



City of Blaine

City Council

November 6, 2023 | 7:00 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

AGENDA

1. Call to Order by the Mayor

2. Pledge of Allegiance

3. Roll Call

4. Awards - Presentations - Organizational Business

- 4.1.** 2023-470 Police Officer Swearing-in Ceremony
Sponsors: Brian Podany, Safety Services Manager/Police Chief

5. Communications

6. Open Forum

Open Forum is an opportunity for the public to present an issue or concern to City Council. There is a maximum of fifteen minutes set aside for open forum. Each presentation should be limited to no more than three minutes. If your item needs follow-up from the City, staff will arrange for that follow-up and will contact you to let you know what is being done. Thank you for coming this evening.

7. Adoption of Agenda

8. Approval of Consent Agenda:

All items listed under the "Consent Agenda" are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

- 8.1.** 2023-533 Schedule of Bills Paid
Sponsors: Jason Zimmerman, Finance Director

- 8.2.** 2023-506 Approval of Minutes
Sponsors: Cathy Sorensen, City Clerk

- 8.3. 2023-449 Tax Forfeit Parcels
Sponsors: Cathy Sorensen, City Clerk

- 8.4. 2023-518 Approve the Fiscal Agent Agreement between Anoka County, on behalf of its Sheriff's Office, and the City of Blaine for the North Central High-Intensity Drug Trafficking Area ("HIDTA") grant funding.
Sponsors:

- 8.5. 2023-519 Authorize the Mayor and City Manager to Enter into a One-Year Contract with the State of Minnesota for a Four-day per Week Institution Community Work Crew in the Amount of \$103,500
Sponsors: Jason Grode, Deputy Public Works Director

- 8.6. 2023-531 Approve a Tobacco and Tobacco Products License for Northside Grocery & Deli LLC, 1578 125th Avenue NE
Sponsors: Cathy Sorensen, City Clerk

- 8.7. RES 23-176 Resolution Granting Final Plat Approval Creating 31 Lots for Preserve at Lexington Waters 2nd Addition. Blaine 2022 LLC (Case File No. 23-0079/SAS)
Sponsors: Sheila Sellman, City Planner

9. 7:00 PM - Public Hearing and Items Published for a Certain Time

- 9.1. 2023-508ORD An Interim Ordinance Prohibiting the Operation of Cannabis Businesses and
23-2532 Hemp Businesses in the City of Blaine
Sponsors: Cathy Sorensen, City Clerk

10. Development Business

- 10.1. RES 23-160 Resolution Granting a Conditional Use Permit for a Zero Lot Line with Shared Parking and Access in the B-3 (Regional Commercial) Zoning District at 551 87th Lane NE. Rainbow Village (Minnesota North Captiva LLC) (Case File No. 23-0071/SAS)
Sponsors: Sheila Sellman, City Planner

- 10.2. RES 23-170 Resolution to Approve a 12-Month Extension for the Preliminary Plat to Create Two Outlots and Right-of-Way Dedication for the Zest Street Extension on the Southwest Corner of Lexington Avenue and 125th Avenue NE. Kempf Property (Sambatek) (Case File No. 22-0068/SAS)
Sponsors: Sheila Sellman, City Planner

- 10.3. RES 23-161 Resolution Granting a Conditional Use Permit for a Total of 2,456 Square Feet of Garage and Accessory Building Space and a Shed in the Front Yard in an FR (Farm Residential) Zoning District at 12600 Xebec Street NE. Tina Pearson (Case File No. 23-0069/EES)

Sponsors: Sheila Sellman, City Planner

- 10.4.** RES 23-162 Resolution Granting a Ten Foot Variance from the Thirty Foot Front Yard Parking Lot Setback on the South Side of 1351 113th Avenue NE. Blaine Crossing II Addition (Kraus Anderson Development Company) (Case File No. 23-0064/EES)

Sponsors: Sheila Sellman, City Planner

- 10.5.** RES 23-163 Resolution Granting a Preliminary Plat to Subdivide One Lot into Three Lots to be Known as Blaine Crossing II Addition at 1351 113th Avenue NE. Kraus Anderson Development Company (Case File No. 23-0064/EES)

Sponsors: Sheila Sellman, City Planner

- 10.6.** RES 23-164 Resolution Granting a Conditional Use Permit for Shared Access with Zero Lot Line Parking in the B-3 (Regional Commercial) Zoning District at 1351 113th Avenue NE. Blaine Crossing II Addition (Kraus Anderson Development Company) (Case File No. 23-0064/EES)

Sponsors: Sheila Sellman, City Planner

- 10.7.** RES 23-165 Resolution Granting a Text Amendment to the Comprehensive Plan to Create an MDR/CC (Medium Density Residential/Community Commercial) Land Use Category. City of Blaine (Case File No. 23-0068/SAS)

Sponsors: Sheila Sellman, City Planner

- 10.8.** RES 23-166 Resolution Granting a Comprehensive Plan Amendment to Land Use Designations on Certain Parcels from HDR/PC (High Density Residential/Planned Commercial) to MDR/CC (Medium Density Residential/Community Commercial), CC (Community Commercial) to HDR2/PC (High Density Residential/Planned Commercial), and CC (Community Commercial) to MDR/CC Medium Density/Community Commercial. City of Blaine (Case File No. 23-0068/SAS)

Sponsors: Sheila Sellman, City Planner

11. Administration

- 11.1.** RES 23-172 Resolution Approving the Construction Contract Between the National Sports Center Foundation and Dimke Excavating, Inc., and Authorizing the Entry into the Funding Agreement Between the City of Blaine and the National Sports Center Foundation.

Sponsors: Erik Thorvig, Community Development Director

- 11.2.** Contract Renewal with Intuitive Municipal Solutions (IMS)

Sponsors: Erik Thorvig, Community Development Director

12. Other Business

13. Adjournment



City of Blaine Staff Report

File Number: 2023-470

Agenda Date

November 6, 2023

Status

In Control

City Council

File Type

Guest Speaker

Awards - Presentations - Organizational Business - Brian Podany, Safety Services Manager/Police Chief

Agenda Item # 4.1

Police Officer Swearing-in Ceremony

Executive Summary

A ceremony will be held to welcome four new officers and their families to the Blaine Police Department.

Background

When new officers successfully complete the Field Training program and advance to solo patrol, a swearing-in ceremony is performed in front of the City Council. This is a special time for new officers and their families to celebrate their accomplishments and be recognized in front of the City Mayor, City Councilmembers, City Manager, Chief Podany, fellow police staff, and the public.

The following new officers will be participating in the ceremony and take their Oath of Office:

Rachel Hancock, Badge #247
Jennah Justen, Badge #249
Tommy Satele, Badge #252
William Jansen, Badge #253

Strategic Plan Relationship

This ceremony relates to the City of Blaine's Strategic Plan of Effective Communication and Organizational Health. The City of Blaine is committed to hiring and promoting highly qualified staff in the public safety services division.

Board/Commission Review

N/A

Financial Impact

N/A

Public Outreach/Input

Family and friends of the staff being recognized were invited to attend the ceremony.

Staff Recommendation

Recognize and welcome new officers.

Attachment List

None

CITY OF BLAINE

SCHEDULE OF BILLS PAID

APPROVED ON 11/6/2023 FOR PAYMENTS THE WEEK OF 10/06/2023

Vendor Name	Description	Amount
105TH BLAINE BUSINESS PARK LLC	South Side Entertainment District	\$ 10,800.00
3M COMPANY	Sign shop film	\$ 657.00
ABDOSH BAHAR MOHAMED	Escrow Refund	\$ 5,000.00
ACTION TARGET	equipment for targets	\$ 10.86
ALLIANCE SOURCE TESTING LLC	Water testing/analysis	\$ 660.00
AMAZON CAPITAL SERVICES	wrist rest, keyboard and mouse	\$ 72.98
AMAZON CAPITAL SERVICES	Administrative supplies	\$ 16.99
AMAZON CAPITAL SERVICES	USB Hubs	\$ 35.97
AMAZON CAPITAL SERVICES	badge/key card holders, lanyards	\$ 44.03
AMAZON CAPITAL SERVICES	mobile sink for special events	\$ 172.00
AMAZON CAPITAL SERVICES	banners for events	\$ 100.32
ANOKA COUNTY	Property Taxes 2023	\$ 52,977.61
ASPEN MILLS INC	Anttila uniform pants ,shirts, jackets	\$ 936.83
ASPEN MILLS INC	Gaulke uniform - pants, shirt	\$ 136.29
ASPEN MILLS INC	Prebil uniform - 4 shirts	\$ 225.20
AT&T MOBILITY	data coverage for bait trailer	\$ 53.97
AT&T MOBILITY	Cell Phones for PD	\$ 7,058.82
AXON ENTERPRISES INC	cameras for interview rooms	\$ 37,884.53
BARR ENGINEERING COMPANY	Booster Station/Well 16 Evaluation	\$ 492.00
BARR ENGINEERING COMPANY	WTP 2 - Preventative Maintenance	\$ 14,150.00
BLAINE LOCK & SAFE INC	Door repair at Lakeside Park	\$ 155.00
BOULDER CONTRACTING LLC	Escrow Refund - 4930 130th Ct NE	\$ 4,900.00
BRAD'S CATCH BASIN REPAIR LLC	Sidewalk repairs	\$ 24,600.00
BRAD'S CATCH BASIN REPAIR LLC	Repair to driveway - WTP 2	\$ 8,694.00
BRAD'S CATCH BASIN REPAIR LLC	Sidewalk repairs	\$ 24,916.00
BRAUN INTERTEC CORPORATION	Trail/Parking Lot Pavement Assessments	\$ 6,228.75
BRS FIELD OPS LLC	Permit Refund B23-00590	\$ 80.00
CAMPION BARROW & ASSOCIATES	pre employment testing	\$ 1,365.00
CENTENNIAL SCHOOL DIST 12	MN Twins Baseball Trip for MAYC	\$ 2,220.00
CENTER FOR ENERGY AND ENVIRONMENT	EDA HIL Loans - Fees	\$ 325.00
CENTERPOINT ENERGY	September 2023 Gas	\$ 1,224.53
CENTRAL TURF & IRRIGATION SUPPLY INC	Irrigation Parts	\$ 1,131.00
CENTRAL TURF & IRRIGATION SUPPLY INC	Splash Pad Parts	\$ 901.40
CHET'S SHOES LLC	Chainsaw/Winter boots	\$ 604.99
CHET'S SHOES LLC	Chainsaw/Winter boots	\$ 605.00
CHET'S SHOES LLC	Chainsaw/Winter boots	\$ 604.99
CINTAS CORPORATION	CH mats	\$ 197.70
CINTAS CORPORATION	Uniform/Rug Rentals - PW	\$ 377.90
CINTAS CORPORATION	MAYC mats, mops, towels etc	\$ 31.87
CINTAS CORPORATION	CH med cabinet supplies	\$ 175.75
CITY OF LINO LAKES	Apple Orchard Outing-MAYC	\$ 2,000.00
CITY OF ST PAUL	PDI course-death and homicide	\$ 1,500.00
CUB FOODS INC - BLAINE NORTH	Items for Training	\$ 44.94
CUB FOODS INC - BLAINE NORTH	Supplies for Command Post	\$ 29.63
D R HORTON INC	Escrow Refund - 3092 126th Ln NE	\$ 7,400.00
D R HORTON INC	Escrow Refund - 3098 126th Ln NE	\$ 7,400.00
DEGLER DALTON	License Reimbursement	\$ 16.50
DEZURIK INC	Well 16 Spare Soft Seat	\$ 139.05

ELECTRIC FIRE & SECURITY INC	fire panel trouble	\$	440.00
ETERNITY HOMES LLC	Escrow Refund - 4722 130th Ln NE	\$	7,400.00
FACTORY MOTOR PARTS COMPANY	Windshield washer fluid	\$	707.70
G E KNUTSON INC	TIF, South Terrace Cove Project	\$	635,000.00
GARDNER ADAM	Reimbursement	\$	18.80
GAUGHAN SERVICES	Monthly planned maintenance	\$	3,560.00
GIMPL TAMMY	Kennel Services for August 2023	\$	350.00
GIMPL TAMMY	Kennel Services for July 2023	\$	350.00
GS DIRECT INC	Plotter Ink	\$	486.75
GS DIRECT INC	PW Plotter Paper	\$	194.01
HANDT JOY	mileage to state conference	\$	90.39
HANDT JOY	barrel for Oktober Fest	\$	60.00
HAUGO GEO TECHNICAL SERVICES LLC	89th & Davenport Testing	\$	1,688.00
HAWKINS INC	Water Treatment Chemicals	\$	6,104.25
HAWKINS INC	Credit	\$	(609.00)
HOME DEPOT USA	Permit Refund B23-00834	\$	80.00
HORIZON ROOFING INC	Roof Repairs: Well 7, 8, 10	\$	150.00
HORIZON ROOFING INC	Roof Repairs: Well 7, 8, 10	\$	1,225.00
HORIZON ROOFING INC	Roof Repairs: Well 7, 8, 10	\$	400.00
HORIZON ROOFING INC	WTP 2 Roof Repairs	\$	5,450.00
HORIZON ROOFING INC	WTP 1 Roof Repairs	\$	3,850.00
HORIZON ROOFING INC	roof repairs	\$	4,900.00
HORIZON ROOFING INC	roof repairs	\$	6,025.00
HYDRAULIC SPECIALTY INC	Transmission cooler lines - 1241	\$	184.62
INDELCO PLASTICS CORPORATION	Couplings for WTP 3	\$	200.92
INNOVATIVE OFFICE SOLUTIONS	PW Supplies - Post its/tape/pens/Paper	\$	203.18
INSIGHT PUBLIC SECTOR INC	VMware Maintenance Support Renewal	\$	6,356.14
ISOM HARLAN G	Softball Umpire Fees	\$	232.00
JAHNKE KELLY	Boarding and food for K9 Cuda	\$	581.90
KAT PERKINS MUSIC INC	Performance at Oktoberfest	\$	2,500.00
KENNEDY & GRAVEN CHARTERED	TIF 1-23, Business Park ED	\$	280.00
KRIEGER JEROME	Mileage	\$	92.75
LAWSON PRODUCTS INC	Shop supplies: Hose clamps	\$	19.50
LEAGUE OF MN CITIES	2023 Fall Forum - Webinars	\$	30.00
LEAGUE OF MN CITIES INSURANCE	Damage to Basketball Hoop	\$	500.00
LEAGUE OF MN CITIES INSURANCE	Workers Compensation Premium	\$	308,008.00
LENNAR	Escrow Refund - 4277 128th Ln NE	\$	7,300.00
LENNAR	Escrow Refund - 12902 Isetta Ct NE	\$	4,900.00
LENNAR	Escrow Refund - 4506 128th Ln NE	\$	4,900.00
LENNAR	Escrow Refund - 11177 Able St NE	\$	4,900.00
LENNAR	Escrow Refund - 11265 Able St NE	\$	7,400.00
LENNAR	Escrow Refund - 11286 Tyler St NE	\$	5,000.00
LENNAR	Escrow Refund - 4393 128th Ln NE	\$	7,400.00
LENNAR	Escrow Refund - 895 111th Ln NE	\$	5,000.00
LENNAR	Escrow Refund - 4253 128th Ln NE	\$	7,400.00
LENNAR	Escrow Refund - 12862 Isetta Ct NE	\$	4,900.00
LENNAR	Escrow Refund - 4486 128th Ln NE	\$	4,900.00
LHB INC	Blaine 10050/10601 TIF	\$	5,562.63
M/I HOMES	Escrow Refund - 11130 Polk St NE	\$	4,900.00
M/I HOMES	Escrow Refund - 1100 111th Ln NE	\$	5,000.00
M/I HOMES	Escrow Refund - 1118 111th Ln NE	\$	5,000.00
MANAGED SERVICES INC	CH janitorial monthly	\$	4,418.00
MANAGED SERVICES INC	PD janitorial monthly	\$	759.00
MARTIN MARIETTA MATERIALS	Patching Material for Storm Water	\$	41.44
MARTIN MARIETTA MATERIALS	Street Patching Material	\$	876.76

MARTIN MARIETTA MATERIALS	Street Patching Material	\$	1,241.72
MARTIN MARIETTA MATERIALS	Street Patching Material	\$	591.05
MC TOOL & SAFETY SALES	Earplugs for PW	\$	73.71
MC TOOL & SAFETY SALES	PPE New Employee - Travis Charais	\$	27.50
MC TOOL & SAFETY SALES	Pilot G2 Boot/PPE - Alan Dietz	\$	27.50
MENARDS - BLAINE	10" Pliers Wrench	\$	66.60
MENARDS - BLAINE	Electrical Plug	\$	24.99
MENARDS - BLAINE	Vinyl Tubing/Adaptor for GPS Liner	\$	27.49
MENARDS - BLAINE	CH painting supplies	\$	37.10
METRO SALES INCORPORATED	Staple refill for PW Copier	\$	103.36
METRO SALES INCORPORATED	Copier Maintenance and Support	\$	1,536.00
METRO SALES INCORPORATED	Copier Maintenance and Support	\$	2,395.50
MIDWAY FORD COMPANY	Brake Parts for 3423	\$	417.10
MIDWAY FORD COMPANY	Vehicle Parts - 5300	\$	102.30
MIDWAY FORD COMPANY	Shift Cable 1223	\$	65.67
MINNEAPOLIS SAW COMPANY INC	Extension pole/lopper for streets	\$	161.98
MINUTE MAKER SECRETARIAL	Council Minutes	\$	916.75
MINUTE MAKER SECRETARIAL	2023 Planning Commission Minutes	\$	159.00
MINUTE MAKER SECRETARIAL	2023 Traffic Commission Minutes	\$	159.00
MONAHAN NATE	mileage for MRPA State Conference	\$	68.12
MOORE ALEXANDER MICHAEL	Boarding Fees for K9 Andy	\$	266.74
MPJWR LLC	Wetland Credit Admin Fee	\$	14,148.07
MTI DISTRIBUTING INC	Repair to Mower 2390	\$	627.75
NORTHERN SANITARY SUPPLY CO INC	MAYC soap dispenser	\$	116.55
NORTHWAY SPORTS	UTV #5172 Belts	\$	159.98
PAFFY'S PEST CONTROL INC	Public Works Pest Control	\$	134.00
PAFFY'S PEST CONTROL INC	City Hall - Pest Control	\$	80.35
PAFFY'S PEST CONTROL INC	MAYC Pest Control	\$	59.75
PHASOR ELECTRIC COMPANY	Lakeside Commons Park gate	\$	14,700.00
PHASOR ELECTRIC COMPANY	WTP 3 Pump repair	\$	775.00
PHASOR ELECTRIC COMPANY	WTP 2 Receptacle repair	\$	208.00
PLANT & FLANGED EQUIPMENT CO	Gaskets for WTP 1	\$	300.00
PRINT CENTRAL	Council Chambers nameplate	\$	53.17
RCM SPECIALTIES INC	Street Patching Material	\$	815.28
REPUBLIC SERVICES #894	Shredding for Recycling Saturday	\$	782.00
RIVARD COMPANIES INC	EAB Stump Removal/Restoration	\$	12,270.00
RP AUTO SERVICE INC	Alignment for 5323	\$	517.67
RUD GERALD	Reimbursement & Mileage	\$	487.45
SHORT ELLIOTT HENDRICKSON INC	2022 Street Reconstruction	\$	315.95
SHORT ELLIOTT HENDRICKSON INC	2023 NW Street Reconstruction	\$	46,449.21
SIGN SOLUTIONS USA INC	Sign shop supplies	\$	4,374.91
SNELL DENNIS JAY	Home Improvement Grant	\$	2,705.00
STREAM BENJAMIN	Septic Training - Expenses	\$	160.65
SUBURBAN TIRE WHOLESALE INC	Tires for PW Stock	\$	1,674.48
SUSA	Training for PW	\$	225.00
VOLUNTEERS OF AMERICA	Van Driver Meals - Sept 2023	\$	100.00
WIGHTYS REMODELING LLC	Partial Permit Refund B23-03571	\$	277.20
WSB & ASSOCIATES INC	99th Ave/Baltimore St Roundabout	\$	5,461.22
WSB & ASSOCIATES INC	Sod Replacement Project	\$	240.00
WSB & ASSOCIATES INC	SE Area Reconstruction	\$	46,159.80
WSB & ASSOCIATES INC	Carrara East Court improvements	\$	274.50
WSB & ASSOCIATES INC	Lexington Hockey Rinks	\$	534.00
XCEL ENERGY	Aquatore Park Street Lighting	\$	24,424.00
XCEL ENERGY	Aquatore Bandshell Trail lighting	\$	8,138.00
XCEL ENERGY	August 2023 Electric	\$	37,794.74

ZAYO GROUP LLC

Telephone Service

\$ 1,968.88

\$ 1,553,003.88

CITY OF BLAINE

**SUBSET OF PAYMENTS BETWEEN \$20,000 AND \$50,000 FROM THE SCHEDULE OF BILLS PAID
APPROVED ON 11/6/2023 FOR PAYMENTS THE WEEK OF 10/06/2023**

Vendor Name	Description	Amount
XCEL ENERGY	Aquatore Park Street Lighting	\$ 24,424.00
BRAD'S CATCH BASIN REPAIR LLC	Sidewalk repairs	\$ 24,600.00
BRAD'S CATCH BASIN REPAIR LLC	Sidewalk repairs	\$ 24,916.00
XCEL ENERGY	August 2023 Electric	\$ 37,794.74
AXON ENTERPRISES INC	cameras for interview rooms	\$ 37,884.53
WSB & ASSOCIATES INC	SE Area Reconstruction	\$ 46,159.80
SHORT ELLIOTT HENDRICKSON INC	2023 NW Street Reconstruction	\$ 46,449.21

CITY OF BLAINE

SCHEDULE OF BILLS PAID

APPROVED ON 11/6/2023 FOR PAYMENTS THE WEEK OF 10/13/2023

Vendor Name	Description	Amount
ALLEGRA PRINT & IMAGING	Name Badge - Jason Zimmerman	\$ 36.23
ALLEGRA PRINT & IMAGING	Gold Name Badge for Leslie Larson	\$ 36.23
AMAZON CAPITAL SERVICES	toner, envelopes, acrylic displays, misc	\$ 441.07
AMAZON CAPITAL SERVICES	Patrol items - batteries, rifle mats	\$ 195.42
AMAZON CAPITAL SERVICES	Attachment sleeve for parks	\$ 17.90
AMAZON CAPITAL SERVICES	October Fest supplies	\$ 227.25
AMAZON CAPITAL SERVICES	PW: Battery chargers	\$ 51.98
ANOKA COUNTY LICENSE BUREAU	Tab Renewal - PD	\$ 15.25
ANOKA COUNTY TREASURY DEPT	Connect Anoka County Fiber	\$ 812.50
APOLLO HEATING AND AIR	Permit Refund B23-03740	\$ 60.00
ARLT BENJAMIN	Reimbursement for GIS Conference	\$ 718.59
AT&T MOBILITY	Cell Phone Service	\$ 9,547.13
AUTO AIR AND ACCESSORIES INC	Upfit CSO Truck - 2023 Chevy Silverado	\$ 870.00
AUTOWASH SYSTEMS INC	Car Wash Chemicals & Check	\$ 377.77
BLAINE AREA PET HOSPITAL PA	Veterinary Services for K9 Andy	\$ 79.42
BLAINE BROTHERS INC	Tail light/radiator hose: 1241	\$ 320.15
BLAINE EXPLORER POST #3939	Annual contribution (Conference)	\$ 9,700.00
BOYER TRUCKS - LAUDERDALE	Motor assy for 1241/1235	\$ 190.70
BRAUN INTERTEC CORPORATION	Aquatore Bandshell Inspection/Testing	\$ 4,422.00
CAPITAL ONE TRADE CREDIT	Ball Mount/hitch pin/adaptor, etc for PD	\$ 247.89
CAPITAL ONE TRADE CREDIT	Ratchet Straps/Dust Caps for Shop	\$ 75.26
CAPITAL ONE TRADE CREDIT	Tool; body fender set for shop	\$ 47.49
CARQUEST AUTO PARTS STORES	Filters for PW stock	\$ 214.80
CARQUEST AUTO PARTS STORES	Filters & Compressor for PW	\$ 15.72
CARQUEST AUTO PARTS STORES	Fuel Filters - PW Stock	\$ 623.95
CARQUEST AUTO PARTS STORES	Filters/hose clamps - PW Stock	\$ 38.90
CARQUEST AUTO PARTS STORES	Filters & Compressor for PW	\$ 279.69
CARQUEST AUTO PARTS STORES	License Plate Brackets - 1252	\$ 64.68
CARQUEST AUTO PARTS STORES	Filters/hose clamps - PW Stock	\$ 335.92
CARQUEST AUTO PARTS STORES	Front break parts 4495	\$ 520.15
CARQUEST AUTO PARTS STORES	Headlights/filters/grease - PW	\$ 13.96
CARQUEST AUTO PARTS STORES	Credit	\$ (307.96)
CARQUEST AUTO PARTS STORES	Headlights/filters/grease-PW	\$ 108.32
CARQUEST AUTO PARTS STORES	Front break parts 4495	\$ 62.28
CARQUEST AUTO PARTS STORES	Alternator for 1239	\$ 205.19
CARQUEST AUTO PARTS STORES	Credit	\$ (110.00)
CARQUEST AUTO PARTS STORES	Rotors/Filters for PW Stock	\$ 167.49
CARQUEST AUTO PARTS STORES	Rotors/Filters for PW Stock	\$ 203.48
CARQUEST AUTO PARTS STORES	Lamps/Filters for PW Stock	\$ 24.90
CARQUEST AUTO PARTS STORES	Stock filters - PW	\$ 141.65
CARQUEST AUTO PARTS STORES	Lamps/Filters for PW Stock	\$ 701.35
CARQUEST AUTO PARTS STORES	Credit	\$ (205.19)
CARQUEST AUTO PARTS STORES	filters/mud flaps for PW stock	\$ 261.10
CARQUEST AUTO PARTS STORES	filters/mud flaps for PW stock	\$ 7.73
CARQUEST AUTO PARTS STORES	Filters for PW Stock	\$ 61.53
CARQUEST AUTO PARTS STORES	Battery for Tractor 2397	\$ 190.83
CENTURYLINK	Siren	\$ 8.39
CENTURYLINK	Telephone Service	\$ 86.06

CINTAS CORPORATION	MAYC mats, mops, towels	\$	31.87
CINTAS CORPORATION	MAYC mats, mops, towels	\$	31.87
CINTAS CORPORATION	CH mats	\$	197.70
CINTAS CORPORATION	Uniform/Rug Rentals - PW	\$	182.97
CINTAS CORPORATION	MAYC mats, mops, towels	\$	31.87
CINTAS CORPORATION	PD first aid cabinet supplies	\$	88.29
CITY OF LEXINGTON	October 2023 Sewer	\$	2,916.94
COMCAST	PW Cable TV	\$	21.04
COMCAST	Internet for Public Wi-Fi	\$	164.90
COMCAST	Cable TV	\$	36.29
CONDE JEFFREY	Home Improvement Grant	\$	5,000.00
CONNEXUS ENERGY	10550 Nassau St NE	\$	180.85
COTTENS' INC	Radiator Hose	\$	45.99
CRILL JENNIFER	GIS Conference in Duluth	\$	769.09
CUMMINS SALES AND SERVICE	LS 25 Generator Maintenance	\$	590.71
CYBER ADVISORS INC	Network Assistance	\$	450.00
DELEGARD TOOL COMPANY	Mechanics; Drill set, ball light, gauge	\$	783.11
DELEGARD TOOL COMPANY	Mechanics; 30 pc drill bit set	\$	141.79
DOUGLAS EMILY	meal reimbursement for training	\$	21.21
DOUGLAS EMILY	employee engagement event	\$	159.73
FERGUSON ENTERPRISES INC	WTP 3 Plumbing Parts	\$	97.24
FLEETPRIDE	Exhaust Parts for 1200	\$	741.40
FLEETPRIDE	Exhaust Parts for 1200	\$	290.64
FOREST LAKE CONTRACTING INC	Happy Acres Site Improvements	\$	12,995.75
FOREST LAKE CONTRACTING INC	Happy Acres Park Improvements	\$	28,218.80
GAASLAND KRISTIAN	AWWA Conference reimbursement	\$	935.37
GARDNER ADAM	Conference Reimbursement	\$	893.54
GARFIELD MICHAEL	Home Improvement Grant	\$	1,731.00
GRAINGER	Hose reel stops - 1248	\$	75.56
GS DIRECT INC	ink for blotter in GIS/Engineering	\$	641.75
HAWKINS INC	Water Treatment Chemicals	\$	4,723.50
HAWKINS INC	Water Treatment Chemicals	\$	8,996.00
IDENTISYS INC	badge maker cleaning kit	\$	208.59
INSIGHT PUBLIC SECTOR INC	ArcGIS Azure Hosting	\$	2,034.55
INTOXIMETERS INC	3 PBTs and replacement supplies	\$	1,750.00
ISOM HARLAN G	Umpire for Adult Softball	\$	348.00
JOHNSON LITHO GRAPHICS	October MAYCConnect Newsletter	\$	1,876.76
LAWSON PRODUCTS INC	Mechanic shop supplies	\$	824.93
LAWSON PRODUCTS INC	Releasable cable ties	\$	274.00
LENNAR	Escrow Refund - 883 111th Ln NE	\$	4,900.00
LENNAR	Escrow Refund - 848 111th Ln NE	\$	4,800.00
LENNAR	Escrow Refund - 11234 Able St NE	\$	7,300.00
LENNAR	Escrow Refund - 898 111th Ln NE	\$	4,800.00
LRS PORTABLES OF MINNESOTA	Satellite Rental - Parks	\$	487.50
MANSFIELD OIL COMPANY	Motor Fuel	\$	7,251.83
MANSFIELD OIL COMPANY	Motor Fuel	\$	13,482.11
MARCO TECHNOLOGIES LLC	Phone System Support/Maintenance	\$	12,268.86
MARTIN MARIETTA MATERIALS	Street Patching Material	\$	296.62
MARTIN MARIETTA MATERIALS	Street Patching Material	\$	2,380.20
MARTIN MARIETTA MATERIALS	PD gate card reader	\$	37.80
MARTIN MARIETTA MATERIALS	Street Patching Material	\$	795.33
MC TOOL & SAFETY SALES	PPE New Employee - Travis Charais	\$	48.56
MC TOOL & SAFETY SALES	Icetrekkers/Forestry Kit-Dietz	\$	48.56
MC TOOL & SAFETY SALES	Safety gear - Dalton Degler	\$	160.29
MENARDS - BLAINE	Patrol general supplies	\$	7.28

MENARDS - BLAINE	Brine room CO Alarm/AED Batteries	\$	46.95
MENARDS - BLAINE	Mechanic shop supplies	\$	98.58
MENARDS - BLAINE	Fence Parts at Well 16	\$	68.66
MENARDS - BLAINE	supplies for events	\$	43.31
MENARDS - BLAINE	supplies for events	\$	26.54
MENARDS - BLAINE	Lock box for Baseball Shed	\$	36.99
MENARDS - BLAINE	cleaning supplies CH fire station	\$	81.29
MENARDS - BLAINE	Heater fuses for Wells	\$	10.47
METRO SALES INCORPORATED	Copier Maintenance and Support	\$	1,696.51
MID AMERICA METER INC	Meter Repair/calibration/retest	\$	274.50
MINNEAPOLIS SAW COMPANY INC	Rope/pully for pond maintenance	\$	641.68
MINNESOTA EQUIPMENT - HAM LAKE	Chainsaw Chaps/wedges	\$	592.19
MN BOARD OF WATER & SOIL RESOURCES	Wetland Credit Transaction Fee	\$	1,921.90
MN DEPT OF LABOR AND INDUSTRY	License for boiler/elevator	\$	20.00
MN DEPT OF LABOR AND INDUSTRY	License for boiler/elevator	\$	40.00
MN DEPT OF LABOR AND INDUSTRY	License for boiler/elevator	\$	10.00
MN DEPT OF LABOR AND INDUSTRY	License for boiler/elevator	\$	200.00
MN METRO NORTH TOURISM	Jul-Aug 2023 Lodging Taxes	\$	44,182.71
NORTHERN SANITARY SUPPLY CO INC	Garbage can Liners for Parks	\$	5,505.55
NUSS TRUCK & EQUIPMENT	Mack Tech Tool software renew	\$	290.00
O'REILLY AUTOMOTIVE STORES INC	Coolant hose and clamps	\$	160.00
OUTDOOR LIGHTING PERSPECTIVES	lights for Tom Ryan park	\$	6,300.00
PHASOR ELECTRIC COMPANY	Repair St lights - 109th/Lexington	\$	1,080.00
POTVIN ERIC	Conference Reimbursement	\$	1,112.93
PRINT CENTRAL	Anttila business cards	\$	39.00
PRO-TEC DESIGN INC	CH card reader project	\$	434.41
PRO-TEC DESIGN INC	PW card reader project	\$	523.41
SAFETY-KLEEN SYSTEMS INC	WTP 4 Chemical spill clean up	\$	4,073.02
SAM'S CLUB/SYNCHRONY BANK	Dinner at MAYC	\$	257.61
SAM'S CLUB/SYNCHRONY BANK	Late Fee/Interest	\$	66.98
STEPP MANUFACTURING CO INC	Auger/Bearing - Heater box	\$	3,155.00
STREICHER'S	Brennan - 2 uniform pants	\$	96.99
SUBURBAN TIRE WHOLESALE INC	Tires for PW Stock	\$	810.00
TITAN ENERGY SYSTEMS INC	LS 21 Generator Repairs	\$	1,010.00
WHAT WORKS INC	Aug/Sept Coaching Project	\$	380.00
WOLFE MICHELLE A	ICMA Conference Oct 2023	\$	67.97
YAO QING JEAN	Instructor for Tai Chi Class	\$	640.00
YOZAMP ALLEN ADAM	Home Improvement Grant	\$	1,757.00
		\$	248,525.84

CITY OF BLAINE

**SUBSET OF PAYMENTS BETWEEN \$20,000 AND \$50,000 FROM THE SCHEDULE OF BILLS PAID
APPROVED ON 11/06/2023 FOR PAYMENTS THE WEEK OF 10/13/2023**

Vendor Name	Description	Amount
FOREST LAKE CONTRACTING INC	Happy Acres Park Improvements	\$ 28,218.80
MN METRO NORTH TOURISM	Jul-Aug 2023 Lodging Taxes	\$ 44,182.71

CITY OF BLAINE

SCHEDULE OF BILLS PAID

APPROVED ON 11/6/2023 FOR PAYMENTS THE WEEK OF 10/20/2023

Vendor Name	Description	Amount
ABC SIGN & GRAPHIC INC	signs for special events	\$ 240.00
ACCESS	Data Storage	\$ 116.60
ADVANCED GRAPHIX INC	Repairs to Squads 5306 & 5323	\$ 195.00
ADVANCED GRAPHIX INC	Repairs to Squads 5306 & 5323	\$ 349.00
ADVANCED GRAPHIX INC	Community Outreach Trailer wrap	\$ 1,192.00
ALL AUTO GLASS LLC	Replace windshield in Squad 5328	\$ 409.56
AMAZON CAPITAL SERVICES	Fiber optic transceivers	\$ 97.02
AMAZON CAPITAL SERVICES	Eng Conf Room Webcam & Mic, Ear buds	\$ 627.69
AMAZON CAPITAL SERVICES	Calculator tape, over cubicle coat hangers	\$ 93.07
AMAZON CAPITAL SERVICES	Eng Conf Room TV Mount	\$ 79.99
AMAZON CAPITAL SERVICES	Tape, A-Z filing expanding folders, Napkins	\$ 52.92
AMAZON CAPITAL SERVICES	6x9 Envelopes, Brochure holders	\$ 72.28
AMAZON CAPITAL SERVICES	Keyboard and Mouse Combo	\$ 54.99
AMAZON CAPITAL SERVICES	Batteries Dymo refills	\$ 64.81
AMAZON CAPITAL SERVICES	Blue Paper for well readings	\$ 64.70
AMAZON CAPITAL SERVICES	PW Stand up desk frame	\$ 227.69
AMAZON CAPITAL SERVICES	Belt clip for keys and ID holders	\$ 49.94
ANOKA COUNTY	2023 County Recordings	\$ 138.00
ANOKA COUNTY	2023 Mortgage Recordings	\$ 92.00
ANOKA COUNTY	2023 County Recordings	\$ 92.00
ANOKA COUNTY COURT ADMIN	City of Blaine v. Irene Tamblyn	\$ 52,353.97
APPRIZE TECHNOLOGY SOLUTIONS	monthly benefits charge	\$ 1,345.60
ASPEN MILLS INC	uniforms and clothing	\$ 1,943.20
ASPEN MILLS INC	uniforms and clothing	\$ 49.45
ASPEN MILLS INC	uniforms and clothing	\$ 328.85
ASPEN MILLS INC	uniforms and clothing	\$ 159.90
ASPEN MILLS INC	uniforms and clothing	\$ 115.40
ASPEN MILLS INC	uniforms and clothing	\$ 328.85
ASPEN MILLS INC	uniforms and clothing	\$ 458.80
ASPEN MILLS INC	uniforms and clothing	\$ 1,524.17
ASPEN MILLS INC	uniforms and clothing	\$ 95.00
ASPEN MILLS INC	uniforms and clothing	\$ 629.00
ASPEN MILLS INC	uniforms and clothing	\$ 89.95
ASPEN MILLS INC	Uniforms for Reserve Officer	\$ 59.95
ASPEN MILLS INC	uniforms and clothing	\$ 232.30
ASPEN MILLS INC	uniforms and clothing	\$ 6.99
ASPEN MILLS INC	uniforms and clothing	\$ 159.90
ASPEN MILLS INC	uniforms and clothing	\$ 254.35
ASPEN MILLS INC	uniforms and clothing	\$ 215.89
ASPEN MILLS INC	uniforms and clothing	\$ 57.95
ASPEN MILLS INC	uniforms and clothing	\$ 1,925.48
ASPEN MILLS INC	Drayfahl - 4 uniform shirts	\$ 245.20
ASPEN MILLS INC	Duchene - uniform 4 shirts	\$ 180.90
ASPEN MILLS INC	uniforms and clothing	\$ 204.89
ASPEN MILLS INC	uniforms and clothing	\$ 171.50
ASPEN MILLS INC	Drayfahl - uniform 1 shirt	\$ 60.30
ASPEN MILLS INC	Duchene - uniform 1 shirt	\$ 60.30
ASPEN MILLS INC	uniforms and clothing	\$ 109.96

ASPHALT SURFACE TECHNOLOGIES	FA2 material for Streets	\$	809.20
BARNUM COMPANIES INC	monthly gate maintenance check	\$	280.00
BARR ENGINEERING	WTP #4, Construction Admin	\$	2,601.00
BAUER BUILT INC	Tire Installation - 1281	\$	1,656.44
BCI CONSTRUCTION INC	Aquatore Bandshell Construction	\$	654,252.65
BERGERSON-CASWELL INC	WTP 2 Reclaim Motor	\$	9,743.25
BLAINE CUSTOM APPAREL	staff and volunteer shirts	\$	715.00
BLAINE LOCK & SAFE INC	Shed Door Repair at Aquatore Park	\$	220.00
BOLTON & MENK INC	Final Design & Construction Services	\$	15,396.00
BOLTON & MENK INC	2024 SW Area St Reconstruction	\$	32,081.00
BOLTON & MENK INC	89th & Davenport Street	\$	39,347.50
BOLTON & MENK INC	Lift Station 1 Force Main	\$	7,320.00
BOLTON & MENK INC	AT&T-Tower #2 Svcs	\$	289.50
BOLTON & MENK INC	Ulysses/117th Improvement	\$	5,498.00
BOLTON & MENK INC	Ulysses & 117th Ave	\$	5,021.00
BOLTON & MENK INC	Traffic Study for 2024	\$	493.00
BOULDER CONTRACTING LLC	Escrow Refund - 4912 130th Ct NE	\$	5,000.00
BOYER TRUCKS	Motor assy for 1241/1235	\$	190.70
BOYER TRUCKS	Door for 1235/1241	\$	232.10
BOYER TRUCKS	Muffler / Clamps for 1200	\$	68.54
BOYER TRUCKS	Muffler / Clamps for 1200	\$	1,823.19
BRAD'S CATCH BASIN REPAIR LLC	Sidewalk repairs	\$	24,948.00
BRAUN INTERTEC CORPORATION	Construction Materials Testing	\$	1,579.00
BROWNELLS INC	rifle parts	\$	211.47
CARGILL INCORPORATED	Capital: Installation of Brine Maker	\$	15,492.00
CARQUEST AUTO PARTS STORES	Tire prep and patches	\$	70.60
CARQUEST AUTO PARTS STORES	Steering column parts 1223	\$	113.60
CARQUEST AUTO PARTS STORES	Brake Parts - #2366	\$	257.76
CARQUEST AUTO PARTS STORES	Steering column parts 1223	\$	34.77
CENTERPOINT ENERGY	Gas Service	\$	357.30
CENTERPOINT ENERGY	10801 Town Square Dr NE	\$	1,876.01
CENTRAL TURF & IRRIGATION	Ice Melt for CH/PW/MAYC	\$	1,650.32
CINTAS CORPORATION	Uniform/Rug Rentals - PW	\$	413.03
CINTAS CORPORATION	MAYC mats, mops, towels etc	\$	31.87
CISCO SYSTEMS CAPITAL CORP	Network Switch Infrastructure Upgrade	\$	81,934.59
COMCAST	Internet and Television - MAYC	\$	244.13
COMO LUBE & SUPPLIES INC	Disposal fees	\$	60.00
COMO LUBE & SUPPLIES INC	Disposal fees	\$	10.00
CONNEXUS ENERGY	10601 Nassau St NE	\$	14.50
CONNEXUS ENERGY	10601 Nassau St NE	\$	35.00
CONNEXUS ENERGY	10603 Nassau St NE	\$	35.00
CONNEXUS ENERGY	10605 Nassau St NE	\$	35.00
CONNOR SANDRA	Home Improvement Grant	\$	3,185.00
CREATIVE HOMES INC	Escrow Refund - 4834 128th Cir NE	\$	5,000.00
CRYSTEEL TRUCK EQUIPMENT	Beacon for 4604	\$	421.84
CUMMINS SALES AND SERVICE	WTP 1 Generator maintenance	\$	597.02
DEHNS PUMPKINS LLC	pumpkins for Flashlight pumpkin	\$	300.00
DONE RIGHT AUTO DETAIL	Detail 5284 - Det. Sommer's Squad	\$	150.00
DOUGLAS KERR UNDERGROUND	2023 NW Area St Reconstructions	\$	470,721.80
ETERNITY HOMES LLC	Escrow Refund - 4805 130th Ln NE	\$	4,900.00
ETERNITY HOMES LLC	Escrow Refund - 4749 130th Ln NE	\$	7,300.00
ETERNITY HOMES LLC	Escrow Refund - 4942 130th Ct NE	\$	4,700.00
ETERNITY HOMES LLC	Escrow Refund - 13003 Marmon St NE	\$	5,000.00
ETERNITY HOMES LLC	Escrow Refund - 13078 Opal St NE	\$	4,900.00
ETERNITY HOMES LLC	Escrow Refund - 4829 130th Ln NE	\$	4,800.00

ETERNITY HOMES LLC	Escrow Refund - 13064 Marmon Ct NE	\$	7,300.00
ETERNITY HOMES LLC	Escrow Refund - 4834 130th Ln NE	\$	7,400.00
ETERNITY HOMES LLC	Escrow Refund - 4667 130th Ln NE	\$	4,900.00
ETERNITY HOMES LLC	Escrow Refund - 4794 130th Ln NE	\$	7,300.00
EXPRESS SIGNS INC	signs for Oktober Fest	\$	290.00
FERGUSON WATERWORKS	Gate Valve Replacement parts	\$	21,059.86
FERGUSON WATERWORKS	Locating paint - water	\$	1,006.32
FIRESIDE HEARTH AND HOME	Permit Refund B23-03539	\$	75.00
FRANKENSIGNS INC	Mailbox name plates for new staff	\$	268.00
GAME TIME	Misc Playground parts/supplies	\$	7,862.06
GARY CARLSON EQUIPMENT	Fire Hose Ramps - water	\$	308.00
GASSEN CONSTRUCTION & MAINT	Permit Refunds Multiple	\$	600.00
GIMPL TAMMY	Kennel Services for Sept, 2023	\$	350.00
GMP CONSULTANTS	finance director recruitment	\$	5,183.62
GMP CONSULTANTS	Finance Director recruitment	\$	1,132.75
GOPHER STATE ONE CALL INC	Water & Sewer Locate Fees	\$	1,468.80
GRAINGER	Switches for unit heater; Well 8	\$	43.24
GREAT LAKES WEATHER SERVICE	Weather Service	\$	1,195.00
GROUP HEALTH NON-PATIENT A/R	Employee Wellness Program	\$	180.09
GROUP HEALTH NON-PATIENT A/R	monthly benefits charge for EAP	\$	242.00
GROUP HEALTH NON-PATIENT A/R	Employee Wellness Program	\$	180.09
GS DIRECT INC	Plotter Supplies	\$	682.32
HAUSER DREW	DJ for Flashlight Pumpkin	\$	172.50
HAWKINS INC	Water Treatment Chemicals	\$	9,073.90
HIRSHFIELD'S PAINT MFG INC	paint Mark Stack room	\$	44.98
IMDIEKE CHRISTOPHER	AWWA Conference reimbursement	\$	827.98
INTEGRATED CITY SOLUTIONS	Fire Hydrant painting	\$	5,180.00
ISOM HARLAN G	Softball Umpire Fees	\$	348.00
IUOE LOCAL 49	Sept Union Apprenticeship Fund	\$	777.23
JONATHAN HOMES OF MN LLC	Preserve at Lexington Waters	\$	3,000.00
JONATHAN HOMES OF MN LLC	Escrow Refund - 4620 131st Ave NE	\$	5,000.00
JONATHAN HOMES OF MN LLC	Refund 3/4" Residential Meter	\$	562.50
KATH FUEL OIL SERVICE	Bulk Diesel Exhaust Fluid	\$	639.10
KATH FUEL OIL SERVICE	Bulk Antifreeze	\$	1,208.50
KNOBLAUCH KYLENE	Softball Umpire Fees	\$	1,569.00
LAHTI SUSAN	Home Improvement Grant	\$	2,777.41
LANGUAGE LINE SERVICES INC	Language Line charges - Sept 2023	\$	296.64
LENNAR	Escrow Refund 12890 Frazier St NE	\$	4,900.00
LENNAR	Escrow Refund - 12871 Isetta Ct NE	\$	4,900.00
LENNAR	Escrow Refund - 4456 128th Ln NE	\$	7,200.00
LINE 1 PARTNERS INC	WTP's low voltage work/switch	\$	9,150.00
LOCAL GOVERNMENT INFO SYSTEMS	Special Assessment Software	\$	1,793.00
LOCKRIDGE GRINDAL NAUEN PLLP	2023 State Lobbyist Services	\$	3,166.66
LRS PORTABLES OF MINNESOTA	Satellite Rental - Parks	\$	9,419.41
M/I HOMES	Escrow Refund - 1115 112th Ln NE	\$	4,900.00
M/I HOMES	Escrow Refund - 11147 Polk St NE	\$	4,900.00
M/I HOMES	Escrow Refund - 11145 Fillmore St NE	\$	4,900.00
M/I HOMES	Escrow Refund - 11289 Tyler St NE	\$	4,900.00
MACQUEEN EQUIPMENT INC	Piping for Vac-Con #4622	\$	5,810.88
MACQUEEN EQUIPMENT INC	Locking clamps for 4622	\$	307.18
MANSFIELD OIL COMPANY	Motor Fuel	\$	4,053.07
MANSFIELD OIL COMPANY	Motor Fuel	\$	10,018.26
MARTIN MARIETTA MATERIALS	Street Patching Material	\$	2,748.06
MARTIN MARIETTA MATERIALS	Street Patching Material	\$	900.02
MC TOOL & SAFETY SALES	Safety vests/screen print	\$	624.75

MC TOOL & SAFETY SALES	Icetrekkers (2 pair)	\$	600.00
MC TOOL & SAFETY SALES	Icetrekkers/Safety Equipment	\$	50.00
MENARDS - BLAINE	Items for patrol	\$	27.93
MENARDS - BLAINE	Plant 4 PVC Piping for repairs	\$	88.80
MENARDS - BLAINE	Small tools/supplies for Streets/PW	\$	124.74
MENARDS - BLAINE	Well 8 Parts	\$	39.47
MENARDS - BLAINE	CH poly sealant, light bulbs	\$	120.50
METROPOLITAN COUNCIL	MCES 2023 Wastewater Services	\$	421,854.86
METROPOLITAN COUNCIL	September 2023 SAC	\$	174,670.65
MICKMAN BROTHERS INC	109th/105th Weed Control	\$	1,335.71
MICKMAN BROTHERS INC	Median Maintenance	\$	2,921.90
MICKMAN BROTHERS INC	Mowing City Hall	\$	1,139.00
MICKMAN BROTHERS INC	Tom Ryan Park Mow/Maint	\$	1,139.00
MIDWAY FORD COMPANY	Brakes/tie rods/alignment #4603	\$	962.66
MINNEAPOLIS OXYGEN COMPANY	Oxygen Cylinders for Police	\$	133.12
MINUTE MAKER SECRETARIAL	Council Minutes	\$	433.50
MINUTE MAKER SECRETARIAL	2023 NRCB Minutes	\$	196.75
MINUTE MAKER SECRETARIAL	Park Board Meetings	\$	196.75
MN DEPT OF LABOR AND INDUSTRY	September 2023 State Surcharge	\$	10,012.17
MN OCCUPATIONAL HEALTH	Hearing tests for PW Staff	\$	351.00
MN OCCUPATIONAL HEALTH	pre employment testing	\$	294.00
MOORE ALEXANDER MICHAEL	Dog Food for K-9 and Tarps	\$	262.68
M-R SIGN COMPANY INC	Signs; LT Turn yield on green	\$	506.13
NORTHERN SANITARY SUPPLY	CH towels, TP	\$	404.82
NORTHLAND BUSINESS SYSTEMS	Winscribe Server Migration	\$	2,450.00
NORTHLAND CAPITAL EQUIPMENT	Fitness Equipment Lease	\$	832.43
NR PROPERTIES INC	Escrow Refund - 12774 Edison St NE	\$	5,000.00
OPPORTUNITY SERVICES INC	Cleaning Services - September	\$	116.91
PARK CONSTRUCTION COMPANY	2022 Street Reconstructions	\$	76,901.99
PARK CONSTRUCTION COMPANY	99th Ave at Baltimore St	\$	356,410.19
PERFORMANCE LAWN CARE	Abatement work at 10661 Quincy Blvd	\$	40.07
PRECISE MRM LLC	GPS Management	\$	1,340.00
PRICE CUSTOM HOMES	Escrow Refund - 12793 Dunkirk St NE	\$	7,300.00
PRO-TEC DESIGN INC	WTP Security Additions	\$	30,978.00
PRO-TEC DESIGN INC	PW card reader project	\$	4,000.00
PRO-TEC DESIGN INC	CH card reader project	\$	6,600.00
RCM SPECIALTIES INC	Street Patching Material	\$	646.16
RESPEC	Map Feeder/Fulcrum subscription	\$	1,985.00
RESTORATION NETWORK	Permit Refund B23-03980	\$	192.00
RIDGEWAY & ASSOCIATES	Mental Wellness Program	\$	2,070.00
ROADKILL ANIMAL CONTROL	Disposal of Dead Deer	\$	103.00
SBM FIRE DEPARTMENT	SBM Capital Expenditures	\$	552,048.10
SHIRLEY FRANCES	Basket supplies - MAYC class	\$	205.95
SHORT ELLIOTT HENDRICKSON	Pleasure Creek St Reconstruction	\$	4,805.15
SHRED-IT C/O STERICYCLE INC	September shred	\$	85.08
SIGELock SYSTEMS LLC	New Fire Hydrants	\$	18,985.78
SPECIALTY SOLUTIONS	Snow/Ice chemicals	\$	1,469.76
STATE OF MINNESOTA DEED	October 2023 #CDAP-17-0064-H-FY18	\$	1,568.24
SUMMIT FIRE PROTECTION	CH monitoring	\$	486.00
TAYLOR ELECTRIC COMPANY	Booster Station & Well 17	\$	324.00
TENICITY LLC	Fall Tennis Lessons	\$	2,356.80
TENNANT SALES AND SERVICE CO	Shop Scrubber #1220	\$	65,308.38
TENNANT SALES AND SERVICE CO	Brushes/filter for Shop Scrubber	\$	1,319.95
TINTPROS	Window Tint-Distracted Driving Vehicle	\$	250.00
TRI-STATE BOBCAT INC	Tree Trimming Helmets	\$	500.00

TRI-STATE BOBCAT INC	Water Kit; PW stock	\$	41.99
TRUGREEN PROCESSING CENTER	Weed spraying in parks	\$	363.00
ULINE	CH atrium pedestal sign holders	\$	222.46
US BANK	Fiscal Agent Fees - Bond Series 2019B	\$	550.00
USA BLUEBOOK (#657220)	Vac-Con Equipment	\$	2,497.11
USA BLUEBOOK (#657220)	Wire Proofer Skids/Vac-Traps	\$	625.20
USDA APHIS	Geese Control	\$	4,465.88
VEOCI INC	Annual Software License	\$	14,156.00
VIKING ELECTRIC SUPPLY INC	Cloverleaf room dimmer switch	\$	244.14
WALTERS RECYCLING & REFUSE INC	Garbage and Recycling Contract	\$	397,314.65
WHITE CAP LP	Bridge Repair - Lakeside Park	\$	620.25
WSB & ASSOCIATES INC	AUAR Contract - Northtown	\$	4,276.75
XCEL ENERGY	10563 Packard St NE-Siren	\$	14.75
XCEL ENERGY	4206 Woodland Pkwy NE	\$	75.67
XCEL ENERGY	4131 Pheasant Ridge Dr NE	\$	17.48
		\$	3,867,221.53

CITY OF BLAINE

SCHEDULE OF BILLS PAID

APPROVED ON 11/6/2023 FOR PAYMENTS THE WEEK OF 10/20/2023

Vendor Name	Description		Amount
FERGUSON WATERWORKS	Gate Valve Replacement parts	\$	21,059.86
BRAD'S CATCH BASIN REPAIR LLC	Sidewalk repairs	\$	24,948.00
PRO-TEC DESIGN INC	WTP Security Additions	\$	30,978.00
BOLTON & MENK INC	2024 SW Area St Reconstruction	\$	32,081.00
BOLTON & MENK INC	89th & Davenport Street	\$	39,347.50



City of Blaine

City Council Workshop

October 9, 2023 | 5:00 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

MINUTES

NOTICE OF WORKSHOP MEETING

In accordance with the provisions of Section 3.01 of the Blaine City Charter, a Council Workshop meeting is scheduled for the following purpose:

1. Call to Order

The meeting was called to order by Mayor Sanders at 5:30PM.

2. Roll Call

PRESENT: Mayor Tim Sanders, Councilmembers Terra Fleming, Leslie Larson, Chris Massoglia, Tom Newland, Jess Robertson, and Lori Saroya.

ABSENT: None.

Quorum Present.

ALSO PRESENT: City Manager Michelle Wolfe; Community Development Director Erik Thorvig; City Planner Sheila Sellman; Safety Services Director/Police Chief Brian Podany; Finance Director Jason Zimmerman; Public Works Director Nick Fleischhacker; Detective Orin Christensen; Finance Analyst Jenna Trittin; Public Services Kristian Gaasland, and City Clerk Catherine Sorensen.

3. New Business

- 3.1.** 2023-452 Polar Plunge 2024
Sponsors: Brian Podany, Safety Services Manager/Police Chief

Safety Services Manager/Police Chief Podany stated the Polar Plunge is an annual event that raises money for Special Olympics Minnesota. The event is held during the winter where thousands of participants across the state jump into icy cold waters despite the cold temperatures. The Anoka County Polar Plunge has been hosted by the Sheriff's Office for the past 11 years, but in 2024 the City of Blaine will be hosting this great event for the first

time.

Detective Orin Christensen introduced himself to the council stating he would be coordinating the Polar Plunge event, which will be held at Lakeside Commons Park on February 24, 2024. He explained his goal was to get 1,000 people to jump at next year's event. He described the event schedule and encouraged the city council to get involved. He discussed how the funds raised would benefit athletes participating in the 2026 Special Olympics.

Molly Eagan, Special Olympics Minnesota, commented further on the mission of her organization, discussed how the plunge helps the athletes and thanked the Blaine Police Department for their willingness to work with Special Olympics Minnesota.

3.2. 2023-461 Introduction of the New Owner of Northtown Mall
Sponsors: Sheila Sellman, City Planner

City Planner Sellman stated in August, the Northtown Mall sold to Florida-based firm 4th Dimension Properties. Felix Reznick is the principal owner. Prior to fully dedicating himself to management and investment in retail shopping centers, Mr. Reznick spent fifteen years operating a New York law firm specializing in corporate and real estate law. Having started his legal career at Cadwallader, Wickersham & Taft, and at Rosenman & Colin LLP, Mr. Reznick gained knowledge and experience through representation of real estate developers, family offices, and investment banks and funds. Staff introduced Mr. Reznick and his concept plans for the mall and asked that council provide feedback on plans that would be incorporated into future zoning discussions prior to formal changes occurring.

Felix Reznick, 4th Dimension Properties, explained he was trying to take a property and make it better for the community than it was before. He hoped to see more food and entertainment in this mall than it had previously. He was looking to host events and have a new tenant mix within the mall. He indicated he would be outsourcing some of the mall lots, which would help in attracting people to the mall area. He looked forward to learning more about what the mall was missing and how the area could be improved.

Tom Goodrum, Moore Engineering, introduced himself to the council and noted he would be working with Mr. Reznick on the redevelopment of the Northtown Mall. He reported he reviewed the vision plan and comprehensive plan and appreciated how invested the city was in this area and looked forward to working with Mr. Reznick and the city on this project. He understood the redevelopment of the mall area would take 20 years.

Councilmember Newland stated the mayor, Councilmember Saroya and himself had the pleasure of meeting with Mr. Reznick and Mr. Goodrum last week and believed the plans they had for the mall would fit well into the city's revitalization plans for the Northtown Mall area. He explained several properties surrounding the mall may have to be rezoned in order to move their plans forward. He appreciated having a willing partner in the Northtown Mall in order to meet the city's vision for this area then invited them to speak as to how the greenspace on the west side of the mall will be changed in order to address the current challenges this space faces.

Mr. Reznick stated pickleball courts could be installed or a park, along with a path to keep the area safe. He commented on how a potential fitness user brought up the idea of having outdoor pickleball courts in this area. He suggested a park area also be considered near parcels 6 and 7, because he had a school interested in purchasing these parcels.

Mr. Goodrum explained he would work to activate the area and commented further on how greenspaces would benefit the community.

Councilmember Newland requested further comment on the high density residential housing project that was proposed near the mall property.

Mr. Reznick stated he was in favor of having 500 to 700 people waking up on mall property knowing they would return home after work and could shop or recreate in the mall area. He noted he had been fielding calls from developers interested in bringing a high-density residential product to this area, as well as hotels. He believed both would be a great fit for this area.

Councilmember Larson asked if the interior of the mall would change, or would there still be small shops. Mr. Reznick explained the interior of the mall would remain the same. He stated he was looking to change the anchors and exterior land surrounding the mall.

Councilmember Robertson questioned if there was anything within the visioning document that didn't fit with the new mall owner's vision for the area. Mr. Reznick reported he has gone through several mall redevelopments throughout the country. He stated it was hard to predict what things would look like in 25 to 30 years. He believed high density was a great fit for the area. He indicated he was not a developer, but what he did well was run malls, finding the right tenant mix in order to increase foot traffic and sales.

Councilmember Massoglia thanked the mall owner for being in attendance and for choosing to invest in Blaine. He stated he supported the out parceling and how this would bring new tenants to the area. He believed an Asian market would be great for the community. He believed multi-family could work in this area, but would require some conversation with the council. Mr. Reznick thanked Councilmember Massoglia for his comments then urged the council to bring him new tenant ideas that they think would be a nice fit for the mall area.

Ms. Sellman requested Mr. Reznick speak to mall security. Mr. Reznick stated he has already increased mall security with increased hours and selected a new vendor with additional training. In addition, he noted he increased the number of hours housekeeping working onsite in order to improve the appearance of the mall. He noted pop up vendors would be brought into the mall for the holiday season.

Councilmember Saroya stated she liked this project and appreciated all of the experience Mr. Reznick would be bringing to this project. She hoped that the mall area could become a destination for restaurants and dining for the community. She appreciated how the focus for the new owner was to revitalize the mall and the surrounding area as a comprehensive full package. She anticipated this would help bring the community on board with the proposed changes. She looked forward to working with Mr. Reznick going forward.

Councilmember Massoglia supported the mall having more activities for young families, especially things to do in the winter months which would be great for the community. Mr. Reznick commented further on the uses he hoped to bring to the mall area.

Mayor Sanders thanked Mr. Reznick for attending this meeting and for speaking with the council. He appreciated the fact Mr. Reznick was supportive of the city's vision for this area and he hoped the city would help bring his vision to light as well. He looked forward to this area of Blaine receiving the revitalization that it deserves.

3.3. 2023-490 Utilities Enterprise Funds 2024 Budgets
Sponsors: Jason Zimmerman, Finance Director

Finance Analyst Trittin and Finance Director Zimmerman presented the staff report. Ms. Trittin stated enterprise funds account for public services which the city provides to residents and commercial properties. The city operates four enterprise funds: water, sanitary sewer, garbage and recycling, and stormwater. The water, sanitary sewer, and stormwater funds will be discussed in this item. Enterprise funds operate by charging user fees for services provided by the city. In return, the city provides clean drinking water, sewage collection and treatment, and stormwater management. These fees are used to cover the costs associated with the fund.

Mr. Zimmerman explained enterprise funds operate independently of each other. Fees collected from these services should cover the enterprise's total cost, including all operations, maintenance, capital outlay, and debt payments. To ensure the city collects enough fees to cover each utility's costs, it is recommended and good practice to evaluate the fees charged yearly and conduct a rate study every five years. The last rate study the city contracted for was conducted in 2018, and this rate study only focused on water utility rates. In 2022, the city contracted with Baker Tilly to perform a rate study for the water, sanitary sewer, and stormwater funds.

Mr. Trittin reported the results of the rate study were presented to Council at the August 14, 2023, workshop and Council requested staff to bring the item back for discussion at the October 9 workshop to allow for further review of budgets and capital programs. Staff commented further on the proposed 2024 utility rates and asked for comments or questions from the council.

Councilmember Newland asked how many residents in Blaine take advantage of the senior rate. Mr. Zimmerman noted 170 residents were taking advantage of the senior rate for garbage. He anticipated this number would be similar for utility users. Mr. Trittin indicated she would have to investigate this further and could report back to the council with exact numbers.

Councilmember Newland supported the city advertising the senior rate at MAYC in order to make more seniors aware of the discounted rate.

Councilmember Fleming stated she would like to better understand why the city charges a flat rate for stormwater fees.

Public Works Director Fleischhacker provided the council with a high level overview on expenditures for the city's water treatment plant, noting the price for chemicals to treat water were on the rise. He also provided the council with an update on the city's SCADA system. He commented on how the city was working with the DNR to see how its east side wells can be best utilized. He further discussed how important it was to keep Lift Station 4 operational.

Councilmember Newland asked if the water tower at Aquatone Park was scheduled to be repainted in 2024. Mr. Zimmerman indicated this water tower would be cleaned in 2024.

Mayor Sanders thanked staff for their detailed presentation. He asked if the council had comments or questions regarding the proposed utility rates.

Councilmember Newland indicated he supported the proposed rate increases. He noted these were core services the city had to provide to residents and the utility funds had to be sustainable.

Mayor Sanders commented on how critical it was for the city to have proper water and sewer infrastructure systems in place, especially given the fact the city continues to grow. He indicated he supported the proposed rate increases as well.

Councilmember Massoglia explained he supported the rate increases and asked that the council consider raising the upper tier rates. He questioned why the utility department needed brand new F350 or F550 trucks. He indicated he was onboard with improving lift stations and water infrastructure, but wanted other equipment expenditures to be further discussed to ensure they were sustainable. Mr. Zimmerman commented on the process the city must follow to procure vehicles, noting multiple quotes were required.

Councilmember Newland supported raising the upper tier rates as well. He stated he recently visited the Public Works Department. He explained he understood new equipment was expensive, however it was needed. He stated if this equipment was not purchased now, the price would only continue to rise. He indicated the city had \$50 million in equipment and this equipment needed to be replaced and invested in over time.

Councilmember Massoglia commented on the fleet replacement study that was completed and stated he had a hard time understanding why the city was selling off vehicles from 2019 that only had 80,000 miles on them. He reported the city was slated to spend \$700,000 on vehicles in 2024. He was of the opinion it was more important for the city to be investing in its lift stations than in brand new vehicles. Mr. Fleischhacker explained the city had plow trucks that ranged in age. He explained once they reach a certain age it became increasingly difficult to find repair parts. He stated he was looking to replace the mid-range vehicles due to the cost of keeping them maintained.

Councilmember Robertson indicated she believed the job of local government was to provide public safety and infrastructure. She stated the city cannot have catastrophic failures on its streets. She supported the city charging more for the top tier for water rates. Mr. Fleischhacker indicated staff had looked at the capture rate for the top tier and noted there were very few residents that used enough water to be at the top tier.

Councilmember Robertson explained she had a hard time with the vehicle purchases as well and she understood these vehicles were expensive. She supported the council having a deeper conversation regarding public works services and at what level they should be provided to Blaine residents. Mr. Fleischhacker reported he had 500 pieces of equipment under his supervision and he had to decide how to keep it reliable, safe and operational for his employees. He noted he had four mechanics and the fleet study called for the city to have seven. City Manager Wolfe indicated further discussions could be held surrounding the fleet study.

Mayor Sanders stated it may be helpful for the council to have further discussions with staff regarding the capital purchases plan for the next five to 25 years in order to understand how the city was going to get ahead. Ms. Wolfe commented on how delaying purchases now could increase costs in the future.

Mayor Sanders requested staff move or adjust tiers 2 and 3 within the water plan.

Ms. Wolfe thanked the council for their input and noted this item would be coming back to the council at a future meeting in November.

3.4. 2023-451 Parking Ordinance and Drive-Thru Regulation Discussion
Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated at the May 8, 2023 workshop, changes to the parking ordinance were discussed. At the meeting, there was consensus on what was proposed but the council wanted more information on drive-thrus. Council directed staff to review what other cities require for drive-thrus and to review if a drive-thru should require a Conditional Use Permit (CUP). One primary design concern with drive-thrus is the amount of space provided for car stacking, or the queuing of vehicles in the drive-thru. The current ordinance does not address required stacking for drive-thru businesses. Generally, drive-thru stacking is reviewed through site plan approval and the CUP process, if one is required for the primary use. The proposed ordinance provides for specific requirements for stacking criteria for pharmacies, banks, and all other uses. Generally, six stacking stalls per lane are required with reduced requirements for banks, pharmacies, and a business with two drive-thru lanes. Staff reviewed the proposed language with the council in further detail and requested feedback on how to proceed.

Councilmember Robertson stated she liked the CUP approach because each request for a drive-thru was unique. Ms. Sellman stated additional language could be written into the code to address screening or other concerns versus requiring a CUP. She commented on how many drive-thrus require a CUP, but there were some instances where they do not. She reported if a drive-thru were a permitted use, the city would review the site plan through the building permit process.

Councilmember Robertson reported the drive-thru at Raising Cane's was busy all day long, which was a concern to her. Community Development Director Thorvig commented on how staff relies on each business to bring in a drive-thru proposal based on the needs of their

business.

Councilmember Robertson recommended all drive-thrus within a five mile radius of the NSC have to accommodate more vehicles due to the level of traffic that would be coming through those sites.

Mayor Sanders stated an entertainment radius could be proposed. Ms. Sellman indicated she could further explore this.

Mayor Sanders recommended screening and aesthetics for drive-thrus be further considered. He stated the overall layout of parking lot should also be considered.

Councilmember Newland supported the recommendations from staff and indicated the standards could always be revisited in the future. Ms. Sellman commented on how drive-thrus were more heavily utilized since COVID.

Councilmember Massoglia questioned how many people follow the stacking requirements at a Starbucks. He stated he was uncertain how to address the issue. Ms. Sellman explained this could be addressed when the project is designed. Mr. Thorvig indicated staff could investigate if specific or different standards should be considered for coffee shops.

4. Other Business

Ms. Wolfe explained instead of a fall retreat staff would be scheduling a special budget workshop on October 30 from 4:00PM to 8:00PM.

Mr. Thorvig stated last Wednesday the council received a request to hold a meeting with business owner Scott Uram with a quorum of the council . He explained this could be problematic due to open meeting law and anticipated Mr. Uram wanted to discuss implementing a zoning text amendment for a mini storage use, while also seeking feedback on other uses for the site. He suggested instead that staff work with Mr. Uram on the proposed text amendment which would be brought to a future workshop meeting.

Councilmember Massoglia noted Mr. Uram may have gotten the wrong idea of support when they met earlier and explained he did not support mini storage as a conditional use in the B-3 zoning district but would consider other zoning districts where this use could fit.

Councilmember Newland indicated he did not support mini storage on this site and did not believe the council should create a special exemption for just this property.

Councilmember Larson commented this would not be a special exemption but rather restrict the use of this area.

Councilmember Robertson agreed with Councilmember Newland that this use should not be allowed and allowing for a special exemption would be a lack of consistency on the city's part.

Ms. Wolfe invited the council to attend the Highway 65 funding celebration on October 12 and indicated Governor Walz was planning to attend this event.

Further discussion ensued regarding recent social media posts by Steve Guider of the Veterans Memorial Park who was frustrated with the city's clean up efforts after Ocktoberfest. It was noted staff did their best to clean up the park after the event but was difficult to do all clean up in the dark and that fence removal and final clean up was scheduled for the following Monday.

5. Adjournment

The Workshop was adjourned at 8:12PM.



City of Blaine

City Council Workshop

October 16, 2023 | 5:00 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

MINUTES

NOTICE OF WORKSHOP MEETING

In accordance with the provisions of Section 3.01 of the Blaine City Charter, a Council Workshop meeting is scheduled for the following purpose:

1. Call to Order

The meeting was called to order by Mayor Sanders at 5:07PM.

PRESENT: Mayor Tim Sanders, Councilmembers Terra Fleming, Leslie Larson, Chris Massoglia, Tom Newland, Jess Robertson, and Lori Saroya.

ABSENT: None.

Quorum Present.

ALSO PRESENT: City Manager Michelle Wolfe; Community Development Director Erik Thorvig; Safety Services Director/Police Chief Brian Podany; Finance Director Jason Zimmerman; Director of Engineering Dan Schluender; Assistant City Engineer Stefan Higgins; Public Works Director Nick Fleishhacker; City Attorneys Tom Loonan, Kevin Sandstrom, and Erik Larson; Communications Manager Ben Hayle; and City Clerk Catherine Sorensen.

2. New Business

- 2.1. 2023-503** Closed Session Pursuant to MN Statute 13D.05 Subd. 3(b) - Attorney Client Privileged Discussion Regarding Lexington Water System Interconnections
Sponsors: Michelle Wolfe, City Manager

Upon motion and second the Council moved into a closed session pursuant to Minnesota Statute 13D.05 Subd. 3(b) for discussion regarding Lexington Water System Interconnections.

Motion adopted unanimously.

Upon motion and second the Council moved from closed session.

Motion adopted unanimously.

2.2. 2023-501 Proposed Charter Amendment - Council Recall
Sponsors: Cathy Sorensen, City Clerk

City Clerk Sorensen stated in 2022 the council directed the charter commission to consider charter amendments that would provide for a recall process for an elected mayor or councilmember. It should be noted that Minnesota's constitution and statute provide for recall of elected state officials but not city officials. The topic was discussed at the 2022 commission meetings where commissioners shared input cautioning that reasons for recall should not include those for good cause such as health. It should be noted that statute allows cities to declare a vacancy of office if unable/unwilling to serve for a period of 90 days and city charter already includes language regarding a member's inability or refusal to serve so any potential recall language would be for reasons such as dereliction of duty or criminally based, such as gross misdemeanor or higher. It should also be noted the Minnesota Constitution and state court decisions have restricted the recall of city officials to cases of serious malfeasance or nonfeasance during the term of office in the performance of the duties of the office.

Ms. Sorensen reported during their meetings the commission discussed the desire to have the recall committee be comprised of a larger group of voters than other cities' charters requirements of five. The commission also discussed the potential for lawsuits if petitions were unfounded and if the councilmember as subject of the recall could appeal the validity of the petition. Discussion was held that while city charter sets the parameters for recall, ultimately any recall result is up to the voters and suggested setting the threshold for recall high. The proposed draft currently includes that threshold to be 25% of the total number of registered voters at the last regular election, but the commission recognizes this threshold may be quite high and is seeking feedback from the council. Over the last few months, the commission has reviewed examples from several cities as well as draft language based on the City of Richfield. Staff and the commission are seeking input on the attached draft language for Chapter 5 of the City Charter and once finalized, a public hearing will be scheduled and the proposed amendment presented to council for formal consideration.

Councilmember Flemming asked staff to provide her with an example of what a nonfeasance was. City Attorney Loonan explained if a councilmember was not carrying out their duties, if they had reoccurring absences this may be deemed nonfeasance and would constitute a removal. He reported nonfeasance was viewed as a councilmember not carrying out their duties or the oath they have taken when sworn in.

Councilmember Fleming questioned who would head up the petition committee. Ms. Sorensen reported this committee would be made up of a group of registered voters that wanted to recall a member from the city council. She explained the charter commission was recommending this committee be made up of 25 members.

Councilmember Robertson believed the language surrounding "nonfeasance" was a bit

vague. She questioned how the city was to deem what does and does not fall into nonfeasance. Mr. Loonan reported as long as a councilmember was voting and doing their duty as a councilmember they were not engaged in nonfeasance. He explained that just because a councilmember votes a certain way, this can not be deemed as nonfeasance because they were engaged and doing their duty. He advised if councilmembers were not participating in votes, or not being a part of the process by neglecting their duties as a councilmember, this would be deemed as nonfeasance.

Councilmember Robertson recommended this language be further refined in order to be clear.

Mayor Sanders questioned how long the petition committee had to order the recall. Ms. Sorensen reported the committee would have 30 days to collect signatures and staff would have 10 days to verify the signatures once the petition was submitted to the city.

Councilmember Newland stated he believed the 10 days offered to staff to verify the signatures was too short. He recommended this time period be increased in order to not over burden staff. In addition, he recommended that the 25% be reduced to 10% to 15%.

Commissioner Zikmund explained the council would have to come to a consensus on what the number of days should be.

Councilmember Saroya discussed the process that has to be followed by the public in order to bring a petition forward to staff. She asked how many signatures would have to come forward. Ms. Sorensen explained based on the last voting cycle approximately 3,500 signatures would have been required.

Further discussion ensued regarding the process that would be followed for a recall election.

Councilmember Larson asked if 25% of the voters had to be within a specific ward or throughout the entire city. Ms. Sorensen explained if a councilmember was being recalled, 25% of voters would have to be within the councilmember's ward. She noted if the mayor was being recalled, the petition committee would have to collect signatures from 25% of the registered voters in the city as the mayor position served at large.

Councilmember Newland supported the city clerk having 30 days to review a submitted petition. Ms. Sorensen indicated she could review state statute to see if this would be allowed.

Councilmember Robertson explained she supported the nonfeasance language being further refined. She stated she did not have a problem with the petition committee having to gather 25% of registered voter's signatures. She did not want the process to be too simple because this may cause numerous petitions to be submitted when councilmembers aren't voting the way the public wants. Ms. Sorensen commented on how any petitions submitted would be reviewed by herself and the city attorney to ensure they were sufficient.

Mr. Loonan explained there were court opinions regarding nonfeasance and malfeasance, along with state statute which would assist staff in determining if nonfeasance or

malfeasance were to occur.

Councilmember Massoglia stated he agreed with many of the comments made by Councilmember Robertson. He recommended the malfeasance language remain in the charter and that the nonfeasance language be removed. He did not want this process to be followed for menial political matters.

Councilmember Larson agreed with the recommendations from Councilmember Massoglia, noting someone had already tried to remove her from city council.

Councilmember Saroya recommended an internal process be considered instead, such as a public reprimand or censorship. Mr. Loonan indicated the council can police itself, but they cannot remove each other. He stated the council could establish its own rules and code of conduct.

Councilmember Saroya noted she was not supportive of removing a councilmember and stated elections were held every four years and the people get to decide.

Councilmember Massoglia explained another election would be held after the petition which allows the people to decide.

Mayor Sanders stated the current language within the charter would allow a councilmember to do almost anything illegal and as long as it did not result in a year in prison and they could remain on the council. He indicated this language was causing some concern for him and therefore supported the recall language.

Council consensus was to support the removal of the nonfeasance language.

Mayor Sanders supported the 25% being reduced slightly.

Councilmember Newland suggested the 25% be reduced to 20%. The council supported this recommendation.

Council shared input and feedback on the proposed language and requested amendments removing "nonfeasance" from the proposed language as it was already addressed in charter under council vacancies, and reduce the threshold of signatures required to initiate a recall petition to 20% instead of 25%. In addition, if allowed by state statute, the council suggested extending the time period to review a submitted petition to more than 10 days, if possible up to 30 days.

- 2.3.** 2023-500 Proposed Charter Commission Amendment - Redetermination of Ward Boundaries
 Sponsors: Cathy Sorensen, City Clerk

This item was postponed to a future workshop.

- 2.4.** 2023-498 Proposed Charter Commission Amendment - Council Salaries

This item was postponed to a future workshop.

3. Other Business

City Attorney Erik Larson introduced himself to the council and provided an update on Item 11.2 from the regular city council meeting and described the agreements that had been reached.

Community Development Director Thorvig commented on the amount of work that had been done on these agreements and thanked the council for their questions throughout this process.

4. Adjournment

The Workshop was adjourned at 6:58PM.



City of Blaine

City Council

October 16, 2023 | 7:00 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

MINUTES

1. Call to Order by the Mayor

The meeting was called to order at 7:00PM by Mayor Sanders followed by the Pledge of Allegiance and the Roll Call.

2. Pledge of Allegiance

3. Roll Call

PRESENT: Mayor Tim Sanders, Councilmembers Terra Fleming, Leslie Larson, Chris Massoglia, Tom Newland, Jess Robertson and Lori Saroya.

ABSENT: None.

Quorum Present.

ALSO PRESENT: City Manager Michelle Wolfe; Community Development Director Erik Thorvig; Safety Services Director/Police Chief Brian Podany; Police Sergeants Ted Berg and Travis Hale; Finance Director Jason Zimmerman; Assistant City Engineer Stefan Higgins; Public Works Director Nick Fleishhacker; City Attorney Tom Loonan; Communications Manager Ben Hayle; and City Clerk Catherine Sorensen.

4. Awards - Presentations - Organizational Business

None.

5. Communications

Councilmember Massoglia thanked staff for their work and the public for attending the recent Oktoberfest event.

6. Open Forum

Open Forum is an opportunity for the public to present an issue or concern to City Council. There is a maximum of fifteen minutes set aside for open forum. Each presentation should be limited to no more than three minutes. If your item needs follow-up from the City, staff will arrange for that follow-up and will contact you to let you know what is being done. Thank you for coming this evening.

Mayor Sanders opened the Open Forum at 7:04PM.

Ross Christensen, 10412 Sunset Avenue, discussed the barricades on 112th Avenue. He questioned why this barricade was in place and asked if the residents covered the costs for installation and removal.

Derek Leffert, Gateway Fiber, introduced himself to the Council and discussed the work his company was doing in Blaine. He explained his company would be providing broadband and their goal was to be a strong community partner. He encouraged residents with concerns during construction to contact him directly.

There being no further input, Mayor Sanders closed the Open Forum at 7:08PM.

7. Adoption of Agenda

The agenda was adopted as presented.

8. Approval of Consent Agenda:

All items listed under the "Consent Agenda" are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

Moved by Councilmember Robertson, seconded by Councilmember Massoglia, that the following items on the Consent Agenda be approved.

Motion adopted 6-0-1 (Councilmember Newland abstained).

8.1. 2023-494 Schedule of Bills Paid
 Sponsors: Jason Zimmerman, Finance Director

8.2. 2023-491 Approval of Minutes
 Sponsors: Cathy Sorensen, City Clerk

8.3. 2023-497 Renew SCORE Funds Agreement with Anoka County

- 8.4.** 2023-505 Approve temporary parking restrictions for a Halloween event on October 31, 2023.

Sponsors: Mark Boerboom

- 8.5.** 2023-511 Approve a Temporary On-Sale Intoxicating Liquor License for Infinite Campus Foundation to Host a Fundraiser at Infinite Campus, 4321 109th Avenue NE

Sponsors: Cathy Sorensen, City Clerk

9. 7:00 PM - Public Hearing and Items Published for a Certain Time

- 9.1.** 2023-478 Unmanned Aircraft System (UAS) Drone Program

Sponsors: Travis Hale

Safety Services Director/Police Chief Podany stated the Blaine Police Department anticipates implementing an Unmanned Aerial System (UAS or drone) program and seeks to provide a transparent and inclusive input process, engaging the community through multiple communication paths. Public safety agencies across the country are beginning to see the benefits of the remote viewing capabilities of commercially available systems. In June 2023, the Minnesota Bureau of Criminal Apprehension (BCA) released their Legislative Report covering UAS data from 2022. This report documented a total of 98 agencies throughout the State with active UAS programs. This includes 56 sheriff's offices, 39 police departments, and three others including State Patrol, BCA, and Cannon River Task Force. He explained the Blaine Police Department was planning to purchase a UAS, using forfeiture funds. The City Council was briefed at the June 5, 2023 Workshop and expressed support for proceeding with a UAS program. One of the requirements for implementation of a UAS program by the Minnesota Legislation is public comment. Law enforcement agencies must provide an opportunity for public comment before purchase or use of a UAS. At a minimum, the agency must accept public comments submitted electronically or by mail. The governing body with jurisdiction over the budget of a local law enforcement agency must provide an opportunity for public comment at a regularly scheduled meeting.

Mayor Sanders opened the public comment period at 7:12PM.

There being no public input, Mayor Sanders closed the public comment period at 7:12PM.

Councilmember Saroya stated she supported this initiative then asked for comments on how privacy issues will be addressed. Police Chief Podany explained UAS systems are outlined by State Statute and department policy on when they can and cannot be used. He reported UAS systems could not be used for surveillance absent a search warrant. He discussed how the UAS system would be used generally for threats to public safety or active

crime scenes. He reviewed a list of events where UAS system use would be allowed.

Councilmember Newland questioned where the UAS system would be kept. Sergeant Berg explained the operational plan would be for the drone to be taken out on patrol once officers were certified as pilots.

Councilmember Newland asked how many officers would be trained as drone pilots. Sergeant Berg stated he planned on having a large enough group of pilots in order to utilize the drone while also keeping the group small enough to ensure the group is properly trained and proficient.

10. Development Business

10.1. ORD 23-2531 Second Reading

Ordinance Granting a Rezoning from I-1 (Light Industrial) to I-1A (Light Industrial) at 8888 Xylite Street NE. Stinson Electric (Case File No. 23-0067/EES)

Sponsors: Sheila Sellman, City Planner

Community Development Director Thorvig stated the applicant is requesting a rezoning from I-1 (Light Industrial) to I-1A (Light Industrial) to allow for limited outside storage as a conditional use. The applicant is a commercial electrical contractor, and wants to have an outside contractor's yard with light equipment on the site. Staff commented further on the request and noted the Planning Commission recommends approval of the rezoning. At this time, the request is just for the rezoning and not approving the conditional use permit or user.

Councilmember Newland stated he attended the neighborhood meeting and found it to be very informative. He thanked the applicants for doing a great job explaining their plans for the site. He indicated the objections raised by the neighbors had to do with traffic. He commented on how if this site were to remain I-1 the site could be noisier and the use more intense. He understood the applicant lived in the community and was looking to move his business to Blaine. He explained this property has been zoned industrial for a long time. He stated he lived approximately six blocks from this site and he drove by this property frequently. He indicated he would be supporting the proposed rezoning.

Councilmember Saroya stated she respectfully disagreed with Councilmember Newland, noting she has concerns with the proposed rezoning. She was concerned with how the existing single family property owners would be impacted. She reported the surrounding property owners would like the property to remain zoned as is, with no outside storage. She did not believe the proposed use with outdoor storage was compatible with the adjacent low density residential uses, she believed the property could be reasonably developed with the I-1 zoning district and the proposed rezoning does not reflect either changes in the goals and policies of the city as reflected in the comprehensive plan or a change in conditions in the city. She reiterated that she would be voting against this project.

Councilmember Newland stated there were some very positive comments made at the

neighborhood meeting from people who were looking forward to this use, compared to what could be on this site.

Councilmember Robertson indicated the council was being asked to consider the rezoning and noted conditions (such as fencing or screening) would be considered within the conditional use permit.

Councilmember Newland asked that the applicant be allowed to come forward and address the council at this time.

Paul Archambault, Stinson Electric, introduced himself to the council and described some of the projects he had completed in Blaine. He commented further on his proposed plans for the site, noting the truck bays would be moved away from the single family homes. He noted the purpose for the outdoor storage would be to store a trencher, boom lifts, bobcat and trailers for outdoor lighting projects.

Councilmember Saroya asked if any portion of the building would be leased out. Mr. Archambault estimated roughly 7,000 square feet of the building would be leased out, noting he was building this additional space for future expansion purposes for his business.

Councilmember Saroya asked if the mayor would allow residents to speak at this time. There were no members of the public who wished to speak.

Moved by Councilmember Newland, seconded by Mayor Sanders, to adopt an Ordinance Granting a Rezoning from I-1 (Light Industrial) to I-1A (Light Industrial) at 8888 Xylite Street NE.

Motion adopted 6-1 (Councilmember Saroya opposed).

10.2. ORD 23-2530 Second Reading

Interim Ordinance Extending the Study Period and Moratorium for the Northtown Area. Ordinance 23-2524. City of Blaine (Case File No. 23-0040/SAS)

Sponsors: Sheila Sellman, City Planner

Mr. Thorvig stated the interim ordinance would extend the moratorium on development for six months up to May 1, 2024, in order to study zoning and land uses as part of the Northtown redevelopment plan. It was noted the existing moratorium expires on November 1, 2023 and additional time was needed to act on the comprehensive plan changes. Staff hoped to have this work completed in early 2024. Staff commented further on the request before the council and recommended adoption of the interim ordinance.

Moved by Councilmember Newland, seconded by Councilmember Fleming to adopt an Interim Ordinance Extending the Study Period and Moratorium for the Northtown Area.

Councilmember Massoglia asked if the new mall property owner was aware of the proposed moratorium extension. Mr. Thorvig reported the new mall owner was aware of the

moratorium and the city's plan would not conflict with his plans.

Councilmember Saroya questioned if the Northtown Mall could be removed from the moratorium. Mr. Thorvig stated this could be done, but would put the city at risk from uses that would be allowed that the council does not want in this area.

Councilmember Robertson encouraged the council to allow the city to finish this process in order to retain control of ultimate uses in the area. She wanted to be ensured the council had a well thought out and strategic plan for the Northtown redevelopment project.

Councilmember Newland agreed with Councilmember Robertson and noted the new mall owner was comfortable with the process the city was going through.

Motion adopted unanimously.

11. Administration

- 11.1. 2023-495** Motion to Authorize the Mayor and City Manager to Enter into a Contract with Walters Recycling and Refuse, Inc. for Organized Collection of Garbage, Refuse, Recyclable Materials and Yard Waste from July 1, 2024 to June 30, 2029
Sponsors: Jason Zimmerman, Finance Director

Finance Director Zimmerman stated council is requested to approve a contract for Organized Collection of Garbage, Refuse, Recyclable Materials and Yard Waste with Walters Recycling and Refuse, Inc.

Moved by Councilmember Robertson, seconded by Councilmember Massoglia, to Authorize the Mayor and City Manager to Enter into a Contract with Walters Recycling and Refuse, Inc. for Organized Collection of Garbage, Refuse, Recyclable Materials and Yard Waste from July 1, 2024 to June 30, 2029.

Councilmember Massoglia thanked Walters for the great service they provide to the city of Blaine. He explained he appreciated the fact the trash rates would be tied to the CPI.

Motion adopted unanimously.

- 11.2. RES 23-153** 105th Avenue Redevelopment Project Agreements Related to Land Owned by the Minnesota Amateur Sports Commission
Sponsors: Erik Thorvig, Community Development Director

Mr. Thorvig stated in 2022, the City Council created a redevelopment vision plan for the 105th Redevelopment area. This vision plan incorporates land owned by the Blaine Economic Development Authority generally located along Nassau Street and Radisson Road, north of 105th Avenue. The plan also included private development and public/open space

on land owned by the Minnesota Amateur Sports Commission (MASC) on the east side of the National Sports Center (NSC) campus, north of 105th Avenue. The overall theme for development is an entertainment district that provides recreational, lodging, food, retail and housing. He reported MASC owns the land where the NSC is located. The National Sports Center Foundation (NSCF) is the day-to-day operator of the NSC. MASC acquired approximately 75 acres of land north of 105th Avenue on the east side of their campus in the late 1990s. Since acquiring the property, the NSC has installed eight fields, three parking lots and stormwater ponding. The remainder of the land has been used as a sand mining operation by the NSC and consists of dirt piles which encompass approximately 33 acres. State dollars were used to acquire the property, and there is statutory language that allows for MASC to lease up to 16 of the 75 acres of land for private development.

Mr. Thorvig reported discussions began in April, 2023 between the City, developer and MASC to determine how the developer can obtain development control of 16 acres generally located north of 105th Avenue, adjacent to Invictus and the EDA land that will be part of the 105th Avenue Redevelopment project. The attached map identifies approximately 33 acres of land, 16 of which will be identified by the developer for private development. Over the course of the last five months, legal counsel representing all three entities, city staff, MASC staff and the developer, have negotiated various documents that would allow for private development of 16 acres and an approximately 4 acre public space on MASC property. He outlined the four agreements which included Ground Lease between MASC and EB Blaine Development, LLC (Developer), Reciprocal Easement and Operating Agreement between MASC, Developer and City, Site Control Agreement between MASC, Developer and City, and Rent Guarantee between MASC, Developer and City. Mr. Thorvig explained the MASC board unanimously approved these agreements at their board meeting on September 13. MASC is fully supportive of the project and structure that is identified in the documents. The primary benefit to the NSC as outlined in the agreements is the installation of a minimum of eight lighted turf fields on their campus. In return, in a separate transaction, MASC agreed to lease property to the developer. Approval of the documents by the City allows further discussion and decision making to occur regarding the financing mechanism for the turf field installation. As proposed, the city would finance a \$12 million bond for the turf field installation in which the debt service would be paid back via tax abatement from various parcels that are part of the overall redevelopment. Further discussions with Anoka County and Spring Lake Park Schools are required prior to the city council approving the issuance of the debt, which will be considered later this year. If project financing is provided, turf installation would occur on fields 55 and 56 in Spring 2024, and installation of turf on fields 25-32 would occur after the USA Cup and be completed in fall 2024. Construction management of the fields would be done jointly between the NSC and City. A request for proposals has been issued by the NSC to select a contractor. There will be an action on the November 6, 2023 city council agenda related to the construction contract. This is occurring now as the NSC wants to do preliminary dirt work this fall, ahead of the actual turf installation next spring. Starting some work this fall allows the project to stay on schedule and be completed by the end of next year. The work this fall is part of a larger maintenance project the NSC is completing for irrigation on the west side of the campus. Staff commented further on the proposed project and recommended approval.

Moved by Councilmember Massoglia, seconded by Councilmember Robertson, to approve the 105th Avenue Redevelopment Project Agreements Related to Land Owned by the

Councilmember Robertson stated this was a very exciting time for the city of Blaine. She explained Blaine was setting strategic goals to put this community on the map while bringing new amenities to keep and attract visitors. She indicated this project would be a win for everybody, including the NSC, the region, the city and its residents. She thanked staff and the mayor for all of their efforts to keep this project moving forward.

Councilmember Saroya explained she was here to represent the citizens of Blaine. She noted this was a private development, similar to the Northtown Mall. She indicated she supported this project, but asked why the city was so involved. She stated she was confused as to why the city was willing to invest \$12 million in turf fields then expressed concern with the fact more injuries occurred on turf fields than grass fields.

Mayor Sanders reported the city was involved in this project because the city owns a great deal of the property. The city was working with the development group to sell back the property within the redevelopment district. He stated Northtown was different because the city doesn't own that property. He reported the 105th Redevelopment Area was a true public/private partnership and many municipalities will look at this project in a few years and be amazed at what has been produced between the city, state, county, school district and the developer. He believed there was a good reason for the city to be involved and to ensure that everybody wins.

Neil Ladd, NSC, thanked the Council for their continued partnership and investment in the NSC. He discussed the reasons for choosing artificial turf and commented on safety. He reiterated that the majority of the fields within the NSC campus were natural grass.

Corey Burstad, Elevage Development, thanked the Council and staff for their work on this project. He stated it was exciting to be before the council and for this project to be moving forward. He reported this project was coming to life and these agreements were a great start. He stated these agreements would be a great way for new amenities to say yes to this development. He had full faith that this development would be great for the entire community.

Councilmember Fleming thanked Mr. Burstad for not giving up and for sticking with the city through the planning process.

Councilmember Massoglia believed this would be a great entertainment district for the city of Blaine. He commented on how including these additional 16 acres would take this project to the next level. He thanked everybody who was involved in moving this project forward.

Mayor Sanders thanked Mr. Ladd and Mr. Burstad for helping the city get to this point. He appreciated the fact everyone had the same common goal and was willing to work to get all of the proper agreements in place. He looked forward to seeing this project come to life in the coming weeks and months.

Motion adopted 6-1 (Councilmember Saroya opposed).

- 11.3. 2023-493** Motion to Authorize Mayor and City Manager to Enter into a Contract with Bolton & Menk, Inc. for Professional Services for Engineering Design Services for the Lift Station 13 Force Main - Phase 2, Improvement Project No. 23-30.
Sponsors: Nick Fleischhacker, Public Works Director

Public Works Director Fleischhacker stated council is requested to approve a contract with Bolton & Menk, Inc. for professional design and engineering services for the Lift Station 13 Force Main - Phase 2 project, Improvement Project No. 23-30 in the amount of \$137,428. It was noted this project would be completed in 2024.

Moved by Councilmember Robertson, seconded by Councilmember Newland, to Authorize the Mayor and City Manager to Enter into a Contract with Bolton & Menk, Inc. for Professional Services for Engineering Design Services for the Lift Station 13 Force Main - Phase 2.

Motion adopted unanimously.

- 11.4. 2023-499RES** Resolution Providing for the Competitive Negotiated Sale of \$24,665,000
23-171 General Obligation Improvement and Utility Revenue Bonds, Series 2023A
Sponsors: Jason Zimmerman, Finance Director

Mr. Zimmerman stated council is requested to authorize the competitive negotiated sale of General Obligation Improvement and Utility Revenue Bonds in order to finance various utility infrastructure activities, pavement management projects, and the acquisition of capital equipment, consistent with the 2023-2027 Capital Improvement Plan.

Moved by Councilmember Robertson, seconded by Councilmember Newland, to adopt a Resolution Providing for the Competitive Negotiated Sale of \$24,665,000 General Obligation Improvement and Utility Revenue Bonds, Series 2023A.

Councilmember Massoglia stated he needed more information on this bond sale and stated he would not be able to offer his support at this time. He did not believe the city should be bonding for \$24.6 million as he had concerns with the proposed capital equipment budget. City Manager Wolfe explained this bond issuance was for four items. She reported it would cover the 2023 pavement management projects along with equipment that was approved for purchase in 2023.

Councilmember Fleming indicated she would like to discuss this bond issuance further with staff as well. Ms. Wolfe commented when the council approved the budget for this year they were informed the city would have to issue debt for the pavement management program. Staff also indicated that when the capital equipment was approved, a combination of unrestricted reserves and bonds would be used to fund these purchases. She stated the three different utility budgets were approved in 2022 for 2023 included capital improvement projects and it was noted this would be funded through revenue bonds. She reported these expenses or bonds were effectively approved in 2022 for projects to be completed in 2023.

Councilmember Fleming asked if these items have already been acquired. Mr. Zimmerman explained most of the items have already been secured or orders placed.

Councilmember Massoglia reported the city would be going into debt and paying for these items through 2028 or longer. He questioned how long it would take to pay off the street improvement project. Mr. Zimmerman stated this would be a 15 year pay off.

Councilmember Massoglia indicated he could support the \$10 million being bonded for the street improvement project but did not support the capital equipment purchases. He stated the city had a lot of different needs and he wanted the council to have a deeper conversation regarding these needs in order to have a plan going forward.

Councilmember Robertson explained these were 2023 projects and costs. She indicated the council would be holding a special workshop meeting on October 30 where the capital equipment purchases for 2024 will be further discussed. She reiterated that the proposed bonding would cover purchases the council already approved. Mr. Zimmerman stated this was correct. Ms. Wolfe clarified there were projects that were approved for 2023, along with projects for the utility funds that were underway or under contract that the city had to issue debt for in order to pay for.

Councilmember Massoglia believed it would be beneficial to have a fuller conversation on this item before moving this bond sale forward. Ms. Wolfe stated postponing could impact the timing of the bond sale. Mr. Zimmerman indicated the timing was somewhat important because the city has incurred a great deal of capital outlay.

Councilmember Robertson stated she understood this was a large number, but this funding was for items that have already been committed to be purchased or for projects that were already underway. She did not recommend the council table action on this item and called the question.

Motion adopted 6-1 (Councilmember Massoglia opposed).

11.5. RES 23-169 Amend the 2023 Storm Sewer Fund Budget and Capital Improvement Program

Sponsors: Jason Zimmerman, Finance Director

Mr. Zimmerman stated staff is requesting approval to reappropriate funds in the approved Storm Sewer Fund capital budget and capital improvement program (CIP). Staff commented further on the proposed amendments, describing the work that would be completed and recommended approval.

Moved by Councilmember Robertson, seconded by Councilmember Newland, to Amend the 2023 Storm Sewer Fund Budget and Capital Improvement Program.

Motion adopted unanimously.

- 11.6.** RES 23-168 Resolution Accepting a Quote from Winberg Companies, LLC in the Amount of \$46,141.70 for the Willowbrook 3rd Addition Drintile Improvement Project, Improvement Project No. 22-55.
Sponsors: Daniel Schluender, Director of Engineering

Assistant City Engineer Higgins stated an urgent drainage issue was identified in the Willowbrook 3rd Addition neighborhood in late 2022. The project will include installation of approximately 900 feet of drain tile to allow trapped water to be drained from rear yards of the Willowbrook neighborhood and adjacent properties. The project was not included in the initial 2023-2027 CIP; however, it can be designed in-house for a quicker turn around than some of the other projects further out in the CIP. An amendment to the 2023 Storm Sewer Fund and Capital Improvement Program had been requested in an earlier agenda item at this Council meeting. It was noted this amendment to the budget reallocates funding to allow this project to be completed immediately. Staff commented further on the proposed project and reported the low bid was received from Winberg Companies.

Moved by Councilmember Massoglia, seconded by Councilmember Newland, to adopt a Resolution Accepting a Quote from Winberg Companies, LLC in the Amount of \$46,141.70 for the Willowbrook 3rd Addition Drintile Improvement Project.

Motion adopted unanimously.

- 11.7.** 2023-496 Motion to Adopt the 2023-2026 City of Blaine Strategic Plan
Sponsors: Ben Hayle, Communications Manager

Communications Manager Hayle stated staff is requesting the city council adopt the 2023-2026 City of Blaine Strategic Plan. He commented on how the strategic plan will assist in guiding the city council in the coming years and recommended approval.

Moved by Councilmember Robertson, seconded by Councilmember Larson, to Adopt the 2023-2026 City of Blaine Strategic Plan.

Councilmember Robertson commented on how the strategic plan assisted the city council in getting funding place for the TH65 project. She believed there was a great deal of value in setting goals and priorities in order to move the city forward.

Councilmember Saroya expressed frustration with the process that was followed for the strategic plan, including the level of involvement from staff. She believed this planning should come more from council. She stated she was having a difficult time coming on board with this plan, given the fact decisions were made before she was on city council. She did not understand how the communications director led this process and indicated the vision for the city should be coming instead from the council. She stated she owed this to her constituents. She supported the council creating and completing its strategic plan in consultation with stakeholders. She explained the stakeholders were community members and she believed they should be involved in this process. After speaking with the consultant who assisted with the strategic planning process, she was told he was not supposed to

conduct focus groups based on the direction of staff. She believed staff was making decisions without consulting all councilmembers. She indicated she would not be offering her support to the strategic plan because it did not include the voices of her constituents. In addition, she noted her name was spelled wrong in the document.

Councilmember Robertson stated she believed the process was thorough and noted she had gone through the strategic planning process before. She explained none of the council have full control over a single process. She discussed how each councilmember can engage with the public outside of meetings, but noted she was not able to make 9,000 phone calls each and every time she had to make a decision. While she believed community engagement was important, she also understood that she had been given the authority to make decisions on behalf of the community by being elected. She commented on how including TH65 in the strategic plan helped the city shift its focus into pursuing funding and making this project a priority. She reported the city received just over \$192 million in just over two years for this project. She stated while this may not be a perfect document, she believed there was validity in the city having a strategic plan in place.

Ms. Wolfe explained she had quite a bit of discussion with Councilmember Saroya and a number of emails were sent back and forth. She noted she took Councilmember Saroya's concerns seriously and she spoke with the consultant and staff at length. She reported she has done a lot of strategic plans with a number of different cities and organizations and discussed how the process that was followed for the strategic plan was different than a community visioning process. She commented further on the process that was followed for the strategic plan. She indicated staff had spoken with the council earlier this year, in either January or February. Staff explained they were looking to use the same consultant and a process was outlined. At that time, a question was brought to the council regarding town halls or having some sort of community involvement, but this was not something staff was directed to pursue. She reported this direction was then passed along to the consultant, based on the feedback staff received from the council. She indicated this document was the council's strategic plan. She explained if approved, staff would be directed to follow through with the six strategic priorities. She commented on how staff has to prepare agenda items, coordinating the retreat, tracking data and preparing quarterly reports. She indicated the staff member that has coordinated all of this information over the past several years was Communications Manager Hayle and said she could not thank him enough for his efforts with this project.

Motion adopted 6-1 (Councilmember Saroya opposed).

12. Other Business

None.

13. Adjournment

Moved by Councilmember Robertson, seconded by Councilmember Massoglia, to adjourn the meeting at 8:53PM.

Motion adopted unanimously.



City of Blaine

City Council Workshop

October 30, 2023 | 4:00 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

MINUTES

NOTICE OF WORKSHOP MEETING

In accordance with the provisions of Section 3.01 of the Blaine City Charter, a Council Workshop meeting is scheduled for the following purpose:

1. Call to Order

The meeting was called to order at 4:00 PM by Mayor Sanders followed by roll call.

2. Roll Call

PRESENT: Mayor Sanders, Councilmembers Fleming, Larson, Massoglia, Newland, Robertson, and Saroya (arrived at 4:48 PM).

ABSENT: None.

ALSO PRESENT: City Manager Michelle Wolfe; Community Development Director Erik Thorvig; Safety Services Director/Police Chief Brian Podany; Finance Director Jason Zimmerman; Director of Engineering Dan Schluender; Communications Manager Ben Hayle; Senior Park & Recreation Manager Jerome Krieger; Fire Chief Dan Retka; Police Captain Matt Carlson; Deputy Fire Marshal Todd Miller; Public Works Director Nick Fleischhacker; and City Clerk Cathy Sorensen

3. New Business

- 3.1.** 2023-528 Debt, Transportation, Capital Equipment, and SBM Fire Capital
Sponsors: Jason Zimmerman, Finance Director

Finance Director Jason Zimmerman and Finance Analyst Jenna Trittin presented the debt, transportation, capital equipment and SBM Fire capital budgets in detail. They reviewed the City's current credit rating and reasons/uses for debt. Council supported levying for individual capital projects instead of an overall debt levy for transparency and supported transfer to public safety funds. Discussion was held on how to reduce the capital equipment budget.

- 3.2.** 2023-529 2024 Facilities Fund Budget
Sponsors: Jason Zimmerman, Finance Director

Mr. Zimmerman and Ms. Trittin presented the facilities fund budget in detail. Council supported improvements to chambers to meet current ADA requirements but postpone larger remodel project.

3.3. 2023-530 2024 General Fund Budget

Sponsors: Jason Zimmerman, Finance Director

Mr. Zimmerman and Ms. Trittin presented the general fund budget in detail. Discussion was held on ways to reduce the proposed levy increase and how to identify different funding sources. Council and staff would continue to review the budget and finds ways to reduce.

4. Other Business

None.

5. Adjournment

Mayor Sanders adjourned the workshop at 8:36PM.



City of Blaine Staff Report

File Number: 2023-449

Agenda Date	Status
November 6, 2023	
In Control	File Type
City Council	Motion

Approval of Consent Agenda: - Cathy Sorensen, City Clerk

Agenda Item # 8.3

Tax Forfeit Parcels

Executive Summary

Council is asked to authorize approval of the classification of tax forfeit properties as outlined.

Background

The Anoka County Board is commissioned by statute to offer tax forfeit properties in the county. Attached is the Anoka County Forfeit List for 2023 which includes properties situated within Blaine forfeited to the State of Minnesota. The County Board approved Resolution No. 2023-PRT4 on October 24, 2023, classifying certain tax forfeit lands in Anoka County, specifically five parcels in Blaine:

- 03-31-23-31-0055 – Outlot A Deer Pond - this lot is part of the storm drain pond system and accepts public street water - the city should acquire this parcel
- 20-31-23-12-0027 – Part of Lot 1 Block 1, Victory Village 4th Addition - per the record plat that is visible with Anoka County GIS this small lot should be part of 20-31-23-12-0026 (the adjacent lot to the west) and is currently part of the driveway for Panera Bread - the city does not wish to obtain this parcel
- 26-31-23-24-0024 - this is a very small, 0.01 acre triangle piece of property adjacent to I-35W – the city does not wish to obtain this parcel
- 33-31-23-33-0041 – Outlot A Jonathans 1st Addition - staff believes this lot was saved by the original property owner to eventually combine and create three additional lots which did not occur - the city does not wish to acquire this parcel
- 34-31-23-23-0005 – Lot 5 Block 1 Dales Addition - the address for this residential parcel is 2730 91st Ave NE – the city does not wish to acquire the property

Should the city wish to acquire the recommended available parcel, a request will be filed within 60 days

of the county's notification. The County Board would then withhold the parcel from sale for six months. If the city fails to acquire the property within the withholding period, the county could offer it for sale upon expiration of the withholding period.

Strategic Plan Relationship

Board/Commission Review

Financial Impact

Public Outreach/Input

Staff Recommendation

By motion, authorize approval of the classification of the above tax forfeit properties pursuant to M.S. §282.01, Subd. 1.

Attachment List

1. Tax Forfeit Properties
2. Parcel

RESOLUTION #2023-PRT4

2023 TAX-FORFEIT CLASSIFICATION OF NON-CONSERVATION PROPERTY FOR LAND SALE PURPOSES

WHEREAS, the real property described in the attached 2023 Tax-Forfeit Classification List, has forfeited to the state of Minnesota for the failure to pay ad valorem real estate taxes pursuant to provisions Minnesota Statutes, Chapter 279, Chapter 280 and Chapter 281; and

WHEREAS, Anoka County Board of Commissioners, Anoka County, Minnesota ("County Board"), has determined that it is advisable to sell the real property described in 2023 Tax-Forfeit Classification List; and

WHEREAS, pursuant to the provisions of Minnesota Statute, Section 282.01, Subdivision 1, the County Board is required to classify all tax-forfeited property as conservation or non-conservation; and,

WHEREAS, the County Board has considered the present use of adjacent lands found in 2023 Tax-Forfeit Classification List, the productivity of the soil, the character of forest or other growth, the accessibility of the lands listed to establish roads, schools, and other public services, and their peculiar suitability or desirability for particular uses; and,

WHEREAS, pursuant to the provisions of Minnesota Statutes, Section 282.01, Subdivision 1 (h), if the tax-forfeit property is located within the boundaries of an organized town or incorporated municipality, a classification, reclassification and sale must first be approved by the town board of the town or governing body of the municipality in which the lands are located; and

WHEREAS, the town board of the town or the governing body of the municipality is considered to have approved the classification or reclassification and sale if the County Board is not notified of the disapproval of the classification or reclassification and sale within 60 days of the date the request for approval was transmitted to the town board of the town or governing body of the municipality; and

WHEREAS, if the town board or a governing body of a municipality or a park and recreation board in a city of the first-class desires to acquire any parcel lying in the town or municipality, it may file a written request with the County Auditor pursuant to the provisions of Minnesota Statutes, Section 282.01, Subdivision 1a; and

WHEREAS, upon written request to the County Auditor from a state agency or governmental subdivision of the state, a parcel of unsold tax-forfeited land must be withheld from sale or lease to others for a maximum of six months ("withholding period"); and

WHEREAS, if the request is from a governmental subdivision of the state, the governmental subdivision must pay the maintenance cost incurred by the County during the period the parcel is withheld; and

WHEREAS, if a town board, governing body of the municipality or a governmental subdivision wishes to purchase a parcel of tax forfeit property it shall do so during the withholding period; and

WHEREAS, if the town board, governing body of the municipality or a governmental subdivision fails to submit an application and a resolution of the board or governing body to acquire the property within the withholding period, the County may offer the property for sale upon the expiration of the withholding period.

NOW, THEREFORE, BE IT RESOLVED that each parcel shown on 2023 Tax-Forfeiture Classification List is hereby classified as non-conservation and approved for sale, subject to review by the town boards, and governing bodies of municipalities in Anoka County under Minnesota Statutes, section 282.01.

BE IT FURTHER RESOLVED that the Anoka County land commissioner shall forward a copy of this resolution to the town board of any organized township and to the governing body of an incorporated municipality in Anoka County for their review.

BE IT FURTHER RESOLVED that if the town board or governing body of a municipality fails to notify the County Board of the disapproval of a classification and sale of any of the lands described herein within sixty days of the date the request herein is transmitted to the town board or governing body of a municipality, it will be deemed to have approved the classification and sale.

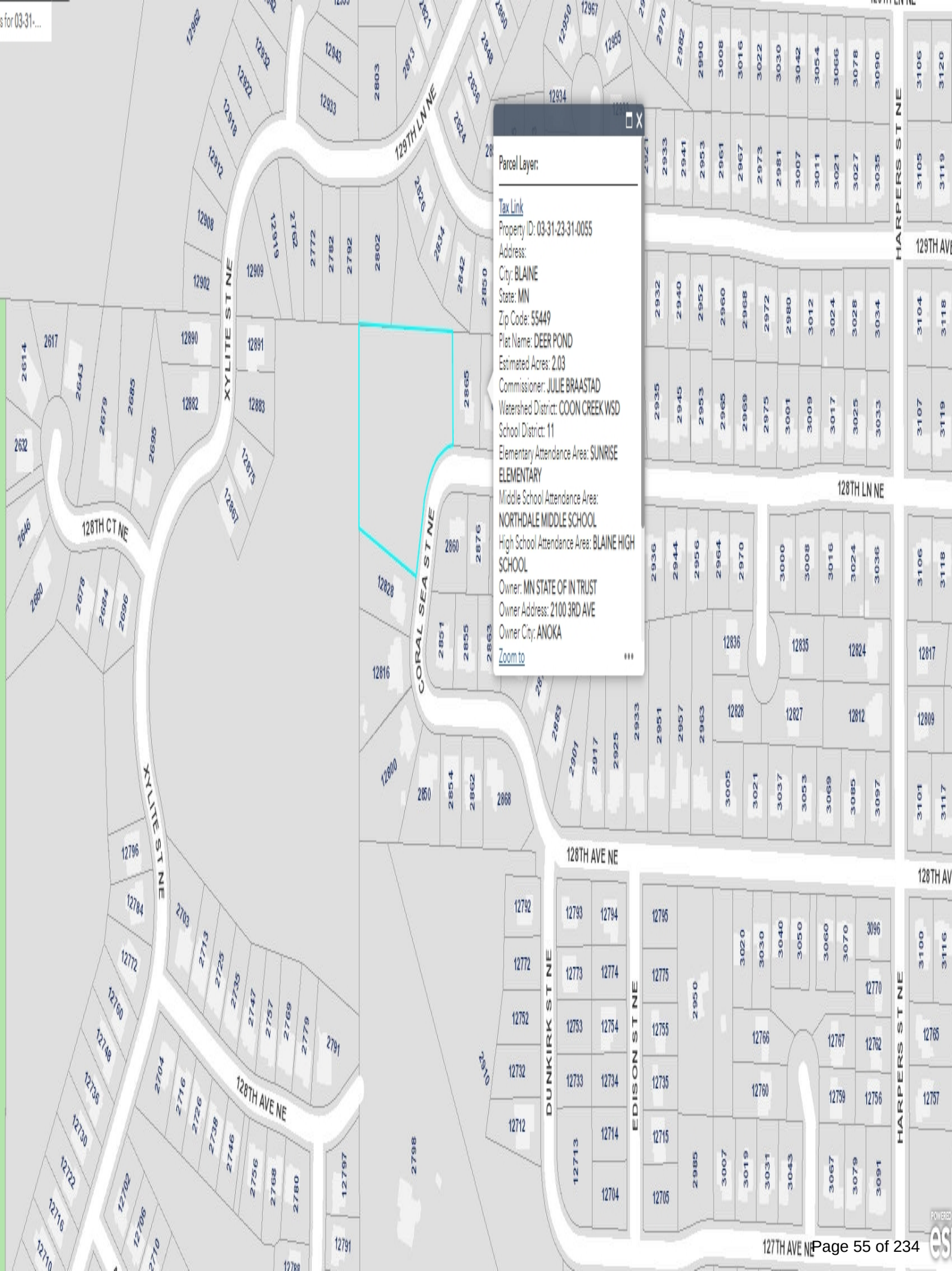
BE IT FURTHER RESOLVED that if the town board or governing body desires to acquire any parcel lying in the town or municipality under Section 282.01, it shall, within sixty days of the request for classification and sale, file a written application with the County Board to withhold the parcel from public sale for six (6) months.

BE IT FURTHER RESOLVED that if a governmental subdivision files a written application with the County Board to withhold a parcel from public sale for six (6) months, the governmental subdivision shall pay maintenance costs incurred by the County during the six-month period while the property is withheld from public sale, provided the property is not offered for public sale after the six-month period.

BE IT FURTHER RESOLVED that if the town board or governing body of the municipality fails to submit an application and a resolution of the board or governing body to acquire the property within the withholding period, the County may offer the property for sale upon the expiration of the withholding period.

EXHIBIT A
ANOKA COUNTY TAX-FORFEIT CLASSIFICATION LIST 2023

Parcel Number	Description of Property	Date of Forfeiture
	<u>CITY OF BLAINE</u>	
03-31-23-31-0055	OUTLOT A DEER POND	08/10/2023
20-31-23-12-0027	THAT PART OF LOT 1, BLOCK 1, VICTORY VILLAGE 4TH ADDITION LYING EASTERLY OF THE NORTHERLY EXTENSION OF THE WESTERLY LINE OF LOT 2, BLOCK 1, VICTORY VILLAGE 4TH ADDITION	08/10/2023
26-31-23-24-0024	THAT PRT OF S 9/20 OF N1/2 OF SE1/4 OF NW1/4 OF SEC 26 TWP 31 RGE 23 LYG NWLY OF WLY R/W LINE OF I 35W, SUBJ TO EASE OF REC	08/10/2023
33-31-23-33-0041	OUTLOT A JONATHANS 1ST ADD, SUBJ TO EASE OF REC	08/10/2023
34-31-23-23-0005	LOT 5 BLOCK 1 DALES ADDITION , EX RD SUBJ TO EASE OF REC	08/10/2023
	<u>CITY OF COON RAPIDS</u>	
15-31-24-11-0009	THAT PRT OF W 701 FT OF NE1/4 OF NE1/4 OF SEC 15 TWP 31 RGE 24 LYG S OF N 1035 FT THEREOF (AS MEAS AT RT ANG TO N & W LINES THEREOF) EX THAT PRT THEREOF LYG SWLY OF NELY R/W LINE OF TH NO 10, TOG/W S 450 FT OF N 1160 FT OF E 225 FT OF W 926 FT OF SD 1/4 1/4 (AS MEAS AT RT ANG TO N & W LINES THEREOF) EX THAT PRT THEREOF LYG SWLY OF NELY R/W LINE OF TH NO 10, ALSO S 352.13 FT OF N 1062.13 FT OF E 67 FT OF W 993 FT OF SD 1/4 1/4 (AS MEAS AT RT ANG TO N & W LINES THEREOF) EX RD, SUBJ TO EASE OF REC	08/10/2023



✕

Parcel Layer:

[Tax Link](#)
Property ID: 03-31-23-31-0055
Address:
City: BLAINE
State: MN
Zip Code: 55449
Plat Name: DEER POND
Estimated Acres: 2.03
Commissioner: JULIE BRAASTAD
Watershed District: COON CREEK WSD
School District: 11
Elementary Attendance Area: SUNRISE ELEMENTARY
Middle School Attendance Area: NORTHDAL Middle School
High School Attendance Area: BLAINE High School
Owner: MN STATE OF IN TRUST
Owner Address: 2100 3RD AVE
Owner City: ANOKA
[Zoom to](#)



City of Blaine Staff Report

File Number: 2023-518

Agenda Date	Status
November 6, 2023	
In Control	File Type
City Council	Motion

Approval of Consent Agenda: - Brian Podany, Safety Services Manager/Police Chief

Agenda Item # 8.4

Approve the Fiscal Agent Agreement between Anoka County, on behalf of its Sheriff's Office, and the City of Blaine for the North Central High-Intensity Drug Trafficking Area ("HIDTA") grant funding.

Executive Summary

The Anoka-Hennepin Narcotics and Violent Crime Task Force (AHNVCTF), requires each municipality on the team to sign the High-Intensity Drug Trafficking Area ("HIDTA") subrecipient Fiscal Agent Agreement (attached), to participate in the HIDTA grant program. The HIDTA grant is used to reimburse municipalities for overtime costs associated with the Violent Crime Enforcement Team ("VCET"). This Fiscal Agent Agreement gives Anoka County, on behalf of its Sheriff's Office, the authority to act as the fiscal agent to distribute HIDTA grant funds to pay overtime costs to each municipality.

Background

Anoka County joined the North Central High-Intensity Drug Trafficking Area ("HIDTA") to receive federal HIDTA grant funding to pay overtime for investigators assigned to the Violent Crime Enforcement Team ("VCET"). Anoka County and each City's municipalities' participation in HIDTA is governed by the Joint Powers Agreement #C0007372A, which is the Anoka-Hennepin Narcotics and Violent Crime Task Force (AHNVCTF).

The City of Blaine Police Department has two investigators assigned to the AHNVCTF and subsequently may work on the VCET requiring funding for overtime costs. The Anoka County Sheriff's Office agreed to act as the fiscal agent to distribute the HIDTA grant funds to pay overtime costs to each municipality, including the City of Blaine, for investigators working on the VCET.

Each municipality on the AHNVCTF is required to have this Fiscal Agent Agreement signed by their City Mayor, City Manager, and Chief of Police.

Strategic Plan Relationship

By entering into the Fiscal Agent Agreement with Anoka County, the City of Blaine Police Department is being fiscally responsible.

Board/Commission Review

None.

Financial Impact

None.

Public Outreach/Input

None.

Staff Recommendation

Approve the Fiscal Agent Agreement.

Attachment List

1. Fiscal Agent Agreement for HIDTA OT 2024-2027

Fiscal Agent Agreement

This is a Fiscal Agent Agreement (“Agreement”) between Anoka County, a political subdivision of the State of Minnesota, on behalf of its Sheriff’s Office, 13301 Hanson Blvd NW Andover, MN 55304 ("County"), and the City of Coon Rapids, the City of Blaine, the City of Anoka, the City of Columbia Heights, the City of Maple Grove, the City of Rogers, the City of Ramsey, and the City of Champlin (each, a "City" and collectively, the “Cities”).

Recitals

- A. The County has joined the North Central High-Intensity Drug Trafficking Area (“HIDTA”) and receives federal HIDTA grant funding to pay overtime for investigators assigned to the Violent Crime Enforcement Team (“VCET”). The County and City’s participation in HIDTA is governed by the Joint Powers Agreement #C0007372A.
- B. The Cities wish to provide investigators to the VCET and require funding to pay overtime costs.
- C. The County agrees to act as fiscal agent to distribute to the Cities the HIDTA grant funds to pay overtime costs.

1. Term

The term of this Agreement shall be from January 1, 2024, through December 31, 2027, or upon the termination of grant funding from the HIDTA to pay overtime costs, whichever occurs first. Agreement renewals shall be made by way of a written Amendment to this Agreement and signed by authorized representatives.

2. Scope of Service

The parties agree as follows:

2.1. The Cities agree that they will:

2.1.1. Produce a quarterly list of who is eligible for Overtime including hours worked and case numbers assigned with hours worked (“Eligibility List”);

2.2. The County agrees that it will:

2.2.1. Receive invoices from the Cities for VCET overtime costs; and

2.2.2. Pay invoices of the Cities from funds received via the annual HIDTA Grant Agreement between the County and the federal Office of National Drug Control Policy (the “Grant Agreement”).

The parties agree that accounting, procurement and other fiscal agent services provided by County will comply with generally accepted accounting principles and County Finance Department policies.

2.3. Type of Audit and Frequency

The County will conduct fiscal and program audits annually. Audit findings and corrective actions will be issued in writing to the Cities 45 days after the completion of the audit. Cities will be required to respond to corrective actions in writing 30 days after the receipt of the written audit from the County.

2.4. Resolution Measures for Noncompliance with the Agreement

Resolution measures for non-compliance with the Agreement will consist of a written report that clearly states the areas of non-compliance, the corrective action needed to be in compliance, and a timeline to complete each corrective action as stated in the written fiscal or program audit. On-going fiscal and program audits will occur to ensure compliance with the Agreement.

2.5. ~~Payment Processing has adequate segregation of duties~~

The County and the Cities have adequate segregation of duties as stipulated by the Governmental Accounting Standards Board. The County accounting and procurement departments and other fiscal agent services comply with general accounting principles and the County Finance Department policies.

3. General Contract / Agreement Terms and Conditions

3.1. Payment

The Cities will forward invoices to the County on a quarterly basis for overtime expenses related to their participation in VCET.

The County will not receive payment for administrative costs or expenses related to this Agreement.

3.2. Application for Payments

3.2.1. Invoices for any goods or services not identified in this Agreement will be disallowed.

3.2.2. Each application for payment shall contain the Eligibility List, an itemized list of services furnished, dates of services provided, and the total invoice amount.

3.2.3. Payment shall be made within thirty-five (35) calendar days after the date of receipt of a detailed invoice and verification of the charges.

3.2.4. Payment of interest and disputes regarding payment shall be governed by the provisions of Minnesota Statutes § 471.425.

3.3. Independent Contractor

The County is and shall remain an independent contractor throughout the term of this Agreement and nothing herein is intended to create, or shall be construed as creating, the relationship of partners between the parties or as constituting the County as an employee of any other party.

3.4. Data Practices

All data collected, created, received, maintained, or disseminated for any purpose in the course of the County's performance under this Agreement is subject to the provisions of the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, any other applicable state statutes, any state rules adopted to implement the Act and statutes, as well as federal statutes and regulations on data privacy.

3.5. Indemnification

Subject to Minn. Stat. Ch. 466, each party is solely responsible for the acts or omissions of their respective employees when acting in the course and scope of their employment duties. No party may be held liable for the acts or omissions of another party's employees, officers, or agents under this Agreement.

It is understood and agreed that each party's liability shall be limited by the provisions of Minnesota Statutes, Chapter 466 (Tort Liability, Political Subdivisions) or other applicable law. Nothing contained in this Agreement shall waive or amend, nor shall be construed to waive or amend any defense or immunity that either party, their respective officials, and employees, may have under said Chapter 466, or any common-law immunity or limitation of liability.

3.6. Records Retention

Until the expiration of six years after the furnishing of services pursuant to the Agreement, the County shall retain a copy of the Agreement and the books, documents, records, and accounting procedures and practices of the County relating to this Agreement.

3.7. Notices

All notices under this Agreement, and any amendments to this Agreement, shall be in writing and shall be deemed given when delivered by certified mail, return receipt requested, postage prepaid, when delivered via personal service, or when received if sent by overnight courier. All notices shall be directed to the parties at the respective addresses set forth below. If the name and/or address of a representative change, notice of such change shall be given to the other parties.

Anoka County: Commander Derek Schuldt 13301 Hanson Blvd NW
Andover, MN 55304

City of Coon Rapids: Chief Bill Steiner, 11155 Robinson Dr, Coon Rapids, MN 55433

City of Blaine: Chief Brian Podany, 10801 Town Square Dr NE, Blaine, MN 55449

City of Anoka: Chief Eric Peterson, 275 Harrison St, Anoka, MN 55303

City of Columbia Heights: Chief Lenny Austin, 825 41 ST AVE, Columbia Heights, MN 55421

City of Ramsey: Chief Jeff Katers, 7550 Sunwood Dr NW Ramsey, MN 55303

City of Maple Grove: Chief Eric Werner, 12800 Arbor Lakes Parkway, Maple Grove, MN 55369

City of Rogers: Chief Dan Wills, 21860 Industrial Ct, Rogers, MN 55374

City of Champlin: Chief Glen Schneider, 11955 Champlin Dr, Champlin, MN 55316

3.8. Non-Assignability

The parties to this Agreement shall have no right to assign any interest in this Agreement and shall not transfer any interest in this Agreement by subcontract or assignment without the prior written consent of all other parties to the Agreement.

3.9. Force Majeure

No party shall be liable for any loss or damage incurred by any other party as a result of events outside the control of such party ("Force Majeure Events") including, but not limited to war, storms, flooding, fires, strikes, legal acts of public authorities, or acts of government in time of war or national emergency.

3.10. Unavailability of Funding – Termination

The services of the County under this Agreement are subject to the availability and provision of funding from the United States, the State of Minnesota, or other funding sources, and the appropriation of funds by the Board of County Commissioners. The County may immediately terminate this Agreement if the funding is no longer

available or is not appropriated by the Board of County Commissioners. Termination shall be treated as a termination without cause and will not result in any penalty or expense to the County.

3.11.Termination

- 3.11.1. The County may immediately terminate this Agreement if any proceeding or other action is filed by or against any other party seeking reorganization, liquidation, dissolution, or insolvency of such party under any law relating to bankruptcy, insolvency, or relief of debtors.
- 3.11.2. If a City breaches any material terms or conditions of this Agreement, the County may, without prejudice to any right or remedy, give the breaching party fourteen (14) calendar days written notice of its intent to terminate this Agreement, specifying the asserted breach. If the breaching party fails to cure the deficiency within the fourteen (14) day cure period, this Agreement shall terminate upon expiration of the cure period.
- 3.11.3. The County may terminate this Agreement without cause upon giving at least thirty (30) calendar days written notice thereof to the Cities.
- 3.11.4. Any City may terminate its participation in this Agreement without cause upon giving at least thirty (30) calendar days written notice thereof to the other parties.
- 3.11.5. Any City may immediately terminate this Agreement if any proceeding or other action is filed by or against any other party seeking reorganization, liquidation, dissolution, or insolvency of such party under any law relating to bankruptcy, insolvency, or relief of debtors.
- 3.11.6. In the event of termination of this Agreement pursuant to this section, funds will be distributed, and payment of liabilities will occur as follows:

3.11.6.1. The County will pay any outstanding expenses incurred by VCET, including reimbursing the Cities for any overtime expenses incurred as a result of participation in VCET.

3.11.6.2. After all expenses have been paid as outlined above, any remaining funds will be returned to the source of the grant funding.

3.12. Interpretation of Agreement; Venue

The Agreement shall be interpreted and construed according to the laws of the State of Minnesota. All litigation regarding this Agreement shall be venued in the appropriate State or Federal District Court in Anoka County, Minnesota

3.13. Dispute Resolution and Escalation Procedures

In the event of a dispute, the disputing party will speak with the VCET commander. The disputing party and the VCET commander will work together to try to resolve the dispute. If both parties fail to come to a mutual agreement to resolve the dispute, the parties will engage in good-faith negotiation to resolve the dispute before resorting to the legal process. Negotiation may include mediation or arbitration through third parties if both parties agree. Nothing communicated during the course of negotiation, mediation, or arbitration may be used against either party in the legal process if the dispute is not resolved.

3.14. Severability

The provisions of this Agreement are severable. If any part of this Agreement is rendered void, invalid, or unenforceable, such rendering shall not affect the validity and enforceability of the remainder of this Agreement.

3.15. Alteration

Any alteration, variation, modification, or waiver of the provisions of this Agreement shall be
valid only after it has been reduced to writing and signed by all parties

3.16.Limitation of Liability.

The County is not responsible for providing services outside of the scope of the Agreement. The County is not liable for management decisions made by any City, or any other organization, and is also not responsible for cash shortfalls, such as bills not paid or charges for payments made with insufficient funds, due to funding shortfalls of any City or any other organization.

3.17.Entire Agreement

The written Agreement, including all attachments, represents the entire and integrated agreement between the parties hereto and supersede all prior negotiations, representations, or contracts, either written or oral. No subsequent agreement between the County and the Cities to waive or alter any of the provisions of this Agreement shall be valid unless made in the form of a written Amendment to this Agreement signed by authorized representatives of the parties.

3.18.Counterparts

This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which shall constitute one in the same document. All executed counterparts of this Agreement shall be forwarded to the Fiscal Agent. Upon receipt of executed counterparts from all parties, the Fiscal Agent will prepare one conformed copy of this Agreement and provide a copy to each Party.

Wherefore, the County and the Cities have executed this Fiscal Agent Agreement as of the last date written below.

SIGNATURES

All parties to this agreement need not sign the same copy of the agreement. An original agreement signed by each party to this agreement shall be maintained in the Office of the Anoka County Sheriff.

DATE: _____

County of Anoka

By: _____

Matt Look

Its: County Board Chair

By: _____

Rhonda Sivarajah

Its: County Administrator

By: _____

Brad Wise

Its: Sheriff

Approved as to Form

By: _____

Bryan R. Lindberg

Its: Attorney

SIGNATURES

All parties to this agreement need not sign the same copy of the agreement. An original agreement signed by each party to this agreement shall be maintained in the Office of the Anoka County Sheriff.

DATE: _____

City of Anoka

By: _____

Phil Rice

Its: Mayor

By: _____

Greg Lee

Its: City Manager

By: _____

Eric Peterson

Its: Chief of Police

SIGNATURES

All parties to this agreement need not sign the same copy of the agreement. An original agreement signed by each party to this agreement shall be maintained in the Office of the Anoka County Sheriff.

DATE: _____

City of Blaine

By: _____

Tim Sanders

Its: Mayor

By: _____

Michelle Wolfe

Its: City Manager

By: _____

Brian Podany

Its: Chief of Police

SIGNATURES

All parties to this agreement need not sign the same copy of the agreement. An original agreement signed by each party to this agreement shall be maintained in the Office of the Anoka County Sheriff.

DATE: _____

City of Champlin

By: _____
Ryan Sabas

Its: Mayor

By: _____
Bret Heitkamp

Its: City Administrator

By: _____
Glen Schneider

Its: Chief of Police

SIGNATURES

All parties to this agreement need not sign the same copy of the agreement. An original agreement signed by each party to this agreement shall be maintained in the Office of the Anoka County Sheriff.

DATE: _____ City of Columbia Heights

By: _____
Amada Marquez Simula

Its: Mayor

By: _____
Kelly Bourgeois

Its: City Manager

By: _____
Lenny Austin

Its: Chief of Police

SIGNATURES

All parties to this agreement need not sign the same copy of the agreement. An original agreement signed by each party to this agreement shall be maintained in the Office of the Anoka County Sheriff.

DATE: _____

City of Coon Rapids

By: _____

Jerry Koch

Its: Mayor

By: _____

Matt Stemwedel

Its: City Manager

By: _____

Bill Steiner

Its: Chief of Police

SIGNATURES

All parties to this agreement need not sign the same copy of the agreement. An original agreement signed by each party to this agreement shall be maintained in the Office of the Anoka County Sheriff.

DATE: _____

City of Rogers

By: _____

Rick Ihli

Its: Mayor

By: _____

Steve Stahmer

Its: City Administrator

By: _____

Dan Wills

Its: Chief of Police

SIGNATURES

All parties to this agreement need not sign the same copy of the agreement. An original agreement signed by each party to this agreement shall be maintained in the Office of the Anoka County Sheriff.

DATE: _____

City of Ramsey

By: _____

Mark E Kuzma

Its: Mayor

By: _____

Brain Hagen

Its: City Administrator

By: _____

Jeff Katers

Its: Chief of Police

SIGNATURES

All parties to this agreement need not sign the same copy of the agreement. An original agreement signed by each party to this agreement shall be maintained in the Office of the Anoka County Sheriff.

DATE: _____

City of Maple Grove

By: _____
Mark Steffenson

Its: Mayor

By: _____
Heidi Nelson

Its: City Administrator

By: _____
Eric Werner

Its: Chief of Police



City of Blaine Staff Report

File Number: 2023-519

Agenda Date	Status
November 6, 2023	
In Control	File Type
City Council	Motion

Approval of Consent Agenda: - Nick Fleischhacker, Public Works Director

Agenda Item # 8.5

Authorize the Mayor and City Manager to Enter into a One-Year Contract with the State of Minnesota for a Four-day per Week Institution Community Work Crew in the Amount of \$103,500

Executive Summary

The City has had a contract with the State of Minnesota Department of Corrections (DOC) since the fall of 2018 for a work crew to perform various labor-intensive work throughout the city.

The DOC has offered a one-year contract to continue this partnership with the City. We have experienced good service and received significant benefits from this contract. The new contract price reflects a 5% increase from last year's contract. Staff recommends approving the new one-year contract.

Background

The State of Minnesota, acting through its Commissioner of Corrections, offers Institution Community Work Crews (ICWC) to cities to provide labor for local efforts at the purchaser's discretion. The ICWC Program's structure and philosophy were modeled after the Minnesota Department of Corrections' (DOC) Sentencing to Service (STS) program, which had already established an excellent track record of working in the community. Carefully selected, non-dangerous, minimum-security inmates work on crews under the supervision of a qualified DOC crew leader. The program's goal is to teach social and work skills while communities accomplish projects. With recent difficulties in hiring seasonal employees, the ICWC crew performs various labor-intensive tasks and projects throughout the city that add significant value. Included in this packet is a list of tasks and projects that the ICWC crew has performed in the past and will be able to assist the department with in the future.

This new contract will provide the City of Blaine with an ICWC crew on Mondays through Thursdays (four days per week) for 52 weeks from November 1, 2023 through October 31, 2024. The total expense to the City for all compensation and reimbursements to the State under this contract is \$103,500.00 for one year as our share of the cost of providing a crew leader and placing the work crews into service on the ICWC Program during the term of this agreement. The City may request additional time at an overtime rate of \$85.00 per hour for the entire crew. Funding for this is split between the general fund and utility funds based on anticipated utilization.

Strategic Plan Relationship

This project aligns with the City's strategic plan goal of well-maintained infrastructure by performing various maintenance tasks throughout the city.

Board/Commission Review

N/A

Financial Impact

Funding for this has been included in the 2024 budget and is split between the general fund and utility funds based on anticipated utilization.

Public Outreach/Input

N/A

Staff Recommendation

By motion, authorize the Mayor and City Manager to enter into contract with the State of Minnesota for an Institution Community Work Crew in the amount of \$103,500.00 for one year.

Attachment List

1. Blaine 2023 ICWC Contract
2. ICWC Work and Projects List



City of Blaine

Signature Copy

Resolution:

Authorize the Mayor and City Manager to Enter into a One-Year Contract with the State of Minnesota for a Four-day per Week Institution Community Work Crew in the Amount of \$103,500



City of Blaine

Signature Copy

Ordinance:

Authorize the Mayor and City Manager to Enter into a One-Year Contract with the State of Minnesota for a Four-day per Week Institution Community Work Crew in the Amount of \$103,500



State of Minnesota

Income Contract

SWIFT Contract No.:

This contract is between the State of Minnesota, acting through its Commissioner of Corrections, Institution Community Work Crew, 1450 Energy Park Drive, St. Paul, Minnesota 55108 ("State"), and the City of Blaine, 1801 101st Avenue NE, Blaine, MN, 55449 ("Purchaser"). State and Purchaser may be referred to jointly as "Parties."

Recitals

1. Under Minn. Stat. §241.278 the State is empowered to enter into income contracts.
2. The Purchaser is in need of an Institution Community Work Crew (ICWC).
3. The State represents that it is duly qualified and agrees to provide the services described in this contract.

Accordingly, the Parties agree as follows:

Contract

1. Term of Contract

- 1.1 **Effective date:** November 1, 2023, or the date the State obtains all required signatures under Minnesota Statutes Section 16C.05, subdivision 2, whichever is later.
- 1.2 **Expiration date:** October 31, 2024, or until all obligations have been satisfactorily fulfilled, whichever occurs first.

2. State's Duties

The State will:

- 2.1 Provide a crew leader(s) who will supervise up to ten (10) crewmembers during four (4) 10-hour days of work per week, including the hours crew leaders spend for daily preparation, communication and travel.
- 2.2 Train each work crew in safety principles and techniques set forth by applicable federal, state and local agency requirements. Purchaser agrees that the state has the authority to refuse selected projects if it considers the projects beyond the skill level of the crewmembers and/or unsafe to perform.
- 2.3 Provide required personal safety equipment and clothing needed for specific work.
- 2.4 Screen projects to ensure that appropriate staff are assigned.
- 2.5 Submit reports to the Purchaser upon request within sixty (60) days of the end of each quarter.

3. Purchaser's Duties

The Purchaser will

- 3.1 Obtain all necessary permits or licenses or special authority for all projects that utilize ICWC labor.
- 3.2 Assign all work and coordinate material purchases and delivery through the ICWC crew leader for projects to be performed by the State.
- 3.3 Hire any subcontractors utilized in the project.
- 3.4 Provide utilities at the work site and set up accounts for the purchase of materials and rental of specialized tools or equipment needed for the work.
- 3.5 Meet with the State as necessary to provide project information needed by the State in the performance of its' duties.

4. Payment

The Purchaser will pay the State for all services performed by the State under this contract as follows:

- 4.1 Payment shall be made by the Purchaser to the State in the amount of fifty-one thousand seven hundred fifty dollars (\$51,750.00) on November 1, 2023. Fifty-one thousand seven hundred fifty dollars (\$51,750.00) on May 1, 2024. Any overtime hours will be billed at the rate of eighty-five and 00/100 dollars (\$85.00) per hour.
- 4.2 The total obligation of the Purchaser for all compensation and reimbursements to the State under this contract is one hundred-three thousand five hundred and 00/100 dollars (\$103,500.00), plus any additional overtime hours, as its share of the cost of providing a crew leader and placing the work crews into service on the ICWC Program during the term of this agreement. The Purchaser's share includes time scheduled for training, vacation, sick leave and holidays based on the terms and condition of the crew leaders AFSCME bargaining agreement.

5. Authorized Representative

The State's Authorized Representative is Scott Miller, ICWC Supervisor or his successor, 2420 Long Lake Rd, Roseville, Minnesota 55113

The Purchaser's Authorized Representative is Michelle Wolfe, City Manager or her successor, 10801 Town Square Drive, Blaine, MN, 55449. If the Purchaser's Authorized Representative changes at any time during this Contract, the Purchaser must immediately notify the State.

6. Assignment, Amendments, Waiver, and Contract Complete.

- 6.1 *Amendments.* Any amendment to this contract must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original contract, or their successors in office.
- 6.2 *Waiver.* If the State fails to enforce any provision of this contract, that failure does not waive the provision or its right to enforce it.
- 6.3 *Contract Complete.* This contract contains all negotiations and agreements between the State and the Purchaser. No other understanding regarding this contract, whether written or oral, may be used to bind either party.

7. Liability

Each party will be responsible for its own acts and behavior and the results thereof.

8. Government Data Practices.

The Purchaser and State must comply with the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, (or, if the State contracting party is part of the Judicial Branch, with the Rules of Public Access to Records of the Judicial Branch promulgated by the Minnesota Supreme Court as the same may be amended from time to time) as it applies to all data provided by the State under this Contract, and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the Purchaser under this Contract. The civil remedies of Minn. Stat. § 13.08 apply to the release of the data governed by the Minnesota Government Practices Act, Minn. Stat. Ch. 13, by either the Purchaser or the State.

If the Purchaser receives a request to release the data referred to in this clause, the Purchaser must immediately notify and consult with the State's Authorized Representative as to how the Purchaser should respond to the request. The Purchaser's response to the request shall comply with applicable law.

9. Publicity and Endorsement.

- 9.1 Publicity. Any publicity regarding the subject matter of this Contract must identify the State as the sponsoring agency and must not be released without prior written approval from the State's Authorized Representative. For purposes of this provision, publicity includes notices, informational pamphlets, press releases, information posted on corporate or other websites, research, reports, signs, and similar public notices prepared by or for the Purchaser individually or jointly with others, or any subcontractors, with respect to the program, publications, or services provided resulting from this Contract.
- 9.2 Endorsement. The Purchaser must not claim that the State endorses its products or services.

10. State Audits.

Under Minn. Stat. § 16C.05, subd. 5, the Purchaser's books, records, documents, and accounting procedures and practices relevant to this Contract are subject to examination by the State, the State Auditor, or Legislative Auditor, as appropriate, for a minimum of six years from the expiration or termination of this Contract.

11. Governing Law, Jurisdiction, and Venue.

Minnesota law, without regard to its choice-of-law provisions, governs this Contract. Venue for all legal proceedings out of this Contract, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

12. Termination.

Either party may cancel this Contract at any time, with or without cause, upon 30 days' written notice to the other party.

1. Purchaser

Print Name: _____

Signature: _____

Title: _____ Date: _____

2. State Agency

With delegated authority

Print Name: _____

Signature: _____

Title: _____ Date: _____

3. Commissioner of Administration

As delegated to The Office of State Procurement

Print Name: _____

Signature: _____

Title: _____ Date: _____

Admin ID: _____

ICWC Tasks and Projects

1. Invasive species removal
2. Weed whipping
3. Push Mowing
4. Stand up or riding lawnmowers with city approval and training
5. Tool cat or bobcat work with city approval and training
6. Weed pulling
7. Tree, shrub, and flower planting
8. Irrigation work
9. Building cleaning
10. Tree pruning and removal
11. Storm cleanup
12. Burning-Piles and prescribed fires
13. Chipping brush and trees
14. Landscaping
15. Playground cleaning, maintenance, construction, and removal
16. Painting-Interior and exterior
17. Painting fire hydrants
18. Park and trail maintenance
19. Spreading woodchips
20. Building and maintain retaining walls
21. Ball field maintenance
22. Ice arena cleaning, maintenance, and painting
23. Street maintenance
24. Event setup and cleanup
25. Shop cleaning and maintenance
26. Vehicle cleaning
27. Construction-Rough, finish, and roofing
28. Demolition
29. Concrete work
30. Bridge building and maintaining
31. Well house filtration removal and replacement
32. Snow removal
33. Trail construction
34. Fence construction and maintenance



City of Blaine Staff Report

File Number: 2023-531

Agenda Date	Status
November 6, 2023	
In Control	File Type
City Council	Motion

Approval of Consent Agenda: -

Agenda Item # 8.6

Approve a Tobacco and Tobacco Products License for Northside Grocery & Deli LLC, 1578 125th Avenue NE

Executive Summary

Approve a Tobacco and Tobacco Product License for Northside Grocery & Deli LLC

Background

Hindia Mumem has applied for a tobacco and tobacco products license for Northside Grocery & Deli LLC located at 1578 125th Avenue NE. The applicant has met the licensing requirements by completing all necessary forms and paying associated fees. A certificate of occupancy has been issued as well.

The Blaine Police Department has conducted a background investigation on the applicant and found no reason to deny the application.

Strategic Plan Relationship

This item relates to the Growth Management strategic priority in the 2020-2023 strategic plan by providing additional opportunities for businesses to thrive while ensuring safe practices are employed.

Board/Commission Review

N/A

Financial Impact

Issuance of the license, including background checks, are included in the license fee adopted by the city council.

Public Outreach/Input

No public notice is required for this type of license.

Staff Recommendation

By motion, approve a tobacco and tobacco products license for Northside Grocery & Deli LLC located at 1578 125th Avenue NE.

Attachment List

None



City of Blaine

Signature Copy

Resolution:

Approve a Tobacco and Tobacco Products License for Northside Grocery & Deli LLC, 1578 125th Avenue NE



City of Blaine

Signature Copy

Ordinance:

Approve a Tobacco and Tobacco Products License for Northside Grocery & Deli LLC, 1578
125th Avenue NE



City of Blaine Staff Report

File Number: RES 23-176

Agenda Date	Status
November 6, 2023	
In Control	File Type
City Council	Resolution

Approval of Consent Agenda: - Sheila Sellman, City Planner

Agenda Item # 8.7

Resolution Granting Final Plat Approval Creating 31 Lots for Preserve at Lexington Waters 2nd Addition. Blaine 2022 LLC (Case File No. 23-0079/SAS)

Executive Summary

Preserve at Lexington Waters has preliminary plat approval for 106 single family lots. This final plat is for 31 of those lots with the remaining as an outlot. This subdivision will be final platted in phases.

Background

Planning Commission Public Hearing	05/10/22
City Council (Preliminary Plat)	06/06/22
City Council (Final Plat)	11/06/23
Action Deadline	12/26/23

Staff report prepared by Sheila Sellman, City Planner, and Teresa Barnes, Project Engineer

The final plat is consistent with the approved preliminary plat, Resolution No. 22-097.

Zoning

The subject site is zoned DF (Development Flex).

Land Use Designation

The site has a land use designation of LDR (Low Density Residential) which allows development of 2.5 - 6 units per acre.

History

A preliminary plat to create 106 single family lots was approved in June 2022. In March 2023, a final plat for 41 lots and two outlots was approved.

Evaluation of Request

Plat

The proposed plat creates 31 lots and one outlot. The preliminary plat was approved for 106 single-family lots and three outlots. As proposed, 64 lots will have a lot width of 60 feet and 42 lots will have a lot width of 75 feet or larger. The lots range in size from 7,752 square feet to 18,837 square feet. The smaller lots are for raised ranch homes that are one level living with a lower level, and the larger lots will be for traditional two-story homes.

Tree Preservation

Approximately 46.5 acres of trees are proposed to be removed/disturbed during construction. The City's tree preservation requirement requires replacement of eight trees per acre for all disturbed portions of the development. With 46.5 acres being removed/disturbed, 372 trees are required to be replaced onsite. The landscape plan shows 221 trees; therefore, 151 more trees need to be planted onsite. The landscape plan should be revised to include the additional trees, or the applicant can pay into the reforestation fund at \$400 per tree or a combination of both.

The site has its challenges with the wetlands and protected species. The total area that is being preserved with wetlands, trees, and protected plants is 38.55 acres. This will remain as open space and is not developable.

Park Dedication

Park dedication is required for the 31 lots being final platted in phase one at a rate of \$4,894 per lot (2023 rate) for a total park dedication of \$151,714.

Grading/Storm Drainage

The developer is proposing to grade the entire site as shown on the RCWD and City approved grading, drainage, erosion protection and sediment control plans prepared by the Developer's Engineer. The plans shall include existing drainage patterns (contours) with flow arrows, soil boring locations, perimeter site protection, tree preservation, tree clearing limits, custom grading, proposed grading contours, proposed drainage patterns with flow arrows, storm water management, SWPPP information, temporary erosion protection Best Management Practices (BMPs), and temporary sediment control BMPs information for the site. The SWPPP may be included in the construction plan sheet(s) or prepared as a separate document and included in the development construction contract specifications.

The developer will also need to submit construction contract documents that include a mass (rough) grading, erosion protection, sediment control, development, utilities, roadway, and storm drainage plan sheets. Supporting wetland delineation report, geotechnical investigation report, soil boring logs, and hydrology report shall be included in the submittal for city review and approval.

The grading plan shall provide greater detail on protecting existing trees and providing additional information on adjacent property.

For each lot a house is proposed to be constructed on, as-built surveys shall be required to verify structure elevations, custom grading requirements, and final lot grading elevations.

Utilities

The developer will be responsible for Trunk Sanitary Sewer area charges. These charges become due with platting for upland acreage. The 2023 rate for Sanitary Sewer District 7 is \$7,295.00 per upland acre and will be applied to the acreage platted. This phase is proposing to develop 11.9 acres of upland for a total sewer area charge of \$86,810.50.

Standard water and sanitary sewer access charges (WAC & SAC) become due with each building permit at the rate established at the time the building permit is issued.

Hydrant locations must be reviewed and approved by the Fire Department.

Developer shall explore water source for landscape irrigation systems installed throughout the development, including the possible use of created ponds or storm water reuse.

Wetlands/Watershed/FEMA

The plat will need to provide for a protective buffer strip of natural vegetation at least 15-feet in width (25-feet is preferred) and shall surround all wetlands. This buffer strip shall be placed in easement.

The developer will need to submit the project to Rice Creek Watershed District (RCWD). Review, approval and permits are required prior to city plan approval and start of site work.

The development shall indicate that all structures are protected from flooding by processing a Letter of Map Change with FEMA prior to issuance of building permits within the unnumbered A-Zone on the FEMA flood map. Developer shall provide all FEMA paperwork and structure as-built surveys to homeowners at time of lot closing. Developer is responsible for following through with FEMA (as necessary) to receive final documents, to provide those documents to the homeowners, and to record the these on the certificate of title for each parcel in the development.

Access/Street Design/Sidewalks/Trails

This phase of the development is proposing to gain/provide access from a connection to 131st Ave NE and Opal St NE.

All local roads shall be constructed to 29-feet back-to-back of width and will extend to the edge of the plat for future connection with adjacent parcels.

Six-foot concrete sidewalks are required to be constructed on one side of all local streets. Location to be determined in the plan review process.

A bituminous trail is required between the two cul-de-sacs of 2nd Addition and 3rd Addition.

As part of the street design, the development will be required to provide street lights installed in the manner, location and type prescribed by the City Engineer. The developer shall pay the costs of all the street lighting installations. The City agrees to pay the cost of maintaining the portion of the lights that are installed that reflect the normal and typical lighting requirements by the City.

The City of Blaine has not planned or constructed the necessary infrastructure (street, sanitary sewer,

or watermain) to provide connection to serve the adjacent communities of Ham Lake or Lino Lakes.

Easements/Right-of-way/Permits

The developer will need to obtain all required permits to construct the proposed project. A copy of all permits will need to be submitted to the City prior to any site work.

Standard drainage and utility easements shall be dedicated along all lot lines and over areas of delineated wetlands, wetland mitigation, infiltration trenches, drainage swales, and storm water management ponds.

All local public streets require dedication of 60-feet of right-of-way.

The Developer is to provide access for inspection and maintenance of storm water management infrastructure. This maintenance access shall be a minimum of 10-feet wide and allow for vehicular access. Restrictions will be placed on lot lines as needed to limit fences and landscaping to ensure access.

Attachment List:

Zoning and Location Map

Final Plat

Strategic Plan Relationship

This item is consistent with the strategic plan goal related to maintaining current growth in the northeast area of the City.

Board/Commission Review

The Planning Commission voted unanimously to approve the preliminary plat. The Planning Commission does not review final plats.

Financial Impact

Not applicable.

Public Outreach/Input

Notifications are not required for final plats.

Staff Recommendation

By motion, adopt the Resolution.

Attachment List

1. Zoning and Location Map

2. Final Plat



City of Blaine

Signature Copy

Resolution: RES 23-176

Resolution Granting Final Plat Approval Creating 31 Lots for Preserve at Lexington Waters 2nd Addition. Blaine 2022 LLC (Case File No. 23-0079/SAS)

WHEREAS, an application has been filed by Blaine 22, LLC as Case File No. 23-0079 for a final plat known as Preserve at Lexington Waters 2nd Addition; and

WHEREAS, said case involves the division of land in Anoka County, Minnesota, described as follows:

Outlot A, PRESERVE AT LEXINGTON WATERS, Anoka County, Minnesota.

WHEREAS, the Blaine City Council granted preliminary plat approval on June 6, 2022, subject to the conditions as contained in Blaine City Council Resolution No. 22-097; and

WHEREAS, the final plat is in general conformance with the approved preliminary plat.

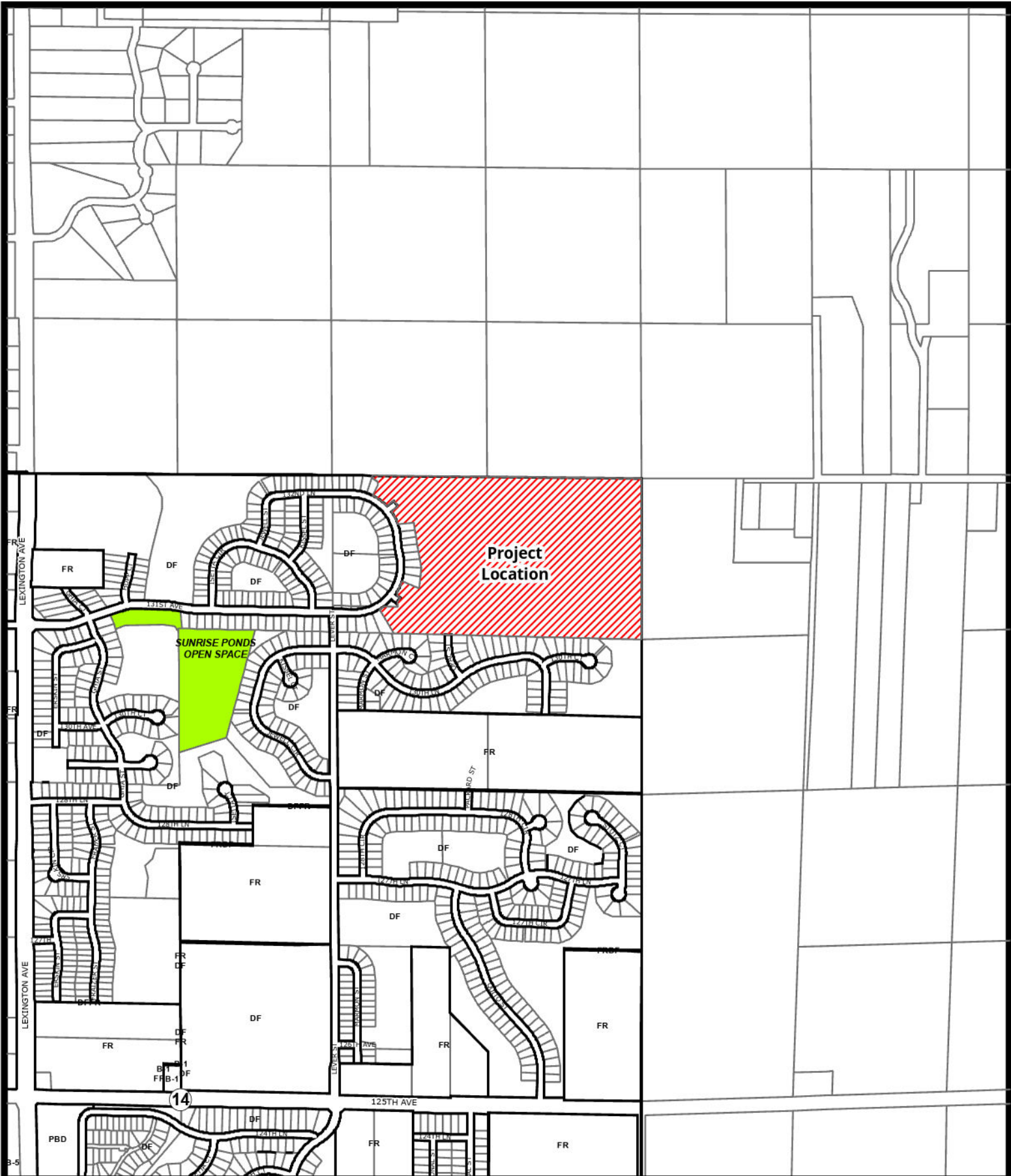
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that final plat approval for development name per Section 75-33 of the subdivision regulations is hereby granted subject to the listed conditions.

NOW, THEREFORE, BE IT FURTHER RESOLVED The Mayor, City Clerk and City Manager are hereby authorized to execute any and all necessary documents, agreement and releases related to the approval, recording or administration of Preserve at Lexington Waters 2nd Addition.

1. The developer is responsible for recording plat mylars with Anoka County. Proof of recording must be provided prior to issuance of building permits.
2. Park dedication is required for the 31 new lots being constructed at the rate of \$4,894 per lot, for a total park dedication fee of \$151,714 if paid and recorded in 2023. This amount must be paid prior to releasing the plat mylars for recording at Anoka County.
3. All development signage requires separate review.
4. The developer must meet the City's Tree Preservation requirements by planting 372 replacement trees for the lots that were preliminary platted (46.5 disturbed acres); 151 more trees need to be planted onsite. The landscape plan shall be revised to include the additional trees or the applicant can pay into the reforestation fund at \$400 per tree or a combination of both. A landscape plan for the remaining 151 trees must be presented to the Planning Department prior to release of mylars for recording at Anoka County, and/or the Developer can make a cash payment to the City's reforestation fund.
5. Trunk Sanitary Sewer charges are required to be paid with platting for upland acreage. The 2023 rate for Sanitary Sewer District 7 is \$7,295.00 per acre. The final plat will account for 11.9 acres of upland for a total of \$86,810.50.

6. Execution and recording of a development agreement which sets forth in greater detail the plat conditions as well as other responsibilities for the development of this plat.

PASSED by the City Council of the City of Blaine this 6th day of November, 2023.



BlaineMN.gov

Case File No. 23-0079 Preserve at Lexington Waters 2nd Addition

Blaine Planning Department / 10801 Town Square Dr NE / Blaine, MN 55449 / (763) 785-6180



PRESERVE AT LEXINGTON WATERS 2ND ADDITION

CITY OF BLAINE
COUNTY OF ANOKA
SEC.1, TWP.31, RGE.23

KNOW ALL PERSONS BY THESE PRESENTS: That Blaine 2022 LLC, a Minnesota limited liability company, owner of the following described property situated in the State of Minnesota, County of Anoka, to wit:

OUTLOT A, PRESERVE AT LEXINGTON WATERS, ANOKA COUNTY, MINNESOTA

Has caused the same to be surveyed and platted as PRESERVE AT LEXINGTON WATERS 2ND ADDITION and does hereby dedicate to the public for public use the public ways and the drainage and utility easements as shown on this plat.

In witness whereof said Blaine 2022 LLC, a Minnesota limited liability company, has caused these presents to be signed by its proper officer this _____ day of _____, 20____.

Signed: Blaine 2022 LLC

Nathan Fair, Chief Manager

STATE OF MINNESOTA
COUNTY OF _____

This instrument was acknowledged before me this _____ day of _____, 20____, by Nathan Fair, Chief Manager of Blaine 2022 LLC, a Minnesota limited liability company, on behalf of the company.

_____(Signature)
Notary Public, _____ County, Minnesota

Notary Printed Name

My Commission Expires: _____

SURVEYORS CERTIFICATE

I Daniel L. Schmidt do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; 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, or will be correctly set within one year; that all water boundaries and wet lands, as defined by Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this _____ day of _____, 20____.

Daniel L. Schmidt, Licensed Land Surveyor
Minnesota License No. 26147

STATE OF MINNESOTA
COUNTY OF HENNEPIN

This instrument was acknowledged before me this _____ day of _____, 20__ by Daniel L. Schmidt.

_____(Signature)
Notary Public, Hennepin County, Minnesota

Notary Printed Name

My Commission Expires: _____

CITY COUNCIL, CITY OF BLAINE, MINNESOTA

This plat of PRESERVE AT LEXINGTON WATERS 2ND ADDITION was approved and accepted by the City Council of the City of Blaine, Minnesota at a regular meeting held this _____ day of _____, 20____, and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2.

City Council, City of Blaine, Minnesota

By: _____, Mayor By: _____, Clerk

COUNTY SURVEYOR

I hereby certify that in accordance with Minnesota Statutes, Section 505.021, Subd. 11, this plat has been reviewed and approved this _____ day of _____, 20____.

By: _____
David M. Zieglmeier
Anoka County Surveyor

COUNTY AUDITOR/TREASURER

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable in the year 20____ 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 _____, 20____.

Property Tax Administrator

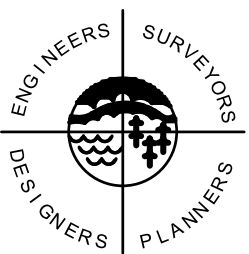
By _____, Deputy

COUNTY RECORDER/REGISTRAR OF TITLES COUNTY OF ANOKA, STATE OF MINNESOTA

I hereby certify that this plat of PRESERVE AT LEXINGTON WATERS 2ND ADDITION was filed in the office of the County Recorder/Registrar of Titles for public record on this _____ day of _____, 20____, at _____ o'clock ____ M. and was duly recorded as Document Number _____

County Recorder/Registrar of Titles

By: _____, Deputy

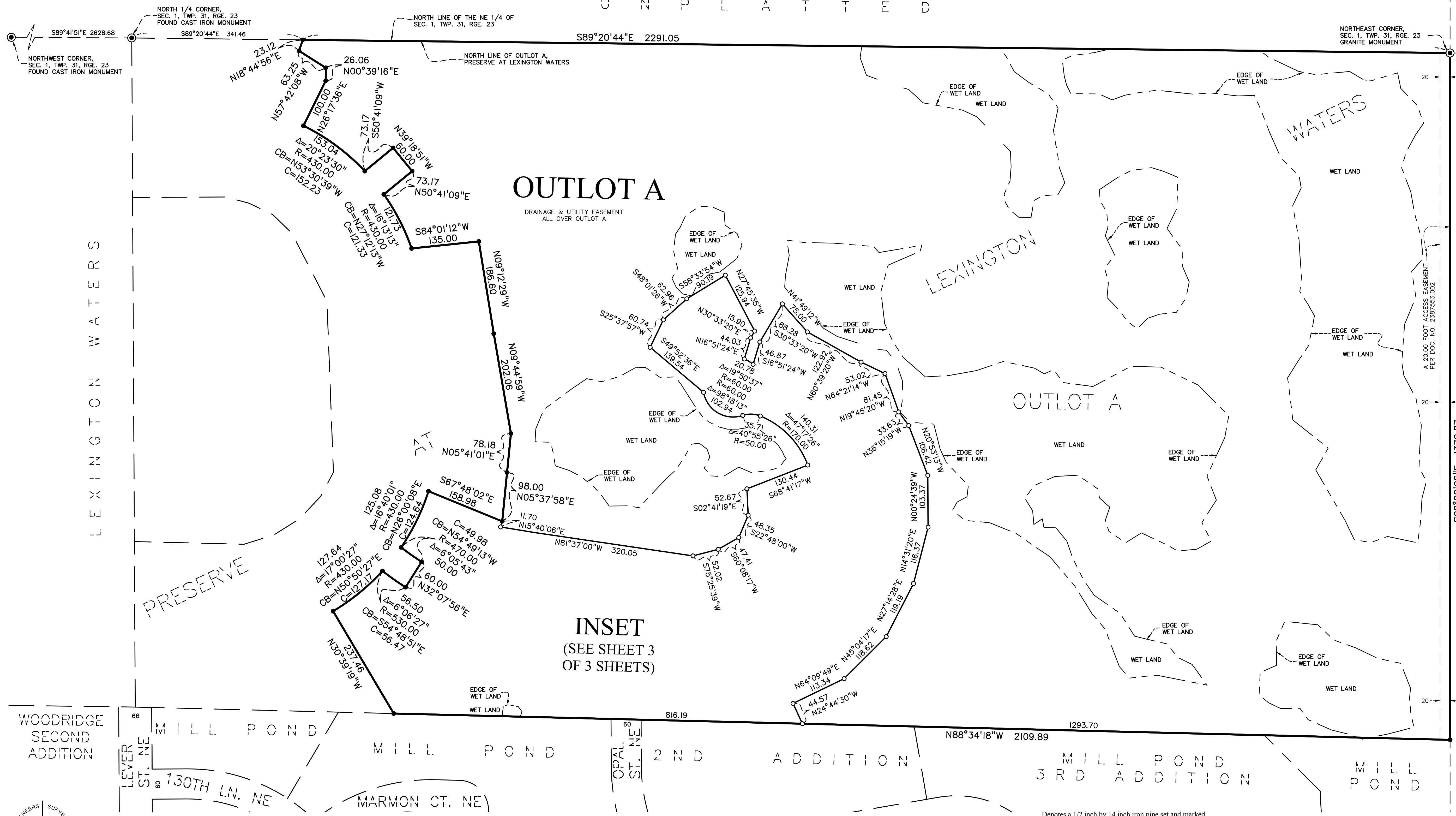


SATHRE-BERGQUIST, INC.

PRESERVE AT LEXINGTON WATERS 2ND ADDITION

CITY OF BLAINE
COUNTY OF ANOKA
SEC.1, TWP.31, RGE.23

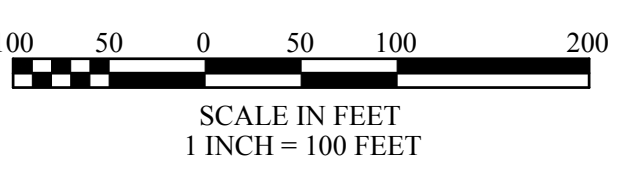
U N P L A T T E D



WOODRIDGE
SECOND
ADDITION
SATHRE-BERGQUIST, INC.

- Denotes a 1/2 inch by 14 inch iron pipe set and marked by License No. 26147.
- Denotes a 1/2 inch pipe found and marked by License No. 26147, unless shown otherwise.
- ⊙ Denotes a Found Anoka county Monument as noted.

The basis for the bearing system is the north line of
OUTLOT A, PRESERVE AT LEXINGTON WATERS,
which is assumed to bear
South 89 degrees 20 minutes 44 seconds East

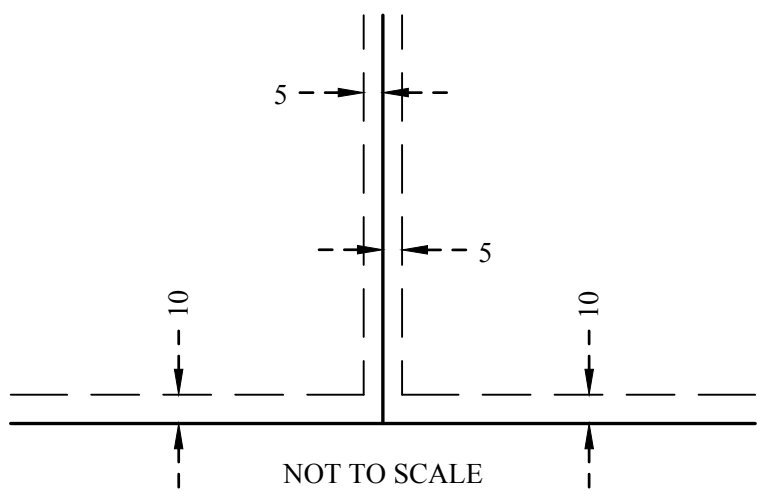


PRESERVE AT LEXINGTON WATERS 2ND ADDITION

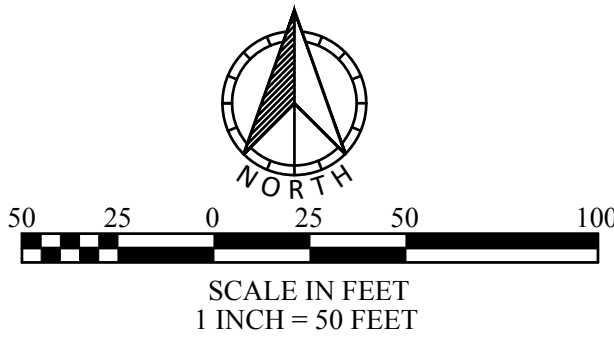
CITY OF BLAINE
COUNTY OF ANOKA
SEC.1, TWP.31, RGE.23

INSET

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:

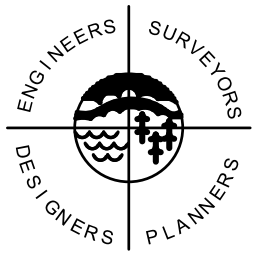
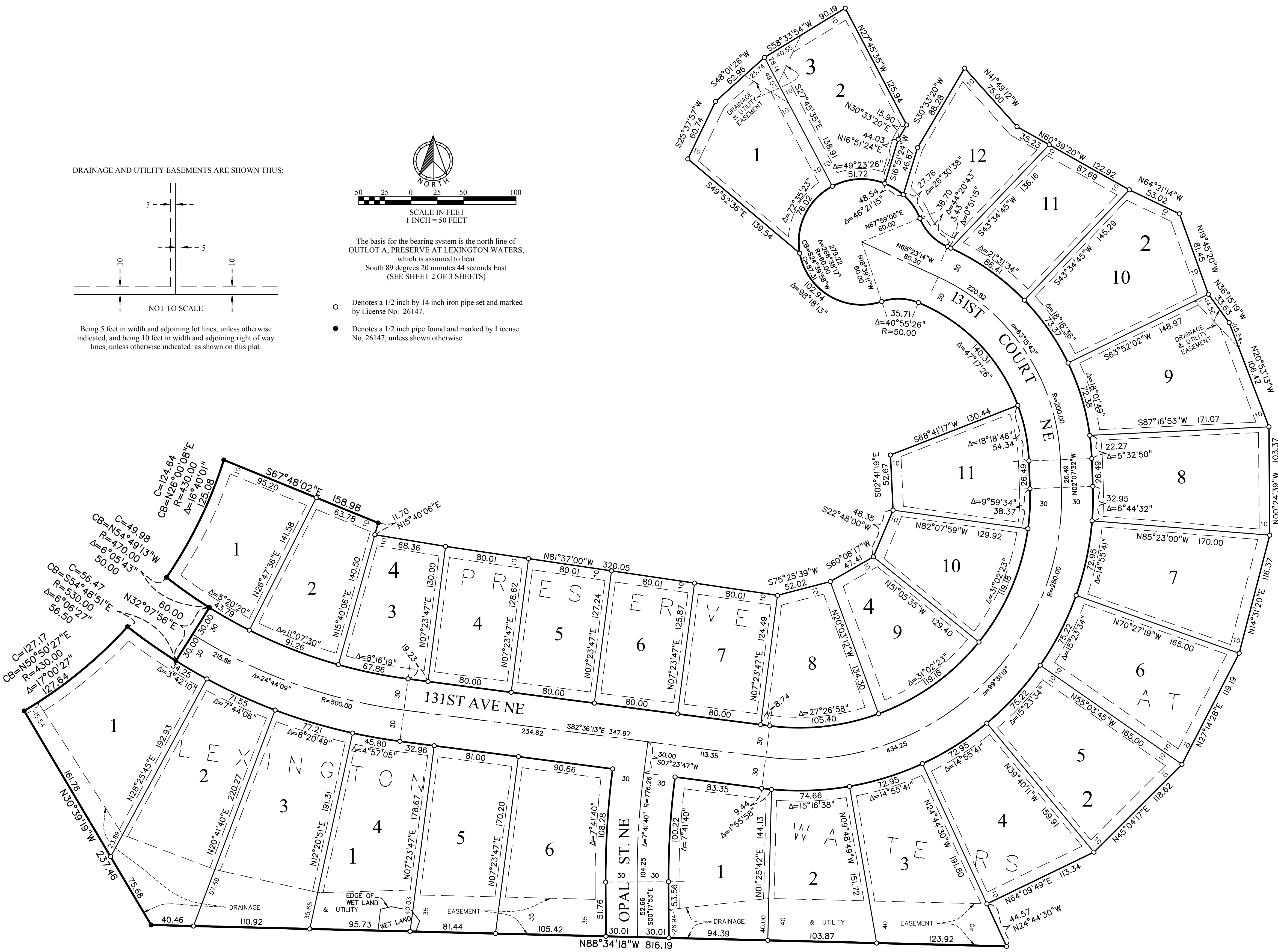


Being 5 feet in width and adjoining lot lines, unless otherwise indicated, and being 10 feet in width and adjoining right of way lines, unless otherwise indicated, as shown on this plat.



The basis for the bearing system is the north line of
OUTLOT A, PRESERVE AT LEXINGTON WATERS,
which is assumed to bear
South 89 degrees 20 minutes 44 seconds East
(SEE SHEET 2 OF 3 SHEETS)

- Denotes a 1/2 inch by 14 inch iron pipe set and marked by License No. 26147.
- Denotes a 1/2 inch pipe found and marked by License No. 26147, unless shown otherwise.



SATHRE-BERGQUIST, INC.



City of Blaine

Staff Report

File Number: 2023-508ORD 23-2532

Agenda Date	Status
November 6, 2023	
In Control	File Type
City Council	Ordinance

7:00 PM - Public Hearing and Items Published for a Certain Time - Cathy Sorensen, City Clerk

Agenda Item # 9.1

An Interim Ordinance Prohibiting the Operation of Cannabis Businesses and Hemp Businesses in the City of Blaine

Executive Summary

Council is asked to open the public hearing then hold first reading of an interim ordinance establishing a moratorium prohibiting the sale, testing, manufacturing, cultivating, commercial transporting, delivery, and distribution of hemp and cannabis products in the city to provide time to consider reasonable restrictions on time, place, and manner of operation for businesses and receive information and guidance from the newly-created Office of Cannabis Management.

Background

This legislative session, Minnesota adopted a new law legalizing adult-use cannabis. Along with legalizing adult-use cannabis, the legislature adopted a series of laws creating various licensing schemes for cannabis businesses and hemp businesses, creating the Office of Cannabis Management to regulate the cannabis and hemp industry, and, importantly for Minnesota cities, setting forth options for local control by cities. Retail sales of these new products are expected to begin in 2025. There are many local control options the council could consider in advance of the retail sale and manufacturing of cannabis and hemp products and to ensure the city has time to study and consider reasonable restrictions on the time, place, and manner of operation of cannabis and hemp businesses, an interim ordinance can be used to prohibit any new retail and manufacturing cannabis businesses from commencing operations until January 2025 and hemp businesses for one year. The interim ordinance may be repealed earlier, should council elect to do so. It should be noted that cannabis businesses and hemp businesses are currently prohibited in the State of Minnesota until the Office of Cannabis Management begins issuing licenses, however, the time at which the Office of Cannabis Management will begin issuing licenses is unknown, requiring cities to consider protecting the planning process by safeguarding under an interim ordinance. The sale of cannabinoids under Minn. Stat. 151.72 and hemp industry as regulated by the Minnesota Department of Agriculture are not impacted by this interim ordinance. Council may recall the smoking policy for city parks was amended August 1, 2023 to restrict the use of cannabis and hemp in public places within the

city, including parks and trails.

The topic of adult-use cannabis was discussed at a workshop on September 11, 2023, and a majority of council was supportive of a moratorium item being brought forward. As of May 23, 2023, 80 cities and 5 counties have adopted moratoriums which has increased over the summer after the legislative session finished and the law went into place.

Strategic Plan Relationship

N/A

Board/Commission Review

N/A

Financial Impact

N/A

Public Outreach/Input

Notice of public hearing was published in the *Blaine/Spring Lake Park Life* and on the city's website.

Staff Recommendation

Open the public hearing, take comment, then close the hearing and hold first reading of the interim ordinance prohibiting the operation of cannabis businesses and hemp businesses in the City of Blaine under Minn. Stat. 342.13(e) and 462.355 subd. 4.

Attachment List

None



City of Blaine

Signature Copy

Ordinance: ORD 23-2532

An Interim Ordinance Prohibiting the Operation of Cannabis Businesses and Hemp Businesses in the City of Blaine

The City of Blaine does ordain: (Added portions are underscored and deleted portions are shown in overstrike.)

Section 1. The purpose of this interim ordinance is to authorize studies to be conducted, protect the planning process, and protect the health, safety, and welfare of the City on the following basis and for the following reasons:

- (1) The State of Minnesota passed the new regulation of Adult Use Cannabis Law, Chapter 63 of Minnesota Session Law – 2023, Regular Session (Statutes Chapter 342), much of which became effective as of August 1, 2023.
- (2) The State of Minnesota's new cannabis law established the Office of Cannabis Management tasked with issuing licenses for and regulating the operation of various types of cannabis businesses and hemp businesses.
- (3) Statutes Chapter 342 does not include a specific date for the Office of Cannabis Management to begin issuing licenses to cannabis businesses and hemp businesses.

Section 2. The regulation of Adult-Use Cannabis Legislation took effect on August 1, 2023 and empowers municipalities to adopt an interim ordinance prohibiting the operation of a cannabis business within its jurisdiction. This ordinance is adopted to provide for adequate time for study, analysis, and finalization of City Code amendments regarding time, place, and manner of the operation of a cannabis business within the City.

Section 3. Pursuant to Minnesota Statutes, Section 342.13(e), on August 9, 2023, the City Council held a public hearing, after notice duly published as required by law, and the views of all interested persons with respect therefore presented at the hearing having been considered.

Section 4. Pursuant to Minnesota Statutes, Section 342.13(e) and 462.355 Subd. 4, an interim ordinance is hereby adopted authorizing the City to conduct studies regarding the impacts of cannabis businesses and hemp businesses to determine whether and what revisions to the City Code or other regulations on the time, place, and manner of cannabis business operations and hemp business operations are warranted for the purpose of protecting the planning process and the health, safety, and welfare of the residents and businesses of Blaine.

Section 5. Pursuant to Minnesota Statutes, Section 342.13 (e), the operation of any cannabis businesses in the City of Blaine is prohibited by this interim ordinance from and after its passage and publication according to law and continuing until January 1, 2025.

Section 6. Pursuant to Minnesota Statutes, Section 462.355, subdivision 4, the operation of any hemp

businesses in the City are prohibited by this interim ordinance from and after its passage and publication according to law and continuing for a period of twelve (12) months from the effective date of this ordinance or to the longest period permitted by law.

Section 7. Violation of any portion of this ordinance shall be a misdemeanor punishable by imprisonment for up to 90 days and a fine of \$1,000.00 or both, plus the costs of prosecution. Each day that a violation occurs shall be considered a separate offense. The City may enforce any provision of this ordinance by mandamus, injunction or any other appropriate civil remedy in any court of competent jurisdiction.

Section 8. This interim ordinance shall be in full force and effect from and after its passage and publication according to law.

INTRODUCED and read in full this 6th day of November, 2023.

PASSED by the City Council of the City of Blaine this ____ day of _____, 2023.



City of Blaine Staff Report

File Number: RES 23-160

Agenda Date	Status
November 6, 2023	
In Control	File Type
City Council	Resolution

Development Business - Sheila Sellman, City Planner

Agenda Item # 10.1

Resolution Granting a Conditional Use Permit for a Zero Lot Line with Shared Parking and Access in the B-3 (Regional Commercial) Zoning District at 551 87th Lane NE. Rainbow Village (Minnesota North Captiva LLC) (Case File No. 23-0071/SAS)

Executive Summary

As part of the final plat approval, a Conditional Use Permit (CUP) for a 0-lot line, shared access and shared parking are necessary. No new development is proposed with this request.

Background

Planning Commission Public Hearing	10/10/23
City Council (Conditional Use Permit)	11/06/23
Action Deadline (60 Days)	10/30/23
Action Deadline (Extended by City)	12/29/23

Staff report prepared by Sheila Sellman, City Planner, and Teresa Barnes, Project Engineer

Executive Summary

Zoning

The subject site is zoned B-3 (Regional Commercial).

Surrounding Zoning and Uses

The parcels to the north and east of the site are zoned R-1 (Single-Family) and guided LDR (Low Density Residential). Properties to the west and south are zoned B-3 and have a land use designation of CC (Community Commercial).

History and Existing Conditions

The existing strip center was built in 1990. The existing uses are retail and surface parking. In December

2022, a preliminary plat was approved that created a property line down the middle of the existing Rainbow Foods building and the building to the west, resulting in two lots. A condition of the preliminary plat was to obtain a CUP for a 0-lot line and shared parking.

Evaluation of Request

No new development is being proposed at this time. The CUP is for a 0-lot line associated with the approved preliminary plat and for shared parking in the existing parking lot.

Grading/Storm Drainage

No new development is proposed at this time, therefore, no additional grading of the property will occur. No storm water drainage requirements are necessary for the creation of the zero-lot line condition.

Utilities

City utility services are provided to the property. Standard Water Access Charges and Sanitary Sewer Access Charges (WAC& SAC) will become due with any new building permit at the rate established at the time the building permit is issued.

Wetlands/Watershed

There are no wetlands on the subject property. Any future development will need to submit to Coon Creek Watershed District (CCWD) for review, approval and permits prior to any development receiving City approval and the beginning of any site work.

The property is not located within an existing FEMA designated area.

Access/Street Design/Sidewalks/Trails

The property will have access to 87th Avenue NE through existing commercial access drives. No new public streets, sidewalks or trails will be required at this time.

Easements/Right-of-way/Permits

Standard drainage and utility easements shall be dedicated over all lot lines (where possible) and over areas of delineated wetlands, wetland mitigation, infiltration trenches, drainage sales, and storm water management ponds.

Conditional Use Permit

A city exercises "quasi-judicial" authority when considering a CUP application. This means the city's role is limited to applying the standards in the ordinance to the facts presented by the application. The city acts like a judge in evaluating the facts against the standards.

Section 27.04 Criteria for granting conditional use permits:

The Blaine City Council shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use on the comprehensive plan and upon the health, safety, and general welfare of occupants of surrounding lands. Among other things, the Council shall consider the following findings where applicable. (Ord. No. 20-2447, 7-20-2020)

1. The use shall not create an excessive burden on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area.

- The 0-lot line and shared parking are for existing buildings and parking lot, therefore no burden is created.
- 2. The use will be located, designed, maintained, and operated to be compatible with adjoining properties and the existing or intended character of the zoning district.
 - The use is an existing retail center. When it was built it was determined to be compatible with the adjoining properties.
- 3. The use shall have an appearance that will not have an adverse effect upon adjacent properties.
 - No new development is proposed with this CUP request.
- 4. The use, in the opinion of the City Council, shall be reasonably related to the overall needs of the City and to the existing land use.
- 5. The use shall be consistent with the purposes of the zoning code and purposes of the zoning district in which the applicant intends to locate the proposed use.
 - The B-3 zoning district requires a CUP for a 0-lot line and shared parking. The request is consistent with the district.
- 6. The use shall not be in conflict with the comprehensive plan of the City.
 - The use is existing and is not in conflict with the comprehensive plan.
- 7. The use will not cause traffic hazards or congestion.
 - The proposed zero lot line will not generate any additional traffic hazard or congestion.
- 8. The use shall have adequate utilities, access roads, drainage and necessary facilities.
 - The proposed zero lot line will still have adequate utilities, access roads, drainage and necessary facilities to service any proposed uses.

Attachment List:

Zoning and Location Map

Narrative

Preliminary Plat

RES 22-214

Unapproved Planning Commission Minutes 10/10/23

Strategic Plan Relationship

Not applicable.

Board/Commission Review

The Planning Commission voted unanimously to approve the conditional use permit. There were no comments at the public hearing.

Financial Impact

Not applicable.

Public Outreach/Input

Notices of a public hearing were:

1. Mailed to property owners within 350 feet of the property boundaries.
2. Published in Blaine/Spring Lake Park/Columbia Heights/Fridley Life.
3. Posted on the City website.

Staff Recommendation

By motion, adopt the Resolution.

Attachment List

1. Attachments
2. Unapproved PC Minutes 101023



City of Blaine

Signature Copy

Resolution: RES 23-160

Resolution Granting a Conditional Use Permit for a Zero Lot Line with Shared Parking and Access in the B-3 (Regional Commercial) Zoning District at 551 87th Lane NE. Rainbow Village (Minnesota North Captiva LLC) (Case File No. 23-0071/SAS)

WHEREAS, an application has been filed by Caspian Realty as Conditional Use Permit Case File No. 23-0071 for Rainbow Village; and

WHEREAS, said case involves the property described as follows:

PARCEL 1:

Lots 1, 2, and 3, Block 1; Lots 1 and 2, Block 2; and Lot 1, Block 6; all in Muir's Northtown 3rd Addition, according to the recorded plat thereof, Anoka County, Minnesota.

AND

Lot 9, Auditor's Subdivision No. 143, according to the recorded plat thereof, Anoka County, Minnesota.

AND

That part of Lot 8, Auditor's Subdivision No. 143, according to the recorded plat thereof, Anoka County, Minnesota, described as follows: Commencing at the southeast corner of Lot 9, said Auditor's Subdivision No. 143, and proceeding thence West on the south line of said Lot 9 to the southwest corner of said Lot 9; and proceeding thence South and parallel to the east line of said Lot 8 for a distance of 90 feet; and proceeding thence East and parallel to the south line of said Lot 9 to the east line of said Lot 8; and proceeding thence North on said east line to the point of commencement herein.

AND

That part of Terrace Road vacated by Ordinance No. 89-1153 recorded as Document No. 863875, and Ordinance No. 89-1172 recorded as Document No. 880521, all in the records of the County Recorder, Anoka County, Minnesota.

AND

That part of Jefferson Street vacated by Ordinance No. 89-1172 recorded as Document No. 880521 in the records of the County Recorder, Anoka County, Minnesota.
ABSTRACT PROPERTY

WHEREAS, the Blaine Planning Commission held a public hearing on October 10, 2023, and recommended approval regarding said Conditional Use Permit; and

WHEREAS, the Blaine City Council has reviewed said case on November 6, 2023; and

WHEREAS, the criteria identified in Section 27.04 for granting a conditional use permit has been met.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that a conditional use permit is hereby approved per Section 30.24(y) and 27.04 of the Zoning Ordinance to allow a zero lot line with shared parking and access in the B-3 (Regional Commercial) zoning district with the following conditions:

1. A shared parking and access agreement shall be recorded with Anoka County.
2. Final plat approval is required per Resolution No. 22-214.

PASSED by the City Council of the City of Blaine this 6th day of November, 2023.

Project Narrative

551 87th Lane NE, Blaine, MN 55434

Purpose: Apply for conditional use permit for a 'zero lot line' that will happen with the replat/lot-split that has been preliminarily approved by the city of Blaine. This conditional use permit will also entail a cross-parking agreement as well as an access easement between the two properties.

Lot Split details:

Property 31-31-23-31-0016 is preliminarily approved to be split into two separate lots; Lot 1 Block 1 (east empty Rainbow building) and Lot 2 Block 1 (west multi-tenant retail building). The applicant (Brian Scholten) and the current owner (William O. Cooley) are aware of the split.

Conditional Use Permit details:

Once the lot split is finalized, Lot 2 Block 1 will need an access agreement since the access road to the property will be entirely on Lot 1 Block 1 parcel. Also on the conditional use permit, the owners are instituting a cross-parking agreement to allow overflow parking from one parcel to the other. This document is currently being drafted.

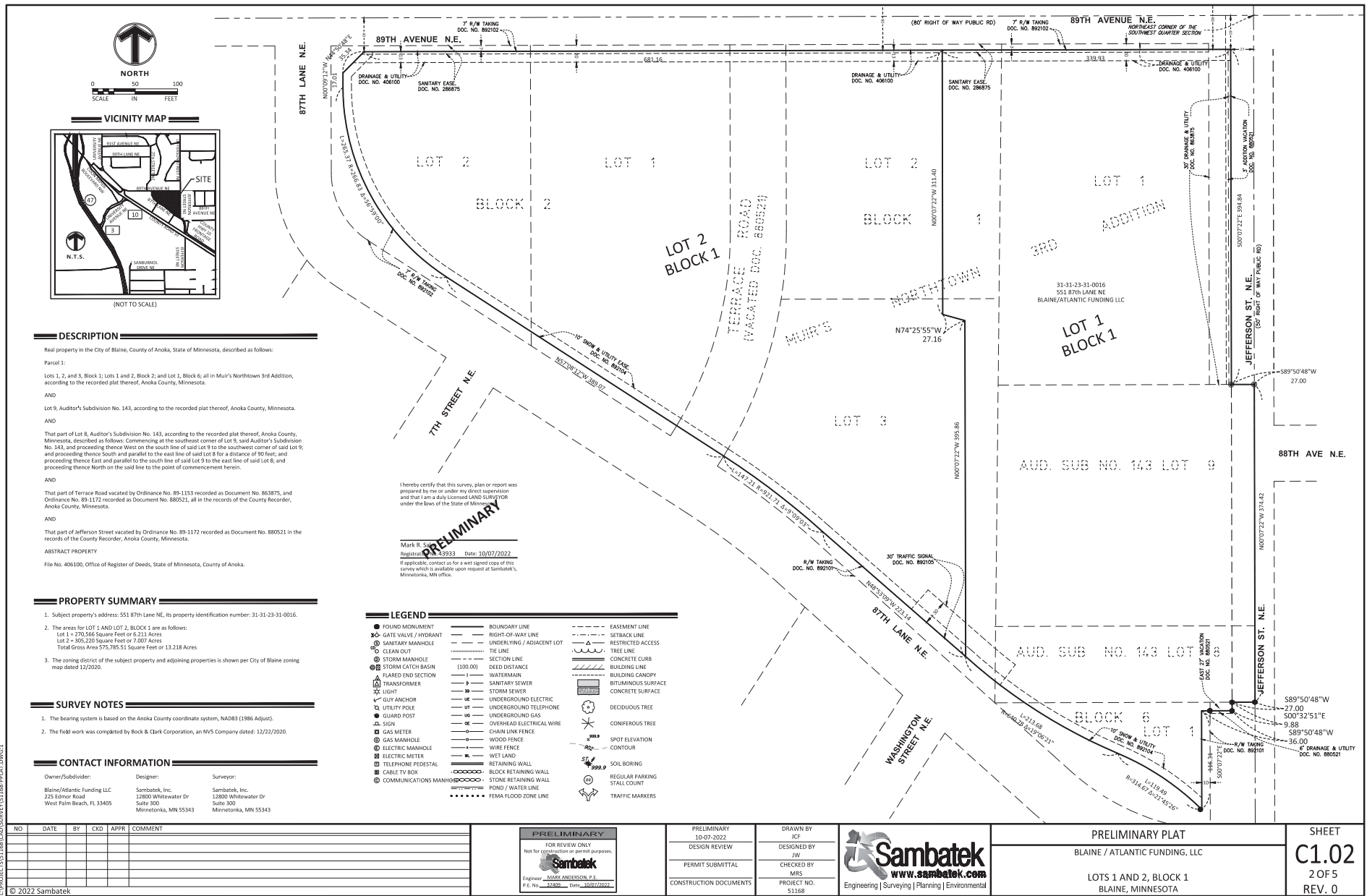
Please contact Brian Scholten at Brian@caspianrealty.com or via call/text at 763.392.201.

Very respectfully,

A handwritten signature in black ink, appearing to be 'Brian Scholten', written in a cursive style.

Brian Scholten

7/2/2022 10:04:35 AM
C:\PROJECTS\1168 CAD\DWG\1168 PRAT.DWG





**City of Blaine
Anoka County, Minnesota
Signature Copy**

Blaine City Hall
10801 Town Sq Dr NE
Blaine MN 55449

Resolution: RES 22-214

File Number: RES 22-214

**Granting Preliminary Plat Approval to Subdivide 12.72 Acres into Two Lots to be
Known as Blaine Lakes Apartments Plat at 551 87th Lane NE. Sambatek
(PC22-0069/SAS)**

WHEREAS, an application has been filed by Sambatek, Case File No. 22-0069 for a preliminary plat known as Blaine Lakes Apartments; and

WHEREAS, said case involves the division of land described as follows:

Parcel 1:

Lots 1, 2, and 3, Block 1; Lots 1 and 2, Block 2; and Lot 1, Block 6; all in Muir's Northtown 3rd Addition, according to the recorded plat thereof, Anoka County, Minnesota.

AND

Lot 9, Auditor's Subdivision No. 143, according to the recorded plat thereof, Anoka County, Minnesota.

AND

That part of Lot 8, Auditor's Subdivision No. 143, according to the recorded plat thereof, Anoka County, Minnesota, described as follows: Commencing at the southeast corner of Lot 9, said Auditor's Subdivision No. 143, and proceeding thence West on the south line of said Lot 9 to the southwest corner of said Lot 9; and proceeding thence South and parallel to the east line of said Lot 8 for a distance of 90 feet; and proceeding thence East and parallel to the south line of said Lot 9 to the east line of said Lot 8; and proceeding thence North on the said line to the point of commencement herein.

AND

That part of Terrace Road vacated by Ordinance No. 89-1153 recorded as Document No. 863875, and Ordinance No. 89-1172 recorded as Document No. 880521, all in the records of the County Recorder, Anoka County, Minnesota.

AND

That part of Jefferson Street vacated by Ordinance No. 89-1172 recorded as Document No. 880521 in the records of the County Recorder, Anoka County, Minnesota. (ABSTRACT

PROPERTY)

WHEREAS, the Blaine Planning Commission has reviewed said case file on November 9, 2022; and

WHEREAS, the preliminary plat meets the general requirements of section 74-81 of the Blaine Zoning Code; and

WHEREAS, the Blaine Planning Commission held a public hearing on November 9, 2022 and recommend approval regarding said plat with conditions; and

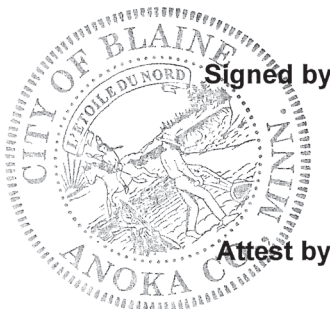
WHEREAS, the Blaine City Council reviewed the preliminary plat on December 3, 2022 and denied the request; and

WHEREAS, the Blaine City Council rescinded the vote on the preliminary plat at the December 19, 2022 meeting and reconsidered the plat; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that preliminary plat approval per Section 74-42 of the subdivision regulations is hereby granted for Blaine Lakes Apartments permitting preparation of a final plat for approval per Section 74-43 subject to the listed conditions. **NOW, THEREFORE, BE IT FURTHER RESOLVED** The Mayor, City Clerk and City Manager are hereby authorized to execute any and all necessary documents, agreement and releases related to the approval, recording or administration of Blaine Lakes Apartments.

1. Park dedication is required for the two lots at the rate that is in effect at the time of recording the plat. This amount must be paid prior to releasing the plat mylars for recording at Anoka County.
2. All development signage by separate review.
3. The developer is responsible for recording the plat mylars with Anoka County. Proof of recording must be provided to the city prior to issuance of building permits.
4. A CUP is required for the 0-lot line and shared parking
5. Shared access and parking agreement shall be recorded by the applicant and a copy submitted to the city.
6. Final plat approval is required.

PASSED by City Council of the City of Blaine this 19th day of December 2022.



Signed by

Tim Sanders, Mayor

Date December 19, 2022

Attest by

Catherine Sorensen, CMC, City Clerk

Date December 19, 2022



City of Blaine

Planning Commission

October 10, 2023 | 7:00 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

MINUTES

1. Call to Order

The Blaine planning commission met in the City Hall Chambers on Tuesday, October 10, 2023. Chair Goracke called the meeting to order at 7:00PM.

2. Roll Call

Members Present: Commission Members Deonauth, Olson, Swanson, and Chair Goracke.

Members Absent: Commission Members Gorzycki, Halpern, and Homan.

Staff Present: Elizabeth Showalter, Community Development Specialist
Shelia Sellman, City Planner
Teresa Barnes, Project Engineer

4. Public Hearing

- 4.1.** 2023-446 Case File No. 23-0071 // Rainbow Village // 551 87th Lane NE
The applicant is requesting a conditional use permit for a zero lot line with shared parking and access in the B-3 (Regional Commercial) zoning district.
Sponsors: Sheila Sellman, City Planner

The report to the planning commission was presented by Sheila Sellman, City Planner. The public hearing for Case File 23-0071 was opened at 7:04PM. As no one wished to appear, the public hearing was closed at 7:04PM.

Motion by Commissioner Olson to recommend approval of Planning Case 23-0071 based on the following conditions:

Case 23-0071:

- 1. A shared parking and access agreement shall be recorded with Anoka County.**

2. Final plat approval is required per Resolution No. 22-214.

Motion seconded by Commissioner Deonauth. The motion passed 4-0.

Chair Goracke noted this would be on the agenda of the November 6, 2023 city council meeting.



City of Blaine Staff Report

File Number: RES 23-170

Agenda Date	Status
November 6, 2023	
In Control	File Type
City Council	Resolution

Development Business - Sheila Sellman, City Planner

Agenda Item # 10.2

Resolution to Approve a 12-Month Extension for the Preliminary Plat to Create Two Outlots and Right-of-Way Dedication for the Zest Street Extension on the Southwest Corner of Lexington Avenue and 125th Avenue NE. Kempf Property (Sambatek) (Case File No. 22-0068/SAS)

Executive Summary

The applicant is requesting a 12-month extension to plat two outlots and right-of-way dedication for the Zest Street extension on the southwest corner of Lexington Avenue and 125th Avenue NE. No development is proposed at this time.

Background

Planning Commission Public Hearing	11/09/22
City Council (Preliminary Plat)	12/05/22
City Council (Final Plat)	TBD
City Council (Preliminary Plat Extension)	11/06/23
Action Deadline	12/11/33

Staff report prepared by Sheila Sellman, City Planner

Project History and Request

On December 5, 2023, the City Council approved a preliminary plat creating two outlets and right-of-way for Zest Street at the southwest corner of 125th Ave and Lexington Avenue. City code Section 75-32 states, "Unless the council specifically approves a different time period, the approval of a preliminary plat shall expire one year from the date it was approved, unless the subdivider has filed a complete application for approval of a final plat; or, unless before expiration of the one-year period, the subdivider submits a written request for an extension thereof. Such request for an extension shall include the following: 1) an explanation for why a final plat has not been applied for, 2) what, if any, good faith efforts have been made to complete the platting process, 3) the anticipated completion date,

and 4) the signature of the subdivider and property owner. The city council may approve one such extension of a term to be established in the resolution approving the extension. The city council, at their discretion may require the subdivider to reapply for a preliminary plat approval and deny the extension. Reasons for denial shall be recorded in the council proceedings and transmitted to the subdivider."

The preliminary plat is due to expire on December 5, 2023, and the applicant has requested a 12-month extension. The closing date on the property has been extended in order for the endangered species study to be conducted which requires approval from the DNR. The applicant is fostering partnerships for developing the corner and working with staff on road alignment and utilities.

The Council does not have a legal obligation to extend the preliminary plat deadline. The decision on whether to grant the extension is exercised under its quasi-legislative authority and therefore discretionary. The Council may ultimately determine its preference whether it feels extension is warranted in this instance. The Council has regularly approved these extensions, establishing a precedent of extending in the past, but that history does not necessitate that the council must approve an extension. The City Council should consider each request on a case-by-case basis and determine whether an extension is warranted or not.

Because the decision whether to approve or deny is discretionary, there are no specific "legal reasons" or strict guidance upon which the Council must base its decision. That said, the Council will still be required to adopt general findings that support its decision in adopting a resolution to either approve or deny the request. Those findings can be fairly generic by simply determining that the Council has or has not found that there are circumstances to support approval or denial of the extension.

History of Extensions

From 2007 to 2022, eighteen preliminary plat extensions have been granted.

Approve Extension

If the extension is approved, the developer will have until December 5, 2024 to apply for final plat, assuming a 12-month extension is granted. The City Council has the ability to extend it for any period of time they deem necessary.

Deny Extension

The existing approval of the preliminary plat is still valid until December 5, 2023. If the final plat is not applied for by then, the preliminary plat will expire and they will need to go through the preliminary plat process again.

Whether the Council approves or denies the extension, the Council must adopt general findings that support its decision in adopting a resolution to either approve or deny the request. Based on findings stated at the meeting, staff will provide the resolution with those findings at the next Council meeting for adoption.

Below is the original staff report.

Preliminary Plat

Section 74-81 General Requirements:

1. The Planning Commission and the Council, in their review of the preliminary plat, will consider the requirements of the community, the best use of the land being subdivided, the size and arrangement of the proposed lots, open space requirements, and necessary fire protection.
2. The subdivision shall conform to the adopted comprehensive plan, official maps, and the zoning ordinance.
3. The arrangement, character, extent, width, and location of all streets shall be considered in their relation to existing and planned streets, to reasonable circulation of traffic, to topographic conditions, to water supply, and sewage disposal, to drainage of stormwater, to public convenience and safety, and in their appropriate relation to the proposed use of the land to be served by such streets. Wherever possible and necessary, the arrangement of streets in new subdivisions shall provide for the continuation of existing streets in adjoining areas. Where adjoining unsubdivided areas may be subdivided, the arrangement of streets in a new subdivision shall make provision for the proper projection of streets into adjoining areas by carrying the new streets to the boundaries of the new subdivision at appropriate locations.

Zoning

The subject site is zoned B-5 (Town Commercial).

Land Use Designation

The Land Use designation is PC (Planned Commercial).

Surrounding Zoning and Land Uses

The property to the west is zoned FR (Farm Residential) with a PI/PC (Planned Industrial/Planned Commercial) land use designation and LDR (Low-Density Residential) designation. The property to the north across 125th Avenue is zoned FR (Farm Residential) with a medium and high-density residential land use. Across Lexington Avenue to the east, properties are zoned PBD (Planned Business District) with land use designation of PC (Planned Commercial). Property to the south is zoned PBD (Planned Business District) with a PC land use designation.

Existing Conditions

The site is currently two vacant lots with some trees and wetlands present.

Evaluation of Request

Plat

Development is not proposed at this time, the plat creates two outlots and right-of-way dedication for the extension of Zest Street. The applicant is subdividing the parcels in order to purchase a portion of the site. Once development is proposed the outlots will need to be final platted into lots. As proposed Outlot A is 8.83 acres and Outlot B is 25.83 acres. The B-5 district does not have lot size minimums.

Setbacks

No development is proposed, therefore there are no setbacks to review. This will be evaluated when there is development.

Landscaping

No development is proposed, therefore there is no landscaping to review. This will be evaluated when

there is development.

Tree Preservation

No development is proposed, therefore there is no tree preservation to review. This will be evaluated when there is development.

Park Dedication

The proposed plat is creating two outlots, park dedication will become due when the lots are final platted into lot and block.

Grading/Storm Drainage

No development is proposed, therefore there is no grading/storm drainage to review. This will be evaluated when there is development.

Utilities

No development is proposed, therefore there is no utilities to review. This will be evaluated when there is development.

Wetlands/Watershed

No development is proposed, therefore there is no wetlands/watershed to review. This will be evaluated when there is development.

Access/Street Design/Sidewalks

No development is proposed, therefore there is no access or sidewalks to review. This will be evaluated when there is development. The proposed plat dedicates the necessary Zest Street right-of-way and allows for the standard state-aid street section to be constructed once development is proposed.

Easements/Right-of-Way/Permits

The developer will need to obtain all required permits to construct the proposed project. A copy of all permits will need to be submitted to the City prior to any site work.

Standard drainage and utility easements shall be dedicated along all lot lines and over areas of delineated wetlands, wetland mitigation, infiltration trenches, drainage swales, and storm water management ponds.

The proposed plat dedicates the necessary right-of-way allowing for the standard state-aid street section to be constructed once development is proposed.

The developer will need to modify the plat to provide the additional right-of-way and restricted access on 125th Avenue (CSAH 14) and Lexington Avenue (CSAH 17) per the County's plat review letter dated November 2, 2022.

Attachment List:

Zoning and Location Map
Preliminary Plat
Extension Request
Resolution 22-187

Strategic Plan Relationship

The proposal is part of the Growth Management strategic priority. This area has been identified by City Council as a priority area and in 2021 a new zoning district was created for this area to help facilitate development.

Board/Commission Review

The Planning Commission voted unanimously to approve the preliminary plat. There were no comments at the public hearing. The Planning Commission does not review preliminary plat extensions.

Financial Impact

Not applicable.

Public Outreach/Input

Notices are not sent out for a preliminary plat extension.

Staff Recommendation

By motion, adopt the Resolution.

Attachment List

1. Attachments



City of Blaine

Signature Copy

Resolution: RES 23-170

Resolution to Approve a 12-Month Extension for the Preliminary Plat to Create Two Outlots and Right-of-Way Dedication for the Zest Street Extension on the Southwest Corner of Lexington Avenue and 125th Avenue NE. Kempf Property (Sambatek) (Case File No. 22-0068/SAS)

WHEREAS, an application has been filed by Homer Tompkins as Case File No. 22-0068 for a preliminary plat known as Kempf Property; and

WHEREAS, said case involves the division of land in Anoka County, Minnesota, described as follows:

That part of the North Half of the Northeast Quarter of Section 11, Township 31, Range 23, lying East of the West 1170 feet of said North Half of the Northeast Quarter and North of the South 123.38 feet of said North Half of the Northeast Quarter, EXCEPT Parcel 49, Anoka County Highway Right of Way Plat No. 61.

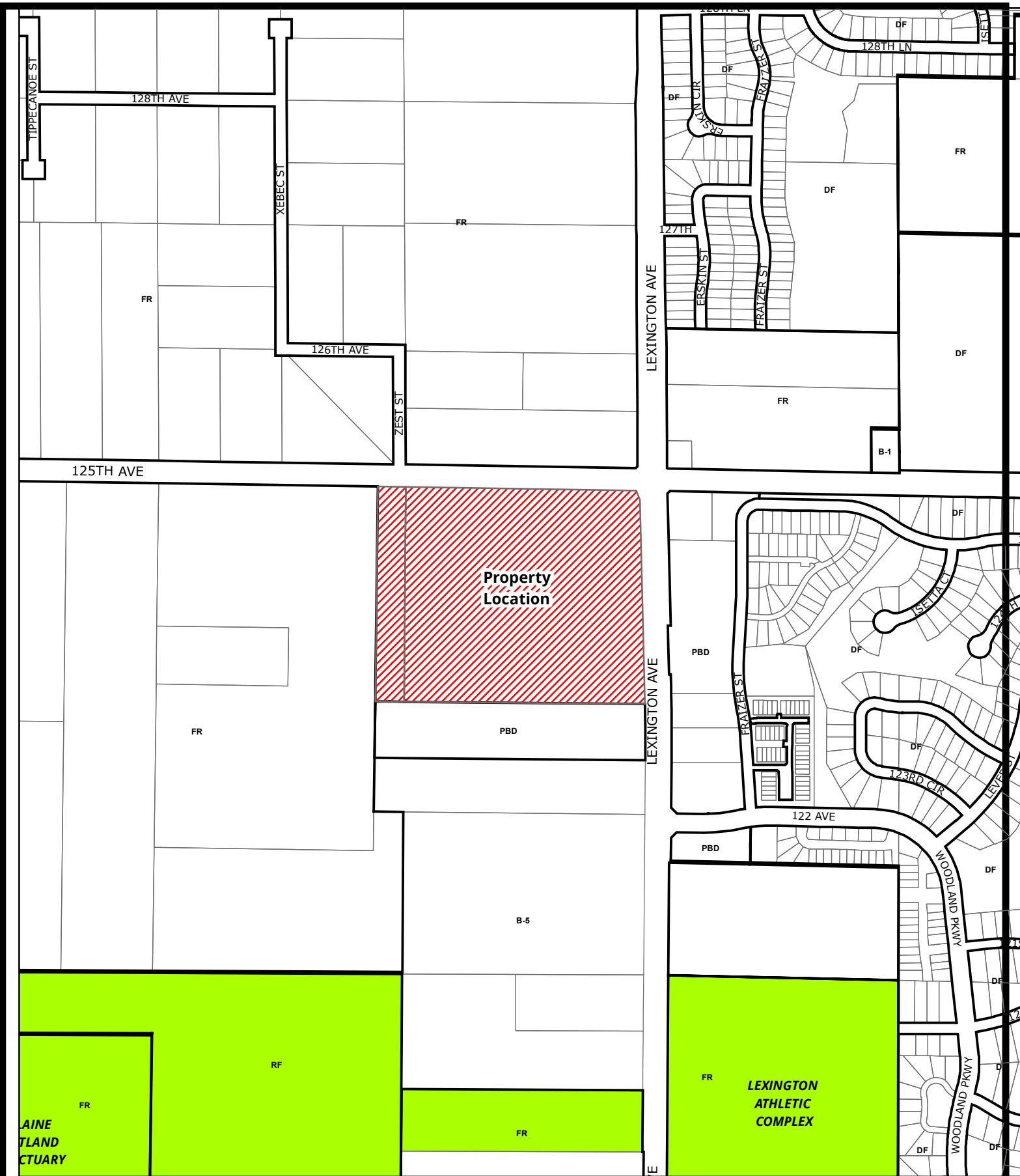
WHEREAS, the Blaine City Council granted preliminary plat approval on December 5, 2022 subject to the conditions as contained in Blaine City Council Resolution No. 22-187; and

WHEREAS, the Blaine City Council finds that an extension to the preliminary plat is warranted.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine hereby grants an extension to the preliminary plat for Kempf Property to December 5, 2024 with the following conditions:

1. Conditions in Resolution No. 23-187 apply.
2. All fees referenced in Resolution No. 23-187 shall be paid at the rate in effect at the time of recording the plat.

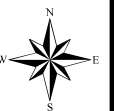
PASSED by the City Council of the City of Blaine this 6th day of November, 2023.

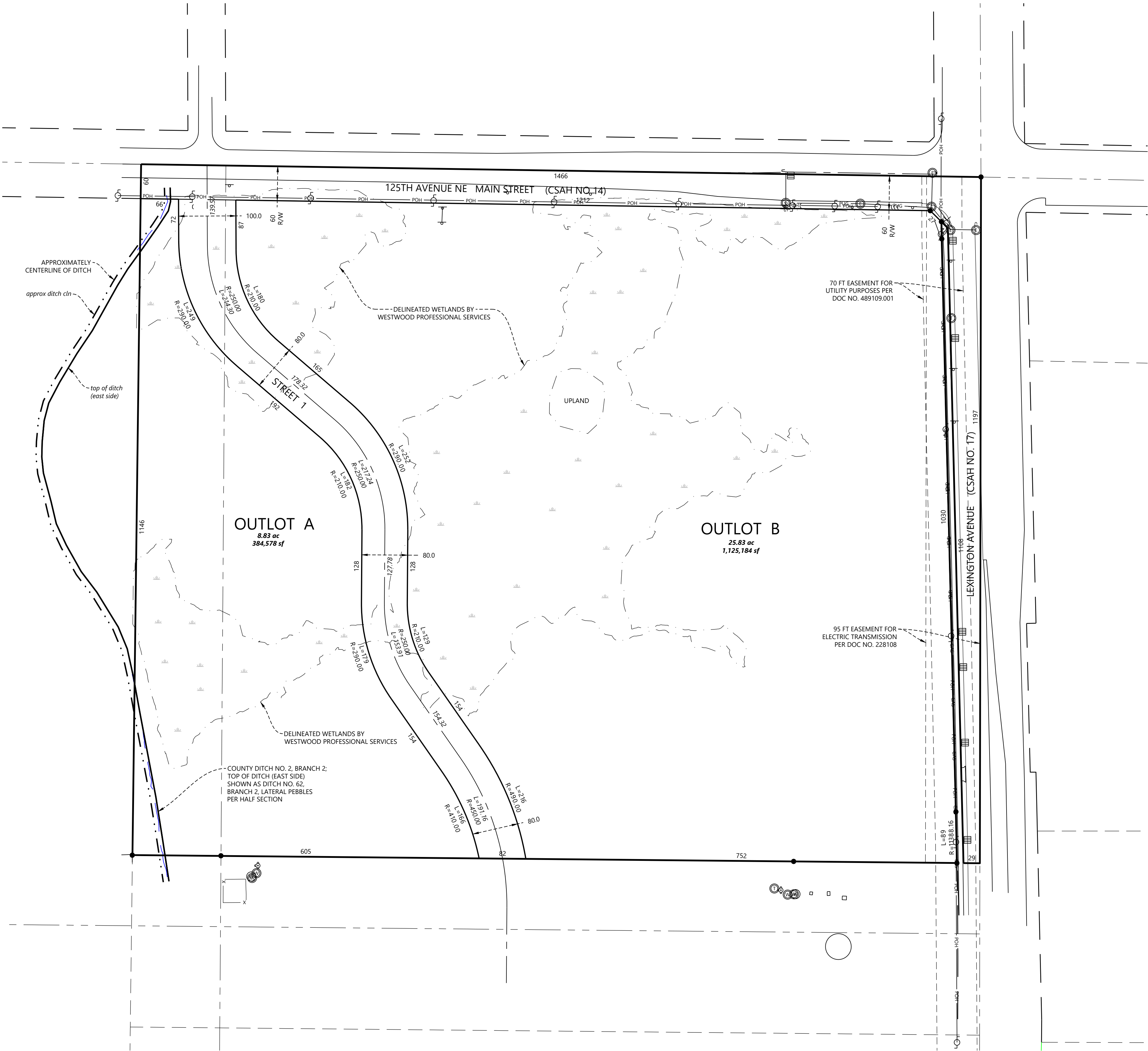


BlaineMN.gov

Case File No. 22-0068 Kempf Property

Blaine Planning Department / 10801 Town Square Dr NE / Blaine, MN 55449 / (763) 785-6180





PROPERTY DESCRIPTION

That part of the North Half of the Northeast Quarter of Section 11, Township 31, Range 23, lying East of the West 1170 feet of said North Half of the Northeast Quarter and North of the South 123.38 feet of said North Half of the Northeast Quarter, EXCEPT Parcel 49, Anoka County Highway Right of Way Plat No. 61

SITE DEVELOPMENT DATA

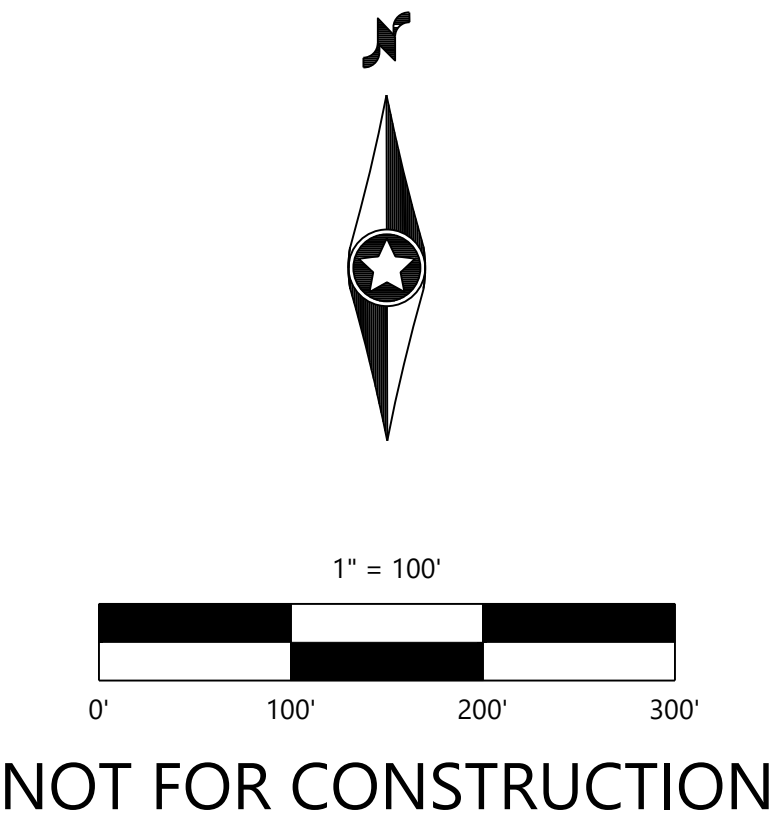
- EXISTING ZONING: B-5 - TOWN COMMERCIAL
- GROSS SITE AREA: 40.33 AC
 - MAJOR R.O.W. (CSAH NO 14 & CSAH NO 17): 3.17 AC
 - NET SITE AREA: 37.16 AC
- OUTLOT A: 10.04 AC
- OUTLOT B: 27.12 AC

DEVELOPMENT NOTES

- ALL LOT DIMENSIONS ARE ROUNDED TO THE NEAREST FOOT.
- ALL AREAS ARE ROUNDED TO THE NEAREST SQUARE FOOT.

LEGEND

	HYDRANT		BOUNDARY LINE
	WATER MANHOLE		RIGHT-OF-WAY LINE
	WELL		LOT LINE
	ELECTRIC BOX		EASEMENT LINE
	ELECTRIC MANHOLE		SECTION LINE
	GUY WIRE		CTV CABLE TELEVISION LINE
	POWER POLE		GAS LINE
	TRAFFIC SIGNAL		POWER OVERHEAD
	TELEPHONE MANHOLE		POWER UNDERGROUND
	CABLE TV MANHOLE		STORM SEWER
	NATURAL GAS METER		TELEPHONE UNDERGROUND
	STEEL/WOOD POST		WATERMAIN
	SIGN		FENCE LINE
			CURB & GUTTER
			WETLAND
			FOUND MONUMENT (SEE LABEL)
			CAST IRON MONUMENT (SEE LABEL)



DESIGNED: _____
CHECKED: CLM
DRAWN: SRM
HORIZONTAL SCALE: 100'
VERTICAL SCALE: _____

INITIAL ISSUE: 10/07/2022
REVISIONS:
10/13/2022 ADJUSTED THE SOUTH LINE DISTANCE OF OUTLOT A (SRM)

PREPARED FOR:
TOMPKINS DEVELOPMENT, LLC
PO BOX 293
MARINE ON ST. CROIX, MINNESOTA 55047

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA
CORY L. MEYER
DATE: 10/07/2022 LICENSE NO. 26971

KEMPF PROPERTY
BLAINE, MINNESOTA

Westwood
Phone (952) 937-5150 12701 Whitewater Drive, Suite #300
Fax (952) 937-5822 Minnetonka, MN 55343
Toll Free (888) 937-5150 westwoodps.com
Westwood Professional Services, Inc.

PRELIMINARY PLAT

PROJECT NUMBER: 0036556.01

SHEET NUMBER:
1 OF 1
DATE: 10/07/2022

October 12, 2023

Ms. Sheila Sellman
City Planner
City of Blaine
10801 Town Square Drive NE
Blaine, MN 55449

RE: Extension of preliminary plat request
Kempf Property

Dear Sheila:

Enclosed is the Owner Consent to extend extend the preliminary plat along with a copy of the 2 out lots A and B. I have Lot A under contract with the owner Jeffrey Kempf and HJ Development (Chris Moe) has Lot B under contract with same. Our extended closing date is on or before April 30, 2025 in order for the endangered species study to get completed (which has been authorized) and submitted for approval with the DNR for both out lots.

Site plans have been a work in progress as numerous designs and engineer efforts have studied the site to minimize wetland impacts, determine storm ponding that may allow borrow material that can minimize off site fill material needed to adequately drain the site and relocate intended uses of the individual sites created. Chris and I have worked closely together in generating grading contractors and general contractors to get firm estimates on the road and utility costs needed to make the economics work. This continues to be a work in progress but we are getting closer. Once the endangered species study is submitted for approval sometime in Spring 2024, I anticipate the entire development will be submitted for a preliminary plat and Chris will be working closely with Staff to work thru the platting process.

Therefore I request a one year extension at which time we can final plat the out lots and move toward closing with the Seller.

Yours truly,

Homer Tompkins



**City of Blaine
Anoka County, Minnesota
Signature Copy**

Blaine City Hall
10801 Town Sq Dr NE
Blaine MN 55449

Resolution: RES 22-187

File Number: RES 22-187

Granting Preliminary Plat Approval to Create Two Outlots and Right-of-Way Dedication for the Zest Street Extension on the Southwest Corner of Lexington Avenue and 125th Avenue NE. Kempf Property (Sambatek) (Case File No. 22-0068/SAS)

WHEREAS, an application has been filed by Sambatek as Case File No. 22-0068 for a preliminary plat known as Kempf Property; and

WHEREAS, said case involves the division of land described as follows:

That part of the North Half of the Northeast Quarter of Section 11, Township 31, Range 23, lying East of the West 1170 feet of said North Half of the Northeast Quarter and North of the South 123.38 feet of said North Half of the Northeast Quarter, EXCEPT Parcel 49, Anoka County Highway Right of Way Plat No. 61.

WHEREAS, the Blaine Planning Commission has reviewed said case file on November 9, 2022; and

WHEREAS, the preliminary plat meets the general requirements of section 74-81 of the Blaine Zoning Code; and

WHEREAS, the Blaine Planning Commission held a public hearing on November 9, 2022 and recommend approval regarding said plat with conditions; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that preliminary plat approval per Section 74-42 of the subdivision regulations is hereby granted for Kempf Property permitting preparation of a final plat for approval per Section 74-43 subject to the listed conditions. **NOW, THEREFORE, BE IT FURTHER RESOLVED** The Mayor, City Clerk and City Manager are hereby authorized to execute any and all necessary documents, agreement and releases related to the approval, recording or administration of Kempf Property.

1. The developer shall amend the plat to address the Anoka County plat review comments.
2. The developer has the responsibility to address all comments provided in the Anoka County plat review letter for all development improvements including the future street connection associated with this development.
3. All development signage by separate review.

4. Within 180 days of approval, subdivider shall submit the final plat for review.

PASSED by City Council of the City of Blaine this 5th day of December, 2022.



Signed by: _____

Tim Sanders, Mayor

Date December 5, 2022

Attest by: _____

Catherine Sorensen, CMC, City Clerk

Date December 5, 2022



City of Blaine

Staff Report

File Number: RES 23-161

Agenda Date	Status
November 6, 2023	
In Control	File Type
City Council	Resolution

Development Business - Sheila Sellman, City Planner

Agenda Item # 10.3

Resolution Granting a Conditional Use Permit for a Total of 2,456 Square Feet of Garage and Accessory Building Space and a Shed in the Front Yard in an FR (Farm Residential) Zoning District at 12600 Xebec Street NE. Tina Pearson (Case File No. 23-0069/EES)

Executive Summary

The applicant is requesting a conditional use permit to bring existing detached accessory buildings into compliance with the City Code. The four buildings total 2,456 square feet. Staff recommends approval.

Background

Planning Commission Public Hearing	10/10/23
City Council (Conditional Use Permit)	11/06/23
Action Deadline (60 Days)	10/21/23
Action Deadline (Extended by City)	12/20/23

Staff report prepared by Elizabeth Showalter, Community Development Specialist, and Teresa Barnes, Project Engineer

Executive Summary

Zoning

The property is zoned FR (Farm Residential).

Surrounding Zoning and Uses

The surrounding properties are zoned FR and are occupied by large-lot single family homes.

Existing Conditions

The property is occupied by a single family home, a detached garage, and three detached sheds.

History

No prior city council approvals apply to this property. An addition to the detached garage was permitted in 2007. At that time, the property was outside of the Metropolitan Urban Service Area (MUSA) and up to 3,000 square feet of garage/accessory building space was allowed without a CUP. The property is now located within the MUSA, meaning it can be served by regional sewer service, therefore a CUP is required for the increase in accessory building space.

Evaluation of Request

Site Plan

The applicant is requesting approval for three existing sheds and a previously approved garage. The structures are:

- 1492 square foot detached garage
- 240 square foot shed in front yard
- 120 square foot shed in rear yard
- 600 square foot shed in rear yard

Accessory buildings other than the primary garage are not permitted in front yards without a conditional use permit, and with a setback of at least 100 feet. The front yard shed is setback 120 feet from the front property line and has a paved driveway access from the driveway serving the garage. The side yard setbacks for the sheds are listed on the site plan and all exceed the required 20 foot side yard setback and 30 foot rear yard setback. There is no limit on the number of accessory buildings in the Farm Residential District.

Building permits are required for all sheds over 200 square feet in size. Both the large rear yard shed and the front yard shed are larger than that threshold. A building permit will be required for the large rear yard shed since it was built recently. The front yard shed was built approximately 10 years ago, therefore instead of a permit, the Building Inspections Department will perform a walk-through and identify any corrections needed. The applicant will be required to make those corrections by June 30, 2024.

Architecture

The architectural style and color of garages and accessory buildings must be consistent with the principal building. All of the sheds are neutral in color and are generally in the tan/beige family. Since the front yard shed is visible from the road, staff has recommended a condition that it be painted to match the house. The other sheds are not visible from the road or adjacent properties, so the generally consistent colors are acceptable.

Grading/Storm Drainage

The accessory structures have already been constructed, therefore no grading is currently proposed on site. However, two of the three structures are within the Atlas 14 flood plain area, therefore, the portions of the buildings that are at or below the 900 elevation contour should either be relocated or the necessary flood plain compensation provided at a 1:1 ratio elsewhere on the property.

Wetlands/Watershed

There are no documented wetlands within the area of the existing structures. However, two of the

three structures are within the Atlas 14 flood plain area, therefore, the portions of the buildings that are at or below the 900 elevation contour should either be relocated or the necessary flood plain compensation provided at a 1:1 ratio elsewhere on the property.

Access/Street Design/Sidewalks/Trails

The property will be served by the existing residential driveway; no additional access to public right-of-way will be granted. No street design, sidewalk or trail will be required.

Easements/Right-of-way/Permits

No additional easement, right-of-way or permits other than previously mentioned will be required.

Conditional Use Permit

A city exercises "quasi-judicial" authority when considering a CUP application. This means the city's role is limited to applying the standards in the ordinance to the facts presented by the application. The city acts like a judge in evaluating the facts against the standards.

Section 27.04 Criteria for granting conditional use permits: The Blaine City Council shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use on the comprehensive plan and upon the health, safety, and general welfare of occupants of surrounding lands. Among other things, the Council shall consider the following findings where applicable. (Ord. No. 20-2447, 7-20-2020)

1. The use shall not create an excessive burden on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area.
 - o Additional accessory building square footage will not increase the burden on public facilities or utilities.
2. The use will be located, designed, maintained, and operated to be compatible with adjoining properties and the existing or intended character of the zoning district.
 - o Additional accessory building square footage is consistent with the rural nature of the surrounding properties.
3. The use shall have an appearance that will not have an adverse effect upon adjacent properties.
 - o With the recommended conditions, the sheds will have an appearance that is consistent with the home and will not have an adverse impact upon adjacent properties.
4. The use, in the opinion of the City Council, shall be reasonably related to the overall needs of the City and to the existing land use.
5. The use shall be consistent with the purposes of the zoning code and purposes of the zoning district in which the applicant intends to locate the proposed use.
 - o The FR district is intended to retain the rural nature of land not currently served by public utilities. The additional accessory building size is consistent with that intent.
6. The use shall not be in conflict with the comprehensive plan of the City.
 - o The use is consistent with the comprehensive plan.
7. The use will not cause traffic hazards or congestion.
 - o The existence of additional accessory structures will not result in any traffic hazards or congestion.
8. The use shall have adequate utilities, access roads, drainage and necessary facilities.

- The accessory structures will not have utilities provided. The property will be served by the existing driveway access point; two of the three structures are within the Atlas 14 flood plain area. 1:1 flood plain compensation will need to be provided for any portion of any building located below the 900 elevation.

Attachment List:

Zoning and Location Map

Site Plans

Pictures of Structures

Narrative

Unapproved Planning Commission Minutes 10/10/23

Strategic Plan Relationship

Not applicable.

Board/Commission Review

The Planning Commission voted unanimously to approve the conditional use permit. There were no comments at the public hearing.

Financial Impact

Not applicable.

Public Outreach/Input

Notices of a public hearing were:

1. Mailed to property owners within 350 feet of the property boundaries.
2. Published in Blaine/Spring Lake Park/Columbia Heights/Fridley Life.
3. Posted on the City website.

Staff Recommendation

By motion, adopt the Resolution.

Attachment List

1. Attachments
2. Unapproved PC Minutes 101023



City of Blaine

Signature Copy

Resolution: RES 23-161

Resolution Granting a Conditional Use Permit for a Total of 2,456 Square Feet of Garage and Accessory Building Space and a Shed in the Front Yard in an FR (Farm Residential) Zoning District at 12600 Xebec Street NE. Tina Pearson (Case File No. 23-0069/EES)

WHEREAS, an application has been filed by Tina Pearson as Conditional Use Permit Case File No. 23-0069; and

WHEREAS, said case involves the property described as follows:

The S1/2 of NW 1/4 of SW 1/4 of SE 1/4 of SEC2 TWP31 RGE23, EX RD,SUBJ to EASE of REC

WHEREAS, the Blaine Planning Commission held a public hearing on October 10, 2023, and recommended approval regarding said Conditional Use Permit; and

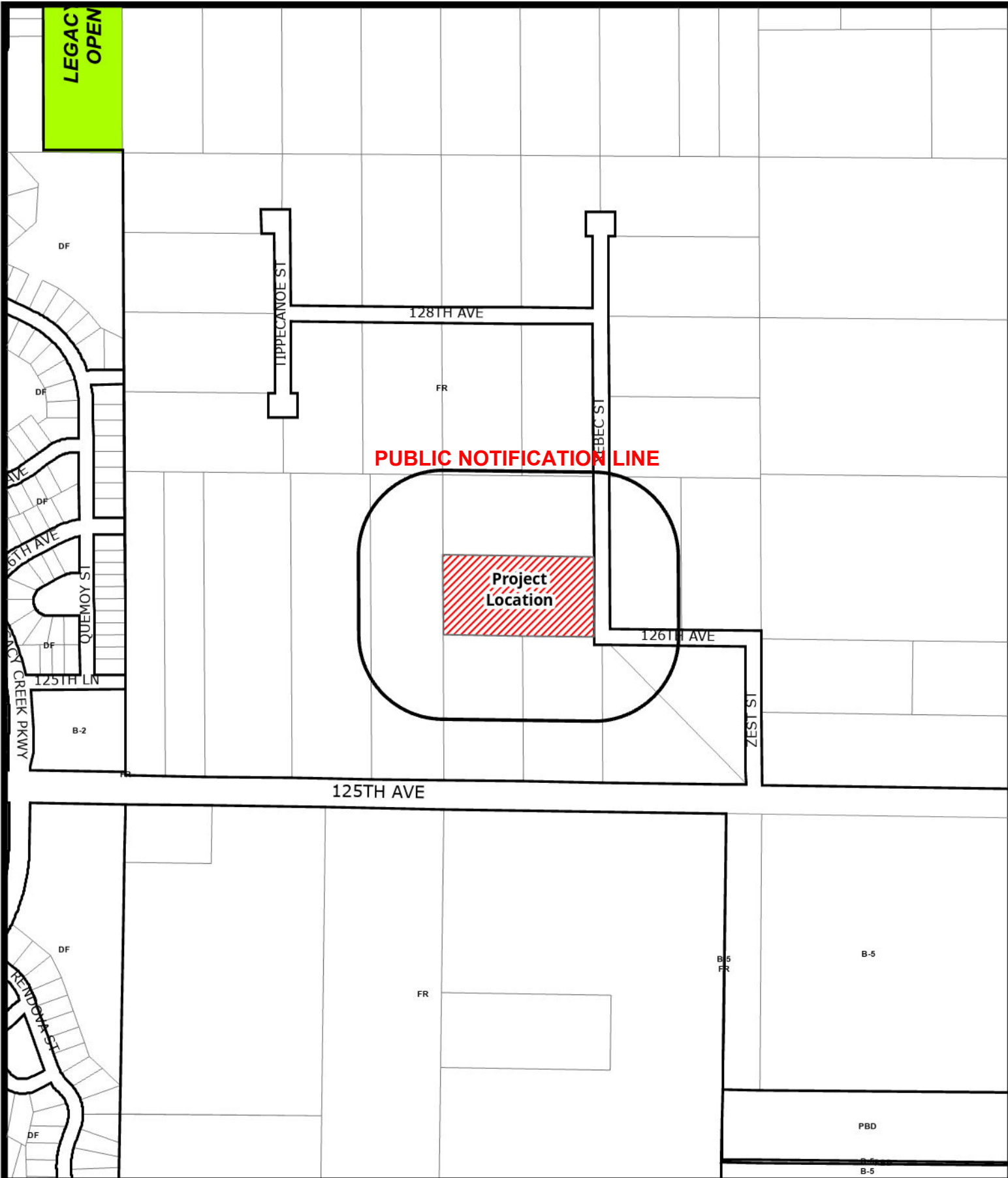
WHEREAS, the Blaine City Council has reviewed said case on November 6, 2023; and

WHEREAS, the criteria identified in Section 27.04 for granting a conditional use permit has been met.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that a conditional use permit is hereby approved per Sections 29.014(j) and (k) and 27.04 of the Zoning Ordinance to allow a combined total of 2,456 square feet of garage and accessory building space with a shed located in the front yard in an FR (Farm Residential) zoning district with the following conditions:

1. Applicant to obtain permits for the 600 square foot rear yard shed and pass final inspections by June 30, 2024.
2. Applicant will schedule an inspection with building inspections staff to inspect the front yard shed and the applicant shall make any required corrections by June 30, 2024.
3. Applicant to paint the shed located in the front yard to match the home by June 30, 2024.
4. The front yard shed cannot be relocated within the front yard and must maintain the 120 foot setback from the front property line.
5. The 1:1 flood plain compensation for any portion of any building located below the 900 ft elevation shall be excavated and as-built documentation provided to the City and Coon Creek Watershed District by June 30, 2024.

PASSED by the City Council of the City of Blaine this 6th day of November, 2023.



BlaineMN.gov

Case File No. 23-0069 Pearson Properties

Blaine Planning Department / 10801 Town Square Dr NE / Blaine, MN 55449 / (763) 785-6180





Front Yard Shed



Large Rear Yard Shed



Small Rear Yard Shed



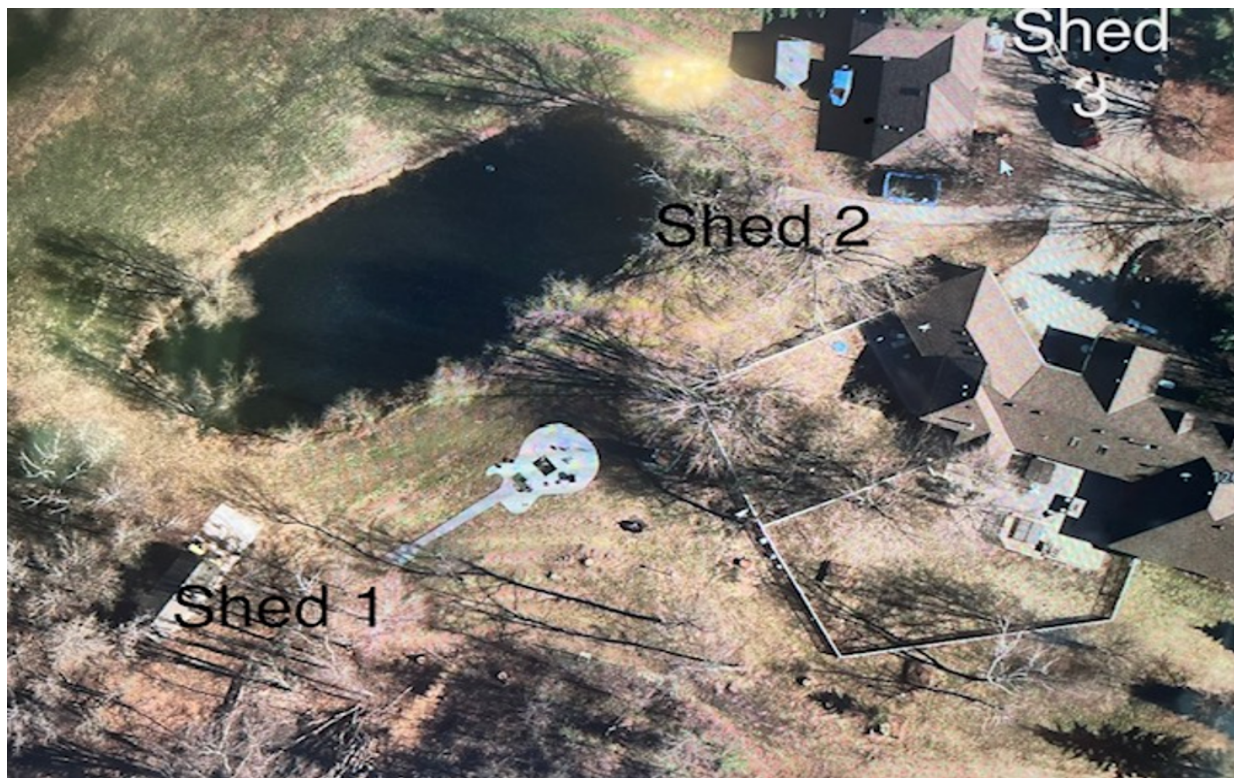
We are writing to apply for a conditional use permit for 3000 Sq Ft of outside storage buildings on our property at 12600 Xebec ST NE Blaine.

Shed #1 is the where we have our four wheelers, lawn mowers and misc storage.

Shed #2 is storage for our log splitter, brush hog and push mowers.

Shed #3 houses a collector car.

Our garage consists of a personal golf simulator in the large North section, a Tractor, motorcycle, Polaris side by side. And the Southern most part is our personal work shop with controls for our sprinkler system and yard tools.





City of Blaine

Planning Commission

October 10, 2023 | 7:00 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

MINUTES

1. Call to Order

The Blaine planning commission met in the City Hall Chambers on Tuesday, October 10, 2023. Chair Goracke called the meeting to order at 7:00PM.

2. Roll Call

Members Present: Commission Members Deonauth, Olson, Swanson, and Chair Goracke.

Members Absent: Commission Members Gorzycki, Halpern, and Homan.

Staff Present: Elizabeth Showalter, Community Development Specialist
Shelia Sellman, City Planner
Teresa Barnes, Project Engineer

4. Public Hearing

- 4.2.** 2023-397 Case File No. 23-0069 // Pearson Properties // 12600 Xebec Street NE
The applicant is requesting a conditional use permit for a total of 2,456 square feet of garage and accessory building space and a shed in the front yard in the FR (Farm Residential) zoning district.
Sponsors: Elizabeth Showalter, Community Development Specialist

The report to the planning commission was presented by Elizabeth Showalter, Community Development Specialist. The public hearing for Case File 23-0069 was opened at 7:09PM. As no one wished to appear, the public hearing was closed at 7:09PM.

Motion by Commissioner Deonauth to recommend approval of Planning Case 23-0069 based on the following conditions:

Case 23-0069:

- 1. Applicant to obtain permits for the 600 square foot rear yard shed and pass**

- final inspections by June 30, 2024.
2. **Applicant will schedule an inspection with building inspections staff to inspect the front yard shed and the applicant shall make any required corrections by June 30, 2024.**
 3. **Applicant to paint the shed located in the front yard to match the home by June 30, 2024.**
 4. **The front yard shed cannot be relocated within the front yard and must maintain the 120 foot setback from the front property line.**
 5. **The 1:1 flood plain compensation for any portion of any building located below the 900 ft elevation shall be excavated and as-built documentation provided to the City and Coon Creek Watershed District by June 30, 2024.**

Motion seconded by Commissioner Swanson. The motion passed 4-0.

Chair Goracke noted this would be on the agenda of the November 6, 2023 city council meeting.



City of Blaine Staff Report

File Number: RES 23-162

Agenda Date	Status
November 6, 2023	
In Control	File Type
City Council	Resolution

Development Business - Sheila Sellman, City Planner

Agenda Item # 10.4

Resolution Granting a Ten Foot Variance from the Thirty Foot Front Yard Parking Lot Setback on the South Side of 1351 113th Avenue NE. Blaine Crossing II Addition (Kraus Anderson Development Company) (Case File No. 23-0064/EES)

Executive Summary

The applicant is requesting a variance to allow for a reduced parking setback along 113th due to a change in designation of front and side yards due to the platting of the property. Staff recommends approval of the requested 10 foot variance to allow for a 20 foot parking setback along the southern property lines.

Background

Planning Commission (Public Hearing)	10/10/23
City Council (Variance)	11/06/23
Action Deadline	11/12/23

Staff report prepared by Elizabeth Showalter, Community Development Specialist, and Teresa Barnes, Project Engineer

Zoning

The property is zoned B-3 (Regional Commercial) and is located in the Highway Overlay District.

Land Use Designation

The property is guided CC (Community Commercial). The proposed commercial development is consistent with that designation.

Surrounding Zoning and Uses

The adjacent uses are:

- North: Bowlero (Zoned B-3 - Regional Commercial)
- West: Detached townhomes across Ulysses Street (zoned DF - Development Flex)
- East: Highway 65
- South: A garage door company and an auto repair business across 113th Ave (zoned B-3 - Regional Commercial)

Existing Conditions

The 3.3 acre property has an existing 13,600 square foot multitenant commercial building on the east side of the site. The west side of the site is vacant land.

History

The property was platted as Brunswick Bowl Addition in 2006 and a conditional use permit was approved in 2007 for two buildings on a lot. This lot was intended at that time to have two approximately 13,000 square foot buildings on the one lot. When the first building was built, it was initially occupied by Regency Beauty School. It is now occupied by several retail and medical uses. The second building was never built.

As part of that review, the east and west property lines were designated as the front property lines with the north and south property lines being designated as side property lines. The zoning code specifies that a property has a maximum of two front yards and that any additional yards abutting public streets shall be designated as rear or side yard by the Zoning Administrator.

Evaluation of Request

Plat

The current property owner is seeking to subdivide the existing lot into three lots. One for the existing building and two lots to the west for new buildings. There are no minimum lot sizes in the B-3 district and the applicant has provided concept plans for each lot demonstrating how a conforming building could be located on the property.

Architecture

The architecture of the proposed new buildings is not relevant to any of the requested approvals, but the standard B-3 architectural standards will apply, which include a four-sided building design and the use of at least three premium materials.

Setbacks

Currently, the one existing lot has two front yards (east and west) and two side yards (north and south). With the subdivision, no lot will have more than two yards abutting a public right of way, therefore, all yards abutting public right of way are considered front yards. The applicable setbacks for each lot are:

Lot 1:

- Front yards (west and south): 50 foot building, 30 foot parking
- Side yards (north and east): 20 foot building, 10 foot parking

Lot 2:

- Front yard (south): 50 foot building, 30 foot parking
- Side yards (east and west): 20 foot building, 10 foot parking
- Rear yard (north): 20 foot building, 10 foot parking

Lot 3:

- Front yards (east and south): 50 foot building, 30 foot parking
- Side yards (north and west): 20 foot building, 10 foot parking

The required setbacks are being met on the existing building and proposed concept plans, except for the internal parking setback which is proposed as shared parking with zero lot line (the requested CUP), and the parking setback from 113th, which is the subject of the requested variance.

Landscaping

The typical landscaping requirements of 33.07, as modified for properties in the Highway Overlay District in 32.54, will apply when lots 1 and 2 are developed. A landscape plan was provided for Lot 2 that does not meet the code requirements.

For reference, the following landscape quantities will be required based on the concept plan submitted for

Lot 2 :

- Overstory Trees: 11
- Conifer Trees: 6
- Ornamental Trees: 6
- Shrubs: 38
- Of the 23 required trees, 5 must be oversized

And the following landscape quantities will be required based on the concept plan for Lot 1:

- Overstory Trees: 12
- Conifer Trees: 6
- Ornamental Trees: 6
- Shrubs: 40
- Of the 24 required trees, 6 must be oversized

Tree Preservation

A tree removal plan was not submitted. If tree removal is necessary, it will be reviewed as part of the building permit and will be subject to the standard tree replacement requirements.

Park Dedication

Park dedication for commercial properties is paid on a per acre basis and was paid when this property was platted in 2006. No further park dedication is required.

Grading/Storm Drainage

The developer is proposing to grade the lot as shown on the Coon Creek Watershed District and city approved grading, drainage, erosion protection and sediment control plans prepared by the developer's engineer. The plans include existing drainage patterns (contours) with flow arrows, soil boring locations, perimeter site protection, tree preservation, tree clearing limits, custom grading, proposed grading contours, proposed drainage patterns with flow arrows, storm water management, SWPPP information, temporary erosion protection Best Management Practices (BMPs), and temporary sediment control BMPs information for the site. The SWPPP may be included in the construction plan sheet(s) or prepared as a separate document and included in the development construction contract specifications.

Utilities

Standard water and Sanitary Sewer Access Charges (WAC & SAC) become due with each building permit at the rate established at the time the building permit is issued.

Water and sanitary services will be obtained from existing service stubs along Ulysess Street. Coordination of the use of the stub services will need to occur to allow for utility services on the remaining empty lot.

Wetlands/Watershed/FEMA

The developer will need to submit the project to Coon Creek Watershed District (CCWD). Review, approval and permits are required prior to city plan approval and start of site work.

Access/Street Design/Sidewalks/Trails

The development is proposing to gain/provide access from Ulysses Street and 113th Avenue via the existing driveway access points. No additional access will be granted.

Easements/Right-of-way/Permits

The developer will need to obtain all required permits to construct the proposed project. A copy of all permits will need to be submitted to the City prior to any site work.

Variances (Section 27.06)

The property line adjacent to 113th Avenue (south) was designated as a side yard in 2007. At that time, the development included the full property and the code limits the number of front yards to two. By designating the east and west as front yards, the south was a side yard. Following the subdivision, lots 1 and 3 would have two front yards and lot 2 would have one front yard. The existing parking lot on the proposed lot 3 has a 20 foot setback from the property line, as opposed to the required 30 feet. This met the parking setback requirement for a side yard,, but with the subdivision, it would become a front yard, no longer meeting the setback. The applicant is requesting a variance to allow the parking lot to remain in that location, and to extend the nonconformity to lots 1 and 2 such that the parking lot will have a consistent setback along 113th Avenue.

A city exercises "quasi-judicial" authority when considering a variance application. This means the city's role is limited to applying the standards in the ordinance to the facts presented by the application. The city acts like a judge in evaluating the facts against the standards.

(a) Criteria for granting variances. A variance to the provision of the zoning ordinance may be issued by

the City Council to provide relief to the land owner in those cases where the ordinance imposes practical difficulty on the property owner in the use of his land. No use variances may be issued.

(1) Variances shall only be permitted:

(a) When they are in harmony with the general purposes and intent of the ordinance

- The proposed reduced setback is in harmony with the intent of the ordinance to preserve the attractiveness of Blaine, since it will allow for a consistent setback off of 113th Avenue.

(b) When the variances are consistent with the comprehensive plan.

- The proposed commercial development is consistent with the Community Commercial land use designation and the goals of the land use section of the code to encourage and support development of under utilized areas.

(2) Variances may be granted when the applicant for the variances establishes that there are practical difficulties in complying with the zoning. Practical difficulties, as used in connection with the granting of a variance, means that:

(a) The property owner proposes to use the property in a reasonable manner not permitted by the zoning code;

- The functional use of the property will be the same as when a similar plan was approved with multiple buildings on a single lot with the proposed setbacks. The desire to split the lot ownership

(b) The plight of the landowner is due to circumstances unique to the property not created by the land owner; and

- The plight of the landowner is due to the existing location of the parking lot in relation to the southern property line. While the applicant was the property owner at the time of development, the setback met the requirements applied at that time, and it is reasonable to request a continuation of that non-conformity.

(c) The variance, if granted, will not alter the essential character of the locality.

- The variance will not alter the essential character of the locality, since the proposed setback would be permitted if the development were achieved through multiple buildings on a lot, which would have no difference in appearance from having multiple lots with shared parking.

(d) Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.

- The variance is to achieve a more consistent appearance from 113th by maintaining the existing parking setback.

(e) The variance requested is the minimum variance which would alleviate the unique circumstances.

- The requested variance is the minimum to allow for the consistent parking setback and continuation of the nonconformity.

Attachment List:

Zoning and Location Map
 Narrative
 Applicant's Variance Rationale
 Preliminary Plat
 Lot 1 Concept Plan
 Lot 2 Site Plan
 Lot 2 Landscape Plan
 Lot 2 Elevations
 Unapproved Planning Commission Minutes 10/10/23

Strategic Plan Relationship

Not applicable.

Board/Commission Review

The Planning Commission voted unanimously to approve the variance. There were no comments at the public hearing.

Financial Impact

Not applicable.

Public Outreach/Input

Notices of a public hearing were:

1. Mailed to property owners within 350 feet of the property boundaries.
2. Published in Blaine/Spring Lake Park/Columbia Heights/Fridley Life.
3. Posted on the City website.
4. Posted (sign) on the property with contact information for the Planning Department.

Staff Recommendation

By motion, adopt the Resolution.

Attachment List

1. Attachments
2. Unapproved PC Minutes 101023



City of Blaine

Signature Copy

Resolution: RES 23-162

Resolution Granting a Ten Foot Variance from the Thirty Foot Front Yard Parking Lot Setback on the South Side of 1351 113th Avenue NE. Blaine Crossing II Addition (Kraus Anderson Development Company) (Case File No. 23-0064/EES)

WHEREAS, an application has been filed by M & E REALTY CO as Case File No. 23-0064 for a 10 foot variance from the 30 foot parking setback on the south side of the property; and

WHEREAS, said case involves the land described as follows:

Lot 2, Block 1, BRUNSWICK BOWL ADDITION, Anoka County, Minnesota

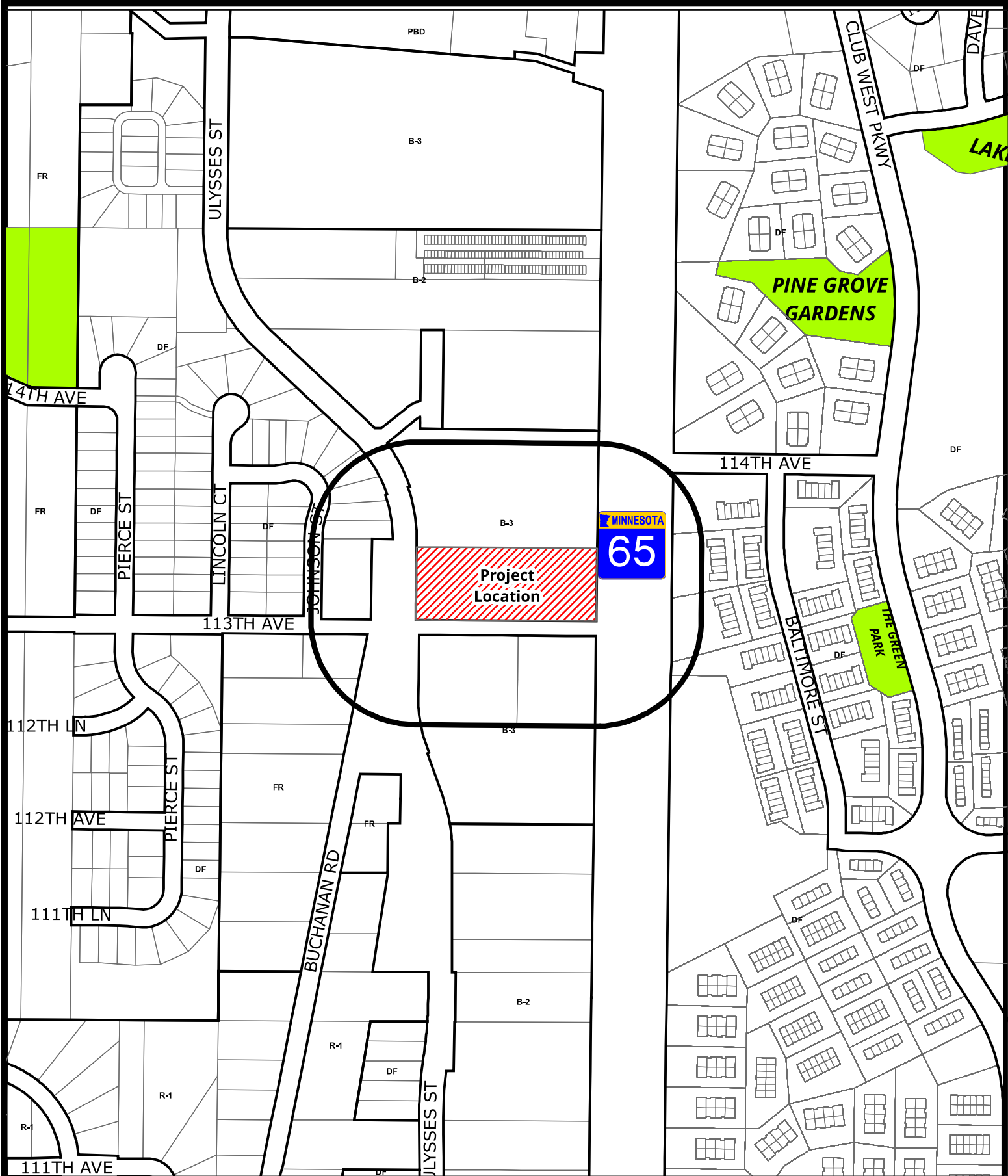
WHEREAS, a public hearing has been held by the Blaine Planning Commission on October 10, 2023, and the Planning Commission recommends approval of the variance; and

WHEREAS, the Blaine City Council has reviewed said case on November 6, 2023.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that a variance is hereby approved per Sections 27.06 of the Zoning Code to allow a 10 foot variance from the 30 foot parking setback on the south side of the property, with the following findings:

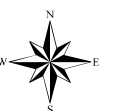
1. The variance is in harmony with the general purposes and intent of the ordinance.
2. The variance is consistent with the comprehensive plan.
3. The property owner proposes to use the property in a reasonable manner not permitted by the zoning code.
4. The variance will not alter the essential character of the locality.
5. The variance is due to the previous determination that the southern property line was a side yard and the development is materially similar to that which was approved by resolution 07-78.
6. The variance allows for a consistent setback along 113th Avenue.
7. The variance alleviates the unique circumstance of change in the configuration of front and side yards over the history of the property.

PASSED by the City Council of the City of Blaine this 6th day of November, 2023.



Case File No. 23-0064 Blaine Crossing II Addition

Blaine Planning Department / 10801 Town Square Dr NE / Blaine, MN 55449 / (763) 785-6180



Preliminary and Final Plat Application
Lot 2 Block 1 Brunswick Bowl Addition
July 18, 2023

Owner and Owner's Representative (defined herein) are submitting this application for the Preliminary and Final Plat for the parcel described. This Plat will result in an Outlot, described herein as Lot 1 Block 1 Brunswick Bowl Addition. This is subject to the grant of a Variance which is included as a part of this application.

Upon the approval of the Preliminary and Final Plat, and the grant of the Variance, My Salon Suites will construct a freestanding building, in line with the existing building, on the site.

This concept, as indicated on the space plan, will allow individual stylists and other personal care professionals to operate their business within their own space.

It is important to note that a Reciprocal Easement Agreement ('REA') will be in place upon the sale of the property. A REA allows tenants, customers, and service providers to cross and park throughout the named properties, allows for the common maintenance of the named properties as though they are all commonly owned.

Applicant Variance Criteria

1. The property owner proposes to use the property in a reasonable manner not permitted by the zoning code.

This proposed variance will be to allow two free-standing buildings to be constructed and operated in conjunction with and alongside the existing multi-tenant shopping center. The zoning code would suggest that the two proposed free-standing buildings and the existing multi-tenant building be connected. It is reasonable, indeed customary, in Blaine (and elsewhere), to allow free standing buildings in close proximity to multi-tenanted buildings.

2. The plight of the landowner is due to circumstances unique to the property not created by the landowner.

The proposed free-standing buildings will be operated in a manner consistent with the multi-tenant shopping center. The uses will be retail and/or professional services - uses permitted in this zoning district. Further, all of the buildings will be linked together through a Reciprocal Easement Agreement, covering maintenance, shared access and parking.

3. The variance, if granted, will not alter the essential character of the locality.

The depth of the property (fronting Central and backing Ulysses) creates an essential characteristic suggesting the appropriateness of multiple buildings on the site. It should be noted that there are many other examples in the city where this is the case (109th to the south - VFW and Mattress Firm, 99th - Holiday and Blaine Retail Center and 117th - Auto Zone and Taco Bell). In no way will this Variance create any alteration of the essential character of the locality. In fact, breaking up the facade of the building with three buildings versus one long building will enhance the attractiveness and character of the site.

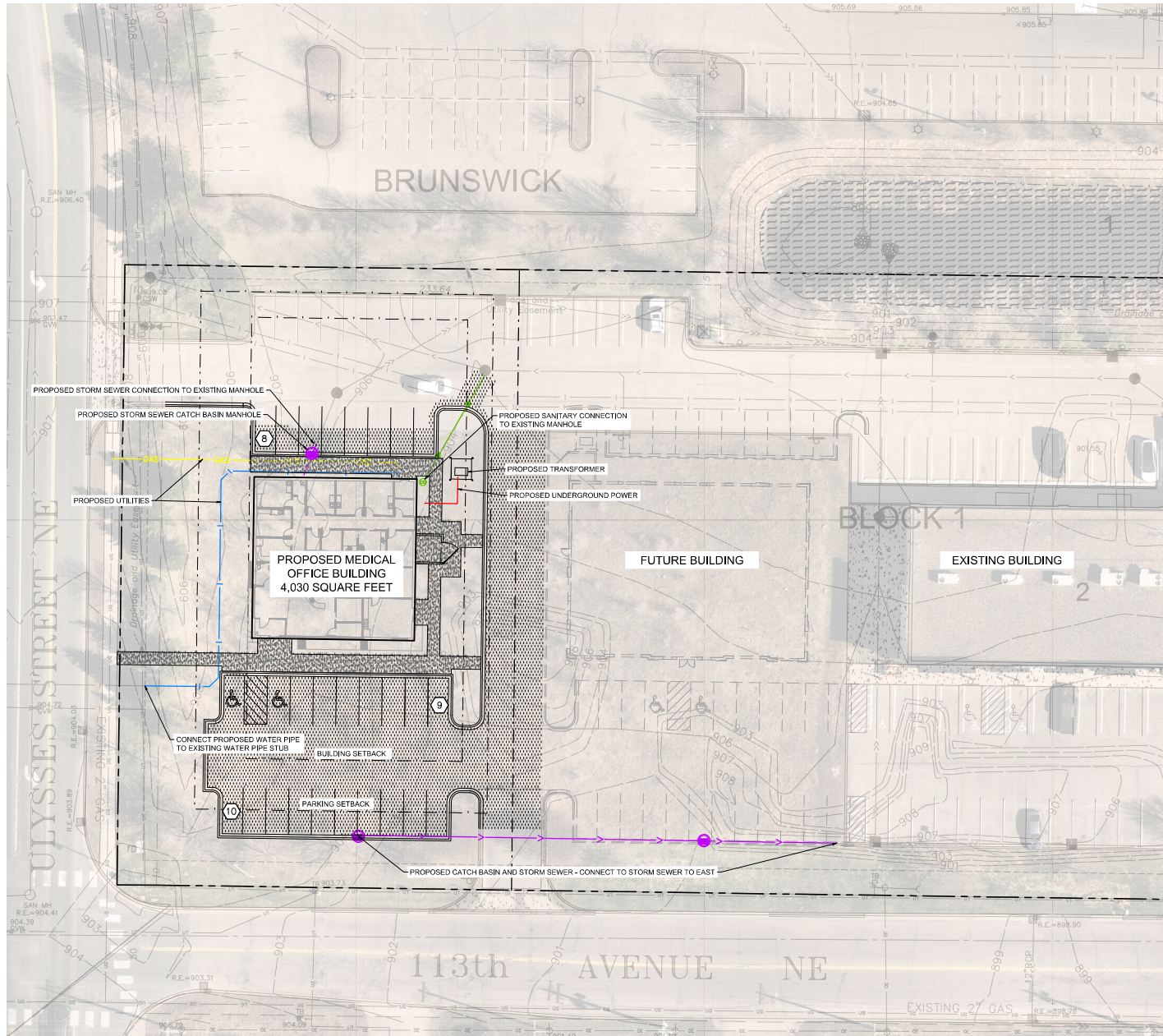
4. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.

This is not a request due to economic consideration, Rather, it is a request to allow construction of a more attractive environment.

5. The variance requested is the minimum variance which would alleviate the unique circumstances.

We believe that this Variance request shall attain the desired outcome for the owners, the tenants, the neighborhood and the city in general, and that this request is a minimal request and no more.





LEGEND

---	PROPERTY LINE
- - -	SETBACK LINE
- - - -	DRAINAGE AND UTILITY EASEMENT
- - - -	PROPOSED FENCE
---	PROPOSED CURB AND GUTTER
---	STANDARD DUTY ASPHALT PAVEMENT SEE DETAILS FOR SECTION
---	CONCRETE SIDEWALKS SEE DETAILS FOR SECTION
---	STORM WATER AREA SEE GRADING PLAN FOR DETAILS

SITE PLAN NOTES

- REFER TO THE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF STORIES, TRASH ENCLOSURES, A PRECISE BUILDING DIMENSIONS, REFER TO THE SITE ELECTRICAL PLAN FOR LOCATIONS OF PROPOSED LIGHT POLES, CONDUITS, AND ELECTRICAL EQUIPMENT.
- REFER TO CERTIFIED SITE SURVEY OR PLAT FOR EXACT LOCATION OF EXISTING EASEMENTS, PROPERTY BOUNDARY DIMENSIONS, AND ADJACENT RIGHT-OF-WAY & PARCEL INFORMATION.
- DIMENSIONS AND RADIUS ARE DRAWN TO THE FACE OF CURB, UNLESS OTHERWISE NOTED. DIMENSIONS ARE ROUNDED TO THE NEAREST TENTH FOOT, AND AREAS ARE ROUNDED TO THE NEAREST SQUARE FOOT.
- UNLESS OTHERWISE NOTED, THE CONTRACTOR SHALL BE RESPONSIBLE FOR RELOCATING EXISTING SITE IMPROVEMENTS THAT CONFLICT WITH THE PROPOSED WORK, INCLUDING BUT NOT LIMITED TO TRAMPING SIGNS, LIGHT POLES, ABOVEGROUND UTILITIES, ETC. PERFORM WORK IN ACCORDANCE WITH GOVERNING AUTHORITIES REQUIREMENTS AND PROJECT SITE WORK SPECIFICATIONS. COST SHALL BE INCLUDED IN BASE BID.
- TYPICAL PARKING STALL DIMENSIONS SHALL BE 32-FOOT IN WIDTH AND 20-FOOT IN LENGTH UNLESS OTHERWISE INDICATED.

PROPERTY SUMMARY

TOTAL PROPERTY AREA	0.863 AC / 37,592 SF
DISTURBED AREA (APPROXIMATE)	0.65 AC / 28,500 SF
EXISTING IMPERVIOUS AREA	0.17 AC / 7,393 SF / 19.7%
EXISTING PERVIOUS AREA	0.69 AC / 30,199 SF / 80.3%
PROPOSED IMPERVIOUS AREA	0.52 AC / 22,716 SF / 60.4%
PROPOSED PERVIOUS AREA	0.34 AC / 14,876 SF / 39.6%
NET INCREASE IN IMPERVIOUS AREA	0.35 AC / 15,323 SF

SITE DATA

EXISTING ZONING	B-3 - REGIONAL COMMERCIAL
PROPOSED ZONING	B-3 - REGIONAL COMMERCIAL
PROPOSED LAND USE	COMMERCIAL
PARKING SETBACKS	FRONT = 30' SIDE/REAR = 10'
BUILDING SETBACKS	FRONT = 50' SIDE = 20' REAR = 20'

BUILDING DATA

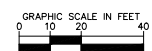
TOTAL BUILDING AREA	4,030 SF
PERCENT OF TOTAL PROPERTY AREA	10.72%

PARKING SUMMARY

REQUIRED PARKING	27 SPACES @ 1/150 SF
TOTAL PROPOSED PARKING	27 SPACES
REQUIRED ACCESSIBLE PARKING	2 STANDARD SPACES 1 VAN ACCESSIBLE
PROPOSED ACCESSIBLE PARKING	2 STANDARD SPACES 2 VAN ACCESSIBLE



Know what's below.
Call before you dig.



PRELIMINARY - NOT FOR CONSTRUCTION

PROJECT NAME
PREPARED FOR
CLIENT NAME

SITE DIMENSION
PLAN

KIMLEY-HORN
© 2023 KIMLEY-HORN AND ASSOCIATES, INC.
710 ELSTON STREET, SUITE 100, ST. PAUL, MN 55114
PHONE: 651-454-1897
WWW.KIMLEY-HORN.COM

DATE
DRAWN BY
CHECKED BY
SCALE
REVISIONS

NO.
REV.
DATE
BY

1. ALL PAVING, CONCRETE CURB, GUTTER AND SIDEWALK SHALL BE FURNISHED AND INSTALLED IN ACCORDANCE WITH THE DETAILS SHOWN PER THE DETAIL SHEETS/1 AND STATE/LOCAL JURISDICTION REQUIREMENTS.
2. ACCESSIBLE PARKING AND ACCESSIBLE ROUTES SHALL BE PROVIDED PER CURRENT ADA STANDARDS AND LOCAL/STATE REQUIREMENTS.
3. ALL CURB DIMENSIONS SHOWN ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
4. ALL BUILDING DIMENSIONS ARE TO THE OUTSIDE FACE OF WALL UNLESS OTHERWISE NOTED.
5. TYPICAL FULL SIZE PARKING STALL IS 9' X 18' UNLESS OTHERWISE NOTED.
6. ALL CURB RADII SHALL BE 5.0' UNLESS OTHERWISE NOTED.
7. SEE ELECTRICAL PLAN FOR SITE LIGHTING.
8. REFER TO ARCHITECTURAL SITE PLAN FOR BUILDING SETBACKS.

CURRENT ZONING: B-3 REGIONAL COMMERCIAL
PROPOSED ZONING: B-3 REGIONAL COMMERCIAL

PROPERTY AREA:	0.71 +/- AC
DISTURBED AREA:	0.56 AC
EXISTING IMPERVIOUS AREA:	0.16 AC (20%)
PROPOSED IMPERVIOUS AREA:	0.58 AC (72%)
PROPOSED WET POND AREA:	0.0 AC (0%)
TOTAL IMPERVIOUS AREA:	0.58 AC (72%)

TOTAL PARKING: 31 STALLS PROVIDED (LOT)
2 HC STALLS (LOT)
131 STALLS PROVIDED (TOTAL DEV.)
7 HC STALLS (TOTAL DEV.)



 DENOTES LIGHT DUTY BITUMINOUS PAVEMENT
 DENOTES HEAVY DUTY BITUMINOUS PAVEMENT
 DENOTES CONCRETE PAVEMENT

SITE BENCHMARK: TOP NUT OF HYDRANT LOCATED AT THE NORTHEAST CORNER OF LOUISIANA AVE. AND 150TH ST. AS SHOWN HEREON, ELEVATION = 887.86 (NGVD 29)



CALL BEFORE YOU DIG!
Gopher State One Call
 TWIN CITY AREA: 651-454-0002
 TOLL FREE: 1-800-253-1166

1. THE MINNESOTA STATE STATUTE REQUIRES NOTIFICATION FROM "COPPER STATE ONE CALL" PRIOR TO COMMENCING ANY GRADING, EXCAVATION OR INSTALLING UTILITIES AND TOPOGRAPHIC FEATURES PRIOR TO COMMENCEMENT OF CONSTRUCTION ACTIVITY. THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCIES OR VARIATIONS FROM THE PLANS.
2. THE CONTRACTOR SHALL FIELD VERIFY LOCATIONS AND DEPTHS OF EXISTING UTILITIES AND TOPOGRAPHIC FEATURES PRIOR TO COMMENCEMENT OF CONSTRUCTION ACTIVITY. THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCIES OR VARIATIONS FROM THE PLANS.
3. THE CONTRACTOR SHALL TAKE ALL PRECAUTIONS NECESSARY TO AVOID COLLISIONS WITH TRAFFIC DURING THE CONSTRUCTION PHASE OF THIS PROJECT. THE CONTRACTOR WILL BE HELD RESPONSIBLE FOR ANY DAMAGES TO ADJACENT PROPERTIES OCCURRING DURING THE CONSTRUCTION OF THIS PROJECT.
4. THE CONTRACTOR WILL BE RESPONSIBLE FOR PROVIDING AND MAINTAINING TRAFFIC CONTROL DEVICES SUCH AS BARRICADES, WARNING SIGNS, DIRECTIONAL SIGNS, FLAGMEN AND LIGHTS TO CONTROL THE MOVEMENT OF TRAFFIC THROUGH THE CONSTRUCTION ZONE. TRAFFIC CONTROL SHALL BE PROVIDED BY THE ENGINEER PRIOR TO COMMENCING TRAFFIC CONTROL DEVICES SHALL BE MAINTAINED THROUGHOUT THE MINNESOTA DEPARTMENT OF TRANSPORTATION STANDARDS.
5. IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, THE CONTRACTOR WILL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS ON THE JOB SITE INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING THE CONSTRUCTION OF THE WORK. THIS REQUIREMENT WILL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS.
6. THE DUTY OF THE ENGINEER OR THE DEVELOPER TO CONDUCT CONSTRUCTION REVIEW OF THE CONTRACTORS PERFORMANCE IS NOT INTENDED TO PROVIDE REVIEW OF THE CONTRACTORS SAFETY MEASURES IN, OR NEAR THE CONSTRUCTION SITE.
7. BEFORE BEGINNING CONSTRUCTION THE CONTRACTOR SHALL INSTALL EROSION AND SEDIMENTATION CONTROL MEASURES IN ACCORDANCE WITH PDES FOR EROSION CONTROL. THE CONTRACTORS SHALL COMPLY WITH ALL LOCAL REQUIREMENTS AND THE DETAILS SHOWN ON THE DETAIL SHEETS OF THE PROJECT PLANS.
8. ALL CONSTRUCTION PERMITS, APPLICATIONS AND FEES ARE THE RESPONSIBILITY OF THE CONTRACTOR.
9. ALL ENTRANCES AND CONNECTIONS TO CITY STREETS SHALL BE CONSTRUCTED PER THE CITY OF MINNETONKA STANDARD SPECIFICATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL PERMITS AND NOTIFICATIONS AS REQUIRED.
10. ALL STREET REPAIRS AND PATCHING SHALL BE PERFORMED PER THE REQUIREMENTS OF THE MINNETONKA STANDARD SPECIFICATIONS. THE CONTRACTOR SHALL BE ESTABLISHED PER THE REQUIREMENTS OF THE MINNETONKA MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) AND THE CITY OF MINNETONKA STANDARD SPECIFICATIONS. FLASHERS AND FLAGGERS AS NEEDED. ALL PUBLIC STREETS SHALL BE OPEN TO TRAFFIC AT ALL TIMES.
11. ADJUST ALL EXISTING STRUCTURES, BOTH PUBLIC AND PRIVATE TO THE EXISTING GRADES AND EXISTING UTILITIES AND COMPLY WITH ALL LOCAL REQUIREMENTS OF THE UTILITY OWNERS. STRUCTURES BEING RESET TO PAVED AREAS MUST MEET OWNERS REQUIREMENTS FOR TRAFFIC LOADING.
12. EXISTING TOPOGRAPHY PROVIDED BY LOCUS ASSOCIATES, TOPOGRAPHIC SURVEY DATED 11/30/16.
13. SURGRADE PREPARATION SHALL BE PERFORMED IN ACCORDANCE WITH MINDOT 2531. GRADING SHALL BE COMPLETED TO 100% OF THE STANDARD PROJECT DENSITY.
14. AGGREGATE BASE SHALL BE MINDOT 2111 CLASS 5. COMPACTION SHALL BE THE QUALITY COMPACTION METHOD.
15. PLANT MIXED BITUMINOUS PAVEMENT SHALL BE CONSTRUCTED IN ACCORDANCE WITH MINDOT 2460 WITH MIX DESIGN AS SHOWN ON THE DETAIL SHEETS OF THE PROJECT PLANS.
16. CONCRETE CURB & GUTTER SHALL BE PERFORMED IN ACCORDANCE WITH MINDOT 2531. CURBING SHALL BE BY THE MECHANICAL CURBING METHOD. EXPANSION JOINTS EVERY 200 FEET AT ALL FIXED OBJECTS, CONTRACTIONS JOINTS EVERY 100 FEET.
17. CONCRETE CURB SHALL BE PERFORMED IN ACCORDANCE WITH MINDOT 2531. CURBING SHALL BE BY THE MECHANICAL CURBING METHOD. EXPANSION JOINTS AT ALL FIXED OBJECTS, CONTRACTIONS JOINTS EVERY 5 FEET.
18. WORKING HOURS ARE 7 AM - 7 PM (MONDAY - FRIDAY) AND 9 AM - 7 PM (SATURDAY). A 48 HOUR NOTICE IS REQUIRED FOR SATURDAY WORK.
19. THE CONTRACTOR MUST HAVE A CITY LICENSE.
20. A CITY RIGHT-OF-WAY PERMIT IS REQUIRED TO WORKING WITH CITY ROW.



PLANNING
CIVIL ENGINEERING
LAND SURVEYING
LANDSCAPE ARCHITECTURE
ENVIRONMENTAL
7200 Hemlock Lane, Suite 300
Maple Grove, MN 55369
763.424.5500
www.locksinc.com

CADD QUALIFICATION

CADD files prepared by the Consultant for this project are the intellectual property of the Consultant and shall remain confidential with respect to this project. These CADD files shall not be used on other projects. For additions to this project, or for completion of this project by others without written approval by the Consultant, the Consultant's approval, others may be permitted to obtain copies of the CADD drawing. This file information and reference only. All intentional or unintentional revisions, additions, or deletions to these CADD files shall be made at the full risk of that party making such revisions, additions or deletions and that party shall hold harmless and indemnify the Consultant from any full responsibilities, claims, and liabilities.

SUBMITTAL/REVISIONS

5-24-23.....REUMINARY SUBMITTA

Draft Print

5/26/2023 3:27:32 PM

PROFESSIONAL SIGNATURE

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Michael J. St. Martin - PE
License No. 2444

QUALITY CONTROL

Loucks Project No.	20220
Project Lead	MJ
Drawn By	TR
Checked By	MJ
Review Date	

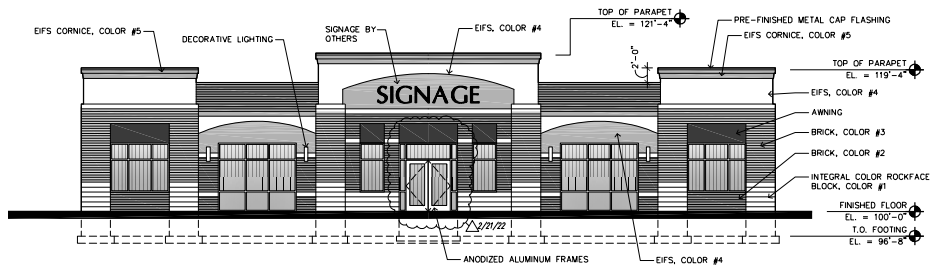
SHEET INDEX

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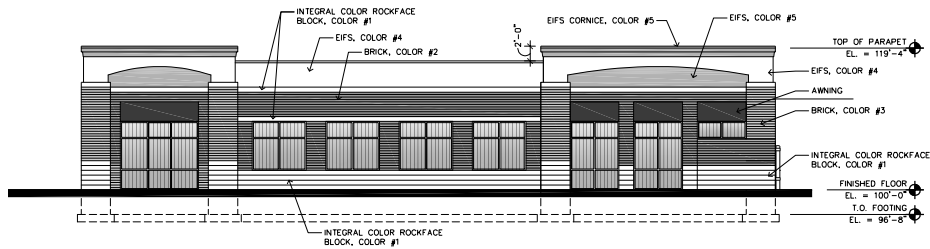
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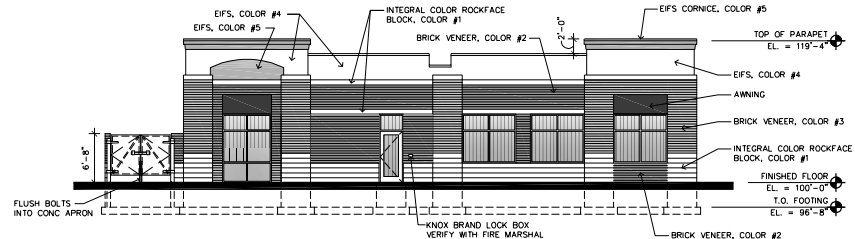
Page 152 of 234



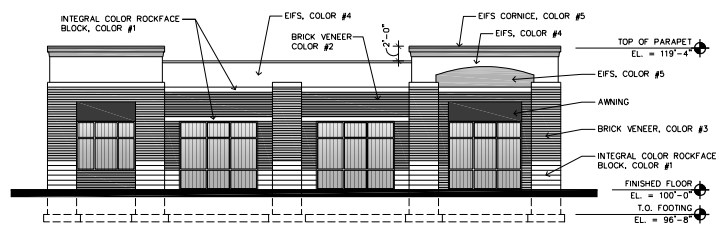
1 SOUTH ELEVATION
A3 SCALE: 1/8" = 1'-0"



3 NORTH ELEVATION
A3 SCALE: 1/8" = 1'-0"

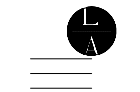


2 WEST ELEVATION
A3 SCALE: 1/8" = 1'-0"



4 EAST ELEVATION
A3 SCALE: 1/8" = 1'-0"

EXTERIOR MATERIALS			
	COLOR #1: ROCKFACE BLOCK ANCHOR "AUTUMN TAN"		COLOR #4: EIFS DRYVIT - 449 "BUCKSKIN"
	COLOR #2: BRICK VENEER ACME OCHS - MODULAR MONTCLAIR "VELOUR" ALTERNATE: MERIDIAN "CONCORDE"		COLOR #5: EIFS DRYVIT - 457 "WHOLE WHEAT"
	COLOR #3: BRICK VENEER SOUX CITY BRICK - MODULAR "TOASTED FINE ART" VELOUR		ANODIZED ALUMINUM FRAMES CLEAR ANODIZED



LAMPERT ARCHITECTS
420 Summit Avenue
St. Paul, MN 55102
Phone: 763.768.1211 Fax: 763.757.2548
lampert@lampert-arch.com

ARCHITECT CERTIFICATION:
I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

PRELIMINARY
NOT FOR CONSTRUCTION

MY SALON SUITE
At Blaine Crossing II
Blaine, Minnesota

Copyright 2021 Lampert Architects Inc.
Project Designer: L. SCHMIDT
Drawn By:
Checked By: LL
Revisions
4/12/23 PRELIMINARY

BUILDING ELEVATIONS

Sheet Number

A3

Project No.



City of Blaine

Planning Commission

October 10, 2023 | 7:00 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

MINUTES

1. Call to Order

The Blaine planning commission met in the City Hall Chambers on Tuesday, October 10, 2023. Chair Goracke called the meeting to order at 7:00PM.

2. Roll Call

Members Present: Commission Members Deonauth, Olson, Swanson, and Chair Goracke.

Members Absent: Commission Members Gorzycki, Halpern, and Homan.

Staff Present: Elizabeth Showalter, Community Development Specialist
Shelia Sellman, City Planner
Teresa Barnes, Project Engineer

4. Public Hearing

4.3. 2023-445 Case File No. 23-0064 // Blaine Crossing II Addition // 1351 113th Avenue NE
The applicant is requesting the following:

1. A 10 foot variance from the 30 foot front yard parking lot setback on the south side.
2. Preliminary plat to subdivide one lot into three lots.
3. Conditional use permit for shared access with zero lot line parking in the B-3 (Regional Commercial) zoning district.

Sponsors: Elizabeth Showalter, Community Development Specialist

The report to the planning commission was presented by Elizabeth Showalter, Community Development Specialist. The public hearing for Case File 23-0064 was opened at 7:15PM.

Bob Cunningham, Kraus Anderson, thanked the commission for considering his request and noted he was available for comments or questions.

The public hearing was closed at 7:16PM.

Motion by Commissioner Olson to recommend approval of Planning Case 23-0064A a 10 foot variance from the 30 foot parking setback on the south side of the property with the following rationale:

Case 23-0064A:

1. The variance is due to the previous determination that the southern property line was a side yard and the development is materially similar to that which was approved by resolution 07-78.
2. The variance allows for a consistent setback along 113th Avenue.
3. The variance alleviates the unique circumstance of change in the configuration of front and side yards over the history of the property.

Motion by Commissioner Olson to recommend approval of Planning Case 23-0064B a preliminary plat to create three lots with the following conditions:

Case 23-0064B:

1. The applicant is responsible for recording plat mylars with Anoka County and providing proof of recording to the City prior to issuance of building permits on lots 1 and 2.

Motion by Commissioner Olson to recommend approval of Planning Case 23-0064C a conditional use permit for shared parking with a zero lot line split with the following conditions:

Case 23-0064C:

1. This resolution voids previously issued Conditional Use Permits on this property approved as Resolutions 07-78 and 07-96.

Motion seconded by Commissioner Deonauth. The motion passed 4-0.

Chair Goracke noted this would be on the agenda of the November 6, 2023 city council meeting.



City of Blaine

Staff Report

File Number: RES 23-163

Agenda Date	Status
November 6, 2023	
In Control	File Type
City Council	Resolution

Development Business - Sheila Sellman, City Planner

Agenda Item # 10.5

Resolution Granting a Preliminary Plat to Subdivide One Lot into Three Lots to be Known as Blaine Crossing II Addition at 1351 113th Avenue NE. Kraus Anderson Development Company (Case File No. 23-0064/EES)

Executive Summary

The applicant is proposing to subdivide one existing parcel into three parcels to facilitate the construction of two additional buildings in a currently vacant portion of the property. Staff recommends approval.

Background

Planning Commission Public Hearing	10/10/23
City Council (Preliminary Plat)	11/06/23
City Council (Final Plat)	Tentatively 11/20/23
Action Deadline	11/12/23

Staff report prepared by Elizabeth Showalter, Community Development Specialist, and Teresa Barnes, Project Engineer

Zoning

The property is zoned B-3 (Regional Commercial) and is located in the Highway Overlay District.

Land Use Designation

The property is guided CC (Community Commercial). The proposed commercial development is consistent with that designation.

Surrounding Zoning and Uses

The adjacent uses are:

- North: Bowlero (Zoned B-3 - Regional Commercial)
- West: Detached townhomes across Ulysses Street (zoned DF - Development Flex)
- East: Highway 65
- South: A garage door company and an auto repair business across 113th Ave (zoned B-3 - Regional Commercial)

Existing Conditions

The 3.3 acre property has an existing 13,600 square foot multitenant commercial building on the east side of the site. The west side of the site is vacant land.

History

The property was platted as Brunswick Bowl Addition in 2006 and a conditional use permit was approved in 2007 for two buildings on a lot. This lot was intended to have two approximately 13,000 square foot buildings on the one lot. When the first building was built, it was initially occupied by Regency Beauty School. It is now occupied by several retail and medical uses. The second building was never built.

As part of that review, the east and west property lines were designated as the front property lines with the north and south property lines being designated as side property lines. The zoning code specifies that a property has a maximum of two front yards and that any additional yards abutting public streets shall be designated as rear or side yard by the Zoning Administrator.

Preliminary Plat Standards of Review

Section 74-81 General requirements:

1. The planning commission and the council, in their review of the preliminary plat, will consider the requirements of the community, the best use of the land being subdivided, the size and arrangement of the proposed lots, open space requirements, and necessary fire protection.
2. The subdivision shall conform to the adopted comprehensive plan, official maps, and the zoning ordinance.
3. The arrangement, character, extent, width and location of all streets shall be considered in their relation to existing and planned streets, to reasonable circulation of traffic, to topographic conditions, to water supply, and sewage disposal, to drainage of stormwater, to public convenience and safety, and in their appropriate relation to the proposed use of the land to be served by such streets. Wherever possible and necessary, the arrangement of streets in new subdivisions shall provide for the continuation of existing streets in adjoining areas. Where adjoining unsubdivided areas may be subdivided, the arrangement of streets in a new subdivision shall make provision for the proper projection of streets into adjoining areas by carrying the new streets to the boundaries of the new subdivision at appropriate locations.

Evaluation of Request

Plat

The current property owner is seeking to subdivide the existing lot into three lots. One for the existing building and two lots to the west for new buildings. There are no minimum lot sizes in the B-3 district and the applicant has provided concept plans for each lot demonstrating how a conforming building

could be located on the property.

Architecture

The architecture of the proposed new buildings is not relevant to any of the requested approvals, but the standard B-3 architectural standards will apply, which include a four-sided building design and the use of at least three premium materials.

Setbacks

Currently, the one existing lot has two front yards (east and west) and two side yards (north and south). With the subdivision, no lot will have more than two yards abutting a public right of way, therefore, all yards abutting public right of way are considered front yards. The applicable setbacks for each lot are:

Lot 1:

- Front yards (west and south): 50 foot building, 30 foot parking
- Side yards (north and east): 20 foot building, 10 foot parking

Lot 2:

- Front yard (south): 50 foot building, 30 foot parking
- Side yards (east and west): 20 foot building, 10 foot parking
- Rear yard (north): 20 foot building, 10 foot parking

Lot 3:

- Front yards (east and south): 50 foot building, 30 foot parking
- Side yards (north and west): 20 foot building, 10 foot parking

The required setbacks are being met on the existing building and proposed concept plans, except for the internal parking setback which is proposed as shared parking with zero lot line (the requested CUP), and the parking setback from 113th, which is the subject of the requested variance.

Landscaping

The typical landscaping requirements of 33.07, as modified for properties in the Highway Overlay District in 32.54, will apply when lots 1 and 2 are developed. A landscape plan was provided for Lot 2 that does not meet the code requirements.

For reference, the following landscape quantities will be required based on the concept plan submitted for Lot 2 :

- Overstory Trees: 11
- Conifer Trees: 6
- Ornamental Trees: 6
- Shrubs: 38
- Of the 23 required trees, 5 must be oversized

And the following landscape quantities will be required based on the concept plan for Lot 1:

- Overstory Trees: 12
- Conifer Trees: 6
- Ornamental Trees: 6
- Shrubs: 40
- Of the 24 required trees, 6 must be oversized

Tree Preservation

A tree removal plan was not submitted. If tree removal is necessary, it will be reviewed as part of the building permit and will be subject to the standard tree replacement requirements.

Park Dedication

Park dedication for commercial properties is paid on a per acre basis and was paid when this property was platted in 2006. No further park dedication is required.

Grading/Storm Drainage

The developer is proposing to grade the lot as shown on the Coon Creek Watershed District and city approved grading, drainage, erosion protection and sediment control plans prepared by the developer's engineer. The plans include existing drainage patterns (contours) with flow arrows, soil boring locations, perimeter site protection, tree preservation, tree clearing limits, custom grading, proposed grading contours, proposed drainage patterns with flow arrows, storm water management, SWPPP information, temporary erosion protection Best Management Practices (BMPs), and temporary sediment control BMPs information for the site. The SWPPP may be included in the construction plan sheet(s) or prepared as a separate document and included in the development construction contract specifications.

Utilities

Standard water and Sanitary Sewer Access Charges (WAC & SAC) become due with each building permit at the rate established at the time the building permit is issued.

Water and sanitary services will be obtained from existing service stubs along Ulysess Street. Coordination of the use of the stub services will need to occur to allow for utility services on the remaining empty lot.

Wetlands/Watershed/FEMA

The developer will need to submit the project to Coon Creek Watershed District (CCWD). Review, approval and permits are required prior to city plan approval and start of site work.

Access/Street Design/Sidewalks/Trails

The development is proposing to gain/provide access from Ulysses Street and 113th Avenue via the existing driveway access points. No additional access will be granted.

Easements/Right-of-way/Permits

The developer will need to obtain all required permits to construct the proposed project. A copy of all

permits will need to be submitted to the City prior to any site work.

Attachment List:

Zoning and Location Map

Narrative

Applicant's Variance Rationale

Preliminary Plat

Lot 1 Concept Plan

Lot 2 Site Plan

Lot 2 Landscape Plan

Lot 2 Elevations

Unapproved Planning Commission Minutes 10/10/23

Strategic Plan Relationship

Not applicable.

Board/Commission Review

The Planning Commission voted unanimously to approve the preliminary plat. There were no comments at the public hearing.

Financial Impact

Not applicable.

Public Outreach/Input

Notices of a public hearing were:

1. Mailed to property owners within 350 feet of the property boundaries.
2. Published in Blaine/Spring Lake Park/Columbia Heights/Fridley Life.
3. Posted on the City website.
4. Posted (sign) on the property with contact information for the Planning Department.

Staff Recommendation

By motion, adopt the Resolution.

Attachment List

1. Attachments
2. Unapproved PC Minutes 101023



City of Blaine

Signature Copy

Resolution: RES 23-163

Resolution Granting a Preliminary Plat to Subdivide One Lot into Three Lots to be Known as Blaine Crossing II Addition at 1351 113th Avenue NE. Kraus Anderson Development Company (Case File No. 23-0064/EES)

WHEREAS, an application has been filed by M & E REALTY CO, Case File No. 23-0064 for a preliminary plat known as Blaine Crossing II Addition; and

WHEREAS, said case involves the division of land described as follows:

Lot 2, Block 1, BRUNSWICK BOWL ADDITION, Anoka County, Minnesota

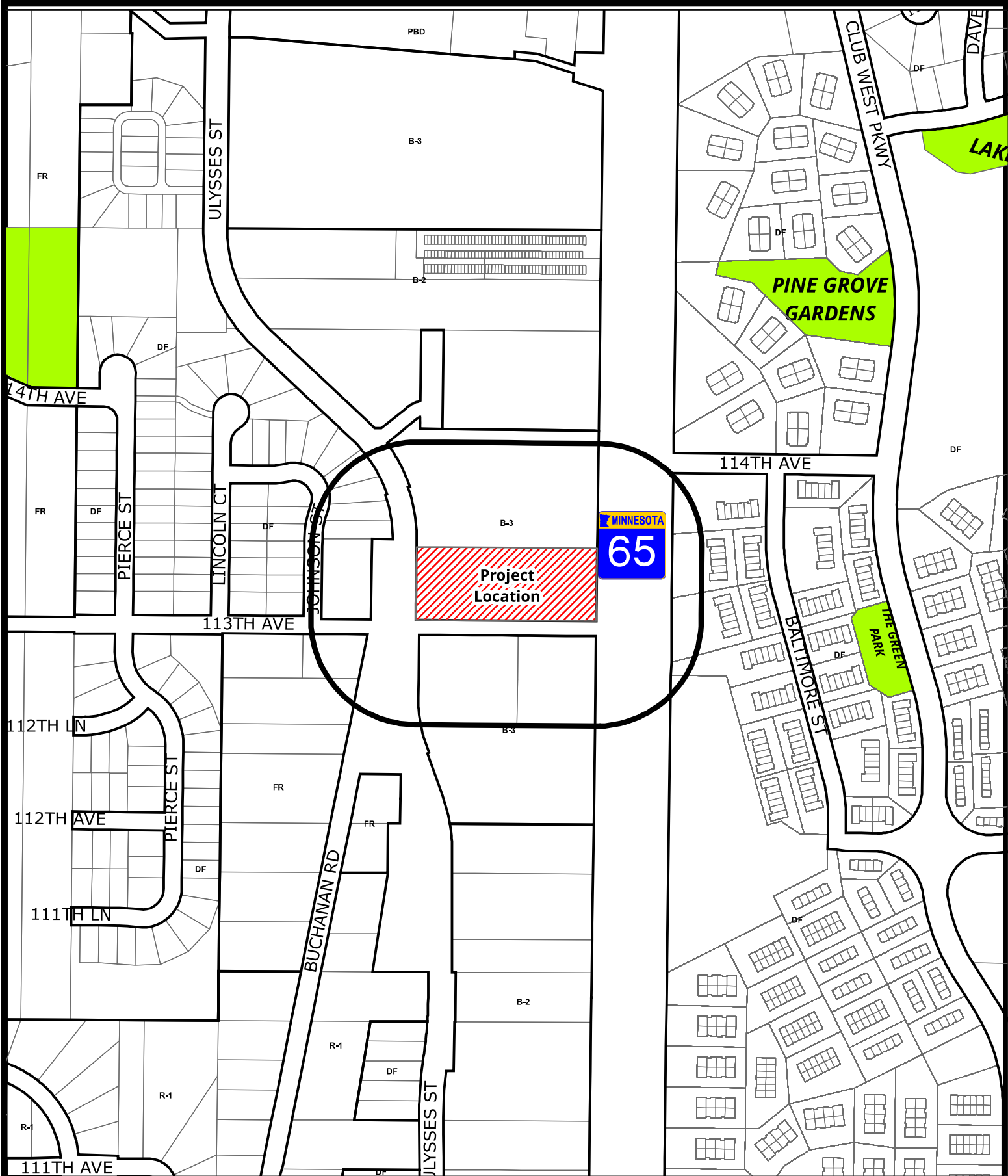
WHEREAS, the Blaine Planning Commission held a public hearing on October 10, 2023 and recommended approval regarding said plat with conditions; and

WHEREAS, the preliminary plat meets the general requirements of section 75-32 of the Blaine Subdivision Code.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that preliminary plat approval per Section 75-32 of the subdivision regulations is hereby granted for Blaine Crossing II Addition permitting preparation of a final plat for approval per Section 75-33 subject to the listed conditions.

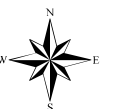
1. The applicant is responsible for recording plat mylars with Anoka County and providing proof of recording to the City prior to issuance of building permits on lots 1 and 2.
2. Water and sanitary services will be obtained from existing service stubs along Ulysess Street. Coordination of the use of the stub services will need to occur to allow for utility services on the remaining empty lot.

PASSED by City Council of the City of Blaine this 6th day of November, 2023.



Case File No. 23-0064 Blaine Crossing II Addition

Blaine Planning Department / 10801 Town Square Dr NE / Blaine, MN 55449 / (763) 785-6180



Preliminary and Final Plat Application
Lot 2 Block 1 Brunswick Bowl Addition
July 18, 2023

Owner and Owner's Representative (defined herein) are submitting this application for the Preliminary and Final Plat for the parcel described. This Plat will result in an Outlot, described herein as Lot 1 Block 1 Brunswick Bowl Addition. This is subject to the grant of a Variance which is included as a part of this application.

Upon the approval of the Preliminary and Final Plat, and the grant of the Variance, My Salon Suites will construct a freestanding building, in line with the existing building, on the site.

This concept, as indicated on the space plan, will allow individual stylists and other personal care professionals to operate their business within their own space.

It is important to note that a Reciprocal Easement Agreement ('REA') will be in place upon the sale of the property. A REA allows tenants, customers, and service providers to cross and park throughout the named properties, allows for the common maintenance of the named properties as though they are all commonly owned.

Applicant Variance Criteria

1. The property owner proposes to use the property in a reasonable manner not permitted by the zoning code.

This proposed variance will be to allow two free-standing buildings to be constructed and operated in conjunction with and alongside the existing multi-tenant shopping center. The zoning code would suggest that the two proposed free-standing buildings and the existing multi-tenant building be connected. It is reasonable, indeed customary, in Blaine (and elsewhere), to allow free standing buildings in close proximity to multi-tenanted buildings.

2. The plight of the landowner is due to circumstances unique to the property not created by the landowner.

The proposed free-standing buildings will be operated in a manner consistent with the multi-tenant shopping center. The uses will be retail and/or professional services - uses permitted in this zoning district. Further, all of the buildings will be linked together through a Reciprocal Easement Agreement, covering maintenance, shared access and parking.

3. The variance, if granted, will not alter the essential character of the locality.

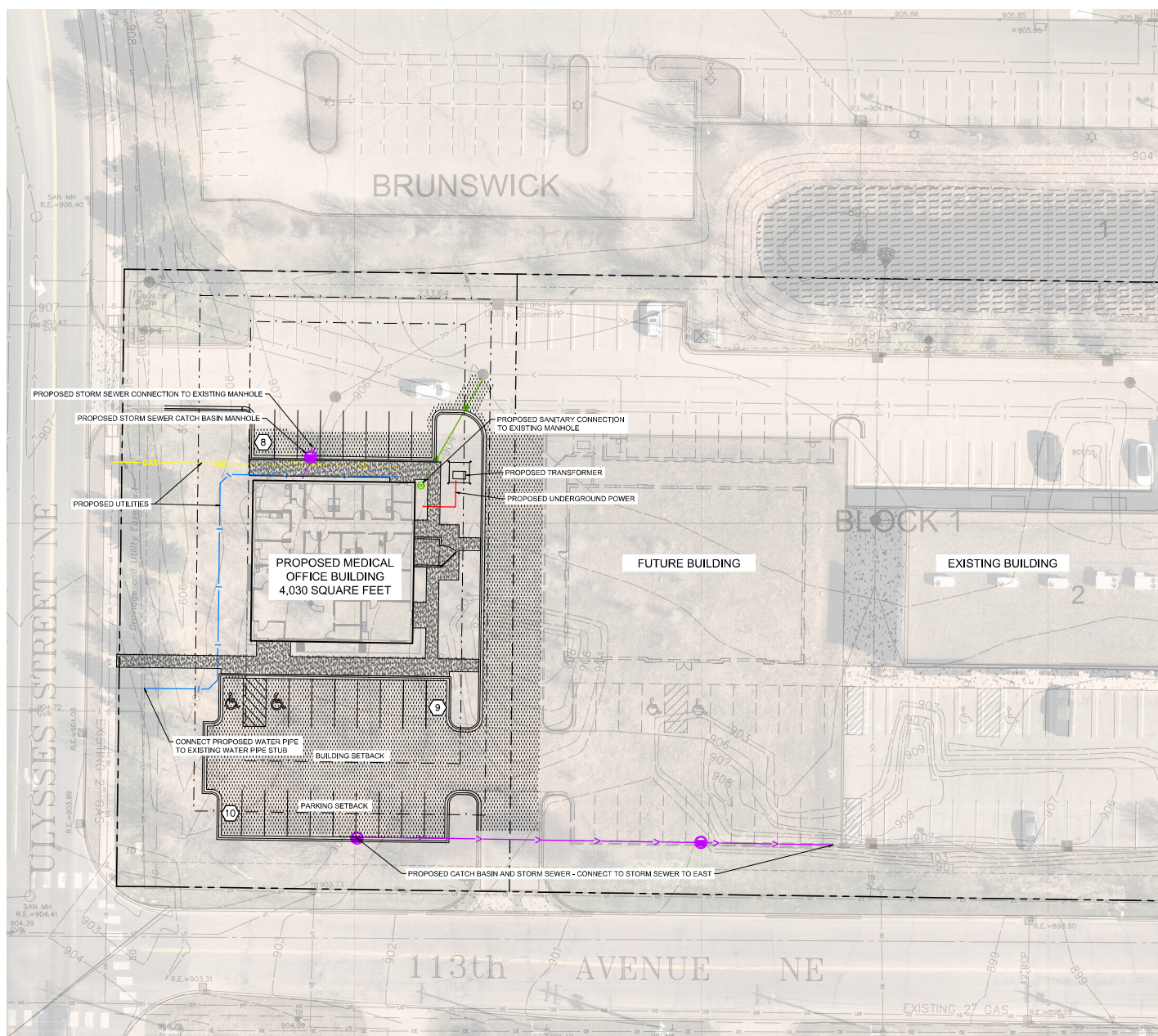
The depth of the property (fronting Central and backing Ulysses) creates an essential characteristic suggesting the appropriateness of multiple buildings on the site. It should be noted that there are many other examples in the city where this is the case (109th to the south - VFW and Mattress Firm, 99th - Holiday and Blaine Retail Center and 117th - Auto Zone and Taco Bell). In no way will this Variance create any alteration of the essential character of the locality. In fact, breaking up the facade of the building with three buildings versus one long building will enhance the attractiveness and character of the site.

4. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.

This is not a request due to economic consideration, Rather, it is a request to allow construction of a more attractive environment.

5. The variance requested is the minimum variance which would alleviate the unique circumstances.

We believe that this Variance request shall attain the desired outcome for the owners, the tenants, the neighborhood and the city in general, and that this request is a minimal request and no more.



LEGEND

	PROPERTY LINE
	SETBACK LINE
	DRAINAGE AND UTILITY EASEMENT
	PROPOSED FENCE
	PROPOSED CURB AND GUTTER
	STANDARD DUTY ASPHALT PAVEMENT SEE DETAILS FOR SECTION
	CONCRETE SIDEWALKS SEE DETAILS FOR SECTION
	STORMWATER AREA SEE GRADING PLAN FOR DETAILS

SITE PLAN NOTES

1. REFER TO THE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF STOOPS, TRAIL ENCLOSURES & PRECISE BUILDING DIMENSIONS. REFER TO THE SITE ELECTRICAL PLAN FOR LOCATIONS OF PROPOSED LIGHT POLES, CONDUITS, AND ELECTRICAL EQUIPMENT.
2. REFER TO GEOTeCHNICAL SURVEY OR PLAN FOR EXACT LOCATION OF EXISTING EASEMENTS, PROPERTY DIMENSIONS, AND ADJACENT RIGHT-OF-WAY & PARCEL INFORMATION.
3. DIMENSIONS AND RAISE ARE DRAWN TO THE FACE OF CURB, UNLESS OTHERWISE NOTED. DIMENSIONS ARE ROUNDED TO THE NEAREST 1/8" INCH, AND AREAS ARE ROUNDED TO THE NEAREST SQUARE FOOT.
4. UNLESS OTHERWISE NOTED, THE CONTRACTOR SHALL BE RESPONSIBLE FOR RELOCATING EXISTING SITE IMPROVEMENTS THAT CONFLICT WITH THE PROPOSED WORK INCLUDING BUT NOT LIMITED TO: TRAFFIC SIGNALS, LIGHT POLES, AND UTILITIES. THE CONTRACTOR SHALL PERFORM WORK IN ACCORDANCE WITH GOVERNING AGENCIES' REQUIREMENTS AND PROJECT SITE WORK CONDITIONS. COST SHALL BE INCLUDED IN BASE BID.
5. TYPICAL PARALLEL STRIP DIMENSIONS SHALL BE 3-6" IN WIDTH AND 20'-25' IN LENGTH, UNLESS OTHERWISE NOTED.

PROPERTY SUMMARY

TOTAL PROPERTY AREA	0.863 AC / 37,592 SF
DISTURBED AREA (APPROXIMATE)	0.65 AC / 28,500 SF
EXISTING IMPERVIOUS AREA	0.17 AC / 7,393 SF / 19.7%
EXISTING PERVIOUS AREA	0.69 AC / 30,199 SF / 80.3%
PROPOSED IMPERVIOUS AREA	0.52 AC / 22,716 SF / 60.4%
PROPOSED PERVIOUS AREA	0.34 AC / 14,876 SF / 39.6%
NET INCREASE IN IMPERVIOUS AREA	0.35 AC / 15,323 SF

SITE DATA

EXISTING ZONING	B-3 - REGIONAL COMMERCIAL
PROPOSED ZONING	B-3 - REGIONAL COMMERCIAL
PROPOSED LAND USE	COMMERCIAL
PARKING SETBACKS	FRONT = 30' SIDE/REAR = 10'
BUILDING SETBACKS	FRONT = 50' SIDE = 20' REAR = 20'

BUILDING DATA

TOTAL BUILDING AREA	4,030 SF
PERCENT OF TOTAL PROPERTY AREA	10.72%

PARKING SUMMARY

REQUIRED PARKING	27 SPACES @ 1/150 SF
TOTAL PROPOSED PARKING	27 SPACES
REQUIRED ACCESSIBLE PARKING	2 STANDARD SPACES 1 VAN ACCESSIBLE
PROPOSED ACCESSIBLE PARKING	2 STANDARD SPACES 2 VAN ACCESSIBLE



Know what's below.
Call before you dig.



GRAPHIC SCALE IN FEET



A horizontal line with tick marks at 0, 10, 20, and 40 feet. The segment between 10 and 20 feet is shaded black.

PRELIMINARY - NOT FOR CONSTRUCTION

PROJECT NAME

PREPARED FOR
CLIENT NAME

CITY
R

**SITE DIMENSION
PLAN**

KWA PROJECT		HEREBY CERTIFY THAT THE PLAN SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND I AM A FULLY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.	
12/24/2018	DATE	XXXXXX	IN
XXXXXX	SCALE	XXXXXX	DATE
DESIGNED BY XXX	CHECKED BY XXX	IN	DATE
DRAWN BY XXX	CHECKED BY XXX	IN	DATE
XXXXXX	XXXXXX	IN	DATE

Kimley»Horn
© 2023 KIMLEY-HORN AND ASSOCIATES, INC.
767 EUSTIS STREET, SUITE 100, ST. PAUL, MN 55114
PHONE: 651-645-4187
WWW.KIMLEY-HORN.COM

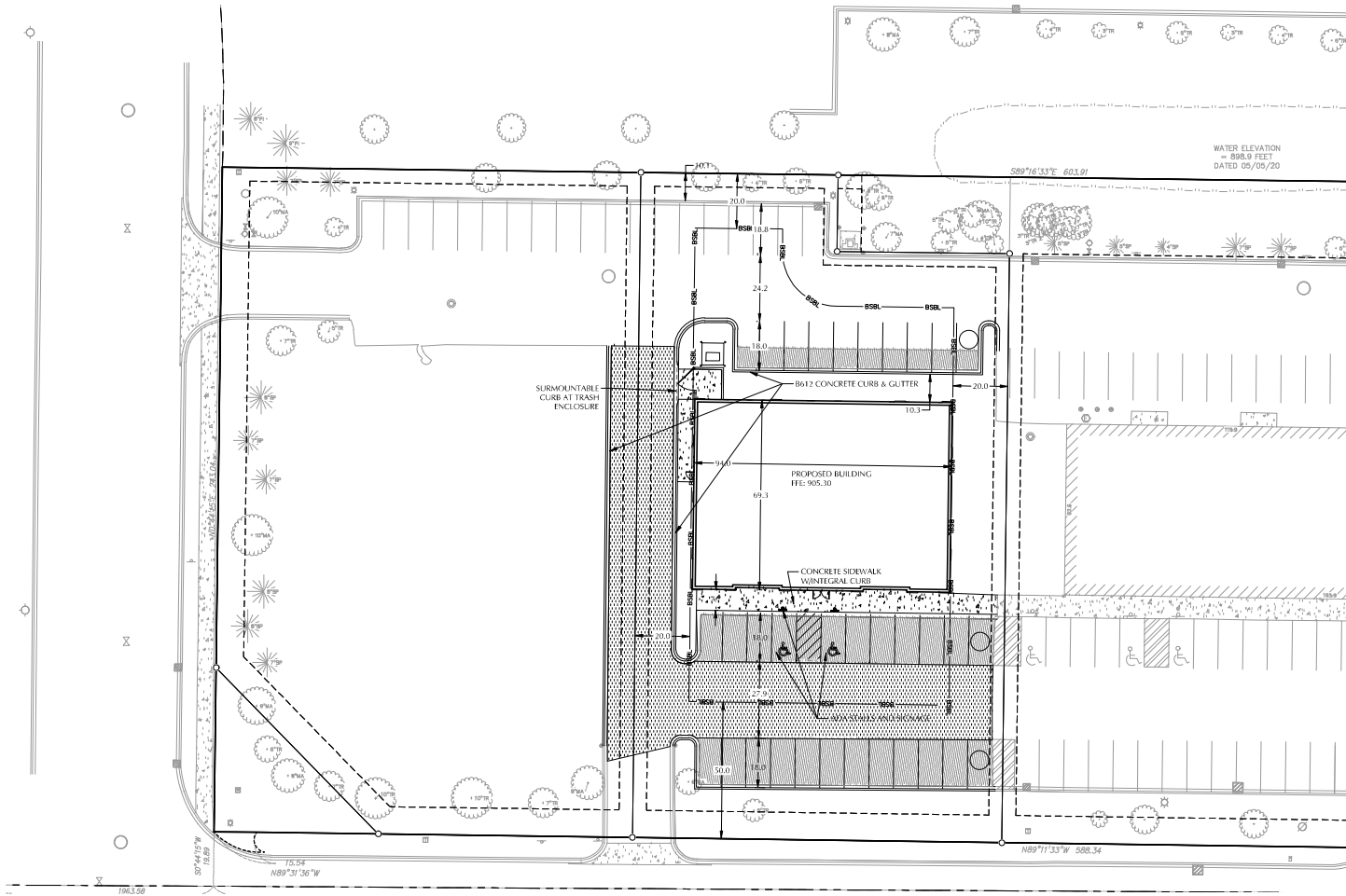
- SITE NOTES**
1. ALL PAVING, CONCRETE CURB, GUTTER AND SIDEWALK SHALL BE FURNISHED AND INSTALLED IN ACCORDANCE WITH THE DETAILS SHOWN PER THE DETAIL SHEETS AND STATE/LOCAL JURISDICTION REQUIREMENTS.
 2. ACCESSIBLE PARKING AND ACCESSIBLE ROUTES SHALL BE PROVIDED PER CURRENT ADA STANDARDS AND LOCAL/STATE REQUIREMENTS.
 3. ALL CURB DIMENSIONS SHOWN ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
 4. ALL BUILDING DIMENSIONS ARE TO THE OUTSIDE FACE OF WALL UNLESS OTHERWISE NOTED.
 5. TYPICAL FULL SIZED PARKING STALL IS 9' X 18' UNLESS OTHERWISE NOTED.
 6. ALL CURB RADI SHALL BE 5.0' UNLESS OTHERWISE NOTED.
 7. SEE SITE ELECTRICAL PLAN FOR SITE LIGHTING.
 8. REFER TO ARCHITECTURAL SITE PLAN FOR BUILDING SETBACKS.

SITE DATA

CURRENT ZONING: B-3 REGIONAL COMMERCIAL
PROPOSED ZONING: B-3 REGIONAL COMMERCIAL

PROPERTY AREA: 0.71 AC
DISTURBED AREA: 0.36 AC
EXISTING IMPERVIOUS AREA: 0.16 AC (20%)
PROPOSED IMPERVIOUS AREA: 0.36 AC (72%)
PROPOSED WET POND AREA: 0.0 AC (0%)
TOTAL IMPERVIOUS AREA: 0.58 AC (72%)

TOTAL PARKING: 31 STALLS PROVIDED (LOT)
2 HC STALLS (LOT)
111 STALLS PROVIDED (TOTAL DEV.)
7 HC STALLS (TOTAL DEV.)



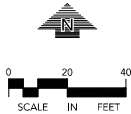
- PAVEMENT LEGEND**
- DENOTES LIGHT DUTY BITUMINOUS PAVEMENT
 - DENOTES HEAVY DUTY BITUMINOUS PAVEMENT
 - DENOTES CONCRETE PAVEMENT

PROJECT BENCHMARK

SITE BENCHMARK: TOP NUT OF HYDRANT LOCATED AT THE NORTHEAST CORNER OF LOUISIANA AVE. AND 150TH ST. AS SHOWN HEREON. ELEVATION = 887.86 (NGVD 29)



- GENERAL NOTES**
1. MINNESOTA STATE STATUTE REQUIRES NOTIFICATION PER "GOPHER STATE ONE CALL" PRIOR TO COMMENCING ANY GRADING, EXCAVATION OR UNDERGROUND WORK.
 2. THE CONTRACTOR SHALL FIELD VERIFY LOCATIONS AND ELEVATIONS OF EXISTING UTILITIES AND TOPOGRAPHIC FEATURES PRIOR TO COMMENCEMENT OF CONSTRUCTION ACTIVITY. THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCIES OR VARIATIONS FROM THE PLANS.
 3. THE CONTRACTOR SHALL TAKE ALL PRECAUTIONS NECESSARY TO AVOID PROPERTY DAMAGE TO ADJACENT PROPERTIES DURING THE CONSTRUCTION PHASE OF THIS PROJECT. THE CONTRACTOR WILL BE HELD RESPONSIBLE FOR ANY DAMAGES TO ADJACENT PROPERTIES OCCURRING DURING THE CONSTRUCTION PHASE OF THIS PROJECT.
 4. THE CONTRACTOR WILL BE RESPONSIBLE FOR PROVIDING AND MAINTAINING TRAFFIC CONTROL DEVICES SUCH AS BARRICADES, WARNING SIGNS, DIRECTIONAL SIGNS, FLAGMEN AND LIGHTS TO CONTROL THE MOVEMENT OF TRAFFIC WHERE NECESSARY. PLACEMENT OF THESE DEVICES SHALL BE APPROVED BY THE ENGINEER PRIOR TO PLACEMENT. TRAFFIC CONTROL DEVICES SHALL CONFORM TO THE APPROPRIATE MINNESOTA DEPARTMENT OF TRANSPORTATION STANDARDS.
 5. IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, THE CONTRACTOR WILL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS ON THE JOB SITE, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING THE PERFORMANCE OF THE WORK. THIS REQUIREMENT WILL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS.
 6. THE DUTY OF THE ENGINEER OR THE DEVELOPER TO CONDUCT CONSTRUCTION REVIEW OF THE CONTRACTORS PERFORMANCE IS NOT INTENDED TO INCLUDE REVIEW OF THE ADEQUACY OF THE CONTRACTORS SAFETY MEASURES OR NEAR THE CONSTRUCTION SITE.
 7. BEFORE BEGINNING CONSTRUCTION THE CONTRACTOR SHALL INSTALL EROSION AND SEDIMENTATION CONTROL MEASURES IN ACCORDANCE WITH PERMITS, PERMIT REQUIREMENTS, BEST MANAGEMENT PRACTICES, STATE AND LOCAL REQUIREMENTS AND THE DETAILS SHOWN ON THE DETAIL SHEETS OF THE PROJECT PLANS.
 8. ALL CONSTRUCTION PERMITS, APPLICATIONS AND FEES ARE THE RESPONSIBILITY OF THE CONTRACTOR.
 9. ALL ENTRANCES AND CONNECTIONS TO CITY STREETS SHALL BE CONSTRUCTED PER THE REQUIREMENTS OF THE STATE AND LOCAL JURISDICTIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL PERMITS AND NOTIFICATIONS AS REQUIRED.
 10. ALL STREET REPAIRS AND PATCHING SHALL BE PERFORMED PER THE REQUIREMENTS OF THE CITY. ALL TRAFFIC CONTROL SHALL BE PROVIDED BY THE CONTRACTOR AND SHALL BE ESTABLISHED PER THE REQUIREMENTS OF THE MINNESOTA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) AND THE CITY. THIS SHALL INCLUDE ALL SIGNAGE, BARRICADES, FLASHERS AND FLAGGERS AS NEEDED. ALL PUBLIC STREETS SHALL BE OPEN TO TRAFFIC AT ALL TIMES.
 11. ADJUST ALL EXISTING STRUCTURES, BOTH PUBLIC AND PRIVATE TO THE PROPOSED GRADES WHERE DISTURBED AND COMPLY WITH ALL REQUIREMENTS OF THE UTILITY OWNERS, STRUCTURES BEING RESET TO PAVED AREAS MUST MEET OWNERS REQUIREMENTS FOR TRAFFIC LOADING.
 12. EXISTING TOPOGRAPHY PROVIDED BY LOUCKS ASSOCIATES, TOPOGRAPHIC SURVEY DATED 11/30/16.
 13. SUBGRADE PREPARATION SHALL BE PERFORMED IN ACCORDANCE WITH MNDOT 211.2. THE TOP 3 FEET SHALL BE COMPACTED TO 100% OF THE STANDARD PROCTOR DENSITY.
 14. AGGREGATE BASE SHALL BE MNDOT 221 CLASS 5. COMPACTION SHALL BE BY THE QUALITY COMPACTION METHOD.
 15. PLANT MIXED BITUMINOUS PAVEMENT SHALL BE CONSTRUCTED IN ACCORDANCE WITH MNDOT 236.0 WITH MIX DESIGN AS SHOWN ON THE DETAILS. COMPACTION SHALL BE BY THE ORDINARY COMPACTION METHOD.
 16. CONCRETE CURB & GUTTER SHALL BE PERFORMED IN ACCORDANCE WITH MNDOT 253.1. CURING SHALL BE BY THE MEMBRANE CURING METHOD. EXPANSION JOINTS EVERY 200 FEET AT ALL FIXED OBJECTS. CONTRACTIONS JOINTS EVERY 10 FEET.
 17. CONCRETE WALK SHALL BE PERFORMED IN ACCORDANCE WITH MNDOT 252.1. CURING SHALL BE BY THE MEMBRANE CURING METHOD. EXPANSION JOINTS AT ALL FIXED OBJECTS. CONTRACTIONS JOINTS EVERY 5 FEET.
 18. WORKING HOURS ARE 7 AM - 7 PM (MONDAY - FRIDAY) AND 9 AM - 7 PM (SATURDAY). A 48 HOUR NOTICE IS REQUIRED FOR SATURDAY WORK.
 19. THE CONTRACTOR MUST HAVE A CITY LICENSE.
 20. A CITY RIGHT-OF-WAY PERMIT IS REQUIRED TO WORKING WITHIN CITY ROW.



MY SALON SUITE

BLAINE, MINNESOTA

NORHLAND SALONS
BLAINE OWNER, LLC

4324 W. LAKE HARRET PKWY.
MINNEAPOLIS, MN 55410

LOUCKS

PLANNING
CIVIL ENGINEERING
LAND SURVEYING
LANDSCAPE ARCHITECTURE
ENVIRONMENTAL

7200 Hemlock Lane, Suite 300
Maple Grove, MN 55369
763.424.5505
www.loucksinc.com

CADD QUALIFICATION

CADD files generated by the Contractor for this project are the property of the Contractor and shall remain the property of the Contractor. The Contractor shall not use the CADD files for any other project without the written consent of the Contractor. The Contractor shall not use the CADD files for any other project without the written consent of the Contractor. The Contractor shall not use the CADD files for any other project without the written consent of the Contractor.

SUBMITTAL REVISIONS

Revisions

Revisions

Revisions

Revisions

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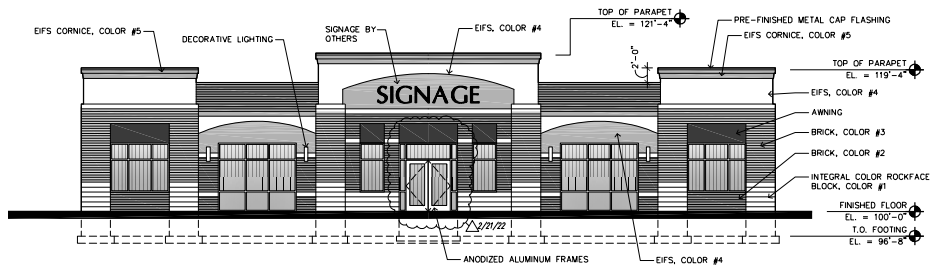
Revisions

Revisions

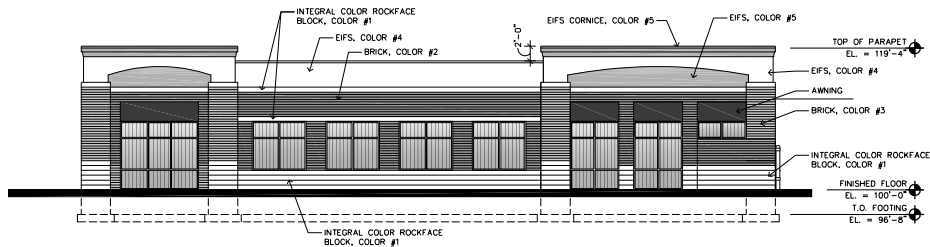
SITE PLAN
C2-1



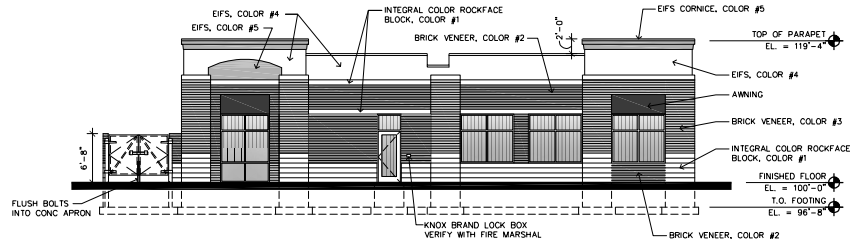
Page 168 of 234



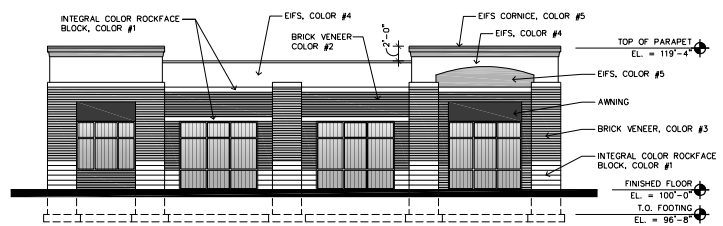
1 SOUTH ELEVATION
A3 SCALE: 1/8" = 1'-0"



3 NORTH ELEVATION
A3 SCALE: 1/8" = 1'-0"

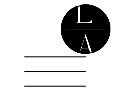


2 WEST ELEVATION
A3 SCALE: 1/8" = 1'-0"



4 EAST ELEVATION
A3 SCALE: 1/8" = 1'-0"

EXTERIOR MATERIALS			
	COLOR #1: ROCKFACE BLOCK ANCHOR "AUTUMN TAN"		COLOR #4: EIFS DRYVIT - 449 "BUCKSKIN"
	COLOR #2: BRICK VENEER ACME OCHS - MODULAR MONTCLAIR "VELOUR" ALTERNATE: MERIDIAN "CONCORDE"		COLOR #5: EIFS DRYVIT - 457 "WHOLE WHEAT"
	COLOR #3: BRICK VENEER SOUX CITY BRICK - MODULAR "TOASTED FINE ART" VELOUR		ANODIZED ALUMINUM FRAMES CLEAR ANODIZED



LAMPERT
ARCHITECTS
420 Summit Avenue
St. Paul, MN 55102
Phone: 763.768.1211 Fax: 763.757.2548
lampert@lampert-arch.com

ARCHITECT CERTIFICATION:
I HEREBY CERTIFY THAT THIS PLAN,
SPECIFICATION OR REPORT WAS
PREPARED BY ME OR UNDER MY DIRECT
SUPERVISION AND THAT I AM A DULY
LICENSED ARCHITECT UNDER THE
LAWS OF THE STATE OF MINNESOTA.

PRELIMINARY
NOT FOR
CONSTRUCTION

MY SALON SUITE
At Blaine Crossing II
Blaine, Minnesota

Copyright 2021 Lampert Architects Inc.
Project Designer: L. SCHMIDT
Drawn By:
Checked By: LL
Revisions
4/12/23 PRELIMINARY

BUILDING ELEVATIONS

Sheet Number

A3

Project No.



City of Blaine

Planning Commission

October 10, 2023 | 7:00 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

MINUTES

1. Call to Order

The Blaine planning commission met in the City Hall Chambers on Tuesday, October 10, 2023. Chair Goracke called the meeting to order at 7:00PM.

2. Roll Call

Members Present: Commission Members Deonauth, Olson, Swanson, and Chair Goracke.

Members Absent: Commission Members Gorzycki, Halpern, and Homan.

Staff Present: Elizabeth Showalter, Community Development Specialist
Shelia Sellman, City Planner
Teresa Barnes, Project Engineer

4. Public Hearing

4.3. 2023-445 Case File No. 23-0064 // Blaine Crossing II Addition // 1351 113th Avenue NE
The applicant is requesting the following:

1. A 10 foot variance from the 30 foot front yard parking lot setback on the south side.
2. Preliminary plat to subdivide one lot into three lots.
3. Conditional use permit for shared access with zero lot line parking in the B-3 (Regional Commercial) zoning district.

Sponsors: Elizabeth Showalter, Community Development Specialist

The report to the planning commission was presented by Elizabeth Showalter, Community Development Specialist. The public hearing for Case File 23-0064 was opened at 7:15PM.

Bob Cunningham, Kraus Anderson, thanked the commission for considering his request and noted he was available for comments or questions.

The public hearing was closed at 7:16PM.

Motion by Commissioner Olson to recommend approval of Planning Case 23-0064A a 10 foot variance from the 30 foot parking setback on the south side of the property with the following rationale:

Case 23-0064A:

1. The variance is due to the previous determination that the southern property line was a side yard and the development is materially similar to that which was approved by resolution 07-78.
2. The variance allows for a consistent setback along 113th Avenue.
3. The variance alleviates the unique circumstance of change in the configuration of front and side yards over the history of the property.

Motion by Commissioner Olson to recommend approval of Planning Case 23-0064B a preliminary plat to create three lots with the following conditions:

Case 23-0064B:

1. The applicant is responsible for recording plat mylars with Anoka County and providing proof of recording to the City prior to issuance of building permits on lots 1 and 2.

Motion by Commissioner Olson to recommend approval of Planning Case 23-0064C a conditional use permit for shared parking with a zero lot line split with the following conditions:

Case 23-0064C:

1. This resolution voids previously issued Conditional Use Permits on this property approved as Resolutions 07-78 and 07-96.

Motion seconded by Commissioner Deonauth. The motion passed 4-0.

Chair Goracke noted this would be on the agenda of the November 6, 2023 city council meeting.



City of Blaine Staff Report

File Number: RES 23-164

Agenda Date	Status
November 6, 2023	
In Control	File Type
City Council	Resolution

Development Business - Sheila Sellman, City Planner

Agenda Item # 10.6

Resolution Granting a Conditional Use Permit for Shared Access with Zero Lot Line Parking in the B-3 (Regional Commercial) Zoning District at 1351 113th Avenue NE. Blaine Crossing II Addition (Kraus Anderson Development Company) (Case File No. 23-0064/EES)

Executive Summary

The applicant is requesting a conditional use permit for shared access and parking with a zero lot line split. The request will facilitate the construction of two new buildings in a currently vacant portion of an existing parcel. Staff recommends approval.

Background

Planning Commission Public Hearing	10/10/23
City Council (Conditional Use Permit)	11/06/23
Action Deadline	11/12/23

Staff report prepared by Elizabeth Showalter, Community Development Specialist, and Teresa Barnes, Project Engineer

Zoning

The property is zoned B-3 (Regional Commercial) and is located in the Highway Overlay District.

Land Use Designation

The property is guided CC (Community Commercial). The proposed commercial development is consistent with that designation.

Surrounding Zoning and Uses

The adjacent uses are:

- North: Bowlero (Zoned B-3 - Regional Commercial)

- West: Detached townhomes across Ulysses Street (zoned DF - Development Flex)
- East: Highway 65
- South: A garage door company and an auto repair business across 113th Ave (zoned B-3 - Regional Commercial)

Existing Conditions

The 3.3 acre property has an existing 13,600 square foot multitenant commercial building on the east side of the site. The west side of the site is vacant land.

History

The property was platted as Brunswick Bowl Addition in 2006 and a conditional use permit was approved in 2007 for two buildings on a lot. This lot was intended at that time to have two approximately 13,000 square foot buildings on the one lot. When the first building was built, it was initially occupied by Regency Beauty School. It is now occupied by several retail and medical uses. The second building was never built.

As part of that review, the east and west property lines were designated as the front property lines with the north and south property lines being designated as side property lines. The zoning code specifies that a property has a maximum of two front yards and that any additional yards abutting public streets shall be designated as rear or side yard by the Zoning Administrator.

Evaluation of Request

Plat

The current property owner is seeking to subdivide the existing lot into three lots. One for the existing building and two lots to the west for new buildings. There are no minimum lot sizes in the B-3 district and the applicant has provided concept plans for each lot demonstrating how a conforming building could be located on the property.

Architecture

The architecture of the proposed new buildings is not relevant to any of the requested approvals, but the standard B-3 architectural standards will apply, which include a four-sided building design and the use of at least three premium materials.

Setbacks

Currently, the one existing lot has two front yards (east and west) and two side yards (north and south). With the subdivision, no lot will have more than two yards abutting a public right of way, therefore, all yards abutting public right of way are considered front yards. The applicable setbacks for each lot are:

Lot 1:

- Front yards (west and south): 50 foot building, 30 foot parking
- Side yards (north and east): 20 foot building, 10 foot parking

Lot 2:

- Front yard (south): 50 foot building, 30 foot parking

- Side yards (east and west): 20 foot building, 10 foot parking
- Rear yard (north): 20 foot building, 10 foot parking

Lot 3:

- Front yards (east and south): 50 foot building, 30 foot parking
- Side yards (north and west): 20 foot building, 10 foot parking

The required setbacks are being met on the existing building and proposed concept plans, except for the internal parking setback which is proposed as shared parking with zero lot line (the requested CUP), and the parking setback from 113th, which is the subject of the requested variance.

Landscaping

The typical landscaping requirements of 33.07, as modified for properties in the Highway Overlay District in 32.54, will apply when lots 1 and 2 are developed. A landscape plan was provided for Lot 2 that does not meet the code requirements.

For reference, the following landscape quantities will be required based on the concept plan submitted for Lot 2 :

- Overstory Trees: 11
- Conifer Trees: 6
- Ornamental Trees: 6
- Shrubs: 38
- Of the 23 required trees, 5 must be oversized

And the following landscape quantities will be required based on the concept plan for Lot 1:

- Overstory Trees: 12
- Conifer Trees: 6
- Ornamental Trees: 6
- Shrubs: 40
- Of the 24 required trees, 6 must be oversized

Tree Preservation

A tree removal plan was not submitted. If tree removal is necessary, it will be reviewed as part of the building permit and will be subject to the standard tree replacement requirements.

Park Dedication

Park dedication for commercial properties is paid on a per acre basis and was paid when this property was platted in 2006. No further park dedication is required.

Grading/Storm Drainage

The developer is proposing to grade the lot as shown on the Coon Creek Watershed District and city approved grading, drainage, erosion protection and sediment control plans prepared by the

developer's engineer. The plans include existing drainage patterns (contours) with flow arrows, soil boring locations, perimeter site protection, tree preservation, tree clearing limits, custom grading, proposed grading contours, proposed drainage patterns with flow arrows, storm water management, SWPPP information, temporary erosion protection Best Management Practices (BMPs), and temporary sediment control BMPs information for the site. The SWPPP may be included in the construction plan sheet(s) or prepared as a separate document and included in the development construction contract specifications.

Utilities

Standard water and Sanitary Sewer Access Charges (WAC & SAC) become due with each building permit at the rate established at the time the building permit is issued.

Water and sanitary services will be obtained from existing service stubs along Ulysess Street. Coordination of the use of the stub services will need to occur to allow for utility services on the remaining empty lot.

Wetlands/Watershed/FEMA

The developer will need to submit the project to Coon Creek Watershed District (CCWD). Review, approval and permits are required prior to city plan approval and start of site work.

Access/Street Design/Sidewalks/Trails

The development is proposing to gain/provide access from Ulysses Street and 113th Avenue via the existing driveway access points. No additional access will be granted.

Easements/Right-of-way/Permits

The developer will need to obtain all required permits to construct the proposed project. A copy of all permits will need to be submitted to the City prior to any site work.

Conditional Use Permit

The applicant is requesting a conditional use permit for shared access with zero lot line parking. Many commercial areas have shared parking with continuous parking between the buildings. This can be accomplished either as a single lot with multiple buildings (as was approved for this lot in 2007) or as multiple lots with shared access and zero lot line parking (as is now requested). The appearance of both is the same, it is simply a difference in land ownership.

A city exercises "quasi-judicial" authority when considering a CUP application. This means the city's role is limited to applying the standards in the ordinance to the facts presented by the application. The city acts like a judge in evaluating the facts against the standards.

Section 27.04 Criteria for granting conditional use permits:

The Blaine City Council shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use on the comprehensive plan and upon the health, safety, and general welfare of occupants of surrounding lands. Among other things, the Council shall consider the following findings where applicable. (Ord. No. 20-2447, 7-20-2020)

1. The use shall not create an excessive burden on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area.

- The shared/zero lot line parking will not have a greater impact on public facilities or utilities.
- 2. The use will be located, designed, maintained, and operated to be compatible with adjoining properties and the existing or intended character of the zoning district.
 - The shared/zero lot line parking is common in the B-3 district and facilitates efficient use of land and limited access points on roads.
- 3. The use shall have an appearance that will not have an adverse effect upon adjacent properties.
 - The shared/zero lot line parking will look very similar to the previously approved multiple buildings on a lot, which also involved shared parking.
- 4. The use, in the opinion of the City Council, shall be reasonably related to the overall needs of the City and to the existing land use.
- 5. The use shall be consistent with the purposes of the zoning code and purposes of the zoning district in which the applicant intends to locate the proposed use.
 - The shared parking facilitates more efficient development of the property, which is consistent with the purpose of the district to provide retail and services to a regional trade area.
- 6. The use shall not be in conflict with the comprehensive plan of the City.
 - The use is consistent with the Community Commercial land use designation.
- 7. The use will not cause traffic hazard or congestion.
 - The proposed use will not generate any additional traffic hazard or congestion.
- 8. The use shall have adequate utilities, access roads, drainage, and necessary facilities. The proposed use will have adequate utilities, access, drainage and necessary facilities upon completion of construction.
 - The proposed use will have adequate utilities, access, drainage and necessary facilities upon completion of construction.

Attachment List:

Zoning and Location Map

Narrative

Applicant's Variance Rationale

Preliminary Plat

Lot 1 Concept Plan

Lot 2 Site Plan

Lot 2 Landscape Plan

Lot 2 Elevations

Unapproved Planning Commission Minutes 10/10/23

Strategic Plan Relationship

Not applicable.

Board/Commission Review

The Planning Commission voted unanimously to approve the conditional use permit. There were no comments at the public hearing.

Financial Impact

Not applicant.

Public Outreach/Input

Notices of a public hearing were:

1. Mailed to property owners within 350 feet of the property boundaries.
2. Published in Blaine/Spring Lake Park/Columbia Heights/Fridley Life.
3. Posted on the City website.
4. Posted (sign) on the property with contact information for the Planning Department.

Staff Recommendation

By motion, adopt the Resolution.

Attachment List

1. Attachments
2. Unapproved PC Minutes 101023



City of Blaine

Signature Copy

Resolution: RES 23-164

Resolution Granting a Conditional Use Permit for Shared Access with Zero Lot Line Parking in the B-3 (Regional Commercial) Zoning District at 1351 113th Avenue NE. Blaine Crossing II Addition (Kraus Anderson Development Company) (Case File No. 23-0064/EES)

WHEREAS, an application has been filed by M & E REALTY CO as Conditional Use Permit Case File No. 23-0064 for Blaine Crossing II Addition; and

WHEREAS, said case involves the property described as follows:

Lot 2, Block 1, BRUNSWICK BOWL ADDITION, Anoka County, Minnesota

WHEREAS, the Blaine Planning Commission held a public hearing on October 10, 2023, and recommended approval regarding said Conditional Use Permit; and

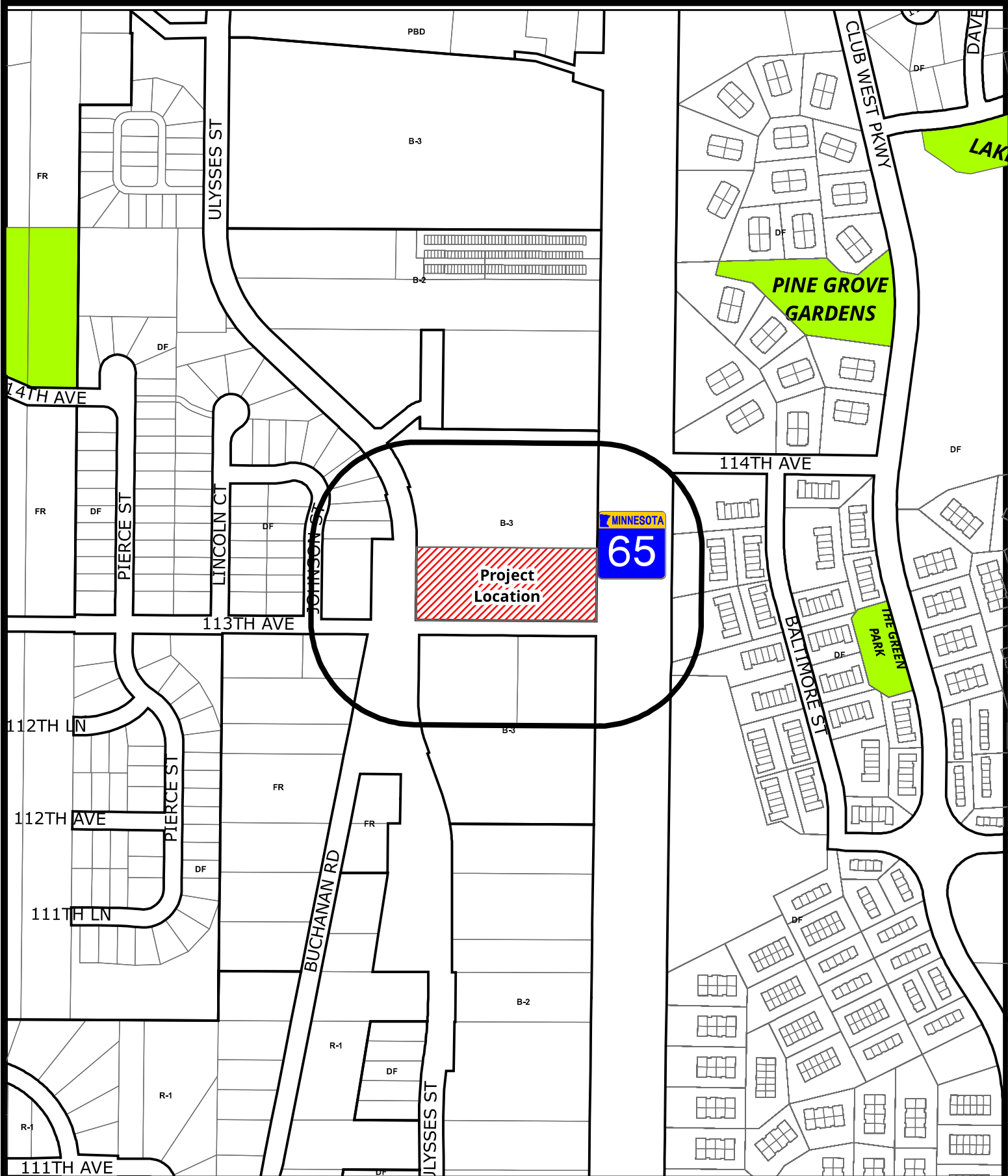
WHEREAS, the Blaine City Council has reviewed said case on November 6, 2023; and

WHEREAS, the criteria identified in Section 27.04 for granting a conditional use permit have been met.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that a conditional use permit is hereby approved per Sections 27.04 and 30.24(y) of the Zoning Ordinance to allow for shared parking with a zero lot line split with the following conditions:

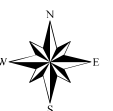
1. This resolution voids previously issued Conditional Use Permits on this property approved as Resolutions 07-78, 07-96 and 09-60.
2. Water and sanitary services will be obtained from existing service stubs along Ulysess Street. Coordination of the use of the stub services will need to occur to allow for utility services on the remaining empty lot.

PASSED by the City Council of the City of Blaine this 6th day of November, 2023.



Case File No. 23-0064 Blaine Crossing II Addition

Blaine Planning Department / 10801 Town Square Dr NE / Blaine, MN 55449 / (763) 785-6180



Preliminary and Final Plat Application
Lot 2 Block 1 Brunswick Bowl Addition
July 18, 2023

Owner and Owner's Representative (defined herein) are submitting this application for the Preliminary and Final Plat for the parcel described. This Plat will result in an Outlot, described herein as Lot 1 Block 1 Brunswick Bowl Addition. This is subject to the grant of a Variance which is included as a part of this application.

Upon the approval of the Preliminary and Final Plat, and the grant of the Variance, My Salon Suites will construct a freestanding building, in line with the existing building, on the site.

This concept, as indicated on the space plan, will allow individual stylists and other personal care professionals to operate their business within their own space.

It is important to note that a Reciprocal Easement Agreement ('REA') will be in place upon the sale of the property. A REA allows tenants, customers, and service providers to cross and park throughout the named properties, allows for the common maintenance of the named properties as though they are all commonly owned.

Applicant Variance Criteria

1. The property owner proposes to use the property in a reasonable manner not permitted by the zoning code.

This proposed variance will be to allow two free-standing buildings to be constructed and operated in conjunction with and alongside the existing multi-tenant shopping center. The zoning code would suggest that the two proposed free-standing buildings and the existing multi-tenant building be connected. It is reasonable, indeed customary, in Blaine (and elsewhere), to allow free standing buildings in close proximity to multi-tenanted buildings.

2. The plight of the landowner is due to circumstances unique to the property not created by the landowner.

The proposed free-standing buildings will be operated in a manner consistent with the multi-tenant shopping center. The uses will be retail and/or professional services - uses permitted in this zoning district. Further, all of the buildings will be linked together through a Reciprocal Easement Agreement, covering maintenance, shared access and parking.

3. The variance, if granted, will not alter the essential character of the locality.

The depth of the property (fronting Central and backing Ulysses) creates an essential characteristic suggesting the appropriateness of multiple buildings on the site. It should be noted that there are many other examples in the city where this is the case (109th to the south - VFW and Mattress Firm, 99th - Holiday and Blaine Retail Center and 117th - Auto Zone and Taco Bell). In no way will this Variance create any alteration of the essential character of the locality. In fact, breaking up the facade of the building with three buildings versus one long building will enhance the attractiveness and character of the site.

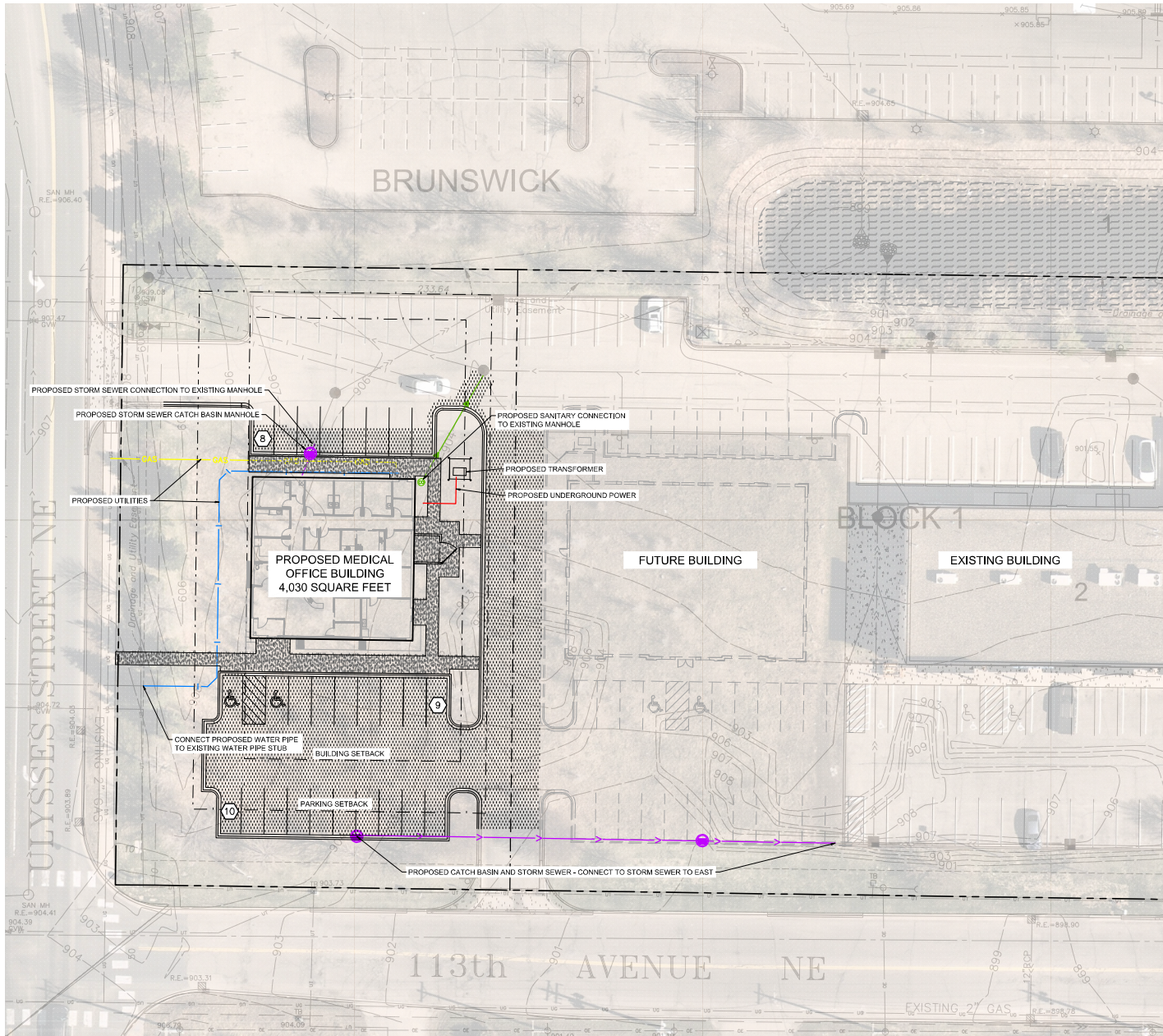
4. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.

This is not a request due to economic consideration, Rather, it is a request to allow construction of a more attractive environment.

5. The variance requested is the minimum variance which would alleviate the unique circumstances.

We believe that this Variance request shall attain the desired outcome for the owners, the tenants, the neighborhood and the city in general, and that this request is a minimal request and no more.





LEGEND

	PROPERTY LINE
	SETBACK LINE
	DRAINAGE AND UTILITY EASEMENT
	PROPOSED FENCE
	PROPOSED CURB AND GUTTER
	STANDARD DUTY ASPHALT PAVEMENT SEE DETAILS FOR SECTION
	CONCRETE SIDEWALKS SEE DETAILS FOR SECTION
	STORM WATER AREA SEE GRADING PLAN FOR DETAILS

SITE PLAN NOTES

- REFER TO THE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF STORIES, TRASH ENCLOSURES & PRECISE BUILDING DIMENSIONS. REFER TO THE SITE ELECTRICAL PLAN FOR LOCATIONS OF PROPOSED LIGHT POLES, CONDUITS, AND ELECTRICAL EQUIPMENT.
- REFER TO CERTIFIED SITE SURVEY OR PLAT FOR EXACT LOCATION OF EXISTING EASEMENTS, PROPERTY BOUNDARY DIMENSIONS, AND ADJACENT RIGHT-OF-WAY & PARCEL INFORMATION.
- DIMENSIONS AND RADIUS ARE DRAWN TO THE FACE OF CURB, UNLESS OTHERWISE NOTED. DIMENSIONS ARE ROUNDED TO THE NEAREST TENTH FOOT, AND AREAS ARE ROUNDED TO THE NEAREST SQUARE FOOT.
- UNLESS OTHERWISE NOTED, THE CONTRACTOR SHALL BE RESPONSIBLE FOR RELOCATING EXISTING SITE IMPROVEMENTS THAT CONFLICT WITH THE PROPOSED WORK, INCLUDING BUT NOT LIMITED TO TRAMPIC SIGNALS, LIGHT POLES, ABOVEGROUND UTILITIES, ETC. PERFORM WORK IN ACCORDANCE WITH GOVERNING AUTHORITIES REQUIREMENTS AND PROJECT SITE WORK SPECIFICATIONS. COST SHALL BE INCLUDED IN BASE BID.
- TYPICAL PARKING STALL DIMENSIONS SHALL BE 32-FOOT IN WIDTH AND 20-FOOT IN LENGTH UNLESS OTHERWISE INDICATED.

PROPERTY SUMMARY

TOTAL PROPERTY AREA	0.863 AC / 37,592 SF
DISTURBED AREA (APPROXIMATE)	0.65 AC / 28,500 SF
EXISTING IMPERVIOUS AREA	0.17 AC / 7,393 SF / 19.7%
EXISTING PERVIOUS AREA	0.69 AC / 30,199 SF / 80.3%
PROPOSED IMPERVIOUS AREA	0.52 AC / 22,716 SF / 60.4%
PROPOSED PERVIOUS AREA	0.34 AC / 14,876 SF / 39.6%
NET INCREASE IN IMPERVIOUS AREA	0.35 AC / 15,323 SF

SITE DATA

EXISTING ZONING	B-3 - REGIONAL COMMERCIAL
PROPOSED ZONING	B-3 - REGIONAL COMMERCIAL
PROPOSED LAND USE	COMMERCIAL
PARKING SETBACKS	FRONT = 30' SIDE/REAR = 10'
BUILDING SETBACKS	FRONT = 50' SIDE = 20' REAR = 20'

BUILDING DATA

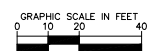
TOTAL BUILDING AREA	4,030 SF
PERCENT OF TOTAL PROPERTY AREA	10.72%

PARKING SUMMARY

REQUIRED PARKING	27 SPACES @ 1/150 SF
TOTAL PROPOSED PARKING	27 SPACES
REQUIRED ACCESSIBLE PARKING	2 STANDARD SPACES 1 VAN ACCESSIBLE
PROPOSED ACCESSIBLE PARKING	2 STANDARD SPACES 2 VAN ACCESSIBLE



Know what's below.
Call before you dig.



PRELIMINARY - NOT FOR CONSTRUCTION

SITE DIMENSION PLAN

PROJECT NAME
PREPARED FOR
CLIENT NAME

SHEET NUMBER
C400

Kimley-Horn
© 2023 KIMLEY-HORN AND ASSOCIATES, INC.
770 ELSTON STREET, SUITE 100, ST. PAUL, MN 55114
PHONE: 651-464-1897
WWW.KIMLEY-HORN.COM

KIMLEY-HORN PROJECT NO.	2023-00000000	DATE	XXXX/XXXX/XXXX	U.S. NO.	12345
PREPARED BY	XXXX/XXXX/XXXX	DESIGNED BY	XXXX/XXXX/XXXX	INVESTIGATOR	XXXX/XXXX/XXXX
DRAWN BY	XXXX/XXXX/XXXX	CHECKED BY	XXXX/XXXX/XXXX	DATE	XXXX/XXXX/XXXX

NO.	REVISIONS	DATE	BY

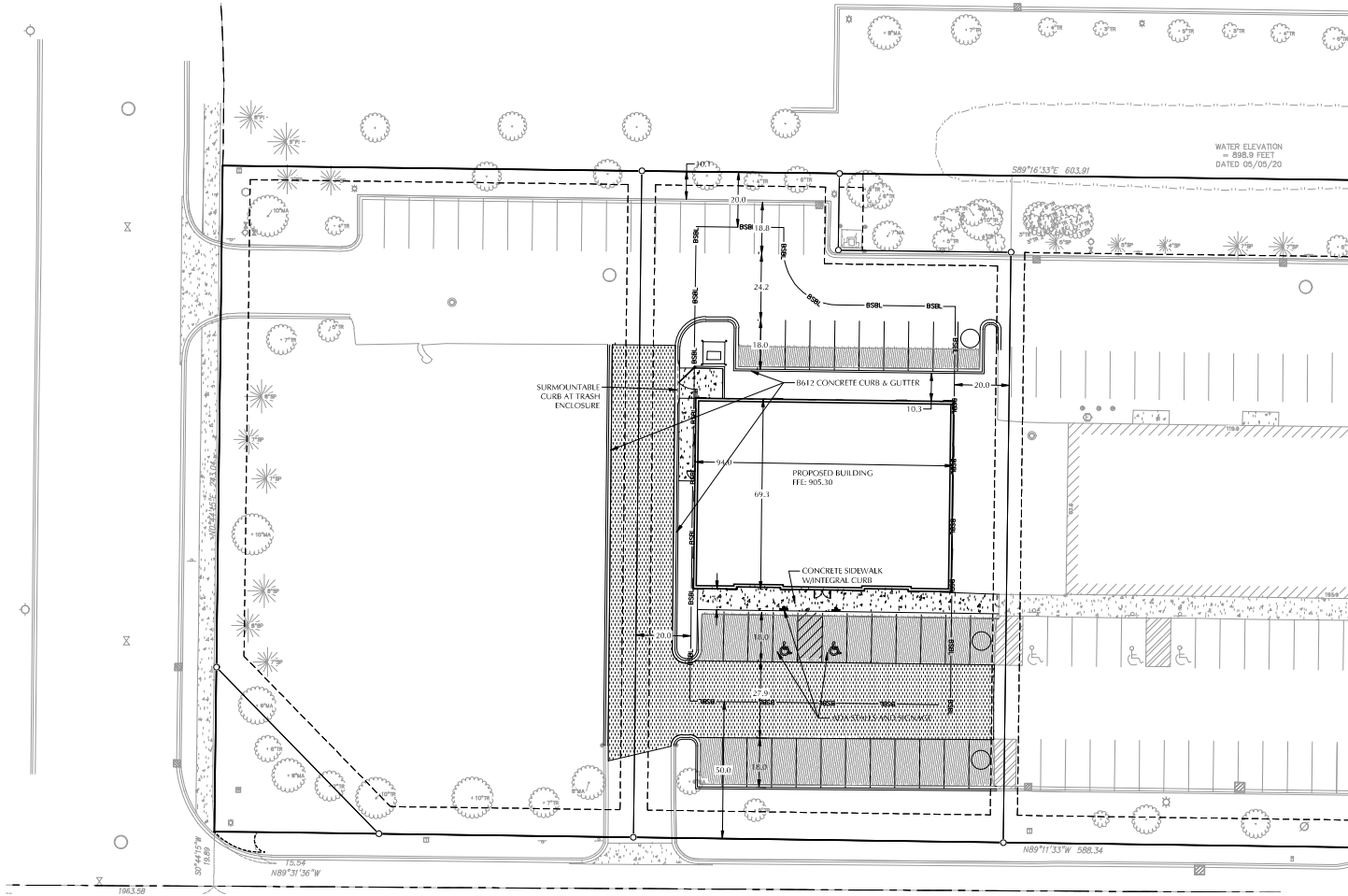
- SITE NOTES**
1. ALL PAVING, CONCRETE CURB, GUTTER AND SIDEWALK SHALL BE FURNISHED AND INSTALLED IN ACCORDANCE WITH THE DETAILS SHOWN PER THE DETAIL SHEETS AND STATE/LOCAL JURISDICTION REQUIREMENTS.
 2. ACCESSIBLE PARKING AND ACCESSIBLE ROUTES SHALL BE PROVIDED PER CURRENT ADA STANDARDS AND LOCAL/STATE REQUIREMENTS.
 3. ALL CURB DIMENSIONS SHOWN ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
 4. ALL BUILDING DIMENSIONS ARE TO THE OUTSIDE FACE OF WALL UNLESS OTHERWISE NOTED.
 5. TYPICAL FULL SIZED PARKING STALL IS 9' X 18' UNLESS OTHERWISE NOTED.
 6. ALL CURB RADI SHALL BE 5.0' UNLESS OTHERWISE NOTED.
 7. SEE SITE ELECTRICAL PLAN FOR SITE LIGHTING.
 8. REFER TO ARCHITECTURAL SITE PLAN FOR BUILDING SETBACKS.

SITE DATA

CURRENT ZONING: B-3 REGIONAL COMMERCIAL
PROPOSED ZONING: B-3 REGIONAL COMMERCIAL

PROPERTY AREA: 0.71 AC
DISTURBED AREA: 0.36 AC
EXISTING IMPERVIOUS AREA: 0.16 AC (29%)
PROPOSED IMPERVIOUS AREA: 0.36 AC (72%)
PROPOSED WET POND AREA: 0.0 AC (0%)
TOTAL IMPERVIOUS AREA: 0.58 AC (72%)

TOTAL PARKING: 31 STALLS PROVIDED (LOT)
2 HC STALLS (LOT)
111 STALLS PROVIDED (TOTAL DEV.)
7 HC STALLS (TOTAL DEV.)



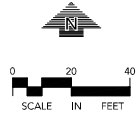
- PAVEMENT LEGEND**
- DENOTES LIGHT DUTY BITUMINOUS PAVEMENT
 - DENOTES HEAVY DUTY BITUMINOUS PAVEMENT
 - DENOTES CONCRETE PAVEMENT

PROJECT BENCHMARK

SITE BENCHMARK: TOP NUT OF HYDRANT LOCATED AT THE NORTHEAST CORNER OF LOUISIANA AVE. AND 150TH ST. AS SHOWN HEREON. ELEVATION = 887.86 (NGVD 29)



- GENERAL NOTES**
1. MINNESOTA STATE STATUTE REQUIRES NOTIFICATION PER "GOPHER STATE ONE CALL" PRIOR TO COMMENCING ANY GRADING, EXCAVATION OR UNDERGROUND WORK.
 2. THE CONTRACTOR SHALL FIELD VERIFY LOCATIONS AND ELEVATIONS OF EXISTING UTILITIES AND TOPOGRAPHIC FEATURES PRIOR TO COMMENCEMENT OF CONSTRUCTION ACTIVITY. THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCIES OR VARIATIONS FROM THE PLANS.
 3. THE CONTRACTOR SHALL TAKE ALL PRECAUTIONS NECESSARY TO AVOID PROPERTY DAMAGE TO ADJACENT PROPERTIES DURING THE CONSTRUCTION PHASE OF THIS PROJECT. THE CONTRACTOR WILL BE HELD RESPONSIBLE FOR ANY DAMAGES TO ADJACENT PROPERTIES OCCURRING DURING THE CONSTRUCTION PHASE OF THIS PROJECT.
 4. THE CONTRACTOR WILL BE RESPONSIBLE FOR PROVIDING AND MAINTAINING TRAFFIC CONTROL DEVICES SUCH AS BARRICADES, WARNING SIGNS, DIRECTIONAL SIGNS, FLAGMEN AND LIGHTS TO CONTROL THE MOVEMENT OF TRAFFIC WHERE NECESSARY. PLACEMENT OF THESE DEVICES SHALL BE APPROVED BY THE ENGINEER PRIOR TO PLACEMENT. TRAFFIC CONTROL DEVICES SHALL CONFORM TO THE APPROPRIATE MINNESOTA DEPARTMENT OF TRANSPORTATION STANDARDS.
 5. IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, THE CONTRACTOR WILL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS ON THE JOB SITE, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING THE PERFORMANCE OF THE WORK. THIS REQUIREMENT WILL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS.
 6. THE DUTY OF THE ENGINEER OR THE DEVELOPER TO CONDUCT CONSTRUCTION REVIEW OF THE CONTRACTORS PERFORMANCE IS NOT INTENDED TO INCLUDE REVIEW OF THE ADEQUACY OF THE CONTRACTORS SAFETY MEASURES IN OR NEAR THE CONSTRUCTION SITE.
 7. BEFORE BEGINNING CONSTRUCTION THE CONTRACTOR SHALL INSTALL EROSION AND SEDIMENTATION CONTROL MEASURES IN ACCORDANCE WITH PERMIT REQUIREMENTS, BEST MANAGEMENT PRACTICES, STATE AND LOCAL REQUIREMENTS AND THE DETAILS SHOWN ON THE DETAIL SHEETS OF THE PROJECT PLANS.
 8. ALL CONSTRUCTION PERMITS, APPLICATIONS AND FEES ARE THE RESPONSIBILITY OF THE CONTRACTOR.
 9. ALL ENTRANCES AND CONNECTIONS TO CITY STREETS SHALL BE CONSTRUCTED PER THE REQUIREMENTS OF THE STATE AND LOCAL JURISDICTIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL PERMITS AND NOTIFICATIONS AS REQUIRED.
 10. ALL STREET REPAIRS AND PATCHING SHALL BE PERFORMED PER THE REQUIREMENTS OF THE CITY. ALL TRAFFIC CONTROL SHALL BE PROVIDED BY THE CONTRACTOR AND SHALL BE ESTABLISHED PER THE REQUIREMENTS OF THE MINNESOTA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) AND THE CITY. THIS SHALL INCLUDE ALL SIGNAGE, BARRICADES, FLASHERS AND FLAGGERS AS NEEDED. ALL PUBLIC STREETS SHALL BE OPEN TO TRAFFIC AT ALL TIMES.
 11. ADJUST ALL EXISTING STRUCTURES, BOTH PUBLIC AND PRIVATE TO THE PROPOSED GRADES WHERE DISTURBED AND COMPLY WITH ALL REQUIREMENTS OF THE UTILITY OWNERS, STRUCTURES BEING RESET TO PAVED AREAS MUST MEET OWNERS REQUIREMENTS FOR TRAFFIC LOADING.
 12. EXISTING TOPOGRAPHY PROVIDED BY LOUCKS ASSOCIATES, TOPOGRAPHIC SURVEY DATED 11/30/16.
 13. SUBGRADE PREPARATION SHALL BE PERFORMED IN ACCORDANCE WITH MNDOT 211.2. THE TOP 3 FEET SHALL BE COMPACTED TO 100% OF THE STANDARD PROCTOR DENSITY.
 14. AGGREGATE BASE SHALL BE MNDOT 2211 CLASS 5. COMPACTION SHALL BE BY THE QUALITY COMPACTION METHOD.
 15. PLANT MIXED BITUMINOUS PAVEMENT SHALL BE CONSTRUCTED IN ACCORDANCE WITH MNDOT 2360 WITH MIX DESIGN AS SHOWN ON THE DETAILS. COMPACTION SHALL BE BY THE ORDINARY COMPACTION METHOD.
 16. CONCRETE CURB & GUTTER SHALL BE PERFORMED IN ACCORDANCE WITH MNDOT 2531. CURING SHALL BE BY THE MEMBRANE CURING METHOD. EXPANSION JOINTS EVERY 200 FEET AT ALL FIXED OBJECTS. CONTRACTIONS JOINTS EVERY 10 FEET.
 17. CONCRETE WALK SHALL BE PERFORMED IN ACCORDANCE WITH MNDOT 2521. CURING SHALL BE BY THE MEMBRANE CURING METHOD. EXPANSION JOINTS AT ALL FIXED OBJECTS. CONTRACTIONS JOINTS EVERY 5 FEET.
 18. WORKING HOURS ARE 7 AM - 7 PM (MONDAY - FRIDAY) AND 9 AM - 7 PM (SATURDAY). A 48 HOUR NOTICE IS REQUIRED FOR SATURDAY WORK.
 19. THE CONTRACTOR MUST HAVE A CITY LICENSE.
 20. A CITY RIGHT-OF-WAY PERMIT IS REQUIRED TO WORKING WITHIN CITY ROW.



MY SALON SUITE

BLAINE, MINNESOTA

NORHLAND SALONS
BLAINE OWNER, LLC

4324 W. LAKE HARRET PKWY.
MINNEAPOLIS, MN 55410

LOUCKS

PLANNING
CIVIL ENGINEERING
LAND SURVEYING
LANDSCAPE ARCHITECTURE
ENVIRONMENTAL

7200 Hemlock Lane, Suite 300
Maple Grove, MN 55369
763.424.5505
www.loucksinc.com

CADD QUALIFICATION

CADD files generated by the Contractor for this project are the property of the Contractor and shall remain confidential. The Contractor shall not use, copy, reproduce, or otherwise disclose the CADD files to any third party without the written consent of the Contractor. The Contractor shall not use, copy, reproduce, or otherwise disclose the CADD files to any third party without the written consent of the Contractor. The Contractor shall not use, copy, reproduce, or otherwise disclose the CADD files to any third party without the written consent of the Contractor.

SUBMITTAL REVISIONS

Revisions to the CADD files shall be submitted to the Engineer for review and approval. The Contractor shall not make any changes to the CADD files without the written consent of the Engineer.

PROFESSIONAL SIGNATURE

I hereby certify that this plan, specification or report was prepared by me under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

License No. 26440
Date

QUALITY CONTROL

Project No. 202208
Project Lead MJS
Drawn By TRG
Checked By MJS
Review Date

SHEET INDEX

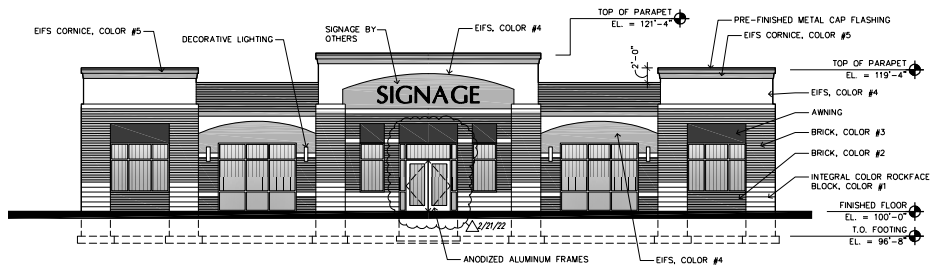
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SITE PLAN

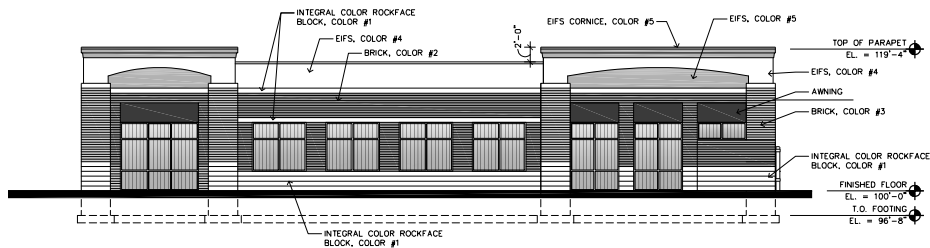
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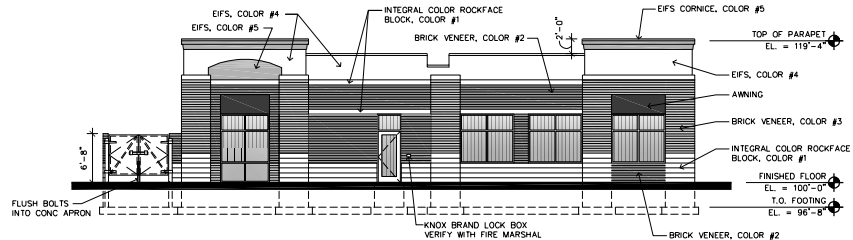
Page 185 of 234



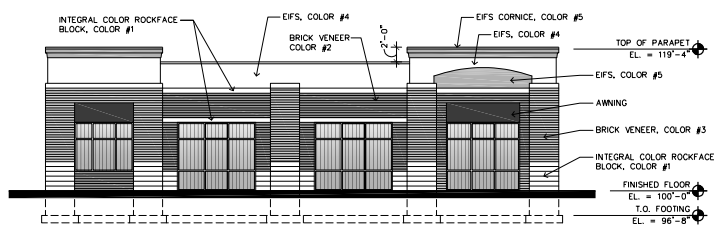
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A3 SCALE: 1/8" = 1'-0"



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A3 SCALE: 1/8" = 1'-0"

EXTERIOR MATERIALS			
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	COLOR #2: BRICK VENEER		COLOR #5: EIFS
	COLOR #3: BRICK VENEER		ANODIZED ALUMINUM FRAMES
			CLEAR ANODIZED

LAMPERT ARCHITECTS
420 Summit Avenue
St. Paul, MN 55102
Phone: 763.768.1211 Fax: 763.757.2548
lampo@lampo-arch.com

ARCHITECT CERTIFICATION:
I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

PRELIMINARY NOT FOR CONSTRUCTION

MY SALON SUITE
At Blaine Crossing II
Blaine, Minnesota

Copyright 2021
Lampert Architects Inc.
Project Designer: L. SCHMIDT
Drawn By:
Checked By: LL
Revisions
4/12/23 PRELIMINARY

BUILDING ELEVATIONS

Sheet Number

A3

Project No.



City of Blaine

Planning Commission

October 10, 2023 | 7:00 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

MINUTES

1. Call to Order

The Blaine planning commission met in the City Hall Chambers on Tuesday, October 10, 2023. Chair Goracke called the meeting to order at 7:00PM.

2. Roll Call

Members Present: Commission Members Deonauth, Olson, Swanson, and Chair Goracke.

Members Absent: Commission Members Gorzycki, Halpern, and Homan.

Staff Present: Elizabeth Showalter, Community Development Specialist
Shelia Sellman, City Planner
Teresa Barnes, Project Engineer

4. Public Hearing

4.3. 2023-445 Case File No. 23-0064 // Blaine Crossing II Addition // 1351 113th Avenue NE
The applicant is requesting the following:

1. A 10 foot variance from the 30 foot front yard parking lot setback on the south side.
2. Preliminary plat to subdivide one lot into three lots.
3. Conditional use permit for shared access with zero lot line parking in the B-3 (Regional Commercial) zoning district.

Sponsors: Elizabeth Showalter, Community Development Specialist

The report to the planning commission was presented by Elizabeth Showalter, Community Development Specialist. The public hearing for Case File 23-0064 was opened at 7:15PM.

Bob Cunningham, Kraus Anderson, thanked the commission for considering his request and noted he was available for comments or questions.

The public hearing was closed at 7:16PM.

Motion by Commissioner Olson to recommend approval of Planning Case 23-0064A a 10 foot variance from the 30 foot parking setback on the south side of the property with the following rationale:

Case 23-0064A:

1. The variance is due to the previous determination that the southern property line was a side yard and the development is materially similar to that which was approved by resolution 07-78.
2. The variance allows for a consistent setback along 113th Avenue.
3. The variance alleviates the unique circumstance of change in the configuration of front and side yards over the history of the property.

Motion by Commissioner Olson to recommend approval of Planning Case 23-0064B a preliminary plat to create three lots with the following conditions:

Case 23-0064B:

1. The applicant is responsible for recording plat mylars with Anoka County and providing proof of recording to the City prior to issuance of building permits on lots 1 and 2.

Motion by Commissioner Olson to recommend approval of Planning Case 23-0064C a conditional use permit for shared parking with a zero lot line split with the following conditions:

Case 23-0064C:

1. This resolution voids previously issued Conditional Use Permits on this property approved as Resolutions 07-78 and 07-96.

Motion seconded by Commissioner Deonauth. The motion passed 4-0.

Chair Goracke noted this would be on the agenda of the November 6, 2023 city council meeting.



City of Blaine Staff Report

File Number: RES 23-165

Agenda Date	Status
November 6, 2023	
In Control	File Type
City Council	Resolution

Development Business - Sheila Sellman, City Planner

Agenda Item # 10.7

Resolution Granting a Text Amendment to the Comprehensive Plan to Create an MDR/CC (Medium Density Residential/Community Commercial) Land Use Category. City of Blaine (Case File No. 23-0068/SAS)

Executive Summary

As part of the Northtown District Vision Plan, comprehensive land use plan amendments are necessary. The MDR/CC Medium Density Residential/Community Commercial land use category is being proposed as part of the amendments. This land use category combines two existing categories into one.

Background

Planning Commission (Public Hearing)	10/10/23
City Council (Comp Plan Amendment)	11/06/23

Staff report prepared by Sheila Sellman

Northtown District Vision Plan

In July 2022, the City Council adopted the Northtown District Vision Plan (the Plan). The Plan serves to guide decision-making, investments, and priorities for transforming the district into a feasible, vibrant mixed-use neighborhood. This Plan was created to identify redevelopment opportunities with the overall goal of meeting the market and community objectives. The Plan presents a long-range framework for redevelopment in the district, which includes the Northtown Mall and surrounding retail areas. The Plan identifies short-term to long-term steps. The short-term actions (1-5 years) identified include changing the zoning to some type of mixed-use district. Staff and the Council will be discussing zoning at future workshops.

As part of rezoning, the comprehensive land use plan will need to change. Changes to the comp plan have been discussed at several council workshops. The changes proposed are based on those

discussions and direction. Also identified as a short-term action is to prepare an Alternative Urban Areawide Review (AUAR). This process is a hybrid of the environmental assessment worksheet (EAW) and Environmental Impact Statement (EIS) review process. Responsible Government Units (RGU's) (the City) can use the AUAR as a planning tool to understand how different development scenarios will affect the environment of their community before the development occurs. The process is designed to look at cumulative impacts anticipated by development scenarios within a geographical area. The AUAR incorporates scenarios based on the comprehensive plan and will include the proposed land uses, if approved.

Comprehensive Plan Amendment

Section 27.03 Criteria for granting zoning/comprehensive plan amendments:

The City Council may adopt amendments to the zoning ordinance, zoning map, and comprehensive plan relative to land uses within a particular district or to the location of the district lines.

When a change to a city's Comprehensive Plan is requested, it is the city's responsibility to determine if the change is in the best long-range interests of the city. The standard of review of a city's action in approving or denying a Comprehensive Plan amendment is whether there exists a rational basis. A rational basis standard has been described to mean having legally sufficient reasons supportable by the facts which promote the general health, safety and welfare of the city.

Current Zoning

B-2 (Community Commercial), B-3 (Regional Commercial) and RF (Residential Flex).

Current Comp Plan Designation

HDR/PC (High Density Residential/Planned Commercial), MDR (Medium Density Residential) and CC (Community Commercial).

The Proposed Land Use Designation Intent

The following changes are proposed:

1. Eight parcels changing from HDR/PC (High Density Residential/Planned Commercial) to MDR/CC (Medium Density Residential/Community Commercial)
2. Eight parcels changing from CC (Community Commercial) to HDR2/PC (High Density Residential 2/Planned Commercial)
3. One parcel changing from CC (Community Commercial) to MDR/CC (Medium Density Residential/Community Commercial)

The intent of the MDR land use designation is to allow for attached single family homes such as triplexes, quads, and townhomes, on a low to medium scale. The intent of HDR2/PC is to provide flexibility in development and to allow for the possibility of a mixture of uses within the same area. Development should be designed in a manner which is oriented towards pedestrians. The scale is large and the expected residential mix is 25 percent.

The MDR/CC district is a new district and requires a text amendment, which is part of this request. The MDR/CC is intended to provide flexibility in development to allow for the possibility of a mixture of uses within the same area. The scale is medium to large. Community Commercial is intended for retailing

and services that serve larger areas, from neighborhood to regional scale. The expected residential mix is 50 percent.

The proposed land use amendments meets goal #3 of Chapter 4 Economic Development of the Comprehensive Plan: "The City will continue to support the viability and economic health of the Northtown commercial area, as it represents a significant economic and employment center. The City will collaborate with Northtown to develop a strategy for private reinvestment, as well as explore and be receptive to new ways for the Northtown area to remain successful, including use of innovative infrastructure management requirements."

The proposed land use amendment also meets goal #7 in Chapter 5 Land Uses: "The City will continue programs and strategies to improve and revitalize aging commercial, industrial and residential structures." Chapter 11: Implementation, identifies Action or Strategy plan for implementation of the comprehensive plan. Under Economic Development 4.5, it states, "The City should support the viability and economic health of the Northtown area commercial center through a strategy for private reinvestment."

At this time, staff is proposing to leave the Northtown Mall and associated parcels as CC (Community Commercial). The mall is under new ownership and staff have been working with the owner on some redevelopment opportunities. Since these discussions are in the beginning stages and will include some workshops with the Council, it is premature to change the land uses at this time.

Attachment List:

MDR/CC

Unapproved Planning Commission Minutes 10/10/23

Strategic Plan Relationship

Northtown redevelopment is identified in Growth Management in the Strategic Plan.

Board/Commission Review

The Planning Commission voted unanimously to approve the text amendment to the Comprehensive Plan. There were no comments at the public hearing.

Financial Impact

Not applicable.

Public Outreach/Input

Notices of a public hearing were:

1. Published in Blaine/Spring Lake Park/Columbia Heights/Fridley Life.
2. Posted on the City website.

Staff Recommendation

By motion, adopt the Resolution.

Attachment List

1. MDR/CC
2. Unapproved PC Minutes 101223



City of Blaine

Signature Copy

Resolution: RES 23-165

Resolution Granting a Text Amendment to the Comprehensive Plan to Create an MDR/CC (Medium Density Residential/Community Commercial) Land Use Category. City of Blaine (Case File No. 23-0068/SAS)

WHEREAS, Minnesota Statutes, Chapter 462.355, Subdivision 2, prescribes the procedure for amending the Comprehensive Plan; and

WHEREAS, the Planning Commission held a public hearing on October 10, 2023, and recommended approval of a text amendment to the Comprehensive Plan creating the MDR/CC Medium Density Residential/Community Commercial land use district in the Comprehensive.

WHEREAS, the City Council has reviewed the Comprehensive Plan amendment request and finds the change to be inline with goals of the adopted Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that the Comprehensive Plan be amended to add MDR/CC Medium Density Residential/Community Commercial as a land use category.

PASSED by the City Council of the City of Blaine this 6th day of November, 2023.

Code	District Name	Summary	Description
MDR/CC	Medium Density Residential – Community Commercial	<u>Density:</u> 6-12 units/acre <u>Uses:</u> attached single family homes such as quads and townhomes. Big box retail and commercial centers, restaurants, limited office and service Expected residential mix: 50% <u>Scale:</u> medium to large <u>Intensity:</u> medium to heavy	Combined category designation. This land use category is intended to provide flexibility in development to allow for the possibility of a mixture of uses within the same area. See individual category definitions for more information.



City of Blaine

Planning Commission

October 10, 2023 | 7:00 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

MINUTES

1. Call to Order

The Blaine planning commission met in the City Hall Chambers on Tuesday, October 10, 2023. Chair Goracke called the meeting to order at 7:00PM.

2. Roll Call

Members Present: Commission Members Deonauth, Olson, Swanson, and Chair Goracke.

Members Absent: Commission Members Gorzycki, Halpern, and Homan.

Staff Present: Elizabeth Showalter, Community Development Specialist
Shelia Sellman, City Planner
Teresa Barnes, Project Engineer

4. Public Hearing

4.4. 2023-398 Case File No. 23-0068 // City of Blaine
The City is requesting the following:

1. A text amendment to the Comprehensive Plan to create an MDR/CC (Medium Density Residential/Community Commercial) land use category.
2. Comprehensive plan amendment to land use designations on certain parcels from HDR/PC (High Density Residential/Planned Commercial) to MDR/CC (Medium Density Residential/Community Commercial), CC (Community Commercial) to HDR2/PC (High Density Residential/Planned Commercial), and CC (Community Commercial) to MDR/CC Medium Density/Community Commercial.

Sponsors: Sheila Sellman, City Planner

The report to the planning commission was presented by Sheila Sellman, City Planner. The

public hearing for Case File 23-0068 was opened at 7:20PM. As no one wished to appear, the public hearing was closed at 7:20PM.

Chair Goracke stated he supported the proposed change, noting he believed this would be a better fit for the neighborhood.

Motion by Commissioner Olson to recommend approval of Planning Case 23-0068A a comprehensive plan text amendment to create an MDR/CC (Medium Density Residential/Community Commercial) land use category.

Motion by Commissioner Olson to recommend approval of Planning Case 23-0068B a comprehensive land use plan amendment for certain parcels from HDR/PC (High Density Residential/Planned Commercial) to MDR/CC (Medium Density Residential/Community Commercial), CC (Community Commercial) to HDR2/PC (High Density Residential/Planned Commercial) and CC (Community Commercial) to MDR/CC (Medium Density/Community Commercial); based on the following rationale:

Case 23-0068B:

- 1. The proposed land use amendments meet goal #3 of Chapter 4 Economic Development of the Comprehensive Plan "The City will continue to support the viability and economic health of the Northtown commercial area, as it represents a significant economic and employment center. The City will collaborate with Northtown to develop a strategy for private reinvestment, as well as explore and be receptive to new ways for Northtown to remain successful, including use of innovative infrastructure management requirements."**
- 2. The proposed land use amendment meets the goal #7 in Chapter 5 Lane Uses of the comprehensive plan "The City will continue programs and strategies to improve and revitalize aging commercial, industrial and residential structures." Chapter 11: Implementation, identifies Action or Strategy plan for Implementation. Under Economic Development 4.5, it states "The City should support the viability and economic health of the Northtown area commercial center through a strategy for private reinvestment."**

Motion seconded by Commissioner Swanson. The motion passed 4-0.

Chair Goracke noted this would be on the agenda of the November 6, 2023 city council meeting.



City of Blaine Staff Report

File Number: RES 23-166

Agenda Date	Status
November 6, 2023	
In Control	File Type
City Council	Resolution

Development Business - Sheila Sellman, City Planner

Agenda Item # 10.8

Resolution Granting a Comprehensive Plan Amendment to Land Use Designations on Certain Parcels from HDR/PC (High Density Residential/Planned Commercial) to MDR/CC (Medium Density Residential/Community Commercial), CC (Community Commercial) to HDR2/PC (High Density Residential/Planned Commercial), and CC (Community Commercial) to MDR/CC Medium Density/Community Commercial. City of Blaine (Case File No. 23-0068/SAS)

Executive Summary

As part of the Northtown District Vision Plan, changes to zoning and the comprehensive plan are identified in short-term action steps. The proposed amendments have been discussed at several workshops and are based on these discussions.

Background

Planning Commission (Public Hearing)	10/10/23
City Council (Comp Plan Amendment)	11/06/23

Staff report prepared by Sheila Sellman

Northtown District Vision Plan

In July 2022, the City Council adopted the Northtown District Vision Plan (the Plan). The Plan serves to guide decision-making, investments, and priorities for transforming the district into a feasible, vibrant mixed-use neighborhood. This Plan was created to identify redevelopment opportunities with the overall goal of meeting the market and community objectives. The Plan presents a long-range framework for redevelopment in the district, which includes the Northtown Mall and surrounding retail areas. The Plan identifies short-term to long-term steps. The short-term actions (1-5 years) identified include changing the zoning to some type of mixed-use district. Staff and the Council will be discussing zoning at future workshops.

As part of rezoning, the Comprehensive Land Use Plan will need to change. Changes to the comp plan have been discussed at several council workshops. The changes proposed are based on those discussions and direction. Also identified as a short-term action is to prepare an Alternative Urban Areawide Review (AUAR). This process is a hybrid of the Environmental Assessment Worksheet (EAW) and the Environmental Impact Statement (EIS) review process. Responsible Government Units (RGU's), the City, can use the AUAR as a planning tool to understand how different development scenarios will affect the environment of their community before the development occurs. The process is designed to look at cumulative impacts anticipated by development scenarios within a geographical area. The AUAR incorporates scenarios based on the comprehensive plan and will include the proposed land uses, if approved.

Comprehensive Plan Amendment

Section 27.03 Criteria for granting zoning/comprehensive plan amendments:

The City Council may adopt amendments to the zoning ordinance, zoning map, and comprehensive plan relative to land uses within a particular district or to the location of the district lines.

When a change to a city's Comprehensive Plan is requested, it is the city's responsibility to determine if the change is in the best long-range interests of the city. The standard of review of a city's action in approving or denying a Comprehensive Plan amendment is whether there exists a rational basis. A rational basis standard has been described to mean having legally sufficient reasons supportable by the facts which promote the general health, safety and welfare of the city.

Current Zoning

B-2 (Community Commercial), B-3 (Regional Commercial) and RF (Residential Flex).

Current Comp Plan Designation

HDR/PC (High Density Residential/Planned Commercial), MDR (Medium Density Residential) and CC (Community Commercial).

The Proposed Land Use Designation Intent

The following changes are proposed:

1. Eight parcels changing from HDR/PC (High Density Residential/Planned Commercial) to MDR/CC(Medium Density Residential/Community Commercial)
2. Eight parcels changing from CC (Community Commercial) to HDR2/PC (High Density Residential 2/Planned Commercial)
3. One parcel changing from CC (Community Commercial) to MDR/CC (Medium Density Residential/Community Commercial)

The intent of the MDR land use designation is to allow for attached single family homes such as triplexes, quads, townhomes at a low to medium scale. The intent of HDR2/PC is to provide flexibility in development and to allow for the possibility of a mixture of uses within the same area. Development should be designed in a manner which is oriented towards pedestrians. The scale is large and the expected residential mix is 25 percent.

The MDR/CC district is a new district and requires a text amendment, which is part of this request. The

MDR/CC is intended to provide flexibility in development to allow for the possibility of a mixture of uses within the same area. The scale is medium to large. Community Commercial is intended for retailing and services that serve larger areas, from neighborhood to regional scale. The expected residential mix is 50 percent.

The proposed land use amendments meets goal #3 of Chapter 4 Economic Development of the Comprehensive Plan, "The City will continue to support the viability and economic health of the Northtown commercial area, as it represents a significant economic and employment center. The City will collaborate with Northtown to develop a strategy for private reinvestment, as well as explore and be receptive to new ways for the Northtown area to remain successful, including use of innovative infrastructure management requirements."

The proposed land use amendment also meets goal #7 in Chapter 5 Land Uses, "The City will continue programs and strategies to improve and revitalize aging commercial, industrial and residential structures." Chapter 11: Implementation, identifies Action or Strategy plan for implementation of the comprehensive plan. Under Economic Development 4.5, it states "The City should support the viability and economic health of the Northtown area commercial center through a strategy for private reinvestment."

At this time, staff is proposing to leave the Northtown Mall and associated parcels as CC (Community Commercial). The mall is under new ownership and staff have been working with the owner on some redevelopment opportunities. Since these discussions are in the beginning stages and will include some workshops with the Council, it is premature to change the land uses at this time.

Attachment List:

Location Map

MDR/CC

Proposed Land Use Map Changes

Unapproved Planning Commission Minutes 10/10/23

Public Comment

Strategic Plan Relationship

Northtown redevelopment is identified in Growth Management in the Strategic Plan.

Board/Commission Review

The Planning Commission voted unanimously to approve the Comprehensive Plan Amendment. There were no comments at the public hearing; however, a letter in opposition was sent to the Planning Commissions and is attached.

Financial Impact

Not applicable.

Public Outreach/Input

Notices of a public hearing were:

1. Published in Blaine/Spring Lake Park/Columbia Heights/Fridley Life.
2. Posted on the City website.

Staff Recommendation

By motion, adopt the Resolution.

Attachment List

1. Location Map
2. MDR/CC
3. Proposed Land Use Changes
4. Unapproved PC Minutes 101223
5. Public Comment



City of Blaine

Signature Copy

Resolution: RES 23-166

Resolution Granting a Comprehensive Plan Amendment to Land Use Designations on Certain Parcels from HDR/PC (High Density Residential/Planned Commercial) to MDR/CC (Medium Density Residential/Community Commercial), CC (Community Commercial) to HDR2/PC (High Density Residential/Planned Commercial), and CC (Community Commercial) to MDR/CC Medium Density/Community Commercial. City of Blaine (Case File No. 23-0068/SAS)

WHEREAS, Minnesota Statutes, Chapter 462.355, Subdivision 2, prescribes the procedure for amending the Comprehensive Plan; and

WHEREAS, the Planning Commission held a public hearing on October 10, 2023, and recommended approval regarding the Comprehensive Plan amendment request for the following described properties:

From HDR/PC (High Density Residential/Planned Commercial) to MDR/CC (Medium Density Residential/Community Commercial)

- Lot 1 Block 3, Oak Terrace EX the FT of SD Lot 1 subject to easement of record PID 31-31-23-23-0042, and
- Lot 1 Block 3 Oak Terrace, EX W 120 FT thereof, subject to easement of record PID 31-31-23-23-0043, and
- LOT 2 BLOCK 3 OAK TERRACE , TOG/W THAT PRT OF SW1/4 OF NW1/4 OF SEC 31 TWP 31 RGE 23 DESC AS FOL: COM AT A PT ON W R/W LINE OF 3RD ST NE 165 FT S OF MOST NELY COR OF SD LOT 2, TH W PRLL/W N LINE OF SD LOT 2 TO W LINE THEREOF, TH SLY & SELY ALG NELY R/W LINE OF T H NO 10 TO INTER/W WLY EXT OF S LINE OF LOT 3 BLK 3 OF SD OAK TERRACE, TH E ALG SD EXT TO INTER/W A LINE RUN PRLL/W & 128 FT W OF W LINE OF SD LOT 3 (AS MEAS ALG WLY EXT OF N LINE OF SD LOT 3), TH NLY ALG SD PRLL LINE TO INTER/W WLY EXT OF N LINE OF SD LOT 3 BLK 3, TH E ALG SD WLY EXT TO W R/W LINE OF SD 3RD ST NE, TH N ALG SD W R/W LINE TO POB, EX RD, SUBJ TO EASE OF REC. PID 31-31-23-23-0059, and
- Lot 1 Block 1, Kmart Addition PID 31-31-23-23-0057, and
- Lot 2, Block 1, Kmart Addition PID 31-31-23-23-0058, and
- AUD SUB NO 143 Lot 2 AUD SUB NO 143 PID 31-31-23-23-0002, and
- THE N 156 FT OF LOT 3 AUD SUB NO 143, TOG/W THAT PRT OF W 50 FT OF SD LOT LYG S OF N 156 FT THEREOF, SUBJ TO EASE OF REC PID 31-31-23-23-0004, and
- LOT 3 AUD SUB NO 143 EX THE N 156 FT THEREOF ALSO EX THE W 50 FT OF SD LOT 3 LYG S OF THE N 156 FT THEREOF ALSO EX RD SUBJ TO EASE OF REC PID 31-31-23-23-0003.

From CC (Community Commercial) to HDR2/PC (High Density Residential/Planned Commercial)

- MUIRS NORTHTOWN 3RD ADDITION LOT 1 BLK 3 MUIRS NORTHTOWN 3RD ADD(SUBJ TO EASE AS SHOWN ON PLAT)(SUBJ TO EASE TO ANOKA ELEC COOP 12-27-74) PID 31-31-23-31-0009, and
- Lot 1 Block 1, Replat of Block 4, Muir's Northtown 3rd Addition PID 31-31-23-31-0013, and
- Lot 2 Block 1, Replat of Block 4 Muir's Northtown 3rd Addition PID 31-31-23-31-0014, and
- LOT 2 BLK 5 MUIRS NORTHTOWN 3RD ADD, SUBJ TO EASE OF REC PID 31-31-23-31-0011, and

- LOT 1 BLK 5 MUIRS NORTHTOWN 3RD ADD, EX THAT PRT LYG NELY OF FOL DESC LINE: COM AT SE COR OF SD LOT, TH N 0 DEG 28 MIN 40 SEC W ALG E LINE THEREOF 178.92 FT TO POB OF SD LINE, TH N 89 DEG 20 MIN 05 SE C W 3.75 FT, TH NWLY 154.08 FT ALG A NON TAN CUR CONC TO SW HAV A CEN ANG OF 38 DEG 43 MIN 13 SEC & A RAD OF 228 FT THE CHORD OF SD CUR BEARS N 18 DEG 41 MIN 41 SEC W TO N LINE OF SD LOT & SD LINE THE RE TERM TOG/W THAT PRT OF VAC 87TH LN NE DESC AS FOL: BEG AT NWLY COR OF LOT 1 BLK 5 MUIRS NORTHTOWN 3RD ADD, TH N 32 DEG 30 MIN 34 SEC E ALG NELY EXTN OF NWLY LINE OF SD LOT 30.94 FT, TH SELY 6.28 FT ALG A NON TAN CUR CONC TO NE CEN ANG OF 0 DEG 29 MIN 40 SEC & RAD OF 727.45 FT CHORD OF SD CUR BEARS S 67 DEG 11 MIN 57 SEC E TH SELY 116.96 FT ALG A REV CUR CONC TO SW CEN ANG OF 29 DEG 23 MIN 30 SE C & RAD OF 228 FT TO A PT ON N LINE OF SD LOT TH NWLY ALG N LINE OF SD LOT 124.22 FT ALG A NON TAN CUR CONC TO NE CEN ANG OF 20 DEG 55 MIN 53 SEC & RAD OF 340.02 FT CHORD OF SD CUR BEARS N 67 DEG 57 M IN 27 SEC W TO POB, SUBJ TO EASE OF REC. PID 31-31-23-31-0019, and
- AUD SUB NO 413 LOT 21 AUD SUB NO 143. PID 31-31-23-43-0007, and
- Lot 2, Block 1, North Court Commons. PID 31-31-23-43-0050, and
- Lot 2A Block 1, North Court Commons PID 31-31-23-43-0049.

From CC (Community Commercial) to MDR/CC (Medium Density Residential/Community Commercial)

- ALL OF BLOCKS 1, 2, & 6 MUIR'S NORTHTOWN 3RD ADD; TOG/W THAT PRT OF LOTS 8 & 9 AUD SUB NO 143 LYG SLY & ELY OF SD BLK 1 & LYG NLY OF SD BLK 6; ALSO TOG/W VAC TERRACE RD; EX RDS; SUBJ TO EASE OF REC PID 31-31-23-31-0016.

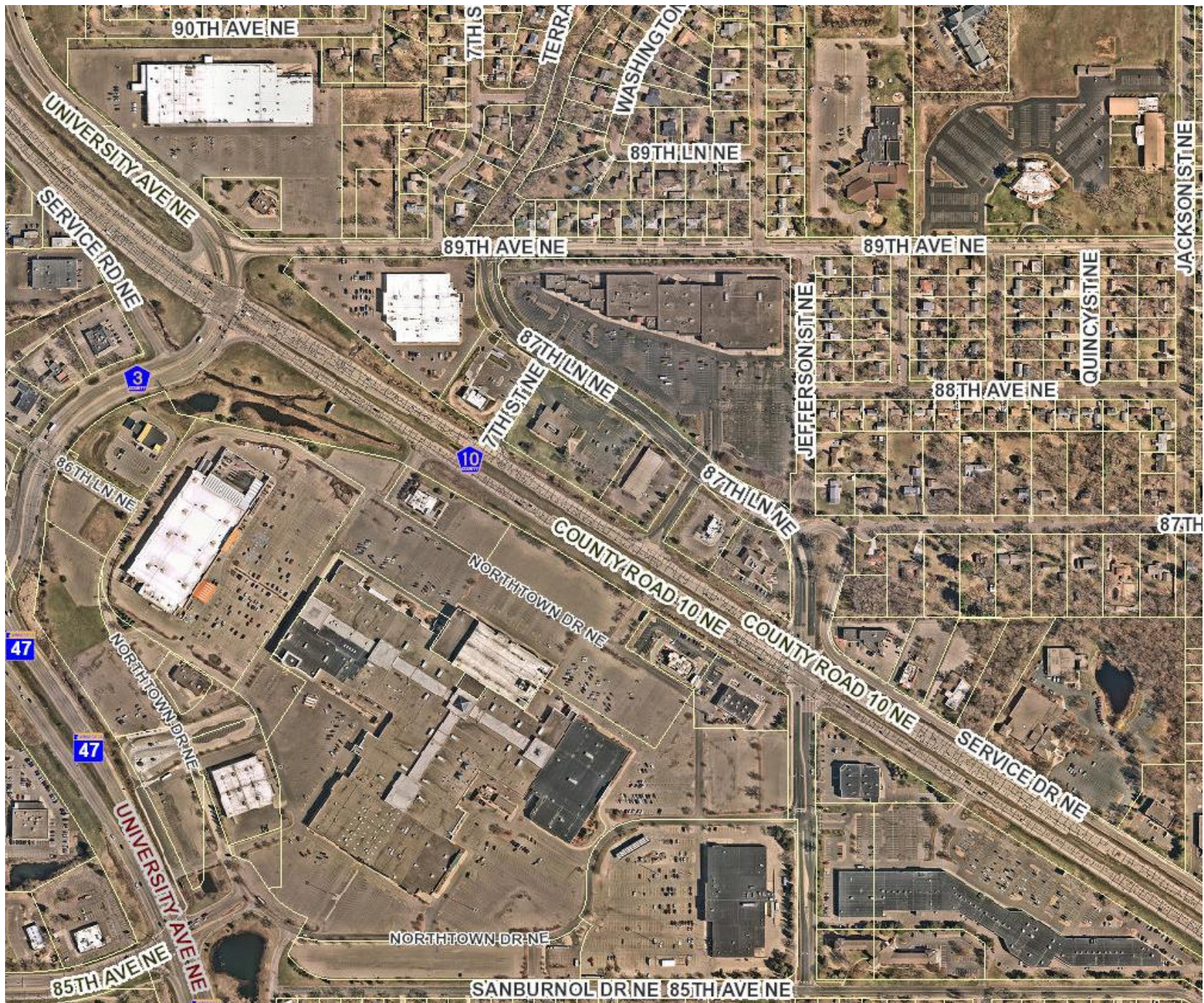
WHEREAS, the City Council has reviewed the Comprehensive Plan amendment request and finds the changes to be in general conformance to the adopted Comprehensive Plan for land use compatibility.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that the Comprehensive Plan be amended to change portions of the property, as described above, and based on land use maps contained within Case File No.23-0068 from HDR/PC (High Density Residential/Planned Commercial) to MDR/CC (Medium Density Residential/Community Commercial), CC (Community Commercial) to HDR2/PC (High Density Residential/Planned Commercial) and CC (Community Commercial) to MDR/CC (Medium Density/Community Commercial); based on the following rationale:

1. The proposed land use amendments meet goal #3 of Chapter 4 Economic Development of the Comprehensive Plan, "The City will continue to support the viability and economic health of the Northtown commercial area, as it represents a significant economic and employment center. The City will collaborate with Northtown to develop a strategy for private reinvestment, as well as explore and be receptive to new ways for Northtown to remain successful, including use of innovative infrastructure management requirements."
2. The proposed land use amendment meets the goal #7 in Chapter 5 Land Uses of the comprehensive plan, "The City will continue programs and strategies to improve and revitalize aging commercial, industrial and residential structures."

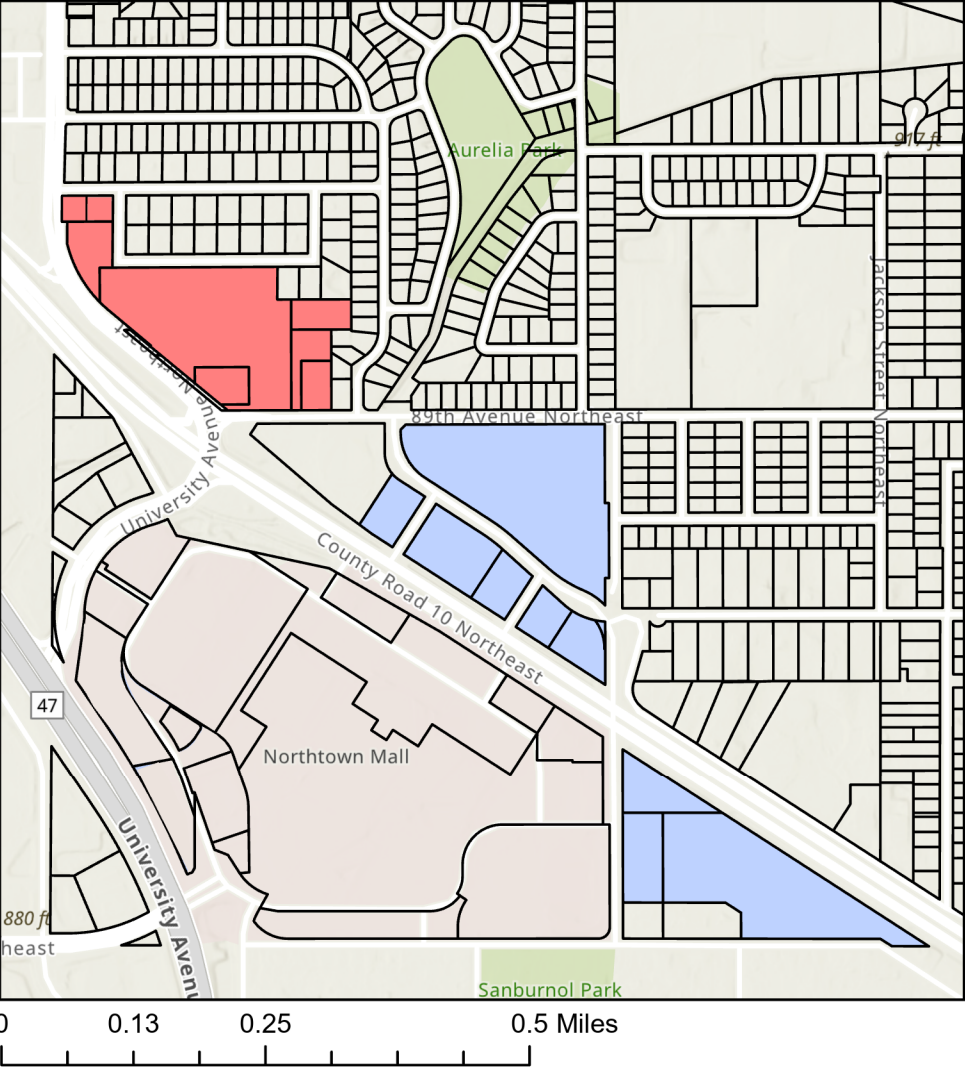
3. Chapter 11: Implementation, identifies Action or Strategy plan for Implementation. Under Economic Development 4.5, it states, "The City should support the viability and economic health of the Northtown area commercial center through a strategy for private reinvestment."

PASSED by the City Council of the City of Blaine this 6th day of November, 2023.



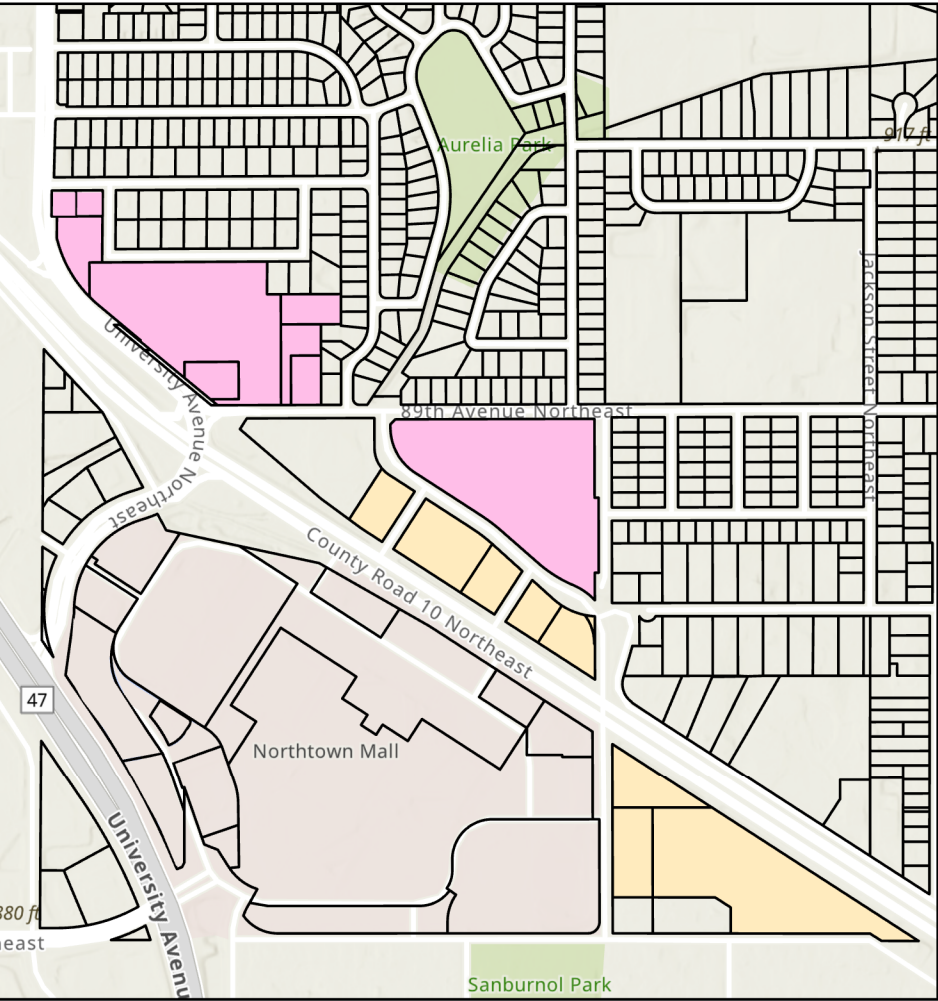
Code	District Name	Summary	Description	Supporting Imagery
MDR/CC	Medium Density Residential – Community Commercial	<u>Density:</u> 6-12 units/acre <u>Uses:</u> attached single family homes such as quads and townhomes. Big box retail and commercial centers, restaurants, limited office and service Expected residential mix: 50% <u>Scale:</u> medium to large <u>Intensity:</u> medium to heavy	Combined category designation. This land use category is intended to provide flexibility in development to allow for the possibility of a mixture of uses within the same area. See individual category definitions for more information.	

Existing Land Use



- CC - Community Commercial
- HDR/PC - High Density Residential/Planned Commercial

Proposed Land Use



- CC - Community Commercial
- HDR-2/PC - High Density Residential 2/Planned Commercial
- MDR/CC - Medium Density Residential/Community Commercial



City of Blaine

Planning Commission

October 10, 2023 | 7:00 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

MINUTES

1. Call to Order

The Blaine planning commission met in the City Hall Chambers on Tuesday, October 10, 2023. Chair Goracke called the meeting to order at 7:00PM.

2. Roll Call

Members Present: Commission Members Deonauth, Olson, Swanson, and Chair Goracke.

Members Absent: Commission Members Gorzycki, Halpern, and Homan.

Staff Present: Elizabeth Showalter, Community Development Specialist
Shelia Sellman, City Planner
Teresa Barnes, Project Engineer

4. Public Hearing

4.4. 2023-398 Case File No. 23-0068 // City of Blaine
The City is requesting the following:

1. A text amendment to the Comprehensive Plan to create an MDR/CC (Medium Density Residential/Community Commercial) land use category.
2. Comprehensive plan amendment to land use designations on certain parcels from HDR/PC (High Density Residential/Planned Commercial) to MDR/CC (Medium Density Residential/Community Commercial), CC (Community Commercial) to HDR2/PC (High Density Residential/Planned Commercial), and CC (Community Commercial) to MDR/CC Medium Density/Community Commercial.

Sponsors: Sheila Sellman, City Planner

The report to the planning commission was presented by Sheila Sellman, City Planner. The

public hearing for Case File 23-0068 was opened at 7:20PM. As no one wished to appear, the public hearing was closed at 7:20PM.

Chair Goracke stated he supported the proposed change, noting he believed this would be a better fit for the neighborhood.

Motion by Commissioner Olson to recommend approval of Planning Case 23-0068A a comprehensive plan text amendment to create an MDR/CC (Medium Density Residential/Community Commercial) land use category.

Motion by Commissioner Olson to recommend approval of Planning Case 23-0068B a comprehensive land use plan amendment for certain parcels from HDR/PC (High Density Residential/Planned Commercial) to MDR/CC (Medium Density Residential/Community Commercial), CC (Community Commercial) to HDR2/PC (High Density Residential/Planned Commercial) and CC (Community Commercial) to MDR/CC (Medium Density/Community Commercial); based on the following rationale:

Case 23-0068B:

- 1. The proposed land use amendments meet goal #3 of Chapter 4 Economic Development of the Comprehensive Plan "The City will continue to support the viability and economic health of the Northtown commercial area, as it represents a significant economic and employment center. The City will collaborate with Northtown to develop a strategy for private reinvestment, as well as explore and be receptive to new ways for Northtown to remain successful, including use of innovative infrastructure management requirements."**
- 2. The proposed land use amendment meets the goal #7 in Chapter 5 Lane Uses of the comprehensive plan "The City will continue programs and strategies to improve and revitalize aging commercial, industrial and residential structures." Chapter 11: Implementation, identifies Action or Strategy plan for Implementation. Under Economic Development 4.5, it states "The City should support the viability and economic health of the Northtown area commercial center through a strategy for private reinvestment."**

Motion seconded by Commissioner Swanson. The motion passed 4-0.

Chair Goracke noted this would be on the agenda of the November 6, 2023 city council meeting.

Larkin Hoffman

Larkin Hoffman

8300 Norman Center Drive
Suite 1000
Minneapolis, MN 55437-1060

General: 952-835-3800
Fax: 952-896-3333
Web: www.larkinhoffman.com

October 10, 2023

Blaine Planning Commission
City of Blaine
10801 Town Square Drive NE
Blaine, MN 55449

Commissioner Alan Goracke pastoral@skypoint.com
Commissioner Jason Halpern jasonhalpern2015@gmail.com
Commissioner Lauren Deonauth lmpatrln@gmail.com
Commissioner Terri Homan tlhoman@yahoo.com
Commissioner Jonathan Gorzycki JonGorzycki@gmail.com
Commissioner Maisa Olson maisaa@redcarpetagents.com
Commissioner Nichole Swanson knswan@comcast.net

Re: Proposed Amendment to Land Use Designation
Real property situated at 551 87th Lane NE, Blaine, Minnesota (the "Property")

Dear Members of the Blaine Planning Commission:

This firm represents Blaine/Atlantic Funding, LLC ("Blaine/Atlantic"), owner of the Property. Blaine/Atlantic submits this letter in response to the City's proposed amendment to the Property's land use designation to be considered at tonight's planning commission meeting. The land use change proposed for the Property from community commercial to medium density is inconsistent with the guidance that the Blaine City Council previously adopted on July 6, 2022 when it approved the Northtown Plan (the "Plan"). The Plan specifically contemplates that the Property and surrounding areas "are planned for high density residential land uses." The intent of the Plan was manifestly to approve the highest density usage at the Property. Medium density residential would not accomplish the objective of the Plan.

Please include this letter of objection in the record.

Sincerely,

/s/ Bryan J. Huntington

Bryan J. Huntington, for
Larkin Hoffman

Direct Dial: 952-896-3370
Direct Fax: 952-842-1747
Email: bhuntington@larkinhoffman.com

Cc: William Cooley, Blaine/Atlantic Funding, LLC
Justin L. Templin, City Attorney
Erik Thorvig, Community Development Director
Sheila Sellman, City Planner
4865-2648-6918, v. 1



City of Blaine Staff Report

File Number: RES 23-172

Agenda Date	Status
November 6, 2023	
In Control	File Type
City Council	Resolution

Administration - Erik Thorvig, Community Development Director

Agenda Item # 11.1

Resolution Approving the Construction Contract Between the National Sports Center Foundation and Dimke Excavating, Inc., and Authorizing the Entry into the Funding Agreement Between the City of Blaine and the National Sports Center Foundation.

Executive Summary

Background

As part of the 105th Avenue Redevelopment Project, the Minnesota Amateur Sports Commission (MASC) will be leasing land owned by MASC to the developer. Various agreements were approved by the City Council at the October 16, 2023 meeting. The agreements contemplate the City providing financing up to \$12,000,000 for the installation of ten turf fields on the NSC campus. The Site Control Agreement, which was approved by the City, requires a construction contract for the installation of the turf fields to be executed prior to March 31, 2024. The construction contract outlines the specifications and funding for the fields. The NSC has expressed a desire to start dirt work this fall in order to begin turf installation next spring and completion of the overall project by Fall, 2024. Delaying the start of the project would result in higher costs and construction not being completed until the spring of 2025. The NSC is completing a larger improvement project this fall which includes irrigation replacement. The following is the proposed schedule:

- Fall 2023 - Dirt work on fields 55 and 56 to prepare the fields for turf in the spring. The dirt will be utilized on other fields on the campus to improve soil quality.
- Spring 2024 - Turf is installed on fields 55 and 56.
- Late Summer/Fall 2024 - Turf installation on fields 25-32.

The NSC will be acting as the general contractor for the project. An RFP was prepared by the NSC in October. A bid was received in the amount of \$11,585,000 for ten, lit turf fields consistent with

specifications. The bid was based on the timeline listed above. The remaining amount of \$415,000 will be put into contingency for the project. The City is not entering into the construction contract, rather as a condition to and prior to committing to the funding agreement. The City required receipt and review and approval rights of the construction contract itself for the very construction of the fields which the city would potentially finance.

Because the NSC desires to start construction this fall, the construction contract is structured in phases. Phase I shall consist of all the engineering and excavation work needed for the construction of items in Phase II, which shall be performed for a contract amount not exceeding \$500,000. This is the work to be completed this fall. Phase II would consist of installation of turf starting next spring. Phasing is proposed because the bond financing for the fields will not be considered by the City until early 2024. If bond financing is ultimately not approved, Phase II would not begin and the project would stop. Given that up to \$500,000 worth of work is being completed prior to the financing approval, the City would need to front these costs, and would be reimbursed when the bond proceeds are received.

The proposed actions in the attached resolution are as follows:

AIA Construction Contract - The City is reviewing and approving the ability for the NSCF to enter into a construction contract. The City itself is not entering into the contract, rather as a condition to and prior to committing to the Funding Agreement. The City requires, and required, receipt and review and approval rights to the construction contract itself to verify construction of the fields for which it was financing.

Funding Agreement - This agreement identifies that the City will provide up to \$500,000 for actual work completed by March 31, 2024. If the City ultimately approves bond financing for the project, the agreement identifies additional draws of that funding and the initial \$500,000 would be reimbursed through bond proceeds. This agreement does not obligate the City to issue the \$12,000,000 in financing. If the bond financing is not approved, the city would not receive reimbursement for any funds provided. The City attempted to structure the \$500,000 payment for Phase 1 as a loan with the NSC. This structure was problematic for the NSC as it would require MASC board approval and delay the start of the project. Alternatively, the City could opt not to approve the construction and funding agreement at this time. The City isn't obligated to approve the construction agreement until March 31, 2024, at which point there would be clarity on the bond financing. Under this scenario, the project costs would likely increase and the project would not be completed until 2025. The increase in project costs may reduce the size of the project as there may not be an ability to construct ten turf fields with the \$12M as procurement costs would increase from what is under the current bid.

If the funding agreement is approved, subsequent resolutions allowing reimbursement of the \$500,000 from bond proceeds, and an interfund loan providing the City with \$500,000 from the EDA, would be considered at the November 20, 2023 meeting.

Strategic Plan Relationship

Redevelopment of the 105th Avenue area is identified in the Strategic Plan.

Board/Commission Review

Not applicable.

Financial Impact

This agreement identifies that the City will provide \$500,000 on December 15, 2023 for Phase I. If the City ultimately approves bond financing for the project, the agreement identifies additional draws of that funding, and the \$500,000 would be reimbursed through bond proceeds. This agreement does not obligate the City to issue the financing. The City is attempting to structure the \$500,000 payment for Phase 1 as a loan with the NSC. These negotiations are in process as this report is being written. They have initially been resistant to this concept. If it is structured as a loan, the NSC would need to pay back the City in the event bonding isn't approved. If it isn't structured as a loan and the bonding isn't approved, the City would not receive any reimbursement of the \$500,000.

Public Outreach/Input

Not applicable.

Staff Recommendation

Attachment List

1. Funding Agreement
2. AIA Contract
3. RFP



City of Blaine

Signature Copy

Resolution: RES 23-172

Resolution Approving the Construction Contract Between the National Sports Center Foundation and Dimke Excavating, Inc., and Authorizing the Entry into the Funding Agreement Between the City of Blaine and the National Sports Center Foundation.

WHEREAS, the City of Blaine, in conjunction with the Blaine Economic Development Authority (“EDA”), have adopted a vision plan identifying an area north of 105th Avenue for redevelopment (“105th Redevelopment”).

WHEREAS, part of the area identified for the 105th Redevelopment includes public/open space on land owned by the Minnesota Amateur Sports Commission (“MASC”) on the east side of the National Sports Center (“NSC”) campus, north of 105th Avenue. MASC is a commission of the State of Minnesota that was created and operates under the provisions contained in Chapter 240A of the Laws of Minnesota.

WHEREAS, in order to develop the land, the City and MASC negotiated several agreements allowing for private development on MASC property, which are:

1. Ground lease between MASC and EB Blaine Development, LLC (“Developer”).
2. Site Control Agreement between MASC, Developer, and City.
3. Reciprocal Easement and Operating Agreement between MASC, Developer, and City.
4. Guaranty between MASC, Developer, and City.

WHEREAS, on October 17, 2023, the City authorized entry into the Site Control Agreement, the Reciprocal Easement and Operating Agreement.

WHEREAS, to upgrade and add to its current 55 all-purpose fields and become a more attractive national and international soccer destination, MASC and NSC seek to construct ten lighted artificial turf all-purpose fields (cumulatively the “Renovated Fields”) as soon as practical. NSC already attracts a substantial number of tourists and visitors, and its facilities are a substantial generator of economic development for the City.

WHEREAS, MASC, NSC, and City believe that the Renovated Fields will not only increase use of the NSC’s facilities but will substantially complement the 105th Redevelopment. Therefore, as reflected in the Funding Agreement between the City and NSC, attached hereto as Exhibit A, the City has agreed to fund the construction of the Renovated Fields, with an initial payment of \$500,000 and the remaining payments conditioned on the issuance and receipt of \$12M in bond funds projected for the first quarter of 2024.

WHEREAS, prior to agreeing to fund the Renovated Fields, the City required review and approval of a construction contract for the Renovated Fields. NSC has negotiated an AIA A101-2017 Construction

Contract ("Construction Contract"), a copy of which is attached hereto as Exhibit B, for the construction of the Renovated Fields, which contract incorporates the City's funding contingencies.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLAINE AS FOLLOWS:

1. The City Council has reviewed and approves the Construction Contract attached hereto as Exhibit A for the construction of the Renovated Fields.
2. The City Council authorizes entry into the Funding Agreement between the City of Blaine and National Sports Center Foundation.

INTRODUCED and read in full this 6th day of November, 2023.

PASSED by the City Council of the City of Blaine this 6th day of November, 2023.

MASC.Blaine SportsTown Parcel
FUNDING AGREEMENT

THIS AGREEMENT (“FUNDING AGREEMENT”) is made and entered into by and between the City of Blaine (“BLAINE”), a public entity of the State of Minnesota, and the National Sports Center Foundation (“FOUNDATION”), a non-profit corporation created under the provisions contained in Chapter 317A of the Laws of Minnesota.

RECITALS

- I.** BLAINE is a governmental entity situated in the State of Minnesota.
- II.** The Minnesota Amateur Sports Commission (“COMMISSION”) is a commission of the State of Minnesota that is created and operates under the provisions contained in Chapter 240A of the Laws of Minnesota.
- III.** The COMMISSION operates a sports complex located in BLAINE, that is commonly referred to as the National Sports Center (“NSC”).
- IV.** The COMMISSION has contracted with the FOUNDATION to operate and develop the NSC.
- V.** The NSC attracts a substantial number of tourists and visitors, and is a substantial generator of economic development for BLAINE.
- VI.** The NSC currently has 55 all-purpose fields at the NSC, and the FOUNDATION wants to renovate some of such fields to produce ten lighted artificial turf all-purpose fields and one natural grass none lighted all-purpose field to the NSC (cumulatively the “RENOVATED FIELDS”).
- VII.** The FOUNDATION has entered into an AIA Document AIA A101-2017 Construction Contract (“CONSTRUCTION CONTRACT”), a copy of which is attached hereto as Exhibit A, for the renovation of the RENOVATED FIELDS.
- VIII.** BLAINE is willing to give the FOUNDATION \$12,000,000 (“RENOVATED FIELD FUNDS”), subject to the conditions and restrictions as provided in this Agreement, to pay for the construction of the RENOVATED FIELDS.
- IX.** BLAINE believes that the adding of the RENOVATED FIELDS to the NSC will generate substantial economic development for BLAINE in excess of the amount of the RENOVATED FIELD FUNDS.

NOW, THEREFORE, BLAINE AND THE FOUNDATION hereby agree as follows:

1. **DISTRIBUTION OF FUNDS.** Subject to the limitation contained in Section 2 herein, BLAINE agrees to give and disburse the RENOVATED FIELDS FUNDS to the FOUNDATION for the construction of the RENOVATED FIELDS as follows:

<u>Disbursement Date</u>	<u>Amount</u>
December 15, 2023 through March 31, 2024	\$500,000
April 1, 2024	\$2,200,000
June 15, 2024	\$2,200,000
August 1, 2024	\$2,200,000
September 15, 2024	\$2,200,000
November 1, 2024	\$2,200,000
December 15, 2024	\$500,000

2. **LIMITATION ON FUNDING.** The FOUNDATION acknowledges that \$11,500,000 of the RENOVATED FIELDS FUNDS will come from BLAINE's sale of bonds, and, therefore, agrees that if BLAINE does not sell such bonds or designate some other source of funding on or before March 31, 2024, then BLAINE shall only be obligated to give and disburse to the FOUNDATION between December 15, 2023 and March 31, 2024 an amount equal to the lesser of \$500,000 or the amount or amounts that the FOUNDATION is obligated to pay to the contractor under the CONSTRUCTION CONTRACT for work to be performed prior to March 31, 2024, with any portion of such \$500,000 not disbursed between December 15, 2023 through March 31, 2024 being added to the amount to be disbursed on April 1, 2024.

The FOUNDATION and BLAINE agree that the Minnesota Amateur Sports Commission ("MASC") has agreed to enter into a Ground Lease ("GROUND LEASE") with a developer selected by BLAINE, and that MASC's entering into the GROUND LEASE is dependent on BLAINE supplying, or committing to supply, to the FOUNDATION the full \$12,000,000 delineated in Section 1 herein. Therefore, the FOUNDATION and BLAINE agree that the MASC will not be required to enter into the GROUND LEASE if BLAINE fails to supply or commit to supply to the FOUNDATION the full \$12,000,000 delineated in Section 1 hereof by March 31, 2024, or such later date as may be agreed to by the parties in writing.

3. **FOUNDATIONS USE OF FUNDS.** The FOUNDATION shall use the RENOVATED FIELD FUNDS it receives from BLAINE under Section 1 herein for the sole purpose of development and construction of the RENOVATED FIELDS at the NSC in accordance with the provisions contained in the CONSTRUCTION CONTRACT. The FOUNDATION acknowledges the RENOVATED FIELD FUNDS may not be sufficient for completion of all RENOVATED FIELDS, and the FOUNDATION agrees it shall be solely responsible for any additional funds it may take to complete the RENOVATED FIELDS at the NSC.

4. **MISCELLANEOUS PROVISIONS.**

4.1 This FUNDING AGREEMENT constitutes the entire agreement between the FOUNDATION and BLAINE regarding the issues dealt with herein.

4.2 Every provision of this FUNDING AGREEMENT is severable from the others; if any condition or provision of this FUNDING AGREEMENT is construed or held to be invalid or unenforceable by order, decree or judgment of a court of competent jurisdiction, the remaining conditions and provisions shall not be affected thereby but shall remain in full force and effect.

4.3 The terms of this FUNDING AGREEMENT shall be construed and interpreted under the laws of the State of Minnesota.

THIS FUNDING AGREEMENT was entered into by the undersigned parties on the day and date noted immediately below their signatures.

FOUNDATION

The National Sports Center Foundation

By: _____

Its: _____

Executed on the ____ day of _____, 202__

BLAINE

The City of Blaine

By: _____

Its: _____

Executed on the ____ day of _____, 202__

ADDENDUM NO. 1 TO AIA CONSTRUCTION CONTRACT AIA A101-2017

THIS ADDENDUM NO. 1 is made and entered into by and between the National Sports Center Foundation (“FOUNDATION”) and Dimke Excavating (“DIMKE”), and is an addendum to that certain AIA Document AIA A101-2017 that was made and entered into by and between the FOUNDATION as “Owner” and DIMKE as Contractor of even date herewith (“AIA CONSTRUCTION CONTRACT”).

RECITALS

I. The FOUNDATION has, by way of the AIA CONSTRUCTION CONTRACT contracted with DIMKE for the construction of ten lighted artificial turf all-purpose fields and one natural grass none lighted all-purpose field at the National Sports Center located in the City of Blaine (“BLAINE”), State of Minnesota.

II. The funding to pay for the construction to be performed under the AIA CONSTRUCTION CONTRACT is to be paid for with \$12,000,000 that BLAINE has agreed to provide to the FOUNDATION (“CONSTRUCTION FUNDS”), in accordance with that certain Funding Agreement dated ____ (“FUNDING AGREEMENT”).

III. Pursuant to the terms of the FUNDING AGREEMENT, BLAINE has committed \$500,000 (“INITIAL CONSTRUCTION FUNDS”) of the required CONSTRUCTION FUNDS and intends on raising the remaining \$11,500,000 of CONSTRUCTION FUNDS (“SUBSEQUENT CONSTRUCTION FUNDS”) by the sale of bonds.

IV. BLAINE has reserved the right to cancel its commitment to give and provide the SUBSEQUENT CONSTRUCTION FUNDS to the FOUNDATION if BLAINE has not sold the required bonds on or before March 31, 2014.

NOW, THEREFORE, the FOUNDATION and DIMKE agree as follows;

1. Notwithstanding anything to the contrary contained in the AIA CONSTRUCTION CONTRACT, the AIA CONSTRUCTION CONTRACT shall be amended and modified as specified herein.

2. The work to be performed under the AIA CONSTRUCTION CONTRACT shall be split into the following two phases:

2.1 Phase I, which shall consist of all of the engineering and excavation work needed for the construction of the items in Phase II (“PHASE I WORK”), which shall be performed for a contract amount of \$500,000.

2.2 Phase II, which shall consist of the remaining work (“PHASE II WORK”), other than the work to be performed in Phase I, of the AIA CONSTRUCTION CONTRACT,

which shall be performed for the remaining amount of the AIA CONSTRUCTION CONTRACT.

3. If BLAINE notifies the FOUNDATION that it will not supply the SUBSEQUENT CONSTRUCTION FUNDS to the FOUNDATION, then the FOUNDATION may modify the work to be done under the AIA CONSTRUCTION CONTRACT to consist solely of the PHASE I WORK, and eliminate the PHASE II WORK from such contract.

3. The following language shall be added:

“Any and all notices to Owner by Contractor shall be simultaneously also provided to City of Blaine at the following address:

Eric Thorvig, Blaine Community Development Director
1080 Town Square Drive NE
Blaine, MN 55449
ethorvig@blainemn.gov

In addition, prior to termination of this AIA Document AIA A101-2017 construction contract, for any reason, the City shall be provided the right to accept, undertake and complete the Owner’s responsibilities within thirty (30) days of receipt of the Contractors’ written demand to City.

4. The remaining portions of the AIA CONSTRUCTION CONTRACT shall remain as originally written.

THIS ADDENDUM NO.1 TO AIA CONSTRUCTION CONTRACT AIA 101-2017 is made and entered into on the day and date shown immediately below the respective signatures;

FOUNDATION
National Sports Center Foundation

DIMKE
Dimke Excavating, Inc.

By: _____

By: _____

Its: _____

Its: _____

Executed on the ____ day of
_____, 2023

Executed on the ____ day of
_____, 2023

Exhibit B



National Sports Center Foundation

In coordination with City of Blaine

REQUEST FOR PROPOSALS

Artificial Turf Areas at the National Sports Center

National Sports Center

Project Overview

In coordination with the City of Blaine, the National Sports Center Foundation (NSCF) requests proposals from contractors and subcontractors with experience in development of artificial turf sports facilities to design and construct three artificial turf areas on the NSC Campus at 1700 105th Ave. NE, in Blaine, Minnesota. See Attachment A for a current map of the National Sports Center campus.

Two Areas will be 830'x520' located on the north side of 105th Ave. and one Area will be 360'x515' located south of 105th Ave. east of the Victory Links Golf Course entrance.

Area #1 is existing fields 25-28

Area #2 is existing fields 29-32

Area #3 is existing fields 55-56

Goal

The goal of this Request for Proposals (RFP) is to evaluate companies that can provide a quality product in designing and constructing artificial turf areas to meet the needs of the world's largest amateur sports facility. In addition, the timeline of work must accommodate the busy summer season and provide a competitive price.

Scope of Work

- Design and construct two Areas located on the North side of 105th Ave.
- Design and construct one Area located South of 105th Ave. East of Victory Links Golf Course entrance.
- Match NSC campus feel and concept.
- Provide a functional site plan which includes outdoor storage of construction materials.

Proposal to include \$100,000.00 allowance for engineering, permit, and fees.

The proposal should assume existing conditions to be 6" of topsoil on suitable soils.

Proposal shall include construction timeline. Definition to be given for start date and completion date.

Tasks

Responders will be required to submit a work plan including the following tasks:

1. Build, Supply, Installation
 - a. Supply, installation and remove – of 6900 Lf of Silt Fence (bio logs not accepted)

- b. Supply and Install 7500' Subgrade Drainage 12" HDPE Dual Wall Perforated pipe, 5 FES
 - c. Supply and install 5' Black Vinyl Coated Fence at field perimeter (match fields 48-49 & 52-54)
 - d. The two large Areas to have five 20' swing gates and four pedestrian gates - match fence
 - e. The smaller field to have three 20' swing gates and three pedestrian gates - match fence
 - f. Supply and install a 1' wide x 8" high perimeter curb, fence posts to be poured in curb line
 - g. Supply and install 4 oz. Non-woven Geotextile Fabric at Field Profile Subgrade with 1' overlap
 - h. Supply and install a Ground Contact Treated 2" x 4" Nailer at new perimeter curb
 - i. Supply and place 12" Multiflow Flat Tile 25' on center to cover entire field areas
 - j. Supply and place 4" of ¾" (814C) Trap Rock Clear Base Stone
 - k. Supply and place 2" of Top Stone (61 Mod 817)
 - l. Supply and install FieldTurf Vertex Prestige 2.25" to meet Fieldturf specifications to be installed by a certified FieldTurf installer to be approved by Owner (no markings/lines/logos on turf, 100% green)
 - m. Supply and install Musco LED light structures, with 30 foot candle average light level covering entire turf surface (each light pole to have one 20 amp circuit with a 110 outlet)
 - n. Include pricing for 9,500 sf of 4" concrete paving
 - o. Unit price for export of excess material
2. Project Set-Up, Support
- a. Supply restroom(s) for duration of projects
 - b. Supply, install, remove three construction entrances
 - c. Supply dumpsters for all project debris
 - d. Export all excess material
3. Earth and Water Work
- a. Mass excavation to achieve a .5% playing surface with a 7.5" profile
 - b. Expose and cap existing irrigation (work with Owner to identify disconnect/cap location)
 - c. Area #1 strip and export 6" of Topsoil. Shuffle remaining soils to balance, achieving a North/South crown with a .5% playing surface both east and west. Blend outside perimeter curb no greater than a 4:1
 - d. Area #2 strip and export 6" of Topsoil. Shuffle remaining soils to balance, achieving an east to west .5% playing surface. Blend outside curb perimeter no greater than 4:1

- e. Area #3 south and north perimeter curb elevation to be 899.80 with the east and west curbs following the .5% slopes (from crown) on playing surface. Blend outside perimeter curb no greater than 4:1
 - f. Compact field subgrade - 95%
 - g. Restoration of all disturbed areas during construction to be Hydroseed with 70/30 Blue Grass/Rye grass mix
 - h. No irrigation restoration
4. Add/Alternatives
- a. Eight sets of 11v11 soccer goals (8'x24') with wheel kit
 - b. Eight sets of 9v9 soccer goals (7'x21') with wheel kit
 - c. Eight sets of 4'x6' soccer goals
 - d. Eight units 90' width backstop netting (for behind goals) with posts

Value Engineering

The City of Blaine and NSCF wish to discuss with qualified contractors the opportunity of alternatives that would result in cost savings for the project. Contractors who wish to submit value engineering must include the cost saving item(s) in their proposal submission as a separate line item. All items submitted may/may not be considered.

Partnership

This is a joint project between the City of Blaine and the NSCF. The Minnesota Amateur Sports Commission (MASC) owns the real estate upon which the artificial turf sports facilities will be constructed. The NSCF has an agreement with MASC which permits NSCF to construct these facilities. The NSCF will act as the general contractor for the project. The NSCF is a Not for Profit 501(3) that partners with companies to help support healthy active lifestyles in youth through sport. These partnerships allow the NSCF to keep participation cost low for youth and families and strive never to let cost be the barrier for participation. We welcome your thoughts and ideas as to partnerships your organization can bring as part of this proposal.

Commitment to Diversity and Inclusion

The National Sports Center Foundation is committed to diversity and inclusion in its procurement process. The goal is to ensure that companies providing goods and services to the NSCF are representative of the communities it serves and includes businesses owned by racial minorities, women, veterans, and those with substantial physical disabilities. The NSCF considers this community representation as a factor when evaluating and selecting contractors.

Responders who wish to be considered as representing the communities described above must declare that their business is at least 51% owned by a woman, racial minority, or person with a substantial physical disability. The business must also be operated and controlled on a day-to-day and long-term basis by the qualifying owner.

Proposal Content

Please submit the following information:

1. Work Plan. Responder should provide a timeline and description of how they plan to accomplish the scope of work to be performed by the Responder.
2. Qualifications and Experience. Responder should provide an outline of background and experience with examples of similar work done by the Responder. If possible, responder should reference completion of 10 or more similar projects within the past five years.
3. Cost Detail. Complete and submit an attachment entitled, “Cost Detail” outlining the per unit cost per item described in the “Task” section of the RFP. Cost detail must include prevailing wage. Total cost detail for tasks 1-3 cannot exceed \$12.0M. Cost detail for task 4, “Add/Alternatives”, should be listed separately.
4. Community Representation (if applicable). Include a letter declaring that the responder is at least 51% owned and is operated/controlled on a day-to-day and long-term basis by a woman, racial minority, or person with a substantial physical disability. The letter must be signed by the qualifying owner.

All costs incurred in responding to the RFP will be borne by the responder.

Proposal Submission Instructions

Please submit proposals to the NSCF C/O Neil Ladd by Friday, October 13, 2023, no later than 4:30 p.m. Submittals can be made either via email at nladd@nscsports.org or hand delivered to Attn: Neil Ladd, National Sports Center, 1700 105th Avenue NE, Blaine, MN 55449. **Note:** Mailed proposals will NOT be accepted due to time sensitivity.

NSCF will pre-select the contractor followed by the City’s review and approval. The City of Blaine is tentatively scheduled to review and approve NSCF’s pre-selected contractor and approve the construction agreement at their Monday, November 6, 2023 meeting.

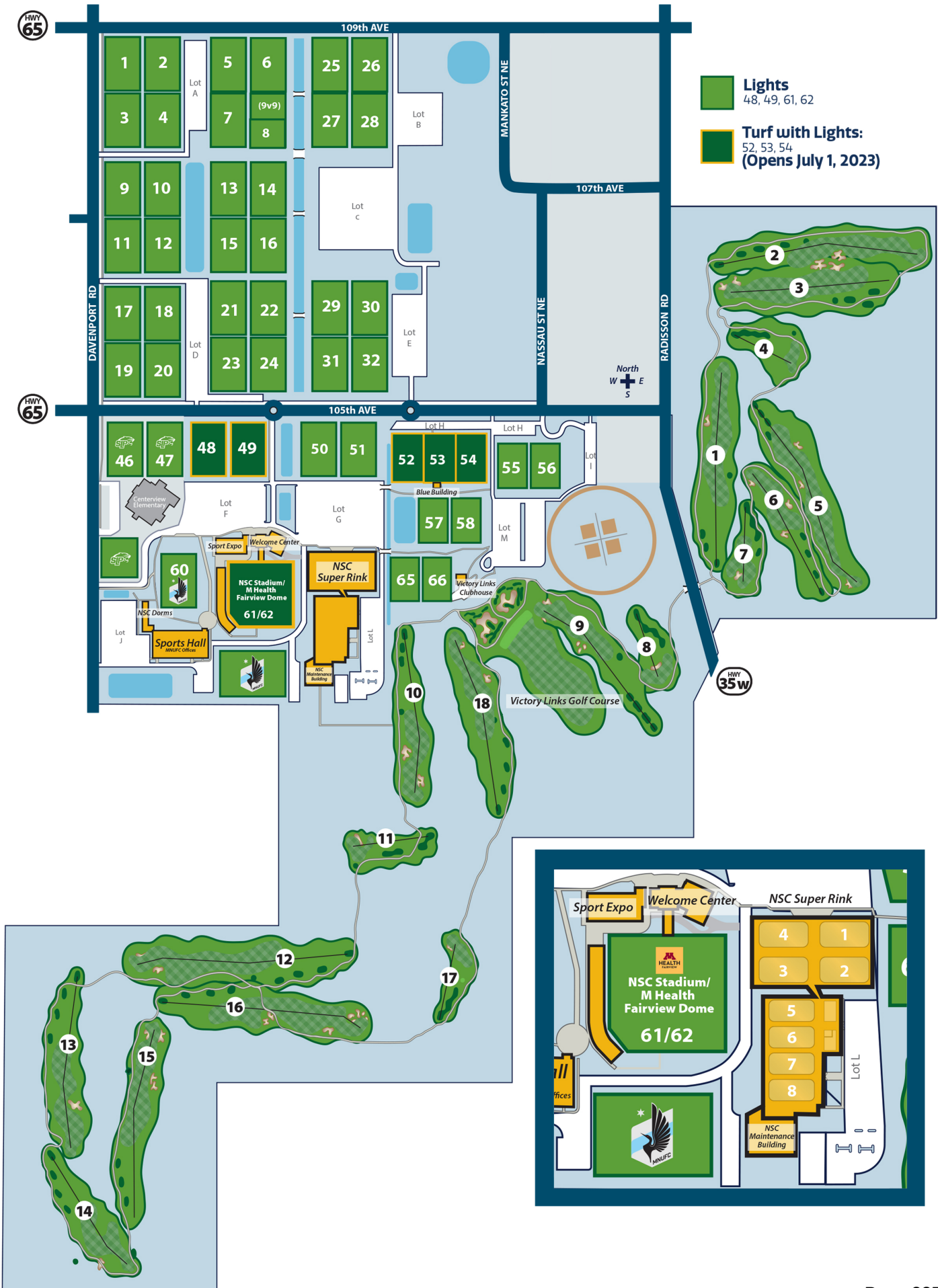
Questions

Questions shall be submitted via email to Erik Thorvig (City of Blaine) and Neil Ladd (NSCF).

Erik Thorvig – ethorvig@blainemn.gov Neil Ladd – nladd@nscsports.org

NSC Full Campus Map

Attachment A





City of Blaine

Staff Report

File Number:

Agenda Date	Status
November 6, 2023	
In Control	File Type
City Council	Motion

Administration - Erik Thorvig, Community Development Director

Agenda Item # 11.2

Contract Renewal with Intuitive Municipal Solutions (IMS)

Executive Summary

Approving a contract renewal with Intuitive Municipal Solutions for software services.

Background

In 2018, the City of Blaine began exploring options to convert permitting and code enforcement software to a cloud-based, digital platform. The City had been using a then outdated version of TRAKit to process and manage all permits within Building and Community Standards. The company that owned the program was no longer providing support.

An internal user group team was created and four vendors were contacted to provide information on the products they provided. Intuitive Municipal Solutions (IMS) was selected as the preferred system. The City Council approved a five-year contract with IMS in February, 2019. The contract expires in February, 2024. The initial startup cost was \$99,918 to create and customize the software based on the needs of Blaine. Like many software programs, there is an annual support and maintenance fee. The system became fully operational in 2020.

The IMS software has drastically improved internal and external service functions. The software is utilized amongst multiple departments (clerks office, engineering, public works, building inspections, planning and zoning, fire inspections and code enforcement) depending on their needs. The platform allows for various permits to be applied for and paid online and eliminates the need for contractors, residents, businesses, etc. to come to city hall to obtain permits. The software digitally tracks all correspondence, plan submittals, inspections, etc., and eliminates the need for paper submittals. It also provides a streamlined dashboard for contractors and staff to track building permit status, planning and zoning applications and other various permits. Because it is cloud based, the software is accessible by inspectors while in the field to input inspection records and also allows for real-time access to permit data, code enforcement actions, etc., by staff. Overall, the software has been a huge asset to City of

Blaine employees and customers.

The contract expires in February, 2024 and requires renewal. The contract renewal is attached. The proposed contract would extend services for an additional five years, through 2029. The annual support and maintenance fees are as follows:

2024-2025: \$56,264
2025-2026: \$59,077
2026-2027: \$62,031
2027-2028: \$65,131
2028-2029: \$68,389

The annual service fee is budgeted through the Information Technology department.

Strategic Plan Relationship

Not applicable.

Board/Commission Review

Not applicable.

Financial Impact

The annual support and maintenance fees are as follows:

2024-2025: \$56,264
2025-2026: \$59,077
2026-2027: \$62,031
2027-2028: \$65,131
2028-2029: \$68,389

Public Outreach/Input

Not applicable.

Staff Recommendation

By motion, approve the contract renewal with IMS.

Attachment List

1. IMS Contract

Software License, Hosting, Technical Support, and Maintenance Agreement

THIS SOFTWARE LICENSE, HOSTING, TECHNICAL SUPPORT, AND MAINTENANCE AGREEMENT (the "Agreement")

BETWEEN:

Intuitive Municipal Solutions, LLC of 600 La Terraza Blvd, Escondido, CA 92025
(the "Vendor")

OF THE FIRST PART

- AND -

The City of Blaine, Minnesota of 10801 Town Square Drive NE, Blaine, MN 55449
(the "Licensee")

OF THE SECOND PART

BACKGROUND:

The Vendor wishes to license, host, support, and maintain computer software to the Licensee and the Licensee desires to purchase the software license, hosting, technical support, and maintenance under the terms and conditions stated below.

IN CONSIDERATION OF the provisions contained in this Agreement and for other good and valuable consideration, the receipt and sufficiency of which is acknowledged, the parties agree as follows:

Software License

1. Under this Agreement the Vendor grants to the Licensee a non-exclusive and non-transferable license (the "License") to use the Intuitive Municipal Solutions Software Suite (the "Software").
2. "Software" includes the executable computer programs and any related printed, electronic and online documentation and any other files that may accompany the product.
3. Title, copyright, intellectual property rights and distribution rights of the Software remain exclusively with the Vendor. Intellectual property rights include the look and feel of the Software. This Agreement constitutes a license for use only and is not in any way a transfer of ownership rights to the Software.

4. Use of the Software is limited to the following functional areas of the Licensee:
 - a. Planning & Development
 - i. Planning
 - ii. Building Inspections
 1. All trades but Electrical
 2. Contractor Licensing & Registration
 - b. Community Standards
 - i. Fire Inspection
 1. Routine Inspections
 - ii. Housing Services
 1. Rental Licenses
 - iii. Neighborhood Services
 1. Code Enforcement
 - c. Engineering
 - d. Public Works
 - e. Clerks Office (Business Licensing)
 - f. Public Complaint/Inquiries
 - i. Route to Code Enforcement or other department
5. Use of the Software is limited to the following features and/or applications:
 - a. iMSPermits
 - b. iMSApprovals
 - c. iMSEnforce
 - d. iMSLicenses
 - e. iMSPros
 - f. iMSLocations
 - g. Citizen Login
 - h. Pro Login
 - i. Anonymous Login
 - j. Offline Inspection Results
6. The rights and obligations of this Agreement are personal rights granted to the Licensee only. The Licensee may not transfer or assign any of the rights or obligations granted under this Agreement to any other person or legal entity.
7. The Software may not be modified, reverse-engineered, or de-compiled in any manner through current or future available technologies.
8. Failure to comply with any of the terms under the License section will be considered a material breach of this Agreement.

Limitation of Liability

9. The Software is provided by the Vendor and accepted by the Licensee "as is". Liability of the Vendor will be limited to a maximum of the First Year Software License, Hosting, Technical Support, and Maintenance Fee of the Software **(\$32,760)**. The Vendor will not be liable for any general, special, incidental or consequential damages including, but not limited to, loss of production, loss of profits, loss of revenue, loss of data, or any other business or economic disadvantage suffered by the Licensee arising out of the use or failure to use the Software.
10. The Vendor makes no warranty expressed or implied regarding the fitness of the Software for a particular purpose or that the Software will be suitable or appropriate for the specific requirements of the Licensee.
11. The Vendor does not warrant that use of the Software will be uninterrupted or error-free. The Licensee accepts that software in general is prone to bugs and flaws within an acceptable level as determined in the industry.

Warrants and Representations

12. The Vendor warrants and represents that it is the copyright holder of the Software. The Vendor warrants and represents that granting the license to use this Software is not in violation of any other agreement, copyright or applicable statute.

Software License, Hosting, Technical Support, and Maintenance

13. Beginning on **February 27, 2024**, and for a period of One Year:
 - a. The Licensee will hold the software license described above.
 - b. The Licensee will be entitled to hosting services in Microsoft Azure at no additional cost. The Vendor will provide both a Production and Test environment that include necessary software licenses and capacity to accommodate the Licensee's needs under this Agreement.
 - c. The Licensee will be entitled to maintenance, upgrades, and backups of the hosted environments at no additional cost.

- d. The Licensee will be entitled to unlimited technical support during iMS business hours (7:30 AM to 5:30 PM Pacific, Monday through Friday) at no additional cost. A contact number will be provided for critical issues outside of business hours. Support is provided via email, or phone. Phone support includes screen sharing when required.
 - i. Technical Support is for:
 - 1. Questions about how the software works
 - 2. Questions about how to administer the software
 - 3. Questions about reporting or the database
 - 4. Reporting any encountered software issues (system not working as designed)
 - ii. System Administration is not covered by Technical Support. This would be:
 - 1. Changing workflow
 - 2. Changing fee schedules
 - 3. Creating reports
 - 4. Modifying reports
- e. The Licensee will be entitled to regular software updates at no additional cost.
- f. The Licensee will be notified via email when an update becomes available at no additional cost. If the Licensee elects not to upgrade they will not be able to take advantage of features and fixes added in that update.
- g. The Licensee will be entitled to up to Four (4) refreshes per year of the test environment from production at no additional cost.
- h. The Licensee is also entitled to licensing costs for major upgrades that require services at no additional cost. In these cases, covered clients only incur the cost of the services required. An example of a major upgrade would be a change in the development platform or re-write of the program based on newly-available programming tools. Such upgrades would be very infrequent but could require implementation services and training to successfully migrate.

Software License, Hosting, Technical Support, and Maintenance Automatic Extension

14. The annual fee for Software License, Hosting, Technical Support, and Maintenance in subsequent years will follow the schedule below, and is due on the Renewal Period Start Date:

Renewal Period	Start Date	End Date	Annual Fee
Year 6:	02/27/2024	02/26/2025	\$56,264.00
Year 7:	02/27/2025	02/26/2026	\$59,077.20
Year 8:	02/27/2026	02/26/2027	\$62,031.06
Year 9:	02/27/2027	02/26/2028	\$65,131.61
Year 10:	02/27/2028	02/26/2029	\$68,389.24

Any gap in payment of the Hosting, Technical Support, and Maintenance fees will terminate this Automatic Extension clause and all Software License, Hosting, Technical Support, and Maintenance benefits will immediately cease.

Data Access

15. Licensee data will be used only to provide Licensee with the defined services and for purposes compatible with providing those services. Vendor will not use Licensee data or derived information for any commercial purposes. Licensee retains all rights, titles, and interests in and to their data, and Vendor acquires no rights to Licensee data other than the rights granted to provide the service. Vendor will not disclose Licensee data except as directed by the Licensee or as required by law.

Data Rights Retention

16. Licensee will have the ability to request a Licensee database backup and copy of Licensee files at any time during the term of service. In the event of expiration or termination of service, Vendor will make Licensee data (database backup and attached files) available to download for a period of 90 days after expiration or termination of service. At the end of the 90-day retention period, Vendor will delete Licensee data. Licensee is solely responsible for the retention or extraction of software provided by Licensee. Vendor has no liability for the deletion of data as described in this section.

Acceptance

17. All terms, conditions and obligations of this Agreement will be deemed to be accepted by the Licensee ("Acceptance") upon the execution and delivery hereof by each of the parties hereto, but in no event later than **August 31, 2023**.

Termination

18. This Agreement will be terminated, the License forfeited, and all benefits will cease where the Licensee has failed to comply with any of the terms of this Agreement or is in breach of this Agreement (including non-payment of annual fees). Licensee may terminate the agreement for any reason with 30-days written notice.

Force Majeure

19. The Vendor will be free of liability to the Licensee where the Vendor is prevented from executing its obligations under this Agreement in whole or in part due to Force Majeure, such as earthquake, typhoon, flood, fire, and war or any other unforeseen and uncontrollable event where the Vendor has taken any and all appropriate action to mitigate such an event.

Governing Law

20. The Parties to this Agreement submit to the jurisdiction of the courts of the State of Minnesota for the enforcement of this Agreement or any arbitration award or decision arising from this Agreement. This Agreement will be enforced or construed according to the laws of the State of California.

Miscellaneous

21. This Agreement can only be modified in writing signed by both the Vendor and the Licensee.

22. This Agreement does not create or imply any relationship in agency or partnership between the Vendor and the Licensee.
23. Headings are inserted for the convenience of the parties only and are not to be considered when interpreting this Agreement. Words in the singular mean and include the plural and vice versa.
24. If any term, covenant, condition or provision of this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, it is the parties' intent that such provision be reduced in scope by the court only to the extent deemed necessary by that court to render the provision reasonable and enforceable and the remainder of the provisions of this Agreement will in no way be affected, impaired or invalidated as a result.
25. This Agreement contains the entire agreement between the parties. All understandings have been included in this Agreement. Representations which may have been made by any party to this Agreement may in some way be inconsistent with this final written Agreement. All such statements are declared to be of no value in this Agreement. Only the written terms of this Agreement will bind the parties.
26. This Agreement and the terms and conditions contained in this Agreement apply to and are binding upon the Vendor's successors and assigns.

Notices

27. All notices to the parties under this Agreement are to be provided at the following addresses, or at such addresses as may be later provided in writing:
- Intuitive Municipal Solutions, LLC: 600 La Terraza Blvd, Escondido, CA 92025
- City of Blaine, Minnesota: 10801 Town Square Drive NE, Blaine, MN 55449

Signatures

The individuals signing below represent that they have the authority to sign this Agreement.

City of Blaine, Minnesota

Tim Sanders, Mayor

Signature

Date

City of Blaine, Minnesota

Michelle Wolfe, City Manager

Signature

Date

Intuitive Municipal Solutions, LLC

Vance Bradshaw, President

Signature

Date