


REQUEST FOR COUNCIL ACTION

DATE: 7/12/2010
ITEM NO: 12.a

Department Approval:



City Manager Approval:



Item Description: Request by St. Paul Regional Water Services for approval of concrete recycling as an INTERIM USE at the Dale Street Reservoir, 1901 Alta Vista Drive (PF10-001)

1.0 REQUESTED ACTION

1.1 St. Paul Regional Water Services (SPRWS) is preparing to replace the Dale Street Reservoir at 1901 Alta Vista Drive. As an alternative to trucking out the concrete rubble from the demolition of the former reservoir, a temporary concrete crushing/recycling operation was approved by the City Council several months ago as an INTERIM USE, pursuant to §1013.09 (Interim Uses) of the City Code; because of significant, unanticipated project delays in selecting a contractor and securing the necessary demolitions permits, the time allotted to the INTERIM USE – both in the original approval and in an extension – had expired before the recycling could be begun.

1.2 Once the demolition of the former reservoir had been completed, there was no longer time to complete the concrete recycling operation within the parameters of the INTERIM USE approval. SPRWS had inquired about another extension of the time allowed for the temporary use, but the extended INTERIM USE completion deadline had expired before the City Council was able to consider another extension request. Since the City Code does not establish a process for renewing an expired approval, SPRWS is currently seeking a new INTERIM USE approval for the same temporary concrete recycling operation.

Project Review History

- Application submitted and determined complete: July 1, 2010
- Sixty-day review deadline: August 29, 2010
- Planning Commission recommendation (5-0 to approve): July 7, 2010
- Project report prepared: July 8, 2010
- Anticipated City Council action: July 12, 2010

2.0 SUMMARY OF RECOMMENDATION

Planning Division staff concurs with the recommendation of the Planning Commission to approve the proposed INTERIM USE, subject to certain conditions; see Section 8 of this report for details.

3.0 SUMMARY OF SUGGESTED ACTION

Adopt a resolution approving the proposed INTERIM USE, pursuant to §1013.09 (Interim Uses) of the City Code, subject to conditions; see Section 9 of this report for details.

30 **4.0 BACKGROUND**

31 4.1 The reservoir is located within Reservoir Woods Park on property which is not owned by
32 the City of Roseville. Nevertheless, the site has easements for park use and has a Park &
33 Open Space (POS) designation in both the Comprehensive Plan and zoning code.

34 4.2 As noted above, this project previously received approval in February and an extension in
35 March but, due to a number of unforeseen delays, the extended approval expired and the
36 SPRWS was required a new approval of the INTERIM USE.

37 **5.0 INTERIM USE APPLICATIONS**

38 City Code §1013.09 (Interim Uses) establishes the regulations for to INTERIM USES.

39 5.1 Section 1013.09A states: *The City Council may authorize an interim use of property.*
40 *Interim uses may not be consistent with the land uses designated on the adopted Land*
41 *Use Plan. They may also fail to meet all of the zoning standards established for the*
42 *district within which it is located.*

43 5.2 Section 1013.09B states: *The City Council may attach conditions to Interim Use Permits*
44 *[sic]. In reviewing [such] applications, the City will establish a specific date or event that*
45 *will terminate the use on the property. The Council will also determine that the approval*
46 *of the interim use would not result in adverse effects on the public health, safety, and*
47 *general welfare, and that it will not impose additional costs on the public if it is*
48 *necessary for the public to take the property in the future.*

49 5.3 An applicant seeking approval an INTERIM USE is required to hold an open house meeting
50 to inform the surrounding property owners and other interested attendees of the proposal,
51 to answer questions, and to solicit feedback. An open house was held on December 15,
52 2009 as part of the original request; according to the sign-in sheet submitted with the
53 INTERIM USE application approximately a dozen people attended the open house meeting.
54 A new open house meeting for the current application was held on July 6, which was
55 attended by one person. Summaries of both open house meetings are included with this
56 staff report in Attachment D.

57 **6.0 STAFF COMMENTS**

58 6.1 Interim uses typically represent departures from what is allowed by the normal zoning
59 requirements. The POS zoning district permits golf courses, country clubs, tennis clubs,
60 pools, parks, and other recreational facilities, and allows essential services and City
61 structures and uses as *conditional* uses. Roseville’s zoning code does not define
62 “essential services”, but other communities’ definitions describe essential services as
63 structures, uses, or facilities related to sewer, water, electricity, communications, and so
64 on. While the former reservoir would be considered an “essential service,” it was built
65 about 40 years before the adoption of the zoning code; because the reservoir predates the
66 zoning regulations it is considered a legal nonconformity and, since the reservoir will not
67 be expanded in the reconstruction, it still does not need to be approved as a conditional
68 use.

69 6.2 Concrete crushing operations must operate within the permit requirements of the
70 Minnesota Pollution Control Agency (MPCA) as well as the requirements of other State
71 and Federal agencies pertaining to air emissions, noise, odors, and fugitive dust. During
72 the May 3, 2006 public hearing related to a similar recycling operation to be located in

73 the Twin Lakes area, a contractor specializing in concrete recycling explained that
74 vibrations from crushing operations are typically not felt beyond 150 feet, and the City
75 Planner was able to confirm the limited range of the noticeable vibrations by inspecting
76 another active crushing operation. No residences are within 500 feet of the reservoir site
77 where the proposed crushing operation would be located.

78 6.3 If the proposed concrete recycling operation is not approved as an INTERIM USE, the
79 applicant has indicated that the remaining alternative for removing the approximately
80 18,000 cubic yards of rubble after the demolition of the existing reservoir would be to
81 haul it off site to a landfill, requiring between 600 and 900 truck trips. If the INTERIM USE
82 is approved, SPRWS is ready to begin the demolition and recycling almost immediately
83 after the City Council action and hopes to complete the work in about 3 weeks.

84 6.4 Roseville's Development Review Committee reviewed the original INTERIM USE proposal
85 on January 14 and 21, 2010 and indicated support for the proposal as long as several
86 concerns were addressed; some of the original issues have already been resolved, but the
87 following comments remain valid:

- 88 **a.** The City Code allows projects like this to run from 7:00 a.m. until 10:00 p.m. on
89 weekdays and 9:00 a.m. until 9:00 p.m. on weekends, but to minimize disruptions
90 to the nearest residents caused by noise, the crushing operation should be limited
91 to 8:00 a.m.-8:00 p.m. on weekdays and 9:00 a.m.-8:00 p.m. on weekends;
- 92 **b.** Public Works staff has assessed the current condition of the pavement on the
93 pathways/parking areas leading from Alta Vista Drive/Stuber Road to the
94 reservoir site, and SPRWS should be responsible for protecting and/or repairing
95 damage to those areas as necessary after the completion of the reconstruction
96 project. Additionally, movement of heavy vehicles and equipment to/from the site
97 could be limited, depending on when road restrictions go into effect during the
98 spring thaw. The applicant has been anticipating this and had already been
99 considering project timing and methods of reducing impacts to the paved areas;
- 100 **c.** Public Works staff also indicated that maintenance access to the cellular tower
101 and ground equipment will need to be preserved during the project. SPRWS and
102 Public Works staff established a plan to meet this requirement; and
- 103 **d.** In addition to the primary paved trail crossing the reservoir site, Parks and
104 Recreation Department staff had indicated the presence of several park amenities
105 and features that should be protected during the project as well as a number of un-
106 paved paths that traverse the area around the reservoir. SPRWS and Parks and
107 Recreation staff have agreed on a plan to ensure that park amenities are protected
108 and park users are adequately informed of or restricted from the project area;
- 109 **e.** When a recycling contractor has been selected, the applicant should provide a
110 more-detailed site plan to Community Development staff so that the final
111 arrangement of equipment and piles rubble and crushed material can be reviewed.

112 6.5 Despite the expectation that the recycling operation would be quickly concluded,
113 Planning Division staff believes that facilitating the crushing of the concrete from the
114 former reservoir for reuse as base material for a replacement reservoir is more important
115 than establishing another expiration date which, inadvertently, may represent too short a
116 time frame. For this reason, Planning Division staff recommends imposing strict

117 constraints on the amount and origin of concrete to be recycled but allowing SPRWS
118 until the end of the 2010 calendar year to complete the recycling operation.

119 **7.0 PUBLIC HEARING**

120 The duly noticed public hearing for the current request was held by the Planning
121 Commission on July 7, 2010. Representatives from SPRWS responded to questions from
122 the Planning Commission pertaining to the project delays (e.g., the difficulty in
123 demolishing an unexpected, foot-thick slab of reinforced concrete covering the reservoir)
124 and some of the crushing details, but no members of the public were present to comment
125 on the proposal.

126 **8.0 RECOMMENDATION**

127 8.1 After holding the public hearing to consider the proposal and the related public comment,
128 the Planning Commission voted unanimously (i.e., 5-0) to recommend approval of the
129 proposed INTERIM USE, subject to several conditions.

130 8.2 Based on the comments and findings outlined in Sections 4-6 of this report, the Planning
131 Division concurs with the recommendation of the Planning Commission to approve the
132 proposed INTERIM USE, allowing the temporary concrete recycling operation at the Dale
133 Street Reservoir, subject to the following conditions:

- 134 a. The project site shall be limited to the general area indicated on the site plan
135 reviewed with this application as Attachment C;
- 136 b. Materials to be recycled shall be limited to the rubble generated by the demolition
137 of the Dale Street Reservoir facility;
- 138 c. The temporary operation shall employ best management practices (e.g., watering
139 piles, installing silt fencing, etc.) to control dust and potential stockpile erosion as
140 specified in the erosion control plan reviewed and approved by the City Engineer;
- 141 d. Operation of recycling equipment shall be limited to the hours of 8:00 a.m.-8:00
142 p.m. on weekdays and 9:00 a.m.-8:00 p.m. on weekends;
- 143 e. The applicant shall be responsible for protecting and/or repairing damage to the
144 pavement on the pathways/parking areas leading from Alta Vista Drive/Stuber
145 Road to the reservoir site after the completion of the reconstruction project;
- 146 f. The applicant shall ensure the preservation of maintenance access to the adjacent
147 cellular tower and ground equipment during the project according to the plan
148 developed through cooperation with Public Works staff;
- 149 g. The applicant shall ensure that park users are adequately informed of or restricted
150 from the project area according to the plan developed through cooperation with
151 Parks and Recreation staff; and
- 152 h. Once approved the recycling operation shall be discontinued by 8:00 p.m. on
153 December 31, 2010 or upon the completion of the recycling operation, whichever
154 comes first.

155 **9.0 SUGGESTED ACTION**
156 **Adopt a resolution approving the proposed INTERIM USE** for SPRWS to allow the
157 temporary recycling of concrete at the Dale Street Reservoir, 1901 Alta Vista Drive,
158 based on the comments and findings of Sections 4-7 and the conditions of Section 8 of
159 this report.

Prepared by: Associate Planner Bryan Lloyd (651-792-7073)

Attachments: A: Area map D: Open house meeting summaries
B: Aerial photo E: Draft resolution
C: Site plan

Attachment A: Location Map for Planning File 10-001



Prepared by:
Community Development Department
Printed: January 27, 2010



Site Location

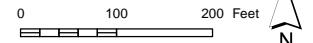
LR / R1 Comp Plan / Zoning Designations

Data Sources

* Ramsey County GIS Base Map (1/4/2010)
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.



mapdoc: planning_commission_location.mxd

Attachment B: Aerial Map of Planning File 10-001

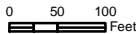


Site Location

ROSEVILLE
 Prepared by:
 Community Development Department
 Printed: January 27, 2010

Data Sources
 * Ramsey County GIS Base Map (1/4/2009)
 * Aerial Data: Kucera (4/2009)
 For further information regarding the contents of this map contact:
 City of Roseville, Community Development Department,
 2660 Civic Center Drive, Roseville MN

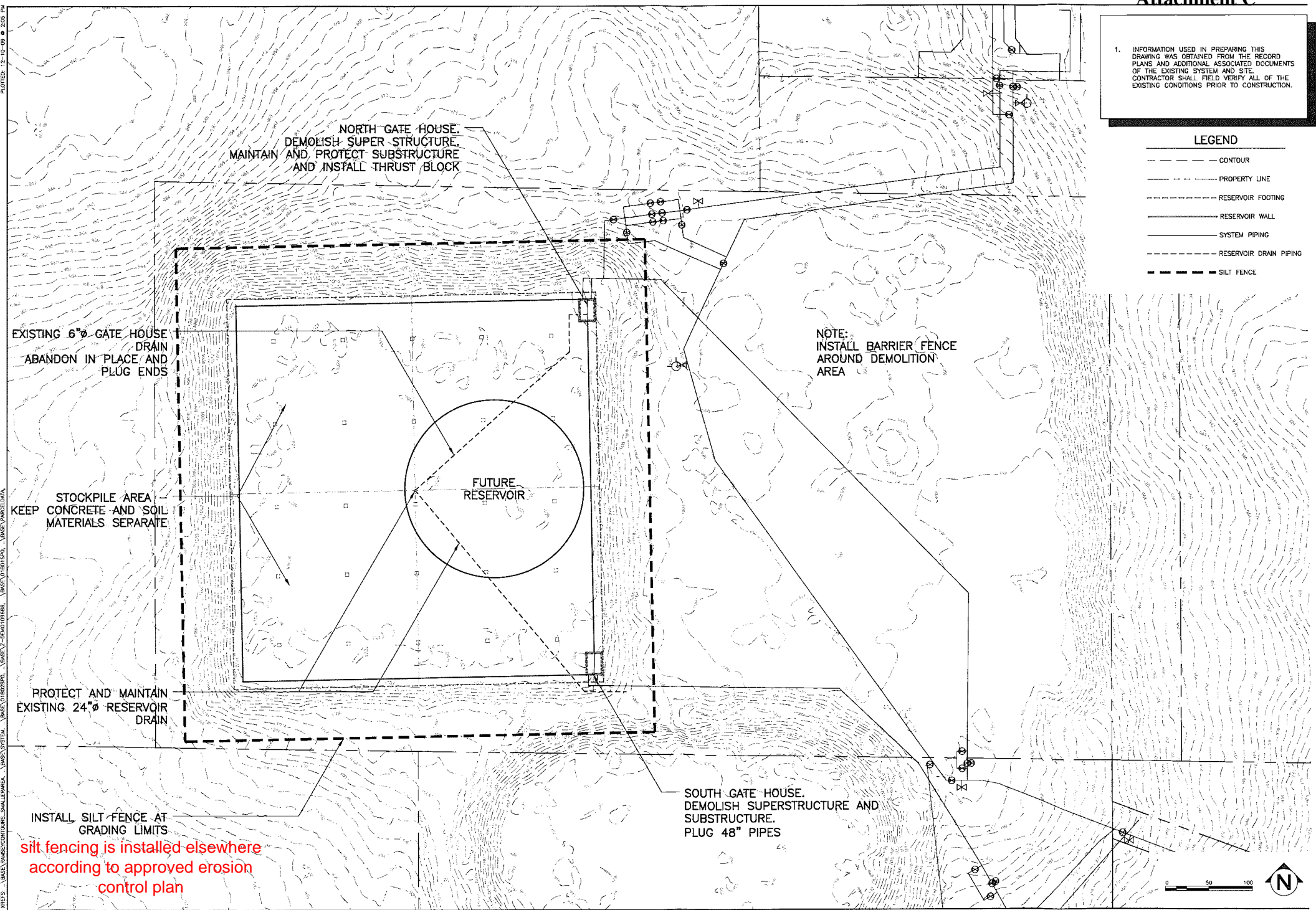
Disclaimer
 This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference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



1. INFORMATION USED IN PREPARING THIS DRAWING WAS OBTAINED FROM THE RECORD PLANS AND ADDITIONAL ASSOCIATED DOCUMENTS OF THE EXISTING SYSTEM AND SITE. CONTRACTOR SHALL FIELD VERIFY ALL OF THE EXISTING CONDITIONS PRIOR TO CONSTRUCTION.

LEGEND

- CONTOUR
- PROPERTY LINE
- RESERVOIR FOOTING
- RESERVOIR WALL
- SYSTEM PIPING
- RESERVOIR DRAIN PIPING
- SILT FENCE



NORTH GATE HOUSE. DEMOLISH SUPER STRUCTURE. MAINTAIN AND PROTECT SUBSTRUCTURE AND INSTALL THRUST BLOCK

EXISTING 6" Ø GATE HOUSE DRAIN ABANDON IN PLACE AND PLUG ENDS

STOCKPILE AREA. KEEP CONCRETE AND SOIL MATERIALS SEPARATE

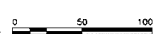
PROTECT AND MAINTAIN EXISTING 24" Ø RESERVOIR DRAIN

INSTALL SILT FENCE AT GRADING LIMITS
silt fencing is installed elsewhere according to approved erosion control plan

FUTURE RESERVOIR

NOTE: INSTALL BARRIER FENCE AROUND DEMOLITION AREA

SOUTH GATE HOUSE. DEMOLISH SUPERSTRUCTURE AND SUBSTRUCTURE. PLUG 48" PIPES



Open House Summary

St. Paul Regional Water Services

Demolition of the 30,000,000 Gallon Concrete Reservoir

Located in Reservoir Woods

The Open House was held on Tuesday, December 15, 2009 from 6:00 p.m. to 8:00 p.m. at the SPRWS offices at 1900 Rice Street. The Attendance List is attached. Also in attendance representing SPRWS were: Tim Bagstad, SPRWS
Brad Eilts, SPRWS
Steve Campbell, SEH

A number of issues were raised by the attendees. They are listed as follows, along with the responses that were provided.

Noise generated by the crushing equipment. Local demolition contractors have indicated that the decibel levels from their crushing equipment are similar to that of a lawn mower. Because the nearest residence is over 500 feet away and the work is scheduled for early spring, noise impacts on the residents are expected to be minor. Mr. Larry Hudella of Roselawn Cemetery expressed specific concerns about noise levels during graveside services. Mr. Hudella will be invited to meet with the Contactor at the Pre-Construction Conference. If noise levels in the cemetery are found to be a problem, the Contractors equipment run times can be coordinated with the cemetery schedule as necessary.

Dust emissions from the crushing equipment. The contract specifications will require the use of spray type dust abatement devices on the crushing equipment.

Discharge of chlorinated water. When the reservoir is drained, the purged water is piped to a pond on the east side of Dale Street. As a matter of policy, SPRWS dechlorinates all stored water prior to discharge to any surface waters.

Stockpiling of materials. Crushed concrete and soil materials from the demolition will be stockpiled separately for re-use within the footprint of the existing reservoir.

Presence of asbestos in the reservoir. An inspection by a certified inspector will be conducted at the reservoir prior to demolition to determine the presence of asbestos.

Traffic generation. A minor amount of construction traffic will be generated on Alta Vista Drive during mobilization to and demobilization from the site, however the decision to crush the concrete on-site will eliminate the need for 600-900 trips for hauling the materials to a demolition landfill.

Communications Plan: A project website has been established and can be made accessible to the public.

Agency Review: The final demolition contract documents will be forwarded to the Minnesota Department of Health for review.

Open House Summary
St. Paul Regional Water Services
Demolition of the 30,000,000 Gallon Concrete Reservoir
Located in Reservoir Woods

The Open House was held on Tuesday, July 6, 2009 from 6:00 p.m. to 8:00 p.m. at the SPRWS offices at 1900 Rice Street. The Attendance List is attached. Also in attendance representing SPRWS were:

Tim Bagstad, SPRWS
Doug Klamerus, SEH

There was only one member of the public that attended the open house. This is likely due to the previous open house in December discussing the project. Several items were discussed with the resident including the following:

Noise generated by the crushing equipment. While there will be a more consistent background noise due to the consistent operation of the crusher, crushing equipment will likely not be of higher decibels than the demolition process.

Dust emissions from the crushing equipment. The contract specifications require the use of spray type dust abatement devices on the crushing equipment.

Reason for Recycling. The decision to crush the concrete on-site will eliminate the need for 600-900 trips for hauling the materials to a demolition landfill. In addition, if the material were not crushed on site, additional vehicle trips would be required to haul in base material for the construction of the new tank.

Informational Open House Attendance List

Tuesday July 6, 2010 at 6 PM

St. Paul Regional Water Services

Demolition of 30,000,000 Gallon Concrete Reservoir

Name	Address
1	<i>Janet Schultz</i>
2	<i>711 W. Shryer</i>
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	

**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 July 2010 at 6:00 p.m.

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

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

**RESOLUTION NO. _____
A RESOLUTION APPROVING CONCRETE RECYCLING AT THE DALE STREET
RESERVOIR AS AN INTERIM USE IN ACCORDANCE WITH §1013.09 OF THE
ROSEVILLE CITY CODE FOR SAINT PAUL REGIONAL WATER SERVICES
(PF10-001)**

WHEREAS, Saint Paul Regional Water Services owns the Dale Street Reservoir property, adjacent to 1901 Alta Vista Drive; and

WHEREAS, the subject property is legally described as:

**Section 14 Township 29 Range 23 the S 652.5 ft of E 700 ft of SW 1/4 of NE 1/4 & S 652.5 ft
of W 400 ft of SE 1/4 of NE 1/4 in Sec 14 Tn 29 Rn 23
PIN: 14-29-23-13-0003**

WHEREAS, the property owner seeks to allow the temporary operation of concreting crushing equipment; and

WHEREAS, the Roseville Planning Commission held the public hearing regarding the proposed INTERIM USE on July 7, 2010, voting 5-0 to recommend approval of the use based on the comments and findings of the staff report prepared for said public hearing; and

WHEREAS, the Roseville City Council has determined that approval of the proposed INTERIM USE will not result in adverse effects on the public health, safety, and general welfare, and that it will not impose additional costs on the public if it is necessary for the public to take the property in the future;

NOW THEREFORE BE IT RESOLVED, by the Roseville City Council, to APPROVE the temporary concrete recycling at the Dale Street Reservoir as an INTERIM USE in accordance with Section §1013.09 of the Roseville City Code, subject to the following conditions:

- a. The project site shall be limited to the general area indicated on the site plan reviewed with this application as Attachment C;
- b. Materials to be recycled shall be limited to the rubble generated by the demolition of the Dale Street Reservoir facility;

- 34 **c.** The temporary operation shall employ best management practices (e.g., watering
35 piles, installing silt fencing, etc.) to control dust and potential stockpile erosion as
36 specified in the erosion control plan reviewed and approved by the City Engineer;
- 37 **d.** Operation of recycling equipment shall be limited to the hours of 8:00 a.m.-8:00
38 p.m. on weekdays and 9:00 a.m.-8:00 p.m. on weekends;
- 39 **e.** The applicant shall be responsible for protecting and/or repairing damage to the
40 pavement on the pathways/parking areas leading from Alta Vista Drive/Stuber
41 Road to the reservoir site after the completion of the reconstruction project;
- 42 **f.** The applicant shall ensure the preservation of maintenance access to the adjacent
43 cellular tower and ground equipment during the project according to the plan
44 developed through cooperation with Public Works staff;
- 45 **g.** The applicant shall ensure that park users are adequately informed of or restricted
46 from the project area according to the plan developed through cooperation with
47 Parks and Recreation staff; and
- 48 **h.** Once approved the recycling operation shall be discontinued by 8:00 p.m. on
49 December 31, 2010 or upon the completion of the recycling operation, whichever
50 comes first.

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

55 WHEREUPON said resolution was declared duly passed and adopted.

