

REQUEST FOR COUNCIL ACTION

DATE: 7/13/2009
ITEM NO: 12.c

Department Approval:



City Manager Approval:



Item Description: Request by Wellington Management approval of a **rezoning** of 1126 Sandhurst Drive and 2167 Lexington Avenue to Planned Unit Development from Single Family Residence District and General Business District, respectively, and approval of a **Planned Unit Development Agreement** and **Final Planned Unit Development** to allow the construction of a multi-tenant commercial office property (PF09-003)

1.0 REQUESTED ACTION

Wellington Management seeks REZONING of the northwest quadrant of the intersection of County Road B and Lexington Avenue and the approval of a PLANNED UNIT DEVELOPMENT AGREEMENT and FINAL PLANNED UNIT DEVELOPMENT for a proposed redevelopment which would replace the existing TCF bank structures at 2167 Lexington Avenue and the adjacent single-family residence at 1126 Sandhurst Drive with an 11,900-square-foot commercial office building and parking area.

Project Review History

- General Concept Plan approved: May 11, 2009
- Final application submitted and determined complete: June 8, 2009
- Sixty-day review deadline: August 7, 2009
- Project report prepared: June 30, 2009
- Anticipated City Council action: July 13, 2009

2.0 SUMMARY OF RECOMMENDATION

Planning Division staff recommends approving the requested REZONING, PLANNED UNIT DEVELOPMENT AGREEMENT, and FINAL PLANNED UNIT DEVELOPMENT; see Section 7 of this report for the detailed recommendation.

3.0 SUMMARY OF SUGGESTED ACTION

3.1 Adopt an ordinance REZONING 1126 Sandhurst Drive and 2167 Lexington Avenue to Planned Unit Development from Single Family Residence (R-1) District and General Business (B-3) District, respectively; see Section 7 of this report for details.

3.2 By motion, approve the FINAL PLANNED UNIT DEVELOPMENT and PLANNED UNIT DEVELOPMENT AGREEMENT pertaining to the redevelopment and future zoning of 1126 Sandhurst Drive and 2167 Lexington Avenue; see Section 7 of this report details.

4.0 REVIEW OF PLANNED UNIT DEVELOPMENT ZONING

4.1 A PLANNED UNIT DEVELOPMENT (PUD) is a zoning district which may include single or mixed uses on one or more lots or parcels, and is intended to be used in unique situations to create a more flexible, creative, and efficient approach to the use of the land subject to the PUD procedures, standards, and regulations contained in the City Code.

4.2 The end result of REZONING property to PUD is twofold: the creation of a customized zoning district that regulates the use and development of that specific property in the same way that standard zoning districts regulate other properties, and the establishment of a development agreement for the currently-proposed project. Aspects of such a development may deviate from the requirements of a standard zoning district, but they must be approved by the City Council and specified in a PUD AGREEMENT in order to ensure that the overall development is in keeping with general guidance of the Comprehensive Plan. The PUD AGREEMENT, if approved in the FINAL phase of the PUD review process, will comprise the development parameters on which the REZONING is based. The draft PUD AGREEMENT is included with this staff report as Attachment G.

4.3 In an effort to simplify the administration of the new PUD zoning district without compromising the City's ability to ensure that the proposed development is consistent with Roseville's policy and regulation documents, Planning Division staff has prepared a draft PUD AGREEMENT that is slightly different than what has been prepared in the past. Most significantly, staff is proposing to rely on the final site plan to graphically represent the zoning standards of the PUD instead of itemizing each of the setbacks and other development parameters in a written list; this site plan would be Exhibit A of the PUD AGREEMENT. Where the requirements illustrated in Exhibit A are silent, the PUD AGREEMENT states that "the general zoning and development requirements and the standards of the least intensive zoning district consistent with the land use designation of the Comprehensive Plan shall govern."

4.4 Uses on the property would be limited to permitted and accessory uses in "the least intensive zoning district consistent with the land use designation of the Comprehensive Plan." The existing Comprehensive Plan designation of "Business" is associated with a wide range of business zoning districts, the least intensive of which is the Limited Retail (B-1B) District. In general, the permitted and accessory uses in the B-1B District are retail uses (not including gas stations or motor vehicle sales), restaurants (not including live entertainment or drive-through facilities), offices, and parking, all of which would be allowed in the PUD zoning district provided all other standard zoning requirements are met. Once the forthcoming Comprehensive Plan is approved by the Metropolitan Council and ratified by the City Council, the PUD zoning district would then allow the permitted and accessory uses in the "the least intensive zoning district" created for the new Neighborhood Business land use designation that is identified for this site.

4.5 Because the property at 1126 Sandhurst Drive is currently zoned R-1, the proposed PUD zoning district represents an "up-zoning" of this parcel – even though the parking and accessory structure uses indicated for this parcel are both allowed in the R-1 zoning district and are both consistent with the Low Density Residential land use designation of the Comprehensive Plan. Moreover, if this parcel is not REZONED as part of the current application, it will need to be up-zoned upon final approval of the forthcoming 2030 Comprehensive Plan in order to be consistent with its new Neighborhood Business land

70 use designation. State Statute nevertheless requires that the up-zoning of this parcel may
71 only be approved by the equivalent of a four-fifths vote from Roseville's City Council. If
72 Council Members are supportive of REZONING this property to some form of PUD district
73 they may support the REZONING request even if they're not totally satisfied with some
74 details of the proposed development plans. Separate Council actions follow the
75 recommended adoption of a REZONING ordinance, allowing for further discussion and
76 refinement of the proposal to ensure that the ultimate development is consistent with the
77 approved GENERAL CONCEPT.

78 **5.0 REVIEW OF REVISIONS**

79 Based upon comments received at the May 11, 2009 City Council meeting, the applicant
80 has made the following revisions to the approved GENERAL CONCEPT plans in an attempt
81 to address the concerns of the City Council and to satisfy the required conditions of
82 approval; an excerpt of the minutes from this meeting are included with this staff report
83 as Attachment C and final plans are included as Attachment D. Because details of these
84 plans may need to be changed to meet the pertinent permitting requirements, the City
85 Council should treat these plans as illustrative of the proposed development as a whole
86 and not as the truly final plans for the issuance permits.

87 5.1 The landscaped islands at the east and west ends of the center row of parking spaces were
88 approximately doubled in size to accommodate additional plantings, including overstory
89 trees to provide additional shade. These expanded islands also have the effect of
90 eliminating a parking space, leaving an overall total of 48 parking spaces. The standard
91 City Code parking requirement for office and retail uses is 5 spaces per 1,000 square feet
92 of "leasable" building area (i.e., gross floor area minus hallways, restrooms, and other
93 common areas). The proposed building is approximately 11,900 square feet in gross floor
94 area and the current floor plan includes about 2,425 square feet of hallways, restrooms,
95 and storage areas leaving a leasable area of approximately 9,475 square feet. Applying
96 the standard parking ratio to the leasable area, 47.4 (i.e., 48) spaces would be required.

97 5.2 Because the building has been shifted north compared to the original proposal in order to
98 eliminate safety concerns related to the traffic visibility triangle, some of the landscaping
99 intended to screen the north side of the parking area from nearby residences is proposed
100 to be located in the Sandhurst Drive right-of-way. Roseville's Public Works Director has
101 no objection to locating such landscaping in the proposed location, so long as the
102 plantings will not interfere with motorists' ability to see one another at the northern
103 entrance to the site or at the nearby intersection. The updated site plan appears to meet
104 these needs, and staff will work with the applicant to ensure that the landscaping within
105 the right-of-way does not interfere with traffic circulation.

106 5.3 Some concern has been expressed pertaining to the potential for the proposed building to
107 create conflicts between motorists exiting the site onto Lexington Avenue and users of
108 the trail in the Lexington Avenue right-of-way. One potential solution was to construct a
109 speed bump near the eastern entrance to the site, west of the pathway, but the applicant's
110 insurer apparently would not allow such a feature. To address these safety concerns, then,
111 the applicant has updated the site plan to increase the proposed setback from the eastern
112 property line from 4 feet to 6 feet and to include signage and pavement markings
113 instructing motorists to stop for trail users.

114 **6.0 RECOMMENDATION**

115 6.1 Based on the comments and findings outlined in Sections 4 and 5 of this report, Planning
116 Division staff recommends REZONING the parcels at 1126 Sandhurst Drive and 2167
117 Lexington Avenue to PUD from R-1 and B-3, respectively. A draft rezoning ordinance is
118 included with this staff report as Attachment F.

119 6.2 Based on the comments and findings outlined in Sections 4 and 5 of this report, Planning
120 Division staff recommends approving the FINAL PUD plans and the PUD AGREEMENT
121 pertaining to the proposed development of the parcels at 1126 Sandhurst Drive and 2167
122 Lexington Avenue and establishing the zoning requirements governing future use and
123 redevelopment of the site, subject to the following condition:

124 a. The applicant shall submit a site plan illustrating and identifying the approved
125 PUD zoning district standards consistent with the architectural site plan dated
126 June 18, 2009 for inclusion in the PUD Agreement as Exhibit A.

127 **7.0 SUGGESTED ACTION**

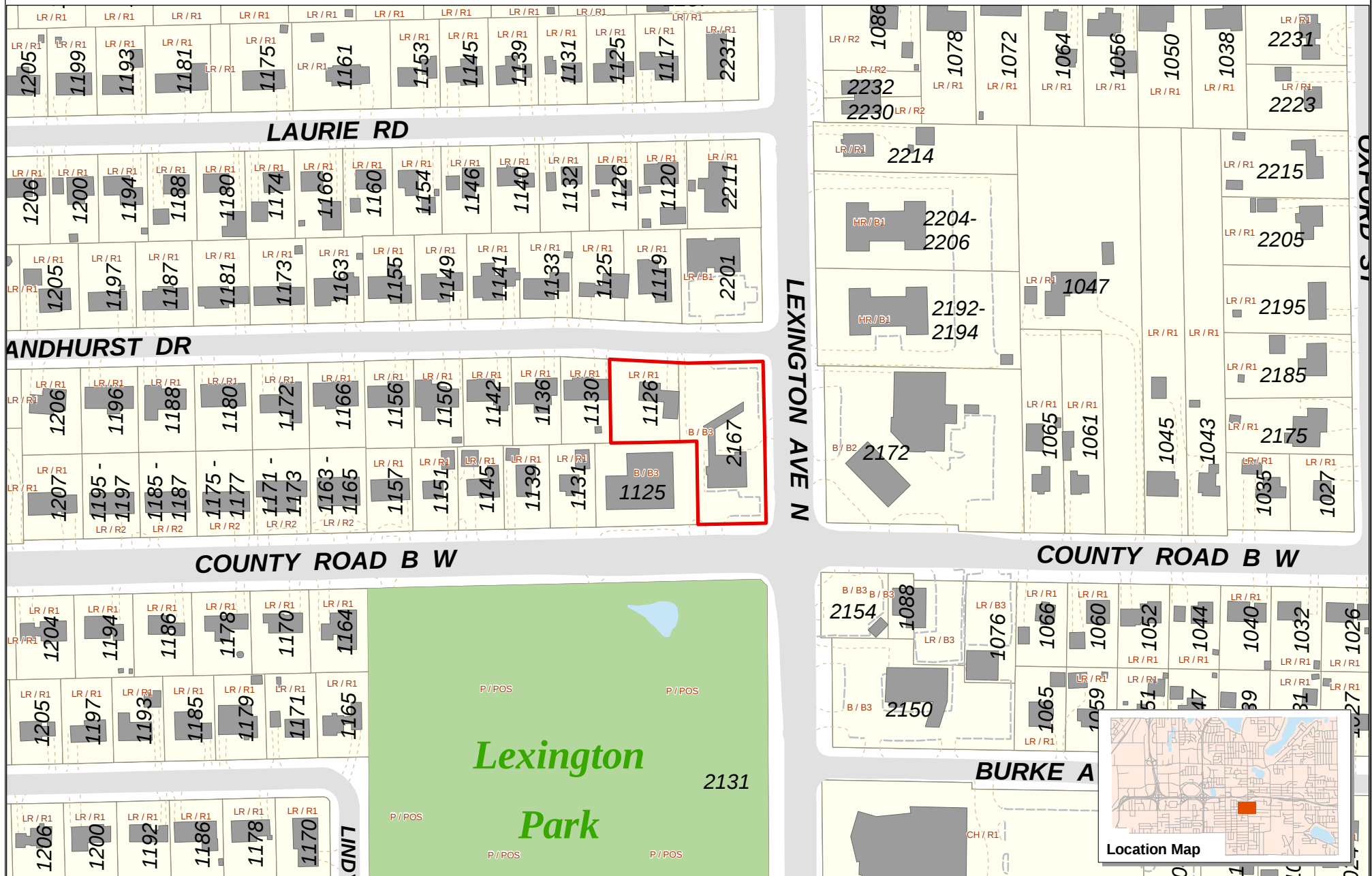
128 7.1 **Pass an ordinance** REZONING the parcels at 1126 Sandhurst Drive and 2167 Lexington
129 Avenue to PUD from R-1 and B-3, respectively, as discussed in Sections 4-5 of this
130 report.

131 7.2 **By motion, approve the FINAL PUD and PUD AGREEMENT** comprising the
132 redevelopment plans and the development contract with Roseville Crossing pertaining to
133 the Planned Unit Development at 1126 Sandhurst Drive and 2167 Lexington Avenue and
134 establishing the PUD zoning district standards, based on the comments and findings of
135 Sections 4-5 and the condition of Section 6 of this report.

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

Attachments:	A: Area map	D: Final plans
	B: Aerial photo	E: Applicant narrative
	C: Excerpt of May 11, 2009 City Council minutes	F: Draft rezoning ordinance
		G: Draft PUD Agreement

Attachment A: Location Map for Planning File 09-003



Prepared by:
Community Development Department
Printed: February 24, 2009

Site Location

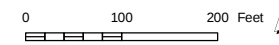
Comp Plan / Zoning
Designations

Data Sources

* Ramsey County GIS Base Map (2/4/2009)
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.



mapdoc: planning_commission_location.mxd

Attachment B: Aerial Map of Planning File 09-003



Prepared by:
Community Development Department
Printed: February 24, 2009



Site Location

Data Sources

* Ramsey County GIS Base Map (2/4/2009)

* Aerial Data: Pictometry (4/2008)

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

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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 651-792-7065. The preceding disclaimer is provided pursuant to Minnesota Statutes §466.03, Subd. 21 (2009), 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



Approve Wellington Management request for Rezoning of 1126 Sandhurst Drive and 2167 Lexington Avenue to Planned Unit Development (PUD) and Approve General Concept PUD (PF09-003)

City Planner Thomas Paschke reviewed the request of Wellington Management for REZONING and approval of a GENERAL CONCEPT PLANEND UNIT DEVELOPMENT (PUD) for redevelopment of the northwest quadrant of the intersection of County Road B and Lexington Avenue, replacing the existing TCF bank structure at 2167 Lexington Avenue and the adjacent single-family residence at 1126 Sandhurst Drive with an 11,250 square foot commercial office building and parking area.

Staff recommended approval, based on the comments and findings outlined in Sections 4 and 5 of the staff report dated May 11, 2009, for rezoning of the parcels at 1126 Sandhurst Drive and 2167 Lexington Avenue to PUD from R-1 and B-3, respectively; and approval of the request for a General Concept PUD to allow the proposed redevelopment, based on comments and findings outlined in Sections 4 - 8 of the report, and subject to conditions detailed in Section 7.2 of the report.

Mr. Paschke advised that, since the previous meetings of the applicant and City Council, various issues have been addressed at the staff level with the applicant, and will continue to be pursued. However, Mr. Paschke noted that some impacts and concerns, such as the driveway access, may not be fully realized until the project is in place, at which time they may need to be more effectively addressed.

Mr. Trudgeon concurred, noting that the proposed visual impacts with the driveway access and notch may be able to be addressed through signing, lights, or other warning options. Mr. Trudgeon advised that the developer had heard the concerns loud and clear, and would attempt to resolve the situation, and if not, a condition would be recommended by staff prior to final approval.

[8.1]

Klausing moved, Johnson seconded, approval **[N.B. The motion was to “support” the rezoning; therefore, the rezoning was not approved.]** of REZONING parcels at 1126 Sandhurst Drive and 2167 Lexington Avenue to Planned Unit Development (PUD) from R-1 and B-3 respectively, as detailed in Sections 4-5 of the project report dated May 11, 2009.

Councilmember Ihlan spoke in opposition to the motion; opining that, from her perspective, the applicant had not fully addressed the size of the parking lot and impervious lot coverage, with her calculations indicating 64%, which was a significant amount. Councilmember Ihlan further noted that the storm water management plan yet to be finalized, and suggested further analysis of the number of parking spaces needed for a dental office. Councilmember Ihlan advised that, until those issues are resolved, she could not vote on the General Concept.

Roll Call

Ayes: Roe; Johnson; Ihlan; Pust; and Klausing.

Nays: Ihlan.

Motion carried.

[8.2]

Klausing moved, Roe seconded, approval of the GENERAL CONCEPT PUD for Wellington Management to allow proposed redevelopment of 1126 Sandhurst Drive and 2167 Lexington Avenue; based on the comments and findings of Section 5 - 6, and the conditions of Section 7 of the project report dated May 11, 2009.

46 Discussion included calculation of the parking spaces; noting that part of the impervious surface
47 discussion was driven by City Code; the applicant's enlarging the parking lot islands to provide
48 more green space; the applicant's allotment at a minimal level over City Code (4 spaces); need to
49 avoid cars from the office building parking on residential streets; and typical process for
50 development of a storm water management plan after the concept plan and before final approval.

51 Councilmember Pust suggested that, as a policy discussion, further discussion be held in the
52 future as to the standards for parking stalls, which had been developed in the 1970s, and may
53 need further review and potential revision in today's reality and with other methods of
54 transportation available.

55 Councilmember Ihlan suggested that, as a policy matter, the City Council consider issues, such
56 as storm water management, at the concept level approval.

57 Councilmember Johnson advised that he conducted his own on-site review of site lines and
58 driveway access related to the sidewalk and his safety concerns for pedestrians and bicycles, and
59 strongly suggested formal signage for the site prior to final approval.

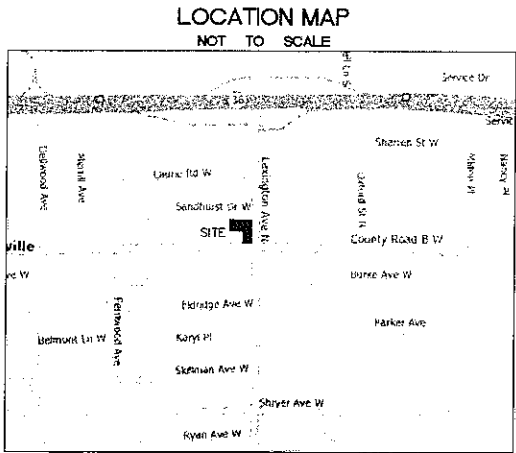
60 Councilmember Roe addressed lot coverage, in his review of aerials of the site and the existing
61 bank use, and opined that the proposed coverage would be similar overall. Councilmember Roe
62 concurred with the safety concerns on site and pedestrians and bicycles using the sidewalk.

63 **Roll Call**

64 **Ayes:** Roe; Johnson; Pust; and Klausing.

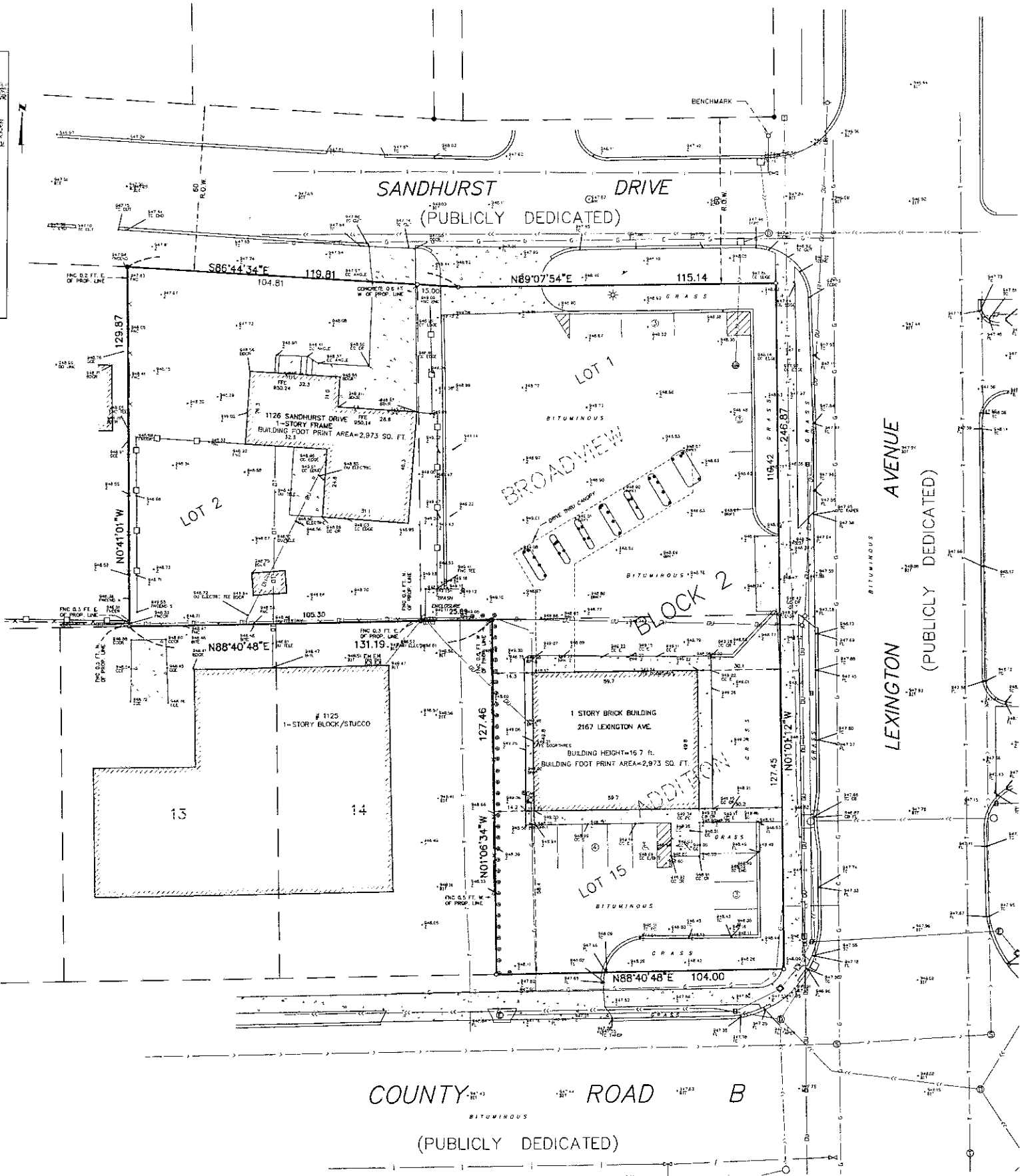
65 **Nays:** Ihlan.

66 **Motion carried.**



LEGEND

- BOLLARD
 - ⊙ CB MANHOLE BEEHIVE
 - CATCH BASIN
 - ⊙ ELECTRIC MANHOLE
 - ⊙ ELECTRIC BOX
 - ⊙ GAS METER
 - ⊙ GAS VALVE
 - ⊙ HANDICAP SYMBOL
 - ⊙ HANDHOLE
 - ⊙ HYDRANT
 - ⊙ FND IRON MONUMENT
 - ⊙ SET MONUMENT
 - ⊙ LIGHT POLE
 - ⊙ MANHOLE
 - ⊙ POWER POLE
 - ⊙ SANITARY MANHOLE
 - ⊙ STORM MANHOLE
 - ⊙ SIGN
 - ⊙ TELEPHONE MANHOLE
 - ⊙ TRAFFIC SIGNAL OR SIGNAL BOX?
 - ⊙ WATER VALVE
-
- ELECTRIC LINE
 - FENCELINE
 - GASMAIN
 - WATERMAIN
 - SANITARY SEWER
 - STORM SEWER
 - OVERHEAD UTILITIES
 - TELEPHONE LINE
 - WOOD FENCELINE
 - CONCRETE



LEGAL DESCRIPTION:

Lot 1, Block 2, and Lot 15, Block 2, Broadway Addition, Ramsey County, Minnesota.

Lot 2, Block 2, Broadway Addition, Ramsey County, Minnesota.

CERTIFICATION:

This is to certify to TCF National Bank, Roseville Crossing LLC, Chicago Title Insurance Company, Land Title, Inc., Commercial Partners Title, LLC as agent for First American Title Insurance Company, that this map or plat and the survey on which it is based were made in accordance with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys" jointly established and adopted by ALTA, ACSM and NSPS in 2005 and includes items 1, 2, 3, 4, 7(a), 7(b)(1), 7(c), 8, 9, 10 and 11b of Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the date of this certification, undersigned further certifies that in my professional opinion, as a Land Surveyor licensed in the State of Minnesota, the Relative Positional Accuracy of this survey does not exceed that which is specified therein.

Kenneth L. Whitehorn 12-2-2009
Kenneth L. Whitehorn Date
Minnesota License No. 14677

NOTES:

1. This survey of Lot 1 and Lot 15, Block 2, relies on information found in the commitment for title insurance prepared by Land Title, Inc. as agent for Chicago Title Insurance Company, Commitment No. 276624 Supplemental, dated July 31, 2006.
2. This survey of Lot 2, Block 2, relies on information found in the commitment for title insurance prepared by Commercial Partners Title, LLC as agent for First American Title Insurance Company, Commitment No. 29532 First Supplemental, dated November 30, 2008.
3. The locations of underground utilities are based on available maps, records, and field locations. The locations may not be exact.
4. All distances are in feet.
5. The basis of bearings is assumed.
6. The area of the property described above is 28,877 square feet or 0.6629 acres.
7. There are 14 parking spaces including 1 handicap space.
8. The property lies in an area not mapped in a flood hazard zone according to the Federal Emergency Management Agency Flood Insurance Rate Map Community Panel No. 270599.

SCHEDULE B - SECTION TWO EXCEPTIONS:

- Case No. 276624 Supplemental, dated July 31, 2006
- Item 1 Defects, liens, encumbrances, adverse claims or other matters subsequent cannot be plotted.
 - Item 2 Discrepancies, conflicts, and encroachments observed on the site are as shown on the survey.
 - Item 3 Facts or claims visible by inspection are as shown on the survey.
 - Item 4 Easements, liens, or encumbrances not of public record cannot be plotted.
 - Item 5 Lien or rights of lien not of public record cannot be plotted.
 - Item 6 Taxes or assessments cannot be plotted.
 - Item 7 Taxes payable cannot be plotted.
 - Item 8 Levied special assessments cannot be plotted.
 - Item 9 Unrecorded leases cannot be plotted.
 - Item 10 Right of Tenants under unrecorded leases cannot be plotted.
 - Item 11 Cannot be plotted.

SCHEDULE B - SECTION TWO EXCEPTIONS:

- File No. 29532 First Supplemental, dated November 30, 2008
- Item 1 Owner's Policy and mortgage encumbrance cannot be plotted.
 - Item 2 Defects, liens, encumbrances, adverse claims or other matters subsequent cannot be plotted.
 - Item 3 Rights or claims not of public record cannot be plotted.
 - Item 4 Encroachments, overlaps, disputes, or matters visible by inspection are as shown on the survey.
 - Item 5 Easements or claims not of public record cannot be plotted.
 - Item 6 Lien or rights of lien not of public record cannot be plotted.
 - Item 7 Taxes or special assessments cannot be plotted.
 - Item 8 General or special taxes and assessments cannot be plotted.
 - Item 9 To be removed.
 - Item 10 To be removed.
 - Item 11 Mortgages, Document No. 3926554, cannot be plotted.
 - Item 12 Construction indemnities cannot be plotted.

BENCHMARK:

Top nut of hydrant (TNH) located 52 feet westerly of the centerline of Lexington Ave North and 24 feet northerly of the centerline of Sandhurst Drive.

ALTA/ACSM
LAND TITLE SURVEY

2167 LEXINGTON AVENUE NORTH
ROSEVILLE, MINNESOTA

HT Engineers - Surveyors
PO Landscape Architects
Hansen Thorp Petlin Olson Inc.
7510 Market Place Drive
Eden Prairie, MN 55344-3644
(952) 828-0700 FAX (952) 828-7808

Revision

Project No. 06-091A
Drawn by JDB
Checked by D.T.
Book/Page 156/11
Client Wallington

POPE

POPE ASSOCIATES INC.
1235 ENERGY PARK DRIVE
ST. PAUL, MN 55108-5118
PH. (651) 642-9200
FAX (651) 642-1101

Wellington
MANAGEMENT, INC.

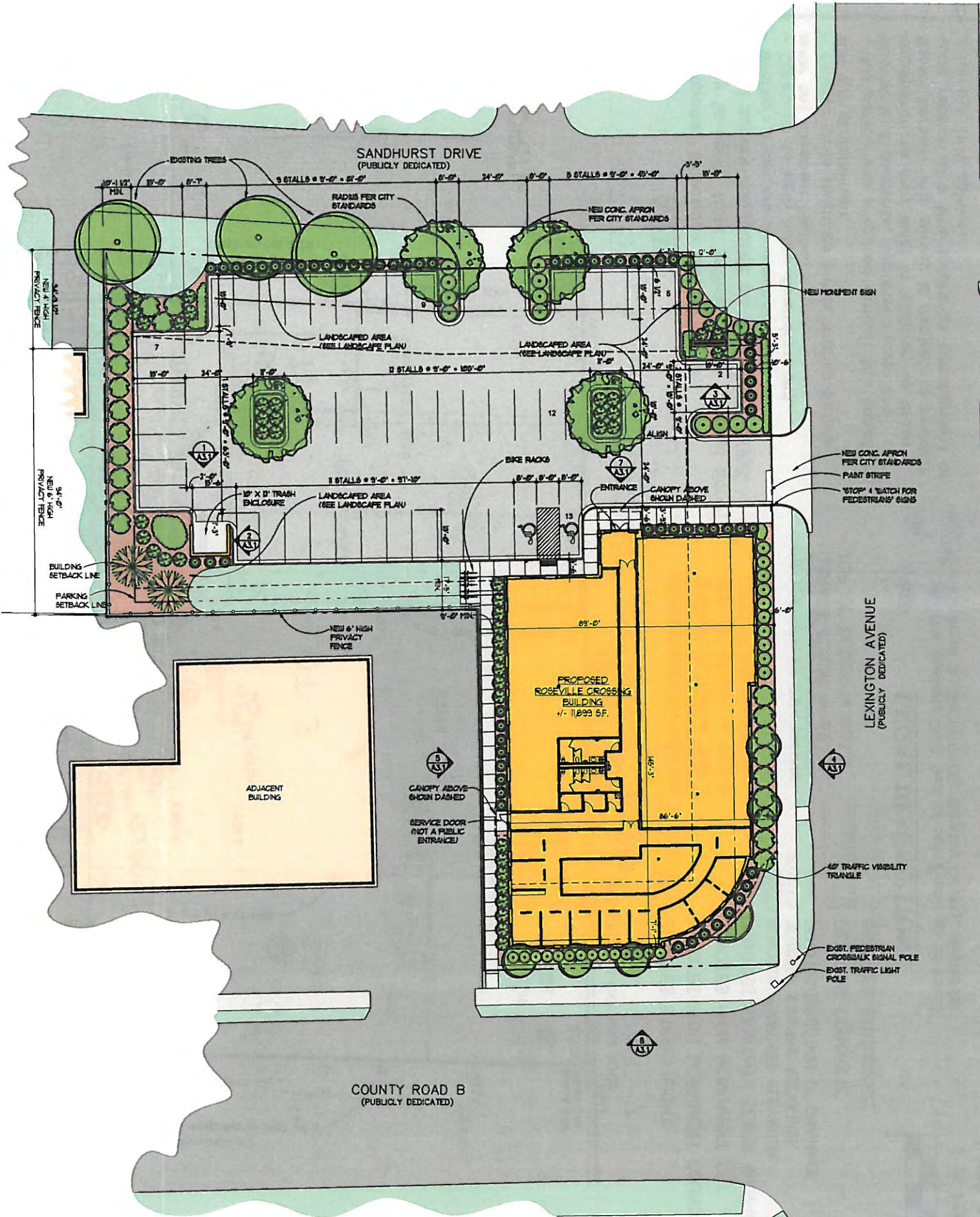
ROSEVILLE
CROSSING

SITE PLAN GENERAL NOTES

A) SITE INFORMATION HAS BEEN TAKEN FROM A SITE SURVEY PREPARED BY HANSEN THORP FELLNEN OLSON INC. 1542 MARKET PLACE DRIVE EDEN PRAIRIE, MN 55344-3644 DATED 1-13-09. GENERAL CONTRACTOR IS TO VERIFY ALL SITE INFORMATION BEFORE STARTING CONSTRUCTION, AND NOTIFY THE ARCHITECT IN WRITING OF ANY DISCREPANCIES.

B) REFER TO THE GENERAL NOTES FOR OTHER APPLICABLE INFORMATION.

SITE DATA		
ZONING DISTRICT: B3 & R1		
ZONING REQUIREMENTS	REQUIRED	PROVIDED
BUILDING SETBACKS		
FRONT	30'	6' AND 7'
REAR	20'	NA
SIDE	10'	9'
PARKING SETBACKS		
FRONT	15'	6 1/2"
REAR	5'	17'-5"
SIDE	10'	10'
SITE AREA		42,063 S.F. (0.9656 ACRES)
PROPOSED BUILDING AREA		11,899 S.F.
FLOOR AREA RATIO	1.0 MAX	0.28
PARKING AREA (INCLUDING LANDSCAPED AREAS)	---	26,858 S.F.
LANDSCAPE RATIO IN PARKING AREA (5% OF PARKING AREA)	1,343 S.F.	6,905 S.F.
PARKING SPACES (based on 8,884 s.f. of tenant space)	44	48



ARCHITECTURAL
SITE PLAN

Issues and Revisions:	
OWNER'S REVIEW	2-4-09
CITY SUBMITTAL	2-6-09
CITY RESUBMITTAL	2-25-09
CITY RESUBMITTAL	3-16-09
OWNER REVIEW	3-20-09
OWNER REVIEW	4-6-09
CITY RESUBMITTAL	4-9-09
CITY RESUBMITTAL	4-29-09
CITY RESUBMITTAL	6-5-09
CITY RESUBMITTAL	6-18-09

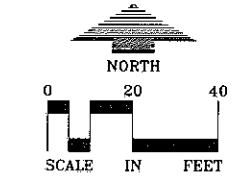
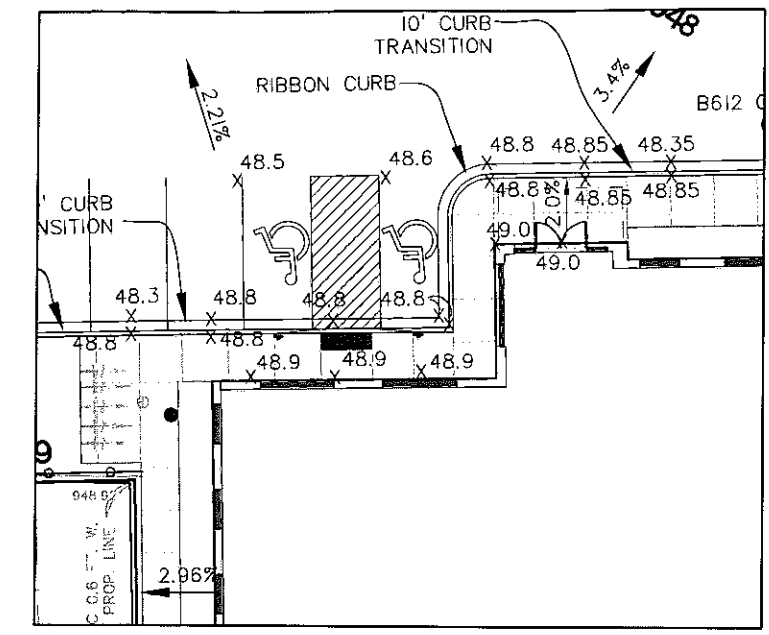
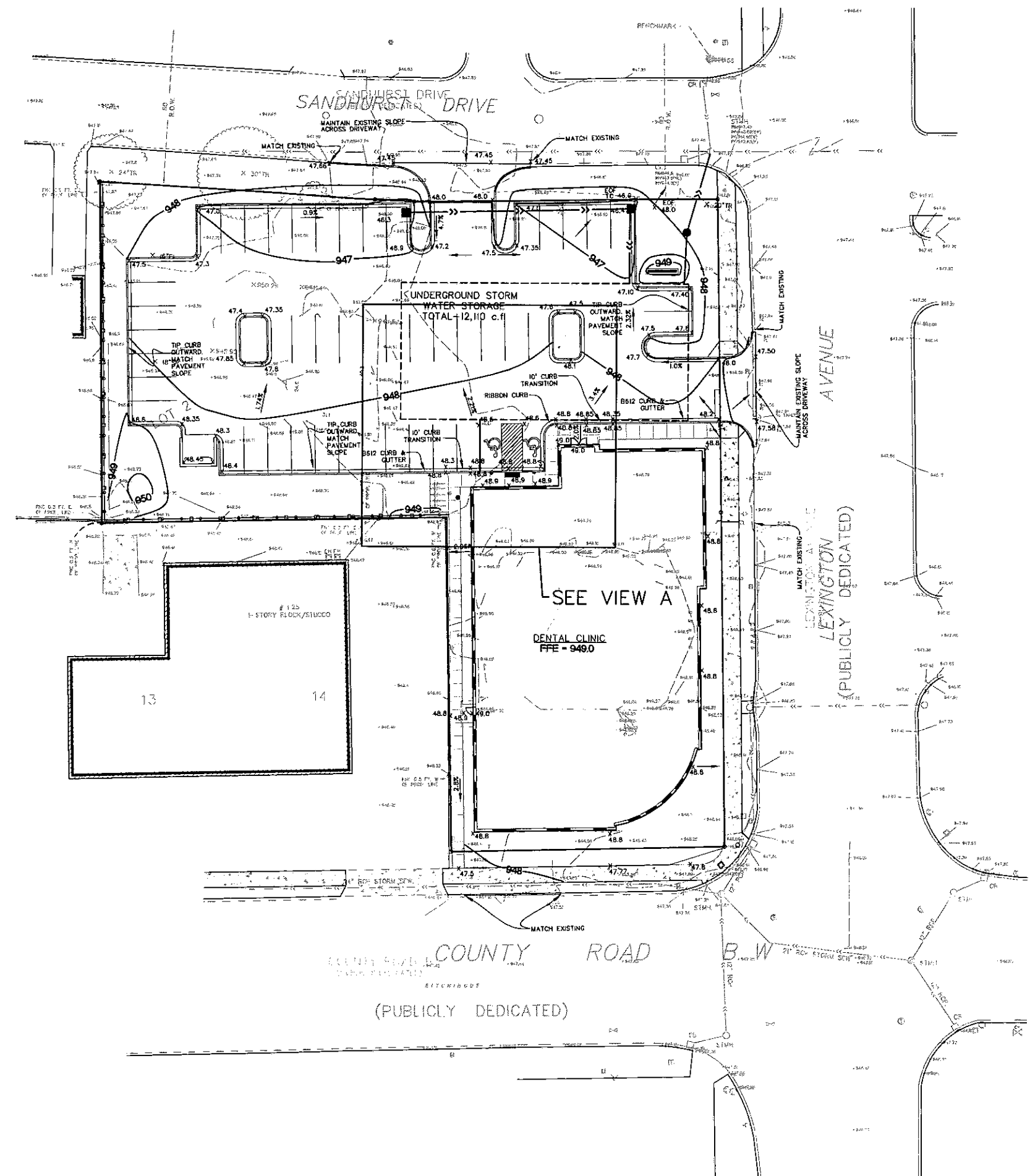
Commission No.	82443-07028C
Drawn by	DD
Checked by	GV

SHEET

01-05-09	City Submittal
02-23-09	Rev. City Submittal
03-16-09	Revised City Submittal
04-29-09	Revised Building & Layout
05-05-09	Revised Building & Layout
05-05-09	Revised City Submittal

EWB	WRP
EWB/RL	06/05/09

C0-1	Civil Sheet
C0-2	Existing Condition Plan
C0-3	Demolition Plan
C0-4	Site Plan
C0-5	Grading and Drainage Plan
C0-6	Storm Water Pollution Prevention Plan
C0-7	Utility Plan
C0-8	Utility Details
C0-9	Landscape Plan



EXISTING	CIVIL LEGEND	PROPOSED
○	SANITARY MANHOLE	●
○	STORM MANHOLE	●
○	CAUTION SIGN	○
○	HYDRANT	○
○	CAUTION SIGN	○
○	POST INDICATOR VALVE	○
○	LIGHT POLE	○
○	POWER POLE	○
○	SIGN	○
○	BENCHMARK	○
○	SUR. BENCHMARK	○
○	WATER MANHOLE	○
○	TELEPHONE MANHOLE	○
○	UTILITY MANHOLE	○
○	ELECTRIC MANHOLE	○
○	WATER SERVICE	○
○	SANITARY SERVICE	○
○	HANDICAP PARKING	○
○	DIRECTION OF FLOW	○
○	SPOT ELEVATION	○
○	CONTOURS	○
○	SANITARY SEWER	○
○	STORM SEWER	○
○	WATERMAIN	○
○	FORCEMAIN	○
○	GRANITE	○
○	SILT FENCE	○
○	CLUB & GUTTER	○
○	RETAINING WALL	○
○	THE LINE	○
○	EASEMENT LINE	○
○	SETBACK LINE	○
○	FENCE LINE	○
○	UNDERGROUND TELE	○
○	UNDERGROUND GAS	○
○	OVERHEAD UTILITY	○

CALL BEFORE YOU DIG!
Gopher State One Call
TWIN CITY AREA: 651-454-0002
TOLL FREE: 1-800-252-1166



WARNING:

THE CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING FOR LOCATIONS OF ALL EXISTING UTILITIES. THEY SHALL COOPERATE WITH ALL UTILITY COMPANIES IN MAINTAINING THEIR SERVICE AND / OR RELOCATION OF LINES.

THE CONTRACTOR SHALL CONTACT GOPHER STATE ONE CALL AT 651-454-0002 AT LEAST 48 HOURS IN ADVANCE FOR THE LOCATIONS OF ALL UNDERGROUND WIRES, CABLES, CONDUITS, PIPES, MANHOLES, VALVES OR OTHER BURIED STRUCTURES BEFORE DIGGING. THE CONTRACTOR SHALL REPAIR OR REPLACE THE ABOVE WHEN DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.

Roseville, Minnesota

Roseville Crossing LLC.
C/O Wellington Management, Inc.
1625 Energy Park Drive, Suite 100
St. Paul, Minnesota 55108
Ph: 651-292-9844 Fax: 651-292-0072

POPE

POPE ASSOCIATES, INC.
1625 Energy Park Drive
St. Paul, MN 55108
Tel: 651-292-9844
Fax: 651-292-0072

Professional Services:

LOUCKS ASSOCIATES

Planning • Civil Engineering • Land Surveying
Landscape Architecture • Environmental

7000 Mendota Lane, Suite 300
Minneapolis, Minnesota 55119
Telephone: 778-5424-5425
Fax: 778-5424-5823
www.loucksassociates.com

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CADD Qualification:

CADD files prepared by the Consultant for this project are the property of the Consultant. These CADD files shall not be used for other projects, for any other project or for any other purpose, without the written approval of the Consultant. The Consultant's responsibility shall be limited to the design and construction of the project shown on these CADD files. The Consultant shall not be responsible for any errors or omissions in these CADD files. The Consultant shall not be responsible for any damages, claims, or liabilities arising from the use of these CADD files.

Submittal:

02-04-09	City Submittal
02-25-09	Rev. City Submittal
03-16-09	Revised City Submittal
04-29-09	Revised Building & Layout
06-02-09	Revised Submittal
06-26-09	Revised City Submittal

Professional Signature:

I hereby certify that this plan, specification or report 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.

Eric Bourley - PE
License No. _____ Date _____

Quality Control:

EWB	WRP
EWB/RL	06/05/09

Sheet Index:

C-01	Cover Sheet
C-1.0	Existing Conditions Plan
C-1.1	Proposed Plan
C-1.2	Sanitary Sewer
C-1.3	Grading and Drainage Plan
C-1.4	Storm Water Pollution Prevention Plan
C-1.5	Utility Plan
C-1.6	Utility Details
C-1.7	Landscape Plan

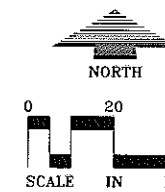
Sheet Title:

Utility Plan

Project No.:

08-261

Sheet No.:



EXISTING	CIVIL LEGEND	PROPOSED
	SANITARY MANHOLE	
	STORM MANHOLE	
	CATCH BASIN	
	CULVERT	
	HYDRANT	
	GATE VALVE	
	POST INDICATOR VALVE	
	LIGHT POLE	
	POWER POLE	
	SIGN	
	BENCHMARK	
	SOIL BORING	
	WATER MANHOLE	
	TELEPHONE MANHOLE	
	UTILITY MANHOLE	
	ELECTRIC MANHOLE	
	WATER SERVICE	
	SANITARY SERVICE	
	HANDICAP PARKING	
	DIRECTION OF FLOW	
	SPOT ELEVATION	
	CONTOURS	
	SANITARY SEWER	
	STORM SEWER	
	WATERMAIN	
	FORCE MAIN	
	DRIVEWAY	
	SALT FENCE	
	CURB & GUTTER	
	RETAINING WALL	
	TREE LINE	
	EASEMENT LINE	
	SETBACK LINE	
	FENCE LINE	
	UNDERGROUND TILE	
	UNDERGROUND GAS	
	OVERHEAD UTILITY	

UTILITY PLAN GENERAL NOTES

- All sanitary sewer, storm sewer and watermain utilities shall be furnished and installed per the requirements of the specifications, the City and the standard utilities specification of the City Engineers' Association of Minnesota (CEAM), 1999 edition. All HDPE connections to concrete manholes shall be connected with an internal rubber gasket or by using ADS waterstop gasket. All sanitary sewer main line shall be SDR 35. All sanitary sewer services shall be SDR 26.
- See Sheet C8-1 and the contract specifications for specific utility details and utility service details.
- All utility pipe bedding shall be compacted sand or fine granular material per the requirements of the City. All compaction shall be performed per the requirements of the CEAM Specification.
- All connections to existing utilities shall be performed per the requirements of the City. The City Department of Engineering and Building Inspections Department and the construction engineer must be notified at least 48 hours prior to any work within the public right of way, or work impacting public utilities.
- All sanitary sewer and water services shall terminate at the property line unless otherwise noted.
- The contractor shall notify GOPHER STATE ONE CALL at 651-454-0002 at least 48 hours prior to performing any excavation or underground work.
- The contractor shall field adjust watermain to avoid conflicts with sanitary sewer, storm sewer, and services as required. Insulation of water and sanitary sewer lines shall be provided where 7.5 feet minimum depth can not be attained.
- All street repairs and patching shall be performed per the requirements of the City. All traffic control shall be provided by the contractor and shall be established per the requirements of the Minnesota Manual of Uniform Traffic Control Devices (MUTCD) and the City. This shall include all signage, barricades, flashers and flaggers as needed. All public streets shall be open to traffic at all times. No road closures shall be permitted without the expressed authority of the City.
- All new watermain must have a minimum of 7.5 feet of cover.
- Adjust all existing structures, both public and private to the proposed grades where disturbed and comply with all requirements of the utility owners. Structures being reset to paved areas must meet owners requirements for traffic loading.

II. Proposed Pipe Materials:		
Watermain	DRP Class 52	No less than 7.5' deep.
Water Service	COPPER TYPE K, 1"	Service to property line.
Sanitary Sewer	PVC SDR 35	No more than 20' deep.
Sanitary Sewer	PVC SDR 26	20' - 25' deep.
Sanitary Sewer	PVC 4"	Service to property line.
Storm Sewer	RCP CLASS 5	12" to 18" diameter.
Driveway	POLYETHYLENE	Back of curb.



CALL BEFORE YOU DIG

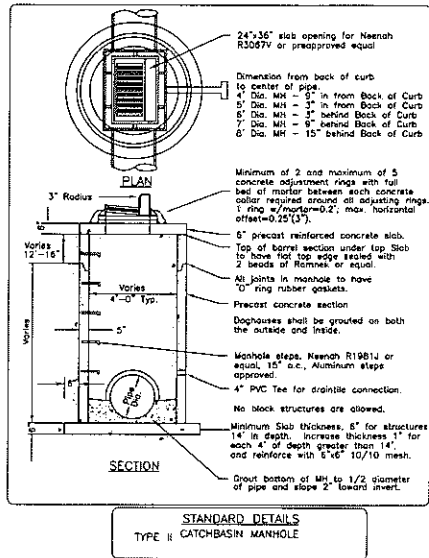
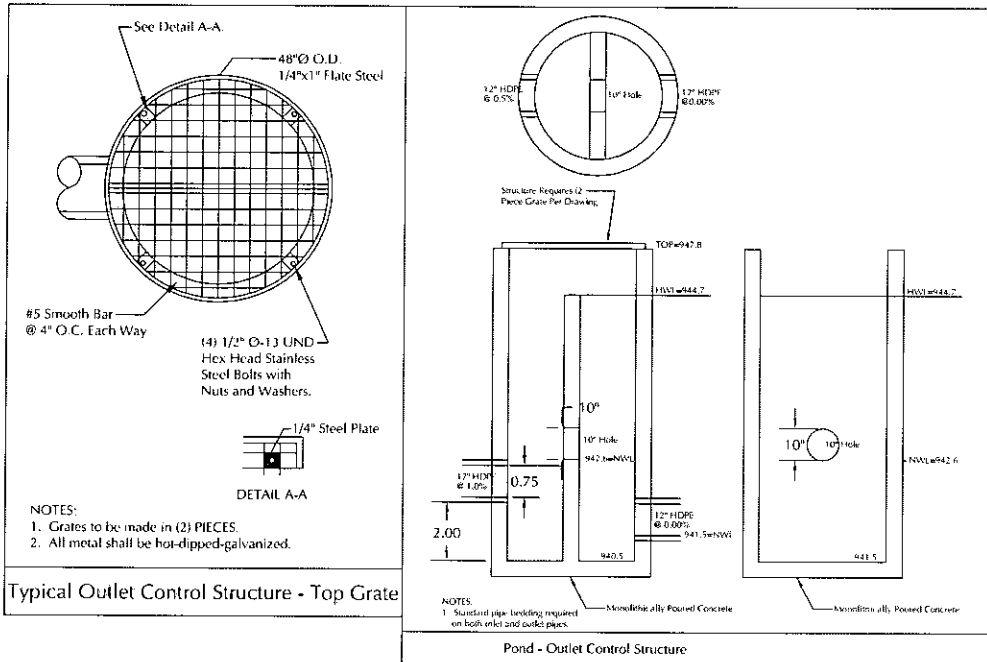
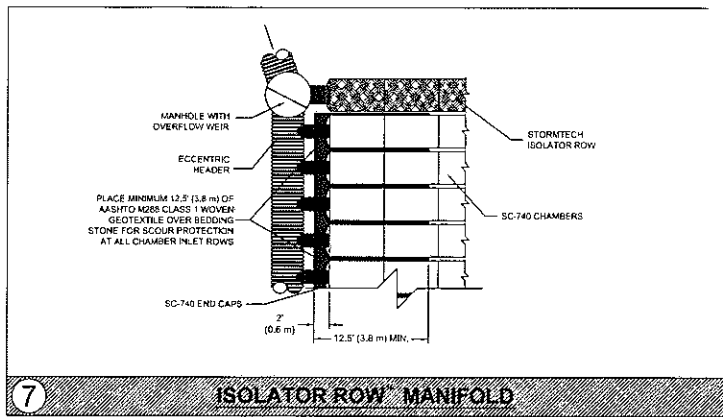
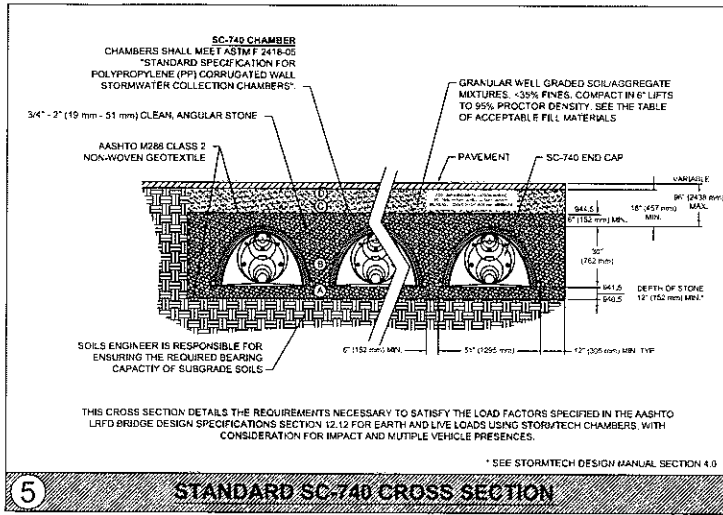
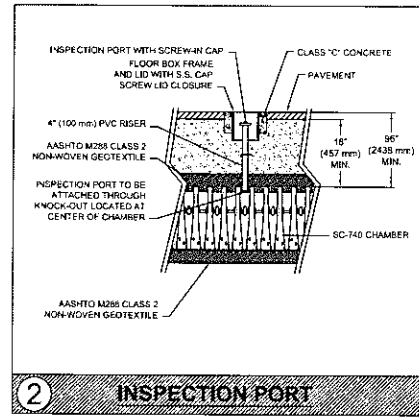
Gopher State One Call

TWIN CITY AREA: 651-454-0002
TOLL FREE: 1-800-252-1166

WARNING:

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Attachment D

Roseville Crossing

Roseville, Minnesota

Roseville Crossing LLC.
C/O Wellington Management, Inc.
1625 Energy Park Drive, Suite 100
St. Paul, Minnesota 55108
Ph. 651-292-9844 Fax. 651-292-0072

POPE

POPE ASSOCIATES INC.
One Electric Park Drive
St. Paul, MN 55108
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Fax: 651-444-4444

Professional Services:

LOUCKS
ASSOCIATES

Planning • Civil Engineering • Land Surveying
Landscape Architecture • Environmental

2100 Hennepin Lane - Suite 300
Minneapolis, Minnesota 55405
Telephone: (763) 424-5505
Fax: (763) 424-5522
www.LoucksAssociates.com

CADD Qualification:

CADD files prepared by the Consultant for the project are the property of the Consultant and shall not be used for any other project without the written approval of the Consultant. All CADD files shall be submitted to the Consultant for review and approval. The Consultant shall be responsible for the accuracy and completeness of the CADD files. The Consultant shall be responsible for the accuracy and completeness of the CADD files. The Consultant shall be responsible for the accuracy and completeness of the CADD files.

Submittal:
02-06-09 City Submittal
02-25-09 Rev. City Submittal
03-16-09 Revised City Submittal
04-29-09 Revised Building & Layout
06/05/09 Revised Submittal

Professional Signature:
I hereby certify that this plan, specification or report 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.

Eric Beasley - PE
License No. _____ Date _____

Quality Control:
EWB WRP
Project Lead: EWB WRP
Checked by: EWB WRP
Date: 06/05/09

Sheet Index:
C0-1 Cover Sheet
C1-1 Existing Conditions Plan
C1-2 Demolition Plan
C0-1 Site Plan
C0-1 Grading and Drainage Plan
C0-2 Storm Water Pollution Prevention Plan
C0-1 Utility Plan
C0-1, C0-2 Utility Details
U1-1 Landscape Plan

Sheet Title:

Utility Details

Project No.:

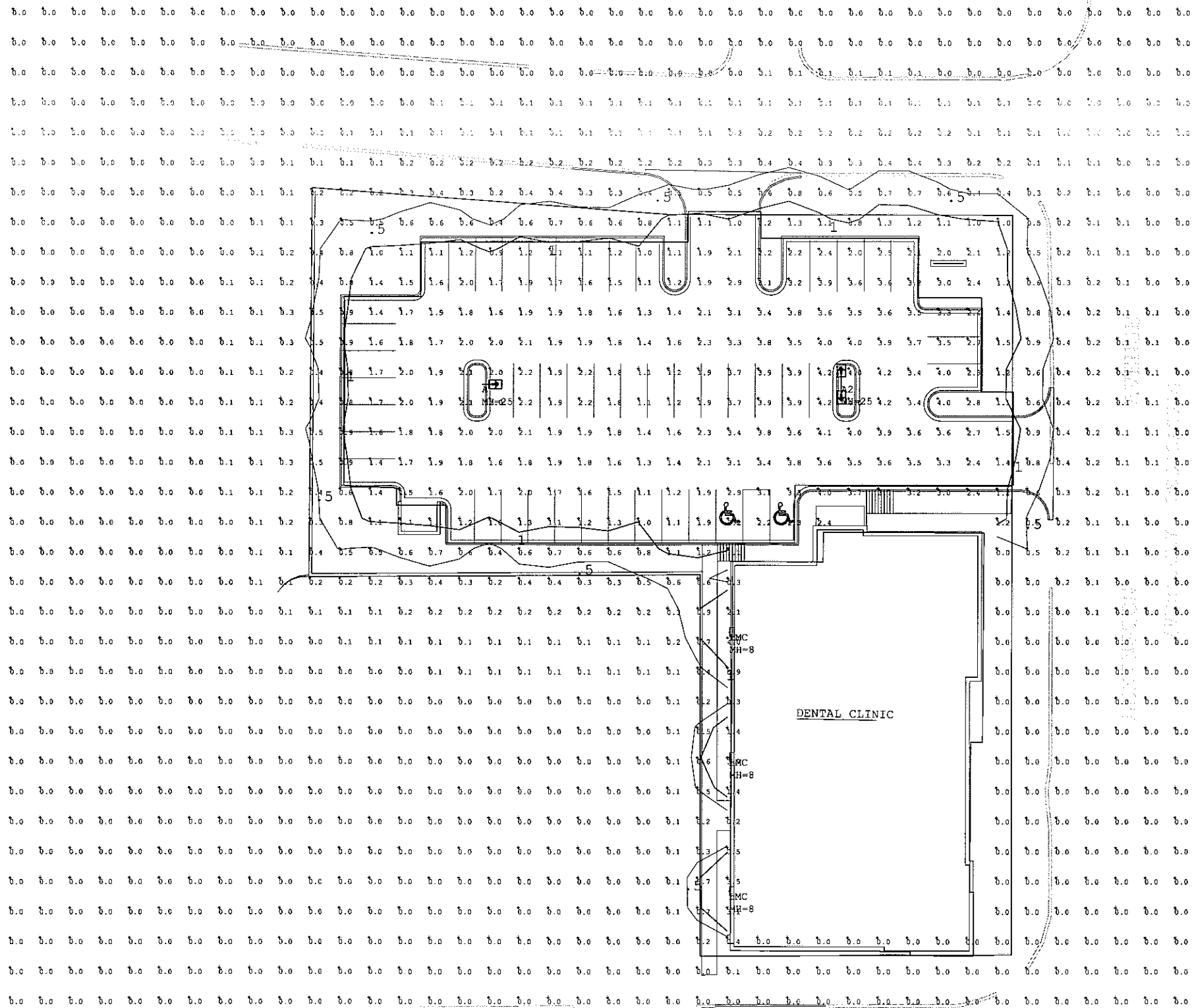
08-261

Sheet No.:

Page 7 of 12-2

Luminaire Schedule							
Symbol	Qty	Label	Arrangement	Lumens	LLF	Description	MH
	3	LMC	SINGLE	3200	0.720	LMC-42F	8'
	1	A	SINGLE	42600	0.720	MSV-x-P40-V5P-F	25'
	1	A2	BACK-BACK	42600	0.720	MSV-x-P40-V5P-F	25'

Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
ALL CALCS	Illuminance	Fc	0.49	4.2	0.0	N.A.	N.A.
PARKING	Illuminance	Fc	2.30	4.2	0.9	2.56	4.67

[illegible][illegible]

1. THIS LIGHTING DESIGN IS BASED ON LIMITED INFORMATION SUPPLIED BY OTHERS TO HUBBELL LIGHTING. SITE DETAILS PROVIDED HEREON ARE REPRODUCED ONLY AS A DESIGN OPTION WITH FIELD VERIFICATION OF THE INFORMATION REQUIRED TO PROTECT PERFORMANCE. PRIOR TO INSTALLATION, PROVIDE SITE INFORMATION (POLE LOCATION, ORIENTATION, MOUNTING HEIGHT, ETC.) SHOULD BE COORDINATED WITH THE CONTRACTOR AND/OR THE SPECIFIER RESPONSIBLE FOR THE PROJECT.

2. LUMINAIRE DATA IS TESTED TO INDUSTRY STANDARDS UNDER LABORATORY CONDITIONS. OPERATING VOLTAGE AND NORMAL MANUFACTURING TOLERANCES OF LAMP, BALLAST, AND LUMINAIRE MAY AFFECT FIELD RESULTS.

3. CONFORMANCE TO FACILITY CODE AND OTHER LOCAL REQUIREMENTS IS THE RESPONSIBILITY OF THE OWNER AND/OR THE OWNER'S REPRESENTATIVE.

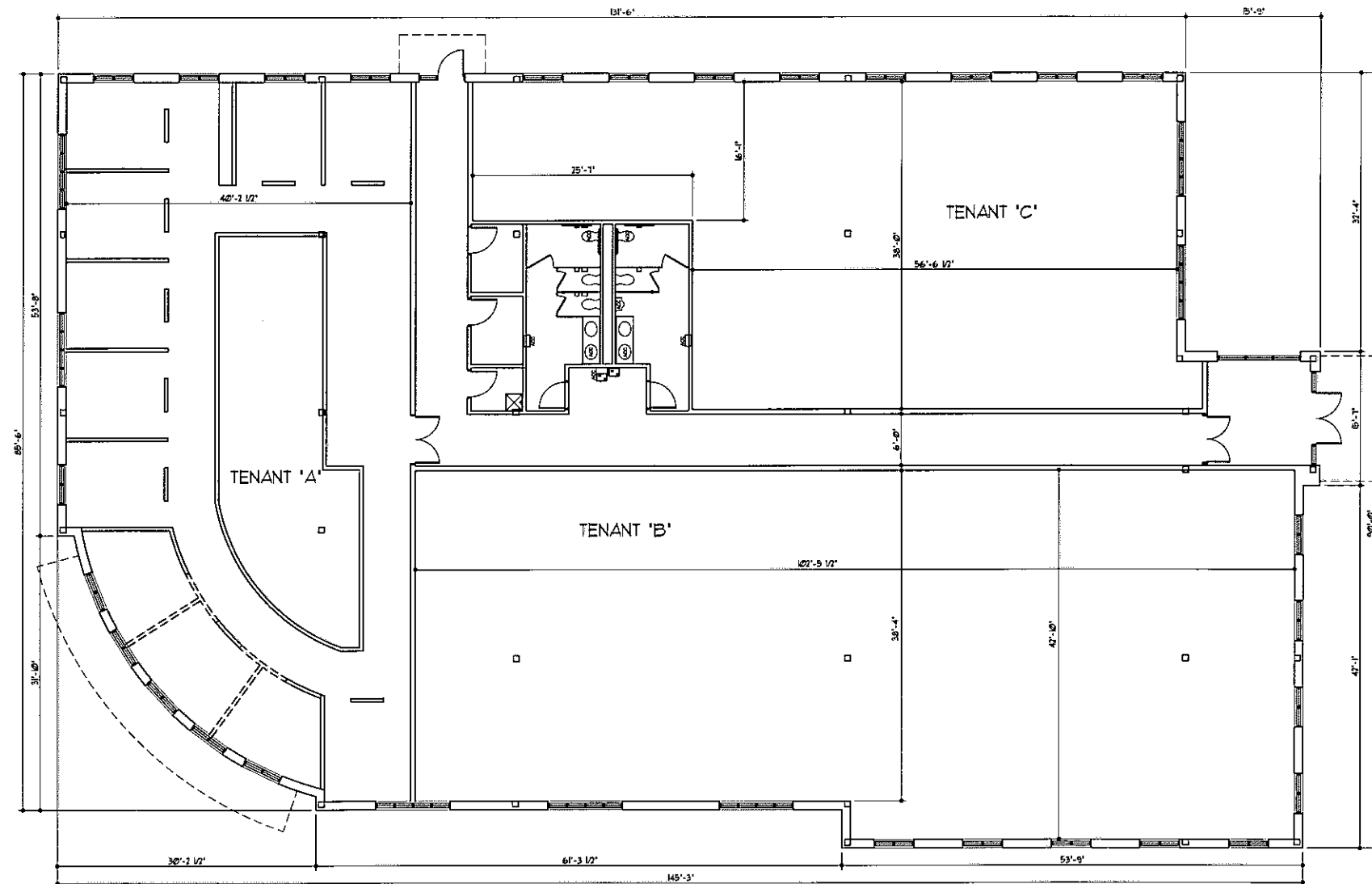
ROSEVILLE CROSSING

0943860 ALU DRAWING NO.	AP'VD DATE
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Rubbell Lighting, Inc.
701 MILLENNIUM BLVD
GREENVILLE, SC
29607

Page 9 of 12 - 1



1 FLOOR PLAN
A2.1 1/8"=1'-0"

FLOOR PLAN

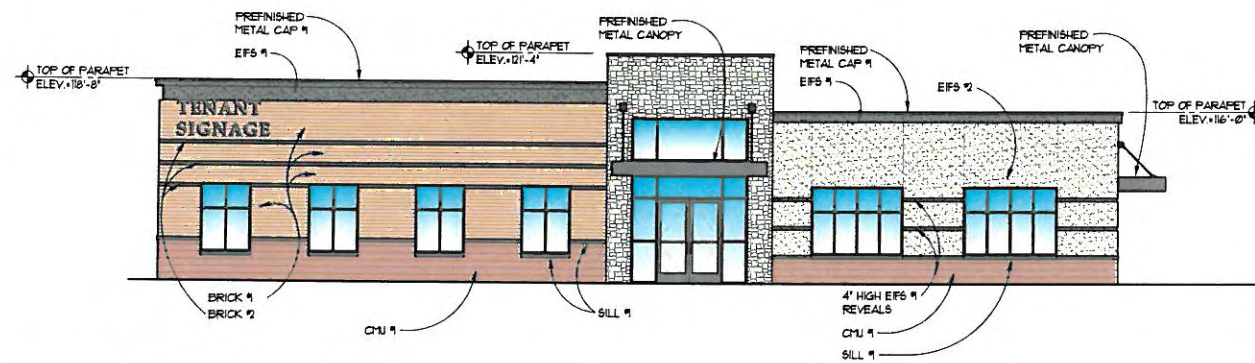
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CITY RESUBMITTAL	2-25-09
CITY RESUBMITTAL	3-16-09
CITY RESUBMITTAL	4-29-09
CITY RESUBMITTAL	6-5-09

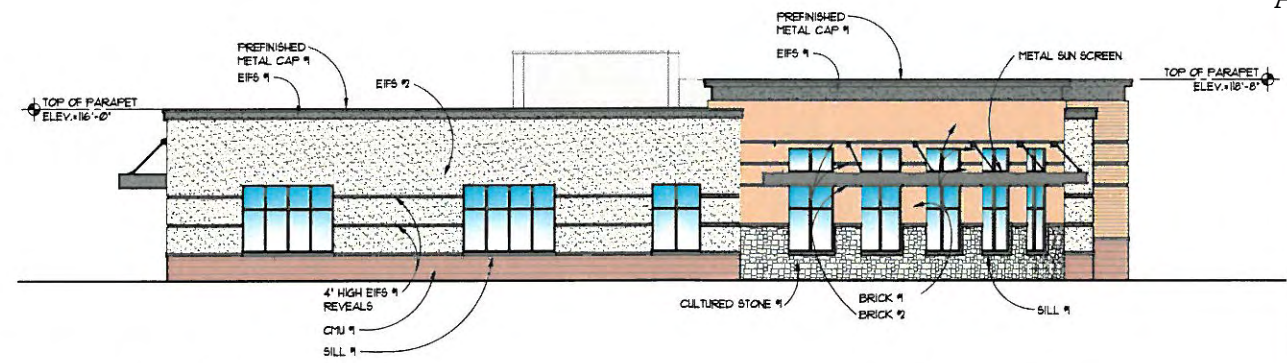
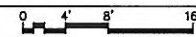
Commission No. 82443-07028C
Drawn by DD
Checked by GV

SHEET

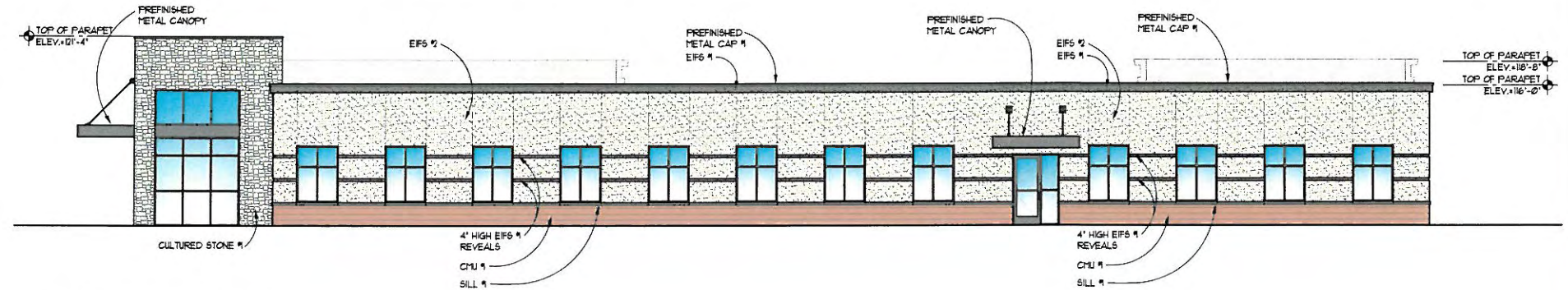
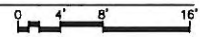
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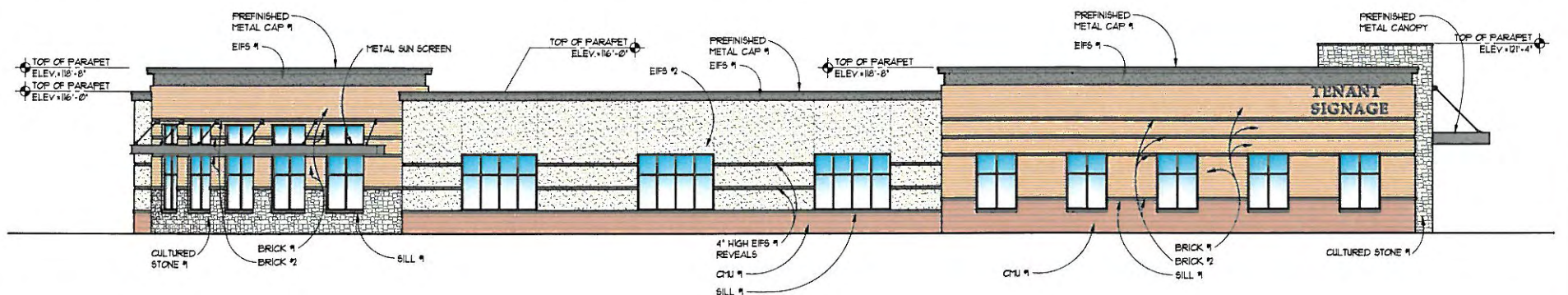
7 NORTH ELEVATION
A3.1 1/8"=1'-0"



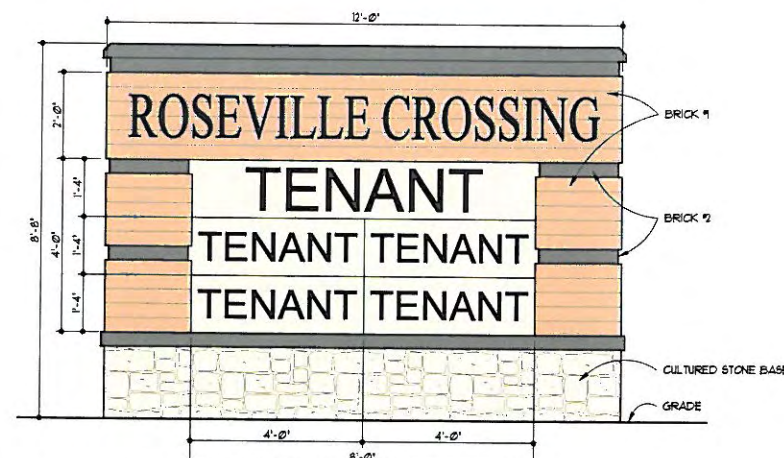
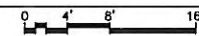
6 SOUTH ELEVATION
A3.1 1/8"=1'-0"



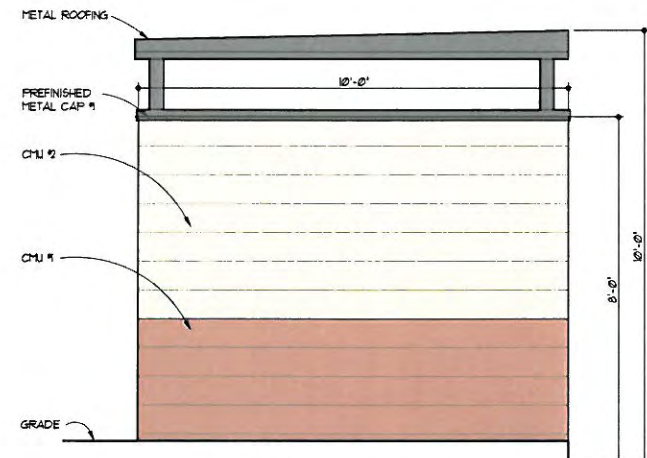
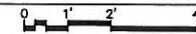
5 WEST ELEVATION
A3.1 1/8"=1'-0"



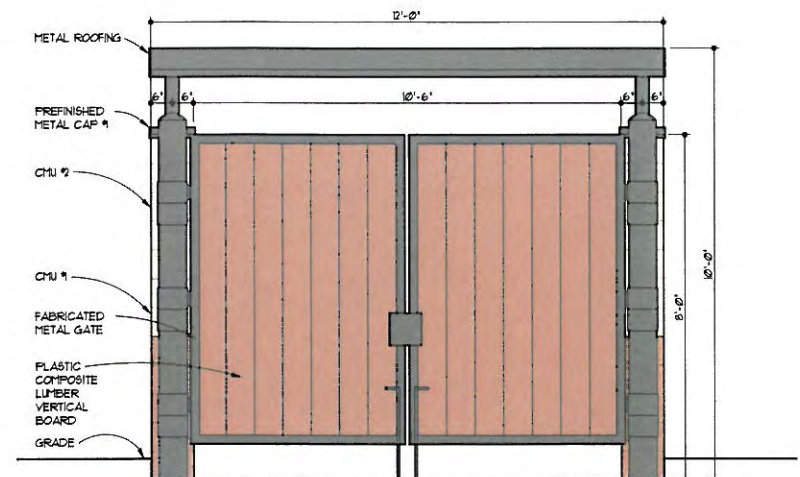
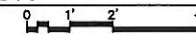
4 EAST ELEVATION
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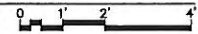
3 MONUMENT SIGN ELEVATION
A3.1 1/2"=1'-0"



2 TRASH ENCLOSURE ELEVATION
A3.1 1/2"=1'-0"



1 TRASH ENCLOSURE GATE ELEVATION
A3.1 1/2"=1'-0"



EXTERIOR
ELEVATIONS

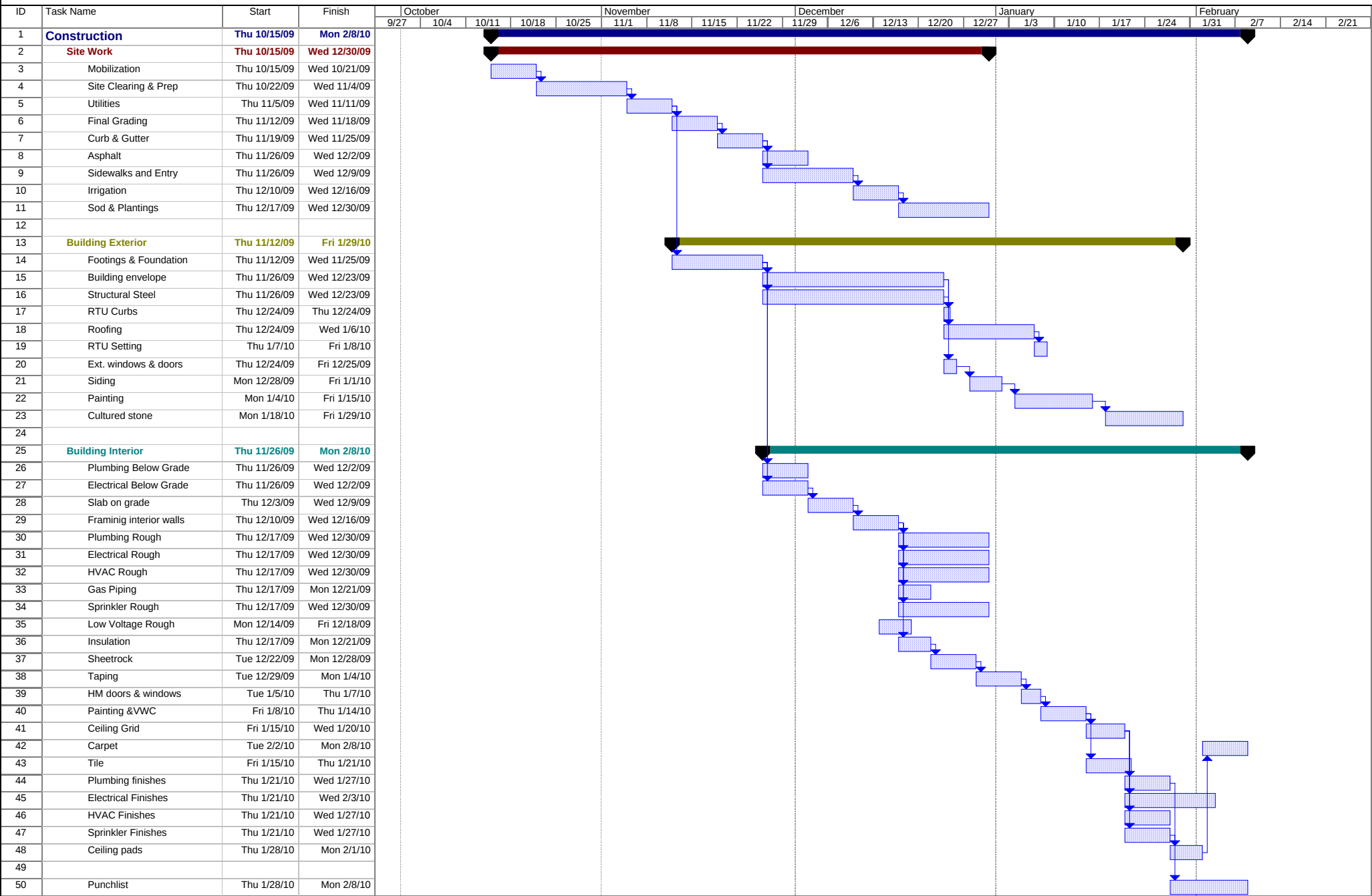
Issues and Revisions:	
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CITY RESUBMITTAL	4-29-09
CITY RESUBMITTAL	6-5-09

Commission No.	82443-07028C
Drawn by	DD
Checked by	GV

SHEET

A3.1

Roseville Crossing



Our proposed plan includes removing the existing 2,973SF TCF Bank building and 1,025Sf drive-thru canopy in order to complete redevelopment of the site as a new approximately 11,899SF single story, commercial building. The adjacent residence at 1126 Sandhurst is being acquired as well to support the approved PUD plans.

The location of the building is primarily driven by the surrounding residential community. We are keen to support a complete suburban community. In order to do this, the building rests farthest from the neighboring houses on Sandhurst, at the SE lot line. This was requested by the neighbors attending the Community Open House.

We presented our initial Site Plan for consideration on March 23, 2009, completed a Work Session with Council Members on April 20, 2009, and received City Council Approval on May 11, 2009 of the General Concept PUD. As a result of our discussions with Council Members and to summarize the revisions since our May 11th approval, we submit the final PUD Site Plan and Submittals.

In order to provide better visibility to cars leaving the parking lot at Lexington Avenue, we slid a segment of the building's east wall two feet to the west and the building's west wall one foot west. The building setback on the eastern wall increased from four feet to six feet, providing additional visibility to pedestrians and drivers. We also added a painted stripe and "Stop" and "Watch for Pedestrians" signs at the parking lot access on Lexington Avenue.

Parking remains behind the building, at the north end of the parcel. Our intent is to promote safe and pleasant conditions for all in the neighborhood, including: motorists, bicyclists, pedestrians, and residents.

We have been asked to provide further details on the size of the parking lot. Based on the survey prepared by HTPO, dated January 12, 2009, the specific area of the existing TCF bank property is 28,877 SF. This area reflects a paved parking of 19,415 SF which equals 67% of the TCF site. Our proposed development improves this commercial parcel to reflect an area of paved parking of 18,846 SF which equals 44% of the proposed site. We are pleased that our proposed project reduces the area dedicated to parking at the TCF site location. It is noted that we are acquiring a neighboring residence, which in combination, would reduce the total pervious area. We are mitigating this fact by providing an underground water management design that meets current requirements.

The proposed parking lot dimensions are based on two primary reasons:

1. Reduce street parking along Sandhurst as requested by neighborhood residents.
2. Maintain competitive leasing standards. Office leasing markets remain tight and parking to building ratios often reflect 5 spaces per 1000 SF. Our proposed project has a parking ratio of 4 spaces per 1000 SF. Reducing parking further at the subject site places the development at a substantial disadvantage. A parking ratio lower than 4 spaces per 1000 SF is considered non-competitive for new construction.

ORDINANCE NO. ____

AN ORDINANCE AMENDING TITLE 10 OF THE CITY CODE, CHANGING THE ZONING MAP DESIGNATION OF CERTAIN REAL PROPERTY AT 1126 SANDHURST DRIVE AND 2167 LEXINGTON AVENUE TO PLANNED UNIT DEVELOPMENT FROM SINGLE FAMILY RESIDENCE DISTRICT AND GENERAL BUSINESS DISTRICT, RESPECTIVELY.

The City Council of the City of Roseville does ordain:

Section 1. Real Property Rezoned. Pursuant to Section 1016 (Zoning Amendments) of the City Zoning Code of the City of Roseville, and after the City Council consideration of Planning File 09-003, the following property: located at 1126 Sandhurst Drive and legally described as:

Broadview Addition Lot 2 Block 2

is hereby rezoned from Single Family Residence (R-1) District to Planned Unit Development (PUD) District.

Section 2. Real Property Rezoned. Pursuant to Section 1016 (Zoning Amendments) of the City Zoning Code of the City of Roseville, and after the City Council consideration of Planning File 09-003, the following property, located at 2167 Lexington Avenue and legally described as:

Broadview Addition Lot 1 and Lot 15 Block 2

is hereby rezoned from General Business (B-3) District to Planned Unit Development (PUD) District.

Section 3. Effective Date. This ordinance amendment to the City Code and Zoning Map shall take effect upon:

1. The passage and publication of this ordinance.

Passed this 13th day of July, 2009. By Mayor Craig D. Klausing

CITY of ROSEVILLE
PLANNED UNIT DEVELOPMENT AGREEMENT # _____
JULY 13, 2009 (PF09-003)

INITIAL DEVELOPMENT AGREEMENT AND PLANNED UNIT DEVELOPMENT ZONING DISTRICT STANDARDS, approved by the Roseville City Council on July 13, 2009, and entered into between the City of Roseville, a Minnesota municipal corporation (herein referred to as “CITY”), and Roseville Crossing LLC 1625 Energy Park Drive, Suite 100, St. Paul, Minnesota, 55108 (herein referred to as “DEVELOPER”).

1.0 Effective Date of Agreement

This Development Agreement shall be effective upon completion of the following: 1) passage of Ordinance # _____ (Rezoning of property to Planned Unit Development); 2) approval of final Planned Unit Development plans; 3) publication of the ordinance in the CITY’s official newspaper; 4) execution of this agreement by the CITY and the DEVELOPER; and 5) recording of this agreement with Ramsey County.

2.0 Request for Planned Unit Development Approval

The DEVELOPER has asked the CITY to approve a Planned Unit Development (PUD) (PF09-003) that creates a multi-tenant office development on the Subject Property described as:

1126 Sandhurst Drive (PIN: 10-29-23-44-0072) City of Roseville, Ramsey County, Minnesota; which is legally described as: *Broadview Addition Lot 2 Block 2*

and

2167 Lexington Avenue (PIN: 10-29-23-44-0071) City of Roseville, Ramsey County, Minnesota; which is legally described as: *Broadview Addition Lot 1 and Lot 15 Block 2*

3.0 Rezoning

3.1 The CITY conducted hearings and meetings to consider various aspects of the PUD, including rezoning of the Subject Property to PUD; dates of hearings and meetings include March 4, 2009 (Planning Commission – public hearing on Rezoning and General Concept plan), March 23, 2009 (City Council – initial discussion of General Concept), April 20, 2009 (City Council – work session with the DEVELOPER to work out development details), May 11, 2009 (City Council – hearing and approval of General Concept plan), and July 13, 2009 (City Council – hearing and action on rezoning, Final Development Plan, and PUD Agreement).

3.2 The CITY agrees to rezone the Subject Property to PUD, subject to the DEVELOPER’s compliance with the approved plans, and the terms and conditions of this Development Agreement. Where this PUD is silent, the general zoning and development requirements and the standards of the least intensive zoning district consistent with the land use designation of the Comprehensive Plan shall govern.

4.0 Initial Development

- 4.1 The CITY hereby grants approval of the final PUD plan of the DEVELOPER, subject to the DEVELOPER's compliance with the terms and conditions of this Development Agreement and the conditions of the City Council approval on July 13, 2009. The CITY agrees to approve applications for building permits, provided: the plans meet all requirements for issuance of building permits, the plans are consistent with the plans approved at the final stage of the PUD process; the DEVELOPER has not defaulted; and all of the standards and conditions of this Development Agreement have been satisfied.
- 4.2 The DEVELOPER shall develop the Subject Property consistent with that described or shown in the following plans as approved by the City Council on July 13, 2009. If these plans vary from the written terms of this Development Agreement, the written terms shall control. In the event the plans address items not specifically addressed in this Development Agreement, the plans shall govern with respect to those items. The plans approved by the City Council on July 13, 2009, or as amended thereafter, include:
- A. ALTA Survey indicating existing site conditions with all lot dimensions, signed and dated January 12, 2009
 - B. Architectural site plan illustrating the building footprint, parking lot, property lines, and setbacks, revised June 18, 2009
 - C. Grading and drainage plan, revised June 26, 2009
 - D. Storm Water Pollution Prevention Plan, revised June 26, 2009
 - E. Utility plan with details, revised June 26, 2009
 - F. Lighting plan indicating locations, types, and specifications of lighting for the site, including photometric plan, dated February 9, 2009
 - G. Complete landscape plan, including materials list and planting details, indicating the size and location of all plant materials, revised June 26, 2009 to ensure that landscaping along Sandhurst Drive does not interfere with vehicle circulation
 - H. Floor plan indicating interior structure layout, revised June 5, 2009
 - I. Exterior elevation drawings indicating structure height, facade details, and building materials, including the detached trash enclosure, revised June 5, 2009
 - J. Proposed development schedule indicating anticipated dates of beginning demolition, grading, building construction, paving, and landscaping, dated June 26, 2009
- 4.3 The DEVELOPER represents to the CITY that any site improvements pursuant to the proposed development will comply with all City, County, Regional, Metropolitan, State, and Federal laws and regulations, including but not limited to the Roseville Zoning Ordinance.

- 79 4.4 Development of the property and installation of improvements shall be in
80 accordance with the plans and estimated development schedule provided by the
81 DEVELOPER.
- 82 4.5 Failure by the DEVELOPER to commence development activity in accordance
83 with the final development plans or within one year following the final approval
84 of this PUD will necessitate the approval of an extension of the development
85 schedule by the City Council prior to the expiration of the one-year period. If an
86 extension is not applied for, the Council may instruct the Planning Commission to
87 initiate rezoning to the least intensive zoning district consistent with the land use
88 designation of the Comprehensive Plan. For purposes of this provision,
89 development activity shall be defined as obtaining a building permit and
90 beginning construction on the site.
- 91 4.6 Before the issuance of a building, grading, or excavation permit by the CITY, the
92 DEVELOPER shall have posted with the CITY a landscape letter of credit or
93 other security acceptable to the CITY in an amount equal to 150% of the
94 estimated cost of all site restoration and landscaping in accordance with pertinent
95 requirements of the City Code. The Community Development Director, following
96 completion of plans and after the passage of two growing seasons, shall determine
97 the specific amount of this letter of credit or other security.
- 98 4.7 Landscaping installed within the Sandhurst Drive right-of-way shall be provided,
99 installed, maintained, and replaced as necessary by the DEVELOPER to ensure
100 that the parking area remains screened in accordance with City Code standards.
- 101 4.8 The DEVELOPER shall clean from streets dirt and debris resulting from
102 construction work by the DEVELOPER or its agents or assigns. The CITY will
103 determine whether it is necessary to take additional measures to clean dirt and
104 debris from the streets; after 24 hours' verbal notice to the DEVELOPER, the
105 CITY may complete or contract to complete the clean up at the DEVELOPER's
106 expense.

107 **5.0 PUD Zoning District Standards**

108 Pursuant to the guidance of the Comprehensive Plan, the following shall serve as the
109 PUD zoning district requirements for the Subject Property and govern its use and
110 development.

- 111 5.1 For initial development, the site plan (Exhibit A) illustrating the proposed
112 structure, parking lot, property lines, and setbacks, revised July 9, 2009 shall
113 represent the PUD zoning district standards. Where these requirements are silent,
114 the general zoning and development requirements and the standards of the least
115 intensive zoning district consistent with the land use designation of the
116 Comprehensive Plan shall govern.
- 117 5.2 Use of the Subject Property shall be limited to the uses depicted in the approved
118 plans identified in this Development Agreement and the permitted and accessory
119 uses in the least intensive zoning district consistent with the land use designation
120 of the Comprehensive Plan.

6.0 Developer's Default

- 6.1 For purposes of this Development Agreement, the failure of the DEVELOPER to perform any covenant, obligation, or agreement hereunder, and the continuance of such failure for a period of 30 days after written notice thereof from the CITY (or such longer period of time as may reasonably be necessary to cure any such default, if such default is not reasonably curable within such 30 day period) shall constitute a DEVELOPER default hereunder. Within the 30 day period after notice is given, a request may made for a hearing (by either party) to be held before the Roseville City Council to determine if a default has occurred. Upon the occurrence of DEVELOPER default, the City may withhold any certificate of occupancy for improvements proposed to be constructed.
- 6.2 Notwithstanding anything herein to the contrary, the DEVELOPER may convey a parcel or parcels of land within the PUD to a third party, which conveyed parcels shall remain subject to all of the terms of the PUD specifically relating to said parcels. In that connection, the parties agree as follows:
- A. A default by the DEVELOPER, or its successors in interest, in the performance of the obligations hereunder, will not constitute a default with regard to the conveyed parcel and will not entitle the CITY to exercise any of its rights and remedies hereunder with respect to such conveyed parcel, so long as such conveyed parcel otherwise complies with applicable provisions of the PUD.
- B. A default with regard to a conveyed parcel will not constitute a default with regard to the parcels retained by the DEVELOPER or other conveyed parcels, so long as such retained or other conveyed parcels otherwise comply with applicable provisions of this Development Agreement.

7.0 Miscellaneous

- 7.1 This Development Agreement shall be binding upon the parties, their heirs, successors, or assigns, as the case may be.
- 7.2 Breach of any material term of this Development Agreement by the DEVELOPER shall be grounds for denial of building permits, except as otherwise provided in Section 6 of this Development Agreement.
- 7.3 If any portion, section, subsection, paragraph, sentence, clause, or phrase of this Development Agreement is for any reason held invalid as a result of a challenge brought by the DEVELOPER, their agents, or assigns, the balance of this Development Agreement shall nevertheless remain in full force and effect.
- 7.4 This Development Agreement shall run with the Subject Property and shall be recorded in the Ramsey County Recorder's Office by the CITY.
- 7.5 This Development Agreement shall be liberally construed to protect the public interest.

8.0 Notices

8.1 Required notices to the DEVELOPER shall be in writing and shall be either hand delivered to the DEVELOPER, their employees, or agents, or mailed to the DEVELOPER by certified or registered mail at the following address:

President of Roseville Crossing LLC
1625 Energy Park Drive, Suite 100
Saint Paul, Minnesota 55108

8.2 Notices to the CITY shall be in writing and shall be either hand delivered to the Community Development Director, or mailed by certified or registered mail, in care of the Community Development Director, at the following address:

Community Development Director
2660 Civic Center Drive
Roseville, MN 55113

IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year first above written.

CITY OF ROSEVILLE

By: _____
Craig Klausing, Mayor

By: _____
William J. Malinen, City Manager

Subscribed and sworn to before me on
this _____ day of _____ 2009.

Notary Public

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

The forgoing instrument was acknowledged before me this _____ day of _____, 2009,
by Craig Klausing, Mayor, and William J. Malinen, City Manager, of the City of Roseville, a
Minnesota Municipal Corporation, on behalf of the corporation and pursuant to the authority
granted by its City Council.

ROSEVILLE CROSSING LLC

By: _____
Stephen B. Wellington, Jr., President

Subscribed and sworn to before me on
this _____ day of _____, 2009.

Notary Public

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

The forgoing instrument was acknowledged before me this _____ day of _____, 2009,
by Stephen B. Wellington, Jr., President of Roseville Crossing LLC.

SITE PLAN GENERAL NOTES

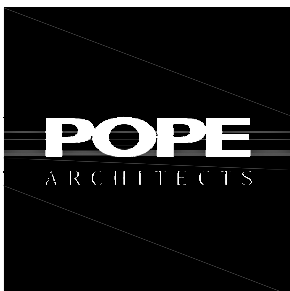
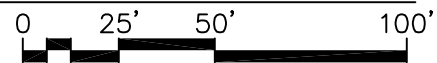
A) SITE INFORMATION HAS BEEN TAKEN FROM A SITE SURVEY PREPARED BY HANSEN THORP PELLINEN OLSON INC, 1510 MARKET PLACE DRIVE EDEN PRAIRIE, MN 55344-3644 DATED 1-13-03. GENERAL CONTRACTOR IS TO VERIFY ALL SITE INFORMATION BEFORE STARTING CONSTRUCTION, AND NOTIFY THE ARCHITECT IN WRITING OF ANY DISCREPANCIES.

PUD STANDARDS

	PROVIDED
BUILDING SETBACKS	
FRONT	6' AND 7'
REAR	NA
SIDE	9'
PARKING SETBACKS	
FRONT	6 1/2"
REAR	17'-5"
SIDE	10'
SITE AREA	42,063 S.F. (0.9656 ACRES)
PROPOSED BUILDING AREA	11,899 S.F.

ARCHITECTURAL SITE PLAN

1"=50'-0"



ROSEVILLE CROSSING
ROSEVILLE, MN

ARCHITECTURAL SITE PLAN

POPE ASSOCIATES INC.
1255 ENERGY PARK DRIVE | ST. PAUL, MN 55108-5118
PH. (651) 642-9200 | FAX (651) 642-1101

Commission No.	82443-07028C
Drawn by	GV
Date	07-09-09
Sheet	

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