

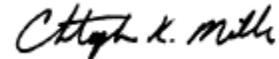
**ROSEVILLE**  
**REQUEST FOR COUNCIL ACTION**

DATE: 4/26/2010  
ITEM NO: 12.h

Department Approval:



Acting City Manager Approval:



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

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1 **1.0 REQUESTED ACTION**

2 St. Paul Regional Water Services (SPRWS) is seeking an extension of the time allowed  
3 in the City Council's approval of a temporary concrete crushing/recycling operation as an  
4 INTERIM USE at the Dale Street Reservoir at 1901 Alta Vista Drive. The extension request  
5 is included with this staff report as Attachment B.

6 **Project Review History**

- 7 • Planning Commission recommendation (5-0) to approve the proposed INTERIM USE:  
8 February 3, 2010
- 9 • City Council approval (4-0) of the INTERIM USE: February 22, 2010
- 10 • Extension request: April 9, 2010
- 11 • Project report prepared: April 12, 2010

12 **2.0 SUMMARY OF RECOMMENDATION**

13 Planning Division staff recommends approval of the requested extension to the temporary  
14 concrete recycling operation, subject to certain conditions; see Section 4-5 of this report  
15 for additional information.

16 **3.0 SUMMARY OF SUGGESTED ACTION**

17 Pass a motion extending the dates of operation of the approved INTERIM USE; see Section  
18 6 of this report for details.

19 **4.0 BACKGROUND**

20 4.1 Section 1013.09 (Interim Uses) of the City Code establishes the regulations pertaining to  
21 INTERIM USES.

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

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

33 4.2 An applicant seeking approval an INTERIM USE is required to hold an open house meeting  
34 to inform the surrounding property owners and other interested attendees of the proposal,  
35 to answer questions, and to solicit feedback. The open house was held on December 15,  
36 2009; according to the sign-in sheet submitted with the INTERIM USE application  
37 approximately a dozen people attended the open house meeting. A summary of the open  
38 house meeting is included with this staff report as Attachment C.

39 4.3 The duly noticed public hearing for this request was held by the Planning Commission on  
40 February 3, 2010. Much of the public comment from people who attended the meeting or  
41 who sent email to staff prior to the meeting, revolved around the demolition of the  
42 existing reservoir or the construction of the new facility; while issues related to the  
43 removal and replacement of the reservoir are not insignificant, they are not germane to  
44 the requested approval of a temporary concrete recycling operation. Minutes of the public  
45 hearing are included with this staff report as Attachment D. The application was  
46 subsequently approved on February 22<sup>nd</sup> as part of the City Council's consent agenda;  
47 while there was no further discussion of the proposal, the meeting minutes reflect that  
48 Mayor Klausing confirmed that nobody was in attendance of the meeting who wished to  
49 speak about the proposal.

50 4.4 Since the approval of the INTERIM USE application, one nearby homeowner phoned City  
51 staff in mid-March to express concerns that the demolition had not yet begun and, if the  
52 recycling operation would not be completed by the May 15<sup>th</sup> deadline, it would become  
53 more of a disruption if it continued beyond that date.

54 **5.0 STAFF COMMENTS**

55 5.1 When the Planning Commission and City Council reviewed and approved the proposed  
56 INTERIM USE in February, SPRWS representatives believed that they were nearing the end  
57 of the process selecting a contractor to demolish the existing reservoir facility and that  
58 the demolition and subsequent concrete recycling would soon begin. With this  
59 expectation, SPRWS felt that the recycling operation could be concluded by May 15,  
60 2010. The time invested in evaluating the first-choice contractor turned out to be time  
61 well spent because SPRWS found that this contractor would not be a suitable choice. But

62 this time vetting a contractor that would ultimately be ruled out had the effect of delaying  
63 the demolition project because another contractor had to be evaluated through the same  
64 process.

65 5.2 Now that the demolition contract has finally been awarded, there is no longer enough  
66 time to demolish the existing reservoir and conclude the concrete recycling by May 15<sup>th</sup>,  
67 which is the required end date established in the approval of the INTERIM USE. SPRWS is  
68 currently requesting that the expiration of the recycling operation be pushed back to June  
69 12, 2010 in order to account for the delayed start of the demolition.

70 5.3 The City Code does not address INTERIM USE extensions like the one presently requested.  
71 For longer-term INTERIM USES like the State Fair Park and Ride lots in various locations  
72 around the community, a use is approved for a certain number of months or years and, if  
73 the applicants wish to continue the use beyond that time, they have been required to  
74 apply for a new approval, beginning by holding an open house meeting before seeking  
75 the support of the Planning Commission and the approval of the City Council. In this  
76 case, where the approved use has not yet begun and would only last a handful of weeks  
77 (which is less time than would be required to navigate a new application and approval  
78 process), the City Attorney has indicated that the City Council may approve the requested  
79 extension without a renewed application process.

80 5.4 When the INTERIM USE was approved, several conditions were attached to the approval to  
81 mitigate negative impacts; Resolution 10787 approving the concrete recycling operation  
82 is included with this staff report as Attachment E. Of those conditions, most address the  
83 conduct and conclusion of the temporary use and Planning Division staff recommends  
84 leaving those conditions unchanged except for an extension of the dates of operation.  
85 Three other conditions of the original approval require the development of plans for  
86 ensuring the safety of park users, preserving maintenance access to the adjacent cellular  
87 tower facility, and repairing any damage to the asphalt pavement on the park property.  
88 All of these plans have been developed at a recent “pre-construction meeting” through  
89 collaboration between City and SPRWS staff. The applicant has indicated a willingness  
90 to send a letter to the neighbors to inform them of the project status and invite them to  
91 contact project staff with any concerns or questions; Planning Division staff recommends  
92 making this a requirement if the requested extension is granted.

## 93 6.0 SUGGESTED ACTION

94 **Pass a motion amending condition “h” of Resolution 10787** to allow the temporary  
95 recycling of concrete at the Dale Street Reservoir, 1901 Alta Vista Drive, as an INTERIM  
96 USE to continue until June 12, 2010, based on the comments and findings of Sections 4-5  
97 of this report, and subject to the condition that the applicant send a letter to the owners of  
98 property within 500 feet of the reservoir site to inform them of the project status and to  
99 instruct the property owners to call SPRWS staff with questions and concerns.

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

Attachments: A: Area map D: Public hearing minutes  
B: SPRWS extension request letter E: Resolution 10787  
C: Open house meeting summary

# Attachment A: Location Map for Planning File 10-001



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



### Site Location

LR / R1 Comp Plan / Zoning Designations

#### Data Sources

\* Ramsey County GIS Base Map (1/4/2010)  
For further information regarding the contents of this map contact:  
City of Roseville, Community Development Department,  
2660 Civic Center Drive, Roseville MN

#### Disclaimer

This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only. The City does not warrant that the Geographic Information System (GIS) Data used to prepare this map are error free, and the City does not represent that the GIS Data can be used for navigational, tracking or any other purpose requiring exacting measurement of distance or direction or precision in the depiction of geographic features. If errors or discrepancies are found please contact 651-792-7085. The preceding disclaimer is provided pursuant to Minnesota Statutes §466.03, Subd. 21 (2000), and the user of this map acknowledges that the City shall not be liable for any damages, and expressly waives all claims, and agrees to defend, indemnify, and hold harmless the City from any and all claims brought by User, its employees or agents, or third parties which arise out of the user's access or use of data provided.



mapdoc: planning\_commission\_location.mxd

Saint Paul Regional Water Services  
1900 Rice St  
Saint Paul, MN 55113  
April 9, 2010

Bryan Lloyd  
Associate City Planner  
City of Roseville  
2660 Civic Center Drive  
Roseville, MN 55113

Re: Request for Interim Use Permit Extension–Dale Reservoir

Bryan:

This letter is in regards to the Interim Use Permit approving concrete recycling at the Dale Street Reservoir. SPRWS would like to request an extension of that permit from the original end date of May 15, 2010 to June 12, 2010.

The demolition project was delayed during the contract award process. SPRWS checked references of the low bidder and found that they were not responsible and had not performed to expected standards on previous projects. Due to the scope of this project, SPRWS decided not to take the risk, and excluded the low bidder. SPRWS then contacted another bidder and checked their references. Once the references checked out, SPRWS met with the bidder to go over the project and their approach. Satisfied that they could complete the project, the contract award process was started.

If this extension is approved, SPRWS will gladly send letters to the neighborhood updating them on the status of the project. Specifically, letting them know of the new concrete recycling end date and that it was approved by the City Council. The letters will also instruct the homeowners to call Steve Campbell of SEH or me if they have questions or concerns.

Thank you.

Sincerely,

Tim Bagstad  
Project Engineer

## **Open House Summary**

### **St. Paul Regional Water Services**

### **Demolition of the 30,000,000 Gallon Concrete Reservoir**

### **Located in Reservoir Woods**

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

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

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

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

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

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

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

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

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

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

**1 Planning File 10-001****2 Request by St. Paul Regional Water Services for approval of concrete recycling as an INTERIM USE at the**  
**3 Dale Set Reservoir, 1901 Alta Vista Drive**

4 Chair Doherty opened the Public Hearing for Planning File 10-001 at 6:37 p.m.

5 Associate Planner Bryan Lloyd reviewed staff's analysis of the request by St. Paul Regional Water Services  
6 (SPRWS) to reuse the concrete from the demolition of the existing reservoir in the construction of the new  
7 reservoir, rather than trucking out the concrete rubble, at the Dale Street Reservoir at 1901 Alta Vista Drive. The  
8 request seeks approval of a temporary concrete crushing/recycling operation as an INTERIM USE, pursuant to  
9 City Code, Section 1013.09.

10 Mr. Lloyd noted that the most significant issues would be noise and vibrations during the crushing operations;  
11 however, he noted that there were no residents within 150' of the proposed crushing site, with the closest  
12 residence being approximately 500' from the location, so impact in the neighborhood should be minimal. Mr. Lloyd  
13 advised that, to mitigate any potential noise concerns, City Code stipulated hours of operation on weekdays from  
14 7:00 a.m. – 10:00 p.m., and 9:00 a.m. – 9:00 p.m. on weekends; and staff was recommending an additional  
15 condition further reducing those times of operation to 8:00 a.m. – 8:00 p.m. on weekdays; and 9:00 a.m. – 8:00  
16 p.m. on weekends for even less interruption of residents' mornings and evenings.

17 Mr. Lloyd noted that any potential runoff and dust were regulated by City Code, through watering down of the  
18 piles as part of the process; and further monitored by state level agencies.

19 Staff recommended approval of the requested INTERIM USE, based on the comments and findings of Sections 4  
20 – 6, and subject to conditions as detailed in Section 7 of the staff report dated February 03, 2010. Mr. Lloyd  
21 advised that the only condition still pending agreement between staff and the applicant was the ending date  
22 suggested for April 30, 2010; with the applicant seeking an additional two (2) weeks, until May 15, 2010, to  
23 facilitate any potential delays. Mr. Lloyd further advised that staff had determined that this extension should cause  
24 no major impacts to the process.

25 Discussion included the number of anticipated days required for the crushing operations; completion of demolition  
26 with materials stockpiled, then crushed within a contracted period of time, prior to construction of the new facility;  
27 and plans of the applicant for dust mitigation.

**28 Applicant Representative, John Klebeck, Short Elliott Hendrickson**

29 Mr. Klebeck advised that the start date of the demolition portion of the project is projected to be approximately  
30 March 1, 2010, with a bid opening scheduled for February 24, and pending contract processing. Mr. Klebeck  
31 advised that there was no date scheduled yet for the crushing, and would be up to the contractor, but that it was  
32 anticipated to begin as early as possible, with the projected May 15, 2010 deadline for completion of that portion  
33 of the operation.

34 Discussion among Commissioners, staff and the applicant included the process for demolition, crushing and use  
35 of the crushed materials for the foundation base of the new reservoir; footprint of the new reservoir the same as  
36 the original; height of the new reservoir, with final design still pending, but anticipated to be a concrete tank with a  
37 domed top and somewhat taller than the original, with bermed materials stockpiled and reused during the re-  
38 grading of area around the new tank, which will project further from the ground than the original, even though it  
39 capacity will be less than the original tank.

40 Mr. Klebeck advised that the original tank was constructed in 1918, stipulated where the actual crushing  
41 operations would occur on site; changes to the topography of the site the new construction based on gravity flow;  
42 composition of materials to be crushed according to MPCA guidelines; identification of project manager Steve  
43 Campbell from S.E.H. Engineering for identification of the project scope; and attempts to keep the crushing  
44 operation to as limited a time as possible during the spring before windows/doors are opened to keep impacts  
45 minimal for the benefit of the neighbors.

46 Further discussion included materials and/or chemicals that may be or may have been stored in the gatehouses,  
47 also scheduled for demolition, with roofing and brick materials proposed to be trucked off-site and not reused;  
48 electrical service nodes and alarms as part of the SCADA system for the City of Roseville and St. Paul Regional  
49 Water Services (SPRWS); and recommendation of Commissioner Wozniak to contact Ramsey County  
50 Environmental Health prior to demolition of the gatehouses to facilitate disposal of fluorescent lighting and other  
51 hazardous wastes in the gatehouses.

52 Mr. Paschke advised that, as standard practice, Ramsey County was notified by staff during the permitting  
53 process.

54 Additional discussion included any impacts, perceived as minimal by the applicant, to the pond on the east side of  
55 Dale Street, with the reservoir being currently empty and no discharge planned prior to demolition, with only the  
56 SPRWS draining the tank down periodically for normal maintenance; and the new tank having less impact on the  
57 pond than the current tank based on its smaller capacity.

58 **Public Comment**

59 Mr. Lloyd advised that, following public notice, staff had received one e-mail from a neighbor seeking additional  
60 information related to noise, traffic, and water in the reservoir, similar to those already addressed this evening,  
61 and that staff had responded to the individual.

62 **Kathleen Winters, 676 Pineview Court**

63 Ms. Winters expressed appreciation for the additional details available at tonight's meeting, than at the public  
64 meeting held in November of 2009; and sought assurances that asbestos and mercury switches had been  
65 addressed. Ms. Winters respectfully requested that staff ensure that the environmental survey was  
66 comprehensive enough to cover all materials not allowed to be in structures when demolished, including the  
67 reservoir and any additional service buildings. Ms. Winters advised that area residents, including her, were  
68 interested if other areas of the park or trails from the main gate would be utilized by contractors for access to the  
69 construction site.

70 Mr. Lloyd advised that the majority of the truck traffic was expected to occur before or during demolition and  
71 construction, but not during the crushing operation itself. Mr. Lloyd advised that the City's Parks Department was  
72 working with the applicant to close off the work site while allowing access to the remainder of the park through  
73 use of fences and signage.

74 **Bob Guthrie, 1610 Alameda Street**

75 Mr. Guthrie opined that a number of people in the neighborhood had not been aware of this meeting, including a  
76 number of residents utilizing the park on the north and south side. Mr. Guthrie further opined that, while water  
77 pressure was not an issue, the lasting visual impact was a concern, specifically taking the footprint as displayed,  
78 using the crushed concrete as a base, and extending vertically another 15'. Mr. Guthrie referenced City Code,  
79 Chapter 1011.08 related to design standards; zoning of the area for Parks and Open Space; and whether the  
80 structure had to be screened; or if a cross-section view was available to allow residents to determine future  
81 aesthetics.

82 Mr. Paschke clarified that the only item before the Planning Commission is the crushing of the existing structure  
83 and utilizing that for base materials. Mr. Paschke advised that water towers and how the City regulates them are  
84 exempt from code; and that both the City and SPRWS are aware of the height of the new tower and are working  
85 cooperatively to minimize the visual impact. Mr. Paschke advised that the new tower would be required, based on  
86 other City Code regulations, to meet exterior finish restrictions; however, with no final plans submitted to-date,  
87 staff was unable to address those issues until receipt of those plans, which would be handled administratively. Mr.  
88 Paschke noted, however, that water towers are exempt from screening and height requirements.

89 Mr. Klebeck advised that the height of the new tower was still being worked out, with cost considerations a part of  
90 that equation based on the type of construction materials used. Mr. Klebeck anticipated that the final overall  
91 height would be thirty feet (30'). Mr. Klebeck advised that the height considerations were further based on service  
92 to the City in maintaining pumping pressure and high-service pumps with limited operations during peak energy  
93 times.

94 Mr. Klebeck assured the Commissioners and public that the final height consideration, while still under discussion,  
95 and impacts to the neighborhood aesthetically for surrounding streets, park land, homes, and the entire  
96 neighborhood was a prime concern in their attempts to minimize that impact.

97 Mr. Paschke committed to having finalized designs, once submitted, available on the City's website for public  
98 dissemination, with boards displayed at City Hall as well.

99 Commissioner Wozniak suggested that the applicant consider having information displayed at the park for public  
100 information as well.

101 Mr. Lloyd noted that the Community Development Department web page was consistently updated with more  
102 significant developments occurring in the community and would be the place to find information about the  
103 reservoir project as it became available.

104 **Carole Rust, 1826 Alameda Street**

105 Ms. Rust questioned impacts to the surrounding old-growth forest during construction, noting that the

106 environment, plants, and wildlife were of vital importance to the community, while facilitating access for demolition  
107 and/or construction activities.

108 Mr. Lloyd reviewed the access to the reservoir site itself versus Alta Vista Road and the park, noting the service  
109 roads already on the site that would be utilized by contractors.

110 Mr. Lloyd noted an additional question from the caller he had previously mentioned and his question related to  
111 National security considerations to make sure current and future water sources are secure from tampering and/or  
112 attack.

113 **Steve Schneider, General Manager, St. Paul Regional Water Services**

114 Without providing specifics due to security issues, Mr. Schneider advised that the existing reservoir was secured  
115 via alarms and other means, and the new one would have similar if not upgraded security functions.

116 Discussion among Commissioners, staff and Mr. Schneider included rationale for replacing the 1918 structure,  
117 built to a higher capacity than now needed due to other facilities, and almost exclusive use by only the City of  
118 Roseville at this time; construction of the current structure with materials of non-reinforced concrete, and  
119 deterioration of that structure since its original construction, even though amazing in its structure and architectural  
120 features in the interior of the tank.

121 Mr. Schneider offered to arrange for limited tours for interested city officials, but unfortunately not available for the  
122 general public due to safety considerations, and the need to outfit visitors with harnessing equipment, etc.

123 Chair Doherty closed the Public Hearing at 7:13 p.m., with no one else appearing for or against.

124 Discussion among Commissioners and staff included clarifying that design/build issues were not before the  
125 Planning Commission, and since construction of the tower is a permitted use, there would be no further hearing  
126 before the Planning Commission or City Council, with only administrative review and approval at the staff level for  
127 those aspects of the project. Mr. Paschke again advised that only purpose for this hearing was for the Interim Use  
128 application for the crushing operation that required Planning Commission and City Council action.

129 Further discussion included the advantages in minimizing impacts by crushing and reusing the materials on-site  
130 rather than trucking them off site and creating additional truck traffic and noise.

131 Mr. Paschke advised that, in reference to crushing operation noises, he had personally visited a crushing site at I-  
132 694 and the former Ramsey County Public Works Garage on Rice Street in Roseville, to document the operation  
133 on film with sound to better determine actual impacts. Mr. Paschke advised that there was minimal noise at 150'  
134 and that it didn't sound much different than standing next to I-694, with that crushing site located just off Owasso  
135 Boulevard. Mr. Paschke advised that there was construction-type noise all around the site, but as one moved  
136 further away, it was not that obvious, and blended with other surrounding noises. Mr. Paschke advised that  
137 residential properties adjacent to this site were not as close in proximity as homes were for that previous project.

138 Commissioners Gottfried and Gisselquist concurred that attempting to complete the crushing operation in the  
139 spring was fortuitous and that crushing on site, as opposed to the noise and dust from trucks hauling off-site was  
140 the lesser of two evils in getting the work completed.

141 **MOTION**

142 **Member Boerigter moved, seconded by Member Wozniak to RECOMMEND TO THE CITY COUNCIL**  
143 **APPROVAL of an INTERIM USE for Saint Paul Regional Water Services (SPRWS) to allow the temporary**  
144 **recycling of concrete at the Dale Street Reservoir, 1901 Alta Vista Drive, based on the comments and**  
145 **findings of Section 4 – 6 and the conditions of Section 7 as detailed in the staff report dated February 03,**  
146 **2010; amended as follows:**

147 **Condition H: modify completion date from April 30 to May 15, 2010.**

148 Commissioner Wozniak encouraged the applicant and City staff to take every available option to update the  
149 community with the status of the project as it pertains to final design.

150 Mr. Paschke duly noted this request.

151 **Ayes: 5**

152 **Nays: 0**

153 **Motion carried.**

**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 22<sup>nd</sup> day of February 2010 at 6:00 p.m.

The following Members were present: Johnson; Pust; Roe; and Klausing; and the following Members were absent: Ihlan.

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

**RESOLUTION NO. 10787  
A RESOLUTION APPROVING CONCRETE RECYCLING AT THE DALE STREET  
RESERVOIR AS AN INTERIM USE IN ACCORDANCE WITH §1013.09 OF THE  
ROSEVILLE CITY CODE FOR SAINT PAUL REGIONAL WATER SERVICES  
(PF10-001)**

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

WHEREAS, the subject property is legally described as:

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

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

WHEREAS, the Roseville Planning Commission held the public hearing regarding the proposed INTERIM USE on February 3, 2010, voting 5-0 to recommend approval of the use based on the comments and findings of the staff report prepared for said public hearing; and

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

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

- a.** The project site shall be limited to the general area indicated on the site plan reviewed with this application as Attachment C;

- b.** Materials to be recycled shall be limited to the rubble generated by the demolition of the Dale Street Reservoir facility;
- c.** The temporary operation shall employ best management practices (e.g., watering piles, installing silt fencing, etc.) to control dust and potential stockpile erosion. Said erosion control plan shall be reviewed and approved by the City Engineer;
- d.** Operation of recycling equipment shall be limited to the hours of 8:00 a.m.-8:00 p.m. on weekdays and 9:00 a.m.-8:00 p.m. on weekends;
- e.** The applicant shall be responsible for protecting and/or repairing damage to the pavement on the pathways/parking areas leading from Alta Vista Drive/Stuber Road to the reservoir site after the completion of the reconstruction project;
- f.** The applicant shall work with Public Works staff to ensure the preservation of maintenance access to the adjacent cellular tower and ground equipment during the project;
- g.** The applicant shall work with Parks and Recreation staff to develop and implement a park safety plan to ensure that park users are adequately informed of or restricted from the project area; and
- h.** Once approved the recycling operation shall be discontinued by 8:00 p.m. on May 15, 2010 or upon the completion of the recycling, whichever comes first.

The motion for the adoption of the foregoing resolution was duly seconded by Council Member Johnson and upon vote being taken thereon, the following voted in favor: Johnson; Pust; Roe; and Klausing; and none voted against.

WHEREUPON said resolution was declared duly passed and adopted.

