



# CITY of ORONO

RESOLUTION OF THE CITY COUNCIL  
NO. 5686

**A RESOLUTION APPROVING THE  
PRELIMINARY PLAT FOR PROPERTIES LOCATED AT  
1860 & 1880 FOX STREET  
FILE NO. 07-3320**

**WHEREAS**, Lucinda Chorley (hereinafter the "Developer") made an application on behalf of the property owner, William L. Waldron Trust (hereinafter the "Owner"), of the properties within the City of Orono (hereinafter the "City") located at 1860 and 1880 Fox Street and legally described as follows:

**1860 Fox Street:**

Lot 1, Block 1, Waldron Addition, also that part of the South Half of said Northwest Quarter of Southeast Quarter of Section 3, Township 117 North, Range 23 West of the 5<sup>th</sup> Principal Meridian which lies westerly of a line drawn from a point on the North line thereof a distant 670.64 feet East of the Northwest corner of said South Half of the Northwest Quarter of the Southeast Quarter to a point in the South line of said South Half of the Northwest Quarter of the Southeast Quarter distant 715.57 feet East of the Southwest corner of said South Half of the Northwest Quarter of the Southeast Quarter, Hennepin County, Minnesota

**1880 Fox Street:**

The South Half of the North Half of the Northwest Quarter of the Southeast Quarter of Section 3, Township 117 North, Range 23 West of the 5<sup>th</sup> Principal Meridian, Hennepin County, Minnesota (hereinafter the "Property"); and

**WHEREAS**, on September 18, 2007, the Developer filed a complete subdivision application with the City for preliminary approval of a residential plat of the Property; and

**WHEREAS**, after due published and mailed notice in accordance with Minnesota Statutes 462.358 et. seq. and the City of Orono Zoning and Subdivision Codes, on October 15, 2007 the Orono Planning Commission held a public hearing for the application at which time all persons desiring to be heard concerning the application were given the opportunity to speak thereon; and

**WHEREAS**, on October 15, 2007, the Planning Commission reviewed the application and recommended on a vote of 5 – 0 that the Council grant preliminary plat approval.



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### FINDINGS

1. This application was reviewed as Zoning File #07-3320.
2. The property is zoned RR-1B Single Family Rural Residential District, which normally requires a minimum lot area of 2.0 acres and minimum lot width of 200'. The Property is 23.22± total acres in area, of which 9.72± acres is wet; 1.28± acres to be dedicated as ROW; and 12.22± acres is dry land area.
3. The Property is guided in the 2000-2020 Orono Community Management Plan (CMP) for single family residential use at a density of 1 unit per 2 acres. The proposed layout contains 2 residential lots on over 2.0 dry acres each.
4. The Property contains a variety of natural features including wooded areas, rolling hills, wetlands, natural drainageways, and discontinuous areas of dry buildable land.
5. The proposed plat includes two residential lots. The residential lots will be served via an existing private driveway, which extends northerly off of Fox Street. The existing gravel driveway extending easterly from Brown Road South to Lot 1 is proposed to remain for emergency purposes.
6. The property contains a "Preserve" classification wetland requiring a 50' vegetative buffer and a 20' structural setback from the buffer; as well as three "Manage 1" classification wetlands each requiring a 25 foot vegetative buffer and 20 foot structural setback from the buffer. These wetlands and buffer areas will be covered by Conservation Easements as well as wetland preservation covenants and easements, wooded area preservation covenants, drainage easements, etc.
7. The residential lots contain existing residences which will conform to the RR-1B zoning requirements for lot line setbacks. Any newly proposed residences must meet the RR-1B setback standards (50' front and rear, 30' sides).
8. The City has plans for trails that may specifically require dedication of land from this property. A 10' wide trail easement along both road frontages, in the same location as the 10' wide drainage and utility easements, should be granted as part of the plat. As no new buildable lots are proposed, a Park Dedication Fee will not be required.



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9. The residential lots have been tested and found capable of providing suitable primary and alternate sites for on-site sewage treatment systems. Special precautions, including but not limited to protective covenants as well as physical barriers during construction activity, must be taken to protect these sites on both a short-term and long-term basis, as municipal sewers are not projected to be extended to serve this area of Orono.

### CONCLUSIONS, ORDER AND CONDITIONS

**NOW, THEREFORE, BE IT RESOLVED**, that based upon one or more of the findings noted above, the City Council of the City of Orono hereby grants Preliminary Plat Approval for the Developer, for a plat per the Preliminary Plat survey/drawing by Mark S. Gronberg of Gronberg & Associates, Inc. dated October 29, 2007 attached hereto as **Exhibit A**, subject to the following conditions:

- 1) All areas delineated as wetlands as shown on the preliminary plat drawing shall be subject to the standard Wetland Buffer, Conservation and Flowage Easement, and shall be subject to the wetland buffer requirements of the Zoning Code for the protection of wetlands and wetland buffer areas.
- 2) Approval is subject to Minnehaha Creek Watershed District (MCWD) approval and permits as required. Final plat approval shall not be granted until the Developer has provided evidence that all required MCWD permits have been obtained.
- 3) Development Fees
  - a) Park Dedication Fee. The development is not subject to the standard Park Dedication Fee requirement because no additional residential lots are being created.
  - b) Storm Water and Drainage Trunk Fee. The development is not subject to the standard Storm Water and Drainage Trunk Fee because no additional residential lots are being created.
- 4) Plans and Specifications. The following plans and specifications shall be submitted for review and approval by the City and other appropriate jurisdictions prior to final plat approval, to ensure that the proposed plat will accomplish the intended purposes:



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- a) Final overall layout for all primary and alternate sewage treatment system sites and proposed well locations.
  - b) Conservation/Preservation areas plan depicting all areas subject to protective covenants and easements.
- 5) Other Easements.
- a) Drainage and Utility Easements shall be dedicated to the public on the final plat 10' along all exterior property lines, and 5' either side of interior property lines, except such easements shall be increased to accommodate drainage where required, subject to City staff approval.
  - b) A 10' wide trail easement in the same location as the 10' wide exterior property boundary drainage and utility easement along both Fox Street and Brown Road South shall be granted to the City of Orono.
  - c) A Wetland Buffer, Conservation and Flowage Easement shall be granted to the City of Orono over all delineated wetlands on the property. Wetland buffer maintenance agreements shall similarly be established.

### FINAL SUBMITTALS

The following list of final submittals must be submitted to the City prior to the regularly scheduled Council meeting on the second and fourth Mondays of the month. These submittals are as follows:

1. Record plat drawings in the form of two (2) mylar copies (one copy for the City's records and one for filing with Hennepin County) and one (1) copy reduced to 1" = 200'. Drawing to include:
  - A. Lot lines platted per preliminary plat survey/drawing by Mark S. Gronberg dated October 29, 2007 attached hereto as **Exhibit A**, except as modified herein.
  - B. Dedication of "drainage and utility easements" 10' along exterior property lines and 5' along the interior property line.



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- C. Dedication of 33 feet along Brown Road South and Fox Street for right-of-way purposes.
  - D. Dedication of drainage easements over areas shown as wetlands on the preliminary plat.
  - E. Dedication of "Drainage Easements" over all drainageways.
  - F. Naming of plat.
2. **Legal documents required:**
- A. Title opinion addressed to the City or a title insurance policy in favor of the City. All owners, mortgage holders or others with property interest indicated therein shall sign the plat and all other documents affected by such interest.
  - B. Certified copies of all recorded easements currently affecting the property.
  - C. Signed Wetland Buffer, Conservation and Flowage Easement over all delineated wetlands and buffer areas on the plat, and signed Wetland Buffer Maintenance Agreement.
  - D. Signed Covenants for Protection of Drainfield Sites.
  - E. Signed Trail Easement.
3. Plat approval fees to be paid: Total due: **\$530.00**.
- A. Final plat fee = \$250.00
  - B. Legal review & filing fees for subdivision and associated documents: \$280.00
  - C. Park Dedication Fee: \$ NONE
  - D. Stormwater and Drainage Trunk Fee: \$ NONE



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Adopted by the City Council of the City of Orono, Minnesota at a regular meeting held this 13<sup>th</sup> day of November, 2007.

ATTEST:

Linda S. Vee  
Linda S. Vee, City Clerk

James M. White  
James M. White, Mayor

Luci Chorley  
Developer

STATE OF MINNESOTA  
COUNTY OF HENNEPIN

This instrument was acknowledged before me this 26<sup>th</sup> day of November, 2007 by  
Lucinda Chorley, the Developer.

Christine M Mattson  
Notary Public



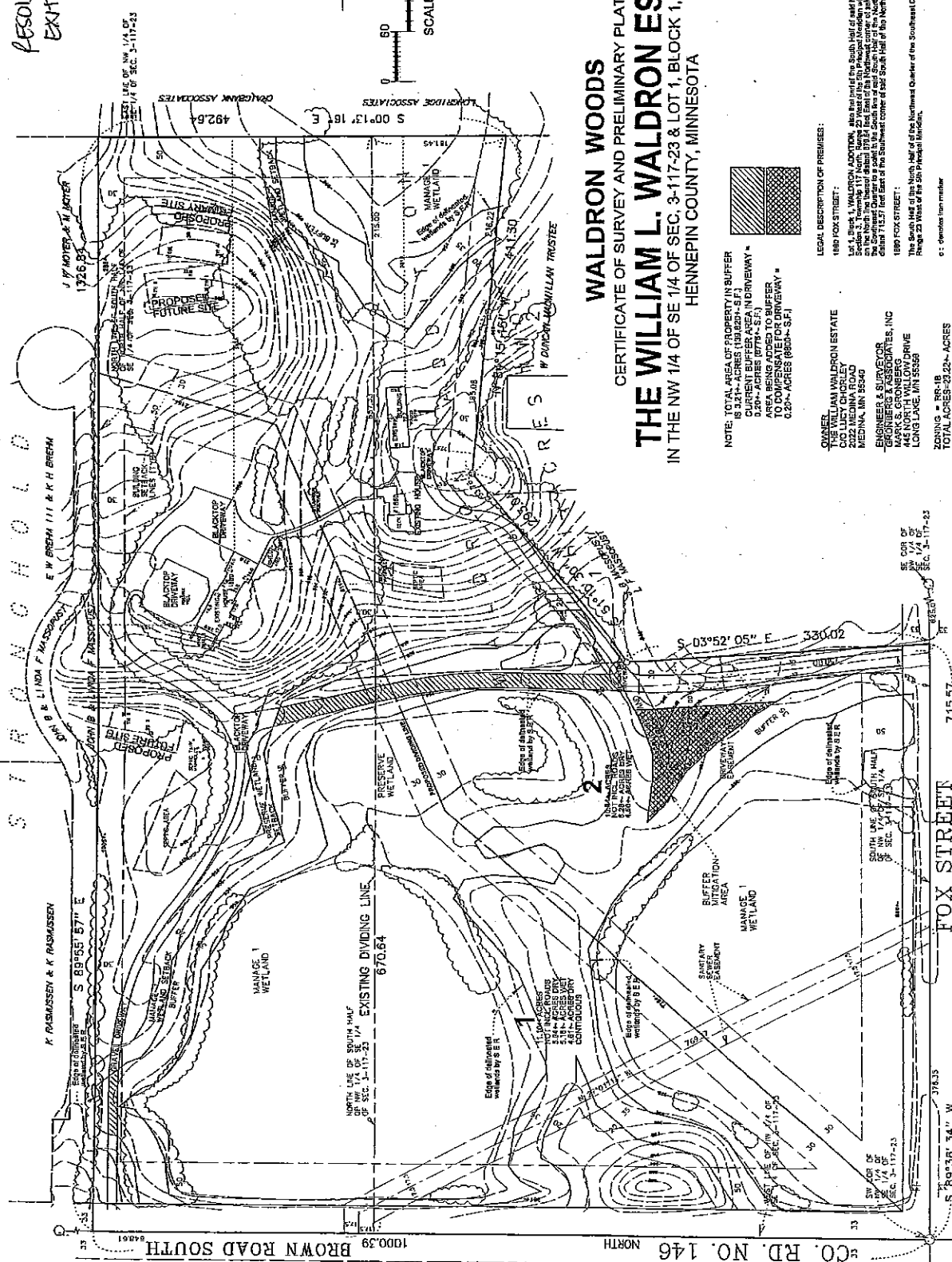


NO.	DATE	DESCRIPTION
1	10/23/07	REVISIONS
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RESOLUTION  
EXHIBIT A



1000.39 NORTH  
S 89°36' 34" W  
715.57

FOX STREET  
J WINGSTROM ASHDOVEY PARTSON  
HARISEY ABRAHAMDRA TRUSTEE

S 03°52' 05" E 330.02  
SOUTH LAKE #2 SOUTH HALF  
OF NW 1/4 OF SEC. 3-117-23

SW COR OF  
NW 1/4 OF  
SEC. 3-117-23  
WEST LINE CORNER  
OF NW 1/4 OF  
SEC. 3-117-23

EDGE OF DELIMITED  
WETLAND BY 95.8'

WETLAND MITIGATION  
AREA  
MANGANESE 1  
WETLAND

EDGE OF DELIMITED  
WETLAND BY 95.8'

EDGE OF DELIMITED  
WETLAND BY 95.8'

EDGE OF DELIMITED  
WETLAND BY 95.8'

EDGE OF DELIMITED  
WETLAND BY 95.8'

## WALDRON WOODS CERTIFICATE OF SURVEY AND PRELIMINARY PLAT FOR THE WILLIAM L. WALDRON ESTATE IN THE NW 1/4 OF SE 1/4 OF SEC. 3-117-23 & LOT 1, BLOCK 1, WALDRON ADD. HENNEPIN COUNTY, MINNESOTA

NOTE: TOTAL AREA OF PROPERTY IN BUFFER  
IS 13.05 ACRES.  
CURRENT BUFFER AREA IN DRIVEWAY \*  
IS 0.20 ACRES (0778+5.6').  
AREA BEING ADDED TO BUFFER  
TO COMPENSATE FOR DRIVEWAY \*  
IS 0.20 ACRES (0800+5.6').

LEGAL DESCRIPTION OF PREMISES:  
1890 FOX STREET:  
S 1/4, BLOCK 1, WALDRON ADDITION, THE SOUTH HALF OF THE Southeast Quarter of Southeast Quarter of  
Section 3, Township 117 North, Range 23 West of the 5th Principal Meridian which has a bearing of 89°36'34" West  
from the North line bearing about 179°2' East of the Northwest corner of said North Half of the Northwest Quarter of  
Section 3, Township 117 North, Range 23 West of the 5th Principal Meridian and a distance of 1890 feet to the  
Corner of the Southwest corner of the South Half of the Northwest Quarter of the Southeast Quarter of  
Section 3, Township 117 North, Range 23 West of the 5th Principal Meridian.  
1890 FOX STREET:  
The South Half of the North Half of the Northwest Quarter of the Southeast Quarter of Section 3, Township 117 North,  
Range 23 West of the 5th Principal Meridian.

OWNER:  
THE WILLIAM WALDRON ESTATE  
C/O LUCY CHORLEY  
1890 FOX STREET  
MINNEAPOLIS, MN 55440

ENGINEER & SURVEYOR  
MARK S. GRONBERG  
445 NORTH WILLOW DRIVE  
LONG LAKE, MN 56355

ZONING: R-1B  
TOTAL ACRES: 23.22+ ACRES  
MINUS ROAD R.O.G. (W421.64+ ACRES)  
12.12+ ACRES DRY

REVISIONS

RECEIVED  
OCT 30 2007  
CITY OF ORONO

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