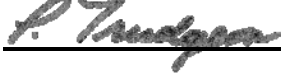


REQUEST FOR COUNCIL ACTION

DATE: 8/8/2011

ITEM NO: 12.d

Department Approval



City Manager Approval



Item Description: Request by Pulte Homes of MN, LLC for approval of a **storm sewer easement vacation, final plat, and Public Improvement Contract** for the residentially-zoned property in the NW corner of Lexington Avenue and County Road C2 (PF11-003).

1.0 REQUESTED ACTION

Pulte Homes proposes to plat the northwestern corner of the parcel at the intersection of Lexington Avenue and County Road C2 to accommodate 28 one-family lots.

Project Review History

- Planning Commission recommendation (5-0 to approve plat): March 2, 2011
- Preliminary plat approval: March 21, 2011
- Parks and Recreation Commission recommendation (cash dedication): April 5, 2011
- Planning Commission recommendation (7-0 to approve vacation): April 6, 2011
- Final plat application determined complete: April 13, 2011
- One-hundred-twenty-day final plat review deadline: August 11, 2011
- Project report prepared: July 28, 2011
- Anticipated City Council action: August 8, 2011

2.0 SUMMARY OF RECOMMENDATION

Community Development and Public Works Department staff recommend approval of the proposed final plat in conjunction with a Public Improvement Contract; see Section 8 of this report for the detailed recommendation.

3.0 SUMMARY OF SUGGESTED ACTION

Adopt a resolution approving the proposed Josephine Woods plat and the Public Improvement Contract prepared for the provision of the public infrastructure associated with the plat, pursuant to Title 11 (Subdivisions) of the City Code; see Section 9 of this report for the detailed action.

4.0 BACKGROUND

The property, addressed only as 0 Lexington Avenue, has a Comprehensive Plan designation of Low Density Residential (LDR) and a zoning classification of Low Density Residential-1 (LDR-1) District. The preliminary PLAT PROPOSAL has been prompted by plans to develop a neighborhood of one-family detached homes on a large, undeveloped parcel.

28 **5.0 PUBLIC COMMENT**

29 5.1 Planning Division staff has received several emails and phone calls about the proposed
30 PRELIMINARY PLAT from nearby property owners; the emailed comments received up to
31 the time this report was prepared are included as Attachment D.

32 5.2 At the duly-noticed public hearing held by the Planning Commission on March 2, 2011,
33 many people were present to speak about the PRELIMINARY PLAT. After closing the public
34 hearing, the Planning Commission unanimously recommended approval of the proposal;
35 minutes from the public hearing are included with this staff report as Attachment E.

36 5.3 The City Council unanimously approved the PRELIMINARY PLAT on March 21, 2011; an
37 excerpt of the meeting minutes is included with this staff report as Attachment F.

38 5.4 On April 5, 2011, the Roseville Parks and Recreation Commission reviewed the proposed
39 PLAT in light of the park dedication requirements of §1103.07 of the City Code and
40 unanimously recommended to accept a cash dedication in lieu of land; minutes of the
41 Parks and Recreation Commission meeting are included with this staff report as
42 Attachment G.

43 5.5 At the duly-noticed public hearing held by the Planning Commission on April 6, 2011, no
44 one was present to speak about the storm sewer EASEMENT VACATION. After closing the
45 public hearing, the Planning Commission unanimously recommended approval of the
46 proposal; minutes from the public hearing are included with this staff report as
47 Attachment H.

48 **6.0 STORM SEWER EASEMENT VACATION**

49 In light of the fact that the storm sewer infrastructure is to be relocated and rebuilt within
50 public right-of-way and a newly-dedicated easement by the applicant as part of the
51 proposed FINAL PLAT, Public Works staff concurs with the recommendation of the
52 Planning Commission to approve the proposed storm sewer easement vacation.

53 **7.0 FINAL PLAT AND PUBLIC IMPROVEMENT CONTRACT**

54 7.1 Plat proposals are reviewed primarily for the purpose of ensuring that the proposed lots
55 and streets are compatible with broader pattern of development, that all proposed lots
56 meet the minimum size requirements of the zoning code, that adequate streets and other
57 public infrastructure are in place or identified and constructed, and that storm water is
58 addressed to prevent problems either on nearby property or within the storm water
59 system.

60 7.2 All of the proposed lots meet the standards pertaining to size and configuration.

61 7.3 Based on the typical traffic patterns of one-family dwellings like those associated with
62 the proposed plat, full development of the property would be expected to add
63 approximately 268 vehicle trips per day to the nearby road network. Roseville's
64 consulting traffic engineers have analyzed the proposed plat and determined that the
65 resulting development would not affect the nearby roadways and intersections enough
66 necessitate off-site mitigation improvements like turn lanes, traffic lights, or new
67 roadways; the study report is included with this staff report as Attachment C. The City
68 Engineer notes that there are items in the study that are not being recommended as
69 conditions at this time.

- 70 7.4 The street names shown on the plat are consistent with an early recommendation by the
71 DRC, but recent review has led to a different naming recommendation. The new
72 east/west street, connecting to Fernwood Street on the western edge of the property
73 should be named Maple Lane, and the north/south street should be Dunlap Street between
74 County Road C-2 and Maple Lane and Dunlap Circle between Maple Lane and its
75 northern cul-de-sac terminus.
- 76 7.5 In order to serve the lots in the PLAT the following public improvements need to be made:
- 77 a. Street Improvements. The Developer shall construct Maple Lane and Dunlap Street
78 as shown on the Plat, including the connections to County Road C-2 and Fernwood
79 Street. Dunlap Circle shall be constructed ending in a 100 foot diameter cul-de-sac.
80 The new streets shall be 1500 feet more or less of 32 foot wide (face to face)
81 bituminous street with type B618 curb and gutter. Parking shall be allowed on all
82 streets.
 - 83 b. The Developer shall construct the retaining wall(s) and fences shown in the Pathway,
84 Retaining Wall and Fence Plan in accordance with the City approved Public
85 Improvement Construction Plans. The retaining wall located southwest of the curb on
86 Dunlap Circle shall be public. All other retaining walls within the Plat are private,
87 and will not be the responsibility of the City for maintenance and replacement. The
88 fence along Lexington is private.
 - 89 c. Pathway. The Developer shall construct an 8 foot wide pathway along County Road
90 C-2. An 8 foot wide pathway connection shall also be constructed connecting Dunlap
91 Circle to the pathway at the intersection of Lexington and Josephine Road. The
92 pathway shall be constructed in accordance with City details, specifications, and the
93 City approved Public Improvement Construction Plans.
 - 94 d. Watermain construction: The Developer shall construct all watermain improvements
95 determined to be necessary by the City to serve the Property, including hydrants and
96 individual lot services.
 - 97 e. Sanitary sewer construction: The Developer shall construct all sanitary sewer pipes
98 determined to be necessary by the City to serve the Property, including individual lot
99 services.
 - 100 f. Josephine Lift Station reconstruction: The Developer shall be responsible for a
101 proportionate share of the actual cost to design and reconstruct the Josephine lift
102 station to provide sanitary service to this Property. The Developer's proportionate
103 share is based on the following: the lift station currently serves 26 properties. The
104 Developer proposes to serve an additional 14 properties. Therefore the Developer
105 shall be responsible for 35% of the cost of designing and reconstructing the new lift
106 station. At this time, the estimate for this work is \$200,000. The Developer's
107 estimated cost share is \$70,000. If there is a difference between the estimated cost
108 and the actual cost, the actual cost shall control. The full amount of the Developer's
109 cost share shall be due to the City when the contract for the lift station reconstruction
110 work is awarded.
 - 111 g. Storm sewer construction: The Developer shall construct all storm sewer
112 improvements determined to be necessary by the City to serve the Property, including
113 the construction of outlet control structures and flared end sections. Storm sewer
114 facilities, including ponds and infiltration basins, shall be constructed in accordance

with City details and specifications and as shown on and in accordance with the City approved Public Improvement Construction Plans.

- h.** Contaminated soil remediation: Contaminated soil encountered during the construction of the development shall be removed from the right-of-way and easements. The soil shall be disposed of at an off-site location approved by the City.

7.6 Upon completion of the project, the Developer's engineer must provide the City with as-built plans. They must also provide to the City Engineer a letter certifying that the improvements were constructed according to approved plans and specifications, and request that the City accept the improvements. When these items are received, the City Council will be asked to accept the improvements.

7.7 All costs associated with construction of the new public improvements necessary for this development will be borne by the Developer. A \$27,740 Engineering Coordination fee is required. Appropriate surety will be provided for all public improvements in the amount of 125% of the construction cost, for a total of \$2,358,580. Once the construction of the improvements has been completed and accepted by the City, this surety will be released.

7.8 Appropriate easements and right of way will be dedicated for all public improvements.

8.0 RECOMMENDATION

Based on the comments and findings outlined in Sections 5-7 of this report, the Community Development and Public Works Departments find that the proposed final plat is consistent with the preliminary plat reviewed by the Planning Commission and, consequently, recommend that it and the storm sewer easement vacation be approved, pursuant to Titles 10 and 11 of the Roseville City Code, in conjunction with the authorization of the Public Improvement Contract and subject to the condition that Pulte Homes of MN, LLC shall provide acceptable title evidence to the City showing satisfactory fee simple title solely in the name of Pulte Homes of MN, LLC, without any encumbrances, liens or other interests against the property.

9.0 SUGGESTED ACTIONS

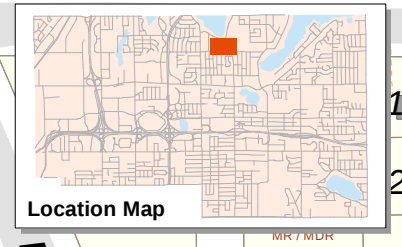
9.1 Adopt a resolution approving the vacation of the existing storm sewer easement within the subject property, based on the comments of Section 6 and the recommendation of Section 8 of this staff report.

9.2 Adopt a resolution approving the Josephine woods plat and Public Improvement Contract of the property in the northwest corner of Lexington Avenue and County Road C2, based on the comments and findings of Sections 4-7 and the recommendation of Section 8 of this staff report.

Prepared by: Associate Planner Bryan Lloyd

Attachments:	A: Area map	F: Minutes from preliminary plat approval
	B: Aerial photo	G: Park & Recreation Commission minutes
	C: SRF Traffic Study	H: Minutes of the 4/6/2011 public hearing
	D: Public comment emails	I: Easement vacation and plat information
	E: Minutes of the 3/2/2011 public hearing	J: Public Improvement Contract
		K: Draft resolutions

Attachment A: Location Map for Planning File 11-003



Prepared by:
Community Development Department
Printed: February 14, 2011

Site Location

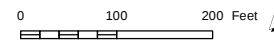
Comp Plan / Zoning
Designations

Data Sources

* Ramsey County GIS Base Map (2/1/2011)
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 11-003



Prepared by:
Community Development Department
Printed: February 14, 2011



Site Location

Data Sources
* Ramsey County GIS Base Map (2/1/2011)
* 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

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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 651-792-7085. 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.



MEMORANDUM

TO: Debra Bloom, P.E., Assistant Public Works Director/City Engineer
City of Roseville

FROM: Craig Vaughn, P.E., PTOE, Senior Associate
Matthew Pacyna, P.E., Senior Engineer

DATE: February 22, 2011

SUBJECT: PULTE HOMES TRAFFIC STUDY

INTRODUCTION

As requested, SRF Consulting Group has completed a traffic study for the proposed Pulte Homes residential development located in the City of Roseville (see Figure 1 – Project Location). The main objectives of this study are to evaluate the existing roadway conditions; determine the future traffic volume generated by the development and any subsequent traffic impacts to the adjacent roadway network; and recommend any necessary improvements to accommodate the proposed development. Furthermore, a review of area traffic patterns was completed to determine the impact of the proposed roadway connections within the area.

EXISTING CONDITIONS

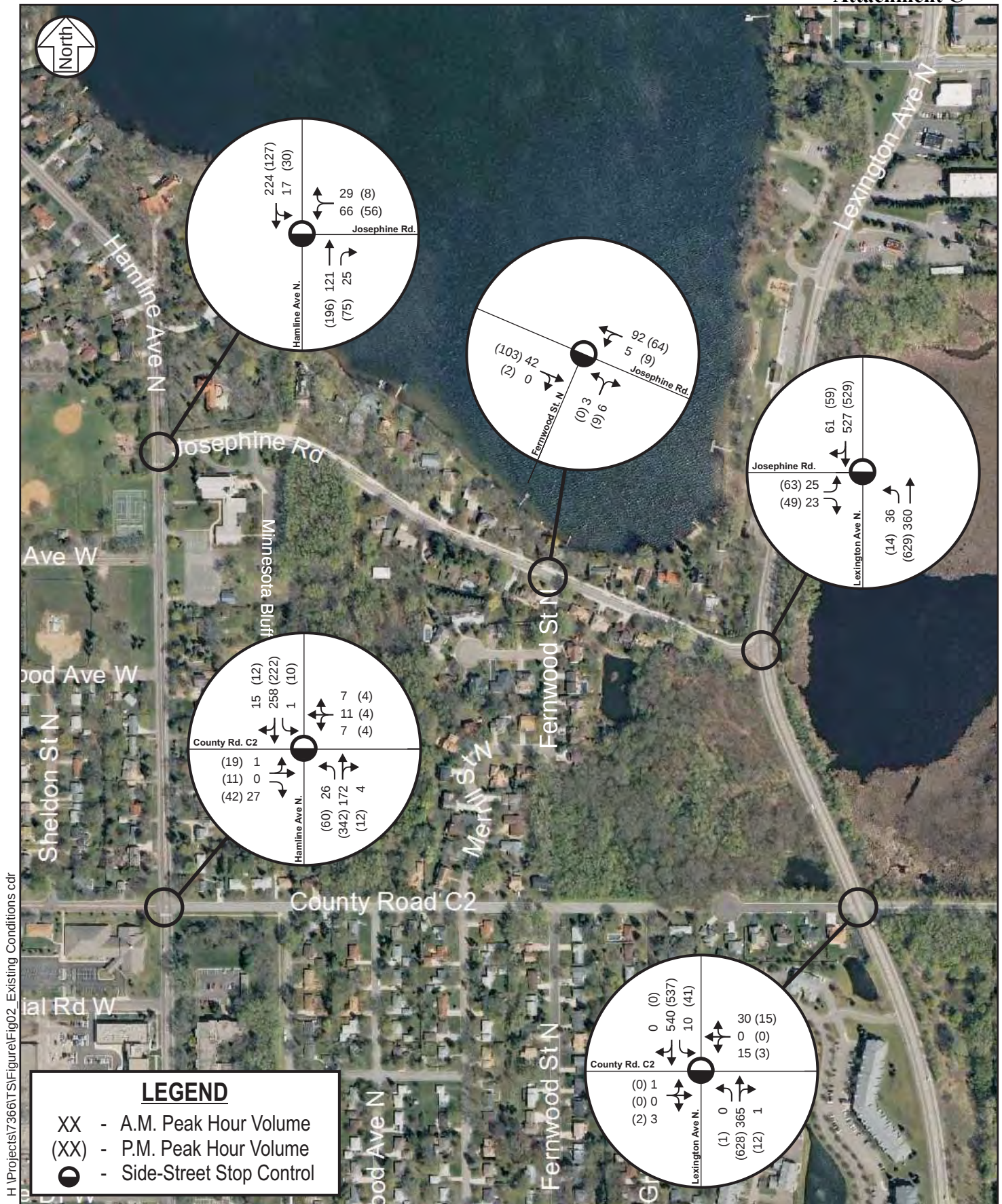
Existing traffic operations were analyzed at the following key intersections:

- Lexington Avenue North and County Road C2
- Lexington Avenue North and Josephine Road
- Josephine Road and Fernwood Street
- Josephine Road and Hamline Avenue North
- Hamline Avenue North and County Road C2

These intersections are currently unsignalized, with side-street stop control. Lexington Avenue North is a three-lane roadway (two-lane roadway with a center two-way left-turn lane (TWLTL)) with a posted speed limit of 40 miles per hour (mph). Hamline Avenue North is a two-lane roadway with a posted speed limit of 35 mph; the other roadways within the study area are two-lane roadways with posted speed limits of 30 mph. Full-access is provided at each key intersection. Intersection observations and vehicular a.m. and p.m. peak hour turning movement counts were collected by SRF Consulting Group in February 2011. Existing geometrics, traffic controls, and peak hour traffic volumes for the key intersections are shown in Figure 2.



H:\Projects\7366\TSl\Figure\Fig01_Pulte Location.cdr



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An operations analysis was conducted for the a.m. and p.m. peak hours at each of the key intersections to determine how traffic currently operates in the study area. The key intersections were analyzed using a combination of the Highway Capacity Manual (HCM) and Synchro/SimTraffic software (version 7).

Capacity analysis results identify a Level of Service (LOS), which indicates how well an intersection is operating. The LOS results are based on average delay per vehicle. Intersections are given a ranking from LOS A through LOS F. LOS A indicates the best traffic operation and LOS F indicates an intersection where demand exceeds capacity. In the Twin Cities metropolitan area, LOS A through D is generally considered acceptable by drivers. For side-street stop controlled intersections, special emphasis is given to providing an estimate for the level of service of the minor approach. Traffic operations at unsignalized intersections with side-street stop control can be described in two ways. First, consideration is given to the overall intersection level of service. This takes into account the total number of vehicles entering the intersection and the capability of the intersection to support those volumes. Second, it is important to consider the delay on the minor approach. Since the mainline does not have to stop, the majority of delay is attributed to the side-street approaches in most cases.

Results of the existing operations analysis shown in Table 1 indicate that all key intersections currently operate at an acceptable overall LOS A during the a.m. and p.m. peak hours with existing traffic control and geometric layout. All side-street delays are considered acceptable and do not require mitigation.

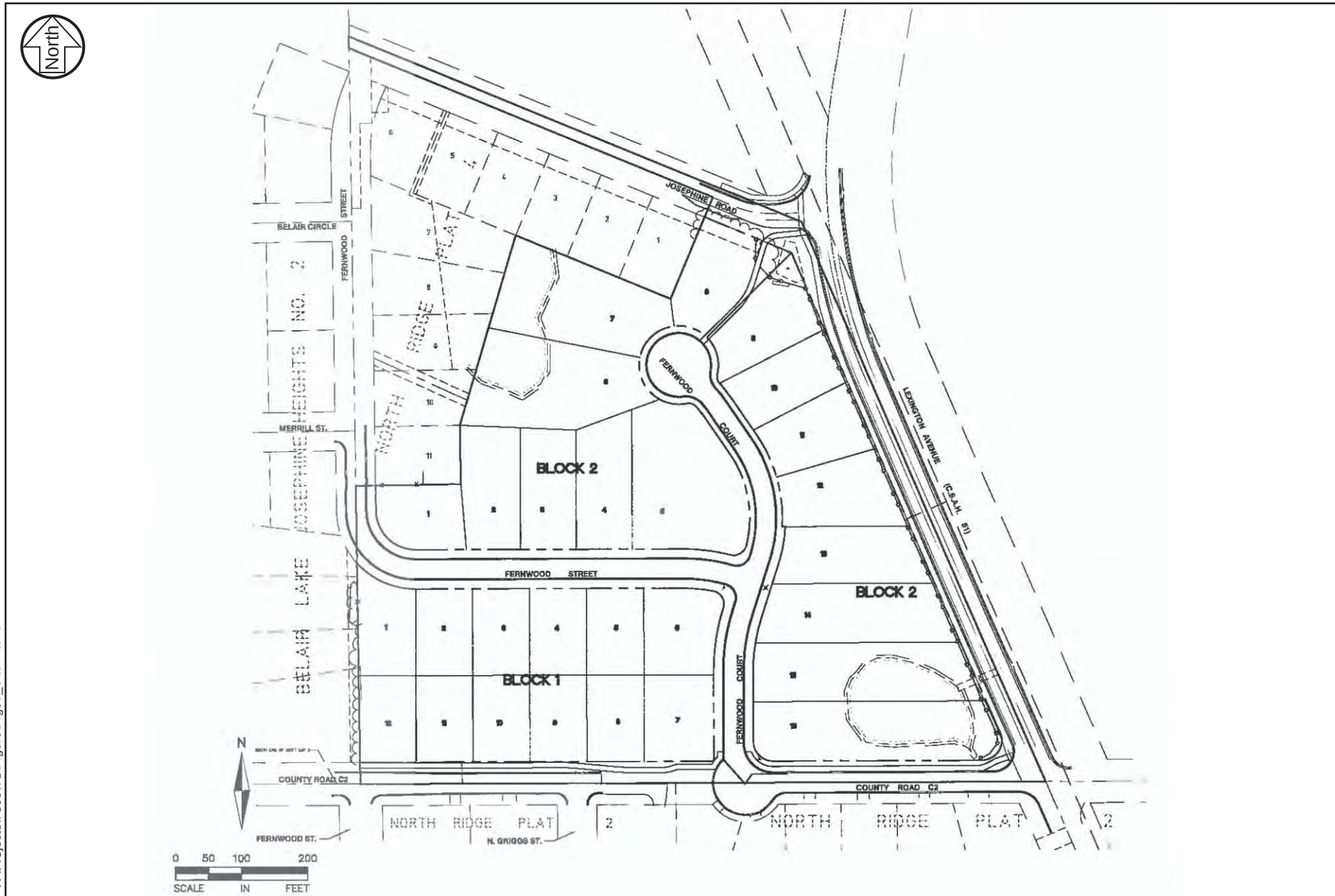
Table 1
Existing Peak Hour Capacity Analysis
Level of Service Results

Intersection	Level of Service	
	A.M. Peak	P.M. Peak
Lexington Avenue North and County Road C2 *	A/B	A/B
Lexington Avenue North and Josephine Road *	A/B	A/C
Josephine Road and Fernwood Street *	A/A	A/A
Josephine Road and Hamline Avenue North *	A/B	A/B
Hamline Avenue North and County Road C2 *	A/B	A/B

* Indicates an unsignalized intersection with side-street stop control. The overall LOS is shown followed by the worst approach LOS.

PROPOSED DEVELOPMENT

The proposed residential development is bounded by Josephine Road to the north, County Road C2 to the south, Lexington Avenue to the east, and Fernwood Street to the west. The development site, currently vacant, will be converted to a 28-unit single-family residential development. Access to the development will be provided via new roadways that will connect with County Road C2 to the east and Fernwood Street to the west. It should be noted that there are approximately five homes that will have driveways located along County Road C2. The proposed development site plan is shown in Figure 3.



TRAFFIC FORECASTS

The proposed development was assumed to be completed by year 2012. Therefore, traffic forecasts were developed for year 2013 conditions (one year after construction). Based on existing area growth patterns and historical average daily traffic (ADT) volumes, an annual growth rate of one percent was applied to the existing peak hour volumes to develop year 2013 background traffic forecasts. To determine the trip generation for the proposed development, the *ITE Trip Generation Handbook, 8th Edition* was used. Trip generation estimates for the proposed development are shown in Table 2.

Table 2
Trip Generation Estimates

Land Use Type (<i>ITE Code</i>)	Size (Units)	A.M. Trips		P.M. Trips		Daily
		In	Out	In	Out	
Single-Family Residential (<i>210</i>)	28	5	16	18	10	268

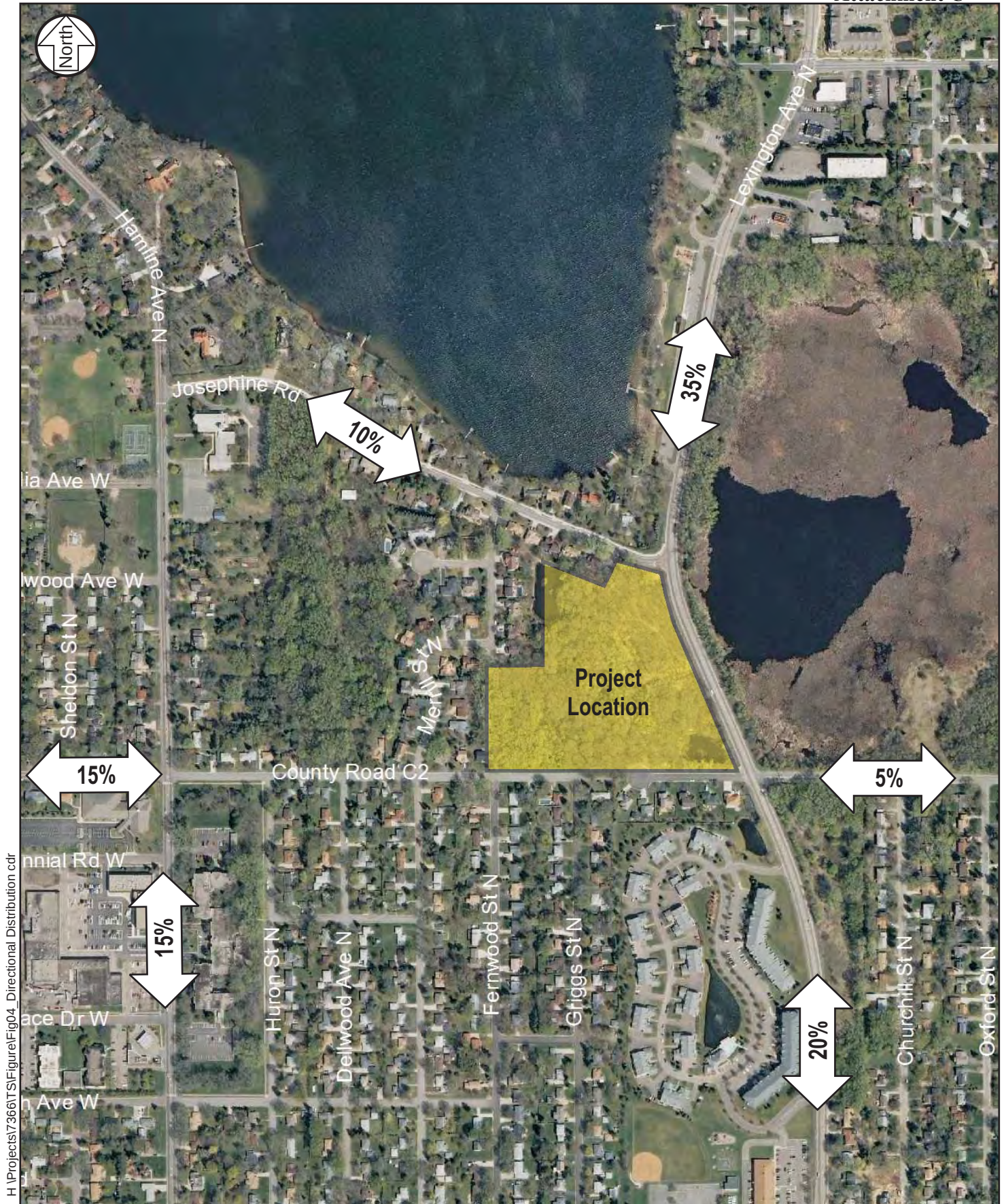
The directional trip distribution for the proposed development is based historical annual average daily traffic (AADT) volumes within the area. The directional distribution is show in Figure 4.

Roadway Connection Impacts

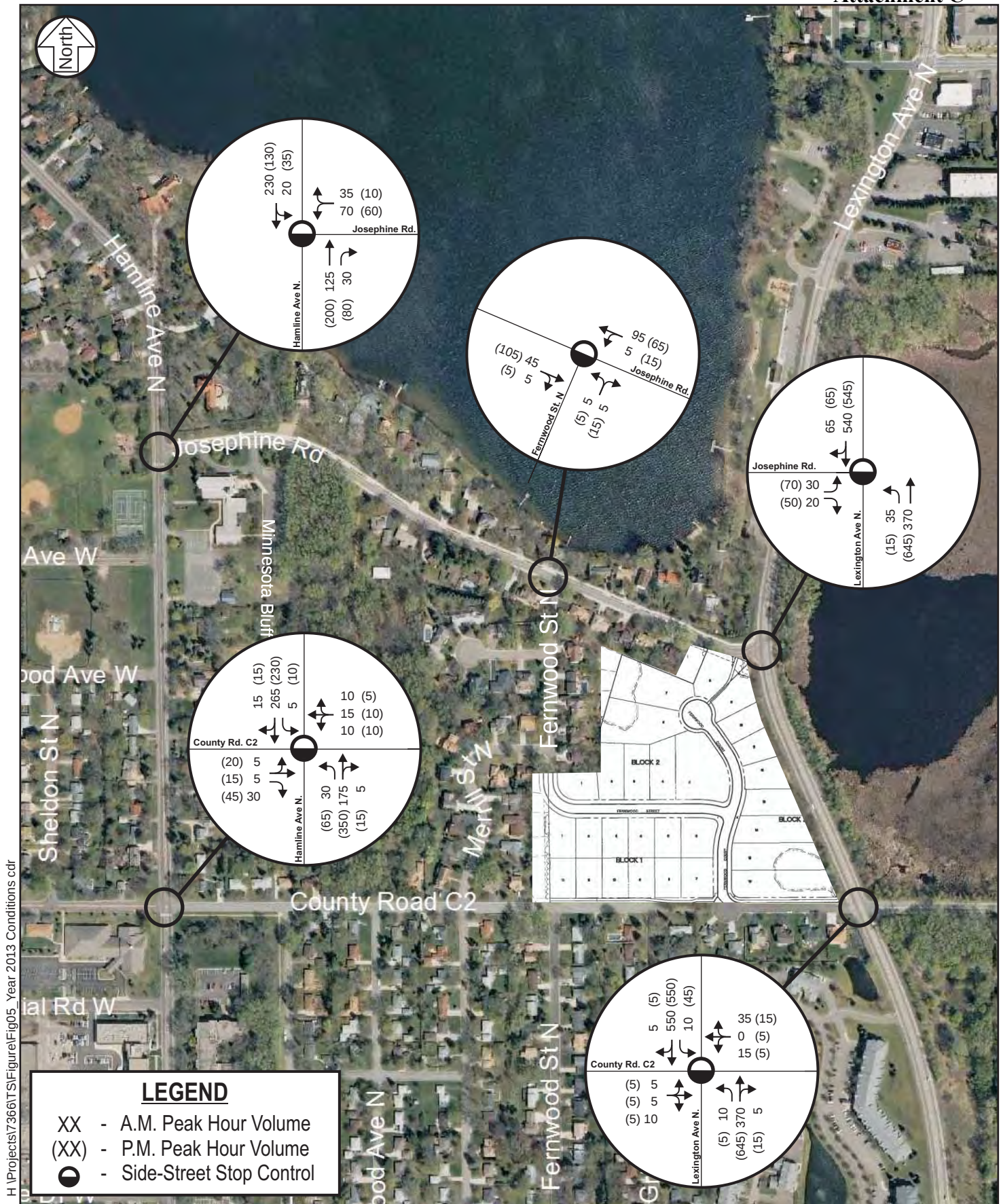
As part of the proposed development, new roadway connections will be constructed at County Road C2 to the east and Fernwood Street to the west. These connections will have an impact on existing neighborhood travel patterns. The most impacted travel pattern will be vehicles traveling along Lexington Avenue (south of Josephine Road) that originate or are destined to the Fernwood Street and Merrill Street intersection area. Due to the proposed roadway connection, vehicles currently using Josephine Road to access Fernwood Street from the south will likely use the proposed roadway connection and County Road C2.

To determine the extent of the impact of the new roadway connection, observations were completed along Josephine Road to determine the amount of vehicles that may potentially change their travel pattern. Based on the observations completed during the a.m. and p.m. peak hours, approximately 110 vehicles per day (vpd) may change their travel pattern from Josephine Road to the proposed roadway. Although it is unlikely that all 110 vpd will change their travel patterns, in order to provide a conservative analysis all 110 vpd were assumed to change. It should be noted this correlates to approximately 10 vehicles during the a.m. and p.m. peak hours changing their travel patterns.

It should also be reiterated that there are five new homes that will have driveways located along County Road C2 as part of the proposed development. These homes are located west of the discontinuous County Road C2 roadway segment and will gain access to and from the west. This will result in approximately five additional trips along this segment of roadway during the a.m. and p.m. peak hour and 48 trips on a daily basis. The combination of background traffic, trips generated by the proposed development and potential travel pattern impacts for year 2013 build conditions are shown in Figure 5.



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YEAR 2013 BUILD CONDITIONS

To determine how well the existing roadway network and proposed roadway modifications will operate under year 2013 build conditions, an operations analysis was completed for the a.m. and p.m. peak hours. Results of the year 2013 build operations analysis shown in Table 3 indicate all key intersections will continue to operate at an acceptable overall LOS A during the a.m. and p.m. peak hours with the existing geometric layout and traffic control. Impacts to side-street delays at the key intersections will be minimal and no queuing issues are expected.

Table 3
Year 2013 Build Peak Hour Capacity Analysis
Level of Service Results

Intersection	Level of Service	
	A.M. Peak	P.M. Peak
Lexington Avenue North and County Road C2 *	A/B	A/C
Lexington Avenue North and Josephine Road *	A/B	A/C
Josephine Road and Fernwood Street *	A/A	A/A
Josephine Road and Hamline Avenue North *	A/B	A/B
Hamline Avenue North and County Road C2 *	A/B	A/B

* Indicates an unsignalized intersection with side-street stop control. The overall LOS is shown followed by the worst approach LOS.

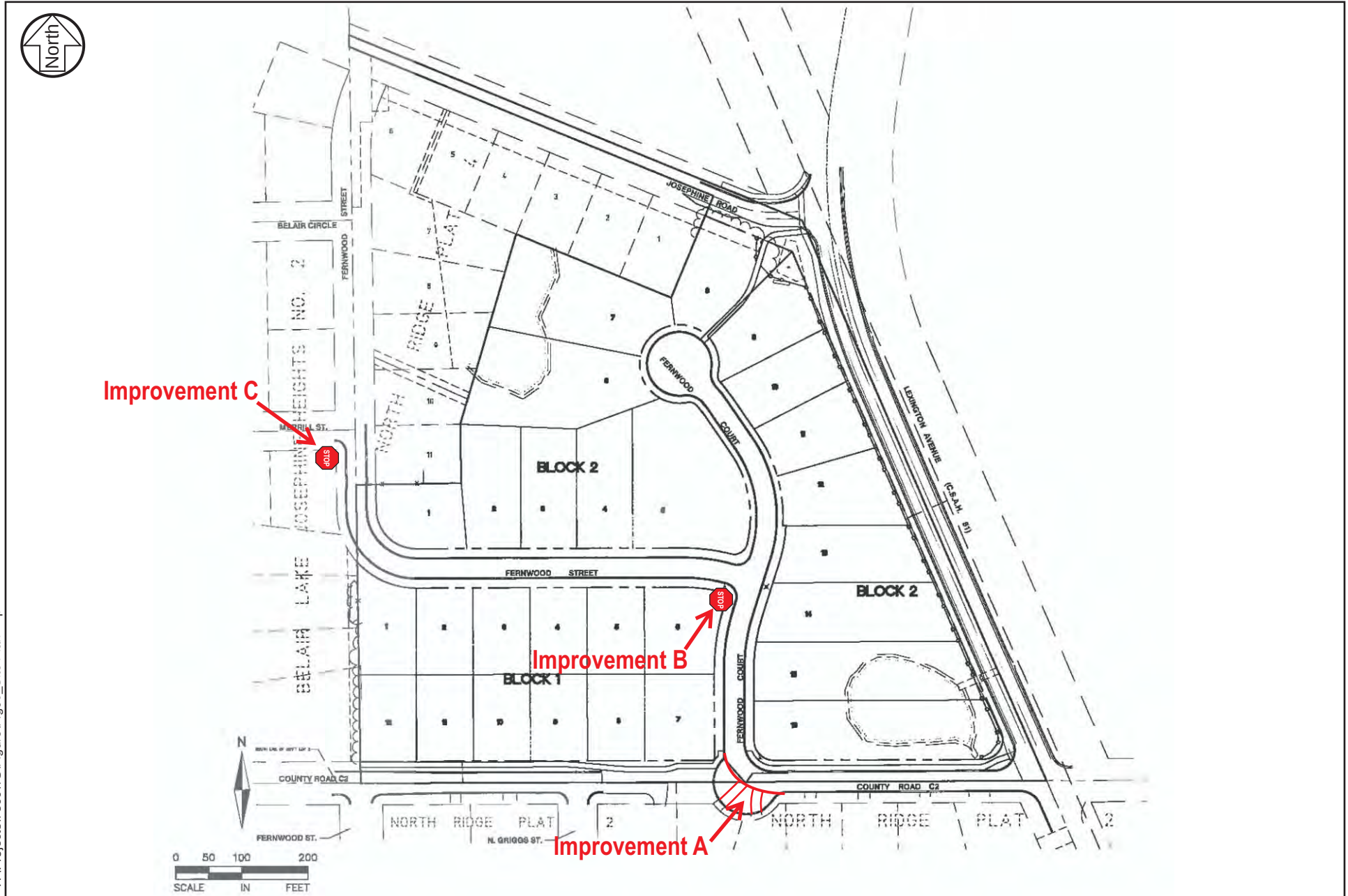
SITE REVIEW

Review of the proposed site plan was completed to determine if there are specific issues that should be addressed. The following comments and recommendations (shown in Figure 6) are offered for your consideration:

- a) Eliminate the cul-de-sac located at the proposed roadway connection with County Road C2 to reduce driver confusion and improve safety
 - o Requires modification of existing driveways located along the cul-de-sac
- b) Ensure proper traffic controls are installed at the new internal intersection within the proposed development
 - o The eastbound movement should be stop controlled
- c) Install traffic control at the Fernwood Street and Merrill Street intersection (currently uncontrolled)
 - o The eastbound movement (Merrill Street) should be stop controlled

PEDESTRIAN FACILITIES

The proposed site plan provides an eight foot bituminous trail located along the north side of County Road C2. This trail will connect with an existing multi-purpose trail along Lexington Avenue to the east. However, the trail does not connect with any pedestrian facilities or roadways to the west. As the trail is currently shown, the trail will end at the western property line of the development. Extending the trail to Merrill Street or providing a pedestrian ramp to County Road C2 should be considered.



There are also pedestrian crosswalks located along Josephine Road at Hamline Avenue, Fernwood Street, and Lexington Avenue. These crosswalks provide adequate connections to area schools, parks, and trails. No other pedestrian accommodations are currently recommended.

CONCLUSIONS AND RECOMMENDATIONS

Based on the analysis, the following conclusions and recommendations are offered for your consideration:

- Results of the existing operations analysis indicate that all key intersections currently operate at an acceptable overall LOS A during the a.m. and p.m. peak hours with existing traffic control and geometric layout. All side-street delays are considered acceptable and do not require mitigation.
- The proposed development site, currently vacant, will be converted to a 28-unit single-family residential development. Access to the development will be provided via new roadways that will connect with County Road C2 to the east and Fernwood Street to the west.
- Based on existing area growth patterns and historical average daily traffic (ADT) volumes, an annual growth rate of one percent was applied to the existing peak hour volumes to develop year 2013 background traffic forecasts.
- As part of the proposed development, new roadway connections will be constructed at County Road C2 to the east and Fernwood Street to the west.
 - o Based on the observations completed during the a.m. and p.m. peak hours, approximately 110 vehicles per day (vpd) may change their travel pattern from Josephine Road to the proposed roadway connection and County Road C2.
- Results of the year 2013 build operations analysis indicate all key intersections will continue to operate at an acceptable overall LOS A during the a.m. and p.m. peak hours with the existing geometric layout and traffic control. Impacts to side-street delays at the key intersections will be minimal and no queuing issues are expected.
- Eliminate the cul-de-sac located at the proposed roadway connection with County Road C2 to reduce driver confusion and improve safety
 - o Requires modification of existing driveways located along the cul-de-sac
- Ensure proper traffic controls are installed at the new internal intersection within the proposed development
 - o The eastbound movement should be stop controlled
- Install traffic control at the Fernwood Street and Merrill Street intersection (currently uncontrolled)
 - o The eastbound movement (Merrill Street) should be stop controlled
- Extend the proposed trail along the north side of County Road C2 to Merrill Street or provide a pedestrian ramp to County Road C2 near the western property line of the proposed development

Thomas Paschke

From: support@civicplus.com
Sent: Monday, February 28, 2011 8:57 PM
To: *RVPlanningCommission
Subject: Online Form Submittal: Contact Planning Commission

The following form was submitted via your website: Contact Planning Commission

Subject:: Re: Josephine Woods Proposal

Name:: Richard and Pam Newcome

Address:: 1245 Josephine Rd.

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: Email

Phone Number::

Email Address::

Please Share Your Comment, Question or Concern: Dear Members of the Roseville Planning Commission:

We recently learned that the Roseville Planning Commission will soon be reviewing a request to turn a stretch of forest on the Northwest corner of Lexington Avenue and County Rd. C2 into a new development of 28 homes, which will be called "Josephine Woods".

We have reviewed the entire proposal online and are very concerned that it makes no provision for opening up Cty C2 to through traffic between Hamline and Lexington Avenues in order to support the increased volume of traffic that the new development will generate. Instead, it seems that the plan is to have the primary access for this new development be Josephine Rd., which connects to Fernwood St.

We have been residents of Roseville since 2005 and live on Josephine Rd. Over the past six years, we have seen a marked increase in the number of cars that travel on Josephine Rd., due in large part because Cty C2—which would normally be the most direct and logical route between Snelling Ave. and Lexington Ave.—is interrupted from joining those two streets by about 50 yards of undeveloped road.

Instead, cars from Snelling often shoot east down Cty C2, go north on Hamline, then east on Josephine Rd. in order to connect to Lexington. My understanding is that the number of cars traveling on Josephine Rd. has currently escalated to 2,500 per day, and the City of Roseville Transportation Plan estimates that this number will increase to around 6,500 per day over the next 20 years.

Josephine Rd. was never designed to be a major thoroughfare. It is residential, with more than 30 homes facing the road. There are a number of small children that live on the street (including our 11-year old daughter), and we are concerned for their safety.

Cars already go far too fast for a residential neighborhood. During morning and evening rush hours, it's becoming increasingly more difficult to get in and out of our driveway. Likewise, cars rarely stop at the pedestrian walkway between Josephine and Hamline leading to the tennis courts and baseball fields at Autumn Grove Park, and they are even less likely to stop when any one is crossing the pedestrian walkway on Josephine Rd. to enter Cottontail Park. If the development plans go through as proposed, the primary access to the development will be via Josephine Rd., and the congestion and danger would substantially increase.

We, therefore, feel compelled to write you and ask that you please make the proposal to build the Josephine Woods Development CONTINGENT on opening Cty C2. This is a reasonable request, as it would help share the increased traffic burden that the new development will generate vs. having Josephine Rd. bear the burden of all traffic coming from the West (i.e., from Hamline Ave.) in addition to a large percentage of traffic from the East (i.e., from Lexington Ave.). Also, please note that, in contrast to the homes on Josephine Rd., the majority of homes along the stretch of Cty C2 between Hamline and Lexington are not front-facing to Cty C2. They face streets off of Cty C2 and would be less impacted by any increased traffic flow than would the homes on Josephine Rd., which are all front-facing.

Finally, by passing on the opportunity to open County C2 now—and potentially building in a manner that could prohibit it from ever being opened—seems completely at odds with your stated goal in section 5.1 of the proposal requiring “that adequate streets and other public infrastructure are in place or identified and constructed”. If your committee's estimate that Josephine Rd. will need to support 6,500 cars per day by 2030 is true, this seems like far too many for one residential street. We should be planning ahead now so that we do have the adequate infrastructure in place, and the logical solution would be to open Cty C2.

Thank you in advance for your consideration of our request. We will be following up with you via phone to learn more about where you stand on this issue, and we will likely attend an upcoming City Council Meeting.

Sincerely,

Richard and Pam Newcome

1245 Josephine Rd.
Roseville, MN 55113

Thomas Paschke

From: support@civicplus.com
Sent: Tuesday, March 01, 2011 9:00 AM
To: *RVPlanningCommission
Subject: Online Form Submittal: Contact Planning Commission

The following form was submitted via your website: Contact Planning Commission

Subject:: Josephine Woods

Name:: Stuart Shwiff

Address:: 1233 Josephine Road

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: Phone

Phone Number::

Email Address::

Please Share Your Comment, Question or Concern: Dear Roseville Planning Commission:

In regard to the proposal to develop the Josephine Woods site, I am very concerned that this site, plus the additional townhome site on the east side of Lexington at C2 will place an undue traffic burden on Josephine Road. Currently, Josephine has 2,500 cars per day. The Roseville Traffic Plan 2030 shows 6,500 cars per day forecast for Josephine. My wife & I have two young children. We have had 3 serious car incidents in the past year while waiting for the school bus on Josephine.

C2 was closed one block west of Lexington 30 years ago as part of the Lexington Apartments development. Since then, the additional traffic demand around C2 has been enormous, and will continue to grow for years to come. At the time C2 was closed, there were no apartment developments east of Hamline on C2. Today, there are numerous apartments and condos, and there will be more traffic when the Hamline Center becomes a senior living property as planned.

Now is the time to open C2 to allow efficient use of this important road, and to fairly share the traffic burden in this part of Roseville.

Sincerely,

Stuart Shwiff

Bryan Lloyd

From: [REDACTED]
Sent: Tuesday, March 01, 2011 4:22 PM
To: Bryan Lloyd
Subject: Josephine Woods and C2

I was wondering why C2 was not opened up in the development plan.
From a traffic viewpoint, it seems logical.

Can you tell me the explanation,

Thanks,
Betty Gladfelter

Bryan Lloyd

From: [REDACTED]
Sent: Tuesday, March 01, 2011 4:46 PM
To: Bryan Lloyd
Subject: Re: Proposed plat

As you know where the road comes onto Josephine Rd is very close to the intersection with Lexington. As a developer, I question the closeness to that intersection. 'Also, 28 homes will cause excessive traffic on Josephine which is only a two lane road.

As I have looked at traffic studies, residential creates even more traffic then some commercial developments.

I do not see the logic in using an entrance to this development off of Josephine which is two lanes while Cty. Rd C2 was designed as a thru fare to Lexington.

I believe a traffic study is needed and that the plan be changed to have Cty Rd C-2 as the entrance to this development. A traffic study will show that C-2 is the best way to control congestion. Based on the traffic that C-2 will generate, there would also need a signalized intersection at C-2 and Lexington.

Josephine Rd was not constructed as a transitional road from C-2 to Lexington. The original plan was to have C-2 as the main road due to the fact that it goes all the way to Snelling Ave and beyond. You can see this in the old plans and the way that C-2 was constructed.

I would ask that a traffic study be done on both roads to see which one is the best alternative. If a special deal was made by the city and the developer of the Apartments and Townhouses then it should be rescinded as it did not meet the original plans for this road and special favors were made to get this project done at the expense of those who live on Josephine Rd.

Thats for you time, I will see you tomorrow night at the planning commission meeting
Wendell R. Smith
1210 Josephine Rd
,

Bryan Lloyd

From: support@civicplus.com
Sent: Tuesday, March 01, 2011 8:05 PM
To: Bryan Lloyd
Subject: Online Form Submittal: Contact Bryan Lloyd

The following form was submitted via your website: Contact Bryan Lloyd

Subject:: Josephine Woods Proposal

Name:: John

Address:: Jernberg

City:: Roseville

State: : MN

Zip:: 55113

Please contact me by:: Email

Phone Number:: Redacted

Email Address:: Redacted

Please Share Your Comment, Question or Concern: Hi Brian,

I live at 1230 Josephine Road and would like to voice my concern regarding the Josephine Woods proposed development. It appears that there is not an accompanying proposal to open County Road C2 for travel between Lexington and Hamline. Thus, Josephine Road could become the main arterie for traffic leaving the development. Josephine Road is already a heavily traveled route that is burdened from traffic going between Lexington and Hamline. I feel that approval of the development should be contingent upon opening County Road C2 to east-west traffic. I will be unable to attend the March 2nd meeting but I would like my concern to be voiced.

Thank you.

-John Jernberg

Thomas Paschke

From: r willmus [REDACTED]
Sent: Tuesday, March 01, 2011 8:44 PM
To: *RVPlanningCommission
Subject: FW: Online Form Submittal: Contact City Council

FYI

> From: support@civicplus.com
> To: city.council@ci.roseville.mn.us; [REDACTED]
> Date: Tue, 1 Mar 2011 20:36:32 -0600
> Subject: Online Form Submittal: Contact City Council
>
> The following form was submitted via your website: Contact City Council
>
> Subject: new housing development traffic
>
> Name:: Raye Kanzenbach
>
> Address:: 3030 Hamline
>
> City:: Roseville
>
> State: : MN
>
> Zip:: 55113
>
> How would you prefer to be contacted? Remember to fill in the corresponding contact information.: Email
>
> Email Address: [REDACTED]
>
> Phone Number:: [REDACTED]
>
> Please Share Your Comment, Question or Concern: I am concerned about the increase in traffic on Josephine Road if the new housing development occurs. It seems the traffic would be awkward unless County C2 is opened all the way through. Has this been thoroughly studied? I am not opposed to development, but I believe the traffic situation should be carefully reviewed before approvals are made. Thank you.

Bryan Lloyd

From: Tammy McGehee
Sent: Wednesday, March 02, 2011 9:28 AM
To: *RVCouncil; Margaret Driscoll; Bill Malinen
Subject: Josephine Woods/McGehee

I just wanted to put this thought out there. After receiving e-mails regarding this project and having more difficulty that I should have had locating the files, I noted that the open house/neighborhood meeting has not been listed in the "history" or posted or attended or apparently offered to members of the community.

That said, there is clearly a reasonable concern regarding traffic on Josephine Road and Fernwood, but there is also a concern on the part of residents who do not wish to have a street in their back yard (although the portion that is not open now is only about 50 feet). My point here is that this traffic issue should be discussed at the neighborhood meeting and staff should take it upon themselves to work cooperatively with residents on both sides of this issue to try to seek an acceptable compromise or various acceptable options before allowing this project to be reviewed in a public hearing setting. I believe that it is this change of process and culture in our city government that would avoid the situation where neighbors are pitted against each other or against the city government in a public forum. If positions have not been solidified that point, they certainly will be during the process.

I hope that Patrick and Duane will consider meeting with the residents involved to work on a compromise or options that will be acceptable to all parties. I know that it is not always possible to get people to agree, but it certainly generates more good will to try to facilitate a compromise through personal, round table discussion, than to turn your back on the issue and let the disputants "duke it out" in public or for the city to step in with some solution of its own without the appearance of having listened to resident concerns. It also represents, in my opinion, what a good government should be doing.

As a final note, I have suggested to Duane that perhaps one option to consider would be a "one way" street at this time. This would reduce the traffic on a "completed C-2" but would at least allow some of the internal traffic from this new development to use an alternate route. I don't think this is a much used option here in Roseville, but I have seen it used elsewhere to handle these type of situations, and it has appeared to be successful.

Thanks for consideration of this "policy" suggestion.

Tammy

Bryan Lloyd

From: Thomas Paschke
Sent: Wednesday, March 02, 2011 1:28 PM
To: *RVCouncil
Cc: Pat Trudgeon
Subject: Josephine Woods/Paschke

Council Members;

Over the past few days you may have, like the Planning Division, received telephone calls and email regarding the proposal by Pulte Homes for the undeveloped Low Density Residential land area west of Lexington Avenue and between County Road C2 and Josephine Road. Some of the calls and concerns were regarding an open house and notification.

The Roseville Zoning Ordinance adopted in December 2010, does not require preliminary plat applicants to hold an open house. Actually, the former zoning ordinance did not require such an application either. Only comprehensive plan amendments, rezonings, and interim use are required to conduct an open house prior to the being deemed complete.

I will note that the Community Development web page and information regarding the Pulte homes proposal does indicate that the applicant was interested in conduction such a meeting (at the urging of Planning Staff). However, the open house was never held. We have modified the web page to state that it was their intention, but again an open house is not a requirement.

Next we have received concerns over notification. Like all public hearing notices, the Planning Division sends mailed notice to property owners within 500 feet of the subject property. This distance is the current Code requirement.

Should you have further questions or comments regarding this proposed project, please feel free to email or call me.

Thomas R. Paschke

Roseville City Planner

2660 Civic Center Drive

(651) 792-7074

Bryan Lloyd

From: Pam Newcome [REDACTED]
Sent: Thursday, March 03, 2011 3:09 PM
To: *RVCouncil
Subject: Josephine Woods Proposal/Newcome

Dear Council Members:

We wanted to express our concern that, despite the Roseville City website stating that a public open house would be occurring to discuss the Josephine Woods proposal, no such meeting occurred before last night's Roseville Planning Commission meeting. Specifically, as late as yesterday, the Community and Development section of your website stated, "Pulte Homes is planning to host a neighborhood meeting about the proposal sometime before the March 2nd public hearing. The date, time, and location of that meeting will be posted on this web page when the information becomes available. "

Please see the attached correspondence with Duane Schwartz on the matter.

We fear that several residents who will be impacted by the new development are:

- a) not yet even aware of the proposal
- b) have not been allotted adequate time to absorb and respond to it
- c) most certainly have not had the chance to review the transportation study that was done by the Public Works Department, which is disappointing since the Planning Committee's decision to vote in favor of the proposal was largely hinged on the findings of that report.
- d) will not have the opportunity to engage in discussions and/or voice concerns before the impending City Council vote on March 21, as many with children be taking spring breaks over the next few weeks.

This is an extremely important issue, and it would seem that the City Council would want the community to be able to digest both the proposal and the transportation study, and for them to have the opportunity to provide commentary and concerns before the Council votes on it.

We, therefore, humbly ask whether it would be possible to move the vote on Josephine Woods to either the March 28 or, preferably, the April 11th City Council meeting agendas? We feel

this is a reasonable and prudent request, given the many, varied and passionate viewpoints regarding the proposal and the impact it will have on our entire community. We would greatly appreciate your consideration of this request, and look forward to your reply.

Sincerely,

Richard and Pam Newcome

1245 Josephine Rd.

From: [REDACTED]
To: duane.schwartz@ci.roseville.mn.us
Subject: RE: Online Form Submittal: Contact Public Works Re: Josephine Woods
Date: Wed, 2 Mar 2011 23:12:26 -0600

Duane, thank you for your reply. I attended the Planning Commission meeting tonight. The traffic impact study was briefly discussed by Debra Bloom, but there was a lot to absorb in a very short amount of time. Bottom line, as you expressed below, your commission does not believe that this new development is enough of a trigger to warrant opening up Cty C2 at this point. Those of us who live on Josephine and Fernwood disagree and would argue that the tipping point has long passed, and that we are disproportionately sharing an increased level of traffic that we would not otherwise have primarily because Cty C2 is not open between Lexington and Hamline. This traffic burden will only increase for Josephine and Fernwood with the new development. We are not asking that Cty C2 bear all the burden, we only ask that it help share the burden. I was disappointed that the commission approved the proposal as is.

As for the public notice, there was none. I was on the phone with Council Member Tammy McGehee yesterday who personally went to your own website to look up the information for me (she was curious, as well), and your website stated that an open house date would be posted in the near future. In addition, the Pulte representative admitted tonight that they'd hoped to have a community "open house" prior to tonight's meeting, but had not. He then proceeded to say that he would try to call one in the next week or so, now that they have gathered input from the community at tonight's meeting. This seems completely backwards to me, and I would hope it would raise concern on the part of the Planning Committee and the City Council. I am curious as to what Roseville's protocol is for community "open houses" and what happens when it is not followed. Please advise.

As I mentioned before, I only learned about the proposal being discussed at this meeting on Monday of this week. I'm certain many neighbors still do not know. With so many schools/families being on spring break over the coming few weeks, it does not feel like we are being given adequate time to absorb and/or respond to the proposal.

Look forward to hearing back from you. Thank you, Duane.

Regards,
Pam

Pam Newcome
[REDACTED]

> From: duane.schwartz@ci.roseville.mn.us
> To: [REDACTED]
> Date: Wed, 2 Mar 2011 17:58:53 -0600
> Subject: FW: Online Form Submittal: Contact Public Works Re: Josephine Woods
>
> Pam,
>
> The Planning Commission hearing on this proposal is tonight in the City Council chambers here at City Hall. This is one of the opportunity's to weigh in regarding your concerns about traffic impacts. As I understand from the city Community Development Department the notice requirement was met for this proposal. The City Engineer will present the findings of the traffic study that was done to date regarding the impacts to existing roads and intersections. There has been discussion in past development proposals related to connecting Co. Rd. C-2 from Hamline to Lexington. Studies of the development impact indicated the development did not trigger the need to connect at the time. There were opposing views then from the two neighborhoods and I suspect opposing views now. Initial studies for this proposal also indicate the impact does not drastically change the level of service at the impacted intersections. Further study is needed to predict what impact connecting Co Rd. C-2 would have on Josephine Road traffic counts. We would expect they would drop. Staff will seek additional study if the Commission and or the Council would like additional information on the impacts.
>
> If this entire area were developing today there is no question staff would recommend C-2 be a collector roadway. Woodhill Drive would possibly be built to a lesser standard under that scenario.
>
> Let me know if you would like to discuss further after the Planning Commission hearing.
>
> Sincerely,
>
> Duane Schwartz
>
>
> Duane Schwartz
> Public Works Director
> City of Roseville
> 2660 Civic Center Drive
> Roseville, MN. 55113
> 651-792-7041
>
>
> -----Original Message-----
> From: Sally Ricard
> Sent: Wednesday, March 02, 2011 8:18 AM
> To: Duane Schwartz

> Subject: FW: Online Form Submittal: Contact Public Works
>
> -----Original Message-----
> From: support@civicplus.com [mailto:support@civicplus.com]
> Sent: Tuesday, March 01, 2011 4:37 PM
> To: Sally Ricard
> Subject: Online Form Submittal: Contact Public Works
>
> The following form was submitted via your website: Contact Public Works
>
> Name:: Pam Newcome
>
> Address:: 1245 Josephine Rd.
>
> City:: Roseville
>
> State: : MN
>
> Zip:: 55113
>
> How would you like to be contacted? Remember to fill out the corresponding information
below.: Email
>
> Home Phone Number::
>
> Daytime Phone Number::
>
> Email Address::
>
> Please Share Your Comment, Question or Concern: Dear Duane:
>
> I understand that you are the director of the Roseville Division of Public Works. I wanted
to write you to express my concern that there is to be an upcoming City Council vote on a new
housing development slated for the corner of Lexington and Cty C2, yet there has been little
public notification of the plan, nor any publicized community "open house" to discuss the
proposal. My understanding is that the latter is prerequisite in Roseville before a proposal
can be voted on.
>
> We live on Josephine Rd., which will be significantly impacted by the increased flow of
traffic that the development will generate, yet only a few of our neighbors closest to
Fernwood Rd. received any notice about the development and/or the impending City Council
vote. Fortunately, one of them notified us.
>
> We have reviewed the proposal online and are extremely disappointed that it contains no
provisions for opening up Cty C2 between Lexington and Hamline. Since we moved to Roseville
six years ago, we have experienced a significant increase in traffic on Josephine Rd.,
largely in part because Cty C2—which would be the most direct route between Snelling and
Victoria in this area—is blocked to through traffic between Lexington and Hamline.
>
> The new development will clearly generate more traffic and, if the proposal passes as
written, Josephine Rd. would bear the brunt of the traffic burden. Please note that Josephine
is a small residential street with 30-some homes, all front-facing to the road. It seems
incredibly reasonable to me that Cty C2 should be opened up for a straight and uninterrupted
path between Lexington and Hamline in order to help share some of the increased traffic
burden. Note that the current plan for a second entry into the development via a small side
street off the current culdesac at Lexington and Cty C2 is completely inadequate, and will

only continue to force more—and the majority of—traffic onto Josephine Rd. Josephine Rd. was never designed to be a major thoroughfare.

>

> I am writing to ask for your support in postponing the vote on the new development, as there has not been adequate public notice or any venue to review and respond to what is being proposed. Secondly, I would appreciate your contacting me and letting us know where you stand on the “Josephine Woods” proposal. We have already written both the Roseville City Council and the Planning Committee asking them to reject the proposal UNLESS it is contingent upon opening Cty C2 between Lexington and Hamline. Thank you for your time and consideration.

>

> Sincerely,
> Pam Newcome

>

>

>

>

>

> Additional Information:

>

> Form submitted on: 3/1/2011 4:36:55 PM

>

> Submitted from IP Address:

>

> Referrer Page: <http://www.ci.roseville.mn.us/index.aspx?nid=19>

>

> Form Address: <http://www.cityofroseville.com/forms.aspx?FID=65>

>

>

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Bryan Lloyd

From: Joan [REDACTED]
Sent: Sunday, March 06, 2011 2:40 PM
To: *RVCouncil
Subject: Josephine Woods/Carrier

Re: Planning file 11-003: Request by Pulte Homes of MN, for approval of a preliminary plat of the residentially-zoned property in the NW corner of Lexington and County Road C-2 (Josephine Woods)

After living all my life (72+ years) very close to this property which was owned by my uncle, George Reiling, it is very interesting to see how it is proposed to be developed. I attended the Planning Commission meeting on Wednesday, March 2, 2011. I spoke at the meeting stating my concerns that County Road C-2 not go through west of the cul-de-sac off Lexington Avenue, and the storm water runoff not be allowed to run directly into Little Lake Josephine. I was glad to see that the storm water runoff will be going into a retention pond before the water proceeds into the lake. As you know the Planning Commission recommended approval of the proposed plat and stated they see no reason for County Road C2 to go through.

As I will unable to attend the City Council meeting March 21, 2011, when this proposal is scheduled, I would like to convey to you my hope that you will approve the plat as designed and that County Road C2 will not go through.

Thank you,

Allen Carrier

1040 County Road C2 W

[REDACTED]

Bryan Lloyd

From: [REDACTED]
Sent: Monday, March 07, 2011 6:43 PM
To: *RVCouncil
Cc: [REDACTED]
Subject: Josephine Woods/Phillippi County Road C2

Dear Council Members; I am excited about the newly proposed 28 home development nearby. My understanding was that some of that

property had delinquent tax issues and would not be developed in the near future. So I personally am pleased to see this

moving ahead and I think it will be a "big plus" for the Roseville community in general. A nice, upscale, single home development

is not something a first ring suburb gets a chance at very often. I also understand that there is no plan to simultaneously

improve County Road C2. I feel this is quite shortsighted and is something that needs serious reconsideration. I'm not so sure

any number of traffic flow studies will yield an answer either. Common sense would seem to indicate there is a need for good

access to this area for general traffic, police, emergency, fire and so on. To leave Cty C2 in it's present situation seems to me to be

an opportunity for improvement missed. It just seems counterintuitive to leave County Road C2 with two dead ends right next to a beautiful

and new 28 home development. I think it would be great to have "C2" as a through street and to me nothing else done with "C2" makes sense.

My wife and I are eager to watch the new development in progress and maybe get to know some new neighbors in

the process.

Sincerely, Paul S.

Phillippi

1260

Josephine Rd.

Roseville, Mn 55113

Bryan Lloyd

From: [REDACTED]
Sent: Monday, March 07, 2011 7:42 PM
To: *RVCouncil
Subject: Josephine Woods Proposal/Thomas

I am a resident at 1220 Belair Circle. My corner lot is bordered by Fernwood Street. I am writing to express my concern regarding the proposed Josephine Woods development. I understand that County Rd C will NOT be opened to Lexington Avenue. I am concerned over the amount of traffic this will generate on the street which I live but also my neighbors on Josephine Road.

I am asking that you allow adequate time to hear all voices impacted by this proposal. Please consider linking the Josephine Woods proposal to the Cty C2 discussion so that both may be discussed at the same city council meeting.

I am not opposed to the proposed development. However, I feel it would be unfair for one segment of the neighborhood to bear the brunt of the new traffic when such an easy and equitable solution is possible.

Sincerely,

Andrew and Carolyn Thomas

1220 Belair Circle

Bryan Lloyd

From: JOHN B WILLIS [REDACTED]
Sent: Tuesday, March 08, 2011 9:33 AM
To: *RVCouncil
Subject: Josephine Woods/Willis

Dear Council Members, On Sunday, March 6th, I received a call regarding the proposed "Josephine Woods" project. As a long time resident of Josephine Road, I have many concerns. I understand the ruling that only people living within 500 feet of a project need be notified of any changes made but that does not seem right. My husband and I live at 1270 Josephine Road. Over the years, we have seen a nice quiet neighborhood go into a racing drag strip for many commuting back in forth from Arden Hills, Shoreview, the college and all traffic coming from Snelling Avenue. We have had the Police Dept. involved on many occasions to try and slow the traffic down or hopefully discourage some traffic to re-route, maybe even Ingerson Road in Arden Hills. Nothing has helped and during the summer, it only gets worse. Now they are talking about building more homes which would cause more traffic.

We have a mentally disabled child (adult) who can no longer cross the street to get the mail. This was once a big step for her independence. I also care for infants and if you try to cross in the walkway by Cotton Tail Park with a stroller, this has become even more unsafe. We watch elderly people that live at 2800 North Hamline who are out for a walk trying to cross in that walkway also. Someday, someone will lose their life. As we sit on our deck during the summer time, the screeching of the brakes is so common. Now they want to endanger the lives of those living in this area even more by building more homes and not opening County Road C2. This should of been done years ago.

I am sure you receive many letters regarding issue's but this one is SO important. I ask that you reconsider this before construction takes place. Like I said above, we were not even aware of any projects going on and in so many ways, it affects all of us on Josephine Road. Thank you for your time. If I can be of any help or talk to you further about this matter, please contact me at 651-633-3498.

Sincerely,

Diane Willis

Bryan Lloyd

From: Cindy Eck [REDACTED]
Sent: Tuesday, March 08, 2011 11:18 AM
To: *RVCouncil
Subject: Josephine Woods Proposal/Eck

Dear City Council Members,

It has been brought to our attention that the Roseville Planning Commission will be voting on a proposal for "Josephine Woods" very soon.

This proposal will greatly affect traffic on Josephine Road.

We have lived on Josephine Road for 35 years. Our house (1262) and our neighbor to our west were the only two houses on this side of Josephine Road. During these years we have experienced so many changes that have put the traffic burden on Josephine Road.

I am writing to ask the Planning Commission to consider delaying the vote on this project until the residents of Josephine Road can view the results of traffic studies and what impact this will have on Josephine Road.

We would also like our Council Members to hear our requests to consider opening Count Road C2 to help with traffic burden.

Thank you for your time,

Cindy and Ted Eck
1262 Josephine Road
Roseville, MN 55113

Bryan Lloyd

From: Stuart Shwiff [REDACTED]
Sent: Tuesday, March 08, 2011 3:06 PM
To: *RVCouncil
Cc: Stuart Shwiff
Subject: Josephine Woods & C2 Concerns/Shwiff

To

Mayor Dan Roe:
Roseville City Council Members:

I urge thoughtful consideration regarding the impact of the Josephine Woods proposal will have, now, and in the future, if C2 is not opened in conjunction with this new development.

There are 31 houses currently on Josephine Road. There will be 28 additional houses built in the Josephine Woods development.

If C2 is not opened as part of the Josephine Woods proposal now, then the newer residents of Josephine Woods will, likely, form an even stronger lobbying effort to keep C2 closed for the future.

The land on the east side of Lexington at C2 is now zoned for multi-family housing. If C2 is closed, then a multi-family project on the east side of Lexington at C2 would be problematic for any developer to consider.

I cannot attend the March 21st City Council meeting. I have not seen the traffic study documentation, or the basis of the study. I have not had a chance to attend an open house for this project. My family will be out of town for the next 2 weeks, so we cannot hope to know anything more before your vote on March 21st.

With 2,500 cars per day driving past my house, and a forecast from the City of 6,500 by 2030, I hope that you will give very serious consideration of opening C2 as part of the Josephine Woods proposal, so that the residents of Josephine and C2 can equitably share the traffic load.

Very sincerely,

Stuart Shwiff
1233 Josephine Road

Bryan Lloyd

From: support@civicplus.com
Sent: Tuesday, March 08, 2011 3:45 PM
To: *RVCouncil; Margaret Driscoll; Bill Malinen
Subject: Josephine Woods/Stokes Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: Josephine Woods

Name:: Chusk Stokes

Address:: 2875 N Griggs St

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: Email

Email Address::

Phone Number::

Please Share Your Comment, Question or Concern: I would first wish to thank all of you for your service to our city. Working for us, at the expense of time spent with family and friends, is never easy and sometimes quite a thank less job.

I am writing you all with a concern that has been brought to my attention by a neighbor. As you all are aware, Pulte Homes is proposing a 28 unit housing development on the George Reeling property at the NW corner of Lexington and C2. My initial reaction was one of disappointment and sadness at the thought of losing "our woods" to development. We knew it would someday happen, we have lived here for 21 years, but still, given the housing markets and all, were a bit shocked. I was even more dismayed upon viewing the original plot proposal showing C2 connected to Lexington, creating a small highway thru a somewhat quiet neighborhood. My greatest concern was to the residents on the C2 cul-di-sac and the danger they and their families would face with no chance of seeing a speeding car coming. This was the same concern I had when talk of connecting C2 surfaced a few years back. Also severely impacted would be the property at 2874 N Griggs which would have the road right in the front yard.

Shortly after receiving the original plot, a very well thought out revised plot plan was dropped off at our home and what a difference. A neighborhood friendly walking path along the existing C2, connecting to Lexington. Garages facing away from the streets where possible. A workable egress and entrance system balancing the new neighborhood traffic flow. And most impressively, the preservation of so many significant and heritage trees. And while I truly wish this was not hap pinging, Pulte has done a stellar job in this proposed development. 5 new homes will now take the place of our beautiful wooded view, but I do not know how much better a job, minimizing the impact of 28 new homes they could have done. They have managed to blend a new project into a old, established neighborhood, with minimal negative impact. In support project, and because it is right next door to me, I attended the March 2. 2011 Planning Commission meeting and was extremely disappointed to hear residents of Josephine Road ignore the development, and instead turn the meeting into another attempt to push C2

Attachment D

thru to Lexington, ignoring all of the data provided, showing no to little increased traffic on Josephine Rd., and ignoring the real danger to the current and future residents should C2 be pushed. The current C2 cul-de-sac residents will be already seeing an increase in traffic of 18 to 20 households that the Josephine residents will not. They are accepting of that, but would hope to preserve and enhance the neighborhood by following the plan submitted by Pulte and approved by the Planning Commission. We hope the Council feels the same way. Which brings me to this letter prompted by continued lobbying by Josephine Rd residents, following yet another denial by a sitting Roseville Commission or Council, to connect C2 to Lexington?

I wish to be clear that while I would be negatively impacted by a road going thru, I can see traffic coming and deal with it. Those to the east cannot. That being said, I am totally opposed to connecting C2, unless someone can show a truly positive reason for doing so. Safety or neighborhood enhancement, not just to placate a small group and provide non-residents another shortcut thru one of our Roseville neighborhoods. Pushing the road thru will degrade the neighborhood, create an unsafe situation and require the removal of between 9 and 18 trees marked for preservation in the plan submitted and approved by the Planning Commission. Should the Council decide it is Roseville's best interest to do a connection, I hope the residents of C2 are afforded the same considerations that were extended to the Josephine Road residents when Josephine Road was rebuilt to the condition it now is in. I might add that when C2 was rebuilt in 95, assurances were given, in writing that the city had no current or future plans or desire to connect and many people purchased homes based on this information while Josephine Road has always been a thru road. I will be following this letter up with a call to each of you to further be able to speak to each of you on this matter and again want to thank you for your concern about our city and its future, as well as respecting it's past.

Best Regards

Chuck Stokes

Additional Information:

Form submitted on: 3/8/2011 3:45:00 PM

Submitted from IP Address:

Referrer Page: No referrer - Direct link

Form Address: <http://www.ci.roseville.mn.us/forms.aspx?FID=115>

Bryan Lloyd

From: [REDACTED]
Sent: Friday, March 11, 2011 2:34 PM
To: *RVCouncil
Subject: Josephine Woods/Smith Development agreement for project south of the Pulte Josephine Woods Project

Dear City Council Members:

As a developer in 1988 I had an option to purchase the commercial site at the corner of Lexington and Woodhill Dr. I believe that at the time I was told by the developer that the project was contingent on the city agreeing to allow a cul-de-sac at the Western end of Cty. Rd C-2 from Lexington. and not allowing C-2 to be connected as was Ramsey Counties Plan. The reason given to me was that in order to sell the homes on that stretch of road, they needed it in order to be able to sell the homes.

I am a resident at 1210 Josephine Rd, so this project is extremely important to me and others that will have traffic diverted to Fernwood and Josephine Rd. I tried to get an copy of the Development Agreement for that project and was told that I would have to wait for the City Attorney to review the agreement. That in itself raises red flags!

I just wanted to find out what time period the city agreed upon and why they are not truthful on this matter. If I am wrong, then show me the agreement or any side agreement with the Developer or George Reiling and I will be satisfied.

I have also asked for the traffic report and the methodology that was used to take the traffic counts.. It was done in January, when it was cold and snowy and not at the peak times in the summer when traffic doubles. I would like to have the firm that did traffic studies for me to review this report and the methods used to do the study to see if it was the correct and best way to do the study and if it gave good results. So far no one on Josephine Rd has received and copy that they asked for and neither have I. This makes me very suspicious. In the Planning

Commission meeting some of the comments from those who live on C-2 that opening C-2 was sure to bring injury to children was a little bit of theater. Obviously the same is true for the resident in the Fernwood and Josephine neighborhoods. The answer is simple. Put a three way stop at the top of the hill on C-2 with through traffic going west on C-2.

All of this may be mute if it can be proven that the City made an agreement for a period of time not to open up C-2 as was the intent when C-2 was first constructed.

Another thing I will ask the council is how in the world did Josephine Rd be designated a connector road. The City required that sidewalks be put in on a narrow 2 lane road and now it is smaller with little parking or ability to get to our mail boxes. Traffic backs up all the way to Fernwood. Also because of the side walk that no one wanted there are many walkers that use year round. Also the neighborhoods to the south of C-2 use Fernwood and other streets to walk to the Lake. There are no side walks on C-2 and it is much wider. This could be because of an agreement that would not allow C-2 to be extened. I would like to have the information that I requested before the next Council meeting on March 25th.

This process is moving to fast and I would ask for this to be taken off the March 25th agenda and discussed at the April 11th agenda to give us more time to collect and review the above information.

Thank you for your time and consideration

Wendell R. Smith
 1210 Josephine Rd.
 [REDACTED]

Bryan Lloyd

From: Cheryl Wallin [REDACTED]
Sent: Saturday, March 12, 2011 9:39 PM
To: *RVCouncil
Subject: Josephine Woods/Wallin Pulte Home's "Josephine Woods" proposal

Roseville Mayor and Council Members

As a resident on Josephine Road, I was disturbed to recently find out the Roseville Planning Commission is recommending approval of a new development "Josephine Woods" which will impact the traffic on Josephine Road without notification and/or discussion with all residents who will be most impacted by this development. While my husband and I are not against this development, we are greatly disturbed in the process that was used for them to recommend approval of such a development without at least soliciting our input.

It is our understanding that the projections are for this development to generate an additional 286 vehicle trips per day, some percentage of which will utilize Josephine Road. Since we are "late to the party", it is unclear to us why it makes more sense to add traffic to the intersection of Josephine Road and Hamline versus opening County Road C2. This change to the proposal would allow this traffic to utilize the intersection of C2 and Hamline which your traffic study shows has two-thirds less traffic than the Josephine/Hamline intersection (105 vs 35 - A.M. Peak Hour Volume and 70 vs 25 - P.M. Peak Hour Volume).

We are asking that the Mayor and Council Members recognize the well intended but misguided attempt to get this project approved by the Planning Commission by delaying approval of this project until the April 11th Council meeting. Such a minor delay would allow us and our neighbors a reasonable amount of time to research the planning commission's recommendations as well as to fully understand the traffic study.

Thank you for your consideration.

Cheryl Wallin
1255 Josephine Road
[REDACTED]

Bryan Lloyd

From: support@civicplus.com
Sent: Monday, March 14, 2011 8:18 PM
To: *RVCouncil; Margaret Driscoll; Bill Malinen
Subject: Josephine Woods/Sancillo Online Form Submittal: Contact City Council

The following form was submitted via your website: Contact City Council

Subject: County Road C2

Name:: Michael and Suzanne Sancilio

Address:: 1221 West County Road C2

City:: Roseville

State: : MN

Zip:: 55113

How would you prefer to be contacted? Remember to fill in the corresponding contact information.: Email

Email Address:: [REDACTED]

Phone Number:: [REDACTED]

Please Share Your Comment, Question or Concern: We live on County Road C2, immediately to the west of the proposed Josephine Woods development. We will miss the woods that have been adjacent to our property for 19 years and the wildlife that have been frequent visitors to our yard. The elimination of the woods and the addition of 28 homes will most definitely change our home's venue and our family's enjoyment of our property.

A more significant impact would be caused if County Road C2 becomes an open thoroughfare from Snelling Avenue to Victoria Avenue. County Road C2 was not designed to be a high-usage road, but it would become one as it draws drivers seeking a way to travel across Roseville. An increase in the number and in the speed of the cars using the road will be two major negative and dangerous results from this unnecessary revision. In addition, County Road C2 has a hill that feeds into a blind intersection with Merrill Avenue (when traveling east bound) and a descent (when traveling east bound) that will be even more hazardous to pedestrians and traffic alike with increased traffic.

In the midst of this discussion it is important to remember that Josephine Road has always been an open, east-west thoroughfare and those choosing to make their homes along it bought into it as such. To now change County Road C2 would be making a major negative alteration to the neighborhood that we and our neighbors bought into.

We appreciate the fact that the Roseville City Council has consistently recognized and respected the many concerns regarding the opening of County Road C2 that we and others living along it share. The preservation of the road's current design is supported both within the City's 2030 Comprehensive Plan and through the repeated promises made to our neighborhood's residents that it would not be altered and the road would not be opened. We urge you to remain firm in this decision.

Sincerely,

Michael and Suzanne Sancilio

PLANNING FILE 11-003**Request by Pulte Homes of MN, LLC for approval of a PRELIMINARY PLAT of the residentially-zoned property in the NW corner of Lexington Avenue and County Road C**

Chair Boerigter opened the Public Hearing at 7:35 p.m.

Associate Planner Bryan Lloyd reviewed the request of Pulte Homes to plat the northwestern corner of the parcel at the intersection of Lexington Avenue and County Road C2 to accommodate twenty-eight (28) one-family lots. Mr. Lloyd advised that plat proposals were reviewed primarily to ensure all proposed lots met minimum size requirements of the Zoning Code, and that adequate streets and other public infrastructure were in place or provided; and that storm water was addressed to prevent any problems on nearby properties or within the City's storm water system itself.

Mr. Lloyd reviewed staff's analysis, through the Development Review Committee (DRC, a body comprising staff from all City Departments, and their findings pertinent to the plat; and as detailed in the Request for Planning Commission Action dated March 2, 2011.

Mr. Lloyd advised that, since noticing the project and tonight's Public Hearing, staff had fielded several comments and concerns of the public, including traffic impacts and infrastructure issues.

Staff recommended approval of the PRELIMINARY PLAT of the property in the northwest corner of Lexington Avenue and County Road C2, based on the comments and findings of Sections 4-6 and the conditions of Section 7 of the staff report.

At the request of Chair Boerigter, Mr. Lloyd provided a brief overview of considerations of the Planning Commission for approval of a Preliminary Plat, including street rights-of-way, lot lines, easements for infrastructure improvements, restricted access of driveways onto Lexington Avenue, and adherence to the recently-adopted tree preservation ordinance. Mr. Lloyd clarified that Preliminary Plat approval did not include building footprints, and that at this time, those only served as illustrative and would be regulated by City Code regulations as the project moved forward.

Related to legal standards, at the request of Chair Boerigter, Mr. Lloyd advised that the Commission should review whether proposed lots met subdivision and lot requirements, and if there was adequate infrastructure to accommodate a proposed development.

City Planner Thomas Paschke

Mr. Paschke expanded that the Commission should, in their infrastructure review that included location of existing and/or proposed roads and street accesses, whether the development appeared to work or if there were any obvious issues, limiting their review to what could be legally required of a development, and based on staff's detailed analysis and recommendations.

City Engineer Deb Bloom

Ms. Bloom concurred with Mr. Lloyd and Mr. Paschke in staff's review of existing infrastructure and those needed as part of that plat review process. Ms. Bloom noted that that review included whether there were adequate streets, whether the lots met frontage requirements, proposed street widths, and proposed radii of any cul-de-sacs. Ms. Bloom advised that, after that review and prior to development, a Public Improvement Contract would be negotiated between the developer and the City prior to FINAL PLAT consideration and approval by the City Council. Ms. Bloom highlighted some of those areas of review, including property addresses; emergency vehicle signage; and whether the existing sanitary sewer system's capacity could accommodate the development.

Sanitary Sewer

Ms. Bloom advised that there was an existing lift station on Josephine Road and that, pending final capacity calculations, it was thought to be adequate, but that the Public Improvement Contract would address that issue.

Water Main

Ms. Bloom advised that an extension to loop the line would be required.

Storm Water Management

Ms. Bloom noted that the area was now only a large open space, but that the development would require a permit from the Rice Creek Watershed District (RCWD) who had already reviewed the proposed development and its location and relevance to three existing wetlands on the development site. Ms. Bloom advised that those existing systems received some stormwater from the existing, undeveloped site, and were also connected to Ramsey County Open Space on the east side.

Ms. Bloom advised that, under current regulations, runoff from a site could not increase, requiring volume reduction and infiltration reduction mitigation, as regulated and permitted by the RCWD. Ms. Bloom noted the existing homes on Fernwood and Josephine Road, and overland emergency storm water flows in place for more than six inches (6") of rain within twenty-four (24) hours, and pone installation needed to accommodate any additional runoff, that would be accomplished by the developer through a series of infiltration basins to meet those requirements; and an overland flow established on Block 2 to avoid any damage to other homes during extreme rain events.

Pathways

Ms. Bloom advised that the City's Pathway Master Plan provided for a connection along County Road C2 for the entire length of the plat; and that the developer's provision for a pedestrian/bicycle connection was consistent with that Master Plan, and that the proposed pathway connected to Lexington Avenue and Josephine Road, and would be part of the dedication required of the developer.

Vehicular Traffic

Ms. Bloom provided extensive comment on the existing and proposed traffic conditions, and traffic studies related to this area and the proposed development. Ms. Bloom noted that County Road C2 was a City street, and had never been connected; and further noted that when George Reiling developed the housing complex that included the Lexington Apartment complex and other housing units in 1998, County Road C2 dead-ended and there was no cul-de-sac in existence. Ms. Bloom advised that staff's research had indicated that there was an initial proposal in 1988 to connect County Road C2, but that it had not been well-received by the neighborhood; thus causing plans to be redrawn and accesses revised for the apartment complex and some single-family homes. Ms. Bloom noted that there was a discussion and motion before the City Council at that time to vacate the County Road C2 right-of-way, but that it had failed as the elected officials wanted to preserve the ability to construct it in the future.

Ms. Bloom reviewed the City's traffic study, using existing conditions, and that of the proposed residential development, in conjunction with the City's consulting traffic engineer, SRF Consulting, including review of existing turns at five (5) major intersections. Ms. Bloom advised that all of the intersections were operating at a Level A during a.m./p.m. peak hours; noting that anything rated above a Level C was an industry accepted level, and one supported by the City of Roseville. Ms. Bloom advised that in applying additional traffic, calculated at 268 trips per day, from the additional twenty-eight (28) homes and their distribution along the roadway system, including anticipating their most predictable flow and impacts to those identified intersections, it was determined that the intersections would continue to operate overall at a Level A. Ms. Bloom noted that, if there had been any indication that there would be a change or decrease in their level of operation, staff would require that the developer construct mitigation steps. However, Ms. Bloom advised that, in this case, staff found no need for such mitigation. In general, Ms. Bloom advised that while there had been some discussion if County Road C2 should be extended through at this point due to additional traffic, staff found no evidence to support it as a mitigation step related to this development.

Ms. Bloom advised that, according to Police Department records at the major intersections in the area over the last three (3) years, there was nothing to be served by adding any additional signals other than perhaps aiding those County Road C2 cul-de-sac residents. Ms. Bloom noted that it was difficult to turn north on Lexington Avenue; however, she noted that the proposed residential development would provide an additional access point for that entire area.

Roseville Public Works, Environment, and Transportation (PWET) Commission

Ms. Bloom advised that the City's PWET Advisory Commission had reviewed the Preliminary Plat at their meeting last week, and found that there were adequate easements and buffers around the wetlands.

Ms. Bloom noted that the PWET Commission reviewed the proposed City standard street widths at thirty-two foot (32'); and when asked for their recommendation on extending County Road C2 at this time, were not supportive of doing so; however, they recommended retaining the right-of-way.

At the request of Chair Boerigter, Ms. Bloom reviewed perceptions for low elevation on the entire Block 1 compared to the surrounding area; and staff's investigation for possible wetland purposes, but its lack of wetland characteristics. Ms. Bloom advised that the area was proposed to retain its current elevation, and that the 1-5 homes in that area were proposed as walkouts., and that those driveways would have a three percent (3%) grade to County Road C2.

At the request of Chair Boerigter, Ms. Bloom confirmed that the grade of Fernwood was at a five percent (5%) grade from the hill and leveled off from that point to a 9.10 to 85.

Ms. Bloom clarified and reviewed street capacities and classifications for Chair Boerigter that County Road C2 served as a collector street and was part of the State Aid system; as well as Josephine Road and Woodhill, with Fernwood serving as a local access street serving as a residential access point.

At the request of Member Wozniak, Ms. Bloom reviewed the varying widths of Josephine Road when it was reconstructed in 2001, based on input from a property owner task force, and their concerns to make it wider and impacts to property owners while including a pathway. Ms. Bloom noted that past philosophy was that "wider is better," and changes in that philosophy over the last forty (40) years. Ms. Bloom noted that Josephine Road was constructed at a twenty-six foot (26') width with parking bays and at State Aid road standards including parking restrictions based on roadway width. Ms. Bloom advised that County Road C2 was constructed during a different era and under past philosophy in the 1980's when wider roads were deemed advantageous. Ms. Bloom advised that now roadways were built to the necessary standards.

Ms. Bloom, when asked about the tree preservation application, deferred to the expertise of the Community Development Department staff, noting that this was staff's first application of that recently-adopted ordinance.

Applicant Representative, Marv McDaris, Chief Manager with Pulte Homes, (7500 Office Ridge, Eden Prairie, MN)

Mr. McDaris advised that they were in concurrence with staff's written and verbal reports. Mr. McDaris advised that he was available at tonight's meeting to address any comments and questions of the Commission and/or public, along with the Developer's Consulting Engineer, Clark Wicklund, and their Environmental Engineer Jeremy Deer.

Unrelated to this land use review, Member Wozniak asked if the developer had established a price range for the homes in this development.

Mr. McDaris noted that the developer had yet to close on the property, and hoped to do so this spring and begin development with anticipated development in late summer. Mr. McDaris anticipated initial construction of homes in late summer, with the first ones completed in the fall for their inclusion in the fall Parade of Homes event, with an approximate value starting in the low \$400,000's. Mr. McDaris noted that while the developer was still in the process of reviewing floor plans, they would conform to all City building ordinances and architectural requirements, and their finished area would be between 2,400 and 3,000 square feet, not counting basements, which would be included.

Public Comment

*Written comment via e-mail was received from several residents (mostly expressing concern with additional traffic on Josephine Road and supporting opening up of County Road C2) with those comments provided by staff as a bench handout, **attached hereto and made a part hereof.***

Stuart Schwiff, 1233 Josephine Road

Mr. Schwiff had submitted written comments, provided as a bench handout at tonight's meeting, supporting opening County Road C2 to allow efficient use and eliminate additional traffic demands of Josephine Road and to address additional traffic burdens in this area of Roseville.

Mr. Schwiff addressed his issues concerning the cumulative impacts of the proposed development and developments over the last thirty (30) years in the County Road C2 area. Mr. Schwiff addressed future development by Presbyterian Homes at Hamline Center into a senior living complex, including small retail stores on the lower level. Mr. Schwiff noted other developments in the past few years and those proposed, including Applewood Pointe, mid-level townhomes adjacent to Autumn Grove Park, and sites targeted for townhomes and/or multiple family homes south of this property.

Mr. Schwiff advised that he had served on the 2030 Comprehensive Plan Update Committee, and noted the 2006 transportation plan showing 2,500 cars along Josephine Road. Mr. Schwiff reiterated the near fatal incidents he had observed with children waiting for buses and vehicles traveling too fast. Mr. Schwiff referenced the traffic forecasts in 2006 at 2,500 to the 2030 forecast at 6,500 vehicles, and opined that County Road C2 needed to be opened to share that traffic volume.

Mr. Schwiff noted that another benefit of opening County Road C2 would be to meet the goals of the 2030 Plan to maximize current usage of existing roadways.

Wendell Smith, 1210 Josephine Road

Mr. Smith had submitted his written comments that were provided as a bench handout for tonight's meeting expressing his concerns related to traffic, suggesting a signalized intersection at County Road C2 and Lexington Avenue; and opening up County Road C2.

Mr. Smith reviewed roadway changes to Josephine Road and parking areas and questioned its width compared to County Road C2.

Ms. Bloom advised that Josephine Road, as addressed in her previous comments, was twenty-six feet (26') wide versus the standard thirty-two foot (32') width, based on resident input and new "Complete Streets" philosophies.

Mr. Smith opined that summer traffic included foot traffic from neighborhoods up to ten (10) blocks away. Mr. Smith advised that he was not opposed to the proposed project, but only against traffic and road designations; and questioned the requirement for two (2) entrances into the proposed project.

City Planner Paschke advised that, given the length of the proposed development, the City could not approve the length required; with Ms. Bloom concurring and noting that the development was at the maximum length for cul-de-sacs in the City and required two (2) accesses.

Ms. Smith noted the extensive backups experienced during rush hours on Josephine and Fernwood; however, he was not supportive of installing a signal at Josephine Road, due to the curve. Mr. Smith opined that the City had been short-sighted when it allowed for construction of the cul-de-sac rather than having County Road C2 as a through street; and had previously asked Ms. Bloom when she anticipated County Road C2 would become a through street; and why it wasn't already as had been anticipate by Ramsey County many years ago when it was first constructed. Mr. Smith opined that it only made senses for a signal at County Road C2 and Lexington Avenue; and asked that the Planning Commission seriously consider recommending that County Road C2 be put through at this time and as a condition of this project's approval, as well as a signal at County Road C2 and Lexington Avenue. Mr. Smith suggested that Ramsey County would be receptive to such a recommendation based on traffic flow and safety issues; and to accommodate Merrill Drive and Fernwood foot traffic.

At the request of Member Gottfried, Ms. Bloom confirmed that Lexington Avenue was a County State Aid highway, and classified as a minor arterial road; and that the entire length of County Road C2 was and had been a City street for at least thirty (30) years, probably initially conveyed by Ramsey County as a turnback road. Ms. Bloom referenced several other major streets in Roseville that were perceived to be County roads, but were actually City streets.

Michael Schoenleber, 1225 Josephine Road

Mr. Schoenleber expressed his frustration in backing out of his driveway during peak morning traffic onto Josephine Road due to current traffic volumes, in addition to difficulties in accessing his mailbox across the road. Mr. Schoenleber opined that existing traffic went too fast on the narrow street, creating safety issues. Mr. Schoenleber questioned the rationale for not opening up County Road C2 to make traffic flow more equitable throughout the neighborhood. Mr. Schoenleber opined that the development would add even more traffic on an already too busy Josephine Road.

Mr. Paschke advised that such a decision would require a policy discussion at the City Council level.

Ms. Bloom advised that staff made recommendations on proposed developments, with those recommendations based on consideration of traffic studies and potential impacts. Ms. Bloom concurred with Mr. Paschke that whether County Road C2 went through or not would be a policy discussion for the City Council to hold; but that staff was only recommending that the right-of-way be preserved at this point, since it was staff's opinion that the traffic study did not indicate County Road C2 going through as a necessary benefit at this time and given the development currently before them. Ms. Bloom noted that tonight's consideration was for recommendation by the Planning Commission to the City Council of Preliminary Plat approval; and that a Public Improvement Contract was still pending, and opening County Road C2 could be discussed with the City Council.

Mr. Schoenleber asked that staff provide their opinion as to whether it would be of benefit to open County Road C2.

City Planner Paschke noted that staff seriously reviewed traffic issues and studies, and opined that Josephine Road was designed as a collector street and had more than enough capacity for the additional cars projected daily during peak hours.

City Engineer Bloom advised that this conversation had been held at a staff level, and if staff determined it was warranted that County Road C2 go through as part of this development, staff would have brought forth such a recommendation. However, Ms. Bloom advised that, based on City Council direction to staff for review of any mitigating impacts needed due to a development or redevelopment project, staff's review had indicated no such mitigation was required. Ms. Bloom advised that staff had thoroughly reviewed of traffic connections in the area, and projected volumes through development of this area, and they were not recommending that County Road C2 go through or that additional signals were necessary to facility existing or projected traffic volumes and flow. Ms.

Bloom advised that this City Council policy, their direction to staff, and staff's review process, and subsequent recommendation following that review process, remained consistent throughout her twelve (12) year tenure with the City of Roseville.

Chuck Stokes, 2875 N Griggs Street

Mr. Stokes, based on his residency since 1990 and during construction on County Road C2, noted that there had been a lot of discussion and compromise between the City and residents on that construction. Mr. Stokes referenced, and read, correspondence between the City's Public Works Director at that time and concerned residents, supporting his comments that the issue of whether or not to open County Road C2 had been previously discussed and rationale for not doing so. Mr. Stokes opined that traffic in this area had increased, similar to that experienced in all areas of the City and based on different lifestyles that have developed and more vehicular traffic as a result. Mr. Stokes further opined that if County Road C2 were to be opened, he would guarantee a fatality in the first year due to the physical layout of the road from Merrill to Griggs, the enormous speed of vehicles, and the steep road grade. Mr. Stokes opined that those most severely impacted would be those living on the cul-de-sac, and that others wouldn't be able to see vehicles coming, especially those walking the area. Mr. Stokes expressed his favorable impressions with the second plan submitted by Pulte Homes, and praised their efforts at tree preservation; and for their compromises in developing the site, given the challenges in the area.

Mr. Stokes questioned if the developer intended the homes to be "spec" or custom built.

Mr. McDaris advised that the developer anticipated 4-5 floor plans with several different exterior elevations; and preferred pre-selling the homes, rather than building on "spec".

Mr. Stokes advised that there were many families with young children in the area who walked a lot and that the addition of the pedestrian walkway was good. Mr. Stokes reiterated his concern in opening County Road C2 for safety concerns; while recognizing the concerns expressed by those residents on Josephine Road.

Mr. Stokes reiterated his observations over the last twenty (20) years; and opined that the Pulte proposal seemed to be a good use of the property; while not eager to see it developed and preferring to keep the natural area.

Mr. Stokes opined that the City and its residents would be best served by keeping County Road C2 from going through, including those residing on the cul-de-sac since they would be the most impacted if it were to go through.

Donna Miliotis, 1128 County Road C2

Ms. Miliotis referenced the ongoing debate every few years as to whether to open up the County Road C2 cul-de-sac; and referenced her past interviewing of approximately two hundred (200) residents approximately 5-6 years ago, from Snelling Avenue to Victoria Street, and petition to not have it go through since people didn't want another east/west route bisecting the City and destroying neighborhoods.

Ms. Miliotis sought clarification that the plat drawing (Attachment C) did not reflect the actual proposal as it appeared to do rather than including it as a cul-de-sac.

Ms. Miliotis also asked that the City and/or the developer address wildlife displacement mitigation plans; expressed appreciation of the tree preservation efforts; expressed concerns on topography and drainage issues in the area; noting that as a cul-de-sac resident, she and many of her neighbors were affected by storm events. On behalf of those affected residents, as well as future homeowners, she encouraged the City to be heavily involved in ensuring adequate drainage.

Zoe Jenkins, 2930 Fernwood

Ms. Jenkins shared the concerns expressed by the previous speaker related to drainage issues. Ms. Jenkins reviewed the flooding experienced annually on the east side of her property; and the work done by the neighbors in keeping the storm water pond areas clean over the years. Ms. Jenkins expressed concern that the homes proposed for construction on the north side of County Road C2 (Block 2) be planned for accordingly due to this low area and consistent drainage issues. Ms. Jenkins also shared the comments of the previous speaker related to displacement of wildlife and whether any green corridors were provided for that wildlife.

Richard Skaggs, 1160 Josephine Road

Mr. Skaggs expressed concern with the developer's plans for the twenty-eight (28) units and the timing for their construction, opining that he would not like to find the neighborhood in a situation with numerous vacant units in this current housing market.

Mr. Skaggs expressed his concern with the developer's drainage report and concerns expressed by residents about property drainage; and suggested that different modeling exercises and assumptions be used based on changes in Minnesota's precipitation climate and wetter conditions from 1970 to 2003 and precipitation design values and calculations. Overall, Mr. Skaggs spoke in support of the project as a good addition to the City;

265 however, he suggested a more robust drainage and flood control infrastructure plan during initial development of
 266 the project to avoid future costs to citizens and homeowners.

267 **Betty Gladfelter, 1180 Josephine Road**

268 Ms. Gladfelter had submitted her written comments that were provided as a bench handout for tonight's meeting
 269 expressing her interest in opening County Road C2 in the proposed development plan.

270 Ms. Gladfelter questioned the timing of the traffic study.

271 Ms. Bloom advised that the study had been completed in January of 2011.

272 Ms. Gladfelter suggested the study should be done during the summer to address lake traffic on Josephine Lake
 273 that would significantly increase flow and overall numbers.

274 Ms. Gladfelter noted her personal experience in accessing Cottontail Park and vehicles not stopping for
 275 pedestrians to cross Josephine Road in designated areas.

276 Ms. Gladfelter addressed storm water runoff, with her property bordering a pond on the northwest side; and
 277 sought additional detail on how that pond would be affected by the proposed development; including water levels
 278 and any other pond proposed to be constructed in the vicinity; and environmental impacts to the existing pond.

279 **Pam Newcome, 1245 Josephine Road**

280 Written comments were received from Richard and Pam Newcome and provided as a bench handout at the
 281 meeting and requesting that the Josephine Woods development proposal be contingent on opening County Road
 282 C2, based on their concerns with traffic.

283 Ms. Newcome's verbal comments reiterated those expressed in her written comments, as she expressed
 284 disappointment that no provisions were made in recommendations for opening County Road C2. Ms. Newcome
 285 noted that, while a classified as a residential collector street, Josephine Road was narrow, and there were safety
 286 concerns already due to increased traffic with County Road C2 not being open, and impacts to those homes
 287 fronting the street; and opining that the new development would only further add to an already-dangerous
 288 situation.

289 Ms. Newcome sought clarification on the width of the street and whether it included parking bays.

290 City Engineer Bloom advised that the street width was twenty-six feet (26') with that width increasing to thirty-five
 291 feet (35') at the traffic bays.

292 Ms. Newcome noted that she was not opposed to the new development, but opined that it was a matter of equity
 293 and that increased traffic generated should be a burden shared by all in the area.

294 **David Miliotis, 1128 County Road C2**

295 Mr. Miliotis opined that a lot of personal observations and opinions had been shared tonight; however, he
 296 expressed his interest in hearing the facts. Mr. Miliotis referenced the traffic studies performed by certified traffic
 297 engineers, and their analysis based on their expertise that there would be little impact from the development. Mr.
 298 Miliotis expressed his appreciation to City staff in taking time to meet with Josephine Road residents in the past to
 299 seek their input on that 2001 road reconstruction. Mr. Miliotis opined that this was a fine proposal and agreed that
 300 it was a good use of the plat, and addressed continued growth of the community while taking into consideration
 301 the preservation of natural spaces.

302 **Jerry Hammond, 1200 Josephine Road**

303 Mr. Hammond noted that there was a fairly substantial hill on Josephine Road that seemed to be a similar death
 304 trap as that referenced in previous public comment.

305 Mr. Hammond confirmed with Ms. Bloom that the proposal provided for an exit from Fernwood onto County Road
 306 C2 to Lexington Avenue.

307 Mr. Hammond questioned the rationale in having the barriers on County Road C2 to prevent traffic from going
 308 through and what long-term plans were for their removal. Mr. Hammond further questioned why the right-of-way
 309 continued to be retained, and opined that County Road C2 should be permanently blocked off and the lot sold.

310 Mr. Hammond spoke in support of the proposed development; and concurred with comments related to a need to
 311 ensure adequate drainage, noting this lot bordered the northwest pond. Mr. Hammond opined that it was
 312 important to maintain trees; and expressed his appreciation for the new tree preservation ordinance, and hoped
 313 that it was enforceable as the project proceeded.

Mr. Yi He, 1144 Josephine Road

Mr. He expressed his appreciation of the developer's efforts at tree and wildlife preservation. In addressing whether County Road C2 needed to be opened, Mr. He provided his perspective on the amount of vehicles per day, opining that even on a busy day they were minimal; and spoke in opposition to opening County Road C2 as a response to ease congestion in the area. However, Mr. He suggested that by partially opening Fernwood to connect to County Road C2, it would allow that neighborhood to share some of the traffic burden. In response to concerns raised about the safety of young children, Mr. He opined that it was the burden for parents to teach their children to be aware of increased traffic.

Mr. He expressed some concern with potential drainage issues.

Allen Carrier, 1040 County Road C2

Mr. Carrier noted that this property was formerly owned by his uncle, and over the years, he had observed a lot of development in the area, and expressed his knowledge of the topography of the property. Mr. Carrier complimented Pulte Homes in coming up with a design to build on this property given that topography.

Mr. Carrier expressed his opposition to County Road C2 going through, and provided his historical perspective on previous petitions by residents along Josephine Road to have County Road C2 go through; and related correspondence resulting in withdrawal of the petition.

Mr. Carrier advised that he had previously spoken to City Engineer Bloom regarding storm water runoff concerns; and had one additional question related to whether additional storm water runoff from the street to the catch basin would eventually run into the holding pond on the corner of County Road C2.

Ms. Bloom responded negatively, but deferred a more detailed response to the developer's consulting engineer, Mr. Wicklund.

Mr. Carrier noted that the area drained into Little Lake Josephine, and if the corner lot was for a holding pond, it would serve to increase the amount of sand, salt and fertilizer already draining into it over the years. Mr. Carrier questioned how often holding ponds were dredged out to remove that sediment to avoid build up and drainage into Lake Josephine and further deteriorating its water quality.

Mr. Carrier wished the developer well in building and selling homes in the current market.

Mr. Carrier questioned how the plat could represent a Preliminary and FINAL plat on the same page.

Mr. Karri Sundstrom, 1160 County Road C2

Mr. Sundstrom observed that residents along County Road C2 and Josephine Road continued to have this ongoing dispute; and questioned why another road from Lexington Avenue through the proposed development would not solve the problem.

City Engineer Bloom advised that it was a safety issues, and was based on standard access safety guidelines.

Jo Schwiff, 1233 Josephine Road

Ms. Schwiff asked that the developer provide their intent for the huge berm currently across from Lexington Avenue, and whether that would be scaled back or what it would look like aesthetically from the perspective of the development as well as from Lexington Avenue and Josephine Road.

Catharina Field, 1136 County Road C2

Ms. Field expressed appreciation in the City listening to public comment. Ms. Field expressed her major concern being that of drainage from the lakes to the apartment building complex; and expressed hope that the developer took that into consideration. Ms. Field opined that she didn't see any issue with the overall development other than traffic; and noted that Josephine Road residents were not the only ones that would be impacted by increased traffic, but that the homes in the cul-de-sac would also be impacted. However, Ms. Field opined that she didn't see any benefit in opening up County Road C2.

Zoe Jenkins, 2930 Fernwood (repeat speaker)

Ms. Jenkins expressed her appreciation to see Fernwood coming out on the east side of the cul-de-sac, while expressing some concern with traffic impacts to her lot personally, opining that Merrill and Fernwood would really be impacted as she suspected more people would access the development off Lexington from County Road C2 than Josephine Road. Ms. Jenkins, in addressing her friends on Josephine Road, noted that she had signed their petition in support of keeping the cul-de-sac on County Road C2; and continued to support keeping it blocked.

Ms. Jenkins expressed appreciation to the developer on the proposed plan, even with the loss of the woods; however, she reiterated her drainage concerns.

Bill Samayou, 2870 Fernwood

Mr. Samayou noted the perennial problem on County Road C2 on the south side with traffic coming over the hill at a high rate of speed, and resulting accidents. Mr. Samayou suggested that traffic engineers address that slope.

Mr. Samayou addressed the standing grove of Oak trees, and earlier discussions in the 1990's and part of the rationale in blocking off County Road C2 was to preserve that growth, and opined that they had been a benefit to the neighborhood as a barrier for traffic; and noted affects to their roots caused by heavy tramping during construction but not evidenced until after several years.

Mr. Samayou questioned the proposed 268 trips per day and how that would impact flow on the roadways; and whether berms would be installed for those unable to stop; and how the curve on Ms. Jenkins road would impact adjacent properties.

Mr. Samayou questioned the gradient of the back wall of the development and the steep lots, and whether there was sufficient room to prevent erosion; and how much natural vegetation was required to hold groundwater in those areas.

Mr. Samayou questioned if the power lines would be undergrounded, with City Engineer Bloom responding affirmatively.

Don Bishop, 1170 Josephine Road

Mr. Bishop questioned if an Open House was already held by the developer, and expressed concern with tree preservation, environmental issues. Mr. Bishop expressed concern in accessing mailboxes by residents not on the lake side, and whether the Post Office would consider putting mailboxes on both sides of the road.

Bill Kushman, 1265 Josephine Road

Mr. Kushman questioned the overall size of the project area, with City Engineer Bloom advising that it was approximately 13-14 acres total.

Mr. Kushman performed his own calculations on the minimum lot sizes for the proposed twenty-eight (28) units; and questioned if minimum square footage requirements were addressed in City Code for single-family dwellings.

City Planner Paschke advised that there were no square footage requirements, but that the Comprehensive Plan guided the area for Low Density Residential (LDR). Mr. Paschke advised that all twenty-eight (28) lots met minimum lot standards of the City's current code, both corner and interior lots, and their relationship to roadways.

Recess

Chair Boerigter recessed the meeting at approximately 9:08 p.m., reconvening at approximately 9:16 p.m.

Applicant Representatives to address Comments/Questions of the Public**Clark Wicklund, Alliant Engineering, Applicant Representative**

Mr. Wicklund had taken notes during public comment, and responded to those comments and questions.

Tree Preservation/Grading

Mr. Wicklund displayed a rendering of the site showing tree preservation illustrations after development. Mr. Wicklund expressed appreciation to the public comments related to the developer's efforts to preserve trees, noting that the City's newly-adopted ordinance was quite conservative and while proving challenging, they had been able to comply with its requirements. Mr. Wicklund advised that the developer intended to retain the existing berm and as much vegetation as possible to screen views into the development, with their intent to screen the area off Lexington Avenue as much as the perimeter as possible to limit impacts to adjacent property owners.

County Road C2 Status

Mr. Wicklund advised that their site plan was required to show the County Road C2 right-of-way going through as a precaution should the City Council ever determine the necessity for it to go through. In consideration of the extensive history and scope of those past discussions, Mr. Wicklund asked that it be considered apart from this application.

Drainage

Mr. Wicklund displayed the grading plan for the project site; noting that the current grading plan had been submitted to the RCWD for their consideration and pending action on March 23, 2011; and advised that the plan as prepared and submitted to the City complied with requirements of the RCWD.

Related to references of Mr. Skaggs to the Hirschfield Study model and calculations, Mr. Wicklund noted that as the Design Engineer, he was required to recognize the requirements of the governing agencies within the project area, specifically the RCWD and City of Roseville, and that was the reason for using that study for the proposal.

Mr. Wicklund opined that, at some point, as with all underground drainage plans, it would fail; but advised that the engineering plans had provided for such an event through providing for overland mitigation.

Mr. Wicklund noted that City Engineer Bloom had previously addressed the three (3) wetland areas, and reviewed current drainage of the entire site inward to a local low point. Mr. Wicklund advised that the proposed grading plan provided for walkouts to address grade changes off County Road C2 with the homes along that line having service stubs already installed, and providing rear yard drainage and outlet by way of a storm structure proposed to route into a drainage pond or wetland area. Mr. Wicklund clarified that the area was recognized currently as a wetland, not a basin, and that discharge directly into a wetland was allowed; and that the intent was only to route runoff from rear yards that should address concerns of any additional pollutant loading. Mr. Wicklund further clarified that such pollutant loading was not applicable to this area, was not allowed, and not proposed.

Basin or Wetland Area North

Mr. Wicklund advised that, as a result of concerns raised during discussions with City staff and the RCWD in not making the existing situation any worse than currently experienced, the current development plan was created based on hydrocap modeling with the area from the development property receiving storm water runoff from 1.5 acres; and the current grading plan reducing that area by about ½ acre. Mr. Wicklund advised that the developer also proposed minor impervious back yards for two of the units, further reducing the catchment area, creating an overall reduction of the northwest basin, and serving as an outlet for emergency overflow to the two other basins and pond. Mr. Wicklund advised that all roadway runoff and yards captured and routed runoff to the lower level, based on NERP criteria, with pretreatment in the basin prior to leaving the site. Mr. Wicklund advised that the basins have a twenty (20) year life design for, with everything contained and provided for within the development site.

Mr. Wicklund advised that if and when the system exceeded emergency events, an overflow was provided between the homes to Lexington and past it into a wetland basin across the street. Mr. Wicklund advised that, in the event of a considerably significant event, additional protections had been provided for the homes based on freeboard requirements higher than flood routing, as required by the City's Subdivision Ordinance and RCWD criteria. Mr. Wicklund noted that a lot of consideration had gone into grading of the site to protect the homes, an important consideration for the developer as well as to himself as the project engineer who's reputation and design was under scrutiny now and in the future.

Drainage to County Road C2

Mr. Wicklund advised that, to his knowledge, County Road C2 was higher than the development property, with a good portion continuing to drain onto the site, which would continue inward into the pond.

Drainage Concerns raised on Fernwood

Mr. Wicklund addressed drainage concerns of the property owner on Fernwood, advising that the development was not adding any additional drainage to that area or restricting it. Mr. Wicklund advised that he was aware of site drainage issues at that site, noting that the grade changes across the property would serve to sufficiently route the drainage; and expressed more concern if dealing with a flat site.

Miscellaneous Remaining Drainage Concerns Raised

Mr. Wicklund advised that the IDF Curves with the Hirschfield studies provided for protection within the site; recognized previous responses he'd provided on reductions to impacts on the northwest ponds; noted that there was no direct runoff from any of the streets to the southeast corner pond; and noted that the development application process required submission of PRELIMINARY and FINAL Plat for staff review, but noted that the Final Plat required even more excessive detail at a construction document level.

In addressing aesthetics from Lexington Avenue and Josephine Road, Mr. Wicklund reiterated that preservation of as many trees as possible was preferred in order to provide a buffer to homes, along with existing berms.

Roadway Design

Mr. Wicklund advised that roadway designs in the development met requirements of the City's subdivision ordinance.

Site Topography

Mr. Wicklund addressed steep grades on some of the lots, noting that while the site was currently steep, it was the developer's intent to manage the grades and step the homes down in accordance with City Code limits for maximum slopes, and also in compliance with RCWD regulations.

Tree Preservation

Mr. Wicklund noted that it was of value to Pulte Homes to have mature trees on their development.

Open House Timing

Mr. Wicklund advised that an Open House was scheduled within the next two (2) weeks prior to the City Council meeting to provide for more specific conversations with residents. Mr. Wicklund advised that the developer would notice the meetings, and provide more specific detail beyond that addressed tonight. Mr. Wicklund advised that it was the developer's intent to schedule a neighborhood meeting concurrent with tonight's Public Hearing, however, there was some concern that residents may confuse the two meetings and be unsure of which to attend. Mr. Wicklund advised that, therefore, it had been decided to hold tonight's Public Hearing at the Planning Commission meeting to highlight the development, and hear overall areas of concern from residents, and then to address those concerns more specifically at the neighborhood meeting, with the developer coming to the meeting prepared to address those concerns in detail.

Chair Boerigter closed the Public Hearing at 9:31p.m.

City Engineer Bloom

At the request of Member Gottfried, Ms. Bloom addressed overall traffic distribution from this site and in the area, including existing conditions and how that traffic may disburse in the future following development of this site, given additional options.

Responding to previous public comments related to the timing of the traffic study and a perception of increased summer beach traffic, Ms. Bloom advised that the a.m./p.m. peak studies for work-related traffic were traffic study standards, and were proven to far exceed other daytime traffic.

At the request of Member Gottfried, Ms. Bloom reviewed the history of County Road C2 and its closure, from 1988 as previously discussed with development of the Lexington Apartments and townhomes south of County Road C2; and strong opposition from the neighborhood causing the developer to remove that connection and construct single-family homes along County Road C2. Ms. Bloom noted that in recent discussions at the PWET Commission meeting, the Chair of that Commission, had at that the time of that construction project, served on the Planning Commission, and provided his historical perspective of the rationale for decision-making. Ms. Bloom advised that, now that she had been provided with copies of the referenced correspondence by residents at tonight's meeting, she would make sure that information was included for City Council information and future analysis.

Member Wozniak questioned staff on the role of the City in whether homes are built for speculation or are presold.

City Planner Paschke advised that the City did not have a policy or ordinance to address whether a developer bought land for home construction or for speculation. However, Mr. Paschke questioned how prudent it would be for a developer, given current market conditions, to build homes and leave them vacant. Mr. Paschke expressed his confidence that Pulte Homes intended to use good business practices in developing the site and given their reputation, expressed faith in them being knowledgeable of their market. Mr. Paschke noted that it was the City's concern that the developer meets City Code requirements for design of the site and construction of the homes, not whether they were building model of spec homes that may remain vacant for a certain period of time.

Member Wozniak questioned if the City Code provided for affordable housing standards for new developments.

Member Gottfried questioned whether the Metropolitan Council had expectations that a community's total housing stock met certain percentages for affordable housing criteria.

Mr. Paschke advised that City Code did not address such requirements in the City's Zoning Ordinance. However, Mr. Paschke noted that the City's Housing Code spoke to provision of more affordable housing in various classes, but there was no requirement that developments have to provide their share. Mr. Paschke advised that, if the City or Housing and Redevelopment Authority (HRA) were a partner in such a development, they would specify that a certain percentage of affordable housing was included. Mr. Paschke noted that the City was held to a certain threshold by the Metropolitan Council to provide a fair share of affordable housing in many sectors, and that the City was cognizant of that criterion. However, Mr. Paschke noted that with current home values, many homes in the community had hit the affordable category when they may not have qualified five (5) years ago. Mr. Paschke advised that those affordable housing levels were monitored continuously and were part of the City's Comprehensive Plan, but were not part of this consideration.

Member Gottfried opined that the site required a fair amount of drainage mitigation and tree preservation, potentially adding significant dollar costs to the development that could serve to drive the market; and expressed his interest in a longer usable life expectancy for ponds beyond the twenty (20) year limit.

Mr. Bloom advised that Mr. Wicklund would ultimately not probably be in the picture twenty (20) years from now, but that the City would remain responsible for its infrastructure, with all drainage ponds being part of that public infrastructure. Ms. Bloom advised that the City currently managed over one hundred and twenty (120) basins; and reviewed the City's process in identifying, inventorying them every five (5) years, rating, and maintaining each of those ponds. Ms. Bloom advised that part of that maintenance was removing sediment at inlets and outlets, based on a variety of regulations. Ms. Bloom advised that this process was a requirement of the Minnesota Pollution Control Agency (MPCA) and their permitting for the City to operate a separate storm water system. Ms. Bloom advised that the City prioritized maintenance based on various issues, including their capacity, sediment deltas, and the frequency of that required maintenance based on various data and analysis of sediment.

Member Gottfried questioned if those capital costs were picked up by those purchasing the property.

Ms. Bloom advised that every quarterly utility bill's fee was structured to fund that maintenance for the City's sanitary, water and storm water infrastructures, an expense that was shared across the board by all residents. Ms. Bloom estimated that every single-family homeowner paid approximately \$20 per year as a flat rate; and that commercial/industrial properties paid based on the size of their site.

Ms. Bloom advised that there were some exceptions where residents served by a newly-constructed stormwater pond contributed to its maintenance rather than the whole community (e.g. Applewood Point) when a public/private partnership was negotiated with the City providing heavy maintenance, and the private developer providing aesthetic amenities above and beyond the basic and average pond maintenance and depreciation. In addressing runoff from city streets, Ms. Bloom noted that the streets were public, and not restricted to the private development, and that every drop of water drained into the pond and served a public purpose. Ms. Bloom noted that, when homeowners took on that maintenance themselves, the City developed partnerships in addressing maintenance. Ms. Bloom noted that there were some private hydrants that were not currently being exercised, and that the City Council and Public Works Department needed to make decisions to ensure long-term operations and safety of its residents.

MOTION

Member Boerigter moved, seconded by Member Best to RECOMMEND approval of the proposed PRELIMINARY PLAT of the property in the northwest corner of Lexington Avenue and County Road C2; based on the comments and findings of Sections 4-6 and the conditions of Section 7 of the Request for Planning Commission Action dated March 2, 2011.

Member Wozniak opined that this was a good proposal, and spoke in support of pathway connections. Member Wozniak further opined that there appeared to be no reason to make the proposal contingent upon opening County Road C2; and that he was not convinced that the projected additional traffic from the development required such a measure. Member Wozniak expressed appreciation that the development was designed to take any potential opening of County Road C2 into consideration. Member Wozniak opined that if additional development on the east side of Lexington Avenue occurred of Medium Density Residential (MDR) or higher, further consideration into opening County Road C2 may be needed; in addition to additional traffic calming mitigation following the concerns expressed during public comment tonight. Member Wozniak spoke in support of the proposed development.

Member Gisselquist expressed appreciation for the confidence displayed in the Roseville community by Pulte Homes. Member Gisselquist opined that he didn't anticipate residential development in the community at this time, but was pleased to see it. Member Gisselquist expressed his appreciation of the new tree preservation ordinance and the developer's compliance with it. Member Gisselquist noted that he had come into tonight's meeting with the impression that it may be necessary to look at opening County Road C2; however, while hearing good arguments on both sides, it appeared that the issue had been sufficiently debated in the past, and he saw no new evidence that opening it would alleviate traffic flows or the development, and may in fact create more problems. Member Gisselquist opined that lack of a signal on Lexington Avenue and County Road C2 may create another problem, but could be addressed in the future if so evidenced. Member Gisselquist opined that it was good that the City retained the right-of-way and did not previously vacate it. Member Gisselquist opined that this was a sound proposal and spoke in support of it.

Member Wozniak opined that his only concern with the proposal was its storm water management plan, but he understood that it was the responsibility of the City's Public Works Department staff and the RCWD. Member Wozniak opined that he was not convinced that current modeling was adequate to address current climate conditions; and encouraged the RCWD to consider additional mitigation measures above and beyond current models to manage storm water in this development, expressing his preference that the storm water plans not fail.

575 Member Gottfried spoke in support of the project, opining that it appeared to be well thought out. Member
576 Gottfried opined that there were lessons to be learned from Josephine Road that shouldn't be lost; however,
577 opined that this project didn't add unfairly to current conditions, and needed to be addressed in a different way.

578 Chair Boerigter spoke in support of the proposed project and expressed his appreciation of the good comments
579 heard from citizens tonight, showing that residents cared about their neighborhood. Chair Boerigter opined that
580 the proposal appeared to be well thought out and was a good proposal, and a much needed project in Roseville.
581 Chair Boerigter opined that this project didn't appear to make opening of County Road C2 prudent at this time;
582 and whether it was opened or not as part of this project, projected traffic volume increases had minimal impact on
583 Josephine Road, and may prove necessary in the long-term. Chair Boerigter noted that the tree preservation and
584 drainage issues would be addressed throughout the development process by staff and Pulte Homes.

585 **Ayes: 5**

586 **Nays: 0**

587 **Motion carried.**

588 Mr. Paschke noted that this case was tentatively scheduled to be heard by the City Council at their March 21,
589 2011 meeting.

590 Chair Boerigter and City Planner Paschke noted that this was the last meeting for Members Gottfried and Best
591 and thanked them for their service to the City on the Planning Commission.

Consider a Resolution Approving the Request by Pulte Homes of MN, LLC for a Preliminary Plat of the residentially-zoned property in the NW corner of Lexington Avenue and County Road C-2

Community Development Director Patrick Trudgeon reviewed the request of Pulte Homes to plat the northwestern corner of the parcel at the intersection of Lexington Avenue and County Road C-2 to accommodate twenty-eight (28) one-family lots. Mr. Trudgeon advised that plat proposals were reviewed primarily to ensure all proposed lots met minimum size requirements of the City's Zoning Code, and that adequate streets and other public infrastructure were in place or identified and constructed; and that storm water was addressed to prevent any problems on nearby properties or within the City's storm water system itself.

Mr. Trudgeon briefly reviewed staff's analysis, through the Development Review Committee (DRC), a body comprising staff from all City Departments, and their findings pertinent to the plat; and as detailed in the Request for Council Action dated March 21, 2011.

The staff report included several submittals: Tree Preservation Summary (Attachment D) for Josephine Wood dated February 24, 2011 by Alliant Engineering, Inc.; Pulte Homes Traffic Study (Attachment E) by SRF Consulting Group, Inc.; written Comment received to-date by staff (Attachment E); and DRAFT Planning Commission Meeting Minutes dated March 2, 2011 (Attachment G).

Mr. Trudgeon pointed out corrections to the Drainage Plan as part of conditions of approval; and noted that Pulte Homes would need to enter into a Public Improvements Contract with the City for construction of roads and public utilities in conjunction with the Final Plat coming forward; and other conditions as detailed in the RCA.

Staff recommended approval of the PRELIMINARY PLAT of the property in the northwest corner of Lexington Avenue and County Road C-2, based on the comments and findings of Sections 4-6 and the conditions of Section 7 of the RCA dated March 21, 2011.

At the request of Mayor Roe, Mr. Trudgeon reviewed the next steps in the process as the applicant prepares the Final Plat to be recorded with Ramsey County; their development and submission of final grading and drainage plans, and final street plans, receipt of the necessary watershed district permits, staff review of each component submitted during the process; and negotiation by staff of a Public Improvement Contract between the developer and City for City Council approval, with each document recorded prior to construction start, anticipating a minimum of six (6) weeks to two or three (2-3) months before returning to the City Council for action.

Discussion among Councilmembers and staff included Attachment C pathway connections, with Ms. Bloom confirming a continuous pathway along County Road C-2, crossing the new Fernwood Street at a width of eight feet (8'); confirmation of drainage requirements on-site and mitigation requirements; performance requirements of the City of Roseville and the Rice Creek Watershed District to maintain water quality and remove phosphorus; eventual drainage into the wetland across Lexington rather than into Lake Josephine through use of a diversion pipe installed by the City with EPA grant funds in 1976; warranty periods to ensure compliance and functionality of infrastructure in the development; delay in installing the bituminous wear coat until all work is confirmed and tested; and easement signage to educate homeowners related to overall stormwater management.

Further discussion included the timing of the traffic study and trends for a.m./p.m. peak traffic with little change in those trends based on summer traffic accessing Lake Josephine; commendation to staff for the environmental work on this plat and for application of the Tree Preservation Plan; and apparent gaps in the berm for the private property with the drainage easement.

Developer, Ian Peterson, VP of Land for Pulte Homes

Mr. Peterson reviewed the area in question on private property and appearing to be a gap. Mr. Peterson referenced staff's Condition 7.b regarding limiting fences to preserve the integrity of the storm water treatment areas; and the developer suggesting one deviation along Lexington Avenue to bridge that gap and avoid access of the public onto private property by installing a fence across that easement area, to be owned and maintained by the Homeowner's Association, with the understanding that it could be removed or replace in order to repair the pipe, at the Homeowner Association's expense. Mr. Peterson opined that this would allow continuity as well with the proposed four foot (4') fence and retaining wall along Lots 9, 10 and 11; and agreed that no stone columns would be installed on that easement.

Discussion among City Councilmembers and Mr. Peterson included the extensive drop-off on the western elevation along County Road C-2 and their intent to address that grade through with level driveways off County Road C-2 and walk-out home designs for those lots, in addition to fill; removal of the existing billboard on the northeast corner of the property as part of the purchase transaction, with the advertiser already given notice for removal, pending City action on the Final Plat and subsequent land purchase; and aesthetics of the proposed four foot (4') fence and its common theme rather than each individual homeowner having their own choice of fence.

Further discussion included proposed property covenants and timing for their administration with the Association based on occupancy levels and addressing interior and exterior requirements; and targeted price ranges for the six (6) different options and floor plans at approximately \$430,000.

Public Comment

Written comment via e-mail was received from Jeffrey Strobeck, 1297 West County Road C-2 (opposed to opening County Road C-2); Gerald McDonald, 2857 Dellwood Avenue (opposed to opening County Road C-2); Scott Cummings, 1175 Josephine Road (in support of opening County Road C-2); Richard Skaggs, 1160 Josephine Road (comments related to drainage infrastructure) were provided by staff as bench handouts, attached hereto and made a part hereof.

Pam Newcome, 1245 Josephine Road

Ms. Newcome noted her attendance at the March Planning Commission meeting and the robust discussion held on whether or not to open County Road C-2; and subsequent advisement by the Commission that County Road C-2 would not be part of the discussion of this development, but was a separate issue. Ms. Newcome expressed her frustration that the Traffic Study was not available on the City's website.

Ms. Newcome questioned the traffic study's methodology of current observation predicting future use; questioned traffic patterns and possible alternative routes and distribution for 110 cars per day; their rate; and her assertion that Josephine Road residents were being overburdened and bearing the brunt of east/west traffic from Hamline to Lexington.

Ms. Newcome asked that the City Council provide more information and show some sensitivity about the traffic study and possible changes in service levels beyond her perceived optimism of the report; and that more time be taken to study traffic that given to-date.

David Miliotis, 1128 County Road C-2 (cul-de-sac resident)

Mr. Miliotis advised that he represented a group of homeowners Roseville C-2 Neighborhood Association, and referred everyone to their website at www.saveC-2.com. Mr. Miliotis provided the Association's position with respect to the neighborhood and their concerns; and summarized several facts, and provide a historical perspective on actions of past City Council's related to County Road C-2 and its elimination as a through street. Mr. Miliotis provided additional references to the traffic study and projections. Mr. Miliotis concluded with the Association's advocacy of the goals presented in the Imagine Roseville 2025 and 2030 Comprehensive Plan Update related to quality of life, safe neighborhoods, and pedestrian friendly neighborhoods where property values were also preserved and enhanced. Mr. Miliotis advised that the association did not support creating another major thoroughfare through Roseville that would only create additional traffic and safety concerns. Mr. Miliotis suggested that the City work on a solution to traffic concerns through development of a comprehensive traffic management plan, not through knee-jerk reactions to limited areas of concern.

Chuck Stokes, 2875 N Griggs Street (C-2 and Griggs)

Mr. Stokes thanked Councilmembers for their service to the community; and spoke specifically to the Josephine Woods Development, opining that County Road C-2 issues could be hashed out separately. Mr. Stokes expressed his preference that the development not occur, as he enjoyed the natural area currently in place. However, he conceded that, since that was not up to him, the plans submitted by Pulte Homes and approved unanimously by the Planning Commission, seemed to represent about as good of a plan as could be hoped for, and showed a great deal of respect for the adjacent established neighborhood through construction of this new neighborhood, not just another housing development. Mr. Stokes expressed appreciation to the developer in their attempt to save historic trees, provide and connect walking paths and other amenities; and opined that this was a good step forward. While expressing some concern about the current and potential drainage issues, he expressed confidence in the City and developer's addressing that situation; but also asked that a contingency fund be established to replace trees inadvertently damaged during construction. Mr. Stokes spoke in support of the City Council proceeding with the Planning Commission recommendation as presented.

Regarding County Road C-2, Mr. Stokes expressed his major concern if it became a through street was based on safety with those living on the cul-de-sac unable to see traffic coming; in addition to losing 15-18 heritage trees currently being protected.

R. J. Newcome, 1245 Josephine Road

Mr. Newcome advised that he represented twenty-plus residents along Josephine Road who supported opening County Road C-2; and opined that Josephine Road was currently overburdened with traffic; and while welcoming suggestions for ways to slow traffic down, remained convinced that County Road C-2 should be opened. Mr. Newcome addressed comments made by City Engineer Bloom at the March 2, 2011 Planning Commission regarding County Road C-2 serving as a collector road similar to Josephine; however, he opined that it was not being used as a collector with it currently being blocked off. Mr. Newcome questioned what the trigger would be to warrant opening the road, and if not with the Pulte development, would it be someone getting killed. Mr. Newcome further opined that traffic would only continue to

131 increase in the future, and that the Pulte project would serve to further that increase, in addition
132 to other future projects proposed for the area. Mr. Newcome opined that it was only reasonable,
133 fair and equitable for all involved to open County Road C-2 at this time, and that not opening it
134 was short-sighted.

135 **Johnson moved, Willmus seconded, extending the meeting beyond curfew to 10:30 p.m.**

136 **Roll Call**

137 **Ayes: Pust; Willmus; Johnson; McGehee; and Roe.**

138 **Nays: None.**

139 **Jeff Strobeck, 1297 County Road C-2**

140 Mr. Strobeck had submitted written comments; and expressed concern regarding safety for
141 residents, bikers and pedestrians if County Road C-2 were opened. Mr. Strobeck asked that the
142 City Council consider the residents on the cul-de-sac who purchased their homes with the
143 understanding that County Road C-2 would not be a through street. Mr. Strobeck volunteered to
144 work with Josephine Road residents in resolving their traffic issues.

145 **Lars Ever, 1241 County Road C-2**

146 Mr. Ever expressed his excitement about the Pulte development, but his sadness in losing the
147 trees and natural environment. Mr. Ever asked that County Road C-2 not be opened, consistent
148 with his discussions with the City before purchasing his property. Mr. Ever opined that any
149 traffic improvements through opening County Road C-2 would be nil due to creation of another
150 intersection on Lexington Avenue and additional traffic hazards.

151 Mr. Ever referenced Page 11 of Attachment C and his preference for option two for the pathway
152 to avoid loss of any more of his front yard.

153 Mayor Roe clarified that Mr. Ever's objection was based on extending the pathway to the west
154 past the borderline of his property to Merrill; and noted that this was not under consideration at
155 this time, as confirmed by City Engineer Bloom.

156 **Jill Schwiff, 1233 Josephine Road**

157 Ms. Schwiff advised that residents dealt with ongoing traffic issues on Josephine Road every
158 day; and asked that the City look at this and multi-family housing and future development
159 around this particular area for impacts. Ms. Schwiff questioned why County Road C-2 was ever
160 closed in the first place; and opined that everyone needed to share the issue and not place the
161 entire burden on residents on Josephine Road. Ms. Schwiff further questioned how construction
162 traffic would be handled to avoid further negative impacts on the neighborhood and existing
163 homeowners.

164 **Sheila Stokes, 2875 N Griggs (C-2 and Griggs)**

165 Ms. Stokes offered her perspective, as a resident of the home on the end of the County Road C-2
166 cul-de-sac, and her experiences with traffic coming down the hill at an excessive speed before
167 turning onto Griggs; and addressed the significant amount of traffic along County Road C-2 to
168 Cottontail Park; and the lack of sidewalks in the area. Ms. Stokes recognized the differing
169 opinions for area residents, but asked that people understand the speed with which people came
170 over that hill.

171 **John Jacobson, 2864 Fernwood Street (south part of C-2)**

172 Mr. Jacobson spoke in support of the project, opining that there would be nothing better to
173 develop in that area than single-family homes.

Mr. Jacobson provided his perspective on projected traffic increases in the area; reviewed statistics on daily average traffic in 1999 and 2009 data, and future driving habits, and opined that those habits would change and be duly reflected. Mr. Jacobson noted the grade changes between Merrill Street and Fernwood Street on County Road C-2 and suggested additional review of safety issues based on that grade if and when County Road C-2 was put through.

At the request of Mayor Roe, City Engineer Bloom responded to questions of the public related to traffic analysis of the additional projected 110 daily trips and their conservative nature based on current observations and modeling for future patterns; rationale for the assumptions used in the traffic study; current and projected service levels at the five (5) intersections in the area; and review of the larger picture beyond the neighborhood in determining the acceptable service levels during peak traffic periods. Related to construction traffic, Ms. Bloom noted that the majority of that traffic would be using County Road C-2; and that additional parking prohibitions could be addressed for construction workers, seeking to keep them off public streets and internal to the site as much as possible; with staff and the developer working together and incorporating neighborhood comments and concerns into those discussions and negotiations as applicable.

Ms. Newcome

Ms. Newcome reiterated her allegations that the traffic study and its assumptions were flawed; and asked for additional information on that analysis.

City Engineer Bloom expressed her confidence in the traffic study and its assumptions; and offered to follow-up with Ms. Newcome outside the meeting. Ms. Bloom noted that the study being requested by Josephine Road residents of pending and/or future development impacts was completely different and had not been done to-date; but that traffic studies were based on specific developments as they came forward. Ms. Bloom advised that the Pulte development and traffic projections for an additional 268 daily trips did not indicate any degradation of service levels at the five intersections nor did it create any additional safety issues; therefore, no mitigation was proposed based on those results, or any additional traffic control issues recommended.

At the request of Councilmember Pust, Ms. Bloom clarified the map referenced on Page 11 of the Traffic Study and location of the current cul-de-sac bulb and pending revisions to address drainage following further plan refinement and staff review.

At the request of Councilmember Willmus, Ms. Bloom addressed past discussions on retaining the right-of-way, based on the reality of documents already referenced by members of the public, and a 1988 motion to vacate the County Road C cul-d-sac right-of-way that failed on a 3/2 vote.

Further discussion among Councilmembers and Ms. Bloom included County Road C-2 being a State Aid road and comparison of this segmented road with other State Aid roads; examples by Ms. Bloom of ½ mile segments for the Ramsey County system; and review of comprehensive transportation plans for residential and connector streets for functionality.

Ms. Bloom advised that, from an engineering perspective, connecting County Road C-2 through would benefit the overall transportation system; however, without additional study of additional signals from Lincoln to Victoria and impacts for those intersections and other safety concerns, the actual ramifications remained unknown.

Johnson moved, McGehee seconded, approval of the PRELIMINARY PLAT of the property located at the northwest corner of Lexington Avenue and County Road C-2,

pursuant to Roseville City Code, Title 11 (Subdivisions); based on the comments and findings of Sections 4-6 and the conditions of Section 7 of the Request for Council Action (RCA) dated March 21, 2011.

Councilmember Pust spoke in support of the motion; while recognizing that additional study may be needed for County Road C-2. Councilmember Pust suggested that additional study of the situation would be beneficial and once and for all put to rest the various opinions and settle those disputes for the entire community and affected neighborhoods. Councilmember Pust noted the need for the entire community to talk it through, addressing changes to the community and how to resolve the situation. Councilmember Pust expressed appreciation for the respectful discussion of the neighbors and their differing views; and suggested further review and study of this topic at community meetings, and not linked to tonight's action.

Councilmember Willmus spoke in support of the motion; opining that the decision was not contingent upon whether or not to open County Road C-2. However, Councilmember Willmus advised that he would support a detailed look and traffic study for the area as outlined by Councilmember Pust; opining that it may be time to revisit this issue and make an informed decision.

Councilmember McGehee spoke in support of the motion. Councilmember McGehee advised that she was not supportive of reviewing every little traffic issue as an individual situation, but opined that it was important to keep as much pass-through traffic out of residential neighborhoods as possible. Councilmember McGehee opined that it appeared that there was no overall plan to address the impact of traffic trying to get through the community. Councilmember McGehee opined that it was important to recognize that Roseville was a regional service community for regional shopping, senior housing and its other amenities; and when the freeways get jammed up, people look for alternatives, and Roseville's well-maintained public streets served their purpose. Councilmember McGehee questioned whether we had any obligation to provide through access on every neighborhood street.

Johnson moved, Pust seconded, extending the meeting to 10:35 p.m.

Roll Call

Ayes: Pust; Willmus; Johnson; McGehee; and Roe.

Nays: None.

Councilmember Johnson spoke in support of the motion; and commended the residents on both sides of the issue of County Road C-2 coming to the City Council in such a respectful manner. Councilmember Johnson noted that the developer had come out shining and commended their company on their proposal and their reputation. Councilmember Johnson recognized the positions of both Josephine Road residents and County Road C-2 residents; and while not having a firm opinion on whether that needed further study based on current information available; he spoke in support of the Pulte project and its moving forward, based on results of the traffic study supporting ongoing safety levels.

Mayor Roe spoke in support the motion; expressing his enthusiasm for the developer and their excellent work in meeting requirements of the City's new zoning code and tree preservation ordinance.

Mayor Roe noted the need, in reviewing whether County Road C-2 should be extended through from Victoria past Snelling as a corridor, to ensure that the solution was not creating another

problem elsewhere; and supported looking into it, suggesting that it be included in the City Council's work plan.

Mayor Roe asked that staff follow-through with the developer on the fence along Lexington Avenue as the Final Plat and Public Improvement Contract were negotiated.

City Engineer Bloom advised that she and Community Development Director Trudgeon were already discussing language for an Encroachment Agreement as part of the Public Improvement Contract to facilitate the fencing.

Roll Call

Ayes: Pust; Willmus; Johnson; McGehee; and Roe.

Nays: None.

Park dedication:

Josephine Woods

Brokke briefed the Commission on the development status for the Josephine Woods Development. The project is at the point where the preliminary plat is approved and final plat is being reviewed. In addition to a Commission recommendation to the Council for Park Dedication, a discussion of the process for Park Dedication and the timing for Commission and Staff input on Park Dedication options for a development is needed.

- o Commissioners around the table agreed that they should be involved in reviewing and recommending Park Dedication earlier in the development process.
- o Commissioners discussed the need to use the Updated Master Plan as a guide for park dedication recommendation on future developments.
- o Commissioners also talked about the need to creatively consider ways to add to the park system when considering park dedication.

Commission Recommendation:

Motion by Azer, second by Simbeck to recommend the Roseville City Council accept the cash in lieu of land option for Josephine Woods Development. Motion passed unanimously.

Request by Pulte Homes of MN, LLC for VACATION of a storm sewer easement in support of the proposed plat of property in the NW corner of Lexington Avenue and County Road C-2

Chair Boerigter opened the Public Hearing at 6:10 p.m.

Associate Planner Bryan Lloyd reviewed the request of Pulte Homes for vacation of the existing storm sewer easement that crosses the parcel at the intersection of Lexington Avenue and County Road C-2. Mr. Lloyd noted that a reconstructed storm sewer line will be located within a new easement and rights-of-way as part of the current plat of the property, as detailed in Section 5.1 of the Request for Planning Commission Action (RPCA) dated April 6, 2011 report.

Staff recommended approval of the proposed EASEMENT VACATION of the property in the northwest corner of Lexington Avenue and County Road C-2; based on the comments and findings of Sections 4-6, and the conditions of Section 7 of the RPCA dated April 6, 2011.

Discussion among Commissioners and staff included ramifications should the Pulte Homes project not proceed; with staff advising that the vacation request would coincide with Final Plat approval at the City Council level; and that the Public Improvement Contract would provide further stipulations and guarantees.

The applicant was not present at tonight's meeting.

Public Comment

Chair Boerigter closed the Public Hearing at 6:14 p.m.; no one spoke for or against.

Member Gisselquist, for the benefit of new Commissioners and/or those Commissioners not present at previous discussions related to the Pulte Homes project and Preliminary Plat review by the Planning Commission, opined that this request represented additional fine-tuning of the plat proposal, and should cause no concern.

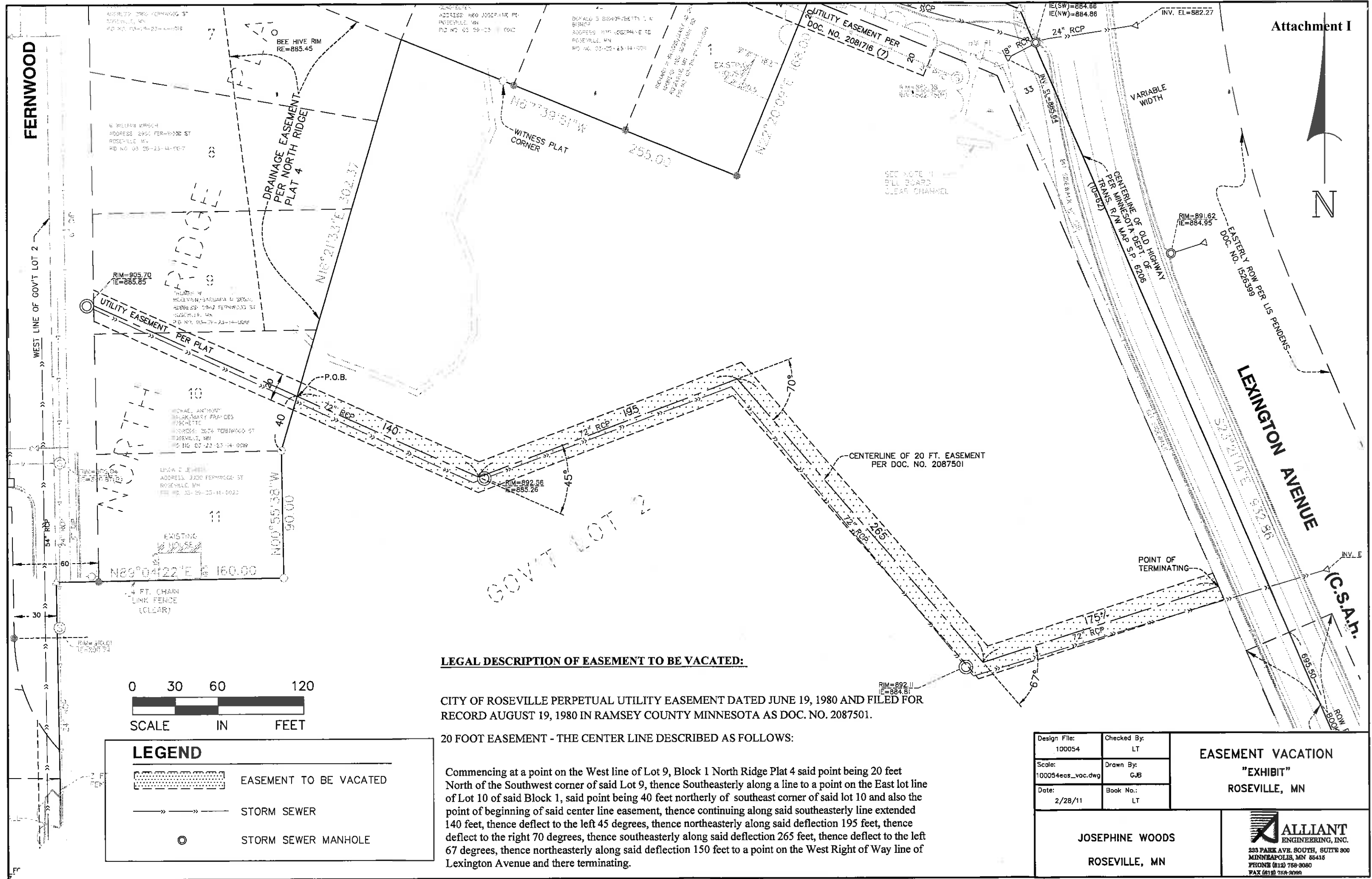
MOTION

Member Gisselquist moved, seconded by Member Boerigter to recommend approval of the proposed EASEMENT VACATION of the property in the northwest corner of Lexington Avenue and County Road C-2; based on the comments and findings of Sections 4-6, and the conditions of Section 7 of the RPCA dated April 6, 2011.

Ayes: 7

Nays: 0

Motion carried.



Design File: 100054	Checked By: LT	EASEMENT VACATION "EXHIBIT" ROSEVILLE, MN	
Scale: 100054eas_vac.dwg	Drawn By: GJB		
Date: 2/28/11	Book No.: LT		
JOSEPHINE WOODS ROSEVILLE, MN		ALLIANT ENGINEERING, INC. 233 PARK AVE. SOUTH, SUITE 300 MINNEAPOLIS, MN 55416 PHONE (612) 758-3080 FAX (612) 758-3080	

JOSEPHINE WOODS

KNOW ALL MEN BY THESE PRESENTS: That Pulte Homes of Minnesota, LLC, a Minnesota limited liability company, owner of the following described property situated in the City of Roseville, County of Ramsey, State of Minnesota:

All that part of Government Lot 2, Section 3, Township 29, Range 23, lying West of Lexington Avenue and lying South of Lake Josephine Road, except that part platted as North Ridge Plat 4, Ramsey County, Minnesota.

Has caused the same to be surveyed and platted as JOSEPHINE WOODS and do hereby dedicate to the public for public use forever the public ways and the drainage and utility easements as shown on this plat.

In witness whereof said Pulte Homes of Minnesota, LLC, a Minnesota limited liability company, has caused these presents to be signed by its proper officer this _____ day of _____, 201__.

Signed: Pulte Homes of Minnesota, LLC

Marv McDaris, Chief Manager

STATE OF MINNESOTA
COUNTY OF _____

The foregoing instrument was acknowledged before me on this _____ day of _____, 201__ by Marv McDaris, Chief Manager of Pulte Homes of Minnesota, LLC, a Minnesota limited liability company, on behalf of the company.

Printed Name

Notary Public, _____ County, _____

My commission expires _____

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

Dated this _____ day of _____, 201__.

Dennis B. Olmstead, Professional Land Surveyor
Minnesota License No. 18425

STATE OF MINNESOTA
COUNTY OF _____

The foregoing Surveyor's certificate was acknowledged before me this _____ day of _____, 201__ by Dennis B. Olmstead, a Licensed Land Surveyor.

Notary Public, _____ County, Minnesota

My commission expires _____

CITY OF ROSEVILLE

We do hereby certify that on the _____ day of _____, 201__, the City Council of the City of Roseville, Minnesota, approved this plat. Also, the conditions of Minnesota Statutes, Section 505.03, Subd. 2, have been fulfilled.

Daniel J. Roe, Mayor

William J. Malinen, City Manager

DEPARTMENT OF PROPERTY RECORDS AND REVENUE

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable in the year 201__ on the land hereinbefore described have been paid. Also pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered this _____ day of _____, 201__.

Department of Property Taxation, Director

By _____, Deputy

COUNTY SURVEYOR

I hereby certify that this plat complies with the requirements of Minnesota Statutes, Section 505.021, and is approved pursuant to Minnesota Statutes, Section 383A.42, this _____ day of _____, 201__.

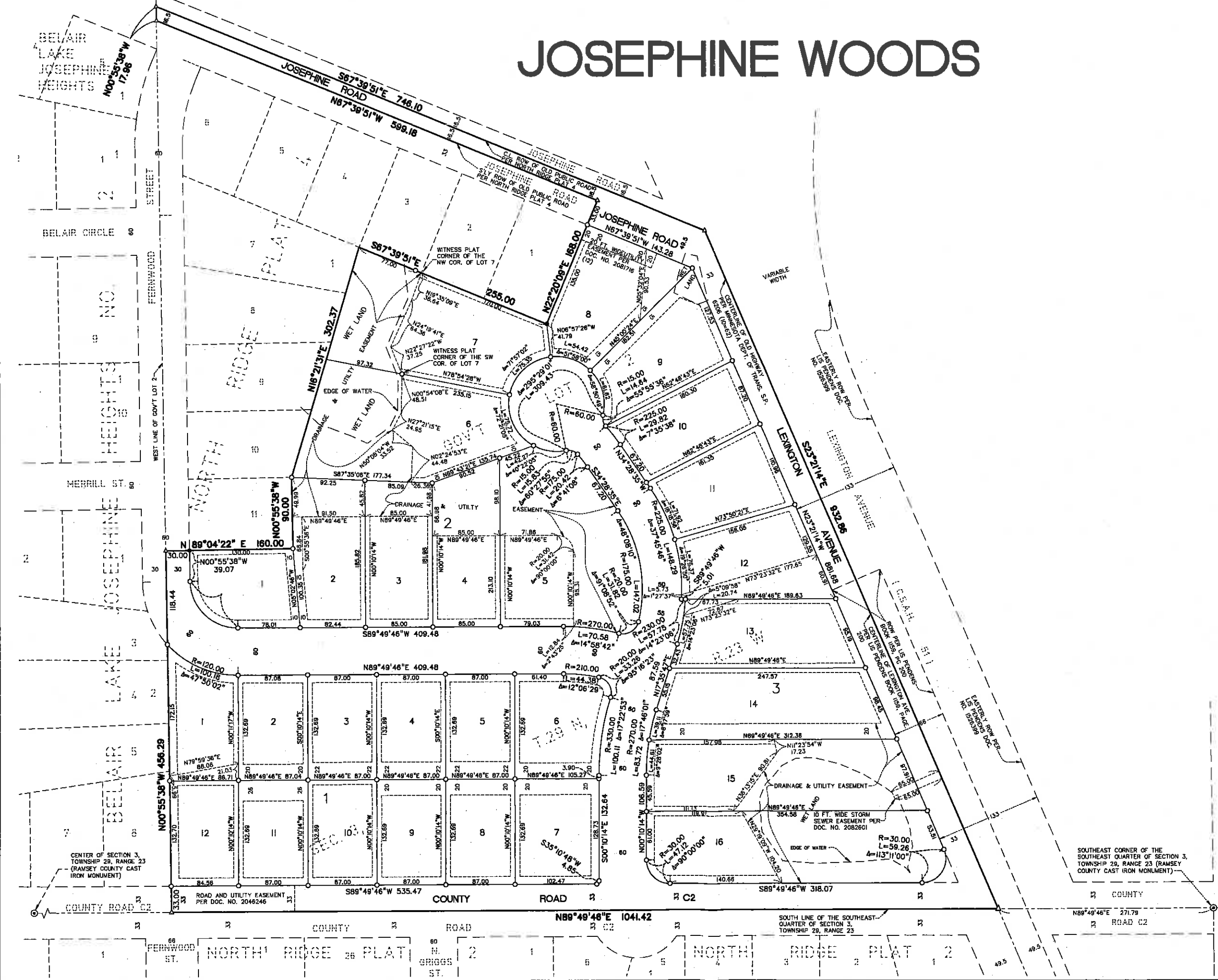
Michael Fiebigler, P.L.S.
Ramsey County Surveyor

COUNTY RECORDER, COUNTY OF RAMSEY, STATE OF MINNESOTA

I hereby certify that this plat of JOSEPHINE WOODS was filed in the office of the County Recorder for public record on this _____ day of _____, 201__, at _____ o'clock _____ M. and was duly filed in Book _____ of Plats, Page _____, as Document Number _____.

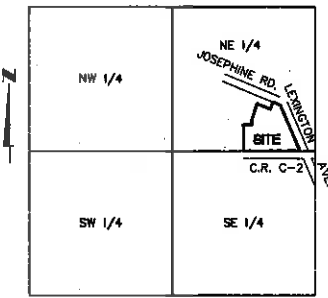
Deputy County Recorder

JOSEPHINE WOODS



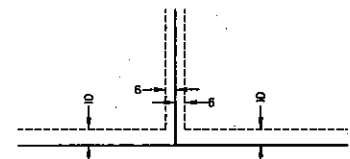
VICINITY MAP

SECTION 3, T.28, R.23



NOT TO SCALE

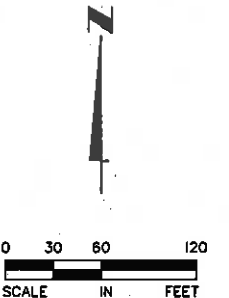
DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



BEING 6 FEET IN WIDTH AND ADJOINING SIDE LOT LINES AND BEING 10 FEET IN WIDTH AND ADJOINING PUBLIC WAYS AND REAR LOT LINES, UNLESS OTHERWISE INDICATED ON THIS PLAT.

SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 28, RANGE 23 IS ASSUMED TO HAVE A BEARING OF NORTH 89 DEGREES 49 MINUTES 46 SECONDS EAST.

- Denotes found monument as noted
- Denotes 1/2 inch x 18 inch iron pipe set marked by license no. 18425
- △ Denotes nail brass washer set marked by license no. 18425



SCALE: ONE INCH EQUALS SIXTY FEET





JOSEPHINE WOODS
ROSEVILLE, MINNESOTA

NOT TO SCALE
DATE: 3-2-11
DRAWN BY: MK



ALLIANT
ENGINEERING, INC.
233 PARK AVE. SOUTH, SUITE 300
MINNEAPOLIS, MN 55415
PHONE (612) 768-3080
FAX (612) 768-3099

PUBLIC IMPROVEMENT CONTRACT
JOSEPHINE WOODS

I. **Parties.** This Agreement, dated _____, 2011, is entered into between the City of Roseville, a Minnesota municipal corporation, 2660 Civic Center Drive, Roseville, Minnesota 55113 (“the **City**”), and Pulte Homes of Minnesota LLC, a Minnesota Limited Liability Company (“the **Developer**”).

II. **Request for Plat approval.** The Developer has asked the City to approve a plat of land to be known as “*Josephine Woods*” (also referred to in this Agreement as the “Plat”). The land is legally described as follows:

See Legal Description attached as Exhibit A hereto (the “Property”).

III. **Terms and Conditions of Plat Approval.** Now, therefore, in reliance upon the representations contained herein, and in consideration of the mutual undertakings herein expressed, the parties agree as follows:

A. **Conditions of Plat Approval:** The City hereby approves the Plat on the condition that:

A. The Developer enter into this Agreement, and

B. The Developer provide the necessary security in accordance with this Agreement.

B. **Land Use Approvals:** The Plat consists of 28 single-family lots. The Property is to be improved with the following: pathways; a road and curbing; a storm water pond; infiltration basins; sanitary sewer lines, water main lines and hydrants, storm sewer lines with outlet control structures and flared end sections, fences, and retaining walls.

C. **Public Improvements.** The Developer shall, subject to the terms and conditions contained herein, perform the following work and construct the following improvements (“Public Improvements”) in compliance with City approved plans and specifications described in Section III D below and all rules, regulations, standards and ordinances of the City:

1. **Site Grading and Turf Restoration.** The Developer shall grade the Property in accordance with the City approved Grading, Drainage and Erosion Control Plan. Site grading improvements shall include common excavation, subgrade correction, embankment and pond excavation. Turf restoration shall include seeding, mulching and erosion control.

a) The Developer shall submit to the City a site grading and drainage plan for the entire Plat acceptable to the City showing the grades and drainage for each lot prior to installation of the improvements.

b) The Developer shall furnish the City Engineer satisfactory proof of payment for the site grading work and shall submit a certificate of survey (as- constructed survey) of the development to the City after site grading, with street and lot grades.

c) All improvements to the lots and the final grading shall comply with the approved grading plan.

2. **Street Improvements.** The Developer shall construct all streets shown on the Plat in accordance with the Public Improvement Construction Plans. Street improvements

1 include subgrade preparation, gravel base, bituminous surfacing, and concrete curb and
2 gutters.

3 a) The Developer shall construct the streets as shown on the Plat, including the
4 connections to County Road C-2 and Fernwood Street. Dunlap Circle shall be
5 constructed ending in a 100 foot diameter cul-de-sac. The new streets shall be 1500 feet
6 more or less of 32 foot wide (face to face) bituminous street with type B618 curb and
7 gutter. Parking shall be allowed on all streets. The typical section of pavement for the
8 streets shall be: 1.5 inches LVWE35030B/ 2.5 inches LVNW35030B/ 8 inches of Class
9 5-100% crushed limestone.

10 b) Unusable material within the street right-of-ways shall be removed by the Developer.

11 c) All subgrade excavation and filling shall be completed by the Developer in
12 accordance with City details, City specifications, MNDOT's specifications, and the
13 approved Public Improvement Construction Plans.

14 d) The City reserves the right to test as necessary, at the Developer's expense, all
15 grading work. A test roll of the street subgrade shall be passed prior to acceptance of the
16 subgrade by the City.

17 e) The Developer shall construct the retaining wall(s) and fences shown in the Pathway,
18 Retaining Wall and Fence Plan in accordance with the City approved Public
19 Improvement Construction Plans. The retaining wall located southwest of the curb on
20 Fernwood Circle shall be public. All other retaining walls within the Plat are private, and
21 will not be the responsibility of the City for maintenance and replacement.

22 3. Pathway. The Developer shall construct an 8 foot wide pathway along County Road C-2.
23 An 8 foot wide pathway connection shall also be constructed connecting Fernwood Circle
24 to the pathway at the intersection of Lexington and Josephine Road. The pathway shall
25 be constructed in accordance with City details, specifications, and the City approved
26 Public Improvement Construction Plans.

27 4. Watermain construction: The Developer shall construct all watermain improvements
28 determined to be necessary by the City to serve the Property, including hydrants and
29 individual lot services.

30 a) All watermain improvements and hydrants shall be constructed in accordance with
31 City details, specifications, and the City approved Public Improvement Construction
32 Plans.

33 5. Sanitary sewer construction: The Developer shall construct all sanitary sewer pipes
34 determined to be necessary by the City to serve the Property, including individual lot
35 services.

36 a) All sanitary sewer improvements shall be constructed in accordance with City details,
37 specifications, and the City approved Public Improvement Construction Plans.

38 b) Josephine Lift Station reconstruction: The Developer shall be responsible for a
39 proportionate share of the actual cost to design and reconstruct the Josephine lift station
40 to provide sanitary service to this Property. The Developer's proportionate share is based
41 on the following: the lift station currently serves 26 properties. The Developer proposes
42 to serve an additional 14 properties. Therefore the Developer shall be responsible for

35% of the cost of designing and reconstructing the new lift station. At this time, the estimate for this work is \$200,000. The Developer's estimated cost share is \$70,000. If there is a difference between the estimated cost and the actual cost, the actual cost shall control. The full amount of the Developer's cost share shall be due to the City when the contract for the lift station reconstruction work is awarded.

c)

6. Storm sewer construction: The Developer shall construct all storm sewer improvements determined to be necessary by the City to serve the Property, including the construction of outlet control structures and flared end sections.

a) Storm sewer facilities, including ponds and infiltration basins, shall be constructed in accordance with City details and specifications and as shown on and in accordance with the City approved Public Improvement Construction Plans.

b) Infiltration basins shall be protected from silt during construction. If these areas do not function as designed, the Developer shall reconstruct them as directed by the City Engineer.

7. Restoration of existing streets: Curb cuts and street cuts shall be reconstructed to match existing street typical section.

a) All unused curb openings along County Road C-2 shall be removed and replaced with non-surmountable curb to match existing. Curbs proposed to be replaced shall have a minimum of 3 feet of bituminous saw cut out to allow for proper compaction.

b) Utility trenches shall be restored by the Developer per City standard details.

8. Contaminated soil remediation: Contaminated soil encountered during the construction of the development shall be removed from the right-of-way and easements. The soil shall be disposed of at an off-site location approved by the City.

9. Erosion control. Prior to any grading and before any utility construction is commenced or building permits are issued, the erosion control plan shall be implemented, inspected and approved by the City. The Developer shall meet all requirements of the City's Erosion Control Ordinance including but not limited to the following:

a) No construction activity shall be allowed and no building permits shall be issued unless the Property is in full compliance with the erosion control requirements.

b) Measures shall be installed in compliance with MPCA NPDES permit requirements.

c) The City shall inspect the site periodically and determine whether it is necessary to take additional measures to address erosion.

d) To remove dirt and debris from streets that has resulted from construction work by the Developer, its agents or assigns, the Developer shall sweep County Road C-2 and Fernwood Street on a weekly basis or more frequently as directed by the City Engineer until the site is stabilized. Developer must sweep roadways with a water-discharge broom apparatus. Kick-off brooms shall not be utilized for street sweeping.

e) If the development on the Property does not comply with the erosion control plan or supplementary instructions received from the City, the City may, following giving the

Developer 48 hour prior verbal notice (or in the event of an emergency immediately) take such action as it deems appropriate to control erosion, the cost of which action shall be paid by the Developer to the City upon demand.

D. Development Plans. The Property shall be developed in accordance with the following plans, specifications and other documents (“Plans”). With the exception of the Plat, the Plans may be prepared after the parties have entered into this Agreement, provided however, no work shall be commenced on the Property until all of the Plans have been submitted to and approved by the City. The Plans shall not be attached to this Agreement, but shall be retained in the City files while the work to be done under this Agreement is being performed. If the Plans vary from the written terms of this Agreement, the written terms shall control. The Plans (which are sometimes referred to herein as the “Public Improvement Construction Plans”) are as follows:

- a) Plat
- b) Utility Plan
- c) Grading, Drainage and Erosion Control Plan
- d) Grading Notes and Details
- e) Street, Sanitary sewer and Watermain Details
- f) Tree Preservation Plan
- g) Sanitary sewer, watermain, storm sewer and street plan.
- h) Pathway, Retaining Wall and Fence plan.

E. Notice to Proceed. The improvements shall be installed in accordance with the City approved Plans and the rules, regulations, standards and ordinances of the City. The plans and specifications shall be prepared by a competent registered professional engineer, furnished to the City for review, and shall be subject to the approval of the City Engineer. No work shall commence on the Property until the City Engineer notifies the Developer that the work can commence.

1. The Developer shall obtain all necessary permits from the Minnesota Pollution Control Agency (MPCA), Minnesota Department of Health (MDOH), and all other agencies and governmental authorities before proceeding with construction. Copies of these permits must be provided to the City Engineer.
2. The Developer or it’s engineer shall schedule a preconstruction meeting at a mutually agreeable time at City Hall with all the parties concerned, including City staff, to review the program for the construction work.
3. The Developer represents to the City that the Plat complies with all City, County, Metropolitan, State and Federal laws and regulations including, but not limited to: subdivision ordinances, zoning ordinances and environmental regulations. If the City determines that the Plat does not comply, the City may, at its option, refuse to allow construction or development work on the Property until the Developer does comply. Upon the City’s demand, the Developer shall cease work until there is compliance.

F. Time of Performance. The Developer shall complete all required improvements enumerated in Paragraph C by October 31, 2011 with the exception of the bituminous wear course which will be

installed no later than September 30, 2012. The Developer may, however, forward a request for an extension of time to the City. If an extension is granted, it shall be conditioned upon updating the security posted by the Developer to reflect cost increases and the extended completion date.

G. **Inspection.** The Developer shall provide the services of a Residential Project Representative and assistants at the site to provide continuous observation of the work to be performed and improvements to be constructed under this Agreement.

1. The Developer shall provide the City Engineer a minimum of one business day notice: (i) prior to the commencement of the underground pipe laying and service connection, and (ii) prior to subgrade, gravel base and bituminous surface construction.
2. Developer's failure to comply with the terms of this section shall permit the City Engineer to issue a stop work order which may result in a rejection of the work and which shall obligate the Developer to take all reasonable steps, as directed by the City Engineer, to ensure that the improvements are constructed and inspected pursuant to the terms of this Agreement. Such failure shall further result in the assessment of a penalty upon the occurrence of each such failure to comply, in an amount equal to 1% of the amount of the security required for such improvements, which penalty the Developer agrees to pay upon demand.

H. **Engineering Coordination.** A City Engineering Coordinator shall be assigned to this project to provide further protection for the City against defects and deficiencies in the work and improvements through the observations of the work in progress and field checks of materials and equipment. However, the furnishing of such engineering coordination will not make the City responsible for construction means, methods, techniques, sequences or procedures or for the safety precautions or programs, or for the Developer's failure to perform its work in accordance with the Public Improvement Construction Plans. The Developer is obligated to pay the City for City inspection services an amount equal to 2% of the cost of the public improvements, which 2% amount is \$37,740. This amount shall be paid upon or prior to the execution of this Agreement.

I. **Security.** To guarantee compliance with the terms of this Agreement, payment of the costs of all Public Improvements and construction of all Public Improvements, the Developer shall furnish an irrevocable letter of credit for \$2,358,580 in a form to be approved by the City. The amount of the letter of credit is 125% of the cost for this project.

1. **Reduction of Security.** Periodically upon the Developers written request, the City Engineer may reduce the amount of the Letter of Credit for completed Public Improvements provided the following conditions are met:
 - a) The Developer's engineer certifies that the Public Improvements have been constructed to City Standards in accordance with the Plans.
 - b) The Developer provides documentation that its subcontractor(s) and all subcontractors and suppliers have been paid in full for the work completed and materials supplied.
 - c) The City Engineer determines that such Public Improvements have been fully completed in accordance with the Plans and provisions of this Agreement.

The amount of reduction shall be equal to that portion of the Letter of Credit which covers such completed Public Improvement(s); provided however, in no case shall the remaining

amount of the Letter of Credit be less than the greater of: (i) 25% of the original amount of the Letter of Credit, or (ii) 125% of the estimated cost of the Public Improvements which have not been completed as determined by the City Engineer.

2. **Release of Security.** After the work described in this Agreement has been completed, the Developer may request that the City accept the Public Improvements. This is accomplished through a City Council resolution provided the following conditions are met:

a) **As-built Survey.** The Developer shall provide an as-built survey upon completion of the Public Improvements described in Paragraph C in reproducible and digital (AutoCAD) format. The locations and elevations of sewer and water services shall be accurately shown on the survey.

b) **Certification.** The Developer's engineer submits a letter certifying that the improvements have been constructed to City Standards in accordance with the Plans and requests that the City accept the improvements.

c) **Payment.** The Developer provides documentation that its contractors, subcontractors and material suppliers have been paid in full for the work completed.

d) **Determination of Completion.** The City Engineer and the City Council have determined that all Public Improvements have been completed in accordance with the City approved Plans and terms of this Agreement.

The date of City acceptance of the Public Improvements shall be the date of the City Council resolution accepting the Public Improvements

The term of the Letter of Credit provided by the Developer must be at least one year. Notwithstanding anything to the contrary contained herein, in the event that: i) some or all of the Public Improvements have not been completed and accepted by the City, ii) the City has been notified that the Letter of Credit is not being extended for another term of at least one year, and iii) no replacement Letter of Credit satisfactory to the City has been delivered to the City, the City shall have the right to draw on the full amount of the Letter of Credit at any time prior to the expiration of the Letter of Credit. In the event of such draw on the Letter of Credit, the City shall have the right to use the amount drawn to complete any unfinished Public Improvements, perform any unperformed obligations of the Developer, pay the costs to draw on the Letter of Credit and pay any costs incurred to enforce this Agreement.

J. **Ownership of Improvements and Risk of Loss.** Upon completion and City acceptance of the Public Improvements, all Public Improvements lying within public rights-of-way and easements, shall become City property without further notice or action. The Developer shall be responsible for the risk of loss of all Public Improvements constructed by the Developer until ownership thereof passes to the City. Any damage or destruction, in whole or in part, to any Public Improvement constructed by the Developer shall be repaired and/or replaced by the Developer until ownership of such Public Improvement passes to the City.

K. **Warranty.** The Developer shall install and construct the Public Improvements in accordance with the terms and conditions of this Agreement. The Developer warrants the Public Improvements and all work required to be performed by the Developer hereunder against poor material and faulty workmanship for a period of two (2) years after its completion and acceptance by the City. The

Developer shall repair or replace as directed by the City and at the Developer's sole cost and expense: (i) any and all faulty work, (ii) any and all poor quality and/or defective materials, and (iii) any and all trees, grass and/or sod which are dead, are not of good quality and/or are diseased, all being as determined in the sole but reasonable opinion of the City or its Engineer, provided the City or its Engineer gives notice of such defect to Developer on or before 60 days following the expiration of the two year warranty period. The Developer shall post maintenance bonds or other security acceptable to the City to secure the warranties described herein.

L. **Utility Company Improvements.** The Developer shall install and pay for all utility improvements necessary to serve the Property, including gas, electric, and telephone service, which shall be installed by the appropriate utility company at the direction of the Developer. All utilities shall be installed underground. The Developer shall arrange for the installation of underground gas, electric, telephone and cable television before the final lift is started.

M. **Park Dedication Fee.** The park dedication fee for this Plat shall be \$84,000 and shall be paid to the City of Roseville upon or prior to the execution of this Agreement.

N. **License.** The Developer hereby grants the City, and its agents, employees, officers and contractors a license to enter the Property to perform all work and inspections deemed appropriate by the City. The license shall expire after the Plat has been completely developed.

O. **Building Permits.** In order to provide emergency vehicle access, a passable Class 5 road base must be extended to within 150 feet of any address seeking a building permit. Breach of the terms of this Agreement by the Developer shall be grounds for denial of building permits, including lots sold to third parties.

P. **Land Occupancy.** No certificate of occupancy shall be issued until:

1. Curb and gutter and bituminous surfacing (at least the first lift) are installed and approved by the City Engineer.
2. The installation of a hard surface driveway and parking lot.
3. The installation of the appropriate ground cover.

Q. **Construction Management.** The Developer and its contractors and subcontractors shall minimize impacts from construction on the surrounding neighborhood as follows:

1. **Definition of Construction Area.** The limits of the Project Area shall be defined with heavy-duty erosion control fencing approved by the City Engineer. Any grading, construction or other work outside this area requires approval by the City Engineer and the affected property owner.
2. **Parking and Storage of Materials.** Adequate on-site parking for construction vehicles and employees must be provided or provisions must be made to have employees park off-site and be shuttled to the Project Area. No parking of construction vehicles or employee vehicles shall occur along County Road C-2, Lexington Avenue, Josephine Road or Fernwood Street outside of the Plat boundaries. No fill, excavating material or construction materials shall be stored in the public right-of-way.
3. **Hours of Construction.** Hours of construction, including moving of equipment shall be limited to the hours between 7 a.m. and 9 p.m. on weekdays and 9 a.m. and 9 p.m. on weekends.

4. Site Maintenance. The Developer shall ensure the contractor maintains a clean work site. Measures shall be taken to prevent debris, refuse or other materials from leaving the site. Construction debris and other refuse generated from the project shall be removed from the site in a timely fashion and/or upon the request by the City Engineer. After the Developer has received twenty-four (24) hour verbal notice, the City may complete or contract to complete the site maintenance work at the Developer's expense.
5. Cold Weather Construction. The City requires that no public concrete or bituminous infrastructure be constructed on or within frozen ground. Upon evidence of frozen ground in the project aggregate base/subgrade and all concrete and bituminous work shall cease for the construction year. No bituminous base paving or concrete pouring will be allowed after November 1st of the calendar year. Work may be performed after November 1st only with the approval of the City Engineer, and if permitted such work shall comply with City specifications.
6. Bituminous and Concrete Material Acceptance. The City shall not accept concrete curb and gutter that has structural or cosmetic defects. The City shall identify all defective curb for removal. The City shall not accept bituminous base course with less than 91.5% density or that has an open graded appearance as determined by the City Engineer. This is considered to be rejected and shall be required to be removed at the Developer's expense. At no time shall the bituminous wear course be installed after September 1st of any calendar year or prior to weight restrictions being lifted in the spring.
7. Televising. All storm sewer and sanitary sewer shall be televised, at the Developer's expense, prior to the installation of the aggregate base, concrete curb and gutter, and bituminous. The City shall review and approve the televising tapes prior to commencement of the roadway construction. All televising media shall be submitted on DVD.
8. Project Identification Signage. Project identification signs shall comply with City Code Regulations.

R. **Certificate of Insurance.** The Developer shall take out and maintain until one year after the City has accepted the Public Improvements, workers compensation and general liability insurance satisfactory to the City covering personal injury, death, and claims for property damage which may arise out of the Developer's work, the work of its contractors and subcontractors, or by anyone directly or indirectly employed by any of them. Limits for bodily injury or death shall be not less than \$1,500,000.00 for each occurrence and limits for property damage shall be not less than \$300,000.00 for each occurrence. The City shall be named as an additional insured on the general liability policy. The Developer shall provide the City with a certificate of insurance, satisfactory to the City, which evidences that it has such insurance in place prior to the commencement of any work on the Property and a renewal certificate at least 30 days prior to the expiration date of any policy required hereunder.

S. **All Costs Responsibility of Developer.** The Developer shall pay all costs incurred by it and the City in conjunction with this Agreement, the approval of the Plat, the development of the Property, and the construction of the improvements required by this Agreement, including but not limited to, all costs of persons doing work or furnishing skills, tools, machinery and materials; insurance premiums; Letter of Credit fees; legal, planning and engineering fees; the preparation and recording of this Agreement and all easements and other documents relating to the Plat and the Property; and

all costs incurred pertaining to the inspection and monitoring of the work performed and improvements constructed on the Property. The City shall not be obligated to pay the Developer or any of its agents or contractors for any costs incurred in connection with the construction of the improvements or the development of the Property. The Developer agrees to defend, indemnify, and hold the City and its mayor, councilmembers, employees, agents and contractors harmless from any and all claims of whatever kind or nature which may arise as a result of the construction of the improvements, the development of the Property or the acts of the Developer, and its employees, agents or contractors in relationship thereto.

1. The Developer shall defend, indemnify, and hold the City and its mayor, councilmembers and employees harmless from claims made for damages sustained or costs incurred resulting from Plat approval and/or the development of the Property. The Developer shall defend, indemnify, and hold the City and its mayor, councilmembers and employees harmless for all costs, damages or expenses which the City may pay or incur in consequence of such claims, including attorney's fees.
2. The Developer shall pay, or cause to be paid when due, and in any event before any penalty is attached, all charges, costs and fees referred to in this Agreement. The foregoing shall be a personal obligation of the Developer and shall continue in full force and effect even if the Developer sells one or more lots, all of the Property, or any part of it.
3. The Developer shall pay in full all bills submitted to it by the City for obligations incurred under this Agreement within thirty (30) days after receipt. If the bills are not paid on time, the City may, in addition to all other rights and remedies the City may have, halt plat development work and construction including, but not limited to, the issuance of building permits for lots which the Developer may or may not have sold, until the bills are paid in full. Bills not paid within thirty (30) days shall accrue interest at the rate of ten percent (10%) per annum or the maximum amount allowed by law, whichever is less.
4. The Developer shall reimburse the City for all costs incurred in the enforcement of this Agreement, including all attorney and engineering fees.
5. In addition to the charges referred to herein, other charges may be imposed such as, but not limited to, sewer availability charges ("SAC"), City water connection charges, City sewer connection charges, City storm water connection charges and building permit fees. The Developer shall pay all such other charges and fees upon being billed by the City.

T. Default. In the event of default by the Developer as to any of the work to be performed by it hereunder, the City may, at its option, perform the work and the Developer shall promptly reimburse the City for any expense incurred by the City, provided the Developer is first given notice of the work in default, not less than 48 hours in advance. This Agreement is a license for the City to act, and it shall not be necessary for the City to seek a court order for permission to enter the land. When the City does any such work, the City may, in addition to its other remedies, assess the cost in whole or in part against the Developer and/or the Property.

U. Remedies. Upon the occurrence of a breach of this Agreement by the Developer, the City, in addition to any other remedy which may be available to it, shall be permitted to do the following:

1. The City may make advances or take other steps to cure the default, and where necessary, enter the Property for that purpose. The Developer shall pay all sums so advanced or

expenses incurred by the City upon demand, with interest from the date of such advances or expenses at the rate of 10% per annum or the maximum amount allowed by law, whichever is less. No action taken by the City pursuant to this section shall be deemed to relieve the Developer from curing any such default to the extent that it is not cured by the City or from any other default hereunder. The City shall not be obligated, by virtue of the existence or the exercise of this right, to perform any such act or cure any such default.

2. The Developer shall defend, indemnify, and hold the City and its mayor, councilmembers, employees, agents and contractors, harmless, including reasonable attorneys fees, from any liability or damages which may be incurred as a result of the exercise of the City's rights pursuant to this or the preceding section.
3. Obtain an order from a court of competent jurisdiction requiring the Developer to specifically perform its obligations pursuant to the terms and provisions of this Agreement.
4. Obtain an order from a court of competent jurisdiction enjoining the continuation of an event of default.
5. Halt all development work and construction of improvements until such time as the event of default is cured.
6. Withhold the issuance of a building permit or permits and/or prohibit the occupancy of any structure(s) for which permits have been issued.
7. Draw upon and utilize the Developer's letter of credit to cover the costs of the City in order to correct the default, the costs to complete any unfinished Public Improvements, the costs to draw on the Letter of Credit and/ or the costs to enforce this Agreement.
8. Terminate this Agreement by written notice to Developer at which time all terms and conditions contained herein shall be of no further force or effect and all obligations of the parties imposed hereunder shall null and void.
9. Exercise any other remedies which may be available to it at law or in equity.

In addition to the remedies and amounts payable set forth or permitted above, upon the occurrence of an event of default, the Developer shall pay to the City all fees and expenses, including attorneys fees, incurred by the City as a result of the event of default, whether or not a lawsuit or other action is formally taken.

V. Assignment. The Developer may not assign this Contract without the written permission of the Roseville City Council.

W. Notices to the Developer. Notices to the Developer shall be in writing, and shall be either hand delivered to Ian Peterson, Vice President, or any other officer of the Developer, or mailed to the Developer by registered or certified mail, postage prepaid, to the following address:

Pulte Homes of Minnesota
 7500 Office Ridge Circle, Suite 325
 Eden Prairie, MN 55344
 Attention: Ian Peterson, Vice President
 Email: Ian.peterson@pultegroup.com

Phone: (952) 988-8210

With a copy to:

Pulte Group
Legal Department
1234 Lakeshore Drive, Suite 750A
Coppell, Texas 75019
Attention: Scott Williams
Phone: (972) 462-3434
Fax: (972) 767-5614
Email : Scott.Williams@pultegroup.com

X. Notices to the City. Notices to the City shall be in writing, and shall be either hand delivered to the City Engineer, or mailed to the City by registered or certified mail, postage prepaid, to the following address:

City of Roseville
Attn: Debra Bloom, City Engineer
2660 Civic Center Drive
Roseville, Minnesota 55113
Email: Deb.bloom@ci.roseville.mn.us
Phone: 651-792-7042

Y. Miscellaneous.

1. This Agreement shall be binding upon the parties, their heirs, successors or assigns, as the case may be.
2. If any portion, section, subsection, sentence, clause, paragraph or phrase of this Agreement is for any reason held invalid, such decision shall not affect the validity of the remaining portion of this Agreement.
3. The action or inaction of the City shall not constitute a waiver or amendment to the provisions of this Agreement. To be binding, amendments or waivers must be in writing, signed by the parties and approved by the Roseville City Council. The City's failure to promptly take legal action to enforce a default under this Agreement shall not be a waiver or release of such default.
4. This Agreement shall run with the land and shall be binding upon the Developer, and its successors and assigns. The Developer shall, at its expense, record this Agreement with the Ramsey County Recorder if the Property is abstract property and/or with the Ramsey County Registrar of Titles if the Property is torrens property.
5. The Developer shall comply with the terms and conditions of this Agreement and with any and all City, County, State, Federal, and other laws and regulations including, but not limited to: subdivision ordinances, zoning ordinances and environmental regulations that may apply to the Plat and the development of the Property, as well as any other conditions promulgated by the City connection with the approval of the Plat, this Agreement, and any other approvals granted by the City in connection with the development of the property.

- 1 6. The Developer shall be responsible for recording the Plat, and the cost thereof, following
2 the approval of the Plat by the Roseville City Council. Arrangements for recording the
3 Agreement and the Plat shall made by the Developer and the City to assure that title to
4 the Property at the time of recording is satisfactory to the City. This Agreement shall be
5 recorded prior to the recording of the Plat unless otherwise agreed to by the City.
- 6 7. The Developer shall form a Homeowner's Association(s) which will, among other things,
7 be responsible for the maintenance and repair of various amenities on the Property. The
8 Homeowner's Association documents shall be subject to the approval by the City
9 Attorney and Staff. No work shall commence on the Property until such approval is
10 given unless otherwise designated by the City Engineer in writing.

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

CITY OF ROSEVILLE

By: _____
Daniel J. Roe, Mayor

By: _____
William J. Malinen, City Manager

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

The foregoing instrument was acknowledged before me this ____ day of _____, 2011, by Daniel J. Roe, Mayor, and William J. Malinen, City Manager, of the City of Roseville, a Minnesota municipal corporation, on behalf of the corporation.

Notary Public

PULTE HOMES OF MINNESOTA, LLC (Developer)

By: _____

Name: Marv McDaris, Chief Manager_

STATE OF MINNESOTA)
) ss
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 2011, by Marv McDaris, the Chief Manager of Pulte Homes of Minnesota LLC, a Minnesota Limited Liability Company, on behalf of the limited liability company.

Notary Public

THIS INSTRUMENT DRAFTED BY:

City of Roseville
Engineering Division
2660 Civic Center Drive
Roseville, Minnesota 55113

EXHIBIT A
Legal Description

All that part of Government Lot 2, Section 3, Township 29, Range 23, lying West of Lexington Avenue and lying South of Lake Josephine Road, except that part platted as North Ridge Plat 4, Ramsey County, Minnesota.

DRAFT

**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 8th day of August 2011 at 6:00 p.m.

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

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

RESOLUTION NO. _____

**A RESOLUTION APPROVING THE VACATION OF STORM SEWER EASEMENT
(PF11-003)**

WHEREAS, Pulte Homes of MN, LLC, applicant for approval of the proposed storm sewer easement vacation, owns the property which is legally described as;

PIN:03-29-23-14-0021

**All that part of Government Lot 2, Section 3, Township 29, Range 23, lying West of
Lexington Avenue and lying South of Lake Josephine Road, except that part platted as
North Ridge Plat 4, Ramsey County, Minnesota**

and WHEREAS, the Roseville Planning Commission held the public hearing regarding the proposed EASEMENT VACATION on April 6, 2011, and after said public hearing the Roseville Planning Commission unanimously voted to recommend approval of the proposed vacation based on the comments and findings of the staff report and the input from the public; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Roseville, Minnesota, That the City of Roseville hereby vacates that portion of the public storm sewer easement which is legally described as follows:

**City of Roseville perpetual utility easement dated June 19, 1980 and filed for record
August 19, 1980 in Ramsey County, Minnesota as Document No. 2087501**

20-foot easement, the center line described as follows:

Commencing at a point on the west line of Lot 9, Block 1 North Ridge Plat 4 said point being 20 feet north of the southwest corner of said Lot 9, thence southeasterly along a line to a point on the east line of Lot 10 of said Block 1, said point being 40 feet northerly of the southeast corner of said Lot 10 and also the point of beginning of said easement center line, thence continuing along said southeasterly line extended 140 feet, thence deflect to the left 45 degrees, thence northeasterly along said deflection 195 feet, thence deflect to the right 70 degrees, thence southeasterly along said deflection 265 feet, thence deflect to the left 67 degrees, thence northeasterly along said deflection 150 feet to a point on the west Right-of-Way line of Lexington Avenue and there terminating.

NOW, THEREFORE, BE IT FURTHER RESOLVED that:

1. The Roseville City Council finds that the easement vacation has no relationship to the City's Comprehensive Plan and therefore the Roseville City Council has dispensed with the requirements of Minnesota Statutes §462.356, Subd. 2;
2. The vacation applies only to that portion of the public storm sewer easement legally described above and not: (a) the rights of other existing utilities, if any, as provided in Minnesota Statutes §161.45, Subd. 3, or (b) any other easements running to or benefitting the City of Roseville; and
3. The City Manager is directed to record a notice of completion of these vacation proceedings pursuant to Minnesota Statutes §412.851.

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

WHEREUPON said resolution was declared duly passed and adopted.

Resolution – Josephine Woods storm sewer easement (PF11-003)

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 8th day of August 2011 with the original thereof on file in my office.

WITNESS MY HAND officially as such Manager this 8th day of August 2011.

William J. Malinen, 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 8th day of August 2011 at 6:00 p.m.

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

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

RESOLUTION NO. _____

**A Resolution approving the final plat of Josephine Woods and Public Improvement
Contract (pf11-003)**

WHEREAS, Pulte Homes of MN, LLC, applicant for approval of the proposed plat, owns the property which is legally described as;

PIN:03-29-23-14-0021

**All that part of Government Lot 2, Section 3, Township 29, Range 23, lying West of
Lexington Avenue and lying South of Lake Josephine Road, except that part platted as
North Ridge Plat 4, Ramsey County, Minnesota**

and WHEREAS, the Roseville Planning Commission held the public hearing regarding the proposed preliminary plat on March 2, 2011, and after said public hearing the Roseville Planning Commission unanimously voted to recommend approval of the proposed preliminary plat based on the comments and findings of the staff report and the input from the public; and

WHEREAS, the Roseville City Council, at its regular meeting on March 21, 2011, received the Planning Commission's recommendation and voted unanimously to approve the preliminary plat; and

WHEREAS, the final plat materials and a Public Improvement Contract have been prepared and submitted, pursuant to the preliminary plat approval;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Roseville, Minnesota, that the Final Plat of the subject property creating Lots 1-12, Block 1, and Lots 1-16, Block 2 of the Josephine Woods plat is hereby approved, subject to the condition that Pulte Homes of MN, LLC shall provide acceptable title evidence to the City showing satisfactory fee simple title solely in the name of Pulte Homes of MN, LLC, without any encumbrances, liens or other interests against the property.

NOW, THEREFORE, BE IT further RESOLVED by the City Council of the City of Roseville, Minnesota, that the Public Improvement Contract between the City and Pulte Homes of MN, LLC is hereby approved and that the City Manager and Mayor are hereby authorized to sign the Public Improvement Contract on behalf of the City.

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

84 WHEREUPON said resolution was declared duly passed and adopted.

Resolution – Josephine Woods Plat (PF11-003)

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 8th day of August 2011 with the original thereof on file in my office.

WITNESS MY HAND officially as such Manager this 8th day of August 2011.

William J. Malinen, City Manager

(SEAL)