

ROSEVILLE
REQUEST FOR COUNCIL ACTION

DATE: 5/12/2014
ITEM NO: 13.b

Division Approval



City Manager Approval



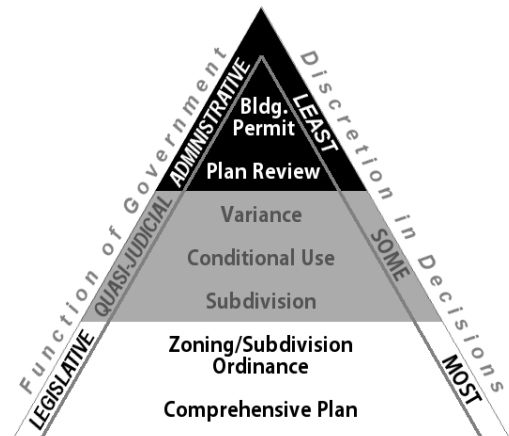
Item Description: Request by J.W. Moore, Inc., holder of a purchase agreement for the residential property at 297-311 Co. Rd. B, for approval of a **rezoning** from LDR-1 to LDR-2 and a **preliminary plat** creating 7 residential lots (PF14-002).

Application Review Details

- Public hearing: April 10, 2014
- RCA prepared: May 7, 2014
- City Council action: May 12, 2014
- Extended action deadline: May 12, 2014

Action taken on a proposed zoning change or easement vacation is **legislative** in nature; the City has broad discretion in making land use decisions based on advancing the health, safety, and general welfare of the community. 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, Inc. proposes to rezone the residential parcels at 297-311 County Road B to facilitate a 7-lot single-family residential plat. The proposal also includes vacation of an existing drainage and utility easement with the intent to relocate the easement and install storm water infrastructure that would improve area drainage as well as meet the requirements of the proposed development.

2.0 SUMMARY OF RECOMMENDATION

The Planning Division concurs with the recommendation of the Planning Commission to approve the proposed REZONING, EASEMENT VACATION and PRELIMINARY 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-1 (LDR-1) District.
- 3.2 When exercising the City's legislative authority when acting on a REZONING request, the role of the City is to review a proposal for its merits in addition to evaluating the potential impacts to the public health, safety, and general welfare of the community. If a rezoning request is found to be consistent with the Comprehensive Plan and is otherwise a desirable proposal, the City may still deny the rezoning request if the proposal fails to promote the public health, safety, and general welfare.
- 3.3 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.
- 3.4 An applicant seeking approval of a plat of this size or a rezoning is required to hold an open house meeting to inform the surrounding property owners and other interested individuals of the proposal, to answer questions, and to solicit feedback. The open house for this application was held on January 6, 2014; the brief summary of the open house meeting provided by the applicant is included with this staff report as Attachment C.
- 3.5 During its April 21, 2014 review of this application the City Council expressed concerns about the possibility of two-family and one-family attached dwellings being developed on the subject property as a consequence of the proposed rezoning to LDR-2, concerns about the propriety of applying the LDR-2 district in the proposed location in light of the district's statement of purpose, and concern about whether the language of the Subdivision Code even allows the creation of lots for one-family, detached dwellings if those lots were narrower than 85 feet. For these reasons, the City Council tabled action on the proposal until May 12, 2014.

4.0 REZONING ANALYSIS

- 4.1 The LR guidance of the property in the Comprehensive Plan allows for two possible low-density zoning designations: the existing LDR-1 and the proposed LDR-2. Since the subject property is about three-and-a-half acres in size, the proposed seven lots would yield about two dwelling units per acre, which about half of the recommended maximum density of single-family detached homes established in the Comprehensive Plan.
- 4.2 The LDR-2 Statement of Purpose, reads as follows:
Statement of Purpose: The LDR-2 District is designed to provide an environment of one-family dwellings on small lots, two-family and townhouse dwellings, along with related uses such as public services and utilities that serve the residents in the district. The district is established to recognize existing areas with concentrations of two-family and townhouse dwellings, and for application to areas guided for redevelopment at densities up to 8 units per acre or with a greater diversity of housing types.

As a statement of the purpose of the LDR-2 zoning district, the City Attorney has advised that it represents general guidance of intent and applicability of the zoning designation, and that it is not an expression of requirements.

4.3 During the April 21, 2014 City Council review of this application, the Council identified two parts of the above purpose statement which were found to be in conflict with the proposal: the proposed lots were not “small” because they exceeded the LDR-1 minimum lot area standards, and the subject property is not in an area with “concentrations of two-family and townhouse dwellings”. Additional comment from Planning Division staff about the compatibility or incompatibility of the LDR-2 district for the proposal is given below.

a. When the existing Zoning Code was being drafted in 2010, Planning Division staff had proposed smaller minimum lot width and area requirements (i.e., 75 feet and 9,500 square feet, respectively) for the LDR-1 district. This proposal was ultimately rejected for the time being, in no small part because of the perception by members of the City Council and members of the public that reducing the lot width to 75 feet would allow for additional development to be squeezed into existing, stable neighborhoods. Without going into the full explanation here, the prospect of squeezing new homes into existing neighborhoods is very unlikely—almost to the point of being a practical impossibility, and it happens that the limiting factor acting as the main obstacle to fitting additional lots into established residential areas is the lot width. Knowingly or otherwise, people who had concerns that the establishment of smaller minimum lot sizes would increase the density of their neighborhoods were actually concerned about the proposed narrower lot width. In the 2010 discussion of reduced minimum lot sizes, “smaller” was, for all practical purposes, a shorthand reference to lot width less than the traditional 85 feet. Granted, the composition of the City Council is not the same today as it was in December 2010, but the City Council’s observation that the presently-proposed 70- and 80-foot-wide lots are “not small” by virtue of their large area is the opposite of the policy position taken by the City Council less than four years ago in which residential lots less than 85 feet in width were characterized as small.

b. The City Council’s other concern about the LDR-2 district relates to the first half of this sentence in the district’s Statement of Purpose: *The district is established to recognize existing areas with concentrations of two-family and townhouse dwellings, and for application to areas guided for redevelopment at densities up to 8 units per acre or with a greater diversity of housing types.* If one focuses on the portion of the sentence preceding the comma and understands the word “areas” to describe a very small radius, rezoning a property to LDR-2 would indeed seem to run afoul of the district’s intended purpose without “concentrations of two-family and townhouse dwellings” on the same block. In fact, the Southwind townhome community is little more than 900 feet to the east of the subject property; whether Southwind represents a “concentration” in the “area” of the subject property is a question that can be debated, but the existence of Southwind (and even other, high-density developments further west) should not be ignored as part of the geographic and regulatory context of the subject property.

But the sentence introduced above continues beyond the comma, indicating that the LDR-2 district is also established “...for application to areas guided for

redevelopment at densities up to 8 units per acre...” which does describe the subject property.

- c. According to the comments made on April 21st, the City Council’s interpretation of the LDR-2 Statement of Purpose can perhaps be paraphrased as: “The LDR-2 district may be applied only when lot sizes are wholly substandard to LDR-1 minimum requirements and only in existing areas with concentrations of two-family and townhouse dwellings.”
- d. By contrast, Planning Division staff’s understanding of the LDR-2 Statement of Purpose can be paraphrased as: “The LDR-2 district may be considered when proposed developments would create smaller single-family lots than the LDR-1 minimum standards (and/or include two-family or attached dwellings) that are not out of place in an existing neighborhood, provided that residential densities don’t exceed 8 units per acre as advocated in the LR designation of the Comprehensive Plan.”

4.4 The proposal seeks to create seven single-family residential lots from the land area of the two existing parcels. The land area and frontage length along County Road B and Farrington Street is sufficient for seven lots, as proposed, that meet or exceed the minimum width and area requirements for residential parcels in the existing LDR-1 zoning district. While the rezoning to LDR-2 isn’t essential to creating a 7-lot plat, the smaller minimum width requirement of the LDR-2 district facilitates a better arrangement of the proposed lots and keeps the width of the lots more consistent with the adjacent properties along County Road B and Farrington Street. To wit, of the 100 residential lots within about 800 feet of the property—an arbitrary distance chosen to include many parcels and still allow legible notes on each parcel—63 fail to meet one or more of the LDR-1 lot size requirements whereas 37 conform to LDR-1 standards. Alternatively, just looking at the lots abutting County Road B from William Street to Western Avenue, 73% of these lots fail to comply with the minimum LDR-1 width requirements, the average of which being about 72 feet wide.

4.5 The narrowest of the proposed lots are 70 feet wide, and the smallest area is about 11,500 square feet, which exceed the minimum requirements of 60 feet of width and 6,000 square feet of area in the LDR-2 district.

5.0 EASEMENT VACATION ANALYSIS

5.1 The Public Works Department staff has reviewed the proposed vacation/relocation of the drainage and utility easement as illustrated in Attachment C and is supportive of vacating the existing easement provided that the proposed replacement easement meets the pertinent requirements. The applicant is continuing to work with Public Works staff on these details.

5.2 Since the Planning Commission is responsible for holding the public hearings for applications like the proposed vacation, Planning Division staff is preparing the report and supporting materials for review. But the Planning staff doesn’t have an interest, *per se*, in such proposals and merely conveys the comments and recommendation of the Public Works Department in addition to coordinating the review of the proposal by the Planning Commission and City Council.

6.0 PRELIMINARY PLAT ANALYSIS

- 6.1 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.
- 6.2 As noted above, the proposed PRELIMINARY PLAT meets the requirements for drainage and utility easements and exceeds the minimum lot size requirements. The proposed PRELIMINARY PLAT is included with this report as Attachment D.
- 6.3 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 PRELIMINARY 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 preliminary plat
- 6.4 City Code §1011.04 (Tree Preservation) specifies that an approved tree preservation plan is a necessary prerequisite for approval of a PRELIMINARY 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 the tree replacement calculation is that no replacement trees are required. While the essential information has been provided, the final tree preservation plan depends 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 PRELIMINARY 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 not anticipated at this point in the planning process.
- 6.5 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* 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.
- 6.6 During the April 21, 2014 City Council review of this application, the text of Subdivision Code Section 1103.06 (Lot Standards) was cited as a conflict with respect to creating single-family, detached dwelling lots less than 85 feet wide. This section of code reads,

in part: "The minimum lot dimensions in subdivisions designed for single-family detached dwelling developments shall be...85 feet wide..." Clearly the present proposal involves lots for single-family, detached dwellings. But if seven lots fronting existing streets constitute a "development," which is a reasonable conclusion, one needs to assume that the creation of even one new lot constitutes a "development" since the Subdivision Code doesn't provide any more specific parameters. That is, the logical conclusion of this interpretation is that every newly-created lot for development of single-family, detached dwelling units is subject to the Subdivision Code's lot size requirements for single-family detached dwelling units.

6.7 There are two compelling examples, however, that suggest the above, strict reading of the Subdivision Code is not representative of the City Council's interpretation of the provision.

a. First, when the existing Zoning Code was being drafted in 2010, Planning Division staff had proposed smaller minimum lot size requirements for the LDR-1 district. This proposal was ultimately rejected for the time being, in no small part because smaller LDR-1 lot sizes in the Zoning Code would have conflicted with the provisions of §1103.06. But, while the adoption of the current Zoning Code in December 2010 kept the LDR-1 lot size standards consistent with the standards of the Subdivision Code, the updated Zoning Code established standards for lots intended for development of single-family, detached dwellings in the LDR-2 and MDR districts which are smaller than the standards of §1103.06. The fact that smaller lot size standards were created for development of one-family, detached dwellings in LDR-2 and MDR districts leads one to the conclusion that the lot size standards of the Subdivision Code were understood to relate only to the LDR-1 district—and not to apply to single-family development lots in other districts.

b. Second, on April 21, 2014, the City Council approved the preliminary plat for the Roseville Housing and Redevelopment Authority/Greater Metropolitan Housing Corporation joint redevelopment of the former fire station site on Dale Street. In addition to creating 24 lots for one-family, *attached* dwellings in townhome/row house formats, this plat creates 11 lots designed for development of single-family, *detached* dwellings which conform to the MDR district's minimum lot standards for such units but which are substandard to the requirements in §1103.06. Here again, the action of the City Council leads to the conclusion that the provisions of §1103.06 do not apply to *all* lots intended for development of single-family, detached homes. While this most recent action by itself does not confirm that the minimum lot size standards of the Subdivision Code only apply to the LDR-1 district, this City Council action does depend on a nuanced interpretation of the intent of the subdivision text rather than a strict reading of the text as written.

6.8 Based on the above examples, Planning Division staff believes there is an ability for the City Council to approve the original proposal for the creation of single-family lots that are smaller than the standards identified in §1103.06 of the City Code but exceed the minimum requirements for single-family lots in the LDR-2 district. Rezoning to LDR-2 notwithstanding, however, the applicant has followed the guidance of the City Council and prepared a quick revision of the proposed plat with seven lots that conform to the current LDR-1 requirements; the revised preliminary plat is included with this RCA as Attachment H. Given the constraints of limited time and significant expense, the engineering details (e.g., grading, storm water, etc.) have not yet been prepared. Even if

the time between tabling of the item on April 21st and submitting for Council action on May 12th were adequate to prepare the materials, the applicant was reluctant to spend significantly more money on such engineering costs without the relative certainty offered by approval of the Preliminary Plat. Such engineering data would necessarily be prepared in time for consideration of the FINAL PLAT.

7.0 PUBLIC COMMENT

7.1 The duly-noticed public hearing for this application was held by the Planning Commission at its meeting of April 10, 2014; draft minutes of the meeting are included with this RCA as Attachment E. No concerns were expressed about the number or size of the proposed lots, but some people were nervous about the fact that duplexes and other two-family structures are permitted in the LDR-2 district. In the end, the majority of Planning Commissioners were comfortable that one-family detached homes will be developed as proposed and voted, 6 – 1, to recommend approval of the application.

7.2 In addition to the comments offered at the public hearing, Planning Division staff has received one email and a few phone calls from neighboring property owners about the proposal. None of these has a particular problem with the proposed one-family development, but people's concerns are related ensuring that the storm water issues are not exacerbated by the development and that the properties are developed with single-family, detached homes as presented in the developer's open house meeting. The email is included with this RCA as Attachment F.

8.0 RECOMMENDED COUNCIL ACTIONS

8.1 **Adopt an ordinance rezoning the property at 297-311 County Road B from LDR-1 to LDR-2.** Based on the comments and findings outlined in Sections 3 – 4 and 7 of this report, the Planning Division concurs with the recommendation of the Planning Commission and continues to recommend approval of the proposed REZONING of the property at 297-311 County Road B from LDR-1 to LDR-2, pursuant to Title 10 of the Roseville City Code, with the condition that the rezoning shall be contingent upon approval and recording of the final plat.

8.2 **Pass a motion approving the proposed easement vacation and preliminary plat for the property at 297-311 County Road B.** Based on the comments and findings outlined in Sections 3, 5, and 7 of this report, the Planning Division concurs with the recommendations of the Planning Commission and Public Works Department to approve the proposed EASEMENT VACATION at 311 County Road B, and to approve the originally proposed PRELIMINARY PLAT, pursuant to Title 11 of the Roseville City Code, with the following conditions:

- a. The final approval of the easement vacation shall be contingent upon approval and recording of the final plat; and
- b. Permits for site improvements shall not be issued without iterative review of the tree preservation plan to account for any impacts not previously anticipated.

9.0 ALTERNATIVE COUNCIL ACTIONS

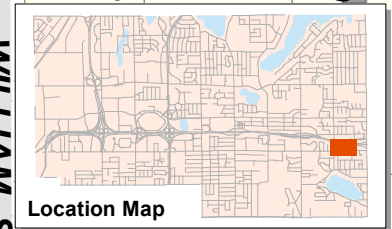
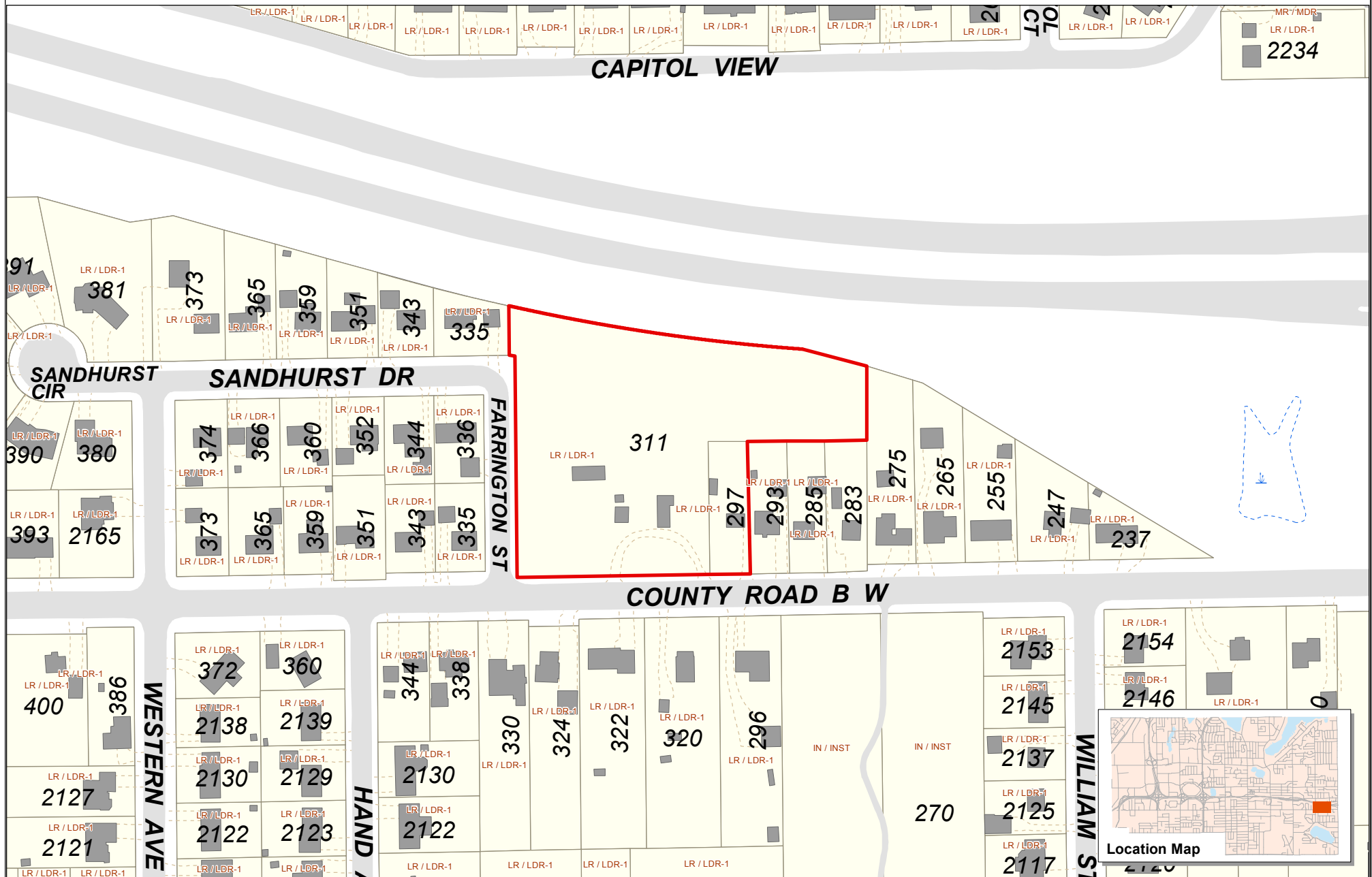
9.1 **Pass a motion to table one or more of the items for future action.** Tabling will require continued consent of the applicant.

277 9.2 **Adopt a resolution to deny one or more of the requested approvals.** Denial(s) should
278 be supported by specific findings of fact based on the City Council's review of the
279 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

Attachments: A: Area map E: April 21, 2014 City Council minutes
B: Aerial photo F: Public comment
C: Open house summary G: Draft ordinance
D: Preliminary plat information H: Preliminary plat conforming to LDR-1
I: Draft denial resolution

Attachment A for Planning File 14-002



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

Site Location

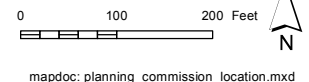
LR / LDR-1 Comp Plan / Zoning Designations

Data Sources

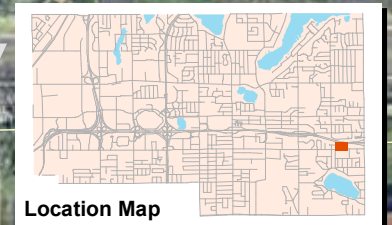
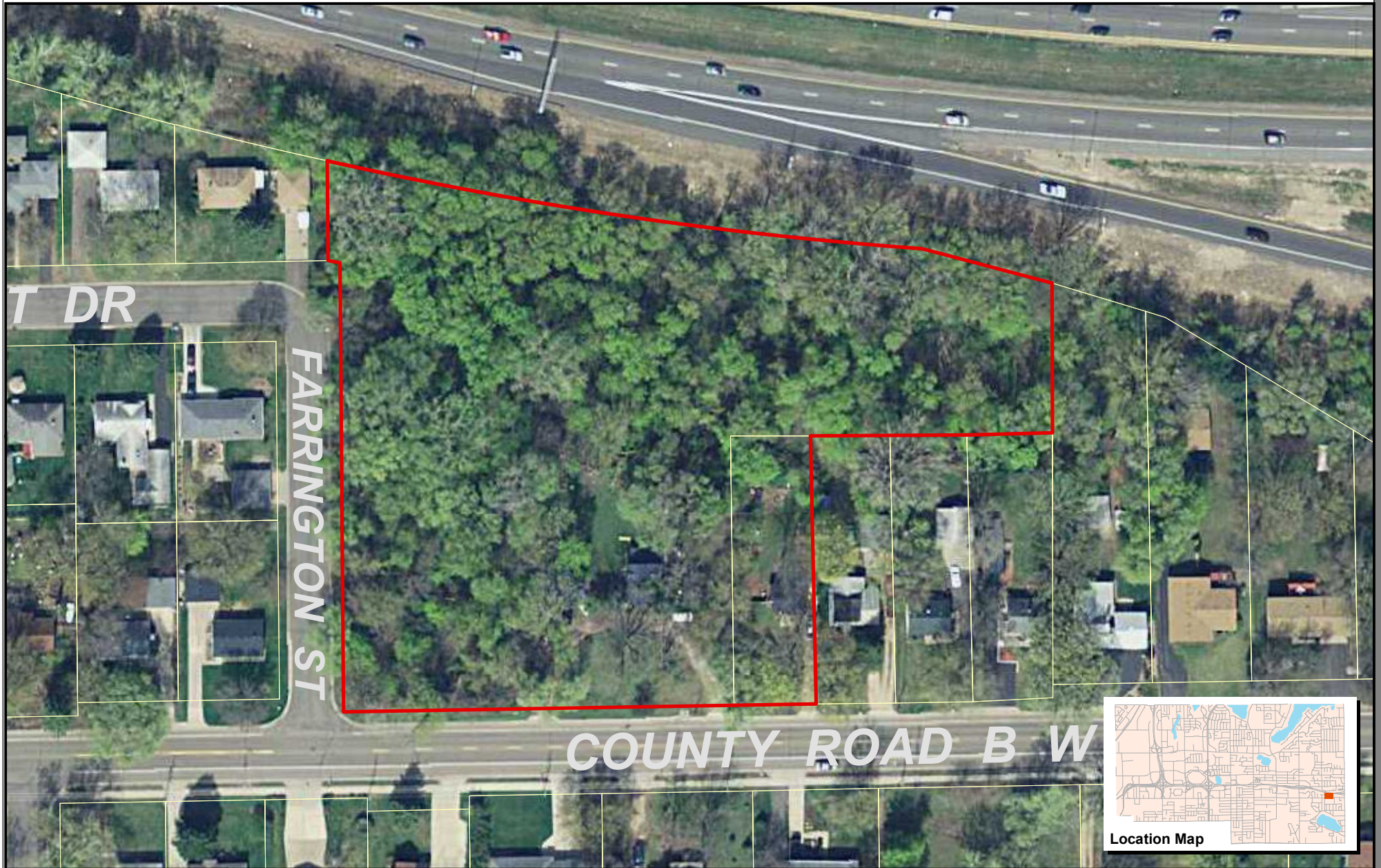
* Ramsey County GIS Base Map (2/4/2014)
For further information regarding the contents of this map contact:
City of Roseville, Community Development Department,
2660 Civic Center Drive, Roseville MN

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

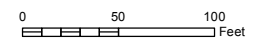
Data Sources

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

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JW Moore

January 8th, 2014

From: JW Moore

Re: Neighborhood Development Meeting for 297/311 County Rd B

Where: Roseville Skating Center. 2661 Civic Center Drive, Roseville MN 55113

Grant Johnson of Re/Max Results and Jason Hohn of Bald Eagle Builders held a neighborhood meeting regarding the proposed development on January 6th. There were 17 people in attendance along with at least 10 other phone calls prior to the meeting.

The main concern from the residents was that the property would become a large apartment building which we assured them was not our plan. We explained that we are proposing single family homes that would fit within the current neighborhood. We explained that we are requesting a rezoning in order to reduce the minimum lot frontage to fit within the current homes in the neighborhood rather than the current zoning which requires a larger lot frontage. There was also a bit of concern from the residents that the home is on the Heritage Trail and that a new development could affect this. We explained that to our knowledge there would be no issue with it being on the Heritage Trail. People were curious about the home sizes, prices and layout of the development for which we provided a proposed plat map and pictures of similar homes built in Roseville by Bald Eagle Builders. The overall consensus of the residents was in support of the plan and the rezoning. They voiced that it would be a nice addition to the neighborhood and feel it could help their home values.

Sincerely,

Jeff Moore

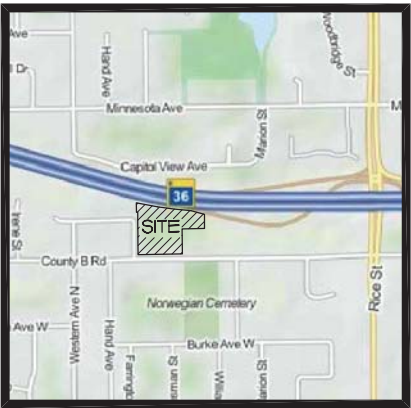
JW Moore

PRELIMINARY PLAT

~of~ MOORE'S FARRINGTON ESTATES
~for~ J.W. MOORE CONSTRUCTION
714 PENNINGTON PLACE
VADNAIS HEIGHTS, MN 55127
651-426-3703

VICINITY MAP

PART OF SEC. 12, TWP. 29, RNG. 23



RAMSEY COUNTY, MINNESOTA
(NO SCALE)

PROPERTY DESCRIPTION

Lot Seven (7), 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 the South 200 feet and subject 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.

DEVELOPMENT DATA

APPROXIMATE TOTAL SITE AREA = 3.78± ACRES
7 PROPOSED SINGLE FAMILY LOTS
DENSITY = 1.85 LOTS / ACRE

ZONING AND SETBACKS

CURRENT ZONING IS LDR 1 (LOW DENSITY RESIDENTIAL)
PROPOSED ZONING IS LDR 2 (LOW DENSITY RESIDENTIAL)

FRONT SETBACK 30 FEET
SIDE YARD 5 FEET
CORNER 10 FEET
REAR SETBACK 30 FEET

DEVELOPMENT REQUIREMENTS FOR ZONE LDR 2 (LOW DENSITY RESIDENTIAL)

MAXIMUM DENSITY 8 UNITS PER ACRE
MINIMUM LOT AREA 6,000 S.F.
MINIMUM LOT WIDTH 60 FEET AT SETBACK LINE

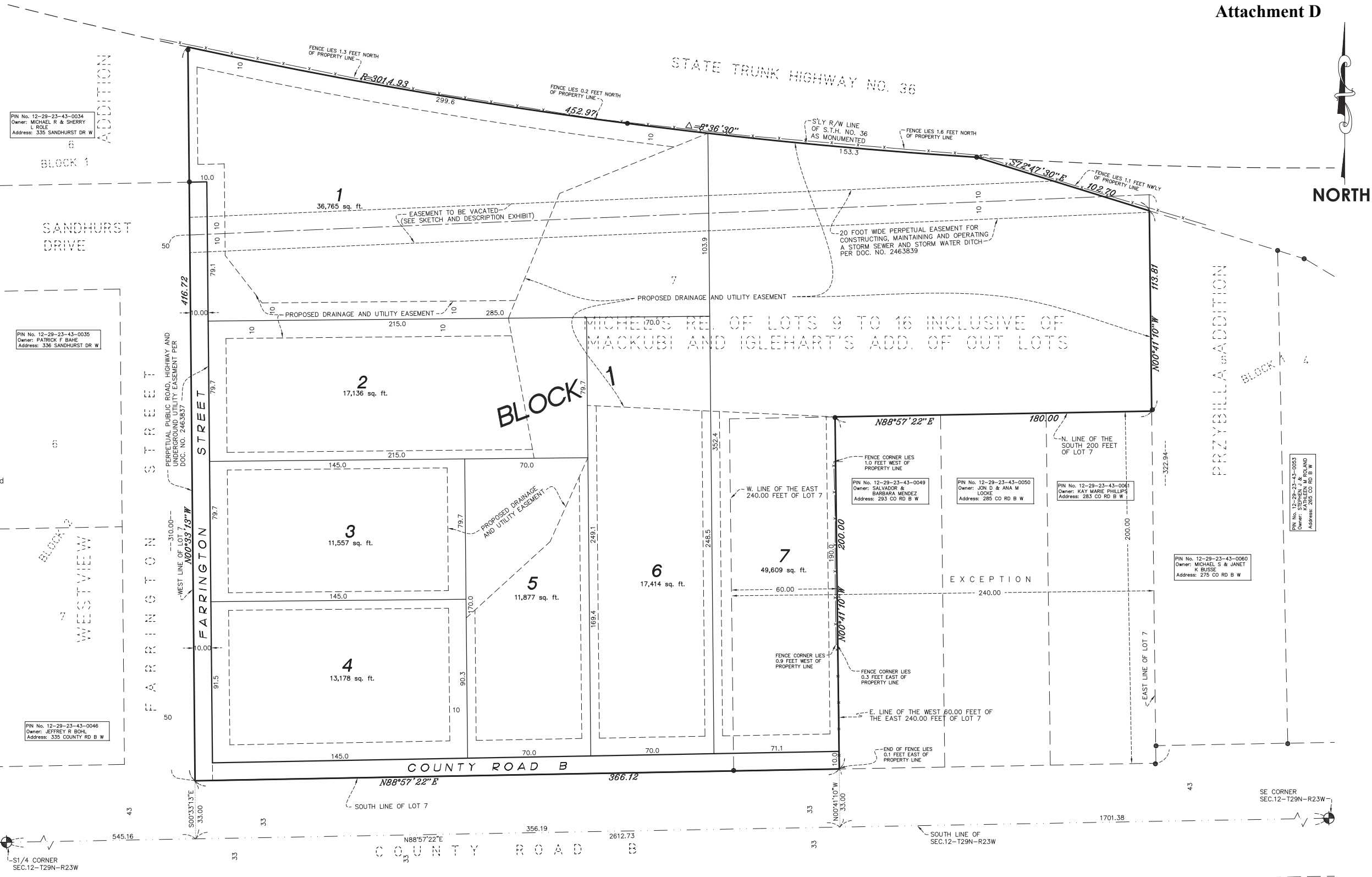
NOTES

- Fee ownership is vested in Michael D. Boudin, Trustee of the Michael D. Boudin Revocable Trust Under Agreement dated January-23-2007.
- Parcel ID Numbers: 12.29.23.43.0059 & 12.29.23.43.0048.
- Address of the surveyed premises: 297 AND 311 County Road B W, Roseville, MN 55113.
- Field survey was completed by E.G. Rud and Sons, Inc. on 1/09/14.
- Bearings shown are on Ramsey County Coordinate System.
- Curb shots are taken at the top and back of curb.
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.
- Surveyed premises shown on this survey map is in Flood Zone X (Areas determined to be outside the 0.2% annual chance floodplain.), according to Flood Insurance Rate Map Community Panel No. 27123C0038G by the Federal Emergency Management Agency effective date June 04, 2010.
- Due to field work being completed during the winter season there may be improvements in addition to those shown that were not visible due to snow and ice conditions characteristic of Minnesota winters.



E.G. RUD & SONS, INC.
Professional Land Surveyors
6776 Lake Drive NE, Suite 110
Lino Lakes, MN 55014
Tel. (651) 361-8200 Fax (651) 361-8701

www.egrud.com



PIN No. 12-29-23-43-0034 Owner: MICHAEL R & SHERRY L ROE Address: 330 SANDHURST DR W	PIN No. 12-29-23-43-0035 Owner: PATRICK F BAHE Address: 336 SANDHURST DR W	PIN No. 12-29-23-43-0046 Owner: JEFFREY R BOHL Address: 335 COUNTY RD B W	PIN No. 12-29-23-43-0049 Owner: SALVADOR & BARBARA MENDEZ Address: 293 CO RD B W	PIN No. 12-29-23-43-0050 Owner: JON D & ANA M LOCKE Address: 285 CO RD B W	PIN No. 12-29-23-43-0051 Owner: KAY MARIE PHILLIPS Address: 283 CO RD B W	PIN No. 12-29-23-43-0053 Owner: KATHLEEN M INGLAND Address: 285 CO RD B W	PIN No. 12-29-23-43-0060 Owner: MICHAEL S & JANET K BUSSE Address: 276 CO RD B W
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LEGEND

- DENOTES IRON MONUMENT FOUND AS LABELED
- DENOTES IRON MONUMENT SET, MARKED RLS# 41578
- ⊙ DENOTES RAMSEY COUNTY CAST IRON MONUMENT

DENOTES ADJACENT PARCEL OWNER INFORMATION
(PER RAMSEY COUNTY TAX INFORMATION)

PIN No. 17-119-22-14-0008
Owner: City of X
Address: Unassigned

THORTON'S SUBDIVISION OF THE NE1/4
OF SECTION 13, TOWN 29, RANGE 23

BENCHMARK

RAMSEY COUNTY BENCHMARK NO. 9168
ELEV.=941.81 (NAVD86)

GRAPHIC SCALE



(IN FEET)
1 inch = 30 ft.

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

JASON E. RUD
Date: 3/03/14 License No. 41578

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:

BEING 5 FEET IN WIDTH AND ADJOINING SIDE LOT LINES AND 10 FEET IN WIDTH AND ADJOINING STREET LINES AND REAR LOT LINES, UNLESS OTHERWISE SHOWN ON THIS PLAT.

DRAWN BY: JEN	JOB NO: 13833PP	DATE: 02/26/14
CHECK BY: JER	SCANNED ☐	
1	03/03/14	Rev. per City
2		JEN
3		
NO.	DATE	BY

PRELIMINARY TREE INVENTORY AND TREE REMOVAL PLAN

~of~ MOORE'S FARRINGTON ESTATES
~for~ J.W. MOORE CONSTRUCTION
714 PENNINGTON PLACE
VADNAIS HEIGHTS, MN 55127
651-426-3703

TREE DETAIL

○ DENOTES TREE QUANTITY
○ DENOTES TREE SIZE
○ DENOTES TREE TYPE
✕ DENOTES TREE TO BE REMOVED

BASS BOX
CHELM COTTON
HACKB DENOTES BASSWOOD
DENOTES BOX ELDER
DENOTES CHINESE ELM
DENOTES COTTONWOOD
DENOTES HACKLEBERRY

TREE CHART

TREE COUNT	DECIDUOUS	CONIFEROUS
TREES TO BE REMOVED	165	4
TREES TO REMAIN	142	0

TREE INVENTORY LIST

NUMBER	DESCRIPTION	TO BE REMOVED	NUMBER	DESCRIPTION	TO BE REMOVED	NUMBER	DESCRIPTION	TO BE REMOVED	NUMBER	DESCRIPTION	TO BE REMOVED
1067	ASH 8"		1154	CHINESE ELM 11"	X	1224	BOXELDER 14"	X	1326	BOXELDER 10"-2	
1068	BOXELDER 16"	X	1155	CHINESE ELM 11"	X	1225	BOXELDER 11"	X	1327	BOXELDER 14"	
1069	ASH 7"	X	1156	BOXELDER 6"	X	1226	BOXELDER 9"	X	1328	BOXELDER 22"	
1070	BOXELDER 26"	X	1157	CHINESE ELM 16"	X	1227	BOXELDER 14"	X	1329	BOXELDER 9"	
1074	ELM 8"		1158	CHINESE ELM 12"	X	1228	BOXELDER 12"	X	1331	BOXELDER 8"	
1075	COTTONWOOD 6"		1159	CHINESE ELM 6"	X	1229	BOXELDER 9"	X	1332	BOXELDER 14"	
1076	COTTONWOOD 9"		1160	CHINESE ELM 14"	X	1232	BOXELDER 16"	X	1402	BOXELDER 12"	
1077	COTTONWOOD 14"	X	1161	CHINESE ELM 12"	X	1233	BOXELDER 18"	X	1403	BOXELDER 16"	
1079	MAPLE 12"-4		1162	BOXELDER 6"	X	1237	BOXELDER 15"	X	1404	BOXELDER 18"	
1080	BOXELDER 6"		1163	CHINESE ELM 7"	X	1241	BOXELDER 15"	X	1406	BOXELDER 8"	
1082	ELM 8"	X	1164	CHINESE ELM 8"	X	1242	BOXELDER 10"	X	1407	BOXELDER 7"	
1083	BOXELDER 18"		1165	CHINESE ELM 22"	X	1243	BOXELDER 8"	X	1408	BOXELDER 22"	
1084	BOXELDER 8"		1166	BOXELDER 6"	X	1244	BOXELDER 12"	X	1409	BOXELDER 18"-2	
1085	BOXELDER 20"		1167	BOXELDER 6"	X	1245	BOXELDER 9"	X	1410	MAPLE 8"	
1086	BOXELDER 20"		1168	CHINESE ELM 10"	X	1246	BOXELDER 14"	X	1411	MAPLE 10"	
1087	BOXELDER 14"	X	1169	CHINESE ELM 15"	X	1247	BOXELDER 22"	X	1412	COTTONWOOD 18"-3	
1088	ASH 10"-2		1170	BOXELDER 12"	X	1248	ELM 8"	X	1413	COTTONWOOD 25"	
1089	BOXELDER 6"		1171	COTTONWOOD 25"	X	1251	COTTONWOOD 80"		1414	BOXELDER 6"	
1090	BOXELDER 18"		1173	BOXELDER 11"	X	1253	BOXELDER 7"	X	1415	COTTONWOOD 24"	
1091	ELM 15"		1174	CHINESE ELM 25"	X	1254	BOXELDER 25"	X	1416	COTTONWOOD 24"	
1094	BOXELDER 6"	X	1175	CHINESE ELM 8"-2	X	1255	BOXELDER 17"	X	1417	BOXELDER 10"	
1097	OAK 25"	X	1176	CHINESE ELM 20"	X	1258	BOXELDER 8"	X	1418	MAPLE 10"	
1098	CHINESE ELM 7"	X	1177	CHINESE ELM 11"	X	1259	BOXELDER 8"	X	1419	BOXELDER 10"	
1099	BOXELDER 13"	X	1178	BOXELDER 14"	X	1261	BOXELDER 7"	X	1420	BOXELDER 6"	
1100	BOXELDER 22"	X	1179	CHINESE ELM 7"	X	1262	BOXELDER 13"	X	1421	BOXELDER 14"	
1101	BOXELDER 6"	X	1180	ELM 6"	X	1263	BOXELDER 9"	X	1423	BOXELDER 14"	
1102	MAPLE 26"		1181	HACKBERRY 6"		1264	BOXELDER 18"	X	1424	BOXELDER 12"	
1104	MAPLE 7"		1182	HACKBERRY 6"		1265	BOXELDER 11"	X	1425	BOXELDER 18"	
1105	MAPLE 7"		1183	HACKBERRY 6"		1266	BOXELDER 7"	X	1426	BOXELDER 16"	
1107	BOXELDER 6"	X	1184	ASH 8"	X	1267	BOXELDER 13"	X	1427	BOXELDER 6"	
1108	BOXELDER 6"	X	1186	BASSWOOD 11"	X	1268	BOXELDER 9"	X	1428	BOXELDER 20"	
1109	ASH 7"	X	1187	ELM 7"-2	X	1269	BOXELDER 18"	X	1429	BOXELDER 10"	
1110	ASH 7"	X	1189	CHINESE ELM 8"	X	1271	BOXELDER 16"	X	1430	BOXELDER 8"	
1111	BOXELDER 6"	X	1191	BOXELDER 9"-2	X	1272	BOXELDER 9"	X	1431	BOXELDER 20"	
1112	ASH 12"	X	1192	BOXELDER 15"	X	1273	BOXELDER 9"	X	1432	BOXELDER 7"	
1113	BOXELDER 22"	X	1193	ELM 7"	X	1274	BOXELDER 14"	X	1433	BOXELDER 12"	
1114	ELM 18"	X	1197	ASH 7"	X	1275	BOXELDER 8"	X	1434	BOXELDER 16"	
1115	BOXELDER 11"	X	1198	ASH 7"	X	1276	BOXELDER 15"	X	1435	BOXELDER 12"	
1116	BOXELDER 7"	X	1199	SPRUEFSFT		1277	BOXELDER 10"	X	1436	BOXELDER 16"	
1118	MAPLE 10"	X	1200	BOXELDER 13"	X	1278	BOXELDER 19"	X	1437	BOXELDER 10"	
1119	BOXELDER 6"	X	1201	BOXELDER 7"	X	1279	BOXELDER 6"	X	1438	BOXELDER 14"	
1120	CHINESE ELM 15"	X	1202	BOXELDER 18"	X	1280	BOXELDER 14"	X	1440	BOXELDER 6"	
1122	CHINESE ELM 11"	X	1203	BOXELDER 12"	X	1281	BOXELDER 13"	X	1441	COTTONWOOD 24"	
1123	ELM 7"	X	1204	BOXELDER 9"	X	1283	BOXELDER 13"	X	1443	BOXELDER 8"	
1124	BOXELDER 7"	X	1206	BOXELDER 12"	X	1284	BOXELDER 12"	X	1444	BOXELDER 9"	
1125	BOXELDER 20"	X	1207	BOXELDER 9"	X	1293	BOXELDER 18"	X	1445	BOXELDER 13"	
1126	CHINESE ELM 8"	X	1208	BOXELDER 6"	X	1294	CEDAR 25FT	X	1446	BOXELDER 10"	
1127	BOXELDER 17"	X	1209	BOXELDER 8"	X	1295	CEDAR 25FT	X	1447	BOXELDER 8"-2	
1129	BOXELDER 24"	X	1210	BOXELDER 7"	X	1296	CEDAR 25FT	X	1448	BOXELDER 9"	
1130	BOXELDER 7"	X	1211	BOXELDER 14"	X	1303	BOXELDER 20"	X	1449	BOXELDER 7"	
1143	ASH 6"		1212	BOXELDER 14"	X	1304	BOXELDER 24"	X	1450	MAPLE 16"	
1144	ELM 9"	X	1213	BOXELDER 6"	X	1305	MAPLE 13"	X	1452	BOXELDER 14"-2	
1145	CHINESE ELM 7"	X	1214	BOXELDER 13"	X	1306	MAPLE 8"	X	1453	MAPLE 26"	
1146	ELM 6"	X	1215	BOXELDER 9"	X	1308	ELM 8"	X	1454	BOXELDER 8"	
1147	BOXELDER 6"	X	1216	TREE 13"	X	1309	MAPLE 14"	X	1455	BOXELDER 16"	
1148	ELM 10"	X	1217	COTTONWOOD 40"	X	1313	CHINESE ELM 17"	X	1457	BOXELDER 10"	
1149	BOXELDER 7"-2		1218	BOXELDER 7"	X	1314	CHINESE ELM 22"	X	1460	OAK 30"	
1150	CHINESE ELM 7"	X	1219	BOXELDER 8"	X	1315	CHINESE ELM 18"	X	1461	BOXELDER 18"	
1151	BOXELDER 9"	X	1220	BOXELDER 9"	X	1316	CHINESE ELM 15"	X	1462	BOXELDER 16"	
1152	ELM 9"	X	1221	BOXELDER 9"	X	1324	BOXELDER 8"	X	1463	BOXELDER 16"	
1153	ELM 12"	X	1222	BOXELDER 10"-2	X	1325	BOXELDER 20"-2	X	1464	BOXELDER 6"	

NOTES

Field survey was completed by E.G. Rud and Sons, Inc. on 1/09/14.

LEGEND

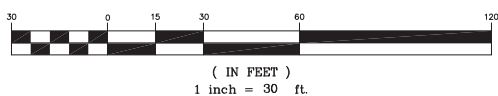
- DENOTES IRON MONUMENT FOUND AS LABELED
- DENOTES IRON MONUMENT SET, MARKED RLS# 41578
- DENOTES RAMSEY COUNTY CAST IRON MONUMENT
- DENOTES CATCH BASIN
- ⊙ DENOTES STORM SEWER MANHOLE
- ⊙ DENOTES SANITARY SEWER MANHOLE
- ⊙ DENOTES HYDRANT
- ⊙ DENOTES GATE VALVE
- ⊙ DENOTES POWER POLE
- ⊙ DENOTES LIGHT POLE
- ⊙ DENOTES WELL
- ⊙ DENOTES STORM SEWER APRON

- DENOTES WOVEN WIRE FENCE
- DENOTES EXISTING 2 FOOT CONTOUR INTERVALS
- DENOTES EXISTING 2 FOOT CONTOUR INTERVALS PER RAMSEY COUNTY GIS MAPPING
- DENOTES EXISTING SANITARY SEWER
- DENOTES EXISTING STORM SEWER
- DENOTES EXISTING WATER MAIN
- DENOTES OVERHEAD WIRE
- DENOTES CONCRETE SURFACE
- DENOTES BITUMINOUS SURFACE
- DENOTES GRAVEL SURFACE

BENCHMARK

RAMSEY COUNTY BENCHMARK NO. 9168
ELEV.=941.81 (NAVD88)

GRAPHIC SCALE



Tree Preservation Calculation

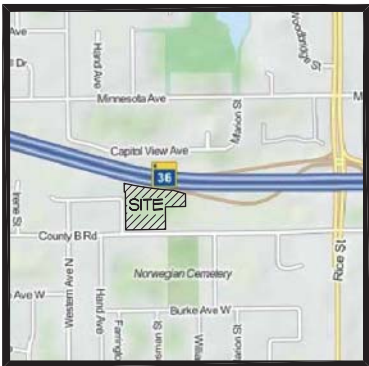
Significant Trees
Total DBH not in easements: 4,165
Allowed DBH removal (35%): 1,457
Proposed DBH removal: 338
Remaining allowed DBH removal: 1,119

Heritage Trees
Total DBH not in easements: 36
Allowed DBH removal (15%): 5
Proposed DBH removal: 36
DBH replacement value (31x2): 62
Remaining allowed DBH removal: 1,057

Coniferous Trees
Total height not in easements: 100
DBH equivalent (height value/2): 50
Allowed DBH removal (35%): 17
Proposed DBH removal: 50
DBH replacement value (33x0.5): 17
Remaining allowed DBH removal: 1,040

VICINITY MAP

PART OF SEC. 12, TWP. 29, RNG. 23



RAMSEY COUNTY, MINNESOTA
(NO SCALE)

DRAWN BY: JEN	JOB NO: 13833PP	DATE: 02/26/14
CHECK BY: JER	SCANNED ☐	
1	3/3/14	ADDED TREE INVENTORY
2		
3		
NO.	DATE	DESCRIPTION
		BY

Page 2 of 2

13833PP



E.G. RUD & SONS, INC.

Professional Land Surveyors
6776 Lake Drive NE, Suite 110
Lino Lakes, MN 55014
Tel. (651) 361-8200 Fax (651) 361-8701

Roll Call (Super Majority)

Ayes: Laliberte; McGehee; Willmus; Etten; and Roe

Nays: None.

McGehee moved, Etten seconded, enactment of Ordinance No. 1467 (Attachment C) entitled, "An Ordinance Amending Title 10, Zoning Ordinance of the Roseville City Code;" amending the "CMU Statement of Purpose.

Roll Call

Ayes: Laliberte; McGehee; Willmus; Etten; and Roe

Nays: None.

c. Request by J. W. Moore, Inc., holder of Purchase Agreement for the Residential Property at 297-311 County Road B, for Approval of a Rezoning from LDR-1 to LDR-2, and a Preliminary Plat creating Seven (7) Residential Lots

Senior Planner Bryan Lloyd summarized this request as detailed in the RCA dated April 21, 2014, and related attachments. Mr. Lloyd noted that the request had three elements: rezoning from LDR-1 to LDR-2; a preliminary plat application creating seven lots from the existing two; and vacating an existing storm sewer and drainage easement to establish a new one for development overall.

Related to the Tree Preservation Ordinance, Mr. Lloyd noted that many of the trees slotted for removal to facilitate the relocated drainage easement were of Cottonwood and/or Boxelder species, and therefore not required for replacement from the City's perspective. Mr. Lloyd displayed the preliminary plat, and proposed realignment of the drainage easement versus the existing site in order to incorporate infiltration ponding. Mr. Lloyd noted that the City's engineering staffs' analysis and review with the applicant was nearing finalization.

Councilmember Willmus expressed his interest in assuring that LDR-2 allow restricting development of duplexes or townhomes if rezoned. Setting this particular plat aside, and at the request of Councilmember Willmus, Mr. Lloyd advised that the City could not legally require that rezoning be conditioned if a use was permitted or permitted as a conditional use. Councilmember Willmus asked staff to speak to if and how the property could be developed without rezoning, as addressed in Section 4.2 of the staff report.

Mr. Lloyd displayed a sketch he'd made of a potential layout based on dimensions and how those lots would look based on their distinct widths and depths. Mr. Lloyd opined that it would be possible to achieve the layout, but wouldn't represent similarities to other lots in the areas; with the drainage also becoming more problematic with LDR-1 zoning versus LDR-2 and drainage relocated as proposed.

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Councilmember Willmus concurred with staff's analysis of the layout.

Councilmember McGehee opined that it appeared that drainage seemed to be sufficient and along the lot line in its current location in the LDR-1 version.

Mr. Lloyd reviewed the existing and proposed easement; noting that it was his understanding from City engineers, that the current location was not ideally located to effectively address stormwater from the streets, which was preferred in this area to capture some of it with the proposed relocation.

Councilmember McGehee opined that she was unwilling to move to LDR-2 zoning simply because there was inadequate restraint; and questioned how long it would take to add a tool to accommodate this development if zoning remained LDR-1.

Based on the time for notice, Public Hearing and Councilmember schedules, Mr. Lloyd estimated a minimum of two months.

Mayor Roe questioned if it was possible to approve a preliminary plat and meet dimensions for LDR-1 zoning without rezoning to LDR-2.

City Manager Trudgeon recommended that not be considered; noting that the preliminary plat needed review and/or revision based on engineering specifications; and he would suggest that the developer provide their input if that was the case. If the City Council wasn't supportive of rezoning, Mr. Trudgeon suggested the item be tabled.

At the request of Mayor Roe, City Attorney Gaughan advised that under City Code, the City had 60 days to review a preliminary plat, with that review having the ability to be extended for an additional sixty days by mutual agreement of the applicant and City.

Mayor Roe, in addressing the applicant related to timing and location of the easement, asked if it was possible to relocate the easement location using lot lines as suggested in Mr. Lloyd's sketch; and whether it could work.

Applicant Representative, Grant Johnson, with J. W. Moore, Inc.

Mr. Johnson advised that their engineer would need to speak to the drainage easement location. Mr. Johnson advised that the main reason for requesting LDR-2 zoning was to meet current neighborhood characteristics and address and improve drainage in the area.

Mr. Johnson advised that closing on the property was scheduled for next week, and in order to extend the City's review period, he would need to see if the parties were willing to extend the Purchase Agreement.

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Councilmember McGehee expressed appreciation for the work done by the applicant in platting; and was personally sorry that the City didn't have an existing tool to make this work for the applicant more quickly. However, Councilmember McGehee stated that she couldn't agree to LDR-2, and suggested staff should have polled the City Council before the application got this far. Councilmember McGehee questioned Mr. Johnson on what would happen if the original platting could be made to work and the process was expedited for the property to remain LDR-1.

Mr. Johnson expressed the applicant's willingness to apply covenants or deed restrictions stating that no duplexes or townhomes could be built on the parcels, only single-family homes.

At the request of Councilmember McGehee, City Attorney Gaughan advised that deed restrictions would run with the land; however, he noted that he was not certain the City could condition approval on that restriction.

If the City Council decided to table action tonight, Mayor Roe advised that they would need confirmation on that by the City Attorney.

Councilmember Willmus expressed concern that if a majority of property owners got together, they could void a covenant; and while deed restrictions carried more weight, it may become more troublesome. Councilmember Willmus opined that he found this discussion regarding rezoning issues, while having this plat in front of the body, troubling as well; and suggested that the City Council look at it in the context of rezoning with all that entails and whether they were comfortable in doing so. Drawing from his personal conclusions, Councilmember Willmus state that he was not happy doing so; and if the City Council were to take action on this tonight, he would need to vote in opposition. If that was the majority rule, Councilmember Willmus noted that the applicant could return with a planned unit development (PUD) process, which he could support as that provided an available tool that would protect the City from the potential of having two-family attached or detached homes.

City Planner Thomas Paschke opined that, when talking about tools, the recently updated Comprehensive Plan and Zoning Code provided that available tool in the revisions and allowances made. Mr. Paschke further opined that, absent having LDR-2 zoning, the PUD did nothing, as LDR-2 zoning would need to be eliminated and a PUD process created, but predicated on something allowing the City Council to do so, for a unique development design.

Mayor Roe recognize that tools were available, but he was unsure LDR-2 was actually in the toolbox; and in his review of the Subdivision Code and lot standards,

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he didn't see how the City Council could approve this application; and expressed serious concerns in doing so.

Mr. Lloyd noted that lot sizes could also be addressed similarly in commercial districts, where the Zoning Code didn't address lot size standards other than single-family lot sizes.

Mayor Roe read the "Statement of Purpose" from Section 1004.09 of the Zoning Code; opining that this application didn't meet the definition of LDR-2; further opining that he could approve LDR-1 and would be willing to do so in the most expeditious way possible for the developers to proceed.

McGehee moved TABLING action tonight; with Mayor Roe asking that she withdraw her motion for the moment to allow more discussion, at which time she did so.

City Attorney Gaughan clarified that, if the intent was to table action, that the decision for extending the review period needed mutual agreement by the applicant and City Council.

Mr. Johnson stated that he was not sure of his ability to extend the Purchase Agreement without first consulting with other parties to the agreement. Mr. Johnson noted that, when this route was taken, it was to avoid any new road or infrastructure for this almost four acre parcel, which could accommodate sixteen lots, but they had chosen not to do so to keep with the current neighborhood's character.

Mayor Roe Recognized that aspect; and asked Mr. Johnson's preference for committing to an extension or having the City Council take action at this time, which may result in denial.

Mr. Johnson agreed to the 60-day review extension.

City Attorney Gaughan asked that any action include a specific date to ensure a more perfect record for the City.

Councilmember Willmus suggested action be taken when a full City Council was available, recognizing that Mayor Roe would be unable to attend the May 5, 2014 meeting, and suggested the extension be done to the May 12, 2014 meeting; which was mutually agreed upon by the body and Mr. Johnson.

At the request of Mr. Johnson, Mayor Roe clarified that the extension would be for consideration of the plat as presented or it would require the applicant to start the process over again with a Public Hearing at the Planning Commission level; and suggested that the applicant choose what they were willing to do.

Jason Hohn, Applicant Representative with Bald Eagle Builders

Mr. Hohn asked, if a deed restriction could be accomplished, would the City Council look at the plat as currently designed.

Mayor Roe advised that he was unable to answer that question at this time, as there was no motion or vote on the table; but based on discussion, he anticipated that it may be a consideration.

City Attorney Gaughan clarified that he was not stating that a conditioned approval could not be done, but he was skeptical that it could be; and would be part of staff's discussions with the applicant in the interim.

Councilmember Laliberte suggested that some of those answers be made available by staff and the City Attorney by May 5th, even if the vote was delayed until May 12th, but City Manager Trudgeon suggested keeping the discussion and actions together to avoid any confusion.

At the request of Mayor Roe, City Attorney Gaughan clarified that the vote would not require a super majority; and supported City Manager Trudgeon's advice to keep the full discussion and potential action until May 12, 2014.

Councilmember Etten expressed his willingness to proceed with a deed restriction. He noted that matching existing lots actually only applied to three lots on the east side of the development; and he was unsure if there was a need to restrict the size of the new lots at this time, or what would be gained by doing so.

Councilmember McGehee concurred with the comments of Councilmember Etten and encouraged the applicant to see if they could work with LDR-1 zoning, opining that it wouldn't require too much change on their part if the Purchase Agreement could be extended.

McGehee moved, Etten seconded, TABLING action on this item until the May 12, 2014 City Council meeting for consideration of the plat and rezoning at that time.

Roll Call

Ayes: Laliberte; McGehee; Willmus; Etten; and Roe

Nays: None.

Councilmember Etten expressed his concern with the City's current Tree Preservation Ordinance, and identification of substandard trees. Councilmember Etten opined that mature and significant trees were important to a neighborhood, and should be preserved; further opining that the current tree ordinance was not working for him.

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Councilmember McGehee concurred with the comments of Councilmember Etten, opining that the current tree ordinance appeared to her and had proven to be uniformly useless since it was put into effect.

City Manager Trudgeon advised that it could be reviewed, noting that some standards had been attempted across the way, with Cottonwood trees typically excluded from calculations.

10. Presentations

11. Public Hearings

12. Budget Items

13. Business Items (Action Items)

- a. Request by J. W. Moore, Inc., holder of Purchase Agreement for the Residential Property at 297-311 County Road B, for Approval of a Rezoning from LDR-1 to LDR-2, and a Preliminary Plat creating Seven (7) Residential Lots**

Mayor Roe noted that, at this point given previous action to table, this item was moot.

- b. Request by Roseville Housing and Redevelopment Authority (RHHA) and the Greater metropolitan Housing Corporation (GMHC) for Approval of a Preliminary Plat of 657, 661, 667, and 675 Cope Avenue, and 2325 and 2335 Dale Street in Preparation for Redevelopment**

City Planner Thomas Paschke summarized this request, as detailed in the RCA dated April 21, 2014 and related attachments.

Willmus moved, Etten seconded, approval of the PRELIMINARY PLAT of Fire House Addition; based on the comments and findings of Section 4 – 6 and recommendation of Section 7 of the RCA dated April 21, 2014.

Councilmember McGehee expressed her pleasure with this entire process and flexibility allowed in this development.

Roll Call

Ayes: Laliberte; McGehee; Willmus; Etten; and Roe

Nays: None.

14. Business Items – Presentations/Discussions

15. City Manager Future Agenda Review

Bryan Lloyd

From: Mike Busse [REDACTED]
Sent: Friday, April 04, 2014 1:13 PM
To: Bryan Lloyd
Subject: Re: 297 - 311 Co. Rd. B.

Bryan Lloyd
City of Roseville
Roseville, Minnesota

Good day to you Bryan,
My name is Michael Busse and I am the homeowner of 275 County Road B.

To let you know, I am not necessarily opposed to this possible development, but I do have some real concerns and reservations about the future yard drainage coming from those sites proposed.

Because of the at present drainage situation, I do not want to be receiving ever greater increases of runoff directly to my property where it would then pool to soak in; this water coming from impervious runoff from varying storm events and also snow melt.

Additional drainage would not normally or likely do harm, but my property does not properly drain to flow elsewhere as I believe it is supposed to. It just doesn't. The rearmost area seems inches lower for any drainage, and literally is land locked due to ground topography. The adjoining properties (State owned and the easterly neighboring property, seem, for whatever reasons, higher on elevation. My concerns are for vegetation and trees to survive imminently wetter conditions from this project. Also my concern is with greater mosquito populations that will birth in my own back yard.

I have already been burdened with considerable out of pocket expenses; taking down trees that started to die or become dangerous because of wet feet. In short, I simply do not want to be adversely affected from additional drainage.

Question for you Bryan. Do you know if a full topography survey exists for the whole of this property including the adjoining property portion of subject land along 36 and as it abuts mine?

Please contact me and we can together take a look.

Thank you Bryan.

Respectfully,
Mike Busse

[REDACTED]

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 10 OF THE CITY CODE, CHANGING CERTAIN REAL
PROPERTY LOCATED AT 297 AND 311 COUNTY ROAD B FROM LOW-DENSITY RESIDENTIAL-1
DISTRICT (LDR-1) TO LOW-DENSITY RESIDENTIAL-2 (LDR-2) DISTRICT

The City Council of the City of Roseville does ordain:

Section 1. Real Property Rezoned. Pursuant to Section 1009.06 (Zoning Changes) of the City Zoning Code of the City of Roseville, and after the City Council consideration on PF14-002, the property located at 297 and 311 County Road B is hereby rezoned from Low-Density Residential-1 (LDR-1) District to Low-Density Residential-2 (LDR-2) District, contingent upon approval and recording of the Moore's Farrington Estates plat proposed in conjunction with the request to rezone the property. Once platted, the subject property will be legally described as:

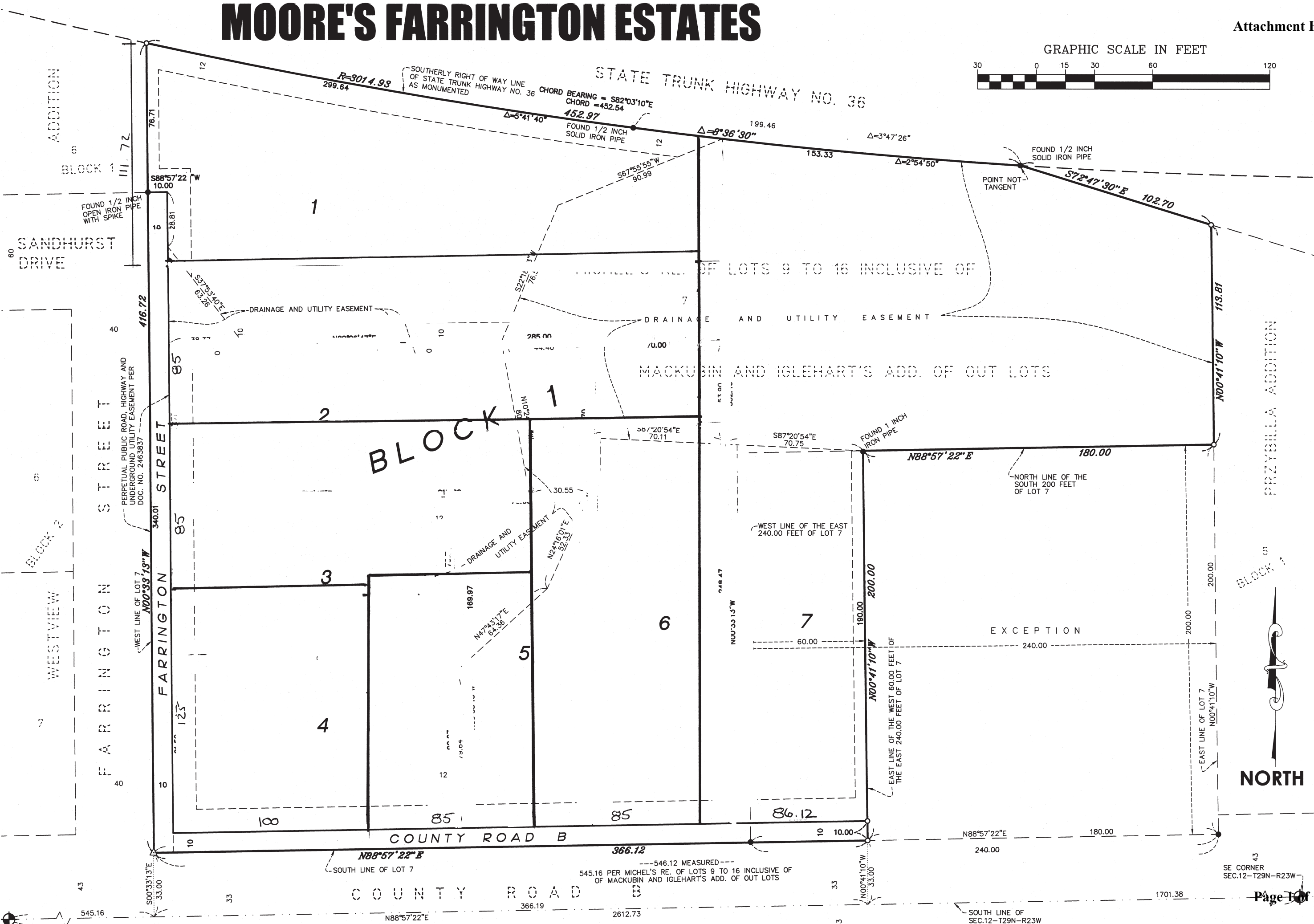
Lots 1 – 7, Block 1, Moore's Farrington Estates, Ramsey County, Minnesota, and

Section 2. Effective Date. This ordinance amendment to the City Code and Zoning Map shall take effect upon:

1. Approval and filing of the Moore's Farrington Estates plat; and
2. The passage and publication of this ordinance.

Passed this 14th day of April, 2014.

MOORE'S FARRINGTON ESTATES



**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 12th day of May 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 DENYING THE PROPOSED REZONING AND/OR PRELIMINARY
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**

WHEREAS, the applicant has requested rezoning of the subject property from LDR-1 to LDR-1 and approval of the Moore's Farrington Estates preliminary plat;

WHEREAS, the Roseville City Council, at its regular meeting on May 12, 2014 reviewed the public record and the applicable zoning and/or subdivision regulations, and made the following findings of fact;

- a.
- b.
- c.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Roseville, Minnesota, that the proposed rezoning and/or preliminary plat is/are hereby denied.

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

WHEREUPON said resolution was declared duly passed and adopted.

[illegible]

WITNESS MY HAND officially as such Manager this 12th day of May 2014.

(SEAL)