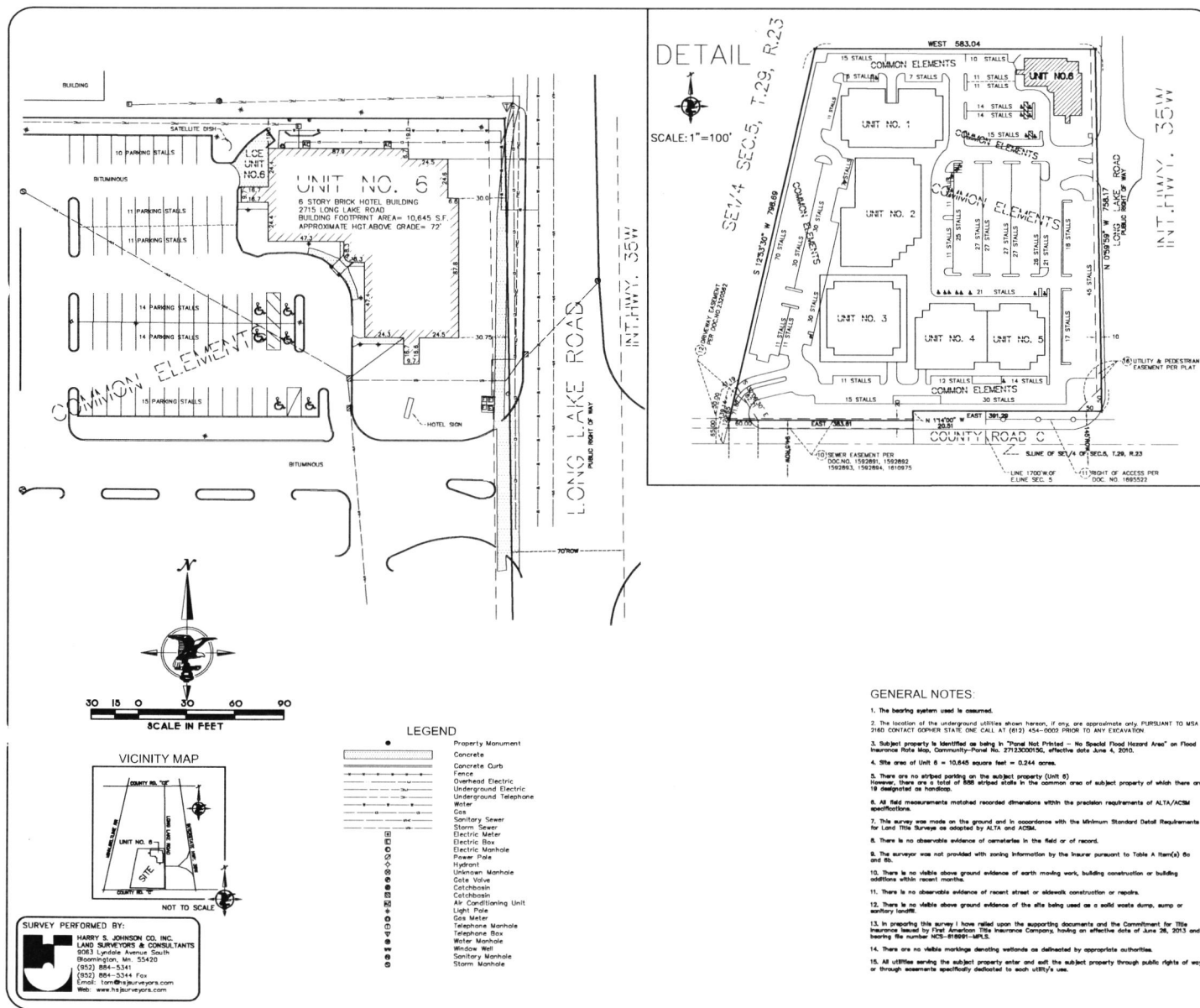
STATE OF MINNESOTA
COUNTY OF Le Sueur Wm

The foregoing instrument was acknowledged before me this 4TH day of AUGUST, 1997
by Dana L. Portant, a Registered Professional Engineer.

by Rose L. Peltzer

I hereby certify that I reviewed and approved this Condominium Plat this 5th day of August, 1987, pursuant to Minnesota Statutes, Section 515.42-110, as amended.

David D. Claypool, R.L.S.
Rauzer County Surveyor



LEGAL DESCRIPTION

Unit 6, Common Interest Community Number 266, ROSEDALE CORPORATE PLAZA CONDOMINIUM, Ramsey County, Minnesota.

NOTES CORRESPONDING TO SCHEDULE B:

- (1) Underground sewer easements together with incidental rights in favor of the Village, now City, of Roseville, as contained in the following: (AFFECTS PROPERTY, AS SHOWN ON SURVEY)
 - a) Easement dated June 11, 1983, recorded June 27, 1983, as Document No. 1562891;
 - b) Easement dated June 10, 1983, recorded June 27, 1983, as Document No. 1562892;
 - c) Easement dated June 7, 1983, recorded June 27, 1983, as Document No. 1562893;
 - d) Easement dated May 27, 1983, recorded June 27, 1983, as Document No. 1562894; and
 - e) Easement dated January 30, 1984, recorded February 2, 1984, as Document No. 1610975.
 - (2) Limitation of access to County Road C as contained in the Final Certificate dated February 17, 1987, recorded March 23, 1987, as Document No. 1605022. (AFFECTS PROPERTY, AS SHOWN ON SURVEY)
 - (3) Driveway Easement together with incidental rights as contained in the Grant of Reluctant Easement dated June 18, 1986, recorded July 3, 1986, as Document No. 2300862. (AFFECTS PROPERTY, AS SHOWN ON SURVEY)
 15. Terms, conditions, easements, restrictions, covenants, assessments, liens and provisions as contained in the Declaration dated August 3, 1987, recorded August 8, 1987, as Document No. 2300835, as amended by the First Amendment to Declaration dated October 2, 1987, recorded November 3, 1987, as Document No. 3026176. (AFFECTS PROPERTY, AS SHOWN ON SURVEY)
- Said documents provide a lien for liquidated damages and a private charge or assessment.
- (4) Utility & pedestrian easements and highway easement as shown on the Condominium Plat of Condominium No. 266, Rosedale Corporate Plaza Condominium. (AFFECTS PROPERTY, AS SHOWN ON SURVEY)

STATEMENT OF POTENTIAL ENCROACHMENTS:

There are no visible above ground encroachments over or across any property lines of subject property.

GENERAL NOTES:

1. The bearing system used is assumed.
2. The location of the underground utilities shown herein, if any, are approximate only PURSUANT TO MSA 24B0 CONTACT OWNER STATE ONE CALL AT (612) 454-0000 PRIOR TO ANY EXCAVATION.
3. Subject property is identified as being in "Flood Not Printed - No Special Flood Hazard Area" on Flood Insurance Rate Map, Community-Panel No. 27123000150, effective date June 4, 2010.
4. Site area of Unit 6 = 10,645 square feet = 0.244 acres.
5. There are no wetland parcels on the subject property (Unit 6).
6. There are a total of 188 wetland parcels in the common area of subject property of which there are 18 designated as handpans.
7. All field measurements matched recorded dimensions within the precision requirements of ALTA/ACSM specifications.
8. The survey was made on the ground and in accordance with the Minimum Standard Detail Requirements for Land Title Surveys as adopted by ALTA and ACSM.
9. There is no observable evidence of encumbrances in the field or of record.
10. The surveyor was not provided with zoning information by the owner pursuant to Table A Item(c) 8c and 8d.
11. There is no visible above ground evidence of earth moving work, building construction or building conditions within recent months.
12. There is no visible above ground evidence of the site being used as a solid waste dump, dump or sanitary landfill.
13. In preparing this survey I have relied upon the supporting documents and the Commitment for Title Insurance issued by First American Title Insurance Company, having an effective date of June 26, 2013 and bearing file number MCS-818991-APLS.
14. There are no visible markings denoting easements as delineated by appropriate authorities.
15. All utilities serving the subject property enter and exit the subject property through public rights of way or through easements specifically detailed to each utility's use.

LAND TITLE SURVEY

ALTA/ACSM
for:

CITY COUNTY CREDIT UNION
SITE: HOLIDAY INN EXPRESS
2715 LONG LAKE ROAD
ROSEVILLE, MINNESOTA

CERTIFICATION:

To the Shipment, City County Credit Union, via Roseville LLC, Quantity Commercial Title, Inc. and First American Title Insurance Company. This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and ACSM, and include Items 1, 2, 3, 4, 6(b), 7(c), 7(d), 8, 9, 11(c), 13, 16, 17 and 18 of Table A thereof.

The field work was completed on July 31, 2013.

Date of Plat or Map: August 1, 2013

James E. Johnson, L.S.
Min. Reg. No. 33877

Sheet No. 1 OF 1
Scale 558
Date 2013320
File No. 1-3-5842
Page 44
COW

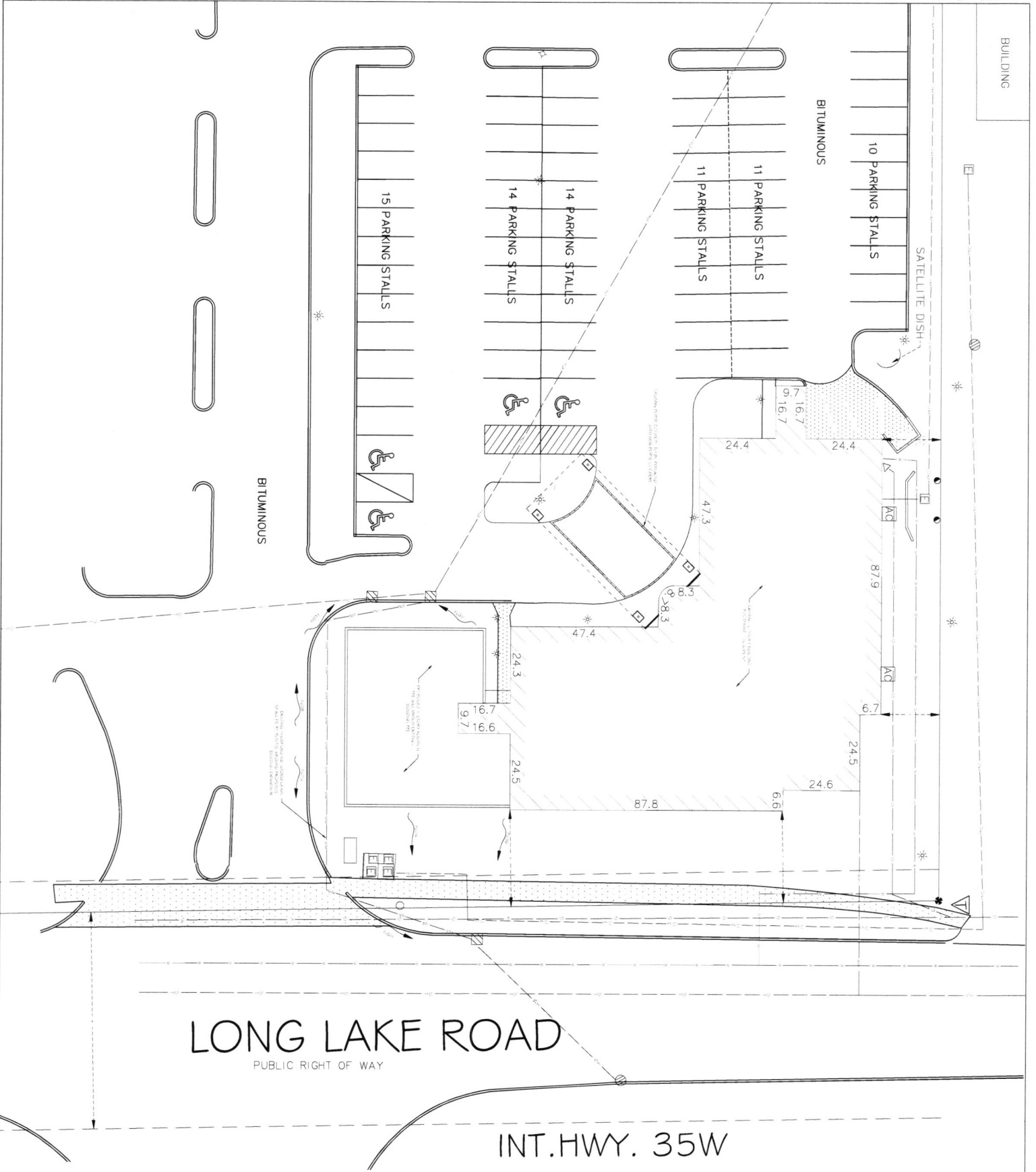
HARRY S. JOHNSON CO., INC.
LAND SURVEYORS & CONSULTANTS
BLOOMINGTON, MINNESOTA
PHONE: 652-884-5341 FAX: 652-884-5344





10/22/2024 11:11 AM Roseville, MN Drawing: 10/22/2024 11:11 AM User: M... 24/27 Pages Printed by: e... on Apr 22, 2025 5:11:14 PM

© 2024 by Roseville, MN
 Drawn by: J...
 Checked by: J...
 Date: 10/22/2024



10/22/2024 11:11 AM 30349 C300	PRELIMINARY GRADING PLAN	PROJECT TITLE HOLIDAY INN EXPRESS & SUITES	PROJECT LOCATION ROSEVILLE, MN	DATE 10/22/2024	BY J...	CHECKED BY J...	APPROVED BY J...	SCALE 1" = 10'	PROJECT NO. 30349	PROJECT NAME HOLIDAY INN EXPRESS & SUITES	PROJECT LOCATION ROSEVILLE, MN	DATE 10/22/2024	BY J...	CHECKED BY J...	APPROVED BY J...
---	--	--	--	---	-------------------------------------	---	--	--	---	---	--	---	-------------------------------------	---	--

Extract of the May 6, 2015, Roseville Planning Commission Minutes

b. PLANNING FILE 15-005

Request by Cities Edge Architects for approval of a Preliminary Plat at 2175 Long Lake Road

Chair Boguszewski opened the public hearing for Planning File 15-005 at approximately 7:18 p.m.

City Planner Thomas Paschke summarized this request as detailed in the staff report for Cities Edge Architects, in cooperation with the owners of the Holiday Inn Express, to correct/modify Rosedale Corporate Plaza Condominium (condominium no. 266), a Common Interest Community (CIC) Plat, requiring replatting.

Commission/Staff Discussion

Member Murphy questioned if other members of the CIC had to agree to this or had a vote in it, representing the view of the remaining participants beyond that of the applicant.

Mr. Paschke advised that the applicant could speak to that, but he agreed with Member Murphy's supposition that majority support would be required to change any boundaries or reduce common space area.

However, at the request of Member Murphy, Mr. Paschke advised that it, along with other issues, would be part of the process in advance of but required for Final Plat approval.

Chair Boguszewski questioned if there was anything else that triggered this required action other than a change to the description in the original plat.

Mr. Paschke responded that this was the only trigger for the change based on the lot boundary and description change requiring replatting since this common area could be considered a lot and therefore the description would need to be revised for recording purpose with Ramsey County.

Member Stellmach questioned if this would prompt any change in the number of units in the building; with Mr. Paschke clarifying that the proposed addition was specific to a pool and associated mechanicals and was not for any additional motel units.

Member Bull noted that the area proposed for the addition was in the parking lot area with handicapped parking, and questioned if that would result in fewer handicapped spots based on his review of the displayed sketch plans.

Mr. Paschke advised that handicapped spaces were addressed as part of the Building Permit application process; and those inspectors would determine how many spots would be required and their location, but that it was not part of this planning process.

Applicant Representative Jesse Messner, Cities Edge Architects

Mr. Messner concurred with the presentation by Mr. Paschke.

As to the number of units, Mr. Messner confirmed that it would not change, and displayed a better drawing depicting the plans and location of the proposed addition. Mr. Messner noted the existing canopy that would be redone but remain in place.

Specific to parking, Mr. Messner advised that there were no plans to reduce or disturb any stalls, and everything would remain branded as is, with only the addition of a small pool.

At the request of Chair Boguszewski, Mr. Messner confirmed that the pool would be an indoor, enclosed pool.

Specific to ownership sign-off, Mr. Messner clarified that the property belonged to an association and they would need to approve the proposal, which was still pending at this time with only a preliminary plan recently submitted to them. Mr. Messner reported that the results of their decision would carry weight as to whether or not this proposal proceeded.

Member Murphy questioned if what was currently outlined on the map was currently part of the common area for the community rather than part of the description of the current Unit 6.

Member Murphy clarified that the reason for the applicant's request, represented by Mr. Messner, was to present the application and take the lead for the proposed change on behalf of the association.

Mr. Messner responded affirmatively.

Attachment B

Mr. Messner responded affirmatively, advising that the only change in the original description would be an increase in the square footage.

Chair Boguszewski closed the public hearing at approximately 7:28 p.m.; with no one appearing for or against

Member Murphy stated that his only comment would be that this application represents only one owner of a shared community, who was proposing something. Under those circumstances and as a Planning Commissioner, Member Murphy noted that he found the application something he could support, while recognizing the need for the majority in the CIC to concur.

Chair Boguszewski recognized Member Murphy's comments.

MOTION

Member Cunningham moved, seconded by Member Gitzen to recommend to the City Council approval of the proposed changes to Unit 6 of Rosedale Corporate Plaza Condominium PRELIMINARY PLAT, based on the comments and findings of the staff report dated May 6, 2015.

Ayes: 7

Nays: 0

Abstentions:

Motion carried.