



City of Blaine

City Council

March 4, 2024 | 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

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. 2024-58 Schedule of Bills Paid
Sponsors: Jason Zimmerman, Finance Director

8.2. 2024-59 Approval of Minutes
Sponsors:

8.3. 2024-60 Approve Temporary Nursery Sales Licenses
Sponsors: Cathy Sorensen, City Clerk

- 8.4.** RES 24-44 Resolution Granting Final Plat Approval to Create Two Lots to be Known as National Sports Village 2nd Addition at 2030 105th Avenue NE. 105th Blaine Business Park, LLC. (Case File No. 24-0011/SAS)
Sponsors: Sheila Sellman, City Planner
- 8.5.** RES 24-50 Resolution to Declare Cost to be Assessed, Order Preparation and Call for Hearing on Proposed Assessment for 2023 Southwest Area Street Reconstructions, Improvement Project No. 23-07.
Sponsors: Daniel Schluender, Director of Engineering
- 8.6.** 2024-61 Authorizing the Acquisition of Right-of-Way Consistent with State Law for the Ulysses Street and 117th Avenue Roundabout Project, Improvement Project 23-09
Sponsors: Daniel Schluender, Director of Engineering
- 8.7.** RES 24-45 Resolution to Receive Petition and Order Public Hearing for Vacation of Drainage and Utility Easements, over all of Outlot A, Preserve of Lexington Waters Second Addition; according to the recorded plat thereof, Anoka County, Minnesota; Vacation No. V24-02
Sponsors: Daniel Schluender, Director of Engineering
- 8.8.** 2024-62 Centennial Elementary Request for Parking Restrictions for 2024 Track & Field
Sponsors: Daniel Schluender, Director of Engineering
- 8.9.** 2024-63 Approve Purchase of Police Department Squad Vehicles and Authorize Associated Budget Amendment
Sponsors: Brian Podany, Safety Services Manager/Police Chief
- 8.10.** 2024-64 Approve Purchase from the Public Safety Funds
Sponsors: Brian Podany, Safety Services Manager/Police Chief
- 8.11.** 2024-65 Authorizing the Release of Gift Cards Held in the Police Department Evidence Room to the Alexandra House
Sponsors: Jason Zimmerman, Finance Director

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

- 9.1.** RES 24-48 Conduct Public Hearing and adopt a Resolution to Vacate a Drainage and Utility Easement, lying over, under and across Outlot D, Quail Creek 10th Addition; except that part as platted as Woods of Quail Creek 5th Addition; according to the recorded plat thereof, Anoka County, Minnesota; Vacation No. V24-01

Sponsors: Daniel Schluender, Director of Engineering

10. Development Business

- 10.1.** RES 24-32 Resolution Granting a Variance to Allow a 9-Foot Fence Along the South Side Yard Property Line at 10617 Quincy Boulevard NE. Diane O'Brien (Case File No. 23-0088/SLK)
Sponsors: Sheila Sellman, City Planner
- 10.2.** RES 24-33 Resolution Granting Preliminary Plat Approval to Subdivide Approximately 1.16 Acres into Three Lots to be Known as Alexander Woods 4th Addition at 1000 113th Avenue NE. Alexander Woods 4th Addition (Case File No. 23-0089/EES)
Sponsors: Sheila Sellman, City Planner
- 10.3.** RES 24-34 Resolution Granting a Conditional Use Permit to Allow for the Construction of Two Additional Single-Family Homes in the Development Flex (DF) Zoning District at 1000 113th Avenue NE. Alexander Woods 4th Addition (Case File No. 23-0089/EES)
Sponsors: Sheila Sellman, City Planner
- 10.4.** RES 24-35 Resolution Granting a Conditional Use Permit to Allow Outdoor Dining with 14 Seats in a Regional Commercial (B-3) Zoning District at 12351 Ulysses Street NE, Suite 120. Noodles & Company (Blaine Square II LLC) (Case File No. 24-0003/SLK)
Sponsors: Sheila Sellman, City Planner
- 10.5.** RES 24-36 Resolution Granting a Conditional Use Permit to Operate a Manufactured Home Sales Office in the Manufactured Home Residential (R-4) Zoning District at 10454 Central Avenue NE. Havenpark Heartland Living LLC (Case File No. 24-0004/EES)
Sponsors: Sheila Sellman, City Planner
- 10.6.** ORD 24-2542 Second Reading
Ordinance Approving an Amendment to the Blaine Zoning Code to Create a New Zoning District, County Road 10 Mixed Use District. Northtown (City of Blaine) (Case File No. 24-0002/SAS)
Sponsors: Sheila Sellman, City Planner
- 10.7.** ORD 24-2543 Second Reading
Ordinance Rezoning Certain Parcels in the Northtown Area from Community Commercial (B-2) and Regional Commercial (B-3) to County Road 10 Mixed Use District. Northtown (City of Blaine) (Case File No. 24-0002/SAS)
Sponsors: Sheila Sellman, City Planner

- 10.8.** RES 24-51 Summary Resolution for Publication of Ordinance 24-2542 Approving an Amendment to the Blaine Zoning Code to Create a New Zoning District, County Road 10 Mixed Use District. Northtown (City of Blaine) (Case File No. 24-0002/SAS)

Sponsors: Cathy Sorensen, City Clerk

- 10.9.** ORD 24-2545 Ordinance Repealing the Moratorium for the Northtown Area. Ordinance 23-2530 (City of Blaine) (Case Fille No. 23-0040/SAS)

Sponsors: Sheila Sellman, City Planner

11. Administration

- 11.1.** RES 24-46 Resolution Accepting a Bid from Asphalt Surface Technologies Corp. (ASTECH Corp.) in the Amount of \$215,940.20 for the 2024 Crack Sealing Project, Improvement Project No. 24-02

Sponsors: Daniel Schluender, Director of Engineering

- 11.2.** RES 24-47 Resolution Accepting a Bid from Warning Lites in the Amount of \$99,835.28 for the 2024 Pavement Markings Project, Improvement Project No. 24-03

Sponsors: Daniel Schluender, Director of Engineering

- 11.3.** ORD 24-2544 Second Reading
Adopt an Extension to the Interim Ordinance for a Moratorium on Car Washes

Sponsors: Erik Thorvig, Community Development Director

- 11.4.** 2024-66 Approve Proposed Amendments to Council Code of Conduct

Sponsors: Michelle Wolfe, City Manager

- 11.5.** RES 24-52 Adopt Revised Rules of Order and Procedure

Sponsors: Michelle Wolfe, City Manager

12. Other Business

13. Adjournment

CITY OF BLAINE**SCHEDULE OF BILLS PAID****APPROVED ON 3/4/2024 FOR PAYMENTS THE WEEK OF 2/9/2024**

Vendor Name	Description	Amount
4FRONT ENERGY SOLUTIONS	Permit Refund B23-04075	\$ 60.00
AMAZON CAPITAL SERVICES	Strategic Planning Meeting Materials	\$ 37.09
AMAZON CAPITAL SERVICES	Privacy Film for Elections	\$ 109.99
AMAZON CAPITAL SERVICES	PW Monitor Stands	\$ 367.96
AMAZON CAPITAL SERVICES	Dual monitor arms	\$ 272.25
AMAZON CAPITAL SERVICES	Cell Phone Chargers	\$ 111.28
AMAZON CAPITAL SERVICES	Cones for youth sports	\$ 43.88
AMAZON CAPITAL SERVICES	Supplies for spring events	\$ 126.98
AMAZON CAPITAL SERVICES	Tabs for folders-elections	\$ 9.57
AMAZON CAPITAL SERVICES	Office supplies/money counter	\$ 149.83
ASPEN MILLS INC	Flashlight holder - -Wicklander	\$ 19.35
AT&T MOBILITY	Bait trailer data service	\$ 53.97
BACHMAN TRENT	UAS certification exam	\$ 175.00
BARNUM COMPANIES INC	Monthly gate service - PW	\$ 280.00
BATTERIES PLUS BULBS	Batteries for patrol	\$ 127.46
BAUER BUILT INC	Tires for 4602	\$ 891.50
BAUER BUILT INC	Tires for 1278	\$ 2,382.78
BCI CONSTRUCTION INC	Aquatore Bandshell Construction	\$ 290,720.90
BOLTON & MENK INC	Ulysses & 117th Avenue	\$ 2,574.60
BOLTON & MENK INC	Ulysses/117th Improvement	\$ 12,926.00
BOYER TRUCKS	Muffler pipes for 1162	\$ 935.99
BOYER TRUCKS	Exhaust Elbow/tube for 1278	\$ 2,522.41
CAVALLARO JOSEPH	CDL Reimbursement	\$ 19.00
CENTER FOR ENERGY AND ENVIRONMENT	EDA HIL Loans	\$ 50,075.00
CENTERPOINT ENERGY	January 2024 Gas Service	\$ 23,247.28
CHESNESS SHERI	Mileage reimbursement	\$ 29.08
CINTAS CORPORATION	Uniform/Rug Rentals - PW	\$ 400.60
CINTAS CORPORATION	MAYC - Mats/Rugs	\$ 36.69
CITY OF EDEN PRAIRIE	Fence Consortium Annual Fee	\$ 12,670.00
CITY OF LEXINGTON	February 2024 Sewer	\$ 4,295.35
CITYWIDE SERVICE CORPORATION	Tow for case #24-011622	\$ 345.56
CIVICPLUS, LLC	Domain change for city website	\$ 1,230.06
COMPUTER EXPLORERS	Winter Tech Camp	\$ 120.00
CONNEXUS ENERGY-UTILITY PAYMENTS	951 124th Ln NE/Well #12,#13	\$ 543.24
CONNEXUS ENERGY-UTILITY PAYMENTS	10801 Town Square Drive	\$ 6,407.81
CORE & MAIN LP	Water Radios for Resale	\$ 55,836.00
CRYTEEL TRUCK EQUIPMENT	Vehicle Storage system; Water	\$ 1,825.00
CYBER ADVISORS INC	Network Assistance	\$ 1,325.00
DELEGARD TOOL COMPANY	Impact Wrench, Oil	\$ 392.11
ECM PUBLISHERS INC	2024 Summary Budget Publication	\$ 213.50

EMBEDDED SYSTEMS INC	Siren Maintenance Contract	\$	6,296.22
EVERLIGHT SOLAR	Permit Refund B23-04965	\$	80.00
FACTORY MOTOR PARTS COMPANY	Batteries for PW stock	\$	212.92
FACTORY MOTOR PARTS COMPANY	Batteries for PD stock	\$	306.24
FRIENDLY CHEVROLET INC	Rear Diff Fluid/Oil	\$	136.00
GARY CARLSON EQUIPMENT COMPANY	Locating paint sticks; Water	\$	142.40
GARY CARLSON EQUIPMENT COMPANY	Trench Box	\$	10,017.48
HAMMER SPORTS LLC	Refs for Adult Basketball League	\$	344.00
HELLO! BOOKING INC	GB Leighton for Oktober Fest	\$	4,000.00
INDELCO PLASTICS CORPORATION	Plant 4 Chemical Parts	\$	127.45
INNOVATIVE OFFICE SOLUTIONS	Copy Paper 20 cases	\$	937.60
INSIGHT PUBLIC SECTOR INC	Microsoft Software Licensing	\$	95,397.13
INSIGHT PUBLIC SECTOR INC	Credit	\$	(197.54)
INSIGHT PUBLIC SECTOR INC	Cradlepoint E3000 Enterprise Router	\$	3,489.40
JM ELECTRIC LLC	Electrical work at Happy Acres Park	\$	1,025.00
LAWSON PRODUCTS INC	Mechanic supplies: Steel Strapping	\$	607.49
MACQUEEN EQUIPMENT INC	Water Valve Repair; 4622	\$	2,173.04
MANAGED SERVICES INC	CH January janitorial	\$	4,418.00
MANAGED SERVICES INC	PD January janitorial	\$	759.00
MANSFIELD OIL COMPANY	Motor Fuel	\$	4,963.07
MANSFIELD OIL COMPANY	Motor Fuel	\$	2,123.90
MANSFIELD OIL COMPANY	Motor Fuel	\$	16,178.23
MANSFIELD OIL COMPANY	Motor Fuel	\$	4,963.07
MANSFIELD OIL COMPANY	Motor Fuel	\$	2,134.52
MANSFIELD OIL COMPANY	Motor Fuel	\$	8,081.02
MANSFIELD OIL COMPANY	Motor Fuel	\$	4,400.14
MARSDEN BUILDING MAINTENANCE LLC	PW January janitorial	\$	2,476.38
MATTSON ROBERT	MAYC pool table recovered	\$	900.00
MC TOOL & SAFETY SALES	Safety light	\$	147.76
MENARDS - BLAINE	Lift Station Supplies	\$	48.38
MENARDS - BLAINE	Fire station TV mount and electrical	\$	18.54
MENARDS - BLAINE	Shop Supplies/Tools; Mechanics	\$	211.25
MENARDS - BLAINE	CH 2nd fl faucet	\$	248.64
MENARDS - BLAINE	Patrol general supplies	\$	52.67
MENARDS - BLAINE	CH salt pellets	\$	119.40
MENARDS - BLAINE	Metal Cabinet; Water	\$	149.99
METRO AREA MANAGEMENT ASSOCIATION	Jan 25 Session (Wolfe)	\$	25.00
METRO BLOOMS DESIGN + BUILD LLC	Sign design for rain gardens	\$	550.00
MIDWAY FORD COMPANY	Repairs to unit 5301	\$	554.94
MIDWAY FORD COMPANY	Door Bumper Kit; 1320	\$	19.80
MIDWAY FORD COMPANY	Heater Hose 5301	\$	14.30
MINNEAPOLIS SAW COMPANY INC	Rakes for Street Dept	\$	50.00
MINNESOTA EQUIPMENT - HAM LAKE	Wrap/apron Chaps for storm	\$	103.99
MINNESOTA EQUIPMENT - ROGERS	Ballast Box for 1276	\$	1,620.00
MINNESOTA HIGHWAY SAFETY	Defensive Driving Refresher Class	\$	480.00
MINNESOTA POLICE BRIEFS	2024 subscription	\$	180.00
MINNESOTA RURAL WATER ASSOCIATION	Registration Technical Conference	\$	275.00

MTI DISTRIBUTING INC	Parts for 2390	\$	469.11
NARDINI FIRE EQUIPMENT CO INC	Fire Extinguishers for PD	\$	1,400.00
NORLING CONSTRUCTION LLC	Car wash wall repair	\$	3,450.00
NORTHERN SANITARY SUPPLY CO INC	B/O Towels for Sewer	\$	191.20
NUSS TRUCK & EQUIPMENT	Exhaust parts; 1278	\$	2,073.89
NUSS TRUCK & EQUIPMENT	Coolant pipes/filter/bracket	\$	487.23
NUSS TRUCK & EQUIPMENT	Coolant pipes/filter/bracket	\$	407.61
O'REILLY AUTOMOTIVE STORES INC	Brake Pads/rotors/Calipers	\$	292.05
PAFFY'S PEST CONTROL INC	MAYC - Monthly pest control	\$	59.75
PIONEER PHOTOGRAPHY & SERVICES	Photography and Speaking session	\$	300.00
PRINT CENTRAL	PW Envelopes	\$	308.82
PRO-TEC DESIGN INC	Camera Repairs; WTP 4	\$	2,040.00
PRO-TEC DESIGN INC	Door repair at LAC	\$	255.00
RECYCLE TECHNOLOGIES INC	PW batteries/light bulbs recycling	\$	93.00
RODRIGUES SANTA	Refund Permit B23-01254	\$	153.00
ROSE MUSIC SERVICES	Entertainment at MAYC	\$	150.00
SBM FIRE DEPARTMENT	Fire Protection Services	\$	415,132.00
SERVICE GRINDING & SHARPENING	Sharpen Zamboni blades; 2415	\$	192.00
SIEMSEN TAMELA	Mileage Reimbursement - Training	\$	16.48
SMITH SHAWN W	Retirement Cake/Cookies (Spear)	\$	161.95
SMITH SHAWN W	Meeting Supplies	\$	41.98
SNAP-ON INDUSTRIAL	Magnetic Adapters; Mechanics	\$	52.84
STATE OF MINNESOTA	Work Crew Contract	\$	51,750.00
STATE OF MINNESOTA	Court costs	\$	1,090.25
SUBURBAN TIRE WHOLESALE INC	Tires for PD Stock	\$	2,041.44
SUBURBAN TIRE WHOLESALE INC	Tires for 2343	\$	710.00
THE LEADERSHIP GROWTH GROUP LLC	Leadership Growth Group Books	\$	127.95
THE LEADERSHIP GROWTH GROUP LLC	2024 Leadership Growth	\$	600.00
THE WILEY LAW OFFICE PC	Attorney fees	\$	3,601.87
TOTAL COMPLIANCE SOLUTIONS INC	random drug testing	\$	49.00
TRANSUNION RISK/ALTERNATIVE DATA	Credit Reports for employees	\$	37.12
TRI-STATE BOBCAT INC	Credit - Mulcher gate 299D2	\$	(4,700.00)
TRI-STATE BOBCAT INC	Cutter for bobcat 1253	\$	67.67
TRI-STATE BOBCAT INC	Tooth kit/rings/nuts for 2305-12	\$	2,384.54
TRI-STATE BOBCAT INC	Grapple Bucket Attachment	\$	4,700.00
ULINE	Locker for facility employee	\$	2,350.81
USA BLUEBOOK (#657220)	WTP Supplies	\$	349.34
VERIZON WIRELESS	January 2024 Telephone Service	\$	412.69
VOLUNTEERS OF AMERICA	Van Driver Meals reimbursed	\$	100.00
WATER CONSERVATION SERVICES INC	Water Main Leak Detection	\$	519.65
WINDOW NATION	Permit Refund B23-02664	\$	80.00
WSB & ASSOCIATES INC	LAC Hockey Rinks	\$	3,840.75
WSB & ASSOCIATES INC	AUAR Contract - Northtown	\$	9,057.25
WSB & ASSOCIATES INC	Tree Removal Guidance Plan	\$	120.00
XCEL ENERGY	December 2023 Electric	\$	22,277.58
XTREME CUSTOM APPAREL & PROMOTIONS	City Council Plaque Updates	\$	46.00
ZIEBART OF MINNESOTA INC	Detail 5311 - Remove odors	\$	170.00

\$ 1,184,783.71

CITY OF BLAINE

**SUBSET OF PAYMENTS BETWEEN \$20,000 AND \$50,000 FROM THE SCHEDULE OF BILLS PAID
APPROVED ON 3/4/2024 FOR PAYMENTS THE WEEK OF 2/9/2024**

Vendor Name	Description	Amount
XCEL ENERGY	December 2023 Electric	\$ 22,277.58
CENTERPOINT ENERGY	January 2024 Gas Service	\$ 23,247.28

CITY OF BLAINE**SCHEDULE OF BILLS PAID****APPROVED ON 3/4/2024 FOR PAYMENTS THE WEEK OF 2/16/2024**

Vendor Name	Description	Amount
3M OPEN	2024 3M Open Deliverables	\$ 122,000.00
ACME TOOLS	Hydrant Pump Parts	\$ 111.44
AEROFAB INC	Asphalt shute for 1235-4	\$ 487.00
ALLEGRA PRINT & IMAGING	Highway 65 Banners and Displays	\$ 604.70
ALLEGRA PRINT & IMAGING	BPD Sympathy Cards for LE Fallen Officers	\$ 178.94
AMAZON CAPITAL SERVICES	Administration Supplies	\$ 74.25
AMAZON CAPITAL SERVICES	Heat Shrink for Seat Belt Extender	\$ 9.99
AMAZON CAPITAL SERVICES	Visual Presenter for MAYC	\$ 428.98
AMAZON CAPITAL SERVICES	Sea Foam for Shop	\$ 99.94
AMAZON CAPITAL SERVICES	Bar Code Scanner for Elections	\$ 61.38
AMAZON CAPITAL SERVICES	Interview supplies	\$ 76.88
ANOKA COUNTY	Tax Expenses - Truth in Taxation	\$ 16,981.94
ANOKA COUNTY	County Recordings	\$ 92.00
ANOKA COUNTY LICENSE BUREAU	New Registration - PD	\$ 2,185.35
ANOKA COUNTY TREASURY DEPT	Fiber for WTP 1 & 2	\$ 1,000.00
ANOKA COUNTY TREASURY DEPT	Fiber for WTP 1 & 2	\$ 1,000.00
ANOKA COUNTY TREASURY DEPT	Fiber for WTP 1 & 2	\$ 300.00
ANOKA COUNTY TREASURY DEPT	2023 Credit Report	\$ 90.00
ANOKA COUNTY TREASURY DEPT	Feb 5 Local Govt Officials Mtg	\$ 78.00
ANOKA COUNTY TREASURY DEPT	License Fee	\$ 465.00
ASPEN MILLS INC	Body armor and vest carrier	\$ 1,426.84
ASPEN MILLS INC	Credit	\$ (76.95)
AT&T MOBILITY	Employee Cell Phone Service	\$ 9,250.52
AT&T MOBILITY	Cell Phone Service - PD	\$ 7,280.07
AUTONATION FORD WHITE BEAR LAKE	Rear main seal repair; 2366	\$ 2,718.64
BAUER BUILT INC	Tire Repair: 1298	\$ 194.50
BENTLEY SYSTEMS INC	SignCAD/Computer Software	\$ 1,045.00
BLAINE AREA PET HOSPITAL PA	Veterinary Services for K9s	\$ 41.84
BLAINE AREA PET HOSPITAL PA	Veterinary Services for K9s	\$ 894.82
BLAINE AREA PET HOSPITAL PA	Veterinary Services for K9s	\$ 387.38
BLAINE LOCK & SAFE INC	CH key	\$ 14.25
BOLTON & MENK INC	Construction-89th & Davenport	\$ 7,627.00
BOLTON & MENK INC	Lift Station 1 Force Main	\$ 113.00
BONA BROS AUTO & TRUCK SERVICE	Insurance Claim	\$ 5,245.58
BOYER TRUCKS	Switch for 1241	\$ 392.19
BROADWAY AWARDS INC	PD Awards	\$ 247.41
CAPITAL ONE TRADE CREDIT	Fuel Tank/Hose Reel; 4503	\$ 2,173.86
CAPITAL ONE TRADE CREDIT	Fuel Pump; 4503	\$ 521.54
CAPITAL ONE TRADE CREDIT	Pliers/sockets for streets	\$ 130.03
CAPITAL ONE TRADE CREDIT	Small Tools: Band saw/blade	\$ 401.34

CAPITAL ONE TRADE CREDIT	Battery/Charger/Jacks	\$	348.52
CAPITAL ONE TRADE CREDIT	Drill bits for Water/Well maint.	\$	31.33
CENTERPOINT ENERGY	January 2024 Gas Service	\$	3,277.00
CENTURYLINK	Siren	\$	8.39
CENTURYLINK	911 Service	\$	86.06
CINTAS CORPORATION	CH - Mats/Rugs	\$	205.47
CINTAS CORPORATION	Uniform/Rug Rentals - PW	\$	178.43
CINTAS CORPORATION	MAYC - Mats/Rugs	\$	36.69
CINTAS CORPORATION	Uniform/Rug Rentals - PW	\$	400.60
CITY OF BLAINE	Replenish Petty Cash	\$	37.49
COMCAST	Internet for Public Wi-Fi	\$	164.90
COMCAST	PW Cable TV	\$	20.98
COMCAST	Cable TV	\$	36.22
COMCAST	Internet and Television - MAYC	\$	244.10
COMO LUBE & SUPPLIES INC	Disposal fees	\$	60.00
CONNEXUS ENERGY-UTILITY PAYMENTS	Electric Service	\$	14.50
COON CREEK WATERSHED DISTRICT	Escrow-Ulysses & 117th Roundabout	\$	3,690.00
COVERT TRACK GROUP INC	GPS tracker service	\$	1,209.65
D & G TIRE RECYCLE LLC	Tire Disposal	\$	599.80
DELEGARD TOOL COMPANY	Air Conditioning Machine	\$	504.68
DELEGARD TOOL COMPANY	Shop Tools: Cable shears	\$	59.01
ECM PUBLISHERS INC	Advertising & Public Notices	\$	48.37
EMERGENCY AUTOMOTIVE	Upfit Squad 5330 - 2023 Tahoe	\$	4,178.02
ENVIRONMENTAL EQUIPMENT	Suction Head Repairs to 1308	\$	4,952.97
ESRI INC	SG Enterprise License Agreement	\$	55,000.00
FERGUSON WATERWORKS #2518	Service break parts; Water	\$	201.15
FERGUSON WATERWORKS #2518	Service break parts; Water	\$	402.30
FERGUSON WATERWORKS #2518	Service & Water Main Break Parts	\$	813.55
FERGUSON WATERWORKS #2518	Water Main break parts	\$	837.04
FERGUSON WATERWORKS #2518	Credit	\$	(566.22)
FERRELLGAS	Propane for PW	\$	32.00
FERRELLGAS	Propane for PW	\$	126.00
FERRELLGAS	Propane for PW	\$	57.75
FRIENDLY CHEVROLET INC	Running Board - Squad 5314	\$	787.71
FRIENDLY CHEVROLET INC	Bolts/Belt for 5310	\$	71.38
FRIENDLY CHEVROLET INC	Coolant Tank; 5320	\$	27.88
FRIENDLY CHEVROLET INC	Alternator for 5310	\$	341.27
FUN EXPRESS LLC	Supplies for playnet juniors	\$	770.72
GARY CARLSON EQUIPMENT COMPANY	Marking Paint: Storm	\$	203.76
GIMPL TAMMY	Kennel Services for January 2024	\$	350.00
GOPHER STATE ONE CALL INC	2024 Water & Sewer Locate Fees	\$	491.45
GRAINGER	CH light bulbs	\$	985.26
GRAINGER	CH thermostat guard	\$	58.38
GRAINGER	Chemicals for Liftstations	\$	593.56
HAMMER SPORTS LLC	Refs for Adult Basketball League	\$	344.00
HAWKINS INC	Chemicals	\$	6,581.73
HAWKINS INC	Chemicals	\$	2,249.00

HEWLETT PACKARD ENTERPRISE CO	Server Maintenance Contract	\$	1,439.40
INDELCO PLASTICS CORPORATION	Pump/Motor for WTP 4	\$	1,397.50
INDELCO PLASTICS CORPORATION	Well Maintenance parts; breaktank/bracket	\$	207.85
INDELCO PLASTICS CORPORATION	Well Parts; connectors/union tees/valve	\$	1,251.01
INDELCO PLASTICS CORPORATION	Plant 4 Chemical Parts	\$	1,969.12
INSIGHT PUBLIC SECTOR INC	2024 computer purchases	\$	41,169.60
INSIGHT PUBLIC SECTOR INC	Computers, monitors and docking stations	\$	31,346.80
INSIGHT PUBLIC SECTOR INC	2024 Panasonic Toughbooks	\$	35,778.60
INSIGHT PUBLIC SECTOR INC	Carbon Black Endpoint Security for PCs	\$	10,644.00
INSIGHT PUBLIC SECTOR INC	IT Equipment-Services Employee	\$	1,851.32
INSIGHT PUBLIC SECTOR INC	Veeam Backup Renewal	\$	6,185.23
INSTRUMENTAL RESEARCH INC	Water Sample Testing	\$	960.00
IUOE LOCAL 49 FRINGE BENEFIT FUNDS	January Union Apprenticeship Fund	\$	729.60
KATH FUEL OIL SERVICE COMPANY	Bulk Diesel Exhaust Fluid; Shop	\$	640.00
KILLMER ELECTRIC COMPANY INC	WTP 4; E Stops installed	\$	6,940.00
LANGUAGE LINE SERVICES INC	Translation/Interpretation Services	\$	300.90
LAWSON PRODUCTS INC	Mechanic shop supplies	\$	2,104.65
LAWSON PRODUCTS INC	Brake/parts cleaner; Shop	\$	101.52
LRS PORTABLES OF MINNESOTA	Satellite Rental - Parks	\$	619.14
MC TOOL & SAFETY SALES	Rain gear; water	\$	61.41
MENARDS - BLAINE	Well 10 parts: Bushings/washers/PVC	\$	77.94
MENARDS - BLAINE	Well 10 parts: Bushings/washers/PVC	\$	45.26
MENARDS - BLAINE	Well 10 parts: PVC parts/valves/outlet	\$	23.81
MENARDS - BLAINE	Well 10 parts; Pipe/Riser/bushings	\$	118.52
MENARDS - BLAINE	Well 10 parts: PVC parts/valves/outlet	\$	11.16
MENARDS - BLAINE	Rodent control at WTP 4	\$	53.16
MENARDS - BLAINE	Wellhouse supplies/small tool; Water	\$	168.94
MENARDS - BLAINE	Recovery Strap & Rope; Storm	\$	109.97
MENARDS - BLAINE	Hasp for LAC	\$	16.99
MENARDS - BLAINE	Batteries for Sign Shop	\$	32.25
MENARDS - BLAINE	WTP 4 Camlocks	\$	27.50
MENARDS - BLAINE	Mechanic shop supplies	\$	70.04
METRO SALES INCORPORATED	Copier Maintenance and Support	\$	627.03
METRO SALES INCORPORATED	Copier Maintenance and Support	\$	506.28
METRO SALES INCORPORATED	Four New Copiers	\$	36,297.00
METRO SALES INCORPORATED	Copier Maintenance and Support	\$	406.36
METROPOLITAN COUNCIL	MCES 2024 Wastewater Services	\$	456,606.67
METROPOLITAN COUNCIL	January 2024 SAC	\$	108,321.15
MICKMAN BROTHERS INC	2023 Tree Removal - 105 Median	\$	150.00
MINNEAPOLIS OXYGEN COMPANY	Oxygen Cylinders for Patrol Operations	\$	153.67
MINNESOTA DEPT OF PUBLIC SAFETY	Tabs for Econoline Surveillance Van	\$	14.25
MINNESOTA EQUIPMENT - HAM LAKE	Chainsaw/Case/battery for Streets	\$	1,826.83
MINNESOTA HIGHWAY SAFETY	Defensive Driving Refresher Class	\$	432.00
MN DEPT OF LABOR AND INDUSTRY	January 2024 Surcharge	\$	6,647.68
MTI DISTRIBUTING INC	Solenoid Valve for 2431	\$	324.15
MTI DISTRIBUTING INC	Vent and Lens for 2390	\$	222.26
MTI DISTRIBUTING INC	Equipment Parts; 2411	\$	511.10

MUNICIPAL BUILDERS INC	WTP #2 Preventative Maintenance	\$ 130,506.25
NAGELL APPRAISAL AND CONSULTING	Appraisal, 89th Ave NE	\$ 1,200.00
NGUYEN JENNA	Well Interference Settlement	\$ 797.00
NORTHERN SANITARY SUPPLY CO INC	MAYC cleaners, towels, sprayer	\$ 622.71
NORTHERN SANITARY SUPPLY CO INC	CH tissue, soap, towels	\$ 914.56
NORTHERN SANITARY SUPPLY CO INC	PW Park Supplies: Tissue/liners/belt	\$ 410.61
NORTHLAND CAPITAL EQUIPMENT	Fitness Equipment Lease	\$ 832.43
NORTHWESTERN POWER EQUIPMENT	Plant 2 Valve Transmitter	\$ 4,921.50
NUSS TRUCK & EQUIPMENT	Exhaust Parts/Coolant Lines; 1278	\$ 16.11
NUSS TRUCK & EQUIPMENT	Exhaust Parts/Coolant Lines; 1278	\$ 25.29
NUSS TRUCK & EQUIPMENT	Exhaust Parts/Coolant Lines; 1278	\$ 153.35
NUSS TRUCK & EQUIPMENT	Exhaust Parts/Coolant Lines; 1278	\$ 67.50
OCV CONTROL VALVES LLC	Valve parts for Plants	\$ 198.93
OPTIMIZED ELECTRICAL SOLUTIONS	2nd floor data room	\$ 2,400.00
O'REILLY AUTOMOTIVE INC	Credit	\$ (211.04)
O'REILLY AUTOMOTIVE INC	Credit	\$ (26.40)
O'REILLY AUTOMOTIVE INC	Brake Parts: 4458	\$ 900.41
O'REILLY AUTOMOTIVE INC	Tire bead sealer; PW	\$ 11.00
O'REILLY AUTOMOTIVE INC	Brake Parts: 4458	\$ 125.00
O'REILLY AUTOMOTIVE INC	Credit	\$ (50.00)
O'REILLY AUTOMOTIVE INC	Pads/Rotors for 5302	\$ 129.99
O'REILLY AUTOMOTIVE INC	Electrical connectors 1241	\$ 15.57
O'REILLY AUTOMOTIVE INC	Rotors/Pads for 4494	\$ 237.66
O'REILLY AUTOMOTIVE INC	Shocks for 4458	\$ 152.16
O'REILLY AUTOMOTIVE INC	Brake Parts; 4461	\$ 403.57
PAFFY'S PEST CONTROL INC	CH - monthly pest control	\$ 80.35
PLANT & FLANGED EQUIPMENT CO	WTP 2 reducer/dust cover	\$ 1,917.90
PRECISE MRM LLC	GPS Management	\$ 1,480.00
R&R SPECIALTIES OF WISCONSIN INC	Ice Resurfacer #2436	\$ 60,000.00
R&R SPECIALTIES OF WISCONSIN INC	Ice Blade for Zamboni	\$ 265.00
REDPATH AND COMPANY LLC	2023 Financial Audit	\$ 8,000.00
RIDGEWAY & ASSOCIATES	Mental Wellness Program	\$ 2,750.00
RIVARD COMPANIES INC	Tree/Stump Removal	\$ 16,116.00
RIVARD COMPANIES INC	Tree/Stump Removal	\$ 3,568.00
ROADKILL ANIMAL CONTROL	Disposal of Dead Deer	\$ 103.00
SAM'S CLUB/SYNCHRONY BANK	Food supplies for Snow Days	\$ 29.04
SCHINDLER ELEVATOR CORPORATION	CH elevator motor repair	\$ 8,807.00
STEPP MANUFACTURING CO INC	Plexiglass for hot box; 1235.1	\$ 251.31
TASLER CONSTRUCTION INC	Car wash wall repair	\$ 4,200.00
THOM JOHN	School Registration	\$ 525.00
TPC TWIN CITIES	Harvest Hustle Reimbursement	\$ 5,296.20
TRANS UNION LLC	Credit Reports for employees	\$ 37.12
TRI-STATE BOBCAT INC	Strom Water Parts: Chains	\$ 180.00
TRI-STATE BOBCAT INC	Saw Cart for Water	\$ 605.97
TRI-STATE BOBCAT INC	Jumping Jack	\$ 4,390.00
TWIN CITY HEATING AND AIR	Permit Refund B24-00318	\$ 60.00
USA BLUEBOOK (#657220)	Britta Water pitchers/filters	\$ 324.10

USA BLUEBOOK (#657220)	Britta Water pitchers/filters	\$ 257.85
WSB & ASSOCIATES INC	99th Ave/Baltimore St Roundabout	\$ 4,317.00
XCEL ENERGY	Electric Service	\$ 68.92
XCEL ENERGY	Signal - Electric	\$ 13.60
ZIEGLER INC	Plant 1 Generator Repair	\$ 17,868.67
ZIEGLER INC	DEF Pump Repair; Shop	\$ 2,303.05
		\$ 1,325,576.36

CITY OF BLAINE

**SUBSET OF PAYMENTS BETWEEN \$20,000 AND \$50,000 FROM THE SCHEDULE OF BILLS PAID
APPROVED ON 3/4/2024 FOR PAYMENTS THE WEEK OF 2/16/2024**

Vendor Name	Description	Amount
INSIGHT PUBLIC SECTOR INC	Computers, monitors and docking stations	\$ 31,346.80
INSIGHT PUBLIC SECTOR INC	2024 Panasonic Toughbooks	\$ 35,778.60
METRO SALES INCORPORATED	Four New Copiers	\$ 36,297.00
INSIGHT PUBLIC SECTOR INC	2024 computer purchases	\$ 41,169.60



City of Blaine

City Council Workshop

February 12, 2024 | 5:30 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 Leslie Larson, Chris Massoglia (arrived at 5:35PM), Tom Newland, Jess Robertson (left at 7:00PM), and Lori Saroya (left at 7:15PM).

ABSENT: Councilmember Terra Fleming.

Quorum Present.

ALSO PRESENT: Community Development Director Erik Thorvig; City Planner Sheila Sellman; Safety Services Director/Police Chief Brian Podany; Finance Director Jason Zimmerman; Director of Engineering Dan Schluender; and Stormwater Coordinator Megan Hedstrom.

3. New Business

- 3.1. 2024-35** Discuss Stormwater Management within the Coon Creek Watershed District
Sponsors: Megan Hedstrom, Stormwater Coordinator

Stormwater Coordinator Hedstrom stated Coon Creek Watershed District staff were in attendance to present water management items for Council consideration and discussion.

Tim Kelly, District Administrator for Coon Creek Watershed District, gave an introduction on the district and provided information regarding emerging trends and standards in stormwater management. Federal and state requirements were discussed with the council.

It was noted Blaine has four streams and one lake that do not meet federal or state water quality standards. He described how waterways may become impaired and stated in many cases this was due to how surrounding properties were being used. He provided the council with the most current information as city and watershed staff work to develop plans, schedules, and budgets to address items related to surface water impairments and flooding. He commented on how he was working to get the 2045 deadline extended, as well as working to receive additional state and federal dollars in order to achieve the desired objectives. He stated the next steps between now and 2026 would be for the watershed's comprehensive plan to be adopted, then, from 2025 to 2028, he would be seeking legislative appropriations.

Councilmember Newland asked if solutions to improving water quality involves clearing of shorelines and the dredging of storm ponds. Mr. Kelly reported this involves outreach with homeowner associations to maintain buffer strips, reducing the use of fertilizer, and encouraging infiltration. In addition, maintenance and repair would be required for existing BMPs, along with additional treatment and rehabilitation or replacement of existing infrastructure. He stated some of this restoration work was quite costly.

Councilmember Newland stated the city has a \$103 million exposure over the next 20 years and questioned if the cost would be spread over the entire district. Mr. Kelly explained this would be the case.

Councilmember Newland inquired if other watershed districts in the metro area had impairments. Mr. Kelly indicated 53% of all impaired waters in the state of Minnesota were within the seven county metro area. He commented further on how flood mitigation efforts have changed because areas in the metro were now flooding that have not flooded in the past 30 years.

Councilmember Newland asked if the remeandering of the ditch system around Northtown would be beneficial to the watershed district. Mr. Kelly stated this would be incredibly beneficial to the watershed district, both for flood control and water quality. He thanked the city for including the watershed district in the planning process.

Councilmember Saroya explained she lives in Pleasure Creek neighborhood and asked if people in her neighborhood have been made aware of e.coli. Mr. Kelly indicated he was just on the front end of these issues and stated as far as specific actions or messaging, he did have some projects identified. He commented on the work that had been done on Pleasure Creek in recent years which included sand enhancement features and was of the opinion the creek was no longer impaired for e.coli.

Councilmember Saroya questioned if fishing was safe in the pond. Mr. Kelly indicated there were metro wide fish consumption warnings due to multiple impairments. He stated residents were more than welcome to fish, but he would recommend against taking the fish home for consumption.

Councilmember Larson commented she was not aware of these concerns. She asked how far out of the metro residents would have to go to get aware from the consumption warnings. Mr. Kelly encouraged residents to visit the MPCA or DNR websites for recommendations.

Councilmember Saroya recommended "No Fishing" signage be posted near Pleasure Creek. Ms. Hedstrom stated she could work with the communications team if this was the recommendation of the city council. Mr. Kelly discussed how dog waste stations have been helpful with cleaning up the dog waste in the Pleasure Creek neighborhood, which was positively impacting the adjacent waterways.

Mayor Sanders thanked staff and Mr. Kelly for the detailed presentation.

3.2. 2024-41 Highway 65 Overlay District
Sponsors: Sheila Sellman, City Planner

City Planner Sellman stated at the December 11, 2023, workshop, council directed staff to create an ordinance/overlay for properties south of Highway 10 along Central Avenue/Highway 65 and to create performance standards for self storage in this area. The Highway 65 Overlay (HOD) is an existing overlay in the zoning code, Section 32.50. This overlay district applies to all properties which are zoned Community Commercial (B-2), Regional Commercial (B-3), Office Park (B-4), Planned Business District (PBD), Light Industrial (I-1), Heavy Industrial (I-2), Medium Density Multi-Family (R-3B) and High Density Multi-Family (R-3C), which are located within seven hundred fifty (750) feet of the centerline of the right-of-way of Highway 65. Where only a portion of a parcel lies within seven hundred fifty (750) feet of the Highway 65 centerline, the ordinance applies to the entire parcel.

Ms. Sellman explained the purpose of this overlay district is to establish minimum standards for exterior architecture, design, landscaping, and signage of buildings that contribute to a community image of quality, visual aesthetics, permanence, and stability which are in the best interest of the City. Since there is already a zoning overlay in place, staff suggests amending and updating this ordinance instead of creating a whole new district. The same objectives can be accomplished by amending this ordinance. The underlying zoning will provide the list of permitted and conditional uses with development standards and the overlay will be the added layer that also has development parameters that need to be met. Certain uses can be allowed or prohibited in the overlay that might be in conflict with what the underlying zoning district has. The overlay district will supersede the underlying district. The majority of the properties in the HOD are zoned B-2 and B-3.

Ms. Sellman reported based on council direction, staff is proposing a new section to the HOD for development south of Highway 10. This area is proposed to allow self-storage as a conditional use (with development parameters) and allows for reduced setbacks. Councilmembers have previously mentioned the Highway 65 corridor should be looked at for allowable uses. It would be appropriate to discuss that at this time if council agrees to the staff's approach to amending the HOD. It should be noted that some of the current property uses may become legal non-conforming uses if the proposed changes are made or if council wants to prohibit more uses. Section 32.11 outlines nonconformities.

Councilmember Larson asked what portion of property was designated for residential. Ms. Sellman explained this was the portion of land behind the office building.

Councilmember Newland explained he does not support modifying the HOD district in order to allow for self storage. He reported the HOD district covers Highway 65 from the northern to southern portion of the city. He wanted the corridor to be treated consistently and uniformly throughout the entire city. He did not believe it was in the city's best interest to make changes for one property in southern Blaine. He did not support the city abandoning its plan and vision for the Highway 65 corridor. He stated he disagreed with the other changes as well.

Councilmember Saroya asked what the council was discussing at this time. She noted she was not comfortable discussing the development given the fact the developer was not present. Ms. Sellman clarified the council was being asked to discuss the overlay district.

Councilmember Saroya inquired if the potential conflict of interest that arose at the last meeting was still applicable. Councilmember Newland stated after speaking with the city attorney he learned there was no conflict of interest, even though he owns property within the overlay district.

Councilmember Saroya questioned if Scott Uram had been made aware of this meeting. Ms. Sellman indicated the developer was made aware of this meeting.

Councilmember Robertson asked if staff's recommendation was based on the council's previous discussion. Ms. Sellman reported this was the case and indicated she was directed to draft an ordinance for consideration.

Councilmember Robertson stated she understood this was a sensitive topic, but noted she did object to bringing these properties into conformance. She indicated she wanted to see community engagement occurring. She commented on what was coming to the Highway 65 corridor and believed it was premature to be making changes at this time. She reported she did not support changing the rules for one property owner.

Councilmember Massoglia explained he thought council consensus was to work through this for Mr. Uram's project and that it seemed like the best solution. He understood the city would be doing a modification to the overlay district for one person, but noted the city was working to find a solution. He indicated this wasn't anything new as this overlay district has been in place for a long time and only a minor change was being proposed. He stated only one self-storage business would be allowed.

Councilmember Newland commented consensus does not mean unanimous support. He stated his position has not changed. He did not support another self-storage business being located within the overlay district and felt it was not right or fair.

Councilmember Larson asked if the proposed self-storage project would bring more tax dollars to the city. Ms. Sellman reported this would be the case.

Councilmember Larson explained she could support the proposed change because it would bring the city more tax dollars and only one property would be impacted.

Councilmember Newland indicated he believed the statement that the city would be making

more money off the change was a somewhat dangerous comment. He was of the opinion this was a precedent the city did not want to set.

Councilmember Larson stated if this was the case, she could raise a concern everytime this was mentioned with respect to the 105th Area Redevelopment project. She commented on how the industrial area has to be changed and the city has to buy more property in order to make more money.

Councilmember Newland explained he believed this was an entirely different situation. He stated investments in the 105th Area Redevelopment project would have a return on investment which differed from the proposed modification for the benefit of one property.

Councilmember Massoglia questioned if pawnshops would be allowed in the overlay district. Ms. Sellman indicated pawnshops had been excluded from other areas. She noted this use could be included or excluded.

Councilmember Newland asked if the city's vision for the corridor has been shared with Spring Lake Park instead of placing mini storage into an area that doesn't fit.

Councilmember Larson inquired what the vote had to be in order for the proposed amendment to pass.

Mayor Sanders stated a majority vote of the council would be required.

Community Development Director Thorvig reported the last time the council discussed this matter four councilmembers were comfortable moving forward. He asked that Councilmember Saroya and Mayor Sanders provide staff with feedback on this matter.

Mayor Sanders stated even if the self-storage were to be removed, there were still other building standards or architectural control matters that should be addressed within with overlay district. Ms. Sellman indicated this could be addressed when the ordinance was brought forward. She proposed the landscaping requirements also be amended to better suit the lots along Highway 65.

Councilmember Massoglia explained he appreciated the fact the city had an overlay district for the Highway 65 corridor. Ms. Sellman noted this was quite common along highways.

3.3. 2024-36 Home Occupation Ordinance Discussion *Sponsors: Sheila Sellman, City Planner*

Ms. Sellman stated in 2022 two conditional use permits for home occupations were denied. Both requests included outdoor storage and both were zoned Farm Residential (FR). The denials were based on findings that the property was being used commercially and was not consistent with adjacent residential properties and would have an adverse effect on neighboring properties. Staff reviewed the criteria for permitted home occupations that do not require a conditional use permit. She explained all home occupations which do not

conform to the standards shall only be conducted with a home occupation conditional use permit. However, there are no criteria for the uses that qualify for a conditional use permit. With any conditional use permit, the use must meet any criteria for that zoning district or use and meet criteria outlined in Section 27.04:

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.
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.
3. The use shall have an appearance that will not have an adverse effect 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.
6. The use shall not be in conflict with the comprehensive plan of the City.
7. The use will not cause traffic hazard or congestion.
8. The use shall have adequate utilities, access roads, drainage and necessary facilities.

Ms. Sellman reported throughout the year staff keeps track of language that is confusing, out of sync with other cities and that may raise legal issues in the zoning code. At the end of the year staff proposes changes to the zoning code as necessary. In 2022, staff proposed changes to section 33.10 (Home Occupations) in an effort to clarify language and provide criteria for all home occupations permitted or by conditional use. The proposed ordinance was not adopted. Staff would like to revisit the proposed changes and have a dialogue with council on any additional changes, including but not limited to allowing different criteria for larger lots.

Councilmember Robertson said she did not believe there should be differing criteria for home occupations based on lot size. She stated when she thought of home occupations she thought of people working from home and not impeding their neighbors.

Mayor Sanders recommended that outdoor storage not be allowed.

Councilmember Saroya stated what she was hearing from residents was there were concerns when customers begin showing up and impacting the traffic in the neighborhood. She anticipated there were residents operating businesses from their home and not aware of the city's requirements.

Councilmember Larson suggested the city set limits regarding the number of customers home occupations can have on a daily basis. Mr. Thorvig stated current code allows for no more than four customers per day.

Councilmember Newland asked if all home based businesses require a business permit. Ms. Sellman reported if the business meets all of the listed criteria, a permit is not required. However, if the business does not meet the criteria than a conditional use permit would be required.

Councilmember Newland anticipated storage, noise and activity would be the biggest concerns for home occupations.

Councilmember Massoglia indicated he would support the home occupation criteria being less restrictive. He believed Farm Residential should have different standards than other residential zoning districts. He supported the activities on the Farm Residential properties being grandfathered in.

Councilmember Larson supported this recommendation. She noted the large properties along Lexington Avenue should be allowed to continue to use their properties as they have been.

Councilmember Robertson stated she did not disagree with this thinking. However, she noted Farm Residential was any property that was five acres or larger. She commented on how neighbors would be impacted if a five acre lot was allowed to have a landscaping business and equipment onsite. She did not recommend all Farm Residential properties have no restrictions when it comes to home occupations. She wanted to ensure neighbors were kept in a good space with each other.

Councilmember Massoglia stated this was a fair point, but explained the Farm Residential land in Ward 3 was different. Mr. Thorvig reported one way to address this through the code would be to set an acreage minimum.

Ms. Sellman indicated staff would create a map of all Farm Residential properties for review.

3.4. 2024-40 Car Wash Study Discussion
Sponsors: Erik Thorvig, Community Development Director

Mr. Thorvig stated on September 6, 2023, the City Council adopted a six-month moratorium to study zoning related to car washes. The City Council first discussed the study at the December 18, 2023, workshop with general discussion related to zoning performance standards (setbacks, screening, CUP requirements, etc.) and limiting the location of car washes along major corridors. Staff reviewed a map showing the current locations of car washes in Blaine. He commented on the proposed changes, noting the language would attempt to address the concerns expressed by the city council at the workshop. Council was asked to provide staff with feedback on the proposed language changes. It was noted the moratorium expires on March 6, 2024. In order to make the necessary amendments, an extension to the moratorium would need to occur. An extension is scheduled for the February 21 and March 4 meetings. The moratorium would be lifted once changes are formally adopted by the City Council.

Councilmember Newland explained he still believed the market would find its own equilibrium when it came to the number of car washes in the community. He was of the opinion this was not something the city had to regulate.

Councilmember Larson anticipated the market was saturated and the situation would take care of itself, especially along Highway 65.

Councilmember Larson indicated car washes were very difficult to redevelop into something else and when they don't work out or go out of business often times cities have to purchase these properties in order to spur redevelopment.

Councilmember Massoglia expressed concern with the properties along Main Street that could be rezoned to allow for a car wash. Mr. Thorvig stated only the southeast corner could potentially have a car wash. He anticipated only one parcel along Lexington Avenue would work for a car wash under the new parameters.

Councilmember Saroya asked how far Tommy's Car Wash was from residential properties. Ms. Sellman indicated this business was 372 feet from residential properties.

Councilmember Saroya stated 300 feet may not be far enough given the number of email complaints she has been receiving regarding Tommy's Car Wash. She explained her main concern was not having car washes adjacent to residential homes because this was a quality of life issue.

Councilmember Newland thanked staff for their efforts to address this issue. He did not anticipate the city would have many more free standing car washes given the number already in the market.

Councilmember Larson indicated she could support 300 feet to residential properties with the proposed parameters. She commented residents should be aware of the surrounding zoning districts and what could potentially locate on the vacant land.

Mayor Sanders agreed stating he saw a difference between the time spent at a Kwik Trip car wash versus a Tommy's Car Wash. He stated the new car washes took only minutes to complete while a Kwik Trip wash took seven or eight minutes to complete. He anticipated a property south of Radisson could be a prime spot for a future car wash or on 109th depending on what happens with the gun club. He noted the city currently has one self-standing car wash for every 17,000 residents, which means the city does not have a car wash proliferation problem.

Mr. Thorvig stated with the 300 foot setback there were seven properties remaining in Blaine that could have a self-standing car wash. He indicated if the council wanted this to be fewer, the setback requirements could be strengthened. He explained if these changes were put into effect the city would have existing car washes that were non-conforming and grandfathered in. He reported this meant these uses could continue, would be allowed to remodel, but could not expand their footprint. He stated staff had discussed allowing car washes to upgrade their technology, even if this means a slight expansion to their footprint.

Councilmember Newland asked if the car wash on the south side was 300 feet from the mobile homes. Mr. Thorvig explained it was 267 feet.

4. Other Business

Mr. Thorvig reminded the council that the city manager was on vacation and Police Chief Podany would be acting city manager then requested the council complete their board and commission applicant rankings by February 16.

Mr. Thorvig explained staff would be providing the council with an update on the tax abatement process on Monday, March 11.

Councilmember Massoglia indicated he would not be able to attend the February 21 city council meeting.

5. Adjournment

The workshop was adjourned at 7:36PM.



City of Blaine

City Council Workshop

February 21, 2024 | 5:30 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, Tom Newland, Jess Robertson, and Lori Saroya.

ABSENT: Councilmember Chris Massoglia.

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; Director of Engineering Dan Schluender; Senior Parks and Recreation Manager Jerome Krieger; City Attorney Tom Loonan; Communications Manager Ben Hayle; and City Clerk Catherine Sorensen.

3. New Business

- 3.1. 2024-52** Closed Session Pursuant to Minnesota Statute 13D.05, Subd. 3(a) - City Manager Performance Review
Sponsors: City Council

A motion was made and seconded to move into a Closed Session pursuant to Minnesota Statute 13D.05, Subd. 3(a) in order to conduct the city manager's performance review and council chambers security update.

- 3.2.** 2024-44 Closed Session Pursuant to Minnesota Statute 13D.05, Subd. 3(d) for Council Chambers Security Update
Sponsors: Brian Podany, Safety Services Manager/Police Chief

A motion was made and seconded to move into a Closed Session pursuant to Minnesota Statute 13D.05, Subd. 3(d) for Council Chambers Security Update.

- 3.3.** 2024-42 Annual Communications Update
Sponsors: Ben Hayle, Communications Manager

A motion was made and seconded to reconvene the worksession meeting.

Communications Manager Hayle provided an update on the work done by the city's communications team. He introduced his team members to the council. The update included an overview of the different ways the communications team engages with the Blaine community. It was noted the communications department completes 23 different publications each year. The digital communications systems the city has in place were further discussed. Also included in the presentation was a look back at 2023 statistical data and a look ahead to 2024 goals and projects. He indicated staff would be working to revamp the city's website beginning in March and encouraged the council to remain connected with the city on social media channels.

Councilmember Newland asked what has been the communications team's primary focus over the past five years. Mr. Hayle stated his primary focus has been on building and organizing a communications team.

Councilmember Newland inquired if the *Blaine Life* had a new reporter covering the city of Blaine. Mr. Hayle explained this was the case and noted he would be reaching out to this reporter in Q1 in order to make a connection.

- 3.4.** 2024-43 Aquatore Bandshell Rental Discussion
Sponsors: Jerome Krieger, Sr. Recreation Manager

Senior Parks and Recreation Manager Krieger stated the Aquatore bandshell is scheduled to open in time for the Blaine Festival, which is in late June. Staff have already started to get inquiries about renting the facility after construction is completed. The Parks and Recreation staff has researched four other large bandshell and amphitheater facilities to compare prices and types of rental activities. The four cities are Bloomington, Maple Grove, Plymouth and Edina. Staff presented the council the comparison in pricing and amenities

offered for these four cities. Currently, the Tom Ryan, Lakeside Commons and Aquatore outdoor shelters are rentable on either a half-day or full-day basis. The Mary Ann Young Center has part-time building supervisors to work on various rentals at that facility. The building supervisors have expressed interest in working at the bandshell, if the opportunity arises for additional rentals. It was noted staff is looking for direction from the city council on renting the bandshell and what to communicate with the public when they inquire about the facility.

Councilmember Robertson explained she supported the bandshell being rented, but wanted to be assured the Blaine Festival Committee supported this. Mr. Krieger stated the festival committee supports the rental of the bandshell.

Councilmember Robertson recommended damage deposits be collected for all rentals of the bandshell to protect the space. She indicated she could support \$200 per hour rental rates for the bandshell and suggested the bandshell be rented in three or four hour increments. She stated she would like to see the rents collected covering the staff time to oversee events at the bandshell.

Councilmember Fleming asked if residents would have to pay for an entire block of time if they only need the bandshell for two or three hours. Mr. Krieger stated he was proposing to have the bandshell rented in two different blocks. The first block would be from 9:00 a.m. to 2:00 p.m. and the second block would be from 3:00 p.m. to 9:00 p.m.

Councilmember Newland supported the city having a resident and non-resident rate in place for the rental of the bandshell. He recommended a premium rental rate be set for the bandshell. He inquired if there would be any type of events that would be prohibited at this facility. Mr. Krieger stated staff would review each rental request to see if the event could be held on city property.

Councilmember Larson indicated she supported the proposed rental blocks for the bandshell.

Councilmember Saroya stated she supported the city renting out the bandshell. She questioned how staff would address noise issues. Mr. Krieger explained the bandshell faced southwest which meant sound would project towards TH65 and TH10. He stated with the surrounding traffic, staff did not anticipate noise would be a concern.

Councilmember Saroya questioned if the bandshell would be used year round. Mr. Krieger anticipated the bandshell would be used spring through fall. He indicated the indoor space could be used through the winter months for festival meetings or other city programming.

Councilmember Saroya explained she trusted staff to come up with rental rates for the bandshell. She indicated her only concern was not to deter residents, especially Ward 1 residents, based on fees. She suggested the city consider naming the bandshell after Greenberry Chambers.

Councilmember Robertson asked what the city has learned from renting MAYC that should be considered for the bandshell. Mr. Krieger stated MAYC was having a wide range of rentals from people both inside and outside the community. He explained people were

utilizing MAYC for birthday parties, showers, and homeowner association meetings.

Councilmember Fleming stated she could support the city having a resident and non-resident rate for the bandshell rental rates.

Councilmember Larson indicated her only concern was that the city did not have split rates for any other facilities in the community. She questioned how staff believed the council should proceed on this matter. Mr. Krieger supported the city having resident and non-resident rental rates for the bandshell. He explained the council could review the rates at the end of the year after a season of rentals was complete and review at that time.

4. Other Business

City Clerk Sorensen shared an update on the board and commission applicant review.

5. Adjournment

The workshop was adjourned at 6:56PM.



City of Blaine

City Council

February 21, 2024 | 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, Tom Newland, Jess Robertson and Lori Saroya.

ABSENT: Councilmember Chris Massoglia.

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; Director of Engineering Dan Schluender; Senior Recreation Manager Jerome Krieger; City Attorney Tom Loonan; Communications Manager Ben Hayle; and City Clerk Catherine Sorensen.

4. Awards - Presentations - Organizational Business

- 4.1.** 2024-45 Police Department Citizen Award Recognitions
Sponsors: Brian Podany, Safety Services Manager/Police Chief

Mayor Sanders thanked all first responders for their dedicated service to the community and invited the audience to stand in a moment of silence to honor those who lost their lives in Burnsville in the line of duty.

Safety Services Director/Police Chief Podany stated each year, the Blaine Police Department

recognizes citizens in the community who have gone above and beyond what is expected of them to positively impact their fellow citizens and/or our law enforcement agency. The citizens are nominated by Blaine Police Department staff. Several citizens from the community were present to receive recognition from the Blaine Police Department for their actions in 2023 and early 2024 that directly benefited a fellow citizen and our law enforcement agency, including Bradley Miska for helping detain a combative suspect who was resisting arrest, Carla Holm for providing aid to a motorcycle crash victim, Kenton Pust for providing aid to a motorcycle crash victim, Jeffrey Ruff for performing CPR on a male who was not breathing at a fitness center, and Mark Morrisette for performing CPR on a male who was not breathing at a fitness center.

Mayor Sanders thanked these citizens for being the very best, for looking out for Blaine Police Officers and for each other. A standing ovation and round of applause was offered by all in attendance.

4.2. 2024-46 Police Officer Swearing-in Ceremony
Sponsors: Brian Podany, Safety Services Manager/Police Chief

Police Chief Podany stated 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 Mayor, City Councilmembers, City Manager, Chief Podany, fellow police staff, and the public.

City Clerk Sorensen administered the Oath of Office to Officer Wakumoto and Officer Rice and welcomed them to the Blaine Police Department. Badges were pinned on and a round of applause was offered by all in attendance.

5. Communications

The Council invited the public to attend the Guns and Hoses hockey game on Friday, February 23 at the Blaine Super Rink at 5:00 p.m. along with the Polar Plunge at Lakeside Commons Beach being sponsored by the Blaine Police Department on Saturday, February 24.

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 7:38PM.

There being no input, Mayor Sanders closed the Open Forum at 7:38PM.

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.

Councilmember Newland noted he would be abstaining from the February 2 bills paid item.

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

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

- | | | |
|-------------|-----------|--|
| 8.1. | 2024-47 | Schedule of Bills Paid
<i>Sponsors: Jason Zimmerman, Finance Director</i> |
| 8.2. | 2024-48 | Approval of Minutes
<i>Sponsors: Cathy Sorensen, City Clerk</i> |
| 8.3. | RES 24-28 | Resolution Granting Final Plat Approval to Create 34 Lots to be Known as Preserve at Lexington Waters Third Addition at 131st Avenue NE and Lever Street. Blaine 2022 LLC (Case File No. 24-0007/SAS)
<i>Sponsors: Sheila Sellman, City Planner</i> |
| 8.4. | RES 24-43 | Resolution Ordering the Preparation of an Alternative Urban Areawide Review for the Northtown Mall and Surrounding Area.
<i>Sponsors: Sheila Sellman, City Planner</i> |
| 8.5. | 2024-49 | Approve Payment to AXON Enterprises Inc. for the Officer Safety Plan Contract
<i>Sponsors: Brian Podany, Safety Services Manager/Police Chief</i> |
| 8.6. | 2024-50 | Approve Purchases from the Public Safety Funds
<i>Sponsors: Brian Podany, Safety Services Manager/Police Chief</i> |

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

9.1. 2024-51 Proposed Onsale Intoxicating Liquor License Fee Increase *Sponsors: Cathy Sorensen, City Clerk*

Ms. Sorensen stated in preparation for license renewals in June, staff is requesting council hold a public hearing and consider a motion regarding council's intention to increase on-sale liquor license fees from \$5,800 to \$7,800 for the 2024-2025 license period. This action is a result of 2024 budget discussions and review of current fees compared to other comparable cities. The last fee increase occurred in 2017. If approved, the proposed increase will place Blaine's license fee still below the average of other cities while still continuing to cover costs associated with licensing, regulation, and compliance checks. Statute requires notice and public hearing regarding a proposed fee increase, which was published in the city's official newspaper and mailed to all current license holders to either attend the public hearing or provide comments on the proposed fee. A survey of comparable cities' fees is included with fees ranging from \$5,000 (Ramsey) to \$13,204 (Chanhassen), with an average fee of \$7,930 and median fee of \$8,200. Most cities utilize a flat fee schedule, but four of the 19 cities surveyed utilize a tiered fee schedule based on either annual sales or building square footage.

Mayor Sanders opened the public hearing at 7:47PM.

There being no public input, Mayor Sanders closed the public hearing at 7:48PM.

Moved by Councilmember Fleming seconded by Councilmember Newland, to approve the Proposed Onsale Intoxicating Liquor License Fee Increase.

Councilmember Robertson explained she did not have a problem with the proposed fees increasing. However, she was interested in the City considering a tiered fee schedule based on square footage to lessen the impact on smaller restaurants.

Councilmember Fleming supported the city council further discussing a tiered fee schedule.

Councilmember Newland indicated the council approved the 2024 budget based on the proposed liquor fees. He stated he could support further discussions of a tiered fee schedule that could be considered for 2025. He asked when the city last increased the liquor fees. Ms. Sorensen stated the last fee increase occurred in 2017.

Councilmember Larson commented the city was still on the lower side and noted she was curious if a tiered fee schedule would increase the work that would have to be done by staff. Ms. Sorensen reported it was possible that a larger structure may have more partners and more background work would be required.

Council consensus was to move forward with the fees as recommended and supported the council possibly discussing a tiered fee schedule during the upcoming budget cycle.

Motion adopted unanimously.

- 9.2.** RES 24-42 Resolution Granting a Conditional Use Permit to Allow a Veterinary Clinic in the I-1 (Light Industrial) Zoning District at 10035 Flanders Court NE. Twin Cities Animal Rehab and Sports Medicine (Case File No. 24-0010/SLK)
Sponsors: Sheila Sellman, City Planner

City Planner Sellman stated the applicant is requesting a Conditional Use Permit (CUP) to open a physical rehabilitation center for small animals. Staff commented on the request further and recommended approval.

Mayor Sanders opened the public hearing at 7:56PM.

The applicant explained she was looking forward to opening a physical rehabilitation center for small animals in Blaine. She reported she currently has a location in Burnsville and was looking to expand to the north metro.

There being no public input, Mayor Sanders closed the public hearing at 7:57PM.

Moved by Councilmember Robertson, seconded by Councilmember Newland, to adopt a Resolution Granting a Conditional Use Permit to Allow a Veterinary Clinic in the I-1 (Light Industrial) Zoning District at 10035 Flanders Court NE.

Motion adopted unanimously.

10. Development Business

- 10.1.** RES 24-41 Resolution Granting a Conditional Use Permit Amendment to Clarify the Side Yard and Front Yard Setbacks in the Foxtail Hollow Townhome Development in the Development Flex (DF) Zoning District at 121st Avenue and Radisson Road NE. Foxtail Hollow Townhomes (Case File No. 24-0009/SLK)
Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated this Conditional Use Permit (CUP) Amendment request is to clarify the front and side yard setbacks that are adjacent to the internal private drive. Staff commented on the request further and recommended approval.

Moved by Councilmember Robertson, seconded by Councilmember Newland, to adopt a Resolution Granting a Conditional Use Permit Amendment to Clarify the Side Yard and Front Yard Setbacks in the Foxtail Hollow Townhome Development in the Development Flex (DF) Zoning District at 121st Avenue and Radisson Road NE.

Motion adopted unanimously.

- 10.2. RES 24-38** Resolution Granting a Conditional Use Permit to Allow a 1,610 Square-Foot Garage in the Farm Residential (FR) Zoning District at 4726 115th Avenue NE. Chris Rice (Case File No. 24-0006/SLK)
Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated the applicant is requesting a Conditional Use Permit (CUP) to construct an attached 1,610 square foot garage for personal storage. Staff commented on the request further and reported the planning commission recommends approval with conditions.

Moved by Councilmember Newland, seconded by Councilmember Robertson, to adopt a Resolution Granting a Conditional Use Permit to Allow a 1,610 Square-Foot Garage in the Farm Residential (FR) Zoning District at 4726 115th Avenue NE.

Motion adopted unanimously.

- 10.3. ORD 24-2542 First Reading**
Ordinance Approving an Amendment to the Blaine Zoning Code to Create a New Zoning District, County Road 10 Mixed Use District. Northtown (City of Blaine) (Case File No. 24-0002/SAS)
Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated this was the first reading of a new ordinance, County Road 10 Mixed Use District as part of the Northtown Plan implementation. Staff commented further on the proposed ordinance and recommended introduction.

Declared by Mayor Sanders that Ordinance No. 24-2542, "Ordinance Approving an Amendment to the Blaine Zoning Code to Create a New Zoning District, County Road 10 Mixed Use District. Northtown (City of Blaine)," be introduced and placed on file for second reading at the March 4, 2024 Council meeting.

- 10.4. ORD 24-2543 First Reading**
Ordinance Rezoning Certain Parcels in the Northtown Area from Community Commercial (B-2) and Regional Commercial (B-3) to County Road 10 Mixed Use District. Northtown (City of Blaine) (Case File No. 24-0002/SAS)
Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated this item is the first reading of an ordinance to rezone certain parcels in the Northtown Area to County Road 10 Mixed Use District (MU) as part of implementing the Northtown Plan. Staff commented further on the proposed ordinance and recommended introduction.

Declared by Mayor Sanders that Ordinance No. 24-2543, "Rezoning Certain Parcels in the Northtown Area from Community Commercial (B-2) and Regional Commercial (B-3) to

County Road 10 Mixed Use District. Northtown. (City of Blaine)," be introduced and placed on file for second reading at the March 4, 2024 Council meeting.

11. Administration

11.1. ORD 24-2544 First Reading

Adopt an Extension to the Interim Ordinance for a Moratorium on Car Washes

Sponsors: Erik Thorvig, Community Development Director

Community Development Director Thorvig stated on September 6, 2023, the City Council adopted an interim ordinance placing a moratorium on new car washes in the City of Blaine. The purpose of the moratorium was to allow the Council time to study zoning regulations related to car washes and determine potential zoning district changes or text amendments. The moratorium was for six months and is set to expire on March 6, 2024. Minnesota State Statute allows cities to establish a moratorium to allow zoning studies for up to one-year. The City Council discussed zoning regulations related to car washes at their December 18, 2023, and February 12, 2024, workshops. Additional time is necessary to adopt proposed changes, therefore a six-month extension to the original moratorium is proposed through September 6, 2024. It is not anticipated that the full time extension is necessary to adopt the proposed changes. If the City Council adopts changes prior to September 6, 2024, the moratorium would be lifted and applications for car washes would be allowed under any new regulations adopted.

Declared by Mayor Sanders that Ordinance No. 24-2544, "Adopting an Extension to the Interim Ordinance for a Moratorium on Car Washes," be introduced and placed on file for second reading at the March 4, 2024 Council meeting.

11.2. ORD 24-2541 Second Reading

Amend Sec. 2-31. - Salaries of Mayor and Councilmembers

Sponsors: Cathy Sorensen, City Clerk

Ms. Sorensen stated council is asked to hold second reading and adopt the proposed ordinance amending council salary. It was noted this item was introduced at the February 5 City Council meeting.

Moved by Councilmember Newland, seconded by Councilmember Larson, to adopt the Second Reading of Ordinance No. 24-2541, Amend Sec. 2-31. - Salaries of Mayor and Councilmembers.

Councilmember Saroya expressed concern that there was no mechanism in place to measure if a salary increase was warranted. She was of the opinion the funding could be used for other needs in the city, such as offsetting street assessments for residents or for police wages.

Motion adopted 5-1 (Councilmember Saroya opposed).

12. Other Business

None.

13. Adjournment

Moved by Councilmember Newland, seconded by Councilmember Robertson, to adjourn the meeting at 8:06PM.

Motion adopted unanimously.



City of Blaine Staff Report

File Number: 2024-60

Agenda Date	Status
March 4, 2024	
In Control	File Type
City Council	Motion

Approval of Consent Agenda: -

Agenda Item # 8.3

Approve Temporary Nursery Sales Licenses

Executive Summary

Council is asked to approve the temporary nursery sales licenses listed below. These licenses will give the businesses the ability to sell garden and flowering plants in temporary greenhouses located in their parking lots.

Background

In 1998, Ordinance 98-1719 was enacted to require a license fee and establish insurance requirements and a time limit in which to operate temporary nurseries. The temporary nursery sales license is limited to a maximum of seventy-five (75) days per calendar year and the first day of set up begins the time clock. The applicants have submitted their applications along with all necessary documentation required by city ordinance for a temporary nursery sales license. Each of the applicants has also submitted their \$400 license fee and the required certificate of liability insurance.

Cub Foods North	12595 Central Ave NE	05/01/97	04/15/24
Cub Foods South	585 Northtown Dr NE	04/14/90	04/20/24

Strategic Plan Relationship

This item relates to the growth management strategic priority in the 2023-2026 strategic plan by providing additional opportunities for businesses to thrive while ensuring safe practices are employed, such as fire lane access and those surrounding temporary structures.

Board/Commission Review

N/A

Financial Impact

Issuance of the license, including onsite inspection fo the temporary structures, is included in the license fee adopted by city council.

Public Outreach/Input

No public notice is required for this license type.

Staff Recommendation

By motion, approve the temporary nursery licenses listed above.

Attachment List

None



City of Blaine Staff Report

File Number: RES 24-44

Agenda Date	Status
March 4, 2024	
In Control	File Type
City Council	Resolution

Approval of Consent Agenda: - Sheila Sellman, City Planner

Agenda Item # 8.4

Resolution Granting Final Plat Approval to Create Two Lots to be Known as National Sports Village 2nd Addition at 2030 105th Avenue NE. 105th Blaine Business Park, LLC. (Case File No. 24-0011/SAS)

Executive Summary

The applicant is requesting to subdivide the existing site into two lots. As part of the financing for the project, the applicant needs each building to be on their own lot. The original development had two buildings on one lot. The approved development does not change with this action. The final plat is consistent with the preliminary plat.

Background

Planning Commission Public Hearing	01/09/24
City Council (Preliminary Plat)	02/05/24
City Council (Final Plat)	03/04/24
Action Deadline	04/12/24

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. 24-18.

Request

The applicant is requesting to subdivide the existing 3 acre parcel into two parcels. When creating two new parcels, Lot 2 will not have parking on the lot. Therefore, off-site parking is necessary and requires a conditional use permit. This development has previous approvals for two buildings on one lot, outdoor dining and shared parking. Since the Conditional Use Permit (CUP) for two buildings on one lot will no longer be valid, staff has recommended this CUP request encompass the already existing CUPs (outdoor dining and shared parking) for the development into one CUP which will also include off-site parking.

Zoning

The subject site is zoned 105th Avenue Redevelopment District.

Surrounding Zoning and Uses

The site is at the corner of 105th Avenue and Radisson Road. Kwik Trip is across 105th Avenue and is zoned Planned Business District (PBD). The parcels to the west and south are zoned Airport and consist of soccer fields or ball fields. Across Radisson Road is Victory Links Golf Course, also zoned Airport.

Existing Conditions

The site is currently under construction for development that was approved in May 2023.

History

In May, the site was subdivided into two lots. The subject site was one 3-acre parcel and the remaining 33 acres includes soccer fields, baseball fields, golf greens and parking lots. The Metropolitan Airport Commission (MAC) owns the site.

In addition to the subdivision, the subject site received site plan approval and CUPs for two buildings on one lot (two retail buildings) with outdoor dining, and shared parking. Specifically, the first building at the corner of Radisson Road and 105th Avenue is proposed to be a 9,100 square foot Pizza Pub Prime with a 3,000 square foot rooftop patio and a 1,000 square foot ground patio. The second building will consist of 20,000 square feet of mixed uses. As proposed, there will be a Mexican restaurant, private member club, office, health/athletic services, retail, and grab and go food. Building two will have rooftop patios and ground floor patios.

Preliminary Plat Standards of Review

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 subject site is currently described as Lot 1, Block 1 National Sports Village. The proposed preliminary plat splits this lot into two lots. Lot 1 is approximately 98,735 square feet and lot 2 is

approximately 31,934 square feet. The 105th Redevelopment District does not have minimum lot size requirements.

Site Plan

As previously approved, Lot 1 will have a 9,100 square foot Pizza Pub Prime with a 3,000 square foot rooftop patio and a 1,000 square foot ground patio. With the new lot lines, Lot 1 will have all the parking for the development. Lot 2 will consist of 20,000 square feet of mixed uses. As proposed, there will be a Mexican restaurant, private member club, office, health/athletic services, retail and grab and go food. Building two will have rooftop patios and ground floor patios. Lot 2 will not have any parking and will have shared parking and off-site parking with Lot 1 and both lots will have shared parking with the NSC on their existing parking lot to the west. New or modified access and parking agreements will be required to reflect the new legal descriptions.

Section 30.910 outlines development standards for commercial development in the 105th Avenue Redevelopment District.

(a) Setbacks. A consistent street edge must be maintained at the right-of-way line along all street frontages. Street edge elements may consist of the principal building, landscaping, outdoor seating, or a combination of these elements. Exceptions may include property adjacent to a water feature, surface parking, or other instances the city council deems appropriate.

- Building one is located at the corner of 105th Ave and Radisson Road on Lot 1. The northern portion of the building is along the street edge and the east side is adjacent to Radisson Road with a building setback of 27 feet. The proposed outdoor patio has a setback from the side property line of approximately 15 feet and the building setback from the side property line is 27.5 feet. On Lot 2, the building setback varies from 58 feet to 68 feet adjacent to Radisson Road (front). The patio is about 50 feet from the property line along Radisson Road. The side setbacks are 27.5 feet and 15 feet and the rear yard setback (facing the parking lot) is 13 feet. With the speeds and traffic on Radisson Road, it is appropriate to have a greater setback.

(b) Building height. All buildings shall be in compliance with Federal Aviation Administration regulations. Any building over 50 feet, with a maximum height of 150 feet, requires a conditional use permit.

- The proposed building height is about 31 feet or 36 feet as measured to the rooftop mechanical equipment.

(c) Sidewalks are required along all public and private streets. The location and alignment of new sidewalks shall connect directly to existing sidewalk network.

- There is existing sidewalk along 105th Avenue and Radisson Road.

(d) Mechanical equipment. All mechanical equipment shall be screened and properly maintained with material similar to the material used on the main structure. Screened mechanical shall not be located in the front or street side yards.

- The proposed elevations show the building equipment screened with metal paneling that matches the accents on the buildings.

(e) Trash enclosure. Refuse facilities shall be located only in the side yards or rear yards when feasible. Refuse facilities may be located in the front yard subject to approval of the zoning administrator. Such

facilities shall be constructed of masonry materials such as brick or textured block in colors compatible with the principal structure. Such facilities shall have solid gates.

- This requirement is met.

Architecture

At least seventy-five percent (75%) of all exterior wall finishes on any building shall be comprised of a combination of at least three of the following materials with all materials present on each elevation. All buildings must meet and be consistent with design guidelines.

- (a) Brick.
- (b) Natural or cultured stone.
- (c) Glass.
- (d) Stucco.
- (e) Cementous siding.
- (f) Architectural metal.
- (g) Integrally colored rock-faced block.

- The proposed buildings are comprised of brick, glass, composite wood (similar to cementous siding) and architectural metal. All buildings incorporate a four-sided design.

Façade articulation shall be provided through any of the following elements:

- (1) A projecting bay, entry vestibule, or recess extending from the ground level through the second floor.
- (2) A ground-level recess.
- (3) A change in the rhythm of windows at the ground level and second floor, combined with a change of parapet height or material.

- The buildings incorporate all three façade articulations listed above. All buildings shall have at least one customer entrance facing an abutting public or private street, rather than just the parking area. A building may have more than one entrance. Customer entrances shall be open to the public during business hours.
- The buildings mainly face Radisson Road. Due to the high volume of traffic along this road, entrances are not provided on this side. Main building entrances shall be architecturally emphasized and visible from the street by utilizing design features such as awnings, pillars, special building materials or architectural details.
- The buildings have metal awnings that provide a material change, which are visible from the street. All buildings shall provide ground floor windows along facades, parks, plazas or other public outdoor spaces. Darkly tinted windows or windows that block two-way visibility are prohibited. The buildings meet this requirement.

Section 30.912 Outdoor seating and service of food and beverages.

(a) The use shall not be located in the interior or rear yard if the use is adjacent to a parcel that is occupied by a residential use. This will not apply if the first floor of the building located on the adjacent parcel is not occupied by a residential use or if a residential use is located above the principal use.

- The outdoor dining is not adjacent to residential uses.

(b) Additional parking will not be required if the outdoor seating area does not exceed 500 square feet or ten percent of the gross floor area of the principal use, whichever is less. Parking will be required at the same rate as the principal use for that portion of outdoor seating area in excess of 500 square feet or ten percent of the gross building area, whichever is less.

- The outdoor dining areas are part of the submitted parking analysis and are accounted for in the parking calculations.
- Fencing is required around patios and shall comply with design guidelines.

Section 30.911 Commercial Parking

Parking areas shall have access to a public alley or street. Driveways shall be located to minimize interference with traffic movement. Parking will be reviewed as part of the site plan approval process. A parking analysis is required as part of the review. On street parking, parking structure, and shared parking are encouraged.

(a) Surface parking.

(1) Parking lots, when feasible, should be located to the rear of the buildings or side yard.

- This requirement is met.

(2) When parking areas abut the street, the sidewalk edge must be delineated with landscaping, architectural fencing (meeting design guidelines) or other decorative features.

- Landscaping is proposed, this requirement is met.

(b) Shared parking.

(1) A conditional use permit may be granted for one or more businesses to provide the required off-street parking facilities by joint use of one or more sites where the total number of spaces provided are less than the sum of the total required for each business should they provide them separately.

(2) Conditions required for shared parking.

(aa) The building or use for which application is being made to utilize off-street parking facilities provided by another building or use shall be located within 800 feet of such parking facilities.

(bb) The application shall demonstrate there is no substantial conflict in using shared facilities through a professional parking analysis.

(cc) Shared parking facilities shall record with the county an irrevocable covenant running with the land. A certified copy of the recorded agreement shall be provided to the zoning administrator prior to issuance of a building permit.

- The parking analysis that was submitted indicated that at peak weekday demand, there is a need for 232 parking spaces. The analysis showed there is a need for 198 stalls for the restaurants (including the patios), 19 for the office space, and 15 for retail. The site plan shows 157 stalls onsite. There will be shared parking with the NSC on their existing parking lot to the west, which has about 136 stalls. Combined, that is a total of 293 stalls. Shared parking requires a CUP. The 105th Redevelopment District does not have specific numbers for parking

and relies on parking analysis. Applying the typical requirements, the required parking would be 208 parking stalls. The site has adequate spaces with shared parking.

(d) Off-site parking. Any off-site parking which is used to meet the requirements below shall be a conditional use

(1) Reasonable access from the off-site parking facilities to the use being served shall be provided.

(2) An agreement or lease shall be approved as part of the conditional use permit. The agreement/lease shall specify the total number and location of parking spaces under contract.

(e) The off-street parking requirements shall be established by the zoning administrator based upon the characteristics and functional similarities between uses including, but not limited to: the size of building, type of use, number of employees, expected volume and turnover of customer traffic, and expected frequency and number of delivery or service vehicles. For structures containing multiple uses, each shall be calculated separately. The requirements may be revised upward or downward by the city council as part of an application for a conditional use permit based on verifiable information pertaining to parking.

- The proposed off-site parking is due to the new property lines. When originally approved, this development had two buildings on one lot and the parking lot served both buildings in addition to the shared parking with NSC. Now that there are new property lines, Lot 2 does not have parking within its lot lines, therefore off-site parking and shared parking is required with Lot 1, which encompasses the parking lot.

Landscaping

The submitted landscape plan includes a mixture of trees and shrubs and meets the landscape requirements.

Park Dedication

Park dedication was paid with the first addition and is not required for this lot split. If and when the remaining 33 acres develop, park dedication will be required at the time of platting.

Lighting

The site lighting shall follow the design guidelines and be approved with the building permit.

Signage

All signage must be approved by the City Council. Detailed sign design with specifications and details shall be submitted for approval. Signage for the development should not deviate from what is approved, any deviations from the approved sign plan will require city council approval. Staff suggests the applicant review the design guidelines and be creative with signage. Rooftop signage and incorporating signage with metal awnings should be explored.

Grading/Storm Drainage

Site grading and storm drain construction already occurring on site is progressing per the approved Site Plan Construction Drawings. As-built surveys will be required to verify structure elevations, custom grading requirements and final lot grading elevations.

Utilities

Utility construction already occurring on site is progressing per the approved Site Plan Construction Drawings. As-built surveys will be required to verify the installation per plan.

Wetlands/Watershed

The project received the required Coon Creek Watershed District permit on August, 24, 2023.

Access/Street Design/Sidewalks

The development will be accessed using an existing access point off 105th Ave NE and will construct a new right-in/right-out access to Radisson Road. New or modified access agreements will be required to account for the new legal descriptions.

Easements/Right-of-way/Permits

Drainage and utility easements will be required to be provided for any shared storm water management facilities and allow for surface water drainage where required per the approved construction drawing set.

Strategic Plan Relationship

The subject site is located in the 105th redevelopment area and is part of the Economic Development Strategic Priority.

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 24-44

Resolution Granting Final Plat Approval to Create Two Lots to be Known as National Sports Village 2nd Addition at 2030 105th Avenue NE. 105th Blaine Business Park, LLC. (Case File No. 24-0011/SAS)

WHEREAS, an application has been filed by 105th Blaine Business Park, LLC, Case File No. 24-0011 for a final plat known as National Sports Village 2nd Addition; and

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

Lot 1, Block 1, NATIONAL SPORTS VILLAGE, Anoka County, Minnesota

WHEREAS, the Blaine City Council granted preliminary plat approval on February 5, 2024, subject to the conditions as contained in Blaine City Council Resolution No. 24-18; and

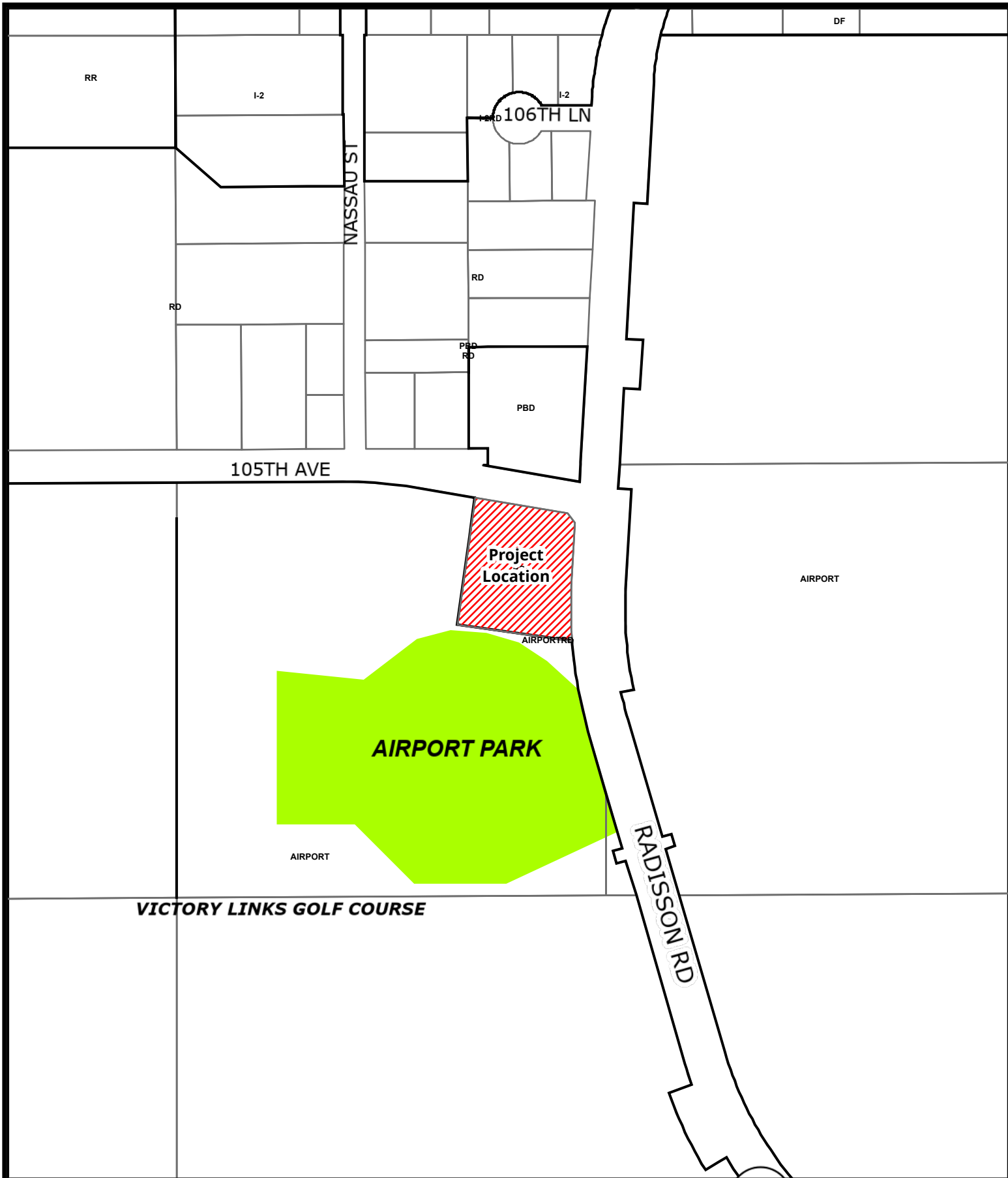
WHEREAS, the final plat is in general conformance with the approved preliminary plat.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that final plat approval for National Sports Village 2nd Addition 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 National Sports Village 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.

PASSED by the City Council of the City of Blaine this 4th day of March, 2024.



BlaineMN.gov

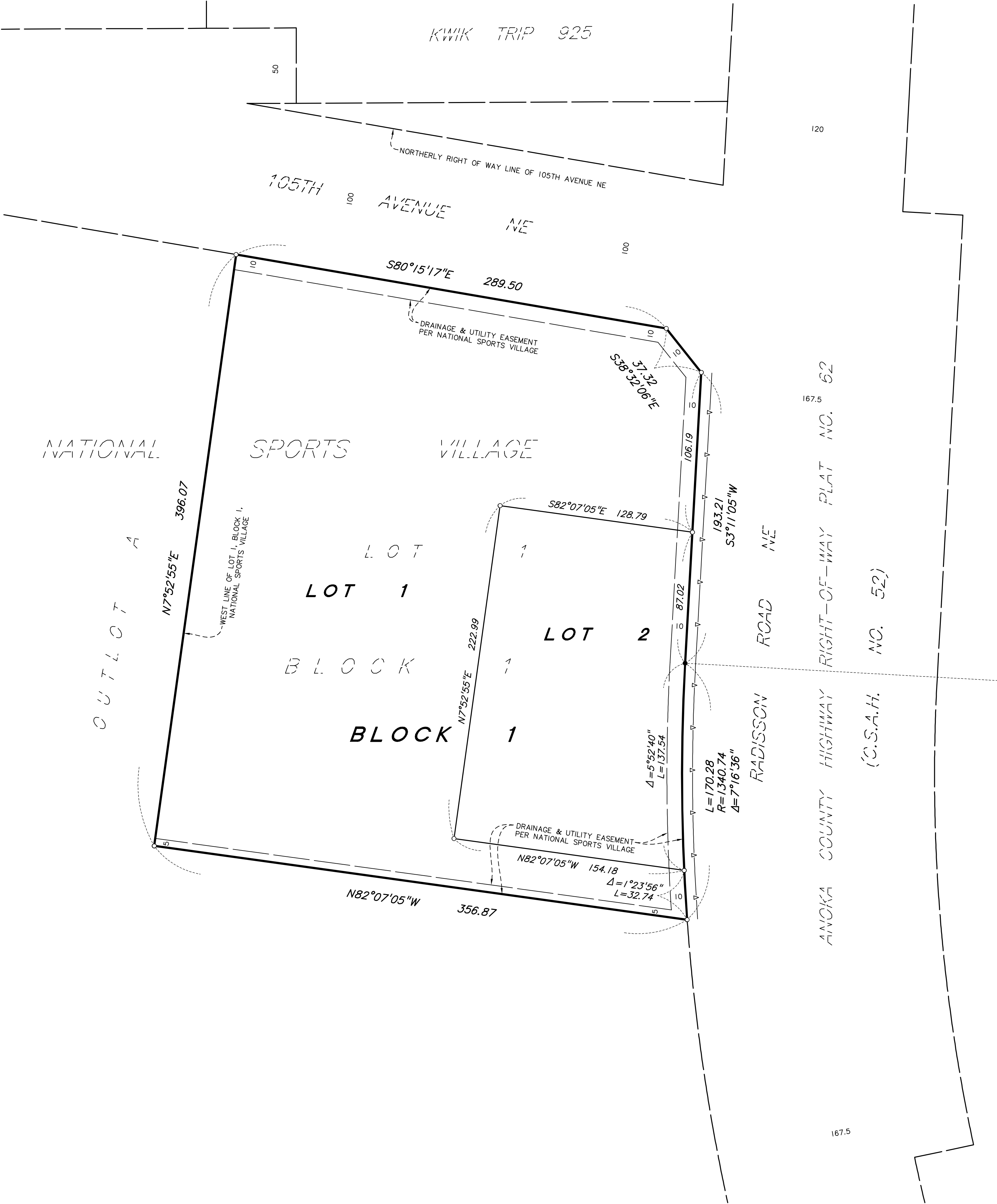
Case File No. 24-0011 National Sports Village 2nd Addition

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



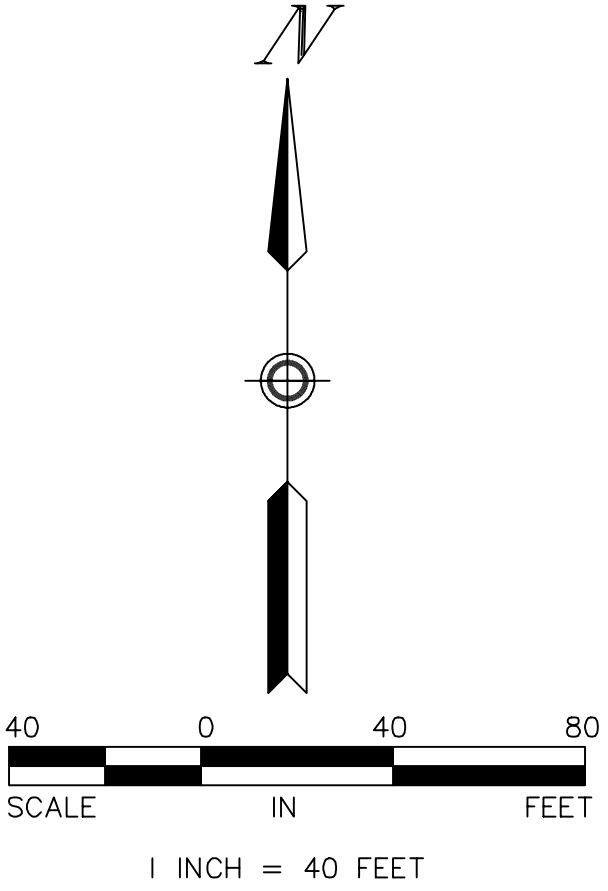
NATIONAL SPORTS VILLAGE SECOND ADDITION

CITY OF BLAINE
COUNTY OF ANOKA
SEC. 21, T. 31, R. 23



- Denotes 1/2 inch iron pipe monument set marked with P.L.S. No. 44890
- Denotes found 3 inch Anoka County survey disk
- Δ— Denotes Right of Access dedicated to Anoka County per the plat of NATIONAL SPORTS VILLAGE

FOR THE PURPOSES OF THIS PLAT THE WEST LINE OF LOT 1, BLOCK 1, NATIONAL SPORTS VILLAGE IS ASSUMED TO BEAR N7°52'55"E



SUNDE
LAND SURVEYING



City of Blaine Staff Report

File Number: RES 24-50

Agenda Date	Status
March 4, 2024	
In Control	File Type
City Council	Resolution

Approval of Consent Agenda: - Daniel Schluender, Director of Engineering

Agenda Item # 8.5

Resolution to Declare Cost to be Assessed, Order Preparation and Call for Hearing on Proposed Assessment for 2023 Southwest Area Street Reconstructions, Improvement Project No. 23-07.

Executive Summary

Improvement Project No. 23-07 was ordered by the City Council on December 19, 2022 with Resolution 22-207. A construction contract was awarded to Park Construction Company by the City Council on March 20, 2023 with Resolution No. 23-46 and construction was completed in the summer of 2023.

Background

Improvement Project No. 23-07 included the following project areas:

Project Area 1:

- 90th Avenue from Polk Street to cul-de-sac
- 90th Lane from Polk Street to Fillmore Street
- 91st Avenue from Polk Street to Pierce Street
- Taylor Street from 90th Lane to 91st Avenue
- Fillmore Street from 90th Lane to 91st Avenue
- Pierce Street from 89th Avenue to 91st Avenue

Project Area 2:

- 3rd Street from 90th Avenue to 90th Lane
- 6th Street from 90th Avenue to 90th Lane
- 90th Avenue from 3rd Street to 6th Street
- 90th Lane from University Avenue to 7th Street

Project Area 3:

- 92nd Avenue from University Avenue to 3rd Street
- 92nd Lane from University Avenue to 3rd Street
- 3rd Street from cul-de-sac to 92nd Lane

The total cost of the project is as follows:

Construction Costs:	\$3,090,516.58
Engineering Costs:	\$550,911.93
Interest:	\$32,013.99
Administration,	\$198,460.11
Assessing, Other:	
Total:	\$3,871,902.61

The total project cost indicated in the Feasibility Report was \$5,040,490.00. The Assessment Roll has been prepared consistent with the Feasibility Report. Of the total cost, the amount to be assessed is \$719,425.03. The Public Utility Funds will contribute \$652,187.41 for water and sanitary sewer improvements, and Pavement Management Program funds will contribute \$2,500,290.17.

Strategic Plan Relationship

The 2023 Southwest Area Street Reconstruction project aligns with the City's strategic plan goal of infrastructure management by providing high-quality street surfaces.

Board/Commission Review

N/A

Financial Impact

N/A

Public Outreach/Input

The project itself and the assessment process has complied with all public notification requirements pursuant to MN Statutes, Chapter 429.

Staff Recommendation

By motion, adopt the resolution.

Attachment List

1. Location Map
2. 23-07 Proposed Final Assessment Roll



City of Blaine

Signature Copy

Resolution: RES 24-50

Resolution to Declare Cost to be Assessed, Order Preparation and Call for Hearing on Proposed Assessment for 2023 Southwest Area Street Reconstructions, Improvement Project No. 23-07.

WHEREAS, a contract was entered into for installation of concrete curb and gutter, asphalt surfacing replacement, replacement of certain water main valves and hydrants, traffic control signage, storm sewer installation, and appurtenant construction in the following described areas:

Project Area 1:

- 90th Avenue from Polk Street to cul-de-sac
- 90th Lane from Polk Street to Fillmore Street
- 91st Avenue from Polk Street to Pierce Street
- Taylor Street from 90th Lane to 91st Avenue
- Fillmore Street from 90th Lane to 91st Avenue
- Pierce Street from 89th Avenue to 91st Avenue

Project Area 2:

- 3rd Street from 90th Avenue to 90th Lane
- 6th Street from 90th Avenue to 90th Lane
- 90th Avenue from 3rd Street to 6th Street
- 90th Lane from University Avenue to 7th Street

Project Area 3:

- 92nd Avenue from University Avenue to 3rd Street
- 92nd Lane from University Avenue to 3rd Street
- 3rd Street from cul-de-sac to 92nd Lane

AND WHEREAS, the construction cost for such improvement is \$3,090,516.58 and the expenses incurred in the making of said improvements amounts to be \$781,386.03 making the total cost \$3,871,902.61.

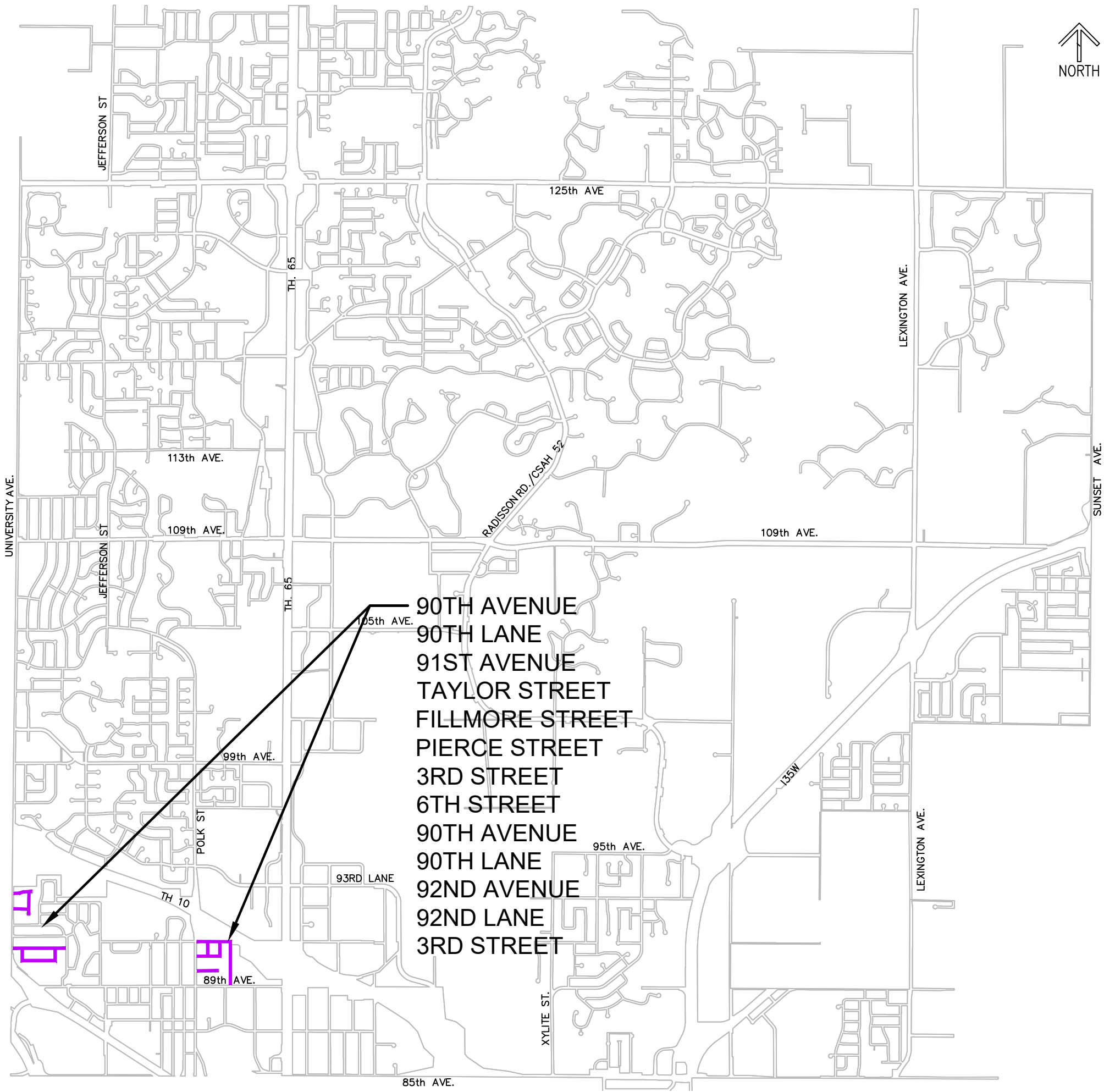
NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Blaine as follows:

1. The total cost of such improvements is hereby declared to be \$3,871,902.61.
2. The amount to be assessed is hereby declared to be \$719,425.03. The Public Utility Funds will

contribute to \$652,187.41 for water and sanitary sewer improvements, and Pavement Management Program Funds will contribute \$2,500,290.17.

3. Assessments shall be payable in annual installments extending over a period of fifteen (15) years. The first of the installments to be payable on or before the first Monday in January 2025, and shall bear interest at the rate of 5.5% per annum from the date of the adoption of the assessment resolution.
4. The City Clerk, with the assistance of the City Engineer, shall forthwith calculate the proper amount to be specifically assessed for such improvement against every assessable lot, piece, or parcel of land within the district affected without regard to cash valuation, as provided by law, and she shall file a copy of such proposed assessment in her office for public inspection.
5. The City Clerk has notified the City Council that such proposed assessment has been completed and filed in her office for public inspection.
6. A hearing shall be held on the 1st day of April 2024, in the Council Chambers at the Blaine City Hall at 7:00 PM, or as near that time as possible, to pass upon the proposed assessment at such time and place all persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
7. The City Clerk shall give published and mailed notice of such hearing as required by law.

PASSED by the City Council of the City of Blaine this 4th day of March, 2024.



2023 SOUTHWEST AREA STREET RECONSTRUCTIONS

CITY OF BLAINE
PAVEMENT MANAGEMENT PROGRAM



ENGINEERING DEPARTMENT
10801 Town Square Drive, Blaine, Minnesota 55449
Phone (763) 785-6172

2023 SOUTHWEST AREA STREET RECONSTRUCTION - AREA 1

**FILLMORE ST, TAYLOR ST (90TH LN TO 91ST AVE), PIERCE ST (89TH AVE TO 91ST AVE)
90TH AVE (POLK ST TO CUL-DE-SAC), 90TH LANE (POLK ST TO FILLMORE ST), 91ST AVE (POLK ST TO PIERCE ST)**

CITY OF BLAINE

**EXHIBIT NO. 1A - SINGLE FAMILY RESIDENTIAL
PROPOSED FINAL ASSESSMENT ROLL**

ASSESSMENT RATE BREAKDOWN					
CONSTRUCTION COSTS*	\$1,043,425	*(CONSTRUCTION COSTS DO NOT INCLUDE WATER MAIN, SANITARY SEWER, DRIVEWAY REPLACEMENT, SIDEWALK, AND LANDSCAPING/IRRIGATION COSTS)			
ADMINISTRATIVE COSTS	\$263,813				
TOTAL COST	\$1,307,238				
RESIDENTIAL ASSESSMENT RATE	x 35%	TOTAL FRONT FOOTAGE	RESIDENTIAL ASSESSMENT RATE PER FRONT FOOT		
ASSESSABLE COST	\$457,533 ÷	8706.6 LF	=	\$52.55	
RESIDENTIAL ASSESSMENT RATE PER FRONT FOOT		ASSESSABLE SINGLE FAMILY RESIDENTIAL FOOTAGE	AMOUNT ASSESSED	ASSESSABLE RESIDENTIAL LOT UNITS	ASSESSMENT RATE PER RESIDENTIAL LOT UNIT
\$52.55	X	4761.7 LF	=	\$250,226.28 ÷	60 = \$4,170.44
PROPERTY PIN	PROPERTY ADDRESS	PROPERTY OWNER	ASSESSABLE RESIDENTIAL LOT UNITS	ASSESSMENT RATE PER RESIDENTIAL LOT UNIT	PROPOSED ASSESSMENT
323123230022	1024 90TH AVE NE	VERKENNIS PAUL D & KAREN L	1	\$4,170.44	\$4,170.44
323123230034	1025 90TH AVE NE	EAST, GREGORY	1	\$4,170.44	\$4,170.44
323123230018	1034 90TH AVE NE	VAN CLEAVE, RANDALL	1	\$4,170.44	\$4,170.44
323123230014	1035 90TH AVE NE	JOHNSON, PENNY M	1	\$4,170.44	\$4,170.44
323123230023	1042 90TH AVE NE	COHRS, LINDA	1	\$4,170.44	\$4,170.44
323123230015	1045 90TH AVE NE	DODGE KENNETH L & KIM	1	\$4,170.44	\$4,170.44
323123230024	1048 90TH AVE NE	HARMS, MARY ANN	1	\$4,170.44	\$4,170.44
323123230027	1055 90TH AVE NE	OISHI, BECKY A	1	\$4,170.44	\$4,170.44
323123230025	1062 90TH AVE NE	HAMM MATTHEW C & KARI P	1	\$4,170.44	\$4,170.44
323123230035	1065 90TH AVE NE	EGAN, BRETT JOSEPH	1	\$4,170.44	\$4,170.44
323123230026	1068 90TH AVE NE	RYAN PATRICK J	1	\$4,170.44	\$4,170.44
323123230072	1026 90TH LN NE	JACKSON, JOSEPH A	1	\$4,170.44	\$4,170.44
323123230071	1034 90TH LN NE	O'GORMAN, ROBYN SUZANNE	1	\$4,170.44	\$4,170.44
323123230001	1042 90TH LN NE	AYENA, ZEMBABA	1	\$4,170.44	\$4,170.44
323123230078	1050 90TH LN NE	DZYUBANYUK PETR & LYUDMILA	1	\$4,170.44	\$4,170.44
323123230077	1058 90TH LN NE	AHMED, AHMED A	1	\$4,170.44	\$4,170.44
323123230076	1066 90TH LN NE	RAY, GOUTAM K	1	\$4,170.44	\$4,170.44

ASSESSMENT RATE BREAKDOWN					
CONSTRUCTION COSTS*		\$1,043,425	*(CONSTRUCTION COSTS DO NOT INCLUDE WATER MAIN, SANITARY SEWER, DRIVEWAY REPLACEMENT, SIDEWALK, AND LANDSCAPING/IRRIGATION COSTS)		
ADMINISTRATIVE COSTS		\$263,813			
TOTAL COST		\$1,307,238			
RESIDENTIAL ASSESSMENT RATE		x 35%	TOTAL FRONT FOOTAGE	RESIDENTIAL ASSESSMENT RATE PER FRONT FOOT	
ASSESSABLE COST		\$457,533 ÷	8706.6 LF	=	\$52.55
RESIDENTIAL ASSESSMENT RATE PER FRONT FOOT	ASSESSABLE SINGLE FAMILY RESIDENTIAL FOOTAGE	AMOUNT ASSESSED		ASSESSABLE RESIDENTIAL LOT UNITS	ASSESSMENT RATE PER RESIDENTIAL LOT UNIT
\$52.55	X	4761.7 LF	=	\$250,226.28 ÷	60 = \$4,170.44
PROPERTY PIN	PROPERTY ADDRESS	PROPERTY OWNER	ASSESSABLE RESIDENTIAL LOT UNITS	ASSESSMENT RATE PER RESIDENTIAL LOT UNIT	PROPOSED ASSESSMENT
323123230041	9031 FILLMORE ST NE	JOHNSON, HENRY R	1	\$4,170.44	\$4,170.44
323123230002	9035 FILLMORE ST NE	MARTINEAU DANIEL P & ROBIN L	1	\$4,170.44	\$4,170.44
323123230091	9043 FILLMORE ST NE	GESSELL, ASHLEY M	1	\$4,170.44	\$4,170.44
323123230055	9048 FILLMORE ST NE	LOPEZ JOEL A RIVAS	1	\$4,170.44	\$4,170.44
323123230054	9054 FILLMORE ST NE	GEMMILL, TROY D	1	\$4,170.44	\$4,170.44
323123230053	9060 FILLMORE ST NE	MATTHEWS DONALD J & RUBEN T K	1	\$4,170.44	\$4,170.44
323123230083	9061 FILLMORE ST NE	PRICE JED J & ALICE I	1	\$4,170.44	\$4,170.44
323123230037	9065 FILLMORE ST NE	IH4 PROPERTY MINNESOTA LP	1	\$4,170.44	\$4,170.44
323123230052	9066 FILLMORE ST NE	BLAUERT RICHARD L	1	\$4,170.44	\$4,170.44
323123230051	9070 FILLMORE ST NE	SLOTVIG PHILIP L & K E	1	\$4,170.44	\$4,170.44
323123230095	9073 FILLMA ST NE	TUCHO, BILISUMMAA M	1	\$4,170.44	\$4,170.44
323123230092	8927 PIERCE ST NE	VOAKLANDER, DANIEL	1	\$4,170.44	\$4,170.44
323123230093	8935 PIERCE ST NE	HELAL, SALMA MUHAMMED	1	\$4,170.44	\$4,170.44
323123230007	8957 PIERCE ST NE	SAARELA TRUSTEE, MARY LOU	1	\$4,170.44	\$4,170.44
323123230008	8963 PIERCE ST NE	SANDS, JAYMIK	1	\$4,170.44	\$4,170.44
323123230006	8967 PIERCE ST NE	HARRIER, GERADLINE E	1	\$4,170.44	\$4,170.44
323123230049	8991 PIERCE ST NE	KIM, LAURA E	1	\$4,170.44	\$4,170.44
323123230005	9011 PIERCE ST NE	GROSSMAN, GLEN	1	\$4,170.44	\$4,170.44
323123230048	9023 PIERCE ST NE	AHMED ADAM IQBAL	1	\$4,170.44	\$4,170.44
323123230047	9027 PIERCE ST NE	ZAPPA, CHARLOTTE R	1	\$4,170.44	\$4,170.44
323123230004	9031 PIERCE ST NE	KROGER RICHARD A II & C M	1	\$4,170.44	\$4,170.44
323123230040	9032 PIERCE ST NE	BUTLER JAMES E	1	\$4,170.44	\$4,170.44
323123230046	9035 PIERCE ST NE	PRACHT, LESLIE A	1	\$4,170.44	\$4,170.44
323123230003	9036 PIERCE ST NE	ENLOE, DEBRA SUE	1	\$4,170.44	\$4,170.44
323123230045	9039 PIERCE ST NE	SVARE ROGER L & JOAN E	1	\$4,170.44	\$4,170.44
323123230090	9040 PIERCE ST NE	HENLE, AMY	1	\$4,170.44	\$4,170.44
323123230044	9043 PIERCE ST NE	JOHNSON, DARREN A	1	\$4,170.44	\$4,170.44
323123230084	9044 PIERCE ST NE	WHITENECK L M & SHUSTA J M	1	\$4,170.44	\$4,170.44
323123230043	9047 PIERCE ST NE	REHMER, PHILIP C	1	\$4,170.44	\$4,170.44

ASSESSMENT RATE BREAKDOWN					
CONSTRUCTION COSTS*		\$1,043,425	*(CONSTRUCTION COSTS DO NOT INCLUDE WATER MAIN, SANITARY SEWER, DRIVEWAY REPLACEMENT, SIDEWALK, AND LANDSCAPING/IRRIGATION COSTS)		
ADMINISTRATIVE COSTS		\$263,813			
TOTAL COST		\$1,307,238			
RESIDENTIAL ASSESSMENT RATE		x 35%	TOTAL FRONT FOOTAGE	RESIDENTIAL ASSESSMENT RATE PER FRONT FOOT	
ASSESSABLE COST		\$457,533 ÷	8706.6 LF	=	\$52.55
RESIDENTIAL ASSESSMENT RATE PER FRONT FOOT		ASSESSABLE SINGLE FAMILY RESIDENTIAL FOOTAGE	AMOUNT ASSESSED	ASSESSABLE RESIDENTIAL LOT UNITS	ASSESSMENT RATE PER RESIDENTIAL LOT UNIT
\$52.55	X	4761.7 LF	=	\$250,226.28 ÷	60 = \$4,170.44
PROPERTY PIN	PROPERTY ADDRESS	PROPERTY OWNER	ASSESSABLE RESIDENTIAL LOT UNITS	ASSESSMENT RATE PER RESIDENTIAL LOT UNIT	PROPOSED ASSESSMENT
323123230038	9048 PIERCE ST NE	HAMILTON, WANDA L	1	\$4,170.44	\$4,170.44
323123230094	9052 PIERCE ST NE	HANNAN, PATRICK	1	\$4,170.44	\$4,170.44
323123230020	8933 POLK ST NE	NORDSTROM KYLE T	1	\$4,170.44	\$4,170.44
323123230066	9047 POLK ST NE	LEITSCHUH, KARA	1	\$4,170.44	\$4,170.44
323123230056	9047 TAYLOR ST NE	TARNOWSKI TRUSTEE, TIMOTHY A	1	\$4,170.44	\$4,170.44
323123230065	9048 TAYLOR ST NE	STORY, NIKKI JO	1	\$4,170.44	\$4,170.44
323123230057	9053 TAYLOR ST NE	OCEL, ROSEMARY C	1	\$4,170.44	\$4,170.44
323123230064	9054 TAYLOR ST NE	RUMPZA, BARBARA	1	\$4,170.44	\$4,170.44
323123230058	9059 TAYLOR ST NE	JOHNSON MARA	1	\$4,170.44	\$4,170.44
323123230063	9060 TAYLOR ST NE	BOYLE MICHAEL J & R	1	\$4,170.44	\$4,170.44
323123230059	9065 TAYLOR ST NE	BEIMERT, PATRICK R	1	\$4,170.44	\$4,170.44
323123230062	9066 TAYLOR ST NE	BROWNE, KIMBERLY J	1	\$4,170.44	\$4,170.44
323123230060	9071 TAYLOR ST NE	CARRANZA BLANCA M E	1	\$4,170.44	\$4,170.44
323123230061	9072 TAYLOR ST NE	NEWKIRK, JENNIFER MICHELLE	1	\$4,170.44	\$4,170.44
TOTALS:			60		

**FILLMORE ST, TAYLOR ST (90TH LN TO 91ST AVE), PIERCE ST (89TH AVE TO 91ST AVE)
90TH AVE (POLK ST TO CUL-DE-SAC), 90TH LANE (POLK ST TO FILLMORE ST), 91ST AVE (POLK ST TO PIERCE ST)**

CITY OF BLAINE

**EXHIBIT NO. 1C - SINGLE FAMILY RESIDENTIAL PER FRONT FOOT
PROPOSED FINAL ASSESSMENT ROLL**

ASSESSMENT RATE BREAKDOWN					
CONSTRUCTION COSTS*	\$1,311,305	*(CONSTRUCTION COSTS DO NOT INCLUDE WATER MAIN AND SANITARY SEWER COSTS)			
ADMINISTRATIVE COSTS	\$331,542				
TOTAL COST	\$1,642,847	TOTAL FRONT FOOTAGE	TOTAL COST PER FRONT FOOT	SCHOOL/ FIRE DEPARTMENT ASSESSMENT PERCENTAGE	SCHOOL/ FIRE DEPARTMENT ASSESSMENT RATE PER FRONT FOOT
ASSESSABLE COST	\$1,642,847 ÷	8706.6 LF	= \$188.69	X 35%	= \$66.04
PROPERTY PIN	PROPERTY ADDRESS	PROPERTY OWNER	ASSESSABLE FRONT FOOTAGE	ASSESSMENT RATE PER FRONT FOOT	PROPOSED ASSESSMENT
323123230088	1141 89TH AVE NE	SPRING LAKE PARK FIRE DEPT	159.1	\$66.04	\$10,506.96
323123230075	1074 90TH LN NE	CALVIN CHRISTIAN SCHOOL OF MINNEAPOLIS	143.7	\$66.04	\$9,489.95
323123230089	8966 PIERCE ST NE	CALVIN CHRISTIAN SCHOOL MPLS	552.6**	\$66.04	\$36,493.70
323123230081	UNASSIGNED	CALVIN CHRISTIAN SCHOOL OF MINNEAPOLIS	66.0	\$66.04	\$4,358.64
TOTALS:			921.4		\$60,849.26

**Denotes 150' corner lot credit given

PROJECT 23-07
2023 SOUTHWEST AREA STREET RECONSTRUCTION - AREA 2
**3RD ST, 6TH ST (90TH AVE TO 90TH LN)
90TH AVE (3RD ST TO 6TH ST), 90TH LN (UNIVERSITY AVE TO 7TH ST)**
CITY OF BLAINE
EXHIBIT NO. 2A - SINGLE FAMILY RESIDENTIAL
PROPOSED FINAL ASSESSMENT ROLL

ASSESSMENT RATE BREAKDOWN					
CONSTRUCTION COSTS*		\$650,084	*(CONSTRUCTION COSTS DO NOT INCLUDE WATER MAIN, SANITARY SEWER, DRIVEWAY REPLACEMENT, SIDEWALK, AND LANDSCAPING/IRRIGATION COSTS)		
ADMINISTRATIVE COSTS		<u>\$164,363</u>			
TOTAL COST		\$814,447	RESIDENTIAL ASSESSMENT RATE PER FRONT FOOT		
RESIDENTIAL RATE		<u>x 35%</u>	TOTAL FRONT FOOTAGE		
ASSESSABLE COST		\$285,056 ÷	6260.7 LF = \$45.53		
RESIDENTIAL ASSESSMENT RATE PER FRONT FOOT		ASSESSABLE SINGLE FAMILY RESIDENTIAL FOOTAGE	AMOUNT ASSESSED		ASSESSABLE RESIDENTIAL LOT UNITS
\$45.53		X	3849.1 LF	=	\$175,249.98 ÷ 35 =
					ASSESSMENT RATE PER RESIDENTIAL LOT UNIT
					\$5,007.14
PROPERTY PIN	PROPERTY ADDRESS	PROPERTY OWNER	ASSESSABLE RESIDENTIAL LOT UNITS	ASSESSMENT RATE PER RESIDENTIAL LOT UNIT	PROPOSED ASSESSMENT
313123230048	9001 6TH ST NE	ELIASON JEREMY K	1	\$5,007.14	\$5,007.14
313123230056	9005 6TH ST NE	WEINBECK JOSEPH B & KATHLEEN M	1	\$5,007.14	\$5,007.14
313123230055	9007 6TH ST NE	DAVISON, LINDSEY A	1	\$5,007.14	\$5,007.14
313123230051	9021 6TH ST NE	LEVENE TRUSTEE, JACK M	1	\$5,007.14	\$5,007.14
313123230041	51 90TH AVE NE	SHULTS DANIEL R & DIANE M	1	\$5,007.14	\$5,007.14
313123230040	61 90TH AVE NE	TRUEBLOOD, MARIA R	1	\$5,007.14	\$5,007.14
313123230039	81 90TH AVE NE	STOCKE, GERALD J	1	\$5,007.14	\$5,007.14
313123230038	101 90TH AVE NE	MDC 2000 INVESTMENTS INC	1	\$5,007.14	\$5,007.14
313123230037	121 90TH AVE NE	RICHTER DOUGLAS J & JACQULINE	1	\$5,007.14	\$5,007.14
313123230036	141 90TH AVE NE	KNAPPER, MICHAEL L	1	\$5,007.14	\$5,007.14
313123230035	161 90TH AVE NE	HOPKINS DENNIS L & DENISE M	1	\$5,007.14	\$5,007.14
313123230046	170 90TH AVE NE	REED-KUTZ, NICHOLAS C	1	\$5,007.14	\$5,007.14
313123230047	180 90TH AVE NE	SPRATT, ANGELA J	1	\$5,007.14	\$5,007.14
313123230034	181 90TH AVE NE	YOUNGBLOM, NATHAN R	1	\$5,007.14	\$5,007.14
313123230013	1 90TH LN NE	CALLEJO ETHAN N & JOY K	1	\$5,007.14	\$5,007.14
313123230015	21 90TH LN NE	THAO, KUE	1	\$5,007.14	\$5,007.14
313123230014	41 90TH LN NE	MARTINSON, DAVID E	1	\$5,007.14	\$5,007.14

ASSESSMENT RATE BREAKDOWN					
CONSTRUCTION COSTS*		\$650,084	*(CONSTRUCTION COSTS DO NOT INCLUDE WATER MAIN, SANITARY SEWER, DRIVEWAY REPLACEMENT, SIDEWALK, AND LANDSCAPING/IRRIGATION COSTS)		
ADMINISTRATIVE COSTS		<u>\$164,363</u>			
TOTAL COST		\$814,447			
RESIDENTIAL RATE		x 35%	TOTAL FRONT FOOTAGE	RESIDENTIAL ASSESSMENT RATE PER FRONT FOOT	
ASSESSABLE COST		<u>\$285,056</u> ÷	6260.7 LF	=	\$45.53
RESIDENTIAL ASSESSMENT RATE PER FRONT FOOT	ASSESSABLE SINGLE FAMILY RESIDENTIAL FOOTAGE	AMOUNT ASSESSED		ASSESSABLE RESIDENTIAL LOT UNITS	ASSESSMENT RATE PER RESIDENTIAL LOT UNIT
\$45.53	X	3849.1 LF	=	\$175,249.98 ÷	35 = \$5,007.14
PROPERTY PIN	PROPERTY ADDRESS	PROPERTY OWNER	ASSESSABLE RESIDENTIAL LOT UNITS	ASSESSMENT RATE PER RESIDENTIAL LOT UNIT	PROPOSED ASSESSMENT
313123230026	50 90TH LN NE	SHINDLER STEVEN C & R L	1	\$5,007.14	\$5,007.14
313123230016	51 90TH LN NE	BELL LESTER E & HEIDE	1	\$5,007.14	\$5,007.14
313123230017	61 90TH LN NE	DEY BRIAN D & ANNA M	1	\$5,007.14	\$5,007.14
313123230027	70 90TH LN NE	MARTIN, JEFFREY C	1	\$5,007.14	\$5,007.14
313123230018	81 90TH LN NE	LOWELL, LANCE L	1	\$5,007.14	\$5,007.14
313123230028	90 90TH LN NE	DAY, LORRAINE S	1	\$5,007.14	\$5,007.14
313123230029	100 90TH LN NE	CLEMENT TAYLOR	1	\$5,007.14	\$5,007.14
313123230019	101 90TH LN NE	SYLVERS, CARRIE J	1	\$5,007.14	\$5,007.14
313123230030	120 90TH LN NE	OPHEIM DELORES J	1	\$5,007.14	\$5,007.14
313123230020	121 90TH LN NE	KIEL MARK & ANGELICA	1	\$5,007.14	\$5,007.14
313123230031	160 90TH LN NE	SHOEMAKER KENNETH R	1	\$5,007.14	\$5,007.14
313123230021	161 90TH LN NE	MATEUS, LUCIANA GODOY	1	\$5,007.14	\$5,007.14
313123230032	180 90TH LN NE	JOHNSON DALE W & E C	1	\$5,007.14	\$5,007.14
313123230022	181 90TH LN NE	EMERSON MICHAEL D & ALMA E	1	\$5,007.14	\$5,007.14
313123230033	190 90TH LN NE	SHORT, PHILLIP J	1	\$5,007.14	\$5,007.14
313123230023	191 90TH LN NE	JOLLY JOHANN L DEGREE	1	\$5,007.14	\$5,007.14
313123230024	201 90TH LN NE	ZAMORA, JUDY A	1	\$5,007.14	\$5,007.14
313123230025	241 90TH LN NE	FIADJIGBE, ONIKA	1	\$5,007.14	\$5,007.14
TOTALS:			35		

PROJECT 23-07
2023 SOUTHWEST AREA STREET RECONSTRUCTION - AREA 2
3RD ST, 6TH ST (90TH AVE TO 90TH LN)
90TH AVE (3RD ST TO 6TH ST), 90TH LN (UNIVERSITY AVE TO 7TH ST)
CITY OF BLAINE
EXHIBIT NO. 2B - COMMERCIAL/INDUSTRIAL
PROPOSED FINAL ASSESSMENT ROLL

ASSESSMENT RATE BREAKDOWN					
CONSTRUCTION COSTS*	\$785,898	*(CONSTRUCTION COSTS DO NOT INCLUDE WATER MAIN AND SANITARY SEWER COSTS)			
ADMINISTRATIVE COSTS	\$198,701				
TOTAL COST	\$984,599		TOTAL FRONT FOOTAGE	TOTAL COST PER FRONT FOOT	COMMERCIAL/ INDUSTRIAL ASSESSMENT PERCENTAGE
ASSESSABLE COST	\$984,599 ÷		6260.7 LF	= \$157.27	X 50% = \$78.64
PROPERTY PIN	PROPERTY ADDRESS	PROPERTY OWNER	ASSESSABLE FRONT FOOTAGE	ASSESSMENT RATE PER FRONT FOOT	PROPOSED ASSESSMENT
313123230043	20 90TH LN NE	BLAINE ECONOMIC DEV AUTHORITY	129.5**	\$78.64	\$10,183.88
313123230058	8943 UNIVERSITY AVE NE	VICTORIA ESTATES LTD	675.5**	\$78.64	\$53,121.32
313123230059	9011 UNIVERSITY AVE NE	BLAINE ECONOMIC DEV AUTHORITY	230.5	\$78.64	\$18,126.52
313123230042	9021 UNIVERSITY AVE NE	BLAINE ECONOMIC DEV AUTHORITY	120.8	\$78.64	\$9,499.71
TOTALS:			1156.3		\$90,931.43

**Denotes 150' corner lot credit given

3RD ST (CUL-DE-SAC TO 92ND LN)**92ND AVE (UNIVERSITY AVE TO 3RD ST), 92ND LN (UNIVERSITY AVE TO CUL-DE-SAC)**

CITY OF BLAINE

**EXHIBIT NO. 3A - SINGLE FAMILY RESIDENTIAL
PROPOSED FINAL ASSESSMENT ROLL**

ASSESSMENT RATE BREAKDOWN					
CONSTRUCTION COSTS*		\$378,822	*(CONSTRUCTION COSTS DO NOT INCLUDE WATER MAIN, SANITARY SEWER, DRIVEWAY REPLACEMENT, SIDEWALK, AND LANDSCAPING/IRRIGATION COSTS)		
ADMINISTRATIVE COSTS		\$95,779			
TOTAL COST		\$474,601			
RESIDENTIAL RATE		x 35%	TOTAL FRONT FOOTAGE	RESIDENTIAL ASSESSMENT RATE PER FRONT FOOT	
ASSESSABLE COST		\$166,110	÷ 3384.0 LF	=	\$49.09
RESIDENTIAL ASSESSMENT RATE PER FRONT FOOT	ASSESSABLE SINGLE FAMILY RESIDENTIAL FOOTAGE	AMOUNT ASSESSED		ASSESSABLE RESIDENTIAL LOT UNITS	ASSESSMENT RATE PER RESIDENTIAL LOT UNIT
\$49.09	X 2896.1 LF	=	\$142,168.08	÷ 38	= \$3,741.27
PROPERTY PIN	PROPERTY ADDRESS	PROPERTY OWNER	ASSESSABLE RESIDENTIAL LOT UNITS	ASSESSMENT RATE PER RESIDENTIAL LOT UNIT	PROPOSED ASSESSMENT
313123220130	9140 3RD ST NE	WREN LINDA K	1	\$3,741.27	\$3,741.27
313123220129	9141 3RD ST NE	JIMENEZ, PABLO	1	\$3,741.27	\$3,741.27
313123220131	9148 3RD ST NE	MICHNOWSKI, LEA	1	\$3,741.27	\$3,741.27
313123220128	9149 3RD ST NE	KIMINSKI, DANIELLE M	1	\$3,741.27	\$3,741.27
313123220132	9156 3RD ST NE	BOSSERT MAROLYN D	1	\$3,741.27	\$3,741.27
313123220127	9157 3RD ST NE	KOHEN, FABIAN	1	\$3,741.27	\$3,741.27
313123220126	9165 3RD ST NE	LEDoux TRUSTEE, PATRICIA A	1	\$3,741.27	\$3,741.27
313123220142	9200 3RD ST NE	YANG, JERRY	1	\$3,741.27	\$3,741.27
313123220125	9201 3RD ST NE	SUNDERLIN SCOTT C	1	\$3,741.27	\$3,741.27
313123220124	9209 3RD ST NE	KNAPPER MICHAEL F & C M	1	\$3,741.27	\$3,741.27
313123220141	9210 3RD ST NE	IHLENFELDT DONALD F	1	\$3,741.27	\$3,741.27
313123220123	9217 3RD ST NE	AREGA, SILESHI S	1	\$3,741.27	\$3,741.27
313123220122	9225 3RD ST NE	HEBERT, DANIEL J	1	\$3,741.27	\$3,741.27
303123330049	9232 3RD ST NE	GISH DONALD S	1	\$3,741.27	\$3,741.27

ASSESSMENT RATE BREAKDOWN					
CONSTRUCTION COSTS*		\$378,822	*(CONSTRUCTION COSTS DO NOT INCLUDE WATER MAIN, SANITARY SEWER, DRIVEWAY REPLACEMENT, SIDEWALK, AND LANDSCAPING/IRRIGATION COSTS)		
ADMINISTRATIVE COSTS		\$95,779			
TOTAL COST		\$474,601			
RESIDENTIAL RATE		x 35%	TOTAL FRONT FOOTAGE	RESIDENTIAL ASSESSMENT RATE PER FRONT FOOT	
ASSESSABLE COST		\$166,110 ÷	3384.0 LF	=	\$49.09
RESIDENTIAL ASSESSMENT RATE PER FRONT FOOT	ASSESSABLE SINGLE FAMILY RESIDENTIAL FOOTAGE		AMOUNT ASSESSED	ASSESSABLE RESIDENTIAL LOT UNITS	ASSESSMENT RATE PER RESIDENTIAL LOT UNIT
\$49.09	X	2896.1 LF	=	\$142,168.08 ÷	38 = \$3,741.27
PROPERTY PIN	PROPERTY ADDRESS	PROPERTY OWNER		ASSESSABLE RESIDENTIAL LOT UNITS	ASSESSMENT RATE PER RESIDENTIAL LOT UNIT
303123330043	9233 3RD ST NE	YANG, TOUA		1	\$3,741.27
303123330048	9240 3RD ST NE	KHANG, KAO NTXHEE		1	\$3,741.27
303123330042	9241 3RD ST NE	VOGEL PATRICK T & ARLENE A		1	\$3,741.27
303123330041	9249 3RD ST NE	BORGES, JEAN M		1	\$3,741.27
303123330040	9257 3RD ST NE	CHRISTENSEN JEFFREY L & L M		1	\$3,741.27
303123330039	9267 3RD ST NE	BENSER, PENNY L		1	\$3,741.27
313123220136	10 92ND AVE NE	MENSAH DANIEL		1	\$3,741.27
313123220137	11 92ND AVE NE	BONES, MATTHEW A		1	\$3,741.27
313123220135	18 92ND AVE NE	REYES DAVID M & PAMELA J		1	\$3,741.27
313123220138	19 92ND AVE NE	SHULTZ ROBERT D & D J		1	\$3,741.27
313123220134	26 92ND AVE NE	NICHOLSON JOHN E & J R		1	\$3,741.27
313123220139	27 92ND AVE NE	VANG, TENG		1	\$3,741.27
313123220133	34 92ND AVE NE	COLBERT TRUSTEE, CYNTHIA R		1	\$3,741.27
313123220140	35 92ND AVE NE	CURIE, JOHN A		1	\$3,741.27
303123330044	10 92ND LN NE	LAI LLC		1	\$3,741.27
303123330033	11 92ND LN NE	BREYER, CHRISTIAN D		1	\$3,741.27
303123330045	18 92ND LN NE	PUCHALLA MATRACA RAE		1	\$3,741.27
303123330034	19 92ND LN NE	SCHROEDER MARK E		1	\$3,741.27
303123330046	26 92ND LN NE	PELTIER, TERRY R		1	\$3,741.27
303123330035	27 92ND LN NE	KRAEUCHE KAREN A & BARANOWSKI		1	\$3,741.27
303123330047	34 92ND LN NE	MAHMULJIN, MIRSADA		1	\$3,741.27
303123330036	35 92ND LN NE	BALL MARK T & MELISSA K		1	\$3,741.27
303123330037	43 92ND LN NE	JOHNSON, TREVOR L		1	\$3,741.27
303123330038	51 92ND LN NE	FALLON TRUSTEE, STEVEN V		1	\$3,741.27
TOTALS:				38	



City of Blaine Staff Report

File Number: 2024-61

Agenda Date	Status
March 4, 2024	
In Control	File Type
City Council	Motion

Approval of Consent Agenda: - Daniel Schluender, Director of Engineering

Agenda Item # 8.6

Authorizing the Acquisition of Right-of-Way Consistent with State Law for the Ulysses Street and 117th Avenue Roundabout Project, Improvement Project 23-09

Executive Summary

The City Council previously authorized the design and preparation of plans and specifications for improvements to the Ulysses Street and 117th Avenue intersection. The design proposes a roundabout to be constructed at this intersection to provide the best level of service and safety. The proposed improvements require right-of-way as well as permanent and temporary easements to be acquired from adjacent landowners to complete the project as designed. The pending project and need for additional right-of-way and easements has been discussed with the property owners, and they are willing to consider offers for these acquisitions. An appraisal was done and a price of \$20,300.00 was negotiated with the Cedar Point Apartments property at 1145 116th Avenue NE.

Background

In 2019, the Traffic Commission ordered that this intersection be evaluated for safety in its current condition and future needs. The city then hired Bolton & Menk to conduct an Intersection Control Evaluation (ICE) of the intersection of Ulysses Street and 117th Avenue based on the existing conditions and the new development that was being proposed at or near this intersection.

The Intersection Control Evaluation report results were discussed with the council at a workshop on March 2, 2020. At that time the council directed staff to incorporate the proposed improvements recommended from the Traffic Commission of a modified roundabout from the study into the 5-year capital Improvement Plan. It was identified as a 2023 construction project.

In September 2022 the City Council authorized entering into a contract with Bolton & Menk to provide a preliminary survey and design for the improvement project with Motion 2022-158. An amendment to this contract was approved by City Council to include right-of-way acquisition in April 2023 with Motion 2023-112. Additional information was gathered, including updated traffic counts at the

intersection and a Roundabout Justification Report by Bolton & Menk. The report indicated a roundabout is justified and will provide significant improvements in traffic operations, severe crash reduction, and a safer environment for multimodal users. The preliminary design (see attached layout) has been completed for the roundabout.

The proposed improvements require right-of-way as well as permanent and temporary easements to be acquired from adjacent landowners to complete the project.

Through the contract with Bolton-Menk, Henning Professional Services (HPS) is providing right-of-way acquisition services including independent appraisals. Appraisals of the Lowe's, Kwik Trip, Cedar Pointe Apartments and Abundant Life Church-Assembly of God properties have been completed. Offers based on these appraisals have been negotiated with the property owners.

At this time, PC Cedar Green, LLC; Jin Lu, LLC; VSMendenhall Cedar Green, LLC and Walch Cedar Green, LLC (Owners of Cedar Pointe Apartments) have agreed to a price of \$20,300.00. The appraised value was \$18,300.00.

City Council is being asked to authorize the Mayor and City Manager to acquire the needed easements for the Ulysses Street and 117th Avenue roundabout project from the owners of Cedar Pointe Apartments.

Strategic Plan Relationship

This improvement is in line with the City's Strategic goal of infrastructure management.

Board/Commission Review

Not applicable.

Financial Impact

Funding for this project will be paid for from the city's Municipal State Aid (MSAS) fund, this will include the surveying and design cost as proposed.

Public Outreach/Input

No public outreach/input is needed for this approval. Staff does anticipate additional outreach in the future as the project is developed.

Staff Recommendation

By motion, authorize the Mayor and City Manager to acquire the needed easements at 1145 116th Avenue NE, Blaine, MN for the Ulysses Street and 117th Avenue roundabout project from the Owners of Cedar Pointe Apartments for the amount of \$20,300.00.

Attachment List

1. Easement Agreement
2. Memorandum of Understanding
3. Apts appraisal \$ 18,300 22316-3

EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT ("Agreement") is dated and effective as of 1/19/2024, by and between PC Cedar Green, LLC, a Delaware Limited Liability Company, as to an undivided 55.35% interest; Jin Lu, LLC, a Delaware Limited Liability Company, as to an undivided 5.59% interest; VSMendenhall Cedar Green, LLC, a Delaware Limited Liability Company, as to an undivided 17.87% interest and Walch Cedar Green, LLC, a Delaware Limited Liability Company, as to an undivided 21.19% interest, as tenants in common ("Grantor"), and the City of Blaine, a Minnesota municipal corporation (the "City").

RECITALS

A. Grantor is the owner of a parcel of land located in Anoka County, Minnesota, and legally described on the attached **Exhibit A** (the "Property").

B. The City desires to obtain easements for public right-of-way, drainage, utility, sidewalk and wall maintenance purposes on, over, under, across and through certain portions of the Property.

C. Grantor has agreed to grant the easements to the City through the execution of this Agreement.

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, both parties hereby agree as follows:

1. Grant of Easement. For good and valuable consideration, receipt of which is acknowledged by Grantor, Grantor, for itself, its successors and assigns, hereby declares, creates, grants and establishes:

- a. A permanent easement for public right-of-way purposes (the "ROW Easement") on, over, under, across and through that portion of the Property as legally described and depicted on the attached **Exhibit B-1 and Exhibit B-2** (the "ROW Easement Area"); and
- b. A permanent easement for drainage, utility, sidewalk and wall maintenance purposes (the "Utility Easement") on, over, under, across and through that portion of the Property as legally described and depicted on the attached **Exhibit B-1 and Exhibit B-2** (the "Utility Easement Area").

The ROW Easement and Utility Easement are collectively, the "Easements" and the Row Easement Area and the Utility Easement Area are collectively the "Easement Areas."

2. Scope of Easements. The easement rights granted in this Agreement are permanent in nature and include:

- a. As to the ROW Easement, the rights of the City, its contractors, agents, servants, and assigns, to enter the ROW Easement Area at any time that it may see fit, without notice, to construct, reconstruct, inspect, repair, and maintain said public roadway system over, across, on, under, and through the ROW Easement Area, together with the right to grade, level, fill, drain, pave, and excavate the ROW Easement Area, and the further right to, including, but not limited to, remove trees, bushes, undergrowth, and other obstructions interfering with the location, construction, and maintenance of said public roadway system.
- b. As to the Utility Easement, the rights of the City, its contractors, agents, servants, and assigns, to enter the Utility Easement Area at any time that it may see fit, without notice, to construct, install, reconstruct, inspect, repair, and maintain any public facilities or public utility, including, but not limited to sidewalk, retaining wall, storm sewer, water mains, storm water facilities, above ground and below ground drainage facilities, underground pipes, conduits, culverts, other utilities and mains, and all facilities and improvements ancillary, incident or related thereto, under, over, across, through and upon the Utility Easement Area.

The Easement rights further include, but are not limited to, the right of ingress and egress over the Easement Areas to access the Easements for the purposes of construction, maintenance, repair and replacement of any and all facilities and improvements ancillary, incident or related the Easements, together with the right to remove obstructions reasonably interfering with the location, construction and maintenance of such public facilities. Grantor shall not place any improvements or landscaping in the Easement Areas.

3. Maintenance of Easement Area. The Easement Areas shall be kept and maintained by the City at the City's sole cost and expense, in a condition consistent with other City roadways, utilities, sidewalks and retaining walls. Maintenance of the Easement Areas shall include operating, maintaining, repairing and replacing the improvements and other areas within the Easement Area, unless damaged by Grantor or anyone acting under Grantor in which case costs or repair shall be paid by Grantor.

4. Indemnification. The City and its successors shall hold harmless and indemnify Grantor, its owners, its agents, and its employees, successors and assigns, from and against all loss, costs, damage, actions, suits, judgments and expense, including reasonable attorneys' fees, which is a result of the negligence or willful misconduct of the City, its agents, employees, agents, contractors, successors and assigns arising out of or in connection with the use of the Easement Area, except to the extent that such damage is caused by, or the result of the negligence or willful misconduct of Grantor, its agents, employees, agents, contractors, successors and assigns.

5. Covenants Run with the Land. The benefits and burdens created by this Agreement shall constitute covenants running with the land and shall benefit and be binding upon all present and future owners, and their respective successors and assigns, of any portion of the Property and upon each person having any interest therein derived through any owner thereof.

6. Termination of Easement. The Easement declared, granted, established, and conveyed in this Agreement is permanent in nature and may be terminated only by an agreement in writing signed by both parties. As and to the extent required for any reason, the parties agree to execute a recordable document to memorialize, record, or effect any such termination.

7. Successors and Assigns. This Agreement shall be binding upon and shall inure to the benefit of both parties, and their successors and assigns.

8. Entire Agreement and Modification. This Agreement represents the entire agreement and understanding of the parties with respect to the subject matter hereof and supersedes any and all previous agreements of whatever nature between the parties with respect to the subject matter. This Agreement may not be altered or amended except by an agreement in writing signed by all parties.

9. Governing Law. This Agreement is entered into in and shall be governed by and construed in accordance with the internal laws of the State of Minnesota.

10. Severability. If any term or provision of this Agreement is ever determined to be invalid or unenforceable for any reason, such term or provision shall be severed from this Agreement without affecting the validity or enforceability of the remainder of this Agreement.

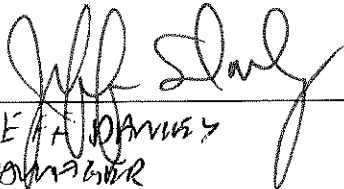
11. Attorneys' Fees. In the event either party is required to enforce the terms of this Agreement through legal action, the prevailing party, as determined by a court of competent jurisdiction, shall be entitled to recover its reasonable attorneys' fees and costs.

[Signature pages follow.]

IN WITNESS WHEREOF, the parties have executed this Agreement effective as of the date first above written.

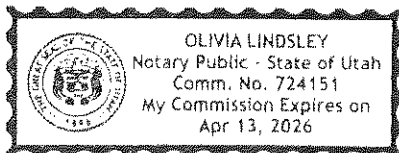
GRANTOR:

PC Cedar Green, LLC,
a Delaware limited liability company,

By: 
Name: JEFF DANLEY
Its: MANAGER

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

Personally came before me on January 23, 2024, the above-named Jeff Danley, the Manager of PC Cedar Green, LLC, a Delaware limited liability company, to me known to be the person who executed the foregoing instrument and acknowledged the same on behalf of said company.




Notary Public

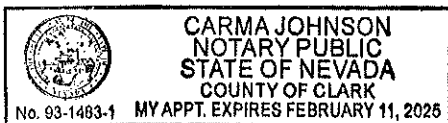
[Signature Page to Easement Agreement]

VSMendenhall Cedar Green, LLC,
a Delaware limited liability company,

By: [Signature]
Name: Vyonne S. Mendenhall
Its: Manager

STATE OF Nevada)
COUNTY OF Clark) ss.
)

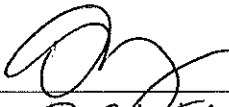
Personally came before me on January 20, 2024, the above-named Vyonne S. Mendenhall the Manager of VSMendenhall Cedar Green, LLC, a Delaware limited liability company, to me known to be the person who executed the foregoing instrument and acknowledged the same on behalf of said company.



[Signature]
Notary Public

[Signature Page to Easement Agreement]

Jin Lu, LLC,
a Delaware limited liability company,

By: 
Name: DORA FANG
Its: manager

STATE OF _____)
) ss.
COUNTY OF _____)

Personally came before me on _____, 202____, the above-named _____, the _____ of Jin Lu, LLC, a Delaware limited liability company, to me known to be the person who executed the foregoing instrument and acknowledged the same on behalf of said company.

Notary Public

see attached

[Signature Page to Easement Agreement]

All-purpose Acknowledgment California

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

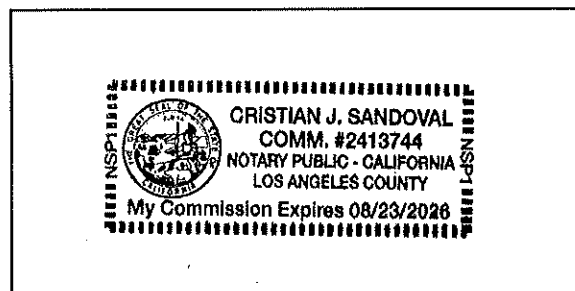
County of Los Angeles

On 12/22/2023 before me, Cristian J. Sandoval - Notary Public (here insert name and title of the officer),

personally appeared Dora Fang

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.



Notary Seal

WITNESS my hand
and official seal.

Signature

For Bank Purposes Only

Description of Attached Document

Type or Title of Document Easement Cedar Point Apts

Document Date 12/22/2023 Number of Pages 12

Signer(s) Other Than Named Above none

Account Number (if applicable) none



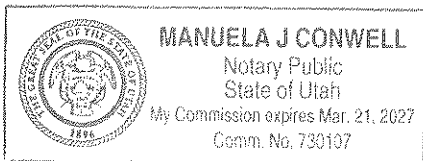
FO01-000DSG5350CA-01

Walch Cedar Green, LLC,
a Delaware limited liability company,

By: Elizabeth L. Walch
Name: Elizabeth L. Walch
Its: Member Manager.

STATE OF Utah)
) ss.
COUNTY OF Utah)

Personally came before me on January 10th, 2024, the above-named Elizabeth Walch, the Member Manager of Walch Cedar Green, LLC, a Delaware limited liability company, to me known to be the person who executed the foregoing instrument and acknowledged the same on behalf of said company.



Manuela J. Conwell
Notary Public

[Signature Page to Easement Agreement]

CITY:

City of Blaine,
Minnesota municipal corporation

By _____
Name: Tim Sanders
Title: Mayor

By _____
Name: Michelle Wolfe
Title: City Manager

STATE OF MINNESOTA)
) ss.
COUNTY OF ANOKA)

Personally came before me on _____, 202____, the above-named Tim Sanders, Mayor, and Michelle Wolfe, City Manager, of the City of Blaine, a municipal corporation organized under the laws of the State of Minnesota, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Notary Public

[Signature Page to Easement Agreement]

This instrument was drafted by:

Thomas R. Loonan
Eckberg Lammers, P.C.
1809 Northwestern Avenue
Stillwater, MN 55082

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

Lot 1, Block 1, Cedar Point Apartments, Anoka County, Minnesota.

Torrens Property

Certificate of Title No. 149477

PID 17-31-23-22-0028

EXHIBIT B-1

EASEMENT DESCRIPTION

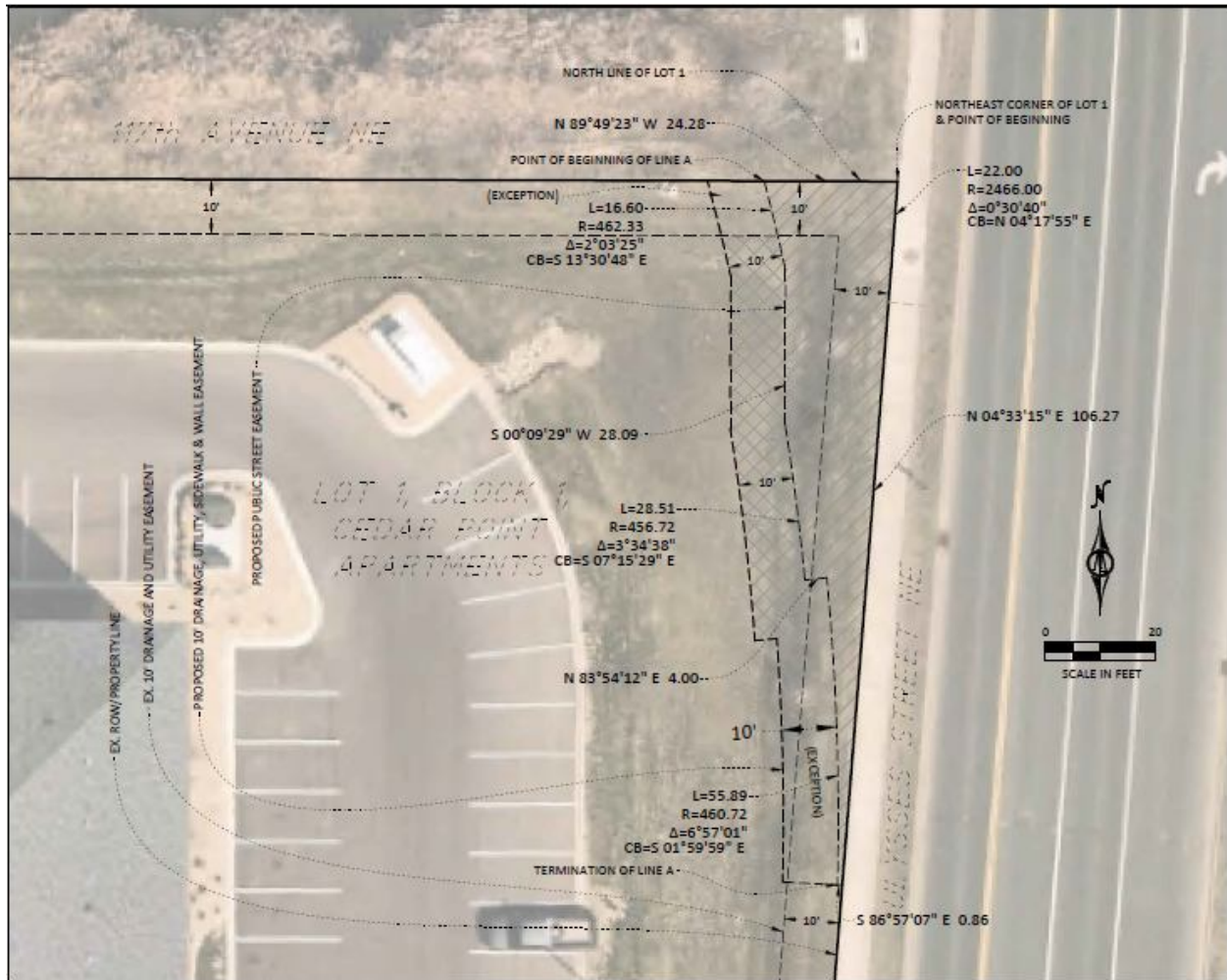
A permanent easement, for public street purposes, over, under and across part of Lot 1, Block 1, CEDAR POINT APARTMENTS, according to said plat on file and of record in the Office of the County Recorder, in and for, Anoka County, Minnesota; said easement described as beginning at the northeast corner of said Lot 1; thence North 89 degrees 49 minutes 23 seconds West, assumed bearing along the North line of said Lot 1, 24.28 feet also to the point of beginning of a line to be hereafter known as Line A ; thence southeasterly, 16.60 feet, along a non-tangential curve, concave to the southwest, having a radius of 462.33 feet a central angle of 02 degrees 03 minutes 25 seconds and the chord of said curve bears South 13 degrees 30 minutes 48 seconds East; thence South 00 degrees 09 minutes 29 seconds West, not tangent to the last described curve, 28.09 feet; thence southeasterly, 28.51 feet, along a non-tangential curve, concave to the southwest, having a radius of 456.72 feet a central angle of 03 degrees 34 minutes 38 seconds and the chord of said curve bears South 07 degrees 15 minutes 29 seconds East; thence North 83 degrees 54 minutes 12 seconds East, not tangent to the last described curve, 4.00 feet; thence southerly 55.89 feet, along a non-tangential curve, concave to the West, having a radius of 460.72 feet a central angle of 06 degrees 57 minutes 01 seconds and the chord of said curve bears South 01 degrees 59 minutes 59 seconds East and also the termination of previously referenced Line A; thence South 86 degrees 57 minutes 07 seconds East, not tangent to the last described curve, 0.86 feet to the easterly line of said Lot 1; thence North 04 degrees 33 minutes 15 seconds East, along said easterly line, 106.27 feet; thence northerly, 22.00 feet, along a tangential curve, concave to the East, having a radius of 2466.00 feet and a central angle of 0 degrees 30 minutes 40 seconds, to the point of beginning.

Together with a permanent public easement for drainage, utility, sidewalk and wall maintenance purposes, over, under and across said Lot 1 described as a 10.00-foot strip the easterly, northerly and easterly line of which is previously described Line A. Said easement is to extend by its full width to said North line of Lot 1. EXCEPT the drainage and utility easements as indicated over Lot 1, Block 1, said CEDAR POINT APARTMENTS.

EASEMENT AREA: 1,265 SQ. FT.

EXHIBIT B-2

DEPICTION OF EASEMENT AREA



DRAINAGE, UTILITY,
SIDEWALK & WALL
MAINTENANCE
EASEMENT AREA:
863 Sq. Ft.

PUBLIC ROADWAY
EASEMENT AREA:
1,489 Sq. Ft.

NOTES:
PID: 17-31-23-22-0025
CERTIFICATE OF TITLE #149477
PROPERTY IS TORRENS

MEMORANDUM OF UNDERSTANDING
City of Blaine – Ulysses St. NE & 117th Ave. NE Project

Fee Owner(s): PC Cedar Green, LLC; Jin Lu, LLC;
VSMendenhall Cedar Green, LLC and Walch Cedar Green, LLC
PID: 17-31-23-22-0025
Property Address: 1145 116th Avenue NE, Blaine, MN 55434

On this 19th day of January, 2024, PC Cedar Green, LLC, a Delaware Limited Liability Company, as to an undivided 55.35% interest; Jin Lu, LLC, a Delaware Limited Liability Company, as to an undivided 5.59% interest; VSMendenhall Cedar Green, LLC, a Delaware Limited Liability Company, as to an undivided 17.87% interest and Walch Cedar Green, LLC, a Delaware Limited Liability Company, as to an undivided 21.19% interest, as tenants in common, Owner(s) of the above-described parcel of property located in the City of Blaine (the “City”), County of Anoka, and State of Minnesota, did execute and deliver a conveyance of real estate rights to the City.

This agreement is now made and entered as a memorandum of all the terms, and the only terms, agreed upon in connection with the above transaction. It is hereby acknowledged and agreed upon between the parties that:

1. The Owner(s) have been furnished with the approved estimate of just compensation for the property rights acquired and a summary statement of the basis for the estimate. The Owner(s) understand that the acquired property rights are for use in connection with the construction of the city project as listed above.
2. The Owner(s) understand and acknowledge that the Agent for the City has no direct, indirect, present, or contemplated future personal interest in the property or in any benefits from the acquisition of the property rights.
3. That in full compensation for the conveyance of said property, the City shall pay the Owner(s) the sum of **Twenty Thousand, Three Hundred and no/100 Dollars (\$20,300.00)** for easement(s) and damages. Owner(s) understand that payment by the City must await City Council approval, verification of marketable title, and lender consents, if needed.
4. In the event of a clerical error, Owner(s), whether one or more, agree to cooperate in correcting the error including but not limited to resigning all documents.
5. Additionally: n/a

It is understood and agreed that the entire agreement of the parties is contained in this Memorandum of Understanding and Easement Document(s) dated January 19, 2024 and that these documents and agreements include all oral agreements, representations, and negotiations between the parties.

[signature pages to follow]

City of Blaine

Date: _____

By: _____

Printed Name: _____

Title: _____

Date: _____

By: _____

Printed Name: _____

Title: _____

PC Cedar Green, LLC

Date: _____

By: Jeff Slaw
Printed Name: JEFF DAWLEY
Title: MANAGER

Jin Lu, LLC

Date: _____

By: _____
Printed Name: _____
Title: _____

VSMendenhall Cedar Green, LLC

Date: _____

By: _____
Printed Name: _____
Title: _____

Walch Cedar Green, LLC

Date: _____

By: _____
Printed Name: _____
Title: _____

PC Cedar Green, LLC

Date: _____

By: _____

Printed Name: _____

Title: _____

Jin Lu, LLC

Date: _____

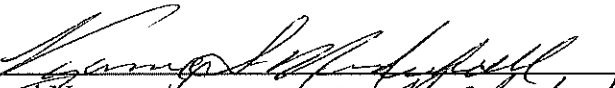
By: _____

Printed Name: _____

Title: _____

VSMendenhall Cedar Green, LLC

Date: 1-19-2024

By: 
Printed Name: Vyonas S. Mendenhall
Title: Manager

Walch Cedar Green, LLC

Date: _____

By: _____

Printed Name: _____

Title: _____

PC Cedar Green, LLC

Date: _____

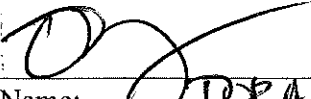
By: _____

Printed Name: _____

Title: _____

Jin Lu, LLC

Date: 12/22/23

By:  _____

Printed Name: JIN LU

Title: MANAGER

VSMendenhall Cedar Green, LLC

Date: _____

By: _____

Printed Name: _____

Title: _____

Walch Cedar Green, LLC

Date: _____

By: _____

Printed Name: _____

Title: _____

PC Cedar Green, LLC

Date: _____

By: _____

Printed Name: _____

Title: _____

Jin Lu, LLC

Date: _____

By: _____

Printed Name: _____

Title: _____

VSMendenhall Cedar Green, LLC

Date: _____

By: _____

Printed Name: _____

Title: _____

Walch Cedar Green, LLC

Date: _____

By: Elizabeth L. Walch

Printed Name: ELIZABETH L. WALCH

Title: Owner/Manager

MARKET VALUE APPRAISAL
BEFORE AND AFTER VALUES
PARCEL 3 – APARTMENT PROPERTY
1145 116TH AVENUE NE
BLAINE, MINNESOTA

DATE OF REPORT:
June 15, 2023

PREPARED FOR:
City of Blaine
Engineering Department
10801 Town Square Drive NE
Blaine, MN 55449

PREPARED BY:
Patchin Messner Valuation Counselors
Sunset Pond Executive Offices
13961 West Preserve Boulevard
Burnsville, MN 55337



PATCHIN MESSNER

VALUATION COUNSELORS

June 15, 2023

City of Blaine
Engineering Department
10801 Town Square Drive NE
Blaine, MN 55449

ATTN: Mr. Brent Larson, PE

RE: Market Value Appraisal
Before and After Values
Parcel 3 – Apartment Property
1145 116th Avenue NE
Blaine, Minnesota

Dear Mr. Larson:

At your request, we have appraised the above-referenced property for the purpose of estimating its fee simple market value. It is our understanding that the intended use is to provide valuation guidance in the acquisition of a portion of the subject for a 1,445 SF public roadway easement and an 863 SF permanent drainage, utility, sidewalk and wall maintenance easement. The proposed easements are necessary for the Ulysses Street NE and 117th Avenue NE intersection project.

The subject of this report is located at 1145 116th Avenue NE, Blaine, Minnesota, and has a land area of 263,974 SF (6.06 acres). The property is improved with a 138-unit apartment building that has 225,576 SF of gross building area (GBA) and was constructed in 2019, according to Anoka County records. Given that the proposed acquisition only affects a portion of the boulevard area adjacent to Ulysses Street NE in the northeast corner of the site, only the land and affected site improvements, if any, are appraised.

This appraisal is intended to comply with the Uniform Standards of Professional Appraisal Practice (USPAP) of the Appraisal Foundation and, the Minnesota Department of Transportation Right-of-Way Manual. Furthermore, this appraisal is presented following the USPAP Standards Rule 2 – 2(a) guidelines for real property appraisal reporting. As such, this report presents only summary discussions of the data and analyses used in the appraisal process. Additional information and documentation concerning the data and analyses of this appraisal have been retained in our files.

Based on inspection of the property, and after consideration of the many factors influencing market value, it is the appraisers' opinion that recommended compensation, or damage, for the partial acquisition of a public roadway easement and a permanent drainage, utility, sidewalk and wall maintenance easement, as of May 31, 2023, is as follows:

Land Value Before the Acquisition	\$2,639,800
Land Value After the Acquisition	<u>\$2,622,700</u>
Indicated Permanent Damages	\$ 17,100
Plus: Affected Site Improvements	<u>\$ 1,200</u>
Recommended Compensation	\$ 18,300

It should be noted that the above estimate of damages is based on the assumptions as identified on pages 10 and 11 of this report.

Also, this letter of transmittal does not qualify as an appraisal, and the reader is directed to the following report for the data, analyses and conclusions which support these value estimates. The appraisal report is contingent upon the assumptions and limiting conditions submitted within the report. The Contingent and Limiting Conditions section of this report should be thoroughly read and understood before relying on any information or analysis presented herein.

Thank you for allowing our firm to be of assistance in this matter. If you have any questions after reading this report, feel free to contact us at your convenience.

Respectfully submitted,

PATCHIN MESSNER VALUATION COUNSELORS



Nathan A. Wareham
Certified General Real Property Appraiser
Minnesota License 40525462



Jason L. Messner, MAI, CRE
Certified General Real Property Appraiser
Minnesota License 4000836

CERTIFICATION OF NATHAN A. WAREHAM

I certify that, to the best of my knowledge and belief:

1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
3. I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved.
4. I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
5. My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
6. My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice of the Appraisal Foundation.
7. I have made a personal inspection of the property that is the subject of this report.
8. The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and the Standards of Professional Appraisal Practice of the Appraisal Institute.
9. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
10. No one provided significant real property appraisal assistance to the persons signing this certification or report.
11. My engagement in this assignment was not contingent upon developing or reporting predetermined results.
12. This appraisal cannot be completely understood without reading the Contingent and Limiting Conditions section of this report, which should be thoroughly read and understood before relying on any information or analysis presented herein.
13. As of the date of this report, Nathan A. Wareham has completed the Standards and Ethics Education Requirement for Practicing Affiliates of the Appraisal Institute.



Nathan A. Wareham

6/15/23

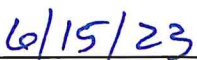
Date

CERTIFICATION OF JASON L. MESSNER

I certify that, to the best of my knowledge and belief:

1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
3. I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved.
4. I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
5. My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
6. My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice of the Appraisal Foundation.
7. I have made a personal inspection of the property that is the subject of this report.
8. The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and the Standards of Professional Appraisal Practice of the Appraisal Institute.
9. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
10. No one provided significant real property appraisal assistance to the persons signing this certification or report.
11. My engagement in this assignment was not contingent upon developing or reporting predetermined results.
12. This appraisal cannot be completely understood without reading the Contingent and Limiting Conditions section of this report, which should be thoroughly read and understood before relying on any information or analysis presented herein.
13. As of the date of this report, Jason L. Messner has completed the continuing education program requirements for Designated Members of the Appraisal Institute.


Jason L. Messner, MAI, CRE


Date

SUMMARY OF SALIENT FACTS AND CONCLUSIONS

Fee Owners:	PC Cedar Green, LLC; Jin Lu, LLC; VSMendenhall Cedar Green, LLC; Walch Cedar Green, LLC
Location:	1145 116 th Avenue NE Blaine, Minnesota
Date of Valuation:	May 31, 2023
Date of Inspection:	May 31, 2023
Property Appraised:	Real Property (Land Only)
Rights & Interest Appraised:	Fee Simple Market Value
Zoning:	DF, Development Flex
Guiding:	High Density Residential
Property Description:	The subject of this report is an Anoka County tax parcel located in the southwest quadrant of 117th Avenue NE and Ulysses Street NE in Blaine. The property is effectively rectangular in shape and the land area is 263,974 SF, or 6.06 acres. The subject is improved with a 138-unit apartment building known as Cedar Green Apartments. The building has 225,576 SF of gross building area (GBA) and was constructed in 2019, according to Anoka County records. The building also features a fitness center, a game room, a community room, a party room, a conference room, a pet wash station, and underground parking. Site improvements include an outdoor courtyard, an outdoor fireplace and barbeque area, a playground area, parking lots, concrete curbing and walks, curbing, lighting, landscaping, trees, lawn areas, and stormwater improvements, and signage.
Highest and Best Use:	
Before Condition	
As Vacant	High density residential development
As Improved	Continued use as improved

After Condition

As Vacant	Same as in the Before Condition
-----------	---------------------------------

As Improved	Same as in the Before Condition
-------------	---------------------------------

Site Area:

Before Acquisition Land Area	263,974 SF, or 6.06 Acres
------------------------------	---------------------------

After Acquisition Land Area	262,529 SF, or 6.03 Acres, net of public roadway easement
-----------------------------	---

Acquisition Areas:

Public Roadway Easement	1,445 SF, or 0.03 acres
----------------------------	-------------------------

Drainage, Utility, Sidewalk and Wall Maintenance Easement	863 SF, or 0.02 acres
---	-----------------------

Description of Acquisition:	As a result of the 117 th Avenue NE and Ulysses Street NE intersection changing to roundabout, the surrounding public sidewalk improvements will need to be reconfigured and reconstructed. In the case of the subject, a 1,445 SF public roadway easement and an 863 SF drainage, utility, sidewalk and wall maintenance easement is needed in the northeast corner of the property.
-----------------------------	--

Valuation Conclusions:

Land Value Before the Acquisition	\$2,639,800
Land Value After the Acquisition	<u>\$2,622,700</u>
Indicated Permanent Damages	\$ 17,100
Plus: Affected Site Improvements	<u>\$ 1,200</u>
Recommended Compensation	\$ 18,300

TABLE OF CONTENTS

LETTER OF TRANSMITTAL	i
CERTIFICATION OF NATHAN A. WAREHAM	iii
CERTIFICATION OF JASON L. MESSNER	iv
SUMMARY OF SALIENT FACTS AND CONCLUSIONS	v
TABLE OF CONTENTS.....	vii
PHOTOGRAPHS OF SUBJECT.....	ix
AERIAL VIEWS OF SUBJECT	xiii
SUBJECT REGIONAL MAP.....	xiv
SUBJECT LOCATION MAP	xv
PART I: BEFORE ACQUISITION – FACTUAL DATA.....	1
PROPERTY APPRAISED	2
DATE OF APPRAISAL	2
INSPECTION OF THE PROPERTY.....	2
PROPERTY OWNERSHIP	2
SALES HISTORY.....	3
INTENDED USE	4
CLIENT AND INTENDED USERS	4
PURPOSE OF THE APPRAISAL	4
PROJECT LAYOUT.....	5
PARCEL SKETCH.....	6
COMPETENCY OF APPRAISERS	7
PROPERTY RIGHTS APPRAISED.....	7
MARKET VALUE DEFINED	7
SCOPE OF WORK	8
BEFORE AND AFTER VALUATION	10
ASSUMPTIONS.....	10
PART II: BEFORE ACQUISITION – DATA, ANALYSIS AND CONCLUSIONS.....	12
REGIONAL AND CITY DATA	13
NEIGHBORHOOD DATA	28
LOCATION AND LEGAL DESCRIPTION	30
TAXES AND ASSESSMENT DATA	30

ZONING.....	31
ZONING MAP (ENLARGED).....	34
2040 COMPREHENSIVE LAND USE MAP (ENLARGED).....	35
LAND DESCRIPTION.....	36
IMPROVEMENT DESCRIPTION.....	37
ENVIRONMENTAL CONSIDERATIONS	37
ENLARGED PLAT MAP	38
HIGHEST AND BEST USE	39
EXPOSURE AND MARKETING TIME	41
APPRAISAL PROCEDURES AND TECHNIQUES	42
SALES COMPARISON APPROACH	42
PART III: AFTER ACQUISITION – FACTUAL DATA	55
PRELIMINARY PROJECT LAYOUT	56
PARCEL SKETCH.....	57
PROJECT DESCRIPTION	58
DESCRIPTION OF ACQUISITION	58
PART IV: AFTER ACQUISITION – DATA, ANALYSIS AND CONCLUSIONS	59
SITE DESCRIPTION.....	60
HIGHEST AND BEST USE	60
EXPOSURE AND MARKETING TIME	61
APPRAISAL PROCEDURES AND TECHNIQUES	61
SALES COMPARISON APPROACH	61
AFFECTED SITE IMPROVEMENTS.....	63
FINAL SUMMATION	64
ADDENDA	65
CONTINGENT AND LIMITING CONDITIONS.....	66
APPRAISER QUALIFICATIONS.....	69
CERTIFICATION OF NATHAN A. WAREHAM	70
QUALIFICATIONS OF JASON L. MESSNER.....	71

PHOTOGRAPHS OF SUBJECT

(Photographs Taken on May 31, 2023)



Looking South towards Subject from Intersection of 117th Ave. NE & Ulysses St. NE



Looking Southwest at Subject Building Improvement

PHOTOGRAPHS OF SUBJECT



Looking North at Proposed Acquisition Area along Ulysses Street NE



Looking West at Proposed Acquisition Area along Ulysses Street NE

PHOTOGRAPHS OF SUBJECT



Looking South at Southwest at Proposed Acquisition Area along Ulysses Street NE



Looking South at Southwest at Proposed Acquisition Area along Ulysses Street NE

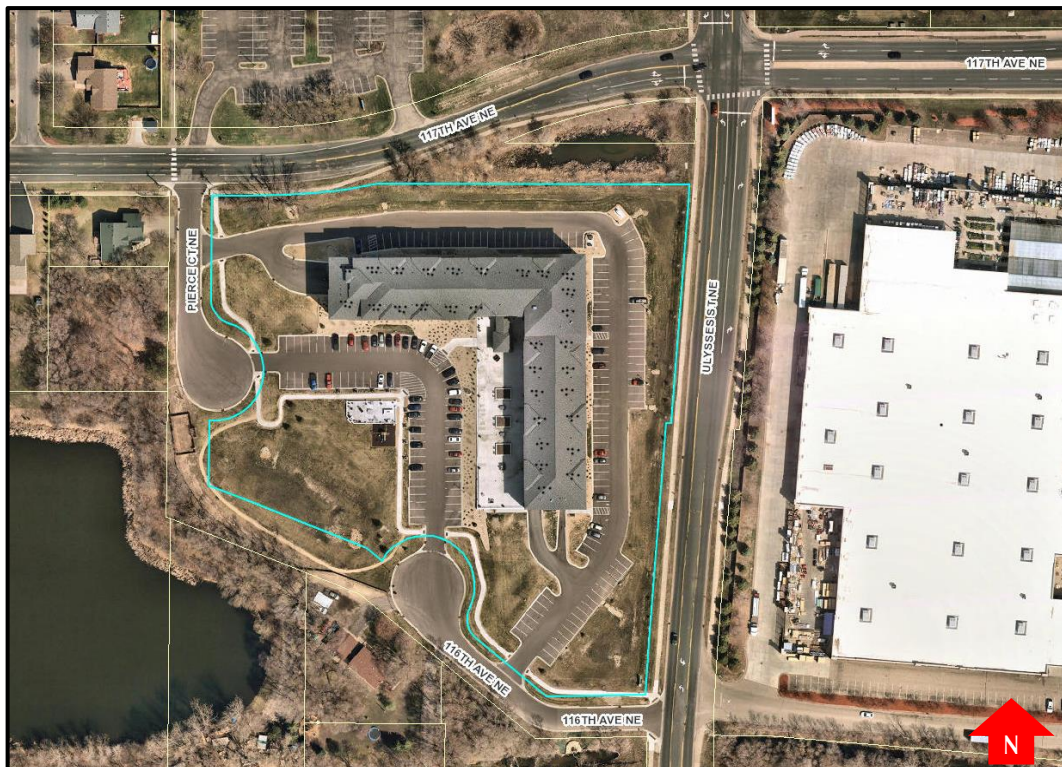
PHOTOGRAPHS OF SUBJECT

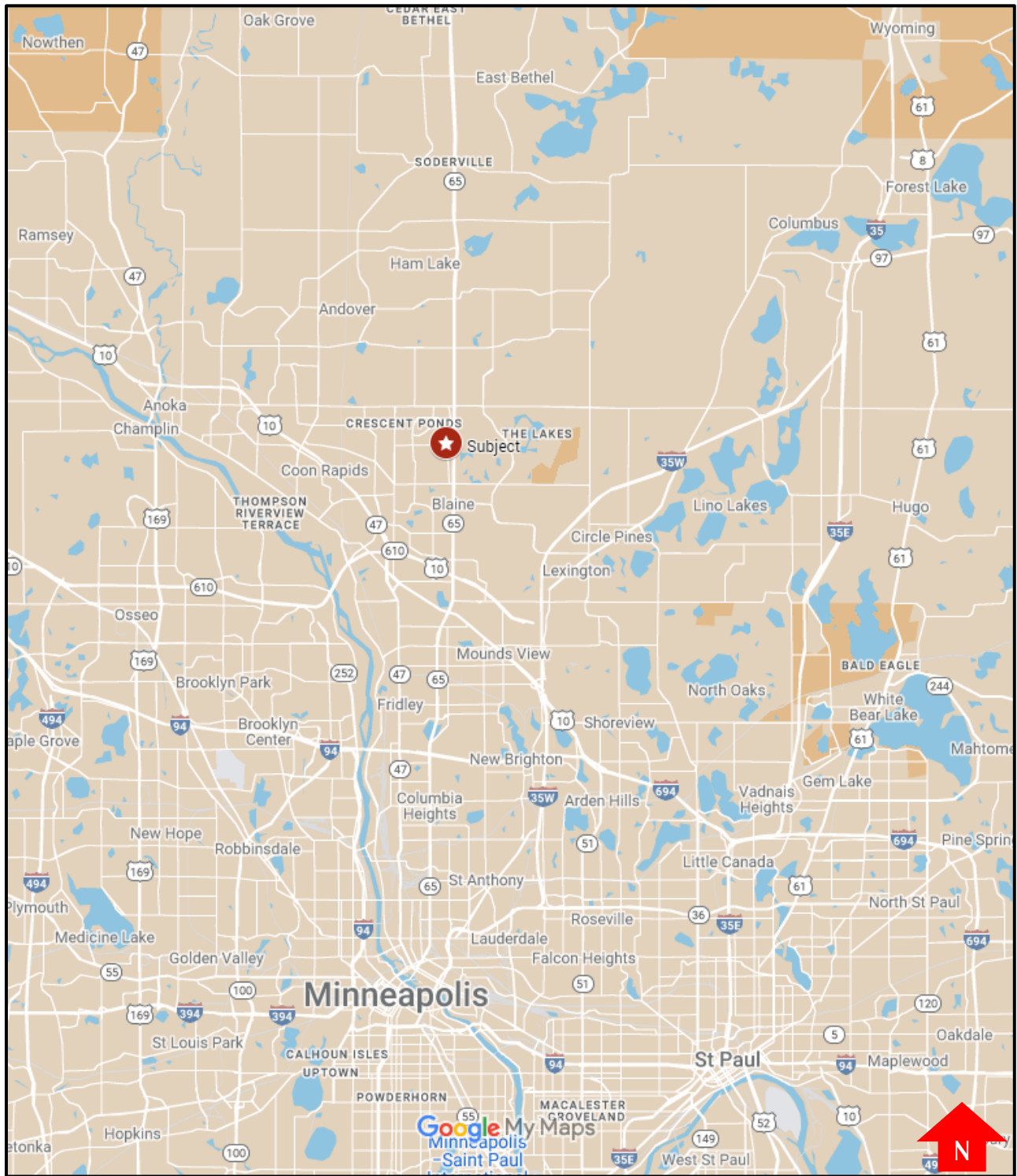


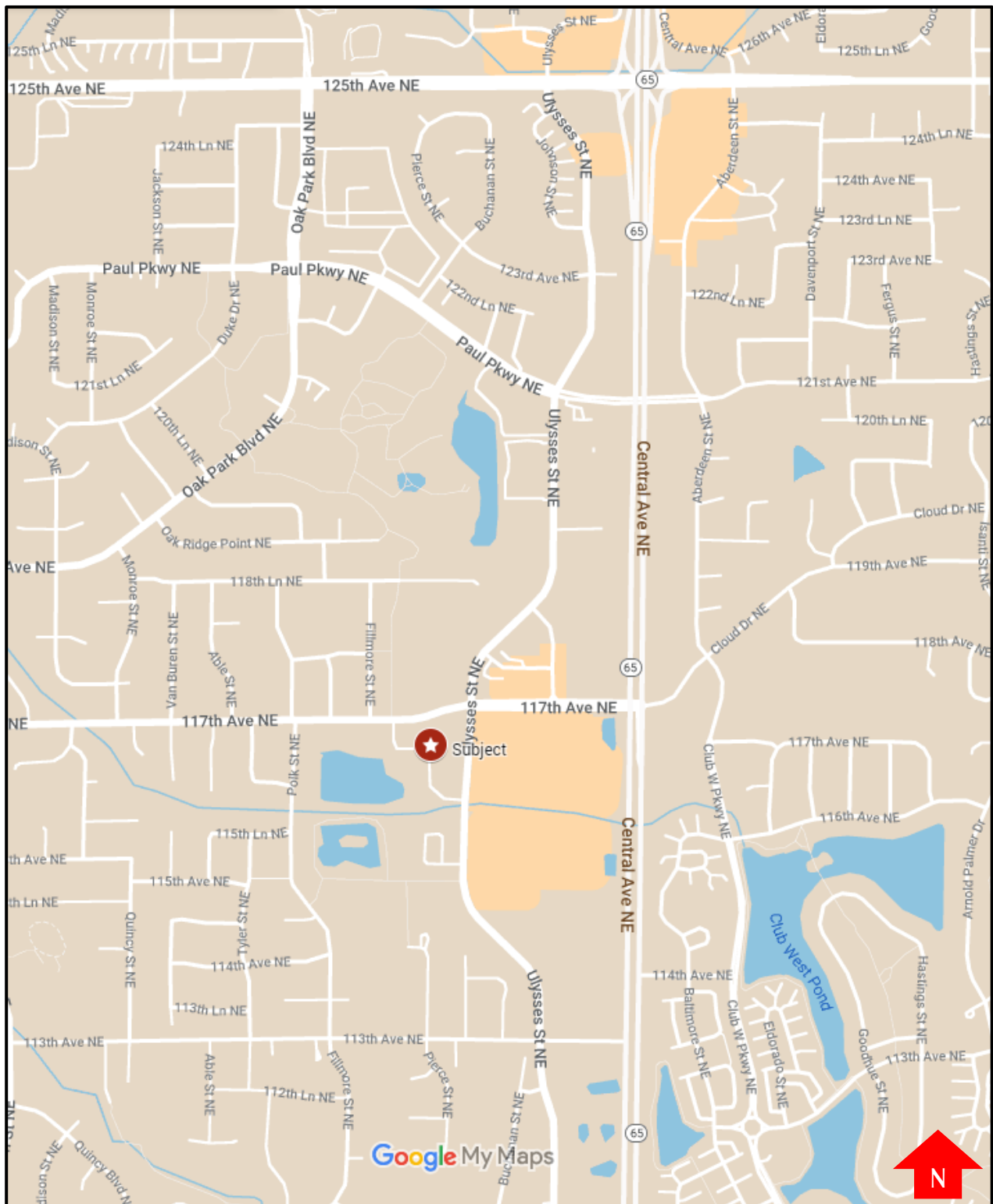
Looking West along Subject's Northern Property Boundary



Looking Southwest toward Intersection of 117th Avenue NE and Ulysses Street NE

AERIAL VIEWS OF SUBJECT

SUBJECT REGIONAL MAP

SUBJECT LOCATION MAP

PART I: BEFORE ACQUISITION – FACTUAL DATA

PROPERTY APPRAISED

The subject of this report is located at 1145 116th Avenue NE, Blaine, Minnesota, and has a land area of 263,974 SF (6.06 acres). The subject is improved with a 138-unit apartment building known as Cedar Green Apartments. The building has 225,576 SF of gross building area (GBA) and was constructed in 2019, according to Anoka County records. Given that the proposed acquisition only affects a portion of the boulevard area adjacent to Ulysses Street NE in the northeast corner of the site, only the land and affected site improvements, if any, are appraised.

DATE OF APPRAISAL

The effective date of this appraisal is May 31, 2023.

INSPECTION OF THE PROPERTY

Nathan A. Wareham and Jason L. Messner conducted an exterior inspection of the subject property on May 31, 2023. Ms. Sonya Henning, the right-of-way agent, and Mr. Brent Larson, project engineer for the City of Blaine, accompanied the appraisers. Additionally, Jason Messner was part of a virtual meeting on June 12, 2023, with representatives of the subject owners, Matthew Sant and Toni Law, to discuss the proposed acquisition.

PROPERTY OWNERSHIP

According to the title work provided to the appraisers, the subject property is owned by PC Cedar Green, LLC; Jin Lu, LLC; VSMendenhall Cedar Green, LLC; and Walch Cedar Green, LLC.

SALES HISTORY

The Uniform Standards of Professional Appraisal Practice (USPAP) requires that all sales of the subject property during the previous three years be reported and analyzed. Additionally, MnDOT requires a five-year sale history. Therefore, a five-year sales history is conducted. According to public records, there have been several sales transactions of the subject within the five-year period immediately preceding the effective date of value.

The subject site was purchased on January 10, 2019 and included a total of ± 11.50 acres. The sale price totaled \$1.65 million, which equates to $\pm \$3.29$ per SF. The buyer was Cedar Point Apartments LLC and the sellers were Paul E. Andersen, Patria L. Broker, Joel William Petersen and Susan Jane Petersen. The sale included the current site of the subject which was reduced to 6.06 acres after the right-of-way dedication process and also the land south of 116th Avenue NE along Ulysses Street NE that has been developed into Arroyo Villas, which is a an 18-lot single-family residential subdivision. The site was publicly marketed for sale beginning in 2016 and was under contract in July 2017.

On March 6, 2020, there was a partial interest sale in which Gorham Housing Partners, L.L.P. purchased a partial interest (an undivided 28.034% interest) of the subject for \$5,686,535.42 from Cedar Point Apartments LLC. This was reportedly a word of mouth deal and involved a 1031 exchange. Then on June 16, 2020, Gorham Housing Partners, L.L.P. purchased an additional 7.758% interest in the subject for \$1,575,017.92 from Cedar Point Apartments LLC. On May 4, 2021, there was another off-market sale for a partial interest of the subject. CP Investment LLC purchased a 4.3% interest from Intrepid Holdings III, LLP for \$1,000,000.

Subsequently, the subject was sold (in its entirety) on December 12, 2021 for \$34,250,000. According to the completed eCRV, the sale involved a 1031 exchange, and there was approximately \$345,000 worth of personal property (kitchen appliances) that was included in the sale price. The sellers were Cedar Point Apartments LLC; Gorham Housing Partners, L.L.P.; Intrepid Holdings III, LLP; CP Invest LLC; and Gorham Housing Partners II, L.L.P. The buyers were PC Cedar Green, LLC; Jin Lu, LLC; VSMendenhall Cedar Green, LLC; and Walch Cedar Green, LLC. The true buyer is Peak Capital Partners, which is a Utah-based investor that had recently purchased a different property from an entity related to the sellers.

To our knowledge, the subject is not currently listed for sale, and no sales contract is currently pending.

INTENDED USE

The intended use of this appraisal is to provide valuation guidance in the acquisition of a portion of the subject property for a 1,445 SF public roadway easement and an 863 SF drainage, utility, sidewalk and wall maintenance easement in conjunction with the Ulysses Street NE and 117th Avenue NE intersection project in Blaine.

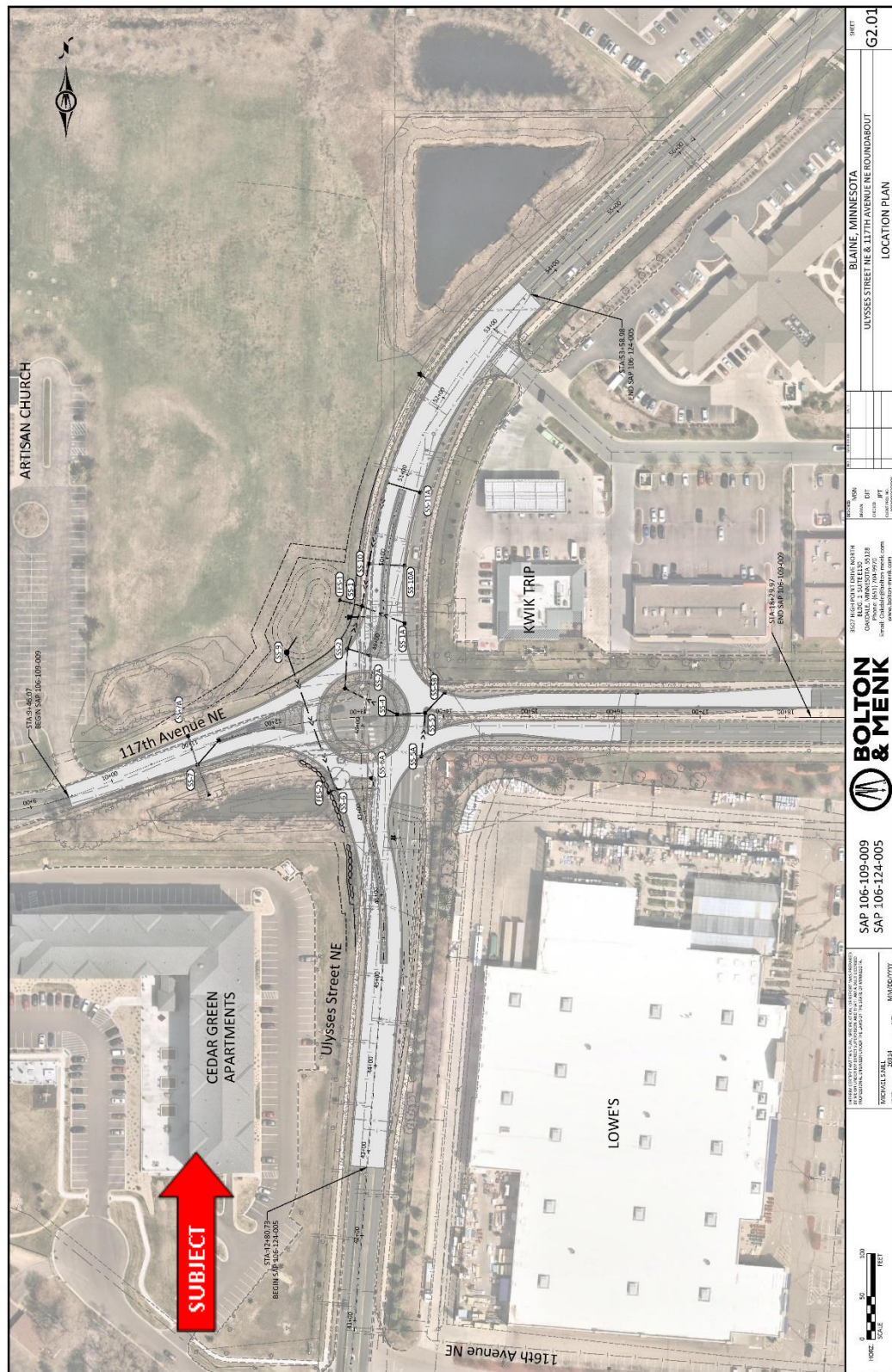
CLIENT AND INTENDED USERS

The client of this appraisal assignment is City of Blaine. The intended users of this appraisal report are the City of Blaine and its representatives in conjunction with the Ulysses Street NE and 117th Avenue NE intersection project in Blaine.

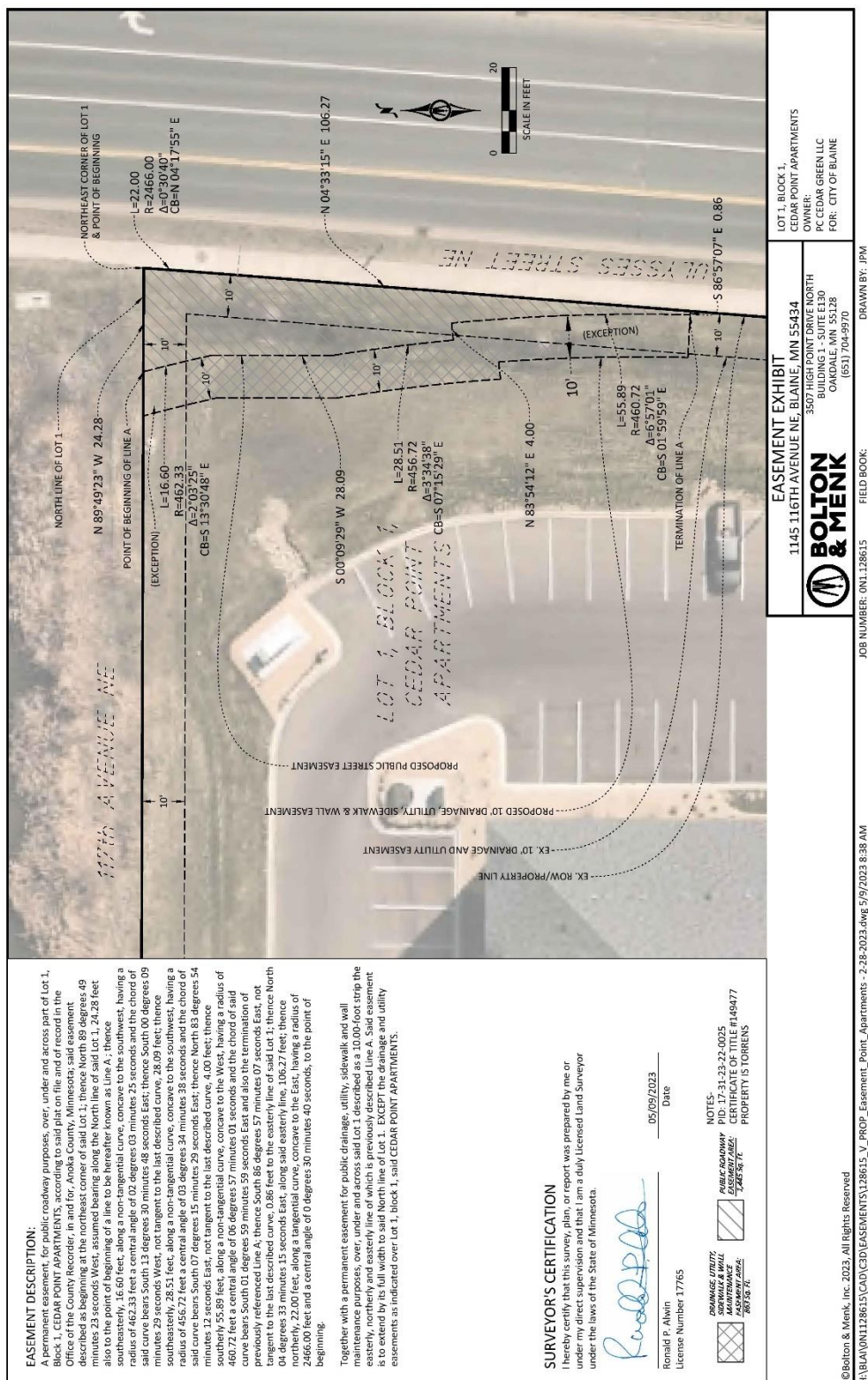
PURPOSE OF THE APPRAISAL

The purpose of this appraisal is to estimate the market value of the fee simple interest of the subject property, both before and after a partial acquisition of a public roadway easement and a drainage, utility, sidewalk and wall maintenance easement for the Ulysses Street NE and 117th Avenue NE intersection project in Blaine. However, given that the proposed acquisition only affects a portion of the boulevard area adjacent to Ulysses Street NE in the northeast corner of the site, only the land and affected site improvements, if any, are appraised. Project exhibits are located on the following pages.

PROJECT LAYOUT



PARCEL SKETCH



COMPETENCY OF APPRAISERS

Nathan A. Wareham and Jason L. Messner, MAI, CRE have both the knowledge and experience to complete this appraisal assignment competently and in compliance with USPAP. Refer to the Appraisers' Qualifications in the Addenda of this report for further details.

PROPERTY RIGHTS APPRAISED

The subject property is appraised by estimating the market value of the fee simple interest of the real estate, subject to existing easements. For use in this appraisal, the fee simple interest in the real estate is subject to the following definition obtained on Page 73 of *The Dictionary of Real Estate Appraisal*, Seventh Edition, Appraisal Institute.

Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.

MARKET VALUE DEFINED

Market value as utilized in this appraisal report conforms to the following definition obtained from Page 118 of *The Dictionary of Real Estate Appraisal*, Seventh Edition, Appraisal Institute.

The most probable price that a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- *Buyer and seller are typically motivated;*
- *Both parties are well informed or well advised, and acting in what they consider their best interests;*
- *A reasonable time is allowed for exposure in the open market;*
- *Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and*

- *The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.*

Unless otherwise noted in the appraisal report, market value shall represent cash equivalent terms where the seller receives all cash for their interest. The property may be financed at typical market terms under this definition.

The above definition describes market value as an exchange concept. According to *The Dictionary of Real Estate Appraisal*, Seventh Edition, Appraisal Institute, on Page 200, value in exchange is defined as “a type of value that reflects the amount that can be obtained for an asset if exchanged between parties.”

SCOPE OF WORK

This appraisal report is intended to comply with the Uniform Standards of Professional Appraisal Practice (USPAP) and the Minnesota Department of Transportation Right-of-Way Manual. The data and analyses contained in this report and the appraiser’s files provide the basis for the value conclusions.

Summary of Appraisal Methodology

The function and intended use of this report is to provide valuation guidance for the possible acquisition of a portion of the subject property for a public roadway easement and a drainage, utility, sidewalk and wall maintenance easement. In this analysis, the following data and concepts pertaining to the subject property have been examined.

In completing this assignment, we followed the general procedures outlined below:

1. Nathan A. Wareham and Jason L. Messner conducted an exterior inspection of the subject property on May 31, 2023. Additionally, Jason L. Messner attended a virtual meeting with representatives of the subject owners on June 12, 2023.
2. An analysis and description of the market forces in the Twin Cities metropolitan area, region as a whole, and a description of the city of Blaine are retained in the appraisers’ work file. A description of the neighborhood is based on aerial imagery and a physical inspection of the area.
3. The property analysis is based on the above-referenced physical inspection of the property, along with information from city and county public records. Information

regarding the extent of the acquisition, including a parcel sketch/right-of-way exhibit, was provided by the client.

4. The highest and best use of the subject property, both in the before and after conditions, is analyzed using the data compiled in the afore-mentioned steps, as well as the results of the valuation approach discussed in the following paragraph.
5. The appraisal task is to identify the market influence of a public roadway easement and a permanent drainage, utility, sidewalk and wall maintenance easement in the northeast corner of the subject property.

Specifically, the problem includes ascertaining the diminution in value, if any, directly related to the acquisition. The accepted method of analysis is a comparison of the property under two scenarios. The first scenario values the property in its as is condition as of the date of appraisal. The second scenario values the property, assuming a hypothetical condition that the acquisition has occurred. This is a logical approach to the problem and most closely represents actual market events.

The proposed easements are necessary for reconstructing the intersection of 117th Avenue NE and Ulysses Street NE in Blaine.

Pertinent market data was collected and analyzed in order to develop the valuation approach. Much of this market data was obtained through a search of the REDI Comps database and the Anoka County Assessors' Office. Also, our research includes discussions with city officials, real estate brokers/investors involved in sales transactions, etc.

6. The final estimates of market value for the before and after conditions are reconciled after analyzing the results of the sales comparison approach to land value. The after value is then deducted from the before value. Compensation for affected site improvements, if any, are then added to the indicated damages to conclude to an estimate of damages due the owner of the subject property for the acquisition.
7. Title work has been provided to the appraisers and is retained in their file. It is also noted that hypothetical conditions or extraordinary assumptions, if any, relied upon in this analysis may affect the assignment results.

From the above data and concepts, we have made the following analyses:

Highest and Best Use of the Subject Property

Application of Appropriate Approaches to Value for the Property – The sales comparison approach is completed, and is necessary for credible results, given the property characteristics and type of value sought. The

cost and income approaches are not considered applicable to arrive at credible results, and are not completed in this analysis.

Correlation of the approaches and their indications of market value to form a Final Estimate of Value

NOTE: In valuing real property for determining compensation resulting from a proposed partial acquisition, it is recognized that the difference in value between the before and after values is attributable to the influence of the acquisition, and constitutes damages. Any diminution in value, or damages, includes the loss of property rights resulting from the acquisition and any potential severance to the remainder that may be attributable to the partial acquisition.

BEFORE AND AFTER VALUATION

This appraisal is being conducted in order to estimate damages caused to the real property from the proposed acquisition of a public roadway easement and a drainage, utility, sidewalk and wall maintenance easement. The accepted method for measuring damages that result because of a partial acquisition is as follows:

1. Value the property as it exists before the acquisition, disregarding project influence.
2. Value the property as it will exist after the acquisition, disregarding any potential special benefit or value enhancement resulting from the project.
3. The difference is the damage caused by the acquisition (recommended compensation).

In the Before Value section of this report, the value of the subject property is estimated as it exists in the before condition. The acquisition and the remainder parcel is described, and then the remainder is appraised in the After Value section of this report. The after value is then deducted from the before value in order to conclude to recommended damages due the owner of the subject property for the acquisition.

ASSUMPTIONS

Given that this appraisal has been prepared in advance of the proposed project, the following assumptions have been made related to planned construction activity.

1. No structural damage will occur to the building improvements as a result of the project.
2. Continuous and suitable access will be maintained to the subject during construction of the project.
3. Construction related to the project will be confined to the easement boundaries or existing right-of-way and not encroach or affect other on-site activities.
4. Any disturbed lawn or sidewalk areas will be restored as part of the project.
5. Any disturbed utilities will be repaired or replaced by the project.
6. If any sprinkler systems are impacted by the project, the irrigation will be reconfigured/repared by the City of Blaine, or the owner will be separately compensated as a direct cost reimbursement.
7. The subject's northeasterly drainage swale will be restored as part of the project, if affected, and continue to function as intended in the after condition.
8. It is the appraisers' understanding that damages for any construction related interference are only compensable to the extent such damages arise from work performed on the subject property or on the part taken from the subject property.
9. It is assumed that the subject, as improved, will remain compliant with the Development Flex District zoning requirements and conditions of City Council approval.

PART II: BEFORE ACQUISITION – DATA, ANALYSIS AND CONCLUSIONS

REGIONAL AND CITY DATA

Location

The subject property is located in the city of Blaine, Minnesota. The city of Blaine is mainly in Anoka County; however, a small portion of the city is located in Ramsey County. Blaine is an outer lying suburb of the Minneapolis/St. Paul metropolitan area. The Minneapolis/St. Paul Metropolitan Area is situated in the north central portion of the United States, approximately 275 miles south of the U.S./Canadian Border and 400 miles northwest of Chicago, Illinois.

Commonly referred to as the "Twin Cities," the Minneapolis/St. Paul metropolitan area is located in the southeastern region of the State of Minnesota at the confluence of the Mississippi and Minnesota Rivers. The Minneapolis/Saint Paul metropolitan area is situated at the crossroads of Interstate 94 (east/west) and Interstate 35 (north/south) and is served by a major international airport. The Metropolitan Council defines the Minneapolis-St. Paul metropolitan area to include seven counties: Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington Counties in Minnesota. Anoka County borders Isanti County to the north, Chisago County to the northeast, Washington County to the east, Ramsey and Hennepin Counties to the south, and Sherburne County to the northwest.

Population

The Metropolitan Council reports the following population estimates for 2021:

- Blaine: 70,979
- Anoka County: 366,888
- Ramsey County: 553,229
- Twin Cities Region (7-county): 3,186,349

In addition, the Metropolitan Council reports the following population trends for the city of Blaine, Anoka County, Ramsey County and the Seven-County Metropolitan Area. The trends are based upon data compiled by the U.S. Census Bureau.

Population Trends								
	2000	2010	2020	2021	2030	2040	Forecasted	
	Census	Census	Census	Estimate	Forecast	Forecast	% Change 2010-2020	% Change 2020-2040
Blaine	45,014	57,186	70,222	70,979	76,700	87,300	27.04%	24.32%
Anoka County	298,084	330,844	363,887	366,888	402,730	443,470	10.99%	21.87%
Ramsey County	511,035	508,640	552,325	553,229	580,010	603,240	-0.47%	9.22%
Seven County Metropolitan Area	2,642,062	2,849,567	3,163,104	3,186,349	3,451,000	3,653,000	7.85%	15.49%
<i>Source: Metropolitan Council and US Census Bureau</i>								

The population data shows that the city of Blaine realized major growth between 2010 and 2020, and is also projected to realize substantial growth between 2020 and 2040. This population increase will be accompanied by growth in new households. Further, as an outer lying suburb of the Twin Cities, Blaine has sufficient undeveloped land to accommodate growth and economic development through new development opportunities, as well as, through redevelopment opportunities that allow for new or denser configurations of housing.

Households

The Metropolitan Council also reports the following household estimates for 2021:

- Blaine: 25,489
- Anoka County: 135,371
- Ramsey County: 219,666
- Twin Cities Region (7-county): 1,254,804

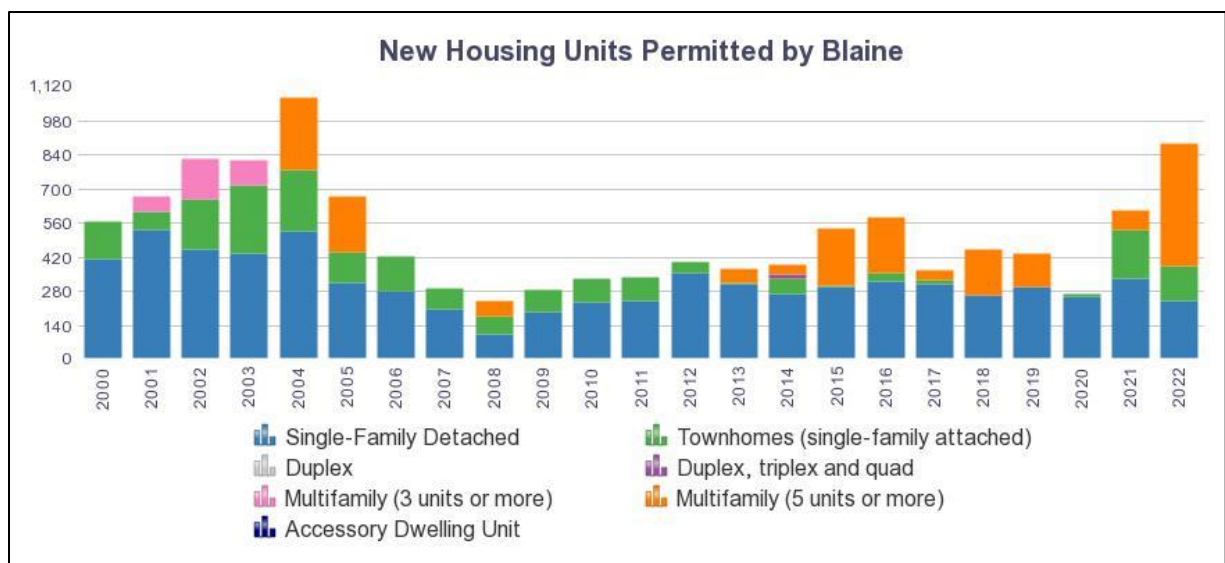
In addition, the Metropolitan Council reports the following population trends for the city of Blaine, Anoka County, Ramsey County and the Seven-County Metropolitan Area. The trends are based upon data compiled by the U.S. Census Bureau.

Household Trends								
	2000	2010	2020	2021	2030	2040	Forecasted	
	Census	Census	Census	Estimate	Forecast	Forecast	% Change 2010-2020	% Change 2020-2040
Blaine	15,926	21,077	25,172	25,489	29,200	33,300	32.34%	32.29%
Anoka County	106,428	112,227	133,879	135,371	153,770	170,610	5.45%	27.44%
Ramsey County	201,236	202,691	218,077	219,666	237,910	248,150	0.72%	13.79%
Seven County Metropolitan Area	1,021,456	1,117,749	1,239,526	1,254,804	1,351,000	1,447,000	9.43%	16.74%
<i>Source: Metropolitan Council and US Census Bureau</i>								

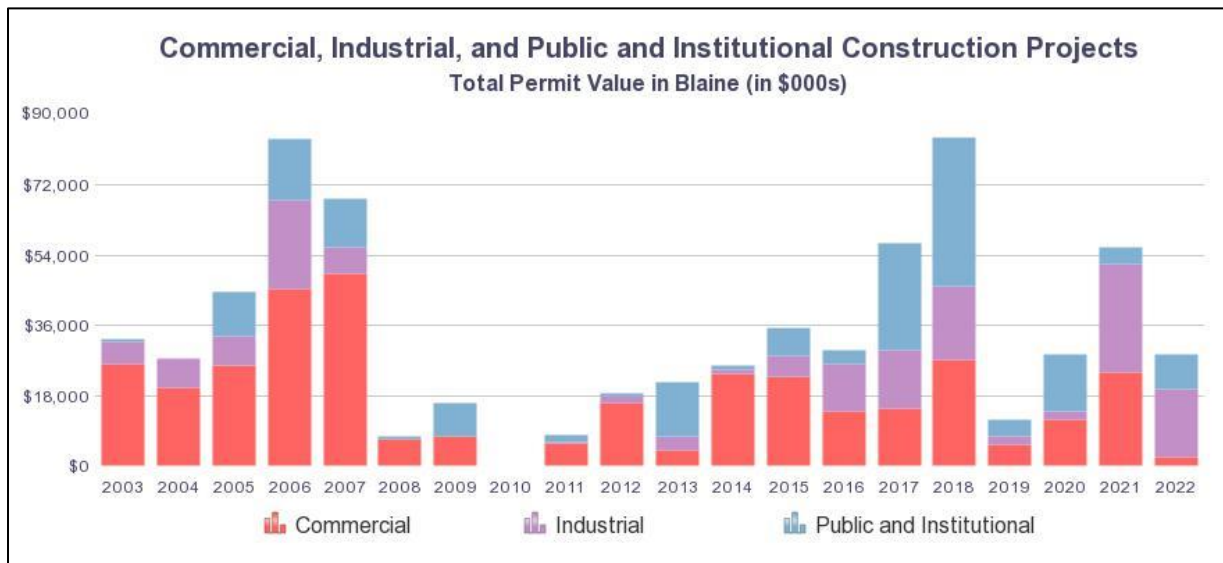
Similar to population, the number of households is expected to experience growth in the region. Growth in the county is also expected to continue at a steady pace. As previously discussed, the city of Blaine has experienced strong growth since 2000. Based on forecasts from the Metropolitan Council, the city is expected to experience continued growth for the foreseeable future.

Construction Activity

Residential construction in Blaine peaked in 2000-2004, then declined from 2005 to 2008. Single-family detached construction activity began to rise in 2009 from the historically low level in 2008 and has continued to show overall stability. With so much undeveloped land in the city of Blaine, it is no surprise that single-family residential construction greatly outpaced townhome and multi-family construction for most of the time between 2008 and 2021. However, multi-family construction outpaced single-family construction in 2022 and also saw elevated levels in 2015, 2016, 2018, and 2019.



As shown on the following graph, industrial development has also outpaced commercial development in Blaine the last two years; however, commercial development was stronger from 2012 through 2019.

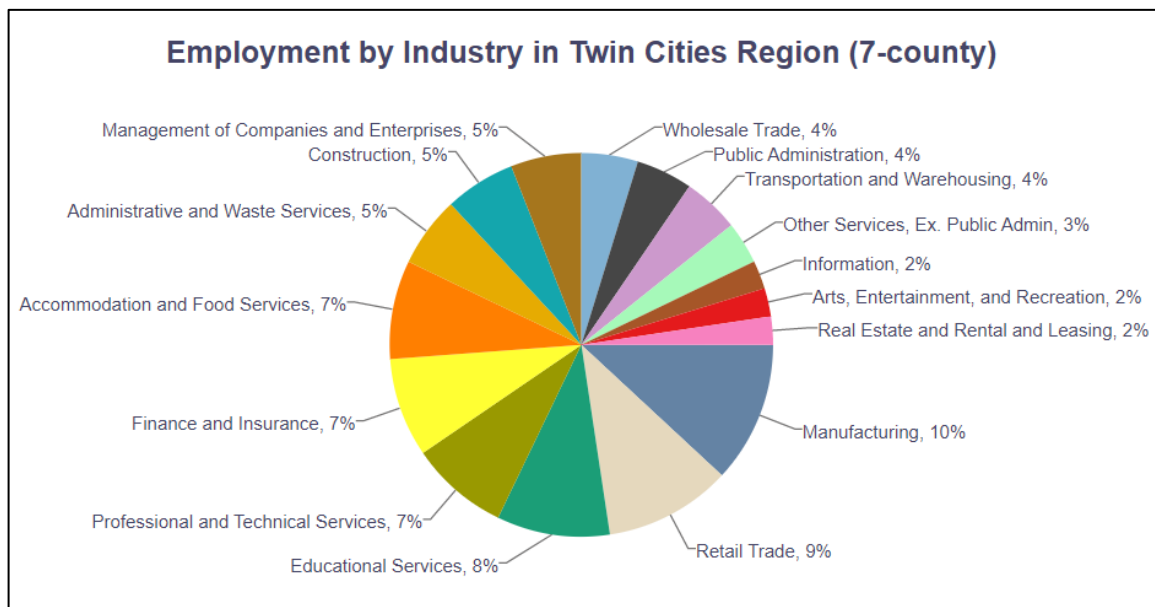
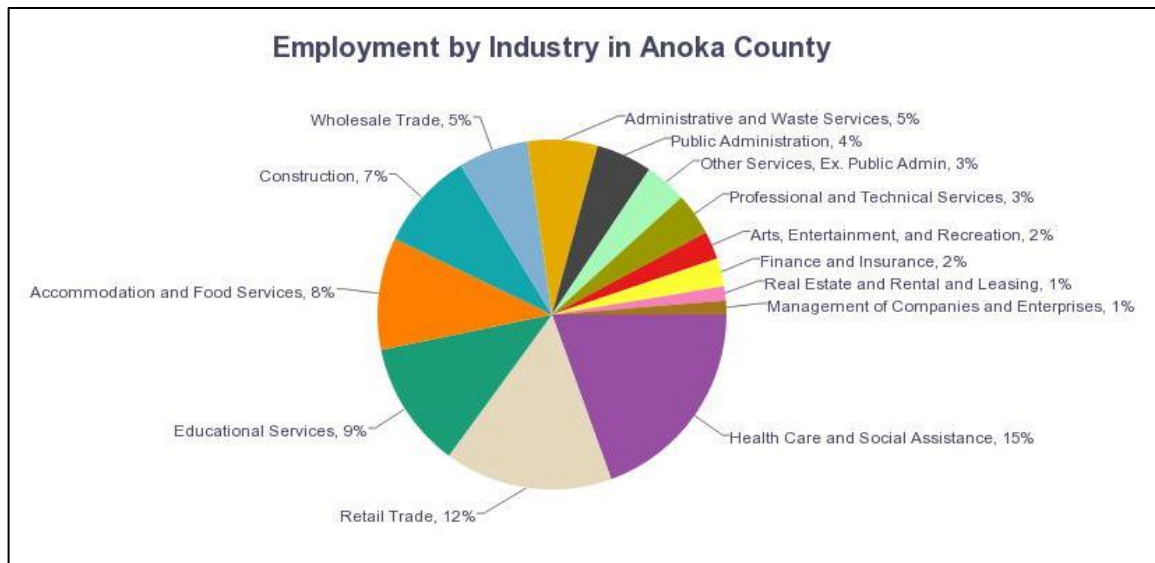


As shown by the following data table, the largest positive change in land use was the parks and recreational category, which increased 10.66% between 2016 and 2020, which was followed by institutional (9.39%). The residential, commercial, and industrial land use categories all experienced similar levels of change between 2016 and 2020.

Generalized Land Use in Blaine					
Land Use	Year				
	2016		2020		
	Acres	Change	Acres	Change	
Residential Total	7,997	N/A	8,494	6.21%	
Single Family Detached	7,111	N/A	7,538	6.01%	
Multifamily	886	N/A	957	7.97%	
Commercial Total	1,009	N/A	1,063	5.35%	
Retail and Other Commercial	908	N/A	946	4.18%	
Office	101	N/A	117	15.51%	
Industrial Total	1,030	N/A	1,086	5.44%	
Industrial and Utility	1,030	N/A	1,086	5.41%	
Institutional Total	511	N/A	559	9.39%	
Park and Recreational	2,345	N/A	2,595	10.66%	
Park, Recreational or Preserve	1,844	N/A	2,094	13.57%	
Golf Course	502	N/A	501	-0.14%	
Mixed Use Total	57	N/A	57	0.00%	
Mixed Use Residential	1	N/A	1	0.00%	
Mixed Use Industrial	30	N/A	30	0.00%	
Mixed Use Commercial and Other	27	N/A	27	0.00%	
Major Roadways	805	N/A	805	0.00%	
Airport	791	N/A	792	0.13%	
Agricultural and Undeveloped Total	6,773	N/A	5,863	-13.44%	
Agriculture	496	N/A	392	-20.92%	
Undeveloped Land	6,277	N/A	5,471	-12.85%	
Open Water	464	N/A	468	0.86%	
Total	21,782	N/A	21,782	0.00%	

Employment

Anoka County and the region have a well-diversified workforce. The following pie charts illustrate the region's employment base in 2021, and reflect that it is not overly dependent on one or two industries for employment.



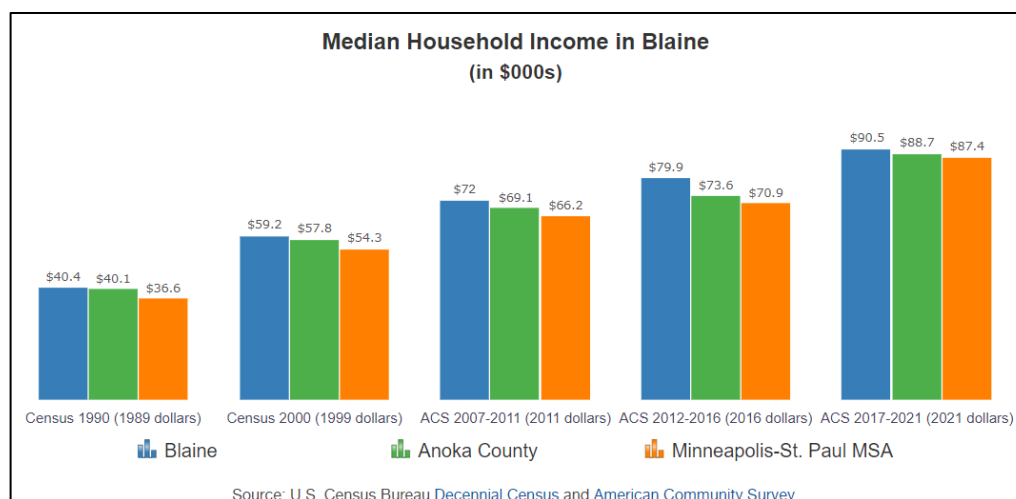
The following table illustrates the unemployment rates in Blaine, Anoka, County, the Seven Count Metropolitan Area, Minnesota, and the United States.

Unemployment Rate (Not Seasonally Adjusted)									
	2000	2010	2016	2017	2018	2019	2020	2021	2022
Blaine	2.6%	7.5%	3.4%	3.1%	2.7%	3.0%	6.1%	3.2%	2.5%
Anoka County	2.7%	8.0%	3.7%	3.4%	3.0%	3.3%	6.5%	3.4%	2.6%
Seven County Metropolitan Area	2.7%	7.2%	3.4%	3.1%	2.8%	3.2%	6.5%	3.4%	2.5%
Minnesota	3.2%	7.4%	3.9%	3.5%	3.0%	3.3%	6.3%	3.8%	2.7%
United States	4.0%	9.6%	4.9%	4.4%	3.9%	3.7%	8.1%	5.3%	3.6%

Source: Minnesota Department of Employment and Economic Development

Income

While the Twin Cities enjoys a diversified economic base, income levels in the region are generally higher than the nation as a whole. The following chart illustrates median income of Anoka County and Blaine compared to the Twin Cities MSA, and demonstrates that income in the subject's community is stronger than the region.



Transportation

The Minneapolis/St. Paul metropolitan area is easily accessible due to the following major highways serving the Twin Cities.

- Interstate 35 -

A major north/south highway, which connects with Duluth, Minnesota to the north and Kansas City, Missouri to the south. In the metro area, I-35 splits with I-35W passing through Minneapolis, while I-35E passes through St. Paul.

- Interstate 94 - A major east/west highway that connects with Milwaukee, Wisconsin/Chicago, Illinois to the east, and Fargo, North Dakota to the west.
- Interstate 494/694 - A major freeway, which loops around the periphery of the Twin Cities.
- U.S. Highway 169 - A north/south route serving the western suburbs.
- U.S. Highway 212 - An east/west route serving the southwestern suburbs.
- U.S. Highway 12/
Interstate 394 - An east/west route, which connects downtown Minneapolis with the western suburbs.
- U.S. Highway 61 - A north/south route serving the eastern suburbs.
- U.S. Highway 10 - A diagonal route extending from Wisconsin to Fargo, North Dakota; it passes through St. Paul and Anoka County.

Other major highways serving the Twin Cities area include State Highway 100, State Highway 77 (Cedar Avenue), Crosstown Highway 62, Lafayette Freeway, and U.S. Highway 52/55.

Minneapolis-Saint Paul International airport, also known as MSP airport, is located less than 10 miles south of downtown Minneapolis and less than 10 miles southwest of downtown Saint Paul. The airport has four runways and two terminal buildings – Terminal 1 and Terminal 2 – each with adjoining parking ramp facilities. The airport serves 163 markets with non-stop service, including 136 domestic and 27 international markets. MSP is the 16th busiest airport in the United States for passengers and 17th for aircraft operations. It is a base for hometown carrier Sun Country Airlines and is Delta Air Lines' second largest hub. MSP transports a total of 31.2 million passengers every year and has a total of 131 gates for arrivals and departures. MSP earned the ASQ award for best airport in North America for the 25-40 million passenger category in 2021 and 2022. The Twin Cities has six reliever airports that support personal, recreational, and business aviation users. The reliever airports are Flying Cloud Airport (Eden Prairie), Crystal Airport, St. Paul Downtown Airport, Anoka County-Blaine Airport, Airlake Airport (Lakeville), and Lake Elmo Airport.

Railroads serving the Twin Cities include Burlington Northern Santa Fe, Union Pacific, Canadian Pacific/Soo Line Railway Company and Amtrak. Also, about 100 trucking firms serve the metropolitan area, making it one of the largest distribution centers in the nation.

Alternatively, Blaine is served by Metro Transit's largest Park & Ride, which is located along 95th Avenue and I-35 and has nearly 1,500 parking spaces. Routes served include #250 to downtown Minneapolis, route #252 to the University of Minnesota, and route #262 to downtown St. Paul. Additionally, the Northstar commuter rail connects several northwest suburbs of the Twin Cities to downtown Minneapolis. The nearest station stops to Blaine are Anoka, Coon Rapids – Riverdale, and Fridley.

Utilities

The Minneapolis/St. Paul area, as well as Blaine, is served by municipal water and sewer systems, electricity, telephone service and natural gas. Sewage disposal is regulated by the Metropolitan Waste Control Commission.

The Metropolitan Council controls sewer availability by restricting the area that it will serve. The area served is called the Metropolitan Urban Service Area (MUSA). Through its control of municipal sewer, the Metropolitan Council has been able to direct urban development.

Industry and Economic Climates

Minnesota is home to 15 companies listed on the 2023 Fortune 500 list, as well as privately held firms such as Cargill who is listed #1 on the Forbes 500 list. Large insurance companies based in the Twin Cities include UnitedHealth Group, Thrivent Financial, and the Securian Financial Group Companies. Additionally, the Twin Cities includes the corporate headquarters of US Bank and the regional headquarters of Wells Fargo, two of the largest commercial bank holding companies. Furthermore, Target Corporation, 3M, Best Buy, General Mills and Ecolab are headquartered in the Twin Cities. In addition, the U.S. Government's Ninth Federal Reserve Bank is located in Minneapolis.

Enhanced by the vast and rich agricultural region surrounding the Twin Cities, long-term analysis of economic and demographic data reveals a trend of general growth and stability of the area's well-diversified economy. However, despite the region's virtues, it was not isolated from the national and global economic events that occurred in 2008 and 2009,

which sent the nation into a deep recession. Furthermore, while the national and regional economies experienced significant improvements since 2013, due to the COVID-19 pandemic, high unemployment rates and various events which occurred in the first half of 2020 created economic and business uncertainties that have permeated all aspects of the real estate market. However, unemployment rates and the economy in Minnesota have experienced significant improvements since that time.

As part of the valuation process, an analysis of the market affecting the subject property is conducted. This analysis helps lead to conclusions concerning the marketability and/or income potential of the subject property. In this context, a review of the general metropolitan area market is presented. The information in this market analysis was obtained from various Minneapolis/St. Paul commercial real estate and real estate brokerage publications, such as but not limited to: Cushman & Wakefield, Colliers, CBRE, Newmark, YardiMatrix, Marcus & Millichap, STR, Business Journal, and Finance and Commerce, as well as the Metropolitan Council.

Land

- There is continued strong demand for industrial land, as suburban cities have become more amenable to new projects like bulk distribution centers, meanwhile the likelihood of attracting office development is low. Also, infrastructure projects, including sewer and water extensions and new freeway interchanges, have driven up land prices in certain new industrial zoned/guided areas.
- Industrial users are seeking larger sites that feature convenient access to transportation corridors to accommodate the rapidly increasing space requirements of e-commerce and fulfillment business, and strategically located sites in second-ring suburbs that have access to the interstate system, municipal utilities and workforce population are pushing industrial land pricing up.
- Competition has intensified for contiguous 40-acre parcels that could accommodate multiple buildings ranging upward of 300,000 to 500,000 SF. Large-scale activity includes a 417,000 SF Home Depot distribution center and a 548,000 SF FedEx facility in Rosemount. NorthPoint Development has broken ground on a 3.4 million SF development located on almost 253 acres of land in Cottage Grove.
- Multi-family land continues to experience an availability shortage in the first and second ring suburbs. Developers are turning to redevelopment of non-functional office, retail, and industrial assets closer to the urban core while staking out land positions in more outlying suburban areas.
- Luxury market-rate apartments are continuing to be developed in affluent suburbs, where rents have exceeded expectations. Still, demand is strong for sites that are

within walking distance of popular amenities such as grocery stores or proximate to transit routes.

- Homebuilders continue to seek sites located in suburban cities that have well-regarded public schools. Residential subdivision developments are evolving to include a mix of housing types, price ranges and lot widths. Developers are also focused on constructing townhome products that cater to first-time homebuyers.
- Commercial land demand is primarily coming from individual users that are immune from online shopping. These users include banks, gas stations, grocery stores, and drive-thru quick serve restaurant concepts.
- Demand for office and hospitality land is on hold due to the pandemic raising fundamental questions that are still to be answered in the long-term. Furthermore, vacancy rates for hotels continue to exceed the national average and indicate a lower demand for hotel land.

Retail

- The Twin Cities area is experiencing significant growth in the retail sector due to its robust wage growth, tight labor market, and apartment affordability. Despite concerns about inflation, the Twin Cities continue to see tenant expansion in the retail sector.
- Due to tight fundamentals, the Twin Cities have an annual rent growth of 3%, which is significantly higher than the historical average of 0.3%.
- The suburban retail market in Minneapolis-St. Paul is outperforming its urban counterpart due to the rise of remote jobs. Submarkets such as Apple Valley/Lakeville, Burnsville, Coon Rapids, Eagan, Maple Grove, and Woodbury are seeing significant demand for retail such as banking, large discount stores, and homegrown tenants. Additionally, active concepts for smaller spaces include coffee and quick-service restaurants such as Caribou Coffee, Chipotle, Crisp & Green, Shake Shack, Starbucks, and Sweetgreen.
- The Twin Cities area is predicted to remain relatively balanced for the foreseeable future due to its positive demand growth, despite trailing the national average of market asking rents and having low net deliveries. Annual net absorption for 2022 was about 302,000 SF, which is a six-year high in the metropolitan area.
- The Twin Cities saw low numbers of 780,000 SF in gross deliveries in 2022, and an all-time low in gross deliveries is anticipated for 2023. New construction is primarily focused on mixed-use projects to draw foot traffic. Reimagining strip centers and housing anchored properties are vital to success in looking ahead to the future of the retail market.
- The Twin Cities area is experiencing its highest deal volume recorded in more than 15 years, with fourth quarter sales volumes in 2022 recorded approximately 50 percent higher than the five-year pre-pandemic average. The suburbs in Twin Cities accounted for over 95 percent of total sales volume.

Multi-Family

- The multi-family residential market remains hot and there is still demand for rental units; however, getting construction started on new multi-family projects is the most difficult part of the process.
- Multi-family projects are risky endeavors with rising interest rates, construction costs, and a tight labor market. Even so, construction costs are starting to level off or decline.
- Some developers are moving away from micro units and studios as people spend more time at home. Also, common areas are being designed with the remote worker in mind.
- Investors' appetite for Twin Cities multi-family assets held steady in 2022, hitting \$1.4 billion through November with investor interest almost fairly split between quality segments. This is slightly below the \$1.8 billion transacted in 2021.
- The average per-unit sale price in the Twin Cities topped \$200,000 for the first time at \$206,936, which is a 21.4% increase from 2021. Meanwhile, the U.S. average hit \$215,443, accounting for a 12.0% increase.
- Although some developers pulled out of the market in response to the rent stabilization laws passed in St. Paul in 2021, overall construction activity increased in 2022.
- Developers delivered 14,391 multi-family units in 2022, of which 10,993 units were market-rate and 3,398 units were rent-restricted, resulting in an 11%, 3%, and 46% increase from 2021, respectively. Furthermore, among market-rate products, general-occupancy units hit a new peak with 9,979 units placed in service, while senior housing delivered just over 1,000 units.
- In 2022, first-ring suburbs account for the majority of the multi-family development with more than 3,700 units constructed and senior housing continued to be concentrated in the suburbs at 1,551 units constructed.
- Although Colliers estimated 2023 multi-family production in the Twin Cities to be below that of 2022, the total constructed units is still expected to exceed 13,000 units, at approximately 14,600 units. Furthermore, all multi-family categories are expected to realize lower production rates as compared to the previous year, with the exception of market rate senior rentals.
- The largest multi-family project underway, as of November 2022, was The Fred, a 408-unit development in Edina. Solhem Cos. began work on the project in May 2022, using a \$79.6 million construction loan from Associated Bank. Completion is scheduled for May 2025.
- The Twin Cities average rent in 2022 through November was \$1,469, which is slightly below the U.S. average of \$1,719. Although rent growth in the Twin Cities was relatively flat on a trailing three-month basis through November 2022, apartment rents are forecasted to increase 3.1% in 2023 and 4.1% in 2024, exceeding those in 2022 and 2021.
- Metro-wide vacancy rates for stabilized units remained under 4.5% in 2022.

- Many renters are seeking larger units in more spacious communities. Remote and hybrid work schedules are making commute time less of a factor for renters.
- Many investors are looking towards the suburbs, where apartment metrics have been improving, and household formation increases.
- Upper-tier apartments have benefitted from the strong single-family housing market, as Minneapolis-St. Paul's median home price has continued to increase year-over-year, and apartments are an appealing alternative.
- Construction of the light rail line in the southwest metro area has continued to spark new multi-family development/re-development projects in St. Louis Park, Hopkins, Minnetonka, and Eden Prairie that are in various stages of the planning and development phases.
- Developers have continued to face the challenges of material cost increase, supply chain delays, a shortage of skilled labor, and increasing borrowing rates. Nonetheless, multi-family development has remained resilient and is anticipated to continue in 2023.

Industrial

- Industrial demand in the Twin Cities metro area remains strong, leading to a five-year low vacancy and driving rent growth. Colliers reports that the metro-wide vacancy rate is 2.9%.
- The construction pipeline is disrupted due to economic conditions and cannot keep pace with the continued tenant demand. Less speculative development is occurring in the industrial market in Q1 2023, which can have an upward pressure on rents for existing inventory. This is a change from two years ago when many projects were built on faith.
- Even so, Colliers reports that there is about 7 million square feet of industrial space under construction, which is about a 50% increase from a year ago. Large projects are underway in Maple Grove, Brooklyn Park, Woodbury, Lake Elmo, and Cottage Grove.
- Listed rental rates for warehouse-distribution spaces are around \$7.36 per square foot, up about 24% from last year. Alternatively, competitive space and new construction are running closer to \$8.00 per SF. Some brokers are also seeing up to 5% annual increases on existing leases.
- Select developers are still moving ahead on projects despite higher interest rates and cap rates, which require higher rents to make it work. Furthermore, some lenders who have office loans on their books are more hesitant to put money into the market amid the current office sector challenges.
- The demand for industrial space in the Twin Cities region still exceeds supply, and experts expect the industrial market to withstand the challenges posed by the higher interest rates and uncertain economic environment.

- While higher interest rates have slowed the sales of industrial buildings, they have not yet impacted leasing activity. Consumer and business demand for fast delivery has led to sustained tenant demand for industrial space. Tenants are still seeking last-mile space and these sites are becoming harder to find.
- The amount of new industrial construction has slowed, and investors have become cautious due to uncertainty in the market. Obtaining financing for all commercial real estate deals has become more difficult and expensive, and sellers are holding onto their industrial assets, waiting for the right sales price before closing deals. In terms of improved properties for sale, one broker estimates that there is only 1/10th of what was on the market two years ago.

Hotel

- Although the Twin Cities hotel market was negatively impacted by the pandemic, the Minneapolis-St. Paul market over the past several months has experienced occupancy improvement vs. 2022.
- The overall February 2023 occupancy rate in Minnesota was 46%, which is 2.7% greater than the February 2022 occupancy rate, but well below the national average of 60%.
- STR reports that the local markets with the highest February 2023 occupancy were Bloomington (56.7%) and Rochester (51.1%). The Minneapolis occupancy came in at 33.6%.
- STR reports that Minnesota's statewide February 2023 Revenue per Available Room (RevPAR), was \$53.14 with a year-over-year increase of around 14%.
- Transportation Security Administration (TSA) data showed the Q1 2023 travel volume (6,338,563 people) increased to near pre-pandemic levels last seen in 2019 (Q1 2019: 6,319,469 people)
- The hotel market continues to experience competition from Airbnb and other short-term rental options. Short-term rentals have achieved higher RevPAR and occupancy levels compared to hotels.
- In 2022, six new hotels opened in five buildings in downtown Minneapolis. However, this was primarily due to the fact that planning for new hotels began before the pandemic. Furthermore, downtown Minneapolis hotels remain two-thirds empty as of the beginning of 2023.
- Hotel sales activity in the Twin Cities rebounded in 2021 and 2022; however, many of the top sales in Minneapolis-St. Paul were sold at bargain prices. The top deal of 2022, the \$30.7 million sale of Hotel Ivy in downtown Minneapolis, is barely half the price of the \$60.55 million sale of Marquette Hotel. It is also noted that the 2021 sale of Marquette Hotel is nearly \$14 million less than the sale price in 2016. Additional hotel sales are the La Quinta Inn & Suites by Wyndham Minneapolis Bloomington for \$14.25 million, the Best Western Plus Bloomington Mall of American for \$13.2 million and the Quarterdeck Resort in Nisswa for \$11

million. Furthermore, the Hilton Minneapolis Hotel sold for \$225 million in a foreclosure auction.

- Reportedly, the rebound in business is luring investors to strong hotel properties, even in outstate locations.
- There is uncertainty going forward as workforce challenges, inflation, COVID-related debt, and uneven conditions across sectors are lingering causes of concern.
- Overall, the Twin Cities are not a high leisure travel destination and primarily rely on business and conference guests. Furthermore, the corporate and business markets have rebounded slower than leisure, sports, and conventional travel. Even so, Minneapolis-St. Paul's hospitality and tourism industries continue to recover and are expected to return to or exceed pre-pandemic levels over the next few years.

Office

- At the national level, office demand suffered again in Q1 2023. Leasing activity declined 23% quarter-over-quarter, hitting levels seen during the height of the pandemic in mid-2020. Absorption was negative for the 11th quarter out of the past 12, and the national office vacancy rate increased by 60 basis points to 18.6%. Construction activity is being impacted by the higher cost of capital, lingering supply chain issues, labor costs and general doubt related to the office sector.
- The Minneapolis-St. Paul office market and submarkets feature a total supply of 120.2 million SF of office space with an overall vacancy rate of 16.3%.
- Office space vacancies in the Minneapolis-St. Paul office market are steadily rising as companies implement hybrid and remote work policies as a by-product of the COVID-19 pandemic.
- The Minneapolis-St. Paul office market recorded negative 398,086 SF of overall absorption, in Q1 2023. Despite elevated vacancy, gross asking rental rates increased slightly to \$30.13/SF, which is justified by increased landlord concessions including tenant improvement allowances and free rent. Prime Class A office space will continue to have strong demand as tenants desire experience and quality. Class B and Class C properties will see lower levels of activity.
- The Class B office building vacancy rate has risen 6.38% quarter-over-quarter, contrasting both Class A and Class C. Class A vacancy rates have fallen 27 basis points, and Class C has decreased 130 basis points.
- In 1Q 2023, the highest vacancy rates are found in the Minneapolis CBD, I-394 Corridor, I-494 Corridor, and St. Paul CBD. Lower vacancy rates can be found in the Northwest, Midway, and Suburban St. Paul submarkets.
- In the Minneapolis market, Q1 leasing activity reached 824,811 sq. ft., 9% below the average leasing activity of the prior four quarters. The majority of leasing activity in Q1 was focused on Class A space with 451,127 sq. ft. of activity, representing 55% of total leasing velocity this quarter.

- Minneapolis sublease availability rose slightly to 3.8M sq. ft. in Q1 2023. This represented 18% of the total available space in the market and 5% of the net rentable area. Since Q1 2020, there has been 2.1M sq. ft. of sublease space added to the market as tenants have continued to navigate changes in workplace strategies and economic shifts.
- Investment sales in the Minneapolis office market had a volume totaling \$109 million in Q1, a 45% decrease year-over-year. These Q1 sales were predominately led by suburban sales, with 74% of total sales volume.
- Strong suburban leasing activity is likely to continue, especially in the western and southwestern suburbs.
- The Minneapolis-St. Paul real estate market is looking toward adaptive reuse of office buildings, both into industrial and multi-family buildings. Key factors for conversion include floorplate, location, and price. Minneapolis's mayor has indicated government assistance may be available to convert obsolete office space into residential.
- Overall, a 3-to-5-year period of uncertainty is expected in the Minneapolis-St. Paul office market as the market navigates the future of office demand and a new equilibrium is found.

Investment and Capital Markets

- Some market participants think that interest rates may never drop to the levels seen in 2021 and 2022, which were largely a result of the pandemic and economic policy that focused on recovering from COVID-19. Investors do not necessarily need rates to fall back to a historic low, they just need to know where rates will settle.
- Investors hate uncertainty and there is nothing certain about today's economy. Three bank failures early in 2023 have added to this cautiousness.
- Retail capital markets' activity in 2022 surpassed the Twin Cities three-year pre-pandemic average by about 50 percent. It recorded its highest deal volume in more than 15 years at \$1.8 billion in 2022, well above the five-year pandemic average of \$390 million. The Twin Cities is ranked among the 15 highest cap rates for major markets nationally and the current retail cap rate of 7.1% exceeds the national average of 6.7%.
- The largest single-asset sale in more than three years was the ± 380,000 SF Galleria shopping center in Edina, which was purchased by a local private buyer in March 2022 for \$150 million (\$394 per SF).
- In the industrial sector, Class A and B cap rates have shot up and sit just below the 6% mark, unless you can find a highly motivated one-off investor. 2023 is forecasted to be a year of outlier investors, as a significant amount of capital remains sidelined due to a tightening debt market. Cap rates are expected to bounce between the low to high 5% mark and a much higher portion of deals will close

off-market than typical. Even so, double digit year-over-year rent growth will keep values shifting upward despite cap rate volatility.

- Industrial development yields are likely to shift downward from 2022's high of $\pm 7\%$ to the mid to high 6% range.
- Industrial investment sales volume dropped 5% in 2022; however, this figure remains above the \$2 billion mark.

Summary

In summary, prior to the COVID-19 pandemic, most markets were expected to experience continued demand and increased pricing. The Twin Cities had gained favor with international and national investors who are interested in bulk industrial, multi-family, core Class A office, and well positioned grocery-anchored retail centers. Sellers of top-quality assets in prime locations with predictable income streams, a strong tenant base and good credit were expected to see the most demand.

However, the COVID-19 pandemic affected the nation and created uncertainty for the U.S. economy. Remote working, telehealth, drive-through and curbside pick-up became the new norm. Even so, Industrial investment remained in strong demand. Further, while urban core multi-family residential experienced a pause at the beginning of the pandemic, this submarket has rounded. Meanwhile, the suburban multi-family market has remained strong, and the single-family market also experienced strong demand, with limited for sale inventory. Conversely, demand for hotel and office properties remains lower, but upward trends are projected over the next few years. Overall, the impacts of the pandemic have improved significantly. Alternatively, with the more recent increases in interest rates, the short-term outlook for the Twin Cities metropolitan area remains cautiously optimistic.

NEIGHBORHOOD DATA

The subject is located along the west side of the Central Avenue (MN-65) corridor in Blaine. More specifically, the subject is located in the southwest quadrant of the Ulysses Street NE and the 117th Avenue NE intersection, which is currently not signalized, and a four way stop. The Central Avenue corridor is a north-south principal arterial and is the primary commercial node for the City of Blaine. Several large and small retailers are located along the roadway and some of the larger retailers include Menards, Kohl's, Target, Aldi, Walmart, and Lowe's. Ulysses Street serves as frontage/backage road for the west side

of MN-65 and property uses west of Ulysses Street are primarily residential. There are also several parks proximate to the subject including Hidden Pond Park, Happy Acres Park, Northwood Park, Jaycee Park, and the Blaine Baseball Complex.

The neighborhood is well located with Highway 65 to the east and Highway 10 to the south. Furthermore, Interstate 35 is approximately four miles to the southeast, which provides regional access to the Twin Cities metropolitan area and stretches all the way to Duluth, Minnesota to the north. The subject is located approximately three miles north of Fogerty Ice Area, which features two indoor ice rinks and a third sheet of ice dedicated for curling. Furthermore, the subject is less than two miles northwest of the National Sports Center, a 600-acre multi-sport complex in Blaine that features a soccer stadium, over 50 full-sized soccer fields, a golf course (Victory Links), a velodrome, a meeting and convention facility, and eight sheets of ice. The eight sheets are part of the Schwan Super Rink, which is the largest ice arena complex in the world. Other notable properties proximate to the subject include the Anoka County-Blaine Airport (Janes Field) and TPC Twin Cities, a private golf club. The airport is located east of the subject on the other side of MN-65 and TPC Twin Cities is about one mile southeast of the subject. TPC Twin Cities hosted the 3M Championship, a senior tour professional golf tournament, between 2001 and 2018, and since 2019, the course has hosted an annual PGA Tour event, the 3M Open.

The neighborhood is also served by all modern utilities, including municipal water and sanitary sewer. Public improvements include bituminous surfaced streets, concrete curb and gutter, concrete sidewalks, and an in-ground storm sewer system. In conclusion, the neighborhood is anticipated to remain viable into the future.

Neighborhood traffic volumes are summarized as follows.

Neighborhood Traffic Volumes (AADT)		
Roadway	AADT	Year
Central Avenue (T.H. 65)		
North of 117th Ave NE	37,525	2021
South of 117th Ave NE	45,500	2017
117th Avenue NE		
East of Ulysses Street NE	11,617	2021
West of Ulysses Street NE	4,395	2021
Ulysses Street NE		
North of 117th Ave NE	9,240	2021
South of 117th Ave NE	7,166	2021
113th Avenue NE		
West of Central Avenue	1,584	2021
Paul Parkway NE		
West of Central Avenue	4,100	2019

LOCATION AND LEGAL DESCRIPTION

Location: 1145 116th Avenue NE
Blaine, Minnesota

Property Identification
Number: 17-31-23-22-0025

Legal Description: Lot 1, Block 1, Cedar Point Apartments, Anoka County, Minnesota

TAXES AND ASSESSMENT DATA

The three most recent years of tax and assessment data for the subject property are summarized below. It is noted that the special assessments are for waste management fees.

TAX AND ASSESSMENT DATA			
Property Identification No.	17-31-23-22-0025		
Market Value Summary	January 2, 2021	January 2, 2022	January 2, 2023
Land	\$1,344,500	\$1,344,500	\$1,613,500
Improvements	\$18,919,300	\$27,796,100	\$32,801,000
Total	\$20,263,800	\$29,140,600	\$34,414,500
Real Estate Taxes Summary	Payable 2022	Payable 2023	Payable 2024
General Taxes	\$263,240.90	\$332,056.82	N/A
Special Assessments	\$2,154.18	\$2,154.18	N/A
Total	\$265,395.08	\$334,211.00	N/A
Effective Tax Rate	1.30%	1.14%	N/A
Analysis of Assessor's Market Value			
Year	<u>2021</u>	<u>2022</u>	<u>2023</u>
Land Area (SF)	263,974 SF	263,974 SF	263,974 SF
Land Value per SF	\$5.09	\$5.09	\$6.11

ZONING

Zoning is administered by the City of Blaine. As depicted on the Blaine Zoning and 2040 Future Land Use Maps that follow, the subject is zoned DF, Development Flex and guided High Density Residential by the Blaine 2040 Comprehensive Plan.

Zoning

DF, Development Flex District

The Development Flex District (formerly known as the Residential Flex District) is intended to provide for greater flexibility in land use planning and maximize the choice of housing types and styles than is possible under the strict application of other sections of this ordinance. The Development Flex District also attempts to create a reasonable balance between the interests of the property owner in freely developing his property with greater flexibility in land uses, and at the same time protect the interest of surrounding properties in the following ways:

- (a) By encouraging a more creative approach in housing developments, that will result in quality living environments through innovative design and aesthetic controls;
- (b) By permitting a combination of housing types and style, including single, two-family, and multiple family dwellings, with the exception of mobile homes;
- (c) By allowing flexibility in design by permitting cluster developments and a variety of architectural styles and treatments;
- (d) By allowing for any type of ownership, private, condominium, or rental;
- (e) By allowing flexibility in setback and height restrictions;
- (f) By allowing non-residential uses, such as commercial or light industrial uses which will serve the inhabitants of such district, provided such non-residential uses will enhance the character, amenities, and convenience of those who live in the proposed development;
- (g) By providing an efficient use of land resulting in more cost efficient installation of utilities, streets, and other facilities.
- (h) By encouraging the preservation of common open space, recreational facilities, natural features, such as woodland and wetland areas;
- (i) By contributing to the tax base of the community without making undue demands on the community services; and
- (j) By providing the means for greater creativity and flexibility in environmental design than is provided under the strict application of the Blaine Zoning Ordinance and Subdivision Ordinance, while, at the same time, preserving the health, safety,

order, convenience, prosperity, and general welfare of the City of Blaine and its inhabitants.

The Development Flex District is a zoning district which may be allowed in combination with any residential, commercial, or light industrial land use designation. Every proposal presented to the City Council for rezoning to the Development Flex District shall be accompanied by a conditional use permit application and a site plan. The City Council shall consider the following criteria and objectives in processing the application for rezoning to Development Flex District and the application for the conditional use permit:

- That the proposal shall provide for a wider range of housing types, price ranges and styles than could be accomplished under the existing zoning;
- That the proposal shall provide amenities and facilities and open spaces greater than the minimum requirements under existing zoning;
- That the proposed development is compatible with the purposes and intents of this ordinance and with the comprehensive plan;
- That the proposal shall in no way be detrimental to the environment. Scenic aspects and natural features, such as streams, trees, topography, and geological features, shall be protected and preserved to the greatest extent possible;
- That the proposal shall not impose any undue burden upon the public services and facilities, such as fire and police protection, schools, streets, water systems, sanitary sewer systems, and storm sewer systems;
- That the proposed development is designed in such a manner to form a desirable and unified environment within its own boundaries, and also which will not be detrimental to future land uses in the surrounding areas; and
- That the proposal be consistent with all other applicable City and State regulations.

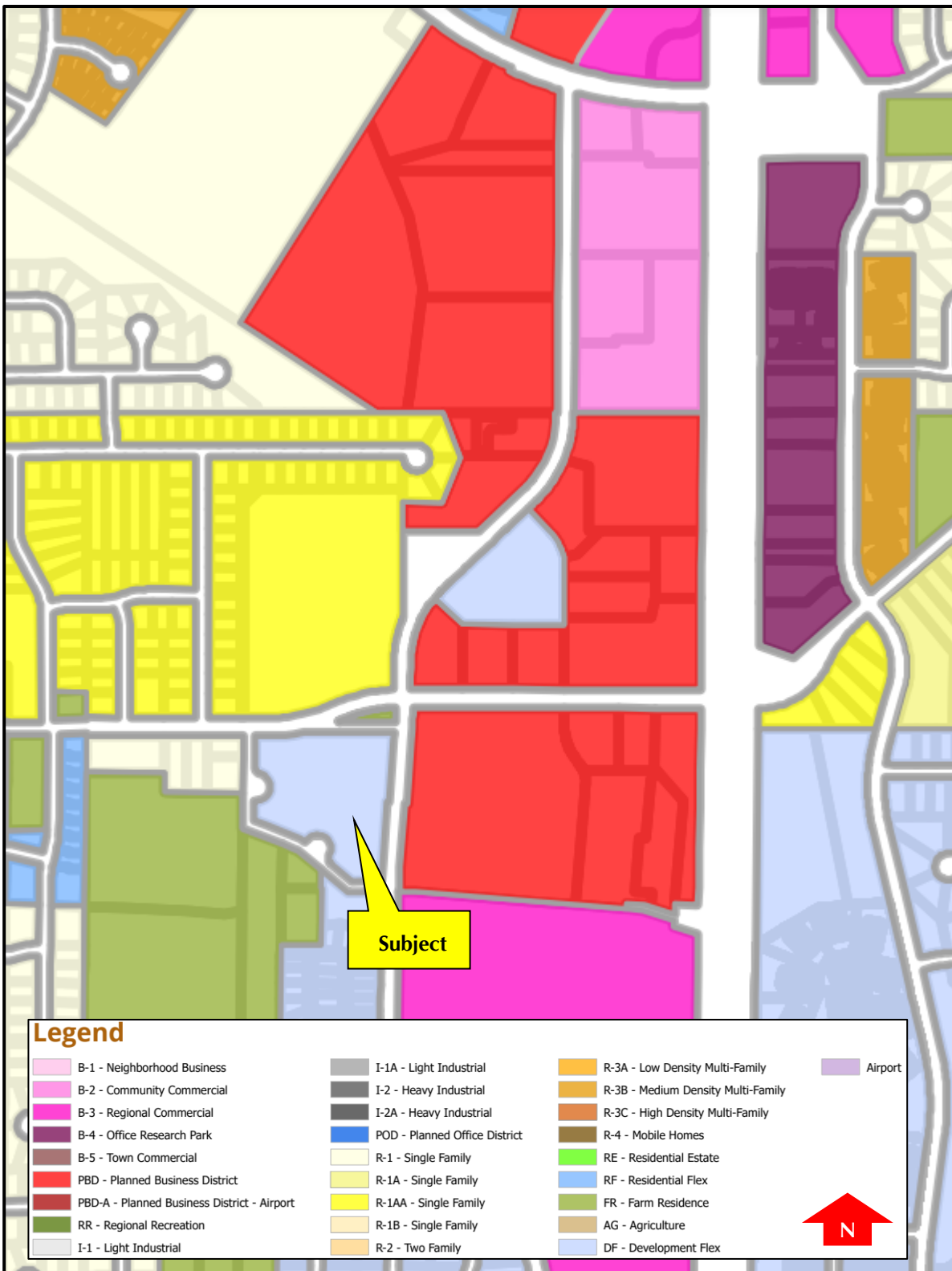
In order to provide maximum flexibility, no fixed standards shall apply to the Development Flex District. All standards for the development shall be established in a conditional use permit. In determining appropriate standards, the City Council shall consider for any proposed use the regulations prescribed in other sections of the zoning Code for the classification most closely resembling the proposed use. Unless specifically contradicted in the conditional use permit, all standards listed in Chapter 33 of the zoning ordinance shall apply.

Guiding

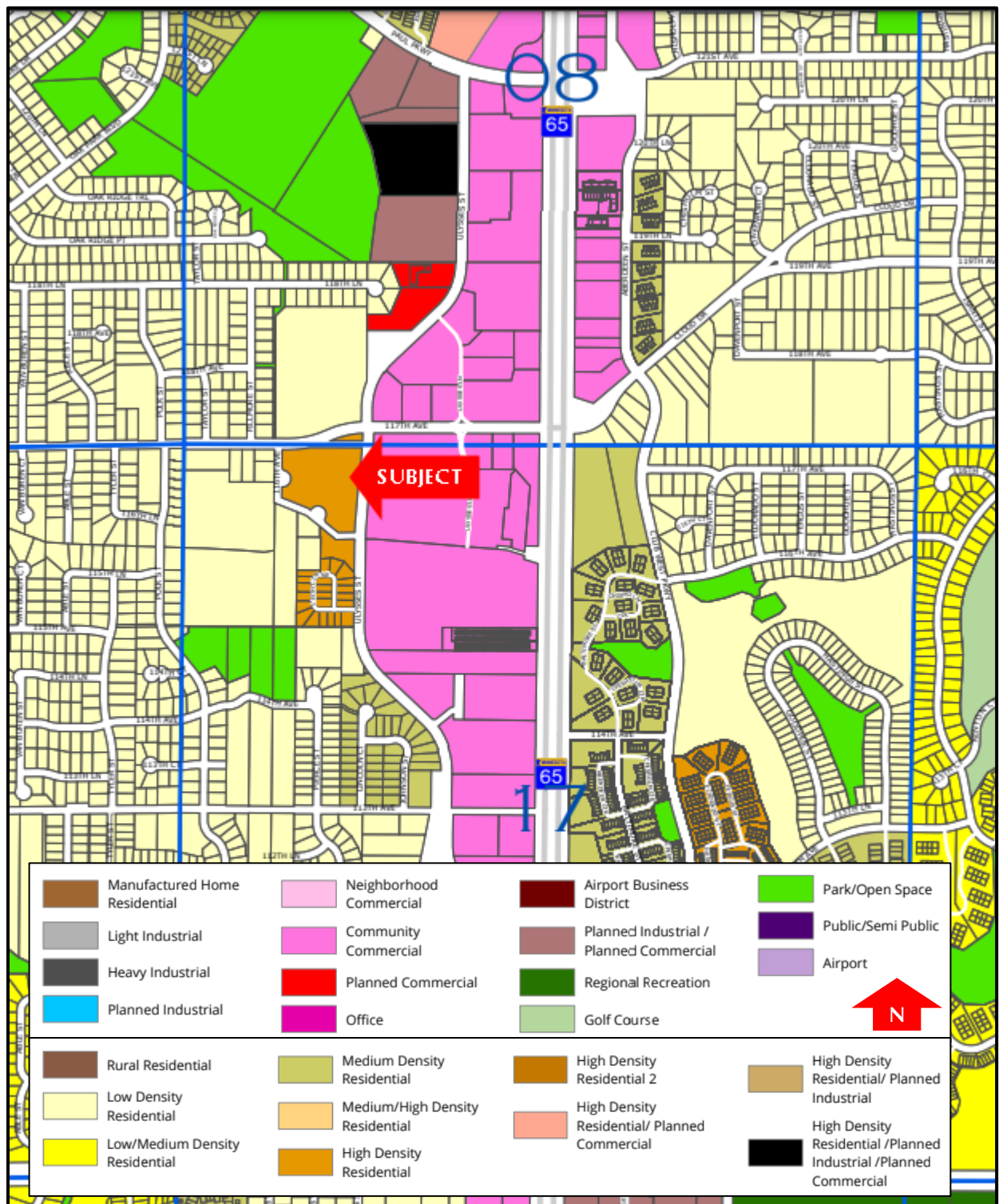
According to the Blaine 2040 Comprehensive Plan, the purpose of the High Density Residential land use category is for residential purposes including quads, townhomes, apartments, co-ops, and condominiums and the density range is 12 to 25 units per acre. Development should be designed in a manner which is oriented to pedestrians, bicyclists, and transit users. The scale, architecture, landscaping, open space and recreational space should be consistent with the community's general character.

Summary

The current use of the subject as a 138-unit apartment building (22.8 units per acre) is consistent with the zoning and guiding designations. Given that the apartment was recently constructed, a change in land use is not anticipated.

ZONING MAP (ENLARGED)

2040 COMPREHENSIVE LAND USE MAP (ENLARGED)



LAND DESCRIPTION

Land Area:	263,974 SF or 6.06 Acres Source: Anoka County GIS																		
Shape:	Effectively rectangular																		
Street Improvements:	117 th Avenue NE is a four-lane roadway with dedicated turn lanes that runs east/west. Ulysses Street is a two-lane road that runs parallel with Minnesota Highway 65 and acts as a frontage/backage road. Minnesota Highway 65 (T.H. 65, M.N. 65, or Central Avenue) is a principal arterial that runs north-south through the city and serves as a key commuter route to the I-694 corridor and further south to downtown Minneapolis. There are also two cul-de-sac roads that flank the northwesterly and southeasterly sides of the subject. Pierce Court NE is located along the subject's western boundary, and it connects to 117 th Avenue NE. 116 th Avenue NE is located along the subject's southeasterly boundary, and it connects to Ulysses Street NE.																		
Street Frontage:	The subject has approximately 580 LF of frontage along 117 th Avenue NE and 612 LF of frontage along Ulysses Street NE. Additionally, the subject has frontage along the two cul-de-sac roads in the northwestern and southeastern portions of the site (Pierce Court NE and 116 th Avenue NE).																		
Street Access:	Access is provided via two curb cuts along Pierce Court NE in the northwestern portion of the site and one curb cut along 116 th Avenue NE in the southeastern portion of the site.																		
Traffic Counts:	<table><tr><th colspan="3">Traffic Volumes</th></tr><tr><th></th><th>AADT</th><th>Year</th></tr><tr><td>117th Avenue NE (East of Ulysses St. NE)</td><td>11,617</td><td>2021</td></tr><tr><td>117th Avenue NE (West of Ulysses St. NE)</td><td>4,395</td><td>2021</td></tr><tr><td>Ulysses Street NE (North of 117th Ave. NE)</td><td>9,240</td><td>2021</td></tr><tr><td>Ulysses Street NE (South of 117th Ave. NE)</td><td>7,166</td><td>2021</td></tr></table>	Traffic Volumes				AADT	Year	117th Avenue NE (East of Ulysses St. NE)	11,617	2021	117th Avenue NE (West of Ulysses St. NE)	4,395	2021	Ulysses Street NE (North of 117th Ave. NE)	9,240	2021	Ulysses Street NE (South of 117th Ave. NE)	7,166	2021
Traffic Volumes																			
	AADT	Year																	
117th Avenue NE (East of Ulysses St. NE)	11,617	2021																	
117th Avenue NE (West of Ulysses St. NE)	4,395	2021																	
Ulysses Street NE (North of 117th Ave. NE)	9,240	2021																	
Ulysses Street NE (South of 117th Ave. NE)	7,166	2021																	
Soil Conditions:	The soils appear stable and suitable for typical construction practices. However, neither soils tests nor engineering data have been provided to the appraisers in conjunction with this appraisal.																		
Topography:	The topography is generally level, open, and primarily at street-grade with the surrounding roadways. There are low-lying infiltration basins in the southeast and southwest corners of the site and the northeast portion of the site.																		
Flood Hazard:	The subject is located in Zone X, an area with minimal flood risk. No flood hazard analysis has been conducted.																		

Community Panel Number: 27003C0336E
Effective Date: December 16, 2015

Utilities:	All public utilities are available to the site.
Easements & Encumbrances:	Based on the title work provided to the appraisers and the following plat map, the subject is encumbered by a perimeter drainage and utility easement. The appraisers are not aware of any other apparent easements or encumbrances that would have a significant effect upon the subject's market value or marketability.

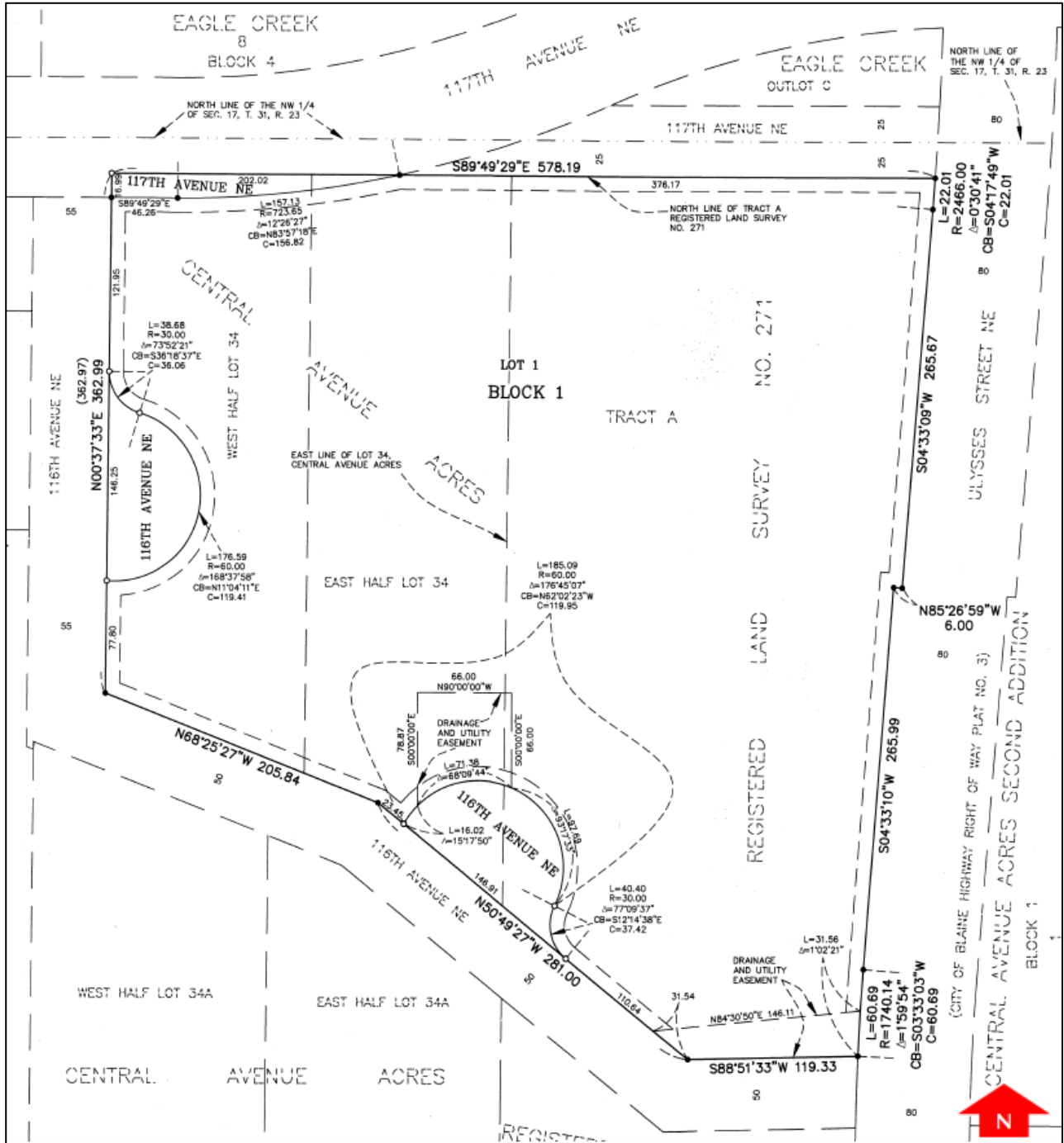
IMPROVEMENT DESCRIPTION

The property is improved with a 138-unit apartment building that has 225,576 SF of gross building area (GBA) and was constructed in 2019, according to Anoka County records. The building has four-to-five stories, and the unit breakdown is reportedly 18 studio units, 57 one-bedroom units, and 63 two-bedroom units. The building also features a fitness center, a game room, a community room, a party room, a conference room, a pet wash station, and underground parking. Site improvements include an outdoor courtyard, an outdoor fireplace and barbeque area, a playground area, parking lots, concrete curbing and walks, curbing, lighting, landscaping, trees, lawn areas, and stormwater improvements, and signage.

Again, since the partial acquisition only impacts a portion of the boulevard area adjacent to Ulysses Street NE in the northeast corner of the site, only the land and affected site improvements, if any, are valued in this report.

ENVIRONMENTAL CONSIDERATIONS

It is assumed that no environmental concerns such as PCBs, toxic and hazardous soil or ground water contamination exist upon the subject as of the date of this appraisal report. However, the reader is advised that neither appraiser is qualified to perform inspections concerning the existence or absence of environmental concerns. If any environmental contaminants do exist within the subject property, the assignment results would likely be different.

ENLARGED PLAT MAP

HIGHEST AND BEST USE

Highest and best use is defined in *The Dictionary of Real Estate Appraisal*, Seventh Edition, Appraisal Institute as follows:

The reasonably probable use of property that results in the highest value. The four criteria the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity.

As described in *The Dictionary of Real Estate Appraisal*, Fifth Edition, Appraisal Institute, the highest and best use, as vacant and as improved, is further distinguish as follows:

Highest and best use of land or site as though vacant - Among all reasonable, alternative uses, the use that yields the highest present land value, after payments are made for labor, capital, and coordination. The use of a property based on the assumption that the parcel of land is vacant or can be made vacant by demolishing any improvements.

Highest and best use of property as improved - The use that should be made of a property as it exists. An existing improvement should be renovated or retained as is so long as it continues to contribute to the total market value of the property, or until the return from a new improvement would more than offset the cost of demolishing the existing building and constructing a new one.

As Vacant

In order to determine highest and best use of the subject property, as vacant, the following factors must be considered when addressing possible uses.

1. Legally Permissible
2. Physically Possible
3. Financially Feasible
4. Maximally Productive

The first test of highest and best use involves identifying those uses which are legally permissible. Legal restrictions can include public restrictions such as zoning and building codes, and private restrictions such as deed restrictions and protective covenants.

The subject is located in the city of Blaine, with a base zoning classification of DF, Development Flex District and a comprehensive land use designation of High Density Residential. As outlined in the Zoning section of this report, the Development Flex zoning district offers flexible land uses that are compatible with adjacent land uses. All uses require submittal of a conditional use permit application and a site plan.

The Development Flex zoning and current use of the property is consistent with the High Density Residential guiding designation in the 2040 Comprehensive Plan.

The site has sufficient size, with a land area of 263,974 SF or 6.06 acres, to accommodate a high-density residential use. Furthermore, the topography is generally level, open, and mostly at street-grade with the surrounding roadways. Also, the terrain and soils are assumed conducive for building construction. All public utilities are present, and the subject has good access to the surrounding area. Given the access to Central Avenue NE (MN-65), proximity to parks and retailers, and surrounding land uses, the subject is well suited for a high density residential use.

Given the above, the highest and best use of the subject, as vacant, is for development of a high-density residential use consistent with zoning and guiding.

As Improved

The subject is improved with a 138-unit apartment building that has 225,576 SF of GBA. that was built in 2019. This is a conditional use in the DF, Development Flex District and is consistent with the future land use guiding of High Density Residential and the previous conclusion of the highest and best use, as vacant.

The same four tests that were used in the highest and best use analysis, as vacant, are used in the highest and best use analysis, as improved. The following alternatives are also considered:

- A) Raze the Existing Structures to Make Way for Redevelopment
- B) Convert the Structures to an Alternative Use
- C) Renovate or Remodel the Existing Structures
- D) Expand the Existing Structures
- E) Leave the Existing Structures as They Currently Exist

Again, the subject is improved with a 138-unit apartment building that has 225,576 SF of GBA. The property has historically operated as an apartment building since it was constructed in 2019. Based on the exterior inspection of the subject, the Anoka County Assessor's 2023 estimate of market value of \$34,414,500 (Land - \$1,613,500 and Improvements - \$32,801,000), the recent improved sale of the subject in 2021 for \$34,250,000, the building improvements contribute significant value to the land. As such, razing the improvements would not be financially feasible.

Furthermore, the subject building and site improvements utilize nearly the entire land area. As such, expansion of the building would significantly reduce parking and potentially impact the stormwater improvements. Considering the layout of the site, the existing improvements appear to be appropriately sized and expansion of the building improvements would not be maximally productive.

Also, given that the apartment building was recently purchased for continued use, it is not reasonable to convert the subject to a different use. There is no alternative use that would provide a greater return considering the potential cost of conversion.

Again, the building improvement was recently built in 2019, and appears to be in overall good condition. While periodic improvements will need to be considered for the subject in the future to remain competitive, renovation or remodeling the subject is not maximally productive at this time.

Based on the above, it is assumed that the highest and best use of the subject, as improved, is for continued use as currently improved.

EXPOSURE AND MARKETING TIME

The following definitions are taken from *The Dictionary of Real Estate Appraisal*, Seventh Edition, Appraisal Institute:

***Exposure Time:** 1) The time a property remains on the market; 2) An opinion, based on supporting market data, of the length of time that the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal.*

***Marketing Time:** An opinion of the amount of time to sell a property interest at the concluded market value or at a benchmark price during the period immediately after the effective date of an appraisal. Marketing time differs from exposure time, which precedes the effective date of an appraisal.*

Exposure time of nine to twelve months would be required to sell the subject property, based on the value stated herein. Marketing time, including due diligence and closing, is estimated at up to twelve months.

APPRAISAL PROCEDURES AND TECHNIQUES

Three traditional approaches to value are widely accepted in the appraisal of real property. These three approaches are briefly described below.

Cost Approach - Considers the current cost of replacing a property, less the depreciation from three sources: physical deterioration, functional obsolescence and external obsolescence. A summation of the market value of the land, assumed vacant, and the depreciated replacement cost of the improvements provides an indication of the total value of the property.

Sales Comparison Approach - Produces an estimate of value by comparing the subject property to sales and/or listings of similar properties in the same or competing areas. This technique is used to indicate the value established by informed buyers and sellers in the market.

Income Approach - Based on an estimate of the subject property's possible net income. The net income is capitalized to arrive at an indication of value from the standpoint of an investment. This method measures the present worth of anticipated future benefits (net income) derived from a property.

The appraisal assignment is to estimate the fee simple market value of the subject property, both before and after a partial acquisition of a public roadway easement and a drainage, utility, sidewalk and wall maintenance easement. Since the acquisition only affects a portion of the boulevard area adjacent to Ulysses Street NE in the northeast corner of the site, only the value of the land and affected site improvements, if any, are appraised. The sales comparison approach is the preferred, and most common, technique for valuing land. Therefore, only the sales comparison approach to value is performed in this appraisal.

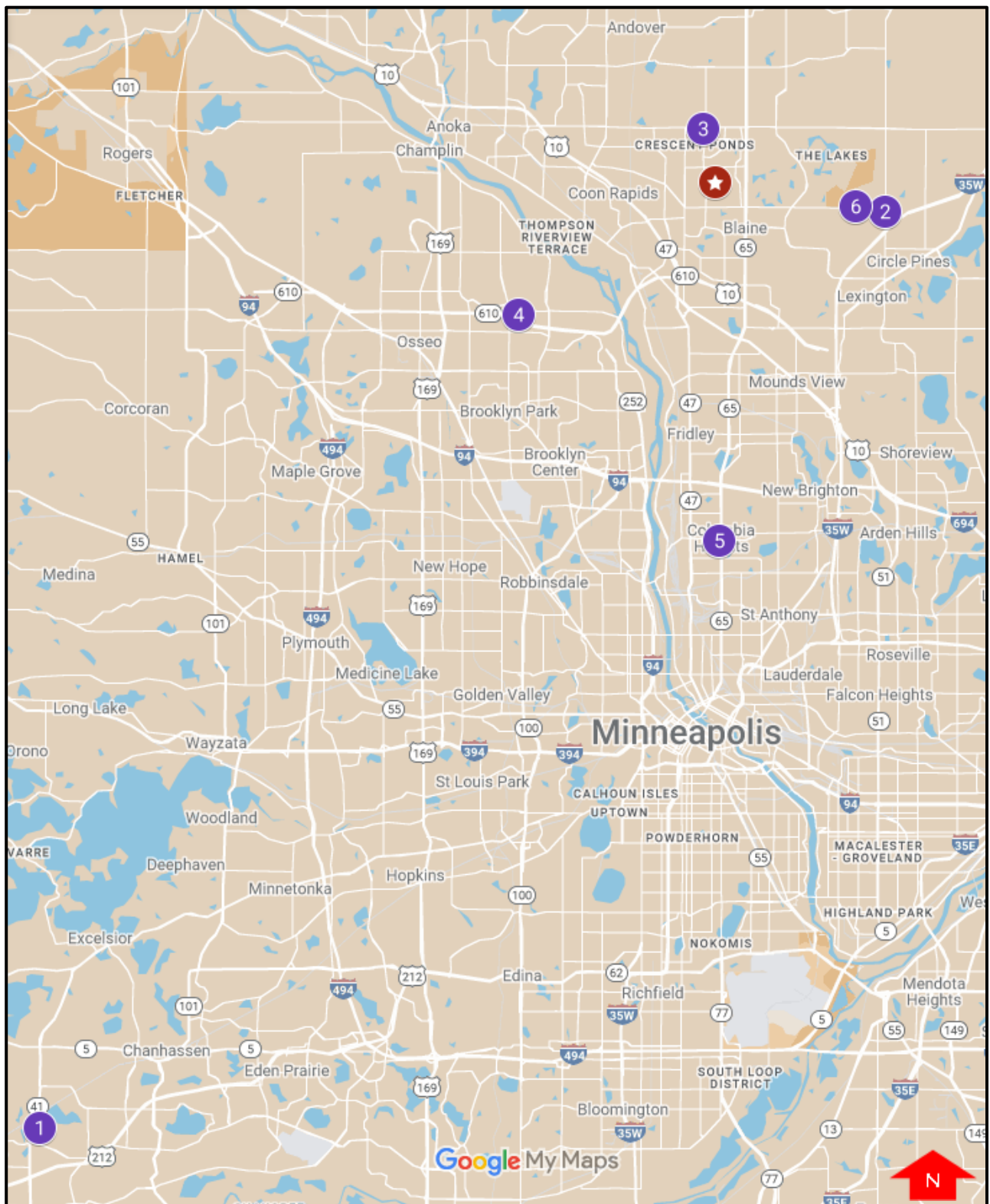
SALES COMPARISON APPROACH

In the sales comparison approach, sales of land comparable to the subject are gathered and analyzed. The sale prices are adjusted for market conditions and other relevant variations. The adjusted prices are reduced to some common unit of comparison, such as price per acre, or price per square foot. The appraiser analyzes this information and derives a unit value applicable to the property. When applied to the appropriate unit measure, this value results in an estimate of the market value of the land. The comparable land sales are summarized on a per square foot basis.

The validity of this approach is based on the assumption that continuity exists between similar properties of like adequacy and their market values. The reliability of this technique is dependent upon the availability of sales data and the degree of comparability of the sales analyzed. To apply this approach to the subject, information has been sought on recent sales of land that are similar in terms of highest and best use, locational attributes, appeal, and size.

The sales used in this analysis are presented on a location map, followed by individual write-ups, an adjustment grid, and narrative analysis to arrive at a value estimate for the subject's land.

COMPARABLE LAND SALES LOCATION MAP



LAND SALE 1



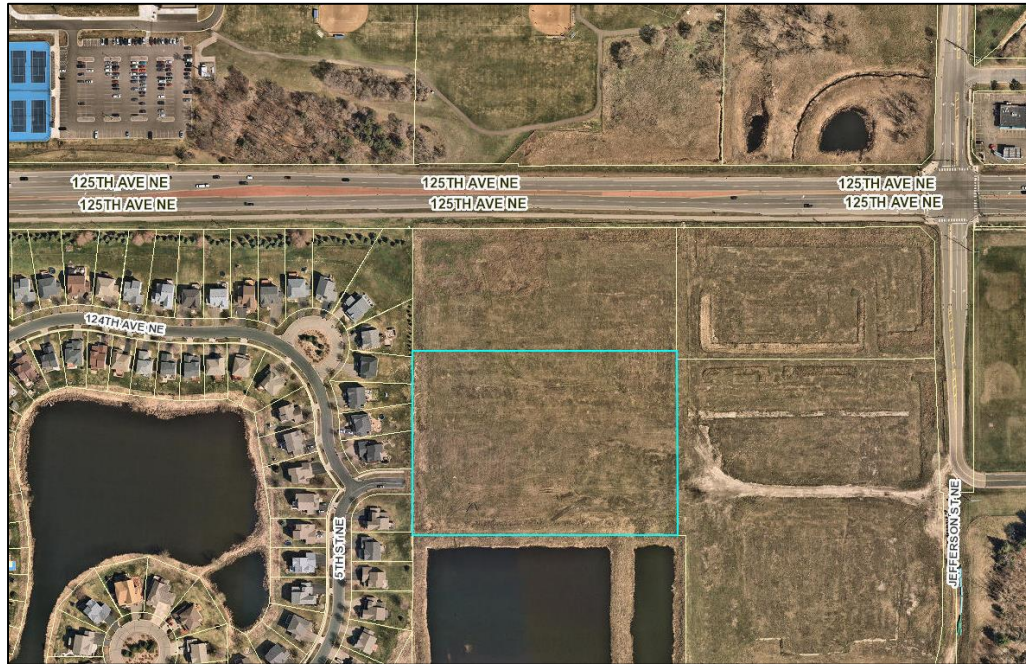
PROPERTY INFORMATION	Address:	1130 Hazeltine Boulevard	County:	Carver
	City:	Chaska	State:	MN
	PID(s):	30.2190030	Intend. Use:	Apartment Building
	Zoning:	PCD	Guiding:	Mixed Residential
	Shape:	Slightly Irregular	Terrain:	Gen. Level & Open
	Size in SF:	206,474	Size in Ac:	4.74
SALE INFO	Buyer(s):	HP Apartments, LLC		
	Seller(s):	Chaska Investment Limited Partnership		
	Date of Sale:	1/25/2023	Cond. of Sale:	Arm's-Length
	Sale Price:	\$2,100,000	Price per SF:	\$10.17
REMARKS	This property is located in a retail corridor of Chaska that includes large retailers such as Kohl's, Aldi, Home Depot, Cub, Target, and Petco. The site was marketed for commercial use for an extended period of time and had an original list price of \$12.00/SF. However, the buyer, Trident Development, purchased the site to build a 4-story apartment complex that would have 112 units.			

LAND SALE 2



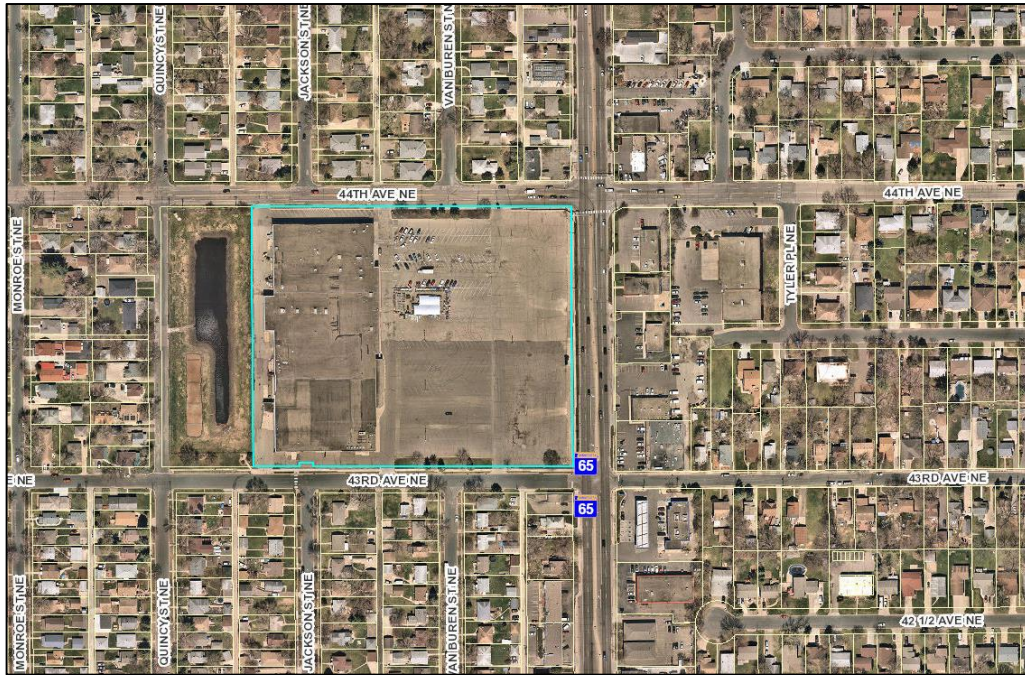
PROPERTY INFORMATION	Address:	10717 Austin Street NE	County:	Anoka
	City:	Blaine	State:	MN
	PID(s):	23-31-23-11-0012	Intend. Use:	182-unit apartment
	Zoning:	Development Flex	Guiding:	High Density Residential-2
	Shape:	Rectangular	Terrain:	Level & Open
	Size in SF:	139,392	Size in Ac:	3.20
SALE INFO	Buyer(s):	Blaine Apartments Group, LLC; Blaine Apartments Billboard, LLC; Blaine Apartments Boone, LLC		
	Seller(s):	Lexington Meadows, LLC		
	Date of Sale:	1/27/2022	Cond. of Sale:	Arm's-Length
	Sale Price:	\$2,147,191	Price per SF:	\$15.40
REMARKS	The true buyer is Roers Companies, who is developing a 182-unit, market-rate, apartment building known as Lexi Apartments that is set to open in the fall of 2023. This project required an amendment to the comprehensive plan because the High Density Residential land use category only allowed up to 32 units per acre. The density of this project is 57 units per acre. Therefore, a new land use category of HDR-2 was created that allows a maximum density of 60 units per acre.			

LAND SALE 3



PROPERTY INFORMATION	Address:	370 125th Avenue NE	County:	Anoka
	City:	Blaine	State:	MN
	PID(s):	07-31-23-21-0004	Intend. Use:	Senior Apartments
	Zoning:	PBD	Guiding:	HDR & Planned Commercial
	Shape:	Rectangular	Terrain:	Gen. Level & Open
	Size in SF:	283,140	Size in Ac:	6.50
SALE INFO	Buyer(s):	Roers Blaine 55 + LLC		
	Seller(s):	Hy-Vee, Inc.		
	Date of Sale:	12/29/2021	Cond. of Sale:	Arm's-Length
	Sale Price:	\$2,500,000	Price per SF:	\$8.83
REMARKS	This property was part of the 39.24 acres of land that Hy-Vee, Inc. purchased in 2018. Hy-Vee had initial plans to develop a grocery store on part of the site; however, they have since changed plans and are no longer planning on building a grocery store here at this time. The true buyer is Roers (a multi-family developer) who is building a 187-unit apartment project for adults age 55 and older.			

LAND SALE 4



PROPERTY INFORMATION	Address:	4300 Central Avenue NE	County:	Anoka
	City:	Columbia Heights	State:	MN
	PID(s):	35-30-24-11-0083	Intend. Use:	Mixed-Use
	Zoning:	GB	Guiding:	Commercial
	Shape:	Rectangular	Terrain:	Gen. Level & Open
	Size in SF:	441,698	Size in Ac:	10.14
SALE INFO	Buyer(s):	Alatus Columbia Heights II LLC		
	Seller(s):	Hy-Vee, Inc.		
	Date of Sale:	8/6/2021	Cond. of Sale:	Arm's-Length
	Sale Price:	\$4,500,000	Price per SF:	\$10.19
	Plus Demo Costs:	\$630,000	Adj. Sale Price:	\$11.61
REMARKS	This is the sale of a largely vacant shopping center on Central Avenue in Columbia Heights (MN-65). The seller was Hy-Vee, who purchased the property in 2016 for \$3.5 million and had plans to construct a 90,100 SF grocery store, but the project never got off the ground. The new buyer is planning a mixed-use redevelopment that will feature up to 600 new housing units and other uses for the site. Demolition costs for the existing 125,749 SF retail building are estimated to be approximately \$630,000.			

LAND SALE 5



PROPERTY INFORMATION	Address:	5505 96th Avenue N.	County:	Hennepin
	City:	Brooklyn Park	State:	MN
	PID(s):	09-119-21-31-0005	Intend. Use:	146-unit apartment
	Zoning:	Town Center	Guiding:	Flex
	Shape:	Rectangular	Terrain:	Mostly Level & Open
	Size in SF:	196,410	Size in Ac:	4.51
SALE INFO	Buyer(s):	SW Kipling, LLC		
	Seller(s):	Opus Development Company, LLC		
	Date of Sale:	7/15/2021	Cond. of Sale:	Arm's-Length
	Sale Price:	\$1,500,000	Price per SF:	\$7.64
REMARKS	The true buyer is Enclave, an integrated development, construction and property management firm based in West Fargo, ND. This is their fifth project in the Twin Cities metro and it features 146 market-rate apartment units. Other new neighboring developments include a Twin Cities Orthopedics medical office building to the west and a new Rasmussen University building to the south			

LAND SALE 6



PROPERTY INFORMATION	Address:	10826 Austin Street NE	County:	Anoka
	City:	Blaine	State:	MN
	PID(s):	23-31-23-11-0002 (new)	Intend. Use:	192-unit apartment (55 +)
	Zoning:	PBD	Guiding:	High Density Residential
	Shape:	Generally Rectangular	Terrain:	Gen. Level & Open
	Size in SF:	249,163	Size in Ac:	5.72
SALE INFO	Buyer(s):	Blaine Leased Housing Associates III, LLLP		
	Seller(s):	Lexington Meadows LLC		
	Date of Sale:	11/16/2018	Cond. of Sale:	Arm's-Length
	Sale Price:	\$1,666,934	Price per SF:	\$6.69
REMARKS	The true buyer is Dominion, who purchased the site to develop a 192-unit, four-story, apartment building that is restricted to seniors making 60 percent or less of the area's median income. The developer thought the site was a good fit for affordable senior units and that there was strong demand for these types of units all over the Twin Cities. The project was financed through city-issued bonds, which grants a 4% federal low-income housing tax credit for buyers.			

COMPARABLE LAND SALES ADJUSTMENT GRID													
Sale Data	Subject	Sale 1		Sale 2		Sale 3		Sale 4		Sale 5		Sale 6	Average
Location	1145 116th Avenue NE Blaine, MN	1130 Hazeltine Boulevard Chaska, MN		10717 Austin Street NE Blaine, MN		370 125th Avenue NE Blaine, MN		4300 Central Avenue NE Columbia Heights, MN		5505 96th Avenue N. Brooklyn Park, MN		10826 Austin Street NE Blaine, MN	
Land Size (SF)	263,974 SF	206,474 SF		139,392 SF		283,140 SF		441,698 SF		196,410 SF		249,163 SF	
Land Size (AC)	6.06 AC	4.74 AC		3.20 AC		6.50 AC		10.14 AC		4.51 AC		5.72 AC	
Recorded Sale Price		\$2,100,000		\$2,147,191		\$2,500,000		\$4,500,000		\$1,500,000		\$1,666,934	
Price Per SF		\$10.17		\$15.40		\$8.83		\$10.19		\$7.64		\$6.69	\$9.82
Transactional Adjustments													
Unadjusted Sale Price			\$2,100,000		\$2,147,191		\$2,500,000		\$4,500,000		\$1,500,000	\$1,666,934	
Property Rights	Fee Simple	Fee Simple	\$0	Fee Simple	\$0	Fee Simple	\$0	Fee Simple	\$0	Fee Simple	\$0	Fee Simple	\$0
Adjusted Sale Price			\$2,100,000		\$2,147,191		\$2,500,000		\$4,500,000		\$1,500,000	\$1,666,934	
Financing	Cash to Seller	Cash to Seller	0%	Cash to Seller	0%	Cash to Seller	0%	Cash to Seller	0%	Cash to Seller	0%	Cash to Seller	0%
Adjusted Sale Price			\$2,100,000		\$2,147,191		\$2,500,000		\$4,500,000		\$1,500,000	\$1,666,934	
Conditions of Sale	Typical	Arm's-Length	0%	Arm's-Length	0%	Arm's-Length	0%	Arm's-Length	0%	Arm's-Length	0%	Arm's-Length	0%
Adjusted Sale Price			\$2,100,000		\$2,147,191		\$2,500,000		\$4,500,000		\$1,500,000	\$1,666,934	
Other Expenditures	N/A	N/A	\$0	N/A	\$0	N/A	\$0	Demo Costs	\$630,000	N/A	\$0	N/A	\$0
Adjusted Sale Price			\$2,100,000		\$2,147,191		\$2,500,000		\$5,130,000		\$1,500,000	\$1,666,934	
Market Conditions	5/31/23	1/25/2023	1.00	1/27/2022	1.05	12/29/2021	1.05	8/6/2021	1.07	7/15/2021	1.07	11/16/2018	1.22
Adjusted Sale Price			\$2,100,000		\$2,254,551		\$2,625,000		\$5,489,100		\$1,605,000	\$2,033,659	
Adjusted Sale Price Per SF			\$10.17		\$16.17		\$9.27		\$12.43		\$8.17	\$8.16	\$10.73
Property Adjustments													
Location	Good	Similar	1.00	Similar	1.00	Similar	1.00	Inferior	1.05	Inferior	1.05	Similar	1.00
Zoning / Guiding	Development Flex / High Density Residential	PCD / Mixed Residential	1.00	Development Flex / High Density Residential-2	0.85	PBD / HDR & Planned Commercial	1.00	GB / Commercial	0.85	Town Center / Flex	1.00	PBD / High Density Residential	1.00
Size	263,974 SF	206,474 SF	0.98	139,392 SF	0.95	283,140 SF	1.01	441,698 SF	1.04	196,410 SF	0.98	249,163 SF	1.00
Shape	Effectively Rectangular	Slightly Irregular	1.00	Rectangular	1.00	Rectangular	1.00	Rectangular	1.00	Rectangular	1.00	Generally Rectangular	1.00
Terrain	Gen. Level & Open	Gen. Level & Open	1.00	Level & Open	1.00	Gen. Level & Open	1.00	Gen. Level & Open	1.00	Mostly Level & Open	1.00	Gen. Level & Open	1.00
Other	None	None	1.00	None	1.00	None	1.00	None	1.00	None	1.00	None	1.00
Net Adjustment			0.98		0.81		1.01		0.93		1.03		1.00
Gross Adjustment			0.02		0.20		0.01		0.24		0.07		0.00
Indicated Subject Price Per SF			\$9.97		\$13.10		\$9.36		\$11.56		\$8.42	\$8.16	\$10.10

Explanation of Adjustments

Property Rights:	All of the sales represent the transfer of fee simple interests. Therefore, no adjustments are necessary.
Financing:	No unusual financing was discovered that would have an impact on the sale price. Therefore, no adjustments are necessary.
Conditions of Sale:	All of the comparables were typical arm's-length transactions. Therefore, no adjustments for conditions of sale are needed.
Other Expenditures:	Estimated demolition costs are added to Comparable 4.
Special Assessments:	None noted.
Market Conditions:	This adjustment reflects differences in market conditions between the date of valuation and the date the comparables sold. The valuation date of this appraisal is May 31, 2023. The comparable sales occurred between November 2018 and January 2023. The suburban multi-family residential land market has remained strong the majority of time in recent years. Alternatively, the continued rate hikes in 2023 from the Federal Reserve have negatively impacted real estate values and the current lending environment has reduced demand and development. Therefore, an adjustment of 5% per annum is made from 2018 to 2022. However, no market conditions adjustment is applied for 2023.
Location:	This adjustment is based upon observations of both the subject and the comparables. Factors such as neighborhood amenities, surrounding land use, road frontage, traffic counts, and school district were considered when making this adjustment.
Zoning / Guiding:	As previously discussed, the subject is zoned Development Flex and guided High Density Residential (12 to 25 units per acre). Most of the comparables have zoning/guiding designations that have similar allowable density ranges and no adjustment for zoning/guiding is needed. However, Comparables 2 and 4 have zoning/guiding that permits a far greater density than the other comparables and the subject. Comparable 2 has a density of 56.9 units per acre and the proposed development for Comparable 4 is 59.2 units per acre. Therefore, an appropriate downward adjustment is applied to

	Comparables 2 and 4 for their superior zoning/ guiding and/or allowable density.
Size:	Typically, a smaller site will command a higher unit price than a larger site, all else being equal. This is generally true in the subject market. As such, size adjustments are applied to the comparables based on a 5% inverse curve.
Shape:	The subject is effectively rectangular in shape, and full utilization of the site is not impeded. All of the comparables have similar shapes to the subject and no shape adjustments are made.
Terrain:	The subject is generally open and level and has suitable terrain for development. All of the comparables are also generally level and open. Thus, no terrain adjustments are applied.

Analysis

The comparable sales range in unadjusted price from \$6.69 per SF to \$15.40 per SF, with an average of \$9.82 per SF and a median of \$9.50 per SF. After the adjustment process, the comparable sales range in unit price from \$8.16 per SF to \$13.10 per SF, with an average of \$10.10 per SF and a median of \$9.67 per SF.

As a group, the comparable sales provide a reasonable range of the subject's market value and share general similarities with the subject. Comparables 2, 3 and 6 are located in Blaine and were purchased for multi-family development. The subject's developed density is 22.8 units per acre, which is slightly lower than the proposed development density for Comparable 3 (28.8 units per acre) and the achieved development density for Comparable 6 (33.6 units per acre). Alternatively, the development density of Comparable 2 is 56.9 units per acre, which is more than twice the density of the subject. As such, Comparable 2 is not meant to be used for direct comparison to the subject, but rather for supporting weight.

Comparable 1 is the most recent sale and the only sale that occurred in 2023. While this property is located in Chaska, it shares several similarities with the subject. Comparables 4 and 5 are located in the northerly suburbs of the Twin Cities and are relatively recent, having sold in the second half of 2021.

As previously discussed in the Sales History section of this report, the subject site was purchased on January 10, 2019 and included a total of ± 11.50 acres. The sale price totaled \$1.65 million, which equates to $\pm \$3.29$ per SF. The buyer was Cedar Point Apartments LLC and the sellers were Paul E. Andersen, Patria L. Broker, Joel William Petersen and Susan Jane Petersen. The sale included the current site of the subject, which was subsequently reduced to 6.06 acres after the right-of-way dedication process and also the land south of 116th Avenue NE along Ulysses Street NE that has been developed into Arroyo Villas, which is a an 18-lot single-family residential subdivision. The site was publicly marketed for sale beginning in 2016 and was under contract in July 2017. Considering that this purchase included additional land that was used for Arroyo Villas, little to no weight is granted to this sale.

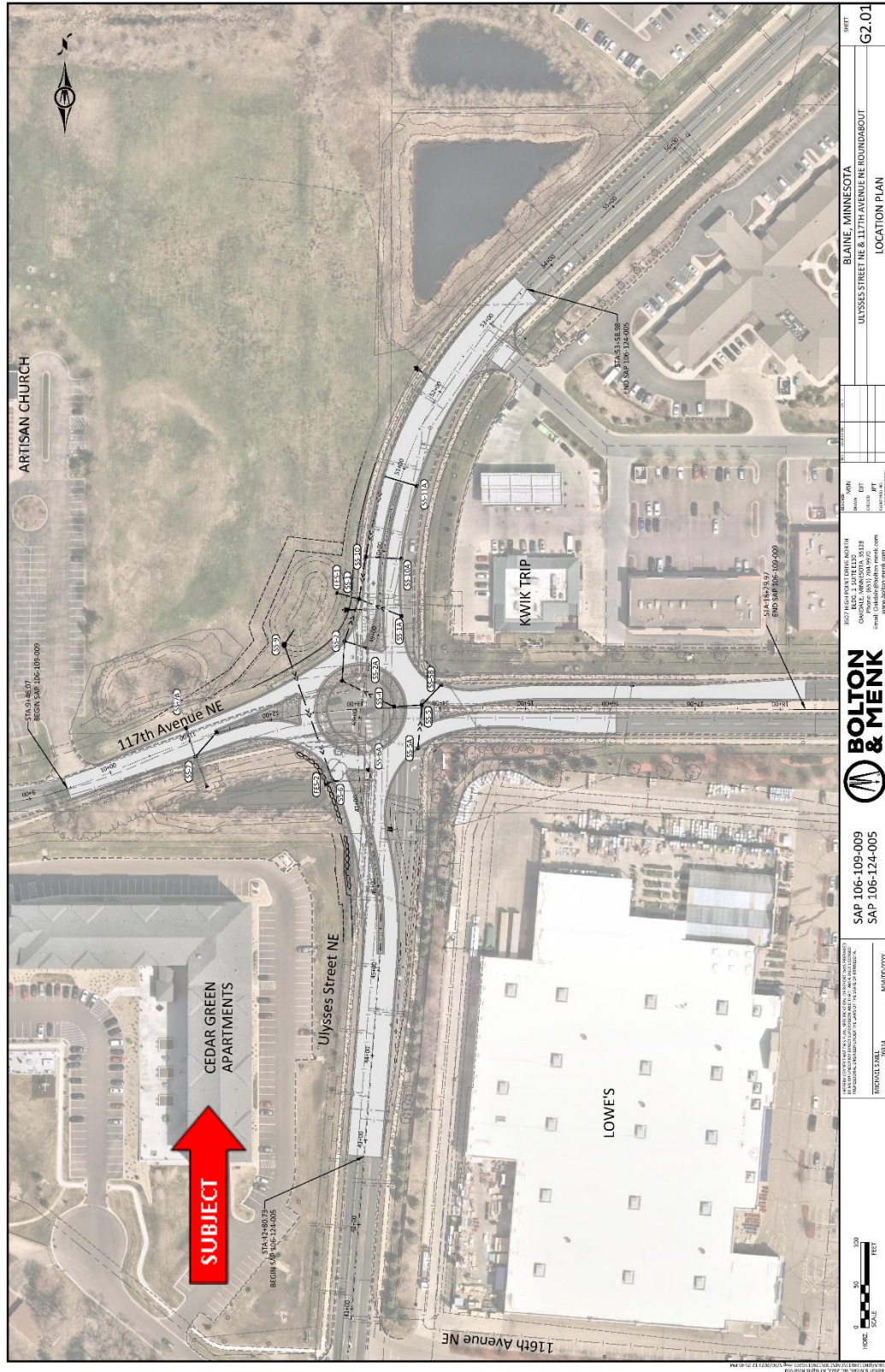
All things considered, the comparables are generally given similar weight in the analysis and the appraisers conclude to a value near the average and median of the adjusted comparable sales. Thus, the market value of the subject land, as of May 31, 2023, is estimated to be \$10.00 per SF. Thus:

$$\begin{array}{rcl} 263,974 \text{ SF} & \times & \$10.00 \text{ per SF} = \$2,639,740 \\ & & \text{Rounded to} \quad \$2,639,800 \end{array}$$

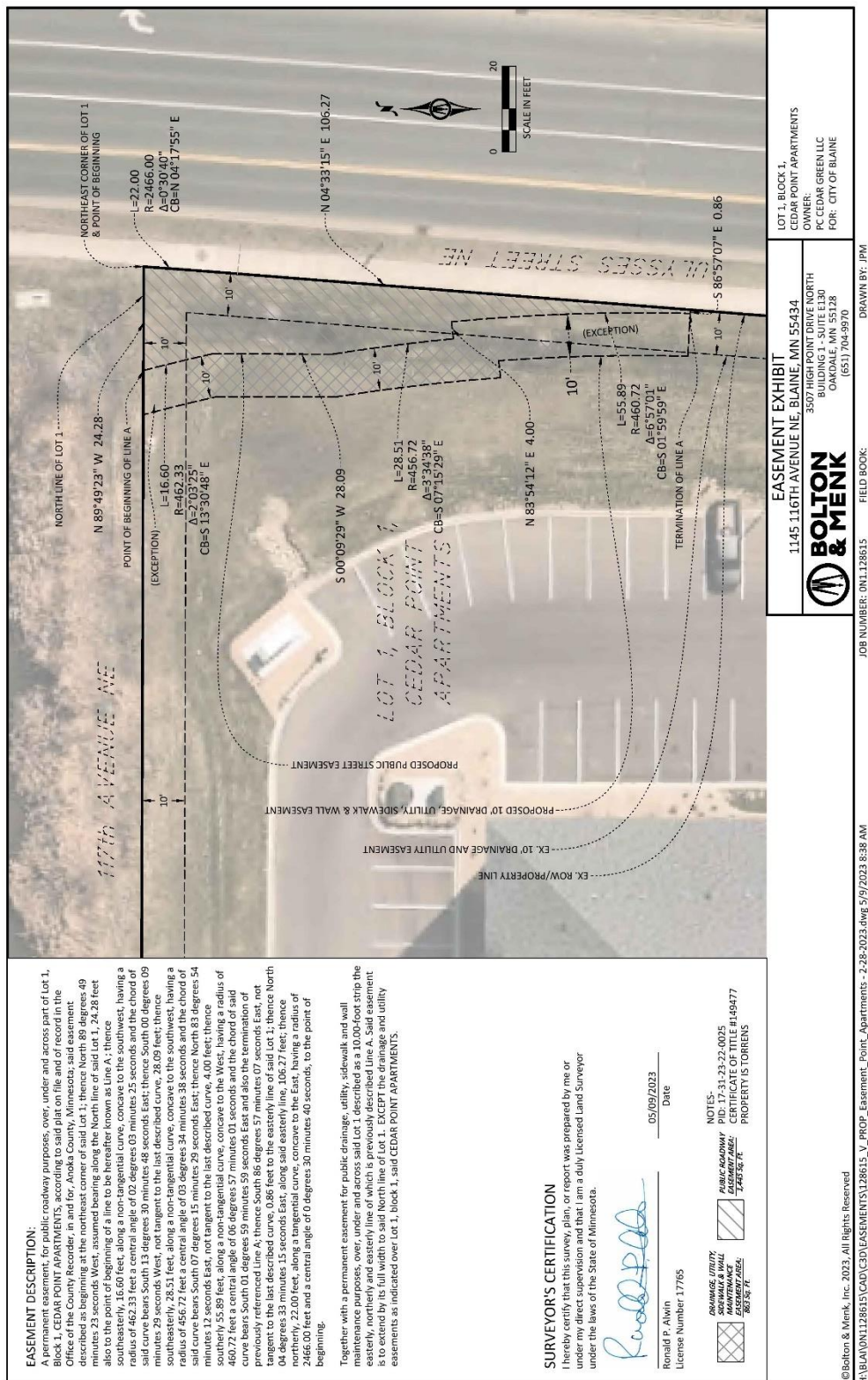
It is noted that the above estimate of value is a blended unit value, recognizing that the subject is encumbered by a perimeter drainage and utility easement.

PART III: AFTER ACQUISITION – FACTUAL DATA

PRELIMINARY PROJECT LAYOUT



PARCEL SKETCH



PROJECT DESCRIPTION

The City of Blaine is planning a construction project at the intersection of 117th Avenue NE and Ulysses Street NE. To address increasing congestion and a higher-than-normal crash history, an Intersection Control Evaluation (ICE) was completed for the intersection in 2020. Based on the findings of this evaluation, additional analysis, and the City Council decision, the intersection of 117th Avenue NE and Ulysses Street NE will be reconstructed as a single lane roundabout during the summer of 2024. The proposed project will improve the operations and safety of the intersection for vehicles, bicyclists, and pedestrians.

DESCRIPTION OF ACQUISITION

As a result, the City of Blaine has proposed a partial acquisition of the subject property which includes a public roadway easement and a drainage, utility, sidewalk and wall maintenance easement. The proposed public roadway easement totals 1,445 SF and primarily impacts a strip of land in the northeast corner of the site adjacent to existing right-of-way. This easement is needed to accommodate additional right-of-way for Ulysses Street NE for roadway/infrastructure purposes. It is noted that much of this area is encumbered by an existing drainage and utility easement. Furthermore, the proposed drainage, utility, sidewalk and wall maintenance easement totals 863 SF and is needed to reconfigure the existing perimeter drainage and utility easement and also allow for maintenance of the new retaining wall and sidewalk that will be constructed within right-of-way. Exhibits depicting the project area and acquisition area are included on the previous pages.

PART IV: AFTER ACQUISITION – DATA, ANALYSIS AND CONCLUSIONS

SITE DESCRIPTION

The subject property is valued again in the after condition. The after value is based on the following described property.

Size:	262,529 SF, or 6.03 acres, net of right-of-way
Shape:	Same as in the Before Condition
Street Improvements:	In the After Condition, the intersection of 117 th Avenue NE and Ulysses Avenue NE will be improved with a roundabout and new sidewalks.
Street Frontage:	Effectively the Same as in the Before Condition
Access:	Same as in the Before Condition
Traffic Counts:	Assumed to be the Same as in the Before Condition
Soil Conditions:	Same as in the Before Condition
Topography:	Same as in the Before Condition
Flood Hazard:	Same as in the Before Condition
Utilities:	Same as in the Before Condition
Building Description:	Same as in the Before Condition
Site Improvements:	Same as in the Before Condition
Easements & Encumbrances:	Same as in the Before Condition. Additionally, because of the project, the subject will be encumbered by a 1,445 SF public roadway easement and an 863 SF permanent drainage, utility, sidewalk, and wall maintenance easement in the northeast portion of the site.

HIGHEST AND BEST USE

Given the extent of the proposed acquisition, the subject's locational attributes, zoning, shape, soils, utilities, and terrain remain unchanged as a result of the project. Therefore, the highest and best use of the subject remains the same as in the before condition.

EXPOSURE AND MARKETING TIME

Same as in the Before Condition

APPRAISAL PROCEDURES AND TECHNIQUES

As in the before condition, the after value of the subject land is estimated via the sales comparison approach to value.

SALES COMPARISON APPROACH

In the after condition, the subject property's size is reduced to 262,529 SF, or 6.03 acres, net of the public roadway easement, or 99.5% of its size in the before condition. Even so, the highest and best use of the subject remains unchanged. Therefore, the same comparable sales are used in the after condition as were used in the before condition to estimate the land value of the subject property. The comparable land sales grid and narrative analysis are located in the Before Value section of this report. The concluded overall blended value in the before condition was \$2,639,800 or \$10.00 per SF, for the subject land.

Similar to the before condition, the land area valued by the sales comparison approach in the after condition has an estimated size of 262,529 SF. Of this 262,529 SF, 863 SF will be newly encumbered by a permanent drainage, utility, sidewalk and wall maintenance easement. Thus, the subject totals 261,666 SF (262,529SF – 863 SF), net of the new permanent easements. Considering the above, the overall unit price for the unaffected land in the after condition is the same as the before condition, or \$10.00 per SF.

Public Roadway Easement

The first matter to consider is the proposed permanent public roadway easement, which is considered equivalent to taking fee ownership of the land. The public roadway easement totals 1,445 SF and is located along the subject's eastern property boundary in the northeastern portion of the site. As such, this area has no contributory value in the after condition.

Permanent Drainage, Utility, Sidewalk and Wall Maintenance Easement

The next item to consider is the proposed permanent drainage, utility, sidewalk and wall maintenance easement. This proposed easement totals 863 SF and is located in the northeast portion of the site, adjacent to the proposed public roadway easement and the existing drainage and utility easement. It is necessary to reconfigure the subject's perimeter drainage and utility easement and also to provide access/space for future maintenance of the new sidewalk and retaining wall. More specifically, the sidewalk and the retaining wall along the back side of the sidewalk will be located in the public roadway easement area or existing right-of-way.

While the impact of the proposed permanent easement is generally not distinguishable from market sales, it is often desirable to perform an analysis that recognizes that the easement will extinguish, or take, certain rights of ownership. Ownership of property can be viewed as a "bundle of rights."

We are appraising the fee simple interest of the subject property, subject to existing easements. The fee simple interest is the most complete form of ownership, and includes the right to use real estate, to sell it, to lease it, to give it away, or to choose to exercise all or none of these rights. By definition, an easement is an interest in real property that conveys use, but not ownership, of a portion of an owner's property. Therefore, the owner still has the right to sell or gift an area affected by an easement. In general, use of land can be broken down into the following categories:

- Property Use
- Building Coverage
- On-Site Parking & Driveways
- Open space and Landscaping
- Ingress & Egress
- Setback Requirements
- Density Credits

The proposed drainage, utility, sidewalk and wall maintenance easement is being acquired for public use along Ulysses Street NE in the northeast corner of the property. As a result, some use or benefit of ownership should be recognized as being taken. Again, no public appurtenances will be located within this proposed easement area, and it is recognized that the easement area is located within setback requirements as defined by zoning. Thus,

the easement area could not be developed in the before condition, and the proposed easement can still be utilized for satisfying setback, green space and density requirements.

Even so, due to the loss of property rights and reduced utility in the area encumbered by the permanent drainage, utility, sidewalk and wall maintenance easement, it is the appraisers' opinion that the fee value of the land affected by this easement will be reduced in value by approximately 30%. Thus, the remaining contributory value of the subject encumbered by the permanent drainage, utility, sidewalk and wall maintenance easement is \$7.00 per SF (\$10.00 per SF x 70%).

Summary

Therefore, the market value of the subject's land as of May 31, 2023, in the after condition, is calculated as follows:

Unaffected Land	261,666 SF	x \$10.00 per SF =	\$2,616,660
Land Encumbered by New Drainage, Utility, Sidewalk and Wall Maintenance Easement	863 SF	x \$7.00 per SF =	\$ 6,041
Total Market Value			<u>\$2,622,701</u>
			<i>Rounded to \$2,622,700</i>

AFFECTED SITE IMPROVEMENTS

As stated in the Assumptions section of this report, if any sprinkler systems are impacted by the project, the irrigation will be reconfigured/repared by the City of Blaine, or the owner will be separately compensated as a direct cost reimbursement.

Alternatively, there are two small/medium sized maple trees and one small sized coniferous tree/bush that are within the acquisition area that will be removed as a result of the project. Based on local cost estimates, which are retained in the appraisers' file, we estimate the contributory value or replacement cost of the affected site improvements as follows:

Small/Medium Deciduous Trees	2 trees	x \$500/tree =	\$1,000
Small Coniferous Tree/Bush	1 trees	x \$200/tree =	<u>\$ 200</u>
Total Affected Landscaping			\$1,200

As stated in the Assumptions section of this report, the subject's northeasterly drainage swale will be restored as part of the project, if affected, and continue to function as intended in the after condition.

FINAL SUMMATION

Based on the preceding data and analysis, the appraisers' final summation of damages to the subject property, as of May 31, 2023, is presented as follows:

Land Value Before the Acquisition	\$2,639,800
Land Value After the Acquisition	<u>\$2,622,700</u>
Indicated Permanent Damages	\$ 17,100
Plus: Affected Site Improvements	<u>\$ 1,200</u>
Recommended Compensation	\$ 18,300

ADDENDA

CONTINGENT AND LIMITING CONDITIONS

CONTINGENT AND LIMITING CONDITIONS

The value estimates and conclusions in the appraisal are made subject to these assumptions and conditions:

1. No title search has been made and the reader should consult an appropriate attorney or title insurance company for accurate ownership data. Title to the property is assumed to be good and marketable unless otherwise stated.
2. The legal description, furnished or otherwise, is assumed to be correct. No responsibility is assumed for the legal description or for matters including legal or title considerations.
3. The information contained in this report is not guaranteed, but it has been gathered from reliable sources. The appraiser(s) certify that, to the best of their knowledge and belief, the statements, information and materials contained in the appraisal are correct.
4. All value estimates in this report assume stable soil and any necessary soil corrections are to be made at the seller's expense, unless otherwise noted.
5. The site plan, if any, in this report is included to assist the reader in visualizing the property, but we assume no responsibility for its accuracy.
6. The market value herein assigned is based on conditions which were applicable as of the effective date of appraisal, unless otherwise noted.
7. The appraiser(s) that signed this report shall not be required to prepare for, or appear in court, or before any board or governmental body by the reason of the completion of this assignment without predetermined arrangements and agreements.
8. Surveys, plans and sketches may have been provided in this report. These documents may not be complete or be drawn exactly to scale.
9. Possession of this report, or a copy thereof, does not carry with it the right of publication. It may not be used for any purpose by any person, other than the party to whom it is addressed, without the written consent of the appraiser, and in any event only in its entirety.
10. Information in the appraisal relating to comparable market data is more fully documented in the confidential file in the office of the appraiser.
11. All studies and field notes are secured in our files for future reference.
12. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a non-conformity has been stated, defined and considered in the appraisal report. It is also assumed that the utilization of the land and any improvements is within the boundaries or property lines of the property described and that there is no encroachment or trespass unless noted within the report.

13. The distribution of the total valuation in this report between land and any improvements, if stated, applies only under the reported highest and best use of the property. The allocations of value for land and improvements must not be used in conjunction with any other appraisal and are invalid if so used.
14. It is assumed that there is full compliance with all applicable federal, state and local environmental regulations and laws unless non-compliance is stated, defined and considered in the appraisal report.
15. The appraiser was not aware of the presence of soil contamination on the subject property, unless otherwise noted in this appraisal report. The effect on market value due to contamination was not considered in this appraisal, unless otherwise stated.
16. The appraiser was not aware of the presence of asbestos or other toxic contaminants in any building(s) located on the site, unless otherwise noted in this report. The effect on market value, due to contamination was not considered in this appraisal, unless otherwise stated.
17. Unless otherwise stated in this report, the existence of hazardous material, which may or may not be present on the property, was not observed by the appraiser. The appraiser has no knowledge of the existence of such materials on or in the property. The appraiser, however, is not qualified to detect such substances. The value estimate is predicated on the assumption that there is no such material on or in the property that would cause a loss in value. No responsibility is assumed for any detrimental environmental conditions, or for any expertise or engineering knowledge required to discover such substances. The client is urged to retain an expert in this field, if desired.
18. The value stated in this report is fee simple, assuming responsible ownership and management, unless otherwise indicated. This appraisal recognizes that available financing is a major consideration by typical purchasers of real estate in the market, and the appraisal assumes that financing is or was made available to purchasers of the property described herein.
19. The appraiser has neither present nor contemplated interest in the property appraised and employment is not contingent upon the value reported.
20. Unless otherwise stated in this report, the appraiser has not made a survey or analysis to determine whether any buildings on the property are in compliance with "The Americans with Disabilities Act" (ADA). If the property is not in compliance with the ADA, it could have a negative effect on the value of the property.
21. The property is appraised free and clear of any or all liens or encumbrances, unless otherwise stated.

APPRAISER QUALIFICATIONS

CERTIFICATION OF NATHAN A. WAREHAM

PROFESSIONAL AFFILIATIONS

Practicing Affiliate, Appraisal Institute

Certified General Real Property Appraiser, Minnesota License No. 40525462

BUSINESS EXPERIENCE

Patchin Messner Valuation Counselors, Associate Appraiser, January 2017 to Present
Dakota County Assessor's Office, Commercial Appraisal Intern, 2016 (summer)
Bloom Commercial Real Estate, Retail Brokerage Intern, 2016 (spring)

EDUCATIONAL BACKGROUND

Bachelor of Science Degree in Real Estate, University of St. Thomas
Bachelor of Arts Degree in Finance, University of St. Thomas

SPECIALIZED REAL ESTATE TRAINING

Real Estate Principles, University of St. Thomas, 2015
Real Estate Market Analysis, University of St. Thomas, 2015
Real Estate Law, University of St. Thomas, 2016
Real Estate Finance/Investments, University of St. Thomas, 2016
Real Estate Development, University of St. Thomas, 2016
Basic Appraisal Principles, McKissock Educational Services, 2017
Basic Appraisal Procedures, McKissock Educational Services, 2017
National USPAP 15-Hour Course (2016-2017), McKissock Educational Services, 2017
Supervisory Appraiser/Trainee Appraiser Course, North Star Chapter, 2017
Business Practices and Ethics, North Star Chapter, 2018
Statistics, Modeling and Finance, McKissock Educational Services, 2018
General Appraiser Site Valuation and Cost Approach, North Star Chapter, 2020
General Appraiser Income Approach, North Star Chapter, 2022
National USPAP 7-Hour Update Course, North Star Chapter, 2022
General Appraiser Report Writing & Case Studies, Appraisal Institute, 2022
General Appraiser Market Analysis and Highest & Best Use, Appraisal Institute, 2022
Expert Witness for Commercial Appraisers, McKissock Educational Services, 2022
Commercial Appraisal Review, McKissock Educational Services, 2022
General Appraiser Sales Comparison Approach, North Star Chapter, 2023

RELATED EXPERIENCE

Assisted in the 2017 Dakota County property tax assessment; primarily focused on multi-family properties.

APPRAISAL CLIENTS

Carver County	Great River Energy
City of Buffalo	Hennepin County
City of Burnsville	Henning Professional Services, Inc.
City of Chanhassen	Kimley-Horn
City of Cottage Grove	Lennar Corporation
City of Elk River	Metropolitan Council
City of Minnetonka	Minnesota Department of Transportation
City of South St. Paul	Scott County
City of St. Louis Park	Stinson LLP
City of St. Paul	WSB & Associates, Inc.
Dakota County	Xcel Energy
DeWitt LLP	

QUALIFICATIONS OF JASON L. MESSNER

PROFESSIONAL AFFILIATIONS

MAI Member, Appraisal Institute

CRE Member, The Counselors of Real Estate

Certified General Real Property Appraiser, Minnesota License No. 4000836

Certified General Real Property Appraiser, North Dakota License No. TP-219038

Certified General Real Property Appraiser, Iowa, License No. CG04070

Member, Minneapolis Area Association of Realtors

Member (No. 6591), International Right of Way Association

BUSINESS EXPERIENCE

Patchin Messner Valuation Counselors, President/Principal, 2001 to Present

Patchin Messner Appraisals, Inc., Principal, 1995 to 2000

Peter J. Patchin & Associates, Inc., Associate Appraiser, 1986-1994

Century 21 Granite City Real Estate, Residential Salesperson, 1985

EDUCATIONAL BACKGROUND

Bachelor of Science Degree, St. Cloud State University, majored in Real Estate, graduated Magna Cum Laude, 1986

Associate in Arts Degree in Business Administration, Willmar Community College, graduated with honors, 1984

SPECIALIZED REAL ESTATE TRAINING

Basic Valuation Procedures, American Institute of Real Estate Appraisers, 1986

Real Estate Appraisal Principles, American Institute of Real Estate Appraiser, 1986

Capitalization Theory and Techniques (Part A), A.I.R.E.A., Minneapolis, MN, 1987

Standards of Professional Practice, A.I.R.E.A., Minneapolis, MN, 1988; Appraisal Institute, Minneapolis, MN, 1994

Capitalization Theory and Techniques (Part B), A.I.R.E.A., Minneapolis, MN, 1989

Case Studies in Real Estate Valuation, American Institute of Real Estate Appraisers, Minneapolis, MN, 1990

Report Writing & Valuation Analysis, Appraisal Institute, Minneapolis, MN, 1991

SEMINARS ATTENDED

Appraisal Institute

Condemnation: Legal Rules and Appraisal Practices

Special-Purpose Properties: The Challenges of Real Estate Appraising in Limited Markets

New Industrial Valuation

The Road Less Traveled: Special Purpose Properties

National Uniform Standards of Professional Appraisal Practice Update

The Appraiser as Expert Witness

The Appraisal of Local Retail Properties

Valuation of Detrimental Conditions in Real Estate

Analyzing Distressed Real Estate

Uniform Appraisal Standards for Federal Land Acquisitions (Yellow Book)

Fundamentals of Separating Real Property, Personal Property, and Intangible Business Assets

Appraising the Appraisal: Appraisal Review-General

Complex Litigation Appraisal Case Studies

Real Estate Valuation in Condemnation Appraising in Minnesota

APPRAISAL EXPERIENCE

Preparation of appraisals for condemnation, tax appeal, litigation, financing, debt restructuring, acquisition/disposal, and special assessment appeal. Properties appraised include: office buildings, warehouses, service stations, manufacturing plants, medical and veterinary clinics, shopping centers,

restaurants, apartment buildings, subsidized housing, research and redevelopment buildings, grain elevators, flour mills, special-purpose properties, lands, air rights, avigation easements, utility easements, highway easements, and environmentally impaired properties. Specialize in litigation valuation of commercial, industrial, development land and investment properties.

RELATED EXPERIENCE

Participant in the writing of The Effect of Contamination on The Market Value of Property, Federal Highway Admin.; Office of Right-of-Way, Washington, DC, 1993

Faculty participant at the Hazardous Waste Litigation seminar, Minnesota Institute of Legal Education, 1995

Adjunct lecturer on environmental appraisal issues, University of St. Thomas, Minneapolis., MN, 1996 and 2002

Faculty participant at the Annual Right-of-Way Professionals Conference, Minnesota Department of Transportation, 2004, 2005 and 2007

Metro/Minnesota Chapter of the Appraisal Institute; Education Coordinator – 1997 through 2001, Secretary – 2001, Vice President – 2002, President – 2003, Region III Representative - 2008 through 2011. National Board of Directors of the Appraisal Institute, 2012 through 2016 and 2021 to present.

APPRAISAL CLIENTS

Alliant Techsystems, Inc.
Bank of America
B.P. Oil Pipeline Company
Burlington Northern Railroad Company
Campbell Soup Company
Ceridian Corporation
CMC Heartland Partners
Deluxe Check Corporation
Equitable Life Assurance Co.
Exxon Mobil Corporation
Farm Credit Services
First Bank Systems
Great River Energy
Honeywell, Inc.
IBM Corporation
IDS Financial Services
Internal Revenue Service
Jostens, Inc.
LaSalle National Bank
Lockheed Martin
Louisville Regional Airport Authority

Medtronic, Inc.
Metropolitan Airports Commission
Minneapolis Community Planning and Economic Development (CPED)
Minnesota Department of Transportation
3M Corporation
Northwest Airlines, Inc.
Northwestern Mutual Life Insurance Co.
Old Dutch Foods
Philips Lighting
Resolution Trust Corporation
Reynolds Metals Company
Soo Line Railroad Company
Unisys Corporation
University of Minnesota
U.S. Environmental Protection Agency
U.S. Fish & Wildlife
U.S. Postal Service
Wells Fargo
Williams Pipeline Company
Xcel Energy

Other clients include various Cities (Andover, Belle Plaine, Bloomington, Brooklyn Center, Burnsville, Cambridge, Chanhassen, Chaska, Cokato, Columbia Heights, Crystal, Duluth, Elk River, Farmington, Jordan, Lake City, Lino Lakes, Marshall, Medina, Minneapolis, Minnetonka, New Brighton, New Prague, Osseo, Prior Lake, Ramsey, Richfield, Robbinsdale, Rochester, St. Paul, St. Louis Park, Savage, Shakopee and Victoria), and Counties (Anoka, Benton, Brown, Carver, Clay, Dakota, Douglas, Goodhue, Hennepin, Jackson, McLeod, Murray, Nicollet, Otter Tail, Ramsey, Scott, Sherburne, Stearns, Steele and Washington), in the State of Minnesota.

COURT EXPERIENCE

Qualified as an expert witness in Minnesota Tax Court, U. S. District Court (Minnesota), Anoka, Carver, Dakota, Goodhue, Hennepin, Isanti, Rice, Scott, Wabasha, Washington and Wright County District Court and various Commission Hearings.



City of Blaine Staff Report

File Number: RES 24-45

Agenda Date	Status
March 4, 2024	
In Control	File Type
City Council	Resolution

Approval of Consent Agenda: - Daniel Schluender, Director of Engineering

Agenda Item # 8.7

Resolution to Receive Petition and Order Public Hearing for Vacation of Drainage and Utility Easements, over all of Outlot A, Preserve of Lexington Waters Second Addition; according to the recorded plat thereof, Anoka County, Minnesota; Vacation No. V24-02

Executive Summary

The City received a petition dated February 14, 2024 from Nathan Fair representing Blaine 2022 LLC, requesting the vacation of the Drainage and Utility Easements, over all of Outlot A, Preserve of Lexington Waters Second Addition; according to the recorded plat thereof, Anoka County, Minnesota; see Attached Exhibit A for Description.

Background

The property was originally platted as Outlot A, Preserve of Lexington Waters Second Addition. The existing drainage and utility easements are no longer needed and new easements will be platted in accordance to requirements with the platting of Preserve of Lexington Waters 3rd Addition. Engineering staff has reviewed the request and agrees with the vacation. New easements will be created with the record plat for Preserve of Lexington Waters 3rd Addition.

Schedule of Actions

3/4/2024	Receive Petition and Order Public Hearing
4/1/2024	Public Hearing and Adopt Vacation Resolution

Strategic Plan Relationship

This item is part of the city's strategic plan for Growth Management.

Board/Commission Review

This item was not presented to any boards or commissions. Public input will be received by council at the Public Hearing on April 1, 2024.

Financial Impact

No Financial Impact to the city for this request.

Public Outreach/Input

Notice will be officially published for the calling of the Public Hearing on April 1, 2024.

Staff Recommendation

By motion, adopt the Resolution.

Attachment List

1. Petition signed
2. Exhibit A



City of Blaine

Signature Copy

Resolution: RES 24-45

Resolution to Receive Petition and Order Public Hearing for Vacation of Drainage and Utility Easements, over all of Outlot A, Preserve of Lexington Waters Second Addition; according to the recorded plat thereof, Anoka County, Minnesota; Vacation No. V24-02

WHEREAS, the City Council has received a petition dated the 14th day of February, 2024, requesting vacation of all of the drainage and utility easements over all of Outlot A, Preserve of Lexington Waters Second Addition; according to the recorded plat thereof, Anoka County, Minnesota; as shown in Exhibit A (attached); and

WHEREAS, the Engineering Department has reviewed the petition and recommends that the City Council hold a Public Hearing on the requested vacation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine as follows:

1. The Council will consider the petitioned vacation of easements for the property owners.
2. A Public Hearing shall be held on the proposed vacation at 7:00 PM on the 1st day of April, 2024 and the City Clerk shall give mailed and published notice of such hearing and vacation as required by law.

PASSED by the City Council of the City of Blaine this 4th day of March, 2024.



PETITION TO VACATE DRAINAGE AND UTILITY EASEMENT

DATE

2/14/2024

TO: The Mayor and Council Members, City of Blaine:

The undersigned represent that they are the majority of owners of real property abutting:

**Outlot A, Preserves of Lexington Waters Second Addition, according to the recorded plat thereof,
Anoka County, Minnesota, see Attached Exhibit A for Description**

and petition that said portion of said drainage and utility easements be vacated.

The facts and reasons for this application are as follows:

**The existing drainage and utility easements are no longer needed and new easements will be
platted in accordance to requirements with the platting of Preserves of Lexington Waters 3rd
Addition**

In consideration of vacating the drainage and utility easements as herein petitioned the undersigned hereby jointly and severally waive any and all claims for any damages resulting from the vacating and discontinuing of said drainage and utility easements.

Signature of Owner	Address	Legal Description of Property
<i>Nathan Fair</i> BLAINE 2022 LLC		Outlot A; Preserves of Lexington Waters 2 nd Addition

This petition was circulated by:

Name of Petitioner

BLAINE 2022 LLC/NATHAN FAIR

Telephone No.

763-438-2561

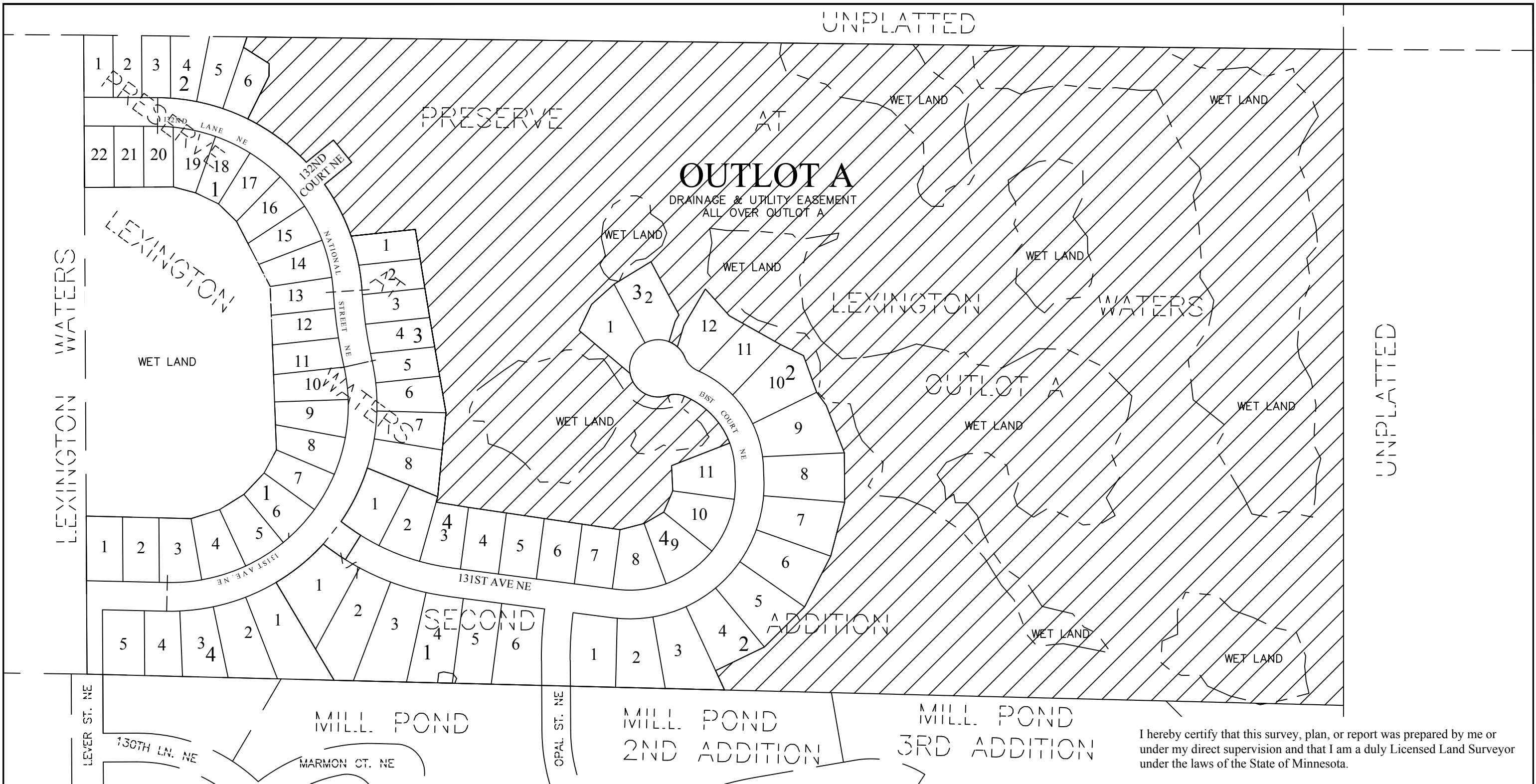
Street

13432 HANSON BLVD NW

City/State/Zip

ANDOVER, MN 55304

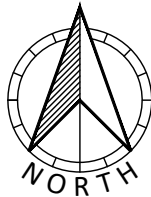
In accordance with the Minnesota Government Data Practices Act, the City of Blaine hereby informs you that some or all the information you are asked to provide is classified as private. Private data is available to you and to City staff who require it in the performance of their duties, but not to the public. The remainder of the information, including telephone numbers, is classified as public, and is available to the public. This information will be used to contact you in case of changes. You may choose to withhold this information, however if you do, the City of Blaine may not be able to process your application for the permit or license.



EASEMENT VACATION DESCRIPTION

A drainage and utility easement over all of Outlot A, PRESERVE AT LEXINGTON WATERS SECOND ADDITION, according to the recorded plat thereof, Anoka County, Minnesota.

Easement Area: 2,279,221 S.F.



~~~~~ Easement Vacation Area

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

Dated this 8th day of February, 2024.

*Colyn M. Tvete*

Colyn M. Tvete, PLS  
ctvete@sathre.com

Minnesota License No. 62269

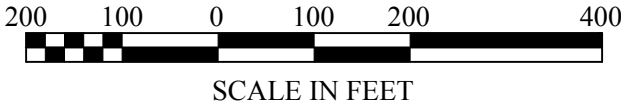
|                     |           |
|---------------------|-----------|
| SHEET: OL A D&U     | REVISIONS |
| JOB #:49368-066-202 |           |
| DRAWN BY: CMT       |           |
| CHECKED BY: DLS     |           |
| DATE: 2/8/2024      |           |



**SATHRE-BERGQUIST, INC.**

14000 25TH AVENUE NORTH, SUITE 120  
PLYMOUTH MN 55447 (952) 476-6000  
WWW.SATHRE.COM

**EXHIBIT A**  
**EASEMENT VACATION EXHIBIT**  
PREPARED FOR  
**BLAINE 2022 LLC**





# City of Blaine Staff Report

File Number: 2024-62

| Agenda Date   | Status    |
|---------------|-----------|
| March 4, 2024 |           |
| In Control    | File Type |
| City Council  | Motion    |

**Approval of Consent Agenda:** - Daniel Schluender, Director of Engineering

## Agenda Item # 8.8

Centennial Elementary Request for Parking Restrictions for 2024 Track & Field

## Executive Summary

Authorize Temporary Removal of Parking Restrictions on 103rd Lane and National Street for Centennial Elementary School Event on May 22, 2024 (Inclement Weather Day: May 23, 2024)

## Background

The City of Blaine received a letter dated February 4, 2024, from Jen Schwartz, Principal of Centennial Elementary School, requesting the temporary removal of parking restrictions on 103rd Lane and National Street in order to allow parking on those streets from 9:00 AM to 3:00 PM on May 22, 2024, with an inclement weather date of May 23, 2024. The school is hosting their annual 5th Grade Track and Field meet during that time period and expects a need for additional parking to accommodate observers of the event. City Council authorization is required for the temporary lifting of parking restrictions. Over the past several years, the City Council has authorized the temporary lifting of restrictions for this and other annual events held at Centennial Elementary School.

## Strategic Plan Relationship

Not applicable.

## Board/Commission Review

Not applicable.

## Financial Impact

Not applicable.



### Public Outreach/Input

Not applicable.

### Staff Recommendation

By motion, authorize the temporary removal of parking restrictions on National Street and 103rd Lane from 9:00 AM to 3:00 PM on May 22, 2024, with an inclement weather date of May 23, 2024.

### Attachment List

1. Centennial Elementary Parking Request 5-22-2024
2. Centennial School Parking Map

---

PRINCIPAL *Jen Schwartz*

February 4, 2024

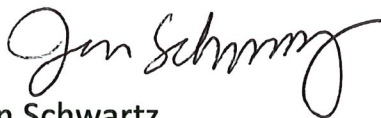
Blaine City Council  
10801 Town Square Drive NE  
Blaine MN 55449

Dear City Council Members,

On behalf of the Centennial Elementary students, parents, and teachers, I am requesting your special consideration for temporary removal of street parking restrictions on Wednesday, May 22, 2024. Our school will be participating in the 5<sup>th</sup> Grade Track and Field meet. Many parents from all five of our elementary schools would like to come and observe this event and need street parking. If there is inclement weather on Wednesday, May 22, the alternate date will be Thursday, May 23.

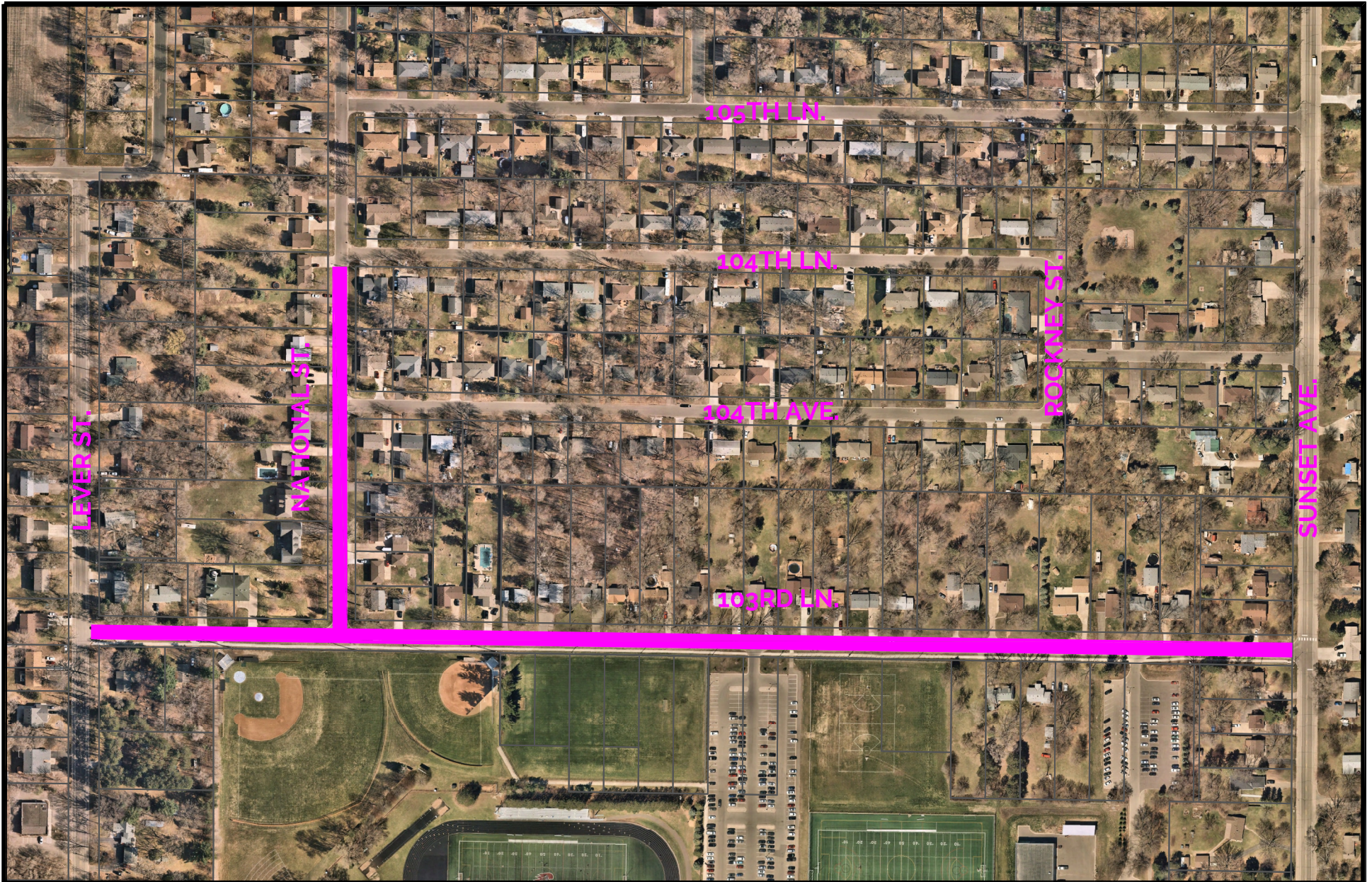
I am requesting your approval for parking on 103rd Lane NE/National Streets on Wednesday, May 22 from 9:00 a.m.-3:00 p.m. Your support of this request will be greatly appreciated by our school community.

Respectfully,



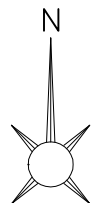
Jen Schwartz  
Principal





**TEMPORARY REMOVAL OF NO PARKING RESTRICTIONS  
NATIONAL STREET AND 103RD LANE  
CENTENNIAL ELEMENTARY SCHOOL**

City of Blaine Engineering Department / 10801 Town Square Dr NE/ Blaine, MN 55449/ 763-785-6172







# City of Blaine

## Staff Report

File Number: 2024-63

| Agenda Date   | Status    |
|---------------|-----------|
| March 4, 2024 |           |
| In Control    | File Type |
| City Council  | Motion    |

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

### Agenda Item # 8.9

Approve Purchase of Police Department Squad Vehicles and Authorize Associated Budget Amendment

### Executive Summary

The Police Department requests Council approval to purchase five Dodge Durango patrol squad vehicles in place of the five Chevy Tahoe patrol squad vehicles that were approved at City Council, on December 18, 2023, Resolution 23-207, as part of the 2024-2028 Capital Improvement Program. The replacement vehicles are due to production limitations by our main supplier, General Motors (GM).

### Background

Council Resolution 23-207 authorized the purchase of five Chevy Tahoe patrol squad vehicles for a total cost of \$281,500 (\$56,300 per unit) including police equipment, installation, and graphics as part of the 2024-2028 Capital Improvement Program within the Capital Equipment Fund (410). On February 9, 2024, after placing an order, the police department learned General Motors (GM) has announced they will not be able to fill any orders for Chevy Tahoe patrol vehicles in 2024. Police Department operations require the purchase of an established and reliable patrol vehicle platform and the pursuit rated Dodge Durango is the only viable alternative available to us in 2024. The State Contract purchasing window for the Dodge Durango was anticipated to close within days of learning that the Chevy Tahoe was not available, forcing the police department fleet management to make a purchasing decision without delay. The decision to move forward with the Dodge Durango was made and a purchase order for five vehicles was produced for a total of \$214,085 (\$42,817 per unit). The anticipated cost of police equipment, installation, and graphics, is approximately an additional \$21,000 per vehicle, bringing the total estimated cost to \$321,500 (\$64,300 per unit). The Police Department will work with our vendors to bring costs down where we can, but at this time we anticipate an \$8,000 per vehicle increase in costs due to production limitations by our main supplier, GM. The Police Department is respectfully seeking retroactive authorization for this essential capital purchase.

### Strategic Plan Relationship

The essential purchase of patrol squad vehicles ensures that the Police Department has the needed equipment to continue to provide exceptional public safety services with the highest degree of professionalism, transparency, and accountability.

#### **Board/Commission Review**

None

#### **Financial Impact**

The replacement capital purchase of the five Dodge Durango patrol squad vehicles is \$214,085 (\$42,817 per unit). The anticipated cost of police equipment, installation, and graphics is approximately an additional \$21,000 per vehicle, bringing the total estimated cost to \$321,500 (\$64,300 per unit). This is an increase of \$8,000 per vehicle, due to production limitations by our main supplier, GM. The Police Department will work with vendors to bring costs down as much as possible. These vehicles were included in the 2024 Capital Equipment Fund budget, which is traditionally financed with excess unrestricted General Fund reserves or the issuance of Equipment Certificate Bonds. Due to the unknown availability of excess General Fund reserves, the funding identified in the 2024 budget is Equipment Certificate Bonds.

#### **Public Outreach/Input**

None

#### **Staff Recommendation**

The Police Department is respectfully seeking retroactive authorization for this essential capital purchase of five Dodge Durango patrol squad vehicles.

#### **Attachment List**

None



# City of Blaine

## Signature Copy

Resolution:

### **Approve Purchase of Police Department Squad Vehicles and Authorize Associated Budget Amendment**

**WHEREAS**, the City of Blaine City Council approved the 2024-2028 Capital Improvement Plan ("CIP") on December 18, 2023 via resolution 23-207; and

**WHEREAS**, the CIP appropriated \$281,500 in funds for the replacement of five patrol squad vehicles; and

**WHEREAS**, resolution 23-207 authorized staff to procure items as outlined in the CIP; and

**WHEREAS**, the police department has traditionally purchased Chevrolet Tahoe patrol vehicles to maintain a consistent patrol fleet to reduce maintenance costs; and

**WHEREAS**, General Motors informed the police department that GM will not be able to fill any orders for Chevy Tahoe patrol vehicles in 2024; and

**WHEREAS**, the state purchasing contract included the Dodge Durango patrol vehicle which is anticipated to cost \$40,000 more than budgeted in total or \$8,000 per squad vehicle; and

**WHEREAS**, staff placed the order for five Dodge Durango patrol vehicles prior to the state contract order window closing.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Blaine, Anoka and Ramsey County, Minnesota the following revenue increase to the 2024 budget::

Capital Equipment & Projects (410) Amount

Capital Equipment - Bond Proceeds\$40,000

410.00.000-3936

**BE IT FURTHER RESOLVED** the following expenditure increase to the 2024 budget:

Capital Equipment & Projects (410) Amount

Capital Equipment – Police Department – Motor Vehicles\$40,000

410.40.460.462-4550

PASSED by the City Council of the City of Blaine 4th day of March 2024.



# City of Blaine Staff Report

File Number: 2024-64

| Agenda Date   | Status    |
|---------------|-----------|
| March 4, 2024 |           |
| In Control    | File Type |
| City Council  | Motion    |

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

## Agenda Item # 8.10

Approve Purchase from the Public Safety Funds

## Executive Summary

The Police Department requests council approval to purchase five Mobile Spike Units using the Public Safety Funds, pursuant to Section 6.05 of the City Charter, which requires council approval of all purchases and contracts over \$50,000. The purchase of the five Mobile Spike Units includes the specialized push bumper, spike strips, spare pivot parts, training spikes, lighting, shipping and in-person training, which costs just under \$9,500 per unit, for a projected total cost of \$47,159. While under \$50,000, there may be additional unforeseen shipping and/or delivery charges that could result in the total cost being just over \$50,000. Therefore, the police department is bringing this item to council for approval.

Due to a significant increase in vehicular pursuits resulting from criminal suspects fleeing from police in recent years, law enforcement agencies across the country have implemented various measures to limit and control police pursuits due to the significant risk they pose to officers, innocent motorists, and fleeing suspects. One well-established approach to ending pursuits has been the practice of officers deploying controlled tire deflation devices (spike strips) in the roadway ahead of a fleeing suspect. That approach has proven to be dangerous and sometimes deadly for officers and only somewhat effective. A company in Washington called Mobile Spike Technologies invented an innovative tool to safely end vehicle pursuits that reduces risk to officers and limits the likelihood of property damage created by using a PIT maneuver (Precision Immobilization Technique) to end a pursuit. The tool is a mechanically deployed spike strip at the end of a rod that projects laterally from the front push bumper of a patrol vehicle. A trained officer can deploy the spike strip from the safety of his patrol vehicle while driving parallel to the suspect vehicle, causing a slow and controlled deflation of the effected tire and an end to the pursuit.

## Background

The Minnesota Legislature signed into law a Public Safety Aid in the 2023 Omnibus Tax Bill. This bill provided \$300 million to townships, cities, counties, and tribal governments for public safety purposes. The city received \$3,106,062 in December 2023, with 30% or \$931,819 allocated to the SBM Fire Department for future capital improvements, subject to City Council approval. The remaining funding, or \$2,174,243 is earmarked for purchases within the Police Department.

The Public Safety Funds Spending Plan was presented at Council Workshop on September 25, 2023, item 2023-443. The Mobile Spike Units were part of the Public Safety Spending Plan.

### Strategic Plan Relationship

These purchases ensure that the Police Department has the needed equipment and resources to continue to provide exceptional public safety services with the highest degree of professionalism, transparency, and accountability.

### Board/Commission Review

None

### Financial Impact

These items are recommended to be purchased using Public Safety Funds, which would not impact the General Fund Operating Budget.

### Public Outreach/Input

None

### Staff Recommendation

Approve the purchase of Mobile Spike Units using Public Safety Funds.

### Attachment List

None





# City of Blaine Staff Report

File Number: 2024-65

| Agenda Date   | Status    |
|---------------|-----------|
| March 4, 2024 |           |
| In Control    | File Type |
| City Council  | Motion    |

**Approval of Consent Agenda:** - Jason Zimmerman, Finance Director

## Agenda Item # 8.11

Authorizing the Release of Gift Cards Held in the Police Department Evidence Room to the Alexandra House

## Executive Summary

The Police Department's Property and Evidence Unit is requesting authorization to release two gift cards with total balances of \$1,344.83 to the Alexandra House.

## Background

The Police Department's Property and Evidence Unit is responsible for maintaining and ensuring the integrity of items needed as evidence for judicial purposes. The primary objective of the department is to securely store all items and reunite owners with their property. While the majority of items are returned to their rightful owners, on occasion items are placed into forfeiture, destroyed, sold at auction, or repurposed by the department.

Two gift cards from a 2016 financial card fraud arrest were recovered and discovered to have balances. The individual these gift cards were recovered from was found to have two credit cards in their possession, one of which was found to be invalid, and the other was a generic card with a suspected stolen credit card number stamped on the front. The report connected with this case doesn't indicate the gift cards were purchased with the aforementioned credit cards, but the suspect attempted to purchase another gift card using the credit card in their possession at a local business and was denied the sale. The gift cards in question are:

Best Buy - \$1,000.00

Walmart - \$344.83

The police report doesn't identify a victim/owner to return the gift cards to. Staff reached out to both business, who were unwilling to take back the gift cards.

While the Minnesota Office of the State Auditor's (OSA) Statement of Position on the use of Gift Cards

by Local Government Entities states "We have not come across any statute that authorizes Minnesota local governments to disburse public funds using gift cards" the City Attorney has determined that while the gift cards noted above are in possession of the Police Department, they are not property of the City and the action requested of Council to release the gift cards to the Alexandra House does not conflict or violate this statement of position.

#### Strategic Plan Relationship

N/A

#### Board/Commission Review

N/A

#### Financial Impact

These gift cards are held in the Police Department evidence room and not a city asset. This action will have no impact on the city's financial situation.

#### Public Outreach/Input

N/A

#### Staff Recommendation

Staff recommends City Council authorize the release of gift cards held in the Police Department evidence room totaling \$1,344.83 to Best Buy (\$1,000.00) and Walmart (\$344.83) to the Alexandra House.

#### Attachment List

1. Minnesota Office of the State Auditor - Statement of Position - Use of Gift Cards by Local Government Entities



## Statement of Position

### Use of Gift Cards by Local Government Entities

Local government entities sometimes make inquiries of the Office of the State Auditor (OSA) regarding the use of gift cards in various contexts. These inquiries, as well as issues that have arisen in audits and investigations conducted by the OSA, have shed light on a number of legal and internal control issues surrounding local government use of gift cards. This Statement of Position presents general information to help local government officials and employees consider such issues as they arise. However, individual situations will warrant consideration of specific facts, and public entities are encouraged to consult with their own legal counsel as these situations arise.<sup>1</sup>

This Statement of Position is organized to address three general categories of considerations regarding local government use of gift cards:

- 1) Using Gift Cards to Disburse or Expend Public Funds
- 2) Receiving Gift Cards as Donations
- 3) Internal Controls for Handling Gift Cards

#### Using Gift Cards to Disburse or Expend Public Funds

Whenever a question arises that involves the disbursement of public funds, a local government should consider two questions:

- (1) Does the proposed *method and manner* of disbursement being considered (in this case, gift cards) fall within the entity's legal authority?
- (2) Is there a *public purpose* and *authority* for the expenditure or disbursement of the public funds being considered?

Below we outline the general parameters regarding each question, and then we note a few specific types of scenarios involving the use of gift cards for public fund disbursements/expenditures.

- *Authorized Methods and Manner of Public Fund Disbursement/Expenditure*

Minnesota Statutes authorize cities, counties, school districts and towns to disburse public funds using specific, limited methods. Since gift cards are cash equivalents over which the public entity maintains control after purchase, the actual disbursement of the government entity's funds can be seen to occur not when the gift card is purchased but when the gift card is transferred to a third party. Minnesota law authorizes disbursement of public funds by the following methods:

---

<sup>1</sup> This Statement of Position is not legal advice and should not be relied upon in lieu of legal advice; it is subject to revision.

- Negotiable instruments including checks, warrants, orders (Minn. Stat. §§ 412.271, subd. 1, 384.13, 385.31, 367.18 and 123B.96)
- Imprest funds (Minn. Stat. §§ 412.271, subd. 5, 375.162, 366.01, Subd. 12, and 123B.11), and
- Electronic or wire funds transfer (Minn. Stat. §§ 471.38 and 471.381).<sup>2</sup>

We have not come across any statute that authorizes Minnesota local governments to disburse public funds using gift cards.

Further, for many public entities, public funds must be in the custody of the treasurer. For cities, counties, school districts and towns only the treasurer is authorized to receive, have custody of and disburse the entity's funds. Minnesota Statutes §§ 412.141 (Statutory cities), 385.05, 385.07, 384.13 (Counties), 367.16 (Towns), and 123B.14, 123B.96 (School districts). Other than the custodian of an imprest fund, we know of no other local government officer or employee authorized by statute to receive or "safely keep" or disburse public funds. For this reason, even if authority existed for a local government to use gift cards for payment, such gift cards would have to be in the custody of the city, county, school district or town treasurer until transferred by the treasurer to a third party.

- *Authorized Purposes for Disbursement of Public Funds*

The public purpose doctrine comes from the Minnesota State Constitution Article X, Section 1, which states in part:

"Taxes shall be uniform upon the same class of subjects and shall be levied and collected for public purposes, ..." (Emphasis added.)

The Courts and the Minnesota Attorney General have interpreted this language to require that all public expenditures have a public purpose. This requirement applies to public funds derived from sources other than taxation. See Op. Att'y Gen. 107-a-3 (Jan. 22, 1980). In the local government context, they have analyzed these questions using a two-part analysis. First, the expenditure must be for a public purpose. Second, there must be authority for the expenditure.

Regarding the first requirement that the expenditure be for a public purpose, the Minnesota Supreme Court has stated: "What is a 'public purpose' that will justify the expenditure of public money is not capable of a precise definition, but the courts generally construe it to mean such an activity as will serve as a benefit to the community as a body and which, at the same time, is directly related to the functions of government." *Visina v. Freeman*, 252 Minn. 177, (1958) at page 185-6.

As for the second requirement, authority for a local government to act may be specifically stated in a statute or implied as necessary to do something that is expressly authorized. See, e.g., *Mangold Midwest Co. v. Village of Richfield*, 143 N.W. 2d 813, 820 (1966).

When considering whether the use of gift cards meet the public purpose requirement, local governments should be aware that the Minnesota Attorney General has long held that "gifts" lack

---

<sup>2</sup> Note that the use of credit cards to make purchases is authorized by Minn. Stat. §§ 471.382, 123B.02, Subd. 23, and 375.171. However, presenting a credit card at the point of sale does not cause the disbursement of public funds. That occurs only after the claim is presented by the credit card company and approved by the government entity.

consideration and hence lack public purpose. Ops. Att’y Gen. 107-a-3 (Jan. 22, 1980), 270-D (Aug. 12, 1977), and 59a-22 (Dec. 4, 1934).

Various statutes authorize governing boards to make appropriations to third parties for specific purposes and sometimes to specific parties. The specification of purposes for which, or recipients to whom local governments are authorized to appropriate funds indicates that there is not general authority to give money to anyone for any worthwhile purpose; if that were the case, the numerous statutes authorizing appropriations would not be needed.

For a list of examples of specific, statutorily authorized appropriations see OSA Statement of Position on Public Expenditures: Donations and Dues.

[https://www.osa.state.mn.us/media/3dxbalsl/publicexpdonationsdues\\_0809\\_statement.pdf](https://www.osa.state.mn.us/media/3dxbalsl/publicexpdonationsdues_0809_statement.pdf)

- *Some Specific Scenarios Involving the Use of Gift Cards for Disbursements/Expenditures of Public Funds*
  - *Gift Cards as Compensation for Board or Commission Service.*

We have received questions regarding the permissibility of using gift cards to compensate individuals (employees, volunteers, etc.) for serving on boards or commissions of a local government. There are some statutes that provide for compensation to individuals serving on boards or commissions of government entities. For example, Minn. Stat. § 412.111 permits city councils to set compensation for advisory boards unless it is otherwise set by law. Other statutes specifically prohibit or limit compensation for service on a board or commission. Where there is a prohibition on compensation or a limitation, then using a gift card beyond the statutory prohibition or limitation would run the risk of being considered an unauthorized expenditure of public funds. In situations in which a statute does authorize compensation, the use of gift cards to provide that compensation still might raise concerns about an improper method or manner of making the expenditure. Compensation payments generally are properly handled through the government entity’s payroll or claim process, with tax withholding as appropriate, not with cash or gift cards handed to the individuals involved.

- *Gift Cards as a “Thank You” for Program Participation or Other Reason*

We have received questions about using gift cards to thank individuals for participating (and/or incentivize them to participate) in local government programs that ultimately are for the participant’s benefit. We are not aware of any statute that authorizes a public entity to make payments to citizens as a “thank you” for participating in programs created for their benefit. Such a use of public funds would be analogous to a school district giving cash or gifts to students that achieve good grades or participate in sports, or a city or county government giving cash or gifts to citizens that attend board meetings or exercise their right to vote in an election.

There are statutes that authorize “rewards” for apprehension and conviction of persons for certain criminal activity and statutes that authorize animal bounties, however, we have not found any statutes that generally authorize local government appropriations for the purpose rewarding individuals for certain behavior.

In the absence of explicit statutory authority supporting such payment, the use of gift cards in these types of scenarios for the purpose of thanking or rewarding individuals for participation or for particular conduct would run the risk of being deemed unauthorized payments of public funds. To the extent a

person has a claim or right to payment, then payment should be handled like any other claim, through the payroll or claim process provided for in Minn. Stat. §§ 471.38 and 412.271. To the extent the person receiving a gift certificate has no claim or right to payment, then payment to them as a “gift” raises issues related to the public purpose requirement of the State Constitution.

- *Gift Cards Authorized by Federal or State Grant Programs*

One scenario under which gift cards may be a permissible method of public fund expenditure or disbursement for a public purpose is in the context of certain federal and state grant programs. The actual permissibility, however, would depend on the specific parameters of the grant program and the use of the gift cards in accordance with those parameters. The use of the gift cards, even when expressly permitted by a grant program, for example, would have to follow all the requirements of the grant program and be itemized. If, in the absence of specific Minnesota law authorizing use of gift cards, a local government relied on a grant program for authority, it would need to be able to show that using a gift card was allowed by the grant program and that the gift card was used for an allowable cost of the grant program. In the absence of either, showing the use of gift cards could constitute misuse of public funds.

For an example of an audit finding on the use of gift cards allowed by grants, here is a link to an extract from an audit issued by the OSA for Year Ended December 31, 2004.

<https://www.osa.state.mn.us/media/votpwkms/use-of-gift-cards-att-1.pdf>

For information on allowable federal costs, see the most recent Compliance Supplement from the Executive Office of the President, Office of Management and Budget 2 CFR Part 200 at [whitehouse.gov](http://whitehouse.gov).

### **Receiving Donated Gift Cards**

Certain local government units have reported receiving donations in the form of gift cards from individuals. In these situations, the local government must ensure that it complies with the statutory requirements for the acceptance of gifts. Once received by the local government, gift cards become public funds and, accordingly, may only be held and expended as authorized by law. This presents an interesting situation for local government units. Without obvious authority in Minnesota Law to use gift cards to disburse public funds, it is unclear how the local government unit could use the gift cards. For an example of an audit finding on the use of gift cards donated to a local government, here is a link to an extract from a Management and Compliance Report issued by the OSA for the Year Ended December 31, 2017.

<https://www.osa.state.mn.us/media/3o1nz3zd/use-of-gift-cards-att-2.pdf>

### **Internal Controls for Handling Gift Cards**

To the extent a local government may have gift cards in its possession (e.g., for use pursuant to a state or federal grant program or it receives gift cards as a donation), we recommend that it establish a gift card policy. Gift cards should be kept in a secured location such as a locked metal box that is maintained in a locked desk, locked cabinet, or a locked safe to which access is limited. Gift cards must be in the custody of the treasurer for cities, counties, school districts, and towns. All gift cards obtained by the local government as part of the grant program should be inventoried on a tracking sheet. When a local government is authorized to disburse gift cards (as previously discussed in sections above), two

Reviewed: February 2023

Revised: February 2023

individuals should be involved in the gift card disbursement, and both should initial the inventory sheet when gift cards are distributed. Upon distribution, the tracking sheet should include specific identification of who received the gift card, the reason the gift card was issued, and, as applicable, whether the user was notified that the value received was for payment of services rendered and should be considered income by the user. Reconciliations of the gift card inventory sheet should be conducted by someone other than the person approving disbursements of the gift cards. Finally, the governing body should regularly review the policy and the need for gift card use in executing its authority. These internal control recommendations are in addition to and not in lieu of any statutory or grant program requirements regarding the handling of the gift cards.



# City of Blaine Staff Report

File Number: RES 24-48

| Agenda Date   | Status     |
|---------------|------------|
| March 4, 2024 |            |
| In Control    | File Type  |
| City Council  | Resolution |

**7:00 PM - Public Hearing and Items Published for a Certain Time** - Daniel Schluender, Director of Engineering

## Agenda Item # 9.1

Conduct Public Hearing and adopt a Resolution to Vacate a Drainage and Utility Easement, lying over, under and across Outlot D, Quail Creek 10th Addition; except that part as platted as Woods of Quail Creek 5th Addition; according to the recorded plat thereof, Anoka County, Minnesota; Vacation No. V24-01

## Executive Summary

The City received a petition dated January 15, 2024 from Paul Gagnon representing PSG Meridian LLC, requesting the vacation of the Drainage and Utility Easement, lying over, under and across Outlot D, Quail Creek 10th Addition; except that part as platted as Woods of Quail Creek 5th Addition; according to the recorded plat thereof, Anoka County, Minnesota; see Attached Exhibit A for description.

## Background

The property was originally platted as Outlot D, Quail Creek 10th Addition. The existing drainage and utility easements are no longer needed and new easements will be platted in accordance to requirements with the platting of Quail Creek 13th Addition. Engineering staff has reviewed the request and agrees with the vacation. New easements will be created with the record plat for Quail Creek 13th Addition.

### Schedule of Actions:

2/5/2024 Receive Petition and Order Public Hearing  
3/4/2024 Public Hearing and Adopt Vacation  
Resolution

## Strategic Plan Relationship

This item is part of the city's strategic plan for Growth Management.



### **Board/Commission Review**

This item was not presented to any boards or commissions. Public input will be received by council at the Public Hearing.

### **Financial Impact**

No Financial Impact to the city for this request.

### **Public Outreach/Input**

Notice has been officially published for the calling of the Public Hearing on March 4, 2024.

### **Staff Recommendation**

Conduct Public Hearing and by motion, adopt the Resolution.

### **Attachment List**

1. petition - signed
2. Exhibit A Easement Vacation



# City of Blaine

## Signature Copy

Resolution: RES 24-48

**Conduct Public Hearing and adopt a Resolution to Vacate a Drainage and Utility Easement, lying over, under and across Outlot D, Quail Creek 10th Addition; except that part as platted as Woods of Quail Creek 5th Addition; according to the recorded plat thereof, Anoka County, Minnesota; Vacation No. V24-01**

**WHEREAS**, the City Council has received a petition dated the 15th day of January, 2024, requesting vacation of the Drainage and Utility Easement, lying over, under and across Outlot D, Quail Creek 10th Addition; except that part as platted as Woods of Quail Creek 5th Addition; according to the recorded plat thereof, Anoka County, Minnesota; see attached Exhibit A for description; and

**WHEREAS**, the required public hearing notices were published and mailed, and the public hearing was held on the 4th day of March, 2024, at which time all persons desiring to be heard were given an opportunity to be heard.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Blaine as follows:

1. The vacation of the existing Drainage and Utility Easement, lying over, under and across Outlot D, Quail Creek 10th Addition; except that part as platted as Woods of Quail Creek 5th Addition; according to the recorded plat thereof, Anoka County, Minnesota; is hereby approved.

**PASSED** by the City Council of the City of Blaine this 4th day of March, 2024.



## PETITION TO VACATE DRAINAGE AND UTILITY EASMENT

DATE

1-15-2024

TO: The Mayor and Council Members, City of Blaine:

The undersigned represent that they are the majority of owners of real property abutting:

**Drainage and Utility easement lying over, under and across Outlot D, Quail Creek 10<sup>th</sup> Addition;  
except that part as platted as Woods of Quail Creek 5<sup>th</sup> Addition; according to the recorded plat  
thereof, Anoka County, Minnesota;**

**see Attached Exhibit A for Description**

and petition that said portion of said drainage and utility easements be vacated.

The facts and reasons for this application are as follows:

**The existing drainage and utility easements are no longer needed and  
new easements will be platted in accordance to requirements with the platting of  
Quail Creek 13<sup>th</sup> Addition.**

In consideration of vacating the drainage and utility easements as herein petitioned the undersigned hereby jointly and severally waive any and all claims for any damages resulting from the vacating and discontinuing of said drainage and utility easements.

| Signature of Owner                                                                  | Address     | Legal Description of Property         |
|-------------------------------------------------------------------------------------|-------------|---------------------------------------|
|  | PO Box 7032 | Outlot D,                             |
|                                                                                     | Jackson, WY | Quail Creek 10 <sup>th</sup> Addition |
| PSG Meridian LLC                                                                    | 83002       |                                       |
| by PAUL GAGNON                                                                      |             |                                       |

This petition was circulated by:

Name of Petitioner

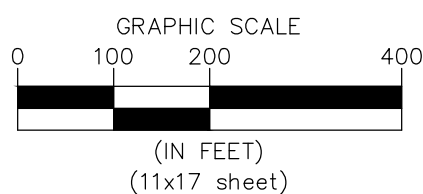
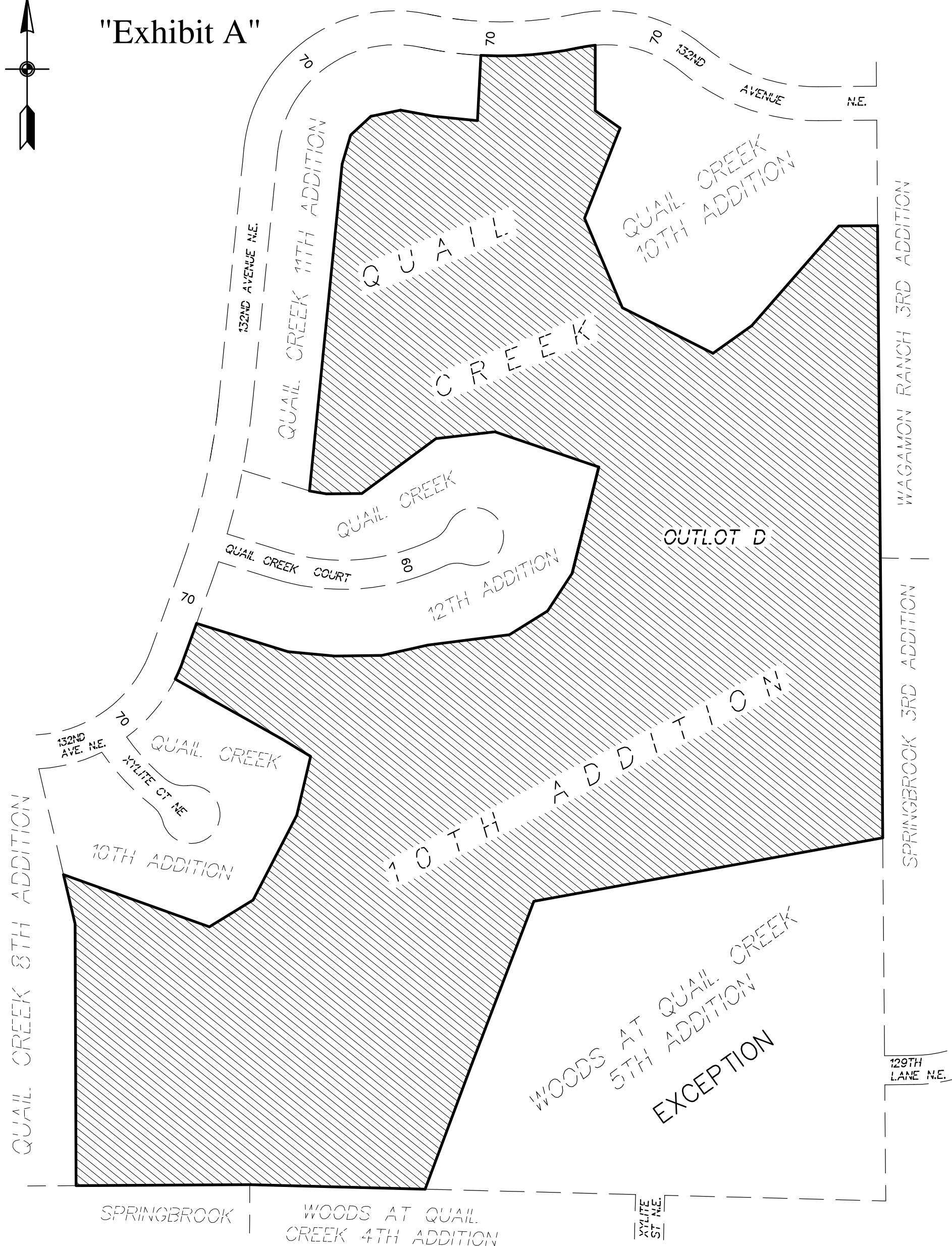
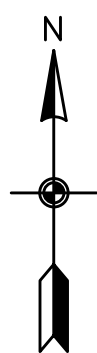
Telephone No.

Street

City/State/Zip

In accordance with the Minnesota Government Data Practices Act, the City of Blaine hereby informs you that some or all the information you are asked to provide is classified as private. Private data is available to you and to City staff who require it in the performance of their duties, but not to the public. The remainder of the information, including telephone numbers, is classified as public, and is available to the public. This information will be used to contact you in case of changes. You may choose to withhold this information, however if you do, the City of Blaine may not be able to process your application for the permit or license.

# "Exhibit A"



All of the easements lying over, under, and across that part of Outlot D, as created and dedicated in the plat of QUAIL CREEK 10TH ADDITION, Anoka County, Minnesota, EXCEPT that part platted as WOODS AT QUAIL CREEK 5TH ADDITION, according to the recorded plat thereof, Anoka County, Minnesota.



**CARLSON**  
**McCain**

**ENGINEERING  
SURVEYING  
ENVIRONMENTAL**

**3890 PHEASANT RIDGE DRIVE NE, SUITE 100, BLAINE, MN 55449**

**TEL 763.489.7900 \ FAX 763.489.7959 \ CARLSONMCCAIN.COM**

|     |           |                   |
|-----|-----------|-------------------|
| xxx | 10691_d&u | easement vacation |
|-----|-----------|-------------------|



Denotes Easement  
Vacation Area



# City of Blaine Staff Report

File Number: RES 24-32

| Agenda Date   | Status     |
|---------------|------------|
| March 4, 2024 |            |
| In Control    | File Type  |
| City Council  | Resolution |

**Development Business** - Sheila Sellman, City Planner

## Agenda Item # 10.1

Resolution Granting a Variance to Allow a 9-Foot Fence Along the South Side Yard Property Line at 10617 Quincy Boulevard NE. Diane O'Brien (Case File No. 23-0088/SLK)

## Executive Summary

The applicant is requesting a variance to allow a 9-foot privacy fence along the southern property line. The code allows a 6-foot fence along the side property line in the rear yard. Staff is recommending a variance to allow an 8-foot privacy fence along the south property line.

## Background

|                                      |          |
|--------------------------------------|----------|
| Planning Commission (Public Hearing) | 02/13/24 |
| City Council (Variance)              | 03/04/24 |
| Action Deadline                      | 03/16/24 |

Staff report prepared by Shawn Kaye, Planner, and Teresa Barnes, Project Engineer

### Zoning

The subject site is zoned Single Family Residential (R-1).

### Surrounding Zoning and Uses

The lot is surrounded by single family development with zoning of R-1 and Development Flex (DF).

### Comprehensive Land Use

The property is guided Low Density Residential.

### Existing Conditions

An existing single family home is present along with some mature trees.

### History

The lot is part of the Donnay's Oak Park 9th Addition that was platted in 1961.

### **Evaluation of Request**

#### Code Requirement

Section 33.08 (f)(3) limits the height of fences in the side yard to six feet above ground level when placed at the property line.

#### Request

The applicant and their neighbor have a history of conflict, including but not limited to privacy issues. The applicant has stated that she needs a taller fence to block the view of the neighbor's garage and trailers parked in the rear yard. She is requesting a 9-foot fence to minimize the noise from the applicants' lot related to vehicle and music noise. As proposed, the applicant is requesting a 9-foot privacy fence along the south side yard property line. The fence will start at the rear of the garage, extending along the south property line to the rear property line.

When assessing this variance request, staff does not support the variance request for a 9-foot tall fence. In order to be consistent with past approvals, staff recommends the maximum fence height be 8 feet in height. The height of 8 feet is consistent with the variance granted to six houses to the north in 2023.

If approved, the applicant will need to apply for a fence permit, locate the property line on that side of the lot to make sure the fence is on their property. A fence over 7-feet in height requires a building permit with plans drawn by a MN licensed engineer. The engineer's stamp must be on the plans. These plans must contain the installation details (i.e. depth/size of footings, spacing of supports, types of fasteners, etc.) and provide verification that it meets the 90 mph wind loads the fence may be subjected to. The plans must also include the types of materials to be used for the project, and verification that the existing drainage patterns are maintained.

#### Grading/Storm Drainage

Installation of a fence usually does not require any additional grading or trigger any storm water drainage requirements. However, the installation of a privacy fence along the south property line will need to be installed in a way that does not alter the existing storm water drainage patterns of the area.

#### Wetlands/Watershed

There are no documented wetlands on the property and watershed district review is not required.

#### Access/Street Design

The development will utilize the existing access points to the existing driveway. No new access point will be granted. No additional street design, sidewalks or trails will be required.

#### Easements/Right-of-way/Permits

The developer will need to obtain any and 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)

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

(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;
- An 8-foot fence along the shared property line is reasonable to resolve a conflict and provide adequate height for the decrease in the grade of the yard. An 8-foot fence variance has been granted to a nearby property. Approving a variance for a 9-foot fence would set a precedent for 9-foot fences in side yards within the City. This 9 foot fence height is not appropriate in all situations.
  - (b) The plight of the landowner is due to circumstances unique to the property not created by the landowner;
- The grade of the rear yard is lower than the home, therefore an 8-foot fence would help screen the neighbor's rear yard from the applicant's home.
  - (c) The variance, if granted, will not alter the essential character of the locality.
- Similar 8-foot high fence variances have been approved within this neighborhood. The fence is along the property line and not the whole side and rear yard. This will not alter the character.
  - (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.
- Economic considerations do not apply.
  - (e) The variance requested is the minimum variance which would alleviate the unique circumstances.
- This is the minimum variance to alleviate the situation.

**Attachment List:**

Zoning and Location Map

Site Aerial (Fence Location)

Pictures of Rear Yard

Narrative

Unapproved Planning Commission Meeting Minutes 2/13/24

**Strategic Plan Relationship**

Not applicable.

### Board/Commission Review

The Planning Commission voted unanimously to approve the variance for an 8-foot-high fence. There were no comments at the public hearing. The applicant spoke about her reasons for requesting a variance to allow a 9-foot-high fence.

### 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 Planning Commission Minutes 2/13/24





# City of Blaine

## Signature Copy

Resolution: RES 24-32

### **Resolution Granting a Variance to Allow a 9-Foot Fence Along the South Side Yard Property Line at 10617 Quincy Boulevard NE. Diane O'Brien (Case File No. 23-0088/SLK)**

**WHEREAS**, an application has been filed by Diane O'Brien as Case File No. 23-0088 for a variance to allow a 9-foot fence along the south side-yard property line; and

**WHEREAS**, said case involves the land described as follows:

Lot 18, Block 1 DONNAYS OAK PARK 9TH

**WHEREAS**, a public hearing has been held by the Blaine Planning Commission on February 13, 2024 and the Planning Commission recommends approval; and

**WHEREAS**, the Blaine City Council has reviewed said case on March 4, 2024.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Blaine that a variance is hereby approved per Sections 33.08 (f)(3) and 27.06 of the Zoning Ordinance to allow an 8-foot fence along the south side-yard property line, with the following findings:

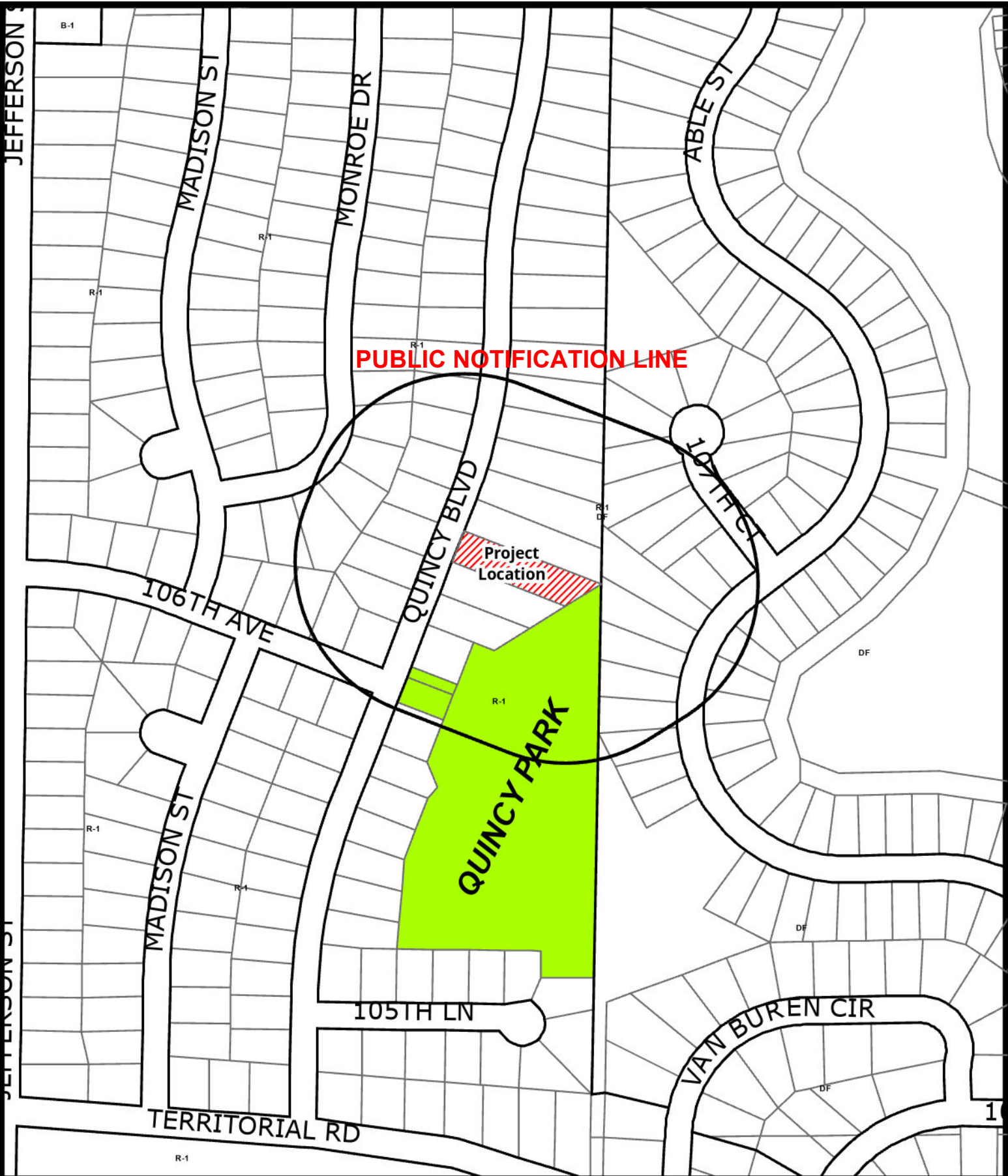
1. The variance is in harmony with the general purposes and intent of the ordinance.
2. The variance is consistent with the comprehensive plan.
3. The property owner proposes to use the property in a reasonable manner not permitted by the zoning code.
4. The plight of the landowner is due to circumstances unique to the property not created by the land owner.
5. The variance will not alter the essential character of the locality.
6. 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.
7. The variance requested is the minimum variance which would alleviate the unique circumstances.

The following conditions apply:

1. A fence permit is required.
2. A fence over 7-feet in height requires a building permit with plans drawn by a MN licensed engineer. The engineer's stamp must be on the plans. These plans must contain the installation details (i.e. depth/size of footings, spacing of supports, types of fasteners, etc.) and provide verification that it meets the 90 mph wind loads the fence may be subjected to. The plans must also include the types of materials to be used for the project and prove that the installation of the fence will not alter the existing storm water drainage patterns.

3. The applicant must locate the property line on the south side of the lot to ensure the fence is on the property.
4. The fence cannot exceed 8 feet in height and the fence is limited to starting at the rear of the garage, extending along the south property line to the rear property line.

**PASSED** by the City Council of the City of Blaine this 4th day of March, 2024.



BlaineMN.gov

Case File No. 23-0088  
Diane O'Brien



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



# Anoka County Parcel Viewer



## Parcel Information:

19-31-23-13-0001  
10617 QUINCY BLVD NE  
BLAINE  
MN 55434

Approx. Acres: 0.51

Plat: DONNAYS OAK PARK 9TH  
Commissioner: JULIE JEPPSON

## Owner Information:

OBRIEN DIANE L  
10617 QUINCY BLVD NE  
BLAINE  
MN  
55434





Finding cures. Saving children.  
ALICE SMITH THOMAS, DONOR

[stjude.org/givehope](https://stjude.org/givehope)

Lights  
Bright at  
night





SHED UP  
11/17/2023

MOWER PARKED  
UNDER DECK  
FOR YEARS  
UNTIL SHED  
IS UP













VARIANCE REQUEST  
FOR 10617 Quincy Blvd  
NE 12/28/2023

The reasons for the fence variance are as follows:

Extreme motorcycle noise from the rear garage (750 square foot garage 25'x30' with 24 feet of garage door, 200 amps of power, 17' tall). Payne (owner of house as of this summer, initially renting from his stepfather James Holder who bought the 10613 Quincy Blvd property out of foreclosure in 2013 for \$153,400 – a steal compared to the former owners' mortgage of \$220,000 who lost her home due to the Great Recession) has a tall garage so that he can put a lift in to work on cars. This is a property with only side yard passage to the rear yard from the street. The north side yard is 10.5' (see zoning diagram) and holds the natural gas lines underground. One line extends east 180' back to the rear garage (and heats the garage). You cannot pave over gas lines. Leaving the only passage to the rear yard through the south side yard which is exactly 10 feet wide. The attached garage cannot be removed or driven through because there is living space behind it. The attached garage is 14' wide (see photos of dimensions of neighbors identical attached garage). An 11' minimum in the side yard is required for legal driveway access from the street into the rear yard. Your former mayor and city staff permitted the garage in violation of the zoning law. This was brought to their attention early in the permit process, January 2018. The 6 month building permit for the garage was issued 12/1/2017.

Payne ( former renter, new owner) has continually these past five years driven every kind of vehicle from the street into the rear yard (180' to the rear garage, 271' to the back fence bordering the quincy park playground). He drives all the way back, to the rear fence, and has a boat/trailer parked next to the back chain link fence easily seen from the park. (see photo). Video of the motorcycles/vehicles in the rear yard and photos of parked vehicles will be forwarded promptly. What you cannot witness from the videos/photos is the stink of exhaust accompanying the vehicle activity in the rear yard. My neighbors and people trying to enjoy the playground at quincy park have been hit hard by noise pollution, exhaust pollution and light pollution (see photo of Payne lighting up not only his yard, but mine and my neighbors yard as well as lighting up our houses because the lights strung through the trees are so bright).

The privacy fence needs to be tall because as you can see see from the video, my house is up higher on a grade with a walkout basement. The top of a 6' fence would fall underneath the garage door openings as I look out my kitchen window. I have had shockingly loud engine noise hit me as I sat at my kitchen table with my window wide open on a cool summer evening late at night. The top of a 9' fence would ride closer to the top of the garage doors, blocking the noise more effectively. I made a verbal request in 2018 for a 9' tall fence, and was told I needed a variance, even though the city of Blaine illegally permitted a garage for cars in the rear yard without legal driveway access from the street AND NO VARIANCE. This garage sits so far back it is impossible to avoid the noise.. The pollution effects my entire back yard which is 327' long.

I already erected a 6' privacy fence (15 sections 8'wide each) from the middle to the rear of my yard along the south property line but Payne has a video camera pointed over my privacy fencing. The camera is mounted 13' high on the soffit of the 17'tall garage. I asked police to move it, Payne is invading my personal property and is trespassing. The video camera has been spying over my fence since 2020, but I only found out about it last summer 2022. The sergeant in charge of “problem properties” said he has never seen it before, a camera spying over a privacy fence, and he is in charge of a city with 70,000 + people. Payne is deliberately retaliating against me by using the video camera to spy over my fence to intimidate me, because I have asked police to enforce the law that states he cannot park in the rear yard. He can only park on pavement in front of the primary garage which is the garage attached to the house. I have taken pictures to document illegal parking in the rear yard, (if he parks there the engine noise/exhaust increases in the rear yard, his friends have also parked back there.)



I don't violate the law. If I did he would have reason to document my illegal actions. Paynes' intention is to punish me for documenting his illegal activity in the rear yard by video recording me and my family on my property.

Payne plans to turn the rear yard into a parking lot. See the photos of all the trailers (four of them) in the rear yard. Since he cannot legally park vehicles in the rear yard, as he pleases, he will turn the yard into a parking lot for large trailers. Code enforcement says there is no limit to the number of trailers parked in the rear yard. Payne recently moved the trailers closer together to make them look less obvious to people at the park. His yard abuts the park. The yard is easily viewed from the park.

A tall fence is needed to block the view and deflect the noise from trailers being moved frequently on/off the property. Especially the red utility trailer. Payne moves motorcycles and parts in this trailer, I believe he is running a business out of the garage fixing and selling bikes. And I believe he is storing many bikes belonging to others, in the garage through the winter and getting paid for it. It is illegal to run a business out of your garage. Former mayor Tom Ryan assured me he would not allow a business from the garage when I informed him that Connexus installed 200 amps of power to the garage. But then code enforcement said it is difficult if not impossible to catch someone running a business.

I will get a variance because my fence will be legal as opposed to Paynes' garage that is in zoning violation with no legal driveway entry to the rear yard from the street. Payne is looking for an excuse to violate city law, so my fence will be legal. He retaliates against neighbors and the city constantly because he wants to use his garage and yard as he pleases. Case in point, see the shed Payne recently built.(photo) The shed is not legal. Payne can't get a conditional use permit for a second detached structure in the rear yard for storage because the property is already over the 1000 square foot limit. Payne has exceeded the limit by 58 square feet (a 14'x22' attached garage plus a 25'x30' garage in the rear yard). See the permit attached which falsely states the attached garage as 12x20, but is 14x22.

The SENIOR building inspector Stan Brouillard lied on the garage permit. He excluded the 12'x14' shed (Payne was later pressured to remove it) and the inspector falsely stated 12'x20' for the attached garage so Payne could have a bigger garage in the rear yard. The inspector was going to let Payne have the shed AND the garage, without the required conditional use permit for the second detached structure which would be the garage, and would have required public notice. **The inspector simply ignored the shed** The city pressured Payne to remove the shed only because we complained. The shed HAD to come down because it was left off of the permit, and excluded from the square footage total, which would have put the property further over the 1000 sq ft limit. ( It is already 58sq ft over storage limit).

According to the false testimony on the permit, by the inspector, the storage total is at 999 square feet. So it is 1 foot from the storage limit of 1000sq ft. No more storage space is allowed but Payne doesn't care. He has held a 5 year running resentment over the removal of the 12'x14' shed. Out of spite he refused to park the expensive rider mower in the brand new spacious 750 square foot garage. (see the photo of the rider under the deck). Now that the shed is up the expensive rider mower is in the shed.

My fence will be legal. If it is challenged by Payne, and goes to Anoka County court, the court is well aware of Payne and his predatory actions as well as the city of Blaines' illegal permitting of a garage for cars with no legal driveway access from the street, and they are aware of the extreme pollution as a result of the garage. The fence will restore some value to my damaged property and quality of living on my property. I will install lattice on the existing 6' privacy fencing to stop the video spying over my property. I asked police to take action, they advised I go to court, but it is a police matter, Trespass.



Not only vehicle noise destroys my privacy but congregating men consuming alcohol, playing loud music inside of and in front of the rear garage adversely effects my property. The activity used to be at the deck, near the house, years ago, now it is always far back onto the property in front of the garage. It is in full view of my patio, they can see into my home. They drink and get on motorcycles parked in the rear yard driving off loudly through the yard and speed down the 30 mph residential Quincy Blvd.

I want the variance effective immediately. It is a mild winter. I will begin by placing lattice on my 6' privacy fence to block the video camera which has been spying over my fence for 3 years without my knowledge and without my consent. You would be wrong to think he doesn't view the video.

Payne studies the video. He has a doorbell camera also. The neighbor across from Payne (in full camera view) had a power saw stolen out of the utility trailer parked in his driveway. The neighbor was hiding a key near the trailer out of convenience. The thief opened the trailer with the key. Subsequently I heard Payne in the rear garage using a power saw on lumber. This is alarming.

Many folks have doorbell cameras, so front yards are less private unfortunately, but it is unheard of (according to the sergeant in charge of "problem properties") to have a camera in the rear yard spying over a privacy fence. A fence erected for the purpose of protecting privacy.

Paynes' voice should be dismissed, regarding the variance, because he actively pollutes my property. My neighbor to the north wants the fence built. The neighbor south of Payne knows what my plans are and I have not heard any objection. But as an incentive for the neighbor Payne who actively pollutes and works to violate zoning laws, (the new shed), he can know that I intend to put shed doors on the back side of my detached garage, opening 7 feet wide, and I will send noise directly at Paynes' favorite gathering place, in front of the illegal garage. The tall fence will be a barrier for both properties.

Payne hasn't been living in the house full time since fall 2019. Now that he owns the house, as of this summer, the polluting actions will increase. I have witnessed in 2018 and 2019, how bad the constant activity behind me can get when he lived there full time.

This is not a minor neighbor conflict, it is a serious situation the city created by permitting a garage in violation of zoning laws. Early in the permit process I asked for help from elected city officials. They did not help me but worked to block my efforts. Their fear has always been getting sued by a permit holder, because they left him with a garage in zoning violation. **Julie Jeppson, former council member, now commissioner, said to me in 2019 the city of Blaine is getting sued a lot, and my problems are minor in comparison.** I told her the city is doing some thing wrong, because people know they face an uphill battle fighting the city so they must feel seriously harmed. The city has an attorney, we the citizens pay for, and it costs us a lot of time and money to fight while the city can use their free lawyer to defeat those citizens who have been harmed by city officials' illegal actions.

The pollution next door effects more than just me, it is not minor. The noise pollution effects every home surrounding the park. Shattering the peace in quiet backyards and disturbing park goers. My tall privacy fence will protect me and my neighbors to the north. It will be 9 feet tall along the south property line, on the inside of my chain fence. I will not remove my chain link fence.

When Jeppson canvassed my neighbors for her commissioner job, my neighbor said Paynes' rear garage is illegal. **Jeppson said "I know"**. Cars can't legally access the rear yard. It can be a garage for storage only, with no more than a 5' wide door and no cars parked in it. Instead of helping me, the city wants me to move, wants me to put a garage in my back yard (ruining nature more). I ask for a fence.

*link*  
Aimee O'Brien

12/28/2023



# City of Blaine

## Planning Commission

---

February 13, 2024 | 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, February 13, 2024. Chair Goracke called the meeting to order at 7:00PM.

#### 2. Roll Call

Members Present: Commission Members Gorzycki, Halpern, Olson, Swanson, and Chair Goracke.

Members Absent: Commission Members Deonauth and Homan.

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

#### 3. Approval of Minutes

3.1. 2024-697 Approval of the January 9, 2024 Planning Commission Minutes  
*Sponsors:*

**Motion by Commissioner Olson to approve the minutes of January 9, 2024, as presented. Motion seconded by Commissioner Swanson. The motion passed 5-0.**

#### 4. Public Hearing

4.1. 2024-37 Case File No. 23-0088 // Diane O'Brien // 10617 Quincy Boulevard NE  
The applicant is requesting a variance to allow a 9-foot fence along the south side-yard property line.  
*Sponsors: Shawn Kaye, Planner*

The report to the planning commission was presented by Shawn Kaye, Planner. The public hearing for Case File 23-0088 was opened at 7:05PM.

Diane O'Brien, 10617 Quincy Boulevard NE, explained there has been conflict with her neighbor and reported the nine-foot fence was necessary given the grade changes between her property and the neighbor's property. She reported the nine-foot fence would assist with obstructing the garage door, which was her main concern. She expressed concern with how the neighbor's rear garage was misrepresented to her and asked that the commission support her nine-foot fence request.

The public hearing was closed at 7:09PM.

Chair Goracke asked when the eight-foot fence was granted to the property six houses down.

Planner Shawn Kaye reported the eight-foot fence was approved in 2023.

Chair Goracke explained city code allows for a six-foot fence. He questioned if the city had ever allowed for a fence higher than eight-feet.

Planner Shawn Kaye did not recall this had ever occurred.

Commissioner Halpern inquired if the nigh foot fence would resolve the camera issues that were occurring on the property. He asked if this concern has been brought to the Blaine Police Department.

Ms. O'Brien reported she has been in contact with the police department and explained the sergeant in charge of problem properties has never seen a camera spying over a six foot privacy fence. She noted she had gone to court regarding this matter and was told this was a police matter. She stated after court she has not addressed the matter with the police. She indicated she would like to resolve the matter by putting lattice on top of her existing six foot fence making it nine feet in height.

Chair Goracke commented variance requests were considered very carefully by the planning commission. He stated he understood this lot was configured differently. He asked for comments or recommendations from the commission.

**Motion by Commissioner Halpern to recommend approval of Planning Case 23-0088 based on the following conditions:**

**Case 23-0088:**

- 1. A fence permit is required.**
- 2. A fence over 7-feet in height requires a building permit with plans drawn by a MN licensed engineer. The engineer's stamp must be on the plans. These plans must contain the installation details (i.e. depth/size of footings, spacing of supports, types of fasteners, etc.) and provide verification that it meets the 90 mph wind loads the fence may be subjected to. The plans must also include the types of materials to be used for the project and prove that the installation of**

**the fence will not alter the existing storm water drainage patterns.**

- 3. The applicant must locate the property line on the south side of the lot to ensure the fence is on the property.**
- 4. The fence cannot exceed 8 feet in height and the fence is limited to starting at the rear of the garage, extending along the south property line to the rear property line.**

**Motion seconded by Commissioner Gorzycki. The motion passed 5-0.**

Chair Goracke noted this would be on the agenda of the March 4, 2024 city council meeting.



# City of Blaine Staff Report

File Number: RES 24-33

| Agenda Date   | Status     |
|---------------|------------|
| March 4, 2024 |            |
| In Control    | File Type  |
| City Council  | Resolution |

**Development Business** - Sheila Sellman, City Planner

## Agenda Item # 10.2

Resolution Granting Preliminary Plat Approval to Subdivide Approximately 1.16 Acres into Three Lots to be Known as Alexander Woods 4th Addition at 1000 113th Avenue NE. Alexander Woods 4th Addition (Case File No. 23-0089/EES)

## Executive Summary

The applicant is proposing a three lot subdivision adjacent to the existing Alexander Woods subdivision. A similar subdivision was approved in 2022, but has since expired. Staff and the Planning Commission recommend approval.

## Background

|                                         |          |
|-----------------------------------------|----------|
| Planning Commission Public Hearing      | 02/13/24 |
| City Council (Preliminary Plat)         | 03/04/24 |
| City Council (Final Plat)               | TBD      |
| Action Deadline (60 Days)               | 02/27/24 |
| Action Deadline (City Extended 60 Days) | 04/27/24 |

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

### Zoning

The property is zoned Development Flex (DF).

### Land Use Designation

The property is guided Low Density Residential which allows for 2.5 to 6 units per acre. The proposed subdivision meets that density requirement.

### Surrounding Zoning and Uses



The property is surrounded by other homes in the Alexander Woods subdivision which are also zoned DF and guided LDR.

#### Existing Conditions

The property has an existing home and pool.

#### History

In 2020, a preliminary plat, rezoning, and conditional use permit was granted for Alexander Woods. The plat left three approximately acre-sized parcels remaining with existing homes. In 2022, the applicant received preliminary and final plat approval and a conditional use permit for a subdivision of a one acre parcel into three lots. The plat was never recorded and expired in May of 2023. At this time, the applicant is requesting approval of the same request, with one lot line moved slightly to accommodate a driveway location. The resolutions of the previously approved conditional use permit and final plat are attached.

The house on the property was originally accessed with a driveway off 113th, but a new driveway was constructed with access off Fillmore Street. This resulted in an address change from 1000 113th Avenue to 11278 Fillmore Street.

### **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 plat proposes to subdivide 1.2 acres into three lots, for a net density of 2.5 units per acre, meeting the LDR land use designation. All three lots will access Fillmore Street, as was shown in the ghost plat for this parcel when it was previously subdivided. The lot for the existing home is proposed to be approximately 110 feet wide and 28,000 square feet in area. The lots for the two new homes are smaller with the center lot having a width of 57.5 feet and the corner lot at 80 feet in width. These lot sizes are compatible with the surrounding lots in Alexander Woods, which have a minimum width of 53 feet.

### Architecture

The property owner has not identified a builder for the new homes at this time. The homes will need to be consistent with the homes constructed by M/I Homes as part of Alexander Woods. This includes a minimum finished floor area of 1,300 square feet, incorporating multiple gables or varied roof lines, and including articulation of the front façade. No materials requirements are proposed.

### Setbacks

The following setbacks apply to the proposed homes:

- Front yard setback - 25 feet
- Side yard setback - 7.5 feet
- Corner side yard setback - 20 feet
- Rear yard setback - 30 feet

### Landscaping

The standard landscaping requirements are proposed, which would be three trees on Lot 1 (corner lot) and two trees on Lot 2.

### Tree Preservation

The site currently has 37 trees, nine of which will be preserved. Tree replacement is calculated based on the area being disturbed, which is 0.5 acres. Applying the standard that the first eight trees removed per acre must be replaced, four trees must be planted. This is met through the typical landscaping requirements of two trees per lot with a third tree on corner lots.

### Park Dedication

Park dedication will be required for the two new lots being constructed at the rate of \$4,894 per unit, for a total park dedication fee of \$9,788 if paid in 2024. This amount must be paid prior to releasing the plat mylars for recording at Anoka County.

### Grading/Storm Drainage

There is no grading needed for the lot with the existing house. A grading plan for the additional two lots shall provide 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.

### Wetlands/Watershed

There are no wetlands on the subject property.

The property was part of the original Alexander Woods subdivision, however, development needs to be submitted to Coon Creek Watershed District for permit review.

### Utilities

Water and sanitary sewer stubs were provided to these ghost lots during the construction of Alexander Woods 1st Addition.

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.

#### Access/Street Design/Sidewalks/Trails

As previously mentioned, all lots will have driveway access from Fillmore Street NE. No additional street design, sidewalk or trail construction will be required. Some minor sidewalk repair may be required with the installation of additional storm water piping as currently 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.

#### **Attachments:**

Zoning and Location Map

Plat

Site Plan

Grading Plan

Resolution 22-052 (Conditional Use Permit)

Resolution 22-083 (Final Plat)

Unapproved Planning Commission Minutes 2/13/24

#### **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.

One written comment was received requesting that requirements for fencing and vehicle parking from the HOA covenants for Alexander Woods 1-3 apply to these lots. These were not a requirement by the City, and the City cannot require these proposed lots join the HOA.

#### **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 2/13/24



# City of Blaine

## Signature Copy

Resolution: RES 24-33

### **Resolution Granting Preliminary Plat Approval to Subdivide Approximately 1.16 Acres into Three Lots to be Known as Alexander Woods 4th Addition at 1000 113th Avenue NE. Alexander Woods 4th Addition (Case File No. 23-0089/EES)**

**WHEREAS**, an application has been filed by Monti C Gesino, Shirley A Gesino as Conditional Use Permit Case File No. 23-0089 for Alexander Woods 4th Addition; and

**WHEREAS**, said case involves the property described as follows:

Lot 14, Block 5, ALEXANDER WOODS

**WHEREAS**, the Blaine Planning Commission has reviewed said case file on February 13, 2024 and

**WHEREAS**, the preliminary plat meets the general requirements of section 75-32 of the Blaine Zoning Code; and

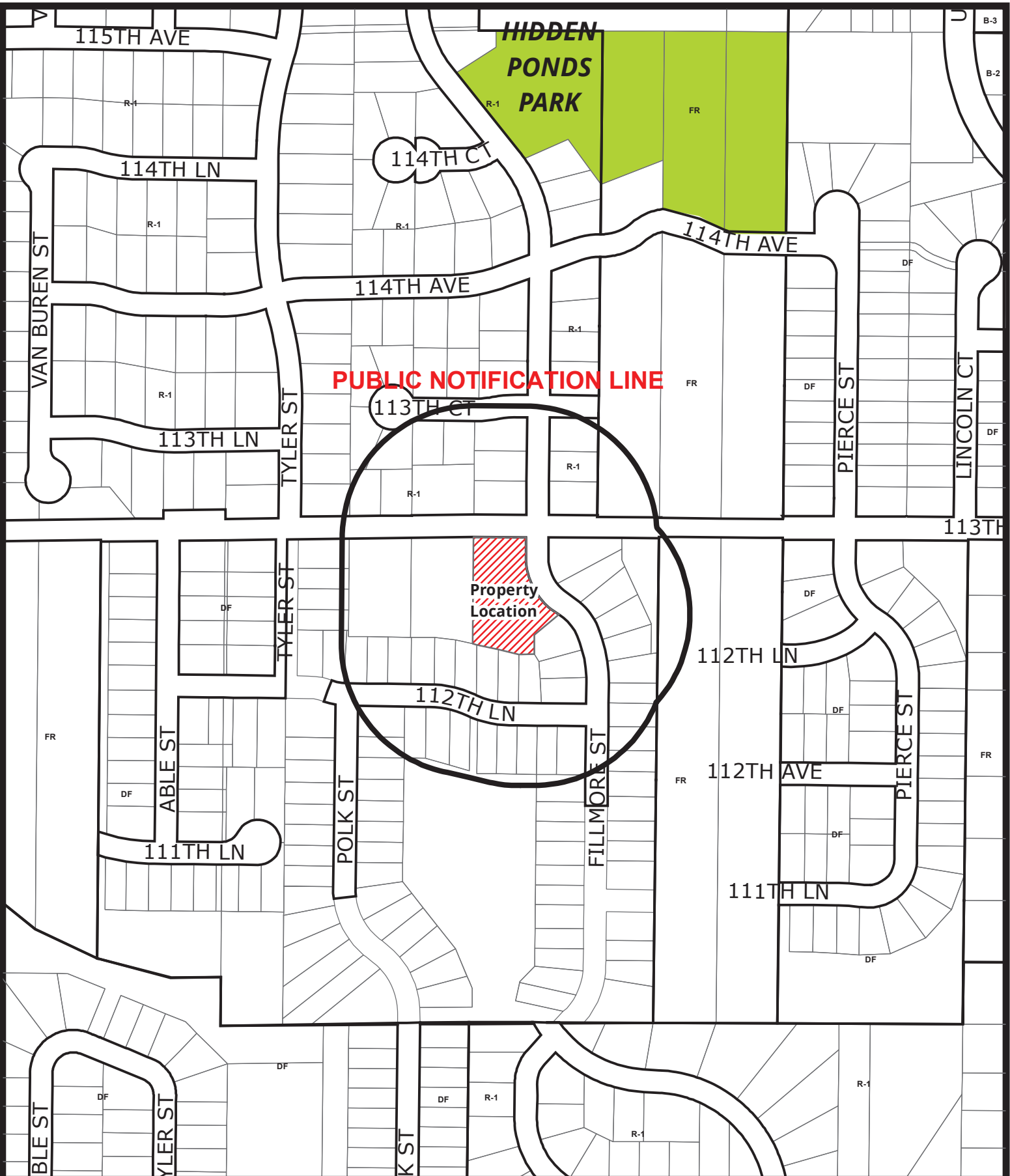
**WHEREAS**, the Blaine Planning Commission held a public hearing on February 13, 2024 and recommend approval regarding said plat with conditions; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Blaine that preliminary plat approval per Section 75-32 of the subdivision regulations is hereby granted for Alexander Woods 4th Addition permitting preparation of a final plat for approval per Section 75-33 subject to the listed conditions.

1. Plans and specifications must be approved by the City prior to start of construction.
2. Standard utility and drainage easements must be dedicated along all lot lines and over areas of delineated wetlands, wetland mitigation, infiltration trenches, drainage swales, and storm water management ponds.
3. The Developer is to provide access for inspection and maintenance of storm water management infrastructure. Restrictions will be placed on lot lines as needed to limit fences and landscaping to insure access.
4. Developer to obtain Coon Creek Watershed district permit review prior to start of construction.
5. Development requires a National Pollutant Discharge Elimination System (NPDES) Phase II General Storm Water Permit for Construction Activity from Minnesota Pollution Control Agency (MPCA). A prerequisite to the MPCA permit application includes preparation of a site Storm Water Pollution Prevention Plan (SWPPP) for the development site.
6. Construction contract documents shall 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.

7. The development plan shall indicate all structures will be protected from flooding.
8. As-built surveys shall be required to verify structure elevations, custom grading requirements, and final lot grading elevations.
9. Park dedication will be required for the two new lots being constructed at the rate of \$4,894 per unit, for a total park dedication fee of \$9,788 if paid in 2024. This amount must be paid prior to releasing the plat mylars for recording at Anoka County.
10. Developer to install grouped mailboxes with design and locations approved by the City and US Postal Service.
11. Water and sanitary sewer availability charges (WAC & SAC) become due with each building permit at the rate established at the time the building permit is issued.
12. Each lot in this development shall have two front yard overstory trees with a minimum size of 2.5 caliper inches.
13. 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 City Council of the City of Blaine this 4th day of March, 2024.



**Case File No. 23-0089**  
**Alexander Woods 4th Addition**

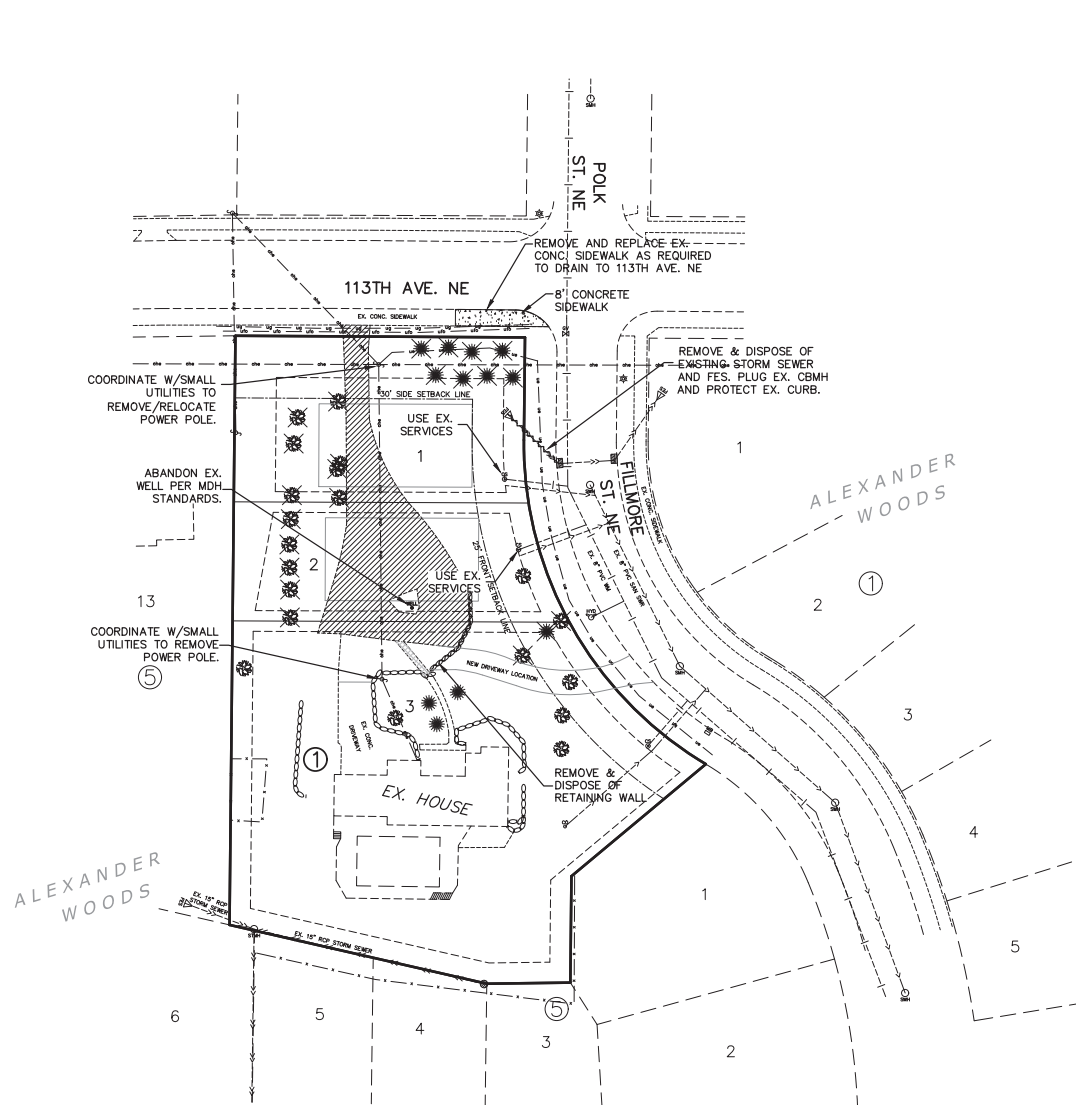


BlaineMN.gov

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







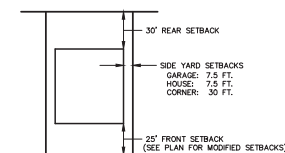
# REMOVALS PLAN LEGEND

| EXISTING            | PROPOSED            |
|---------------------|---------------------|
| 10' CONTOUR         | 10' CONTOUR         |
| 2' CONTOUR          | 2' CONTOUR          |
| PROPERTY LINE       | PROPERTY LINE       |
| CURB                | CURB                |
| BITUMINOUS          | BITUMINOUS          |
| GRAVEL              | GRAVEL              |
| CONCRETE            | CONCRETE            |
| BITUMINOUS REMOVAL  | BITUMINOUS REMOVAL  |
| SAWCUT              | SAWCUT              |
| CURB REMOVAL        | CURB REMOVAL        |
| PIPE REMOVAL        | PIPE REMOVAL        |
| MANHOLE             | MANHOLE             |
| HYDRANT             | HYDRANT             |
| GATE VALVE          | GATE VALVE          |
| LIGHT POLE          | LIGHT POLE          |
| ELECTRIC BOX        | ELECTRIC BOX        |
| SIGN                | SIGN                |
| TREE (CONF./DECID.) | TREE (CONF./DECID.) |

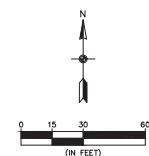
# SITE PLAN LEGEND

| EXISTING                | PROPOSED                |
|-------------------------|-------------------------|
| LIGHT POLE              | LIGHT POLE              |
| SANITARY MANHOLE        | SANITARY MANHOLE        |
| MISCELLANEOUS SIGN      | MISCELLANEOUS SIGN      |
| EXISTING SPOT ELEVATION | EXISTING SPOT ELEVATION |
| EXISTING TREE           | EXISTING TREE           |
| TELEVISION BOX          | TELEVISION BOX          |
| FIRE HYDRANT            | FIRE HYDRANT            |
| GATE VALVE              | GATE VALVE              |
| CLEANOUT                | CLEANOUT                |
| ELECTRIC BOX            | ELECTRIC BOX            |
| GAS METER               | GAS METER               |
| CATCH BASIN             | CATCH BASIN             |
| RAIN GUARDIAN           | RAIN GUARDIAN           |
| ELECTRIC METER          | ELECTRIC METER          |
| TELEPHONE BOX           | TELEPHONE BOX           |
| UTILITY POLE            | UTILITY POLE            |
| FLARED END SECTION      | FLARED END SECTION      |
| STORM MANHOLE           | STORM MANHOLE           |
| SERVICE                 | SERVICE                 |
| SOIL BORING/TEST HOLE   | SOIL BORING/TEST HOLE   |
| RETAINING WALL          | RETAINING WALL          |
| WATERMAIN               | WATERMAIN               |
| SANITARY SEWER          | SANITARY SEWER          |
| STORM SEWER             | STORM SEWER             |
| PROPERTY LINE           | PROPERTY LINE           |
| SETBACK LINE            | SETBACK LINE            |
| CURB                    | CURB                    |
| WETLAND                 | WETLAND                 |
| DITCH                   | DITCH                   |
| UNDERGROUND TELEPHONE   | UNDERGROUND TELEPHONE   |
| UNDERGROUND ELECTRIC    | UNDERGROUND ELECTRIC    |
| UNDERGROUND GAS         | UNDERGROUND GAS         |
| UNDERGROUND FIBEROPTIC  | UNDERGROUND FIBEROPTIC  |
| FENCE                   | FENCE                   |
| OVERHEAD ELECTRIC       | OVERHEAD ELECTRIC       |
| CONCRETE SURFACE        | CONCRETE SURFACE        |
| BITUMINOUS SURFACE      | BITUMINOUS SURFACE      |

SINGLE FAMILY  
57.5' MIN. WIDE LOT



USE EXISTING SEWER & WATER SERVICES



| BENCHMARK                                                                                                                   |
|-----------------------------------------------------------------------------------------------------------------------------|
| 1. MNDOT Geodetic Monument named 0228 Ac. Station ID 103142, Metal Rod with Removable ID Disk, Elevation=950.70 (NAVD 88)   |
| 2. MNDOT Geodetic Monument named 9 WHY RESET, Station ID 697, Concrete Post with Benchmark Disk, Elevation=956.69 (NAVD 88) |



**NON-PLANT SERVICE**  
DATE: 4/21/22  
BY: [Signature]  
FOR: [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

Print Name: Brian J. Krystofek, P.E.  
Signature: [Signature]  
Date: 4/21/22 License #: 25063

Crew: ADB  
Designed: BJK  
Date: 4/21/22

Revisions:  
1. 11/17/23 - Revise Layout per Owner

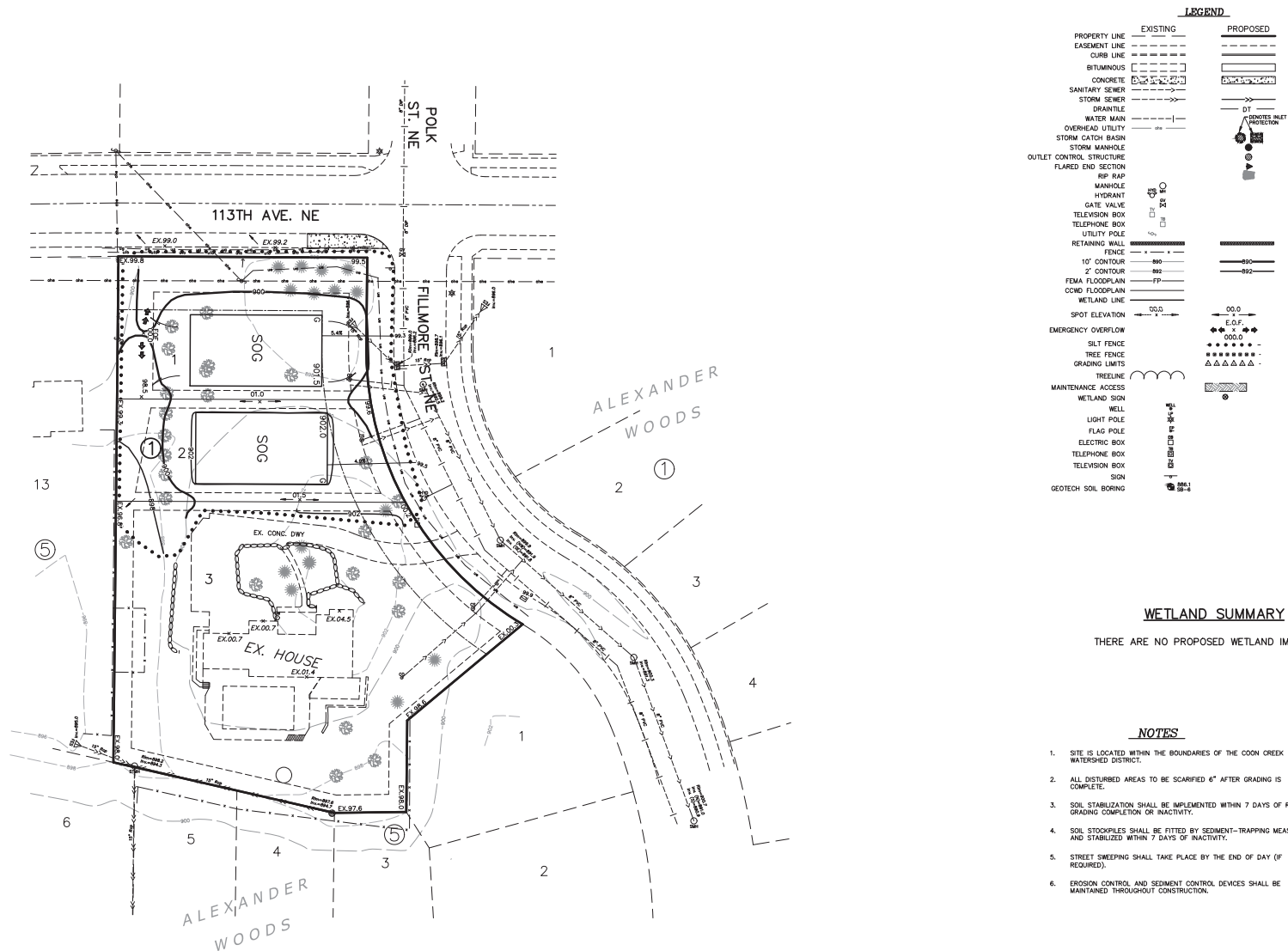
**MONTI GESINO**  
1000 - 113th Avenue NE  
Blaine, MN 55434

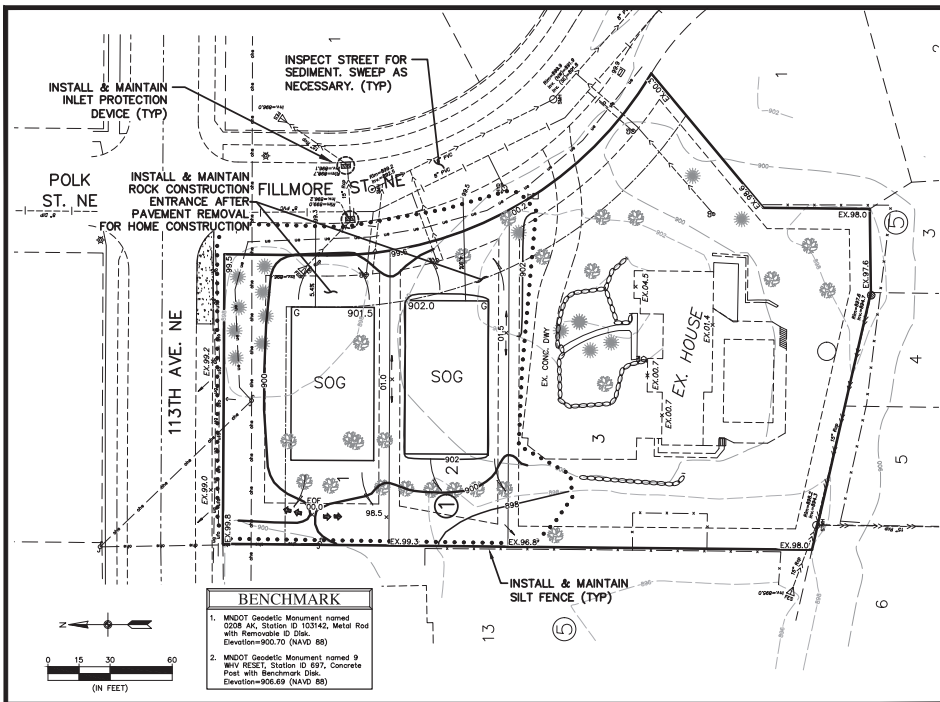
**ALEXANDER WOODS**  
FOURTH ADDITION  
Blaine, Minnesota

**SITE & UTILITY PLAN**

2 of 4

Job #: 8300-03





**GENERAL INFORMATION**  
MINNESOTA'S CONSTRUCTION STORMWATER PERMIT IS AN EXTENSION OF THE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM STORMWATER PROGRAM, WHICH IS PART OF THE FEDERAL CLEAN WATER ACT. REGULATED PARTIES MUST DEVELOP A STORMWATER POLLUTION PREVENTION PLAN (SWPPP). THE SWPPP PROVIDES INFORMATION ON THE EXISTING AND PROPOSED SITE CONDITIONS, CONTROL MEASURES FOR STORMWATER POLLUTION PREVENTION BEFORE, DURING AND AFTER CONSTRUCTION, INSPECTION, MAINTENANCE AND INFORMATION RELATED TO THE PERMANENT STORMWATER MANAGEMENT SYSTEM. THE SWPPP SHALL BE KEPT ON SITE AT ALL TIMES DURING ACTIVE CONSTRUCTION.

**PROJECT INFORMATION**  
PROJECT NAME: ALEXANDER WOODS FOURTH ADDITION  
PROJECT LOCATION: BLAINE, ANOKA COUNTY, MINNESOTA  
PROJECT OWNER: MONTI GESINO

**RESPONSIBLE PARTIES**  
THE OWNER MUST IDENTIFY A PERSON KNOWLEDGEABLE AND EXPERIENCED IN THE APPLICATION OF EROSION PREVENTION AND SEDIMENT CONTROL BMP'S WHO WILL OVERSEE THE IMPLEMENTATION OF THE SWPPP, AND THE INSTALLATION, INSPECTION AND MAINTENANCE OF THE EROSION PREVENTION AND SEDIMENT CONTROL BMP'S.

**TRAINING DOCUMENTATION:**

**EXISTING SITE CONDITIONS**  
THE SITE IS LOCATED IN THE SOUTHWEST QUADRANT OF THE INTERSECTION OF 113TH AVENUE NE AND FILLMORE STREET NE IN BLAINE, MN. THE SITE IS BOUNDED ON THE NORTH BY 113TH AVENUE NE, BOUNDED ON THE EAST BY FILLMORE STREET NE, AND BOUNDED ON THE SOUTH & WEST BY EXISTING SINGLE FAMILY HOMES. THE TOTAL SITE AREA OF THE IS 1.2 ACRES WITH APPROXIMATELY 0.3 ACRES OF EXISTING IMPERVIOUS SURFACE.

THE SITE IS RELATIVELY FLAT WITH ELEVATIONS ON SITE RANGE FROM 888 TO 904. ALL OF THE DISCHARGE FROM THE SITE FLOWS TO 113TH AVENUE OR TO EXISTING PONDING FROM THE ALEXANDER WOODS DEVELOPMENT.

**PROPOSED SITE CONDITIONS**  
THE PROPOSED CONSTRUCTION INCLUDES 2 NEW SINGLE-FAMILY HOMES AND THE EXISTING HOME WILL REMAIN IN PLACE. THE EXISTING DRIVEWAY WILL BE REMOVED AND A NEW GARAGE AND DRIVEWAY WILL BE CONSTRUCTED FRONTING TO FILLMORE STREET NE. THE SITE WILL BE GRADED TO PROMOTE SURFACE WATER DRAINAGE AND MINIMIZE THE AMOUNT OF RUNOFF THAT IS TREATED BEFORE LEAVING THE SITE. DISTURBED AREAS WILL BE MULCHED, SEEDING AND MULCHED OR COVERED AFTER CONSTRUCTION IS COMPLETE. THE TOTAL IMPERVIOUS AREA OF THE SITE POST CONSTRUCTION IS 0.40 ACRES AND APPROXIMATELY 0.80 ACRES WILL BE DISTURBED. THE RUNOFF FROM SITE WILL FOLLOW THE EXISTING DRAINAGE PATTERN.

**SOIL INFORMATION**  
THE NRCS WEB SOIL SURVEY WAS REFERENCED FOR THE SOILS PRESENT ON SITE. THE SOILS INDICATED ARE ISANTY FINE SANDY LOAM AND LIND LOAMY FINE SAND. BOTH SOIL TYPES ARE IN HSD A. THE EXISTING STORMWATER POND SOUTH OF THE SITE WAS REFERENCED FOR DETERMINING THE ANTICIPATED GROUNDWATER. THIS ASSUMED GROUNDWATER LEVEL IS AT AN ELEVATION OF APPROXIMATELY 893.0.

**WETLAND CONSIDERATIONS**  
THERE ARE NO WETLANDS ON SITE.

**STORMWATER RECEIVING WATERS**  
STORMWATER FROM THE SITE WILL ULTIMATELY DISCHARGE SOUTH TO ANOKA COUNTY DITCH #39.

**SPECIAL/IMPAIRED WATER CONSIDERATIONS**  
THERE ARE NO SPECIAL OR IMPAIRED WATERS WITHIN ONE MILE OF THE SITE.

**STORMWATER MANAGEMENT PLAN**  
DUE TO THE SMALL SIZE OF THE DISTURBED AREA (UNDER ONE ACRE) A STORMWATER MANAGEMENT PLAN WAS NOT REQUIRED.



**PRIOR TO START OF CONSTRUCTION**  
THE FOLLOWING STORMWATER POLLUTION PREVENTION MEASURES SHALL BE IMPLEMENTED PRIOR TO CONSTRUCTION. REFER TO GRADING AND EROSION CONTROL PLANS FOR LOCATIONS.

- SILT FENCE**  
SILT FENCE SHALL BE INSTALLED AT THE LIMIT OF GRADING ON ANY FILL SLOPE. ADDITIONAL SILT FENCE MAY BE REQUIRED IN CUT SLOPE AREAS. SILT FENCE SHALL ALSO BE FIELD INSTALLED AROUND ANY INFILTRATION/FILTRATION PRACTICE.
- ROCK CONSTRUCTION ENTRANCE**  
ROCK CONSTRUCTION ENTRANCES SHALL BE INSTALLED AT THE FIELD ENTRANCES TO THE SITE.
- CATCH BASINS**  
ALL CATCH BASINS SHALL BE PROTECTED WITH INLET PROTECTION DEVICES APPROVED BY THE LOCAL GOVERNING UNIT. THESE SHALL INCLUDE, BUT ARE NOT LIMITED TO, WIMCO PROTECTION DEVICES, INFRASAFE PROTECTION DEVICES, FILTER FABRIC, BIO ROLLS AND STRAW BALES.

**DURING CONSTRUCTION**  
THE FOLLOWING STORMWATER POLLUTION PREVENTION MEASURES SHALL BE IMPLEMENTED DURING CONSTRUCTION. REFER TO GRADING AND EROSION CONTROL PLANS FOR LOCATIONS.

- PHASED GRADING**  
TO THE EXTENT POSSIBLE, GRADING SHALL BE PHASED TO MINIMIZE THE AMOUNT OF DISTURBED AREAS DURING SITE CONSTRUCTION.
- TRACKED SEDIMENT**  
ANY SEDIMENT TRACKED FROM THE SITE ONTO THE STREET SHALL BE REMOVED IMMEDIATELY UPON DETECTION. THE ROCK CONSTRUCTION ENTRANCE SHALL BE INSPECTED AND REPAIRED IF INUNDATED WITH SEDIMENT.
- STOCKPILES**  
STOCKPILES SHALL BE PLACED IN AN AREA THAT WILL MINIMIZE THE NEED FOR RELOCATION. IF A STOCKPILE WILL REMAIN IN PLACE FOR AN EXTENDED PERIOD OF TIME, STABILIZATION MEASURES SHALL BE IMPLEMENTED, INCLUDING BUT NOT LIMITED TO, SEEDING AND SILT FENCING. TEMPORARY STOCKPILES MUST HAVE SILT FENCE OR OTHER EFFECTIVE SEDIMENT CONTROLS AND CANNOT BE PLACED IN SURFACE WATERS, INCLUDING STORMWATER CONVEYANCES SUCH AS CURB AND GUTTER SYSTEMS, CONDUITS OR DITCHES. STABILIZATION OF STOCKPILES MUST TAKE PLACE WITHIN 7 DAYS OF INACTIVITY.
- TOPSOIL**  
UPON GRADING COMPLETION, A MINIMUM OF 4 INCHES OF TOPSOIL SHALL BE PLACED OVER ALL DISTURBED AREAS, EXCLUDING PROPOSED STREETS AND PARKING AREAS.
- RESTORATION**  
ALL DISTURBED AREAS NOT ACTIVELY WORKED SHALL BE RESTORED WITH SEED AND MULCH, EROSION CONTROL. BLANKET AND/OR SOD WITHIN 7 DAYS.
- SLOPES**  
IN ORDER TO MAINTAIN SHEET FLOW AND MINIMIZE RILLS AND/OR GULLIES, THERE SHALL BE NO UNBROKEN SLOPE LENGTH OF GREATER THAN 75 FEET FOR SLOPES WITH A GRADE OF 3:1 OR STEEPER.
- DRAINAGE DITCHES**  
THE NORMAL WETTED PERIMETER OF ANY TEMPORARY OR PERMANENT DRAINAGE DITCH THAT DRAINS WATER FROM THE SITE DIVERSES WATER AROUND THE SITE. MUST BE STABILIZED WITHIN 200 LINEAL FEET FROM THE PROPERTY EDGE, OR FROM THE POINT OF DISCHARGE TO ANY SURFACE WATER. STABILIZATION MUST BE COMPLETED WITHIN 24 HOURS OF CONNECTING TO A SURFACE WATER.
- PIPE OUTLETS**  
PIPE OUTLETS MUST BE PROVIDED WITH TEMPORARY OR PERMANENT ENERGY DISSIPATION WITHIN 24 HOURS OF CONNECTION TO A SURFACE WATER.
- CATCH BASINS**  
ALL CATCH BASINS SHALL BE PROTECTED WITH INLET PROTECTION DEVICES APPROVED BY THE LOCAL GOVERNING UNIT. THESE SHALL INCLUDE, BUT ARE NOT LIMITED TO, WIMCO PROTECTION DEVICES, INFRASAFE PROTECTION DEVICES, FILTER FABRIC, BIO ROLLS AND STRAW BALES.
- DUST**  
CONSTRUCTION DUST SHALL BE CONTAINED TO THE EXTENT POSSIBLE. IF THE SITE BECOMES EXCESSIVELY DUSTY, APPROPRIATE MEASURES SHALL BE TAKEN TO REDUCE DUST BEING TRANSPORTED FROM THE SITE. DUST CONTROL MEASURES INCLUDE, BUT ARE NOT LIMITED TO, WATERING AND CALCIUM CHLORIDE APPLICATION.
- DEWATERING**  
IT IS NOT ANTICIPATED THAT DEWATERING WILL BE REQUIRED FOR THE PROJECT. IF NECESSARY, DEWATERING ACTIVITIES SHALL BE CONDUCTED WITH AND APPROVED BY THE LOCAL GOVERNING UNIT. IF THERE WILL BE ANY DEWATERING OR BASIN DRAINING THAT MAY HAVE TURNED OR SEDIMENT LADEN DISCHARGE, THE WATER MUST BE DISCHARGED TO A TEMPORARY OR PERMANENT SEDIMENTATION BASIN ON THE PROJECT SITE WHENEVER POSSIBLE. APPROPRIATE BMP'S SHALL BE USED FOR EROSION AND SEDIMENT CONTROL AND ENERGY DISSIPATION.
- CONSTRUCTION MATERIALS AND DEBRIS**  
CONSTRUCTION MATERIALS SHALL BE STORED IN AN ORDERLY MANNER AND IN AN AREA THAT WILL MINIMIZE CONFLICTS WITH OTHER CONSTRUCTION ACTIVITIES. CONSTRUCTION DEBRIS SHALL BE CONTAINED IN DUMPSTERS AND REMOVED FROM THE SITE AS NECESSARY.
- CHEMICALS**  
CHEMICALS SHALL BE STORED IN A SAFE AREA IN SEALED CONTAINERS WITH THE ORIGINAL LABELING AND MATERIAL SAFETY DATA SHEETS AVAILABLE.
- SPILLS AND CONTAMINATION**  
IF FUEL, OIL OR A HAZARDOUS CHEMICAL IS SPILLED OR DETECTED DURING CONSTRUCTION ACTIVITIES, ALL APPROPRIATE AGENCIES SHALL BE IMMEDIATELY NOTIFIED, INCLUDING, BUT NOT LIMITED TO, THE MINNESOTA DUTY OFFICER AT 800-422-0795.
- CONCRETE WASHOUT AREA**  
ALL LIQUID AND SOLID WASTES GENERATED BY CONCRETE WASHOUT OPERATIONS MUST BE CONTAINED IN A LEAK-PROOF CONTAINMENT FACILITY OR IMPERMEABLE LINER. AN IMPERMEABLE COMPACTED CLAY LAYER IS SUFFICIENT. CONCRETE WASHOUT IN THE AGGREGATE ROAD BASE IS ALLOWED. A SIGN MUST BE INSTALLED AT EACH WASHOUT FACILITY TO DIRECT EQUIPMENT OPERATORS TO THE APPROPRIATE LOCATION.

**POST CONSTRUCTION**  
WHEN THE SITE HAS BEEN COMPLETELY CONSTRUCTED, THE SITE MUST UNDERGO FINAL STABILIZATION. FINAL STABILIZATION OCCURS WHEN ALL OF THE GRADING, INFRASTRUCTURE AND BUILDING ACTIVITIES HAVE BEEN COMPLETED. TO ACHIEVE FINAL STABILIZATION, THE FOLLOWING MEASURES SHALL BE COMPLETED.

- ALL DISTURBED AREAS WITHOUT PERMANENT IMPERVIOUS SURFACES SHALL BE STABILIZED BY A UNIFORM PERENNIAL VEGETATIVE COVER. AREAS NOT REQUIRING SOD OR EROSION CONTROL, BLANKET SHALL BE SEEDING AND MULCHED.
- SEDIMENT FROM CONVEYANCES AND TEMPORARY SEDIMENTATION BASINS THAT ARE TO BE USED AS PERMANENT WATER QUALITY MANAGEMENT BASINS SHALL BE CLEANED OUT. SEDIMENTATION BASINS SHALL BE SUFFICIENTLY CLEANED OUT TO RETURN THE BASIN TO DESIGN CAPACITY. SEDIMENT MUST BE STABILIZED TO PREVENT IT FROM BEING WASHED BACK INTO THE BASIN OR CONVEYANCES DISCHARGING OFF-SITE OR TO SURFACE WATERS.
- WHEN STABILIZED VEGETATION HAS BEEN ESTABLISHED OVER 70 PERCENT OF THE PERVIOUS SURFACE AREA, ALL SYNTHETIC TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES SHALL BE REMOVED. THIS INCLUDES, BUT IS NOT LIMITED TO, SILT FENCE, TREE FENCE AND CATCH BASIN INLET PROTECTION DEVICES.

**INSPECTIONS & RECORD KEEPING**  
STORMWATER POLLUTION PREVENTION INSPECTIONS SHALL OCCUR ONCE EVERY SEVEN (7) DAYS DURING ACTIVE CONSTRUCTION AND 24 HOURS AFTER A RAINFALL EVENT GREATER THAN 0.5 INCHES IN 24 HOURS. INSPECTIONS MAY BE CEASED DURING FROZEN GROUND CONDITIONS, WHERE WORK HAS BEEN SUSPENDED DUE TO FROZEN GROUND CONDITIONS, THE REQUIRED INSPECTIONS AND MAINTENANCE MUST TAKE PLACE WITHIN 24 HOURS AFTER RUNOFF OCCURS AT THE SITE OR PRIOR TO RESUMING CONSTRUCTION, WHICHEVER COMES FIRST. DURING THE COURSE OF CONSTRUCTION, IT MAY BE DETERMINED THAT ADDITIONAL STORMWATER POLLUTION PREVENTION MEASURES MAY BE NEEDED, OR CERTAIN MEASURES ARE NOT PRACTICAL TO INSTALL. IN THESE CASES, AN AMENDMENT TO THE SWPPP SHALL BE MADE, AND SUPPORTING REASONS SHALL BE DOCUMENTED IN THE SWPPP.

- THE OWNER/CONTRACTOR IS RESPONSIBLE FOR ALL EROSION CONTROL INSPECTIONS.
- RECORD NAME OF INSPECTOR AND DATE AND TIME OF INSPECTION.
- RECORD RAINFALL AMOUNT SINCE MOST RECENT INSPECTION.
- INSPECT ROCK CONSTRUCTION ENTRANCES FOR SEDIMENTATION. INSPECT ADJACENT STREETS FOR SEDIMENT TRACKING.
- INSPECT SITE FOR EXCESSIVE EROSION AND SEDIMENT ACCUMULATION.
  - INSPECT SILT FENCE AND OTHER TEMPORARY EROSION AND SEDIMENT CONTROL DEVICES FOR EROSION, SEDIMENTATION AND MALFUNCTIONING.
  - INSPECT FLARED END SECTIONS FOR EROSION AND SEDIMENTATION.
  - INSPECT PONDS, INFILTRATION BASINS, TEMPORARY SEDIMENTATION BASINS AND ALL OTHER BMP'S FOR EROSION AND SEDIMENTATION.
  - INSPECT SURFACE WATERS, INCLUDING DRAINAGE DITCHES AND CONVEYANCE SYSTEMS FOR EVIDENCE OF SEDIMENT BEING DEPOSITED BY EROSION.
- INSPECT STABILIZED AREAS FOR EROSION.
- RECORD RECOMMENDED REPAIRS, MAINTENANCE AND/OR REPLACEMENTS REQUIRED TO ENSURE EROSION AND SEDIMENTATION CONTROL MEASURES ARE SUFFICIENT.
- RECORD RECOMMENDED AMENDMENTS TO THE SWPPP.
- RECORD REPAIRS, MAINTENANCE AND/OR REPLACEMENTS THAT WERE COMPLETED SINCE THE LAST INSPECTION. NOTE: FOR AREAS THAT HAVE UNDERGONE FINAL STABILIZATION, INSPECTIONS CAN BE REDUCED TO ONCE PER MONTH.

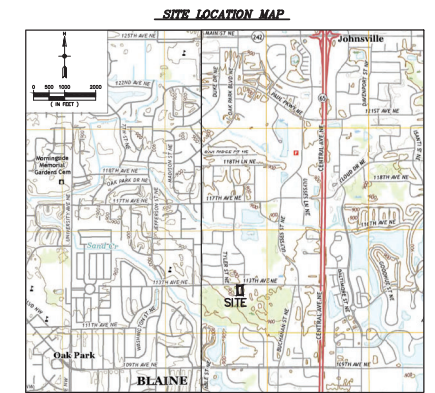
**MAINTENANCE**  
THE OWNER/CONTRACTOR IS RESPONSIBLE FOR THE OPERATION, INSPECTION AND MAINTENANCE OF ALL STORMWATER POLLUTION PREVENTION MEASURES FOR THE DURATION OF THE PROJECT. THE FOLLOWING GUIDELINES SHALL BE USED TO DETERMINE NECESSARY REPAIRS, MAINTENANCE AND/OR REPLACEMENT OF THE EROSION AND SEDIMENTATION CONTROL MEASURES.

- ROCK CONSTRUCTION ENTRANCES SHALL BE REPAIRED OR REPLACED IF THE ROCK BECOMES INUNDATED WITH SEDIMENT AND/OR EXCESSIVE SEDIMENT IS BEING TRACKED FROM THE SITE. SEDIMENT TRACKED OUTSIDE ADJACENT STREETS SHALL BE REMOVED. MEASURES SHALL BE TAKEN IMMEDIATELY UPON DISCOVERY.
- SILT FENCE SHALL BE REPAIRED OR REPLACED WHEN SEDIMENT REACHES 1/3 THE HEIGHT OF THE SILT FENCE, THE SILT FENCE IS DAMAGED AND/OR THE SILT FENCE BECOMES NONFUNCTIONAL. MEASURES SHALL BE TAKEN WITHIN 24 HOURS OF DISCOVERY.
- CATCH BASIN INLET PROTECTION DEVICES SHALL BE CLEANED WHEN SEDIMENT REACHES 1/3 THE HEIGHT OF THE SEDIMENT TRAP AND/OR REPAIRED OR REPLACED IF THE DEVICE BECOMES NONFUNCTIONAL. MEASURES SHALL BE TAKEN WITHIN 72 HOURS OF DISCOVERY.
- FLARED END SECTIONS SHALL BE CLEANED IF DEBRIS IS RESTRICTING FLOW OR IF SEDIMENT HAS ACCUMULATED AT THE OUTLET. IF A FLARED END SECTION BECOMES NONFUNCTIONAL OR DAMAGED, IT SHALL BE REPAIRED OR REPLACED. MEASURES SHALL BE TAKEN WITHIN 72 HOURS OF DISCOVERY.
- IF SEDIMENT IS OBSERVED OFF-SITE OR NEAR SURFACE WATERS, THE SOURCE OF SEDIMENT SHALL BE DETECTED AND ADDITIONAL MEASURES SHALL BE IMPLEMENTED. THE PERMITEE(S) SHALL COORDINATE SEDIMENT RETRIEVAL FROM SURFACE WATERS WITH ALL APPROPRIATE AGENCIES. MEASURES SHALL BE TAKEN WITHIN 7 DAYS OF DISCOVERY.
- PONDS, INFILTRATION BASINS, TEMPORARY SEDIMENTATION BASINS AND ALL OTHER BMP'S SHALL BE CLEANED IF DEBRIS IS PRESENT AND/OR EXCESSIVE SEDIMENTATION HAS OCCURRED. TEMPORARY AND PERMANENT SEDIMENTATION BASINS MUST BE DRAINED AND THE SEDIMENT REMOVED WHEN SEDIMENT HAS FILLED THE BASIN TO 1/2 THE STORAGE VOLUME. NO SEDIMENT SHALL BE ALLOWED TO ACCUMULATE IN INFILTRATION BASINS. MEASURES SHALL BE TAKEN WITHIN 72 HOURS OF DISCOVERY.

**NOTICE OF TERMINATION**  
THE PERMITEE(S) MUST SUBMIT A NOTICE OF TERMINATION (NOT) TO THE MPCA WITHIN 30 DAYS AFTER FINAL STABILIZATION IS COMPLETE, OR ANOTHER OWNER/OPERATOR (PERMITEE) HAS ASSUMED CONTROL OVER ALL AREAS OF THE SITE THAT HAVE NOT UNDERGONE FINAL STABILIZATION.

**QUANTITIES**  
THE FOLLOWING TABLE PROVIDES ESTIMATED QUANTITIES FOR STORMWATER POLLUTION PREVENTION THROUGHOUT THE PROJECT.

| ITEM                    | UNIT         | ESTIMATED QUANTITY |
|-------------------------|--------------|--------------------|
| ROCK ENTRANCE           | EA           | 2                  |
| SILT FENCE              | L.F.         | 700                |
| INLET PROTECTION        | EA           | 2                  |
| EROSION CONTROL BLANKET | S.Y. AS REQ. |                    |
| TURF ESTABLISHMENT      | AC           | 0.8                |



SOURCE: USGS COON RAPIDS 7.5 MIN. QUADRANGLE SOURCE: USGS CIRCLE PINES 7.5 MIN. QUADRANGLE

**NON-PLAINTANT SUBMITTER**

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

Print Name: Aaron D. Briskl, PE  
Signature: *Aaron Briskl*  
Date: 4/21/22 License #: 57811

Drawn: ADB  
Designed: BJK  
Date: 4/21/22

Revisions:  
1. 11/17/23 - Revise Layout per Owner

**MONTI GESINO**  
1000 - 113th Avenue NE  
Blaine, MN 55434

**ALEXANDER WOODS FOURTH ADDITION**  
Blaine, Minnesota

**SWPPP**

S1 of 1



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

Blaine City Hall  
10801 Town Sq Dr NE  
Blaine MN 55449

**Resolution: RES 22-052**

---

**File Number: RES 22-052**

**Granting Conditional Use Permit to Allow for the Construction of Two Single Family Homes in a DF (Development Flex) Zoning District at 1000 113th Avenue NE. Alexander Woods Fourth Addition (Monti Gesino/Carlson McCain) (Case File No. 22-0011/EES)**

**WHEREAS**, an application has been filed by Monti C Gesino, Shirley A Gesino as Conditional Use Permit Case File No. 22-0011; and

**WHEREAS**, said case involves the land described as follows:

Lot 14, Block 5, ALEXANDER WOODS

**WHEREAS**, a public hearing has been held by the Blaine Planning Commission on March 8, 2022; and

**WHEREAS**, the Blaine Planning Commission recommends said Conditional Use Permit be approved; and

**WHEREAS**, the Blaine City Council has reviewed said case on April 4, 2022.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Blaine that a Conditional Use Permit is hereby approved per Section 29.110 of the Zoning Ordinance to allow for the construction of two single family homes in a DF (Development Flex) zoning district with the following conditions:

**Single Family - DF Development Standards**

Permitted Uses

1. Single-family detached dwellings
2. Group family daycare

Accessory Uses

1. Private attached garages - one detached accessory structure, with area less than 120 square feet, will be permitted.
2. Private swimming pools/meeting the requirements of Blaine Municipal Code Section 6-121.
3. Keeping of not more than two (2) boarders and/or roomers per dwelling unit.

Conditional Uses



1. Home occupations listed as Conditional Uses in Section 33.10

Standards

1. Front yard setback - 25 feet
2. Side yard setback - 7.5 feet
3. Corner side yard setback - 20 feet
4. Rear yard setback - 30 feet
5. Maximum building height - 2 1/2 stories or 35 feet.
6. It shall be required for all single-family dwellings that there be an attached garage constructed of a minimum of four hundred (400) square feet, with no dimension less than 20 feet. Total garage space shall not exceed one thousand (1,000) square feet. Detached garages or accessory storage buildings above 120 square feet are not permitted. One detached accessory storage building below 120 square feet is permitted provided it meets 5-foot side and rear yard setbacks and be located within the rear yard. Lot 3, Block 1 may have up to 1,200 square feet of garage and accessory building space.
7. The minimum finished floor area above grade for all homes shall be 1,300 square feet.
8. All homes shall have a minimum depth and width of 24 feet.
9. All homes to incorporate multiple gables or varied roof lines and articulation of the front façade.
10. All residential dwellings must be built in conformance with the current edition of the Minnesota State Building Code.
11. Driveways shall not be constructed closer than 3 feet to the property line. All driveways and approaches shall be hard surfaced using concrete, bituminous asphalt or other city approved material that is consistent in durability and quality.
12. It shall be required that all yards of a new single-family dwelling be sodded over a minimum of 4 inches of topsoil (black dirt containing not more than 35 percent sand). Yards may be seeded over 4 inches of black dirt if underground irrigation is installed with the home.
13. Each lot shall contain two front yard trees and a third tree is required in the side yard for corner lots. Trees must be at least 2.5 caliper inches.
14. Developer to execute and record where deemed appropriate by the city engineer with the sale of single-family lots, an affidavit indicating to homebuyers that the soils located in the rear and side yards of the single family lots have not been corrected to accommodate general building construction or pools, and that additional effort may be required by the homeowner to stabilize those soils before additional construction could occur.
15. All development entrance signage by separate permit.

**PASSED** by the City Council of the City of Blaine this 4th day of April, 2022.

Signed by: \_\_\_\_\_



Tim Sanders, Mayor

Date April 4, 2022



Attest by: \_\_\_\_\_

*Catherine M. Sorensen*

Catherine Sorensen, CMC, City Clerk

Date April 4, 2022



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

Blaine City Hall  
10801 Town Sq Dr NE  
Blaine MN 55449

**Resolution: RES 22-083**

---

**File Number: RES 22-083**

**Granting Final Plat Approval to Subdivide Approximately 1.16 Acres into Three Lots to be Known as Alexander Woods Fourth Addition at 1000 113th Avenue NE. Monti Gesino/Carlson McCain (Case File No. 22-0033/EES)**

**WHEREAS**, an application has been filed by Monti C Gesino, Shirley A Gesino as Case File No. 22-0033 for a final plat known as Alexander Woods Fourth Addition; and

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

Lot 14, Block 5, ALEXANDER WOODS, Anoka County, Minnesota

**WHEREAS**, the Blaine City Council granted preliminary plat approval on April 4, 2022, subject to the conditions as contained in Blaine City Council Resolution No. 22-051; 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 Alexander Woods Fourth Addition per Section 74-43 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 all necessary documents, agreements and releases related to the approval, recording or administration of Alexander Woods 4th Addition.

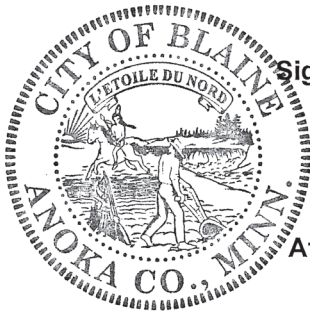
1. The developer is responsible for recording plat mylars with Anoka County. Proof of recording must be provided prior to issuance of building permits.
2. The overall development shall be certified by a Professional Engineer licensed in the State of Minnesota and indicate all structures shall be protected from flooding.
3. Plans and specifications must be approved by the City prior to start of construction.
4. All three lots are required to gain access via Fillmore Street.
5. Standard utility and drainage easements must be dedicated along all lot lines.
6. Development requires a National Pollutant Discharge Elimination System (NPDES) Phase II General Storm Water Permit for Construction Activity from the Minnesota Pollution Control Agency (MPCA). A prerequisite to the MPCA permit application includes preparation of a site Storm Water Pollution Prevention Plan (SWPPP) for the development site.
7. Construction contract documents shall 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.

8. Water and sanitary sewer availability charges (WAC & SAC) become due with each building permit at the rate established at the time the building permit is issued.
9. As-built surveys shall be required to verify structure elevations, custom grading requirements, and final lot grading elevations.
10. Park dedication will be required for the two new lots being constructed at the rate of \$4,449 per unit, for a total park dedication fee of \$8,898 if paid in 2022. This amount must be paid prior to releasing the plat mylars for recording at Anoka County.
11. The property shall be brought into conformance with Article VII - Residential Exterior Storage and 33.10 - Home Occupations prior to release of mylars for recording.
12. Developer to install grouped mailboxes with design and locations approved by city and US Postal Service.
13. All development signage by separate review.
14. Each lot in this development shall have two front yard overstory trees with a minimum size of 2.5 caliper inches.
15. 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 16th day of May, 2021.



Signed by:

Tim Sanders, Mayor

Date May 16, 2022

Attest by:

Catherine Sorensen, CMC, City Clerk

Date May 16, 2022

**From:** [Scott Hoffman](#)  
**To:** [Planning](#)  
**Subject:** Planning Commission Meeting Case 23-0089  
**Date:** Sunday, February 11, 2024 4:31:52 PM

---

Dear Planning Commission:

I am writing in response to the hearing request, Case # 23-0089. I am a nearby homeowner and am unable to attend in person or watch live the planning commission meeting.

My relationship for the past three years with this owner has been friendly. We feel he has acted responsibly in his efforts to develop the area to accommodate the addition.

A welcome change we see in this plat map that he made from his original March 2022 request, was to eliminate a proposed garage addition to the west side of the existing home.

Because this plat is considered to be a part of Alexander Woods, and because the driveways are to face Fillmore Street NE, we would like to ensure there be cohesiveness of the new homes to the homes already built on Fillmore St NE including the following:

Fences: No silver metal chain link fencing for any purposes, including dog kennels. Fences may not exceed 4 feet in height, may only be allowed on side and rear yards of lot and must be maintained by the homeowner.

Parking of Vehicles: No boats, snowmobiles, trailers, camping vehicles, buses, camper tops, "all-terrain vehicles", tractor/trainers, trucks in excess of 9,000 pounds gross weight or unlicensed or inoperable vehicles shall at any time be stored or parked on any Lot outside of the house or garage.

Since it is being considered as part of the addition, we would ask that the existing home be required to follow the above, upon a change in ownership of the existing property.

The City of Blaine ordinances also discourage outside unattended open burning. We ask that this be better enforced.

Our desire is to have any new construction as well as changes to the existing dwelling be done with minimal disruption to the neighborhood.

Sincerely,

Scott & Cheryl Hoffman  
11287 Fillmore St. NE  
Blaine, MN 55434



# City of Blaine

## Planning Commission

---

February 13, 2024 | 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, February 13, 2024. Chair Goracke called the meeting to order at 7:00PM.

#### 2. Roll Call

Members Present: Commission Members Gorzycki, Halpern, Olson, Swanson, and Chair Goracke.

Members Absent: Commission Members Deonauth and Homan.

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

#### 3. Approval of Minutes

3.1. 2024-697 Approval of the January 9, 2024 Planning Commission Minutes  
*Sponsors:*

**Motion by Commissioner Olson to approve the minutes of January 9, 2024, as presented. Motion seconded by Commissioner Swanson. The motion passed 5-0.**

#### 4. Public Hearing

4.2. 2024-38 Case File No. 23-0089 // Alexander Woods 4th Addition // 1000 113th Avenue NE  
The applicant is requesting the following:

1. Preliminary plat approval to subdivide approximately 1.16 acres into three lots.

2. Conditional use permit to allow for the construction of two additional single-family homes in a Development Flex (DF) zoning district. The existing home will remain.

*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 23-0089 was opened at 7:17PM. As no one wished to appear, the public hearing was closed at 7:17PM.

Chair Goracke asked if the previous preliminary plat and CUP for this property expired.

Community Development Specialist Showalter reported this was the case. She explained the request before the planning commission was exactly the same, except for minor changes in lot widths to accommodate an existing driveway.

**Motion by Commissioner Olson to recommend approval of Planning Case 23-0089A a preliminary plat to subdivide approximately 1.16 acres into three lots to be known as Alexander Woods 4th Addition with the following conditions:**

**Case 23-0089A:**

1. Plans and specifications must be approved by the City prior to start of construction.
2. Standard utility and drainage easements must be dedicated along all lot lines and over areas of delineated wetlands, wetland mitigation, infiltration trenches, drainage swales, and storm water management ponds.
3. The Developer is to provide access for inspection and maintenance of storm water management infrastructure. Restrictions will be placed on lot lines as needed to limit fences and landscaping to insure access.
4. Developer to obtain Coon Creek Watershed district permit review prior to start of construction.
5. Development requires a National Pollutant Discharge Elimination System (NPDES) Phase II General Storm Water Permit for Construction Activity from Minnesota Pollution Control Agency (MPCA). A prerequisite to the MPCA permit application includes preparation of a site Storm Water Pollution Prevention Plan (SWPPP) for the development site.
6. Construction contract documents shall 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.
7. The development plan shall indicate all structures will be protected from flooding.
8. As-built surveys shall be required to verify structure elevations, custom grading requirements, and final lot grading elevations.
9. Park dedication will be required for the two new lots being constructed at the rate of \$4,894 per unit, for a total park dedication fee of \$9,788 if paid in 2024.

This amount must be paid prior to releasing the plat mylars for recording at Anoka County.

10. Developer to install grouped mailboxes with design and locations approved by the City and US Postal Service.
11. Water and sanitary sewer availability charges (WAC & SAC) become due with each building permit at the rate established at the time the building permit is issued.
12. Each lot in this development shall have two front yard overstory trees with a minimum size of 2.5 caliper inches.
13. 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.

Motion by Commissioner Olson to recommend approval of Planning Case 23-0089B a conditional use permit to allow for the construction of two single-family homes in a DF (Development Flex) zoning district based on the following conditions:

**Case 23-0089B:**

**Single Family - DF Development Standards**

**Permitted Uses**

1. Single-family detached dwellings
2. Group family daycare

**Accessory Uses**

1. Private attached garages - one detached accessory structure, with area less than 120 square feet, will be permitted.
2. Private swimming pools meeting the requirements of Blaine Municipal Code Section 6-121.
3. Keeping of not more than two (2) boarders and/or roomers per dwelling unit.

**Conditional Uses**

1. Home occupations listed as Conditional Uses in Section 33.10

**Standards**

1. Front yard setback - 25 feet
2. Side yard setback - 7.5 feet
3. Corner side yard setback - 20 feet
4. Rear yard setback - 30 feet
5. Maximum building height - 2 1/2 stories or 35 feet.
6. It shall be required for all single-family dwellings that there be an attached garage constructed of a minimum of four hundred (400) square feet, with no

dimension less than 20 feet. Total garage space shall not exceed one thousand (1,000) square feet. Detached garages or accessory storage buildings above 120 square feet are not permitted. One detached accessory storage building below 120 square feet is permitted provided it meets 5-foot side and rear yard setbacks and be located within the rear yard.

7. The minimum finished floor area above grade for all homes shall be 1,300 square feet for a single level.
8. All homes shall have a minimum depth and width of 24 feet.
9. All homes to incorporate multiple gables or varied roof lines and articulation of the front façade.
10. All residential dwellings must be built in conformance with the current edition of the Minnesota State Building Code.
11. Driveways shall not be constructed closer than three feet to the property line. All driveways and approaches shall be hard surfaced using concrete, bituminous asphalt or other city-approved material that is consistent in durability and quality.
12. It shall be required that all yards of a new single-family dwelling be sodded over a minimum of 4-inches of topsoil (black dirt containing not more than 35 percent sand). Yards may be seeded over 4-inches of black dirt if underground irrigation is installed with the home.
13. Each lot shall contain two front yard trees and a third tree is required in the side yard for corner lots. Trees must be at least 2.5 caliper inches.
14. Developer to execute and record where deemed appropriate by the city engineer with the sale of single-family lots, an affidavit indicating to homebuyers that the soils located in the rear and side yards of the single family lots have not been corrected to accommodate general building construction or pools, and that additional effort may be required by the homeowner to stabilize those soils before additional construction could occur.

**Motion seconded by Commissioner Swanson. The motion passed 5-0.**

Chair Goracke noted this would be on the agenda of the March 4, 2024 city council meeting.



# City of Blaine Staff Report

File Number: RES 24-34

| Agenda Date   | Status     |
|---------------|------------|
| March 4, 2024 |            |
| In Control    | File Type  |
| City Council  | Resolution |

**Development Business** - Sheila Sellman, City Planner

## Agenda Item # 10.3

Resolution Granting a Conditional Use Permit to Allow for the Construction of Two Additional Single-Family Homes in the Development Flex (DF) Zoning District at 1000 113th Avenue NE. Alexander Woods 4th Addition (Case File No. 23-0089/EES)

## Executive Summary

The applicant is proposing a three lot subdivision adjacent to the existing Alexander Woods subdivision. A similar subdivision was approved in 2022, but has since expired. Staff and the Planning Commission recommend approval.

## Background

|                                           |          |
|-------------------------------------------|----------|
| Planning Commission Public Hearing        | 02/13/24 |
| City Council (Conditional Use Permit)     | 03/04/24 |
| Action Deadline (60 Days)                 | 02/27/24 |
| Action Deadline (City Extended - 60 Days) | 04/27/24 |

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

### Zoning

The property is zoned Development Flex (DF).

### Land Use Designation

The property is guided Low Density Residential which allows for 2.5 to 6 units per acre. The proposed subdivision meets that density requirement.

### Surrounding Zoning and Uses

The property is surrounded by other homes in the Alexander Woods subdivision which are also zoned



DF and guided LDR.

#### Existing Conditions

The property has an existing home and pool.

#### History

In 2020, a preliminary plat, rezoning, and conditional use permit was granted for Alexander Woods. The plat left three approximately acre-sized parcels remaining with existing homes. In 2022, the applicant received preliminary and final plat approval and a conditional use permit for a subdivision of a one acre parcel into three lots. The plat was never recorded and expired in May of 2023. At this time, the applicant is requesting approval of the same request, with one lot line moved slightly to accommodate a driveway location. The resolutions of the previously approved conditional use permit and final plat are attached.

The house on the property was originally accessed with a driveway off 113th, but a new driveway was constructed with access off Fillmore Street. This resulted in an address change from 1000 113th Avenue to 11278 Fillmore Street.

#### **Evaluation of Request**

##### Plat

The plat proposes to subdivide 1.2 acres into three lots, for a net density of 2.5 units per acre, meeting the LDR land use designation. All three lots will access Fillmore Street, as was shown in the ghost plat for this parcel when it was previously subdivided. The lot for the existing home is proposed to be approximately 110 feet wide and 28,000 square feet in area. The lots for the two new homes are smaller with the center lot having a width of 57.5 feet and the corner lot at 80 feet in width. These lot sizes are compatible with the surrounding lots in Alexander Woods, which have a minimum width of 53 feet.

##### Architecture

The property owner has not identified a builder for the new homes at this time. The homes will need to be consistent with the homes constructed by M/I Homes as part of Alexander Woods. This includes a minimum finished floor area of 1,300 square feet, incorporating multiple gables or varied roof lines, and including articulation of the front façade. No materials requirements are proposed.

##### Setbacks

The following setbacks apply to the proposed homes:

- Front yard setback - 25 feet
- Side yard setback - 7.5 feet
- Corner side yard setback - 20 feet
- Rear yard setback - 30 feet

##### Landscaping

The standard landscaping requirements are proposed, which would be three trees on Lot 1 (corner lot) and two trees on Lot 2.

### Tree Preservation

The site currently has 37 trees, nine of which will be preserved. Tree replacement is calculated based on the area being disturbed, which is 0.5 acres. Applying the standard that the first eight trees removed per acre must be replaced, four trees must be planted. This is met through the typical landscaping requirements of two trees per lot with a third tree on corner lots.

### Park Dedication

Park dedication will be required for the two new lots being constructed at the rate of \$4,894 per unit, for a total park dedication fee of \$9,788 if paid in 2024. This amount must be paid prior to releasing the plat mylars for recording at Anoka County.

### Grading/Storm Drainage

There is no grading needed for the lot with the existing house. A grading plan for the additional two lots shall provide 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.

### Wetlands/Watershed

There are no wetlands on the subject property.

The property was part of the original Alexander Woods subdivision, however, development needs to be submitted to Coon Creek Watershed District for permit review.

### Utilities

Water and sanitary sewer stubs were provided to these ghost lots during the construction of Alexander Woods 1st Addition.

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.

### Access/Street Design/Sidewalks/Trails

As previously mentioned, all lots will have driveway access from Fillmore Street NE. No additional street design, sidewalk or trail construction will be required. Some minor sidewalk repair may be required with the installation of additional storm water piping as currently 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.

### **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 proposed subdivision is consistent with the ghost plat for the area and will not create excessive 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.
  - The architectural standards listed in the proposed conditions will ensure the use is compatible with neighboring properties and the intent of the DF zoning district.
3. The use shall have an appearance that will not have an adverse effect upon adjacent properties.
  - The architectural standards listed in the proposed conditions will ensure the use is compatible with neighboring 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.
  - The use is consistent with the purpose of the district to allow for flexible residential development.
6. The use shall not be in conflict with the comprehensive plan of the City.
  - The use is consistent with the LDR land use.
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 existing and proposed structures are served with the required utility services, adequate roadway infrastructure and necessary drainage facilities to service the proposed uses.

**Attachments:**

Zoning and Location Map

Plat

Site Plan

Grading Plan

Resolution 22-052 (Conditional Use Permit)

Resolution 22-083 (Final Plat)

Unapproved Planning Commission Meeting Minutes 2/13/24

**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.

One written comment was received requesting that requirements for fencing and vehicle parking from the HOA covenants for Alexander Woods 1-3 apply to these lots. These were not a requirement by the City, and the City cannot require these proposed lots join the HOA.

### 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 2/13/24



# City of Blaine

## Signature Copy

Resolution: RES 24-34

### **Resolution Granting a Conditional Use Permit to Allow for the Construction of Two Additional Single-Family Homes in the Development Flex (DF) Zoning District at 1000 113th Avenue NE. Alexander Woods 4th Addition (Case File No. 23-0089/EES)**

**WHEREAS**, an application has been filed by Monti C Gesino, Shirley A Gesino as Conditional Use Permit Case File No. 23-0089 for Alexander Woods 4th Addition; and

**WHEREAS**, said case involves the property described as follows:

Lot 14, Block 5, ALEXANDER WOODS

**WHEREAS**, the Blaine Planning Commission held a public hearing on February 13, 2024, and recommended approval regarding said Conditional Use Permit; and

**WHEREAS**, the Blaine City Council has reviewed said case on March 4, 2024; 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 29.110 and 27.04 of the Zoning Ordinance to allow for the construction of two single-family homes in a DF (Development Flex) zoning district based on the following conditions:

#### **Single Family - DF Development Standards**

##### Permitted Uses

1. Single-family detached dwellings
2. Group family daycare

##### Accessory Uses

1. Private attached garages - one detached accessory structure, with area less than 120 square feet, will be permitted.
2. Private swimming pools meeting the requirements of Blaine Municipal Code Section 6-121.
3. Keeping of not more than two (2) boarders and/or roomers per dwelling unit.

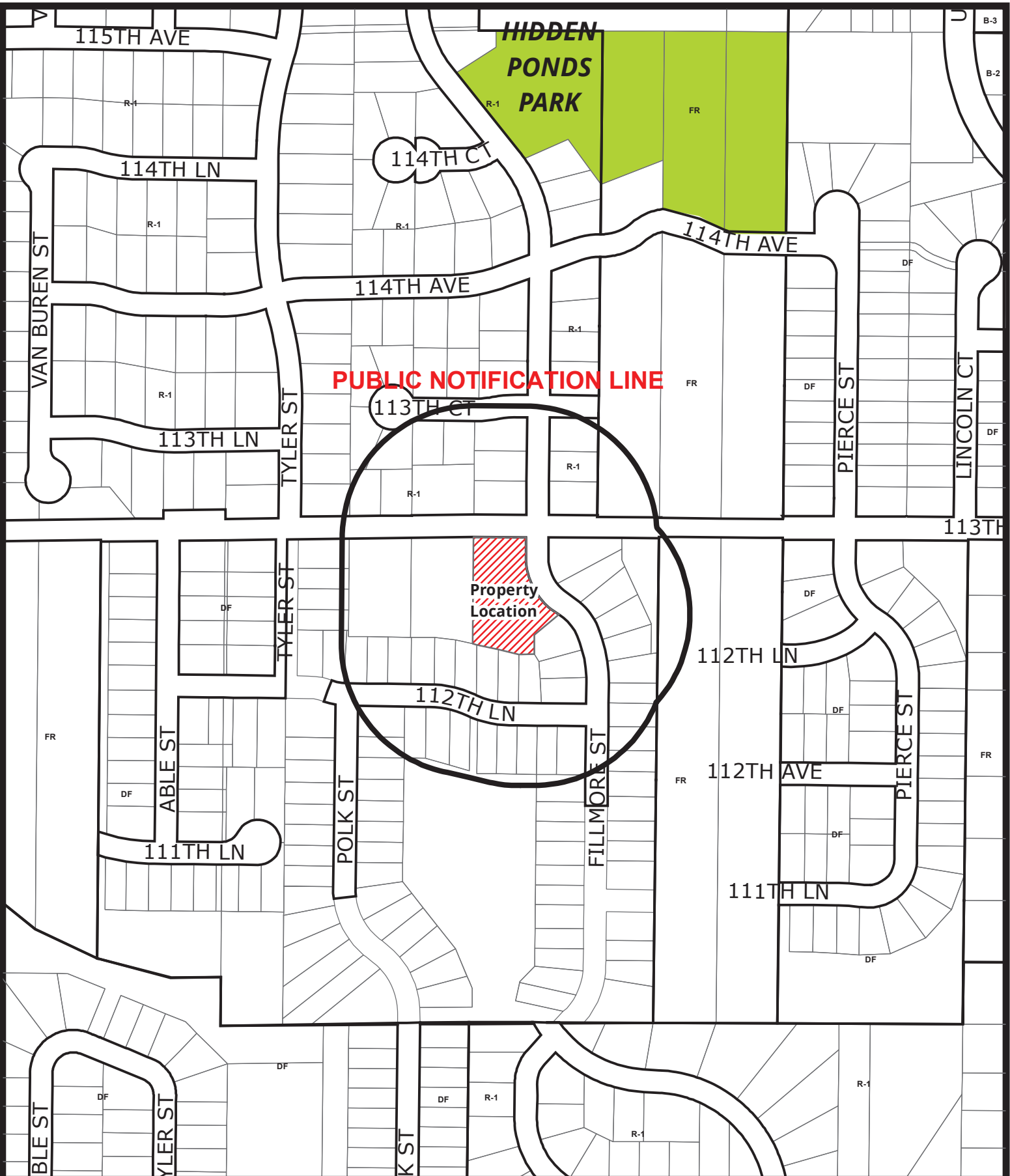
##### Conditional Uses

1. Home occupations listed as conditional uses in Section 33.10

Standards

1. Front yard setback - 25 feet
2. Side yard setback - 7.5 feet
3. Corner side yard setback - 20 feet
4. Rear yard setback - 30 feet
5. Maximum building height - 2 1/2 stories or 35 feet.
6. It shall be required for all single-family dwellings that there be an attached garage constructed of a minimum of four hundred (400) square feet, with no dimension less than 20 feet. Total garage space shall not exceed one thousand (1,000) square feet. Detached garages or accessory storage buildings above 120 square feet are not permitted. One detached accessory storage building below 120 square feet is permitted provided it meets 5-foot side and rear yard setbacks and be located within the rear yard.
7. The minimum finished floor area above grade for all homes shall be 1,300 square feet for a single level.
8. All homes shall have a minimum depth and width of 24 feet.
9. All homes to incorporate multiple gables or varied roof lines and articulation of the front façade.
10. All residential dwellings must be built in conformance with the current edition of the Minnesota State Building Code.
11. Driveways shall not be constructed closer than three feet to the property line. All driveways and approaches shall be hard surfaced using concrete, bituminous asphalt or other city-approved material that is consistent in durability and quality.
12. It shall be required that all yards of a new single-family dwelling be sodded over a minimum of 4-inches of topsoil (black dirt containing not more than 35 percent sand). Yards may be seeded over 4-inches of black dirt if underground irrigation is installed with the home.
13. Each lot shall contain two front yard trees and a third tree is required in the side yard for corner lots. Trees must be at least 2.5 caliper inches.
14. Developer to execute and record where deemed appropriate by the city engineer with the sale of single-family lots, an affidavit indicating to homebuyers that the soils located in the rear and side yards of the single family lots have not been corrected to accommodate general building construction or pools, and that additional effort may be required by the homeowner to stabilize those soils before additional construction could occur.

**PASSED** by the City Council of the City of Blaine this 4th day of March, 2024.

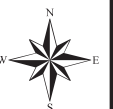


**Case File No. 23-0089**  
**Alexander Woods 4th Addition**

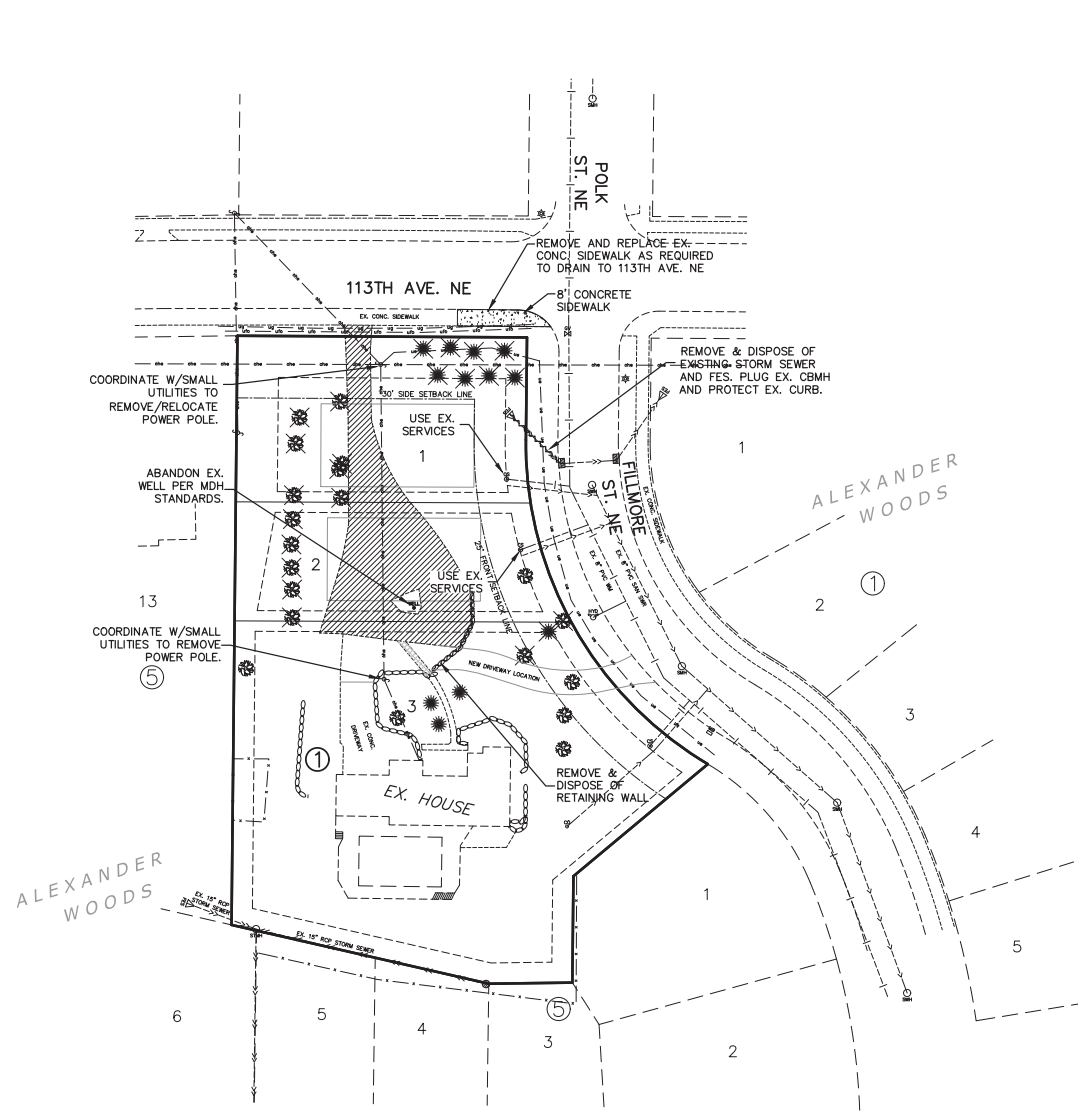


BlaineMN.gov

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







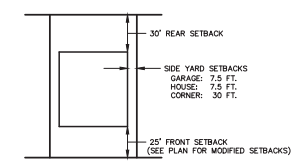
### REMOVALS PLAN LEGEND

| EXISTING            | PROPOSED            |
|---------------------|---------------------|
| 10' CONTOUR         | 10' CONTOUR         |
| 2' CONTOUR          | 2' CONTOUR          |
| PROPERTY LINE       | PROPERTY LINE       |
| CURB                | CURB                |
| BITUMINOUS          | BITUMINOUS          |
| GRAVEL              | GRAVEL              |
| CONCRETE            | CONCRETE            |
| BITUMINOUS REMOVAL  | BITUMINOUS REMOVAL  |
| SAWCUT              | SAWCUT              |
| CURB REMOVAL        | CURB REMOVAL        |
| PIPE REMOVAL        | PIPE REMOVAL        |
| MANHOLE             | MANHOLE             |
| HYDRANT             | HYDRANT             |
| GATE VALVE          | GATE VALVE          |
| LIGHT POLE          | LIGHT POLE          |
| ELECTRIC BOX        | ELECTRIC BOX        |
| SIGN                | SIGN                |
| TREE (CONF./DECID.) | TREE (CONF./DECID.) |

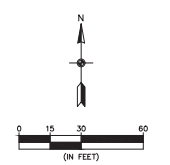
### SITE PLAN LEGEND

| EXISTING                | PROPOSED                |
|-------------------------|-------------------------|
| LIGHT POLE              | LIGHT POLE              |
| SANITARY MANHOLE        | SANITARY MANHOLE        |
| MISCELLANEOUS SIGN      | MISCELLANEOUS SIGN      |
| EXISTING SPOT ELEVATION | EXISTING SPOT ELEVATION |
| EXISTING TREE           | EXISTING TREE           |
| TELEVISION BOX          | TELEVISION BOX          |
| FIRE HYDRANT            | FIRE HYDRANT            |
| GATE VALVE              | GATE VALVE              |
| CLEANOUT                | CLEANOUT                |
| ELECTRIC BOX            | ELECTRIC BOX            |
| GAS METER               | GAS METER               |
| CATCH BASIN             | CATCH BASIN             |
| RAIN GUARDIAN           | RAIN GUARDIAN           |
| ELECTRIC METER          | ELECTRIC METER          |
| TELEPHONE BOX           | TELEPHONE BOX           |
| UTILITY POLE            | UTILITY POLE            |
| FLARED END SECTION      | FLARED END SECTION      |
| STORM MANHOLE           | STORM MANHOLE           |
| SERVICE                 | SERVICE                 |
| SOIL BORING/TEST HOLE   | SOIL BORING/TEST HOLE   |
| RETAINING WALL          | RETAINING WALL          |
| WATERMAIN               | WATERMAIN               |
| SANITARY SEWER          | SANITARY SEWER          |
| STORM SEWER             | STORM SEWER             |
| PROPERTY LINE           | PROPERTY LINE           |
| SETBACK LINE            | SETBACK LINE            |
| CURB                    | CURB                    |
| WETLAND                 | WETLAND                 |
| DITCH                   | DITCH                   |
| UNDERGROUND TELEPHONE   | UNDERGROUND TELEPHONE   |
| UNDERGROUND ELECTRIC    | UNDERGROUND ELECTRIC    |
| UNDERGROUND GAS         | UNDERGROUND GAS         |
| UNDERGROUND FIBEROPTIC  | UNDERGROUND FIBEROPTIC  |
| FENCE                   | FENCE                   |
| OVERHEAD ELECTRIC       | OVERHEAD ELECTRIC       |
| CONCRETE SURFACE        | CONCRETE SURFACE        |
| BITUMINOUS SURFACE      | BITUMINOUS SURFACE      |

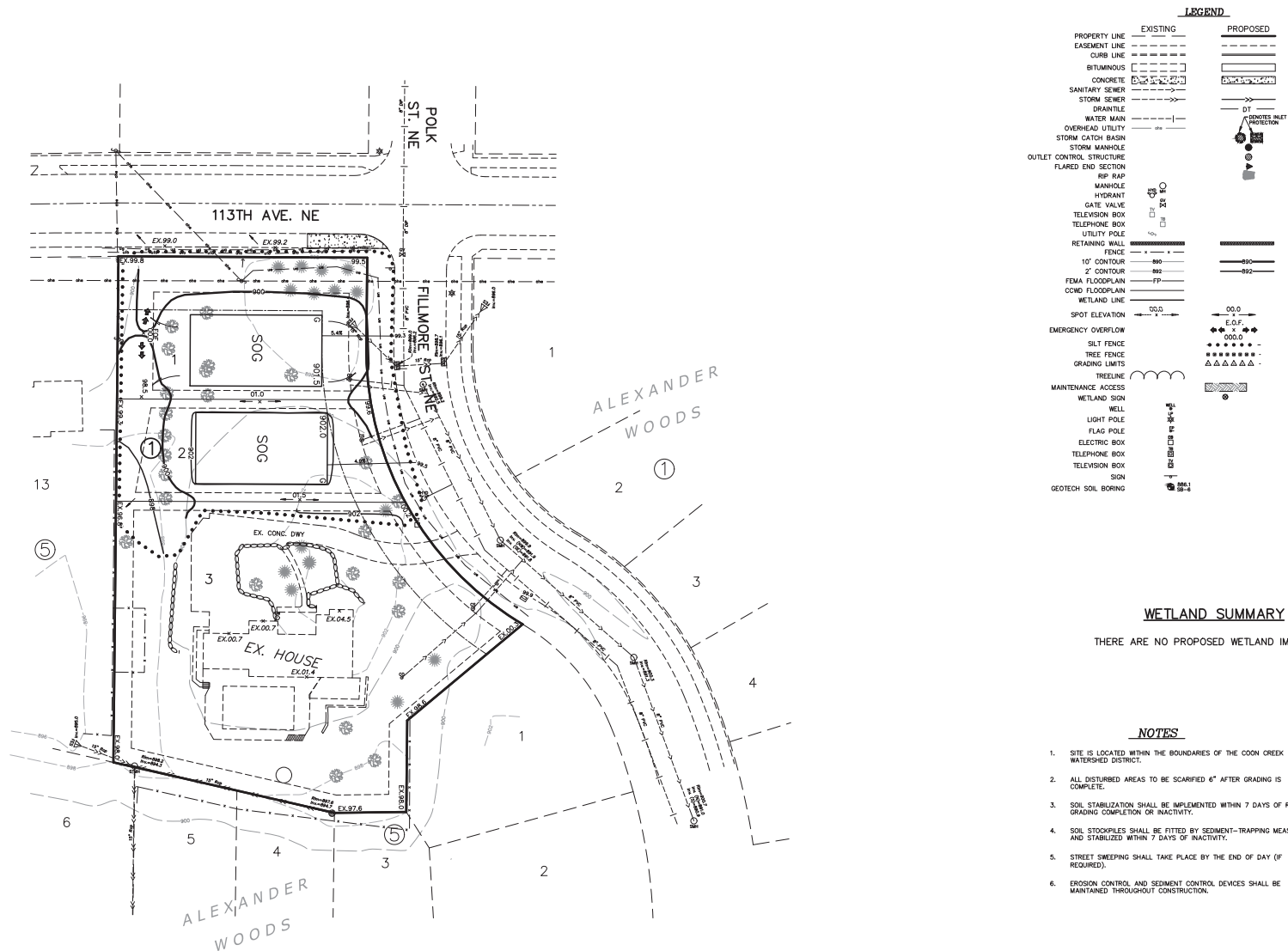
### SINGLE FAMILY 57.5' MIN. WIDE LOT



USE EXISTING SEWER & WATER SERVICES



| BENCHMARK                                                                                                                   |
|-----------------------------------------------------------------------------------------------------------------------------|
| 1. MNDOT Geodetic Monument named 0228 Ac. Station ID 103142, Metal Rod with Removable ID Disk, Elevation=950.70 (NAVD 88)   |
| 2. MNDOT Geodetic Monument named 9 WHY RESET, Station ID 697, Concrete Post with Benchmark Disk, Elevation=956.69 (NAVD 88) |



**NON-RESIDENT ENGINEER**  
 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.

Print Name: Brian J. Krystofek, P.E.  
 Signature: *Brian J. Krystofek*  
 Date: 4/21/22 License #: 25063

Drawn: ADH  
 Designed: BSM  
 Date: 4/21/22

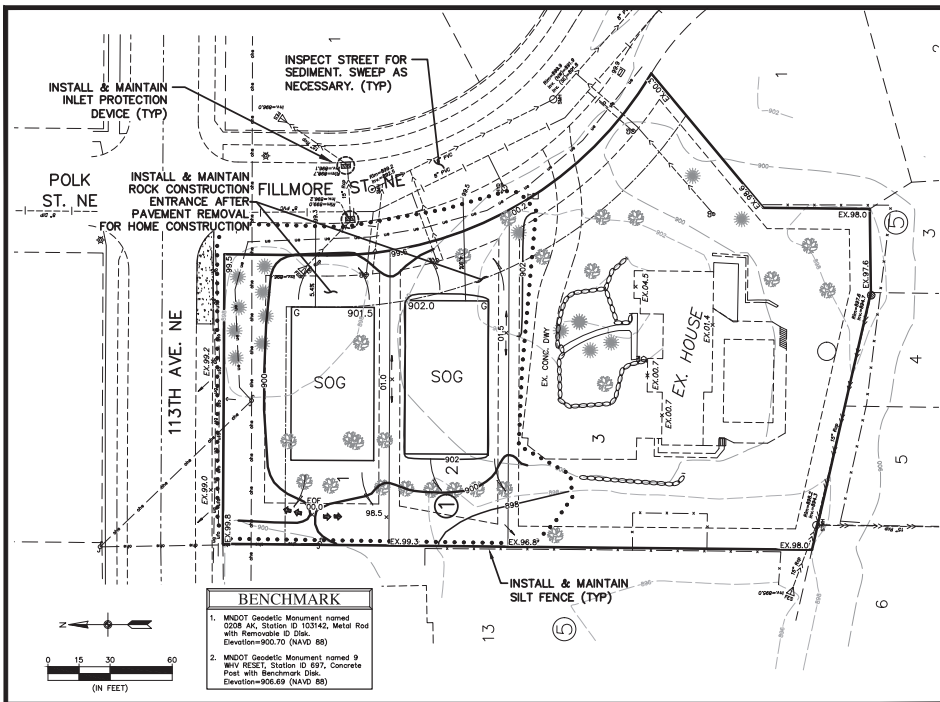
Revisions:  
 1: 11/17/23 - Revise Layout per Owner

**MONTI GESINO**  
 1000 - 113th Avenue NE  
 Blaine, MN 55434

**ALEXANDER WOODS  
 FOURTH ADDITION**  
 Blaine, Minnesota

**GRADING, DEVELOPMENT  
 & EROSION CONTROL PLAN**

3 of 4



**GENERAL INFORMATION**  
MINNESOTA'S CONSTRUCTION STORMWATER PERMIT IS AN EXTENSION OF THE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM STORMWATER PROGRAM, WHICH IS PART OF THE FEDERAL CLEAN WATER ACT. REGULATED PARTIES MUST DEVELOP A STORMWATER POLLUTION PREVENTION PLAN (SWPPP). THE SWPPP PROVIDES INFORMATION ON THE EXISTING AND PROPOSED SITE CONDITIONS, CONTROL MEASURES FOR STORMWATER POLLUTION PREVENTION BEFORE, DURING AND AFTER CONSTRUCTION, INSPECTION, MAINTENANCE AND INFORMATION RELATED TO THE PERMANENT STORMWATER MANAGEMENT SYSTEM. THE SWPPP SHALL BE KEPT ON SITE AT ALL TIMES DURING ACTIVE CONSTRUCTION.

**PROJECT INFORMATION**  
PROJECT NAME: ALEXANDER WOODS FOURTH ADDITION  
PROJECT LOCATION: BLAINE, ANOKA COUNTY, MINNESOTA  
PROJECT OWNER: MONTI GESINO

**RESPONSIBLE PARTIES**  
THE OWNER MUST IDENTIFY A PERSON KNOWLEDGEABLE AND EXPERIENCED IN THE APPLICATION OF EROSION PREVENTION AND SEDIMENT CONTROL BMP'S WHO WILL OVERSEE THE IMPLEMENTATION OF THE SWPPP, AND THE INSTALLATION, INSPECTION AND MAINTENANCE OF THE EROSION PREVENTION AND SEDIMENT CONTROL BMP'S.

**TRAINING DOCUMENTATION:**

**EXISTING SITE CONDITIONS**  
THE SITE IS LOCATED IN THE SOUTHWEST QUADRANT OF THE INTERSECTION OF 113TH AVENUE NE AND FILLMORE STREET NE IN BLAINE, MN. THE SITE IS BOUNDED ON THE NORTH BY 113TH AVENUE NE, BOUNDED ON THE EAST BY FILLMORE STREET NE, AND BOUNDED ON THE SOUTH & WEST BY EXISTING SINGLE FAMILY HOMES. THE TOTAL SITE AREA OF THE IS 1.2 ACRES WITH APPROXIMATELY 0.3 ACRES OF EXISTING IMPERVIOUS SURFACE.

THE SITE IS RELATIVELY FLAT WITH ELEVATIONS ON SITE RANGE FROM 888 TO 904. ALL OF THE DISCHARGE FROM THE SITE FLOWS TO 113TH AVENUE OR TO EXISTING PONDING FROM THE ALEXANDER WOODS DEVELOPMENT.

**PROPOSED SITE CONDITIONS**  
THE PROPOSED CONSTRUCTION INCLUDES 2 NEW SINGLE-FAMILY HOMES AND THE EXISTING HOME WILL REMAIN IN PLACE. THE EXISTING DRIVEWAY WILL BE REMOVED AND A NEW GARAGE AND DRIVEWAY WILL BE CONSTRUCTED FRONTING TO FILLMORE STREET NE. THE SITE WILL BE GRADED TO PROMOTE SURFACE WATER DRAINAGE AND MINIMIZE THE AMOUNT OF RUNOFF THAT IS TREATED BEFORE LEAVING THE SITE. DISTURBED AREAS WILL BE MULCHED, SEEDING AND MULCHED OR COVERED AFTER CONSTRUCTION IS COMPLETE. THE TOTAL IMPERVIOUS AREA OF THE SITE POST CONSTRUCTION IS 0.40 ACRES AND APPROXIMATELY 0.80 ACRES WILL BE DISTURBED. THE RUNOFF FROM SITE WILL FOLLOW THE EXISTING DRAINAGE PATTERN.

**SOIL INFORMATION**  
THE NRCS WEB SOIL SURVEY WAS REFERENCED FOR THE SOILS PRESENT ON SITE. THE SOILS INDICATED ARE ISANTY FINE SANDY LOAM AND LIND LOAMY FINE SAND. BOTH SOIL TYPES ARE IN HSD A. THE EXISTING STORMWATER POND SOUTH OF THE SITE WAS REFERENCED FOR DETERMINING THE ANTICIPATED GROUNDWATER. THIS ASSUMED GROUNDWATER LEVEL IS AT AN ELEVATION OF APPROXIMATELY 893.0.

**WETLAND CONSIDERATIONS**  
THERE ARE NO WETLANDS ON SITE.

**STORMWATER RECEIVING WATERS**  
STORMWATER FROM THE SITE WILL ULTIMATELY DISCHARGE SOUTH TO ANOKA COUNTY DITCH #39.

**SPECIAL/IMPAIRED WATER CONSIDERATIONS**  
THERE ARE NO SPECIAL OR IMPAIRED WATERS WITHIN ONE MILE OF THE SITE.

**STORMWATER MANAGEMENT PLAN**  
DUE TO THE SMALL SIZE OF THE DISTURBED AREA (UNDER ONE ACRE) A STORMWATER MANAGEMENT PLAN WAS NOT REQUIRED.



**PRIOR TO START OF CONSTRUCTION**  
THE FOLLOWING STORMWATER POLLUTION PREVENTION MEASURES SHALL BE IMPLEMENTED PRIOR TO CONSTRUCTION. REFER TO GRADING AND EROSION CONTROL PLANS FOR LOCATIONS.

- SILT FENCE**  
SILT FENCE SHALL BE INSTALLED AT THE LIMIT OF GRADING ON ANY FILL SLOPE. ADDITIONAL SILT FENCE MAY BE REQUIRED IN CUT SLOPE AREAS. SILT FENCE SHALL ALSO BE FIELD INSTALLED AROUND ANY INFILTRATION/FILTRATION PRACTICE.
- ROCK CONSTRUCTION ENTRANCE**  
ROCK CONSTRUCTION ENTRANCES SHALL BE INSTALLED AT THE FIELD ENTRANCES TO THE SITE.
- CATCH BASINS**  
ALL CATCH BASINS SHALL BE PROTECTED WITH INLET PROTECTION DEVICES APPROVED BY THE LOCAL GOVERNING UNIT. THESE SHALL INCLUDE, BUT ARE NOT LIMITED TO, WIMCO PROTECTION DEVICES, INFRASAFE PROTECTION DEVICES, FILTER FABRIC, BIO ROLLS AND STRAW BALES.

**DURING CONSTRUCTION**  
THE FOLLOWING STORMWATER POLLUTION PREVENTION MEASURES SHALL BE IMPLEMENTED DURING CONSTRUCTION. REFER TO GRADING AND EROSION CONTROL PLANS FOR LOCATIONS.

- PHASED GRADING**  
TO THE EXTENT POSSIBLE, GRADING SHALL BE PHASED TO MINIMIZE THE AMOUNT OF DISTURBED AREAS DURING SITE CONSTRUCTION.
- TRACKED SEDIMENT**  
ANY SEDIMENT TRACKED FROM THE SITE ONTO THE STREET SHALL BE REMOVED IMMEDIATELY UPON DETECTION. THE ROCK CONSTRUCTION ENTRANCE SHALL BE INSPECTED AND REPAIRED IF INUNDATED WITH SEDIMENT.
- STOCKPILES**  
STOCKPILES SHALL BE PLACED IN AN AREA THAT WILL MINIMIZE THE NEED FOR RELOCATION. IF A STOCKPILE WILL REMAIN IN PLACE FOR AN EXTENDED PERIOD OF TIME, STABILIZATION MEASURES SHALL BE IMPLEMENTED, INCLUDING BUT NOT LIMITED TO, SEEDING AND SILT FENCING. TEMPORARY STOCKPILES MUST HAVE SILT FENCE OR OTHER EFFECTIVE SEDIMENT CONTROLS AND CANNOT BE PLACED IN SURFACE WATERS, INCLUDING STORMWATER CONVEYANCES SUCH AS CURB AND GUTTER SYSTEMS, CONDUITS OR DITCHES. STABILIZATION OF STOCKPILES MUST TAKE PLACE WITHIN 7 DAYS OF INACTIVITY.
- TOPSOIL**  
UPON GRADING COMPLETION, A MINIMUM OF 4 INCHES OF TOPSOIL SHALL BE PLACED OVER ALL DISTURBED AREAS, EXCLUDING PROPOSED STREETS AND PARKING AREAS.
- RESTORATION**  
ALL DISTURBED AREAS NOT ACTIVELY WORKED SHALL BE RESTORED WITH SEED AND MULCH, EROSION CONTROL. BLANKET AND/OR SOD WITHIN 7 DAYS.
- SLOPES**  
IN ORDER TO MAINTAIN SHEET FLOW AND MINIMIZE RILLS AND/OR GULLIES, THERE SHALL BE NO UNBROKEN SLOPE LENGTH OF GREATER THAN 75 FEET FOR SLOPES WITH A GRADE OF 3:1 OR STEEPER.
- DRAINAGE DITCHES**  
THE NORMAL WETTED PERIMETER OF ANY TEMPORARY OR PERMANENT DRAINAGE DITCH THAT DRAINS WATER FROM THE SITE DIVERSES WATER AROUND THE SITE. MUST BE STABILIZED WITHIN 200 LINEAL FEET FROM THE PROPERTY EDGE, OR FROM THE POINT OF DISCHARGE TO ANY SURFACE WATER. STABILIZATION MUST BE COMPLETED WITHIN 24 HOURS OF CONNECTING TO A SURFACE WATER.
- PIPE OUTLETS**  
PIPE OUTLETS MUST BE PROVIDED WITH TEMPORARY OR PERMANENT ENERGY DISSIPATION WITHIN 24 HOURS OF CONNECTION TO A SURFACE WATER.
- CATCH BASINS**  
ALL CATCH BASINS SHALL BE PROTECTED WITH INLET PROTECTION DEVICES APPROVED BY THE LOCAL GOVERNING UNIT. THESE SHALL INCLUDE, BUT ARE NOT LIMITED TO, WIMCO PROTECTION DEVICES, INFRASAFE PROTECTION DEVICES, FILTER FABRIC, BIO ROLLS AND STRAW BALES.
- DUST**  
CONSTRUCTION DUST SHALL BE CONTAINED TO THE EXTENT POSSIBLE. IF THE SITE BECOMES EXCESSIVELY DUSTY, APPROPRIATE MEASURES SHALL BE TAKEN TO REDUCE DUST BEING TRANSPORTED FROM THE SITE. DUST CONTROL MEASURES INCLUDE, BUT ARE NOT LIMITED TO, WATERING AND CALCIUM CHLORIDE APPLICATION.
- DEWATERING**  
IT IS NOT ANTICIPATED THAT DEWATERING WILL BE REQUIRED FOR THE PROJECT. IF NECESSARY, DEWATERING ACTIVITIES SHALL BE CONDUCTED WITH AND APPROVED BY THE LOCAL GOVERNING UNIT. IF THERE WILL BE ANY DEWATERING OR BASIN DRAINING THAT MAY HAVE TURNED OR SEDIMENT LADEN DISCHARGE, THE WATER MUST BE DISCHARGED TO A TEMPORARY OR PERMANENT SEDIMENTATION BASIN ON THE PROJECT SITE WHENEVER POSSIBLE. APPROPRIATE SHIPS SHALL BE USED FOR EROSION AND SEDIMENT CONTROL AND ENERGY DISSIPATION.
- CONSTRUCTION MATERIALS AND DEBRIS**  
CONSTRUCTION MATERIALS SHALL BE STORED IN AN ORDERLY MANNER AND IN AN AREA THAT WILL MINIMIZE CONFLICTS WITH OTHER CONSTRUCTION ACTIVITIES. CONSTRUCTION DEBRIS SHALL BE CONTAINED IN DUMPSTERS AND REMOVED FROM THE SITE AS NECESSARY.
- CHEMICALS**  
CHEMICALS SHALL BE STORED IN A SAFE AREA IN SEALED CONTAINERS WITH THE ORIGINAL LABELING AND MATERIAL SAFETY DATA SHEETS AVAILABLE.
- SPILLS AND CONTAMINATION**  
IF FUEL, OIL OR A HAZARDOUS CHEMICAL IS SPILLED OR DETECTED DURING CONSTRUCTION ACTIVITIES, ALL APPROPRIATE AGENCIES SHALL BE IMMEDIATELY NOTIFIED, INCLUDING, BUT NOT LIMITED TO, THE MINNESOTA DUTY OFFICER AT 800-422-0795.
- CONCRETE WASHOUT AREA**  
ALL LIQUID AND SOLID WASTES GENERATED BY CONCRETE WASHOUT OPERATIONS MUST BE CONTAINED IN A LEAK-PROOF CONTAINMENT FACILITY OR IMPERMEABLE LINER. AN IMPERMEABLE COMPACTED CLAY LAYER IS SUFFICIENT. CONCRETE WASHOUT IN THE AGGREGATE ROAD BASE IS ALLOWED. A SIGN MUST BE INSTALLED AT EACH WASHOUT FACILITY TO DIRECT EQUIPMENT OPERATORS TO THE APPROPRIATE LOCATION.

**POST CONSTRUCTION**  
WHEN THE SITE HAS BEEN COMPLETELY CONSTRUCTED, THE SITE MUST UNDERGO FINAL STABILIZATION. FINAL STABILIZATION OCCURS WHEN ALL OF THE GRADING, INFRASTRUCTURE AND BUILDING ACTIVITIES HAVE BEEN COMPLETED. TO ACHIEVE FINAL STABILIZATION, THE FOLLOWING MEASURES SHALL BE COMPLETED.

- ALL DISTURBED AREAS WITHOUT PERMANENT IMPERVIOUS SURFACES SHALL BE STABILIZED BY A UNIFORM PERENNIAL VEGETATIVE COVER. AREAS NOT REQUIRING SOD OR EROSION CONTROL, BLANKET SHALL BE SEEDING AND MULCHED.
- SEDIMENT FROM CONVEYANCES AND TEMPORARY SEDIMENTATION BASINS THAT ARE TO BE USED AS PERMANENT WATER QUALITY MANAGEMENT BASINS SHALL BE CLEANED OUT. SEDIMENTATION BASINS SHALL BE SUFFICIENTLY CLEANED OUT TO RETURN THE BASIN TO DESIGN CAPACITY. SEDIMENT MUST BE STABILIZED TO PREVENT IT FROM BEING WASHED BACK INTO THE BASIN OR CONVEYANCES DISCHARGING OFF-SITE OR TO SURFACE WATERS.
- WHEN STABILIZED VEGETATION HAS BEEN ESTABLISHED OVER 70 PERCENT OF THE PERVIOUS SURFACE AREA, ALL SYNTHETIC TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES SHALL BE REMOVED. THIS INCLUDES, BUT IS NOT LIMITED TO, SILT FENCE, TREE FENCE AND CATCH BASIN INLET PROTECTION DEVICES.

**INSPECTIONS & RECORD KEEPING**  
STORMWATER POLLUTION PREVENTION INSPECTIONS SHALL OCCUR ONCE EVERY SEVEN (7) DAYS DURING ACTIVE CONSTRUCTION AND WITHIN 24 HOURS AFTER A RAINFALL EVENT GREATER THAN 0.5 INCHES IN 24 HOURS. INSPECTIONS MAY BE CEASED DURING FROZEN GROUND CONDITIONS, WHERE WORK HAS BEEN SUSPENDED DUE TO FROZEN GROUND CONDITIONS, THE REQUIRED INSPECTIONS AND MAINTENANCE MUST TAKE PLACE WITHIN 24 HOURS AFTER RUNOFF OCCURS AT THE SITE OR PRIOR TO RESUMING CONSTRUCTION, WHICHEVER COMES FIRST. DURING THE COURSE OF CONSTRUCTION, IT MAY BE DETERMINED THAT ADDITIONAL STORMWATER POLLUTION PREVENTION MEASURES MAY BE NEEDED, OR CERTAIN MEASURES ARE NOT PRACTICABLE TO INSTALL. IN THESE CASES, AN AMENDMENT TO THE SWPPP SHALL BE MADE, AND SUPPORTING REASONS SHALL BE DOCUMENTED IN THE SWPPP.

- THE OWNER/CONTRACTOR IS RESPONSIBLE FOR ALL EROSION CONTROL INSPECTIONS.
- RECORD NAME OF INSPECTOR AND DATE AND TIME OF INSPECTION.
- RECORD RAINFALL AMOUNT SINCE MOST RECENT INSPECTION.
- INSPECT ROCK CONSTRUCTION ENTRANCES FOR SEDIMENTATION. INSPECT ADJACENT STREETS FOR SEDIMENT TRACKING.
- INSPECT SITE FOR EXCESSIVE EROSION AND SEDIMENT ACCUMULATION.
  - INSPECT SILT FENCE AND OTHER TEMPORARY EROSION AND SEDIMENT CONTROL DEVICES FOR EROSION, SEDIMENTATION AND MALFUNCTIONING.
  - INSPECT FLARED END SECTIONS FOR EROSION AND SEDIMENTATION.
  - INSPECT PONDS, INFILTRATION BASINS, TEMPORARY SEDIMENTATION BASINS AND ALL OTHER BMP'S FOR EROSION AND SEDIMENTATION.
  - INSPECT SURFACE WATERS, INCLUDING DRAINAGE DITCHES AND CONVEYANCE SYSTEMS FOR EVIDENCE OF SEDIMENT BEING DEPOSITED BY EROSION.
- INSPECT STABILIZED AREAS FOR EROSION.
- RECORD RECOMMENDED REPAIRS, MAINTENANCE AND/OR REPLACEMENTS REQUIRED TO ENSURE EROSION AND SEDIMENTATION CONTROL MEASURES ARE SUFFICIENT.
- RECORD RECOMMENDED AMENDMENTS TO THE SWPPP.
- RECORD REPAIRS, MAINTENANCE AND/OR REPLACEMENTS THAT WERE COMPLETED SINCE THE LAST INSPECTION. NOTE: FOR AREAS THAT HAVE UNDERGONE FINAL STABILIZATION, INSPECTIONS CAN BE REDUCED TO ONCE PER MONTH.

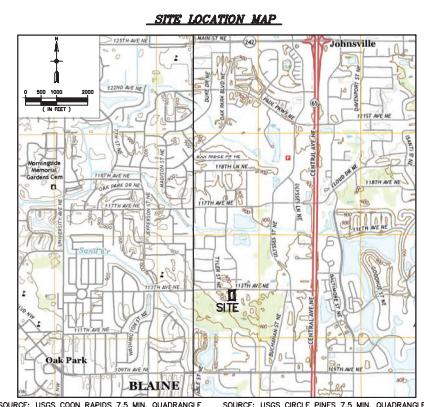
**MAINTENANCE**  
THE OWNER/CONTRACTOR IS RESPONSIBLE FOR THE OPERATION, INSPECTION AND MAINTENANCE OF ALL STORMWATER POLLUTION PREVENTION MEASURES FOR THE DURATION OF THE PROJECT. THE FOLLOWING GUIDELINES SHALL BE USED TO DETERMINE NECESSARY REPAIRS, MAINTENANCE AND/OR REPLACEMENT OF THE EROSION AND SEDIMENTATION CONTROL MEASURES.

- ROCK CONSTRUCTION ENTRANCES SHALL BE REPAIRED OR REPLACED IF THE ROCK BECOMES INUNDATED WITH SEDIMENT AND/OR EXCESSIVE SEDIMENT IS BEING TRACKED FROM THE SITE. SEDIMENT TRACKED OUTSIDE ADJACENT STREETS SHALL BE REMOVED. MEASURES SHALL BE TAKEN IMMEDIATELY UPON DISCOVERY.
- SILT FENCE SHALL BE REPAIRED OR REPLACED WHEN SEDIMENT REACHES 1/3 THE HEIGHT OF THE SILT FENCE, THE SILT FENCE IS DAMAGED AND/OR THE SILT FENCE BECOMES NONFUNCTIONAL. MEASURES SHALL BE TAKEN WITHIN 24 HOURS OF DISCOVERY.
- CATCH BASIN INLET PROTECTION DEVICES SHALL BE CLEANED WHEN SEDIMENT REACHES 1/3 THE HEIGHT OF THE SEDIMENT TRAP AND/OR REPAIRED OR REPLACED IF THE DEVICE BECOMES NONFUNCTIONAL. MEASURES SHALL BE TAKEN WITHIN 72 HOURS OF DISCOVERY.
- FLARED END SECTIONS SHALL BE CLEANED IF DEBRIS IS RESTRICTING FLOW OR IF SEDIMENT HAS ACCUMULATED AT THE OUTLET. IF A FLARED END SECTION BECOMES NONFUNCTIONAL OR DAMAGED, IT SHALL BE REPAIRED OR REPLACED. MEASURES SHALL BE TAKEN WITHIN 72 HOURS OF DISCOVERY.
- IF SEDIMENT IS OBSERVED OFF-SITE OR NEAR SURFACE WATERS, THE SOURCE OF SEDIMENT SHALL BE DETECTED AND ADDITIONAL MEASURES SHALL BE IMPLEMENTED. THE PERMITEE(S) SHALL COORDINATE SEDIMENT RETRIEVAL FROM SURFACE WATERS WITH ALL APPROPRIATE AGENCIES. MEASURES SHALL BE TAKEN WITHIN 7 DAYS OF DISCOVERY.
- PONDS, INFILTRATION BASINS, TEMPORARY SEDIMENTATION BASINS AND ALL OTHER BMP'S SHALL BE CLEANED IF DEBRIS IS PRESENT AND/OR EXCESSIVE SEDIMENTATION HAS OCCURRED. TEMPORARY AND PERMANENT SEDIMENTATION BASINS MUST BE DRAINED AND THE SEDIMENT REMOVED WHEN SEDIMENT HAS FILLED THE BASIN TO 1/2 THE STORAGE VOLUME. NO SEDIMENT SHALL BE ALLOWED TO ACCUMULATE IN INFILTRATION BASINS. MEASURES SHALL BE TAKEN WITHIN 72 HOURS OF DISCOVERY.

**NOTICE OF TERMINATION**  
THE PERMITEE(S) MUST SUBMIT A NOTICE OF TERMINATION (NOT) TO THE MPCA WITHIN 30 DAYS AFTER FINAL STABILIZATION IS COMPLETE, OR ANOTHER OWNER/OWNER (PERMITEE) HAS ASSUMED CONTROL OVER ALL AREAS OF THE SITE THAT HAVE NOT UNDERGONE FINAL STABILIZATION.

**QUANTITIES**  
THE FOLLOWING TABLE PROVIDES ESTIMATED QUANTITIES FOR STORMWATER POLLUTION PREVENTION THROUGHOUT THE PROJECT.

| ITEM                     | UNIT         | ESTIMATED QUANTITY |
|--------------------------|--------------|--------------------|
| ROCK ENTRANCE            | EA           | 2                  |
| SILT FENCE               | L.F.         | 700                |
| SILT PROTECTION          | EA           | 2                  |
| EROSION CONTROL, BLANKET | S.Y. AS REQ. |                    |
| TURF ESTABLISHMENT       | AC           | 0.8                |



SOURCE: USGS COON RAPIDS 7.5 MIN. QUADRANGLE SOURCE: USGS CIRCLE PINES 7.5 MIN. QUADRANGLE

**NON-PLAINTANT SUBMITTER**

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

Print Name: Aaron D. Briski, PE  
Signature: *Aaron Briski*  
Date: 4/21/22 License #: 57811

Drawn: ADB  
Designed: BJK  
Date: 4/21/22

Revisions:  
1. 11/17/23 - Revise Layout per Owner

**MONTI GESINO**  
1000 - 113th Avenue NE  
Blaine, MN 55434

**ALEXANDER WOODS FOURTH ADDITION**  
Blaine, Minnesota

**SWPPP**

**S1 of 1**



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

Blaine City Hall  
10801 Town Sq Dr NE  
Blaine MN 55449

**Resolution: RES 22-052**

---

**File Number: RES 22-052**

**Granting Conditional Use Permit to Allow for the Construction of Two Single Family Homes in a DF (Development Flex) Zoning District at 1000 113th Avenue NE. Alexander Woods Fourth Addition (Monti Gesino/Carlson McCain) (Case File No. 22-0011/EES)**

**WHEREAS**, an application has been filed by Monti C Gesino, Shirley A Gesino as Conditional Use Permit Case File No. 22-0011; and

**WHEREAS**, said case involves the land described as follows:

Lot 14, Block 5, ALEXANDER WOODS

**WHEREAS**, a public hearing has been held by the Blaine Planning Commission on March 8, 2022; and

**WHEREAS**, the Blaine Planning Commission recommends said Conditional Use Permit be approved; and

**WHEREAS**, the Blaine City Council has reviewed said case on April 4, 2022.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Blaine that a Conditional Use Permit is hereby approved per Section 29.110 of the Zoning Ordinance to allow for the construction of two single family homes in a DF (Development Flex) zoning district with the following conditions:

**Single Family - DF Development Standards**

Permitted Uses

1. Single-family detached dwellings
2. Group family daycare

Accessory Uses

1. Private attached garages - one detached accessory structure, with area less than 120 square feet, will be permitted.
2. Private swimming pools/meeting the requirements of Blaine Municipal Code Section 6-121.
3. Keeping of not more than two (2) boarders and/or roomers per dwelling unit.

Conditional Uses



1. Home occupations listed as Conditional Uses in Section 33.10

Standards

1. Front yard setback - 25 feet
2. Side yard setback - 7.5 feet
3. Corner side yard setback - 20 feet
4. Rear yard setback - 30 feet
5. Maximum building height - 2 1/2 stories or 35 feet.
6. It shall be required for all single-family dwellings that there be an attached garage constructed of a minimum of four hundred (400) square feet, with no dimension less than 20 feet. Total garage space shall not exceed one thousand (1,000) square feet. Detached garages or accessory storage buildings above 120 square feet are not permitted. One detached accessory storage building below 120 square feet is permitted provided it meets 5-foot side and rear yard setbacks and be located within the rear yard. Lot 3, Block 1 may have up to 1,200 square feet of garage and accessory building space.
7. The minimum finished floor area above grade for all homes shall be 1,300 square feet.
8. All homes shall have a minimum depth and width of 24 feet.
9. All homes to incorporate multiple gables or varied roof lines and articulation of the front façade.
10. All residential dwellings must be built in conformance with the current edition of the Minnesota State Building Code.
11. Driveways shall not be constructed closer than 3 feet to the property line. All driveways and approaches shall be hard surfaced using concrete, bituminous asphalt or other city approved material that is consistent in durability and quality.
12. It shall be required that all yards of a new single-family dwelling be sodded over a minimum of 4 inches of topsoil (black dirt containing not more than 35 percent sand). Yards may be seeded over 4 inches of black dirt if underground irrigation is installed with the home.
13. Each lot shall contain two front yard trees and a third tree is required in the side yard for corner lots. Trees must be at least 2.5 caliper inches.
14. Developer to execute and record where deemed appropriate by the city engineer with the sale of single-family lots, an affidavit indicating to homebuyers that the soils located in the rear and side yards of the single family lots have not been corrected to accommodate general building construction or pools, and that additional effort may be required by the homeowner to stabilize those soils before additional construction could occur.
15. All development entrance signage by separate permit.

**PASSED** by the City Council of the City of Blaine this 4th day of April, 2022.

Signed by: \_\_\_\_\_



Tim Sanders, Mayor

Date April 4, 2022



Attest by: \_\_\_\_\_

*Catherine M. Sorensen*

Catherine Sorensen, CMC, City Clerk

Date April 4, 2022



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

Blaine City Hall  
10801 Town Sq Dr NE  
Blaine MN 55449

**Resolution: RES 22-083**

---

**File Number: RES 22-083**

**Granting Final Plat Approval to Subdivide Approximately 1.16 Acres into Three Lots to be Known as Alexander Woods Fourth Addition at 1000 113th Avenue NE. Monti Gesino/Carlson McCain (Case File No. 22-0033/EES)**

**WHEREAS**, an application has been filed by Monti C Gesino, Shirley A Gesino as Case File No. 22-0033 for a final plat known as Alexander Woods Fourth Addition; and

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

Lot 14, Block 5, ALEXANDER WOODS, Anoka County, Minnesota

**WHEREAS**, the Blaine City Council granted preliminary plat approval on April 4, 2022, subject to the conditions as contained in Blaine City Council Resolution No. 22-051; 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 Alexander Woods Fourth Addition per Section 74-43 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 all necessary documents, agreements and releases related to the approval, recording or administration of Alexander Woods 4th Addition.

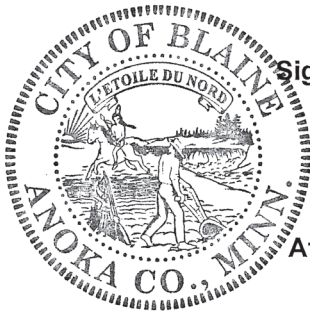
1. The developer is responsible for recording plat mylars with Anoka County. Proof of recording must be provided prior to issuance of building permits.
2. The overall development shall be certified by a Professional Engineer licensed in the State of Minnesota and indicate all structures shall be protected from flooding.
3. Plans and specifications must be approved by the City prior to start of construction.
4. All three lots are required to gain access via Fillmore Street.
5. Standard utility and drainage easements must be dedicated along all lot lines.
6. Development requires a National Pollutant Discharge Elimination System (NPDES) Phase II General Storm Water Permit for Construction Activity from the Minnesota Pollution Control Agency (MPCA). A prerequisite to the MPCA permit application includes preparation of a site Storm Water Pollution Prevention Plan (SWPPP) for the development site.
7. Construction contract documents shall 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.

8. Water and sanitary sewer availability charges (WAC & SAC) become due with each building permit at the rate established at the time the building permit is issued.
9. As-built surveys shall be required to verify structure elevations, custom grading requirements, and final lot grading elevations.
10. Park dedication will be required for the two new lots being constructed at the rate of \$4,449 per unit, for a total park dedication fee of \$8,898 if paid in 2022. This amount must be paid prior to releasing the plat mylars for recording at Anoka County.
11. The property shall be brought into conformance with Article VII - Residential Exterior Storage and 33.10 - Home Occupations prior to release of mylars for recording.
12. Developer to install grouped mailboxes with design and locations approved by city and US Postal Service.
13. All development signage by separate review.
14. Each lot in this development shall have two front yard overstory trees with a minimum size of 2.5 caliper inches.
15. 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 16th day of May, 2021.



Signed by:

Tim Sanders, Mayor

Date May 16, 2022

Attest by:

Catherine Sorensen, CMC, City Clerk

Date May 16, 2022

**From:** [Scott Hoffman](#)  
**To:** [Planning](#)  
**Subject:** Planning Commission Meeting Case 23-0089  
**Date:** Sunday, February 11, 2024 4:31:52 PM

---

Dear Planning Commission:

I am writing in response to the hearing request, Case # 23-0089. I am a nearby homeowner and am unable to attend in person or watch live the planning commission meeting.

My relationship for the past three years with this owner has been friendly. We feel he has acted responsibly in his efforts to develop the area to accommodate the addition.

A welcome change we see in this plat map that he made from his original March 2022 request, was to eliminate a proposed garage addition to the west side of the existing home.

Because this plat is considered to be a part of Alexander Woods, and because the driveways are to face Fillmore Street NE, we would like to ensure there be cohesiveness of the new homes to the homes already built on Fillmore St NE including the following:

Fences: No silver metal chain link fencing for any purposes, including dog kennels. Fences may not exceed 4 feet in height, may only be allowed on side and rear yards of lot and must be maintained by the homeowner.

Parking of Vehicles: No boats, snowmobiles, trailers, camping vehicles, buses, camper tops, "all-terrain vehicles", tractor/trainers, trucks in excess of 9,000 pounds gross weight or unlicensed or inoperable vehicles shall at any time be stored or parked on any Lot outside of the house or garage.

Since it is being considered as part of the addition, we would ask that the existing home be required to follow the above, upon a change in ownership of the existing property.

The City of Blaine ordinances also discourage outside unattended open burning. We ask that this be better enforced.

Our desire is to have any new construction as well as changes to the existing dwelling be done with minimal disruption to the neighborhood.

Sincerely,

Scott & Cheryl Hoffman  
11287 Fillmore St. NE  
Blaine, MN 55434



# City of Blaine

## Planning Commission

---

February 13, 2024 | 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, February 13, 2024. Chair Goracke called the meeting to order at 7:00PM.

#### 2. Roll Call

Members Present: Commission Members Gorzycki, Halpern, Olson, Swanson, and Chair Goracke.

Members Absent: Commission Members Deonauth and Homan.

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

#### 3. Approval of Minutes

3.1. 2024-697 Approval of the January 9, 2024 Planning Commission Minutes  
*Sponsors:*

**Motion by Commissioner Olson to approve the minutes of January 9, 2024, as presented. Motion seconded by Commissioner Swanson. The motion passed 5-0.**

#### 4. Public Hearing

4.2. 2024-38 Case File No. 23-0089 // Alexander Woods 4th Addition // 1000 113th Avenue NE  
The applicant is requesting the following:

1. Preliminary plat approval to subdivide approximately 1.16 acres into three lots.

2. Conditional use permit to allow for the construction of two additional single-family homes in a Development Flex (DF) zoning district. The existing home will remain.

*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 23-0089 was opened at 7:17PM. As no one wished to appear, the public hearing was closed at 7:17PM.

Chair Goracke asked if the previous preliminary plat and CUP for this property expired.

Community Development Specialist Showalter reported this was the case. She explained the request before the planning commission was exactly the same, except for minor changes in lot widths to accommodate an existing driveway.

**Motion by Commissioner Olson to recommend approval of Planning Case 23-0089A a preliminary plat to subdivide approximately 1.16 acres into three lots to be known as Alexander Woods 4th Addition with the following conditions:**

**Case 23-0089A:**

1. Plans and specifications must be approved by the City prior to start of construction.
2. Standard utility and drainage easements must be dedicated along all lot lines and over areas of delineated wetlands, wetland mitigation, infiltration trenches, drainage swales, and storm water management ponds.
3. The Developer is to provide access for inspection and maintenance of storm water management infrastructure. Restrictions will be placed on lot lines as needed to limit fences and landscaping to insure access.
4. Developer to obtain Coon Creek Watershed district permit review prior to start of construction.
5. Development requires a National Pollutant Discharge Elimination System (NPDES) Phase II General Storm Water Permit for Construction Activity from Minnesota Pollution Control Agency (MPCA). A prerequisite to the MPCA permit application includes preparation of a site Storm Water Pollution Prevention Plan (SWPPP) for the development site.
6. Construction contract documents shall 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.
7. The development plan shall indicate all structures will be protected from flooding.
8. As-built surveys shall be required to verify structure elevations, custom grading requirements, and final lot grading elevations.
9. Park dedication will be required for the two new lots being constructed at the rate of \$4,894 per unit, for a total park dedication fee of \$9,788 if paid in 2024.

This amount must be paid prior to releasing the plat mylars for recording at Anoka County.

10. Developer to install grouped mailboxes with design and locations approved by the City and US Postal Service.
11. Water and sanitary sewer availability charges (WAC & SAC) become due with each building permit at the rate established at the time the building permit is issued.
12. Each lot in this development shall have two front yard overstory trees with a minimum size of 2.5 caliper inches.
13. 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.

Motion by Commissioner Olson to recommend approval of Planning Case 23-0089B a conditional use permit to allow for the construction of two single-family homes in a DF (Development Flex) zoning district based on the following conditions:

**Case 23-0089B:**

**Single Family - DF Development Standards**

**Permitted Uses**

1. Single-family detached dwellings
2. Group family daycare

**Accessory Uses**

1. Private attached garages - one detached accessory structure, with area less than 120 square feet, will be permitted.
2. Private swimming pools meeting the requirements of Blaine Municipal Code Section 6-121.
3. Keeping of not more than two (2) boarders and/or roomers per dwelling unit.

**Conditional Uses**

1. Home occupations listed as Conditional Uses in Section 33.10

**Standards**

1. Front yard setback - 25 feet
2. Side yard setback - 7.5 feet
3. Corner side yard setback - 20 feet
4. Rear yard setback - 30 feet
5. Maximum building height - 2 1/2 stories or 35 feet.
6. It shall be required for all single-family dwellings that there be an attached garage constructed of a minimum of four hundred (400) square feet, with no

dimension less than 20 feet. Total garage space shall not exceed one thousand (1,000) square feet. Detached garages or accessory storage buildings above 120 square feet are not permitted. One detached accessory storage building below 120 square feet is permitted provided it meets 5-foot side and rear yard setbacks and be located within the rear yard.

7. The minimum finished floor area above grade for all homes shall be 1,300 square feet for a single level.
8. All homes shall have a minimum depth and width of 24 feet.
9. All homes to incorporate multiple gables or varied roof lines and articulation of the front façade.
10. All residential dwellings must be built in conformance with the current edition of the Minnesota State Building Code.
11. Driveways shall not be constructed closer than three feet to the property line. All driveways and approaches shall be hard surfaced using concrete, bituminous asphalt or other city-approved material that is consistent in durability and quality.
12. It shall be required that all yards of a new single-family dwelling be sodded over a minimum of 4-inches of topsoil (black dirt containing not more than 35 percent sand). Yards may be seeded over 4-inches of black dirt if underground irrigation is installed with the home.
13. Each lot shall contain two front yard trees and a third tree is required in the side yard for corner lots. Trees must be at least 2.5 caliper inches.
14. Developer to execute and record where deemed appropriate by the city engineer with the sale of single-family lots, an affidavit indicating to homebuyers that the soils located in the rear and side yards of the single family lots have not been corrected to accommodate general building construction or pools, and that additional effort may be required by the homeowner to stabilize those soils before additional construction could occur.

**Motion seconded by Commissioner Swanson. The motion passed 5-0.**

Chair Goracke noted this would be on the agenda of the March 4, 2024 city council meeting.



# City of Blaine Staff Report

File Number: RES 24-35

| Agenda Date   | Status     |
|---------------|------------|
| March 4, 2024 |            |
| In Control    | File Type  |
| City Council  | Resolution |

**Development Business** - Sheila Sellman, City Planner

## Agenda Item # 10.4

Resolution Granting a Conditional Use Permit to Allow Outdoor Dining with 14 Seats in a Regional Commercial (B-3) Zoning District at 12351 Ulysses Street NE, Suite 120. Noodles & Company (Blaine Square II LLC) (Case File No. 24-0003/SLK)

## Executive Summary

Noodles & Company is proposing to locate in the Blaine Square 3rd Development in a newly constructed building. They are requesting a conditional use permit to allow 14 seats for outdoor dining on a patio adjacent to their building.

## Background

|                                       |          |
|---------------------------------------|----------|
| Planning Commission Public Hearing    | 02/13/24 |
| City Council (Conditional Use Permit) | 03/04/24 |
| Action Deadline                       | 03/17/24 |

Staff report prepared by Shawn Kaye, Planner, and Teresa Barnes, Project Engineer

### Zoning

The property is zoned Regional Commercial (B-3).

### Land Use Designation

The property has a land use designation of Community Commercial (CC) which is used for the provision of goods and services.

### Surrounding Zoning and Uses

The properties to the north and south are zoned B-3 and have a land use of CC. A dental building is located to the north and a commercial tenant space is located to the south. The townhomes west of Ulysses Street are zoned Development Flex (DF) and have a land use of Medium Density Residential



(MDR). State Highway 65 is adjacent to the east.

#### Existing Conditions

The property has a two-tenant building and a freestanding dental building.

#### History

This parcel received a CUP for two buildings on one lot and shared access/parking on July 6, 2022.

### **Evaluation of Request**

#### Site Plan

Noodles is proposing an outdoor dining area located on the northwest corner of the building. It consists of six tables and 14 seats as shown on the attached drawing. The outdoor dining area will have a decorative fence surrounding three sides of the seating area.

The outdoor dining area will be subject to Sewer Access Charges (SAC). The applicant must work with the City's Chief Building Official and Met Council to determine the amount required for this use. All other requirements listed in the attached conditions are the standard conditions that the City applies to other outdoor dining conditional use permits.

#### Landscaping

The submitted landscape plan for the construction of the building meets zoning ordinance requirements.

#### Grading/Storm Drainage

This development is already constructed and the grading and storm drainage were accounted for at the time of development. The addition of the outdoor seating area will not require additional grading or storm water requirements.

#### Wetlands/Watershed

This development is already constructed. There are no wetlands on this property and the watershed requirements were accounted for at the time of development. The addition of the outdoor seating area will not require additional watershed review or requirements.

#### Access/Street Design/Sidewalks/Trails

This development is already constructed and no additional access or street design required. The addition of the outdoor seating area will not require additional sidewalks or trails to be constructed. Consideration should be given to the placement of the tables to ensure that a safe sight-distance is provided for vehicles pulling out of the drive-thru lanes.

#### Easements/Right-of-way/Permits

This development is already constructed. The addition of the outdoor seating area will not require additional easements or right-of-way.

#### 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.
  - An outdoor dining area including 14 seats does not create an excessive burden.
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. (Ord. No. 20-2447, 7-20-2020)
  - The B-3 district is intended to provide retailing and services of both a convenience and durable nature for shoppers, such as apparel, furniture, food, banking and financial services for a regional trade area. The use meets this intent.
3. The use shall have an appearance that will not have an adverse effect upon adjacent properties.
  - The proposed building and outdoor dining will meet all setbacks and landscape requirements. The use will not have an adverse effect on 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.
  - The use meets the purpose of the B-3 district.
6. The use shall not be in conflict with the comprehensive plan of the City.
  - The comprehensive plan designation is CC (Community Commercial), which is for retailing and services that serve larger areas from neighborhood to regional scale. The use is not in conflict with the Comprehensive Plan.
7. The use will not cause traffic hazards or congestion.
  - The addition of outdoor seating will not result in any additional traffic hazards or additional congestion to the area.
8. The use shall have adequate utilities, access roads, drainage and necessary facilities.
  - The addition of outdoor seating does not alter the existing utility services, roadways or associated drainage facilities.

#### **Attachments:**

Zoning and Location Map

Site Plan

Patio Plan

Railing Photo

Narrative

Unapproved Planning Commission Minutes 2/13/24

#### **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 Planning Commission Minutes 2/13/24



# City of Blaine

## Signature Copy

Resolution: RES 24-35

### **Resolution Granting a Conditional Use Permit to Allow Outdoor Dining with 14 Seats in a Regional Commercial (B-3) Zoning District at 12351 Ulysses Street NE, Suite 120. Noodles & Company (Blaine Square II LLC) (Case File No. 24-0003/SLK)**

**WHEREAS**, an application has been filed by Blaine Square II LLC as Conditional Use Permit Case File No. 24-0003 for Noodles & Company; and

**WHEREAS**, said case involves the property described as follows:

Lot 3, Block 1, BLAINE SQUARE THIRD ADDITION

**WHEREAS**, the Blaine Planning Commission held a public hearing on February 13, 2024, and recommended approval regarding said Conditional Use Permit; and

**WHEREAS**, the Blaine City Council has reviewed said case on March 4, 2024; and

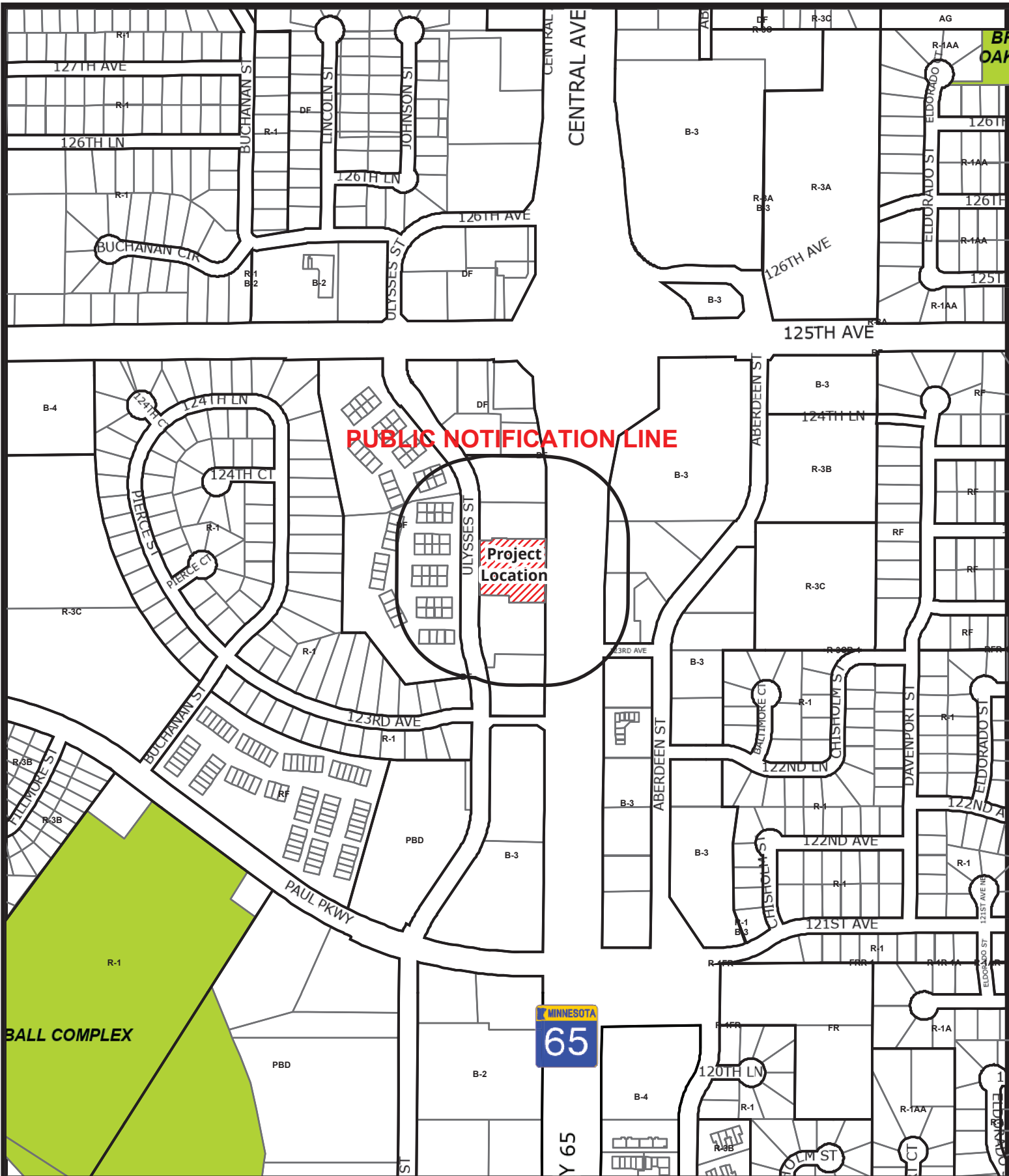
**WHEREAS**, the criteria identified in Section 27.04 for granting a conditional use permit has been met.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Blaine that a conditional use permit is hereby approved per Sections 30.24(t) and 27.04 of the Zoning Ordinance to allow for outdoor dining with 14 seats in the Regional Commercial (B-3) zoning district with the following conditions:

1. The outdoor dining area is subject to a SAC review and payment. The applicant must work with the City's Chief Building Official and Met Council to determine the amount required for this use.
2. No outdoor advertising on the building or outdoor dining area without obtaining a temporary sign permit is allowed.
3. The outdoor dining area will be limited to no more than 14 seats in the outdoor dining area.
4. The ability to operate outdoor dining is reliant upon the applicant's ability to adequately control litter and refuse as associated with the facility.
5. No amplified outdoor music system is allowed.
6. Per the Minnesota Building Code, exit doors in any railing or fence in the outdoor dining area shall be openable from the inside without the use of a key or any special knowledge or effort.
7. Provide manufacturing specifications and requirements for propane heater use and clearance to combustibles if they are to be used on site.
8. Applicant to provide the City with an updated liquor liability certificate of insurance that includes the outdoor seating area and that the area is compact and contiguous to the already-established licensed premise.

**PASSED** by the City Council of the City of Blaine this 4th day of March, 2024.





**Case File No. 24-0003**  
**Noodles & Company**

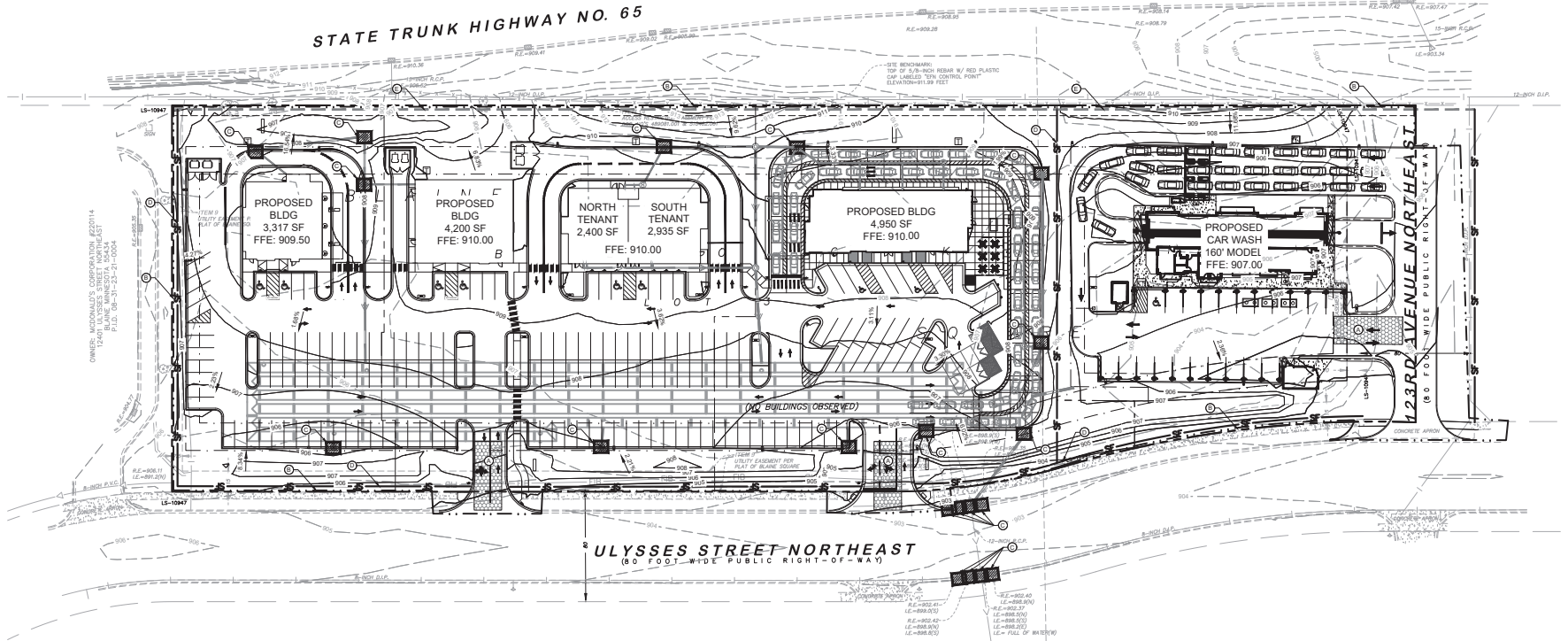


BlaineMN.gov

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



MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 02-31



#### EROSION CONTROL PLAN NOTES

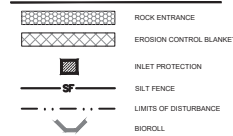
1. ALL PERIMETER SILT FENCE AND ROCK CONSTRUCTION ENTRANCES SHALL BE INSTALLED PRIOR TO CONSTRUCTION.
2. THE CONTRACTOR SHALL INSTALL CATCH BASIN EROSION CONTROL MEASURES.
3. WITHIN ONE WEEK (7 DAYS) OF SITE GRADING, ALL DISTURBED AREAS SHALL BE STABILIZED WITH SEED, SOIL, OR ROCK BASE. REFER TO LANDSCAPE PLANS FOR MATERIALS.
4. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH CITY, STATE, AND WATERSHED DISTRICT PERMITS.
5. THE CONTRACTOR SHALL MAINTAIN ALL EROSION CONTROL MEASURES, INCLUDING THE REMOVAL OF SILT IN FRONT OF SILT FENCES DURING THE DURATION OF THE CONSTRUCTION.
6. REMOVAL ALL EROSION CONTROL MEASURES AFTER VEGETATION IS ESTABLISHED.
7. THE CONTRACTOR SHALL REMOVE ALL SOILS AND SEDIMENT TRACKED ONTO EXISTING STREETS AND PAVED AREAS AND SHALL SWEEP ADJACENT STREETS AS NECESSARY IN ACCORDANCE WITH CITY REQUIREMENTS.
8. IF BLOWING DUST BECOMES A NUISANCE, THE CONTRACTOR SHALL APPLY WATER FROM A TANK TRUCK TO ALL CONSTRUCTION AREAS.
9. EROSIONS CONTROLS SHOULD BE PRESENT AT THE TOE OF SLOPE AT ALL STOOPLES.
10. IF DEWATERING IS REQUIRED, PROVIDE ONE DEWATERING PERMIT PRIOR TO CONSTRUCTION. IF A DWR PERMIT IS NOT REQUIRED, PROVIDE WELL-FIELD LOCATION, RATES, DISCHARGE LOCATION, SCHEDULE AND QUANTITIES PRIOR TO CONSTRUCTION.

**RECEIVING BODY OF WATER:**  
THE SITE DISCHARGES TO THE EXISTING STORM SYSTEM LOCATED IN ULYSSES STREET, WHICH ULTIMATELY DISCHARGES TO SAND CREEK OVER 1.0 MILE WEST OF THE SITE. THE STREAM IS NOT CLASSIFIED AS AN IMPAIRED STREAM.

#### SEQUENCE OF CONSTRUCTION:

- UPON IMPLEMENTATION AND INSTALLATION OF THE FOLLOWING AREAS: TRAILER, PARKING, LAYDOWN, PORTA-POTTY, WHEEL WASH, CONCRETE WASHOUT, FUEL, AND MATERIAL STORAGE CONTAINERS, SOLID WASTE CONTAINERS, ETC., IMMEDIATELY DENOTE THEM ON THE SITE MAPS AND NOTE ANY CHANGES IN LOCATION AS THEY OCCUR THROUGHOUT THE CONSTRUCTION PROCESS.
- BMP AND EROSION CONTROL INSTALLATION SEQUENCE SHALL BE AS FOLLOWS:
1. INSTALL INLET PROTECTION AT EXISTING STORMWATER CULVERTS.
  2. CONSTRUCT STABILIZED CONSTRUCTION ENTRANCE (1), CONCRETE WASHOUT PIT (1) AND INSTALL SILT FENCE.
  3. PREPARE TEMPORARY PARKING AND STORAGE AREA.
  4. PERFORM CLEANING AND GRUBBING OF THE SITE. PERFORM MASS GRADING. ROUGH GRADE TO ESTABLISH PROPOSED DRAINAGE PATTERNS.
  5. START CONSTRUCTION OF THE BUILDING PAD AND STRUCTURES.
  6. TEMPORARILY SEED WITH PURE LIVE SEED THROUGHOUT CONSTRUCTION. DISTURBED AREAS AND SOIL STOCKPILES THAT WILL BE INACTIVE FOR 7 DAYS OR MORE OR AS REQUIRED BY NPDES AND/OR CITY OF BLAINE GRADING PERMIT.

#### LEGEND

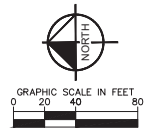


#### KEYNOTE LEGEND

- ① ROCK CONSTRUCTION ENTRANCE
- ② LIMITS OF CONSTRUCTION
- ③ INLET PROTECTION
- ④ SILT FENCE
- ⑤ BIOROLL

#### PROPERTY SUMMARY

|                                       |             |
|---------------------------------------|-------------|
| LIMITS OF DISTURBANCE (AC)            | 5.73        |
| PRE-DEVELOPMENT PERVIOUS AREA (AC)    | 5.48        |
| PRE-DEVELOPMENT IMPERVIOUS AREA (AC)  | 0.25        |
| POST-DEVELOPMENT PERVIOUS AREA (AC)   | 2.18        |
| POST-DEVELOPMENT IMPERVIOUS AREA (AC) | 3.55        |
| PHASE 2 BMP QUANTITIES                |             |
| SILT FENCE                            | ±1,600 L.F. |
| ROCK CONSTRUCTION ENTRANCE            | 3 EA        |
| INLET PROTECTION                      | 19 EA       |



12331 ULYSSES STREET NE  
PREPARED FOR  
CAPITAL REAL ESTATE

SHEET NUMBER  
**C301**

EROSION AND  
SEDIMENT  
CONTROL PLAN -  
PHASE 2

BLAINE, MN

| NO. | REVISIONS            | DATE       | BY  |
|-----|----------------------|------------|-----|
| 1   | CITY REVIEW COMMENTS | 04/07/2023 | RMW |
| 2   | UTILITY/ASB UPDATES  | 04/07/2023 | RMW |
| 3   | UTILITY/ASB UPDATES  | 11/20/2022 | RMW |
| 4   | UTILITY/ASB UPDATES  | 11/20/2022 | RMW |
| 5   | CITY REVIEW COMMENTS | 11/09/2022 | RMW |
| 6   | CITY REVIEW COMMENTS | 09/27/2022 | RMW |
| 7   | CITY REVIEW COMMENTS | 08/24/2022 | RMW |

**Kimley-Horn**  
2023 KIMLEY-HORN AND ASSOCIATES, INC.  
700 E. BROAD STREET, SUITE 100, ST. PAUL, MN 55114  
PHONE: (612) 464-4197  
WWW.KIMLEY-HORN.COM

PROJECT NO. 2023-001  
DATE: 04/07/2023  
SCALE: AS SHOWN  
DESIGNED BY: [Signature]  
CHECKED BY: [Signature]  
DATE: 04/07/2023  
U.S. NO. 47998





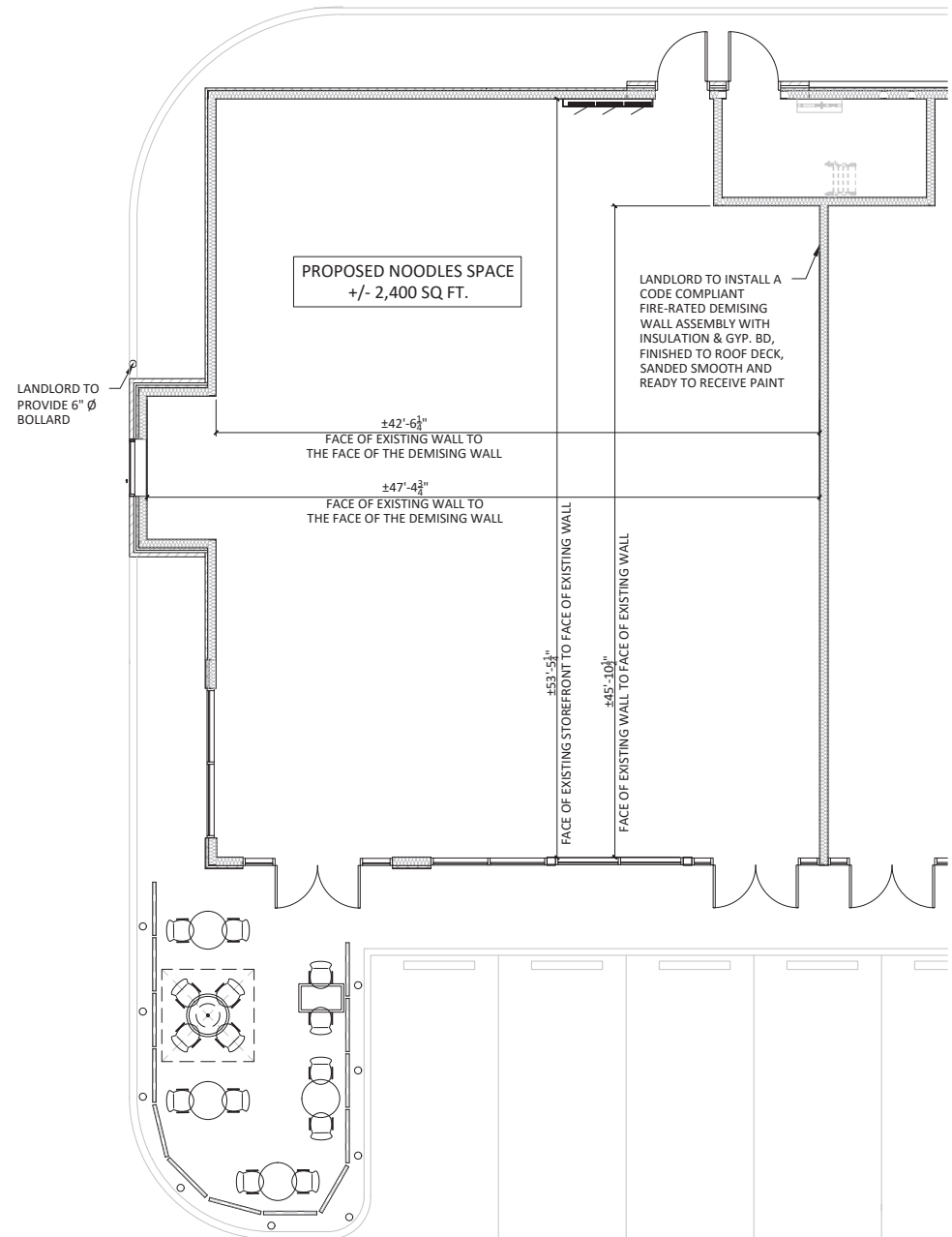
SCALE:  $3/8" = 1'-0"$

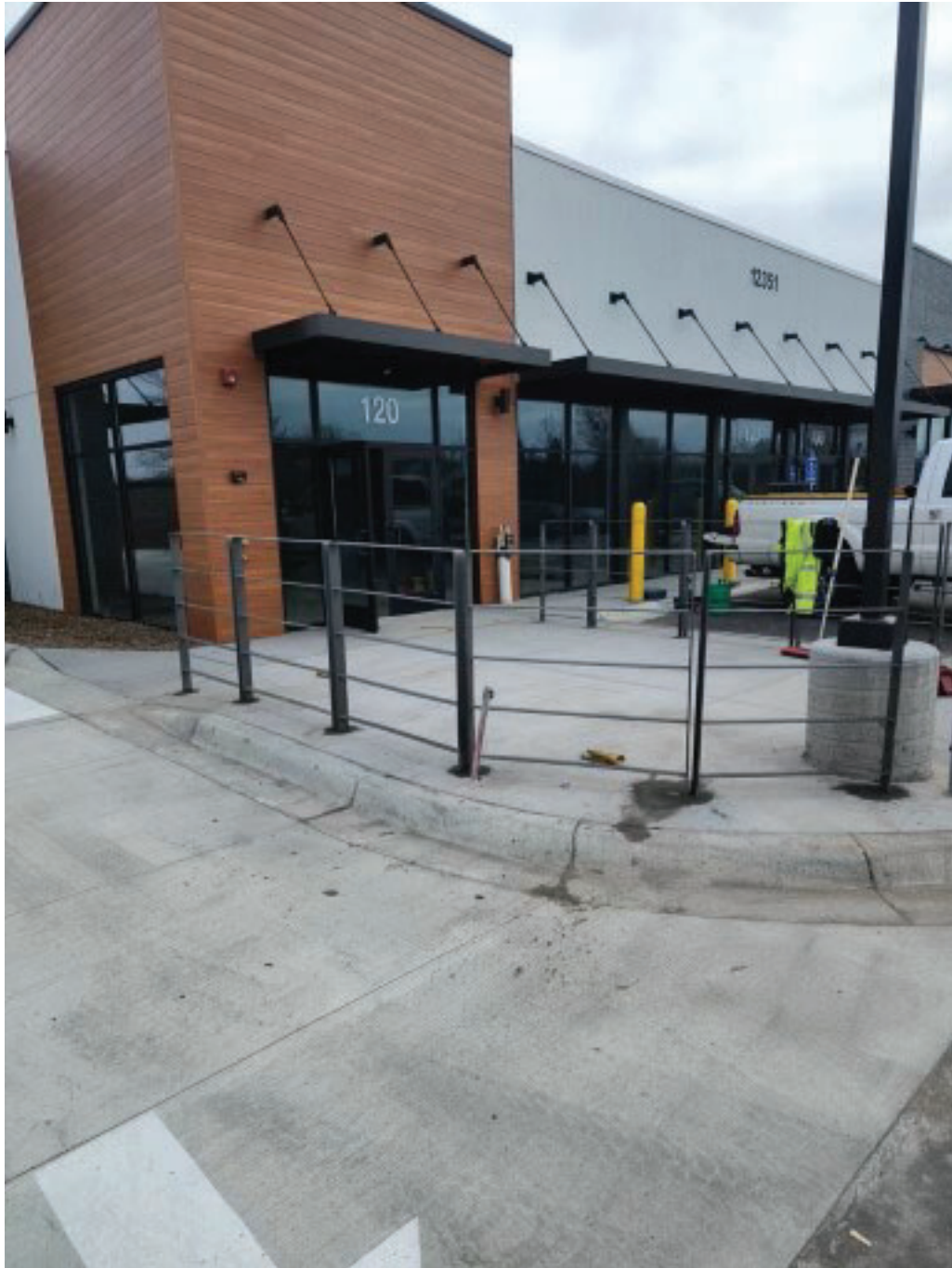


SCALE:  $3/8" = 1'-0"$

1

SCALE:  $1/4" = 1'-0"$





*Noodles & Company  
12351 Ulysses St. NE, Suite 120  
Lot 2, Blaine Square Third Addition  
Date Prepared: January 9, 2024*

Conditional Use Permit

Project Narrative

Blaine Square II LLC is requesting a Conditional Use Permit to permit Outdoor Dining for the northerly tenant of the southerly building on Lot 2.

We hereby request that up to six (6) tables and 14 seats be permitted in the outdoor dining area in accordance with the patio plan submitted with this application.



# City of Blaine

## Planning Commission

---

February 13, 2024 | 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, February 13, 2024. Chair Goracke called the meeting to order at 7:00PM.

#### 2. Roll Call

Members Present: Commission Members Gorzycki, Halpern, Olson, Swanson, and Chair Goracke.

Members Absent: Commission Members Deonauth and Homan.

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

#### 3. Approval of Minutes

3.1. 2024-697 Approval of the January 9, 2024 Planning Commission Minutes  
*Sponsors:*

**Motion by Commissioner Olson to approve the minutes of January 9, 2024, as presented. Motion seconded by Commissioner Swanson. The motion passed 5-0.**

#### 4. Public Hearing

4.3. 2024-39 Case File No. 24-0003 // Noodles and Company // 12351 Ulysses Street NE, #120  
The applicant is requesting a conditional use permit to allow outdoor dining with 14 seats in the Regional Commercial (B-3) zoning district.  
*Sponsors: Shawn Kaye, Planner*

The report to the planning commission was presented by Shawn Kaye, Planner. The public hearing for Case File 24-0003 was opened at 7:20PM. As no one wished to appear, the public hearing was closed at 7:20PM.

**Motion by Commissioner Gorzycki to recommend approval of Planning Case 24-0003 based on the following conditions:**

**Case 24-0003:**

- 1. The outdoor dining area is subject to a SAC review and payment. The applicant must work with the City's Chief Building Official and Met Council to determine the amount required for this use.**
- 2. No outdoor advertising on the building or outdoor dining area without obtaining a temporary sign permit is allowed.**
- 3. The outdoor dining area will be limited to no more than 14 seats in the outdoor dining area.**
- 4. The ability to operate outdoor dining is reliant upon the applicant's ability to adequately control litter and refuse as associated with the facility.**
- 5. No amplified outdoor music system is allowed.**
- 6. Per the Minnesota Building Code, exit doors in any railing or fence in the outdoor dining area shall be openable from the inside without the use of a key or any special knowledge or effort.**
- 7. Provide manufacturing specifications and requirements for propane heater use and clearance to combustibles if they are to be used on site.**
- 8. Applicant to provide the City with an updated liquor liability certificate of insurance that includes the outdoor seating area and that the area is compact and contiguous to the already-established licensed premise.**

**Motion seconded by Commissioner Halpern. The motion passed 5-0.**

Chair Goracke noted this would be on the agenda of the March 4, 2024 city council meeting.



# City of Blaine Staff Report

File Number: RES 24-36

| Agenda Date   | Status     |
|---------------|------------|
| March 4, 2024 |            |
| In Control    | File Type  |
| City Council  | Resolution |

**Development Business** - Sheila Sellman, City Planner

## Agenda Item # 10.5

Resolution Granting a Conditional Use Permit to Operate a Manufactured Home Sales Office in the Manufactured Home Residential (R-4) Zoning District at 10454 Central Avenue NE. Havenpark Heartland Living LLC (Case File No. 24-0004/EES)

## Executive Summary

The applicant is requesting a Conditional Use Permit (CUP) for a sales and leasing office within the existing community/office building at Blaine International Village. Homes for sale must be located on home lots within the park and no changes to the physical site are proposed. Staff and the Planning Commission recommend approval.

## Background

|                                       |          |
|---------------------------------------|----------|
| Planning Commission Public Hearing    | 02/13/24 |
| City Council (Conditional Use Permit) | 03/04/24 |
| Action Deadline                       | 03/26/24 |

Staff report prepared by Elizabeth Showalter, Community Development Specialist

### Zoning

The property is zoned R-4 (Manufactured Home Residential) which allows for manufactured homes, sales offices, and sales lots. The property is guided Manufactured Home Residential (MHR).

### Surrounding Zoning and Uses

The sales office is proposed to be located within the Blaine International Village manufactured home park, which is zoned R-4. Properties surrounding the park are zoned Town Commercial (B-5), Heavy Industrial (I-2), and Single Family (R-1).

### Existing Conditions

The property has an existing manufactured home park with approximately 600 homes and a community center/office building.

#### History

The property has been the subject of numerous land use approvals over the past eight decades. None of those approvals include requirements specific to the community building, which is the subject of this request.

### **Evaluation of Request**

#### Site Plan

The applicant is proposing to use an existing office in the Blaine International Village community building for a sales office. Sales offices and sales lots are listed as a conditional use in the R-4 district, therefore the applicant has applied for the necessary CUP. Any homes for sale will be located on the lots they will be installed on. The only change resulting from this application, is that the park owner, Havenpark Management, will act as the manufactured home dealer and process the sale paperwork rather than using a third party to facilitate sales of new and used homes in the park.

There are four parking spaces adjacent to the community building and parking is permitted on both sides of the adjacent private street. There is sufficient parking for the parties involved in a sale to park near the building.

No site changes are proposed since this is a very minor change in use.

#### 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.
  - There will be no additional 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.
  - The use of an existing office in the building for occasional sales transactions will not change the compatibility with adjoining properties or the character of the subject property.
3. The use shall have an appearance that will not have an adverse effect upon adjacent properties.
  - No change in appearance is proposed.
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 use is consistent with the purpose of the R-4 district to allow for manufactured home parks.
6. The use shall not be in conflict with the comprehensive plan of the City.
  - o The use is consistent with the Manufactured Home Residential land use.
7. The use will not cause traffic hazards or congestion.
  - o Any additional traffic would be minimal and would not cause traffic hazard or congestion.
8. The use shall have adequate utilities, access roads, drainage and necessary facilities.
  - o The proposed use will not impact utilities, roads, or drainage.

**Attachments:**

Zoning and Location Map

Narrative

Aerial Photo

Unapproved Planning Commission Minutes 2/13/24

**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 2/13/24



# City of Blaine

## Signature Copy

Resolution: RES 24-36

### **Resolution Granting a Conditional Use Permit to Operate a Manufactured Home Sales Office in the Manufactured Home Residential (R-4) Zoning District at 10454 Central Avenue NE. Havenpark Heartland Living LLC (Case File No. 24-0004/EES)**

**WHEREAS**, an application has been filed by Havenpark Heartland Living LLC as Conditional Use Permit Case File No. 24-0004; and

**WHEREAS**, said case involves the property described as follows:

NE1/4 OF SW1/4 SEC 20 TWP 31 RGE 23, EX RD SUBJ TO EASE OF REC

**WHEREAS**, the Blaine Planning Commission held a public hearing on February 13, 2024, and recommended approval regarding said Conditional Use Permit; and

**WHEREAS**, the Blaine City Council has reviewed said case on March 4, 2024; 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 29.124(b) and 27.04 of the Zoning Ordinance to allow a manufactured home sales office in the Manufactured Home Residential (R-4) zoning district with the following conditions:

1. Homes for sale must be located on an approved lot in the manufactured home park and meet all setback requirements of the R-4 district.
2. All home sales must involve a home that is located, or will be located after the sale, within the Blaine International Village manufactured home park.
3. A rental license is required prior to occupancy for the lease of any home.

**PASSED** by the City Council of the City of Blaine this 4th day of March, 2024.





To Whom It May Concern,

We are requesting a Conditional Use Permit to obtain sign off from the city for a Manufactured Home Dealer License. The community needs a state license to sell or lease a home in our mobile home community. Sale transactions will be processed in our already existing community office. These homes are intended to stay in the community for residents of the community.

Thank you,

Robison Pratt



Anoka County Parcel Viewer



Parcel Information:

Approx. Acres:  
Commissioner:

Owner Information:



Plat:



# City of Blaine

## Planning Commission

---

February 13, 2024 | 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, February 13, 2024. Chair Goracke called the meeting to order at 7:00PM.

#### 2. Roll Call

Members Present: Commission Members Gorzycki, Halpern, Olson, Swanson, and Chair Goracke.

Members Absent: Commission Members Deonauth and Homan.

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

#### 3. Approval of Minutes

3.1. 2024-697 Approval of the January 9, 2024 Planning Commission Minutes  
*Sponsors:*

**Motion by Commissioner Olson to approve the minutes of January 9, 2024, as presented. Motion seconded by Commissioner Swanson. The motion passed 5-0.**

#### 4. Public Hearing

4.4. 2024-47 Case File No. 24-0004 // Havenpark Heartland Living LLC // 10454 Central Avenue NE  
The applicant is requesting a conditional use permit to operate a manufactured home sales office in the Manufactured Home Residential (R-4) 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 24-0004 was opened at 7:23PM.

Kaoko Moua, 10503 Able Street NE, explained the subject property was located directly behind her home. She questioned if construction would now occur within the manufactured home park.

Community Development Specialist Showalter reported no construction would occur. Rather, the applicant was requesting to complete sales and clerical work from the office building.

The public hearing was closed at 7:24PM.

**Motion by Commissioner Olson to recommend approval of Planning Case 24-0004 based on the following conditions:**

**Case 24-0004:**

- 1. Homes for sale must be located on an approved lot in the manufactured home park and meet all setback requirements of the R-4 district.**
- 2. All home sales must involve a home that is located, or will be located after the sale, within the Blaine International Village manufactured home park.**
- 3. A rental license is required prior to occupancy for the lease of any home.**

**Motion seconded by Commissioner Halpern. The motion passed 5-0.**

Chair Goracke noted this would be on the agenda of the March 4, 2024 city council meeting.



# City of Blaine

## Staff Report

File Number: ORD 24-2542

| Agenda Date   | Status    |
|---------------|-----------|
| March 4, 2024 |           |
| In Control    | File Type |
| City Council  | Ordinance |

**Development Business** - Sheila Sellman, City Planner

### Agenda Item # 10.6

Second Reading

Ordinance Approving an Amendment to the Blaine Zoning Code to Create a New Zoning District, County Road 10 Mixed Use District. Northtown (City of Blaine) (Case File No. 24-0002/SAS)

### Executive Summary

Second Reading of a new ordinance, County Road 10 Mixed Use District as part of the Northtown Plan implementation.

### Background

|                                    |          |
|------------------------------------|----------|
| Planning Commission Public Hearing | 02/13/24 |
| City Council (1st Reading)         | 02/21/24 |
| City Council (2nd Reading)         | 03/04/24 |
| Action Deadline                    | N/A      |

Staff report prepared by Sheila Sellman, City Planner

#### Zoning

The subject site is comprised of Community Commercial (B-2), Regional Commercial (B-3) and Residential Flex (RF) zoning districts.

#### Surrounding Zoning and Uses

The subject site is comprised of commercial development and one residential development with land use designations of CC (Community Commercial), HDR2/PC (High Density Residential/Planned Commercial), and MDR/CC (Medium Density Residential/Community Commercial).

#### Existing Conditions

The subject area is developed with commercial/retail, office, residential and a regional mall.

## **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.

The Plan has been reviewed and discussed at numerous council workshops. The discussions centered around land use and zoning. Based on Council direction, changes to the comprehensive plan took place in November 2023 in preparation for a new zoning district. The Council discussed proposed zoning changes and text amendments at their September 6, 11 and November 13, 2023, workshops. The new zoning district is consistent with direction provided by the City Council and is in line with the Plan and is specifically designed for the Northtown area.

## **Evaluation of Request**

The proposed district intent of the County Road 10 Mixed Use District (MU) is to promote development and redevelopment that encourages mixed-uses that combine new or existing retail development with a variety of housing, offices, retail or other complementary uses. To create a mix of land uses and at the same time protect the interest of surrounding properties in the following ways:

- (a) By establishing a mixed-use land use pattern and neighborhood design that is consistent with the vision, goals, and policies of the Blaine Comprehensive Plan.
- (b) By creating cohesive, yet diverse, neighborhoods with increased economic and cultural opportunities, contributing to greater livability and a healthier local economy.
- (c) By providing for mixed-use development(s) that are carefully planned to promote efficient use of land, parking, and open space.
- (d) By creating attractive neighborhoods that promote pedestrian-friendly, human interaction, safety and livability.

As proposed, any new building or addition requires site plan approval from the Planning Commission and City Council, which is not required in other districts except for the 105th Redevelopment District.

The proposed ordinance allows for mixed used development and that is currently not allowed in the B-2 and B-3 zoning. However, those mixed uses still need to be in conformance with the comprehensive land use plan. For example, an apartment building can only be located on property that is guided by HDR2/Planned Commercial in this area.

The proposed ordinance provides permitted, conditional and prohibited uses. The proposed setbacks take into consideration the vision of the Plan. There is language in the proposed ordinance that provides greater setbacks when adjacent to single-family residential and lesser setbacks for the Northtown Mall.

## **Meetings and Comments**

As part of outreach to the property owners that are part of the rezoning, staff sent letters outlining the

process, an FAQ, and offer to meet to discuss the proposal and answer any questions. At the time of drafting this report, staff communicated directly with nine owners (meetings, phone calls, emails). Most owners did not have an issue with the rezoning or the proposed ordinance. The real estate team for Northtown Mall submitted comments, and they are attached. Specifically, they request to allow oil changes as a conditional use. Two other owners questioned why car washes are being prohibited. One owner questioned why the setback for the mall was different than other properties, specifically across University Avenue. The development parameters for the mall property are different in anticipation of the mall redeveloping like the Plan showed with development closer to the perimeter of the site.

**Attachments:**

Current and Proposed Zoning

Public Comment

Proposed Code Amendment

Unapproved Planning Commission Minutes 2/13/24

**Strategic Plan Relationship**

Northtown is part of the Economic Development Strategic Priority. Implementation of Northtown Master Plan is a Strategic Initiative.

**Board/Commission Review**

The Planning Commission voted unanimously to approve the code amendment. One comment at the public hearing was the request to add oil change as a conditional use.

**Financial Impact**

Not applicable.

**Public Outreach/Input**

Notices of a public hearing were:

1. Mailed to property owners/businesses that are part of the rezoning
2. Published in Blaine/Spring Lake Park/Columbia Heights/Fridley Life.
3. Posted on the City website.

**Staff Recommendation**

By motion, approve the ordinance.

**Attachment List**

1. Attachments
2. Proposed Code Amendment
3. Unapproved PC Minutes 2/13/24





# City of Blaine

## Signature Copy

Ordinance: ORD 24-2542

### Second Reading

**Ordinance Approving an Amendment to the Blaine Zoning Code to Create a New Zoning District, County Road 10 Mixed Use District. Northtown (City of Blaine) (Case File No. 24-0002/SAS)**

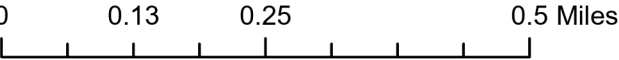
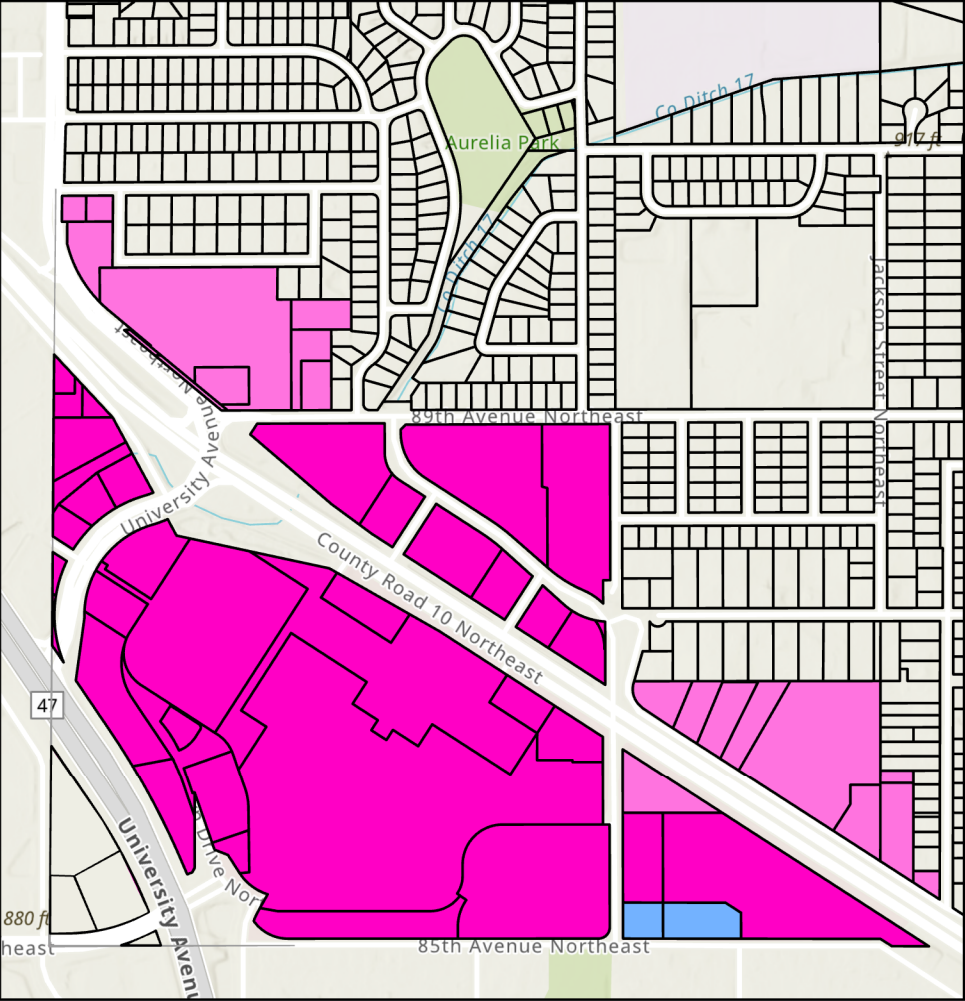
**THE CITY OF BLAINE DOES ORDAIN:** (Added portions are underscored and deleted portions are shown in overstrike.)

See attached ordinance.

**INTRODUCED** and read in full this 24th day of February, 2024.

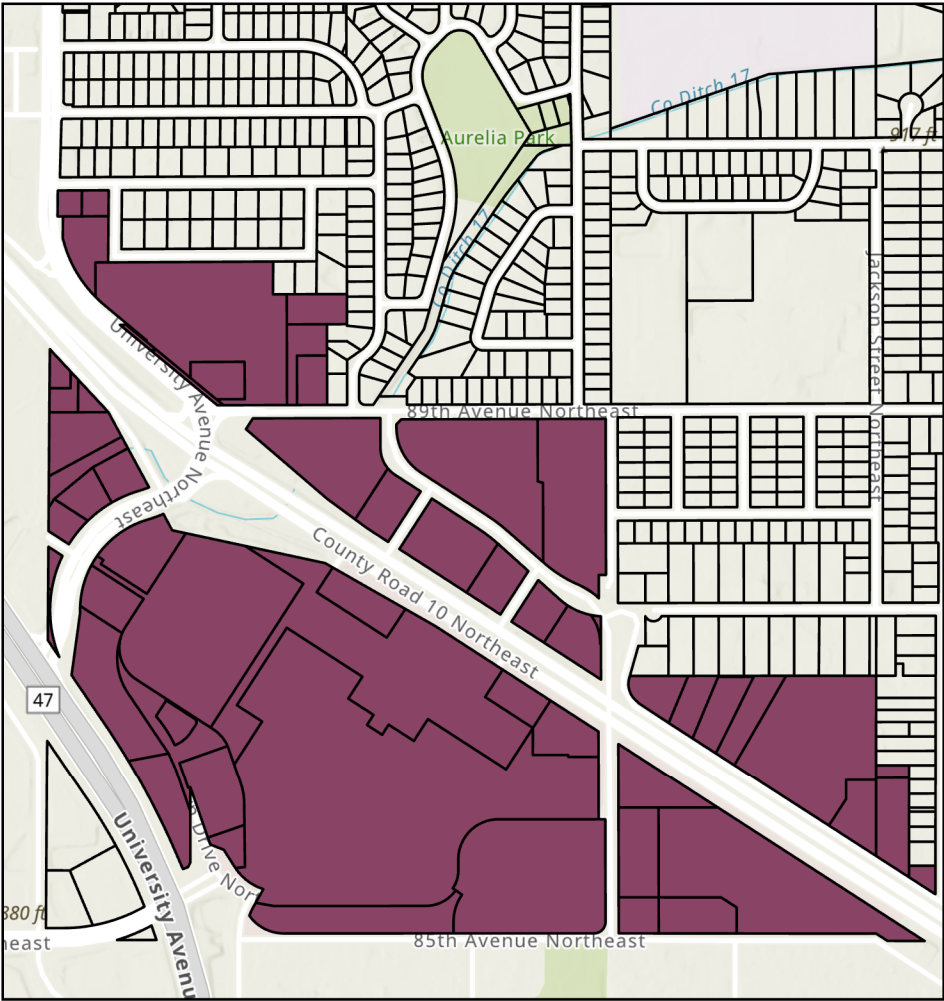
**PASSED** by the City Council of the City of Blaine this 4th day of March, 2024.

Existing Zoning



- B-2 - Community Commercial
- B-3 - Regional Commercial
- RF - Residential Flex

Proposed Zoning



- Mixed Use District



## Patricia Robinson

---

**From:** Sheila Sellman  
**Sent:** Tuesday, January 30, 2024 8:04 AM  
**To:** Patricia Robinson  
**Subject:** Fwd: Northtown Mall moratorium and zoning in favor of clean well run oil change facilities

---

**From:** William Melin/USA <William.Melin@cushwake.com>  
**Sent:** Monday, January 29, 2024 6:10:15 PM  
**To:** Sheila Sellman <ssellman@blainemn.gov>  
**Cc:** Deb Carlson/USA <Deb.Carlson@cushwake.com>; Amber Vickerman/USA <Amber.Vickerman@cushwake.com>  
**Subject:** Northtown Mall moratorium and zoning in favor of clean well run oil change facilities

Shelia,

We would like to go on record in favor of oil change facilities being allowed as a conditional use in the (j) Gasoline service station, not including a car wash, but including oil change.  
(i.e. well run, clean operations with no vehicles parked at the locations overnight like Valvoline Rapid Oil Change and Jiffy Lubes)

Thanks  
Skip

[william.melin@cushwake.com](mailto:william.melin@cushwake.com)

**William “Skip” Melin** CCIM  
Senior Director  
Capital Markets Group

Phone: +1 952 200 7890

3500 American Blvd W, Suite 200  
Bloomington, MN 55431 | USA  
[cushwakemsp.com](http://cushwakemsp.com)

[LinkedIn](#) | [Facebook](#) | [Twitter](#) | [YouTube](#) | [Vimeo](#) | [News](#)

## **30.60 - County Road 10 Mixed Use District (MU)**

### **30.61 - Intent**

The intent of the mixed-use district is to promote development and redevelopment that encourages mixed-uses that combine new or existing retail development with a variety of housing, offices, retail or other complementary uses. To create a mix of land uses and at the same time protect the interest of surrounding properties in the following ways:

- (a) By establishing a mixed-use land use pattern and neighborhood design that is consistent with the vision, goals, and policies of the Blaine Comprehensive Plan.
- (b) By creating cohesive, yet diverse, neighborhoods with increased economic and cultural opportunities, contributing to greater livability and a healthier local economy.
- (c) By providing for mixed-use development(s) that are carefully planned to promote efficient use of land, parking, and open space.
- (d) By creating attractive neighborhoods that promote pedestrian friendly, human interaction, safety and livability.

### **30.62 - Development Procedure**

All new buildings and additions require site plan approval through the Planning Commission and City Council.

A development agreement is required as part of the development approval and shall address, at a minimum, approved site and building design criteria, approved sign locations and design criteria, construction phasing, parking, cash escrow and/or letter of credit for construction of on-site and off-site improvements generated by the development.

### **30.63 - Permitted Uses**

- (a) Attached townhomes with a minimum of three units.
- (b) Bakery
- (c) Banks
- (d) Brew pubs
- (e) Candy or ice cream shops
- (f) Coffee shop
- (g) Delicatessen stores
- (h) Dry cleaning and laundry with no chemicals on premises.
- (i) General retail
- (j) Liquor stores

- (k) Medical cannabis dispensary
- (l) Personal services, including massage, hair salons and similar business.
- (m) Personalized instructional services and fitness centers, total floor area limited to 4,000 square feet.
- (n) Portrait/art studio/museum
- (o) Professional offices including medical.
- (p) Repair services (cell phone, clothing, bicycle, shoes) – not including automotive repair.
- (q) Restaurants (Class I and Class II)

### **30.64 - Conditional Uses**

- (a) Animal hospitals/veterinary clinic.
- (b) Assisted living and/or memory care facility.
- (c) Brewer tap room as associated with and on the same site as a licensed brewery.
- (d) Buildings over 50 feet in height.
- (e) Charter schools without outdoor recreation space (not including playground equipment which is limited to 5,000 square feet).
- (f) Day care Facilities
- (g) Event centers and banquet facilities
- (h) Farmers market
- (i) Gasoline service station, not including a car wash.
- (j) Hospitals
- (k) Hotels, not including motels.
- (l) Indoor amusement and recreation, not including fitness.
- (m) Licensed cocktail room with and on the same site as a licensed distillery/micro distillery or winery.
- (n) Movie or live theaters
- (o) Multi-family residential (apartment style)
- (p) Off Site parking or shared parking
- (q) Outdoor dining
- (r) Outdoor recreation as an accessory use to a permitted or conditional use in this district.
- (s) Personalized instructional services and fitness centers, over 4,000 square feet.
- (t) Places of worship
- (u) Private social clubs
- (v) Public buildings or facilities, not including schools.
- (w) Restaurants with live entertainment (music, etc.)
- (x) Two (2) or more buildings on same lot.

- (y) Zero lot line split with shared access and/or parking.

### **30.65 - Prohibited Uses**

- (a) Auto sales—indoor or outdoor sales
- (b) Automobile repair
- (c) Car washes
- (d) Outdoor storage
- (e) Pawn shops
- (f) Self-storage/mini storage
- (g) Tobacco/vape shop
- (h) Any uses not listed as permitted, or conditional.

### **30.66 - Performance Standards Residential**

- (a) Multi-family (Apartment) must be consistent with comprehensive plan land use designation.

#### (1) Building Setbacks

- (aa) Adjacent to single-family residential 100 feet.
- (bb) Across the right-of-way from single-family residential 50 feet.
- (cc) Adjacent to County Road 10 minimum setback of 20 feet with a maximum of 50 feet.
- (dd) Adjacent or across the right-of-way from commercial not adjacent county road 10.
- (ee) Front yard 30 feet
- (ff) Side yard 20 feet
- (gg) Rear yard 20 feet

#### (2) Parking Setbacks

No parking lot shall be located in the front yard adjacent to County Road 10.

- (aa) Front yard 20 feet, if adjacent to single-family residential the setback shall be 40 feet.
- (bb) Rear yard 20 feet
- (cc) Side yard 20 feet
- (dd) Fire lane may be located within the setback.

#### (3) Building Height

- (aa) Adjacent to single-family residential maximum of three stories over parking (40 feet above grade).
- (bb) Maximum 5 residential stories over parking (60 feet above grade)

- Buildings over 50 feet require a conditional use permit.
- (4) Multi-family (Apartments): Each residential development shall provide private recreational uses for project residents. This area shall be for active or passive recreational uses suited to the needs of the residents of the project including, but not limited to, swimming pools, trails, nature areas, picnic areas, tot lots. Projects with 50 units or less must provide at least one amenity. Projects with more than 50 units must provide at least two amenities.
- (b) Multi-family (Attached Townhomes) must be consistent with comprehensive plan land use designation.
- (1) Building Setbacks
- (aa) Front yard: 30 feet
  - (bb) Rear yard: 30 feet
  - (cc) Corner side yard: 20 feet
  - (dd) Side yard adjacent to single-family residential or commercial: 30 feet.
- (2) Parking Setbacks
- (aa) Guest parking: 20 feet
  - (bb) Drive aisles: 20 feet
- (3) Building Height
- (aa) Minimum of two stories, except that a height of one story is permitted for up to 10 percent of the units in a development.
  - (bb) Maximum of three stories.

### **30.67 - Architectural Control Residential**

- (a) [Exterior wall finishes.] At least 50 percent of all exterior wall finishes on any building shall be comprised of a combination of at least three of the following materials with all materials present on each elevation.
- (1) Brick
  - (2) Natural or cultured stone
  - (3) Glass
  - (4) Stucco or EIFS
  - (5) Cementous siding
  - (6) Architectural metal
  - (7) Integrally colored rock faced block

- (8) The remaining portion of all exterior wall finishes shall be comprised of any combination of decorative, rock faced concrete block and textured concrete panels, or other comparable or superior materials as approved by the zoning administrator. All materials subject to zoning administrator approval.
- (9) Building articulation elements shall be provided at a maximum average spacing of 40 feet.
- (10) Flat roof lines are encouraged along County Road 10.
- (11) Apartment Façade articulation for any building over two-stories shall be provided through any of the following elements:
  - (aa) A projecting bay, entry vestibule, or recess extending from the ground level through the second floor.
  - (bb) A ground-level recess.
  - (cc) A change in the rhythm of windows at the ground level and second floor, combined with a change of parapet height or material.
- (12) All buildings shall provide ground floor windows along, parks, plazas or other public outdoor spaces. Darkly tinted windows or windows that block two-way visibility are prohibited.

(b) Awnings.

- (1) An awning may project over the public sidewalk provided that it is at least eight feet above grade and does not project more than two-thirds the width of the public sidewalk as measured from the building.
- (2) Awnings must be constructed of durable, water repellent material such as canvas or metal. Plastic or fiberglass are not permitted.
- (3) Backlit or illuminated awnings are not permitted.
- (4) Retractable or fixed awnings may be used.
- (5) Awnings shall not extend across multiple buildings. Long expanses of awnings should be broken into segments that reflect the door or window openings located beneath.
- (6) Awning colors and materials shall complement the building façade.
- (7) Signage on awnings is permitted on the end panel or valance only. Lettering size shall be proportional to the space available as approved by the zoning administrator.
- (8) Awnings and canopies deteriorate over time; regular maintenance and replacement is required. If material shows signs of wear, including, but not limited to, fraying, fading, or physical damage to the awning.

- (9) Awnings should be part of the site plan review and receive approval. Any encroachments over public right-of-way shall be approved by the city council prior to construction.

### **30.68 - Performance Standards Commercial**

(a) Building setbacks:

- (1) Adjacent to single-family residential: 50 feet
- (2) Adjacent to County Road 10 minimum setback of 20 feet with a maximum of 50 feet.
- (3) Front yard: 30 feet
- (4) Side yard: 20
- (5) Rear yard: 20 feet

(b) Parking setbacks:

- (1) No parking lot shall be located in the front yard adjacent to County Road 10.
- (2) Front yard: 20 feet
- (3) Rear yard 10 feet, if adjacent to single family residential 25 feet.
- (4) Side yard 10 feet, if adjacent to single family residential 25 feet.
- (5) Fire lane may be located within the setback.

### **30.69 - Architectural Control Commercial**

- (a) [Exterior wall finishes.] 100 percent of all exterior wall finishes on any building shall be comprised of a combination of at least three of the following materials with all materials present on each elevation.

- (1) Brick
- (2) Natural or cultured stone
- (3) Glass
- (4) Stucco or EIFS
- (5) Cementous siding
- (6) Architectural metal
- (7) Integrally colored rock faced block
- (8) The remaining portion of all exterior wall finishes shall be comprised of any combination of decorative, rock faced concrete block and textured concrete panels, or other comparable or superior materials as approved by the zoning administrator. All materials subject to zoning administrator approval.
- (9) Building articulation elements shall be provided at a maximum average spacing of 40 feet.



(b) Awnings.

- (1) An awning may project over the public sidewalk provided that it is at least eight feet above grade and does not project more than two-thirds the width of the public sidewalk as measured from the building.
- (2) Awnings must be constructed of durable, water repellent material such as canvas or metal. Plastic or fiberglass are not permitted.
- (3) Backlit or illuminated awnings are not permitted.
- (4) Retractable or fixed awnings may be used.
- (5) Awnings shall not extend across multiple buildings. Long expanses of awnings should be broken into segments that reflect the door or window openings located beneath.
- (6) Awning colors and materials shall complement the building façade.
- (7) Signage on awnings is permitted on the end panel or valance only. Lettering size shall be proportional to the space available as approved by the zoning administrator.
- (8) Awnings and canopies deteriorate over time; regular maintenance and replacement is required. If material shows signs of wear, including, but not limited to, fraying, fading, or physical damage to the awning.
- (9) Awnings should be part of the site plan review and receive approval. Any encroachments over public right-of-way shall be approved by the city council prior to construction.

(c) Building height: buildings exceeding 50 feet in height must obtain a conditional use permit.

**30.70 - Mall Performance Standards**

The Mall property consists of land north of Sanburnol Drive, east of University Avenue, south of County Road 10, and west of Jefferson Street.

(a) Building Setbacks:

- (1) Adjacent to County Road 10 minimum setback of 20 feet with a maximum of 50 feet, Maximum setbacks do not apply to The Northtown Mall.
- (2) Adjacent to Sanburnol Drive: 30 Feet
- (3) Adjacent to County 10: 20 feet
- (4) Adjacent to University Avenue: 20 feet
- (5) Adjacent to Jefferson Street: 20 feet

(b) Parking Setbacks:

- (1) No parking lot shall be located in the front yard adjacent to County Road 10.
  - (2) Adjacent to Sanburnol Drive: 15 feet
  - (3) Adjacent to County Road 10 side and rear yard: 10 feet
  - (4) Adjacent to University Avenue: 10 feet
  - (5) Adjacent to Jefferson Street: 10 feet
- (c) [Exterior wall finishes.] At least 100 percent of all exterior wall finishes on any building shall be comprised of a combination of at least three of the following materials with all materials present on each elevation:
- (1) Brick
  - (2) Natural or cultured stone
  - (3) Glass
  - (4) Stucco or EIFS
  - (5) Cementous siding
  - (6) Architectural metal
  - (7) Integrally colored rock faced block.
  - (8) The remaining portion of all exterior wall finishes shall be comprised of any combination of decorative, rock faced concrete block and textured concrete panels, or other comparable or superior materials as approved by the zoning administrator. All materials subject to zoning administrator approval.
  - (9) Building articulation elements shall be provided at a maximum average spacing of 40 feet.
- (d) Awnings:
- (1) An awning may project over the public sidewalk provided that it is at least eight feet above grade and does not project more than two-thirds the width of the public sidewalk as measured from the building.
  - (2) Awnings must be constructed of durable, water repellent material such as canvas or metal. Plastic or fiberglass are not permitted.
  - (3) Backlit or illuminated awnings are not permitted.
  - (4) Retractable or fixed awnings may be used.
  - (5) Awnings shall not extend across multiple buildings. Long expanses of awnings should be broken into segments that reflect the door or window openings located beneath.
  - (6) Awning colors and materials shall complement the building façade.

- (7) Signage on awnings is permitted on the end panel or valance only. Lettering size shall be proportional to the space available as approved by the zoning administrator.
  - (8) Awnings and canopies deteriorate over time; regular maintenance and replacement is required. If material shows signs of wear, including, but not limited to, fraying, fading, or physical damage to the awning.
  - (9) Awnings should be part of the site plan review and receive approval. Any encroachments over public right-of-way shall be approved by the city council prior to construction.
- (e) Building height: buildings exceeding 50 feet in height must obtain a conditional use permit.

### **30.71 - General Performance Standards**

- (a) Assisted Living and/or memory care facility:
  - (1) Multi-story building must meet performance standards residential multi-family.
  - (2) One-story building must meet performance standards - Commercial.
- (b) Class II Restaurant:
  - (1) If located in a retail multiple tenant center must conform to the architecture of a specific center.
- (c) Hospitals:
  - (1) Shall not be adjacent to low density residential areas.
  - (2) Shall have direct access from the site to a collector or arterial street as defined in the comprehensive plan.
  - (3) Shall not have emergency vehicle access adjacent to or located across a street from any single-family residential use.
  - (4) May be required to submit a detailed parking analysis. Additional parking may be required based on this analysis.
- (d) Heliports:
  - (1) Shall conform to all applicable federal aviation administration and Minnesota department of transportation regulations.
  - (2) Shall establish and utilize approach and departure routes over non-residential areas to the maximum extent possible.
  - (3) Shall have hours of operation limited to 7:00 a.m. to 9:00 p.m., inclusive, excluding emergencies.

- (4) Shall not be located within 500 feet of residential areas.
- (5) Shall be provided with a dust free landing pad.
- (6) Shall be fenced or otherwise secured to prevent unauthorized access.
- (e) Outside display is allowed provided the following standards are met:
  - (1) Outside display area is limited to a maximum of thirty percent (30%) of the width of a building frontage and is not to exceed a total of one hundred fifty (150) square feet of area for buildings under 40,000 square feet and not to exceed 400 square feet for buildings larger than 40,000 square feet. Building frontage is defined as the dimension or width of a store front occupied by the retailer establishing the outside display. For purposes of this ordinance a frontage must contain a public or customer entrance or exit and no space is allowed more than two (2) frontages.
  - (2) Outside display to be located immediately adjacent to and within the dimensions of the building frontage and shall not extend from the front building edge more than fifty (50) inches.
  - (3) Outside display shall not exceed a height of sixty (60) inches.
  - (4) Vending machines or cabinets for items such as beverages, ice and propane are exempt from the height and area restrictions provided they are limited to a maximum of three (3) machines or cabinets per frontage.
  - (5) Outside display shall not be located so as to block pedestrian walkways, doorways, parking stalls, drive aisles (including access for emergency services). Thirty-six (36) inches is the minimum width required to maintain pedestrian access.
  - (6) Outside display to be maintained in an orderly and attractive manner that does not detract from the image of the community or adjacent businesses.
  - (7) Outside display should be a representation of the products sold on site, not a storage area for inventory on pallets.
  - (8) Products shall be able to be sold from the display.
- (f) Parking:

Parking is regulated by Section 33.13 of the Blaine Zoning Ordinance except where regulated in this section.

  - (1) Shared Parking
    - (aa) A conditional use permit may be granted for one or more businesses to provide the required off-street parking facilities by joint use of one or more sites where the total number of spaces

provided are less than the sum of the total required for each business should they provide them separately.

(bb) Conditions required for shared parking:

- (i) The building or use for which application is being made to utilize off-street parking facilities provided by another building or use shall be located within 800 feet of such parking facilities.
- (ii) The application shall demonstrate there is no substantial conflict in using shared facilities through a professional parking analysis.
- (iii) Shared parking facilities shall record with the county an irrevocable covenant running with the land. A certified copy of the recorded agreement shall be provided to the zoning administrator prior to issuance of a building permit.

(2) Off-site parking.

Any off-site parking which is used to meet the requirements below shall be a conditional use:

- (aa) Reasonable access from the off-site parking facilities to the use being served shall be provided.
- (bb) An agreement or lease shall be approved as part of the conditional use permit. The agreement/lease shall specify the total number and location of parking spaces under contract.
- (cc) The off-street parking requirements shall be established by the zoning administrator based upon the characteristics and functional similarities between uses including, but not limited to: the size of building, type of use, number of employees, expected volume and turnover of customer traffic, and expected frequency and number of delivery or service vehicles. For structures containing multiple uses, each shall be calculated separately. The requirements may be revised downward by the city council as part of an application for a conditional use permit based on verifiable information pertaining to parking.
- (dd) Approved parking spaces must be located on the same lot as the principal use, unless shared parking or off-site parking is approved for the use.

(3) Parking analysis requirements.

A parking analysis is required when off-site or share parking is proposed. The parking analysis is to be prepared by a professional who has knowledge and experience with parking needs and assessments. The analysis should consist of the following information:

- (aa) A site plan of the property identifying where the proposed project is located, showing all existing uses/tenant spaces and all existing parking space locations.
- (bb) Parking analysis matrix that includes (1) names of all existing/proposed uses with tenant address; (2) each tenants total building square footage existing and proposed (3) lists dining and seating counts for restaurant, bar, brewery, cocktail room and coffee shop uses; and (4) lists an accurate total number of all existing parking spaces on-site.
- (cc) Proposed parking layout and number of stalls for the development.
- (dd) Floor plan layouts may be required to determine relevant seating areas and other-relevant square-footage areas.
- (ee) Parking adequacy should be determined prior to making major financial and legal commitments related to the property. In some cases, insufficient on-site parking may prevent the proposed project/use from being permitted.

(4) *Parking structure.*

- (aa) Parking structures shall be appropriately located and behind the rear of the building when practical.
- (bb) Parking structures abutting any public street or walkway shall be compatible with the materials and architectural style of surrounding buildings.
- (cc) Parking structures shall be designed so that vehicles are not visible from the sidewalk and the only opening at the street level are those to accommodate vehicle ingress and egress.
- (dd) Snow storage areas shall not be located in the front or side yard abutting a street. If storage is not accommodated onsite it should be hauled out.

(g) *Personalized instructional services and fitness centers and accessory uses within the building on property:*

- (1) Any active outdoor use areas shall be screened from residential views.

(2) A detailed parking demand analysis shall be submitted. Additional parking may be required based on this analysis.

(h) Theaters:

(1) Theaters located within shopping centers or otherwise utilizing joint parking arrangement shall submit an analysis of parking demand versus availability for review and approval by the city. Additional parking may be required based on this analysis if available parking does not meet the expected demand.

(2) Theaters located within existing structures may be required to install appropriate building modifications to provide adequate pedestrian and vehicle access.

(3) Interior and free standing theaters shall only be permitted when it can be demonstrated that vehicular ingress and egress may be accomplished without inducing undue traffic problems on area roadways.

(i) Traffic impact studies/Traffic memo:

A traffic impact study prepared by a registered traffic engineer to assess potential traffic impacts on local and regional road systems is required for any of the following:

(1) Multi-family development

A traffic memo prepared by a registered traffic engineer to assess potential traffic impacts on local and regional road systems is require for any of the following:

(1) Any development which exceeds 25,000 square feet of gross floor area.

(2) Expansion of existing development which exceeds 10 percent of gross floor area and the total gross floor area is 25,000 square feet or greater.

(j) Refuse Enclosure:

Refuse facilities, except for individual containers for public use, shall be located only in the side yards or rear yards when feasible. Refuse facilities may be located in the front yard subject to approval of the Zoning Administrator. Such facilities shall be constructed of masonry materials such as brick or textured block in colors compatible with the principal structure. Such facilities shall have solid gates.

(k) Screening:



On a lot adjacent to single family residential, there shall be an opaque screen made up of trees and/or berms and a six-foot-high solid fence constructed of maintenance free materials.

(l) Signage:

Signage is regulated by Chapter 34 of the Blaine Zoning Ordinance.



# City of Blaine

## Planning Commission

---

February 13, 2024 | 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, February 13, 2024. Chair Goracke called the meeting to order at 7:00PM.

#### 2. Roll Call

Members Present: Commission Members Gorzycki, Halpern, Olson, Swanson, and Chair Goracke.

Members Absent: Commission Members Deonauth and Homan.

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

#### 3. Approval of Minutes

**3.1.** 2024-697 Approval of the January 9, 2024 Planning Commission Minutes  
*Sponsors:*

**Motion by Commissioner Olson to approve the minutes of January 9, 2024, as presented. Motion seconded by Commissioner Swanson. The motion passed 5-0.**

#### 4. Public Hearing

**4.8.** 2024-160 Case File No. 24-0002 // Northtown // City of Blaine  
The City is requesting the following:

1. Amendment to the Blaine Zoning Ordinance to create a new zoning district, County Road 10 Mixed Use District.
2. Rezoning certain parcels in the Northtown area from Community

Commercial (B-2), Regional Commercial (B-3) and Residential Flex (RF),  
to County Road 10 Mixed Use 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 24-0002 was opened at 7:40PM.

William Melin, Northtown Mall representative, questioned if oil change uses would be contingent upon having a gas station or would a Jiffy Lube be allowed in the Northtown area.

City Planner Sellman explained this was something the planning commission would have to dialogue and make a recommendation to the city council on as written the ordinance does not allow these types of uses.

Chair Goracke inquired if Mr. Melin had an interest in an oil change company.

Mr. Melin reported he was a representative from the mall ownership and stated Take Five had approached the mall expressing interest in a mall outlot.

The public hearing was closed at 7:43PM.

Chair Goracke stated the city of Blaine was embarking on two very unique redevelopment areas, one being the Northtown Mall area and the other being the 105th Redevelopment area. He commended city staff and the council for their efforts and vision. He asked if the commission supported allowing oil changes as a conditional use in the Northtown area.

Commissioner Olson questioned why the city would not allow oil changes when Perfect 10 and a brake replacement establishment were already in place. She indicated she supported allowing oil changes in the Northtown area through a CUP.

City Planner Sellman clarified that Perfect 10 was located in Spring Lake Park. She explained the city currently had a moratorium on car washes and a study was being conducted on this use. She reported through council discussion at workshop meetings, she understood the council was not in favor of allowing car washes, minor or major car repair in this district.

Commissioner Halpern supported the moratorium on car washes for this redevelopment area. He explained there were other automotive uses outside the Northtown redevelopment area. He recommended oil change uses not be allowed within the district but rather that entertainment and food uses be pursued.

Commissioner Halpern stated he appreciated the city's vision for this area and indicated he could support the ordinance amendment as recommended by staff and the city council.

Commissioner Gorzycki asked if there was another opportunity for the oil change applicant if this code amendment were approved.

City Planner Sellman explained the applicant had made a request for a change and the council could opt to make a change, or the oil change use would have to find another location.

Commissioner Halpern thanked Take Five for their interest in Blaine but noted he did not believe this use fit the vision for the Northtown Redevelopment area.

**Motion by Commissioner Halpern to recommend approval of Planning Case 24-0002A recommending approval of an amendment to the Blaine Zoning Ordinance to create a new zoning district, County Road 10 Mixed Use District without oil change uses. Motion seconded by Commissioner Olson. The motion passed 5-0.**

**Motion by Commissioner Halpern to recommend approval of Planning Case 24-0002B recommending approval of a rezoning for certain parcels in the Northtown area from Community Commercial (B-2), Regional Commercial (B-3) and Residential Flex (RF), to County Road 10 Mixed Use District. Motion seconded by Commissioner Olson. The motion passed 5-0.**

Chair Goracke noted this would be on the agenda of the February 21, 2024 city council meeting.



# City of Blaine

## Staff Report

File Number: ORD 24-2543

| Agenda Date   | Status    |
|---------------|-----------|
| March 4, 2024 |           |
| In Control    | File Type |
| City Council  | Ordinance |

**Development Business** - Sheila Sellman, City Planner

### Agenda Item # 10.7

Second Reading

Ordinance Rezoning Certain Parcels in the Northtown Area from Community Commercial (B-2) and Regional Commercial (B-3) to County Road 10 Mixed Use District. Northtown (City of Blaine) (Case File No. 24-0002/SAS)

### Executive Summary

Second reading to rezone certain parcels in the Northtown Area to County Road 10 Mixed Use District (MU) as part of implementing the Northtown Plan.

### Background

|                                      |          |
|--------------------------------------|----------|
| Planning Commission (Public Hearing) | 02/13/24 |
| City Council (1st Reading)           | 02/21/24 |
| City Council (2nd Reading)           | 03/04/24 |
| Action Deadline                      | N/A      |

Staff report prepared by Sheila Sellman, City Planner

### Zoning

The subject site is comprised of Community Commercial (B-2), Regional Commercial (B-3) and Residential Flex (RF) zoning districts.

### Surrounding Zoning and Uses

The subject site is comprised of commercial development and one residential development with land use designations of CC (Community Commercial), HDR2/PC (High Density Residential/Planned Commercial), and MDR/CC (Medium Density Residential/Community Commercial).

### Existing Conditions

The subject area is developed with commercial/retail, office, residential and a regional mall.

### **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.

The Plan has been reviewed and discussed at numerous council workshops. The discussions centered around land use and zoning. Based on Council direction, changes to the comprehensive plan took place in November 2023 in preparation for a new zoning district. The Council discussed proposed zoning changes and text amendments at their September 6, 11 and November 13, 2023, workshops. The new zoning district is consistent with direction provided by the City Council and is in line with the Plan and is specifically designed for the Northtown area.

### **Rezoning**

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. Zoning amendments shall only be used as a means to reflect changes in the goals and policies of the City as reflected in the comprehensive plan or changes in conditions in the City. Although there are no explicit findings that must be made in conjunction with rezoning, appropriate considerations include:

- Whether the proposed District is consistent with the Comprehensive Plan.
- How the proposed district differs from the existing district.
- How the proposed district meets the goals and policies of the City.

### **Evaluation of Request**

The proposed district intent of the County Road 10 Mixed Use District (MU) is to promote development and redevelopment that encourages mixed-uses that combine new or existing retail development with a variety of housing, offices, retail or other complementary uses. To create a mix of land uses and at the same time protect the interest of surrounding properties in the following ways:

- (a) By establishing a mixed-use land use pattern and neighborhood design that is consistent with the vision, goals, and policies of the Blaine Comprehensive Plan.
- (b) By creating cohesive, yet diverse, neighborhoods with increased economic and cultural opportunities, contributing to greater livability and a healthier local economy.
- (c) By providing for mixed-use development(s) that are carefully planned to promote efficient use of land, parking, and open space.
- (d) By creating attractive neighborhoods that promote pedestrian-friendly, human interaction, safety and livability.

As proposed, any new building or addition requires site plan approval from the Planning Commission

and City Council, which is not required in other districts except for the 105th Redevelopment District.

The proposed ordinance allows for mixed used development and that is currently not allowed in the B-2 and B-3 zoning. However, those mixed uses still need to be in conformance with the comprehensive land use plan. For example, an apartment building can only be located on property that is guided by HDR2/Planned commercial in this area.

The proposed ordinance provides permitted, conditional and prohibited uses. The proposed setbacks take into consideration the vision of the Plan. There is language in the proposed ordinance that provides greater setbacks when adjacent to single-family residential and lesser setbacks for the Northtown Mall.

#### Meetings and Comments

As part of outreach to the property owners that are part of the rezoning, staff sent letters outlining the process, an FAQ, and offer to meet to discuss the proposal and answer any questions. At the time of drafting this report, staff communicated directly with nine owners (meetings, phone calls, emails). Most owners did not have an issue with the rezoning or the proposed ordinance. The real estate team for Northtown Mall submitted comments, and they are attached. Specifically, they request to allow oil changes as a conditional use. Two other owners questioned why car washes are being prohibited. One owner questioned why the setback for the mall was different than other properties, specifically across University Ave. The development parameters for the mall property are different in anticipation of the mall redeveloping like the Plan showed with development closer to the perimeter of the site.

#### **Attachments:**

Current and Proposed Zoning

Public Comment

Exhibit A

Unapproved PC Minutes 2/13/24

### **Strategic Plan Relationship**

Northtown is part of the Economic Development Strategic Priority. Implementation of Northtown Master Plan is a Strategic Initiative.

### **Board/Commission Review**

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

### **Financial Impact**

Not applicable.

### **Public Outreach/Input**

Notices of a public hearing were:



1. Mailed to property owners/businesses that are part of the rezoning, outlining the process, an FAQ, and offer to meet to discuss the proposal and answer any questions.
2. Published in Blaine/Spring Lake Park/Columbia Heights/Fridley Life.
3. Posted on the City website.

### Staff Recommendation

By motion, approve the ordinance.

### Attachment List

1. Attachments
2. Unapproved PC Minutes 021324



# City of Blaine

## Signature Copy

Ordinance: ORD 24-2543

### Second Reading

#### **Ordinance Rezoning Certain Parcels in the Northtown Area from Community Commercial (B-2) and Regional Commercial (B-3) to County Road 10 Mixed Use District. Northtown (City of Blaine) (Case File No. 24-0002/SAS)**

**THE CITY OF BLAINE DOES ORDAIN:** (Added portions are underscored and deleted portions are shown with overstrike.)

Section 1. The Official Zoning Map of the Zoning Code of the Municipal Code of the City of Blaine is hereby amended to change the zoning classification of the following described property:

The southwest quarter of Section 31, Township 31, Range 23, Anoka County

Lots 1 and 2, Block 1, North Court Commons, Anoka County

Lots 2, 3, 5, 20 and 21 Auditors Subdivision No 143, Anoka County

Lots 1 and 2, Block 1 Kmart, Anoka County

Lots 6 and 7 and that portion of lot 8 lying south of the north 120 feet of Lot 8 Auditors Subdivision 19, Revised, Anoka County

Outlot A, Poplar Homes, Anoka County

Lots 1 and 2, Block 3 Oak Terrace, Anoka County

That part of the southwest quarter of the northwest quarter of section 31 township 31 range 23, Anoka County described as follows: beginning at the southwesterly corner of lot 2, block 3 Oak Terrace, thence south on the extension southerly of the westerly line of said lot 2 to the intersection with the northeasterly right of way of US highway 10, thence southeasterly along said right of way to the intersection with the north line of the south 20 acres of said southwest quarter of the northwest quarter, thence easterly along said north line to the intersection with the extension south of the east line of Lot 2, Block 3 Oak Terrace, thence North along said extension 1.45 feet to the southeast corner of said lot 2, thence west along the south line of Lot 2 a distance of 3.47 feet thence northwesterly along the southwesterly line of lot 2 to the point of beginning.

Section 2. The above described property is hereby rezoned from:

~~[Community Commercial (B-2), Regional Commercial (B-3) and Residential Flex (RF)]~~  
to

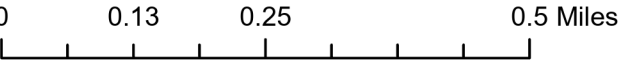
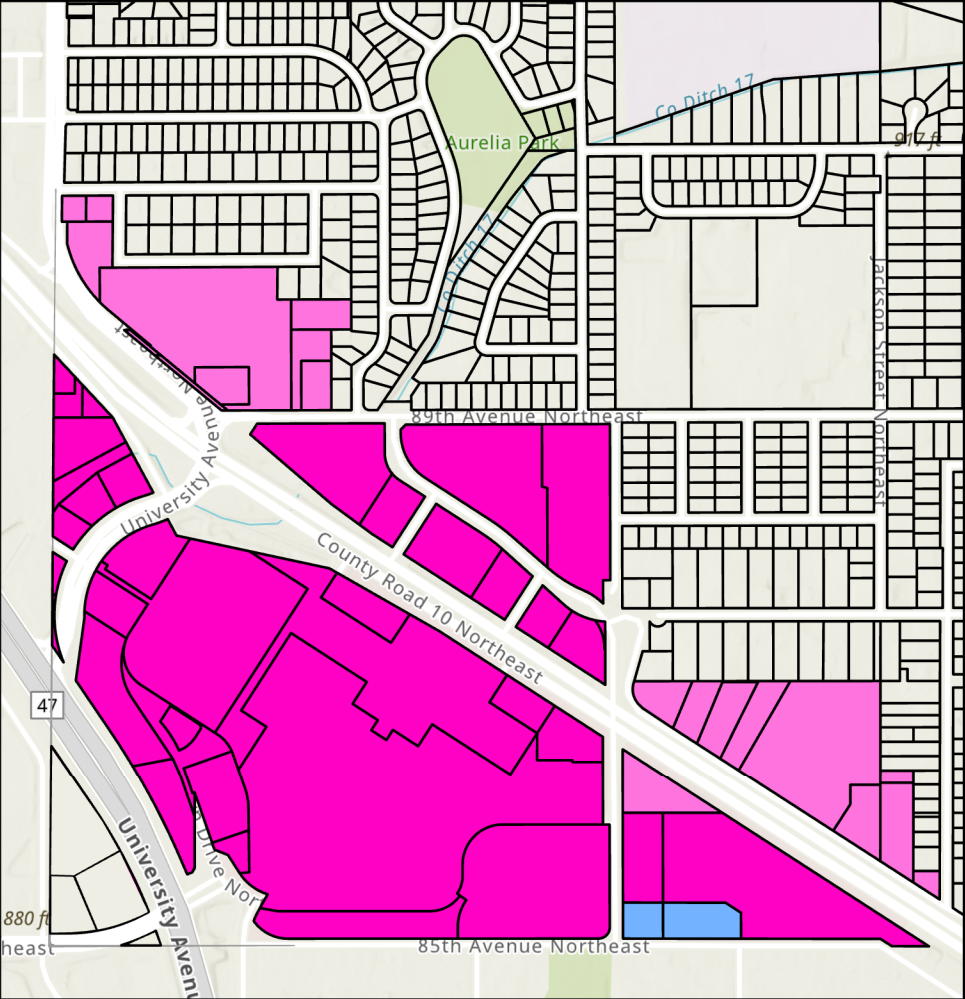
County Road 10 Mixed Use District

Section 3. The City Manager is hereby directed to make the appropriate changes in the Official Zoning Map of the City of Blaine to reflect and show the changes in zoning classification as set forth above.

**INTRODUCED** and read in full this 21st day of February, 2024.

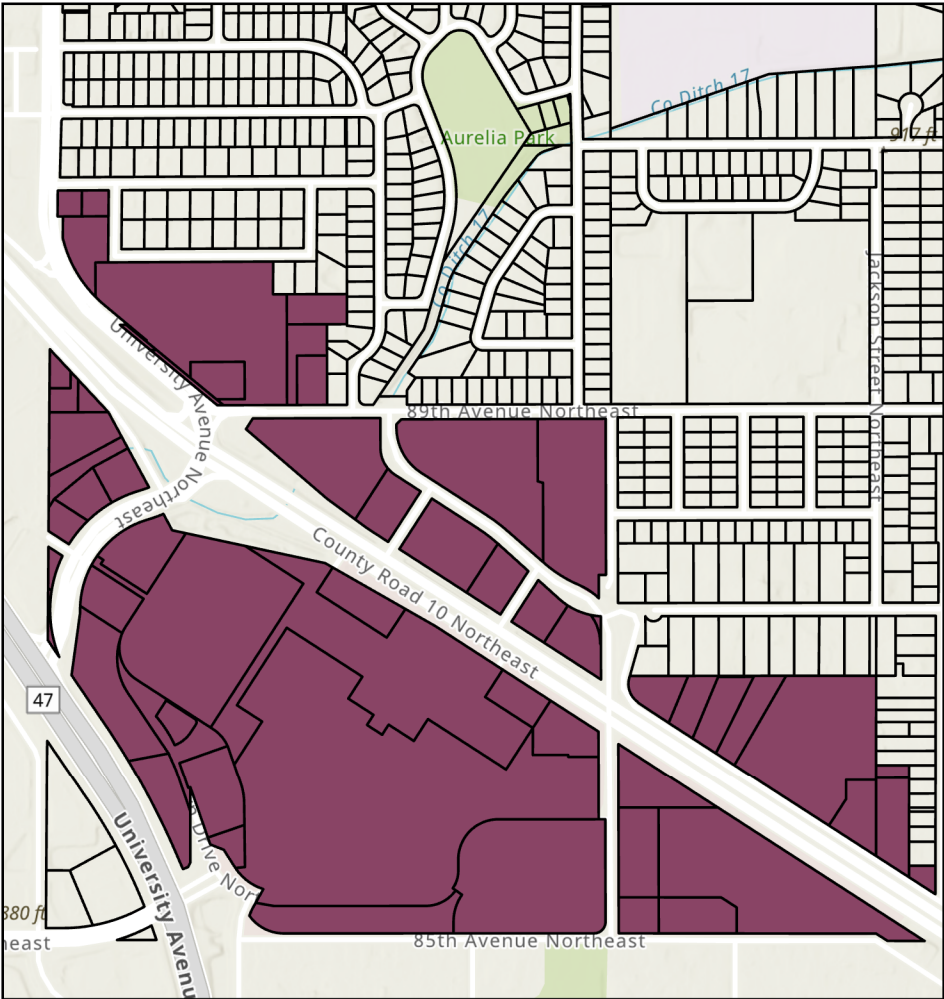
**PASSED** by the City Council of the City of Blaine this 4th day of March, 2024.

Existing Zoning



- B-2 - Community Commercial
- B-3 - Regional Commercial
- RF - Residential Flex

Proposed Zoning



- Mixed Use District

## Patricia Robinson

---

**From:** Sheila Sellman  
**Sent:** Tuesday, January 30, 2024 8:04 AM  
**To:** Patricia Robinson  
**Subject:** Fwd: Northtown Mall moratorium and zoning in favor of clean well run oil change facilities

---

**From:** William Melin/USA <William.Melin@cushwake.com>  
**Sent:** Monday, January 29, 2024 6:10:15 PM  
**To:** Sheila Sellman <ssellman@blainemn.gov>  
**Cc:** Deb Carlson/USA <Deb.Carlson@cushwake.com>; Amber Vickerman/USA <Amber.Vickerman@cushwake.com>  
**Subject:** Northtown Mall moratorium and zoning in favor of clean well run oil change facilities

Shelia,

We would like to go on record in favor of oil change facilities being allowed as a conditional use in the (j) Gasoline service station, not including a car wash, but including oil change.  
(i.e. well run, clean operations with no vehicles parked at the locations overnight like Valvoline Rapid Oil Change and Jiffy Lubes)

Thanks  
Skip

[william.melin@cushwake.com](mailto:william.melin@cushwake.com)

**William “Skip” Melin** CCIM  
Senior Director  
Capital Markets Group

Phone: +1 952 200 7890

3500 American Blvd W, Suite 200  
Bloomington, MN 55431 | USA  
[cushwakemsp.com](http://cushwakemsp.com)

[LinkedIn](#) | [Facebook](#) | [Twitter](#) | [YouTube](#) | [Vimeo](#) | [News](#)



# City of Blaine

## Planning Commission

---

February 13, 2024 | 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, February 13, 2024. Chair Goracke called the meeting to order at 7:00PM.

#### 2. Roll Call

Members Present: Commission Members Gorzycki, Halpern, Olson, Swanson, and Chair Goracke.

Members Absent: Commission Members Deonauth and Homan.

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

#### 3. Approval of Minutes

3.1. 2024-697 Approval of the January 9, 2024 Planning Commission Minutes  
*Sponsors:*

**Motion by Commissioner Olson to approve the minutes of January 9, 2024, as presented. Motion seconded by Commissioner Swanson. The motion passed 5-0.**

#### 4. Public Hearing

4.8. 2024-160 Case File No. 24-0002 // Northtown // City of Blaine  
The City is requesting the following:

1. Amendment to the Blaine Zoning Ordinance to create a new zoning district, County Road 10 Mixed Use District.
2. Rezoning certain parcels in the Northtown area from Community

Commercial (B-2), Regional Commercial (B-3) and Residential Flex (RF),  
to County Road 10 Mixed Use 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 24-0002 was opened at 7:40PM.

William Melin, Northtown Mall representative, questioned if oil change uses would be contingent upon having a gas station or would a Jiffy Lube be allowed in the Northtown area.

City Planner Sellman explained this was something the planning commission would have to dialogue and make a recommendation to the city council on as written the ordinance does not allow these types of uses.

Chair Goracke inquired if Mr. Melin had an interest in an oil change company.

Mr. Melin reported he was a representative from the mall ownership and stated Take Five had approached the mall expressing interest in a mall outlot.

The public hearing was closed at 7:43PM.

Chair Goracke stated the city of Blaine was embarking on two very unique redevelopment areas, one being the Northtown Mall area and the other being the 105th Redevelopment area. He commended city staff and the council for their efforts and vision. He asked if the commission supported allowing oil changes as a conditional use in the Northtown area.

Commissioner Olson questioned why the city would not allow oil changes when Perfect 10 and a brake replacement establishment were already in place. She indicated she supported allowing oil changes in the Northtown area through a CUP.

City Planner Sellman clarified that Perfect 10 was located in Spring Lake Park. She explained the city currently had a moratorium on car washes and a study was being conducted on this use. She reported through council discussion at workshop meetings, she understood the council was not in favor of allowing car washes, minor or major car repair in this district.

Commissioner Halpern supported the moratorium on car washes for this redevelopment area. He explained there were other automotive uses outside the Northtown redevelopment area. He recommended oil change uses not be allowed within the district but rather that entertainment and food uses be pursued.

Commissioner Halpern stated he appreciated the city's vision for this area and indicated he could support the ordinance amendment as recommended by staff and the city council.

Commissioner Gorzycki asked if there was another opportunity for the oil change applicant if this code amendment were approved.



City Planner Sellman explained the applicant had made a request for a change and the council could opt to make a change, or the oil change use would have to find another location.

Commissioner Halpern thanked Take Five for their interest in Blaine but noted he did not believe this use fit the vision for the Northtown Redevelopment area.

**Motion by Commissioner Halpern to recommend approval of Planning Case 24-0002A recommending approval of an amendment to the Blaine Zoning Ordinance to create a new zoning district, County Road 10 Mixed Use District without oil change uses. Motion seconded by Commissioner Olson. The motion passed 5-0.**

**Motion by Commissioner Halpern to recommend approval of Planning Case 24-0002B recommending approval of a rezoning for certain parcels in the Northtown area from Community Commercial (B-2), Regional Commercial (B-3) and Residential Flex (RF), to County Road 10 Mixed Use District. Motion seconded by Commissioner Olson. The motion passed 5-0.**

Chair Goracke noted this would be on the agenda of the February 21, 2024 city council meeting.



# City of Blaine

## Staff Report

File Number: RES 24-51

| Agenda Date   | Status     |
|---------------|------------|
| March 4, 2024 |            |
| In Control    | File Type  |
| City Council  | Resolution |

**Development Business** - Cathy Sorensen, City Clerk

### Agenda Item # 10.8

Summary Resolution for Publication of Ordinance 24-2542 Approving an Amendment to the Blaine Zoning Code to Create a New Zoning District, County Road 10 Mixed Use District. Northtown (City of Blaine) (Case File No. 24-0002/SAS)

### Executive Summary

Adopt the proposed resolution allowing for publication of title and summary of Ordinance 24-2542.

### Background

Minnesota Statute 412.191, Subd. 4, provides for publication of the title and summary of an ordinance in the case it is lengthy if the city council determines that publication of the title and a summary would clearly inform the public of the intent and effect of the ordinance. As Ordinance 24-2542 is lengthy, staff is recommending adoption of the proposed summary resolution. The summary resolution requires an affirmative vote of four-fifths of the council and the entire ordinance is available for inspection during regular office hours at city hall and can be forwarded upon request.

### Strategic Plan Relationship

This item relates to the collaboration and engagement priority in the strategic plan by effectively, fiscally, and efficiently communicating amendments to city code.

### Board/Commission Review

N/A

### Financial Impact

Ordinance publication is included in the annual city budget.

### Public Outreach/Input

Notification of the public hearing was published in the *Blaine/Spring Lake Park Life* and posted on the City's website and the summary resolution will also be published as required.

### Staff Recommendation

By motion, adopt the resolution providing for a summary publication of Ordinance 24-2542 Approving an Amendment to the Blaine Zoning Code to Create a New Zoning District, County Road 10 Mixed Use District. Northtown (City of Blaine).

### Attachment List

None



# City of Blaine

## Signature Copy

Resolution: RES 24-51

### **Summary Resolution for Publication of Ordinance 24-2542 Approving an Amendment to the Blaine Zoning Code to Create a New Zoning District, County Road 10 Mixed Use District. Northtown (City of Blaine) (Case File No. 24-0002/SAS)**

**WHEREAS**, City Code states if the City Council of the City of Blaine determines, pursuant to Minn. Stat. § 412.191, subd. 4, that publication of the title and a summary of an ordinance would clearly inform the public of the intent and effect of the ordinance, the Council may, by a four-fifths vote of its membership, direct that only the title of the ordinance and a summary be published with notice that a printed copy of the entire ordinance is available for inspection by any person during regular office hours in the office of the City Clerk. The publication of the title and summary shall be deemed to fulfill all legal publication requirements as completely as if the entire ordinance had been published; and

**WHEREAS**, the following is the official summary of Ordinance No. 24-2542 adopted by the Blaine City Council on March 4, 2024, and providing for its publication on the City's website and available for review/inspection in the City's Clerk's Office to create a mixed use district for the Northtown area, including the surrounding retail areas setting development criteria for the redevelopment area of mixed uses and housing; and

**WHEREAS**, the City Council of the City of Blaine determined that the Ordinance Summary clearly informs the public of the intent and effect of Ordinance 24-2542.

**NOW, THEREFORE, BE IT RESOLVED**, that the Blaine City Council by the City Council of the City of Blaine hereby directs that the title and Ordinance Summary of amendments shall be published in the official city newspaper and hereby gives notice that printed copies of the complete ordinance are available for inspection by any person during regular office hours at the Office of the Blaine City Clerk, and that a copy of the entire text shall be posted in the official posting place in the City, and further directs that a copy of this Resolution, as enacted will be published.

**PASSED** by the City Council of the City of Blaine this 4th of March, 2024.



# City of Blaine

## Staff Report

File Number: ORD 24-2545

| Agenda Date   | Status    |
|---------------|-----------|
| March 4, 2024 |           |
| In Control    | File Type |
| City Council  | Ordinance |

**Development Business** - Sheila Sellman, City Planner

### Agenda Item # 10.9

Ordinance Repealing the Moratorium for the Northtown Area. Ordinance 23-2530 (City of Blaine) (Case Fille No. 23-0040/SAS)

### Executive Summary

Upon adoption of the new zoning district and ordinance for the Northtown area, the moratorium is no longer necessary.

### Background

Staff report prepared by Sheila Sellman, City Planner.

On May 1, 2023 the Council adopted an interim ordinance placing a moratorium on development in the Northtown area. The moratorium was necessary for the City to study zoning and land uses as part of the Northtown Redevelopment Plan.

On October 16, 2023, the Council adopted an interim ordinance extending the moratorium to continue the study.

A new zoning district and rezoning was approved by the Planning Commission on February 13, 2024. It is anticipated that the City Council will approve the rezoning and new zoning district at the March 4, 2024, meeting. Once this ordinance and rezoning have been adopted, there is no need for the moratorium.

### Strategic Plan Relationship

Implementation of the Northtown Plan is part of the Economic Development strategic priority.

### Board/Commission Review

Planning Commission does not review ordinance repeals.

#### **Financial Impact**

Not applicable.

#### **Public Outreach/Input**

Not applicable

#### **Staff Recommendation**

By motion, approve the ordinance.

#### **Attachment List**

None



# City of Blaine

**Signature Copy**

Ordinance: ORD 24-2545

**Ordinance Repealing the Moratorium for the Northtown Area. Ordinance 23-2530 (City of Blaine) (Case Fille No. 23-0040/SAS)**

**NOW, THEREFORE, THE CITY OF BLAINE DOES ORDAIN:**

Ordinance 23-2530 is repealed.

**PASSED** by the City Council of the City of Blaine this 4th day of March 2024.





# City of Blaine Staff Report

File Number: RES 24-46

| Agenda Date   | Status     |
|---------------|------------|
| March 4, 2024 |            |
| In Control    | File Type  |
| City Council  | Resolution |

**Administration** - Daniel Schluender, Director of Engineering

## Agenda Item # 11.1

Resolution Accepting a Bid from Asphalt Surface Technologies Corp. (ASTECH Corp.) in the Amount of \$215,940.20 for the 2024 Crack Sealing Project, Improvement Project No. 24-02

## Executive Summary

Accept a Bids for the 2024 Crack Sealing Project on various streets, Improvement Project No. 24-02 and award a contract in the amount of \$215,940.20 to Asphalt Surface Technologies Corp. (ASTECH Corp.).

## Background

Bids were received electronically at 2:00PM, February 20, 2024, for Project No. 24-02. A total of 4 bids were received, ranging from \$215,940.20 to \$293,889.00. The bids and engineer's estimates are as follows:

|                                                   |              |
|---------------------------------------------------|--------------|
| Engineer's Estimate                               | \$159,900.00 |
| Asphalt Surface Technologies Corp. (ASTECH Corp.) | \$215,940.20 |
| Allied Blacktop Company                           | \$231,366.60 |
| FlowSeal Surface Maintenance                      | \$243,674.70 |
| Northwest Asphalt & Maintenance                   | \$298,889.00 |

Bids have been checked and tabulated, and it has been determined that Asphalt Surface Technologies Corp. (ASTECH Corp.) of St. Cloud, Minnesota is the lowest bidder. The Engineering department has worked with Asphalt Surface Technologies Corp. (ASTECH Corp.) on previous contracts. Staff recommends that the low bid be accepted, and a contract entered into with Asphalt Surface Technologies Corp. (ASTECH Corp.).

City Council is also asked to approve a 5% contingency to bring the total project budget to \$226,737.21.

The project includes a number of streets that are shared with Lexington, Mounds View, and Ham Lake. Staff has reached out to each of these cities regarding participating in the proposed project and splitting the cost for the shared streets. Lexington and Mounds View have responded and will be participating. We are still waiting for a reply from Ham Lake. If no response is received by the time construction starts, staff will remove the streets shared with Ham Lake from the project. The estimated costs for the shared streets are as follows:

Streets shared with Lexington = \$4,135 each City

Streets shared with Mounds View = \$1,035 each City

Streets shared with Ham Lake = \$315 each City

The individual cities would reimburse Blaine when the project is complete and the actual construction costs are known.

### Strategic Plan Relationship

This project aligns with the City's strategic plan goal of infrastructure management by providing high-quality street surfaces.

### Board/Commission Review

N/A

### Financial Impact

This project is included in the Pavement Management - Seal Coating/Crack Sealing Fund. The 2024 project budget for this maintenance is \$250,000 which consists of \$100,000 of property tax levy and \$150,000 of available fund balance. This funding is consistent with the 2024 budget and 2024-2028 Capital Improvement Program, which were both approved by the city council on December 18, 2023.

### Public Outreach/Input

N/A

### Staff Recommendation

By motion, adopt the resolution.

### Attachment List

1. 24-02 Bid Tab



# City of Blaine

## Signature Copy

Resolution: RES 24-46

### **Resolution Accepting a Bid from Asphalt Surface Technologies Corp. (ASTECH Corp.) in the Amount of \$215,940.20 for the 2024 Crack Sealing Project, Improvement Project No. 24-02**

**WHEREAS**, pursuant to advertisement for bids for Improvement Project No. 24-02, said bids were received on February 20, 2024, electronically opened and tabulated according to law, and the following 4 bids were received complying with the advertisement:

|                                                   |              |
|---------------------------------------------------|--------------|
| Asphalt Surface Technologies Corp. (ASTECH Corp.) | \$215,940.20 |
| Allied Blacktop Company                           | \$231,366.60 |
| FlowSeal Surface Maintenance                      | \$243,674.70 |
| Northwest Asphalt & Maintenance                   | \$298,889.00 |

**AND WHEREAS**, Asphalt Surface Technologies Corp. (ASTECH Corp.) of St. Cloud, Minnesota is the lowest responsible bidder.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Blaine as follows:

1. The Mayor and City Manager are hereby authorized and directed to enter into a contract with Asphalt Surface Technologies Corp. (ASTECH Corp.) for the designated improvements in the amount of \$215,940.20.
2. A 5% contingency is hereby approved to bring the total project budget to \$226,737.21 and the City Manager or their designee is hereby authorized to sign all change orders up to the authorized project budget amount.
3. The City Clerk is hereby authorized and directed to return forthwith to all bidders the bid bonds submitted with their bids, except the two lowest bidders. When a contract is duly executed, the bid bond of the remaining unsuccessful bidder will be returned. The bid bond of the successful bidder will be retained until the performance and payment bonds have been executed and approved, after which the bid bond will be returned.

**PASSED** by the City Council of the City of Blaine this 4th day of March, 2024.

2024 Blaine Crack Sealing Project (#8946709)  
Owner: City of Blaine  
Solicitor: Blaine MN, City of - Engineering Department  
02/20/2024 02:00 PM CST

| BASE BID        |           |                                           |      |          | Asphalt Surface Technologies Corp. |              | Allied Blacktop Company |              | FlowSeal Surface Maintenance |              | Northwest Asphalt & Maintenance |              |
|-----------------|-----------|-------------------------------------------|------|----------|------------------------------------|--------------|-------------------------|--------------|------------------------------|--------------|---------------------------------|--------------|
| Line Item       | Item Code | Item Description                          | UofM | Quantity | Unit Price                         | Extension    | Unit Price              | Extension    | Unit Price                   | Extension    | Unit Price                      | Extension    |
| 1               | 2331.608  | CLEAN AND SEAL BITUMINOUS PAVEMENT CRACKS | LB   | 35570    | \$2.93                             | \$104,220.10 | \$2.69                  | \$95,683.30  | \$2.98                       | \$105,998.60 | \$3.85                          | \$136,944.50 |
| 2               | 2331.608  | ROUT AND SEAL BITUMINOUS PAVEMENT CRACKS  | LB   | 35570    | \$2.93                             | \$104,220.10 | \$2.69                  | \$95,683.30  | \$3.73                       | \$132,676.10 | \$3.85                          | \$136,944.50 |
| 3               | 2563.601  | TRAFFIC CONTROL                           | LS   | 1        | \$7,500.00                         | \$7,500.00   | \$40,000.00             | \$40,000.00  | \$5,000.00                   | \$5,000.00   | \$20,000.00                     | \$20,000.00  |
| Base Bid Total: |           |                                           |      |          |                                    | \$215,940.20 |                         | \$231,366.60 |                              | \$243,674.70 |                                 | \$293,889.00 |



# City of Blaine Staff Report

File Number: RES 24-47

| Agenda Date   | Status     |
|---------------|------------|
| March 4, 2024 |            |
| In Control    | File Type  |
| City Council  | Resolution |

**Administration** - Daniel Schluender, Director of Engineering

## Agenda Item # 11.2

Resolution Accepting a Bid from Warning Lites in the Amount of \$99,835.28 for the 2024 Pavement Markings Project, Improvement Project No. 24-03

## Executive Summary

Accept a Bids for the 2024 Pavement Markings Project on various streets, Improvement Project No. 24-03 and award a contract in the amount of \$99,835.28 to Warning Lites.

## Background

Bids were received electronically at 2:30PM, February 20, 2024, for Project No. 24-03. A total of 2 bids were received, ranging from \$99,835.28 to \$115,930.43. The 2 bidders and Engineer's estimate are as follows:

|                     |              |
|---------------------|--------------|
| Engineer's Estimate | \$108,269.70 |
| Warning Lites       | \$99,835.28  |
| Sir Lines-A-Lot     | \$115,930.43 |

Bids have been checked and tabulated, and it has been determined that Warning Lites of Minneapolis, Minnesota is the lowest bidder. The Engineering Department has worked with Warning Lites on previous contracts. Staff recommends that the low bid be accepted, and a contract entered into with Warning Lites.

City Council is also asked to approve a 5% contingency to bring the total project budget to \$104,827.04. The funding source for this project is the General Fund and there are sufficient funds in the 2024 budget to cover these costs.

## Strategic Plan Relationship

This project aligns with the City's strategic plan goal of infrastructure management by providing high-quality street surfaces.

#### **Board/Commission Review**

N/A

#### **Financial Impact**

The 2024 street maintenance budget within the General Fund includes an appropriation of \$120,000 for this activity, which is sufficient to cover this project as bid.

#### **Public Outreach/Input**

N/A

#### **Staff Recommendation**

By motion, adopt the resolution.

#### **Attachment List**

1. Bid Tab



# City of Blaine

## Signature Copy

Resolution: RES 24-47

### **Resolution Accepting a Bid from Warning Lites in the Amount of \$99,835.28 for the 2024 Pavement Markings Project, Improvement Project No. 24-03**

**WHEREAS**, pursuant to advertisement for bids for Improvement Project No. 24-03, said bids were received on February 20, 2024, electronically opened and tabulated according to law, and the following 2 bids were received complying with the advertisement:

|                 |              |
|-----------------|--------------|
| Warning Lites   | \$99,835.28  |
| Sir Lines-A-Lot | \$115,930.43 |

**AND WHEREAS**, Warning Lites of Minneapolis, Minnesota is the lowest responsible bidder.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Blaine as follows:

1. The Mayor and City Manager are hereby authorized and directed to enter into a contract with Warning Lites for the designated improvements in the amount of \$99,835.28.
2. A 5% contingency is hereby approved to bring the total project budget to \$104,827.04 and the Director of Engineering is hereby authorized to sign all change orders up to the authorized project budget amount.
3. The City Clerk is hereby authorized and directed to return forthwith to all bidders the bid bonds submitted with their bids, except the two lowest bidders. When a contract is duly executed, the bid bond of the remaining unsuccessful bidder will be returned. The bid bond of the successful bidder will be retained until the performance and payment bonds have been executed and approved, after which the bid bond will be returned.

**PASSED** by the City Council of the City of Blaine this 4th day of March, 2024.





# City of Blaine

Signature Copy

Ordinance:

## **Resolution Accepting a Bid from Warning Lites in the Amount of \$99,835.28 for the 2024 Pavement Markings Project, Improvement Project No. 24-03**

**WHEREAS**, pursuant to advertisement for bids for Improvement Project No. 24-03, said bids were received on February 20, 2024, electronically opened and tabulated according to law, and the following 2 bids were received complying with the advertisement:

|                 |              |
|-----------------|--------------|
| Warning Lites   | \$99,835.28  |
| Sir Lines-A-Lot | \$115,930.43 |

**AND WHEREAS**, Warning Lites of Minneapolis, Minnesota is the lowest responsible bidder.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Blaine as follows:

1. The Mayor and City Manager are hereby authorized and directed to enter into a contract with Warning Lites for the designated improvements in the amount of \$99,835.28.
2. A 5% contingency is hereby approved to bring the total project budget to \$104,827.04 and the Director of Engineering is hereby authorized to sign all change orders up to the authorized project budget amount.
3. The City Clerk is hereby authorized and directed to return forthwith to all bidders the bid bonds submitted with their bids, except the two lowest bidders. When a contract is duly executed, the bid bond of the remaining unsuccessful bidder will be returned. The bid bond of the successful bidder will be retained until the performance and payment bonds have been executed and approved, after which the bid bond will be returned.

**PASSED** by the City Council of the City of Blaine this 4th day of March, 2024.

2024 Blaine Pavement Markings (#8946729)

Owner: City of Blaine

Solicitor: Blaine MN, City of - Engineering Department

02/20/2024 02:30 PM CST

BASE BID

|                 |           |                                         |      |          | Warning Lites |             | Sir Lines-A-Lot |              |
|-----------------|-----------|-----------------------------------------|------|----------|---------------|-------------|-----------------|--------------|
| Line Item       | Item Code | Item Description                        | UofM | Quantity | Unit Price    | Extension   | Unit Price      | Extension    |
| 1               | 1         | 4" YELLOW SKIP 10/40 CYCLE              | LF   | 20569    | \$0.08        | \$1,645.52  | \$0.11          | \$2,262.59   |
| 2               | 2         | 4" YELLOW SOLID                         | LF   | 42419    | \$0.08        | \$3,393.52  | \$0.11          | \$4,666.09   |
| 3               | 3         | 4" DOUBLE YELLOW                        | LF   | 85391    | \$0.16        | \$13,662.56 | \$0.22          | \$18,786.02  |
| 4               | 4         | 4" WHITE SKIP 10/40 CYCLE               | LF   | 12285    | \$0.08        | \$982.80    | \$0.11          | \$1,351.35   |
| 5               | 5         | 4" WHITE SOLID                          | LF   | 239743   | \$0.08        | \$19,179.44 | \$0.11          | \$26,371.73  |
| 6               | 6         | 8" WHITE SKIP                           | LF   | 718      | \$0.16        | \$114.88    | \$0.50          | \$359.00     |
| 7               | 7         | 3' X 6' WHITE SOLID CROSSWALK           | SF   | 21893    | \$1.92        | \$42,034.56 | \$1.15          | \$25,176.95  |
| 8               | 8         | 4" SOLID WHITE CROSSWALK                | LF   | 248      | \$0.70        | \$173.60    | \$2.00          | \$496.00     |
| 9               | 9         | PAVEMENT MESSAGE RIGHT ARROW            | EA   | 100      | \$18.00       | \$1,800.00  | \$30.00         | \$3,000.00   |
| 10              | 10        | PAVEMENT MESSAGE LEFT ARROW             | EA   | 269      | \$18.00       | \$4,842.00  | \$30.00         | \$8,070.00   |
| 11              | 11        | PAVEMENT MESSAGE THRU ARROW             | EA   | 11       | \$18.00       | \$198.00    | \$30.00         | \$330.00     |
| 12              | 12        | PAVEMENT MESSAGE LEFT THRU ARROW        | EA   | 15       | \$27.00       | \$405.00    | \$48.00         | \$720.00     |
| 13              | 13        | PAVEMENT MESSAGE RIGHT THRU ARROW       | EA   | 21       | \$27.00       | \$567.00    | \$48.00         | \$1,008.00   |
| 14              | 14        | PAVEMENT MESSAGE ROUND ABOUT ARROW      | EA   | 11       | \$50.00       | \$550.00    | \$90.00         | \$990.00     |
| 15              | 15        | PAVEMENT MESSAGE "SCHOOL XING"          | EA   | 13       | \$90.00       | \$1,170.00  | \$110.00        | \$1,430.00   |
| 16              | 16        | PAVEMENT MESSAGE "STOP AHEAD"           | EA   | 2        | \$81.00       | \$162.00    | \$120.00        | \$240.00     |
| 17              | 17        | PAVEMENT MEASAGE "BIKE LANE WITH ARROW" | EA   | 87       | \$50.00       | \$4,350.00  | \$145.00        | \$12,615.00  |
| 18              | 18        | PAVEMENT MESSAGE " PED XING"            | EA   | 0        | \$63.00       | \$0.00      | \$180.00        | \$0.00       |
| 19              | 19        | 24" STOP BAR                            | LF   | 880      | \$1.20        | \$1,056.00  | \$2.10          | \$1,848.00   |
| 20              | 20        | 24" YELLOW MEDIAN                       | LF   | 2842     | \$1.20        | \$3,410.40  | \$2.10          | \$5,968.20   |
| 21              | 21        | 24" WHITE MEDIAN                        | LF   | 115      | \$1.20        | \$138.00    | \$2.10          | \$241.50     |
| Base Bid Total: |           |                                         |      |          |               | \$99,835.28 |                 | \$115,930.43 |



# City of Blaine

## Staff Report

File Number: ORD 24-2544

| Agenda Date   | Status    |
|---------------|-----------|
| March 4, 2024 |           |
| In Control    | File Type |
| City Council  | Ordinance |

**Administration** - Erik Thorvig, Community Development Director

### Agenda Item # 11.3

Second Reading

Adopt an Extension to the Interim Ordinance for a Moratorium on Car Washes

### Executive Summary

#### Background

On September 6, 2023, the City Council adopted an interim ordinance placing a moratorium on new car washes in the City of Blaine. The purpose of the moratorium was to allow the Council time to study zoning regulations related to car washes and determine potential zoning district changes or text amendments. The moratorium was for six months and is set to expire on March 6, 2024.

Minnesota State Statute allows cities to establish a moratorium to allow zoning studies for up to one-year. The City Council discussed zoning regulations related to car washes at their December 18, 2023, and February 12, 2024, workshops. Additional time is necessary to adopt proposed changes, therefore a six-month extension to the original moratorium is proposed through September 6, 2024.

It is not anticipated that the full time extension is necessary to adopt the proposed changes. If the City Council adopts changes prior to September 6, 2024, the moratorium would be lifted and applications for car washes would be allowed under any new regulations adopted.

#### Strategic Plan Relationship

Not applicable.

#### Board/Commission Review

Not applicable.

### Financial Impact

Not applicable.

### Public Outreach/Input

No public hearing is required for adoption of an interim ordinance, unless it relates to a housing proposal.

### Staff Recommendation

By motion, approve the ordinance.

### Attachment List

None



# City of Blaine

## Signature Copy

Ordinance: ORD 24-2544

### Second Reading

#### Adopt an Extension to the Interim Ordinance for a Moratorium on Car Washes

**THE CITY OF BLAINE DOES ORDAIN:** (Added portions are underscored and deleted portions are shown in overstrike.)

**WHEREAS**, the City has approved four applications for standalone car washes since 2021; and

**WHEREAS**, the City is aware of the potential of additional applications for car washes being submitted; and

**WHEREAS**, concern about the number and location of car washes in the City has been expressed by the City Council publically; and

**WHEREAS**, at a workshop on August 14, 2023, the City Council discussed the potential of a moratorium on car washes to study the issue; and

**WHEREAS**, the City Council adopted a six-month moratorium to complete a zoning study on car washes on September 6, 2023; and

**WHEREAS**, the moratorium would expire on March 6, 2024; and

**WHEREAS**, the City Council discussed potential zoning changes at their December 18, 2023, and February 12, 2024, workshops; and

**WHEREAS**, additional time is necessary to complete the zoning study.

**WHEREAS**, the City Council considers extending the moratorium until September 6, 2024,

**WHEREAS**, pursuant to Minnesota Statute Sections 462.355, Subd. 4., the City has the authority to establish an interim ordinance that regulates, restricts or prohibits any use, development or subdivision within the City or a portion thereof; for up to one year, while the City is conducting a study, has authorized a study to be completed, or has scheduled a hearing to consider the adoption of the comprehensive plan or official controls; and

**WHEREAS**, the health, safety and welfare of the residents of Blaine will be enhanced by preventing further applications related to car washes until the study of the issue is complete.

**NOW, THEREFORE, THE CITY OF BLAINE DOES ORDAIN:**

1. The City will be conducting a study on amendments to official controls related to car washes. Pursuant to the authority granted by Minnesota Statute 462.355, Subd. 4, the City hereby adopts an interim ordinance placing a temporary moratorium on the filing and consideration of applications for new construction, rezoning, conditional use permits, site plan, variances, subdivision and platting for standalone and car washes as an accessory use to convenience stores.
2. The City shall not grant approval of any application for new construction, rezoning, conditional use permits, site plan, variances, subdivision and platting for standalone and car washes as an accessory use to convenience stores until September 6, 2024.
3. The moratorium shall not apply to previously approved development actions prior to September 6, 2023 or applications that have already been formally submitted and are in the process of being considered by the City Council.
4. The moratorium shall also not apply to building permits applied for existing car washes that do not expand the use and/or require a conditional use permit, site plan or variance.
5. This interim ordinance shall be in full force and effect after its adoption and publication as required by law.

**INTRODUCED** and read in full on this 21st day of February 2024.

**PASSED** by the City Council of the City of Blaine this 4th day of March, 2024.



# City of Blaine Staff Report

File Number: 2024-66

| Agenda Date   | Status    |
|---------------|-----------|
| March 4, 2024 |           |
| In Control    | File Type |
| City Council  | Motion    |

**Administration** - Michelle Wolfe, City Manager

## Agenda Item # 11.4

Approve Proposed Amendments to Council Code of Conduct

## Executive Summary

## Background

At the January 3, 2024, meeting, Councilmembers Massoglia and Fleming requested the topic of code of conduct and rules of order and procedure be added to a workshop to consider additional language presented by Councilmember Massoglia. The current Code of Conduct was adopted in December 2022. Based on consensus from the February 5, 2024, workshop, attached is a draft of the proposed code of conduct that incorporates those amendments. Most were merged into rules of order and will be considered as a separate item, while others were already included in the April 2023 draft and are highlighted in yellow. The additional suggestion was *Connecting Residents with Staff Resources* and is highlighted in blue. Staff is presenting this draft for formal consideration. Adoption of the amended code of conduct is by motion.

## Strategic Plan Relationship

This topic relates to the collaboration and engagement strategic priority through creation of healthy council working relationships.

## Board/Commission Review

N/A

## Financial Impact

N/A



### Public Outreach/Input

N/A

### Staff Recommendation

Council is asked to approve the council code of conduct as amended.

### Attachment List

1. Draft - Blaine Code of Conduct



## BLAINE CITY COUNCIL – CODE OF CONDUCT

### Contents

|                                                                 |   |
|-----------------------------------------------------------------|---|
| Introductory Pledge.....                                        | 2 |
| Compliance and Enforcement .....                                | 2 |
| Comply with the Law .....                                       | 2 |
| Roles of Council, Staff and Commissions .....                   | 3 |
| Working with Staff .....                                        | 4 |
| Working with Boards/Commissions .....                           | 5 |
| Working with the Community.....                                 | 5 |
| City Staff and the Public, Council Conduct with Staff.....      | 6 |
| Council Conduct with the Public, Internal Council Conduct ..... | 7 |
| Intergovernmental Relations .....                               | 7 |

## INTRODUCTORY PLEDGE

Blaine residents and businesses deserve a fair, ethical and accountable local government that earns the public's full confidence for integrity. Recognizing these goals, the code of conduct is established for all elected officials of the City of Blaine. As a member of the Blaine City Council I agree to uphold the introductory pledge for elected officials adopted by the city council and conduct myself by the following model of behavior. I will:

- Comply with the law, including
  - Staying within the city council's authority
  - Following the open meeting, gift, and conflict of interest laws
- Respect city council roles and responsibilities when working with staff, boards and commissions
- Be consistent in policy and respect process
- Fulfill the council's fiduciary responsibility to act in the best interest of the city, and all of its residents, both financially and legally by:
  - keeping the common good as the highest purpose to focus on achieving constructive solutions for the public benefit
  - not disclosing private or confidential information of the city, or using that information to advance personal interests
  - protecting city interests and liability by following advice of legal counsel

## COMPLIANCE AND ENFORCEMENT

The code of conduct expresses standards of ethical conduct expected for members of the Blaine City Council. Members themselves have the primary responsibility to assure the public that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government.

We will hold ourselves and each other accountable and when there is a suspected violation of the law, we will discuss with the city manager.

## COMPLY WITH THE LAW

Members shall comply with the applicable federal laws, state laws, and city ordinances in the performance of their public duties.

### Authority

The city's legislative powers are granted to the council as a whole, and not to individual members. The council as a whole is a policy-making board and as such, it is not the duty of the council to administer the day-to-day operations of the city. Many items will come before the council as required by city ordinance, but many issues are more discretionary in nature. It is important that the council and staff work together to differentiate between administrative duties that are relevant to staff, and those decisions that are of a policy-making nature and should come before the council. All councilmembers, including those serving as presiding officer, have equal votes. No councilmember has more power than any other councilmember, and all should be treated with equal respect.

### Mayoral Role

According to **Blaine City Charter Chapter 2, Section 2.06** the mayor is a full member of the council in addition to:

- Act as presiding officer of meetings
- Represent the city ceremoniously
- Execute official documents

## Open Meeting Law (OML)

Public deliberations and processes shall be conducted openly and in a transparent manner. The Minnesota Open Meeting Law (**Chapter 13D**) requires that meetings of governmental bodies generally be open to the public in order to:

- Prohibit actions being taken at a secret meeting where it is impossible for the interested public to become fully informed about a public board's decisions or to detect improper influences
- Assure the public's right to be informed and observe public meetings

The Minnesota Supreme Court has noted that meetings of less than a quorum of a public body held serially to avoid a public meeting or to fashion agreement on an issue of public business may violate the open meeting law.

## Gift/Donations

Gifts from Interested Persons: Under **MN Statute 471.895**, councilmembers may not receive gifts from any "interested person" in conjunction with their city council duties:

- A "gift" is defined as money, real or personal property, a service, loan, a forbearance or forgiveness of debt, or a promise of future employment, that is given and received without the giver receiving something of equal or greater value in return
- "Interested person" means a person or a representative of a person or association that has a direct financial interest in a decision that a local official is authorized to make
  - Virtually every resident or person doing business in the city could have a direct financial interest in a decision
- See statute for exemptions

Gifts to the city: councilmembers can recommend acceptance of general gifts through the city's donation policy. All gifts to the city must be accepted by city council resolution.

## Logo

Members shall not use the city's name or logo for the purpose of endorsing any political candidate or business.

## Conflict of Interest

Conflict of interest is when any member who has a "financial interest" in, or who may receive a financial benefit as a result of, any action or if there is potential for the appearance of conflict of interest. Questions about a potential conflict of interest shall be discussed with the city manager.

Contractual Conflict of Interest: (**MN Statute 471.87, with exceptions in MN Statutes 123B.195 and 471.88**) A public officer who is authorized to take part in any manner in making any sale, lease, or contract in official capacity shall not voluntarily have a personal financial interest in that sale, lease, or contract or personally benefit financially therefrom.

Non-Contractual Conflict of Interest: Non-contractual matters may include such things as council decisions on zoning, local improvements, and the issuance of licenses. Although not generally prohibited by state law, an interested councilmember most likely should abstain from participating in council discussion and from voting on these issues.

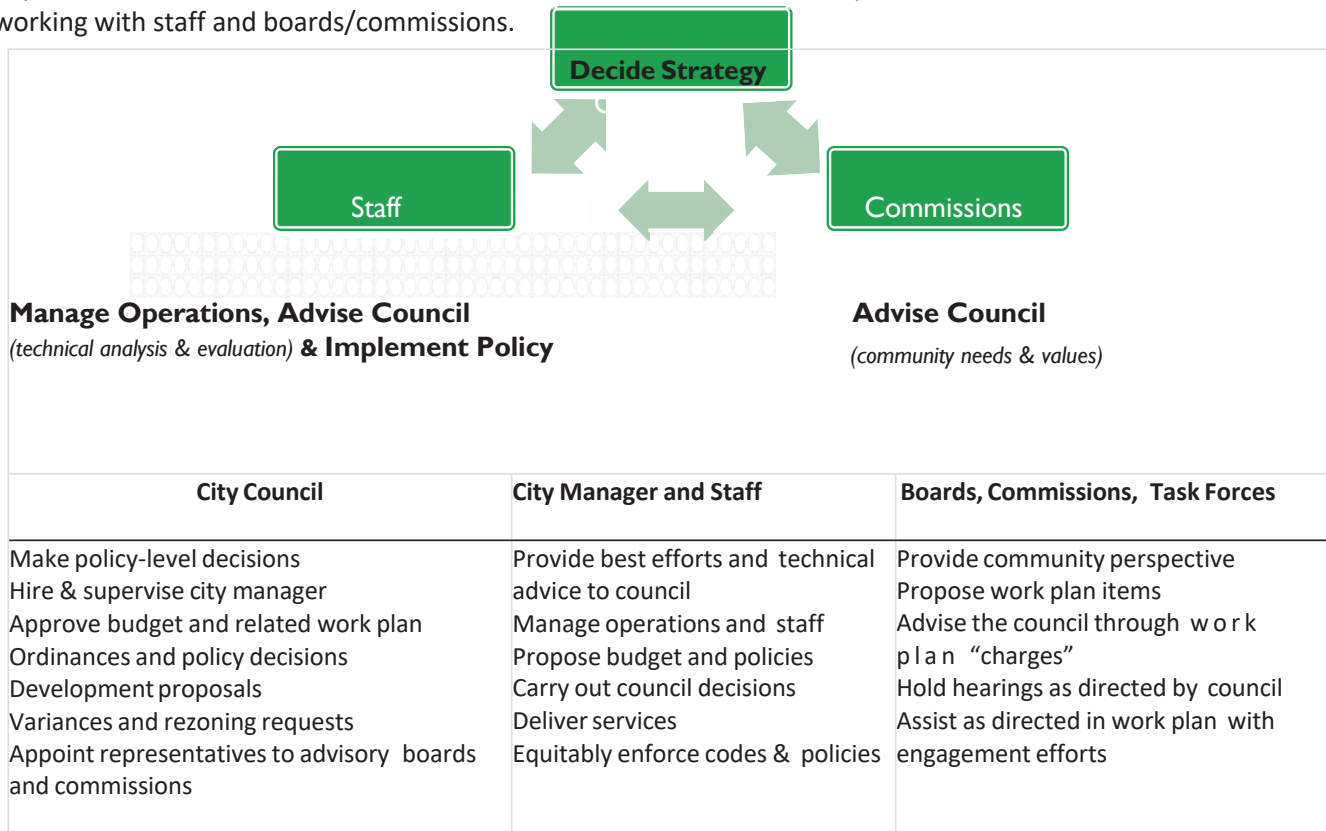
Members who have a potential conflict of interest shall:

- Disclose the conflict of interest to the group, and
- Abstain from the council discussion debate and vote

## ROLES OF COUNCIL, STAFF AND COMMISSIONS

We are all part of a team committed to the residents of Blaine both today and in the future. To be effective we

must come to meetings with an open mind, think strategically about city issues and delegate details of implementations to staff. We will strive to maintain a culture of trust, respect and candor as a council and when working with staff and boards/commissions.



### Respectful Behavior

#### Members should **STRIVE TO**:

Treat people with courtesy, politeness, and kindness  
 Encourage others to express their opinions and ideas  
 Listen to what others have to say  
 Use the ideas of others to improve decisions and outcomes  
 Recognize and respect differences  
 Prepare for the issues at hand  
 Focus on the business of the body  
 Consider only legally germane information in decisions  
 Act as a decision maker, not an advocate

#### Members should **AVOID**:

- Speaking over or cutting off another individual's comments
- Insulting, disparaging, or putting down people or their ideas
- Bullying other members by displaying a pattern of belittling, demeaning, judging or patronizing comments
- Violence or the threat of violence will not be tolerated

## WORKING WITH CITY STAFF

Members shall respect and adhere to the council-manager structure of Blaine city government. This means:

#### City Council does...

Hire, fire, and supervise city manager  
 Set the strategic direction for the city  
 Consider and approve budget and related work plan, and monitor performance relative to those items  
 Consider and approve policy decisions  
 Consider and approve development proposals  
 Consider and approve variances and rezoning requests  
 Appoint citizens to citizen advisory boards and commissions  
 Approve and amend work plans and bylaws

#### City Council does not...

- Hire and fire staff
- Direct activities of staff other than city manager
  - Individually direct activities of boards, commissions or other resident groups
  - Individually approve policies, projects etc.
  - Individually commit resources or staff to specific causes
  - Individually enforce policies, city code, etc. or speak or prepare official correspondence on behalf of the city unless authorized by council

City Councilmembers promise city staff they will:

- Respect staff as valued resources and members of our team
- Support the maintenance of a positive and constructive workplace environment for city employees where individual members, staff and the public are free to express their ideas and work to their full potential
- Provide direction to the city manager as a body and not direct the work of individual staff
- Encourage staff to focus on the big picture in reports
- When possible, notify the city manager in advance of a council meeting of questions or requests to pull agenda items from the consent agenda so the appropriate staff can compile the information needed
- Agree that information they ask of the city manager will be shared equally with all councilmembers
- Copy the city manager on all communications with staff, including questions **on topics such as agenda items.**

## WORKING WITH BOARDS AND COMMISSIONS

As set forth in the ***Blaine City Charter Chapter 2, Section 2.02***, Blaine's boards and commissions are established by the council and serve as advisory to the council. Specific board and commission roles are:

- Investigate matters within the scope of the commission or as specifically directed by the council
- Advise the council by communicating the viewpoint or advice of the commission
- At the direction of council, hold hearings, receive evidence, conduct investigations, and, based on such hearings, evidence and investigations, make decisions and recommendations to the council

City councilmembers promise boards and commissions they will:

- View boards and commissions as vitally important resources to support our decision-making
- Communicate effectively with boards and commissions to ensure they have the tools to do their work
- Give clear direction as a body and take adequate time to review the result of their deliberations
- Because of the value of the independent advice of boards, commissions, and task forces to the public decision-making process, members of council shall refrain from using their position to influence the deliberations or outcomes of board, commission, and task force proceedings
- The expectation is that councilmembers will not typically attend board, commission, committee, working group or task force meetings. However, under special circumstances, if we attend a meeting:
  - We will do so only as an observer and prior to attending will notify the appropriate staff liaison
  - Strive for good communication by reporting out to other councilmembers

## WORKING WITH THE COMMUNITY

Residents: City staff is the first call for help for residents. We will refer residents who have concerns to the city manager. If a resident has contacted the city manager but is still not satisfied, we will discuss with the city manager. We acknowledge if a resident receives conflicting information from different councilmembers or staff that is difficult for the resident and could increase liability for the city.

Businesses or other interests: The purpose of a city council meeting is to discuss information needed to **decide** **make an informed decision**, review that information, and decide. It is not feasible to conduct all business in a public meeting. Particularly around development, business interests might ask a member to meet outside of the city council meeting to facilitate idea generation about proposals.

The city council's overarching principles for working the community are:

- Never grant any special consideration, treatment, or advantage
- Respect sensitivity of personal information

- Honor our rules regarding public testimony and clearly communicate the rules
- Make ourselves available to all parties on an equal basis and not advocate for a certain point of view
- Be cautious about how we participate in meetings or events and not prejudice the issue before the council has had a chance to deliberate

## CITY STAFF AND THE PUBLIC

Public decision-making must be fair and impartial and shall not be discriminatory on the basis of those protected classes outlined in federal, state, and city laws and ordinances. City policy dictates that elected officials and advisory board members conduct business in a manner which, both internally and in relation to each other and their constituencies, is free from illegal discrimination based on race, color, creed, religion, national origin, sex, disability, age, marital status, socio-economic status, or sexual orientation.

Meetings requested by residents or businesses:

1. AFTER DECISION: If we are invited to a meeting about an issue the council has decided upon, we will explain how the council arrived at the decision.
2. DURING DECISION: If we are invited to a meeting about an issue that will be before the council in the future, we will uphold the above principles for working with the community, and:
  - a. We will not make our decision about an issue before the city council until the process allows.
  - b. We will be sensitive to the fact that we are not hearing everyone, and we will give equal consideration to all feedback regardless of the way it is received.
3. DURING SPECIFIED ENGAGEMENT PROCESS: If we meet with a resident during a planned engagement process, we will notify the resident that we are there to listen and encourage them to participate through the established process to engage. We will ensure that staff received the feedback provided to us.
4. OTHER ENGAGEMENT OPPORTUNITIES: To allow staff to be best prepared for meetings and questions that arise, we will notify the city manager if we wish to attend meetings with staff to best ensure the appropriate staff are present and to ensure no possible open meeting law concerns. We will also notify the city manager in the event we wish to attend board/commission meetings as well as legislative committee meetings/hearings so staff can notify the chair(s) and/or lobbyists in order to be best prepared.

## COUNCIL CONDUCT WITH CITY STAFF

Direction to Staff for Projects/Agenda Items - Direction is given to city staff to pursue items that generally impact the public policy of the city by reaching consensus during a workshop or through a direct binding majority vote of the council at a special or regular business meeting. This direction can occur either through a workshop item agenda form with general consensus of the council or under other business on the regular business agenda through a motion/second and majority vote. Once direction is given, the city manager will assign the work to a staff member or advise the council that additional staffing will be needed to carry out the task. City staff, including the direct employees of the council (the city manager and city attorney), are not obligated to pursue items for only one councilmember. If a councilmember wishes to direct staff to work on a specific item, the councilmember must receive consent of the council by reaching consensus during a workshop meeting, by a majority vote of approval, or by submitting a workshop item agenda form that results in consensus of the council.

Requests for Information on Non-Agenda Items - City staff carry out the day-to-day business of operating the city. The council should keep this in mind when requesting information or asking to perform these functions. Generally, all interactions with staff members should flow through the city manager. If a councilmember is asking for information from city staff that will require more than 30 minutes of staff time to collect or research a problem and prepare a response, the request will need to be approved by the council to ensure that staff resources are allocated in accordance with overall council priorities.

Interaction with Staff - It is not appropriate for councilmembers to admonish city staff when disagreeing with the



information brought forth for presentation to the governing body. Concerns should be taken up with the city manager, and if an issue is identified that needs to be addressed by the whole council, it will be brought forth accordingly. In any event, there shall be no personal attacks on city staff.

## COUNCIL CONDUCT WITH THE PUBLIC

Public Meetings - Making the public feel welcome is an important part of the democratic process. Recognizing that the actions of each council member impact the public perception of the whole council, councilmembers shall strive to treat the public with respect.

*\*Connecting Residents with Staff Resources - In day-to-day community interactions, councilmembers need not act as intermediaries between city staff and community members when advocating for a community issue brought directly to the councilmember. Councilmembers may connect community members to the appropriate city resources when contacted about various issues by reaching out to the city manager or department heads and requesting follow-up as needed. The city manager or department heads shall address the issue or delegate it to the appropriate staff for follow-up. Further follow-up with the councilmember by the city manager or department heads for informational purposes may occur if necessary.*

## INTERNAL COUNCIL CONDUCT

The council exists to work in the interest of the public. The council should strive to work as a team in achieving the best outcome for the community. The council should conduct business in a civil, efficient, and cooperative manner with other members of the council and city staff. It is incumbent upon the members of council to listen to one another and give full opportunity for all viewpoints to be heard. All disagreements should be handled in a civil fashion.

## INTERGOVERNMENTAL RELATIONS

Members shall represent positions approved by the council to the best of their ability when working with:

- Legislative bodies
- Federal or state agencies
- Other local governments, such as school boards, counties, or municipalities

If an individual councilmember's opinion differs from the city position, or a matter agreed upon by the full council, members shall explicitly state they do not represent their city council or the City of Blaine, nor will they allow the inference that they do.



# City of Blaine Staff Report

File Number: RES 24-52

| Agenda Date   | Status     |
|---------------|------------|
| March 4, 2024 |            |
| In Control    | File Type  |
| City Council  | Resolution |

**Administration** - Michelle Wolfe, City Manager

## Agenda Item # 11.5

Adopt Revised Rules of Order and Procedure

## Executive Summary

## Background

At the January 3, 2024 meeting, Councilmembers Massoglia and Fleming requested the topic of code of conduct and rules of order and procedure be added to a workshop to consider additional language presented by Councilmember Massoglia. The current rules of order were reviewed and adopted in October 2023 and confirmed again at the first regular meeting in January 2024. Based on consensus from the February 5, 2024, workshop, attached is a draft of the proposed rules of order that incorporates the suggested amendments. Most were merged into rules of order while others were already included in the April 2023 draft code of conduct and will be considered as a separate item/motion. Adoption of the amended rules of order is by resolution.

## Strategic Plan Relationship

This topic relates to the collaboration and engagement strategic priority through creation of healthy council working relationships.

## Board/Commission Review

N/A

## Financial Impact

N/A

## Public Outreach/Input

N/A

## Staff Recommendation

Council is asked to adopt the resolution amending the council rules of order and procedure.

## Attachment List

1. Orders of Business - Draft Revisions February 2024



## **Rules of Order and Procedure**

### *Amendments to the Rules of Order and Procedure*

Amendments to these rules shall be made by resolution and shall require a 2/3 vote in the affirmative by the councilmembers present at the meeting majority of all members of the council.

### *Meeting Manner/Debate*

*Speaking to the Motion.* Councilmember remarks are limited to a total of eight minutes on each agenda item. Councilmembers may forfeit their time to speak to another councilmember without a vote. For purposes of this section, questions asked of staff members, applicants, or the public are not included in the limitation on the number of times spoken or the length of time spoken.

*Interruption.* No member of the council shall interrupt or argue with any other member while such member has the floor.

*Courtesy.* Members of the council shall be courteous in their language and demeanor in the discussion, comments, or debate of any matter, and shall not engage in disorderly behavior, make personal comments, derogatory remarks, or insinuations or accusations in respect to any other member of the council, staff, or public.

*Discipline.* If a member of the council violates these rules, the presiding officer shall call such member to order, in which case such member shall be silent except to explain or continue in order. Any other member of the council may, under a point of order, call the presiding officer or other member to order. Additional discipline may include but is not limited to, a verbal admonition, public reprimand, and expulsion from the meeting at which the conduct is occurring.

*Challenge.* Any member of the council shall have the right to challenge any action or ruling of the presiding officer, or member, in which case the decision of the majority of the members of the council present, including the presiding officer, shall govern.

*City Staff.* The city manager, city attorney, and city clerk or their designees shall have the right to enter into a discussion of any matter coming before the council. Other city staff may enter into a discussion through the city manager or designee or when asked a direct question by a member of the council. When city staff provide presented materials on agenda items, presentations should be brief, not to exceed 15 minutes with exceptions such as truth in taxation. City staff may attend meetings virtually but must be able to be clearly heard and seen while giving testimony before the council.

### *Agenda Item Additions Procedure*

Items can be added to future workshop and/or regular meeting agendas in the following manner:

- Consensus reached during workshop, with consensus defined as the agreement of a majority of councilmembers present.
- Two (2) councilmembers can request an agenda item be added to an upcoming workshop during the Other Business portion of a regular meeting. No formal vote or consensus is needed to have the item added to workshop. When the item is discussed, consensus as defined above is required to bring the item forward for formal consideration at a regular council meeting.
- One (1) councilmember can request an item be added to a future workshop agenda through the workshop request form. The request form process does not provide discussion of the item itself but the opportunity for consensus as defined above to add the item to a future workshop.
- If an item has been reviewed at workshop and consensus as defined above is not reached to bring the item forward for formal consideration, one (1) councilmember may make a request under Other Business of any regular council meeting to add the item to a future council meeting. If the request is verbally supported on record by at least one (1) other councilmember, the item will be added to a future council meeting for formal consideration.

Agenda item addition requests not in compliance with this policy will be ruled out of order by the mayor/pro tem as chair of the meeting. Agenda item additions will be scheduled as soon as reasonably practicable, based on the priority of the item in relation to the priority of all other items as well as amount of staff time needed for review/research for the item.

#### *1. Call to Order*

The mayor, or in the mayor's absence the mayor pro tem, presides over all meetings of the city council and after determining that a quorum is present calls the meeting to order. The mayor or mayor pro tem shall:

- a. Preserve order and decorum in the council chambers.
- b. Observe and enforce all rules adopted by the council for its government.
- c. Decide all questions on order, in accordance with these rules.
- d. Recognize members of the council in the order in which they request the floor. No member shall be recognized and given the floor to speak on the same matter more than once until after all other members of the council have had an opportunity to be recognized and heard.
- e. Retain the authority during public comment to determine whether a speaker's remarks fail to comply with these rules or exceed the scope of the designated forum. The presiding officer shall have the authority to suspend such person's right to speak, subject to the council's right to overrule such decision.

#### *2. Pledge of Allegiance*

Following the call to order, those in attendance are asked to join the council in reciting the Pledge of Allegiance.

3. *Roll Call*

The city clerk, deputy city clerk, city attorney or manager takes roll and announces the presence or absence of individual councilmembers.

4. *Adoption of Agenda*

This order of business formally adopts the agenda as posted in accordance with state statute, city charter, and open meeting law. Changes may be presented by the city manager that result in the need to amend the posted agenda (revised order of agenda items, removal of items, addition of items due to accelerated timelines or increased priorities, etc.). Addition of agenda items for future meetings should be addressed as outlined in the Agenda Items Additions Procedure.

5. *Awards-Presentations-Organizational Business*

This order of business is the appropriate time to present awards, proclamations, or to recognize residents, staff, elected officials or others. It is also where business is conducted for the first meeting of the year to appoint council liaisons, designate the official newspaper and financial institutions.

6. *Communications*

This section is designated as an opportunity to relay information to the city council and community that is not on the agenda. Items for discussion under this section could include presentations by other elected officials such as legislators or commissioners, reports by councilmembers on a conference they attended, information presented by local organizations, or information council members feel would be important for the entire council.

7. *Open Forum*

This order of business provides a time for any individual to approach the council. Pursuant to Res. No. 99-152, each speaker will be limited to 3 minutes with a maximum of 15 minutes set aside for open forum. The mayor will advise the audience of the time limit when introducing the open forum portion of the meeting.

8. *Consent Agenda*

Those matters of business that require action by the council which are considered to be of a routine and non-controversial nature and normally do not require any discussion are placed on the consent agenda. Any councilmember or the mayor may request an item be removed from this agenda and placed on the regular agenda. Council can ask questions/make clarifications on any item without the need for formal removal/separate action from the consent agenda as a whole. This action should be taken at the time the agenda is formally adopted. The individual items on the consent agenda shall be approved, adopted or enacted by one motion of the council. Examples of such items include, but are not limited to:

- Approval of minutes (approved by full council even if absent from that meeting)

- Schedule of bills paid
- Renewal of licenses (i.e., tobacco, temporary nursery, peddlers/solicitors)
- Temporary on-sale 3.2 percent beverage licenses
- Premises permits for charitable gambling organizations
- Resolutions ordering public hearings
- Vacation of drainage/utility easement ordinances<sup>1</sup>
- Final plats
- Development agreements/releases

9. *Public Hearings and Items Set for a Certain Time*

All public hearings will be held after the meeting begins at 7:00PM following the consent agenda unless otherwise noted. This order of business allows speakers to give testimony concerning the item set for a public hearing. The council holds public hearings as required by city ordinance and state statute. All members of the community wishing to speak about items during a public hearing may do so either in-person or in writing, including email. If attending in person, those wishing to speak are requested to please sign the public comment card prior to the meeting located outside the chambers and submit to the city clerk. Sign-up is first-come, first-serve. Names will be called and the speaker will step to the podium and speak into the microphone to address the council. Failure to complete a comment card will not preclude an individual's right to speak.

10. *Development Business*

This section includes items that relate to planning and development within the city, such as conditional use permits, preliminary/final plat approval, land use and zoning changes, concept plan approval, etc.

11. *Administration*

Those items which relate to the administration and details of city business should be placed under this section. Examples include, but are not limited to:

- Approval or authorization to enter into contracts
- Establishing policies
- Ordinances<sup>1</sup> (other than zoning related)
- Accepting bids for projects
- Appointing members to boards or commissions
- Budget adjustments
- Capital purchases requiring council approval
- Appropriating money for projects or other items
- Agreements
- Other items or non-development items requiring discussion
- Items which have been postponed or tabled to later date
- Reports



## 12. Other Business

This order of business provides an opportunity for councilmembers and staff to bring up items not included on the adopted agenda. Items to be addressed during this portion of the meeting are limited to:

- Questions or concerns of councilmembers
- Questions or concerns that have been expressed to councilmembers by residents or others
- Future agenda items as outlined in the Agenda Item Additions Procedure

Additional items or topics may be considered during Other Business upon a motion to suspend the rules, which will require a second and approval of two-thirds of the body.

### 12. Adjournment

A councilmember may propose to close the meeting by moving to adjourn. The meeting will close upon the majority vote of the council. A motion to adjourn will always be in order and decided without debate.

*<sup>1</sup>First and Second Ordinance Readings:* As outlined in City Charter Sec. 3.05. - Procedure on Ordinances the enacting clause of all ordinances passed by the council shall be in the words, "The City of Blaine does ordain." Every ordinance shall be presented in writing at the meeting at which it is introduced. If a councilmember or one Blaine resident present at the meeting request[s] that the ordinance be read in its entirety, the ordinance shall be read at the meeting at which it is introduced. No ordinance except an emergency ordinance shall be passed at the meeting at which it is introduced, nor before the next regularly scheduled meeting of the council. In order to ensure consistency surrounding public input for proposed ordinance readings:

a. First reading of an ordinance allows the city council to review the text and purpose of the proposed ordinance. At this reading council will ask questions of staff and the applicant(s) regarding the proposed ordinance contents and purpose, after which the clerk will hold first reading of the proposed ordinance number and title, unless requested its reading in its entirety.

b. Second reading of an ordinance will provide the city council an opportunity to hear public comment on the matters contained therein and allow the applicant(s) to present their request to the city council. Upon conclusion the council, by motion will vote to adopt, deny, postpone, or table second reading and ordinance adoption.