

ROSEVILLE
REQUEST FOR COUNCIL ACTION

DATE: 4/21/2014

ITEM NO: 13.a

Division Approval



City Manager Approval

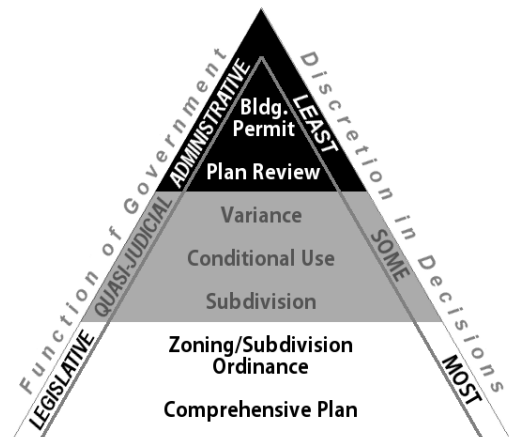


Item Description: Request by J.W. Moore, Inc., holder of a purchase agreement for the residential property at 297-311 Co. Rd. B, for approval of a **final plat** creating 7 residential lots

Application Review Details

- RCA prepared: April 16, 2014
- City Council action: April 21, 2014
- Statutory action deadline: June 20, 2014

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



1.0 REQUESTED ACTION

J.W. Moore requests approval of a proposed FINAL PLAT of the residential parcels at 297-311 County Road B creating seven lots for development of seven one-family detached residences.

2.0 SUMMARY OF RECOMMENDATION

The Planning Division recommends approving the proposed FINAL PLAT; see Section 8 of this report for the detailed recommendation.

3.0 BACKGROUND

- 3.1 The subject property, located in Planning District 16, has a Comprehensive Plan Land Use Designation of Low-Density Residential (LR) and a zoning classification of Low-Density Residential-2 (LDR-2) District.
- 3.2 When exercising the so-called “quasi-judicial” authority when acting on a PLAT 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 applicant meets the relevant legal standard, then they are likely entitled to the approval, although the City is able to add conditions to a plat approval to ensure that the likely impacts to roads, storm sewers, and other public infrastructure on and around the subject property are adequately addressed.
- 3.3 City Council review and action pertaining to the Moore’s Farrington Estates PRELIMINARY PLAT was to occur as a preceding agenda item during the same City Council meeting as the requested review and action for the FINAL PLAT. This is a more condensed timeline than most plats for a couple of reasons: first, the plat itself is simple, requiring no new streets, major utilities, or public improvement contracts; and second, the applicant needs to take possession of the property in time to allow the Roseville Fire Department to utilize the buildings on the subject property for training exercises on a selected date in the middle of May 2014. While actions on final plats typically follow approvals of their respective preliminary plats by a number of weeks, the time between such actions is not regulated by State Statute or City Code. Instead, the time following approval of a preliminary plat is typically used by the applicant to refine the plat, grading, utility, and other details as required by the preliminary plat approval. Those final details and documents have already been prepared by the present applicant and reviewed by City staff; if the PRELIMINARY PLAT is approved consistent with the recommendation of the Planning Commission, City staff has determined that the FINAL PLAT application may also be approved as presented.

4.0 FINAL PLAT ANALYSIS

- 4.1 Plat proposals are reviewed primarily for the purpose of ensuring that all proposed lots meet the minimum size requirements of the zoning code, that adequate streets and other public infrastructure are in place or identified and constructed, and that storm water is addressed to prevent problems either on nearby property or within the storm water system.
- 4.2 The proposed FINAL PLAT meets the requirements for drainage and utility easements and exceeds the minimum lot size requirements in the LDR-2 district. The proposed FINAL PLAT is included with this report as Attachment C.
- 4.3 Roseville’s Public Works Department staff has been working with the applicant to address the requirements related to grading, drainage, easements, and dedication of additional right-of-way along both County Road B and Farrington Street. While these details are essential parts of a PLAT application, the City Council is not asked to review and digest such engineering-related plans; instead, actions by the City Council typically include conditions that such plans must ultimately meet the approval of Public Works staff. To that end, Engineering staff has reviewed the subject plan and has returned some comments to the applicant related to general site grading as it relates to storm water as well as some general utility items; these items will be addressed to satisfy administrative

requirements for issuance of any grading and/or building permits. Beyond these items, Engineering staff has no remaining comments on the plat

4.4 City Code §1011.04 (Tree Preservation) specifies that a, approved tree preservation plan is a necessary prerequisite for approval of a PLAT. A tree survey has been provided which identifies the trees on the property as well as the trees which are likely to be removed, based on the current grading and utility plans and anticipated locations houses and driveways. Largely because about 80% of trees to be removed are not characterized as “significant” trees according to §1011.04, the result of a current tree replacement calculation is that no replacement trees are required. While the essential information has been provided, the ultimate tree replacement requirements depend upon the final grading plan and plans for the individual homes, which may not be finalized until after the final plat; for this reason, it is prudent to proceed with review and possible approval of the FINAL PLAT with the condition that site grading and building permits should not be issued without iterative review of the tree preservation plan to account for any impacts to trees not anticipated at this point in the planning process.

4.5 At its meeting of February 6, 2014 Roseville’s Parks and Recreation Commission reviewed the proposed PRELIMINARY PLAT against the park dedication requirements of §1103.07 of the City Code and recommended a dedication of cash in lieu of land. The existing land area is composed of two buildable parcels subdivided from Lot 7 of the 1881 *Michel's Rearrangement of Lots 9 to 16 Inclusive of Mackubin and Iglehart's Addition of Out Lots to St. Paul* plat. Since the existing land comprises two residential units, the proposed 7-unit plat would create five new building sites. The 2014 Fee Schedule establishes a park dedication amount of \$3,500 per residential unit; for the five, newly-created residential lots the total park dedication would be \$17,500, to be collected prior to recording an approved plat at Ramsey County.

5.0 RECOMMENDATION

Based on the comments and findings outlined in Sections 3 – 5 of this report, the Planning Division recommends approval of the proposed FINAL PLAT, pursuant to Title 11 of the Roseville City Code and subject to any changes required for approval of the preliminary plat, with the condition that permits for site improvements shall not be issued without iterative review of the tree preservation plan to account for any impacts to trees not previously anticipated.

6.0 POSSIBLE COUNCIL ACTIONS

6.1 **Adopt a resolution approving the proposed the proposed Moore’s Farrington Estates FINAL PLAT, as recommended,** for the property at 297-311 County Road B, pursuant to Title 11 of the City Code and the recommendation of Sections 5 of this report.

6.2 **Pass a motion to table the item for future action.** Tabling beyond June 20, 2013 may require extension of the 60-day action deadline established in Minn. Stat. §15.99.

6.3 **Pass a motion, to deny the requested approval.** Denial should be supported by specific findings of fact based on the City Council’s review of the application, applicable zoning or subdivision regulations, and the public record.

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

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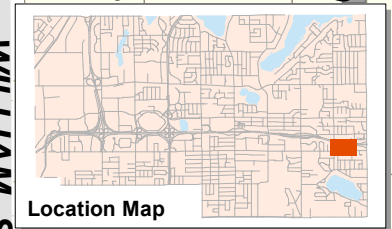
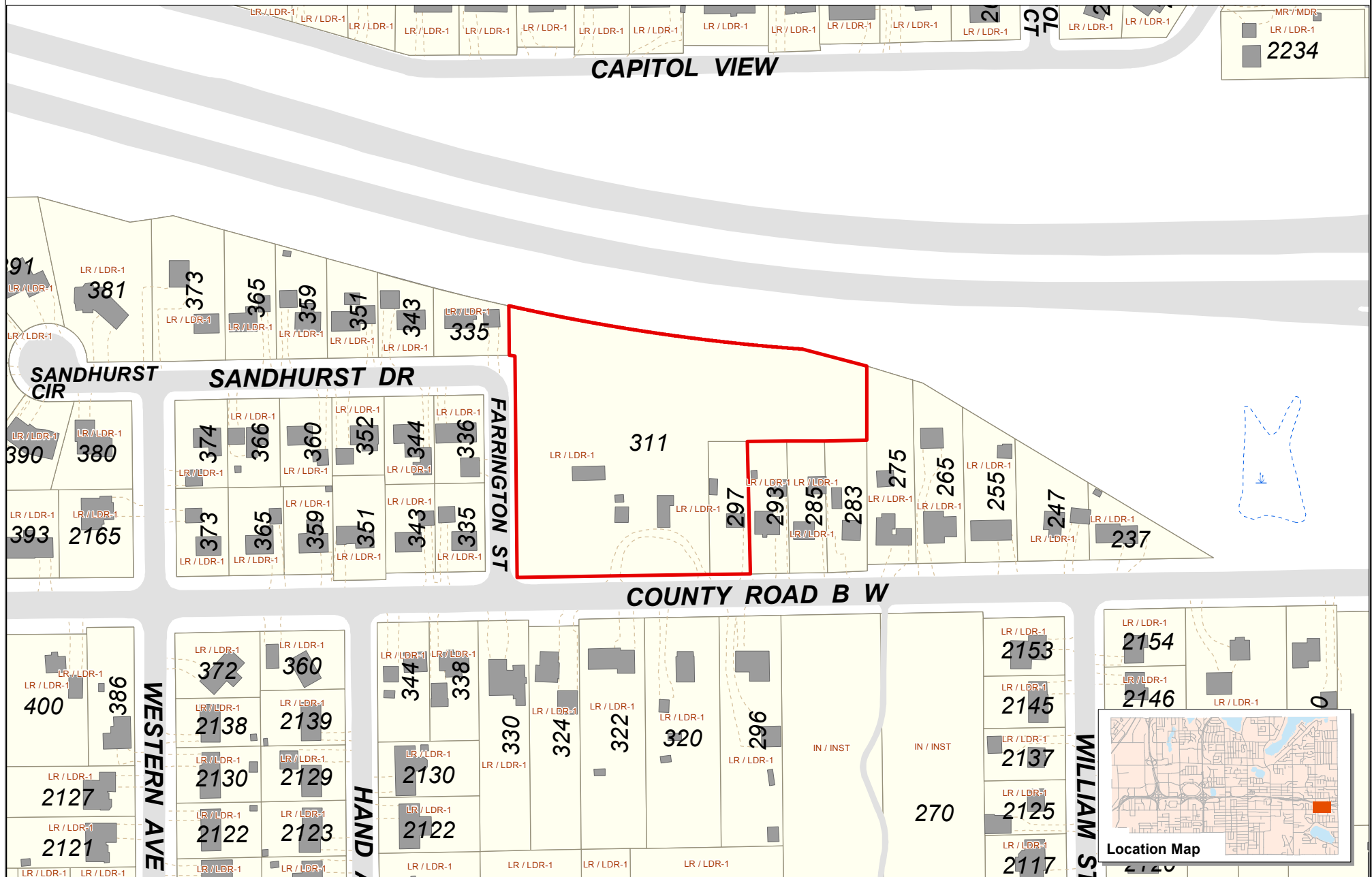
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Item Description: Request by J.W. Moore, Inc., holder of a purchase agreement for the residential property at 297-311 Co. Rd. B, for approval of a **final plat** creating 7 residential lots

Attachments: A: Area map
B: Aerial photo

C: Final plat
D: Draft resolution

Attachment A for Planning File 14-002



Prepared by:
Community Development Department
Printed: February 18, 2014

Site Location

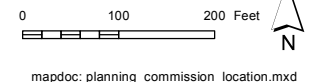
LR / LDR-1 Comp Plan / Zoning Designations

Data Sources

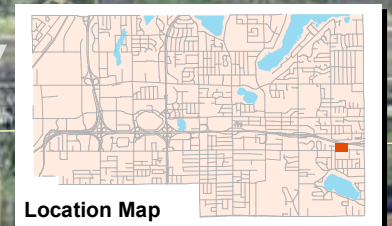
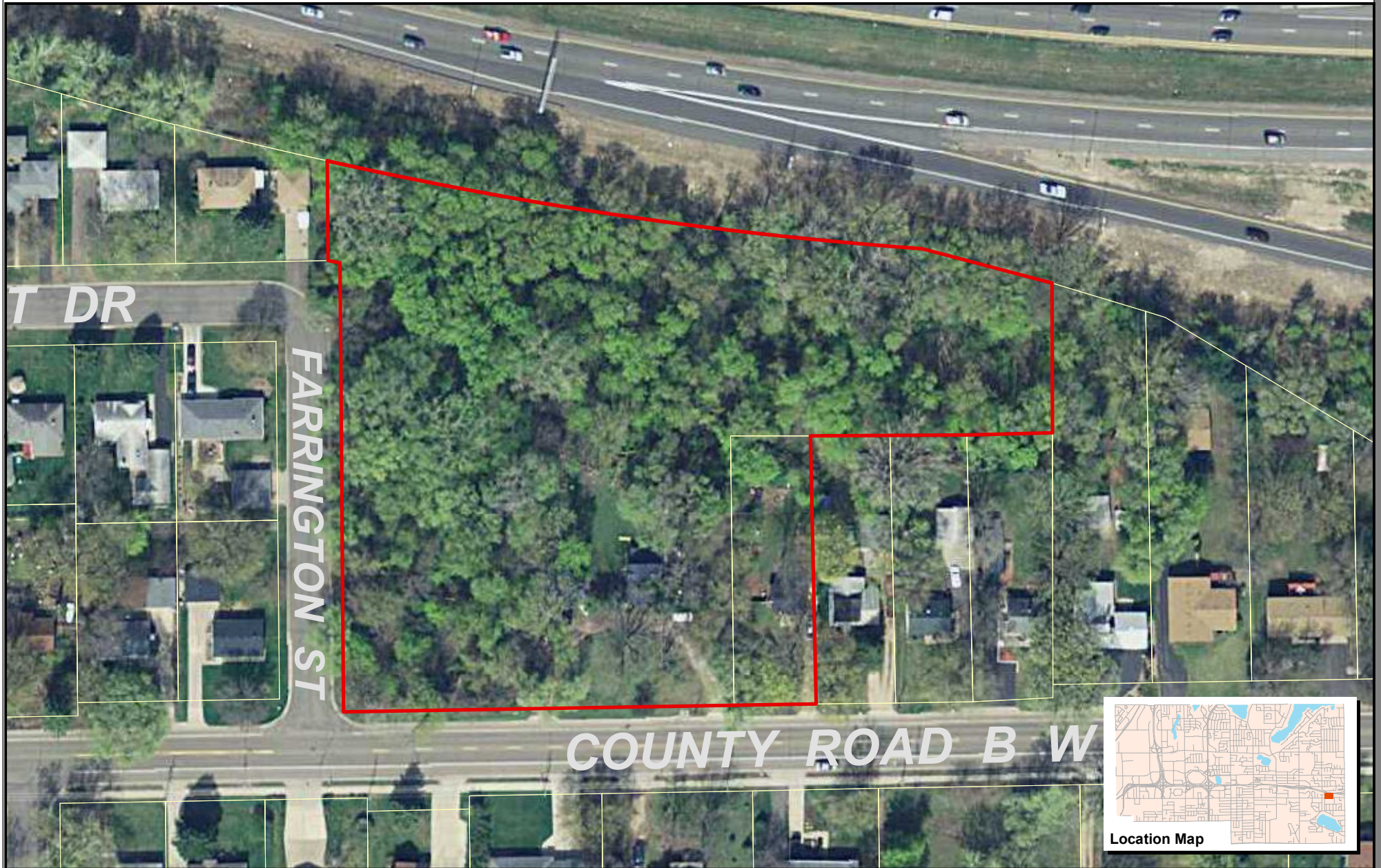
* Ramsey County GIS Base Map (2/4/2014)
For further information regarding the contents of this map contact:
City of Roseville, Community Development Department,
2660 Civic Center Drive, Roseville MN

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.



Attachment B for Planning File 14-002



Prepared by:
Community Development Department
Printed: February 18, 2014



Site Location

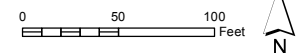
Data Sources

* Ramsey County GIS Base Map (2/4/2014)
* Aerial Data: MnGeo (4/2012)

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KNOW ALL MEN BY THESE PRESENTS: That J.W. Moore, Inc., a Minnesota Corporation, fee owner of the following described property situated in the City of Roseville, County of Ramsey, State of Minnesota:

Lot Seven (7), of Michel's Rearrangement of Lots 9 to 16 inclusive of Mackubin and Iglehart Addition of Outlots to St. Paul, except the East 240 feet of South 200 feet and subject to State Highway 36.

AND

The South 200 feet of the West 60 feet of the East 240 feet of Lot 7, in Michel's Rearrangement of Lots 9 to 16 inclusive of Mackubin and Iglehart's Addition of Outlots to St. Paul, Ramsey County, Minnesota.

Has caused the same to be surveyed and platted as MOORE'S FARRINGTON ESTATES and does hereby dedicate to the public for public use forever the public ways the drainage and utility easements as shown on this plat.

In witness whereof said J.W. Moore, Inc., a Minnesota Corporation, has caused these presents to be signed by its proper officers this _____ day of _____, 20____.

Signed: J.W. Moore, Inc.

By _____

its _____

STATE OF MINNESOTA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____ J.W. Moore, Inc., a Minnesota Corporation, on behalf of the corporation.

Notary Public, _____ County, Minnesota

My Commission Expires _____

I, Jason E. Rud, Licensed Land Surveyor, do hereby certify that I have surveyed or directly supervised the survey of the property described on this plat; prepared this plat or directly supervised the preparation of this plat; that this plat is a correct representation of the boundary survey, that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been correctly set; that all monuments indicated on this plat will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of the surveyor's certification are shown and labeled on this plat; and all public ways are shown and labeled on this plat.
Dated this _____ day of _____, 20____.

Jason E. Rud, Land Surveyor
Minnesota License No. 41578

STATE OF MINNESOTA
COUNTY OF _____

The foregoing Surveyor's Certificate was acknowledged before me this _____ day of _____, 20____, by Jason E. Rud, a Licensed Land Surveyor.

Notary Public, _____ County, Minnesota

My Commission Expires _____

CITY COUNCIL OF CITY OF ROSEVILLE

We do hereby certify that on the _____ day of _____, 20____, the City Council of the City of Roseville, Minnesota, approved this plat. Also, the conditions of Minnesota Statutes, Section 505.03, Subd. 2, have been fulfilled.

_____, Mayor

DEPARTMENT OF PROPERTY RECORDS AND REVENUE

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable in the year _____ on the land hereinbefore described have been paid. Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfers entered this _____ day of _____, 20____.

_____, Director By _____, Deputy
Department of Property Records and Revenue

COUNTY SURVEYOR

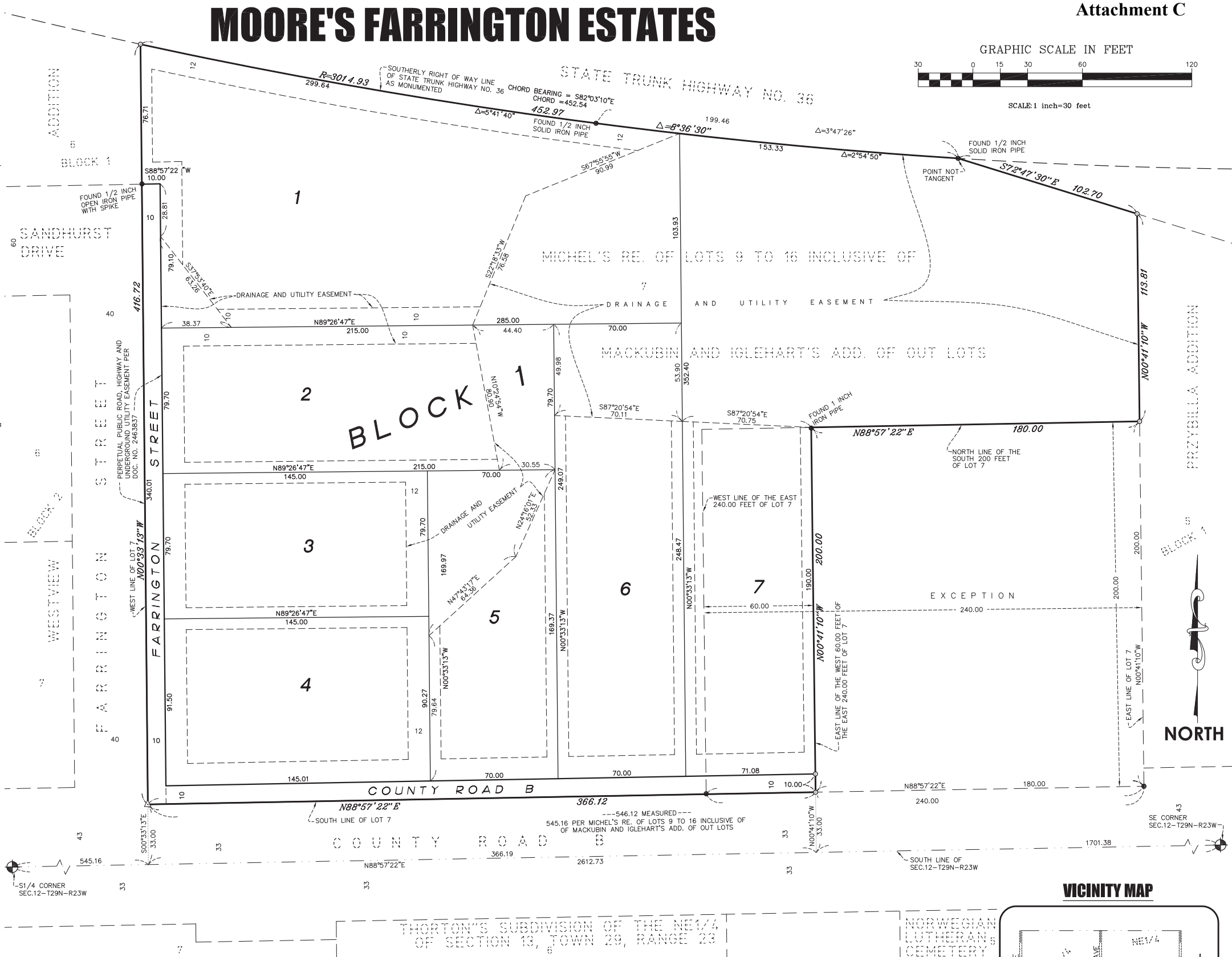
I hereby certify that this plat complies with the requirements of Minnesota Statutes, Section 505.021, and is approved pursuant to Minnesota Statutes, Section 383A.42, this _____ day of _____, 20____.

Craig W. Hinzman, L.S.
Ramsey County Surveyor

COUNTY RECORDER,
COUNTY OF RAMSEY, STATE OF MINNESOTA

I hereby certify that this plat of MOORE'S FARRINGTON ESTATES was filed in the office of the County Recorder for public record on this _____ day of _____, 20____, at _____ o'clock _____ M., and was duly filed in Book _____ of Plats, Page _____, as Document Number _____.

Deputy County Recorder



The orientation of this bearing system is based upon Ramsey County Coordinates, North American Datum of 1983, 1986 adjustment.

Denotes Ramsey County cast iron monument.

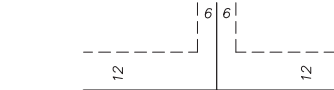
Denotes 1/2 inch Iron Pipe Found as labeled.

Denotes 1/2 inch X 18 inch iron pipe set marked with a plastic cap inscribed "RLS 41578".

Denotes set PK nail with metal disk marked RLS 41578.

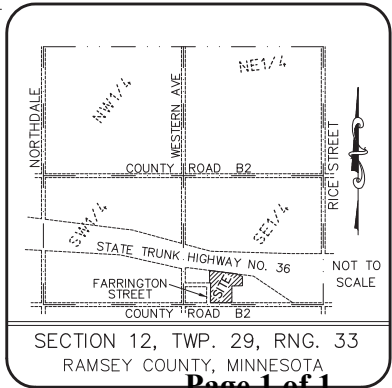
Any required interior monument location on this plat with no monument symbol shown, indicates an interior plat monument that will be set, and which shall be in place within one year after the recording of this plat.

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



BEING 6 FEET IN WIDTH AND ADJOINING SIDE LOT LINES AND 12 FEET IN WIDTH AND ADJOINING STREET LINES AND REAR LOT LINES, UNLESS OTHERWISE SHOWN ON THIS PLAT.

VICINITY MAP



**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 21st day of April 2014 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 FINAL PLAT OF MOORE'S FARRINGTON
ESTATES (PF14-002)**

WHEREAS, J.W. Moore, Inc., applicant for approval of the proposed plat, holds a purchase agreement for the residential property at 297 and 311 County Road B, which parcels are legally described as;

**The South 200 feet of the West 60 feet of the East 240 feet of Lot 7, of Michel's
Rearrangement of Lots 9 to 16 inclusive of Mackubin and Iglehart's Addition to Outlots to
St. Paul, Ramsey County, Minnesota**

and

**Lot 7, of Michel's Rearrangement of Lots 9 to 16 inclusive of Mackubin and Iglehart's
Addition to Outlots to St. Paul, except the East 240 feet of the South 200 feet and subject to
State Highway 36**

And WHEREAS, the Roseville Planning Commission held the public hearing regarding the proposed preliminary plat on April 10, 2014, 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 April 21, 2014, received the Planning Commission's recommendation and voted ____ to approve the preliminary plat; and

26 WHEREAS, the final plat materials have been prepared and submitted, pursuant to the
27 preliminary plat approval;

28 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Roseville,
29 Minnesota, that the final plat of the subject property creating Moore's Farrington Estates is
30 hereby approved.

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

34 WHEREUPON said resolution was declared duly passed and adopted.

[illegible]

WITNESS MY HAND officially as such Manager this 21st day of April 2014.

(SEAL)