

MINUTES
MAPLEWOOD CITY COUNCIL
7:00 P.M. Monday, December 12, 2022
City Hall, Council Chambers
Meeting No. 25-22

J. NEW BUSINESS

- 2. Multifamily Residential Project, 3090 Southlawn Drive North**
 - a. Preliminary Plat and Final Plat Resolution**
 - b. Wetland Buffer Variance Resolution**
 - c. Design Review Resolution**

Assistant Community Development Director Martin gave the staff report. Patrick Brama, with Enclave Development, addressed the council and provided further information.

Councilmember Cave moved to approve the resolution for a preliminary plat and final plat.

Resolution 22-12-2158
PRELIMINARY PLAT AND FINAL PLAT RESOLUTION

BE IT RESOLVED by the City Council of the City of Maplewood, Minnesota, as follows:

Section 1. Background.

1.01 Patrick Brama of Enclave Development has requested preliminary plat and final plat approval.

1.02 The property is located at 3090 Southlawn Drive and is legally described as:

Parcel A: 022922220016

That part of the Northwest Quarter of Section 2, Township 29, Range 22, Ramsey County, Minnesota, lying West of Lot 3, Block 1, Maplewood Mall Addition, and lying Northerly of the following described line: Commencing at the Northwest corner of Lot 6, said Block 1; thence North 46 degrees 08 minutes 30 seconds East, assumed bearing, along the Northwesterly line of said Lot 6 a distance of 47.32 feet; thence Northeasterly 130.22 feet along said Northwesterly line on a tangential curve concave to the Southeast having a central angle of 5 degrees 10 minutes 06 seconds East and a radius of 1,443.54 feet; thence South 89 degrees 33 minutes 44 seconds West 132.86 feet to the West line of said Northwest Quarter; thence North 0 degrees 26 minutes 16 seconds West along said West line 731.18 feet to the point of beginning of the line to be herein described; thence South 89 degrees 32 minutes 06 seconds East parallel with the North line of said Northwest Quarter 508.59 feet to the West line of said Lot 3 and there terminating. Excepting therefrom the Southerly 190.85 feet of the above described property.

Parcel B: 022922220017

The Southerly 190.85 feet of the above described property: That part of the Northwest Quarter of Section 2, Township 29, Range 22, Ramsey County, Minnesota, lying West of Lot 3, Block 1, Maplewood Mall Addition, and lying Northerly of the following described line: Commencing at the Northwest corner of Lot 6, said Block 1; thence North 46 degrees 08 minutes 30 seconds East, assumed bearing, along the Northwesterly line of said Lot 6 a distance of 47.32 feet; thence Northeasterly 130.22 feet along said Northwesterly line on a tangential curve concave to the Southeast having a central angle of 5 degrees 10 minutes 06 seconds East and a radius of 1,443.54 feet; thence South 89 degrees 33 minutes 44 seconds West 132.86 feet to the West line of said Northwest Quarter; thence North 0 degrees 26 minutes 16 seconds West along said West line 731.18 feet to the point of beginning of the line to be herein described; thence South 89 degrees 32 minutes 06 seconds East parallel with the North line of said Northwest Quarter 508.59 feet to the West line of said Lot 3 and there terminating.
Ramsey County, Minnesota
Abstract Property

Section 2. Preliminary Plat and Final Plat Standards.

2.01 City ordinance requires that subdivisions and platting within the NE district are subject to the procedures and application requirements established in ch.34 Subdivisions of the Maplewood City Code, with the following provisions and exceptions: The block, street, and lot requirements of section 44-705, Subdivision standards shall supersede any related standards in section 34-8, Minimum subdivision design standards.

Section 3. Findings.

3.01 The proposal meets the specific platting standards.

Section 4. City Review Process.

4.01 The City conducted the following review when considering this preliminary plat and final plat request.

1. On November 15, 2022, the planning commission held a public hearing. The city staff published a hearing notice in the Pioneer Press and sent notices to the surrounding property owners. The planning commission gave everyone at the hearing a chance to speak and present written statements. The planning commission recommended that the city council approve this resolution.
2. On December 12, 2022, the city council discussed this resolution. They considered reports and recommendations from the planning commission and city staff.

Section 5. City Council Action.

- 5.01 The city council hereby approves the resolution. Approval is based on the findings outlined in section 3 of this resolution and with the following conditions:

Prior to the City signing the final plat for recording, the applicant must submit a plat opinion letter from the city attorney.

Seconded by Councilmember Juenemann Ayes – All

The motion passed.

Councilmember Juenemann moved to approve the resolution for a 50-foot wetland buffer variance.

Resolution 22-12-2159
WETLAND BUFFER VARIANCE RESOLUTION

BE IT RESOLVED by the City Council of the City of Maplewood, Minnesota, as follows:

Section 1. Background.

1.01 Patrick Brama, of Enclave Development, has requested approval for a 50-foot wetland buffer variance.

1.02 The property is located at 3090 Southlawn Drive and is legally described as:

Parcel A: 022922220016

That part of the Northwest Quarter of Section 2, Township 29, Range 22, Ramsey County, Minnesota, lying West of Lot 3, Block 1, Maplewood Mall Addition, and lying Northerly of the following described line: Commencing at the Northwest corner of Lot 6, said Block 1; thence North 46 degrees 08 minutes 30 seconds East, assumed bearing, along the Northwesterly line of said Lot 6 a distance of 47.32 feet; thence Northeasterly 130.22 feet along said Northwesterly line on a tangential curve concave to the Southeast having a central angle of 5 degrees 10 minutes 06 seconds East and a radius of 1,443.54 feet; thence South 89 degrees 33 minutes 44 seconds West 132.86 feet to the West line of said Northwest Quarter; thence North 0 degrees 26 minutes 16 seconds West along said West line 731.18 feet to the point of beginning of the line to be herein described; thence South 89 degrees 32 minutes 06 seconds East parallel with the North line of said Northwest Quarter 508.59 feet to the West line of said Lot 3 and there terminating. Excepting therefrom the Southerly 190.85 feet of the above described property.

Parcel B: 022922220017

The Southerly 190.85 feet of the above described property: That part of the Northwest Quarter of Section 2, Township 29, Range 22, Ramsey County, Minnesota, lying West of Lot 3, Block 1, Maplewood Mall Addition, and lying Northerly of the following described line: Commencing at the Northwest corner of Lot 6, said Block 1; thence North 46 degrees 08 minutes 30 seconds East, assumed bearing, along the Northwesterly

line of said Lot 6 a distance of 47.32 feet; thence Northeasterly 130.22 feet along said Northwesterly line on a tangential curve concave to the Southeast having a central angle of 5 degrees 10 minutes 06 seconds East and a radius of 1,443.54 feet; thence South 89 degrees 33 minutes 44 seconds West 132.86 feet to the West line of said Northwest Quarter; thence North 0 degrees 26 minutes 16 seconds West along said West line 731.18 feet to the point of beginning of the line to be herein described; thence South 89 degrees 32 minutes 06 seconds East parallel with the North line of said Northwest Quarter 508.59 feet to the West line of said Lot 3 and there terminating. Ramsey County, Minnesota Abstract Property

Section 2. Standards.

2.01 City Ordinance Section 18-221 (d) (1) requires a minimum buffer width of 50 feet from Manage C Wetlands where no building, grading, or mowing is permitted.

2.02 City Ordinance Section 18-221 (h) (1) provides procedures for granting a variance to the wetland ordinance requirements and refers to the state statute where a variance may be granted when: (1) the variance is in harmony with the general purposes and intent of this ordinance; (2) when the variance is consistent with the comprehensive plan; and (3) when the applicant establishes that there are practical difficulties in complying with the ordinance. Practical difficulties mean: (1) The proposed use is reasonable; (2) the need for a variance is caused by circumstances unique to the property, not created by the property owner; (3) the proposal will not alter the essential character of the locality.

Section 3. Findings.

- 3.01
1. Wetland buffer mitigation will improve the existing buffer with native plants and seed.
 2. The proposed development meets the intent of City ordinance standards in the North End Zoning District and is consistent with the goals of our comprehensive plan.
 3. The request is reasonable. Any future improvement on this site will require work within the wetland buffer, and the proposed development will significantly improve the stormwater and wetland buffer conditions of the site.
 4. The existing conditions on this property are unique and not caused by the property owner.
 5. The proposed building would complement the surrounding buildings without altering the essential character of the area.

Section 4. City Review Process

- 4.01 The City conducted the following review when considering this wetland buffer setback variance request.
1. On November 15, 2022, the Planning Commission held a public hearing. The City staff published a hearing notice in the Pioneer Press and sent notices to the surrounding property owners. The Planning Commission gave everyone at the hearing a chance to speak and present written statements. The Planning Commission recommended that the City Council approve this resolution.
 2. On November 30, 2022, the Environmental and Natural Resources Commission reviewed the request. The Environmental and Natural Resources Commission recommended that the City Council approve this resolution.
 3. On December 12, 2022, the city council discussed this resolution. They considered reports and recommendations from the Planning Commission, Environmental and Natural Resources Commission, and City staff.

Section 5. City Council Action.

- 5.01 The City Council hereby approves the resolution. Approval is based on the findings outlined in section 3 of this resolution. Approval is subject to the applicant doing the following:
1. Satisfy the requirements set forth in the engineering review authored by Jon Jarosch, dated November 2, 2022.
 2. Satisfy the requirements set forth in the environmental review authored by Shann Finwall and Carole Gernes, dated November 22, 2022.
 3. The applicant shall obtain all required permits from the Ramsey-Washington Metro Watershed District.

Seconded by Councilmember Cave

Ayes – All

The motion passed.

Councilmember Knutson moved to approve the resolution for design review for a multifamily residential apartment project at 3090 Southlawn Drive North.

Resolution 22-12-2160
DESIGN REVIEW RESOLUTION

BE IT RESOLVED by the City Council of the City of Maplewood, Minnesota, as follows:

Section 1. Background.

1.01 Patrick Brama, of Enclave Development, has requested design review approval for a four-story apartment building.

1.02 The property is located at 3090 Southlawn Drive.

Section 2. Site and Building Plan Findings.

2.01 City ordinance Section 2-290(b) requires that the community design review board make the following findings to approve plans:

1. That the design and location of the proposed development and its relationship to neighboring, existing or proposed developments and traffic is such that it will not impair the desirability of investment or occupation in the neighborhood; that it will not unreasonably interfere with the use and enjoyment of neighboring, existing or proposed developments; and that it will not create traffic hazards or congestion.
2. That the design and location of the proposed development are in keeping with the character of the surrounding neighborhood and are not detrimental to the harmonious, orderly and attractive development contemplated by this article and the city's comprehensive municipal plan.
3. That the design and location of the proposed development would provide a desirable environment for its occupants, as well as for its neighbors, and that it is aesthetically of good composition, materials, textures and colors.

Section 3. City Council Action.

3.01 The above-described site and design plans are hereby approved based on the findings outlined in Section 2 of this resolution. Subject to staff approval, the site must be developed and maintained in substantial conformance with the design plans date-stamped October 25, 2022. Approval is subject to the applicant doing the following:

1. Repeat this review in two years if the city has not issued a building permit for this project.
2. All requirements of the fire marshal and building official must be met.
3. Satisfy the requirements set forth in the engineering review authored by Jon Jarosch, dated November 2, 2022.
4. Satisfy the requirements set forth in the environmental review authored by Shann Finwall, dated November 22, 2022.
5. The applicant shall obtain all required permits from the Ramsey-Washington Metro Watershed District.
6. Rooftop vents and mechanical equipment shall be screened and located out of view from all sides of the property. Rooftop mechanical

equipment greater than four feet in height shall be screened in an enclosure that also considers views from above. All screening shall be at least of equal height to the mechanical equipment that it screens. In all instances, rooftop equipment that is visible from any public street or adjoining property shall be painted to match the building. To avoid noise and air quality impacts on open space areas, mechanical ducts or vents, with the exception of residential kitchen and bathroom vents, shall not be located adjacent to areas designated for courtyards or common activity areas.

7. Storage of refuse containers should be accommodated inside the buildings. However, outdoor storage can be provided if adequately screened both architecturally and with landscaping. The location should minimize visibility from the street and neighboring buildings. No refuse storage is allowed in front of the building, adjacent to the street; corner lots shall not have refuse storage adjacent to either street.
8. Any identification or monument signs for the project must meet the requirements of the city's sign ordinance. Identification or monument signs shall be designed to be consistent with the project's building materials and colors. The applicant shall obtain a sign permit prior to the installation of any signage.
9. Off-street bicycle parking must be provided with a minimum quantity of 4 spaces plus 0.10 spaces per unit. Based on the number of units proposed, 24 bicycle parking spaces must be provided on-site.
10. Prior to the issuance of a building permit, the applicant shall submit for staff approval the following items:
 - a. The applicant shall provide the city with a cash escrow or an irrevocable letter of credit for all required exterior improvements. The amount shall be 150 percent of the cost of the work.
11. The applicant shall complete the following before occupying the building:
 - a. Replace any property irons removed because of this construction.
 - b. Provide continuous concrete curb and gutter around the parking lot and driveways.
 - c. Install all required landscaping and an in-ground lawn irrigation system for all landscaped areas.
 - d. Install all required outdoor lighting.
 - e. Install all required sidewalks and trails.
 - f. Install stop signs, handicap signs, and building address signs as required by the city.

12. If any required work is not done, the city may allow temporary occupancy if:
 - a. The city determines that the work is not essential to the public, health, safety or welfare.
 - b. The above-required letter of credit or cash escrow is held by the City of Maplewood for all required exterior improvements. The owner or contractor shall complete any unfinished exterior improvements by June 1 of the following year if the occupancy of the building is in the fall or winter or within six weeks of occupancy of the building if occupancy is in the spring or summer.
13. All work shall follow the approved plans. The director of community development may approve minor changes.

Seconded by Councilmember Villavicencio

Ayes – All

The motion passed.