

REQUEST FOR COUNCIL ACTION

Agenda Date: 2/8/2016

Agenda Item: 14.c

Department Approval



City Manager Approval



Item Description: Request for Approval of a Preliminary Plat at 2201 Acorn Road

APPLICATION INFORMATION

Applicant: Arthur Mueller

Property Owner: Arthur Mueller

Open House Meeting: none required for 3-lot plat

Application Submission: received and considered complete on November 6, 2015

City Action Deadline: N/A

City Council action on this item was scheduled for January 4, 2016, but Mr. Mueller requested an indefinite extension of the mandatory action timeline for personal reasons. Mr. Mueller has now indicated that he is ready to have the application brought forward for consideration on the February 8, 2016, City Council agenda. Given the unpredictable timing of this part of the process, property owners who received the public hearing notice also received a courtesy notice of the pending Council action.

GENERAL SITE INFORMATION

Land Use Context

	Existing Land Use	Guiding	Zoning
Site	One-family residential, detached	LR	LDR-1
North	One-family residential, detached	LR	LDR-1
West	One-family residential, detached	LR	LDR-1
East	One-family residential, detached	LR	LDR-1
South	One-family residential, detached	LR	LDR-1

Natural Characteristics: The site includes many trees and existing drainage issues on nearby parcels.

Planning File History: **PF3766:** (2006) 4-lot PUD with 26-foot private street. Planning Commission recommended approval (4 – 1); City Council denied (3 – 2), based on concerns over parking, emergency access, and other complications related to street width, loss of trees and open space, drainage, and compatibility with neighborhood.

PF3791: (2007) 4-lot preliminary plat with 26-foot public street. Planning Commission recommended approval (6 – 0); City Council approved (3 – 2).

PF07-039: (2007) City Council approved (3 – 2) final plat with 28-foot public street; final plat was not filed since legal delays led to financing difficulties.

PF07-039: (2014) Application for re-approval of 4-lot preliminary plat with 26-foot wide private street. Planning Commission recommended approval (6 – 0); City Council denied (3 – 2), based on concerns over drainage, loss of trees, and inadequate parking available on the proposed street and Acorn Road due to substandard widths. City Council Resolution 11161 denying the preliminary plat is included with this RCA as Exhibit B.

PF10-010: (2015) 4-lot preliminary plat with 32-foot private street. Planning Commission recommended approval (3 – 2); City Council denied (4 – 1), based on concerns over drainage. City Council Resolution 11264 memorializing the denial of the preliminary plat is included with this RCA as Exhibit C.

Planning Commission Action:

On December 2, 2015, the Planning Commission voted (6 – 0) to recommend approval of the proposed preliminary plat, subject to certain conditions.

PROPOSAL

Mr. Mueller proposes to demolish the existing home and plat the property into three lots for development of one-family, detached homes served by a private street. The proposed preliminary plat information, the staff analysis presented in the Request for Planning Commission Action, and other supporting documentation, as well as draft public hearing minutes, are included with this report as RCA Exhibit A. In summary, the present application meets or exceeds all of the City Code requirements and is materially different from its predecessors in the following ways:

- It proposes three lots instead of four. A three-lot plat has suggested by City Councilmembers, Planning Commissioners, and members of the public during reviews of recent four-lot plat proposals that were denied.
- Overland storm water discharge to the public storm drain west of the property during the 100-year event will be 1.34 cubic feet per second, which is an 82.0% reduction from existing flow and a 57.7% reduction from the most recent proposal that was denied based largely on concerns over the westward, overland flow of storm water. This reduction is achieved, in part, by reducing the number of new homes and the length of the street, thereby reducing impervious surfaces, and, in part, by directing some storm water from the northeastern portion of the site toward the storm sewer infrastructure in Acorn Road rather than the storm sewer infrastructure in Marion Road.
- Tree removal will be limited to 23 significant- and heritage-quality trees compared to removal of 51 such trees in the previous proposal. This lower impact is largely realized by reducing the number of new homes and the length of the street.

City Council Resolution Nos.11161 and 11264 documenting the previous preliminary plat denials are included with this RCA as Exhibit B and Exhibit C, respectively. Please note that the underpinnings of the most recent denial (represented by Exhibit C), as reflected in that resolution's findings of fact, pertain only to the proposed storm water management systems.

PUBLIC COMMENT

The public hearing for this application was held by the Planning Commission on December 2, 2015. Two members of the public spoke in opposition the proposal, and the primary concerns were related to storm water and the effect of the proposed private street on the character of the neighborhood. After discussing the application and the public comment received during the hearing, the Planning Commission voted 6 – 0 to recommend approval of the proposed preliminary plat. At the time this report was prepared, Planning Division staff has received one brief comment from a nearby homeowner on Marion Road indicating his acceptance of the proposal.

After reviewing the proposal, staff's analysis, and the public comment received at the public hearing, the Planning Commission voted unanimously to recommend approval of the preliminary plat with four conditions as follow:

- a. 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 approval of the final plat or issuance of permits for site improvements;*
- b. Permits for site improvements shall not be issued without evidence of an approved permit from the watershed district;*
- c. Final plat approval shall not be issued without approval of a tree preservation plan, accounting for any changes to grading, utility, or storm water plans not yet anticipated, by the Community Development Department; and*
- d. The applicant shall create and maintain a homeowner's association for the permanent and on-going maintenance needs of the private infrastructure. The form of all documents shall be reviewed and approved by the City Attorney, Public Works Department, and Community Development Department.*

In addition to the Planning Commission's recommendation, review of a previous proposal by the Parks and Recreation Commission led to its recommendation to accept park dedication of cash in lieu of land, which is reflected among the conditions of preliminary plat approval.

RECOMMENDED ACTION

Pass a motion approving the proposed preliminary plat of Oak Acres plat, dated November 5, 2015 and comprising the property at 2201 Acorn Road, based on the findings and recommendation of the Planning Commission, the content of this RCA, public input, and City Council deliberation, subject to the following conditions:

- a.** 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 approval of the final plat or issuance of permits for site improvements;
- b.** Permits for site improvements shall not be issued without evidence of an approved permit from the watershed district;

- c. Final plat approval shall not be issued without approval of a tree preservation plan, accounting for any changes to grading, utility, or storm water plans not yet anticipated, by the Community Development Department;
- d. The applicant shall create and maintain a homeowner's association for the permanent and on-going maintenance needs of the private infrastructure. The form of all documents shall be reviewed and approved by the City Attorney, Public Works Department, and Community Development Department; and
- e. Based on the June 4, 2013 recommendation of the Roseville Parks and Recreation Commission and pursuant to City Code §1103.07, the City Council will accept park dedication of cash in lieu of land. Because the proposed three-lot plat would add two, one-family residential building sites to the subject land area and the 2015 City of Roseville fee schedule establishes a park dedication fee of \$3,500 per residential unit, a payment of the \$7,000 park dedication shall be made by the applicant before the signed final plat is released for recording at Ramsey County

ALTERNATIVE ACTIONS

- A) Pass a motion to table the item for future action.** Tabling the item beyond January 5, 2016, however, will require an agreement from the applicant to further extend the action deadline established in City Code §1102.01 to avoid statutory approval.
- B) By motion, deny the request.** Denial should be supported by specific findings of fact based on the City Council's review of the application, applicable City Code regulations, and the public record.

Prepared by: Senior Planner Bryan Lloyd
651-792-7073 | bryan.lloyd@cityofroseville.com
RCA Exhibits: A: 12/2/2015 RPCA packet and draft
public hearing minutes



REQUEST FOR PLANNING COMMISSION ACTION

Agenda Date: 12/2/2015

Agenda Item: 5a

Division Approval

Agenda Section

PUBLIC HEARINGS

Item Description: Request for approval of a preliminary plat at 2201 Acorn Road (PF15-023)

APPLICATION INFORMATION

Applicant: Arthur Mueller

Property Owner: Arthur Mueller

Open House Meeting: none required for a 3-lot plat as proposed

Application Submission: received and considered complete on November 6, 2015

City Action Deadline: January 5, 2016, City Code §1102.01E

GENERAL SITE INFORMATION

	Existing Land Use	Guiding	Zoning
Site	One-family residential, detached	LR	LDR-1
North	One-family residential, detached	LR	LDR-1
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Natural Characteristics: The site includes many trees and existing drainage issues on nearby parcels.

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PF15-023_RPCA_120215

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LEVEL OF CITY DISCRETION IN DECISION-MAKING

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

PROPOSAL

Mr. Mueller proposes to demolish the existing home and plat the property into three lots for development of one-family, detached homes served by a private street. The proposed preliminary plat documentation is included with this report as Attachment C.

When exercising the so-called "quasi-judicial" authority 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 application meets the relevant legal standards and will not compromise the public health, safety and general welfare, then the applicant is likely entitled to the approval. The City is, however, able to add conditions to a plat approval to ensure that the likely impacts to parks, schools, roads, storm sewers, and other public infrastructure on and around the subject property are adequately addressed. Subdivisions may also be modified to promote the public health, safety, and general welfare, and to provide for the orderly, economic, and safe development of land, and to promote housing affordability for all levels.

PRELIMINARY PLAT ANALYSIS

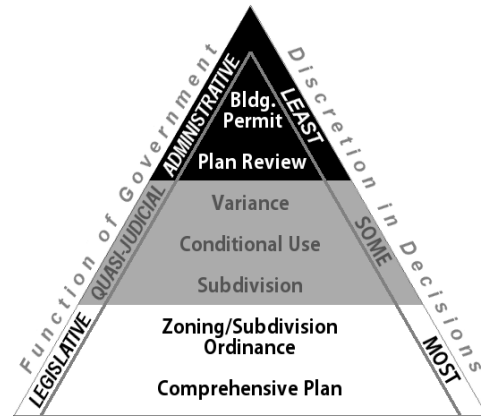
As a preliminary plat of a residential subdivision, the proposal is subject to the minimum lot sizes and roadway design standards of the subdivision code, established in Chapter 1103 (Design Standards) of the City Code. The applicable standards are reviewed below.

City Code §1103.02 (Streets): Since the proposed street is to be a private street, requirements for public rights-of-way do not apply. And while the Subdivision Code allows for private streets at the discretion of the City Council, design of the must conform to Minimum Roadway Standards unless an alternative design is specifically approved. The Planning Commission could provide a recommendation to the City Council on this issue.

§1103.021 (Minimum Roadway Standards): The proposed street is shown as 32 feet in width, which conforms to the standard width requirement and allows for parking on both sides of the street. (Approximately 19 on-street parking stalls would be available, assuming each stall is allotted 23 feet of curb length as required for parallel stalls in a public parking area.) The proposed street is about 170 feet in length at its longest; since the street is less than 200 feet in length, it is not required to include a cul-de-sac, although not having a turn-around will make delivery services and trash/recycling service more difficult or require the homeowners to bring their carts to Acorn Road.

City Code §1103.04 (Easements): Drainage and utility easements 12 feet in width, centered on side and rear property lines, are required where necessary. The proposed plat meets and exceeds this requirement.

City Code §1103.06 (Lot Standards): Subd. A of this section requires that all lots for one-family detached dwellings must be at least 85 feet wide, 110 feet deep, and comprise at least



11,000 square feet in area; Subd. B further requires that corner lots must be a minimum of 100 feet in width and depth and have at least 12,500 square feet in area. All of the proposed lots exceed these requirements even if the easement surrounding the proposed street is excluded from the parcels as though the easement area was equivalent to dedicating right-of-way.

Subd. F of this section specifies that “side lines of lots shall be at right angles or radial to the street line.” Although the western end of the proposed private street is square, Planning Division staff believes that the proposed side boundary common to Lots 1 and 2, extending into the southwestern corner of the existing parcel, meets this requirement because it intersects with the middle of the western end of the proposed street in a radial fashion. If need be, the project engineers have indicated that a semicircle of asphalt can be appended to the western end of the private street so that this side lot line is more obviously radial to the street; it is the opinion of Planning Division staff, however, that adding pavement is unnecessary and would only serve to increase the impervious surface across the development.

Roseville’s Public Works Department staff has been working with the applicant to address the requirements related to grading and drainage, street design, and the private utilities that will be necessary to serve the new lots. Even if these plans are not discussed in detail at the public hearing, actions by the Planning Commission and the City Council typically include conditions that such plans must ultimately meet the approval of Public Works staff.

City Code specifies that an approved tree preservation plan is a necessary prerequisite for approval of a preliminary plat. Mark Rehder, the certified arborist consulting with the Community Development Department, has reviewed the submitted tree preservation plan and determined it to be an accurate inventory of existing trees as well as a reasonable assessment of the trees likely to be lost as a result of the proposed development. The plan indicates the expected removal of 23 significant- and heritage-size deciduous trees and eight significant coniferous trees; based on the tree replacement calculations in the City Code, this would not require planting replacement trees beyond what is called for in the landscaping of new one-family, detached residences. Mr. Rehder will continue to review the plan for on-going accuracy as development plans are finalized and will monitor tree removal and protection efforts during construction.

At its meeting of June 4, 2013 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. Since the existing, undeveloped parcel comprises one residential unit, the proposed three-lot plat would create two new building sites. The 2015 Fee Schedule establishes a park dedication amount of \$3,500 per residential unit; for the three, newly-created residential lots the total park dedication would be \$7,000, to be collected prior to recording an approved plat at Ramsey County.

Roseville’s Development Review Committee (DRC) met on November 12 and 19, 2015 to discuss this application. Beyond the above comments pertaining to the zoning and subdivision codes representatives of the Public Works Department had the following comments.

- a. There are several basins shown to address the required storm water treatment and retention requirements. The proposed drainage improvements meet or exceed City requirements. Existing flow off site is reduced to both the north and southwest. The outlet for the water to the southwest of the development is onto private property. This is similar to existing conditions, but the flow will be reduced. Additional flow is directed to Acorn Road, which is permissible because the additional runoff is minimal and the Acorn Road storm sewer system can handle the additional flow.

- b. The proposed basins and private road will require a Home Owners Association to be established for the purpose of funding the maintenance of these assets. It should be noted that while the proposed basins and site grading meet the requirements of the City and should meet the requirements of the watershed (watershed review and approval are pending), this is an aggressive proposal and will present some long term maintenance that the new homeowners should be aware of.
- c. At this time, the Engineering department was not presented with any information for the alignment or design of water and/or sanitary sewer infrastructure to serve the proposed homes. A private sanitary sewer main and water main will be required that will then serve the individual private services to each proposed home, and maintenance of these facilities will be the responsibility of the Home Owners Association. Review and approval of this infrastructure will occur through the building permit review process.
- d. The applicant shall create and maintain a home owner's association for the long term maintenance of the private infrastructure. All documents shall be reviewed and approved by the City Attorney, Public Works Department, and Community Development Department.

PUBLIC COMMENT

At the time this RPCA was prepared, Planning Division staff has not received any comments about the present proposal, although the Planning Commission will recall that a significant amount of public comment was offered in connection to the previous four-lot plat proposal.

RECOMMENDED ACTION

By motion, recommend approval of the proposed preliminary plat of the property at 2201 Acorn Road, based on the comments and findings of this report, and subject to the following conditions:

- a. 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 approval of the final plat or issuance of permits for site improvements;
- b. Permits for site improvements shall not be issued without evidence of an approved permit from the watershed district; and
- c. Final plat approval shall not be issued without approval of a tree preservation plan, accounting for any changes to grading, utility, or storm water plans not yet anticipated, by the Community Development Department.

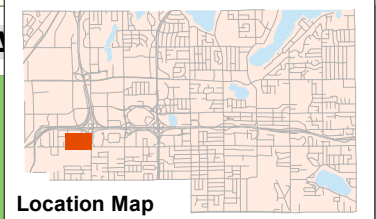
ALTERNATIVE ACTIONS

Pass a motion to table the item for future action. Tabling beyond January 5, 2016 may require extension of the 60-day action deadline established in City Code §1102.01E

By motion, recommend denial of the request. A recommendation to deny should be supported by specific findings of fact based on the Planning Commission's review of the application, applicable City Code regulations, and the public record.

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

Attachments: A: Area map C: Preliminary plat information
B: Aerial photo



Attachment B for Planning File 15-010



Site Location

Data Sources

- * Ramsey County GIS Base Map (6/3/2015)
- * Aerial Data: MnGeo (4/2012)

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

Disclaimer

This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only. The City does not warrant that the Geographic Information System (GIS) Data used to prepare this map are error free, and the City does not represent that the GIS Data can be used for navigational, tracking or any other purpose requiring exacting measurement of distance or direction or precision in the depiction of geographic features. If errors or discrepancies are found please contact 651-792-7085. The preceding disclaimer is provided pursuant to Minnesota Statutes §466.02, Subd. 21 (2000), and the user of this map acknowledges that the City shall not be liable for any damages, and expressly waives all claims, and agrees to defend, indemnify, and hold harmless the City from any and all claims brought by User, its employees or agents, or third parties which arise out of the user's access or use of data provided.

0 50 100 Feet



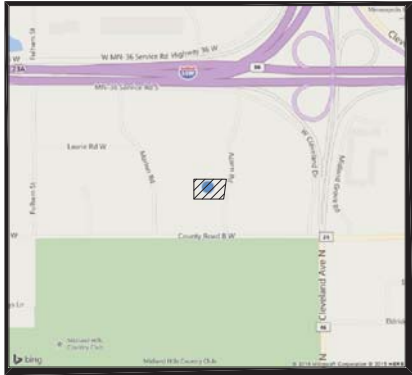
RCA Exhibit A

PRELIMINARY PLAT

~of~ OAK ACRES
~for~ ARTHUR G. MUELLER
2201 ACORN ROAD
ROSEVILLE, MN
(651) 295-1284

VICINITY MAP

PART OF SEC. 8, TWP. 29, RNG. 23



RAMSEY COUNTY, MINNESOTA
(NO SCALE)

DEVELOPMENT DATA

TOTAL SITE AREA = 1.90± ACRES
3 PROPOSED SINGLE FAMILY LOTS
DENSITY = 1.58 LOTS / ACRE

ZONING AND SETBACKS

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

FRONT SETBACK	30 FEET FROM EDGE OF BITUMINOUS FOR PRIVATE STREET (PROPOSED)
SIDE YARD	6 FEET
HOUSE	10 FEET
SIDE STREET	30 FEET
REAR SETBACK	30 FEET

DEVELOPMENT REQUIREMENTS FOR ZONE LDR 1 (LOW DENSITY RESIDENTIAL)

MINIMUM LOT AREA INTERIOR	11,000 S.F.
MINIMUM LOT AREA CORNER	12,500 S.F.
MINIMUM LOT WIDTH INTERIOR	85 FT.
MINIMUM LOT WIDTH CORNER	100 FT.
MINIMUM LOT DEPTH INTERIOR	110 FT.
MINIMUM LOT DEPTH CORNER	100 FT.

PROPERTY DESCRIPTION

(PER WARRANTY DEED; RAMSEY COUNTY DOC. NO. 1188525)

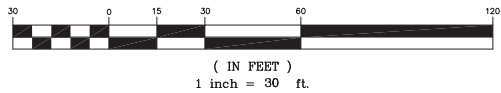
That part of the Southeast Quarter of the Southeast Quarter of Section 8, Township 29 North, Range 23 West, according to government survey, described as follows (all bearings in this description being based on the South line of said Southeast Quarter as an East and West line):

Commencing at a point 33 feet North of the South line and 1221.63 feet west of the East line of said Section 8; thence North 0 degrees 08 minutes West 295 feet to the point of beginning of the tract being described; thence East 290.64 feet; thence North 4 degrees 41 minutes East 81.70 feet; thence 14 degrees 23 minutes 30 seconds East 184.29 feet; thence North 5 degrees 51 minutes 30 seconds West 14.61 feet; thence West 339.77 feet; thence South 0 degrees 08 minutes East 265 feet to point of beginning, Ramsey County, Minnesota.

**E. G. RUD & SONS, INC.**
Professional Land Surveyors
6776 Lake Drive NE, Suite 110
Lino Lakes, MN 55014
Page 7 of 10 (651) 361-8200 Fax (651) 361-8701

NORTH

GRAPHIC SCALE



LEGEND

- DENOTES IRON MONUMENT FOUND AS LABELED
- DENOTES CATCH BASIN
- ⊙ DENOTES STORM SEWER MANHOLE
- ⊙ DENOTES SANITARY SEWER MANHOLE
- ⊙ DENOTES HYDRANT
- ⊙ DENOTES POWER POLE
- ⊙ DENOTES EXISTING SPOT ELEVATION
- DENOTES EXISTING CONTOURS
- DENOTES EXISTING SANITARY SEWER
- DENOTES EXISTING STORM SEWER
- DENOTES EXISTING WATER MAIN
- DENOTES BITUMINOUS SURFACE

NOTES

- Fee ownership is vested in Arthur G. Mueller.
- Parcel ID Number: 8.29.23.44.0016
- Address of the surveyed premises: 2201 Acorn Road, Roseville, MN 55113.
- Boundary area of the surveyed premises: 82,879 sq. ft. (1.90 acres).
- Field survey was completed by E.G. Rud and Sons, Inc. on 6/02/15.
- Bearings shown are on Ramsey County Coordinate System.
- Curb shots are taken at the top and back of curb.
- Surveyed premises shown on this survey map falls within Flood Insurance Rate Map Community Panel No. 27123C0015G by the Federal Emergency Management Agency. Said panel is not printed.
- Topography and utilities are a combination of field work done by E.G. Rud & Sons, Inc. on 6-02-15 and the Preliminary Plat prepared by Hakanson Anderson Civil Engineers and Land Surveyors dated 5-7-14. Said Preliminary Plat references that the existing improvements were per the Preliminary Plat prepared by Comstock & Davis, Inc. dated August 10, 2006.
- Utilities shown hereon are observed. Excavations were not made during the process of this survey to locate underground utilities and/or structures. The location of underground utilities and/or structures may vary from locations shown hereon and additional underground utilities and/or structures may be encountered. Contact Gopher State One Call Notification Center at (651) 454-0002 for verification of utility type and field location, prior to excavation.
- Adjacent property owner information taken off of Ramsey County Website.

A POINT WHICH IS 33 FEET NORTH OF
THE SOUTH LINE AND 1221.63 FEET
WEST OF THE EAST LINE OF SECTION 8

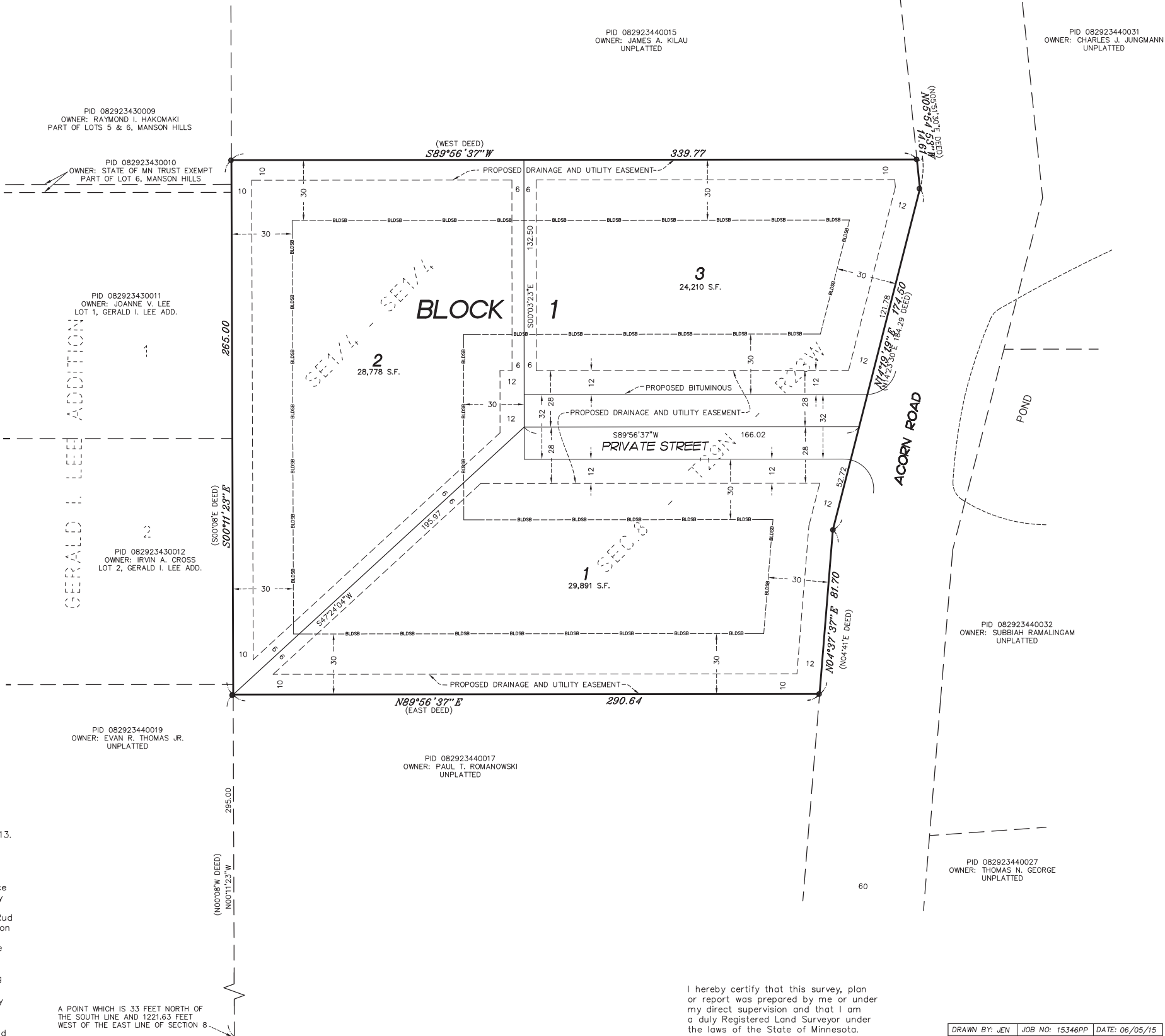
COUNTY ROAD B

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: 11-05-15 License No. 41578

RPCA Attachment C



DRAWN BY: JEN	JOB NO: 15346PP	DATE: 06/05/15
CHECK BY: JER	SCANNED ☐	
1 11/05/15	Revised Layout	JEN
2		
3		
NO. DATE	DE	BY

Page 1 of 3

RCA Exhibit A
GENERAL NOTES

THE INFORMATION SHOWN ON THESE DRAWINGS CONCERNING TYPE AND LOCATION OF EXISTING UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. THE CONTRACTOR IS RESPONSIBLE FOR MAKING HIS OWN DETERMINATION AS TO TYPE AND LOCATION OF UTILITIES AS NECESSARY TO AVOID DAMAGE TO THESE UTILITIES.

CALL "811" FOR EXISTING UTILITIES LOCATIONS PRIOR TO ANY EXCAVATIONS.

THE CONTRACTOR SHALL FIELD VERIFY SIZE, ELEVATION, AND LOCATION OF EXISTING SANITARY SEWER, STORM SEWER, AND WATER MAIN AND NOTIFY ENGINEER OF ANY DISCREPANCIES PRIOR TO THE START OF INSTALLATIONS.

INSTALLATIONS SHALL CONFORM TO THE CITY STANDARD SPECIFICATIONS AND DETAIL PLATES.

THE CONTRACTOR SHALL NOTIFY CITY PUBLIC WORKS DEPARTMENT A MINIMUM OF 24 HOURS PRIOR TO THE INTERRUPTION OF ANY SEWER OR WATER SERVICES TO EXISTING HOMES OR BUSINESSES.

STORAGE OF MATERIALS OR EQUIPMENT SHALL NOT BE ALLOWED ON PUBLIC STREETS OR WITHIN PUBLIC RIGHT-OF-WAY.

NOTIFY CITY A MINIMUM OF 48 HOURS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.

ALL ELECTRIC, TELEPHONE, AND GAS EXTENSIONS INCLUDING SERVICE LINES SHALL BE CONSTRUCTED TO THE APPROPRIATE UTILITY COMPANY SPECIFICATIONS. ALL UTILITY DISCONNECTIONS SHALL BE COORDINATED WITH THE APPROPRIATE UTILITY COMPANY.

CURB & BITUMINOUS NOTES

REMOVAL AND DISPOSAL OF EXISTING STREET MATERIALS AS REQUIRED FOR CONSTRUCTION IS CONSIDERED INCIDENTAL.

SAW-CUT EXISTING BITUMINOUS AND CONCRETE CURB TO PROVIDE BUTT-JOINT.

RESTORE DISTURBED STREET TO EXISTING OR BETTER SECTION.

BACKFILLING OF CURB IS INCIDENTAL TO CURB INSTALLATION.

FOUR INCHES OF CLASS 5 UNDER CURB IS INCIDENTAL TO CURB INSTALLATION.

CURB ENDS SHALL TERMINATE IN A THREE-FOOT BEAVER TAIL.



Know what's below.
Call before you dig.

RPCA Attachment C

SEE SHEET C1 FOR LEGEND

DESIGNED BY:
C.M. C.W.P.
CHKD BY:
C.W.P. PROJ. NO.
15-1548

ORIGINAL DATE:
NOVEMBER 6, 2015

DATE	REVISION DESCRIPTION

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the State of Minnesota.

Charles W. Plowe
CHARLES W. PLOWE
DATE: 11.06.2015 LIC. NO. 16227

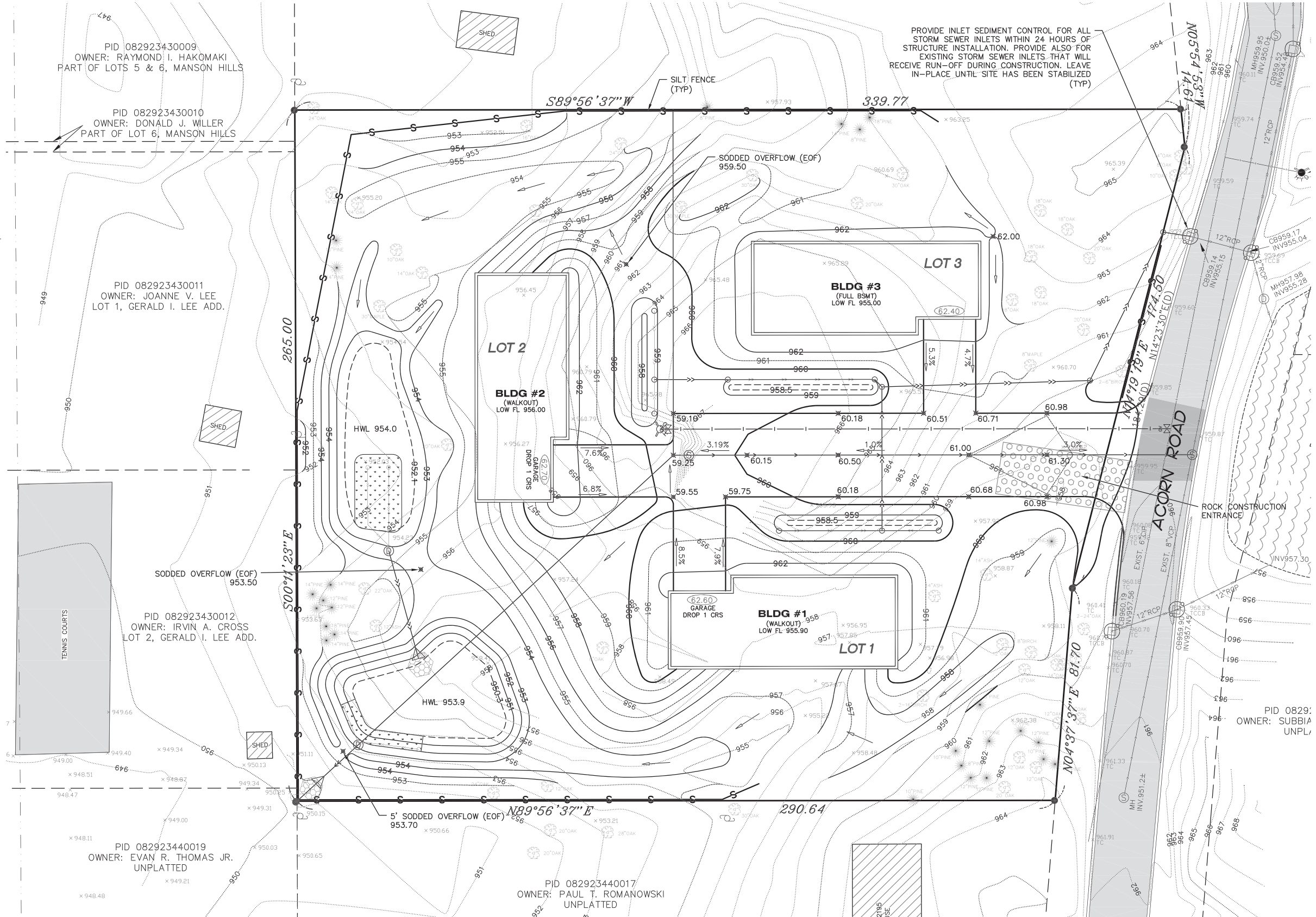
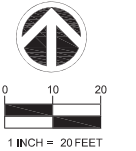
OAK ACRES
ROSEVILLE, MINNESOTA
GRADING, DRAINAGE & EROSION
CONTROL PLAN

PREPARED FOR:
ART MUELLER



SITE PLANNING
& ENGINEERING
PLOWE
ENGINEERING, INC.
6776 LAKE DRIVE
SUITE 110
LINO LAKES, MN 55014
PHONE: (651) 361-8210
FAX: (651) 361-8701

NORTH



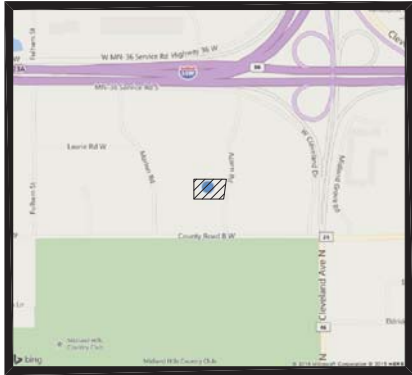
GRADING, DRAINAGE & EROSION CONTROL PLAN
OAK ACRES

EXISTING CONDITIONS SURVEY AND PRELIMINARY TREE INVENTORY AND TREE REMOVAL PLAN

~of~ OAK ACRES
~for~ ARTHUR G. MUELLER
2201 ACORN ROAD
ROSEVILLE, MN
(651) 295-1284

VICINITY MAP

PART OF SEC. 8, TWP. 29, RNG. 23



RAMSEY COUNTY, MINNESOTA
(NO SCALE)



NORTH LEGEND

- DENOTES IRON MONUMENT FOUND AS LABELED
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- ⊙ DENOTES STORM SEWER MANHOLE
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- ⊙ DENOTES POWER POLE
- ⊙ DENOTES EXISTING SPOT ELEVATION
- DENOTES EXISTING CONTOURS
- DENOTES EXISTING SANITARY SEWER
- DENOTES EXISTING STORM SEWER
- DENOTES EXISTING WATER MAIN
- DENOTES BITUMINOUS SURFACE

PROPERTY DESCRIPTION

(PER WARRANTY DEED; RAMSEY COUNTY DOC. NO. 1188525)

That part of the Southeast Quarter of the Southeast Quarter of Section 8, Township 29 North, Range 23 West, according to government survey, described as follows (all bearings in this description being based on the South line of said Southeast Quarter as an East and West line):

Commencing at a point 33 feet North of the South line and 1221.63 feet west of the East line of said Section 8; thence North 0 degrees 08 minutes West 295 feet to the point of beginning of the tract being described; thence East 290.64 feet; thence North 4 degrees 41 minutes East 81.70 feet; thence 14 degrees 23 minutes 30 seconds East 184.29 feet; thence North 5 degrees 51 minutes 30 seconds West 14.61 feet; thence West 339.77 feet; thence South 0 degrees 08 minutes East 265 feet to point of beginning, Ramsey County, Minnesota.

E. G. RUD & SONS, INC.
EST. 1977
Professional Land Surveyors
6776 Lake Drive NE, Suite 110
Lino Lakes, MN 55014
Page 9 of 11 (651) 361-8200 Fax (651) 361-8701

TREE CHART

TREE COUNT	DECIDUOUS	CONIFEROUS
TREES TO BE REMOVED	23	8
TREES TO REMAIN	49	26

TREE INVENTORY LIST

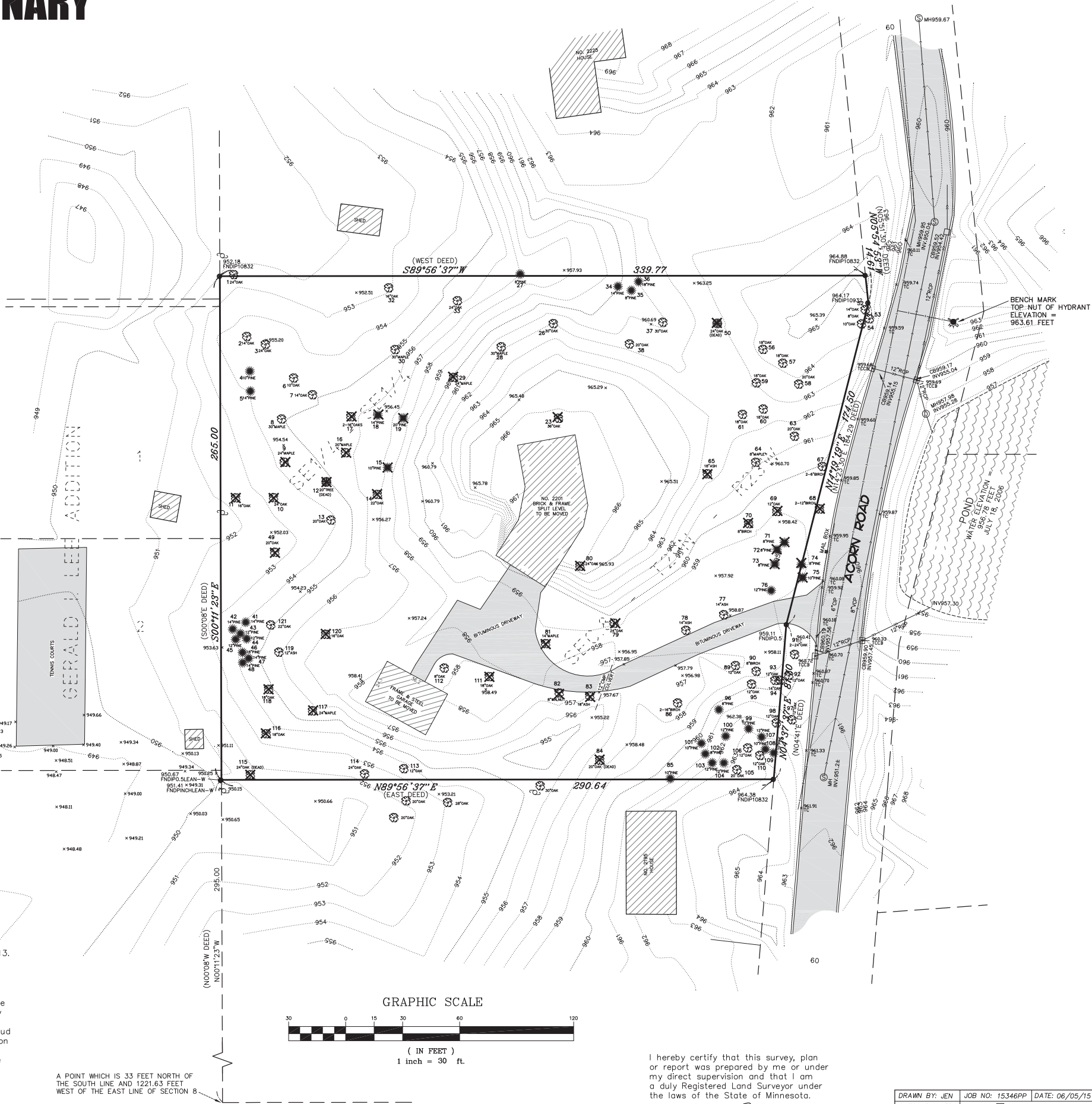
NUMBER	DESCRIPTION	TO BE REMOVED	NUMBER	DESCRIPTION	TO BE REMOVED	NUMBER	DESCRIPTION	TO BE REMOVED
1	24" OAK		45	12" PINE		85	10" PINE	
2	14" OAK		46	18" PINE		86	2-16" BIRCH	
3	24" OAK		47	14" PINE		89	12" OAK	
4	10" PINE		48	14" PINE		90	8" BIRCH	
5	14" PINE		49	20" OAK	X	91	2-24" OAK	
6	10" OAK		50	24" OAK (DEAD)	X	92	12" OAK	
7	14" OAK		52	14" OAK		93	12" OAK	
8	30" MAPLE		53	8" OAK		94	14" OAK	
9	24" MAPLE	X	54	10" OAK		95	12" OAK	
10	24" OAK	X	56	18" OAK		96	8" PINE	
11	16" OAK	X	57	18" OAK		97	12" OAK	
12	20" TREE (DEAD)	X	58	20" OAK		98	12" OAK	
13	20" OAK	X	59	18" OAK		99	12" PINE	
14	22" OAK	X	60	18" OAK		100	12" PINE	
15	10" PINE	X	61	18" OAK		101	10" PINE	
16	20" MAPLE	X	63	20" OAK		102	8" PINE	
17	2-16" OAKS	X	64	8" MAPLE		103	12" PINE	
18	14" PINE	X	65	18" ASH	X	104	12" PINE	
19	20" PINE	X	67	2-6" BIRCH	X	105	20" OAK	
23	36" OAK	X	68	2-12" BIRCH	X	106	12" OAK	
26	30" OAK		69	12" OAK	X	107	12" PINE	
27	8" PINE		70	8" BIRCH	X	108	10" PINE	
28	30" MAPLE		71	8" PINE	X	109	10" PINE	
29	24" MAPLE	X	72	8" PINE	X	110	12" OAK	
30	30" MAPLE		73	8" PINE	X	111	18" OAK	
32	16" OAK		74	8" PINE	X	112	8" OAK	
33	24" OAK		75	10" PINE	X	113	12" OAK	
34	14" PINE		76	12" PINE		114	24" OAK (DEAD)	X
35	8" PINE		77	14" ASH		115	24" OAK (DEAD)	X
36	18" PINE		78	14" ASH		116	18" OAK	
37	30" OAK		79	24" OAK	X	117	24" MAPLE	X
38	20" OAK		80	24" OAK	X	118	18" OAK	
41	14" PINE		81	14" MAPLE	X	119	12" ASH	
42	14" PINE		82	8" WALNUT	X	120	16" OAK	
43	12" PINE		83	18" ASH	X	121	22" OAK	
44	12" PINE		84	20" OAK (DEAD)	X			

TREE DETAIL

- 2-30" OAK DENOTES TREE TYPE
- 2-30" OAK DENOTES TREE SIZE
- 2-30" OAK DENOTES TREE QUANTITY
- 2-30" OAK DENOTES TREE TO BE REMOVED

NOTES

- Fee ownership is vested in Arthur G. Mueller.
- Parcel ID Number: 8.29.23.44.0016
- Address of the surveyed premises: 2201 Acorn Road, Roseville, MN 55113.
- Boundary area of the surveyed premises: 82,879 sq. ft. (1.90 acres).
- Field survey was completed by E.G. Rud and Sons, Inc. on 6/02/15.
- Bearings shown are on Ramsey County Coordinate System.
- Curb shots are taken at the top and back of curb.
- Surveyed premises shown on this survey map falls within Flood Insurance Rate Map Community Panel No. 27123C0015G by the Federal Emergency Management Agency. Said panel is not printed.
- Topography and utilities are a combination of field work done by E.G. Rud & Sons, Inc. on 6-02-15 and the Preliminary Plat prepared by Hakanson Anderson Civil Engineers and Land Surveyors dated 5-7-14. Said Preliminary Plat references that the existing improvements were per the Preliminary Plat prepared by Comstock & Davis, Inc. dated August 10, 2006.
- Utilities shown hereon are observed. Excavations were not made during the process of this survey to locate underground utilities and/or structures. The location of underground utilities and/or structures may vary from locations shown hereon and additional underground utilities and/or structures may be encountered. Contact Gopher State One Call Notification Center at (651) 454-0002 for verification of utility type and field location, prior to excavation.



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: 11-05-15 License No. 41578

DRAWN BY: JEN	JOB NO: 15346PP	DATE: 06/05/15
CHECK BY: JER	SCANNED	
1	11/05/15	Revise Tree Inventory JEN
2		
3		
NO.	DATE	DE

PLANNING FILE 15-023

Request by Art Mueller for approval of a PRELIMINARY PLAT of the residential property at 2201 Acorn Road

Chair Boguszewski opened the public hearing for PLANNING FILE 15-023 at 6:33 p.m.

Senior Planner Bryan Lloyd provided a brief history of this property, its planning file history and this new request for a 3-lot Preliminary Plat at 2201 Acorn Road, as detailed in the staff report dated December 2, 2015. Mr. Lloyd noted that this request from Mr. Mueller proposed demolition of the existing home and replatting of the property into three lots for development of three single-family, detached homes served by a private street.

Mr. Lloyd provided staff's analysis of this latest Preliminary Plat request from Mr. Mueller as it related to city code. While the subdivision code language provides lots be perpendicular to streets, Mr. Lloyd noted (lines 68 – 76 of the staff report) that the boundary of Lot 1 is perpendicular and even though it could be revised to be radial, staff supported the proposed layout rather than adding additional pavement.

Specific to the City's Public Works and Engineering review, Mr. Lloyd reported that this latest iteration addressed concerns raised in previous proposals related to drainage, specifically stormwater management on the northwest area of the project site. Mr. Lloyd noted stormwater would be routed to existing infrastructure under Acorn Road, reducing pressure and volume in the southwest basin. Mr. Lloyd advised that plans submitted to-date appear to meet requirements for rate and volume runoff and address other grading considerations; with the City's Engineers continuing to work with the applicant and review requirements or changes to ensure the project continued to conform to city code and watershed requirements throughout the process.

Mr. Lloyd briefly reviewed the tree preservation reviewed by the City's tree consultant Mark Rehder, S & S Tree Service, with monitoring continuing as the project proceeded.

Specific to Park Dedication, Mr. Lloyd reported that with two additional lots, the Parks & Recreation Commission had determined cash in lieu of land.

As noted in the staff report (line 99), Mr. Lloyd advised that the Development review Committee (DRC) provided several comments for recommendation, and highlighted the need for including Item D (lines 121 – 123) to ensure a homeowners association be a condition of approval to ensure long-term private street and stormwater infrastructure maintenance remains intact.

Discussion

Chair Boguszewski asked for clarification if the additional flow capacity for Acorn Road was new or had been there before; and whether the City Engineer had an estimate of the total flow pulled toward Acorn Road and away from that southwest corner.

Mr. Lloyd responded that the routing is new for this iteration of the Oak Acres Development proposal, as in the past runoff was routed to rain gardens at the southwest corner of the proposed development. Mr. Lloyd reported that the City Engineer had not specifically isolated the total flow from the southwest corner now proposed to be directed to Acorn Road stormwater infrastructure, but the difference in volume of stormwater leaving the southwest corner of this proposal versus previous iterations reduced that runoff by approximately 58% for a 100 year rain event calculation. At the request of Chair Boguszewski, Mr. Lloyd clarified that (as noted in line 106 of the staff report) overall flow was actually reduced by approximately 82% with this latest development proposal, and reduced 58% from the previous iteration. As noted by Chair Boguszewski, this provided the neighborhood with an approximate 82% improvement in stormwater flow compared to current runoff flowing from the property.

On line 113, Chair Boguszewski questioned the subjective term "aggressive proposal" and asked Mr. Lloyd to describe what was intended for a homeowners association and their financial burden.

Mr. Lloyd advised that that term originated with review by the City's Public Works Department, and opined the proposal was certainly aggressive in the sense it provided many places for water infiltration for rate control, and significantly reduces current rates and volumes. However, Mr. Lloyd noted there was also a cost component and need to make sure funding remained available long-term to address those many maintenance components and their complexities.

Member Murphy noted that water runoff from the subject site to neighboring properties had continued to be of great concern in past iterations, and asked staff if this iteration was implemented as designed indicated only 18 gallons of stormwater runoff. Member Murphy asked if there would be any cost to the city for connecting and diverting stormwater flow to the Acorn Road system or if it would borne entirely by the developer.

Mr. Lloyd clarified that runoff was measured by cubic feet per second, not gallon, and confirmed that 100 year rain event model numbers indicated that would be the case and as compared with typical rain events where stormwater runoff should easily be addressed through infiltration of one mode or another. Mr. Lloyd confirmed that the cost to divert stormwater flow to the Acorn Road infrastructure would be at the cost of the developer to implement.

Member Murphy asked staff for a comparison with this latest tree removal plan with that of the most recent past iteration.

Mr. Lloyd advised that staff didn't perform a comparison between previous and this latest proposal. However, Mr. Lloyd advised that the arborist's review indicated there would probably be no replacement required with the trees proposed for removal and fewer structures with this development proposal and based on updated tree inventory information (e.g. dead trees listed in the previous inventory versus their size and condition, and review by diameter breast height, of DBH, in this review).

Regarding staff comments and review by the DRC related to stormwater flow toward Acorn Road, Member Bull sought clarification of the actual flow as displayed on the grading plan. Member Bull expressed concern that the proposed infiltration basins may not be empty before the next rain event occurs, causing overland flow issues. Member Bull questioned long-term maintenance of the basins or how the city would address that maintenance.

Mr. Lloyd reviewed the underground connections, overland flow, and reduced flow percentages, noting that not all runoff would be overland, and as modeled, with City Engineers and Mr. Mueller's Engineer still refining the plan, maintenance of the basins would be a requirement of the homeowner's association. However, if the homeowner's association was found at fault in providing that maintenance, the City would step in to address maintenance itself or by hiring a third party to do so, and then assess those property owners accordingly for that cost .

If and when city code or watershed district standards change in the future, Member Bull asked if these stormwater runoff options would be grandfathered in at the old standards or if they would require updating as well.

Mr. Lloyd clarified that "grandfathering" was a term related to land use, but other parts of code provided protections and address that ongoing maintenance and stormwater monitoring via a public infrastructure contract.

Given the fact that this proposal includes a private road, Member Gitzen questioned if that required a homeowner's association to ensure its maintenance, even without the addition of stormwater ponds and their maintenance. Member Gitzen noted reference in the staff report (lines 121-123) of documents for review and approval by the City Attorney, and whether or not that meant they would have input into the contract language.

Mr. Lloyd verified that an association would be required for maintenance of the road. Mr. Lloyd confirmed that the purpose of the City Attorney's review was to protect the City and its residents and advised they would revise language accordingly to provide those protections.

Applicant Representative Engineer Charles W. Plowe, Plowe Engineering

Specific to drainage questions raised tonight by commissioners, Mr. Plowe advised that the rate control would be addressed through catch basins, with the upstream pond built to allow water to drain slowly with minimal if any pooling. Mr. Plowe clarified that this would address the same volume of water flowing into the catch basins as experienced today, but at a slower rate to avoid street flooding.

Specific to volume control, a concern brought up by neighboring residents in the past, Mr. Plowe clarified that the rate had been slowed as well as the volume reduced, but not by 82%, but more in the range of 16% volume of water reduced. The reduction by 82% of the rate was huge and critical. Mr. Plowe

provided rationale in routing the water to Acorn Road to help the volume of water flowing in to the southwest portion of the property; and with this iteration, water would leave the site very slowly and infiltrate into the drainage tile system, connecting to an 8" pipe and downstream into that underground system to Acorn Road. Mr. Plowe advised that the City Engineer had indicated there would be no problem with this additional flow with existing stormwater management in the area.

Member Cunningham noted that one reason for previous proposals being ultimately denied by the City Council was due to concerns with emergency vehicle access; and asked for comment on this latest iteration without a cul-de-sac to facilitate that, as well as addressing whether or not widening the street to 32' would alleviate emergency vehicle access issues.

Mr. Plowe noted that, with this iteration, the road had been shortened 25' from the previously Planning Commission-approved development proposal, making the actual length of the street quite short.

City Planner Thomas Paschke clarified that concerns were raised by an individual Councilmember or from area residents, he couldn't readily remember. However, Mr. Paschke noted that the Fire Department was part of the DRC in reviewing any proposal, and had indicated no areas of concern. Mr. Paschke advised that this private street would be similar to local streets having parking on both sides, traffic, and delivery vehicles all having access, in addition to being able to accommodate emergency vehicle access.

At the request of Member Bull, Mr. Plowe advised that, while he didn't have actual impervious surface calculations available for this iteration compared to previous proposals, impervious surfaces had been reduced by eliminating one proposed building site and driveway, estimating that alone would reduce it by approximately 1,000 feet.

Developer and Property Owner Art Mueller

Mr. Mueller stated that the road would now be so short it was shorter than his existing driveway. Mr. Mueller opined that there should be no problems for delivery or emergency vehicles; and noted that due to the short private road, residents would actually haul their garbage out to Acorn Road.

Public Comment

Mr. S. Ramalingam, 2182 Acorn Road

Mr. Ramalingam reviewed various elevations, gradients, and his calculations with the proposed grading plan and stormwater basins; and potential impacts to Mr. Irv Cross's property on the east side. Mr. Ramalingam further addressed the flow moving from this site to the 8" drain into Acorn Road infrastructure, and questioned if it would be able to accommodate that additional flow, seeking further evaluation by the City Engineer as to how many inches per hour it could accommodate. Mr. Ramalingam asked staff to further evaluate the high water level on the western basin and surrounding area and height differences.

Mr. Ramalingam noted that, once all the trees were removed as proposed, there would be no longer any transpiration from the property, opining that 30-40% of the property's drainage today was handled by those mature trees, and questioned how that would impact neighboring properties.

Member Murphy suggested the questions raised by Mr. Ramalingam would be most likely addressed by the city's engineering staff.

Member Bull noted that engineered soils in the ponds should address that based on their understanding.

Mr. Ramalingam opined that engineers were addressing low, not high water levels; and groundwater was an unknown in the equation. However, Mr. Ramalingam further opined that the grading plan indicated the basins would be higher than Mr. Cross's property and the water had to go somewhere and based on his calculations, it was currently going to the Cross property.

Mr. Ramalingam further addressed the 32' width of Acorn Road with no parking, while this private street, while short will have parking on both sides; and sought a guarantee that emergency vehicles would be able to access properties or turn around.

Janet Romanowski, 2195 Acorn Road

In listening to tonight's conversation, Ms. Romanowski noted there still appeared to be problems with drainage, then homeowner's association and tree removal, as well as the private road and parking and

emergency vehicle access. Ms. Romanowski suggested that Mr. Mueller keep his existing beautiful home and build one additional home on the extra lot, similar to that done by others in that neighborhood.

Engineer Chuck Plowe

Regarding concerns raised during public comment about the level of groundwater in basins, Mr. Plowe reported that soil boring information indicated to engineers designing them, that their design should be 3' or more below water basins for infiltration and for the drain tiles to function properly. Mr. Plowe noted that all of these designs would require review and approval by the City Engineer as well as engineers with the Watershed District. Regarding those levels, Mr. Plowe advised that they were typical for down water streams, with water infiltrating and percolating onto adjacent properties with tight soils, thus the reason for drain tiles without the advantage of sandy soils, negating the need for the drain tile system. Mr. Plowe clarified that engineered soil materials would be installed above those drain tiles with the intent to make the water drain down into that system.

In response to Mr. Ramalingam's questions related to the ponds, and whether they would be dry before the next rainfall event begins, Mr. Plowe responded that typically they would be as the soil media and drain tile draws that water level down over a 48-72 hour period; but again noted the City Engineer and Watershed District engineers would also review and ultimately approve the stormwater management plan.

Specific to groundwater levels, Member Murphy sought clarification that in order for this design as proposed to pass muster, it needed to be at least 3' less than the number needed; with Engineer Plowe responding affirmatively.

Specific to the removal of trees and impacts to the soil evaporation rate, Member Murphy asked Mr. Plowe if that was a common consideration in site drainage plans.

Mr. Plowe advised that it was, and in developing the whole design, both existing condition calculations and redesigned or proposed calculations were taken into consideration, including taking into account added impervious surfaces and how much additional runoff would occur and not be infiltrated; providing the overall system design.

At the request of Member Murphy, Mr. Plowe stated that removal of trees for grading and other redevelopment needs could not be specifically calculated at this time, but evaporation and runoff is taken into account.

Chair Boguszewski asked if Mr. Plowe was confident that the 8" drain on Acorn Road would suffice.

Mr. Plowe responded that he was confident; and when reviewing the basins and infrastructure, there would continue to be some overflow as there is today, but the intent was not to have a lot of flow go through the 8" infrastructure system, but available to handle a 2-year rain event. Mr. Plowe opined that the system would prove adequate for short-term ponding and with smaller storm events that would not be much water for any length of time, but that it was taken into consideration in designing the stormwater management system.

As noted in the staff report, and confirmed by Mr. Plowe, Member Murphy stated that the City Engineer's review of the plan and his input indicated the new pipe would still be accommodated by the existing downstream system on Acorn Road; with a minimal amount of additional water added to that storm sewer system and not creating any additional problem.

Chair Boguszewski closed the public hearing at 7:15 p.m.; no one else spoke.

Member Cunningham noted that she had supported the last four proposals, and opined that this latest proposal from the applicant provided even more significant improvements and commended Mr. Mueller for listening to his neighbors and addressing their concerns. Member Cunningham stated her main concern in the past was with the road width and tree issues, as well as significant drainage issues; but again noted Mr. Mueller appeared to have addressed those concerns and improved upon them. Therefore, Member Cunningham stated she would be hard pressed not to support this request.

MOTION

Member Murphy moved, seconded by Member Cunningham to recommend to the City Council approval of the proposed PRELIMINARY PLAT of the property at 2201 Road; as detailed and

based on the information and analysis, and as conditioned and outlined in the project report dated December 2, 2015; amended to emphasize Condition D as follows:

“The applicant shall create and maintain a homeowner’s association for the long-term maintenance of the private infrastructure. All documents shall be reviewed and approved by the City Attorney, Public Works Department, and Community Development Department.”

Member Stellmach stated he found this latest proposal much improved from the last iteration; and personally found three parcels and single-family homes a better fit for the neighborhood. Member Stellmach expressed appreciation to Mr. Mueller for the additional drainage improvements and trees remaining along Acorn Road.

Based on previous discussion earlier tonight, Member Bull clarified that based on his understanding the emergency vehicle access concern had been brought up by the City Council as to stacking of vehicles on the private road as with the situation on any cul-de-sac. However, Member Bull noted that the Police and Fire Departments, in their review, had expressed no concern with that emergency vehicle access. Specific to tree preservation, Member Bull noted that the previous plan required 87 replacement trees, while this plan required zero replacements. Member Bull further noted that this plan provided 4,000 square feet less of impervious surface area allowing for better drainage. Therefore, Member Bull opined there were a lot of positives with this proposal compared to those in the past. Member Bull stated that his one remaining concern was with the potential responsibility the city may incur to maintain the basin in the southwest corner, noting that it also bisected two different property lines. Member Bull asked how those costs would be allocated when two different property owners were involved or how the city would access the properties if required to provide that maintenance.

City Planner Paschke advised that all property owners would be assessed equally as they shared similar burdens; and if the site had any drainage issues, all three sites would share equally in the resolution and associated costs.

Regarding previous City Council comments, Member Bull stated that he shared their concerns about the homeowner’s association, and as noted in lines 113 and 121 of the staff report, he was unclear on the term “long-term” maintenance, suggesting it needed to be “permanent” and “ongoing” by the association. Therefore, Member Bull suggested changing that terminology in the Commission’s motion and conditions. With that amendment, Member Bull stated his support for that amended motion of approval.

Member Gitzen echoed the comments made by his colleagues, stating he found this iteration a vast improvement from the last one in lessening existing runoff as well as any new drainage. Member Gitzen spoke in support of the motion.

Chair Boguszewski also agreed with his colleagues, and suggested revised terminology for Condition D to the makers of the motion, which they agreed with.

MOTION RESTATED AS REVISED

Member Murphy moved, seconded by Member Cunningham to recommend to the City Council approval of the proposed PRELIMINARY PLAT of the property at 2201 Road; as detailed and based on the information and analysis, and as conditioned and outlined in the project report dated December 2, 2015; amended to emphasize Condition D as follows:

“The applicant shall create and maintain a homeowner’s association for the [long-term] [permanent and ongoing] maintenance of the private infrastructure. All documents shall be reviewed and approved by the City Attorney, Public Works Department, and Community Development Department.”

Ayes: 6

Nays: 0

Motion carried.

For the benefit of the public, Member Murphy asked how questions were addressed and answers conveyed if unable to be answered tonight.

Chair Boguszewski suggested it would be incumbent for staff or the City Council to address those issues before their subsequent approval.

RCA Exhibit A

250 Mr. Paschke advised that, upon review of tonight's draft meeting minutes, if additional information was
251 needed before the request moved forward to the City Council, staff would do so and include them in their
252 updated report to the City Council. Mr. Paschke clarified that the City's Planning and Engineering staff
253 would continue their ongoing review and monitoring of the development process.

254 At the request of Chair Boguszewski and for the benefit of the public, Mr. Paschke advised that this
255 request was tentatively scheduled for a City Council meeting agenda in January of 2016.

**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 23rd day of June 2014 at 6:00 p.m.

The following Members were present: Laliberte, McGehee, Willmus, Etten, Roe and no members were absent.

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

RESOLUTION NO. 11161

**A RESOLUTION DENYING THE PROPOSED PRELIMINARY PLAT OF OAK ACRES
(PF07-039)**

WHEREAS, Arthur Mueller, applicant for approval of the proposed plat, owns the residential property at 2201 Acorn Road, which is legally described as;

PIN: 08-29-23-44-0016

That part of the Southeast Quarter of the Southeast Quarter of Section 8, Township 29, Range 23, according to government survey, described as follows (all bearings in this description being based on the South line of said Southeast Quarter as an East and West line):

Commencing at a point 33 feet North of the South line and 1221.63 feet West of the East line of said Section 8; thence North 0 degrees 08 minutes West 295 feet to the point of beginning of the tract being described; thence East 290.64 feet; thence North 4 degrees 41 minutes East 81.70 feet; thence North 14 degrees 23 minutes 30 seconds East 184.29 feet; thence North 5 degrees 51 minutes 30 seconds West 14.61 feet; thence West 339.77 feet; thence South 0 degrees 08 minutes East 265 feet to point of beginning, Ramsey County, Minnesota.

WHEREAS, the applicant has sought approval of the Oak Acres preliminary plat, herein referred to as the "project"; and

WHEREAS, the Roseville City Council, at its regular meeting on June 23, 2014 reviewed the project, the pertinent zoning and subdivision regulations, and the public record, received additional comments from the applicant and members of the public in attendance, and made the following findings of fact:

- 1) The project's proposed storm water retention/infiltration areas, known as best management practices ("BMPs"), do not provide sufficient assurance that they will adequately prevent standing-water ("ponding") conditions.

- 2) The project's plans do not provide sufficient protection against standing-water conditions in the event the BMPs fail.
- 3) The project's proposed infiltration basins on roughly the southern half of the subject property do not provide for overflow drainage into a body of water or the City's storm water sewer system. This is problematic given the existing surrounding, low-infiltration soil conditions where these basins overflow because there is insufficient off-site storm sewer or other conveyance system to provide adequate flow away from neighboring parcels.
- 4) The project's proposed grading design does not provide adequate assurance that trees intended to remain on the property, in accordance with the City's tree preservation policy, will survive in the long-term due to their close proximity to said grading.
- 5) The project's proposed number of new building sites and proposed quantity of removed trees is inconsistent with the goals contained within the City's comprehensive plan relative to maintaining neighborhood identities and character.
- 6) The project's plans do not provide for adequate parking considerations, given the quadrupling of home sites on the property with less-than-standard street width and cul-de-sac radius, which would preclude on-street parking, and given the inability for convenient overflow parking on Acorn Road, where parking is also prohibited due to its less-than-standard width.

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

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

WHEREUPON said resolution was declared duly passed and adopted.

Page 3 of 3

[illegible]

WITNESS MY HAND officially as such Manager this 23rd day of June 2014.


Patrick Trudgeon, City Manager

(SEAL)

**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 26th day of October 2015 at 6:00 p.m.

The following Members were present: McGehee, Willmus, Etten, Roe and Laliberte was absent.

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

RESOLUTION NO. 11264

**A RESOLUTION MEMORIALIZING THE DENIAL OF THE PROPOSED
PRELIMINARY PLAT OF OAK ACRES
(PF15-010)**

WHEREAS, Arthur Mueller, applicant for approval of the proposed plat, owns the residential property at 2201 Acorn Road, which is legally described as;

PIN: 08-29-23-44-0016

That part of the Southeast Quarter of the Southeast Quarter of Section 8, Township 29, Range 23, according to government survey, described as follows (all bearings in this description being based on the South line of said Southeast Quarter as an East and West line):

Commencing at a point 33 feet North of the South line and 1221.63 feet West of the East line of said Section 8; thence North 0 degrees 08 minutes West 295 feet to the point of beginning of the tract being described; thence East 290.64 feet; thence North 4 degrees 41 minutes East 81.70 feet; thence North 14 degrees 23 minutes 30 seconds East 184.29 feet; thence North 5 degrees 51 minutes 30 seconds West 14.61 feet; thence West 339.77 feet; thence South 0 degrees 08 minutes East 265 feet to point of beginning, Ramsey County, Minnesota.

AND WHEREAS, the applicant has sought approval of the Oak Acres preliminary plat, herein referred to as the "project"; and

WHEREAS, the Roseville City Council, at its regular meeting on September 28, 2015 reviewed the project, the pertinent zoning and subdivision regulations, and the public record, received additional comments from the applicant and members of the public in attendance, and made the following findings of fact as grounds for disapproving the project and denying the application by motion:

1. The City is not equipped to adequately handle the complexity of the proposed drainage system, including the fact that the City does not possess adequate easements situated on surrounding properties.

2. The potential increase in water volume draining from the subject property stands to be large.

3. There is a basis to believe that the ground on the subject property cannot adequately handle such water.

4. The surrounding properties are not adequately equipped to handle the potential water impact and therefore are more vulnerable to negative impact by this proposed project than if the project was located in another part of the City.

5. Past similar experiences, such as in the Fairview High School (Community Center)/Eldridge area and the Roseville Library/Dellwood area, compels the City to be invoke heightened caution in approving this uncertain proposed project.

AND WHEREAS, said findings of fact underpinning the disapproval of the project were reported to the applicant in a letter dated October 2, 2015; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Roseville, Minnesota, that the project has been denied as of September 28, 2015.

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

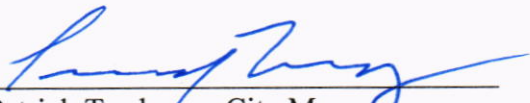
WHEREUPON said resolution was declared duly passed and adopted.

Resolution – Oak Acres (PF15-010)

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

I, the undersigned, being the duly qualified City Manager of the City of Roseville, County of Ramsey, State of Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of said City Council held on the 26th day of October 2015 with the original thereof on file in my office.

WITNESS MY HAND officially as such Manager this 26th day of October 2015.



Patrick Trudgeon, City Manager

(SEAL)

