

ROSEVILLE
REQUEST FOR CITY COUNCIL ACTION

Agenda Date: **11/16/2015**
 Agenda Item: 14.c

Department Approval



City Manager Approval



Item Description: Approval of a Final Plat at Rosedale Center

APPLICATION INFORMATION

Applicant: Jones Lang LaSalle (JLL)
 Location: 1700 County Road B2 and 1705 Highway 36
 Property Owner: Compass Retail, Inc. and J. C. Penney Property, Inc 496
 Open House Meeting: None required (plat yields fewer than 4 lots)
 Application Submission: October 12, 2015
 City Action Deadline: December 11, 2015

GENERAL SITE INFORMATION

Land Use Context

	Existing Land Use	Guiding	Zoning
Site	Retail and parking lot	RB	RB
North	Retail – Rosedale Commons and Crossroads of Roseville	RB	RB
West	Retail – Rosedale Marketplace and Fairdale Shoppes	RB	RB
East	Snelling Avenue, DOT Water’s Edge, Cedarholm GC, and residential homes	O/PR?LDR	O/BP/PR/LDR
South	HWY 36, Rosewood Village, Sienna Green, Rosedale Towers, and retail	HR/O	HDR-1/O/BP

Natural Characteristics: The site is fully developed with a regional mall, parking lots/structures, some trees and landscaping, and has varying elevation.

History: In January 2000, the City amended the Shopping Center District to include more detailed site development standards; specifically, it regulated 24-hour uses within 300 feet of residentially zoned property. In addition, the amendment established a Planned Unit Development on all properties zoned Shopping Center District.

In 2004, the Shopping Center zone requirements were amended by ordinance #1304. This amendment redefined the floor area ratio of occupiable building to land area as 1:1. (1 square foot of building to 1 square foot of land area). It also provided for a height of 3 stories above the main entry level.

Planning File 3608: In 2005, the City approved Planned Unit Development #3608 for the lifestyle wing that replaced the former Mervyn’s of California anchor.

PROJ0004 - Comprehensive Plan: In 2009, the City adopted a new Comprehensive Plan, which identified the Rosedale retail area as Regional Business.

PROJ0017 – Zoning Code Rewrite: In 2010, the City of Roseville rezoned the City and adopted a new Zoning Code. Rosedale was zoned to Regional Business District and the PUD, as a development tool, was eliminated from the Code; however, amendments of existing PUDs approvals/agreements remained.

PLANNING COMMISSION ACTION: On September 2, 2015, the Planning Commission unanimously recommended approval of the proposed preliminary plat, subject to certain conditions. The City Council approved the preliminary plat on September 28, 2015.

1 **PROPOSAL**

2 Jones Lang LaSalle (JLL) proposes to create a new lot, consolidate their existing 3 lots, and modify
3 the size of the J.C. Penney lot, all in order to facilitate a 141,000 sq. ft. retail addition, a 450-stall
4 parking deck, and up to 5 - 7,000 to 8,000 sq. ft. commercial building pad sites. Since the proposal
5 affects the former Planned Unit Development #3608, its legal description and components of the
6 agreement are required to be amended. Regarding the possible tenants in the addition and out-
7 parcels, it is our understanding that the tenant mix is confidential and/or unknown.

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

18 **FINAL PLAT ANALYSIS**

19 The proposed final plat seeks to create Lot 1, Block 1, Rosedale Fifth Addition, which modifies the
20 size of the J.C. Penney lot so that there is a no net loss of land area. The proposal also creates Lot 2,
21 Block 1, Rosedale Fifth Addition, which will serve as the lot on which the new retail building will
22 be constructed. The proposal also creates Lot 3, Block 1, Rosedale Fifth Addition, which is the
23 combination of the remaining JLL lots into a new single property.

24 Plat proposals are reviewed primarily for the purpose of ensuring that all proposed lots meet the
25 minimum size requirements of the zoning code, that adequate streets and other public infrastructure
26 are in place or identified and constructed, and that storm water is addressed to prevent problems
27 either on nearby property or within the storm water system. As a plat of a regional business-zoned
28 property, neither the zoning nor subdivision codes establish minimum requirements for area or width
29 of lots, but the proposal is subject to the easement standards and park dedication of the subdivision
30 code, established in Chapter 1103 (Design Standards) of the City Code.

31 Since the preliminary plat approval of September 28, 2015, the applicant has been working with the
32 Public Works/Engineering Department on finalizing transportation improvements required for the
33 plat and Planned Unit Development Amendment approval, as well as other necessary changes that
34 needed to be incorporated into the Final Plat. One item that has been determined by the Public
35 Works Director is the dedication of road right-of-way necessary (east and west sides of access) for
36 the installation of a dedicated right turn into the County Road B2 and Snelling Avenue exit access.
37 This dedication was not a requirement of the preliminary plat, but was negotiated during the PUD
38 amendment process.

39 Similarly, Roseville's Public Works Department staff has been working with the applicant to address
40 the typical public needs related to overall site grading and attending to storm water management
41 requirements. Regarding easements, no additional utility and drainage easements will be necessary
42 on Lot 1 and 3, and the Public Works staff will not be requiring easements on the new Lot 2, given
43 the uniqueness of the development.

44 The preliminary plat approval included the condition below which, after negotiations with JLL, has
45 been replaced with the requirement in the planned unit development agreement of a Public
46 Improvement Contract (PIC) to add a second westbound left turn lane to the entrance of Rosedale
47 Mall at the intersection of County Road B2 and Snelling (both the north and south bound ramps).
48 All costs related to the required improvements shall be paid by the developer. The PIC shall include
49 language that requires the design of the required improvements be approved by the City Engineer,
50 Ramsey County, and the Minnesota Department of Transportation.

51 d. The City Engineer, Ramsey County, and MnDOT shall all approve the traffic management plan
52 and improvements prior to the recording of the final plat. There may be some required traffic
53 mitigation costs, which are associated with these improvements, to be paid by the developer;

54 City Code specifies that an approved tree preservation plan is a necessary prerequisite for approval
55 of a preliminary plat and final plat, however, the proposed new lot area of Rosedale Mall does not
56 include any trees, therefore, the Planning Division is waiving this requirement for the platting
57 process. A tree preservation plan will be required as a component of the parking deck permit and
58 out parcel applications that will be submitted in the future for staff review and approval.

59 **RECOMMENDED CITY COUNCIL ACTION**

60 Adopt a resolution approving the **FINAL PLAT** of Lots 1, 2, and 3, Block 1, Rosedale Fifth Addition
61 at 1700 County Road B2 and 1705 Highway 36, based on the comments and findings of this report,
62 and subject to the following conditions:

63 **a.** The DEVELOPER shall dedicate the right-of-way along County Road B2 (east and west sides of
64 the access) for the purpose of reconstructing the dedicated right turn into Rosedale from County
65 Road B2 at the exit ramp from Snelling Avenue, which may be necessary for the construction of
66 the required westbound second left turn lane. Said right-of-way must be included on the Final
67 Plat submitted to the City for signatures and for review and approval by the Public Works
68 Director.

69 **b.** The Public Works Department shall approve easements, grading and drainage, storm water
70 management, and utility requirements as necessary to meet the applicable standards prior to the
71 issuance of any building permits related to the proposed expansion of Rosedale Mall;

72 **c.** Storm water improvements will be approved by the City Engineer prior to the issuance of a

73 building permit for the leasable space. The City may work with the developer and the watershed
74 district to provide additional storm water management that benefits a broader area of the City;
75 **d.** Permits for site improvements shall not be issued without evidence of an approved permit from
76 the watershed district;

77 **PARK DEDICATION**

78 On September 1, 2015, the Roseville Park and Recreation Commission voted to recommend cash in
79 lieu of land dedication for the 2.1 acre lot at the 7% fair market value or a payment, due to the City
80 at the time of plat release for recording, of \$102,300.

81 **ALTERNATIVE ACTIONS**

82 **Pass a motion to table the item for future action.** Tabling beyond December 11, 2015, for FINAL
83 PLAT will require an extension of the action deadline.

84 **By motion, recommend denial of the proposed Final Plat.** A recommendation to deny should be
85 supported by specific findings of fact based on the City Council's review of the application,
86 applicable zoning or subdivision regulations, and the public record.

Prepared by: City Planner Thomas Paschke 651-792-7074 | thomas.paschke@cityofroseville.com

Attachments: A: CC minutes of 092815 C: Draft resolution

B: Final plat

1 Extract of the September 28, 2015 Roseville City Council Meeting Minutes**2 Consider Approval of a Preliminary Plat at Rosedale Center**

3 Prior to staff's presentation, Mayor Roe clarified that the action sought of the City Council
4 tonight was only for PRELIMINARY PLAT approval, with the PUD amendment that had been
5 included in the Planning Commission's review, public hearing and their recommendation for
6 approval would come before the City Council at a future date and not part of tonight's requested
7 action.

8 City Planner Paschke confirmed this approval process, anticipating the PUD Agreement
9 amendment will come before the City Council sometime in October.

10 Mr. Paschke briefly reviewed this request as detailed in the RCA dated September 28, 2015, and
11 outlined on the displayed map (Attachment C). Mr. Paschke advised that the Planning
12 Commission unanimously recommended approval as conditioned, concurring with staff's
13 recommendation for approval.

14 As he had discussed with Acting City Manager Bilotta earlier today, Councilmember Willmus
15 asked if the applicable property owners were co-applicants of this Preliminary Plat, seeking
16 clarification of the wording in the RCA.

17 Mr. Paschke confirmed that co-applicant status, advising that J. C. Penney had provided staff
18 with a letter of support, the former Compass Realty entity no longer in existence, with other sub-
19 entities signing off and becoming part of the permanent record as recorded with Ramsey County.

20 If the City Council approves this preliminary plat, City Attorney Gaughan suggested adding a
21 condition that its approval be contingent upon approval of approved amendment to PUD
22 Agreement # 3608.

23 Applicant Representative Bill Mosten, Senior VP of Retail with Jones Lang LaSalle (JLL)

24 Mr. Mosten concurred with the summarization by City Planner Paschke, stating their
25 development team's availability in the audience for questions if needed. Mr. Mosten expressed
26 their firm's appreciation for the City's support of Rosedale Center over the years and expressed
27 their excitement in moving forward into the future with this project.

28 Mayor Roe noted the significantly reduced square footage available to the fourth anchor tenant
29 with this proposal (Attachment C); further noting that it created some interesting lot lines on the
30 site.

31 Mr. Mosten responded affirmatively, noting that it made for the cleanest way to replat the site
32 without causing further complications with the parking structure and other amenities of the site.

33 In general, Councilmember McGehee expressed her interest in seeing all the parking lots on the
34 Rosedale Center site more amenable to pedestrian movement from one portion of the site to
35 another; asking the applicant to take that into consideration in their planning. Councilmember
36 McGehee referenced recent improvements by the City with trails and pathways within the City
37 and improvements to pedestrian access from neighborhoods surrounding Rosedale Center, but
38 her concern in pedestrians then having to dodge traffic once on the site. Councilmember
39 McGehee asked the applicant to work with staff on that concern as part of their PUD agreement
40 negotiations.

41 Mr. Mosten expressed appreciation for Councilmember McGehee's comments, and offered their
42 willingness to work with staff in evaluating options to encourage connectivity with other access
43 points on their site, as well as supporting connectivity with adjacent properties and pathways as
44 well. Mr. Mosten opined that some pedestrian movements may be addressed with the parking
45 structure intended to cross over the inner-ring road and location of adjacent properties that
46 should improve from today's situation allowing for more controlled flow. Mr. Mosten
47 committed to working with staff on additional ideas that could be incorporated to address
48 pedestrian movement on site.

49 Councilmember McGehee opined that while their management kept up their structure(s) well,
50 since it was surrounded by an asphalt moat, they should also consider some ways to beautify
51 their parking lot and site.

52 Mayor Roe noted that was an area of importance to all City Councilmembers, and noted some
53 recent redevelopment examples (e.g. Walmart, Cub on Larpenteur and Fernwood, and the
54 Ramsey County Library - Roseville Branch) as what was being sought and specific to provide a
55 safe harbor for pedestrians from the perimeter of a site to the structure(s).

56 Public comment was sought by Mayor Roe, with no one appearing to speak to this issue.

57 McGehee moved, Etten seconded, approval of PRELIMINARY PLAT as presented, covering the
58 properties addressed as 1700 County Road B-2 and 1705 Highway 46, based on the comments
59 and findings, and recommendations of the Planning Commission and as detailed in the RCA
60 dated September 28, 2015; *amended as follows:*

61 *Add a condition to state that if the City Council the PRELIMINARY PLAT approval is*
62 *contingent upon subsequent approval of amendments to PUD Agreement # 3608.*

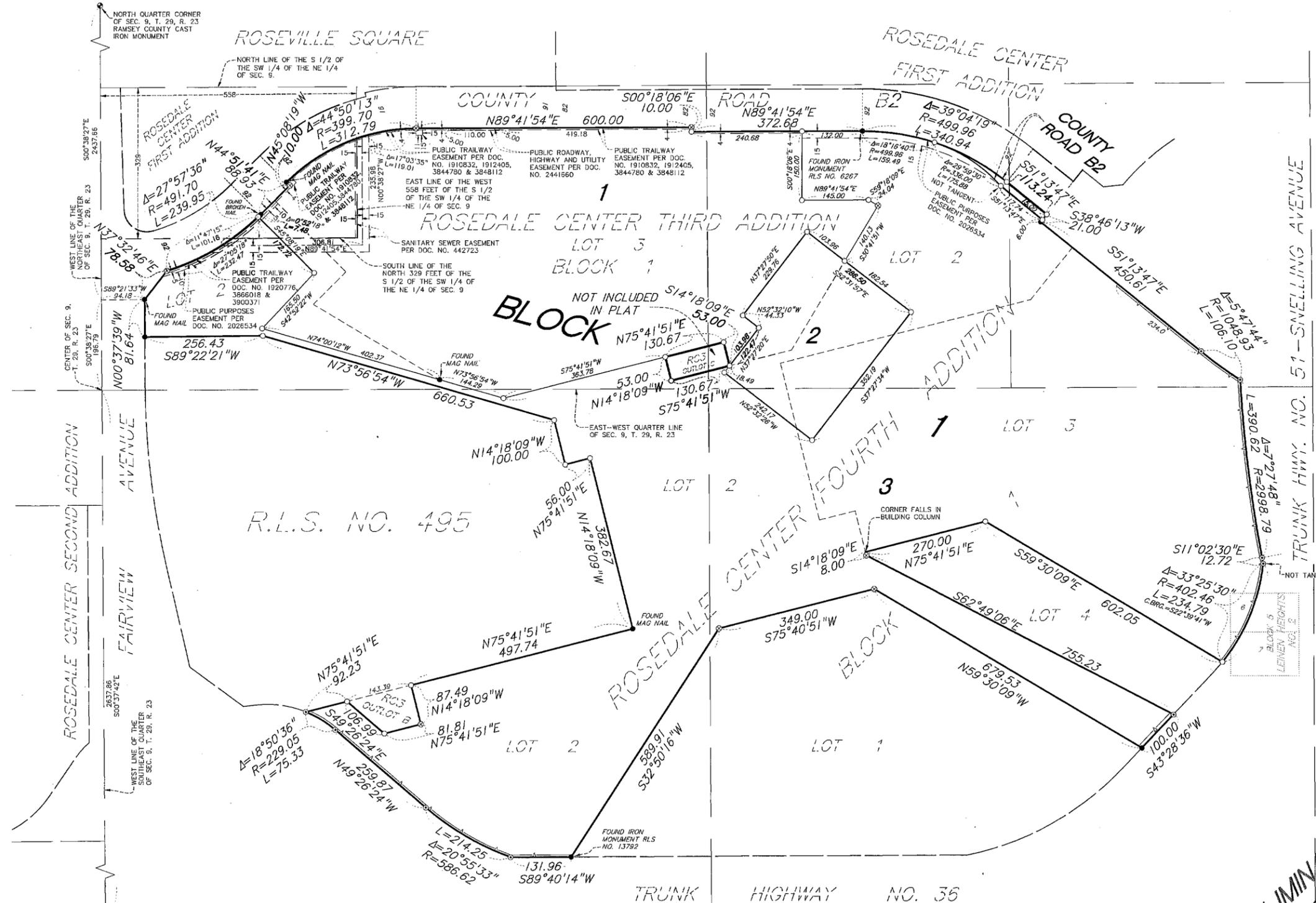
63 **Roll Call**

64 **Ayes:** Willmus, Etten, McGehee, Laliberte and Roe.

65 **Nays:** None.

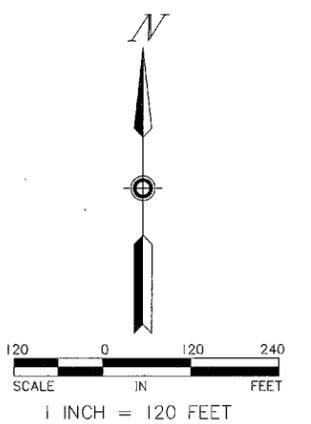
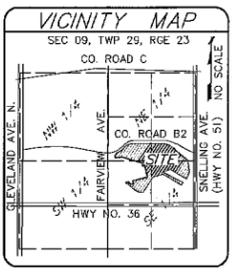
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ROSEDALE CENTER FIFTH ADDITION



- DENOTES 1/2 INCH BY 14 INCH IRON PIPE MONUMENT SET AND MARKED BY LICENSE NO. 15480
- ⊙ DENOTES 1.17 INCH DIAMETER COPPER MAGNETIZED MARKER WITH DISC CAP AFFIXED STAMPED LS-15480
- DENOTES FOUND 1/2 INCH OPEN IRON MONUMENT, UNLESS OTHERWISE NOTED.
- ⊙ DENOTES FOUND MINNESOTA DEPARTMENT OF TRANSPORTATION CAST IRON MONUMENT.
- RC3 DENOTES ROSEDALE CENTER THIRD ADDITION.
- △ DENOTES CONTROLLED ACCESS PER PLAT OF ROSEDALE CENTER FOURTH ADDITION.

FOR THE PURPOSES OF THIS PLAT THE WEST LINE OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 29, RANGE 23, RAMSEY COUNTY, MINNESOTA IS ASSUMED TO HAVE A BEARING OF S00°38'27"E.



PRELIMINARY
SUBJECT TO REVISION

**EXTRACT OF MINUTES OF MEETING OF THE
CITY COUNCIL OF THE CITY OF ROSEVILLE**

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Roseville, County of Ramsey, Minnesota, was held on the 16th day of November 2015 at 6:00 p.m.

The following Members were present: _____
and _____ were absent.

Council Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. ____

**A RESOLUTION APPROVING THE ROSEDALE CENTER FIFTH ADDITION
(PF15-019)**

WHEREAS, Jones Lang LaSalle (JLL) has applied for approval of the proposed plat on property addressed at 1700 County Road B2 and 1705 Highway 36, which parcels are legally described as:

Lots 1, 2, and 3, Block 1, Rosedale Center Fifth Addition

WHEREAS, the Roseville Planning Commission held the public hearing regarding the proposed preliminary plat on September 2, 2015, and after said public hearing the Roseville Planning Commission voted to recommend approval of the proposed preliminary plat based on the comments and findings of the pertinent staff report and the input from the public; and

WHEREAS, the Roseville City Council, at its regular meeting on September 28, 2015, received the Planning Commission's recommendation and voted to approve the preliminary plat; and

WHEREAS, the final plat materials have been prepared and submitted which are consistent with the approved preliminary plat and reflect applicable conditions of preliminary plat approval;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Roseville, Minnesota, that the final plat of Rosedale Center Fifth Addition is hereby approved;

AND BE IT FURTHER RESOLVED, by the Roseville City Council that modification to Rosedale Center Fifth Addition shall be subject to the following conditions:

1. The DEVELOPER shall dedicate the right-of-way along County Road B2 (east and west sides of the access) for the purpose of reconstructing the dedicated right turn into Rosedale from County Road B2 at the exit ramp from Snelling Avenue, which may be necessary for the construction of the required westbound second left turn lane. Said right-of-way must be included on the Final Plat submitted to the City for signatures and for review and approval by the Public Works Director.

2. The Public Works Department shall approve easements, grading and drainage, storm water management, and utility requirements as necessary to meet the applicable standards prior to the issuance of any building permits related to the proposed expansion of Rosedale Mall;
3. Storm water improvements will be approved by the City Engineer prior to the issuance of a building permit for the leasable space. The City may work with the developer and the watershed district to provide additional storm water management that benefits a broader area of the City;
4. Permits for site improvements shall not be issued without evidence of an approved permit from the watershed district;
5. \$102,300 cash in lieu of land dedication is required for the 2.1 acre lot, which represents a 7% fair market value and is due to the City at the time of the plat is released for recording at Ramsey County.

The motion for the adoption of the foregoing resolution was duly seconded by Council Member _____ and upon a vote being taken thereon, the following voted in favor: _____ and _____ voted against.

WHEREUPON said resolution was declared duly passed and adopted.

