



City of Blaine

City Council

November 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. 2024-519 Schedule of Bills Paid
Sponsors: Jason Zimmerman, Finance Director

8.2. 2024-515 Approval of Minutes
Sponsors: Cathy Sorensen, City Clerk

8.3. RES 24-222 Approve Premise Permit for Lawful Gambling Activity for Ham Lake Area Chamber of Commerce
Sponsors: Cathy Sorensen, City Clerk

- 8.4.** 2024-489 Approve a Tobacco and Tobacco Products License for VPS Global Solutions LLC DBA MGM Wine & Spirits
Sponsors: Cathy Sorensen, City Clerk
- 8.5.** RES 24-216 Resolution Accepting SCORE Grant Funds and Authorizing the Mayor and City Manager to Execute the 2025 Agreement for The Residential Recycling Program
Sponsors: Jason Zimmerman, Finance Director
- 8.6.** RES 24-205 Resolution Authorizing the Purchase of a Network Switch for the Lexington Athletic Complex and Associated Budget Amendment
Sponsors: Paul Grosse, IT Manager, Jason Zimmerman, Finance Director
- 8.7.** RES 24-213 Resolution Authorizing Change Order No. 1 in the Amount of \$58,100 for the 2024 Storm Sewer Lining Project, Improvement Project No. 24-51 and Associated Budget Amendments
Sponsors: Daniel Schluender, Director of Engineering
- 8.8.** RES 24-211 Resolution to Receive Feasibility Report and Order Public Hearing for the 2025 Southwest Area Street Reconstructions, I/P 25-06
Sponsors: Daniel Schluender, Director of Engineering
- 8.9.** RES 24-212 Resolution to Receive Petition and Order Public Hearing for Vacation of a 54-ft length portion of the Drainage and Utility Easement, according to the recorded plat thereof, Anoka County, Minnesota; Vacation No. V24-05
Sponsors: Daniel Schluender, Director of Engineering

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

- 9.1.** RES 24-203 Resolution Granting a Conditional Use Permit to Allow a Fitness Center in the Light Industrial (I-1) Zoning District at 1491 94th Lane NE. Cindi Nikituk (Farrell's eXtreme Bodyshaping) (Case File No. 24-0062/SLK)
Sponsors: Sheila Sellman, City Planner
- 9.2.** RES 24-210 Resolution Granting a Conditional Use Permit Amendment to Allow Sheds/Accessory Structures in the Corner Side Yard for the Marquest Meadows North Development in the Development Flex (DF) Zoning District. Kara Werth (Case File No. 24-0064/SAS)
Sponsors: Sheila Sellman, City Planner
- 9.3.** 2024-497 Approve an Off Sale Liquor License for VPS Global Solutions LLC DBA MGM Wine & Spirits located at 255 County Road 10 NE
Sponsors: Cathy Sorensen, City Clerk

- 9.4.** RES 24-215 Resolution Certifying Delinquent Special Charges
Sponsors: Jason Zimmerman, Finance Director

10. Development Business

- 10.1.** RES 24-197 Resolution Granting a Comprehensive Plan Amendment to Change from Planned Commercial (PC) to High Density Residential 2 (HDR2) on the Southwest Corner Lexington Avenue and 125th Avenue NE. Lexington Crossings (HJ Development) (Case File No. 24-0057/SAS)
Sponsors: Sheila Sellman, City Planner
- 10.2.** RES 24-160 Resolution Granting a Variance to Store Semi-Trailers in a Portion of the Front Yard at 3701 85th Avenue NE. Old Dominion Freight Line (Case File No. 24-0046/EES)
Sponsors: Sheila Sellman, City Planner
- 10.3.** RES 24-199 Resolution Granting Preliminary Plat Approval to Divide One Existing Lot into Two Lots to be Known as Northtown Revitalization Second Addition at 100 Northtown Drive. 4th Dimension Properties, LLC. (Case File No. 24-0056/EES)
Sponsors: Sheila Sellman, City Planner
- 10.4.** ORD 24-2567 First Reading
Ordinance Granting a Rezoning from Planned Business District (PBD) to Development Flex (DF) at 3629 95th Avenue NE. As-Suffah Islamic Center (Case File No. 24-0059/SLK)
Sponsors: Sheila Sellman, City Planner
- 10.5.** ORD 24-2568 First Reading
Ordinance Approving Annual Revisions to the Blaine Zoning Ordinance. City of Blaine (Case File No. 24-0060/EES)
Sponsors: Sheila Sellman, City Planner

11. Administration

12. Other Business

13. Adjournment

CITY OF BLAINE**SCHEDULE OF BILLS PAID****APPROVED ON 11/04/24 FOR PAYMENTS THE WEEK OF 10/18/2024**

Vendor Name	Description	Amount
A1 RENT IT/BROADWAY TENT & EVENT	Dance floor for Oktober Fest	\$ 2,658.90
ACCESS	Data Storage	\$ 130.88
ADVANCED GRAPHIX INC	Graphics units 3432 and 3433	\$ 1,185.00
AMAZON CAPITAL SERVICES	Notary Stamp-Cathy Sorensen	\$ 16.82
AMAZON CAPITAL SERVICES	Ergonomic Mouse Pad with Wrist support	\$ 24.99
AMAZON CAPITAL SERVICES	6x9 Envelopes	\$ 44.79
AMAZON CAPITAL SERVICES	PW: Air tire gauge; PD	\$ 55.99
AMAZON CAPITAL SERVICES	Supplies for events	\$ 70.95
AMAZON CAPITAL SERVICES	Boxes	\$ 81.98
AMAZON CAPITAL SERVICES	Brochure holders, Sign holders - Mayc	\$ 90.33
AMAZON CAPITAL SERVICES	Staplers, tape, tape holders, staples, pens	\$ 99.80
AMAZON CAPITAL SERVICES	Community Outreach Supplies	\$ 135.43
AMAZON CAPITAL SERVICES	PW: Drill Taper Shank/Chuck; Welding Bay	\$ 165.62
AMAZON CAPITAL SERVICES	Mechanic Shop Tools; Blow Guns	\$ 193.96
AMCS GROUP INC	Software Subscription - Dossier Nov 2024-Feb 2025	\$ 2,351.59
AME RED-E-MIX INC	2024 Capital; LS 24 Rehab; Concrete	\$ 673.45
ASPEN MILLS INC	Clothing and uniforms	\$ 22.85
ASPEN MILLS INC	Clothing and uniforms	\$ 27.45
ASPEN MILLS INC	Clothing and uniforms	\$ 32.85
ASPEN MILLS INC	Clothing and uniforms	\$ 46.95
ASPEN MILLS INC	Luedtke - uniform 1 shirt	\$ 56.30
ASPEN MILLS INC	Clothing and uniforms	\$ 56.30
ASPEN MILLS INC	Clothing and uniforms	\$ 61.95
ASPEN MILLS INC	Clothing and uniforms	\$ 69.45
ASPEN MILLS INC	Clothing and uniforms	\$ 86.93
ASPEN MILLS INC	Clothing and uniforms	\$ 92.00
ASPEN MILLS INC	Clothing and uniforms	\$ 104.98
ASPEN MILLS INC	Clothing and uniforms	\$ 124.99
ASPEN MILLS INC	Clothing and uniforms	\$ 128.99
ASPEN MILLS INC	Clothing and uniforms	\$ 204.93
ASPEN MILLS INC	Clothing and uniforms	\$ 223.79
ASPEN MILLS INC	Clothing and uniforms	\$ 254.89
ASPEN MILLS INC	Clothing and uniforms	\$ 260.00
ASPEN MILLS INC	Clothing and uniforms	\$ 267.46
ASPEN MILLS INC	Clothing and uniforms	\$ 562.02
ASPEN MILLS INC	Clothing and uniforms	\$ 619.05
ASPEN MILLS INC	Clothing and uniforms	\$ 1,513.32
ASPEN MILLS INC	Clothing and uniforms	\$ 1,695.12
ASPEN MILLS INC	Clothing and uniforms	\$ 2,311.20
ASPEN MILLS INC	Clothing and uniforms	\$ 2,622.57
ASPHALT SURFACE TECHNOLOGIES CORP	FA2 material for Streets	\$ 455.80
AXON ENTERPRISES INC	Axon interview 3 room contract	\$ 2,560.00
AXON ENTERPRISES INC	Axon interview 3 room contract	\$ 11,850.72
AXON ENTERPRISES INC	Axon interview 4 room contract	\$ 13,705.15
BARNUM COMPANIES INC	PD gate planned maintenance	\$ 280.00
BARR ENGINEERING COMPANY	WTP2 Preventative Maintenance CO 1, I/P 23-20	\$ 1,187.00
BARR ENGINEERING COMPANY	Wellfield Management Plan Proposal, I/P 23-22	\$ 1,346.50

BATTERIES PLUS BULBS	Batteries for WTP's	\$ 43.66
BEACON ATHLETICS LLC	Blaine Baseball Complex Field 1 Backstop project	\$ 37,530.00
BEAUDRY OIL & PROPANE	Fuel Delivery	\$ 9,440.51
BEAUDRY OIL & PROPANE	Fuel Delivery	\$ 12,487.87
BECKMANN CUSTOM HOMES	Escrow Refund - 2668 109th Ave NE	\$ 7,300.00
BLAINE BROTHERS INC	Engine Repairs to 1211	\$ 3,503.77
BLAINE LOCK & SAFE INC	Keys election ballot cabinet	\$ 44.86
BOULDER CONTRACTING LLC	Escrow Refund - 13024 Packard ST NE	\$ 4,900.00
BUREAU OF CRIM APPREHENSION	CJDN Access Fee	\$ 4,440.00
CAPITAL ONE TRADE CREDIT	Mechanic Shop Tools; Hyd table/C Clamps	\$ 390.41
CAPITOL HILL ASSOICATES INC	Federal Lobbyist Services July 2024-March 2025	\$ 4,500.00
CENTERPOINT ENERGY	750 Clover Leak Parkway NE	\$ 95.24
CENTERPOINT ENERGY	Gas Service	\$ 323.10
CHET'S SHOES INC	Boots for new Employees; Brooks/Bowens	\$ 1,094.30
CINTAS CORPORATION	Uniform/Rug Rentals - PW	\$ 182.49
CINTAS CORPORATION	CH Mats/Rugs	\$ 205.47
CITY OF LEXINGTON	October 2024 Sewer	\$ 4,295.35
CITYWIDE GLASS, INC	CH ballistic glass	\$ 41,656.66
COMCAST	PW Cable TV	\$ 20.98
COMCAST	Cable TV	\$ 36.22
COMCAST	Internet and Television - MAYC	\$ 69.59
CONNEXUS ENERGY-UTILITY PAYMENTS	10601 Nassau ST NE- Electric	\$ 14.50
CONNEXUS ENERGY-UTILITY PAYMENTS	10601 Nassau ST NE -Electric	\$ 35.00
CONNEXUS ENERGY-UTILITY PAYMENTS	10603 Nassau ST NE - Electric	\$ 35.00
CONNEXUS ENERGY-UTILITY PAYMENTS	2033 105th AVE NE - Electric	\$ 43.00
CONNEXUS ENERGY-UTILITY PAYMENTS	2037 105th AVE NE - Electric	\$ 118.58
CONTRACTING SOLUTIONS INC	Zipline Repair; LAC	\$ 1,200.00
CORE & MAIN LP	3/4" Residential Meters for Resale	\$ 4,242.65
COREMARK METALS	2023 Capital; Water Break Trailer #4641 build up	\$ 575.46
CREATIVE HOMES INC	Escrow Refund - 12765 Stutz CT NE	\$ 4,700.00
CREATIVE HOMES INC	Escrow Refund - 4869 127th CIR NE	\$ 4,700.00
CREATIVE HOMES INC	Escrow Refund - 13120 Ghia CT NE	\$ 4,900.00
CREATIVE HOMES INC	Escrow Refund - 13252 Kissel ST NE	\$ 4,900.00
CREATIVE HOMES INC	Escrow Refund - 4847 127th CIR NE	\$ 4,900.00
CREATIVE HOMES INC	Escrow Refund - 13244 Kissel ST NE	\$ 7,400.00
CRYSTEEL TRUCK EQUIPMENT	Hydro Valve; 1235	\$ 128.46
CUB FOODS INC - THE VILLAGE	Community Outreach Event supplies	\$ 22.46
CUB FOODS INC - THE VILLAGE	Community Outreach Event supplies	\$ 61.37
DEGNAN DANIEL	Softball Umpire Fees	\$ 764.00
DELEGARD TOOL COMPANY	Mechanics Shop Tools; angle/die grinders/compression tester	\$ 346.62
DELEGARD TOOL COMPANY	Mechanics Shop Tools; angle/die grinders/compression tester	\$ 2,142.77
ECKBERG LAMMERS PC	Prosecution Fees	\$ 22,680.45
ECM PUBLISHERS INC	2024 Public Hearing Notices	\$ 75.25
ECM PUBLISHERS INC	2024 Public Hearing Notices	\$ 139.75
ESRI INC	Software Licensing	\$ 130.00
FACTORY MOTOR PARTS COMPANY	Battery for 1243	\$ 102.73
FERGUSON ENTERPRISES LLC #3325	Hydrant Meter register covers	\$ 90.60
FERRELLGAS	Propane: 2024 Blanket	\$ 77.25
FIRE INSTRUCTION RESCUE EDUCATION	2024 citizens academy care fire simulator	\$ 700.00
FLEETPRIDE	Fitting; 1259	\$ 5.09
GOPHER STATE ONE CALL INC	2024 Water & Sewer Locate Fees	\$ 1,440.45
GRAINGER	V Belts; WTP 4	\$ 83.36
GRAINGER	Humidifier tank	\$ 718.66
GWOKS	2025 Annual Support & Maintenance - PubWorks Software	\$ 6,016.00

HAWKINS INC	Water Treatment Chemicals	\$ 8,996.00
HOSE PROS LLC	Clamp/nipple for Field liner	\$ 15.94
INDELCO PLASTICS CORPORATION	Chlorine booster pump; Well 10	\$ 1,373.07
INSIGHT PUBLIC SECTOR INC	Network Switch for the LAC	\$ 407.69
INSIGHT PUBLIC SECTOR INC	Microsoft 365 G3 Licenses	\$ 876.10
INSIGHT PUBLIC SECTOR INC	Azure Cloud Services - August 2024	\$ 3,958.23
INSIGHT PUBLIC SECTOR INC	Network Switch for the LAC	\$ 4,814.72
ISOM HARLAN G	Softball Umpire Fees	\$ 134.00
ISOM HARLAN G	Softball Umpire Fees	\$ 258.00
IUOE LOCAL 49 FRINGE BENEFIT FUNDS	September Union Apprenticeship Fund	\$ 799.20
JM ELECTRIC LLC	Repair of time clock at Lakeside Commons Park	\$ 825.00
JONATHAN HOMES OF MN LLC	Escrow Refund - 4822 131st CT NE	\$ 5,000.00
KATH FUEL OIL SERVICE COMPANY	Bulk Oil for Shop	\$ 3,694.97
KORTERRA INC	Water & Sewer Locates	\$ 6,546.00
LAWSON PRODUCTS INC	Mechanic shop supplies: Air Couplers/Reamer/Fittings	\$ 1,127.99
LEAGUE OF MN CITIES	Respectful workplace training	\$ 15.00
LEAGUE OF MN CITIES	Respectful workplace training	\$ 15.00
LEAGUE OF MN CITIES	Fall Forum	\$ 30.00
LEAGUE OF MN CITIES	Online Fall Forums (Derr and Wolfe)	\$ 60.00
LEAR SHEREE	Home Improvement Grant Reimbursement	\$ 5,000.00
LENNAR	Escrow Refund - 4378 129th CT NE	\$ 5,000.00
LENNAR	Escrow Refund - 4368 129th CT NE	\$ 5,000.00
LENNAR	Escrow Refund - 4348 129th CT NE	\$ 5,000.00
LENNAR	Escrow Refund - 4307 129th AVE NE	\$ 5,000.00
LIFE SAFETY SYSTEMS INC	CH smoke detector issues	\$ 1,234.00
LIFESTYLE LANDSCAPES LLC	2024 Mowing at City Hall/Tom Ryan Park	\$ 2,025.65
LRS PORTABLES OF MINNESOTA	Satellite Rental - Parks	\$ 8,579.43
M&G TRAILER SALES, SERVICE & RENTAL	2023 Capital; Water Break Trailer #4641 Supplies	\$ 99.00
M&G TRAILER SALES, SERVICE & RENTAL	2023 Capital; Water Break Trailer #4641 Supplies	\$ 434.71
M/I HOMES	Escrow Refund - 11180 Pierce PL NE	\$ 7,400.00
MANAGED SERVICES INC	CH janitorial October	\$ 4,418.00
MARSDEN CENTRAL LLC	PW October Janitorial Services	\$ 2,476.38
MARTIN MARIETTA MATERIALS	Patching Material (87th) Storm Water	\$ 924.76
MARTIN MARIETTA MATERIALS	Patching Material for Streets	\$ 1,215.29
MARTIN MARIETTA MATERIALS	Patching Material (87th) Storm Water	\$ 1,378.03
MARTIN MARIETTA MATERIALS	Patching Material for Streets	\$ 1,419.84
MARTIN MARIETTA MATERIALS	Patching Material for Streets	\$ 1,557.50
MARTIN MARIETTA MATERIALS	Patching Material for Streets	\$ 2,083.03
MC TOOL & SAFETY SALES	Drain Snake: Water	\$ 2,400.00
MED COMPASS	PW Hearing Tests - October 2024	\$ 1,088.00
MENARDS - BLAINE	Gap filler	\$ 16.58
MENARDS - BLAINE	Saw Blade/Board; Water	\$ 38.46
MENARDS - BLAINE	2023 Capital; Water Break Trailer #4641 build up	\$ 58.38
MENARDS - BLAINE	PW: Batteries/Tote - Mechanic Shop supplies	\$ 105.88
MENARDS - BLAINE	2023 Capital; Water Break Trailer #4641 build up	\$ 158.64
MENARDS - BLAINE	Electric range	\$ 773.85
METROPOLITAN CENTER FOR INDEPENDENT LIVING	ADA training	\$ 500.00
METROPOLITAN COUNCIL	September 2024 SAC	\$ 76,264.65
MINNEAPOLIS OXYGEN COMPANY	Oxygen Cylinders for Patrol Operations	\$ 169.75
MINNEAPOLIS SAW COMPANY INC	2024 Capital; F350 #4632 Rigging	\$ 619.93
MINNESOTA EQUIPMENT - HAM LAKE	B/O Sleeves for Weed Whips	\$ 5.99
MINNESOTA OCCUPATIONAL HEALTH	Pre employment testing	\$ 1,300.00
MINNESOTA UI	Unemployment Insurance Bill Q3	\$ 2,369.81
MN DEPT OF LABOR AND INDUSTRY	September 2024 State Surcharge	\$ 6,648.15

MTI DISTRIBUTING INC	Credit	\$ (182.41)
MTI DISTRIBUTING INC	Mower blades/Damper; PW Stock	\$ 154.77
MTI DISTRIBUTING INC	Hydraulic Hoses - 2431	\$ 199.49
MTI DISTRIBUTING INC	Hydraulic Hoses - 2431	\$ 247.25
NARDINI FIRE EQUIPMENT CO INC	CH fire extinguisher inspections	\$ 824.00
OFFICE OF MNIT SERVICES	Telephone and Internet Services	\$ 586.68
O'REILLY AUTOMOTIVE INC	Credit	\$ (95.15)
O'REILLY AUTOMOTIVE INC	Brake Calipers; 5264	\$ 221.78
PDQ.COM CORPORATION	PDQ Inventory and Deploy Renewal	\$ 1,338.75
PRECISE MRM LLC	2024 PW GPS Management; March-December	\$ 1,480.00
PRO-TEC DESIGN INC	Credit	\$ (51.00)
PRO-TEC DESIGN INC	Tech support at Lexington AC	\$ 61.00
PRO-TEC DESIGN INC	Help desk permissions for park and rec	\$ 86.50
PRO-TEC DESIGN INC	Service call to Lexington Athletic Complex	\$ 280.50
PULTE HOMES OF MINNESOTA LLC	Escrow Refund - 12650 Marmon ST NE	\$ 7,400.00
R & R SUSPENSION	Springs for 1301	\$ 150.00
REDPATH AND COMPANY LLC	2023 Financial Audit	\$ 5,500.00
SAM'S CLUB/SYNCHRONY BANK	Candy for Flashlight Pumpkin	\$ 13.32
SAM'S CLUB/SYNCHRONY BANK	LaCroix water for City Council	\$ 17.96
SAM'S CLUB/SYNCHRONY BANK	Supplies for craft sales	\$ 60.68
SAM'S CLUB/SYNCHRONY BANK	Items for the senior center	\$ 265.68
SEACHANGE PRINT INNOVATIONS	OmniBallot power cord	\$ 12.00
STAR TRIBUNE	Publish Notice of Public Hearings (V24-02 & I/P 23-06)	\$ 75.84
STAR TRIBUNE	Tree Contract Advertisement - Sept	\$ 124.82
STAR TRIBUNE	Publish Notice of Public Hearings (V24-02 & I/P 23-06)	\$ 176.96
STEFANI HAVEL LLC	Workplace Communication Training - Bldg, Customer Service, PD	\$ 4,600.00
TRI-STATE BOBCAT INC	Blades/Sprockets; PW Stock	\$ 9.33
TRI-STATE BOBCAT INC	Blades/Sprockets; PW Stock	\$ 309.88
TRITECH SOFTWARE SYSTEMS	Prepaid - K9 Tracking Software for 2025	\$ 264.60
USDA APHIS	Geese Control	\$ 1,240.60
VOLUNTEERS OF AMERICA	Cook Supplemental Wages	\$ 110.61
WALTERS RECYCLING & REFUSE INC	Organics Collection 2024	\$ 150.00
WALTERS RECYCLING & REFUSE INC	Walters Refuse and Recycling Fees	\$ 491,579.95
WM CORPORATE SERVICES INC	2024 Fall Street Sweepings	\$ 21,663.54
XCEL ENERGY	Siren - Electric	\$ 9.78
XCEL ENERGY	Monument - Electric	\$ 12.37
XCEL ENERGY	Signal - Electric	\$ 65.00
XCEL ENERGY	Signal - Electric	\$ 66.84
ZIEGLER INC	Wiper Blades; 1282	\$ 89.24
		\$ 987,693.69

CITY OF BLAINE

**SUBSET OF PAYMENTS BETWEEN \$20,000 AND \$50,000 FROM THE SCHEDULE OF BILLS PAID
APPROVED ON 11/04/2024 FOR PAYMENTS THE WEEK OF 10/18/2024**

Vendor Name	Description	Amount
WM CORPORATE SERVICES INC	2024 Fall Street Sweepings	\$ 21,663.54
ECKBERG LAMMERS PC	Prosecution Fees	\$ 22,680.45
BEACON ATHLETICS LLC	Blaine Baseball Complex Field 1 Backstop project	\$ 37,530.00
CITYWIDE GLASS, INC	CH ballistic glass	\$ 41,656.66

CITY OF BLAINE**SCHEDULE OF BILLS PAID****APPROVED ON 11/04/24 FOR PAYMENTS THE WEEK OF 10/25/2024**

Vendor Name	Description	Amount
AMAZON CAPITAL SERVICES	Credit	\$ (18.95)
AMAZON CAPITAL SERVICES	Wall Clock for Cage	\$ 18.95
AMAZON CAPITAL SERVICES	Blue Employee file folders	\$ 26.18
AMAZON CAPITAL SERVICES	Shoe Polish Supplies for Patrol	\$ 40.76
AMAZON CAPITAL SERVICES	Halloween items for outreach/mounting plate	\$ 61.63
AMAZON CAPITAL SERVICES	Administration supplies	\$ 193.67
ANOKA COUNTY HIGHWAY DEPARTMENT	Traffic Signal #037 (Austin Street) for North Meadows	\$ 38,663.81
ANOKA COUNTY TREASURY DEPARTMENT	Connect Anoka County Fiber	\$ 812.50
ASPEN MILLS INC	Brennan - 1 shirt	\$ 83.80
ASPEN MILLS INC	Luedke uniform - 2 pants 3 shirts	\$ 288.80
AXON ENTERPRISES INC	Taser holsters	\$ 166.40
AXON ENTERPRISES INC	Taser holsters	\$ 166.40
BATTERIES PLUS BULBS	Batteries for Water/Sewer	\$ 48.05
BATTERIES PLUS BULBS	Batteries for WTP's	\$ 79.75
BATTERIES PLUS BULBS	Batteries for WTP's	\$ 158.92
BATTERIES PLUS BULBS	Batteries for Water/Sewer	\$ 191.14
BAUER BUILT INC	Tires/installation for 1235	\$ 900.73
BCA-CHAU RECORDS	Liquor license background fees	\$ 66.50
BLAINE BROTHERS INC	Alignment; Hook Truck 1235	\$ 1,119.73
BLAINE BROTHERS INC	Salt Neutralizer; Mechanics	\$ 1,171.41
BLAINE BROTHERS INC	Engine EGR Repairs; 1277	\$ 2,177.40
BLAINE BROTHERS INC	Air Compressor/cooling system; Plow 1279	\$ 7,045.90
BLAINE EXPLORER POST #3939	State Conference Fees and Operating Costs for Explorers	\$ 9,700.00
BOLTON & MENK INC	Design & Construction Svcs 89th & Davenport, I/P 22-05	\$ 60.50
BOLTON & MENK INC	Lift Station 1 Force Main-Design/Construction Admin, I/P 22-05	\$ 83.00
BOLTON & MENK INC	Lever Street (Tamblyn) (8/31/24-9/27/24), I/P 17-07	\$ 1,640.00
BOLTON & MENK INC	2025 Southwest Area Street Reconstruction, I/P 25-06	\$ 23,778.50
BOLTON & MENK INC	Construction Services-Ulysses/117th Roundabout, I/P 23-09	\$ 26,234.50
BOLTON & MENK INC	Design & Construction Services for I/P 24-04	\$ 40,886.50
CAPITAL ONE TRADE CREDIT	Hammer/impact socket set - Water Dept	\$ 104.47
CAPITAL ONE TRADE CREDIT	Tools for Sign Shop; Hackzall/Drill Hammer set/Impact Wrench	\$ 1,792.86
CENTENNIAL SCHOOL DIST 12	Senior Trip - Twins Baseball Game	\$ 1,232.00
CENTENNIAL SCHOOL DIST 12	Senior Trip - Stillwater Boat Cruise	\$ 5,110.00
CENTERPOINT ENERGY MINNESOTA GAS	Permit Refund B24-04562	\$ 120.00
CENTURYLINK	Telephone Service	\$ 76.18
CINTAS CORPORATION	MAYC - Mats/Rugs	\$ 38.42
CINTAS CORPORATION	MAYC - Mats/Rugs	\$ 38.42
CINTAS CORPORATION	PW med supply cabinet	\$ 354.92
CITY OF LINO LAKES	Senior trips - Vineyard	\$ 1,858.00
CITY OF LINO LAKES	Senior trips - Haunted Tour	\$ 2,913.00
CIVICPLUS, LLC	Annual Website Renewal	\$ 38,217.32
COMCAST	Public Works Internet Services	\$ 201.47
COMPUTER EXPLORERS	Fall Tech Camp	\$ 60.00
COMPUTER EXPLORERS	Fall Tech Camp	\$ 300.00
CONNEXUS ENERGY	Electric Service-8660 University Ave (COM0002599), I/P 23-12	\$ 1,096.25

CONNEXUS ENERGY-UTILITY PAYMENTS	September 2024 Electric	\$ 66,512.75
CORE & MAIN LP	Water Main Break Supplies; Water	\$ 1,899.85
CREATIVE HOMES INC	Escrow Refund - 13129 Ghia CT NE	\$ 4,800.00
CREATIVE HOMES INC	Escrow Refund - 4855 128th CIR NE	\$ 4,800.00
CREATIVE HOMES INC	Escrow Refund - 13170 Isetta CIR NE	\$ 5,000.00
CREATIVE HOMES INC	Escrow Refund - 13185 Isetta CIR NE	\$ 5,000.00
CRYSTEEL TRUCK EQUIPMENT	Replace Towing Plate; Plow 1226	\$ 3,973.00
D R HORTON INC	Escrow Refund - 13079 Erskin ST NE	\$ 4,900.00
D R HORTON INC	Escrow Refund - 13104 National ST NE	\$ 4,900.00
D R HORTON INC	Escrow Refund - 13032 Erskin ST NE	\$ 7,400.00
DEHNS PUMPKINS LLC	Additional pumpkins for Flashlight pumpkin	\$ 75.00
DIRECT RADAR/LIDAR TESTING	Radar/lidar instructor training	\$ 500.00
DIVERSIFIED PAVING	2024 Trail Maintenance, I/P 24-42	\$ 219,844.44
DRESEL CONTRACTING INC	2024 Southwest Area Street Reconstruction, I/P 24-07	\$ 572,560.07
DTM FLEET SERVICES	CS Ford utility vehicle lighting	\$ 592.80
DTM FLEET SERVICES	CS 2024 Ford utility vehicle lighting	\$ 682.13
ECKBERG LAMMERS PC	Civil Legal Services & Retainer Fees for Sept. 2024	\$ 4,000.00
ECKBERG LAMMERS PC	Civil Legal Services & Retainer Fees for Sept. 2024	\$ 5,284.50
ECKBERG LAMMERS PC	Civil Legal Services & Retainer Fees for Sept. 2024	\$ 31,207.75
ECM PUBLISHERS INC	Advertising & Public Notices	\$ 32.25
ECM PUBLISHERS INC	Advertising & Public Notices	\$ 64.50
ECM PUBLISHERS INC	Advertising & Public Notices	\$ 107.50
ETERNITY HOMES LLC	Escrow Refund - 4854 130th LN NE	\$ 4,900.00
EVERLIGHT SOLAR	Permit Refund B24-04435	\$ 80.00
FACTORY MOTOR PARTS COMPANY	Brake Rotors; PD Stock	\$ 493.32
FERGUSON ENTERPRISES LLC #3325	Hydrant Markers; Water	\$ 2,122.50
FERGUSON WATERWORKS #2518	2024 Capital; F350 #4632 Probe/Locator/Hyd Wrench	\$ 858.13
GATEWAY FIBER	Refund for Peddler License	\$ 300.00
GMP CONSULTANTS LLC	Recruitment fees for HR Manager position	\$ 170.20
GRAINGER	Rocker switch	\$ 141.81
GREAT LAKES WEATHER SERVICE LLC	Weather Service for 2024-2025	\$ 1,230.00
HANSON SPORTS LLC	Summer Sports Camps	\$ 2,592.25
HANSON SPORTS LLC	Summer Sports Camps	\$ 3,343.00
HAWKINS INC	Water Treatment Chemicals	\$ 2,249.00
HAWKINS INC	Water Treatment Chemicals	\$ 10,137.60
HENNING PROFESSIONAL SERVICES INC	Easement Acquisition Services Amendment, I/P 24-07	\$ 1,145.77
HESS DAVID & TONI	Home Improvement Grant Reimbursement	\$ 3,290.00
IDEAL SERVICE INC	Preventative Maint. on VFD's	\$ 517.50
IDEAL SERVICE INC	Preventative Maint. on VFD's	\$ 885.00
IMPACT PROVEN SOLUTIONS	2024 UTILITY BILLING INVOICE PRINTING	\$ 4,369.11
INSTRUMENTAL RESEARCH INC	Water Sample Testing	\$ 1,140.00
JOB GLORIA D	Senior Program - Cooking classes	\$ 200.00
KNOBLAUCH KYLENE	Softball Umpire Fees	\$ 326.00
KNOBLAUCH KYLENE	Softball Umpire Fees	\$ 518.00
KNOBLAUCH KYLENE	Softball Umpire Fees	\$ 547.00
KNOBLAUCH KYLENE	Softball Umpire Fees	\$ 574.00
LANGUAGE LINE SERVICES INC	Language Line/Interpreter Services	\$ 743.83
LAWSON PRODUCTS INC	Blue Locate Paint; Water	\$ 302.40
LEAGUE OF MN CITIES INSURANCE TRUST	Workers comp insurance claims	\$ 3,028.98
LENNAR	Permit Refund B24-02936	\$ 879.00
LIFESTYLE LANDSCAPES LLC	2024 Mowing at City Hall/Tom Ryan Park	\$ 2,025.65
M/I HOMES	Escrow Refund - 1116 112th AVE NE	\$ 4,900.00

M/I HOMES	Escrow Refund - 1113 111th AVE NE	\$	4,900.00
M/I HOMES	Escrow Refund - 11204 Pierce PL NE	\$	4,900.00
M/I HOMES	Escrow Refund - 11236 Pierce PL NE	\$	5,000.00
M/I HOMES	Escrow Refund - 1111 112th AVE NE	\$	5,000.00
M/I HOMES	Escrow Refund - 1119 111th LN NE	\$	5,000.00
MADURO DISTRIBUTORS	5 rental properties reimbursement	\$	950.00
MARTIN MARIETTA MATERIALS	Patching Material for Streets	\$	2,650.34
MARTIN MARIETTA MATERIALS	Patching Material for Streets	\$	3,115.00
MC TOOL & SAFETY SALES	Harness/lifeline/harness; Sewer	\$	223.02
MENARDS - BLAINE	Utility knife, blades, felt	\$	19.95
MENARDS - BLAINE	PW salt pellets, connector	\$	63.60
MENARDS - BLAINE	Patrol general supplies	\$	69.98
MENARDS - BLAINE	Irrigation Supplies	\$	83.84
MENARDS - BLAINE	Cleaning duster, paint, lighter, Dawn	\$	135.78
MENARDS - BLAINE	Well 10; System Maintenance parts	\$	182.71
MICKMAN BROTHERS INC	105th/109th Median Maintenance	\$	1,335.71
MICKMAN BROTHERS INC	WTP 4 Landscaping	\$	2,140.00
MICKMAN BROTHERS INC	Contract for 2024 Change Order for Median Maintenance	\$	2,157.14
MICKMAN BROTHERS INC	Contract for 2024 Median Maintenance	\$	2,921.90
MICKMAN BROTHERS INC	WTP 1 Landscaping	\$	6,597.07
MINNESOTA DEPARTMENT OF TRANSPORT	Material Testing & Inspection, I/P 24-05	\$	2,797.87
MINNESOTA EQUIPMENT - HAM LAKE	CREDIT	\$	(639.99)
MINNESOTA EQUIPMENT - HAM LAKE	Fuel Filter; PW Stock	\$	116.54
MINNESOTA EQUIPMENT - HAM LAKE	2024 Capital; F350 #4632 Tools; Chain Saw/Blowers/Safety Eq	\$	7,012.52
MINNESOTA HIGHWAY SAFETY AND RESEARCH	PIT refresher training 11 officers	\$	5,775.00
MINNESOTA POLLUTION CONTROL AGENCY	Wastewater Examination fees; Storm/Sewer	\$	220.00
MINNESOTA POLLUTION CONTROL AGENCY	Wastewater Exam Refresher Training; Lenz/Becker	\$	1,170.00
MINUTE MAKER SECRETARIAL	2024 Planning Commission Minutes	\$	311.88
MINUTE MAKER SECRETARIAL	Council Minutes	\$	461.75
MTI DISTRIBUTING INC	B/O Mower blades; PW Stock	\$	185.55
NORTH MEADOW LLC	Final Escrow Release-North Meadows & North Meadows 2nd	\$	122,780.44
NORTH MEADOW LLC	Final Escrow Release-North Meadows & North Meadows 2nd	\$	164,923.35
NORTHERN SANITARY SUPPLY CO INC	MAYC squeegee, cleaner, towels	\$	402.06
NORTHLAND CAPITAL EQUIPMENT FINANCE	Fitness Equipment Lease	\$	832.43
NOTTINGHAM CONSTRUCTION LLC	Full escrow refund, SP19-20, North Central Plaza	\$	21,015.00
OPENGOV INC	Expenses for OpenGov	\$	387.82
OPTIMIZED ELECTRICAL SOLUTIONS	MAYC - lighting panel programing	\$	252.00
OPTIMIZED ELECTRICAL SOLUTIONS	Fire garage - move cord reels	\$	1,307.00
PAFFY'S PEST CONTROL INC	MAYC - Monthly pest control	\$	59.75
PAFFY'S PEST CONTROL INC	PW - Monthly pest control	\$	134.00
PAFFY'S PEST CONTROL INC	PW - Monthly pest control	\$	399.00
PARK CONSTRUCTION COMPANY	HYDRANT METER DEPOSIT REFUND	\$	4,750.00
PIONEER CYCLE	2 E-Bikes with Accessories	\$	5,252.83
PIONEER PHOTOGRAPHY & SERVICES	Senior program	\$	300.00
PULTE HOMES OF MINNESOTA LLC	Escrow Refund - 12631 Marmon ST NE	\$	4,900.00
RDO EQUIPMENT COMPANY	Coolant repair; Backhoe 4467	\$	73.16
REHDER MARK	Forestry Consulting; July-Aug	\$	3,802.45
ROBINSON LANDSCAPING INC	Sod/landscape staples: Sewer	\$	264.00
ROBINSON LANDSCAPING INC	Sod for Tom Ryan Park	\$	1,354.50
RUM RIVER ART CENTER	Senior program	\$	495.00
RUM RIVER CONSULTANTS	Mark Peterson - August 2024 Invoice Inspection Services	\$	14,060.00
SCHMIT MICHAEL T	Home Improvement Grant Reimbursement	\$	3,479.00

SHORT ELLIOTT HENDRICKSON INC	Engineering Services 2025 Street Rehab Project, I/P 25-05	\$	2,346.55
SHORT ELLIOTT HENDRICKSON INC	Design & Construction Services-Pleasure Creek, I/P 24-06	\$	56,474.88
STATE OF MINNESOTA DEED	DEED Loan #CDAP-17-0064-H-FY18, Loan Repayment Oct 2024	\$	1,568.24
STREETLIGHT DATA, INC.	StreetLight InSight Software Subscription	\$	6,555.00
STREICHER'S	Squad bags/firearm equip	\$	131.96
STREICHER'S	Squad bags/firearm equip	\$	170.98
STREICHER'S	Squad bags/firearm equip	\$	1,170.88
SYMBOLARTS, LLC	Police patch's/artwork for uniforms	\$	600.00
SYMBOLARTS, LLC	Police patch's/artwork for uniforms	\$	2,347.82
SZYPLINSKI RICHARD J	Entertainment for Birthday Lunch	\$	125.00
TACTICAL PRODUCTS & SERVICES INC	155 rifle rated trauma plates	\$	66,495.00
TENICITY LLC	Fall Tennis Lessons	\$	2,480.00
TKDA AND ASSOCIATES INC	TH65 Access Improvements (Amendment 4), I/P 21-01	\$	15,807.31
T-MOBILE USA INC	Cell phone tower dump - 24204617	\$	50.00
TWIN CITIES TRANSPORT & RECOVERY INC	2024 citizens academy vehicles used for demo	\$	250.00
URBAN ESCAPES LLC	Lights for Tom Ryan park	\$	6,997.00
VEIT & COMPANY INC	HYDRANT METER DEPOSIT REFUND	\$	4,750.00
VEIT & COMPANY INC	2024 Storm Sewer Lining Project, I/P 24-51	\$	125,314.50
VERIZON WIRELESS	Telephone Service	\$	80.02
VIKING ELECTRIC SUPPLY LLC	Light repair for Sunnyside Park Bldg.	\$	416.34
XCEL ENERGY	9191 Lincoln ST NE - Electric	\$	35.43
YOGI CUSTARD INC.	Full escrow refund, B24-01215, Culver's Lexington Meadows	\$	35,758.51
		\$	1,953,512.75

CITY OF BLAINE

**SUBSET OF PAYMENTS BETWEEN \$20,000 AND \$50,000 FROM THE SCHEDULE OF BILLS PAID
APPROVED ON 11/04/2024 FOR PAYMENTS THE WEEK OF 10/25/2024**

Vendor Name	Description	Amount
NOTTINGHAM CONSTRUCTION LLC	Full escrow refund, SP19-20, North Central Plaza	\$ 21,015.00
BOLTON & MENK INC	2025 Southwest Area Street Reconstruction, I/P 25-06	\$ 23,778.50
BOLTON & MENK INC	Construction Services-Ulysses/117th Roundabout, I/P 23-09	\$ 26,234.50
ECKBERG LAMMERS PC	Civil Legal Services & Retainer Fees for Sept. 2024	\$ 31,207.75
YOGI CUSTARD INC.	Full escrow refund, B24-01215, Culver's Lexington Meadows	\$ 35,758.51
CIVICPLUS, LLC	Annual Website Renewal	\$ 38,217.32
ANOKA COUNTY HIGHWAY DEPARTMENT	Traffic Signal #037 (Austin Street) for North Meadows	\$ 38,663.81
BOLTON & MENK INC	Design & Construction Services for I/P 24-04	\$ 40,886.50



City of Blaine

City Council Workshop

October 14, 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, Chris Massoglia, Tom Newland, and Jess Robertson.

ABSENT: Councilmember Lori Saroya.

Quorum Present.

ALSO PRESENT: Community Development Director Erik Thorvig; Safety Services Director/Police Chief Brian Podany; Fire Chief Dan Retka; Finance Director Jason Zimmerman; Director of Administrative Services Scott Johnson; Communications Manager Ben Hayle; and City Clerk Catherine Sorensen.

3. New Business

- 3.1.** 2024-458 SBM Fire Department - Quarterly Update
Sponsors: Dan Retka, Fire Chief

Fire Chief Retka provided the council with a quarterly update. He explained calls were up 38% this year and this was due to a big increase in medical calls. He stated his crews were doing a great job addressing this increase. He indicated his crews were continuing to address fire prevention through the 100% volunteer Fire Corp in order to educate children, raise awareness for senior citizens, and work to reduce the number of structure fires in the

community. He was pleased to report structure fires were down 30% this year. He commented further on the team and reserve truck that was going to be to assist with hurricane relief in North Carolina, but noted the team was called back. He thanked the City for being willing to support this venture.

Fire Chief Retka reported the SBM Fire Department was unsuccessful with the Safer Grant. He discussed how he would work to maintain response times in the community noting all overnight calls were being responded to from Station 1.

Councilmember Newland requested further information regarding the SBM Open House. Fire Chief Retka explained the open house was no longer held at fire stations, but rather a larger event was held at Aquatore Park.

Councilmember Newland commented on a recent article he read regarding the importance of addressing mental health for fire fighters. Fire Chief Retka stated this was a real concern for his crew members, as well as for police officers given the things these individuals have to see on a daily basis. He noted he recently had two firefighters retire for mental health reasons.

Councilmember Massoglia suggested the SBM Fire Department reach out to Diane Stores because she used to be a chaplain and has the Door of Hope Counseling. Fire Chief Retka indicated the department's chaplain program had been put on hold at this time but it was his hope to bring this program back for his crew members in 2025.

Councilmember Larson asked why the fire department was responding to all medical calls. Fire Chief Retka explained the fire department is doing much more than fire calls and his crew members were trained to one level below EMS. He reported his crews automatically respond to all car crashes, overdoses, lift assists, heart attack, stroke calls or if the police department is overloaded. Safety Services Director/Police Chief Podany stated Allina does a great job but wait times were quite high at this time. He indicated the increase in medical calls may be due to the aging population and changes to the healthcare system.

Further discussion ensued regarding the types of calls the fire department was responding to and how these calls were taking a toll on the mental health of both police and fire.

Fire Chief Retka commented on how the calls for service would only continue to rise unless the department began to advocate more for fire prevention and fire awareness.

The Council thanked Fire Chief Retka for his detailed presentation.

- 3.2.** 2024-435 Land Uses for Properties (Kempf and McKinley) Southwest of 125th Avenue and Lexington Avenue
 Sponsors: Sheila Sellman, City Planner

Community Development Director Thorvig stated the properties located southwest of Lexington Avenue and 125th Avenue (shown on map) are owned by the Kempf and McKinley families and are zoned Farm Residential (FR), and a land use designation of Low

Density Residential (LDR). Each parcel is developed with a single-family home, except for the three far west parcels which are vacant. The six properties have an area of approximately 132 acres. The properties have some trees and scattered wetlands throughout the site that may create some site obstacles with the development of the parcels. The FR district is intended for areas where urban services are not presently available. A minimum lot size of ten (10) acres will retain these lands in their natural uses and agricultural uses pending proper timing of economical provision for parks, streets, utilities, and other public facilities, so that orderly development will occur. The LDR land use designation is for single family detached residential homes at a density of 2.5-6 units an acre. For these sites to develop, further rezoning will be necessary.

Mr. Thorvig explained a 16-inch water main currently runs within the platted right-of-way that connects Lakes Parkway and 122nd Ave NE. This existing right-of-way is located on parcel 11-31-23-24-0003 and along the southern portion of 11-31-23-24-0002 (3700 125th Avenue NE), these are the two western parcels. A water main would need to be extended to serve any of the other remaining parcels. The sanitary sewer main is currently constructed within the 122nd Avenue NE alignment with service to the City of Blaine Water Treatment Plant. Extension of the sanitary sewer from the existing eastern location will be required to service the noted properties. All properties within the subject area front onto 125th Avenue NE/Main Street/CSAH 14. This road is maintained by Anoka County and therefore any access to this road would need to be approved by Anoka County. In addition, it is anticipated that all properties within the subject area will receive access to the future Lakes Parkway NE extension. The construction of this extension will be required with development of the noted parcels. It was noted staff has received questions related to the development of these parcels and is requesting feedback on the Council's land use thoughts for these parcels. Staff commented further on the potential for these properties and asked how the council wanted to see these parcels guided for future development and what feedback could be provided to future developers.

Councilmember Larson requested further information regarding the price on the two properties. Mr. Thorvig explained the McKinley property has 52 acres with a list price of \$7.5 million and the Kempf property has 80 acres and staff was unaware of the list price.

Mayor Sanders stated he would like this area to have the same look and feel as The Lakes development. He explained this was one of the last areas where there was an ability to compete with Ham Lake when it comes to lot size. He indicated he would love to see larger lots in this area. He questioned if it made sense to have another lake or water feature in this area. Mr. Thorvig reported the wetlands could not be turned into stormwater ponds, but noted there may be a cost trade off for a larger lake. He noted this would depend on how the developer wanted to design this development.

Councilmember Fleming indicated she would like to see mostly single family homes on these properties with larger lot sizes and trees being preserved.

Councilmember Robertson agreed less would be more for this development even if this takes 20 years to develop. She discussed how unique this opportunity would be, because 130 acres would be available. She reported she would like to see the tree canopy preserved, but understood there may be buckthorn and ash trees on this property. She indicated she supported this development having larger lots.

Councilmember Larson stated she lived closely to this property. She understood it was always Gary Gorham's plan to extend The Lakes to the corner. She discussed how unique this neighborhood was and she hoped the new property could be a continuation of The Lakes with larger lots for single family homes.

Councilmember Newland indicated Main Street/125th Avenue would not get any smaller or slower, but rather there would be more use as time goes on. He questioned who would build a \$750,000 home along Main Street/125th Avenue and suggested medium density be considered instead. Otherwise, he supported larger lots and a continuation of The Lakes for the remaining property.

Councilmember Robertson asked how specific the city could get with the development flex requirements. She stated she really did not want townhouses on this property. She indicated she may be able to support more modern row homes. Mr. Thorvig reported that if a developer were to request development flex or a PUD the city council would have more say over how this property develops.

Councilmember Massoglia supported this property being zoned R-1 versus Development Flex. Mr. Thorvig commented on the differences between R-1 and PUD zoning. He stated the R-1 zoning district would allow for 85+ foot wide lots.

Councilmember Massoglia indicated he supported the idea of a lake within this development.

Councilmember Larson discussed how there were currently not townhomes along Main Street/125th Avenue within The Lakes, rather the homes were setback from Main Street/125th Avenue. She stated she was not interested in rental homes on this property.

Mayor Sanders stated he believed The Lakes development was very well done, but he understood the future developer for this land would have to make the economics work for this vacant land.

Mr. Thorvig thanked the council for their feedback.

3.3. 2024-319 Temporary Signs Discussion
Sponsors: Erik Thorvig, Community Development Director

Mr. Thorvig shared that temporary sign code violations are increasing and staff is seeking feedback on current requirements. Historically, staff would periodically discuss this topic with council to understand the level of enforcement and general philosophy. This hasn't occurred in several years and staff is seeking feedback from the current council. He reported common violations include but are not limited to:

- Feather/banner signs without a permit: One feather sign with a maximum width of 3.5 feet and maximum height of 18 feet OR one banner with a maximum area of 32 square feet. The signs should be setback at least 10 feet from the property line and are not permitted within the right-of-way. Several properties have more than one

feather sign, and often a banner as well, without a permit and placed in the right-of-way.

- Temporary sign permits allow an unlimited number of signage (feathers and banners) for a total of 8-weeks per calendar year (new businesses get 10 weeks).
- Window signage is limited to a maximum of 25% coverage. Solid colored window coverings are not considered signage.

Mr. Thorvig reported sign is defined as: Any letters, words, symbols, poster, picture, device reading matter, or representation in the nature of a message, announcement, visual communication, or advertisement, whether printed, painted, posted, affixed, constructed, or displayed for the purpose of information or communication. This definition includes sign structural supports, uprights, bracing and framework. The term sign shall specifically include architectural or graphic features which are intrinsically associated with a particular product, good, service, business, firm, corporation, or profession. Images, poster, mascots are considered signage because they are associated with the nature of the business (i.e. the paw print at Pet Suites or the cow at Chick-Fil-A). Staff commented further on the usage of temporary signs in the community and requested feedback from the council on how to address this matter.

Councilmember Fleming discussed how important signage was for advertising businesses and stated she was not offended by the signs that were wrapped over stacks of tires. She indicated she wanted to see businesses succeeding in Blaine. She supported allowing these types of signs for four weeks, twice a year.

Councilmember Robertson indicated she did not support the wrapped tire stack signage. While she understood the City needed to support small and local business owners, she did not support the majority of temporary signage.

Mr. Thorvig questioned if staff should be more proactive when addressing temporary signage.

Councilmember Robertson supported the temporary signs being removed.

Mayor Sanders suggested staff be solution oriented when addressing local business owners and that staff explain what is and is not allowed within the city's sign ordinance. Mr. Thorvig indicated this has been staff's approach.

Councilmember Newland supported businesses having one temporary sign for up to four weeks, versus two signs and both being in place for eight weeks. He stated the goal would be to elevate the community and to have Blaine more reflective of Arbor Lakes in the future, especially the area surrounding 105th and Radisson Road.

Mayor Sanders wanted to see the city remain friendly to small business owners, while also cleaning up the language and reducing the amount of time temporary signs could be in place. He suggested temporary signs be in place for four weeks instead of eight weeks. He recommended staff address the temporary black signs as well.

Councilmember Robertson indicated she did not support inflatables of any kind for

temporary signs. She suggested staff consider providing new business owners with a welcome to Blaine informational packet and that temporary sign and permanent sign information be included.

Councilmember Massoglia supported the heart of the city being cleaner from temporary signage but understood this was difficult because the city wanted local businesses to succeed. He suggested staff pursue feedback from local business owners on this matter. Mr. Thorvig stated it would benefit staff to receive feedback from local business owners.

Mr. Thorvig discussed how staff has been working with Scooters Coffee on temporary signage concerns.

3.4. 2024-470 Adult-Use Cannabis Zoning Discussion
Sponsors: Erik Thorvig, Community Development Director

Mr. Thorvig stated the council discussed this item at the October 7, 2024, workshop meeting and that follow-up discussion was necessary. Adult-use cannabis was legalized in August 2023. The legislation created the framework for licensing and establishing the Office of Cannabis Management (OCM) for regulation, and requires cities to issue a retail registration to a cannabis micro business/mezzo business with a retail operation's endorsement, a cannabis retailer, medical cannabis retailer, or lower-potency hemp edible retail that:

- Has a valid license issued by the OCM.
- Has paid the registration fee.
- Is found to be in compliance with the requirements of the applicable state laws through a preliminary compliance check performed by the city.
- Is current on all property taxes and assessments at the location where the retail establishment is located.

Councilmember Larson asked if cannabis manufacturing would only occur in an industrial area. Mr. Thorvig reported this was the case, but commented on how this use could travel for up to one mile.

Councilmember Fleming indicated personally she would not like to see this use anywhere near her home and didn't think others would either.

Councilmember Newland suggested the city eliminate this particular use until the council has a better understanding on the cannabis industry.

Councilmember Fleming and Councilmember Larson agreed with this recommendation.

The city council discussed preliminary zoning regulations at the July 8, 2024, workshop. Staff reviewed the guidance that has been provided to date. Based on feedback from the workshop, staff will prepare an ordinance for review by the council at a future workshop this fall.

4. Other Business

The council discussed allotments for the city's charitable gambling funds.

5. Adjournment

The workshop was adjourned at 7:45PM.



City of Blaine

City Council Workshop

October 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, Chris Massoglia, Tom Newland, and Jess Robertson.

ABSENT: Councilmember Lori Saroya.

Quorum Present.

ALSO PRESENT: City Manager Michelle Wolfe; Community Development Director Erik Thorvig; City Planner Sheila Sellman; Police Captain Russ Clark; Finance Director Jason Zimmerman; Human Resources Manager Lori Carbajal; Public Works Director Nick Fleishhacker; City Attorney Tom Loonan; Communications Manager Ben Hayle; and City Clerk Catherine Sorensen.

3. New Business

- 3.1.** 2024-459 Closed Session Pursuant to MN Statute 13D.03 Subd. (1)(b) - Labor Negotiations Update
Sponsors: Scott Johnson, Director of Administrative Services

After a motion and second, the council moved into a closed session to receive an update on labor negotiations.

- 3.2.** 2024-460 Closed Session Pursuant to MN Statute 13D.05(3)(c)(3) - Discuss Property Purchase Offers Related to Properties Identified as PID 21-31-23-24-0009 and 21-31-23-24-0014
Sponsors: Erik Thorvig, Community Development Director

After a motion and second, the council moved into a closed session to discuss property purchase offers.

- 3.3.** 2024-495 North Metro TV (NMTV) - Merger Discussion Update
Sponsors: Michelle Wolfe, City Manager

City Manager Wolfe stated the City Council previously discussed this topic and authorized a letter to be sent to CCX TV, requesting the opportunity to explore the option of merging cable commissions. CCX TV responded that they would be open to such a discussion. North Metro Cable Commission has had discussions about this topic, with a recent vote resulting in a tie. The commission will be discussing the topic again this month. Councilmember Massoglia is Blaine's representative on the Commission, and would like the opportunity to update the council on the status of these discussions. If council is supportive of exploring a possible merger with NWSCC/CCX, and/or other options, Councilmember Massoglia will take steps to open discussions with that organization and the city's partners with NMTV.

Councilmember Massoglia provided further background information on this topic and reported city staff and CCX staff had met. He commented on the differences between NMTV and CCX. He reported this topic will be discussed again by the CCX team at their next meeting, which will be held on November 19.

Ms. Wolfe reported this topic would be further discussed by the Council in November where the pros and cons of a potential merger will be addressed.

Councilmember Newland commented on how the CCX coverage area was quite large. He indicated with NMTV, Blaine was the largest stakeholder within the group. He questioned if staff had investigated other options that would keep the city's footprint closer to the immediate area.

Councilmember Massoglia explained NMTV recently signed a contract to provide Fridley with meeting coverage and noted Fridley could be asked to see if they want to join the cable commission.

Councilmember Robertson asked what the push was to make a change.

Councilmember Massoglia stated this had to do with economies of scale. He discussed how franchise and peg fees were declining because more and more residents were dropping cable. He indicated another reason to consider the merger was to elevate the city, not that Blaine was a Top 10 city. He commented on how CCX had a larger reach throughout the metro area.

Councilmember Newland reported NMTV was founded in 1983 and at that time cable was a booming industry. He explained it made sense to put together this commission to help direct where things were going. However, the cable industry was now seeing a decline and noted this trend was universal. He anticipated CCX would feel this decline and asked it was wise for the city to join a different entity given the fact the decline was imminent.

Councilmember Massoglia indicated public access was very important and what the cable commission was trying to push for was to have fees charged to broadband subscribers. He stated these fees could then be helped to fund public access. He anticipated the federal government would have to address this issue.

Councilmember Newland asked if conversations had begun with local legislators.

Councilmember Massoglia stated it was his understanding a bill was drafted last year that would allow cities to opt in to collect PEG fees on internet.

Danika Peterson, NMTV, reported this bill gained some traction last year and made it to the floor, but got cut with the omnibus bill. She discussed how this bill would be monumental to cities.

Councilmember Newland stated he would like to see the city pursuing some type of funding solution versus just merging.

Councilmember Robertson supported the city asking more questions regarding the new funding source. She commented on the responsibilities the city had for being the largest stakeholder in NMTV. She then discussed how different the north metro was from the west metro. She indicated she did not want the city of Blaine to do any damage to another community through this process and she supported the city continuing to have dialogue on this topic. She asked if the NMTV representatives had any strong opinions on this matter.

Eric Houston, NMTV, thanked Councilmember Massoglia for bringing this topic up. He stated this has been a large learning experience for NMTV when considering options for the commission. He explained a potential merger was a large question mark and there were questions that remained unanswered. He indicated it was difficult to determine which way to move forward and he appreciated the council's dialogue. He stated he was looking for knowledge on the goals that need to be addressed by Blaine, along with the other six member cities.

Ms. Peterson reported if NMTV were to merge, while keeping the existing building and staff members, she did not see how funding could be saved, given the fact CCX's wages were 30% higher.

Mr. Houston stated he understood there was interest in expanded services for the city of Blaine, and being able to expand its footprint in the metro area. He reported if this were important to the council and the other six member cities this would be a reason to pursue the merger aggressively.

Councilmember Fleming requested further information on what NMTV meant by expanding the city's footprint. Mr. Houston stated this would mean Blaine's programming was available

to the west metro and vice versa. He indicated this would mean there were more eyes on the video content that was being created by Blaine, as well as high school sports.

Councilmember Massoglia commented on the pros and cons noting the digital reach for the city would be expanded. He reported CCX has 1.2 million visitors to their website, while NMTV has 63,000 visitors. He believed being a part of CCX would put the activities and events occurring in Blaine on the radar of peer cities across the metro in a positive way.

Ms. Wolfe stated she would want to understand where viewership was coming from.

Councilmember Massoglia understood this to be the case, and noted staff would have to take a deeper dive into the finances of a potential merger. He indicated CCX was very interested in a merger, but stated the six member cities were not as interested.

Councilmember Newland questioned how the city's cable budget would be impacted by a merger.

Councilmember Massoglia stated he did not anticipate expenditures would increase. Ms. Wolfe reported this would depend on what formula was negotiated with CCX. Mr. Houston indicated this was a difficult question to answer given how a merger was somewhat speculative.

Councilmember Newland commented there were some attractive cities within the CCX viewership. However, he noted if a broadband fee were charged, the merger may not be needed.

Ms. Peterson encouraged Blaine to further consider what their goals were when it comes to cable television. She reported she has a staff of talented TV producers and there were options depending on what the cities goals were.

Mr. Houston explained NMTV serves at the pleasure of Blaine and the other six member cities. He stated whatever the city decides, NMTV would do everything in its power to see it through to a beneficial end.

Mayor Sanders thanked Mr. Houston and Ms. Peterson for attending this meeting and sharing their feedback.

4. Other Business

Ms. Wolfe shared updates regarding an additional item on the Council agenda, Walter's CUP amendment update and proposed changes to pickup days, and the possible removal of a pier at Lochness Park.

5. Adjournment

The workshop was adjourned at 6:59PM.



City of Blaine

City Council

October 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, Chris Massoglia, Tom Newland, Jess Robertson and Lori Saroya.

ABSENT: None.

Quorum Present.

ALSO PRESENT: City Manager Michelle Wolfe; Community Development Director Erik Thorvig; City Planner Sheila Sellman; Police Captain Russ Clark; Finance Director Jason Zimmerman; Director of Administrative Services Scott Johnson; Human Resources Manager Lori Carbajal; Public Works Director Nick Fleishhacker; City Attorney Tom Loonan; Communications Manager Ben Hayle; and City Clerk Catherine Sorensen.

4. Awards - Presentations - Organizational Business

None.

5. Communications

None.

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 7:07PM.

Dr. Roger Day, 9701 Xebec Street NE, shared concerns about the lack of detail in recent meeting minutes and shared concerns about white collar crime with the state regulatory offices that was preventing residents' access to his practice. He explained the state issued an order of dismissal to his case regarding data correction through the Minnesota Department of Administration and stated this needs to be further addressed.

James Point, 2793 103rd Court NE, shared concerns both he and his neighbors have regarding the Walters Recycling CUP amendment proposal. He reported he also had concerns with the vehicle per day estimates. He recommended the city look into other vendors for organics recycling. He explained the neighbors have concerns with odors and also had a lack of confidence on how to mitigate the odors. He commented further on how the increased usage at Walter's, will greatly decrease the property values for the residents that live in The Sanctuary neighborhood. He encouraged the City Council to deny Walter's CUP.

Nathan Warner, 4324 122nd Circle NE, stated he had concerns regarding the noise and traffic that was being generated by Tommy's Car Wash. He discussed how the tunnel car wash was pointed straight at his home from sunrise to sunset every day of the week. He expressed great frustration with how the city council addressed this request. He requested a noise wall be required for this use given how close it was to residential homes.

Mark Roher, 10325 Xylite Street NE, shared comments about the tensions that were growing between residents and businesses. He understood that strategic planning was hard. He reported the city does not owe a business the right of return and in this case, the city does not have to accommodate Walter's CUP amendment as it is not a guaranteed right. He explained Walter's was asking to increase the amount of trash they manage by 2 1/2 times. He commented on how the smell has increased on the Walter's site and urged the council to deny the CUP.

There being no input, Mayor Sanders closed the Open Forum at 7:19PM.

7. Adoption of Agenda

The agenda was adopted as presented.

8. Approval of Consent Agenda:

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

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

Motion adopted unanimously.

- 8.1.** 2024-490 Schedule of Bills Paid
Sponsors: Jason Zimmerman, Finance Director
- 8.2.** 2024-493 Approval of Minutes
Sponsors: Cathy Sorensen, City Clerk
- 8.3.** 2024-488 Approve a Temporary On-Sale Intoxicating Liquor License for Giesenbrau Bier Co., for a Special Event at Thorne Bros., 10091 Central Avenue NE
Sponsors: Cathy Sorensen, City Clerk
- 8.4.** RES 23-102 Resolution Approving a Premise Permit for Lawful Gambling Activity for Centennial High School Football Boosters
Sponsors: Cathy Sorensen, City Clerk
- 8.5.** RES 24-180 Amending and Restating Resolution 24-180; Authorizing the Sale of General Obligation Improvement, Utility, and Equipment Bonds, Series 2024B, Subject to Certain Parameters; Fixing Their Form and Specifications; Directing Their Execution and Delivery; and Providing For Their Payment
Sponsors: Jason Zimmerman, Finance Director
- 8.6.** RES 24-204 Resolution to Approve the 2025 Intensive Comprehensive Peace Officer Education and Training Grant
Sponsors: Brian Podany, Safety Services Manager/Police Chief
- 8.7.** 2024-442 Authorize the Mayor and City Manager to Enter into a One-Year Contract with the State of Minnesota for a Four-day per Week Institution Community Work Crew in the Amount of \$105,500
Sponsors: Jason Grode, Deputy Public Works Director
- 8.8.** RES 24-207 Resolution Accepting a Bid from Rivard Contracting for Tree Removal Services and Authorizing Execution of an Agreement
Sponsors: Nick Fleischhacker, Public Works Director

- 8.9.** 2024-503 Approve Temporary Parking Restrictions for a Halloween Event on October 31, 2024

Sponsors: Brian Podany, Safety Services Manager/Police Chief

- 8.10.** RES 24-209 Resolution Authorizing the Mayor and City Manager to Enter into a Settlement Agreement, Waiver, and Release with Irene A. Tambyln to Acquire Temporary and Permanent Easements From Property at 12730 Lever Street NE (Anoka County Court File No. 02-CV-20-2825 and 02-CV-22-930)

Sponsors: Michelle Wolfe, City Manager

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

None.

10. Development Business

10.1. ORD 24-2566 Second Reading

Ordinance Approving Amendments to the City of Blaine Zoning Code Section 30.90 - 105th Avenue Redevelopment District (RD). EB Blaine Development LLC (Case File No. 24-0054/SAS)

Sponsors: Sheila Sellman, City Planner

City Planner Sellman stated the developer is proposing ordinance amendments to reflect the approved master plan. The proposed amendments include additions of permitted uses, reduction in conditional uses and some modifications to development standards based on the approved master plan. Some modifications for consistency within the ordinance. Staff reviewed the proposed changes in further detail; noting the full amendment is in the resolution and was recommended for approval by the Planning Commission.

Moved by Councilmember Massoglia, seconded by Councilmember Robertson, to adopt the Second Reading of Ordinance No. 24-2566, Approving Amendments to the City of Blaine Zoning Code Section 30.90 - 105th Avenue Redevelopment District (RD).

Councilmember Saroya asked questions regarding ownership for the restaurant and hotel. Will O'Keefe, Bader Development, said it was too early in the process to know ownership of the hotel and restaurant onsite.

Councilmember Saroya questioned if expansion could occur at Invictus. Mr. O'Keefe reported Invictus will benefit by the added residents and visitors to this area.

Motion adopted 6-1 (Councilmember Saroya opposed).

- 10.2.** RES 24-198 Resolution Granting a Conditional Use Permit for a Multipurpose Stadium, Building Over 50 Feet in Height, and Lighting Over 50 Feet in Height, in the 105th Redevelopment District (RD) at 1985 105th Avenue NE. EB Blaine Development LLC (Blaine Town Center Stadium) (Case File No. 24-0050/SAS)
Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated the applicant is requesting a conditional use permit for a multipurpose event stadium with a height exceeding 50 feet, and in addition, lights over 50 feet. The stadium is a 5,000 person capacity stadium that is roughly 56 feet tall, with light poles that are about 76 feet tall. It was noted the architecture for the structure meets the requirements within the 105th Avenue Redevelopment Area. Staff commented further on the proposed multipurpose stadium and reported the planning commission recommended approval.

Moved by Councilmember Massoglia, seconded by Councilmember Robertson, to adopt a Resolution Granting a Conditional Use Permit for a Multipurpose Stadium, Building Over 50 Feet in Height, and Lighting Over 50 Feet in Height, in the 105th Redevelopment District (RD) at 1985 105th Avenue NE.

Councilmember Saroya asked what type of outreach has occurred with the community and what traffic improvements will occur as a result. Ms. Sellman reported two open houses, that were very well attended, were held regarding this project and noted the AUAR outlined traffic improvements that will have to be met, noting an additional roundabout and turn lanes may be required.

Councilmember Robertson questioned how many meetings have been held to date regarding the 105th Redevelopment District. Ms. Sellman noted there have been over 70 meetings regarding this project over the past two to three years.

Councilmember Robertson stated she wanted to push back on the narrative that the city has not been available or transparent when it comes to this project. She reported this simply was not the case, noting the city had held 70 meetings, public hearings and open houses that were open to the public.

Councilmember Massoglia noted many residents are very excited about this project and reported the city will be paid back from this project through revenue sharing.

Councilmember Larson agreed everyone she has spoken to is excited about the project too and was not sure how the disconnect was occurring.

Councilmember Newland stated the closer the city gets to this project beginning, the more exciting it becomes. He reported the renderings and elevations show how exciting this project will be. He appreciated how far the city has come on this project in such a short time.

Councilmember Saroya thanked staff for the holding public hearings but expressed concern that the city was not really hearing from the residents on this project and reported she would not be in support of the motion.

Councilmember Fleming encouraged Councilmember Saroya to contact staff to learn more about the project.

Councilmember Saroya stated she was hearing from the public that baseball was outdated and she was discouraged by the fact the city did not pursue feedback from the community before moving forward with this stadium. She questioned why the city had not put forward a ballot question, like was done with the community center. Mr. Thorvig explained the community center required a ballot question per state statute because it would have required a tax levy increase. He reported this project does not require a tax levy increase and therefore a ballot question was not required.

Councilmember Saroya inquired if the \$42 million in tax abatement bonds were not paid back, would the taxpayers be responsible for this. Mr. Thorvig stated this would be the case.

Councilmember Massoglia clarified the city would not have to bond for the full amount of the project, if something horrible were to happen.

Councilmember Larson explained during the Open Forum an entire neighborhood showed up to speak about a matter they are concerned about. She believed that when residents had an item they were concerned about, they showed up and spoke out, but this this project, there has not been a room full of people speaking against it.

Councilmember Robertson called the question.

Motion adopted 6-1 (Councilmember Saroya opposed).

11. Administration

None.

12. Other Business

Moved by Councilmember Massoglia, seconded by Councilmember Robertson, to suspend the rules.

Motion passed unanimously.

Moved by Councilmember Massoglia, seconded by Councilmember Robertson, to direct staff to hold a public hearing on November 4, 2024 for the Mark West Meadows North CUP amendment and to waive the \$500 application fee in order to install a shed.

Councilmember Larson asked why Councilmember Massoglia was recommending the application fee be waived.

Councilmember Massoglia stated this was a unique situation for the property owner and an amendment was required due to a technicality of where his side and rear yard are located.

Councilmember Newland explained he did not support waiving the application fee, but could support advancing the timeframe for approval.

Councilmember Massoglia indicated he was not able to explain the entire situation with each council member prior to the meeting due to open meeting laws.

Councilmember Robertson stated this was a unique situation and noted the neighbors support the proposed shed being constructed in the applicants rear yard.

Motion passed 6-1 (Councilmember Newland opposed).

13. Adjournment

Moved by Councilmember Robertson, seconded by Councilmember Massoglia, to adjourn the meeting at 7:44PM.

Motion adopted unanimously.



City of Blaine Staff Report

File Number: RES 24-222

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

Approval of Consent Agenda: - Cathy Sorensen, City Clerk

Agenda Item # 8.3

Approve Premise Permit for Lawful Gambling Activity for Ham Lake Area Chamber of Commerce

Executive Summary

Council is being asked to approve a premise permit for Ham Lake Area Chamber of Commerce to conduct charitable gambling at The Ball Park.

Background

Carrie Falstrom, Ham Lake Area Chamber of Commerce gambling manager, has submitted an application to conduct charitable gambling at The Ball Park. If approved, they will conduct bingo at this location. A copy of the lease for lawful gambling and the premise permit application for the State Gambling Control Board are attached.

Ms. Falstrom has completed a background investigation and nothing was found to disqualify the Chamber from obtaining this permit. While the Chamber is based out of Ham Lake and doesn't meet City code definition of an eligible organization for operational requirements due to not being based in Blaine, City code does allow for council to grant a waiver of operational requirement if it is determined that the organization has significant community involvement. Any potential waiver would have to be granted per location up to the four-location limit. Attached is a summary of the Chamber's community involvement in Blaine for council consideration.

The Gambling Control Board may not issue a lease for charitable gambling within a city unless a sponsoring organization obtains approval through a resolution to the Gambling Control Board or otherwise forfeit their gambling activities.

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.

Board/Commission Review

N/A

Financial Impact

N/A

Public Outreach/Input

N/A

Staff Recommendation

Adopt a resolution approving a new premise permit to allow Ham Lake Area Chamber of Commerce to conduct charitable gambling at The Ball Park.

Attachment List

1. Ham Lake Area Chamber of Commerce Application and Lease
2. Ham Lake Area Chamber of Commerce - Donations
3. Summary - Ham Lake Area Chamber of Commerce



City of Blaine

Signature Copy

Resolution: RES 24-222

Approve Premise Permit for Lawful Gambling Activity for Ham Lake Area Chamber of Commerce

WHEREAS, the Ham Lake Area Chamber of Commerce has submitted an application for a premise permit to allow charitable gambling and raffles to be conducted at The Ball Park located at 10650 Baltimore Street, Suite 100, Blaine, Minnesota; and

WHEREAS, the Blaine City Council has determined that, based on the Ham Lake Area Chamber of Commerce's significant community involvement in Blaine, it will be granted a waiver of operational requirement; and

WHEREAS, Minnesota Statute 349.213, Subd. 2, states that the Gambling Control Board may not issue a new premise permit for charitable gambling within a city unless the city council approves the premise permit within ninety (90) days from the date of their application for the new premise permit.

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

The application for the premise permit for the purpose of conducting charitable gambling, including raffles, is hereby approved.

A certified copy of this resolution shall be provided to the applicant as soon as possible for submittal to the Gambling Control Board.

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



Signed by

Tim Sanders, Mayor

Signed by

Cathy Sorensen, CMC, City Clerk

LG214 Premises Permit Application**Annual Fee \$150 (NON-REFUNDABLE)****REQUIRED ATTACHMENTS TO LG214**

1. If the premises is leased, attach a copy of your lease. Use **LG215 Lease for Lawful Gambling Activity**.
2. \$150 annual premises permit fee, for each permit (non-refundable). Make check payable to "**State of Minnesota**."

Mail the application and required attachments to:Minnesota Gambling Control Board
1711 West County Road B, Suite 300 South
Roseville, MN 55113**Questions?** Call 651-539-1900 and ask for Licensing.**ORGANIZATION INFORMATION**

Organization Name: Ham Lake chamber of Commerce License Number: 02948
Chief Executive Officer (CEO) Tim Sofie Daytime Phone: 763-767-3034
Gambling Manager: Carrie Folstrom Daytime Phone: 612-396-9763

GAMBLING PREMISES INFORMATIONCurrent name of site where gambling will be conducted: The ball park

List any previous names for this location:

Street address where premises is located: 10650 Baltimore St NE suite 100
(Do not use a P.O. box number or mailing address.)

City: <u>Blaine</u>	OR Township:	County: <u>Anoka</u>	Zip Code: <u>55449</u>
---------------------	--------------	----------------------	------------------------

Does your organization own the building where the gambling will be conducted?

☐ Yes ☒ No If no, attach LG215 Lease for Lawful Gambling Activity.

A lease is not required if only a raffle will be conducted.

Is any other organization conducting gambling at this site? ☒ Yes ☐ No ☐ Don't know

Note: Bar bingo can only be conducted at a site where another form of lawful gambling is being conducted by the applying organization or another permitted organization. Electronic games can only be conducted at a site where paper pull-tabs are played.

Has your organization previously conducted gambling at this site? ☐ Yes ☒ No ☐ Don't know**GAMBLING BANK ACCOUNT INFORMATION; MUST BE IN MINNESOTA**

Bank Name: 21st Century Bank Bank Account Number: 5005193
Bank Street Address: 17635 Central Ave NE City: Ham Lake State: MN Zip Code: 55304

ALL TEMPORARY AND PERMANENT OFF-SITE STORAGE SPACES

Address (Do not use a P.O. box number): <u>Storage World</u> <u>10800 Hwy 105 NE Suite 1</u>	City: <u>Ham Lake</u>	State: <u>MN</u>	Zip Code: <u>55304</u>
		<u>MN</u>	
		<u>MN</u>	

ACKNOWLEDGMENT BY LOCAL UNIT OF GOVERNMENT: APPROVAL BY RESOLUTION

CITY APPROVAL for a gambling premises located within city limits	COUNTY APPROVAL for a gambling premises located in a township
City Name: _____	County Name: _____
Date Approved by City Council: _____	Date Approved by County Board: _____
Resolution Number: _____ (If none, attach meeting minutes.)	Resolution Number: _____ (If none, attach meeting minutes.)
Signature of City Personnel: _____	Signature of County Personnel: _____
Title: _____ Date Signed: _____	Title: _____ Date Signed: _____
Local unit of government must sign.	TOWNSHIP NAME: _____ Complete below only if required by the county. On behalf of the township, I acknowledge that the organization is applying to conduct gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minnesota Statutes 349.213, Subd. 2.) Print Township Name: _____ Signature of Township Officer: _____ Title: _____ Date Signed: _____

ACKNOWLEDGMENT AND OATH

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. I hereby consent that local law enforcement officers, the Board or its agents, and the commissioners of revenue or public safety and their agents may enter and inspect the premises. 2. The Board and its agents, and the commissioners of revenue and public safety and their agents, are authorized to inspect the bank records of the gambling account whenever necessary to fulfill requirements of current gambling rules and law. 3. I have read this application and all information submitted to the Board is true, accurate, and complete. 4. All required information has been fully disclosed. 5. I am the chief executive officer of the organization. | <ol style="list-style-type: none"> 6. I assume full responsibility for the fair and lawful operation of all activities to be conducted. 7. I will familiarize myself with the laws of Minnesota governing lawful gambling and rules of the Board and agree, if licensed, to abide by those laws and rules, including amendments to them. 8. Any changes in application information will be submitted to the Board no later than ten days after the change has taken effect. 9. I understand that failure to provide required information or providing false or misleading information may result in the denial or revocation of the license. 10. I understand the fee is non-refundable regardless of license approval/denial. |
|--|---|

Signature of Chief Executive Officer (designee may not sign)	Date
Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process your organization's application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to: Board members, Board staff whose work requires access to the information; Minnesota's Department of Public Safety, Attorney General, Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.	

This form will be made available in alternative format, i.e. large print, braille, upon request.

An equal opportunity employer

LG215 Lease for Lawful Gambling Activity**LEASE INFORMATION**

Organization: <u>Ham Lake Chamber of Commerce</u>	License/Site Number: <u>02948</u>	Daytime Phone: <u>612-396-9703</u>
Address: <u>15544 Central Ave. NE</u>	City: <u>Ham Lake</u>	State: Zip: <u>MN. 55304</u>
Name of Leased Premises: <u>The Ballpark</u>	Street Address: <u>10650 Baltimore St. NE Suite 100</u>	
City: <u>Blaine</u>	State: Zip: <u>MN 55449</u>	Daytime Phone: <u></u>
Name of Legal Owner: <u>Green Car ent.</u>	Business/Street Address: <u>10650 Baltimore St NE</u>	
City: <u>Blaine</u>	State: Zip: <u>MN 55449</u>	Daytime Phone: <u>763-951-0104</u>
Name of Lessor (if same as legal owner, write "SAME"): <u>Same</u>	Address: <u></u>	
City: <u></u>	State: Zip: <u></u>	Daytime Phone: <u></u>

Check applicable item:

- ☒ **New or amended lease.** Effective date: 11-1-24. Submit changes at least ten days **before** the effective date of the change.
- ☐ **New owner.** Effective date: . Submit new lease **within** ten days after new lessor assumes ownership.

CHECK ALL ACTIVITY THAT WILL BE CONDUCTED (no lease required for raffles)

- | | |
|--|---|
| ☐ Pull-Tabs (paper) | ☐ Electronic Pull-Tabs |
| ☐ Pull-Tabs (paper) with dispensing device | ☐ Electronic Linked Bingo |
| ☒ Bar Bingo ☐ Bingo | Electronic games may only be conducted: |
| ☐ Tipboards | 1. at a premises licensed for the on-sale of intoxicating liquor or the on-sale of 3.2% malt beverages; or |
| ☐ Paddlewheel ☐ Paddlewheel with table | 2. at a premises where bingo is conducted as the primary business and has a seating capacity of at least 100. |

PULL-TAB, TIPBOARD, AND PADDLEWHEEL RENT (separate rent for booth and bar ops)

BOOTH OPERATION: Some or all sales of gambling equipment are conducted by an employee/volunteer of a licensed organization at the leased premises.

ALL GAMES, including electronic games: Monthly rent to be paid: %, not to exceed **10%** of gross profits for that month.

- Total rent paid from all organizations for only booth operations at the leased premises **may not exceed \$1,750**.
- The rent cap does not include BAR OPERATION rent for electronic games conducted by the lessor.

BAR OPERATION: All sales of gambling equipment conducted by the lessor or lessor's employee.

ELECTRONIC GAMES: Monthly rent to be paid: %, not to exceed **15%** of the gross profits for that month from electronic pull-tab games and electronic linked bingo games.

ALL OTHER GAMES: Monthly rent to be paid: %, not to exceed **20%** of gross profits from all other forms of lawful gambling.

- If any booth sales conducted by a licensed organization at the premises, rent may not exceed **10%** of gross profits for that month and is subject to booth operation **\$1,750** cap.

BINGO RENT (for leased premises where bingo is the primary business conducted, such as bingo hall)

Bingo rent is limited to one of the following:

- Rent to be paid: 10%, not to exceed **10%** of the monthly gross profit from all lawful gambling activities held during bingo occasions, excluding bar bingo.
- OR -
- Rate to be paid: \$ per square foot, not to exceed 110% of a comparable cost per square foot for leased space, as approved by the director of the Gambling Control Board. The lessor must attach documentation, verified by the organization, to confirm the comparable rate and all applicable costs to be paid by the organization to the lessor.
 - ⇒ **Rent may not be paid for bar bingo.**
 - ⇒ Bar bingo does not include bingo games linked to other permitted premises.

LEASE TERMINATION CLAUSE (must be completed)

The lease may be terminated by either party with a written 30 day notice. Other terms:

LG215 Lease for Lawful Gambling Activity

6/15 Page 2 of 2

Lease Term: The term of this agreement will be concurrent with the premises permit issued by the Gambling Control Board (Board).

Management: The owner of the premises or the lessor will not manage the conduct of lawful gambling at the premises. The organization may not conduct any activity on behalf of the lessor on the leased premises.

Participation as Players Prohibited: The lessor will not participate directly or indirectly as a player in any lawful gambling conducted on the premises. The lessor's immediate family and any agents or gambling employees of the lessor will not participate as players in the conduct of lawful gambling on the premises, except as authorized by Minnesota Statutes, Section 349.181.

Illegal Gambling: The lessor is aware of the prohibition against illegal gambling in Minnesota Statutes 609.75, and the penalties for illegal gambling violations in Minnesota Rules 7865.0220, Subpart 3. In addition, the Board may authorize the organization to withhold rent for a period of up to 90 days if the Board determines that illegal gambling occurred on the premises or that the lessor or its employees participated in the illegal gambling or knew of the gambling and did not take prompt action to stop the gambling. Continued tenancy of the organization is authorized without payment of rent during the time period determined by the Board for violations of this provision, as authorized by Minnesota Statutes, Section 349.18, Subd. 1(a).

To the best of the lessor's knowledge, the lessor affirms that any and all games or devices located on the premises are not being used, and are not capable of being used, in a manner that violates the prohibitions against illegal gambling in Minnesota Statutes, Section 609.75.

Notwithstanding Minnesota Rules 7865.0220, Subpart 3, an organization must continue making rent payments under the terms of this lease, if the organization or its agents are found to be solely responsible for any illegal gambling, conducted at this site, that is prohibited by Minnesota Rules 7861.0260, Subpart 1, item H, or Minnesota Statutes, Section 609.75, unless the organization's agents responsible for the illegal gambling activity are also agents or employees of the lessor.

The lessor must not modify or terminate the lease in whole or in part because the organization reported, to a state or local law enforcement authority or to the Board, the conduct of illegal gambling activity at this site in which the organization did not participate.

Other Prohibitions: The lessor will not impose restrictions on the organization with respect to providers (distributor or linked bingo game provider) of gambling-related equipment and services or in the use of net profits for lawful purposes.

The lessor, the lessor's immediate family, any person residing in the same residence as the lessor, and any agents or employees of the lessor will not require the organization to perform any action that would violate statute or rule. The lessor must not modify or terminate this lease in whole or in part due to the lessor's violation of this provision. If there is a dispute as to whether a violation occurred, the lease will remain in effect pending a final determination by the Compliance Review Group (CRG) of the Board. The lessor agrees to arbitration when a violation of this provision is alleged. The arbitrator shall be the CRG.

Access to Permitted Premises: Consent is given to the Board and its agents, the commissioners of revenue and public safety and their agents, and law enforcement personnel to enter and inspect the permitted premises at any reasonable time during the business hours of the lessor. The organization has access to the premises during any time reasonable and when necessary for the conduct of lawful gambling.

Lessor Records: The lessor must maintain a record of all money received from the organization, and make the record available to the Board and its agents, and the commissioners of revenue and public safety and their agents upon demand. The record must be maintained for 3-1/2 years.

Rent All-Inclusive: Amounts paid as rent by the organization to the lessor are all-inclusive. No other services or expenses provided or contracted by the lessor may be paid by the organization, including but not limited to:

- trash removal
- electricity, heat
- snow removal
- storage
- janitorial and cleaning services
- other utilities or services
- lawn services
- security, security monitoring
- cost of any communication network or service required to conduct electronic pull-tabs games or electronic bingo
- in the case of bar operations, cash shortages.

Any other expenditures made by an organization that is related to a leased premises must be approved by the director of the Board. Rent payments may not be made to an individual.

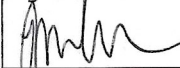
ACKNOWLEDGMENT OF LEASE TERMS

I affirm that this lease is the total and only agreement between the lessor and the organization, and that all obligations and agreements are contained in or attached to this lease and are subject to the approval of the director of the Gambling Control Board.

Other terms of the lease:

Signature of Lessor:

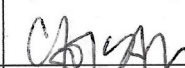
Date:



10/17/24

Signature of Organization Official (Lessee):

Date:



10-17-24

Print Name and Title of Lessor:

Ryan Carlson

Print Name and Title of Lessee:

Carrie Folstrom - Gambling Manager

Questions? Contact the Licensing Section, Gambling Control Board, at 651-539-1900. This publication will be made available in alternative format (i.e. large print, braille) upon request. **Data privacy notice:** The information requested on this form and any attachments will become public information when received by the Board, and will be used to determine your compliance with Minnesota statutes and rules governing lawful gambling activities.

Mail or fax lease to:

Minnesota Gambling Control Board
1711 W. County Road B, Suite 300 South
Roseville, MN 55113

Fax: 651-639-4032



Our Charitable Gambling donations are focused on giving back directly to our local community. In 2023, Ham Lake Area Chamber of Commerce gave back a total of **\$446,325.35 The following organizations received donations in 2023:**

- Achieve Services
 - Andover Athletic Association
 - Andover HS Community Scholarship
 - Andover HS Senior Party Association
 - Andover HS Swim and Dive
 - Andover HS Drama Choir Parent Org
 - Anoka-Hennepin Educational Foundation
 - Anoka County ASCO & Veteran Services
 - Arthritis Foundation JIA
 - Bikes 4 Kids
 - Blaine Area Little League
 - Blaine Boys Basketball Volunteers
 - Blaine Boys Golf
 - Blaine Community Scholarship
 - Blaine Dance Team
 - Blaine HS Alpine Ski Team
 - Blaine HS Band
 - Blaine HS Bowling
 - Blaine HS Cheer Boosters
 - Blaine HS Girls Basketball Booster Club
 - Blaine HS Girls Lacrosse
 - Blaine HS Robotics Association
 - Blaine HS Swim and Dive
 - Blaine HS Trap Shooting Boosters
 - Blaine Nordic Booster Club
 - Blaine HS Senior Party
 - Blaine Youth Basketball
 - Blaine Youth Lacrosse Association
 - Brown Boys Benefit
 - BSA Troops 3506, 3509 & 5509 Ham Lake
 - Cars for Neighbors
 - Christmas Committee, Inc (Toys for Joy)
 - City of Ham Lake
 - Clearview Works, Inc.
 - Coon Rapids HS Boys Basketball
 - Coon Rapids HS Boys Nordic Ski Team
 - Coon Rapids HS Boys Soccer Club
 - Coon Rapids HS Boys Track & Field
 - Coon Rapids Competition Cheer
 - Coon Rapids Girls Basketball Boosters
 - Cub Scout Pack 508
- Dylan Witschen Foundation
 - East Bethel Booster Days
 - East Bethel Fire Auxiliary
 - Elevate Hope House
 - Every Meal
 - Family Pathways
 - Family Promise in Anoka County
 - Four Seasons Curling Club
 - Foundations Christian Academy
 - Glen Cary Lutheran Church
 - Granny's Closet
 - Ham Lake Senior Center
 - Hometown Hero Outdoors
 - IBC Youth Bowling
 - Impact Services
 - Invisible Wounds
 - Jam HOPE Foundation
 - Lee Carlson Center
 - Lupus Research Foundation
 - Majestic Oaks/DKM Community Foundation
 - Midwest Special Services
 - Minnesota 100 Club
 - Minnesota Chiefs of Police Association
 - Minnesota Warriors Ice Hockey
 - Minnesota Freeze Basketball
 - Mom's Haven of Hope
 - North Anoka County Emergency Food Shelf
 - Northwoods Humane Society
 - Stories Foundation
 - Superman Sam's Survival Kit
 - The Dwelling Place
 - Univ of Minnesota ALD Research
 - Wishes & More
 - Yaya Foundation 4H Leukodystrophy
 - Youth First Community of Promise
 - Youth Investment Foundation Timber Bay
- Patriot Assistance Dogs
 - The Reel Hope Project
 - Ronnie's Fight for CDH
 - Rum River Art Center
 - Rum River Assoc. of Families and Teachers
 - Safe Haven Foster Shoppe
 - Soderville Blaine Athletic Association
 - SLP Band Boosters
 - SLP Girls Basketball
 - SLP HS Girls Soccer
 - SLP Youth Fastpitch Softball Association
 - SparkPath
 - St. Francis Elementary Association of Parents and Teachers
 - St. Francis Gladiators Wrestling Club
 - St. Francis HS All Night Party
 - St. Francis HS Scholarship Fund
 - Stepping Stone Emergency Housing



Follow us on Facebook!
 **@hlacccharitablegambling**

**Making a difference in
our community, one
bingo, pull tab, and
meat raffle at a time!**
LIC # 02948

My name is Carrie Folstrom. I am the Gambling Manager for the Ham Lake Chamber of Commerce. Our organization has been invited into The Ballpark to conduct bingo. Our Ham Lake Area Chamber of Commerce Charitable Gambling has been an organization that focuses on giving locally to a multitude of non-profits in which the majority of the donations are given to Blaine based youth and non profit organizations. We also give a significant amount within our surrounding communities of Ham Lake, Andover, Coon Rapids and Anoka County based non profits particularly those that provide basic human needs such as food shelves, homeless assistance and shelter, health and human services and mental health facilities. In 2023, we gave a total of \$93,349 to youth sports and youth activity organizations based in Blaine alone. This number is just for the youth in Blaine and came from a total community giving of \$446,325 from last year. We are fortunate to have had a very successful charitable gambling year last year and are looking forward to working with The Ballpark in Blaine to continue providing donations to local charities and youth. Attached is the full list of the organizations that we were able to support last year which demonstrates our dedication, presence and commitment to our community.



City of Blaine Staff Report

File Number: 2024-489

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

Approval of Consent Agenda: -

Agenda Item # 8.4

Approve a Tobacco and Tobacco Products License for VPS Global Solutions LLC DBA MGM Wine & Spirits

Executive Summary

Council is asked to approve a tobacco and tobacco products license which will allow the applicant to sell tobacco products.

Background

Pranitha Rachakatla, applicant, is purchasing the current MGM Wine & Spirits and has applied for a tobacco and tobacco products license for VPS Global Solutions LLC DBA MGM Wine & Spirits located at 255 County Road 10 NE. The applicant has met the licensing requirements by completing all necessary forms and paying associated fees. Blaine Police Department has conducted a background investigation on the applicant and found no reason to deny the license. If approved, the tobacco license will be effective through December 31, 2024. As a reminder, council recently adopted a cap on the number and type of licenses to 50 licenses in conjunction with other uses and 12 tobacco products stores only. If approved the ratio would be the same as it currently is today and below the adopted cap; 44 licenses in conjunction with other uses and 11 tobacco products store licenses.

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.

Board/Commission Review

N/A

Financial Impact

Issuance of the license, including background check, 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 a tobacco and tobacco products license for VPS Global Solutions LLC DBA MGM Wine & Spirits located at 255 County Road 10 NE.

Attachment List

None



City of Blaine Staff Report

File Number: RES 24-216

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

Approval of Consent Agenda: - Jason Zimmerman, Finance Director

Agenda Item # 8.5

Resolution Accepting SCORE Grant Funds and Authorizing the Mayor and City Manager to Execute the 2025 Agreement for The Residential Recycling Program

Executive Summary

Council is requested to consider accepting SCORE grant funds and authorizing the Mayor and City Manager to execute the 2025 Agreement for The Residential Recycling Program with Anoka County. These funds will be used to help fund recycling and recycling education activities.

Background

In 1980, the Minnesota Legislature adopted the Waste Management Act. Part of this law required counties to reduce the amount of solid waste generated. As part of Anoka County's Solid Waste Management Plan, Select Committee on Recycling and the Environment (SCORE) funds are made available to municipalities to help fund recycling programs and related recycling education activities. Additional funding is also available to fund recycling and organics diversion programs for large community events and to help assist multi-unit complexes in promoting and expanding their recycling programs. These funds come in part from a State of Minnesota sales tax on solid waste management.

For the period of January through December 31, 2025, Blaine is eligible to receive revenues of up to \$156,517. The execution of a Joint Powers Agreement will allow the transfer of anticipated funding from Anoka County to Blaine's sanitation fund.

Strategic Plan Relationship

SCORE funds provide a revenue source for recycling efforts and help achieve the financial stability of the city's sanitation fund.

Board/Commission Review

Not required.

Financial Impact

SCORE funds allow the city to maintain affordable sanitation and recycling utility rates for Blaine.

Public Outreach/Input

Not required.

Staff Recommendation

By Motion, approve the 2024 SCORE Grant funding agreement with Anoka County and authorize the Mayor and City Manager to execute the agreement.

Attachment List

1. City of Blaine SCORE Contract 2025



City of Blaine

Signature Copy

Resolution: RES 24-216

Resolution Accepting SCORE Grant Funds and Authorizing the Mayor and City Manager to Execute the 2025 Agreement for The Residential Recycling Program

WHEREAS, the City of Blaine ("City") prepared a grant proposal for the purpose of funding expenses for programs to encourage and provide opportunities for residential recycling and waste reduction; and

WHEREAS, the City of Blaine's Select Committee on Recycling and the Environment (SCORE) grant application was accepted and approved; and

WHEREAS, Anoka County selected the City to receive grant funding up to \$156,517; and

WHEREAS, Anoka County requires that the City of Blaine enter into an agreement that identifies the terms and conditions of the funding award; and

WHEREAS, Minnesota Statute §465.03 requires the City to accept grants by resolution expressing the terms prescribed by the donor in full; and

WHEREAS, a resolution from the City Council authorizing the City of Blaine to accept grants is required.

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

1. Acceptance of grant title funding for the City of Blaine is hereby authorized in accordance with the terms set forth herein.
2. The Mayor and City Manager are hereby authorized to execute the grant agreement with Anoka County.

PASSED by the City Council of the City of Blaine on this 4th day of November 2024.



Signed by

Tim Sanders, Mayor

Signed by

Cathy Sorensen, CMC, City Clerk

Anoka County Contract # C0011008

2025 AGREEMENT FOR RESIDENTIAL RECYCLING PROGRAM

THIS AGREEMENT made and entered into on the 1st day of January 2025, notwithstanding the date of the signatures of the parties, between the COUNTY OF ANOKA, State of Minnesota, hereinafter referred to as the "COUNTY", and the CITY OF BLAINE, hereinafter referred to as the "MUNICIPALITY".

WITNESSETH:

WHEREAS, the County will receive funding from the State of Minnesota pursuant to Minn. Stat. § 115A.557, the Select Committee on Recycling and the Environment (hereinafter "SCORE funds") during 2025 which must be used to encourage and improve recycling and a portion must be specifically directed to recycling source -separated compostable materials; and

WHEREAS, the County will also receive funding pursuant to Minn. Stat. § 473.8441, Local Recycling Development Grants (hereinafter "LRDG funds") during 2025; and

WHEREAS, the County also has additional budgeted program funding available to supplement SCORE and LRDG funds for solid waste recycling programs, so that the available amount for the Residential Recycling Program is \$1,620,370.50; and

WHEREAS, the County Solid Waste Management Master Plan 2018 (Master Plan 2018) and the Minnesota Pollution Control Agency (hereinafter "MPCA") Metropolitan Solid Waste Management Policy Plan 2016-2036 state that MSW generated in the County that is not reused, recycled, or composted, will be processed to the extent that processing capacity is available; and

WHEREAS, the Master Plan 2018 was developed with the participation of a representative from the Municipality staff, and the Municipality is required to develop and implement programs, practices, or methods designed to meet waste abatement goals by Minn. Stat. § 115A.551, Subd 2a. (b).; and

WHEREAS, the County wishes to assist the Municipality in meeting recycling goals established by Anoka County by providing said SCORE, LRDG, and County budgeted program funds to cities and townships in the County for solid waste recycling programs.

NOW, THEREFORE, in consideration of the mutual covenants and promises contained in this Agreement, the parties mutually agree to the following terms and conditions:

1. **PURPOSE AND CONTRACT DOCUMENTS.** The purpose of this Agreement is to provide for cooperation between the County and the Municipality to implement solid waste recycling programs in the Municipality which will help the County and member municipalities meet the goals set in the current Anoka County Solid Waste Management Master Plan. The County and the Municipality agree that the information provided in the recitals above is to be incorporated into the purpose of this agreement.

The Anoka County Municipal Waste Abatement Grant Program (hereinafter "Grant Program") Contract Documents include: the **Anoka County Municipal Waste**

Abatement Grant Funding Application submitted by the Municipality for the current contract year, and the **Grant Funding Award** issued by Anoka County for the current contract year. These documents are incorporated into this agreement by reference and are components of the entire contract package. The order of precedence of these documents in the event of inconsistency or ambiguity shall be resolved in the following order: 1) this **Agreement for Residential Recycling Program**; 2) **Grant Funding Award**; and 3) **Anoka County Municipal Waste Abatement Grant Funding Application**.

2. **TERM.** The term of this Agreement is from January 1, 2025, through December 31, 2025, unless earlier terminated as provided herein.
3. **DEFINITIONS.** Defined terms contained in this Agreement and all the attachments are found in Minn. Stat. § 115A.03; 115A.471; and 115A.552. The use of capitalization for defined terms has no special effect. Additionally:
 - a. “Full-Service Recycling Drop-off Center” means centralized permanent drop-off center that is open at least two times a week and accepts at least four types of materials beyond traditional curbside recyclables, i.e.: mattresses, appliances, scrap metal, furniture, source-separated compostable materials, electronics, etc.
 - b. “Multi-family dwellings” means households within apartment complexes, condominiums, townhomes, mobile homes, and senior housing complexes.
 - c. “Community Partner” means community festivals which appear to the public to be supported and run by the Municipality but in fact are sponsored or co-sponsored by a municipality or an independent non-profit 501c (3) organization, for example: the Anoka Halloween Parade.
4. **ELIGIBILITY FOR FUNDS.** Per Minn. Stat. § 115A.557, Subd. 1, funding eligibility is based primarily on population, with a minimum funding floor. For 2025, the County has determined that funding will be determined by the Grant Program funding application. The Municipality is entitled to receive reimbursement for eligible expenses, less revenues or other reimbursement received, for eligible activities up to the project maximum, which shall not exceed \$156,517.00. The Municipality shall be provided documentation of the funding award determination and rationale as indicated by the approved 2025 Grant Program Funding Application.

The County reserves the right to assess reimbursement reporting status for each municipality mid-year and recommend funding adjustments as determined by the County Program Specialist managing the Grant Program.

The County also reserves the right to withdraw reimbursement of approved expenses if the requirements noted in section 6. of this contract are not met.

The County also reserves the ability to assess the programs and reallocate unused SCORE and/or, LRDG funds mid-year if any participating municipality demonstrates the need for the funding and funds are available. The Municipality shall be provided documentation of the Grant Program funding award determination and rationale as indicated by the 2025 Grant Program Funding Award.

5. **PROGRAM.** The Municipality shall develop and implement a residential solid waste recycling program adequate to meet the Municipality's annual recycling goal of 7,636 tons of recyclable and source-separated compostable materials as established by the County. The Municipality shall ensure that the recyclable materials collected are delivered to processors or end markets for recycling or composting.
 - a. The Municipal recycling program shall include the following components:
 - i. Per Minn. Stat. § 115A.552, each household (including both single and Multi-family dwellings) in the Municipality shall have the Opportunity to Recycle at least four broad types of materials, including but not limited to, paper (including cardboard/paperboard cartons), glass, plastic, and metal.
 - ii. The recycling (including any organics) program shall be operated in compliance with all applicable federal, state, and local laws, ordinances, rules, and regulations.
 - iii. The Municipality shall implement a public information program that contains at least one of the following components:
 - (1) One promotional mailing to each household focused exclusively on the Municipality's recycling and source-separated compostable materials program;
 - (2) One promotional advertisement detailing recycling and source-separated compostable materials opportunities available for residents included in the Municipality's newsletter or local newspaper; or
 - (3) Two community outreach activities at Municipal or Community Partner events to inform residents about recycling and source-separated compostable materials opportunities.
 - iv. The public information components listed above shall focus on all recyclable materials and the various opportunities to recycle and compost source-separated compostable materials within the Municipality. The Municipality shall incorporate County/regional/State campaigns and images and use the toolkits provided by the County when preparing promotional materials. The Municipality, on an ongoing basis, shall identify new residents and provide detailed information on the recycling opportunities available to these new residents. The County shall work with the Municipality on promotional materials to coordinate messages. The Municipality shall provide promotional materials to the County for review prior to publication to ensure accuracy.
 - v. The Municipality shall offer a minimum of one spring or fall recycling drop-off event where items not normally accepted at the curb are collected for recycling. If the Municipality is hosting a monthly drop-off as described below, the spring/fall recycling drop-off events may be included within that program.
 - b. The Municipality is encouraged to expand its recycling program to include one or more of the following components in order to receive additional funding.

- i. Organize monthly/quarterly recycling drop-off events which can be held in conjunction with a neighboring municipality(ies) on a cooperative basis for the citizens of both/all municipalities.
- ii. Provide a community event recycling program, which at a minimum would consist of providing recycling opportunities at all Municipal sponsored or Community Partner events and festivals as required by Minn. Stat. § 115A.151. The feasibility of adding source-separated compostable material collection at the event will be explored, and if feasible, implemented as an enhancement to the waste abatement program.
- iii. Provide the opportunity for citizens to engage in recycling activities at Municipal and Community Partner facilities as required by Minn. Stat. § 115A.151 such as athletic fields and public centers.
- iv. Organize and manage a Full-Service Recycling Drop-off Center.
- v. Implement enhanced recycling promotion and assistance for Multi-family dwellings.
- vi. Develop additional opportunities for source-separated compostable materials collection.
- vii. Develop and implement additional opportunities to recycle bulky and problem materials (e.g., appliances, batteries, electronics, fluorescent lamps, mattresses, oil, scrap metal, etc.) from residents on an on-going basis either curbside or at a drop-off.
- c. If the Municipality's recycling program did not achieve the Municipality's recycling goals as established by the County for the prior calendar year, the Municipality shall work with the County to prepare a plan to achieve the recycling goals set forth in this Agreement.
- d. The Municipality's recycling program shall be limited to residential programming for funding reimbursements under this Agreement. The County will not reimburse business recycling programming or household hazardous waste programming by the Municipality. Any inquiries or requests regarding these topics should be sent to the County for response.
- e. In addition to the above requirements designed to increase residential recycling opportunities, the Municipality shall provide recycling opportunities in all municipal buildings including but not limited to, city offices, public meeting rooms and parks, as required by Minn. Stat. § 115A.151.
- f. If the Municipality requests reimbursement for park/public entity recycling/organics/trash waste systems/containers, the Municipality needs to work with the County before an order is placed to make sure the containers are consistent with the requirements set forth by the County for colors e.g. (blue for recycling, green for organics and gray or black for trash), openings and labels.

- g. Pursuant to Minn. Stat. §§ 115A. 46, 115A.471 and 473.848, all waste generated by municipal government activities (including city/town halls, public works and public safety buildings, parks, and libraries, and for municipalities that arrange for waste services on behalf of their residents (organized collection)) shall be delivered to a waste processing plant for disposal as long as capacity is available. Failure to comply with this provision shall constitute a breach of this Agreement resulting in the loss of all Grant Funding unless, pursuant to statute, the Municipality has conferred with the County and developed a plan to comply within a reasonable period of time.
6. **REPORTING.** The Municipality shall submit the following forms via Re-TRAC: application, reimbursement, and tonnage report forms to the County on the schedule noted below:
- a. June 2, 2025 – Deadline for submitting via Re-TRAC the 2026 Anoka County Municipal Waste Abatement Grant Funding Application and all required attachments
 - b. July 11, 2025 – Deadline for submitting via Re-TRAC the 2025 January – June Anoka County Municipal Reimbursement Report Form and all required attachments
 - c. July 31, 2025 – Deadline for submitting via Re-TRAC the 2025 January – June Anoka County Municipal Tonnage Report Form and all required attachments
 - d. November 14, 2025 – Deadline for submitting via DocuSign the signed 2026 Agreement for Residential Recycling Program
 - e. January 9, 2026 – Deadline for submitting via Re-TRAC the 2025 July – December Anoka County Municipal Reimbursement Report Form and all required attachments
 - f. January 30, 2026 – Deadline for submitting via Re-TRAC the 2025 July – December Anoka County Municipal Tonnage Report Form and all required attachments
 - g. For the Anoka County **Municipal Waste Abatement Grant Funding Application, using set categories in Re-TRAC**, the:
 - Municipality is required to follow application instructions
 - Municipality must refer to list of eligible expenses when completing the application
 - Municipality is required to upload in Re-TRAC a complete and accurate 2025 Staffing Metric and Drop-off Calculator
 - Municipality is required to upload in Re-TRAC a complete and accurate .pdf file of up-to-date promotions listing collection opportunities at curbside, permanent drop-off centers or other special events
 - h. For the Anoka County **Municipal Reimbursement Report Form, using set categories in Re-TRAC**, the:
 - Municipality is required to follow reimbursement form instructions

- Municipality must refer to list of eligible expenses when completing the reimbursement form
 - If the Municipality is being audited, the Municipality must provide a full accounting of the expenses incurred that have been approved in the 2025 Municipal Waste Abatement Grant Funding Application
 - Municipality is required to upload in Re-TRAC a complete and accurate Reimbursement Worksheet which matches the amounts entered in the associated sections in the Re-TRAC Reimbursement Report Form
 - Information regarding any revenue received from sources other than the County, for the Municipality's recycling and source-separated organics programs, i.e., revenue taken in from the sale of recyclables and fees collected from residents, shall be reported
 - Copies of all promotional materials that have been prepared by the Municipality during each reporting period shall be uploaded in the Re-TRAC Reimbursement Report Form
- i. For the **Municipal Tonnage Report Form**, using **set categories in Re-TRAC**, the:
- Municipality is required to follow tonnage report form instructions
 - Municipality shall keep detailed records documenting the disposition of all recyclable materials collected pursuant to this Agreement
 - When calculating all tonnage categories, weight slips from haulers and end markets are required. If weight slips cannot be obtained, written documentation of the quantity and type of material being reused, recycled, or composted must be provided
 - Using quantity and type of material, the Municipality shall use the conversion factors provided by the County to determine the tonnage
 - If County conversion factors do not apply to any given materials, a description of the methodology used for calculations must be provided to the County
 - If the Municipality is being audited, the Municipality must provide a full accounting of the amount of waste which has been reused, recycled, and composted due to the Municipality's activities and the efforts of other community programs, redemption centers and drop-off centers
 - Municipality is required to upload in Re-TRAC a complete and accurate Tonnage Worksheet which matches the amounts entered in the associated sections in the Re-TRAC Tonnage Report Form
 - For waste abatement programs run by other persons or entities, the Municipality shall provide documentation of materials recycled by the Municipality's residents through these other programs
- j. The Municipality agrees to support County efforts in obtaining hauler reports by ensuring compliance through ordinance, contract or license requirements and the ability to exercise punitive actions, if needed.
- k. The Municipality agrees to furnish the County with additional reports in form and at frequencies requested by the County for financial evaluation, program management purposes, and reporting to the State of Minnesota.

7. **REIMBURSEMENT PAYMENT PROCEDURE.** Approved grant reimbursement payments shall be paid in accordance with standard County procedures, subject to the approval of the Anoka County Board of Commissioners. Payments will not be made until the set contract deadlines are met.
8. **PUBLICATIONS.** The Municipality shall acknowledge the financial assistance of Anoka County on all promotional materials, reports and publications relating to the activities funded under this Agreement, by including the following acknowledgement: "Funded by the Anoka County Board of Commissioners and State SCORE funds." The Municipality shall provide to the County copies of all promotional materials funded by this grant.

The County shall provide to the Municipalities printed public information pieces about County programs and topics developed by the Recycling Education Committee (REC). The Municipality shall not modify County provided publications and promotional materials.

Information about all County programs and drop-off sites that a Municipality plans to publish in a Municipal communication, printed, electronic, or on social media platforms shall be provided to the County for review and approved by the County prior to publication. This includes all information related to County waste prevention, reduction, recycling programs, County household hazardous waste operations and the County compost sites.

To ensure content accuracy and message consistency throughout the region, any technical information about waste prevention, reduction, recycling, composting and household hazardous waste should be provided to the County for review, before it is printed, to verify that it is correct information for Anoka County. Information copied from the Internet may not be accurate for the twin cities metro area.

9. **INDEMNIFICATION.** The County agrees to indemnify, defend, and hold the Municipality harmless from all claims, demands, and causes of action of any kind or character, including the cost of defense thereof, resulting from the acts or omissions of its public officials, officers, agents, employees, and contractors relating to activities performed by the County under this Agreement.

The Municipality agrees to indemnify, defend, and hold the County harmless from all claims, demands, and causes of action of any kind or character, including the cost of defense thereof, resulting from the acts or omissions of its public officials, officers, agents, employees, and contractors relating to activities performed by the Municipality under this Agreement.

The provisions of this subdivision shall survive the termination or expiration of the term of this Agreement.

10. **GENERAL PROVISIONS.**

- a. In performing the provisions of this Agreement, both parties agree to comply with all applicable federal, state, or local laws, ordinances, rules, regulations, or

standards established by any agency or special governmental unit which are now or hereafter promulgated insofar as they relate to performance of the provisions of this Agreement. In addition, the Municipality shall comply with all applicable requirements of the State of Minnesota for the use of SCORE funds provided to the Municipality by the County under this Agreement. The Municipality shall also comply with all relevant portions of the current Anoka County Solid Waste Management Master Plan and shall participate in the preparation of the successor Master Plans.

- b. If the Municipality utilizes the services of a subcontractor for purposes of meeting requirements herein, the Municipality shall be responsible for the performance of all such subcontracts and shall ensure that the subcontractors perform fully the terms of the subcontract. The agreement between the Municipality and a subcontractor shall obligate the subcontractor to comply fully with the terms of this Agreement.
- c. It is understood and agreed that the entire agreement is contained herein, and that this Agreement supersedes all oral and written agreements and negotiations between the parties relating to the subject matter hereof.
- d. Any amendments, alterations, variations, modifications, or waivers of this Agreement shall be valid only when they have been reduced to writing, duly signed by the parties.
- e. The provisions of this Agreement are severable. If any paragraph, section, subdivision, sentence, clause, or phrase of this Agreement is for any reason held to be contrary to law, such decision shall not affect the remaining portion of this Agreement.
- f. Nothing in this Agreement shall be construed as creating the relationship of co-partners, joint venturers, or an association between the County and the Municipality, nor shall the Municipality, its employees, agents, or representatives be considered employees, agents, or representatives of the County for any purpose.
- g. The Municipality shall maintain financial and other records and accounts in accordance with requirements of the County and the State of Minnesota. The Municipality shall maintain strict accountability of all funds and maintain records of all receipts and disbursements. Such records and accounts shall be maintained in a form which will permit the tracing of funds and program income to final expenditure. The Municipality shall maintain records sufficient to reflect that all funds received under this Agreement were expended in accordance with Minn. Stat. § 115A.557, Subd. 2, for residential solid waste recycling purposes. The Municipality shall also maintain records of the quantities of materials recycled. All records and accounts shall be retained as provided by law, but in no event for a period of less than five years from the last receipt of payment from the County pursuant to this Agreement.
- h. Pursuant to Minn. Stat. § 16C.05, the Municipality shall allow the County or other persons or agencies authorized by the County, and the State of Minnesota, including the Legislative Auditor or the State Auditor, access to the records of the

Municipality at reasonable hours, including all books, records, documents, and accounting procedures and practices of the Municipality relevant to the subject matter of the Agreement, for purposes of audit. In addition, the County shall have access to the project site(s), if any, at reasonable hours.

- i. The County reserves the right to withdraw reimbursement of approved expenses if the Municipality does not comply with state law or the County's Solid Waste Ordinance.
11. **TERMINATION.** This Agreement may be terminated by mutual written agreement of the parties or by either party, with or without cause, by giving not less than seven (7) days' written notice, delivered by mail or in person to the other party, specifying the date of termination. If this Agreement is terminated, assets acquired in whole or in part with funds provided under this Agreement shall be the property of the Municipality so long as said assets are used by the Municipality for the purpose of a landfill abatement program approved by the County.

(SIGNATURE PAGE TO FOLLOW)

IN WITNESS WHEREOF, the parties hereunto set their hands.

CITY OF BLAINE

By: _____
Tim Sanders, Mayor

Date: _____

By: _____
Michelle Wolfe, City Manager

Date: _____

COUNTY OF ANOKA

By: _____
Jim Dickinson
County Administrator

Date: _____

Approved as to form and legality:

By: _____
Kurt Deile
Assistant County Attorney

Date: _____

Attachment A

Minnesota Statutes Referenced in Agreement for Residential Recycling Program

Chapter 115A WASTE MANAGEMENT

Minn. Stat. §115A.03 Definitions

Subdivision 1. **Applicability.**

For the purposes of this chapter, the terms defined in this section have the meanings given them, unless the context requires otherwise.

Subd. 2. **Agency.**

"Agency" means the Pollution Control Agency.

Subd. 3.

[Repealed, [1989 c 335 art 1 s 270](#)]

Subd. 3a. **Arrange for management.**

"Arrange for management" means an activity undertaken by a person that determines the ultimate disposition of solid waste that is under the control of the person, including delivery of the waste to a transfer station for transport to another solid waste management facility. Knowledge of the destination of waste by a generator is by itself insufficient for arranging for management unless the generator knows that the destination is an environmentally inferior facility as defined in this section, has the ability to redirect the waste to an environmentally superior facility and ensure its delivery to that facility, and chooses not to redirect the waste.

Subd. 4. **Cities.**

"Cities" means statutory and home rule charter cities and towns authorized to plan under sections [462.351](#) to [462.364](#).

Subd. 5. **Collection.**

"Collection" means the aggregation of waste from the place at which it is generated and includes all activities up to the time the waste is delivered to a waste facility.

Subd. 6. **Commercial waste facility.**

"Commercial waste facility" means a waste facility established and permitted to sell waste processing or disposal services to generators other than the owner and operator of the facility.

Subd. 6a. **Commissioner.**

"Commissioner" means the commissioner of the Pollution Control Agency.

Subd. 7. Construction debris.

"Construction debris" means waste building materials, packaging, and rubble resulting from construction, remodeling, repair, and demolition of buildings and roads.

Subd. 7a. Containment.

"Containment" means isolating, controlling, and monitoring waste in a waste facility in order to prevent a release of waste from the facility that would have an adverse impact upon human health and the environment.

Subd. 8. Development region.

"Development region" means a region designated pursuant to sections [462.381](#) to [462.397](#).

Subd. 8a.

[Repealed, [1Sp2005 c 1 art 2 s 162](#)]

Subd. 9. Disposal or dispose.

"Disposal" or "dispose" means the discharge, deposit, injection, dumping, spilling, leaking, or placing of any waste into or on any land or water so that the waste or any constituent thereof may enter the environment or be emitted into the air, or discharged into any waters, including groundwaters.

Subd. 10. Disposal facility.

"Disposal facility" means a waste facility permitted by the agency that is designed or operated for the purpose of disposing of waste on or in the land, together with any appurtenant facilities needed to process waste for disposal or transfer to another waste facility.

Subd. 10a. Environmentally inferior.

"Environmentally inferior" means a solid waste management method that is lower on the list of preferred waste management methods in section [115A.02](#) than a solid waste management method chosen by a county or, as applied to a facility, means a waste management facility that utilizes a waste management method that is lower on the list of preferred waste management methods than the waste management method chosen by a county. In addition, as applied to disposal facilities, a facility that does not meet the standards for new facilities in Code of Federal Regulations, title 40, chapters 257 and 258, is environmentally inferior to a facility that does meet these standards.

Subd. 11. Generation.

"Generation" means the act or process of producing waste.

Subd. 12. Generator.

"Generator" means any person who generates waste.

Subd. 13. Hazardous waste.

"Hazardous waste" has the meaning given it in section [116.06, subdivision 11](#).

Subd. 13a. Industrial waste.

"Industrial waste" means solid waste resulting from an industrial, manufacturing, service, or commercial activity that is managed as a separate waste stream.

Subd. 14. Intrinsic hazard.

"Intrinsic hazard" of a waste means the propensity of the waste to migrate in the environment, and thereby to become exposed to the public, and the significance of the harm or damage likely to result from exposure of natural resources or the public to the waste, as a result of such inherent or induced attributes of the waste as its chemical and physical stability, solubility, bioconcentratability, toxicity, flammability, and corrosivity.

Subd. 15. Intrinsic suitability.

(a) "Intrinsic suitability" of a land area or site means that, based on existing data on the inherent and natural attributes, physical features, and location of the land area or site, there is no known reason why the waste facility proposed to be located in the area or site cannot reasonably be expected to qualify for permits in accordance with agency rules. Agency certification of intrinsic suitability shall be based on data submitted to the agency by the proposing entity and data included by the administrative law judge in the record of any public hearing on recommended certification, and applied against criteria in agency rules and any additional criteria developed by the agency in effect at the time the proposing entity submits the site for certification.

(b) In the event that all candidate sites selected by the board before May 3, 1984, are eliminated from further consideration and a new search for candidate sites is commenced, "intrinsic suitability" of a land area or site shall mean that, because of the inherent and natural attributes, physical features, and location of the land area or site, the waste facility proposed to be located in the area or site would not be likely to result in material harm to the public health and safety and natural resources and that therefore the proposed facility can reasonably be expected to qualify for permits in accordance with agency rules.

Subd. 16.

[Repealed, [1997 c 7 art 1 s 26](#)]

Subd. 17. Local government unit.

"Local government unit" means cities, towns, and counties.

Subd. 17a. Major appliances.

"Major appliances" means clothes washers and dryers, dishwashers, hot water heaters, heat pumps, furnaces, garbage disposals, trash compactors, conventional and microwave ovens, ranges and stoves, air conditioners, dehumidifiers, refrigerators, and freezers.

Subd. 18. Metropolitan area.

"Metropolitan area" has the meaning given it in section [473.121](#).

Subd. 19. Metropolitan Council.

"Metropolitan Council" means the council established in chapter 473.

Subd. 20.

[Repealed, [1994 c 628 art 3 s 209](#)]

Subd. 21. **Mixed municipal solid waste.**

(a) "Mixed municipal solid waste" means garbage, refuse, and other solid waste from residential, commercial, industrial, and community activities that the generator of the waste aggregates for collection, except as provided in paragraph (b).

(b) Mixed municipal solid waste does not include auto hulks, street sweepings, ash, construction debris, mining waste, sludges, tree and agricultural wastes, tires, lead acid batteries, motor and vehicle fluids and filters, and other materials collected, processed, and disposed of as separate waste streams.

Subd. 22. **Natural resources.**

"Natural resources" has the meaning given it in chapter 116B.

Subd. 22a.

[Repealed, [1Sp2005 c 1 art 2 s 162](#)]

Subd. 22b. **Packaging.**

"Packaging" means a container and any appurtenant material that provide a means of transporting, marketing, protecting, or handling a product. "Packaging" includes pallets and packing such as blocking, bracing, cushioning, weatherproofing, strapping, coatings, closures, inks, dyes, pigments, and labels.

Subd. 23. **Person.**

"Person" has the meaning given it in section [116.06](#), but does not include the Pollution Control Agency.

Subd. 24. **Political subdivision.**

"Political subdivision" means any municipal corporation, governmental subdivision of the state, local government unit, special district, or local or regional board, commission, or authority authorized by law to plan or provide for waste management.

Subd. 24a. **Problem material.**

"Problem material" means a material that, when it is processed or disposed of with mixed municipal solid waste, contributes to one or more of the following results:

(1) the release of a hazardous substance, or pollutant or contaminant, as defined in section [115B.02, subdivisions 8, 13, and 15](#);

(2) pollution of water as defined in section [115.01, subdivision 13](#);

(3) air pollution as defined in section [116.06, subdivision 4](#); or

(4) a significant threat to the safe or efficient operation of a solid waste facility.

Subd. 24b. Postconsumer material.

"Postconsumer material" means a finished material that would normally be discarded as a solid waste having completed its life cycle as a consumer item.

Subd. 24d. Prepared sewage sludge.

"Prepared sewage sludge" means exceptional quality sewage sludge, as defined in Minnesota Rules, part 7041.0100, subpart 20, applied to a lawn or home garden and sold or given away in a bag or other container that:

- (1) meets low limits on metal concentrations;
- (2) has been treated to ensure pathogens, pollutants, and vectors that can transport disease have been carefully managed; and
- (3) is labeled with the nutrient content.'

Subd. 25. Processing.

"Processing" means the treatment of waste after collection and before disposal. Processing includes but is not limited to reduction, storage, separation, exchange, resource recovery, physical, chemical, or biological modification, and transfer from one waste facility to another.

Subd. 25a. Recyclable materials.

"Recyclable materials" means materials that are separated from mixed municipal solid waste for the purpose of recycling or composting, including paper, glass, plastics, metals, automobile oil, batteries, source-separated compostable materials, and sole source food waste streams that are managed through biodegradative processes. Refuse-derived fuel or other material that is destroyed by incineration is not a recyclable material.

Subd. 25b. Recycling.

"Recycling" means the process of collecting and preparing recyclable materials and reusing the materials in their original form or using them in manufacturing processes that do not cause the destruction of recyclable materials in a manner that precludes further use.

Subd. 25c. Recycling facility.

"Recycling facility" means a facility at which materials are prepared for reuse in their original form or for use in manufacturing processes that do not cause the destruction of the materials in a manner that precludes further use.

Subd. 25d. Refuse-derived fuel.

"Refuse-derived fuel" means a product resulting from the processing of mixed municipal solid waste in a manner that reduces the quantity of noncombustible material present in the waste, reduces the size of waste components through shredding or other mechanical means, and produces a fuel suitable for combustion in existing or new solid fuel-fired boilers.

Subd. 26. Regional development commission.

"Regional development commission" means a commission established pursuant to sections [462.381](#) to [462.397](#).

Subd. 26a. Resource conservation.

"Resource conservation" means the reduction in the use of water, energy, and raw materials.

Subd. 27. Resource recovery.

"Resource recovery" means the reclamation for sale, use, or reuse of materials, substances, energy, or other products contained within or derived from waste.

Subd. 28. Resource recovery facility.

"Resource recovery facility" means a waste facility established and used primarily for resource recovery, including related and appurtenant facilities such as transmission facilities and transfer stations primarily serving the resource recovery facility.

Subd. 28a. Retrievable storage.

"Retrievable storage" means a method of disposal whereby wastes are placed in a facility established pursuant to sections [115A.18](#) to [115A.30](#) for an indeterminate period in a manner designed to allow the removal of the waste at a later time.

Subd. 28b. Sanitary district.

"Sanitary district" means a sanitary district with the authority to regulate solid waste.

Subd. 29. Sewage sludge.

"Sewage sludge" means solid, semisolid, or liquid residue generated during the treatment of domestic sewage in a treatment works. It includes, but is not limited to, scum or solids removed in primary, secondary, or advanced wastewater treatment processes and a material derived from sewage sludge. Sewage sludge does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator or grit and screenings generated during preliminary treatment of domestic sewage in a treatment works. Sewage sludge that is acceptable and beneficial for recycling on land as a soil conditioner and nutrient source is also known as biosolids.

Subd. 30. Sewage sludge disposal facility.

"Sewage sludge disposal facility" means property owned or leased by a political subdivision and used for interim or final disposal or land spreading of sewage sludge.

Subd. 31. Solid waste.

"Solid waste" has the meaning given it in section [116.06, subdivision 22](#).

Subd. 32. Solid waste management district or waste district.

"Solid waste management district" or "waste district" means a geographic area extending into two or more counties in which the management of solid waste is vested in a special district established pursuant to sections [115A.62](#) to [115A.72](#).

Subd. 32a.

MS 1994 [Renumbered subd 32c]

Subd. 32a. **Source-separated compostable materials.**

"Source-separated compostable materials" means materials that:

(1) are separated at the source by waste generators for the purpose of preparing them for use as compost;

(2) are collected separately from mixed municipal solid waste, and are governed by the licensing provisions of section [115A.93](#);

(3) are comprised of food wastes, fish and animal waste, plant materials, diapers, sanitary products, and paper that is not recyclable because the commissioner has determined that no other person is willing to accept the paper for recycling;

(4) are delivered to a facility to undergo controlled microbial degradation to yield a humus-like product meeting the agency's class I or class II, or equivalent, compost standards and where process rejects do not exceed 15 percent by weight of the total material delivered to the facility; and

(5) may be delivered to a transfer station, mixed municipal solid waste processing facility, or recycling facility only for the purposes of composting or transfer to a composting facility, unless the commissioner determines that no other person is willing to accept the materials.

Subd. 32b.

MS 1994 [Renumbered subd 32d]

Subd. 32b. **Source-separated recyclable materials.**

"Source-separated recyclable materials" means recyclable materials, including commingled recyclable materials, that are separated by the generator.

Subd. 32c. **Stabilization.**

"Stabilization" means a chemical or thermal process in which materials or energy are added to waste in order to reduce the possibility of migration of any hazardous constituents of the resulting stabilized waste in preparation for placement of the waste in a stabilization and containment facility.

Subd. 32d. **Stabilization and containment facility.**

"Stabilization and containment facility" means a waste facility that is designed for stabilization and containment of waste, together with other appurtenant facilities needed to process waste for stabilization, containment, or transfer to another facility.

Subd. 33. **Transfer station.**

"Transfer station" means an intermediate waste facility in which waste collected from any source is temporarily deposited to await transportation to another waste facility.

Subd. 34. **Waste.**

"Waste" means solid waste, sewage sludge, and hazardous waste.

Subd. 35. Waste facility.

"Waste facility" means all property, real or personal, including negative and positive easements and water and air rights, which is or may be needed or useful for the processing or disposal of waste, except property for the collection of the waste and property used primarily for the manufacture of scrap metal or paper. Waste facility includes but is not limited to transfer stations, processing facilities, and disposal sites and facilities.

Subd. 36. Waste management.

"Waste management" means activities which are intended to affect or control the generation of waste and activities which provide for or control the collection, processing and disposal of waste.

Subd. 36a. Waste management method chosen by a county.

"Waste management method chosen by a county" means:

- (1) a waste management method that is mandated for waste generated in the county by section [115A.415](#), [473.848](#), [473.849](#), or other state law, or by county ordinance based on the county solid waste management plan developed, adopted, and approved under section [115A.46](#) or [458D.05](#) or the county solid waste management master plan developed, adopted, and approved under section [473.803](#); or
- (2) a waste management facility or facilities, developed under the county solid waste management plan or master plan, to which solid waste generated in a county is directed by an ordinance developed, adopted, and approved under sections [115A.80](#) to [115A.893](#).

Subd. 36b. Waste reduction or source reduction.

"Waste reduction" or "source reduction" means an activity that prevents generation of waste or the inclusion of toxic materials in waste, including:

- (1) reusing a product in its original form;
- (2) increasing the life span of a product;
- (3) reducing material or the toxicity of material used in production or packaging; or
- (4) changing procurement, consumption, or waste generation habits to result in smaller quantities or lower toxicity of waste generated.

Subd. 37. Waste rendered nonhazardous.

"Waste rendered nonhazardous" means (1) waste excluded from regulation as a hazardous waste under the delisting requirements of United States Code, title 42, section 6921 and any federal and state delisting rules, and (2) other nonhazardous residual waste from the processing of hazardous waste.

Subd. 38. Yard waste.

"Yard waste" means garden wastes, leaves, lawn cuttings, weeds, shrub and tree waste, and prunings.

History:

[1980 c 564 art 1 s 3](#); [1981 c 352 s 1,2](#); [1983 c 373 s 5,6](#); [1984 c 640 s 32](#); [1984 c 644 s 1,2](#); [1985 c 274 s 1-3](#); [1986 c 425 s 12-17](#); [1987 c 348 s 1,2](#); [1988 c 524 s 1](#); [1988 c 685 s 3,4,21](#); [1989 c 325 s 3](#); [1989 c 335 art 1 s 128,129,269](#); [1Sp1989 c 1 art 18 s 3](#); [art 20 s 1,2](#); [1991 c 303 s 1](#); [1991 c 337 s 6,7,44](#); [1992 c 593 art 1 s 5-7,28](#); [1993 c 249 s](#)

[7,8,61; 1994 c 548 s 1; 1994 c 585 s 3; 1994 c 639 art 5 s 3; 1995 c 220 s 96; 1995 c 247 art 1 s 66; 1996 c 470 s 2-5; 1Sp2005 c 1 art 2 s 161; 2008 c 357 s 32,33; 2011 c 107 s 81; 2014 c 248 s 14; 1Sp2015 c 4 art 4 s 104,105](#)

Minn. Stat. § 115A.151 RECYCLING REQUIREMENTS; PUBLIC ENTITIES; COMMERCIAL BUILDINGS; SPORTS FACILITIES.

(a) A public entity, the owner of a sports facility, and an owner of a commercial building shall:

- (1) ensure that facilities under its control, from which mixed municipal solid waste is collected, also collect at least three recyclable materials, such as, but not limited to, paper, glass, plastic, and metal; and
- (2) transfer all recyclable materials collected to a recycler.

(b) For the purposes of this section:

(1) "public entity" means the state, an office, agency, or institution of the state, the Metropolitan Council, a metropolitan agency, the Metropolitan Mosquito Control Commission, the legislature, the courts, a county, a statutory or home rule charter city, a town, a school district, a special taxing district, or any entity that receives an appropriation from the state for a capital improvement project after August 1, 2002;

(2) "metropolitan agency" and "Metropolitan Council" have the meanings given them in section [473.121](#);

(3) "Metropolitan Mosquito Control Commission" means the commission created in section [473.702](#);

(4) "commercial building" means a building that:

- (i) is located in a metropolitan county, as defined in section [473.121](#);
 - (ii) contains a business classified in sectors 42 to 81 under the North American Industrial Classification System; and
 - (iii) contracts for four cubic yards or more per week of solid waste collection; and
- (5) "sports facility" means a professional or collegiate sports facility at which competitions take place before a public audience.

History: [1Sp1989 c 1 art 18 s 9; 1991 c 337 s 12; 1996 c 457 s 10; 2002 c 312 s 2; 2014 c 225 s 4; 2014 c 312 art 13 s 24](#)

Minn. Stat. §115A.46 REGIONAL AND LOCAL SOLID WASTE MANAGEMENT PLAN; REQUIREMENTS.

Subdivision 1. General.

(a) Plans shall address the state policies and purposes expressed in section [115A.02](#) and may not be inconsistent with state law.

(b) Plans for the location, establishment, operation, maintenance, and postclosure use of facilities and facility sites, for ordinances, and for licensing, permit, and enforcement activities shall be consistent with the rules adopted by the agency pursuant to chapter 116.

(c) Plans shall address:

- (1) the resolution of conflicting, duplicative, or overlapping local management efforts;
- (2) the establishment of joint powers management programs or waste management districts where appropriate; and
- (3) other matters as the rules of the agency may require consistent with the purposes of sections [115A.42](#) to [115A.46](#).

(d) Political subdivisions preparing plans under sections [115A.42](#) to [115A.46](#) shall consult with persons presently providing solid waste collection, processing, and disposal services.

(e) Plans must be submitted to the commissioner for approval. When a county board is ready to have a final plan approved, the county board shall submit a resolution requesting review and approval by the commissioner. After receiving the resolution, the commissioner shall notify the county within 45 days whether the plan as submitted is complete and, if not complete, the specific items that need to be submitted to make the plan complete. Within 90 days after a complete plan has been submitted, the commissioner shall approve or disapprove the plan. If the plan is disapproved, reasons for the disapproval must be provided.

(f) After initial approval, each plan must be updated and submitted for approval at least every ten years. The plan must be revised as necessary so that it is not inconsistent with state law.

(g) Rules that regulate plan content under subdivision 2 must reflect demographic, geographic, regional, and solid waste system differences that exist among the counties.

Subd. 2. Contents.

(a) The plans shall describe existing collection, processing, and disposal systems, including schedules of rates and charges, financing methods, environmental acceptability, and opportunities for improvements in the systems.

(b) The plans shall include an estimate of the land disposal capacity in acre-feet which will be needed through the year 2000, on the basis of current and projected waste generation practices. In assessing the need for additional capacity for resource recovery or land disposal, the plans shall take into account the characteristics of waste stream components and shall give priority to waste reduction, separation, and recycling.

(c) The plans shall require the most feasible and prudent reduction of the need for and practice of land disposal of mixed municipal solid waste.

(d) The plans shall address at least waste reduction, separation, recycling, and other resource recovery options, and shall include specific and quantifiable objectives, immediately and over specified time periods, for reducing the land disposal of mixed municipal solid waste and for the implementation of feasible and prudent reduction, separation, recycling, and other resource recovery options. These objectives shall be consistent with statewide objectives as identified in statute. The plans shall describe methods for identifying the portions of the waste stream such as leaves, grass, clippings, tree and plant residue, and paper for application and mixing into the soil and use in agricultural practices. The plans shall describe specific functions to be performed and activities to be undertaken to achieve the abatement, reduction, separation, recycling, and other resource recovery objectives and shall describe the estimated cost, proposed manner of financing, and timing of the functions and activities. The plans shall describe proposed mechanisms for complying with the recycling requirements of section [115A.551](#), and the household hazardous waste management requirements of section [115A.96, subdivision 6](#).

(e) The plans shall include a comparison of the costs of the activities to be undertaken, including capital and operating costs, and the effects of the activities on the cost to generators and on persons currently providing solid waste collection, processing, and disposal services. The plans shall include

alternatives which could be used to achieve the abatement objectives if the proposed functions and activities are not established.

(f) The plans shall designate how public education shall be accomplished. The plans shall, to the extent practicable and consistent with the achievement of other public policies and purposes, encourage ownership and operation of solid waste facilities by private industry. For solid waste facilities owned or operated by public agencies or supported primarily by public funds or obligations issued by a public agency, the plans shall include criteria and standards to protect comparable private and public facilities already existing in the area from displacement unless the displacement is required in order to achieve the waste management objectives identified in the plan.

(g) The plans shall establish a siting procedure and development program to assure the orderly location, development, and financing of new or expanded solid waste facilities and services sufficient for a prospective ten-year period, including estimated costs and implementation schedules, proposed procedures for operation and maintenance, estimated annual costs and gross revenues, and proposals for the use of facilities after they are no longer needed or usable.

(h) The plans shall describe existing and proposed county and municipal ordinances and license and permit requirements relating to solid waste management and shall describe existing and proposed regulation and enforcement procedures.

Subd. 3.

[Repealed, [1984 c 644 s 82](#)]

Subd. 4. Delegating solid waste responsibilities.

A county or a solid waste management district established under sections [115A.62](#) to [115A.72](#) may not delegate to another governmental unit or other person any portion of its responsibility for solid waste management unless it establishes a funding mechanism to assure the ability of the entity to which it delegates responsibility to adequately carry out the responsibility delegated.

Subd. 5. Jurisdiction of plan.

(a) After a county plan has been submitted for approval under subdivision 1, a public entity, as defined in section [16C.073, subdivision 1](#), within the county may not enter into a binding agreement governing a solid waste management activity that is inconsistent with the county plan without the consent of the county.

(b) After a county plan has been approved under subdivision 1, the plan governs all solid waste management in the county and a public entity, as defined in section [16C.073, subdivision 1](#), within the county may not develop or implement a solid waste management activity, other than an activity to reduce waste generation or reuse waste materials, that is inconsistent with the county plan that the county is actively implementing without the consent of the county.

History:

[1980 c 564 art 5 s 5](#); [1982 c 569 s 13](#); [1984 c 644 s 32,33](#); [1987 c 404 s 140](#); [1989 c 131 s 3](#); [1989 c 325 s 6](#); [1989 c 335 art 1 s 269](#); [1Sp1989 c 1 art 20 s 3,4](#); [1991 c 337 s 15,16](#); [1995 c 247 art 1 s 8](#); [art 2 s 12](#); [2003 c 13 s 1](#); [1Sp2005 c 1 art 2 s 161](#); [2014 c 196 art 1 s 5](#)

Minn. Stat. §115A.471 PUBLIC ENTITIES; MANAGING SOLID WASTE.

Subdivision 1. Definitions.

(a) Prior to entering into or approving a contract for the management of mixed municipal solid waste which would manage the waste using a waste management practice that is ranked lower on the list of preferred waste management practices in section [115A.02, paragraph \(b\)](#), than the waste management practice selected for such waste in the county plan for the county in which the waste was generated, a public entity must:

(1) determine the potential liability to the public entity and its taxpayers for managing the waste in this manner;

(2) develop and implement a plan for managing the potential liability; and

(3) submit the information from clauses (1) and (2) to the agency.

(b) For the purpose of this subdivision, "public entity" means the state; an office, agency, or institution of the state; the Metropolitan Council; a metropolitan agency; the Metropolitan Mosquito Control District; the legislature; the courts; a county; a statutory or home rule charter city; a town; a school district; another special taxing district; or any other general or special purpose unit of government in the state.

History: [1995 c 247 art 1 s 9](#)

Minn Stat. §115A.551 RECYCLING.

Subdivision 1. Definitions.

(a) For the purposes of this section, "recycling" means, in addition to the meaning given in section [115A.03, subdivision 25b](#), yard waste and source-separated compostable materials composting and recycling that occurs through mechanical or hand separation of materials that are then delivered for use in manufacturing processes that do not cause the destruction of recyclable materials in a manner that precludes further use.

(b) For the purposes of this section, "total solid waste generation" means the total by weight of:

(1) materials separated for recycling;

(2) materials separated for yard waste and source-separated compostable materials composting;

(3) mixed municipal solid waste plus motor and vehicle fluids and filters, tires, lead acid batteries, and major appliances; and

(4) residential waste materials that would be mixed municipal solid waste but for the fact that they are not collected as such.

Subd. 2

[Repealed, [2014 c 312 art 13 s 48](#)]

Subd. 2a. **County recycling goals.**

(a) By December 31, 2030, each county will have as a goal to recycle the following amounts:

(1) for a county outside of the metropolitan area, 35 percent by weight of total solid waste generation; and

(2) for a metropolitan county, 75 percent by weight of total solid waste generation.

(b) Each county will develop and implement or require political subdivisions within the county to develop and implement programs, practices, or methods designed to meet its recycling goal. Nothing in

this section or in any other law may be construed to prohibit a county from establishing a higher recycling goal.

(c) Any quantified recyclable materials that meet the definition in subdivision 1, paragraph (a), or section [115A.03, subdivision 25a](#), are eligible to be counted toward a county's recycling goal under this subdivision.

Subd. 3. Interim goals; nonmetropolitan counties.

The commissioner shall establish interim recycling goals for the nonmetropolitan counties to assist them in meeting the goals established in subdivision 2a.

Subd. 4. Interim monitoring.

The commissioner shall monitor the progress of each county toward meeting the recycling goals in subdivision 2a. The commissioner shall report to the senate and house of representatives committees having jurisdiction over environment and natural resources as part of the report required under section [115A.411](#). If the commissioner finds that a county is not progressing toward the goals in subdivision 2a, the commissioner shall negotiate with the county to develop and implement solid waste management techniques designed to assist the county in meeting the goals, such as organized collection, curbside collection of source-separated materials, and volume-based pricing.

Subd. 5. Failure to meet goal.

(a) A county failing to meet the interim goals in subdivision 3 shall, as a minimum:

- (1) notify county residents of the failure to achieve the goal and why the goal was not achieved; and
- (2) provide county residents with information on recycling programs offered by the county.

(b) If, based on the recycling monitoring described in subdivision 4, the commissioner finds that a county will be unable to meet the recycling goals established in subdivision 2a, the commissioner shall, after consideration of the reasons for the county's inability to meet the goals, recommend legislation for consideration by the senate and house of representatives committees having jurisdiction over environment and natural resources and environment and natural resources finance to establish mandatory recycling standards and to authorize the commissioner to mandate appropriate solid waste management techniques designed to meet the standards in those counties that are unable to meet the goals.

Subd. 6. County solid waste plans.

Each county shall include in its solid waste management plan described in section [115A.46](#), or its solid waste master plan described in section [473.803](#), a recycling implementation strategy for meeting the recycling goal established in subdivision 2a along with mechanisms for providing financial incentives to solid waste generators to reduce the amount of waste generated and to separate recyclable materials from the waste stream.

Subd. 7. Recycling implementation strategy.

Each county shall submit to the commissioner for approval the recycling implementation strategy required in subdivision 6. The recycling implementation strategy must be submitted by October 31, 1995, and must:

- (1) be consistent with the approved county solid waste management plan;

- (2) identify the materials that are being and will be recycled in the county to meet the goals under this section and the parties responsible and methods for recycling the material;
- (3) provide a budget to ensure adequate funding for needed county and local programs and demonstrate an ongoing commitment to spending the money on recycling programs; and
- (4) include a schedule for implementing recycling activities needed to meet the goals in subdivision 2a.

History:

1Sp1989 c 1 art 18 s 12; 1991 c 337 s 19-21; 1992 c 593 art 1 s 14-16,54; 1993 c 249 s 13,14,61; 1994 c 639 art 5 s 3; 1995 c 247 art 1 s 14-17; art 2 s 15; 1996 c 470 s 27; 1999 c 73 s 4; 1Sp2005 c 1 art 2 s 161; 2012 c 272 s 67,68; 2014 c 312 art 13 s 26,27; 1Sp2015 c 4 art 4 s 108; 2016 c 158 art 1 s 26-28

Minn. Stat. §115A.552 OPPORTUNITY TO RECYCLE.

Subdivision 1. County requirement.

Counties shall ensure that residents, including residents of single and multifamily dwellings, have an opportunity to recycle. At least one recycling center shall be available in each county. Opportunity to recycle means availability of recycling and curbside pickup or collection centers for recyclable materials at sites that are convenient for persons to use. Counties shall also provide for the recycling of problem materials and major appliances. Counties shall assess the operation of existing and proposed recycling centers and shall give due consideration to those centers in ensuring the opportunity to recycle. To the extent practicable, the costs incurred by a county for collection, storage, transportation, and recycling of major appliances must be collected from persons who discard the major appliances.

Subd. 2. Recycling opportunities.

An opportunity to recycle must include:

- (1) a local recycling center in the county and sites for collecting recyclable materials that are located in areas convenient for persons to use them;
- (2) curbside pickup, centralized drop-off, or a local recycling center for at least four broad types of recyclable materials in cities with a population of 5,000 or more persons; and
- (3) monthly pickup of at least four broad types of recyclable materials in cities of the first and second class and cities with 5,000 or more population in the metropolitan area.

Subd. 3. Recycling information, education, and promotion.

(a) Each county shall provide information on how, when, and where materials may be recycled, including a promotional program that publishes notices at least once every three months and encourages source separation of residential, commercial, industrial, and institutional materials.

(b) The commissioner shall develop materials for counties to use in providing information on and promotion of recycling.

(c) The commissioner shall provide technical assistance to counties to help counties implement recycling programs.

§

Subd. 4 .Nonresidential recycling.

Each county shall encourage building owners and managers, business owners and managers, and collectors of commercial mixed municipal solid waste to provide appropriate recycling services and opportunities to generators of commercial, industrial, and institutional solid waste in the county.

History: [1Sp1989 c 1 art 18 s 13](#); [1991 c 337 s 22-24](#); [1994 c 639 art 5 s 3](#); [1Sp2005 c 1 art 2 s 161](#)

Minn. Stat. §115A.557 COUNTY WASTE REDUCTION AND RECYCLING FUNDING.

Subdivision 1. Distribution; formula.

Any funds appropriated to the commissioner for the purpose of distribution to counties under this section must be distributed each fiscal year by the commissioner based on population, except a county may not receive less than \$55,000 in a fiscal year. If the amount available for distribution under this section is less or more than the amount available in fiscal year 2001, the minimum county payment under this section is reduced or increased proportionately. For purposes of this subdivision, "population" has the definition given in section [477A.011, subdivision 3](#). A county that participates in a multicounty district that manages solid waste and that has responsibility for recycling programs as authorized in section [115A.552](#), must pass through to the districts funds received by the county in excess of the minimum county payment under this section in proportion to the population of the county served by that district.

Subd. 2. Permissible expenditures.

(a) A county receiving money distributed by the commissioner under this section may use the money only for the development and implementation of programs to:

- (1) reduce the amount of solid waste generated;
- (2) recycle the maximum amount of solid waste technically feasible;
- (3) create and support markets for recycled products;
- (4) remove problem materials from the solid waste stream and develop proper disposal options for them;
- (5) inform and educate all sectors of the public about proper solid waste management procedures;
- (6) provide technical assistance to public and private entities to ensure proper solid waste management;
- (7) provide educational, technical, and financial assistance for litter prevention;
- (8) process mixed municipal solid waste generated in the county at a resource recovery facility located in Minnesota;
- (9) compost source-separated compostable materials, including the provision of receptacles for residential composting;
- (10) prevent food waste or collect and transport food donated to humans or to be fed to animals; and
- (11) process source-separated compostable materials that are to be used to produce class I or class II compost, as defined in Minnesota Rules, part [7035.2836](#), after being processed in an anaerobic digester, but not to construct buildings or acquire equipment.

(b) Beginning in fiscal year 2015 and continuing thereafter, of any money distributed by the commissioner under this section to a metropolitan county, as defined in section [473.121, subdivision 4](#), that exceeds the amount the county was eligible to receive under this section in fiscal year 2014: (1) at

least 50 percent must be expended on activities in paragraph (a), clauses (9) to (11); and (2) the remainder must be expended on activities in paragraph (a), clauses (1) to (7) and (9) to (11), that advance the county toward achieving its recycling goal under section [115A.551](#).

Subd. 3. Eligibility.

(a) To be eligible to receive money distributed by the commissioner under this section, a county shall within one year of October 4, 1989:

- (1) create a separate account in its general fund to credit the money; and
- (2) set up accounting procedures to ensure that money in the separate account is spent only for the purposes in subdivision 2.

(b) In each following year, each county shall also:

(1) have in place an approved solid waste management plan or master plan including a recycling implementation strategy under section [115A.551, subdivision 7](#), and a household hazardous waste management plan under section [115A.96, subdivision 6](#), by the dates specified in those provisions;

(2) submit a report by April 1 of each year to the commissioner, which may be submitted electronically and must be posted on the agency's website, detailing for the previous calendar year:

(i) how the money was spent including, but not limited to, specific recycling and composting activities undertaken to increase the county's proportion of solid waste recycled in order to achieve its recycling goal established in section [115A.551](#); specific information on the number of employees performing SCORE planning, oversight, and administration; the percentage of those employees' total work time allocated to SCORE planning, oversight, and administration; the specific duties and responsibilities of those employees; and the amount of staff salary for these SCORE duties and responsibilities of the employees; and

(ii) the resulting gains achieved in solid waste management practices; and

(3) provide evidence to the commissioner that local revenue equal to 25 percent of the money sought for distribution under this section will be spent for the purposes in subdivision 2.

(c) The commissioner shall withhold all or part of the funds to be distributed to a county under this section if the county fails to comply with this subdivision and subdivision 2.

Subd. 4. Report.

The commissioner shall report on how the money was spent and the resulting statewide improvements in solid waste management to the senate and house of representatives committees having jurisdiction over ways and means, finance, environment and natural resources, and environment and natural resources finance. The report shall be included in the report required under section [115A.411](#).

History:

[1Sp1989 c 1 art 19 s 1](#); [1991 c 337 s 26](#); [1992 c 593 art 1 s 17,54](#); [1994 c 585 s 13](#); [1994 c 639 art 5 s 3](#); [1995 c 247 art 1 s 19,20](#); [1996 c 470 s 27](#); [2000 c 490 art 10 s 1](#); [1Sp2001 c 2 s 125](#); [2002 c 374 art 6 s 2](#); [2004 c 284 art 2 s 11](#); [1Sp2005 c 1 art 2 s 161](#); [2009 c 37 art 1 s 42](#); [2012 c 272 s 69](#); [2014 c 312 art 13 s 28,29](#); [1Sp2015 c 4 art 4 s 109](#)

Chapter 473 METROPOLITAN GOVERNMENT

Minn. Stat. §473.8441 LOCAL RECYCLING DEVELOPMENT PROGRAM.

Subdivision 1. Definitions.

"Number of households" has the meaning given in Minnesota Statutes 1992, section [477A.011, subdivision 3a](#).

Subd. 2. Program.

The commissioner shall encourage the development of permanent local recycling programs throughout the metropolitan area. The commissioner shall make grants to qualifying metropolitan counties as provided in this section.

Subd. 3. Grants; eligible costs.

Grants may be used to pay for planning, developing, and operating yard waste composting and recycling programs.

Subd. 4. Grant conditions.

The commissioner shall administer grants so that the following conditions are met:

- (a) A county must apply for a grant in the manner determined by the commissioner. The application must describe the activities for which the grant will be used.
- (b) The activities funded must be consistent with the metropolitan policy plan and the county master plan.
- (c) A grant must be matched by equal local expenditures for the activities for which the grant is made. A local expenditure may include, but is not limited to, an expenditure by a local unit of government, tribal government, or private sector or nonprofit organization.
- (d) All grant funds must be used for new activities or to enhance or increase the effectiveness of existing activities in the county. Grant funds shall not be used for research or development of a product that would be patented, copyrighted, or a subject of trade secrets.
- (e) Counties shall provide support to maintain effective municipal recycling where it is already established.

Subd. 5. Grant allocation procedure.

- (a) The commissioner shall distribute the funds annually so that each qualifying county receives an equal share of 50 percent of the allocation to the program described in this section, plus a proportionate share of the remaining funds available for the program. A county's proportionate share is an amount that has the same proportion to the total remaining funds as the number of households in the county has to the total number of households in all metropolitan counties.
- (b) To qualify for distribution of funds, a county, by April 1 of each year, must submit to the commissioner for approval a report on expenditures and activities under the program during the preceding fiscal year and any proposed changes in its recycling implementation strategy or performance funding system. The report shall be included in the county report required by section [473.803, subdivision 3](#).

History: [1987 c 348 s 46](#); [1989 c 325 s 63](#); [1993 c 249 s 41](#); [1995 c 247 art 2 s 47-49](#); [1Sp2005 c 1 art 2 s 161](#); [2016 c 158 art 1 s 194](#); [2018 c 134 s 1](#)

Minn. Stat. § 473.848 RESTRICTION ON DISPOSAL.

Subdivision 1. Restriction.

(a) For the purposes of implementing the waste management policies in section [115A.02](#) and metropolitan area goals related to landfill abatement established under this chapter, a person may not dispose of unprocessed mixed municipal solid waste generated in the metropolitan area at a waste disposal facility unless the waste disposal facility meets the standards in section [473.849](#) and:

- (1) the waste has been certified as unprocessable by a county under subdivision 2; or
- (2)(i) the waste has been transferred to the disposal facility from a resource recovery facility;
- (ii) no other resource recovery facility serving the metropolitan area is capable of processing the waste; and
- (iii) the waste has been certified as unprocessable by the operator of the resource recovery facility under subdivision 3.

(b) For purposes of this section, mixed municipal solid waste does not include street sweepings, construction debris, mining waste, foundry sand, and other materials, if they are not capable of being processed by resource recovery as determined by the council.

Subd. 2. County certification; office approval.

(a) By April 1 of each year, each county shall submit an annual certification report to the office detailing:

- (1) the quantity of waste generated in the county that was not processed prior to transfer to a disposal facility during the year preceding the report;
- (2) the reasons the waste was not processed;
- (3) a strategy for development of techniques to ensure processing of waste including a specific timeline for implementation of those techniques; and
- (4) any progress made by the county in reducing the amount of unprocessed waste.

The report shall be included in the county report required by section [473.803, subdivision 3](#).

(b) The Pollution Control Agency shall approve a county's certification report if it determines that the county is reducing and will continue to reduce the amount of unprocessed waste, based on the report and the county's progress in development and implementation of techniques to reduce the amount of unprocessed waste transferred to disposal facilities. If the Pollution Control Agency does not approve a county's report, it shall negotiate with the county to develop and implement specific techniques to reduce unprocessed waste. If the Pollution Control Agency does not approve two or more consecutive reports from any one county, the Pollution Control Agency shall develop specific reduction techniques that are designed for the particular needs of the county. The county shall implement those techniques by specific dates to be determined by the Pollution Control Agency.

Subd. 3. Facility certification.

The operator of each resource recovery facility that receives waste from counties in the metropolitan area shall certify as unprocessable each load of mixed municipal solid waste it does not process. Certification must be made to each county that sends its waste to the facility at intervals specified by the county. Certification must include at least the number and size of loads certified as unprocessable and the reasons the waste is unprocessable. Loads certified as unprocessable must include the loads that would otherwise have been processed but were not processed because the facility was not in operation,

but nothing in this section relieves the operator of its contractual obligations to process mixed municipal solid waste.

Subd. 4. Pollution Control Agency report.

The Pollution Control Agency shall include, as part of its report to the Environment and Natural Resources Committees of the senate and house of representatives, the Finance Division of the senate Committee on Environment and Natural Resources, and the house of representatives Committee on Environment and Natural Resources Finance required under section [473.149](#), an accounting of the quantity of unprocessed waste transferred to disposal facilities, the reasons the waste was not processed, a strategy for reducing the amount of unprocessed waste, and progress made by counties to reduce the amount of unprocessed waste. The Pollution Control Agency may adopt standards for determining when waste is unprocessable and procedures for expediting certification and reporting of unprocessed waste.

Subd. 5. Definition.

For the purpose of this section, waste is "unprocessed" if it has not, after collection and before disposal, undergone separation of materials for resource recovery through recycling, incineration for energy production, production and use of refuse-derived fuel, composting, or any combination of these processes so that the weight of the waste remaining that must be disposed of in a mixed municipal solid waste disposal facility is not more than 35 percent of the weight before processing, on an annual average.

History:

[1985 c 274 s 35](#); [1989 c 325 s 66](#); [1991 c 337 s 81,82](#); [1993 c 249 s 43,44](#); [1994 c 585 s 49,50](#); [1995 c 247 art 2 s 51,52](#); [1996 c 470 s 27](#); [1Sp2005 c 1 art 2 s 161](#)

CHAPTER 16C. STATE PROCUREMENT

Minn. Stat. § 16C.05 CONTRACT MANAGEMENT; VALIDITY AND REVIEW.

Subdivision 1. Agency cooperation and delegation.

Agencies shall fully cooperate with the commissioner in the creation, management, and oversight of state contracts. Authority delegated to agencies shall be exercised in the name of the commissioner and under the commissioner's direct supervision and control. A delegation of duties may include, but is not limited to, allowing individuals within agencies to acquire goods, services, construction, and utilities within dollar limitations and for designated types of acquisitions. Delegation of contract management and review functions must be filed with the secretary of state. The commissioner may withdraw any delegation at the commissioner's sole discretion. The commissioner may require an agency head or subordinate to accept delegated responsibility to procure goods, services, or construction intended for the exclusive use of the agency receiving the delegation.

Subd. 2. Creation and validity of contracts.

(a) A contract and amendments are not valid and the state is not bound by them and no agency, without the prior written approval of the commissioner granted pursuant to subdivision 2a, may authorize work to begin on them unless:

(1) they have first been executed by the head of the agency or a delegate who is a party to the contract;

(2) they have been approved by the commissioner; and

(3) the accounting system shows an encumbrance for the amount of the contract liability, except as allowed by policy approved by the commissioner and commissioner of management and budget for routine, low-dollar procurements and section 16B.98, subdivision 11.

(b) Grants, interagency agreements, purchase orders, work orders, and annual plans need not, in the discretion of the commissioner and attorney general, require the signature of the commissioner and/or the attorney general. A signature is not required for work orders and amendments to work orders related to Department of Transportation contracts. Bond purchase agreements by the Minnesota Public Facilities Authority do not require the approval of the commissioner.

(c) Amendments to contracts must entail tasks that are substantially similar to those in the original contract or involve tasks that are so closely related to the original contract that it would be impracticable for a different contractor to perform the work. The commissioner or an agency official to whom the commissioner has delegated contracting authority under section [16C.03, subdivision 16](#), must determine that an amendment would serve the interest of the state better than a new contract and would cost no more.

(d) A record must be kept of all responses to solicitations, including names of bidders and amounts of bids or proposals. A fully executed copy of every contract, amendments to the contract, and performance evaluations relating to the contract must be kept on file at the contracting agency for a time equal to that specified for contract vendors and other parties in subdivision 5. These records are open to public inspection, subject to section [13.591](#) and other applicable law.

(e) The attorney general must periodically review and evaluate a sample of state agency contracts to ensure compliance with laws.

(f) Before executing a contract or license agreement involving intellectual property developed or acquired by the state, a state agency shall seek review and comment from the attorney general on the terms and conditions of the contract or agreement.

Subd. 2a. Emergency authorization.

The commissioner may grant an agency approval to authorize work to begin on a contract prior to the full execution of the contract in the event of an emergency as defined in section [16C.10, subdivision 2](#).

Subd. 3.

[Repealed by amendment, [2014 c 196 art 2 s 4](#)]

Subd. 4. Contract administration.

A contracting agency shall diligently administer and monitor any contract it has entered into. The commissioner may require an agency to report to the commissioner at any time on the status of any contracts to which the agency is a party.

Subd. 5. Subject to audit.

A contract or any pass-through disbursement of public funds to a vendor of goods or services or a grantee made by or under the supervision of the commissioner or any county or unit of local government must include, expressed or implied, an audit clause that provides that the books, records, documents, and accounting procedures and practices of the vendor or other party, that are relevant to the contract or transaction, are subject to examination by the contracting agency and either the legislative auditor or the state auditor, as appropriate, for a minimum of six years. If the contracting agency is a local unit of government, and the governing body of the local unit of government requests that the state auditor examine the books, records, documents, and accounting procedures and practices of the vendor or other party pursuant to this subdivision, the contracting agency shall be liable for the cost of the examination. If the contracting agency is a local unit of government, and the grantee, vendor, or other party requests that the state auditor examine all books, records, documents, and accounting procedures and practices related to the contract, the grantee, vendor, or other party that requested the examination shall be liable for the cost of the examination. An agency contract made for purchase, lease, or license of software and data from the state is not required to contain this audit clause.

Subd. 6. Authority of attorney general.

The attorney general may pursue remedies available by law to avoid the obligation of an agency to pay under a contract or to recover payments made if services performed or goods received under the contract are so unsatisfactory, incomplete, or inconsistent that payment would involve unjust enrichment. The contrary opinion of the contracting agency does not affect the power of the attorney general under this subdivision.

Subd. 7. Contracts with Indian tribes and bands.

Notwithstanding any other law, an agency may not require an Indian tribe or band to deny its sovereignty as a requirement or condition of a contract with an agency.

History:

[1994 c 632 art 3 s 33](#); [1998 c 386 art 1 s 6](#); [1999 c 86 art 1 s 11](#); [1999 c 230 s 1](#); [2000 c 488 art 2 s 1](#); [1Sp2001 c 8 art 2 s 10](#); [1Sp2001 c 10 art 2 s 37](#); [2003 c 130 s 12](#); [1Sp2003 c 1 art 2 s 48,49](#); [2004 c 206 s 7](#); [2007 c 148 art 2 s 35,36](#); [2009 c 101 art 2 s 109](#); [2014 c 187 s 3](#); [2014 c 196 art 1 s 5](#); [art 2 s 4](#)

Anoka County Municipal Waste Abatement Grant Funding Application

Cycle: *Annual* | Year: *2024* | Status: *Verified*

Member Name: *City of Blaine*

2025 Applications are due June 3, 2024.

City of Blaine is requesting the following funding for their 2025 Anoka County municipal waste abatement program efforts.

General Instructions

This application is provided to each municipality in Anoka County for funds to support and increase recycling activities and programs within the municipality.

The funds allocated in this application are based on the number of households in the municipality. The number of households is determined using the most current Met Council household data available. For calendar year 2025, 2022 Met Council data has been used to determine the number of households for this application.

There are three sections in this funding application:

- Base Funding
- Enhancement Funding
- Supplemental Funding

The Enhancement Funding section of the application also has three parts:

- Drop-off
- General Enhancement
- Organics Program Funding

Please complete each section of the grant application. A number value must be entered in each field before submitting the application. If no funds are being requested for any given field, enter a zero. **If a completed funding application isn't submitted by June 3, 2024, the municipality will not be eligible for funding.**

In a separate Re-TRAC form, reimbursement requests will be submitted twice a year.

USER TIPS

To contact support from within this form: Click “Support” at the top of the screen or “Program Support Request” in the green bar at the top of the form.

To print this form: Click the “Export” button found on upper top right corner of the form. You must save the form before you can export it.

To see eligible expenses within each section: Click “view eligible expense” in each section.

Click [here](#) to download the full Eligible Expenses document.

To save this form while working on it: Click “Save” at the bottom of the form and select “Save as Draft”.

To submit this form: Click “Save” at the bottom of the form and if there are no errors, click the “Mark as Complete” option. Note

that once you mark the form as complete, you cannot make changes to it.

Eligible Expenses

The following items are examples of eligible expenses allowed for reimbursement.

Collection Expenses: If residents are charged recycling fees for curbside or recycling events, waste abatement funds will reimburse the difference between the fees collected and the cost of recycling or composting the materials.

Equipment: The cost to purchase, maintain and repair equipment that is used exclusively to operate the recycling or composting program.

Containers: The cost for recycling or organics containers.

Promotion: The entire cost of a publication if totally dedicated to waste reduction, recycling or composting information or a percentage of the cost for the portion of a municipal publication dedicated to waste management information.

Staffing: Labor and staffing directly related to recycling program administration and implementation may be funded up to 75% of total funding allocation (not including Supplemental Funding). See Labor & Staffing section below for more information.

Ineligible Expenses

The following general operating expenses should NOT be submitted for reimbursement.

Standard Operational Expenses/Building Overhead: Since most of the municipal recycling coordinators are part-time positions and staff serve multiple roles at the municipality, standard operating expenses including office space rental, leasing office equipment and general office supplies, are not eligible for reimbursement.

Project Expenses: Specific to transportation, energy or ground water protection.

Collection Costs: The costs for general waste and recycling collection at municipal buildings, trash costs when advertised as being accepted at a recycling/cleanup day, and costs associated with road side cleanup of illegally dumped materials should not be included in this application.

General Municipal Staff: Staff time related to standard municipal operations (city administrator, office administration, facilities management, finance and legal staff) are not eligible for reimbursement. If municipal staff do not assist the recycling coordinator directly on activities to help the municipality achieve its recycling goal, e.g. communications and collecting, processing or marketing recyclable materials and organics, their time will not be reimbursed.

Click here to view previous years application:

Click [here](#) to download the full Eligible Expenses document.

2025 Total Funding Allocation

MANAGE ONLY

Your Community has access to the following funds for 2025:

\$ 206,517.00

(An additional \$20,000 in discretionary funds may be available through the Supplemental Funding section.)

2025 BASE Funding Allocation

All municipalities are eligible for base waste abatement grant funding. When completing this application, base funding requests should fall under one of the following categories:

- regular curbside collection,
- general operations of a drop-off center,
- costs for spring and fall recycling days,
- basic promotion,
- yard waste collection and
- percentage of time the recycling coordinator spends on waste abatement activities.

Base Funding is \$10,000.00 base, plus \$5.00/household (household counts are based on 2022 Met Council estimates)

Municipality Name:

City of Blaine

MANAGE ONLY

of households

25,931

Base Funding

\$ 10,000.00

Base Funding Additional (based on \$5/household)

\$ 129,655.00

Total Base Funding Allocation

\$ 139,655.00

Curbside Collection

Complete ALL required fields below, if value is zero, enter "0.00".

Click [here](#) to download the Curbside Collection Eligible Expenses document.

Collection Service Provider Expenses

\$ 1,111,320.00

Contamination Fees

\$ 0.00

Additional Expenses

\$ 0.00

Curbside Collection Expense Subtotal

\$ 1,111,320.00

Estimated Revenue

\$ 1,086,320.00

Curbside Collection Expenses

\$ 25,000.00

Negative values here will not carry forward to other sections.

General Operations of a Drop-Off Center/Spring or Fall Recycling Day(s)

Click [here](#) to download the General Operations of a Drop-off Center/Spring or Fall Recycling Days Eligible Expenses document.

Complete ALL required fields below, if value is zero, enter "0.00".

DO NOT include any expenses for tires, oil, antifreeze & oil filters. These expenses should be listed in the Problem Materials section.

Collection Service Provider Expenses	\$	0.00
Equipment	\$	0.00
Facility Expenses	\$	0.00

Please enter Labor & Staffing expenses in Labor & Staffing section below.

General Operations of a Drop-off Expense Subtotal
\$ 0.00

Estimated Revenue	\$	0.00
-------------------	----	------

General Operations of a Drop-off Expenses	\$	0.00	Negative values here will not carry forward to other sections.
---	----	------	--

Promotion -- Base Funding

Click [here](#) to download the Promotion Eligible Expenses document.

Complete ALL required fields below, if value is zero, enter "0.00".

Printing	\$	5,000.00
Postage	\$	11,000.00
Advertising	\$	0.00
Volunteer Incentives	\$	0.00
Educational Entertainment	\$	2,000.00
Promotion -- Base Funding Expenses	\$	18,000.00

Yard Waste/Tree Waste

Click [here](#) to download the Yard/Tree Waste Eligible Expenses document.

Complete ALL required fields below, if value is zero, enter "0.00".

Collection Service Provider Expenses	\$	0.00
--------------------------------------	----	------

Equipment	\$	0.00
-----------	----	------

Yard Waste/Tree Waste Expenses Subtotal	\$	0.00
---	----	------

Estimated Revenue	\$	0.00
-------------------	----	------

Yard Waste/Tree Waste Expenses	\$	0.00	Negative values here will not carry forward to other sections.
--------------------------------	----	------	--

**Problem Materials
(Tires, Oil, Antifreeze, and Oil Filters)**

Click [here](#) to download the Problem Materials Eligible Expenses document.

Complete ALL required fields below, if value is zero, enter "0.00".

Service Provider Expenses	\$	0.00
---------------------------	----	------

Estimated Revenue	\$	0.00
-------------------	----	------

Problem Material Expenses	\$	0.00	Negative values here will not carry forward to other sections.
---------------------------	----	------	--

Program Administration -- Base Funding

Click [here](#) to download the Program Administration Eligible Expenses document.

Complete ALL required fields below, if value is zero, enter "0.00".

Office supplies	\$	500.00
-----------------	----	--------

Training	\$	500.00
----------	----	--------

Mileage	\$	100.00
---------	----	--------

Membership Dues, Periodicals	\$	1,000.00
------------------------------	----	----------

Professional Services	\$	1,000.00
-----------------------	----	----------

Please enter Labor & Staffing expenses in Labor & Staffing section below.

Program Administration- Base Funding Expenses

\$

3,100.00

Total BASE Funding Requested

\$

46,100.00

Funding Remaining

\$

160,417.00

2025 ENHANCEMENT Funding Allocation

The purpose of the Anoka County Municipal Waste Abatement grant funding program is to increase recycling and organics diversion and help the County achieve the State mandated goal of 75% recycling/composting by 2030. The County recognizes that this funding is needed to support established infrastructure costs that exceed the Base and each communities funding. To be eligible for grant funds, municipalities must apply for these funds. Applicants must itemize expenditures within each of the three grant sections, Drop-off, General Enhancement and Organics Program, below and calculate the total grant request for each category.

Drop-off Grant

This grant is allocated to cover additional drop-off center costs or events beyond the regularly scheduled spring and fall recycling days.

The grant for this section is \$10,000.00 for municipalities with up to 4,999 households and \$15,000.00 for municipalities with household counts 5,000 and over.

Below are examples of materials that can be collected for reuse or recycling. Only list organics expenses in the organics section.

Additional Reusable or Recyclable Materials Collected at Permanent Drop-off Centers or Special Events:

Appliances, Electronics, Mattresses*, Confidential Document Destruction, Fluorescent Bulbs, Household Batteries, Fire Extinguishers, Propane Tanks, Bicycles**, and Clothing**.

Additional Items:

Block and Shape Polystyrene, Cell Phones, Film Plastic/Bags, Furniture* **, Household Goods**, String Lights/Extension Cords, Printer Cartridges

* None of these materials should be advertised as being collected on a Recycling Day and then disposed of as trash

** Items that should be evaluated for reuse prior to recycling

 MANAGE ONLY

Drop-off Grant Amount Available

\$

15,000.00

Click [here](#) to download the Drop-off Eligible Expenses document.

Permanent Drop-off Center Enhancements

Complete ALL required fields below, if value is zero, enter "0.00".

Collection Service Provider Expenses

\$

0.00

New Equipment & Supplies

\$ 0.00

New Construction

\$ 0.00

Please enter Labor & Staffing expenses in Labor & Staffing section below.

Permanent Drop-off Center Enhancement Expenses Subtotal

\$ 0.00

Estimated Revenue

\$ 0.00

Permanent Drop-off Center Enhancement Expenses

\$ 0.00

Negative values here will not carry forward to other sections.

Monthly or Quarterly Drop-off Events

Complete ALL required fields below, if value is zero, enter "0.00".

Collection Service Provider Expenses

\$ 10,000.00

New Equipment & Supplies

\$ 0.00

User Coupon Incentives

\$ 20,486.00

Please enter Labor & Staffing expenses in Labor & Staffing section below.

Monthly or Quarterly Drop-off Events Expense Subtotal

\$ 30,486.00

Estimated Revenue

\$ 0.00

Monthly or Quarterly Drop-off Event Expenses

\$ 30,486.00

Negative values here will not carry forward to other sections.

Total Drop-off Grant Requested

\$ 30,486.00

General Enhancement Grant

The grant amount available for this section is calculated using \$1.00/household.

General Enhancement Grant Amount Available

\$ 25,931.00

Click [here](#) to download the General Enhancement Eligible Expenses document.

Park Recycling

Complete ALL required fields below, if value is zero, enter "0.00".

Collection Service Provider Expenses	\$	0.00
Recycling Containers	\$	0.00
Recycling Bags	\$	0.00

Please enter Labor & Staffing expenses in Labor & Staffing section below.

Park Recycling Expenses	\$	0.00
-------------------------	----	------

Special Municipal Programs or Events - Please list any organics expenses in the organics section.

Complete ALL required fields below, if value is zero, enter "0.00".

Service Provider Expenses	\$	0.00
Supplies & Containers	\$	0.00

Please enter Labor & Staffing expenses in Labor & Staffing section below.

Special Municipal Program or Event Expenses Subtotal	\$	0.00
Estimated Revenue	\$	0.00
Special Municipal Program or Event Expenses	\$	0.00

Negative values here will not carry forward to other sections.

Special Curbside Recycling Collection

Complete ALL required fields below, if value is zero, enter "0.00".

Collection Service Provider Expenses	\$	0.00
Subsidy to Resident	\$	0.00
Special Curbside Recycling Collection Expenses Subtotal	\$	0.00
Estimated Revenue	\$	0.00

Special Curbside Recycling Collection Expenses

\$

0.00

Negative values here will not carry forward to other sections.

Multi-Family Recycling Outreach

Complete ALL required fields below, if value is zero, enter "0.00".

Supplies & Containers

\$

0.00

Please enter Labor & Staffing expenses in Labor & Staffing section below.

Multi-Family Recycling Outreach Expenses

\$

0.00

Promotion -- Enhancement Funding

Complete ALL required fields below, if value is zero, enter "0.00".

Printing

\$

10,000.00

Postage

\$

20,000.00

Advertising

\$

0.00

Volunteer Incentives

\$

0.00

Educational Entertainment

\$

0.00

Promotion -- Enhancement Funding Expenses

\$

30,000.00

Total General Enhancement Grant Requested

\$

30,000.00

Organics Program Grant

The grant amount for this section is \$0.50/household if additional curbside or drop-off grant programs are not offered to residents or \$1.00/household if curbside or drop-off organics programs are offered to residents.

Does your municipality offer curbside or drop-off organics programs to your residents? *

☒ Yes

☐ No

Amount Available

\$

25,931.00

Click [here](#) to download the Oranics Eligible Expenses document.

Organics Program Expenses

Complete ALL required fields below, if value is zero, enter "0.00".

Collection Service Provider Expenses	\$ 3,000.00
Organics Equipment	\$ 0.00
Organics Only - Promotion	\$ 10,931.00

Please enter Labor & Staffing expenses in Labor & Staffing section below.

Organics Program Expenses Subtotal

\$ 13,931.00

Estimated Revenue *	0.00
---------------------	------

Organics Program Expenses

\$ 13,931.00	Negative values here will not carry forward to other sections.
--------------	--

Total ENHANCEMENT Funding Requested	\$ 74,417.00
Maximum Funding Available	\$ 206,517.00
(Base plus Enhancement NOT including Supplemental)	
Total Funding Requested	\$ 120,517.00
(not including Staffing)	
Funding Remaining	\$ 86,000.00
(Total Requested minus Max Amount available)	

Labor & Staffing (All Programs)

Salary and labor expenses must be directly related to recycling program operations and administration. These expenses may be funded up to 75% of funding allocation (not including supplemental funding). The final % and expense amount for salary and labor will be determined after Anoka County approves the submitted staffing and labor metric.

Upload 2025 Staffing Metric and Drop-off Calculator *

2025 Staffing Metric and Drop-off Calculator.xlsx

Upload a scanned pdf of recent promotion for your current curbside or drop-off opportunities. It can be from a brochure, newsletter or from your website, for how your special curbside collection program works, and/or what is accepted at your city or town offices (during business hours), spring recycling event, permanent drop-off centers or other drop-off events. *

BlainesRecyclingProgram (003).pdf

Click [here](#) to download the Curbside Collection Eligible Expenses document.

 **MANAGE ONLY**

Admin only: The approved Labor and Staffing % from your 2024 Staffing Metric has been inserted to provide an estimate of typical Labor and Staffing costs for your community. In general, this percentage has not changed much over the last several years.

41

%

 **MANAGE ONLY**

Labor & Staffing Maximum Funds Available

\$

84,671.97

General Program Administration

\$

36,000.00

Program Implementation

\$

0.00

Total Labor & Staffing Expenses Requested:

\$

36,000.00

Supplemental Funding Request

Supplemental grant funding is currently available to help support municipal waste abatement programs and/or new program development. Supplemental funding, however, should not be depended on for long-term program sustainability. Before requesting supplemental additional grant program dollars, it is critical that your municipality is willing to support and sustain the services before implementation.

Please be aware that there is a limited amount of supplemental funding available for this section. If the County receives more funding requests than funds, the funds may be reduced or denied for a municipalities supplemental funding request. Grants will be evaluated based on which projects best help the County meet the State mandated goal of 75% by 2030.

The maximum supplemental grant available may be up to \$20,000.00 per municipality.

Supplemental Funding – may include:

- Collection service provider expenses for additional materials
- Additional expenses from construction and paving projects
- Large equipment purchases
- New program expenses

Do you need additional funds to grow existing waste abatement programs? *

☐ Yes

☒ No

Summary of Funding Requested

Base Funding Requested

\$

46,100.00

Enhancement Funding Requested

Drop-off Grant Requested

\$

30,486.00

General Enhancement Grant Requested	\$	30,000.00
Organics Program Grant Requested	\$	13,931.00

Total Enhancement Funding Requested

\$	74,417.00
----	-----------

Labor & Staffing Funding Requested	\$	36,000.00
------------------------------------	----	-----------

Supplemental Funding Requested	\$	
--------------------------------	----	--

Total Funding Requested

156,517.00

Date: *	05/31/2024
Name: *	Kyle Howard
Title: *	Utility Billing Supervisor

Total Funding Granted

 MANAGE ONLY	
Base Funding Granted	46,100.00
 MANAGE ONLY	
Drop-off Funding Granted	30,486.00
 MANAGE ONLY	
General Enhancement Funding Granted	30,000.00
 MANAGE ONLY	
Organics Program Funding Granted	13,931.00

 MANAGE ONLY

Labor & Staffing Funding Granted	36,000.00
MANAGE ONLY	
Supplemental Funding Granted	
Total Funding Granted	\$ 156,517.00

MANAGE ONLY

Office Use Only

Received By: Sue Doll

Date: 05/31/2024

Manager Notes for Reporters:

Reduced total application request by \$50,000.00 based on past years of not spending a large portion of the funds. Additional dollars added to promotional expenses and user coupons added to offer more incentives for residents to recycle.

Created: Apr 25, 2024 at 03:02 PM CDT
Robin Wodziak
Robin.wodziak@anokacountymn.gov
Last Updated: Aug 6, 2024 at 06:49 PM CDT
Sue Doll
Sue.doll@anokacountymn.gov



City of Blaine Staff Report

File Number: RES 24-205

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

Approval of Consent Agenda: - Jason Zimmerman, Finance Director

Agenda Item # 8.6

Resolution Authorizing the Purchase of a Network Switch for the Lexington Athletic Complex and Associated Budget Amendment

Executive Summary

The IT department is seeking authorization to reallocate capital funding in the amount of \$5,222 to purchase a network switch for the Lexington Athletic Complex (LAC). Project E2402 was approved within the 2024-2028 Capital Improvement Plan which involved installing fiber optic cables to the LAC. After the fiber optic cables were installed at the LAC, IT staff discovered the previously unused fiber port in the existing switch was defective. A new switch is needed to connect the LAC to the new fiber network.

Background

Late in 2023, after the 2024 Capital Budget was finalized, IT staff were able to find generic server memory for considerably less than was quoted by the server manufacturer for the 2024 Capital Project E2404 - Memory Upgrade for VMware Hosts. With funds remaining in the 2023 IT Capital Budget, IT staff were able to purchase memory and upgrade their servers in 2023, eliminating the need for the 2024 Capital Project E2404.

The Lexington Athletic Complex (LAC) was connected to the City's internal computer network via an obsolete Motorola Canopy system. That system had become unreliable, and parts are no longer manufactured for it. Having this private fiber optic connection to the LAC provides a secure and reliable network connection, allowing for further technological enhancements or modernization over the next several decades, should it become necessary.

By utilizing existing 2023 funds to complete the memory upgrade for VM Hosts, the overall capital appropriation within the IT section of the 2024 Capital Plan is sufficient to cover the additional costs associated with the requested network switch.

Strategic Plan Relationship

The network switch acquisition aligns with the City's Strategic Plan of Infrastructure Management.

Board/Commission Review

N/A

Financial Impact

Capital Project E2404 - Memory Upgrade for VMware Hosts is no longer needed and has been canceled, with the associated funding available to be reallocated to Capital Project E2402 - Lexington Athletic Complex Fiber Optic, to cover the cost of this network switch.

Public Outreach/Input

N/A

Staff Recommendation

Approve the resolution authorizing the purchase of a network switch for the Lexington Athletic Complex and associated budget amendments.

Attachment List

None



City of Blaine

Signature Copy

Resolution: RES 24-205

Resolution Authorizing the Purchase of a Network Switch for the Lexington Athletic Complex and Associated Budget Amendment

WHEREAS, sound budgeting principles promote appropriating necessary funds required to accomplish approved objectives; and

WHEREAS, appropriations were authorized for sufficient anticipated activity as outlined in the 2024 budget and capital improvement plan ("CIP"); and

WHEREAS, the City Council of the City of Blaine ("City Council") has the authority to authorize transfers and budget amendments between accounting funds; and

WHEREAS, project E2404 - Memory Upgrade for VMware Hosts was authorized and appropriated \$24,100 in the 2024 CIP; and

WHEREAS, sufficient funding existed within the 2023 CIP to complete the purchase of project E2404; and

WHEREAS, project E2402 - Fiber to the Lexington Athletic Center was authorized and appropriated \$68,000 in the 2024 CIP; and

WHEREAS, upon installation of the fiber optic cables at the Lexington Athletic Center, it was discovered the existing network switch was defective; and

WHEREAS, the quoted price of a new network switch is \$5,222.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Blaine hereby cancels project E2404 - Memory Upgrade for VMware Hosts and authorizes the following expenditure decrease(s) to the 2024 budget and CIP:

Fund/Account	Project Number	Project Description	Amount
Capital Equipment & Replacement Fund - IT - Computer Equipment 410.30.330.331-4575	E2404	Memory Upgrade for VMware Hosts	\$24,100

BE IT FURTHER RESOLVED that the City Council of the City of Blaine hereby authorizes the following expenditure increase(s) to the 2024 budget and CIP for project E2402 - Fiber to the Lexington Athletic Center:

Fund/Account	Project Number	Project Description	Amount
Capital Equipment & Replacement Fund - IT - Computer Equipment 410.30.330.331-4575	E2402	Fiber to the Lexington Athletic Center	\$5,222

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



Signed by

Tim Sanders, Mayor

Signed by

Cathy Sorensen, CMC, City Clerk



City of Blaine

Staff Report

File Number: RES 24-213

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

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

Agenda Item # 8.7

Resolution Authorizing Change Order No. 1 in the Amount of \$58,100 for the 2024 Storm Sewer Lining Project, Improvement Project No. 24-51 and Associated Budget Amendments

Executive Summary

The 2024 Storm Sewer Lining Project was awarded to Veit & Company, Inc. at the August 5, 2024 council meeting via resolution 24-151 with a total authorized budget of \$126,610.00. The attached change order, for \$58,100 is for additional lining work identified by staff after an inspection of a failing public storm pipe was conducted.

Background

This project was previously authorized as part of the 2023-2027 Storm Sewer Capital Improvement Program (CIP), which was adopted via resolution 22-201 on December 5, 2022. The CIP included \$250,000 for CIPP Lining at 99th Ave from Pleasure Creek to Jackson Street, and \$100,000 for General CIPP lining. This activity has been funded through revenue bonds, which were sold on December 5, 2023, and included in resolution 23-195. The annual debt service payments are anticipated to be repaid by user fees from the Storm Sewer Utility Fund. The project scope was revised and the budget was amended to coincide with the award of bid that was authorized at the August 5, 2024, City Council Meeting via resolution 24-151.

In September, Public Works conducted an inspection along a section of storm pipe north of 91st Avenue, between Van Buren and Tyler streets. The storm pipe was televised and determined to be failing. Veit, already contracted with the city to complete lining projects this year, submitted a quote for the additional lining of this pipe. Budget remains for storm pipe lining due to the revision of scope and lower than anticipated bid prices of the original Veit contract.

Strategic Plan Relationship

The project aligns with the City's strategic initiatives for providing a Well-maintained Infrastructure.

Board/Commission Review

N/A

Financial Impact

The original project was previously authorized as part of the 2023-2027 Storm Sewer Capital Improvement Program (CIP), which was adopted via resolution 22-201 on December 5, 2022. The CIP included \$250,000 for CIPP Lining at 99th Ave from Pleasure Creek to Jackson Street, and \$100,000 for General CIPP lining. This activity has been funded through revenue bonds, which were sold on December 5, 2023, and included in resolution 23-195. The annual debt service payments are anticipated to be repaid by user fees from the Storm Sewer Utility Fund.

A 10% contingency has been added to Change Order #1, bringing the total requested additional appropriation to \$63,910.

2023-2027 Capital Improvement Plan				
Project Name	Project Number	2023 Appropriated Amount	Amending Appropriation August 5, 2024	Amended Appropriation November 4, 2024
CIPP Lining - 99th Ave - Pleasure Creek to Jackson St	U2451	\$250,000	\$105,930	\$105,930
CIPP Lining Annual - Storm Sewer Lining Contract	U2451-1	\$100,000	\$33,341	\$33,341
Change Order #1		\$-	\$-	\$63,910
TOTAL		\$350,000	\$139,271	\$203,181

To date, no additional expenditures regarding Change Order 1 have been incurred. Staff anticipates improvements to be completed in 2024.

Public Outreach/Input

N/A

Staff Recommendation

By resolution, approve Change Order No. 1 in the amount of \$58,100 and amend the total contract budget to \$203,181, and authorize the Director of Engineering to sign said Change Order No. 1.

Attachment List

1. 91st Ave CO1 Location
2. Change Order 1



City of Blaine

Signature Copy

Resolution: RES 24-213

Resolution Authorizing Change Order No. 1 in the Amount of \$58,100 for the 2024 Storm Sewer Lining Project, Improvement Project No. 24-51 and Associated Budget Amendments

WHEREAS, Veit & Company, Inc. of Rogers, Minnesota was awarded the contract for designated sewer improvements as outlined in projects U2451 and U2451-1 on August 5, 2024; and

WHEREAS, additional lining work identified by staff after an inspection of a failing public storm pipe was conducted; and

WHEREAS, Change Order #1 has been generated to complete the identified work.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Blaine hereby authorizes the following project and budget amendments associated with the 2024 Storm Sewer Lining Project:

2023-2027 Capital Improvement Plan				
Project Name	Project Number	2023 Appropriated Amount	Amending Appropriation August 5, 2024	Amended Appropriation November 4, 2024
CIPP Lining - 99th Ave - Pleasure Creek to Jackson St	U2451	\$250,000	\$105,930	\$105,930
CIPP Lining Annual - Storm Sewer Lining Contract	U2451-1	\$100,000	\$33,341	\$33,341
Change Order #1		\$-	\$-	\$63,910
TOTAL		\$350,000	\$139,271	\$203,181

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

Signed by

Tim Sanders, Mayor



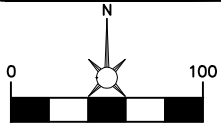
Signed by

Cathy Sorensen, CMC, City Clerk



CITY OF BLAINE

LOCATION MAP



91ST AVE STORM LINING CHANGE ORDER

— PROPOSED PROJECT LOCATION





Veit & Company, Inc.
14000 Veit Place
Rogers, MN 55374

Change Order Request

Page: 1

COR #: 1

Date:

Owner : City of Blaine
10801 Town Square Drive NE
Blaine, MN 55449

Contract : 240289. . 2024 Blaine Storm Sewer Lining
Misc. Locations within City of Blaine
Blaine, MN 55449

Below is detail for our proposal to complete the following changes in Contract Work:

Description: Added CIPP Total: 58,100.00

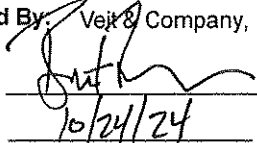
Details: 415 lf of 24" @ \$140.00/lf

PCO Type	PCO	PCO Description	Amount
PCO	1	Added CIPP 415 lf of 24" @ \$140.00/lf	58,100.00
			Total: 58,100.00

Approved By: City of Blaine

Submitted By: Veit & Company, Inc.

Signed: _____

Signed: 

Date: _____

Date: 10/24/24



City of Blaine Staff Report

File Number: RES 24-211

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

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

Agenda Item # 8.8

Resolution to Receive Feasibility Report and Order Public Hearing for the 2025 Southwest Area Street Reconstructions, I/P 25-06

Executive Summary

Council is asked to receive the feasibility report for the 2025 Southwest Area Street Reconstructions, Improvement Project No. 25-06 and order a public hearing.

Background

At the July 15, 2024 City Council meeting, Council initiated the 2025 Southwest Area Street Reconstruction project and ordered the preparation of a feasibility report. The 2025 Southwest Area Street Reconstruction project consists of reconstruction of the following streets:

- 87th Lane from west cul-de-sac to Able Street
- 88th Avenue from Jefferson Street to Jackson Street
- 88 ½ Avenue from Van Buren Street to Able Street
- Jefferson Street from south cul-de-sac to 89th Avenue
- Madison Street from 88th Avenue to 89th Avenue
- Monroe Street from 88th Avenue to 89th Avenue
- Quincy Street from 88th Avenue to 89th Avenue
- Jackson Street from 87th Lane to 89th Avenue
- Van Buren Street from County Highway 10 Frontage Road to 88 ½ Avenue

The project consists of city streets with rural sections and no curb and gutter. The method of reconstruction will be a full reconstruction to the city's standard residential street typical section with concrete curb and gutter and will be further explained in the feasibility report.

The estimated cost of these proposed improvements is \$4,335,630 with \$976,568 to be assessed to the benefitting properties over a 15-year period. \$2,954,502 is proposed to be paid from the City's

Pavement Management Program Fund, and \$404,560 is proposed to be paid from the City's Public Utility Funds. The proposed project is necessary, cost-effective, and feasible and will result in a benefit to the properties proposed to be assessed.

Schedule of Actions

July 15, 2024	Initiate Project and Order Preparation of Feasibility Report
November 4, 2024	Receive Feasibility Report and Order Public Hearing
November 6, 2024	Public Information Meeting/Open House
November 18, 2024	Hold public hearing, order improvements, order preparation of plans and specifications
January 20, 2025	Approve plans and specifications, order advertisement for bids
February 24, 2025	Open Bids
March 17, 2025	Award Contract
May - September 2025	Construct Improvements
Spring 2026	Hold Assessment Hearing
January 2027	First Assessment payment due with real estate taxes

Strategic Plan Relationship

The project aligns with the City's strategic initiatives for Growth Management and providing a well maintained infrastructure by providing high-quality street surfaces.

Board/Commission Review

Not applicable.

Financial Impact

The project will be funded by a combination of assessments and bond proceeds placed in the City Pavement Management Program Fund and Public Utility Funds. The 2024 project budget included \$391,000 for consulting. To date, \$63,059.00 has been encumbered. The 2025 project budget in the 2025-2029 Capital Improvement Plan is \$3,650,500 and includes consulting, construction, and contingency, bringing the total project budget to \$4,041,500. With estimated improvement costs of \$4,335,630, future adjustments may be needed in 2025. Typically, no budget amendments are presented until construction bids are opened and awarded by the City Council.

Funding Source	2024 Adopted Budget	2025 Proposed Budget
PMP Funds	\$391,000	\$2,471,000
Special Assessments	-	\$729,500
Water Utility Funds	-	\$390,000
Sewer Utility Funds	-	\$60,000
TOTAL	\$391,000	\$3,650,500

Public Outreach/Input

The project is being conducted pursuant to MN Statutes, Chapter 429 and is compliant with all public notification requirements thereof.

Staff Recommendation

By motion, adopt the resolution.

Attachment List

1. 25-06 Project Area Map
2. 25-06 Feasibility Report - Final



City of Blaine

Signature Copy

Resolution: RES 24-211

Resolution to Receive Feasibility Report and Order Public Hearing for the 2025 Southwest Area Street Reconstructions, I/P 25-06

WHEREAS, pursuant to Resolution No. 24-137 adopted on the 15th day of July, 2024, by the Blaine City Council, a report has been prepared for the City of Blaine Engineering Department, with reference to the reconstructions of 87th Lane (from west cul-de-sac to Able Street), 88th Avenue (from Jefferson Street to Jackson Street), 88 1/2 Avenue (from Van Buren Street to Able Street), Jefferson Street (from south cul-de-sac to 89th Avenue), Madison Street (from 88th Avenue to 89th Avenue), Monroe Street (from 88th Avenue to 89th Avenue), Quincy Street (from 88th Avenue to 89th Avenue), Jackson Street (87th Lane to 89th Avenue), Van Buren Street (from County Highway 10 Frontage Road to 88 1/2 Avenue) and this report received by the Council on the 4th Day of November 2024.

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

1. The Council will consider the improvement in accordance with the report finding the improvement necessary, cost-effective, and feasible, resulting in a benefit to the properties proposed to be assessed and will consider the assessment of benefiting property for all or a portion of the cost of the improvement pursuant to the Minnesota Statutes, Chapter 429, at an estimated total cost of the improvement of \$4,335,630.
2. A Public Hearing shall be held on such proposed improvement on the 18th day of November 2024, at 7:00PM in the Council Chambers of City Hall, and the City Clerk shall give mailed and published notice of such hearing and improvement as required by law.

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

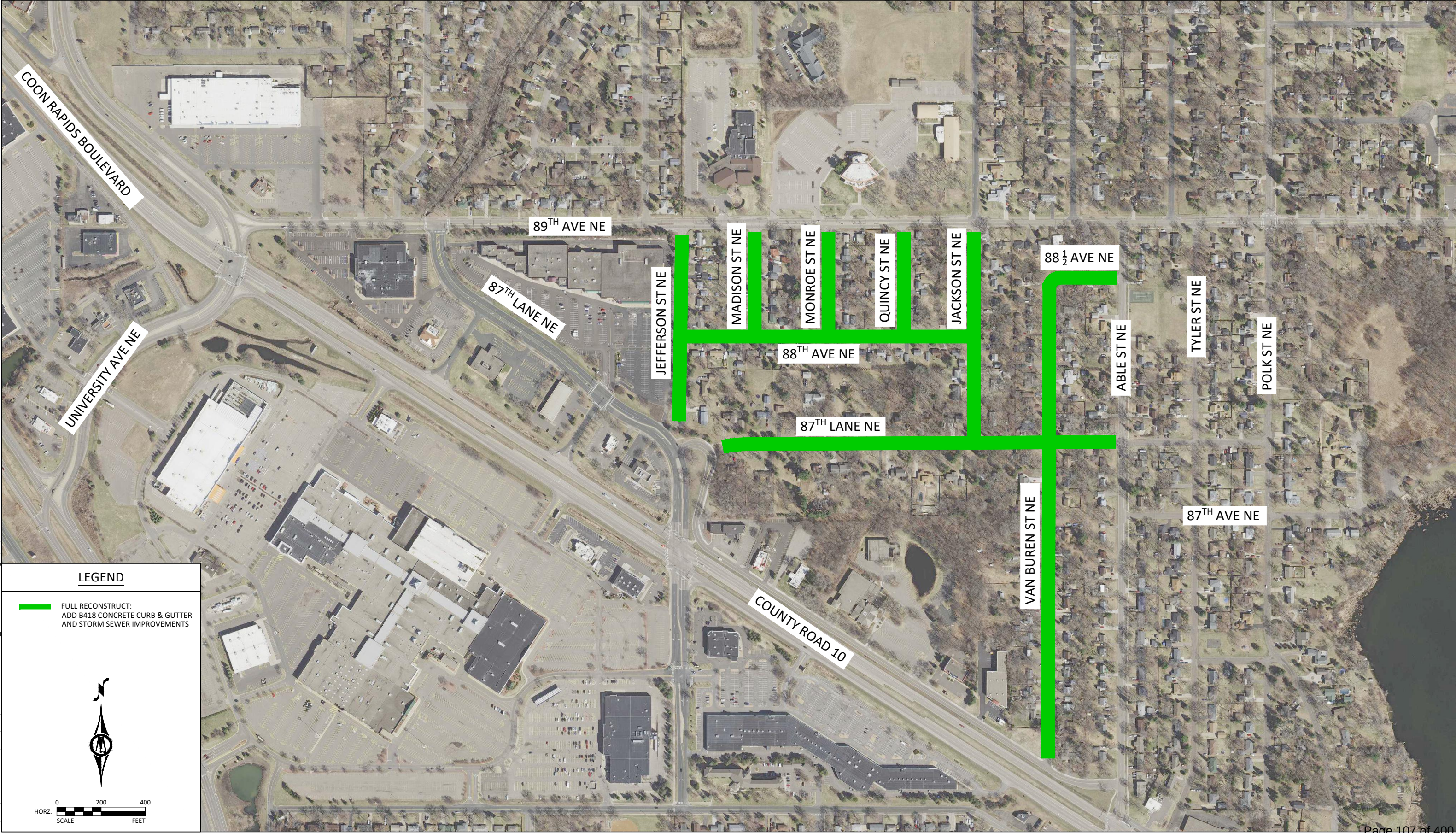


Signed by

Tim Sanders, Mayor

Signed by

Cathy Sorensen, CMC, City Clerk



H:\BLA\24\135124000\CAD\C3D\FGR-135124-FIGURE 1_LOCATION MAP.dwg 7/31/2024 10:05:05 AM



**BOLTON
& MENK**

Real People. Real Solutions.



Feasibility Report for

Improvement Project No. 25-06
Pavement Management Program

2025 Southwest Area Street Reconstruction Project

Bolton & Menk, Inc. Project No. 24X.135124
October 28, 2024

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.

By: _____

Michael Nill, P.E.
License No. 26914

Submitted by:

Bolton & Menk, Inc.
3507 High Point Drive North
Bldg. 1, Suite E130
Oakdale, MN 55128

Table of Contents

I.	EXECUTIVE SUMMARY	1
II.	PROJECT HISTORY	1
III.	PROJECT AREA CHARACTERISTICS	2
A.	STREETS AND UTILITIES.....	2
B.	DRAINAGE CHARACTERISTICS.....	2
C.	MISCELLANEOUS EXISTING CHARACTERISTICS.....	2
IV.	PROPOSED IMPROVEMENTS	2
A.	SANITARY SEWER.....	3
B.	WATER MAIN	3
C.	STREET CONSTRUCTION.....	3
D.	STORM DRAINAGE	3
V.	IMPACT OF PROPOSED IMPROVEMENTS	3
VI.	SUMMARY OF ESTIMATED PROJECTS COSTS.....	4
VII.	ASSESSMENT METHODOLOGY.....	4
VIII.	FINANCING.....	5
IX.	SCHEDULE	6
X.	PROJECT FEASIBILITY AND RECOMMENDATION	6

Appendix

Appendix A – Figures

- Figure 1: Location Map
- Figure 2: Assessable Properties

Appendix B – Exhibits

- Exhibit 1: Proposed Assessment Roll – Single Family Residential
- Exhibit 2: Proposed Assessment Roll – Commercial/Industrial

I. EXECUTIVE SUMMARY

The proposed project consists of full reconstruction, including new concrete curb and gutter, aggregate base, bituminous pavement, and storm sewer improvements on the following rural, residential streets:

- 87th Lane, from west cul-de-sac to Able Street
- 88th Avenue, from Jefferson Street to Jackson Street
- 88 ½ Avenue, from Van Buren Street to Able Street
- Jefferson Street, from south cul-de-sac to 89th Avenue
- Madison Street, from 88th Avenue to 89th Avenue
- Monroe Street, from 88th Avenue to 89th Avenue
- Quincy Street, from 88th Avenue to 89th Avenue
- Jackson Street, from 87th Avenue to 89th Avenue
- Van Buren Street, from County Highway 10 Frontage Road to 88 ½ Avenue

Additional proposed improvements on the above streets include replacement of water main valves and hydrants, sanitary sewer manhole castings, traffic control signage, and appurtenant construction.

The location of the proposed project area within the City of Blaine is shown on attached Figure 1 in Appendix A.

The total estimated project cost of the proposed improvements is **\$4,335,630.00**, of which **\$976,568.01** is proposed to be assessed over a fifteen-year period. In addition, replacement of existing sanitary sewer castings and rings and select hydrants and valves at an estimated cost of **\$404,560.00** is proposed to be paid for by City Public Utility Funds. The remaining portion of **\$2,954,501.99** is proposed to be paid from the City's Pavement Management Program Fund.

The project is necessary, cost-effective, and feasible and would result in a benefit to the properties proposed to be assessed.

II. PROJECT HISTORY

The Blaine City Council initiated the project and ordered the preparation of a feasibility report on July 15, 2024, with Resolution No. 24-137.

This report is based on field observations, record drawing information, aerial photography, and a topographic survey performed during the summer of 2024.

III. PROJECT AREA CHARACTERISTICS

A. STREETS AND UTILITIES

The streets in the proposed project areas were originally constructed in the 1960s with a section consisting of approximately 2 inches of bituminous pavement on 4 inches of aggregate base and no concrete curb and gutter. The streets received a 1.5-inch bituminous mill and overlay in 1999. The pavement has reached the point of failure with significant block, transverse, and longitudinal cracking and has failed to a point where an overlay is not feasible.

The majority of the sanitary sewer consists of 8-inch diameter vitrified clay pipe (VCP), with the exception of Jefferson Street, which has 12-inch diameter reinforced concrete pipe (RCP).

The majority of the water main is 6-inch diameter cast iron pipe (CIP). The only exception is Jefferson Street, which has 10-inch diameter CIP.

The storm sewer consists of 12-inch to 33-inch diameter RCP.

B. DRAINAGE CHARACTERISTICS

Stormwater generated within the project site sheets toward the pavement edge of the road and is captured in existing catch basins where it is then routed toward the 87th Lane NE trunk storm sewer system. The trunk storm sewer conveys collected flows west toward the Jefferson Street cul-de-sac where it is ultimately discharged off the project site. The trunk storm sewer system also serves as the regional outlet to Laddie Lake as well as a constructed wet sedimentation basin within the Anoka County Library property.

C. MISCELLANEOUS EXISTING CHARACTERISTICS

Based on the Geotechnical Exploration Report completed by Haugo Geotechnical Services, LLC, primary soil groups within the project site reflect HSG-A and HSG-B type soils, which are conducive to infiltration. Boring results also indicated perched groundwater at an average depth of 9.0' below existing grade. Lastly, a defined Moderate Vulnerability Drinking Water Supply Management Area (DWSMA) has been identified to cover the entirety of the project site.

IV. PROPOSED IMPROVEMENTS

The proposed improvements consist of full reconstruction of all the streets to the city's standard residential street typical section, including B418 concrete curb and gutter, and storm sewer repairs and replacements. The existing storm sewer system will be supplemented with new storm sewer as needed.

The existing sanitary sewer castings and adjusting rings would be replaced. 10 hydrants and 18 valves are proposed to be replaced. The improvements are necessary, cost-effective, and feasible. It is not anticipated that any additional right-of-way would be needed for the project. Each improvement is further described as follows:

A. SANITARY SEWER

Public Works and Engineering staff have reviewed the existing sanitary sewer along the project corridor and concur that there are no issues with the existing mains. All sanitary sewer lines on the project were lined with a cured-in-place pipe between 2009 and 2011. The project would include the removal of the existing manhole castings and adjusting rings and installation of new castings and concrete adjusting rings on all sanitary manholes.

B. WATER MAIN

Public Works and Engineering staff have reviewed the water main installation dates and water main break data along the project corridor and concur that the existing cast iron water main installed in the mid-1960s has no issues indicating the need for replacement or repair. The hydrants and valve boxes were also inspected. All valves and old-style hydrants would be replaced with this project area.

C. STREET CONSTRUCTION

All streets would be reconstructed to the city's standard typical section for reconstructed residential streets, which consists of 3.5 inches of bituminous pavement over 4 inches of class 5 aggregate base and B418 concrete curb and gutter. The current street width is approximately 30 feet from edge to edge of pavement. It is proposed to reconstruct these streets to the city standard width of 29 feet from back of curb to back of curb.

D. STORM DRAINAGE

To improve the drainage characteristics throughout the project site, existing roads will be narrowed by approximately 1-foot to reflect the city's typical street section and equipped with curb and gutter. New storm sewer will be installed where necessary, existing storm sewer structures will be rehabilitated, and multiple Best Management Practices (BMPs) will be installed to meet applicable CCWD stormwater management requirements. Sump catch basin structures will also be installed as a BMP throughout the project where appropriate to aid in the removal of sediment.

As mentioned previously in paragraph III.C of this report, a defined Moderate Vulnerability DWSMA has been identified to cover the entirety of the project site with soil types that are conducive to infiltration. Therefore, volume reduction BMPs strategically placed throughout the project site, in addition to sump structures at primary outfall locations, will be considered the primary stormwater treatment features implemented as part of this project.

V. IMPACT OF PROPOSED IMPROVEMENTS

The proposed street improvements would not create any new maintenance issues for the Public Works staff other than the annual cleaning of added sump manholes. The City would work with affected property owners and the Contractor to resolve any situations that arise during construction. Short term traffic delays, construction dust and noise, and erosion would occur. Efforts to minimize these impacts include the restriction of work hours and dust and erosion control measures. Any disruptions that occur to existing yards, sprinkler systems, and driveways would be restored.

VI. SUMMARY OF ESTIMATED PROJECTS COSTS

A breakdown of the estimated construction and administrative costs is shown in the following table. All costs are based on anticipated unit prices for the 2025 construction season and include a 10% contingency to account for elements of construction that are unknown at this time.

Estimated Project Costs		
Item		Total
Construction Costs		
Street/Storm Sewer		\$3,023,900
Water Main		\$246,900
Sanitary Sewer		\$64,300
Total Estimated Construction Costs		\$3,335,100
Administrative Costs		
Engineering	18%	\$600,318
Assessment	1%	\$33,351
Legal	1%	\$33,351
Administration	5%	\$166,755
Capitalized Interest	4%	\$133,404
Bonding	1%	\$33,351
Total Estimated Administrative Costs		\$1,000,530
Total Estimated Project Costs		\$4,335,630

VII. ASSESSMENT METHODOLOGY

It is proposed that the project be assessed over 15 years in accordance with the City's Assessment Policy. All streets would be assessed using methods described within the City of Blaine Special Assessment Policy, which will include using the unit assessment method for the single-family residential properties and the linear foot assessment method for the commercial properties.

In accordance with the City of Blaine Special Assessment Policy, 35% of the street and storm sewer project costs are assessed to single-family zoned residential properties that have assessable frontage along the project area and 50% to commercial properties. Public utility funds are responsible for 100% of the sanitary sewer and water main costs.

See Figure 2 in Appendix A for the parcels proposed to be assessed and Exhibits 1 and 2 for the proposed assessment rolls.

VIII. FINANCING

Based on the previous Estimated Project Costs table, the total estimated project cost is **\$4,335,630.00**. The proposed project would be temporarily financed by the city. Permanent funding would be provided by the Pavement Management Program (PMP) Funds, Public Utility Funds, and the costs assessed to the benefiting parcels in accordance with the current City of Blaine Special Assessment Policy and Minnesota Statutes Chapter 429, Special Assessment Laws.

A breakdown of the costs assigned to each funding source to finance the estimated projects costs for each street is shown in the following table:

Financing Summary	
Item	Funding Source
Temporary Funding Source	City Internal Funds
Permanent Funding Source	PMP Funds, Public Utility Funds, and Assessments
Financing	Total
Total Paid from PMP Funds	\$2,954,502
Total Paid from Public Utility Funds	\$404,560
Total Generation from Assessments	\$976,568
Total Financing	\$4,335,630

A. FINANCE STATEMENT

With reference to this Feasibility Report for Improvement Project 25-06 as prepared by Bolton & Menk, Inc., dated October 28, 2024:

1. The project would be temporarily funded through existing City internal funds whereupon permanent financing would be obtained through the city's Pavement Management Program Funds, Public Utility Funds, and assessments.
2. Sufficient moneys are currently available from the City's internal funds to temporarily fund the special assessment portion of the project. It is estimated that **\$976,568.01** would be assessed.
3. Sufficient moneys are currently available from the City's Pavement Management Fund and Public Utility Fund to pay for the proposed street and utility improvements for the project at an estimated cost of **\$3,359,062.00**.

IX. SCHEDULE

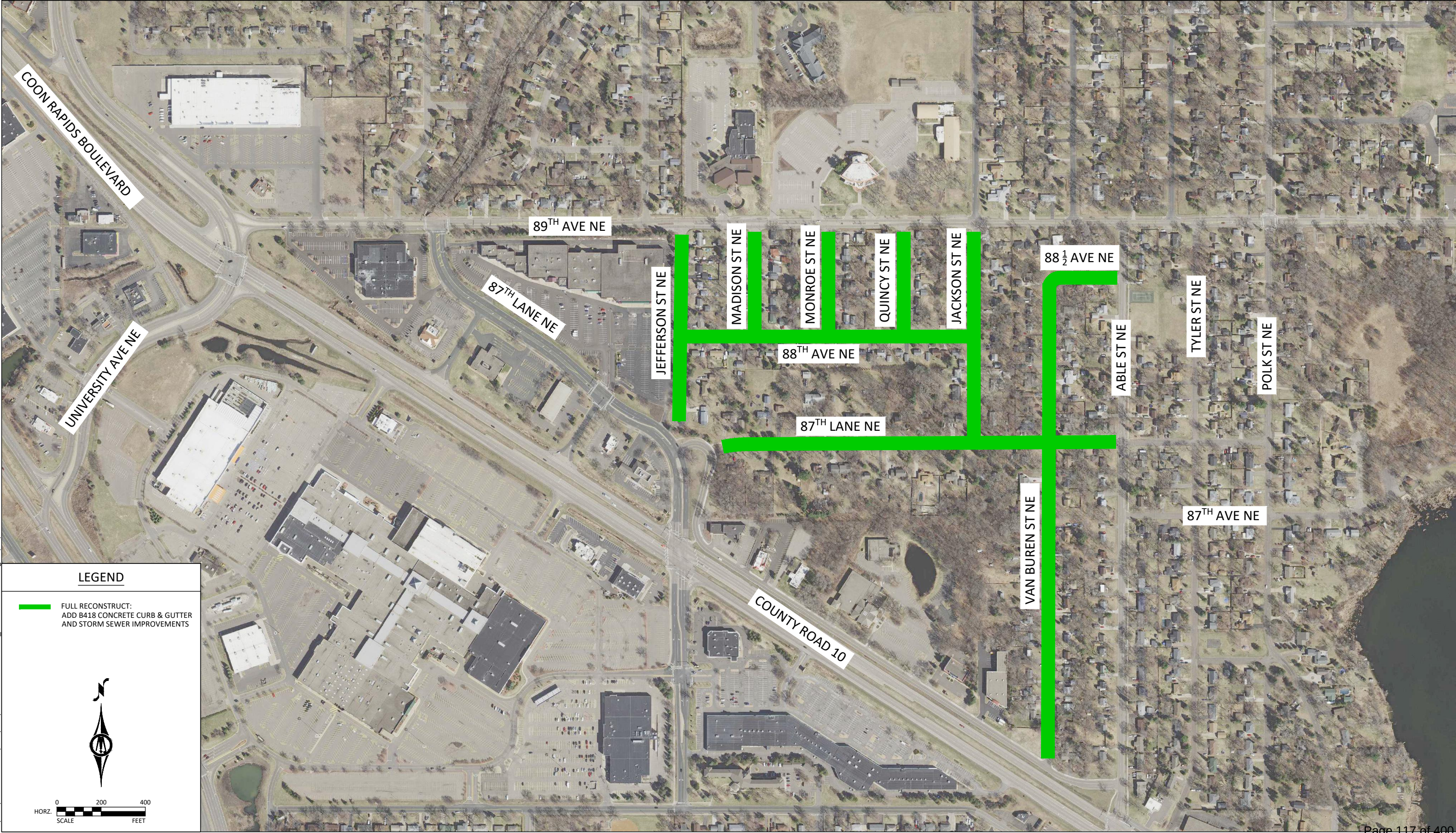
The following schedule allows for construction to be completed during the 2025 construction season:

Proposed Project Schedule	
November 4, 2024	Receive feasibility report, order public hearing
November 6, 2024	Public information meeting/open house
November 18, 2024	Hold public hearing, order improvements, order preparation of plans & specifications
January 20, 2025	Approve plans & specifications, order advertisement for bids
February 24, 2025	Open bids
March 17, 2025	Award contract
May - Sept 2025	Construct improvements
Spring 2026	Hold assessment hearing
January 2027	First assessment payment due with real estate taxes

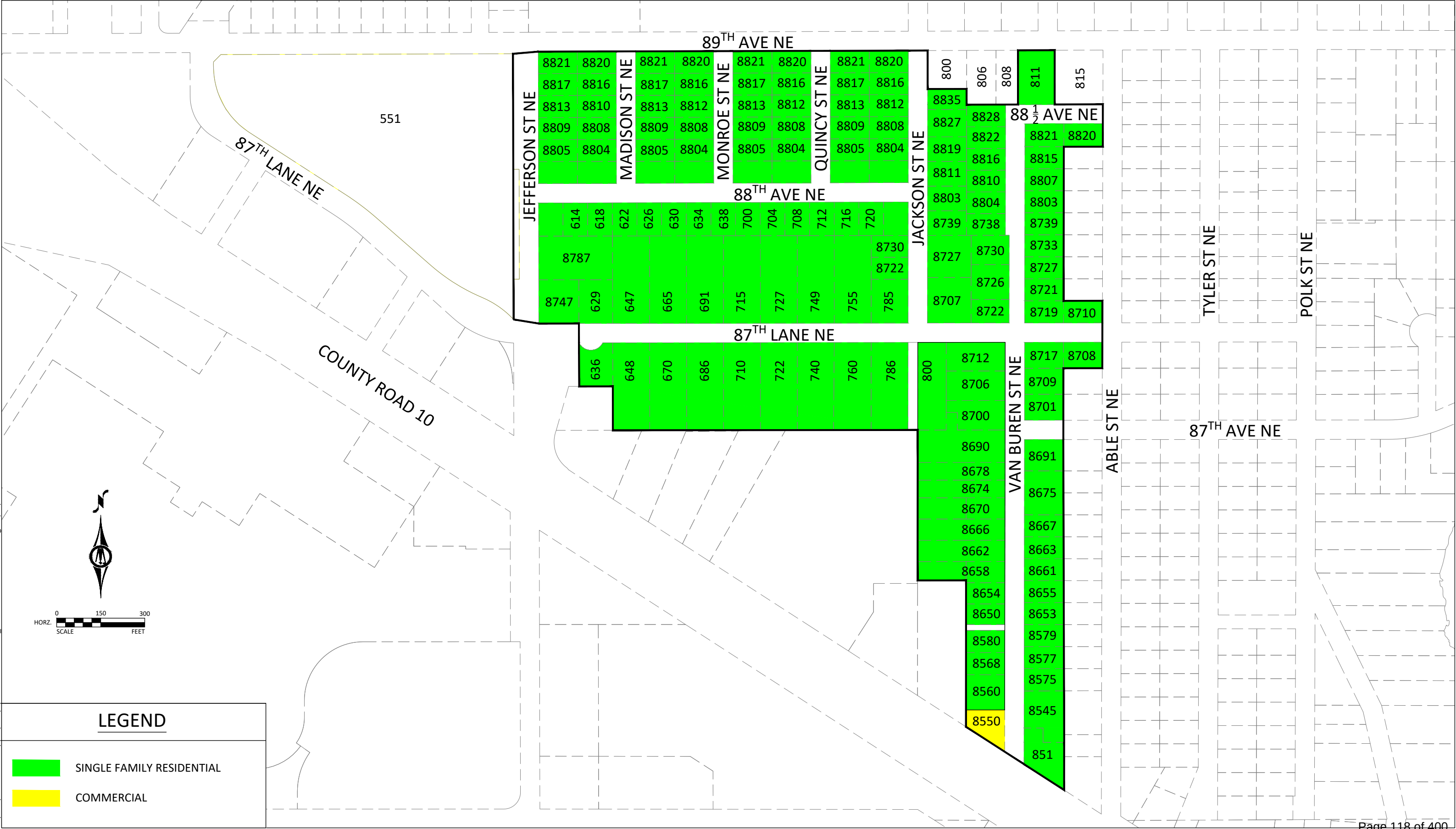
X. PROJECT FEASIBILITY AND RECOMMENDATION

The project as proposed is technically and financially feasible, cost effective, and would result in a benefit to the properties proposed to be assessed. It is recommended that the Council accept this report, hold a public hearing, and order the proposed improvements.

Appendix A: Figures



H:\BLA\24\135124000\CAD\C3D\FGR-135124-FIGURE 1_LOCATION MAP.dwg 10/10/2024 7:14:30 AM



Appendix B: Exhibits

2025 SOUTHWEST AREA STREET RECONSTRUCTION

CITY OF BLAINE

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

ASSESSMENT RATE BREAKDOWN					
CONSTRUCTION COSTS*	\$2,396,000	*(CONSTRUCTION COSTS DO NOT INCLUDE WATER MAIN, SANITARY SEWER, DRIVEWAY REPLACEMENT, LANDSCAPING/IRRIGATION REPAIR, AND WATERSHED PERMIT REQUIREMENT COSTS)			
ADMINISTRATIVE COSTS	\$718,800				
TOTAL COST	\$3,114,800				
RESIDENTIAL ASSESSMENT RATE	x 35%	TOTAL FRONT FOOTAGE		RESIDENTIAL ASSESSMENT RATE PER FRONT FOOT	
ASSESSABLE COST	\$1,090,180 ÷	16825.4 LF	=	\$64.79	
RESIDENTIAL ASSESSMENT RATE PER FRONT FOOT		ASSESSABLE SINGLE FAMILY RESIDENTIAL FOOTAGE		ASSESSABLE RESIDENTIAL LOT UNITS	ASSESSMENT RATE PER RESIDENTIAL LOT UNIT
\$64.79	X	13576.5 LF	=	\$879,621.44 ÷	146 =
					\$6,024.80
PROPERTY PIN	PROPERTY ADDRESS	PROPERTY OWNER	ASSESSABLE RESIDENTIAL LOT UNITS	ASSESSMENT RATE PER RESIDENTIAL LOT UNIT	PROPOSED ASSESSMENT
31-31-23-41-0002	8835 JACKSON ST NE	KUBISZEWSKI, JASON	1	\$6,024.80	\$6,024.80
31-31-23-41-0004	811 88 1/2 AVE NE	BRADLEY, BRIAN JOSEPH	1	\$6,024.80	\$6,024.80
31-31-23-41-0007	8707 JACKSON ST NE	PULCHAN ANAND	1	\$6,024.80	\$6,024.80
31-31-23-41-0008	8727 JACKSON ST NE	NIELSON, DAVID B	1	\$6,024.80	\$6,024.80
31-31-23-41-0009	8726 VAN BUREN ST NE	SOLOMONSON BETZE K	1	\$6,024.80	\$6,024.80
31-31-23-41-0010	8722 VAN BUREN ST NE	HAGGENMILLER, SCOTT A	1	\$6,024.80	\$6,024.80
31-31-23-41-0012	8730 VAN BUREN ST NE	WAGGONER CHRISTINE	1	\$6,024.80	\$6,024.80
31-31-23-41-0013	8712 VAN BUREN ST NE	BARRETT DAN	1	\$6,024.80	\$6,024.80
31-31-23-41-0016	8700 VAN BUREN ST NE	SHEPPARD, JAMES T	1	\$6,024.80	\$6,024.80
31-31-23-41-0031	8708 ABLE ST NE	HAAVISTO, MARY E	1	\$6,024.80	\$6,024.80
31-31-23-41-0034	8701 VAN BUREN ST NE	MOORE, OLIVER	1	\$6,024.80	\$6,024.80
31-31-23-41-0035	8709 VAN BUREN ST NE	JOHNSON BRUCE E & DENISE M	1	\$6,024.80	\$6,024.80
31-31-23-41-0036	8717 VAN BUREN ST NE	PETERSEN NANCY L	1	\$6,024.80	\$6,024.80
31-31-23-41-0084	8820 ABLE ST NE	SALDANA, TIMOTHY A	1	\$6,024.80	\$6,024.80
31-31-23-41-0092	8710 ABLE ST NE	HALL, HAILEY	1	\$6,024.80	\$6,024.80
31-31-23-41-0093	8719 VAN BUREN ST NE	ARNOLD, SUZIE	1	\$6,024.80	\$6,024.80
31-31-23-41-0094	8721 VAN BUREN ST NE	WOELM DAVID W & M L	1	\$6,024.80	\$6,024.80
31-31-23-41-0095	8727 VAN BUREN ST NE	SWANSON JR, DONALD M	1	\$6,024.80	\$6,024.80

ASSESSMENT RATE BREAKDOWN					
CONSTRUCTION COSTS*		\$2,396,000	*(CONSTRUCTION COSTS DO NOT INCLUDE WATER MAIN, SANITARY SEWER, DRIVEWAY REPLACEMENT, LANDSCAPING/IRRIGATION REPAIR, AND WATERSHED PERMIT REQUIREMENT COSTS)		
ADMINISTRATIVE COSTS		\$718,800			
TOTAL COST		\$3,114,800			
RESIDENTIAL ASSESSMENT RATE		x 35%	TOTAL FRONT FOOTAGE	RESIDENTIAL ASSESSMENT RATE PER FRONT FOOT	
ASSESSABLE COST		\$1,090,180 ÷	16825.4 LF	=	\$64.79
RESIDENTIAL ASSESSMENT RATE PER FRONT FOOT		ASSESSABLE SINGLE FAMILY RESIDENTIAL FOOTAGE	AMOUNT ASSESSED	ASSESSABLE RESIDENTIAL LOT UNITS	ASSESSMENT RATE PER RESIDENTIAL LOT UNIT
\$64.79	X	13576.5 LF	=	\$879,621.44 ÷	146 = \$6,024.80
PROPERTY PIN	PROPERTY ADDRESS	PROPERTY OWNER	ASSESSABLE RESIDENTIAL LOT UNITS	ASSESSMENT RATE PER RESIDENTIAL LOT UNIT	PROPOSED ASSESSMENT
31-31-23-41-0096	8733 VAN BUREN ST NE	HATHAWAY DICK L & JEAN F	1	\$6,024.80	\$6,024.80
31-31-23-41-0097	8739 VAN BUREN ST NE	HOVERMAN, BRIAN T	1	\$6,024.80	\$6,024.80
31-31-23-41-0098	8803 VAN BUREN ST NE	JIMENEZ, IVAN ROBERTO ALEMAN	1	\$6,024.80	\$6,024.80
31-31-23-41-0099	8807 VAN BUREN ST NE	STOUTENBURG, MAX T	1	\$6,024.80	\$6,024.80
31-31-23-41-0100	8815 VAN BUREN ST NE	OCHOA KARINA	1	\$6,024.80	\$6,024.80
31-31-23-41-0101	8821 VAN BUREN ST NE	FORMAN JONATHON B	1	\$6,024.80	\$6,024.80
31-31-23-41-0102	8828 VAN BUREN ST NE	BURT GERALD E & KELLY A	1	\$6,024.80	\$6,024.80
31-31-23-41-0103	8822 VAN BUREN ST NE	MCLAIN KATHRYN A	1	\$6,024.80	\$6,024.80
31-31-23-41-0104	8816 VAN BUREN ST NE	RUSSIE, ROBERT A	1	\$6,024.80	\$6,024.80
31-31-23-41-0105	8810 VAN BUREN ST NE	WILSON STUART	1	\$6,024.80	\$6,024.80
31-31-23-41-0106	8804 VAN BUREN ST NE	HANSEN HELEN	1	\$6,024.80	\$6,024.80
31-31-23-41-0107	8738 VAN BUREN ST NE	LARSON, KELLY L	1	\$6,024.80	\$6,024.80
31-31-23-41-0108	8739 JACKSON ST NE	FAIRBANKS LEROY F	1	\$6,024.80	\$6,024.80
31-31-23-41-0109	8803 JACKSON ST NE	SCHUELLER, CORRIE L	1	\$6,024.80	\$6,024.80
31-31-23-41-0110	8811 JACKSON ST NE	THOMAS, DANIEL	1	\$6,024.80	\$6,024.80
31-31-23-41-0111	8819 JACKSON ST NE	LAMB, JESSE D	1	\$6,024.80	\$6,024.80
31-31-23-41-0112	8827 JACKSON ST NE	MCALONIE CHRISTOPHER & THUTHAO	1	\$6,024.80	\$6,024.80
31-31-23-41-0114	8706 VAN BUREN ST NE	ASI ANOKA COUNTY INC	1	\$6,024.80	\$6,024.80
31-31-23-41-0117	800 87TH LN NE	STONE STEVE H	1	\$6,024.80	\$6,024.80
31-31-23-42-0001	8820 JACKSON ST NE	DAILEY JACOB CHRISTOPHER	1	\$6,024.80	\$6,024.80
31-31-23-42-0002	8816 JACKSON ST NE	PHILLIPS, CHARLES WILLIAM	1	\$6,024.80	\$6,024.80
31-31-23-42-0003	8812 JACKSON ST NE	LARSON WILLIAM R JR & D K	1	\$6,024.80	\$6,024.80
31-31-23-42-0004	8808 JACKSON ST NE	GREENHAGEN PROPERTIES LLC	1	\$6,024.80	\$6,024.80
31-31-23-42-0005	8804 JACKSON ST NE	KUNZMANN TRUSTEE ROBERT L	1	\$6,024.80	\$6,024.80
31-31-23-42-0006	8800 JACKSON ST NE	WOODEN DEAN	1	\$6,024.80	\$6,024.80
31-31-23-42-0007	8801 QUINCY ST NE	BOHRER FAMILY TRUST	1	\$6,024.80	\$6,024.80
31-31-23-42-0008	8805 QUINCY ST NE	HARRIS CAROLYN SUZANNE	1	\$6,024.80	\$6,024.80

ASSESSMENT RATE BREAKDOWN					
CONSTRUCTION COSTS*		\$2,396,000	*(CONSTRUCTION COSTS DO NOT INCLUDE WATER MAIN, SANITARY SEWER, DRIVEWAY REPLACEMENT, LANDSCAPING/IRRIGATION REPAIR, AND WATERSHED PERMIT REQUIREMENT COSTS)		
ADMINISTRATIVE COSTS		\$718,800			
TOTAL COST		\$3,114,800			
RESIDENTIAL ASSESSMENT RATE		x 35%	TOTAL FRONT FOOTAGE	RESIDENTIAL ASSESSMENT RATE PER FRONT FOOT	
ASSESSABLE COST		\$1,090,180 ÷	16825.4 LF	=	\$64.79
RESIDENTIAL ASSESSMENT RATE PER FRONT FOOT	ASSESSABLE SINGLE FAMILY RESIDENTIAL FOOTAGE	AMOUNT ASSESSED		ASSESSABLE RESIDENTIAL LOT UNITS	ASSESSMENT RATE PER RESIDENTIAL LOT UNIT
\$64.79	X	13576.5 LF	=	\$879,621.44 ÷ 146	= \$6,024.80
PROPERTY PIN	PROPERTY ADDRESS	PROPERTY OWNER	ASSESSABLE RESIDENTIAL LOT UNITS	ASSESSMENT RATE PER RESIDENTIAL LOT UNIT	PROPOSED ASSESSMENT
31-31-23-42-0009	8809 QUINCY ST NE	HPA BORROWER 2018-1 ML LLC	1	\$6,024.80	\$6,024.80
31-31-23-42-0010	8813 QUINCY ST NE	KALIHER KEVIN J & JILL M	1	\$6,024.80	\$6,024.80
31-31-23-42-0011	8817 QUINCY ST NE	XIONG, DOUA	1	\$6,024.80	\$6,024.80
31-31-23-42-0012	8821 QUINCY ST NE	LACASSE, LISA A	1	\$6,024.80	\$6,024.80
31-31-23-42-0013	8820 QUINCY ST NE	LITTLE, DONALD M	1	\$6,024.80	\$6,024.80
31-31-23-42-0014	8816 QUINCY ST NE	RICHARDS, DELANO	1	\$6,024.80	\$6,024.80
31-31-23-42-0015	8812 QUINCY ST NE	THOMPSON, SUSAN L	1	\$6,024.80	\$6,024.80
31-31-23-42-0016	8808 QUINCY ST NE	WOOD CHASE	1	\$6,024.80	\$6,024.80
31-31-23-42-0017	8804 QUINCY ST NE	HANSEN MICHAEL	1	\$6,024.80	\$6,024.80
31-31-23-42-0018	8800 QUINCY ST NE	KOLAR, ARLENE H	1	\$6,024.80	\$6,024.80
31-31-23-42-0019	8801 MONROE ST NE	NIEMANN STEVEN	1	\$6,024.80	\$6,024.80
31-31-23-42-0020	8805 MONROE ST NE	CROMEY, STEVEN A	1	\$6,024.80	\$6,024.80
31-31-23-42-0021	8809 MONROE ST NE	SCHULTZ, DODIE JEAN	1	\$6,024.80	\$6,024.80
31-31-23-42-0022	8813 MONROE ST NE	HECKMAN JAMES B & DORIS J	1	\$6,024.80	\$6,024.80
31-31-23-42-0023	8817 MONROE ST NE	MARQUEZ GARCIA, MARIA GUADALUPE	1	\$6,024.80	\$6,024.80
31-31-23-42-0024	8821 MONROE ST NE	ELLWOOD, JEANNIE A	1	\$6,024.80	\$6,024.80
31-31-23-42-0025	8820 MONROE ST NE	NEUMANN TRUSTEE THOMAS A	1	\$6,024.80	\$6,024.80
31-31-23-42-0026	8816 MONROE ST NE	HENICK, CHRISTOPHER	1	\$6,024.80	\$6,024.80
31-31-23-42-0027	8812 MONROE ST NE	KOWALSKY SUSAN	1	\$6,024.80	\$6,024.80
31-31-23-42-0028	8808 MONROE ST NE	PORTER BRIAN A	1	\$6,024.80	\$6,024.80
31-31-23-42-0029	8804 MONROE ST NE	STEGER LEE V	1	\$6,024.80	\$6,024.80
31-31-23-42-0030	8800 MONROE ST NE	SAUER FRED WILLIAM	1	\$6,024.80	\$6,024.80
31-31-23-42-0031	8801 MADISON ST NE	GUERTIN DEBRA	1	\$6,024.80	\$6,024.80
31-31-23-42-0032	8805 MADISON ST NE	LEHMAN PAUL J & WANDA D	1	\$6,024.80	\$6,024.80
31-31-23-42-0033	8809 MADISON ST NE	SCOTT, KAREN J M	1	\$6,024.80	\$6,024.80
31-31-23-42-0034	8813 MADISON ST NE	NGUYEN, LONG	1	\$6,024.80	\$6,024.80
31-31-23-42-0035	8817 MADISON ST NE	HUNT DEAN & CATHERINE A	1	\$6,024.80	\$6,024.80

ASSESSMENT RATE BREAKDOWN					
CONSTRUCTION COSTS*		\$2,396,000	*(CONSTRUCTION COSTS DO NOT INCLUDE WATER MAIN, SANITARY SEWER, DRIVEWAY REPLACEMENT, LANDSCAPING/IRRIGATION REPAIR, AND WATERSHED PERMIT REQUIREMENT COSTS)		
ADMINISTRATIVE COSTS		\$718,800			
TOTAL COST		\$3,114,800			
RESIDENTIAL ASSESSMENT RATE		x 35%	TOTAL FRONT FOOTAGE	RESIDENTIAL ASSESSMENT RATE PER FRONT FOOT	
ASSESSABLE COST		\$1,090,180 ÷	16825.4 LF	=	\$64.79
RESIDENTIAL ASSESSMENT RATE PER FRONT FOOT	ASSESSABLE SINGLE FAMILY RESIDENTIAL FOOTAGE	AMOUNT ASSESSED		ASSESSABLE RESIDENTIAL LOT UNITS	ASSESSMENT RATE PER RESIDENTIAL LOT UNIT
\$64.79	X	13576.5 LF	=	\$879,621.44 ÷ 146	= \$6,024.80
PROPERTY PIN	PROPERTY ADDRESS	PROPERTY OWNER	ASSESSABLE RESIDENTIAL LOT UNITS	ASSESSMENT RATE PER RESIDENTIAL LOT UNIT	PROPOSED ASSESSMENT
31-31-23-42-0036	8821 MADISON ST NE	MORTON, BRADLEY W	1	\$6,024.80	\$6,024.80
31-31-23-42-0037	8820 MADISON ST NE	JOHANSEN RODNEY I	1	\$6,024.80	\$6,024.80
31-31-23-42-0038	8816 MADISON ST NE	ROMERO ULISES ARIZA	1	\$6,024.80	\$6,024.80
31-31-23-42-0039	8810 MADISON ST NE	CIZMIC STOJAN & ANDJA	1	\$6,024.80	\$6,024.80
31-31-23-42-0040	8808 MADISON ST NE	LAWRENCE TIMOTHY A	1	\$6,024.80	\$6,024.80
31-31-23-42-0041	8804 MADISON ST NE	JOHNSON BRANDEN LEE	1	\$6,024.80	\$6,024.80
31-31-23-42-0042	8800 MADISON ST NE	OMMART, DOUGLAS S	1	\$6,024.80	\$6,024.80
31-31-23-42-0043	8801 JEFFERSON ST NE	RAUSCHNOT BENJAMIN	1	\$6,024.80	\$6,024.80
31-31-23-42-0044	8805 JEFFERSON ST NE	HELMERICK, DEAN J	1	\$6,024.80	\$6,024.80
31-31-23-42-0045	8809 JEFFERSON ST NE	SOHLBERG, ROBERT	1	\$6,024.80	\$6,024.80
31-31-23-42-0046	8813 JEFFERSON ST NE	ZAWADSKI TIMOTHY A	1	\$6,024.80	\$6,024.80
31-31-23-42-0047	8817 JEFFERSON ST NE	MUDICK, MITCHELL A	1	\$6,024.80	\$6,024.80
31-31-23-42-0048	8821 JEFFERSON ST NE	BACKUS, DAVID M	1	\$6,024.80	\$6,024.80
31-31-23-42-0049	724 88TH AVE NE	BRENDEN STEVEN M & DIANE M	1	\$6,024.80	\$6,024.80
31-31-23-42-0050	720 88TH AVE NE	STONEBERG LINDA K & DANIEL J	1	\$6,024.80	\$6,024.80
31-31-23-42-0051	716 88TH AVE NE	CHAPMAN TRUSTEE GERALDINE GUNIL	1	\$6,024.80	\$6,024.80
31-31-23-42-0052	712 88TH AVE NE	COSTELLO ANDREW JOSEPH	1	\$6,024.80	\$6,024.80
31-31-23-42-0053	708 88TH AVE NE	RAMOS VALENTE MILIAN	1	\$6,024.80	\$6,024.80
31-31-23-42-0054	704 88TH AVE NE	KIRKHOLM, MARSHALL J	1	\$6,024.80	\$6,024.80
31-31-23-42-0055	700 88TH AVE NE	BRIANT, JERENE M	1	\$6,024.80	\$6,024.80
31-31-23-42-0056	638 88TH AVE NE	JORDAN SCOTT T	1	\$6,024.80	\$6,024.80
31-31-23-42-0057	634 88TH AVE NE	13 FREMONT AVENUE LLC	1	\$6,024.80	\$6,024.80
31-31-23-42-0058	630 88TH AVE NE	JORDAN MARY ANN	1	\$6,024.80	\$6,024.80
31-31-23-42-0059	626 88TH AVE NE	MUTZBERG, STACIE RENEE	1	\$6,024.80	\$6,024.80
31-31-23-42-0060	622 88TH AVE NE	PROSSER TROY R	1	\$6,024.80	\$6,024.80
31-31-23-42-0061	618 88TH AVE NE	FLEISCHFRESSER ANNA B	1	\$6,024.80	\$6,024.80
31-31-23-42-0062	614 88TH AVE NE	SCHMIDT ALAN D & LEEGARD LYNN	1	\$6,024.80	\$6,024.80

ASSESSMENT RATE BREAKDOWN					
CONSTRUCTION COSTS*		\$2,396,000	*(CONSTRUCTION COSTS DO NOT INCLUDE WATER MAIN, SANITARY SEWER, DRIVEWAY REPLACEMENT, LANDSCAPING/IRRIGATION REPAIR, AND WATERSHED PERMIT REQUIREMENT COSTS)		
ADMINISTRATIVE COSTS		\$718,800			
TOTAL COST		\$3,114,800			
RESIDENTIAL ASSESSMENT RATE		x 35%	TOTAL FRONT FOOTAGE	RESIDENTIAL ASSESSMENT RATE PER FRONT FOOT	
ASSESSABLE COST		\$1,090,180 ÷	16825.4 LF	=	\$64.79
RESIDENTIAL ASSESSMENT RATE PER FRONT FOOT	ASSESSABLE SINGLE FAMILY RESIDENTIAL FOOTAGE		AMOUNT ASSESSED	ASSESSABLE RESIDENTIAL LOT UNITS	ASSESSMENT RATE PER RESIDENTIAL LOT UNIT
\$64.79	X	13576.5 LF	= \$879,621.44	÷ 146	= \$6,024.80
PROPERTY PIN	PROPERTY ADDRESS	PROPERTY OWNER	ASSESSABLE RESIDENTIAL LOT UNITS	ASSESSMENT RATE PER RESIDENTIAL LOT UNIT	PROPOSED ASSESSMENT
31-31-23-42-0063	610 88TH AVE NE	LOOMIS, BOBBI	1	\$6,024.80	\$6,024.80
31-31-23-42-0064	786 87TH LN NE	LYTTLE, ANNYETTA	1	\$6,024.80	\$6,024.80
31-31-23-42-0067	722 87TH LN NE	MOLINE JUSTIN	1	\$6,024.80	\$6,024.80
31-31-23-42-0068	710 87TH LN NE	DREVER, JESSICA J	1	\$6,024.80	\$6,024.80
31-31-23-42-0069	686 87TH LN NE	KOSKA WADE W	1	\$6,024.80	\$6,024.80
31-31-23-42-0070	670 87TH LN NE	RYAN LAURI J	1	\$6,024.80	\$6,024.80
31-31-23-42-0071	648 87TH LN NE	CLANCY, TIMOTHY	1	\$6,024.80	\$6,024.80
31-31-23-42-0074	636 87TH LN NE	SANCHEZ-SALGADO, ISAAC R	1	\$6,024.80	\$6,024.80
31-31-23-42-0075	8730 JACKSON ST NE	SIEDSCHLAG STEVEN T & TERRY L	1	\$6,024.80	\$6,024.80
31-31-23-42-0076	785 87TH LN NE	HARTMANN, SHERRIE A	1	\$6,024.80	\$6,024.80
31-31-23-42-0077	8722 JACKSON ST NE	SWENSON PHILLIP D	1	\$6,024.80	\$6,024.80
31-31-23-42-0078	755 87TH LN NE	LEWIS NANCY O	1	\$6,024.80	\$6,024.80
31-31-23-42-0079	749 87TH LN NE	BLANKENBURG SANRA JEAN	1	\$6,024.80	\$6,024.80
31-31-23-42-0080	727 87TH LN NE	SCHMIDT, VALERIE S	1	\$6,024.80	\$6,024.80
31-31-23-42-0081	715 87TH LN NE	PETERSON MARK	1	\$6,024.80	\$6,024.80
31-31-23-42-0082	691 87TH LN NE	AGBENU KOKU SEDOFIA	1	\$6,024.80	\$6,024.80
31-31-23-42-0083	665 87TH LN NE	ORNELAS MARTIN	1	\$6,024.80	\$6,024.80
31-31-23-42-0084	647 87TH LN NE	GONDEK, RICHARD L	1	\$6,024.80	\$6,024.80
31-31-23-42-0085	8747 JEFFERSON ST NE	JAMALUDDIN ABDULLAH M	1	\$6,024.80	\$6,024.80
31-31-23-42-0086	629 87TH LN NE	NYGAARD, MATTHEW L	1	\$6,024.80	\$6,024.80
31-31-23-42-0087	8787 JEFFERSON ST NE	BAXTER LYLE F & J A	1	\$6,024.80	\$6,024.80
31-31-23-42-0089	760 87TH LN NE	JOHNSON, GINGER E	1	\$6,024.80	\$6,024.80
31-31-23-42-0090	740 87TH LN NE	BROOKS OMARI	1	\$6,024.80	\$6,024.80
31-31-23-44-0002	8678 VAN BUREN ST NE	BARRETT TRUSTEE JOSEPH M	1	\$6,024.80	\$6,024.80
31-31-23-44-0003	8654 VAN BUREN ST NE	SEDERBERG TOM M	1	\$6,024.80	\$6,024.80
31-31-23-44-0007	8560 VAN BUREN ST NE	EILOLA KYLE	1	\$6,024.80	\$6,024.80
31-31-23-44-0015	8674 VAN BUREN ST NE	GERHARD, LEONARD	1	\$6,024.80	\$6,024.80

ASSESSMENT RATE BREAKDOWN					
CONSTRUCTION COSTS*		\$2,396,000	*(CONSTRUCTION COSTS DO NOT INCLUDE WATER MAIN, SANITARY SEWER, DRIVEWAY REPLACEMENT, LANDSCAPING/IRRIGATION REPAIR, AND WATERSHED PERMIT REQUIREMENT COSTS)		
ADMINISTRATIVE COSTS		\$718,800			
TOTAL COST		\$3,114,800			
RESIDENTIAL ASSESSMENT RATE		x 35%	TOTAL FRONT FOOTAGE	RESIDENTIAL ASSESSMENT RATE PER FRONT FOOT	
ASSESSABLE COST		\$1,090,180 ÷	16825.4 LF	=	\$64.79
RESIDENTIAL ASSESSMENT RATE PER FRONT FOOT	ASSESSABLE SINGLE FAMILY RESIDENTIAL FOOTAGE		AMOUNT ASSESSED	ASSESSABLE RESIDENTIAL LOT UNITS	ASSESSMENT RATE PER RESIDENTIAL LOT UNIT
\$64.79	X	13576.5 LF	=	\$879,621.44 ÷ 146	= \$6,024.80
PROPERTY PIN	PROPERTY ADDRESS	PROPERTY OWNER	ASSESSABLE RESIDENTIAL LOT UNITS	ASSESSMENT RATE PER RESIDENTIAL LOT UNIT	PROPOSED ASSESSMENT
31-31-23-44-0017	8670 VAN BUREN ST NE	VOELS JOSEPH M	1	\$6,024.80	\$6,024.80
31-31-23-44-0020	8662 VAN BUREN ST NE	WAGNER JAMES E & DAWN	1	\$6,024.80	\$6,024.80
31-31-23-44-0022	8658 VAN BUREN ST NE	STONE BRANDEN	1	\$6,024.80	\$6,024.80
31-31-23-44-0023	8650 VAN BUREN ST NE	MULLEN DANE	1	\$6,024.80	\$6,024.80
31-31-23-44-0024	8580 VAN BUREN ST NE	BONACCORSI TYLER	1	\$6,024.80	\$6,024.80
31-31-23-44-0025	8568 VAN BUREN ST NE	WHITE TONY	1	\$6,024.80	\$6,024.80
31-31-23-44-0026	8579 VAN BUREN ST NE	SINN-JENSEN, REBECCA	1	\$6,024.80	\$6,024.80
31-31-23-44-0027	8577 VAN BUREN ST NE	BUSKIRK, DAVID R	1	\$6,024.80	\$6,024.80
31-31-23-44-0028	8575 VAN BUREN ST NE	STOJEVICH, JOHN	1	\$6,024.80	\$6,024.80
31-31-23-44-0097	8653 VAN BUREN ST NE	LOCKWOOD STEVE	1	\$6,024.80	\$6,024.80
31-31-23-44-0098	8655 VAN BUREN ST NE	BEST SENDREA EMANI	1	\$6,024.80	\$6,024.80
31-31-23-44-0099	8661 VAN BUREN ST NE	DUNBLAIZER, ETHAN	1	\$6,024.80	\$6,024.80
31-31-23-44-0100	8663 VAN BUREN ST NE	VEST, BRIAN KEITH	1	\$6,024.80	\$6,024.80
31-31-23-44-0101	8667 VAN BUREN ST NE	MORLAN, LINDSEY	1	\$6,024.80	\$6,024.80
31-31-23-44-0104	8691 VAN BUREN ST NE	OLSON GREGG H	1	\$6,024.80	\$6,024.80
31-31-23-44-0105	8545 VAN BUREN ST NE	KIRK, FRANK	1	\$6,024.80	\$6,024.80
31-31-23-44-0106	851 COUNTY ROAD 10 NE	EILERS PAMELA J	1	\$6,024.80	\$6,024.80
31-31-23-44-0107	8675 VAN BUREN ST NE	XIONG BAOBAI	1	\$6,024.80	\$6,024.80
31-31-23-44-0110	8690 VAN BUREN ST NE	GROESBECK NED J & KRISTINE A	1	\$6,024.80	\$6,024.80
31-31-23-44-0112	8666 VAN BUREN ST NE	AMUNDSEN JASON A	1	\$6,024.80	\$6,024.80
TOTALS:			146		\$879,620.80

2025 SOUTHWEST AREA STREET RECONSTRUCTION - AREA 1

CITY OF BLAINE

**EXHIBIT NO. 1B - COMMERCIAL/INDUSTRIAL
PROPOSED ASSESSMENT ROLL**

ASSESSMENT RATE BREAKDOWN					
CONSTRUCTION COSTS*	\$2,396,000	*(CONSTRUCTION COSTS DO NOT INCLUDE WATER MAIN, SANITARY SEWER, DRIVEWAY REPLACEMENT, LANDSCAPING/IRRIGATION REPAIR COSTS, AND WATERSHED PERMIT REQUIREMENT COSTS)		COMMERCIAL/ INDUSTRIAL ASSESSMENT PERCENTAGE	COMMERCIAL/ INDUSTRIAL ASSESSMENT RATE PER FRONT FOOT
ADMINISTRATIVE COSTS	<u>\$718,800</u>		TOTAL COST PER FRONT FOOT		
TOTAL COST	\$3,114,800				
ASSESSABLE COST	\$3,114,800 ÷	16825.4 LF	=	\$185.12	X
				50%	=
					\$92.56
PROPERTY PIN	PROPERTY ADDRESS	PROPERTY OWNER	ASSESSABLE FRONT FOOTAGE	ASSESSMENT RATE PER FRONT FOOT	PROPOSED ASSESSMENT
31-31-23-44-0006	8550 VAN BUREN	BLAINE ECONOMIC DEVELOPMENT AUTHORITY	0.0**	\$92.56	\$0.00
TOTALS:			0.0		\$0.00

**Denotes 150' corner lot credit given



City of Blaine Staff Report

File Number: RES 24-212

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

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

Agenda Item # 8.9

Resolution to Receive Petition and Order Public Hearing for Vacation of a 54-ft length portion of the Drainage and Utility Easement, according to the recorded plat thereof, Anoka County, Minnesota; Vacation No. V24-05

Executive Summary

The City received a petition dated October 25, 2024 from Paul Morrissey Jr., property owner, requesting the vacation of a 54-ft length portion of the platted Drainage and Utility Easements as created over the northerly 10 feet of Lot 7 Block 1, Quail Creek 12th Addition; according to the recorded plat thereof, Anoka County, Minnesota, see Attached Exhibit A for Description.

Background

Additional property was purchased to the north of this easement and the two lots will be combined; therefore this section of the easement is no longer needed and will be considered reconfigured as the two lots combine. Engineering staff has reviewed the request and agrees with the vacation.

Schedule of Actions

11/04/2024	Receive Petition and Order Public Hearing
12/02/2024	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 December 2, 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 December 2, 2024.

Staff Recommendation

By motion, adopt the Resolution.

Attachment List

1. Petition to Vacate Easement
2. Exhibit A 10-17-2024



City of Blaine

Signature Copy

Resolution: RES 24-212

Resolution to Receive Petition and Order Public Hearing for Vacation of a 54-ft length portion of the Drainage and Utility Easement, according to the recorded plat thereof, Anoka County, Minnesota; Vacation No. V24-05

WHEREAS, the City Council has received a petition dated the 25th day of October, 2024, requesting vacation of a 54 foot length portion of the drainage and utility easement as created over the northerly 10 feet of Lot 7 Block 1, Quail Creek 12th 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 2nd day of December, 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 7th day of November, 2024



Signed by

Tim Sanders, Mayor

Signed by

Cathy Sorensen, CMC, City Clerk



PETITION TO VACATE DRAINAGE AND UTILITY EASEMENT

DATE

10/25/24

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

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

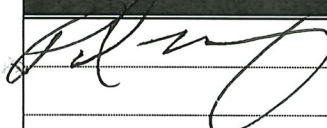
That 54-ft length portion of the platted drainage and utility easement as created over the northerly 10-feet of Lot 7 Block 1 in the plat of Quail Creek 12th Addition. As shown on Exhibit A

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

The facts and reasons for this application are as follows:

Additional property was purchased to the north of this easement and the two lots will be combined; therefore, this section of easement is no longer needed and will be considered reconfigured as the two lots combine.

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
	2663 Quail Creek Ct	Lot 7; Block 1
	Blaine MN 55449	Quail Creek 12 th Addition

This petition was circulated by:

Name of Petitioner Paul Morrissey JR

Telephone No.

Street

2663 Quail Creek Ct NE

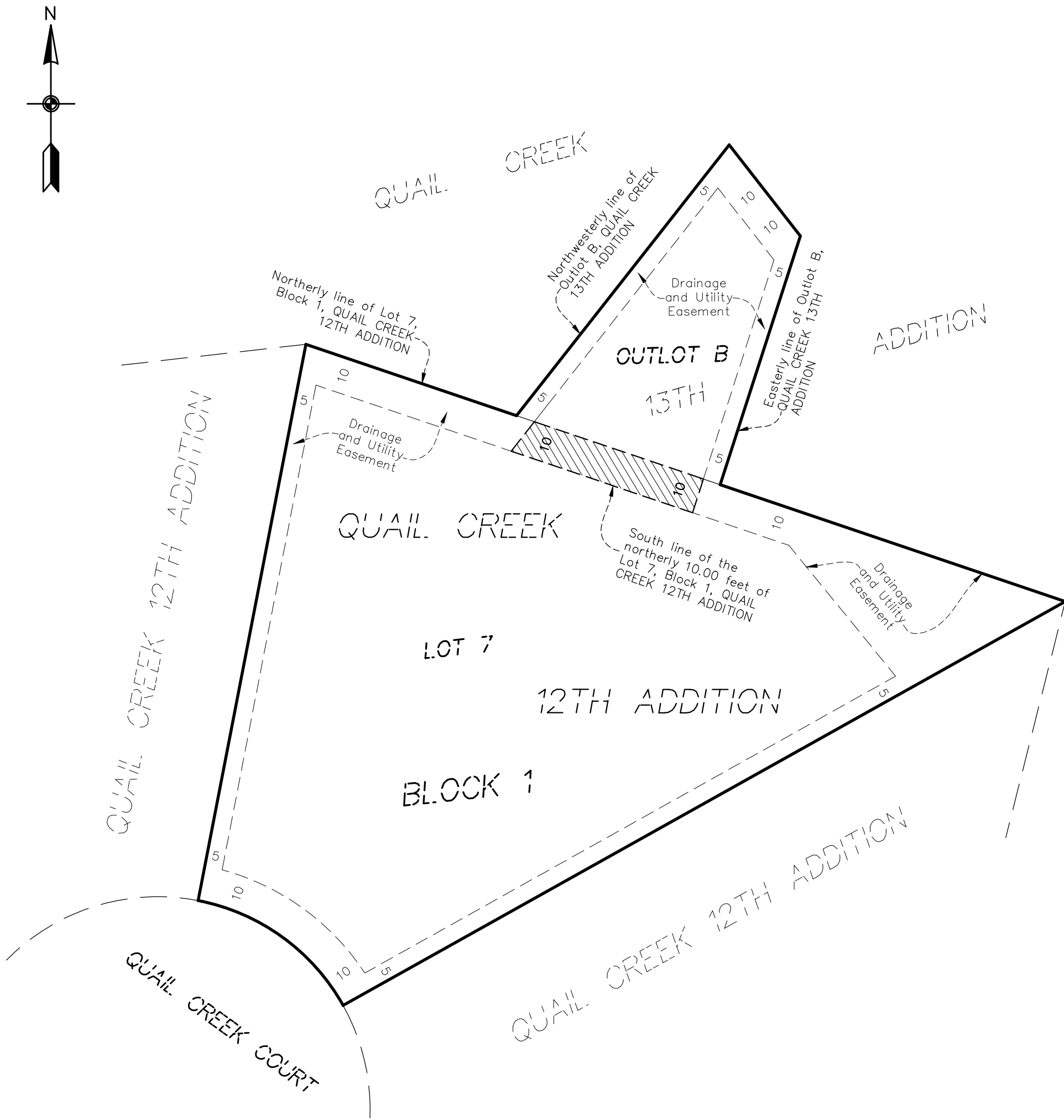
City/State/Zip

Blaine MN 55449

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.

Drainage and Utility Easement Vacation Description Sketch

EXHIBIT A

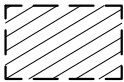


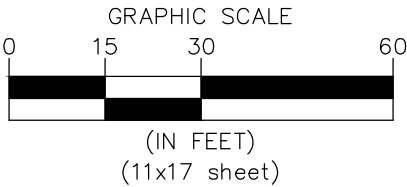
DRAINAGE AND UTILITY EASEMENT VACATION DESCRIPTION:

That part of the drainage and utility easement as created and dedicated over the northerly 10.00 feet of Lot 7, Block 1, in the plat of QUAIL CREEK 12TH ADDITION, Anoka County, Minnesota lying between a line drawn parallel with and 5.00 feet easterly of the northwesterly line of Outlot B, QUAIL CREEK 13TH ADDITION, and its southwesterly extension and a line drawn parallel with and 5.00 feet westerly of the easterly line of said Outlot B and its southwesterly extension.



3890 PHEASANT RIDGE DRIVE NE, SUITE 100, BLAINE, MN 55449
TEL 763.489.7900 \ FAX 763.489.7959 \ CARLSONMCCAIN.COM
2657 10691_d&u easement vacation combined lots

 Denotes Drainage and Utility Easement Vacation Area





City of Blaine

Staff Report

File Number: RES 24-203

Agenda Date	Status
-------------	--------

November 4, 2024

In Control	File Type
------------	-----------

City Council

Resolution

7:00 PM - Public Hearing and Items Published for a Certain Time - Sheila Sellman, City Planner

Agenda Item # 9.1

Resolution Granting a Conditional Use Permit to Allow a Fitness Center in the Light Industrial (I-1) Zoning District at 1491 94th Lane NE. Cindi Nikituk (Farrell's eXtreme Bodyshaping) (Case File No. 24-0062/SLK)

Executive Summary

The applicant is requesting a Conditional Use Permit (CUP) to open a fitness center in a multi-tenant building.

Background

City Council Public Hearing	11/04/24
City Council (Conditional Use Permit)	11/04/24
Action Deadline	12/14/24

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

Evaluation of Request

Planning Analysis

The applicant is requesting a conditional use permit for a fitness center that will provide fitness classes and coaching. The hours of operation are 4:30AM-12:30PM and 4PM-7PM Monday-Friday, Saturday 5:30AM-11AM, and closed on Sunday.

Zoning

The site is zoned Light Industrial (I-1).

Surrounding Zoning and Uses

The parcels to the west, east, and south are zoned I-1 and are developed with industrial buildings. The property to the north is zoned Airport.

Existing Conditions

The parcel has a multi-tenant building and a parking lot.

Site Plan

The building is existing, and the proposed use will occupy approximately 3,175 square feet of the approximately 12,500 square foot building.

Parking

A parking analysis has been provided for all uses occupying the building. The fitness center requires 15 parking stalls at 1 parking stall for every 300 s.f. The two other tenant spaces in the building are an existing contractor and a vacant tenant space. The contractor space requires 7 parking stalls and the vacant tenant space requires 4 parking stalls, for a total of 22 required stalls on site. The site has 30 parking stalls located in the front of the building with more parking available in the rear. Therefore, parking requirements are met.

Landscaping

No new landscaping is proposed or required.

Tree Preservation

No trees are being removed.

Engineering Analysis

Grading/Storm Drainage

The proposed project does not include any alterations to the existing grading or storm water drainage patterns on the property.

Utilities

The proposed user will utilize the existing utilities into the building. No new connections are proposed.

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.

Wetlands/Watershed/FEMA

There are no wetlands or FEMA flood plain on the existing site. A Coon Creek Watershed District review is not required.

Access/Street Design/Sidewalks/Trails

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

Conditional Use Permit

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

Section 27.04 Criteria for granting conditional use permits:

The Blaine City Council shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use on the comprehensive plan and upon the health, safety, and general welfare of occupants of surrounding lands. Among other things, the Council shall consider the following findings where applicable.

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 use will not create an excessive burden on existing parks, schools or streets.
2. The use will be located, designed, maintained, and operated to be compatible with adjoining properties and the existing or intended character of the zoning district.
 - The use is going into an existing industrial building and adequate parking is being provided on site. Therefore, it is compatible with adjoining properties.
3. The use shall have an appearance that will not have an adverse effect upon adjacent properties.
 - The use is going into an existing building. The appearance will not change.
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 intent of the Light Industrial District is to provide for the development of industrial uses ranging from small to large scale industry and related services. This district shall encourage the development of industrial uses accessible to major highways and utilizing city services of sanitary sewer, water, street, and storm drainage. Such light industrial areas can be located next to heavy industrial, commercial, residential, and airport districts and shall be free of hazardous or objectionable elements such as noise, odor, dust, smoke, glare, or other pollutants. The proposal meets the intent.
6. The use shall not be in conflict with the comprehensive plan of the City.
 - The use is not in conflict with the comprehensive plan.
7. The use will not cause traffic hazard or congestion.
 - The proposed development 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 existing building has adequate utilities, roads and necessary drainage facilities.

Attachment List:

Zoning and Location Map

Site Plan

Floor Plan

Narrative

Strategic Plan Relationship

Not applicable.

Board/Commission Review

The public hearing is being held at the City Council meeting, therefore no review or recommendation was received from the Planning Commission. Conditional use permits for changes in commercial or industrial tenants not neighboring residential areas are often referred directly to the City Council to expedite the review process for the applicant.

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



City of Blaine

Signature Copy

Resolution: RES 24-203

Resolution Granting a Conditional Use Permit to Allow a Fitness Center in the Light Industrial (I-1) Zoning District at 1491 94th Lane NE. Cindi Nikituk (Farrell's eXtreme Bodyshaping) (Case File No. 24-0062/SLK)

WHEREAS, an application has been filed by Cindi Nikituk as Conditional Use Permit Case File No. 24-0062 for Farrell's eXtreme Bodyshaping; and

WHEREAS, said case involves the property described as follows:

Lot 6, Block 1, BURR OAK INDUSTRIAL PARK

WHEREAS, the Blaine City Council held a public hearing on November 4, 2024, and recommended approval regarding said Conditional Use Permit; and

WHEREAS, the Blaine City Council has reviewed said case on November 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 Section 31.00 and 27.04 of the Zoning Ordinance to allow a fitness center in the Light Industrial (I-1) zoning district with the following conditions:

1. A Certificate of Occupancy permit is required.

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

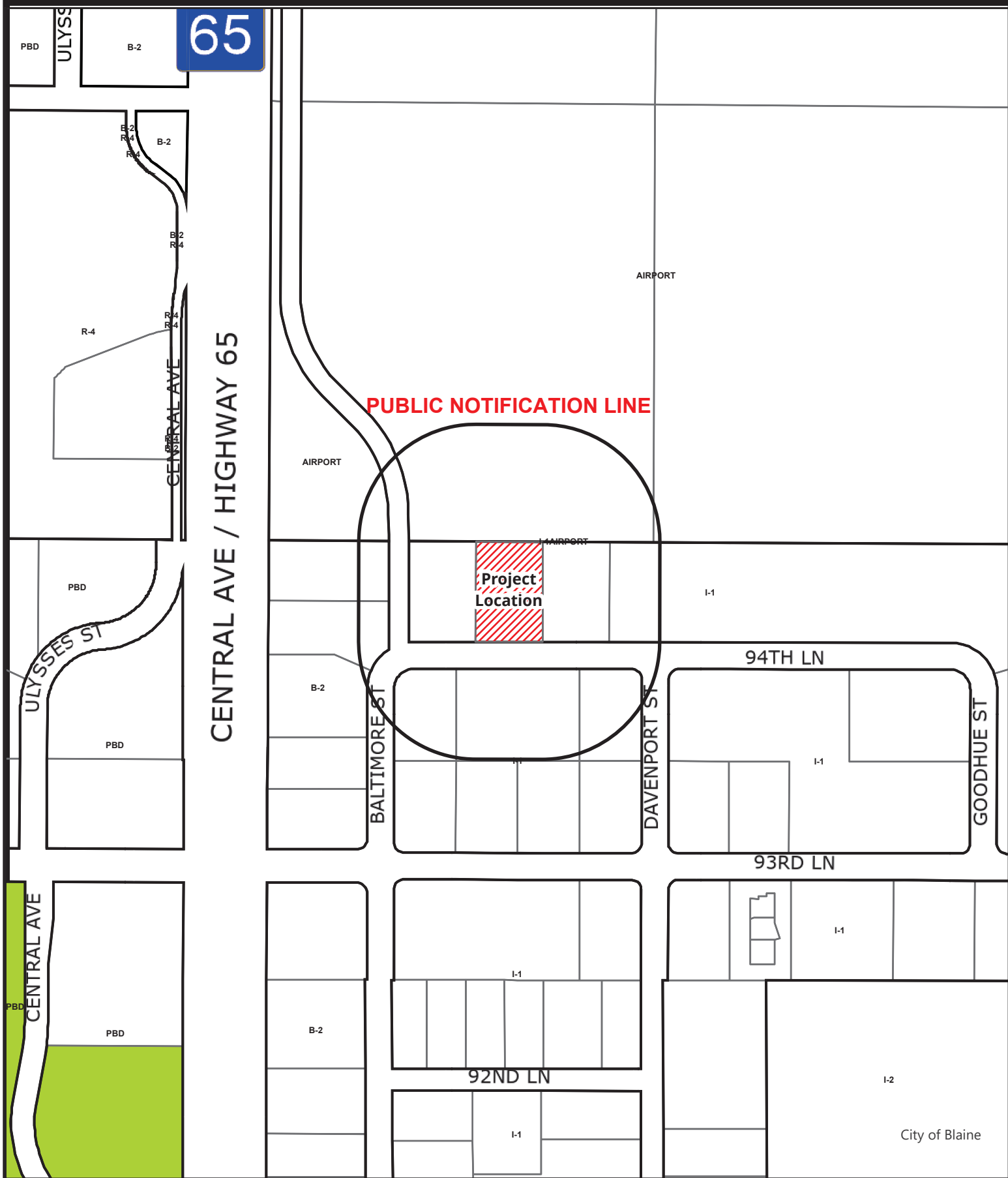


Signed by

Tim Sanders, Mayor

Signed by

Cathy Sorensen, CMC, City Clerk



BlaineMN.gov

Case File No. 24-0062 Farrells Extreme Bodyshaping

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





MURPHY BROS.
DESIGN • BUILD • REMODEL

1613 93rd LANE BLAINE, MN 55449

VICTORY
MIDLAND CAPITAL LLP
1491 94TH AVENUE NE
BLAINE, MN 55449

[illegible]

SHEET
1

Narrative explaining how the use will operate, hours of operation, etc. for 1491 94th Lane, Blaine, MN

This space will be used for fitness classes and fitness coaching. Our fitness classes have 5-40 people per class. The busiest times of operation are 5am-7am. The hours of operation are 430am-1230pm and 4pm-7pm Monday- Friday. Saturday 5:30am-11:00am, Sunday closed.

The parking appears to be adequate for the square footage requirement with large areas for parking in the front and rear of the building. See attached photos.



City of Blaine Staff Report

File Number: RES 24-210

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

7:00 PM - Public Hearing and Items Published for a Certain Time - Sheila Sellman, City Planner

Agenda Item # 9.2

Resolution Granting a Conditional Use Permit Amendment to Allow Sheds/Accessory Structures in the Corner Side Yard for the Marquest Meadows North Development in the Development Flex (DF) Zoning District. Kara Werth (Case File No. 24-0064/SAS)

Executive Summary

The applicant is requesting a conditional use permit amendment to allow accessory structures in the corner side yard for the Marquest Meadows North development.

Background

Planning Commission Public Hearing	Not applicable
City Council (Conditional Use Permit)	11/04/24
Action Deadline	12/21/24

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

Evaluation of Request

Planning Analysis

Zoning

The subject parcel is zoned Development Flex (DF) and is part of the Marquest Meadows North development.

Surrounding Zoning and Uses

The surrounding zoning is DF and comprised of single family homes in different developments. Parcels to the north are in Harpers Haven, to the east is Sarah Jean Estates, to the south is Harpers Landing North, and to the west is Meadowland Estates. Each of these developments is governed by their own conditional use permits, and have similar requirements. All of these developments surrounding the subject development only allow sheds in the rear yard and have a 5-foot side and rear setback

requirement. The proposed CUP amendment will not apply to these developments.

Existing Conditions

The development is single family.

History

In 2013, a conditional use permit (CUP) was approved for a 15 lot subdivision in the DF zoning district (Marquest Meadows North). The CUP provides the development standards for this development.

Request

The applicant is requesting a conditional use permit amendment to allow sheds/accessory structures in the corner side yard for the Marquest Meadows North Subdivision. This development is zoned DF and is governed by Resolution 13-019.

In this resolution, the development standards are outlined and specifically, accessory buildings below 120 square feet must meet a five-foot side and rear yard setback and be located within the rear yard. Accessory structures above 120 square feet are not allowed. This amendment would only pertain to the 15 lots in this subdivision and further would only affect three corner lots. This amendment will not permit lots outside this development to allow sheds in corner side yards (front yards).

In residential districts, generally, accessory structures are only allowed in the rear yard. If someone in a residential zoning district wanted to locate their shed in the corner side or front yard, they would need a variance approval. In this case, the property is zoned DF and has different standards. Variances are not allowed for conditional use permit conditions, only an amendment can change the conditions.

Per zoning code definitions, corner lots have two front yards or a front yard and a corner side yard. The applicant's lot is a corner lot and has two front yards fronting along 127th Avenue and Guadalcanal Street. The frontage along Guadalcanal can be considered a corner side yard. The following definitions apply:

Lot line, front: That boundary of a lot which abuts an existing or dedicated public street. In no case shall there be more than two (2) front lot lines applied to any lot. Any other lines abutting a public right-of-way shall be designated by the Zoning Administrator as either a side or rear lot line.

Yard, front: A yard extending along the full width of the front lot line between the side lot lines and extending from the abutting street right-of-way to the front face(s) of the principal building or to the depth required in the setback regulations for the zoning district in which such lot is located whichever distance is greater.

Yard, rear: A yard extending along the full width of the rear lot line between the side lot lines and extending from the rear lot line to the rear face(s) of the principal building or to the depth required in the setback regulations for the zoning district in which such lot is located whichever distance is greater. In single-family residential districts, the principal building shall include attached garages.

Accessory structures under 120 square feet do not require building permits. This accessory structure has not been reviewed until this application was made. The shed appears to be in the drainage and utility easement and as indicated on the site plan, is setback more than 1 foot from the property line.

The CUP for this development requires a 5-foot setback, the applicant shall indicate what the actual setback is.

A complaint was made to code enforcement staff that an accessory structure was being built in a front yard. Code enforcement alerted the applicant of the violation and Planning staff explained the CUP amendment process to the applicant. At the October 21, 2024, City Council meeting, Council directed staff to process this application and hold the public hearing at the November 4, 2024, City Council meeting, bypassing the Planning Commission, due to seasonal weather and timing of the project.

Engineering Analysis

Grading/Storm Drainage

As previously mentioned, this amendment would only affect three corner lots within Marquest Meadows North development. City of Blaine standards require the platting of a 10-ft drainage and utility easement along all front yards (street frontage) that allows for the installation of public and quasi-public utilities along the roadways. Standards also require the platting of a 10-ft drainage and utility easement along the rear property lines. With that said, the conditions, as discussed herein, only apply to two of the three corner lots as the third has a larger drainage and utility easement along the rear property line. Installation of a shed in the corner side yards of the applicable lots would require an encroachment into both of the platted easements. For this encroachment to occur, it must be determined that the shed will not alter the existing drainage patterns and that damage will not occur to the existing utilities within the easement.

Utilities

Utilities are currently installed within the right-of-way and within the platted easement along the front/side yard along Guadalcanal Street. Installation of a shed, 1-ft from each property line, will result in the shed being overtop these existing utilities or within the general area should repair be required. The shed will need to be movable should work on the utilities need to be performed. Should the shed not be moved, the property owner will be responsible for any damage that occurs, or replacement if needed.

Wetlands/Watershed

There are no wetlands or FEMA flood plain on the existing site. A Coon Creek Watershed District review is not required.

Access/Street Design

The installation of a shed does not require any new access points and no new access points will be granted. No additional street design, sidewalks or trails will be required.

Easements/Right-of-way/Permits

Installation of a shed within the corner side yard will require encroachment into the existing platted drainage and utility easements be permitted. To allow this encroachment, the shed must be moveable.

If work within the right-of-way causes damage to the shed, the property owner will be responsible for movement, repair and/or replacement.

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.

1. The use shall not create an excessive burden on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area.
 - o Allowing an accessory structure in the front/corner side yard will 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.
 - o The Council should determine if allowing an accessory structure in the front/corner side yard in this development is compatible with the adjoining properties, who are not allowed to have sheds in the front/corner yard. The DF 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 DF 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.
3. The use shall have an appearance that will not have an adverse effect upon adjacent properties.
 - o The Council should determine if an accessory structure in the front/corner side yard may have adverse effect upon adjacent properties. The accessory structure will be visible from Guadalcannal Street and to those in the cul-de-sac.
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 DF 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 DF 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.
6. The use shall not be in conflict with the comprehensive plan of the City.
 - o The subject site is guided low density residential. Allowing an accessory structure in the front/corner side yard is not in conflict with this designation.
7. The use will not cause traffic hazard or congestion.
 - o The proposed shed location 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.
 - o The proposed shed location will not have any utility services nor require any additional drainage compensation; however, it should be noted that the shed location is within two platted 10-ft drainage and utility easements. The location of the shed is overtopping

existing utility lines installed along the Guadalcanal Street frontage; therefore, the shed is required to be moveable. In addition, should any work be required/occur on any of the existing utilities within the platted easements or within the right-of-way of Guadalcanal Road, the property owner will be responsible for any necessary relocation and/or repair of any damages.

Strategic Plan Relationship

Not applicable.

Board/Commission Review

At the direction of City Council the public hearing is being held at the City Council meeting, therefore the Planning Commission is not reviewing this request.

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 and Star Tribune.
3. Posted on the City website.

Staff Recommendation

By motion, adopt the resolution.

Attachment List

1. Attachments



City of Blaine

Signature Copy

Resolution: RES 24-210

Resolution Granting a Conditional Use Permit Amendment to Allow Sheds/Accessory Structures in the Corner Side Yard for the Marquest Meadows North Development in the Development Flex (DF) Zoning District. Kara Werth (Case File No. 24-0064/SAS)

WHEREAS, an application has been filed by Kara Werth as Conditional Use Permit Amendment Case File No. 24-0064; and

WHEREAS, said case involves the property described as follows:

Lots 1-6 Block 1 MARQUEST MEADOWS NORTH
Lots 1-4 Block 2 MARQUEST MEADOWS NORTH
Lots 1-3 Block 3 MARQUEST MEADOWS NORTH
Outlot A MARQUEST MEADOWS NORTH

WHEREAS, the Blaine City Council held a public hearing on November 4, 2024, regarding said Conditional Use Permit Amendment; and

WHEREAS, the Blaine City Council has reviewed said case on November 4, 2024; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that a conditional use permit amendment is hereby approved per Section 27.04 and 29.110 of the Zoning Ordinance to allow sheds/accessory structures in the corner side yard for the Marquest Meadows North development with the following conditions:

1. The shed on Lot 4, Block 2, Marquest Meadows North shall be moveable. No permanent foundations will be permitted.
2. The property owner of Lot 4, Block 2, Marquest Meadows North is responsible for any costs associated with the location of the shed; should movement be required, repair of any damages or any replacement necessary.
3. Alteration of existing drainage patterns will not be permitted.
4. Accessory structures must meet a five-foot setback from the rear property line and the corner side property line. The shed on Lot 4, Block 2, Marquest Meadows North shall meet a five-foot setback.
5. All other conditions outlined in Resolution 13-109 shall apply.

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



Signed by 

Tim Sanders, Mayor

Signed by 

Cathy Sorensen, CMC, City Clerk

28TH AVE

Public Notification Boundary

Requesting
Property

GUADALCANAL ST

127TH AVE

Marquest Meadows North

126TH LN

FLANDERS ST



BlaineMN.gov

Case File No. 24-0064
Marquest Meadows North

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



City of Blaine

Chapter 25 Definitions

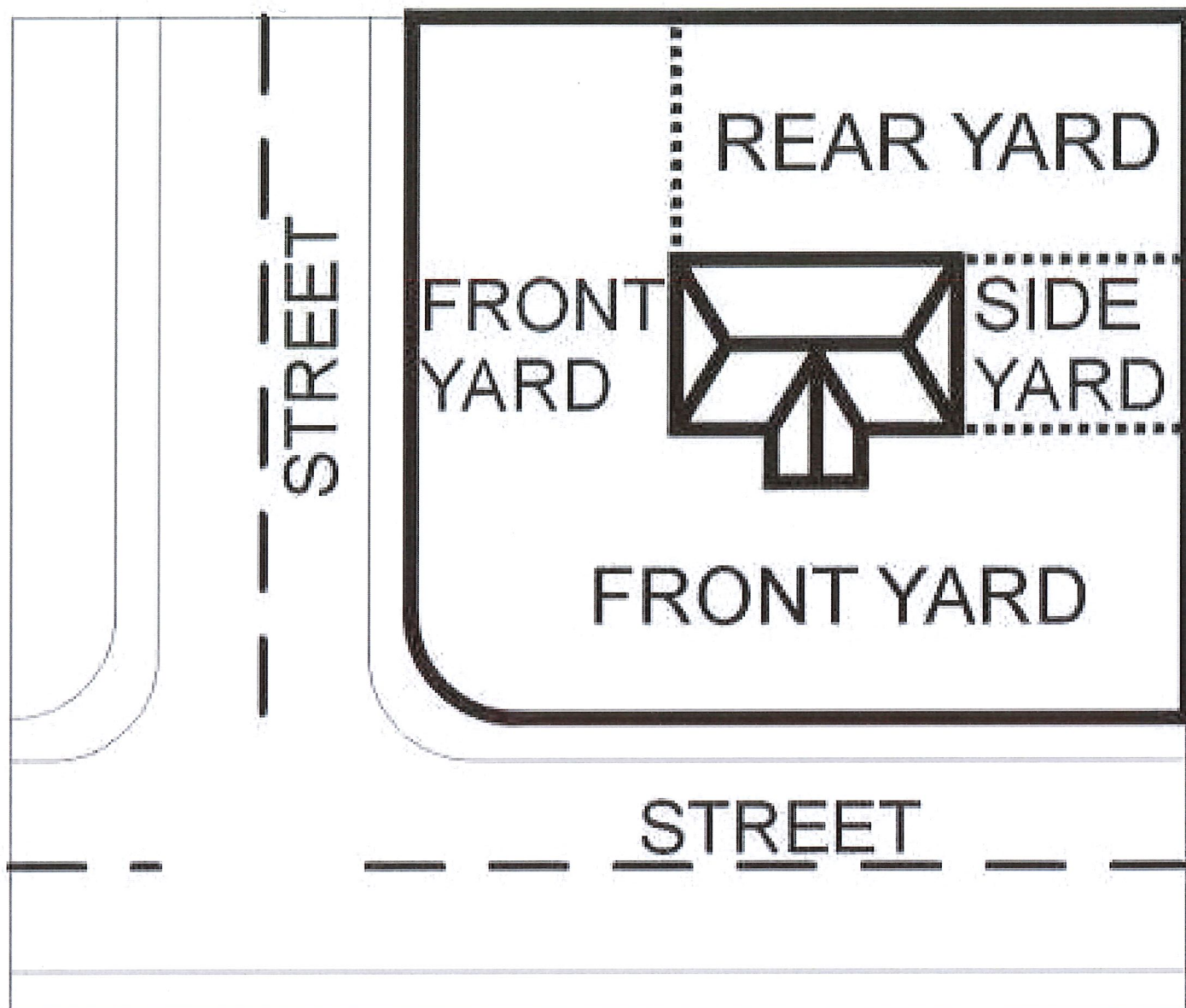
Section 25.02

Lot line, front: That boundary of a lot which abuts an existing or dedicated public street. In no case shall there be more than two (2) front lot lines applied to any lot. Any other lines abutting a public right-of-way shall be designated by the Zoning Administrator as either a side or rear lot line.

Yard, front: A yard extending along the full width of the front lot line between the side lot lines and extending from the abutting street right-of-way to the front face(s) of the principal building or to the depth required in the setback regulations for the zoning district in which such lot is located whichever distance is greater.

Yard, rear: A yard extending along the full width of the rear lot line between the side lot lines and extending from the rear lot line to the rear face(s) of the principal building or to the depth required in the setback regulations for the zoning district in which such lot is located whichever distance is greater. In single-family residential districts the principal building shall include attached garages.

Yard, side: The yard extending along the side lot line between the front and rear yards to the face(s) of the principal building or to the depth or width required by setback regulations for the zoning district in which such lot is located whichever distance is greater.



28TH AVE

DF

DF

DF

DF

Requesting
Property

Other Impacted Properties

GUADALCANAL ST

127TH AVE

Marquest Meadows North

DF

DF

DF

City of Blaine

126TH LN

DF

DF

FLANDERS ST

HARPERS ST



BlaineMN.gov

Case File No. 24-0064
Marquest Meadows North
Lots with Corner Side Yards

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



FOR: REGENSCHEILD CUSTOM HOMES

Fence

Shed is
Further
than 1 Foot
from
Property
lines.



9 course basement
PROPOSED ELEVATIONS
GARAGE FLOOR = 908.2
TOP OF BLOCK = 909.3
LOWEST FLOOR = 903.3

- BEARING'S SHOWN ARE ON ASSUMED DATUM.
- FIELD SURVEY COMPLETED 08/26/15.
- ELEVATIONS ON ASSUMED DATUM.
- CITY TO VERIFY ALL BUILDINGS ELEVATIONS AND SETBACKS.
- CONTRACTOR TO VERIFY HOUSE DIMENSIONS, AND SEWER AND BASEMENT DEPTHS.
- FINISHED GRADE 10 FEET FROM PROPOSED BUILDING SHALL BE 0.5 FEET LOWER THAN THE FINISHED GRADE AT THE BUILDING.
- FINISHED GRADE ELEVATIONS ARE TO FINISHED SURFACE WITH TURF ESTABLISHMENT.
- DRIVEWAYS ARE SHOWN FOR GRAPHIC PURPOSES ONLY. FINAL DRIVEWAY DESIGN AND LOCATION TO BE DETERMINED BY CONTRACTOR
- HOUSE PLACEMENT & ELEVATIONS SET BY OWNER.

**NOTE: GRADING PLAN USED FOR
SURVEY DATED 08/21/15 AND HAS NOT
BEEN APPROVED BY CITY. APPROVAL
AND VERIFICATION IS NEEDED PRIOR
TO COMMENCING CONSTRUCTION.**

● DENOTES IRON MONUMENT FOUND
 □ DENOTES CATCH BASIN
 1023 DENOTES PROPOSED ELEVATION.
 1011.2 DENOTES EXISTING ELEVATION.
 ← DENOTES DIRECTION OF DRAINAGE.
 ■ DENOTES WOOD HUB/METAL SPIKE

Lot 4, Block 2, MARQUEST MEADOWS NORTH, ANOKA County, Minnesota.

I hereby certify that this plan, survey 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.

Job #15418

Eric B. McKarvons
ERIC B. MCKARVONS

ERIC R. VICKARYOUS

Date: 08/27/2015 Req. No. 44125

ACRE LAND SURVEYING

Serving Twin Cities Metro

area and beyond

763-458-2997 acrelandsurvey@gmail.com

C:\Users\Eric\OneDrive\CAD-1D\15418hs-L4-B2-MMN Regen\dwg\15418hs-L4-B2-MMN Regen.dwg 8/27/2015 3:50:33 PM CDT

Petition to Modify Conditional Use Permit (CUP)

To: Mayor Tim Sanders

Date: October 17th, 2024

We, the undersigned, request changes to Conditional Use Permit (CUP) for Marquest Meadows North. The current conditions of the CUP are not in the best interest of the community, and we propose the following changes...

Requested Changes:

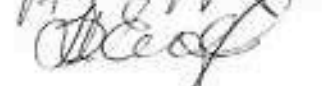
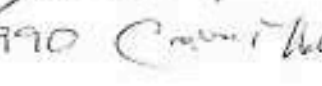
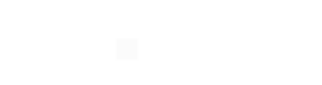
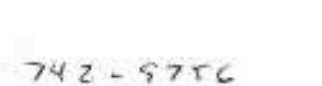
1. Recognize corner lots as having only one front yard in relation to address and street of the home
2. Allow Sheds in the Side or Backyard on Corner Lots which are currently restricted under the existing CUP.

Reasons for Changes:

1. **Better Use of Space**
Allowing sheds in the side or backyard maximizes the use of available space on corner lots, which often have larger or unused areas. Homeowners can use this space for storage, reducing clutter in the home.
2. **Increased Property Value**
Sheds provide extra storage or utility space, which can increase the overall functionality and appeal of the property. This can lead to higher property values, benefiting homeowners and the community.
3. **Aesthetic Flexibility**
Modern sheds come in various designs that can match the home's style and enhance the visual appeal of the property, particularly when placed in the side or backyard areas that are often unused.
4. **Improved Privacy**
A shed placed in the side or backyard can act as an additional privacy barrier between the home and adjacent streets or neighbors, especially on a corner lot.
5. **Reduced Street Congestion**
With more storage available in the shed, homeowners may reduce the need for parking vehicles or placing equipment in visible areas like the driveway or front yard, helping maintain a clean and organized neighborhood.
6. **Enhanced Safety**
By allowing sheds in the side or backyard, residents can store potentially hazardous items (e.g., lawn equipment, chemicals) securely out of sight and away from children and pets.

We believe these changes will help improve the quality of life in our community. We respectfully ask the City of Blaine to consider and approve these modifications.

Signatures:

Name(s)	Address	Phone	Signature
1.) Nick Rhodes	3031 127 th Ave NE	612-296-7843	
2.) Nicole Weir	3019 127 th Ave NE	612-257-5781	
3.) Yevgeniy Vaptnikov	3006 127 th Ave NE	763-261-5685	
4.) Annetie O'Kon	3018 127 th Ave NE	612-267-7281	
5.) John Rietema	3054 127 th Ave	72-441-3062	
6.) Connor Nelson	3050 127 th Ave	651-321-9990	Connor Nelson
7.) Mike Valiquet	3067 127 th Ave NE	763-742-9756	
8.) Sam Kirk	3042 127 th Ave NE	612-369-5975	
9.) Adam + Kara Worth	3043 127 th Ave NE	763-227-2231	
10.)  Ben Bergeron	3007 127 th Ave NE	612-282-7057	

Cul-de-Sac

- 1.) Dan Anderson 12760 Guadalupe St NE
763-477-1665
- 2.) EDIN DRONLAGE 763-245-6184
12767 Guadalupe St NE
- 3.) LIM Phan 12759 Guadalupe St NE

4.)

Dan



City of Blaine
Anoka County, Minnesota
Signature Copy

10801 Town Square Dr.
Blaine MN 55449

Resolution: RES 13-109

File Number: RES 13-109

**GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR
CONSTRUCTION OF 15 SINGLE FAMILY HOMES IN A DF
(DEVELOPMENT FLEX) ZONING DISTRICT AT 12700 HARPERS
STREET NE. SHADE TREE CONSTRUCTION. (CASE FILE NO.
13-0013/SLK)**

WHEREAS, an application has been filed by Shade Tree Construction as conditional use permit Case File No. 13-0013; and

WHEREAS, a public hearing has been held by the Blaine Planning Commission on June 11, 2013; and

WHEREAS, the Blaine Planning Commission recommends said conditional use permit be approved; and

WHEREAS, the Blaine City Council has reviewed said case on June 20, 2013.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that a conditional use permit is hereby approved per Section 29.80 of the zoning ordinance to allow for construction of 15 single family homes in a DF (Development Flex) zoning district based on the following conditions:

Single Family - DF Development Standard

Permitted Uses

1. Single-family detached dwellings.
2. Group family daycare.

Accessory Uses

1. Private 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 Chapter 18 Article IX Swimming Pools.
3. Keeping of not more than two (2) boarders and/or roomers per dwelling unit.

Conditional Uses

1. Home occupations listed as Conditional Uses fewer than 33.11.

Standards

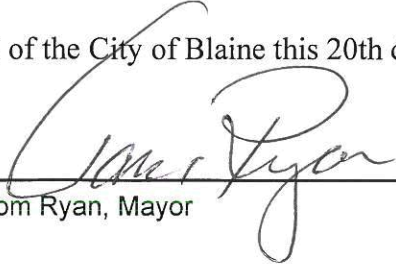
1. Front yard setback - 25 feet
2. Side yard setback - 10 feet for house and 5 feet for garage.
3. Corner side yard setback - 20 feet.
4. Rear yard setback - 30 feet
5. Maximum building height - 2 1/2 stories or 35 feet.
6. It shall be required for all single-family dwellings that there be an attached 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. Accessory storage buildings below 120 square feet must meet 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:
 - One story with basement: 1,400 square feet.
 - Multi-level dwellings: 1,500 square feet.
8. All homes to be constructed utilizing pre-approved exterior materials, roof pitches and elevations. All house exteriors to utilize maintenance-free materials to the extent possible. All house exteriors to provide enhanced window fenestration. Care to be taken to utilize a variety of home styles, front elevations and colors to provide maximum housing variety within each neighborhood. Developer to establish criteria to ensure that adjacent single-family homes built within the development do not have the same exterior color or architectural elevations.
9. All homes shall have a minimum depth and width of 24 feet.
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 one front yard tree and one boulevard tree with a

minimum of 2½-inch caliper. Corner lots shall each have one additional boulevard tree.

14. The plat contains a significant number of trees that will be removed as part of the grading for lots and storm water improvements. The City's tree replacement requirements would require 35 (seven trees per acre) to be replaced. The 15 lots (with four corner lots) would normally plant 34 trees. One additional tree will be required to be planted within the plat.

PASSED by the City Council of the City of Blaine this 20th day of June 2013.

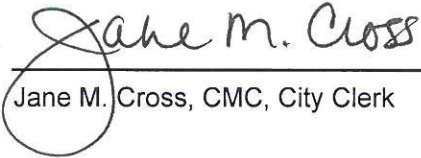
Signed by


Tom Ryan, Mayor

Date

6-20-13

Attest by


Jane M. Cross, CMC, City Clerk

Date

6-20-13

COUNCIL ACTION 13-198

Christy & Dan Anderson
12760 Guadalcanal St. NE
Blaine, MN 55449
PH: 763-477-1665
14OCT2024

Dear City Commissioner or Whom it May Concern:

As the property owners of 12760 Guadalcanal St. NE, we wanted to share with you that there are no concerns or issues with the shed being built on the property of Adam & Kara Werth. We understand the need for additional storage, especially with a pool on the property, and being on a corner lot makes it tricky to determine the right location. We appreciate the consideration that was taken by the Werth's in determining the location that was chosen to have the lowest impact to those around them while still meeting the need.

Please feel free to follow up with either of us if you have any questions.

Sincerely,

Christy & Dan Anderson



City of Blaine Staff Report

File Number: 2024-497

Agenda Date	Status
-------------	--------

November 4, 2024

In Control	File Type
------------	-----------

City Council

Motion

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

Agenda Item # 9.3

Approve an Off Sale Liquor License for VPS Global Solutions LLC DBA MGM Wine & Spirits located at 255 County Road 10 NE

Executive Summary

Council is asked to approve an off-sale liquor license for VPS Global Solutions LLC DBA MGM Wine & Spirits located at 255 County Road 10 NE

Background

A public hearing is required prior to the approval of an off-sale liquor license in the city.

Pranitha Rachakatla, applicant, is purchasing the current MGM Wine & Spirits and has applied for an off-sale liquor license for VPS Global Solutions LLC DBA MGM Wine & Spirits located at 255 County Road 10 NE. The applicant has met the licensing requirements by completing all necessary forms and paying associated fees. Blaine Police Department has conducted a background investigation on the applicant and found no reason to deny the license. The liquor licenses, if approved, would be valid until June 30, 2025 and eligible for renewal July 1, 2025. All required information will be submitted to the state's alcohol and gambling enforcement division upon approval of the licenses by the council.

Strategic Plan Relationship

The license approval relates to both financial sustainability and growth management priorities in the strategic plan by attracting new businesses to the city.

Board/Commission Review

N/A

Financial Impact

Liquor license fees, adopted annually by city council, provide sufficient funding for review and issuance of the licenses as well as compliance checks and any other necessary license monitoring/enforcement.

Public Outreach/Input

N/A

Staff Recommendation

Hold a public hearing to receive input regarding the off-sale liquor license, then by motion, approve issuance of the license for VPS Global Solutions LLC DBA MGM Wine & Spirits located at 255 County Road 10 NE.

Attachment List

None



City of Blaine Staff Report

File Number: RES 24-215

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

7:00 PM - Public Hearing and Items Published for a Certain Time - Jason Zimmerman, Finance Director

Agenda Item # 9.4

Resolution Certifying Delinquent Special Charges

Executive Summary

Consider conducting a public hearing for unpaid special charges and other municipal services, to be certified to property taxes for collection in 2025.

Background

Each year, the City of Blaine encounters unpaid charges for municipal services, including abatement of weeds and trees, false alarm, rental licenses, and other related charges. These outstanding balances represent a financial obligation to the city, and according to state statutes, the City has the authority to assess unpaid charges against the property through a certification process.

These charges, when unpaid for a significant period, may affect the city's ability to provide continuous services efficiently. To ensure proper revenue collection and avoid disruption in services, unpaid balances are proposed to be certified to the respective property taxes for recovery.

A list of properties with unpaid charges has been compiled, and notices have been sent to the affected property owners. The public hearing provides an opportunity for the Council to review any objections or concerns from property owners regarding their unpaid balances. After consideration, the Council may decide to adjust, reduce, or certify the full amount of these charges.

Summary of Unpaid Special Charges: (Principal + Administration Fee)

- Weed and Tree Abatement: $\$3,296.41 + \$900 = \$4,196.41$
- Rental License: $\$6,300.00 + \$1,650 = \$7,950$
- Other Special Charges (e.g., false alarms, waste): $\$4,326.58 + \$500 = \$4,826.58$

Legal Authority:

Minnesota State Statutes 429.101 authorize the city to collect unpaid service charges by certifying them to property taxes. The certification process ensures that these unpaid balances are collected in the same manner as property taxes.

Strategic Plan Relationship

The collection of delinquent invoices provides needed revenue to maintain the City's funds and supports the financial sustainability of the City.

Board/Commission Review

Not required.

Financial Impact

The proposed assessment reflects the costs already incurred by the City to abate nuisances and perform rental re-inspection within the community. The Adopted Budget includes the appropriate budget authority to support these activities.

Public Outreach/Input

Notice of the hearing has been sent to all property owners with unpaid balances at least 30 days in advance, as required by law. Public notice of the hearing was posted to the newspaper on October 24, 2024, two weeks prior to the public hearing. The public hearing process will allow property owners to present any objections before the City Council acts on certifying the charges.

Staff Recommendation

It is recommended that the City Council hold a public hearing to review the unpaid special charges and authorize certification of these charges to the property taxes for collection in the following year, pursuant to Minnesota State Statutes Section 429.101 and City Ordinances 34-249, 70-2, 90-36 and 90-81.

Attachment List

1. 2025 Delinquent Invoice List



City of Blaine

Signature Copy

Resolution: RES 24-215

Resolution Certifying Delinquent Special Charges

WHEREAS, Blaine City Ordinances 34-249, 70-2, 90-36, and 90-81 allow for the certification of unpaid charges for municipal services, including abatement of weeds and trees, false alarms, rental licenses, and other related charges to the County Auditor for collection pursuant to Minnesota State Statutes Section 429.101; and

WHEREAS, notice of the hearing date was mailed to affected property owners on September 30; and

WHEREAS, the hearing notice was published in the Blaine/Spring Lake Park Life on October 25, 2024; and

WHEREAS, the City Council conducted a public hearing on this date to hear public testimony; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that the City Clerk is hereby authorized and directed to certify to the County Auditor the amount of these delinquent accounts, together with a legal description of the premises served, as set forth in the attached document.

BE IT FURTHER RESOLVED by the City Council of the City of Blaine that the County Auditor is hereby requested to record the attached delinquent accounts as part of the tax levy on the premises served to be collected during the ensuing year.

BE IT FURTHER RESOLVED the list of properties adopted by the City Council on this date may or may not be modified prior to being submitted to reflect full or partial payments made after this time.

PASSED by the City Council of the City of Blaine this 4th day of November 2024



Signed by

Tim Sanders, Mayor

Signed by

Cathy Sorensen, CMC, City Clerk

City of Blaine - List of Delinquent Invoices Eligible for Certification to 2025 Property Tax Roll

PID	Invoice #	Invoice Type	Delinquent Amount	Administration Fee	Total
19-31-23-12-0010	6643	Abatement	189.70	50.00	239.70
19-31-23-12-0011	6644	Abatement	96.19	50.00	146.19
30-31-23-11-0090	6743	Abatement	715.69	50.00	765.69
17-31-23-21-0013	6750	False Alarm	200.00	50.00	250.00
17-31-23-21-0013	PD1346	False Alarm	75.00	50.00	125.00
17-31-23-21-0013	PD1352	False Alarm	75.00	50.00	125.00
31-31-23-33-0009	PD1381	False Alarm	75.00	50.00	125.00
31-31-23-31-0022	PD1397	False Alarm	350.00	50.00	400.00
31-31-23-31-0021	PD1398	False Alarm	150.00	50.00	200.00
19-31-23-23-0112	6618	Mowing	174.63	50.00	224.63
32-31-23-44-0014	6619	Mowing	375.55	50.00	425.55
18-31-23-31-0086	6620	Mowing	193.33	50.00	243.33
01-31-23-13-0063	6623	Mowing	193.33	50.00	243.33
18-31-23-21-0013	6625	Mowing	212.03	50.00	262.03
07-31-23-41-0041	6626	Mowing	118.52	50.00	168.52
30-31-23-23-0062	6724	Mowing	137.22	50.00	187.22
18-31-23-11-0051	6725	Mowing	174.63	50.00	224.63
07-31-23-44-0057	6735	Mowing	212.03	50.00	262.03
24-31-23-11-0018	6736	Mowing	137.22	50.00	187.22
17-31-23-12-0031	6737	Mowing	286.84	50.00	336.84
18-31-23-33-0097	6740	Mowing	118.52	50.00	168.52
08-31-23-41-0060	6741	Mowing	118.52	50.00	168.52
07-31-23-41-0041	6855	Mowing	214.22	50.00	264.22
18-31-23-31-0086	6857	Mowing	195.30	50.00	245.30
18-31-23-24-0088	6858	Mowing	100.69	50.00	150.69
30-31-23-42-0158	6862	Mowing	157.45	50.00	207.45
18-31-23-31-0062	6863	Mowing	176.38	50.00	226.38
08-31-23-13-0005	PD1358	PD Security	2,400.00	50.00	2,450.00
17-31-23-14-0211	6641	Rental	60.00	50.00	110.00
09-31-23-32-0047	6641	Rental	60.00	50.00	110.00
15-31-23-22-0062	6744	Rental	240.00	50.00	290.00
14-31-23-43-0045	6753	Rental	240.00	50.00	290.00
14-31-23-43-0046	6753	Rental	180.00	50.00	230.00
14-31-23-43-0047	6753	Rental	180.00	50.00	230.00
14-31-23-43-0044	6753	Rental	180.00	50.00	230.00
14-31-23-43-0043	6753	Rental	120.00	50.00	170.00
14-31-23-43-0041	6753	Rental	240.00	50.00	290.00
14-31-23-43-0038	6753	Rental	180.00	50.00	230.00
14-31-23-43-0039	6753	Rental	180.00	50.00	230.00
14-31-23-43-0040	6753	Rental	240.00	50.00	290.00
14-31-23-43-0035	6753	Rental	240.00	50.00	290.00
14-31-23-43-0034	6753	Rental	180.00	50.00	230.00
14-31-23-43-0033	6753	Rental	240.00	50.00	290.00
14-31-23-43-0029	6753	Rental	180.00	50.00	230.00

City of Blaine - List of Delinquent Invoices Eligible for Certification to 2025 Property Tax Roll

14-31-23-43-0031	6753	Rental	300.00	50.00	350.00
14-31-23-43-0032	6753	Rental	240.00	50.00	290.00
14-31-23-43-0028	6753	Rental	180.00	50.00	230.00
14-31-23-43-0027	6753	Rental	180.00	50.00	230.00
14-31-23-43-0025	6753	Rental	180.00	50.00	230.00
14-31-23-43-0021	6753	Rental	240.00	50.00	290.00
14-31-23-43-0022	6753	Rental	180.00	50.00	230.00
14-31-23-43-0023	6753	Rental	180.00	50.00	230.00
14-31-23-43-0024	6753	Rental	180.00	50.00	230.00
14-31-23-43-0020	6753	Rental	180.00	50.00	230.00
14-31-23-43-0019	6753	Rental	240.00	50.00	290.00
14-31-23-43-0017	6753	Rental	240.00	50.00	290.00
14-31-23-43-0063	6753	Rental	120.00	50.00	170.00
14-31-23-43-0062	6753	Rental	240.00	50.00	290.00
14-31-23-43-0061	6753	Rental	120.00	50.00	170.00
14-31-23-43-0060	6753	Rental	120.00	50.00	170.00
30-31-23-33-0013	6803	Rental	240.00	50.00	290.00
Totals			13,922.99	3,050.00	16,972.99



City of Blaine

Staff Report

File Number: RES 24-197

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

Development Business - Sheila Sellman, City Planner

Agenda Item # 10.1

Resolution Granting a Comprehensive Plan Amendment to Change from Planned Commercial (PC) to High Density Residential 2 (HDR2) on the Southwest Corner Lexington Avenue and 125th Avenue NE. Lexington Crossings (HJ Development) (Case File No. 24-0057/SAS)

Executive Summary

The applicant is requesting a comprehensive land use plan to change from Planned Commercial to High Density Residential 2 (HDR2) for approximately 3.34 acres at the corner of 125th Avenue and Lexington Avenue.

Background

Planning Commission (Public Hearing)	10/08/24
City Council (Comp Plan Amendment)	11/04/24
Action Deadline (60 Days)	11/05/24
Action Deadline (City Extended - 60 Days)	01/04/25

Staff report prepared by Sheila Sellman, City Planner

Comprehensive Plan Amendment

Section 27.03 Criteria for granting zoning/comprehensive plan amendments:

The City Council may adopt amendments to the zoning ordinance, zoning map, and comprehensive plan relative to land uses within a particular district or to the location of the district lines. 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.

When a change to a city's Comprehensive Plan is requested, it is the city's responsibility to determine if the change is in the best long-range interests of the city. The standard of review of a city's action in approving or denying a Comprehensive Plan amendment is whether there exists a rational basis. A

rational basis standard has been described to mean having legally sufficient reasons supportable by the facts which promote the general health, safety and welfare of the city.

Request

The applicants, HJ Development LLP and Northshore Development Partners, are proposing a market-rate apartment and commercial community. The proposed apartment community would encompass 3.34 acres on the west side of the site and the remaining portion would be comprised of commercial, greenspace, and stormwater treatment and retention. A concept plan is attached to illustrate the potential development.

However, at this time, the applicant is requesting a land use change from Planned Commercial (PC) to HDR2 for 3.34 acres of the 40 acre site. The proposed apartment is 120 units. The commercial that has been identified is Jerry's Foods grocery store, and other ancillary commercial uses. According to the applicants, the commercial uses can't move forward without the multi-family component as the required infrastructure improvements cannot be absorbed by the commercial alone. High-density residential compliments and benefits nearby commercial.

Surrounding Zoning and Uses

The subject site is located at the southwest corner of 125th Avenue and Lexington Avenue. The property to the west is zoned Farm Residential (FR) with a single family home. The property to the south is zoned Planned Business District and is developed with the city's water treatment plant #4 and water tower. To the north is 125th Avenue and the east is Lexington Avenue.

Evaluation of Request

Planning Analysis

Current Zoning

The subject site is zoned Town Commercial (B-5). This zoning district does not permit multi-family residential, therefore a rezoning will be necessary if the comprehensive land use plan is amended.

Current Comp Plan Designation

The current Comp Plan Designation is Planned Commercial (PC). The applicant is requesting to amend this designation to Multi-family Residential 2 (HDR2) for 3.34 acres of the 40 acre site.

The Proposed Designation Intent

The purpose of the existing land use category of Planned Commercial is to accommodate commercial, retail and office uses in a planned, cohesive style of development. Planned commercial zoning is in areas with good visibility and access from major roadways and are sufficiently sized to accommodate a larger-scale planned design and concept.

While the proposed development as a whole meets this intent, this land use designation does not permit multi-family residential. The applicant is therefore requesting the change to HDR2 to accommodate the multi-family development while intending to build the commercial as part of an overall development for the southwest corner of 125th Avenue and Lexington Avenue.

The HDR2 is for multi-family residential purposes, including apartments, co-ops, and condominiums and should be located in a multi-use/mixed use development scenario and 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.

The density in the HDR2 designation is 25-60 units an acre. As proposed, the density is 37 units/acre. As indicated in the applicant's narrative, this development will be part of an overall development that will have commercial uses which would be considered a mixed use development as intended with the HDR2 and PC land uses.

Site Plan

A concept plan has been submitted with the application and the applicants have indicated the commercial will not develop without the multi-family residential due to the required infrastructure improvements for the site. In order to develop (as shown on the concept plan), the comp plan amendment will need to be approved and a rezoning will be necessary since the B-5 district does not allow multi-family development. Depending on the zoning district, a conditional use permit may be required as well. At that time, a detailed review of the development will occur.

School Capacity

The Anoka-Hennepin School District had a demographic report done in the Fall of 2023. The report identified various housing types and the yield of students those housing types create. Below is a table showing the yield of students per unit based on housing type.

Housing Type	K-12 Yield
Single Family Detached	.43 students
Single Family Attached (Townhomes)	.23 students
Duplex and Triplex	.45 students
Apartments (Market)	.15 students
Apartments (Low Income)	.38 students
Manufactured Homes	.22 students
Zero Lot Line	.34 students

According to the report, single-family detached units produce the most students per unit. Townhouses have significantly fewer children per unit than single-family detached units. Apartments yield the least number of students per unit. Apartment units produce 6.9% of the student population for Anoka-Hennepin Public Schools (district wide). Apartments produce 0.15 students per unit for K-12. The data is further broken down by where apartments generate .07 students in K-5, .03 students in grades 6-8, and .04 students in grades 9-12. Based on a 120-unit apartment, a total of 18 students would be generated on average in grades K-12. On average, 8.4 students would be generated in grades K-5, 3.6 students in grades 6-8, and 4.8 students in grades 9-12.

Apartment Development History

The table below represents permit data for multi-family units built in the last 10 years. These numbers are based on the year the building permit was issued. Approximately 10% of Blaine's housing stock is multi-family (apartments).

Year	Apartment Units	Apartment Locations
2014	44 (all assisted living/ SR)	White Pine (12402 Jamestown Street)
2015	234 (198 assisted living, 36 apartment units)	Crest View (152 units include independent, assisted and memory care/ 12016 Ulysses) Emberwood Apartments - see below Edgemont Place (46 memory care/11748 Ulysses)
2016	261 (231 apartments and 30 townhomes)	Veridian Central (191 units/9436 Ulysses) Emberwood Apartments (see below) ACCAP Townhomes (30 units/10991 University)

		classified as apartment in building code)
2017	35	Emberwood Apartments - phase 3 (total of 111 units in one building, built in 3 phases -12664 Central Avenue)
2018	192	Legends of Blaine (10826 Austin Street)
2019	138	Cedar Green (1145 116th Avenue)
2020	0	
2021	82	Glenfield Park Estates Building 2 (8685 Groveland Court)
2022	501	Risor (184 units/370 125th Avenue) Arris (65 units/9460 Ulysses Street) Lexi (182 units/10717 Austin Street) Glenfield Park Estates (70 units/8615 Groveland Court)
2023	0	
2024	0	

Traffic

A concept plan was submitted that includes proposed roadways. The plan shows the required extension of Zest Street from 125th/Main Street south to the proposed extension of Lakes Parkway. Lakes Parkway will connect to Lexington Avenue at the 122nd Avenue alignment, where the new traffic light was installed by Anoka County in 2024. Per the Anoka County Improvement Plan, any development at the southwest corner of 125th and Lexington Avenue will be required to install a stop light at the proposed Zest Street and 125th Avenue intersection. When the intersection was completed by Anoka County, it was designed to accommodate a future signal. Additional roadways will support the proposed development plan and include connections for future street extensions to the properties to the west.

Please note, the county roadway network has been upgraded for this development and general growth in this portion of Blaine. The County has just recently finished improvements to 125th Avenue both east and west of Lexington Avenue. 125th Avenue east of Lexington Avenue was reconstructed, including a signal installed at Lever Street in 2019. 125th Avenue west of Lexington Avenue was reconstructed in 2022. This upgraded the roadway from 2-lanes to 4-lanes west of Lexington as they projected a 20-year growth within the corridor to set the signals, number of turn lanes and to justify the expansion of the roadway from 2 lanes to 4 lanes. They also discussed with the City the future signalization of Zest Street's connection to 125th Avenue and have constructed the intersection to accommodate the future connection of Zest Street to the south and for signalization. Likewise, east of Lexington Avenue, the 20-year projections did not dictate an expansion and was reconstructed as a 2 lane roadway.

According to Anoka County's Chief Operations Transportation Engineer, a four-lane roadway (2 lanes in each direction) can accommodate approximately 30,000 vehicles a day. The current traffic volume on Lexington Avenue from I-35W to 109th (4-lane/5-lane section) is approximately 28,500 vehicles a day. The current traffic volume on Lexington Avenue from 109th to 125th (4-lane section) varies from approximately 14,000 vehicles/day just north of 109th Avenue to approximately 13,000 vehicles/day just south of 125th Avenue. The current traffic volume on Lexington Avenue north of 125th Avenue (4-lane/6-lane section) is approximately 12,500 vehicles/day. The current traffic volume along 125th Avenue west of Lexington Avenue (4-lane section) is approximately 15,000 vehicles/day and east of

Lexington Avenue/West of Sunset Avenue (4-lane to 2-lane section) is approximately 11,000 vehicles/day.

Each of these corridors are constructed with adequate capacity for current traffic volumes. Additionally, there is additional capacity available to serve development/growth. Anoka County, in coordination with the City of Blaine, continually monitors the traffic volumes and improvement needs along each of these corridors.

Attachment List:

Zoning and Location Map

Narrative

Concept Plan

Examples of Other Developments

Unapproved Planning Commission Minutes 10/8/24

Strategic Plan Relationship

Not applicable.

Board/Commission Review

The Planning Commission voted unanimously to deny the comprehensive plan amendment.

Ten people spoke at the public hearing in opposition. The meeting minutes are attached for reference on the public hearing comments.

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.

With Neighborhood Meeting:

In accordance with the Neighborhood Meeting Policy, a neighborhood meeting was held on October 2, 2024. A summary of the meeting is attached.

Staff Recommendation

By motion, adopt the resolution. The resolution is for denial based on the Planning Commission's recommendation. If the Council would like to approve the amendment, the following findings could be considered:

1. The proposed land use meets the goals of the land use chapter to recognize varied housing densities as a means of accommodating community growth through the encouragement of appropriately designed and located townhomes and apartments.
2. The proposed amendment meets the goals of the housing chapter to provide housing opportunities that meet the needs of all generations and income levels, and supports the development of housing that meets the needs of the population today as housing preferences change.

Attachment List

1. Attachments
2. Unapproved PC Minutes 100824
3. All Comments 110424_Noon
4. Additional Comments_Received after Noon



City of Blaine

Signature Copy

Resolution: RES 24-197

Resolution Granting a Comprehensive Plan Amendment to Change from Planned Commercial (PC) to High Density Residential 2 (HDR2) on the Southwest Corner Lexington Avenue and 125th Avenue NE. Lexington Crossings (HJ Development) (Case File No. 24-0057/SAS)

WHEREAS, Minnesota Statutes, Chapter 462.355, Subdivision 2, prescribes the procedure for amending the Comprehensive Plan; and

WHEREAS, the Planning Commission held a public hearing on October 8, 2024, and recommended denial regarding the Comprehensive Plan amendment request for:

THE NE1/4 OF NE1/4 OF SEC 11 TWP 31 RGE 23, EX S 123.38 FT THEREOF, EX RDS, SUBJ TO EASE OF REC

AND

THAT PRT OF NW1/4 OF NE1/4 OF SEC 11 TWP 31 RGE 23 LYG E OF W 1170 FT OF SD 1/4 1/4 & LYG N OF S 123.38 FT THEREOF, EX RD, SUBJ TO EASE OF REC

WHEREAS, the City Council has reviewed the Comprehensive Plan amendment request and finds the change is not in general conformance to the adopted Comprehensive Plan for land use compatibility.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that the Comprehensive Plan is not amended to change portions of the property, as described above, and based on land use maps contained within Case File No. 24-0057 from Planned Commercial (PC) to High Density Residential 2 (HDR2) based on the the following finding:

1. Increased density is not in alignment with the comprehensive plan for this area.

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

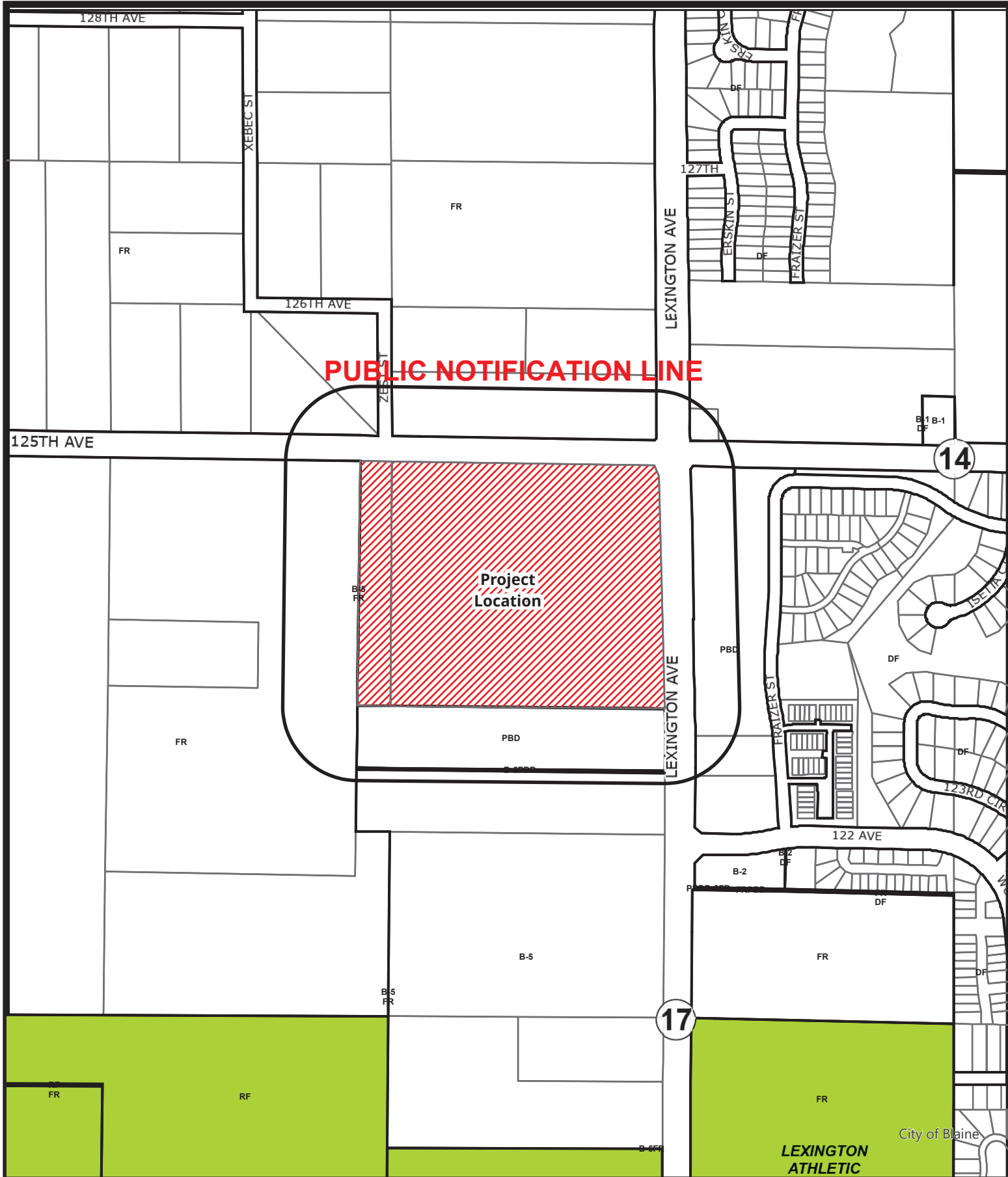


Signed by

Tim Sanders, Mayor

Signed by

Cathy Sorensen, CMC, City Clerk

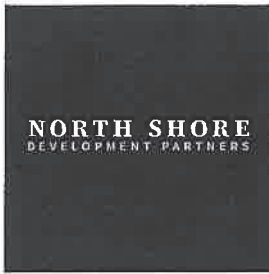


BlaineMN.gov

Case File No. 24-0057 Lexington Crossings

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





September 6, 2024

Ms. Sheila Sellman, City Planner
Members of the Blaine City Council & Planning Commission
City of Blaine
10801 Town Square Drive NE
Blaine MN 55449
Sent Via E-mail and U.S. Mail

**RE: COMPREHENSIVE PLAN AMENDMENT
SW Corner of 125th Ave NE & Lexington Ave NE**

Ms. Sellman and Members of the City Council/ Planning Commission:

HJ Development, LLP and Northshore Development Partners (Co-Applicants) are pleased to present this request for a Comprehensive Plan Amendment for a proposed market-rate apartment and commercial community to be located near the intersection of 125th Ave NE and Lexington Ave NE . The proposed apartment portion of the site would encompass approximately 3.34 acres+/- acres on the west side of the future Zest Ave. The balance of the approximately 40 acre site would be commercial, greenspace, and stormwater treatment and retention. An illustration of the proposed site areas is included as an exhibit to this narrative.

In connection with the Comprehensive Plan Amendment application, the Co-Applicants are providing the following narrative for consideration:

This request is intended to apply only the 3.34+/- acres which is highlighted in the attached illustration. The subject property is currently guided in the 2040 Comp Plan for Planned Commercial (PC). This application is a request to amend the Comp Plan to reflect a High Density Residential 2 "HDR2" guide plan allowing for 26-60 units an acre which will in turn allow for construction of a 120 unit apartment project on site.

To accommodate the proposed apartment development, the plat will be re-platted to create a separate legal parcel which would have the HDR2 (High Density Residential) Comp Plan designation. The remaining portion of the property would remain commercial and no request is currently being made for its land use designation as it will be home to a Jerry's Foods grocery store and other ancillary commercial uses as detailed in the enclosed site plan. In order for the commercial to move forward this Comp Plan amendment is required and if the request is denied the project will not move forward as the required infrastructure improvements cannot be absorbed by the commercial alone.

Integrating high-density housing in close proximity to commercial/retail uses is a common land use pattern which serves to complement and benefit the nearby commercial businesses. Further, it offers convenient housing for the employees while the apartment dwellers enjoy convenient access to retail and services.

Similar land use patterns can be found within the City of Blaine. One example can be found at Lexington Ave NE and 109th Ave NE where apartments abut commercial uses. Another nearby example is at 117th Ave NE and Ulysses St NE near Walmart and Lowes where you have both market rate multi family and assisted living in close proximity to commercial. High density housing often provides an appropriate transitional use between higher intensity commercial/retail areas and lower density housing developments. With the ever-changing retail industry and the continuing housing shortage, retail developers are finding success in combining a high-density housing component to their commercial development plans. Numerous examples can be found in the Twin Cities. For reference, a list of other metro area projects that are similar to what is being proposed here are:

- Lake Jonathan Flats, Chaska- Pioneer Trail and North Chestnut Street
- The Reserve at Mendota Village, Mendota Heights – Highway 62& Highway 149
- The Reserve at Arbor-Lakes, Maple Grove – Elm Creek Blvd-North & Hemlock Ln North
- Gallery On Nicollet, Burnsville – Highway 13 & Nicollet Ave
- City Vue Apartments, Eagan – Promenade Ave & Yankee Doodle Rd
- Paravel Apartments, Eden Prairie – Flying Cloud Drive and Prairie Center Drive
- The Exchange Apartments, New Brighton – Silver Lake Rd NW & Palmer Drive
- Grove 80, Cottage Grove – 80th St S & Hemingway Ave S

We are confident that the required utility connections and stormwater management rules can be addressed with this proposed development as they have already been discussed with city staff. The development will preserve a large amount of existing wetlands as open space within the development.

On behalf of our development team, we are excited to bring a high-quality multifamily and commercial community to the City of Blaine. If you have any questions, please do not hesitate to contact us:

Chris Moe
HJ Development, LLP
952-476-9400
cmoe@hjdevelopment.com

Matt Alexander
North Shore Development Partners
952-250-5485
malexander@northshoredp.com

Respectfully,



Chris Moe
Principal
HJ Development



Matt Alexander
Principal
Northshore Development



SITE DATA	
Total Site Area (AC.)	40.33
Lot Area (AC.)	17.98
Lot 1 - Grocery Store	7.89
Lot 2 - Retail / Restaurant	1.38
Lot 3 - Retail / Restaurant	1.40
Lot 4 - Automotive	0.77
Lot 5 - Office / Retail	1.57
Lot 6 - Apartments	3.25
Lot 7 - Daycare Facility	1.72
Outlot Area (AC.)	15.31
Outlot A	10.45
Outlot B	1.06
Outlot C	3.36
Outlot D	0.44
ROW Area (AC.)	7.04

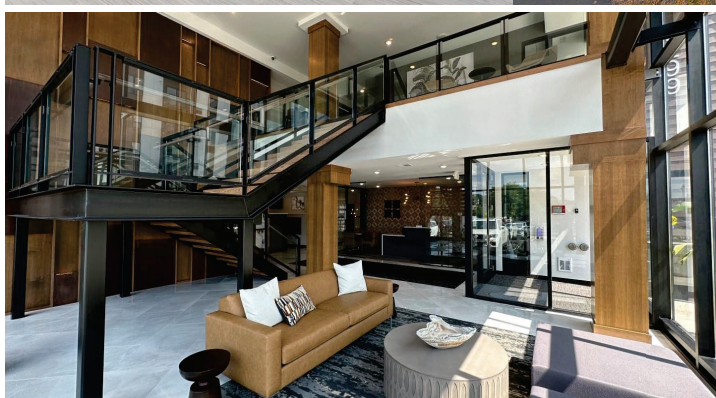
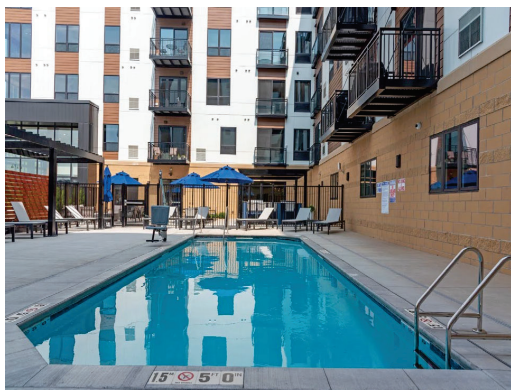
LEXINGTON & MAIN CONCEPT PLAN

Blaine, MN | 09/05/24

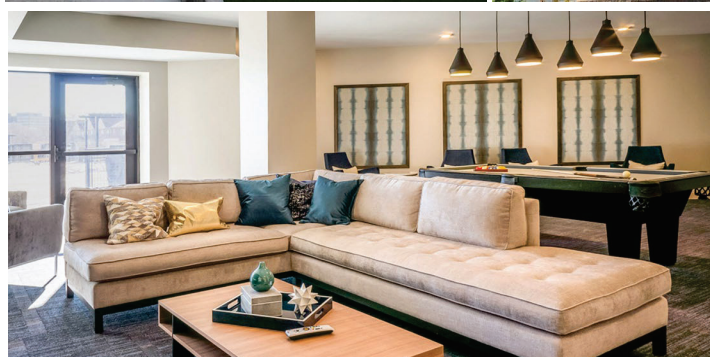
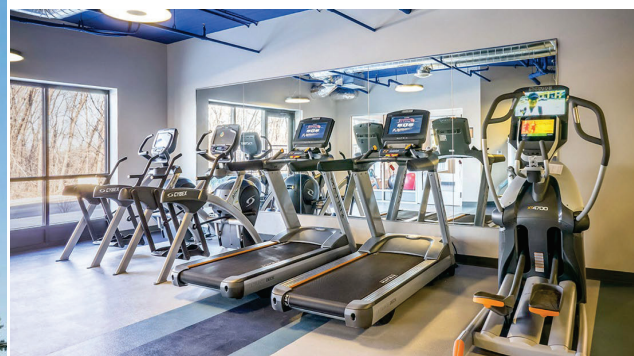
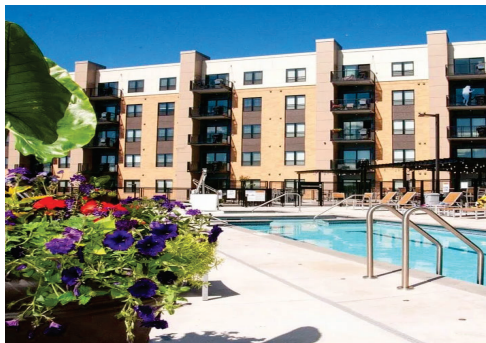




Grove 80 | Cottage Grove, MN | 120 Units



The Exchange Apartments | New Brighton, MN | 132 Units



The Axis | Plymouth, MN | 157 Units



City of Blaine

Planning Commission

October 8, 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, October 8, 2024. Chair Goracke called the meeting to order at 7:00PM.

2. Roll Call

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

Members Absent: Commission Member Homan.

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

4. Public Hearing

- 4.2.** 2024-425 Case File No. 24-0057 // Lexington Crossings (HJ Development) // Southwest Corner Lexington Avenue and 125th Avenue NE
The applicant is requesting a comprehensive plan amendment to change from Planned Commercial (PC) to High Density Residential 2 (HDR2).
Sponsors: Sheila Sellman, City Planner

The report to the planning commission was presented by Sheila Sellman, City Planner.

Chris Moe, HJ Development, thanked the commission for considering his request. He explained he was requesting a comprehensive plan amendment that will allow a small portion of the 40 acres to be developed for multi-family housing with a 120 unit apartment building. He indicated the site would also have commercial, open space and a high end grocery store called Jerry's Foods. He discussed how his company works to create mixed use developments throughout the metro area. He stated he has worked to maintain open space

throughout the project and that this would be an all or nothing type development.

The public hearing for Case File 24-0057 was opened at 8:04PM.

Barb Bailey explained she has been a resident of Blaine for the past 18 years. She asked if Jerry's Foods would go in by itself and not be tied to the apartment building. She expressed concern with the fact the developer was proposing a five story apartment building within this development, noting Sunrise School was already over capacity. She was of opinion this area did not need another apartment building. She recommended more research be done before the city rubber stamps a project.

Aren Dela, 12550 Zest Street, explained he has lived in Blaine for the past 17 years. He reported he owns apartment buildings that are surrounded by amenities and public transportation. He expressed concern with the fact the proposed apartment building had no public transportation in the area. He was of the opinion this was a great spot for commercial, but recommended the apartment building not be included.

Dawn Yedder stated she has been a resident of Blaine for the past 45 years and lives in The Lakes. She commented she saved all of her life in order to be able to live in this neighborhood. She believed the proposed development did not fit with the surrounding neighborhood. She expressed concern with how traffic has increased in the past several years and noted this development would compound her concerns. She indicated the city already had so many grocery stores and she did not believe Blaine needed another grocery store. In addition, she opposed the multi-family apartment building.

Abby Kjos, 3568 122nd Circle, explained she was the first neighborhood just south of Stepping Stones. She was of the opinion adding a stop sign at Zest would not benefit anyone. She commented she was against the proposed comprehensive plan amendment. She indicated the city was not required to add this high density residential as the city has already met the Met Council's requirements. She stated she was not okay with a grocer telling the city needs apartments and recommended the city hear the voices of its residents instead of developers. She encouraged the city to learn from the mistakes that were made with Hy-Vee near the Blaine High School and stated there were no guarantees the grocer would come into the community. She recommended the request be denied.

Dale Sprouse, 12880 Lexington Avenue, stated he was the owner of Papa's Organics and has lived in the community for the past 30 years. He indicated he was totally opposed to rezoning this property. He commented in the last 12 months a different developer requested high density on the opposite corner and this request was not approved. He understood the developer has stated this was an all or nothing type of development. He reiterated that Sunrise Elementary was already over capacity. He anticipated 180 more people would live on this corner if the multi-family were approved. He did not believe this development was a good use for this corner and urged the commission to deny this request. He commented further on how the land around him has developed over the years and begged the commission to not approve this request.

Jeannie Shaw stated she was a 14 year resident of Blaine. She indicated she was opposed to the plan. She commented she did not see what the benefit of this project would be for current residents. She stated she did not like the all or nothing impression of this

development. She expressed concern with the fact the apartment building could be constructed and Jerry's Foods could back out. She discussed how there would be studio, one-bedroom and two-bedroom apartment units, along with a daycare within the development. She feared how Sunrise Elementary would be impacted by this development.

Shawn Leet stated he was concerned with how the schools and traffic in the area would be impacted. He questioned how much more traffic this area of Blaine could handle. He inquired if a study has been completed on this area, noting traffic has been getting worse and worse.

Jeremy Olsen stated he has been a resident of Blaine since 1998. He was of the opinion this project would put the carriage in front of the horse. He did not believe the city needed another apartment complex and noted the schools were already crowded. He explained he opposed the proposed change.

A resident of the Lakes expressed concern with the traffic in his neighborhood as well as with the addition of new traffic signals. He commented on how his commute to work has been impacted by the new stop lights. He recommended the 120 unit apartment complex not move forward.

Aristo Galiov at 12123 Waconia Circle NE, a resident of The Lakes. He reported comprehensive plan amendments should not be taken lightly because a great deal of thought went into the original plan. He indicated there was no guarantee that if the apartment building was approved that the grocery store would be constructed. He discussed how traffic in his neighborhood has increased over the years and commented on how traffic would increase in this area if the proposed development were approved. He recommended the city not move forward with this request because the current infrastructure was already being taxed.

The public hearing was closed at 8:27PM.

Chair Goracke asked if a traffic study was completed for the proposed project.

Project Engineer Barnes reported 125th and Lexington Avenue are managed by Anoka County. She indicated the County has done the studies they need to do, and are responding to the growth in the area. She noted a light was proposed at Zest and 125th in response to the increase in traffic.

Chair Goracke questioned if the city has been in contact with the school district.

City Planner Sellman reported she received an email from the Chief Operations Officer noting there was room for growth at Sunrise Elementary School, but there were concerns with the growth in the city. In addition, the COO reported there tends to not be a large increase in enrollment from apartment buildings.

Chair Goracke inquired if Jerry's Food was contingent upon the multi-family development.

Mr. Moe reported this was the case. He explained this came down to economics and making the project work financially.

Commissioner Halpern asked what was unique about this site and questioned why it has taken two years to bring about a plan.

Mr. Moe indicated there were a lot of wetlands on the property, which was challenging to work around. He commented some of the wetlands were tied to the city's transportation network. He explained the other roads connecting to The Lakes had already been acquired by the city. In addition, there are endangered species on this site. He stated this was not rare, but was part of developing in this area. He reported the water table also led to increased engineering costs.

Commissioner Gorzycki reported in the past few months the city has had developments that moved from high density to medium or low density. He questioned how this project was not in complete contradiction to these efforts.

City Planner Sellman commented that effort was driven by the city council and was site specific for properties within the comprehensive plan.

Chair Goracke inquired what percentage of property in Blaine was apartments and how did this compare to other communities.

Ms. Kjos reported 1,487 apartments have been built in Blaine in the last 10 years. She noted there was currently 22 apartment buildings in Blaine and three more would be constructed within the 105th Avenue Redevelopment Area.

Community Development Specialist Showalter commented there was very little apartment construction from the 1980's until the mid-2010's. She noted apartments make up 10% of the housing in Blaine and when compared to peer cities, Blaine was the second lowest. She noted Lakeville was at 11%, Maple Grove was at 14%, Woodbury was at 23% and Inver Grove Heights was at 26%.

Commissioner Olson asked what was currently allowed on this property per the comprehensive plan.

City Planner Sellman explained if the comprehensive plan amendment were approved, the applicant would request a rezoning. She noted the current zoning for the property was B-5, Town Commercial. She clarified Jerry's Foods could go into this property without the apartment based on the current zoning, but the developer is proposing them together and contingent upon one another.

Mr. Moe reported he was making the request to include multi-family based on the economics of the project. He reiterated that he was only asking for a change to three of the 40 acres.

Commissioner Halpern commented he has lived in the community for 20 years and noted there has been an uptick in requests for increased density, which goes against the city's comprehensive plan. He stated the proposed plan had estimates in place that correlate with school capacity and amenities for the community. While he understood what the applicant was trying to do when it came to the economics of this project, he expressed concern with

the disconnect on what the city's plans were for this area.

Mr. Moe stated it was fairly common to have comprehensive plans adjusted as plans move forward, in order to adjust to reality and market forces.

Motion by Commissioner Halpern to recommend denial of Planning Case 24-0057 based on the following rationale:

Case 24-0057:

- 1. Increased density was not in alignment with the comprehensive plan for this property.**

Motion seconded by Commissioner Deonauth. The motion passed 6-0.

Chair Goracke noted this would be on the agenda of the November 4, 2024 city council meeting.

From: [Ryan Hinz](#)
To: [Planning](#)
Subject: Development on Lexington & 125th
Date: Thursday, October 3, 2024 6:37:17 PM

My community is talking about the proposed development on the SW corner of Main (125th) & Lexington. I hear most, if not all, that attended the meeting opposed the project.

I just wanted to send a quick note to say I am not concerned about the development and hope you can continue to build out the land along Lexington.

The only thing I wanted to highlight is ensuring Anoka County puts a stop light at 112th Ave NE & Lexington. It is already sketchy at times to turn left onto Lexington from 112th during rush hour and it will continue to get worse as Lexington is developed. Also, you may want to work with Anoka County to consider closing the left turn lane from Lexington to 114th Lane NE since I do see the residents or their guests make illegal left turns from 114th onto Lexington.

I appreciate the work you do. Hope you can get momentum on the project.

Ryan Hinz
763-248-0053

From: [NANCY FACKLER](#)
To: [Planning](#)
Subject: Re: apartment redone on Lexington and 125th
Date: Saturday, October 5, 2024 3:34:18 PM

I am writing the council/planning commission to vote no to the new apartment proposal. Do not change to land plat to multi density. Blaine , its infrastructure and schools are at capacity. I have had 4 grandchildren that have gone or are presently at Sunrise Elementary.....it is over crowded and adding apts. to that area will increase density everywhere!

Thank you for asking for citizen input.

Nancy and Dan Fackler

2998 Aspen Lake Drive

Blaine, Mn

Sent from my iPad

Nancy Fackler

From: [Ruth Lupa](#)
To: [Planning](#); [Patricia Robinson](#); [Alan Goracke](#); [Jason Halpern](#); [Lauren Deonauth](#); [Terri Homan](#); [Maisa Olson](#); [Jonathan Gorzycki](#); [Nichole Swanson](#)
Subject: Re-zone
Date: Sunday, October 6, 2024 11:44:27 AM

Myself and my family oppose a change to the current zoning for the southwest corner of 125th Ave and Lexington Ave. We do not need a grocery store to determine the needs of our city to meet their needs.

More high density housing is not a need in this community. Lexington and 125th is way too busy already and there is a 6+ lane roadway and a double left turn-lane and we don't need even more vehicles and additional stop lights added to this busy intersection. Also, our schools, including the newest Anoka-Hennepin school - Sunrise Elementary School is 40% over capacity already. They are already building out to adjust for the influx of current students.

The northeast corner of this same intersection is also already being further developed. This newly proposed development will also create childcare facility saturation because a new Daycare Facility will go in directly across the parking lot from the apartment. Please oppose this re-zoning.

Respectfully,

Ruth Lupa
13212 Aberdeen St NE
Blaine

Patricia Robinson

From: Julia Doffing <juliardoffing@gmail.com>
Sent: Monday, October 7, 2024 10:44 PM
To: Patricia Robinson
Subject: Development on 125th and Lexington

I'm writing to express my deep concern about a new development proposed for the corner of 125th and Lexington in Blaine. I do not think that high-rise apartments or an expensive grocery store are in the best interest of the current residents of this city.

We moved onto Lexington about three years ago and the area has become unrecognizable in that short period of time. The traffic has increased substantially and the rapid development on the Lexington corridor has unquestionably contributed to that. The new developments that have been thrown up at breakneck speed off of Lexington have not only completely changed the character of the area, but have resulted in numerous, expensive, and poorly constructed homes that have put a strain on the current residence of Blaine via increased taxes, crime, and traffic. This new development off of 125th would most certainly add to the excessive traffic and saturation of unwanted and unneeded housing.

In addition, Jerry's Foods is a grocery store that has notoriously sky high prices for the quality. An overpriced grocer is the last thing the residents of Blaine need in inflationary times such as these! The commission needs to change their focus to serving the current residents of Blaine, who are suffering from these excessive and poorly thought out building projects. As a mom of many young children, we are hurting. Our property taxes have skyrocketed since we moved in just a short while ago, and our schools are way over capacity and it shows in the quality of the education. My feelings on this are shared by pretty much everyone I talk to in the area.

In an election year, please consider taking the time to show the citizens of Blaine that they come before big profits from big builders. Please vote no to the rezoning off of 125th and Lexington. Please do the right thing for the people of this beautiful city.

Thank you for your consideration!

Julia D.

From: [Jessica Miller](#)
To: agoracke@blqinemn.gov; [Jason Halpern](#); [Lauren Deonauth](#); [Terri Homan](#); [Jonathan Gorzycki](#); [Maise Olson](#); [Nichole Swanson](#); [Planning](#); [Patricia Robinson](#)
Subject: Concerns re Variance Change at 125/Lexington
Date: Monday, October 7, 2024 8:14:57 PM

As a resident of Ham Lake off of Lexington, north of 125th, it has come to my attention that you are requesting a variance change to the proposed development at the SW corner of 125th and Lexington.

Where to begin with the list of questions and concerns....first, WHY are you allowing a grocer (who isn't actually the "high end" grocer we were promised BTW, they are just another mid-level grocer) to make demands on housing requirements? Obviously this grocer was able to bully the City of Woodbury and feel they can do the same here. Or perhaps they're paying you all off? Follow the money, always follow the money in government. And how we know they aren't the high-level Kowalski grocer? They moved in and share the same audience in Woodbury and Kowalski's hasn't felt a pinch of declined traffic, in fact, they continue to grow and expand. What's the point of putting this grocer in this spot? They offer NOTHING more, and maybe less, than the 2 Cub Foods and Target stores that are in the same area.

If Jerry's thinks that there isn't already enough citizens in Blaine, Ham Lake and Lino Lakes to support them, then don't welcome them. That's on them, not us having our cities further destroyed by thousands of more houses and residents. You know better than anyone that housing in this particular area has already increased by 3,000 in the last few years, that Sunrise Elementary is 40% OVER CAPACITY, that you have allowed builders to completely destroy wildlife, and that this particular intersection is having significant accidents on a regular basis.

Shall we also discuss what your greed has done to the water table in Ham Lake? Are you willing to just completely strip us of any water we have left. And then allow your thousands of new houses to continue to add chemicals to the water table, further causing us problems?

Maybe you would rather talk about traffic flow in the area? Oh, that, yeah, in the six years we have lived here you have spent millions to continue to add traffic lanes, lights, etc. And then to have to redo them because your plans can't keep up with the traffic.

How about your public utilities? How are those? Supporting this particular area well? No, actually not. How far away is the nearest fire station? And then you want to add hundreds more people who can't be supported in a timely fashion? Or are you going to depend on Ham Lake/Lino Lakes teams to continuously help you with the increase in emergencies.

How does the Anoka-Hennepin School District feel about the continuous need to redistrict because you haven't been honest with them about the influx in housing/students coming into this area? Imagine being a family that is sold on moving to this area for the schools, only to find out their children can't actually go to the school closest to them because the building doesn't have room. Oh, just stick that to the taxpayers as well, huh? Not your problem is it?

Shall we move on to the actual need for apartments? You and I both know there isn't actually a need for apartments in this area. At quick glance on Apartments.com (and we all know there are many other resources, this is just one) there are more than 500 apartments currently available within a 5 mile radius of this intersection. So let's just simply call this a bullshit excuse.

It is not only concerning that you are even willing to explore any of this but that you are willing to be pushed around by greedy developers with no foresight for the future. Do you care at all about the amenities, the people, the environment? Obviously not if you're willing to take this up in discussion. Disappointing. Completely disappointing. Luckily there is an election around the corner and ideally change will be made.

From: [Henry](#)
To: [Nichole Swanson](#); [Maisa Olson](#); [Jonathan Gorzycki](#); [Terri Homan](#); [Lauren Deonauth](#); [Jason Halpern](#); [agoracke@blqinmn.gov](#); [Planning](#); [Patricia Robinson](#)
Subject: Opposition to Proposed Apartment Building and Mosque Construction
Date: Tuesday, October 8, 2024 11:58:40 AM

Dear City Council/Planning Committee

I hope this letter finds you well. I am writing to express my concerns regarding the proposed construction of an apartment building and mosque in Blaine and outline why I believe it is not in the city's best interest to proceed with these developments.

1. **Impact on Infrastructure:** The construction of a new apartment building will bring an influx of residents, which could strain the city's existing infrastructure. Roads, public transportation, water supply, and sewage systems may struggle to accommodate the added demand, leading to a deterioration in the quality of services for current residents.
2. **Traffic Congestion and Parking Issues:** Apartment buildings and mosques, by nature of their purpose, attract a significant number of people. This would likely result in increased traffic congestion in the surrounding areas, particularly during peak hours or religious services. Limited parking options could lead to overflow into nearby residential streets, negatively impacting the quality of life for current residents.
3. **Compatibility with the Surrounding Area:** The proposed developments may not be in keeping with the character and aesthetic of the surrounding neighborhood. For instance, the scale and design of an apartment complex may clash with a community primarily consisting of single-family homes. Similarly, religious institutions of any kind can sometimes become focal points for tension if not integrated sensitively into the local context.
4. **Noise and Disruption:** Both the apartment building and the mosque may bring with them noise disruptions. Construction activity will cause noise pollution in the short term, but even after completion, the influx of residents, coupled with the calls to prayer or large gatherings at the mosque, may disrupt the peaceful atmosphere of the community.
5. **Property Values:** Increased density and proximity to high-traffic areas can often negatively affect the property values of surrounding homes. Potential buyers may be deterred from purchasing homes in areas adjacent to high-rise apartment buildings or religious institutions, fearing increased congestion and noise.
6. **Community Sentiment:** It is important to ensure that any development aligns with the desires and needs of the existing community. Some residents may feel uncomfortable with large-scale changes to their neighborhood, particularly if there are concerns about cultural or social integration, or simply an attachment to the current composition of their environment. Community opposition should be taken into account.

In conclusion, while development is often a sign of progress, it is crucial that such projects are planned and executed with sensitivity to the needs and desires of the current residents, and with a clear understanding of how they will impact the broader city infrastructure and quality of life. I urge the city to reconsider this proposal and explore alternative sites or solutions that

would be better suited for both developments without adversely affecting the existing community.

Thank you for your consideration

Sincerely,

Henry McAuley

From: [levi lockman](#)
To: [Planning](#); [Patricia Robinson](#); [Alan Goracke](#); [Jason Halpern](#); [Lauren Deonauth](#); [Terri Homan](#); [Jonathan Gorzycki](#); [Maisa Olson](#); [Nichole Swanson](#)
Subject: Zoning meeting
Date: Tuesday, October 8, 2024 1:22:59 PM

Hello city of Blaine personnel,

Please note that I oppose adding a 120 unit apartment building for the Lexington corner development. Blaine area schools cannot handle the large influx. Please be reasonable on your planning considerations.

Thank you for the time and reading this email.

Levi Lockman
2442 123rd CT NE
Blaine, MN, 55449

[Yahoo Mail: Search, Organize, Conquer](#)

From: [Jen Urberg](#)
To: [Planning](#); [Patricia Robinson](#); agoracke@blqinmn.gov; [Jason Halpern](#); [Lauren Deonauth](#); [Terri Homan](#); [Jonathan Gorzycki](#); [Maisa Olson](#); [Nichole Swanson](#); [CityCouncil](#)
Subject: Planning Meeting 10/08/2024 in regards to the land use change request for the corner of Lexington & 125th Avenues
Date: Tuesday, October 8, 2024 2:22:23 PM

To Mayor Sanders, Blaine Planning Committee, and City Council Members,

I am writing to you today to ask the that our Planning Committees and City Council to please weight out these thoughts prior to voting on changing the land use for the corner of Lexington Ave and 125th Ave as the developer asks to see to change it from Commercial/ low-medium density to commercial / high density. I personally am unable to attend tonight's meeting due to an illness, though I had planned on speaking to the below issues. Please add my email to the public documents/ packet.

As someone who not only resides in Blaine now, I used to live near by in Lino Lakes & Circle Pines while growing up. I would frequently find myself in Blaine, enjoying both the fun amenities such as 65HI, Northtown Mall, Gasoline Alley, and the parks, and sledding at Garbage Hill (now Lochness Park) was a blast. Growing up with these kind of fun things to do, made for an epic childhood, the kind straight out of 80s movies that leaves many of our recent generations envious. But along side all of that, I got to watch Blaine, and it's surrounding communities slowly develop, and that is why I am here today.

Blaine, used to be a community with a vibrant shopping district with Northtown Mall and all of the adjacent strip malls or movie theaters. The past leadership of Blaine brought forth a plan that developed the area to one that flourished during all seasons with vibrant stores, restaurants, and it was an easy place to get errands done for both shopping and leisure. Yet time has been one of Blaine's worst enemies. In the past several decades, and for numerous reasons we saw the decline of these establishments. We watched in sadness when 65Hi closed after it's last show and Northtown Cinema too. We watched Northtown Mall loose it's anchor stores one after another, and soon the anchors at the adjacent strip malls, and we watched Gasoline Alley get torn down to still remain as a pile of rocks, weeds, and decaying asphalt.

Along with those growing pains, we watched Blaine's excitement when the National Sports Center went up, and additional strip malls peppered throughout the city, corners of what used to be wetlands and highlands soon became buildings with such promise, but never found a suitable business to keep it afloat, and they would often sat in silence waiting for a new business to take a bite. We watched Walmart build & rebuild due to contract issues, then HomeDepot, with the promise of more restaurants and lot vacancy signs sat until they rotted off and fell over. We watched the newest apartment complexes tout their famous lines of "we will bring shopping with us", to only see more vacant lots sit idle. And this seems to be a repeating plague that our city just can not seem to get beyond.

I have asked countless of restaurants and stores to come out and join in on one of the Twin Cities fastest growing suburb, to only hear the same haunting replies from each and every one of them. We don't meet the median home value, or we do not haven enough traffic at that location to balance out the risks these businesses would need to take in order to build here.

My concern with the newest project being purposed is that we will once again be allowing in more residents into our over stressed water and road infrastructures. And when it comes to schools, I understand Blaine does not directly have a say in schools directly, but what we do have is a community who does have their children in these schools that are at over capacity. The choices

you make, directly impact each and every one of our families and our children, or grandchildren who do attend these schools. And as residents we are more than concerned about our water systems and aquifer that are stressed, and struggling to rebound. Our wildlife is being displaced due to our expansion goals. Our roadways take us longer and longer to reach home when we haven't moved. This removes the joys we once felt proud of when we selected our homes.

I am asking today that before you vote yes on this proposal, that you instead look at what has failed to date, under past and present leadership? We have as of composing this email, over 160+ rental vacancies, we have retail space waiting to be purchased or rented at Blaine Town Square, Village of Blaine, North Court Commons, Oak Park Plaza, Main Street Market Place, Blaine Square, and land vacancies waiting to be developed still at the Naples Street and Lake Drive area with Kwik Trip. That land sat vacant and undeveloped for nearly 20 years when the city took over eminent domain just to build to suit. We need to pause this project and complete these other failed builds.

After listening to the majority of residents in Blaine, I keep hearing the same concerns. Another dead end project will sit in our laps. Driving down our community versus building it up. If we have this many vacancies already, how can we suggest that this would be a good move for Blaine? How can we say that this fall into alignment with our fiscal responsibilities towards Blaine residents? I ask you to take a drive around town in these next few days/weeks. Take a good hard look at what is vacant. Compare these establishments and look at what our former leadership has led us into by allowing more empty promises without confidently making sure that those locations are completed in full. We need to fully vet our project proposals and look into the follow through of these and all developers. We have far too many empty lots, and as others in Blaine have all shared, without the shopping district that we used to have, it has pushed us residents to take our money outside of Blaine for our shopping needs. We don't want to spend our time running across all of Blaine to get our errands done.

And for those of us who moved here to Blaine to enjoy it's beauty, as some residents have shared previously, it's about keeping the sanctity of our neighborhoods. The majority of Blaine's residents do not want one or two shops every 15 minutes throughout the city, we want a shopping district that matches the splendor of the sporting district. Waiting another 20+years for the 2040 plan come to fruition, is saddening to hear. Northtown area has been dying for over 20+yrs already, as residents, you want us to sit and watch this for additional more decades? You have the power to make that happen, and we have the power to support you with that especially as we approach this next few weeks and November 5th being right around the corner.

Sincerely,
Jennifer Urberg
11294 Zest Ct NE
Blaine

From: [Sarah Wagner](#)
To: [Jason Halpern](#); [Lauren Deonauth](#); [Terri Homan](#); [Jonathan Gorzycki](#); [Maisa Olson](#); [Nichole Swanson](#); [Alan Goracke](#); [Planning](#); [Patricia Robinson](#)
Subject: Meeting Agenda - Case file 24-0057
Date: Tuesday, October 8, 2024 2:24:51 PM

Good afternoon,

I'm reaching out today to share a strong opinion from several constituents to oppose the proposed development near 125th and Lexington. I live off Rice Creek Parkway since 2013, and in 11 (what I think short) years we have seen a drastic increase in developments and it's really starting to get out of hand.

While I'm sure you have heard a myriad of reasons, see below some major concerns I feel we, as concerned tax payers, are facing:

1. **Traffic & Accidents:** You would have to live under a rock to know 65 is considered one of the more dangerous roads in MN, and while I was ecstatic to see the plans to improve the HWY, adding more housing is just going to make traffic and congestion worse, increasing accidents – if not on 65, most definitely on Lexington. Roads are already crowded, and this will make commuting to and out of Blaine unbearable.
2. **Overcrowded Schools:** Schools like Blaine High School, Jefferson, and McKinley Elementary are already overcrowded. Sunrise Elementary is already over capacity and it's only 5 years old! Anoka-Hennepin is already one of MN's largest school districts, this extra strain on the district will lead to future tax increases for everyone in Anoka-Hennepin, as they'll have to expand.
3. **Unnecessary Grocery Store:** This grocery store isn't any different from the two Cub Foods or Target stores that are already nearby. The idea that they're saying they need high-density housing to support their business is ludicrous. Personally I wouldn't mind embracing the joke that Blaine is the Edina of the North and getting a Kowalski's or Trader Joes... though still not necessary to add in a high-density housing. Trust me, we have PLENTY of demand to go around!

I know Blaine is growing, and that it is a business, but it's bursting at the seams enough where it's losing its luster quite quickly. My daughter is in 4th grade, and we are genuinely concerned about her having room to attend Blaine (or SLP) HS because of how populated Blaine is getting.

Thank you for taking the time to read our concerns and for potentially reconsidering this plan.

Warm regards,

Sarah Wagner
Sjkeenan29@gmail.com
(763) 350-1170

October 14, 2024

Blaine City Council
City of Blaine
10801 Town Square Dr NE
Blaine, MN 55449

Re: Proposed Development of SW Corner of 125th Ave and Lexington Ave

Dear Council Members,

We have lived in Blaine for 37 years and currently reside at 2919 124th CIR NE. We are concerned with and are opposed to the rapid development of the area in which we live and specifically the proposed development at the southwest corner of 125th Ave. and Lexington Avenue. We understand that there is currently a proposal being considered to develop this area to include a 120 unit apartment complex and a grocery store. It is also our further understanding that that the developer is requesting a change to the current zoning to allow for a high-density variance on the property. We are against this action for the following reasons.

First, it appears that the development is intended to tie into the proposed extension of Lakes Parkway to the intersection of 122nd Ave NE at Lexington Ave. Lake Parkway is already extremely busy and has already become a route to traffic is traveling from Harper to Radisson, causing additional congestion around the Lakeside Park area. This park area is use by many families and small children and a large amount of bicycle and pedestrian traffic. This is both a congestion and safety concern.

Second, the recent and ongoing extensive development at Harper and 125th Ave. and Lexington and 125th Ave. has already significantly increased the traffic on both 125th Ave. and Lexington Avenue.

Third, the overdevelopment in our area has overcrowded the Sunrise Elementary school that was only constructed a few years ago. During the 2022 enrollment Sunrise Elementary had to bus kindergarten students first to their school and then on the second bus transfer them to Johnsville elementary in order to accommodate the already overcrowded enrollment.

Fourth, there is a growing concern for the strain this type of development is putting on our city services. We appreciate the outstanding services of the Blaine police, fire, and public utilities, but we are concerned about the additional load being put on these departments, in addition to our regional health services, and related first responder needs.

Last but not least, there are the environmental considerations that includes the additional impacts from this type of high density urban development, especially in the open space and Park areas that adjacent to this proposed development. We have also heard there have been complaints by Ham Lake property owners that have lots near or adjacent to the northern Blaine city limits that they are experiencing water supply well drawdown issues due to high water use by the city of Blaine wells. This may be yet another concern.

We understand the need for providing housing for our growing city; however, we urge the Planning and Zoning Commission, the City Council and our Mayor to seriously consider the impacts that will be caused by this high density develop.

Thank you for your attention to this matter.

Sincerely yours,

The image shows two handwritten signatures in blue ink. The top signature is 'Barb Christofferson' and the bottom signature is 'Jon Christofferson'. Both signatures are written in a cursive, flowing style.

Barb and Jon Christofferson

CC: Chris Massoglia

Elizabeth Showalter

From: Tom Knisely <tomknisely@hotmail.com>
Sent: Monday, November 4, 2024 10:53 AM
To: allcouncil@blainemn.gov; Planning
Subject: Apartment Zoning

I am writing as a 23-year resident of Blaine, regarding the proposed zoning change to allow apartments near Main Street and Lexington. This property is NOT currently zoned for apartments. There were several good reasons why this property was not zoned for apartments. None of those reasons have changed. Your own planning commission agrees and does not support changing the zoning to allow apartments.

As a council, you need to listen to your constituents and your own planning commission and vote no on the zoning change to allow apartments.

Best Regards,

Tom Knisely

From: Wade Peterson <email@wade-o.com>
Sent: Monday, November 4, 2024 11:23:19 AM
To: Leslie Larson <leslielarson@blainemn.gov>
Subject: RE: SW corner of 125th Ave and Lexington Ave

Thanks Leslie, I think you spoke to my wife the other day. Nice to have you on board.

Yes, please feel free to forward my concerns to the city planner.

Wade

From: Leslie Larson <leslielarson@blainemn.gov>
Sent: Monday, November 4, 2024 11:04 AM
To: Wade Peterson <email@wade-o.com>
Subject: Re: SW corner of 125th Ave and Lexington Ave

Thank you Wade for your feedback. I agree with you and will be voting no to this proposal to add high density housing. I used to be your neighbor. My former home was the red house on 122nd circle that overlooked the barricade off our former deck. Now I'm on 117th, still in the Lakes. I agree with your concerns.

Would you like your message to be included in the public record for tonight info for discussion? If you respond yes, I'll send it to the city planner to be added to the public commentary file. Thank you again.



Leslie Larson

Councilmember Ward 2

City of Blaine

10801 Town Square Drive NE, Blaine MN 55449

m: 612-489-9651

BlaineMN.gov

From: Wade Peterson <email@wade-o.com>
Sent: Saturday, November 2, 2024 7:31:48 AM
To: CityCouncil <CityCouncil@blainemn.gov>
Cc: email@wade-o.com <email@wade-o.com>
Subject: SW corner of 125th Ave and Lexington Ave

I am a homeowner at 3233 122nd Ave NE, Blaine MN. The back of my home directly faces Lakes Parkway, with a wide-open view of the road.

First, I am opposed to extending Lakes Parkway to Lexington. Too much increased traffic (and noise). Traffic flow should have already been resolved by the recent reconstruction and widening of 125th. Why do we need 2 major throughfares parallel to and blocks from each other? With the planned extension going through a residential neighborhood; and placing an additional burden on the Master Plan Association maintained Lakes Parkway. Will the city maintain Lakes Parkway as well as Mickman does? Lakes Parkway does not have traffic lights. 125th does. Which do you think people will choose to avoid?

Second, I am opposed to the developer application to alter the zoning to allow for a 5 story 120-unit high rise apartment building on just over 3 acres at the corner of 125th and Lexington. We don't need, nor can we afford as a city this type of development. I recommend instead, furthering retail development. We don't have enough high-end dining facilities, or healthier drive-thru options (such as Shake Shack) in Blaine.

Thank you

Wade Peterson

3233 122nd Ave NE

Blaine, MN 55449

email@wade-o.com

Elizabeth Showalter

From: Kassy Peterson <dall0086@morris.umn.edu>
Sent: Saturday, November 2, 2024 11:04 PM
To: Planning; ICE Hubby My Love
Subject: Opposition to high density at 125th and Lexington

Dear Blaine City Councilmembers,

I am writing to express my concerns regarding the proposed changes to the comprehensive plan amendment resulting in high-density rezoning for our suburban area in NE Blaine, which is currently under consideration. As a member of this community, I believe it is imperative to voice why this development may not be in the best interest of our residents and the character of our local neighborhoods.

1. Community Character and Aesthetics: Our suburban area is known for its beautiful green spaces, and sense of community. High-density developments can disrupt the architectural integrity and charm that define our nearby neighborhoods, leading to a loss of identity that we all cherish.

2. Increased Traffic and Safety Concerns: High-density housing typically results in higher population densities, which translates to more vehicles on our roads. This will lead to more congestion and traffic accidents making our community less safe for pedestrians, cyclists, and families that all enjoy the trail system in this area. Additionally, emergency services may face delayed response times due to increased traffic. The most recent traffic study marked more than 30,000+ vehicles daily at this intersection. With the proposed changes and development throughout this area, the projected traffic will increase to 50,000+ vehicles daily by 2029! Also, 65 is congested frequently and there are many accidents, this issue needs to be corrected before attracting more residents to Blaine as many will want to drive across town.

3. Strain on Local Infrastructure: Our existing infrastructure, including schools, parks, and public services such as waste management, is designed to accommodate our current population size. Increasing the number of residents through high-density housing could strain these services, leading to overcrowded schools (Sunrise was just built and now are needing an addition,) limited recreational spaces, unsafe crosswalks, and a decline in overall quality of life for our current residents that live here and pay considerable taxes.

4. Limited Public Input: Engaging residents in the planning process is crucial. There was very limited notification that this proposal was going before the Blaine Planning Commission.

Many community members have expressed concerns about the lack of transparency and opportunity for public discussion regarding this proposal. A development of this scale should incorporate the voices and needs of the current residents who will be directly affected in all of the adjacent neighborhoods along the Lexington and 125th corridors.

5. The Potential for Higher Crime: we fear crime as well as a lack of maintenance and upkeep to these proposed apartments. Blaine has already allowed a section 8 company to buy up several houses and rent them out. (Two alone in our cul de sac, the police presence has gone up astronomically -feel free to look it up, never once saw a cop in our cul de sac in the first 10years we lived here and now it's almost biweekly or more since the homes were bought by this company.) This company makes a lot of money and doesn't keep up with the homes & families ultimately hurting not only the community but the families. 😞 we fear this is exactly what will happen with these apartments, little upkeep and higher crime.

6. Suggestion: I heard Jerry's foods is being proposed-If so, why not Trader Joe's? Jess Robertson has been trying to get one in Blaine and has asked Blaine residents to fill out the Trader Joe's request form. Most people are familiar with Trader Joe's vs. Jerry's.

We understand the importance of thoughtful development and increasing housing options for our growing population. However, we believe that high-density rezoning is not the right solution for the NE corner of Blaine. We urge you to consider keeping it zoned commercial and respect our community's character and prioritize the well-being of us, the current local residents.

Thank you for your attention to this matter. We hope to engage in further discussions about sustainable development that aligns with the values and needs of our community.

Sincerely,

Kassy and Dusty Peterson

Kassy and Dusty Peterson
12484 Fergus CT NE
Blaine, MN 55449
218.820.1264

This email and any files transmitted with it are confidential and may be legally protected and/or privileged from disclosure by federal or state law. It should not be read or distributed by anyone other than an intended recipient. If you received this email in error, please notify the sender by replying to the message, and then delete it. Thank you.

Elizabeth Showalter

From: Gregory Broder <simplemail@icloud.com>
Sent: Monday, November 4, 2024 8:35 AM
To: Allcouncil@blainemn.gov
Cc: Planning
Subject: Development 125th and Lexington

Council members,

As a twenty year resident of Blaine, I'm concerned about the apartments and rental properties proposed to be built on the corner of Lexington and Main.

This land was zoned for commercial use and it should remain so. It would be great to see some businesses added here to bolster Blaine's tax base. These businesses could give residents much needed access to goods and services we currently don't have in Blaine.

Although business is a primary reason council members should oppose adding apartments and rentals at this location, increased traffic and potential for crime should also cause concern.

When the time comes to vote, please vote no for apartments and rentals at 125th and Lexington.

Respectfully,

Greg Broder

From: Paul Perez <perez0116@yahoo.com>
Sent: Friday, November 1, 2024 4:13:40 PM
To: Leslie Larson <leslielarson@blainemn.gov>
Subject: Re: Flyer notice

Yes please

[Yahoo Mail: Search, Organize, Conquer](#)

On Fri, Nov 1, 2024 at 3:41 PM, Leslie Larson

<leslielarson@blainemn.gov> wrote:

Thank you Paul. As a mom of 5 school-aged kids with classrooms between 36-40 students per class, I hear your concern and agree 100%. I will be voting no to this proposal.

Would you like your comment to go into the public record to be included in the study notes for council for Mondays meeting?

Thanks again for your feedback.

Leslie Larson

Councilmember Ward 2

City of Blaine

10801 Town Square Drive NE, Blaine MN 55449

m: 612-489-9651

BlaineMN.gov

From: Paul Perez <perez0116@yahoo.com>
Sent: Friday, November 1, 2024 1:18:09 PM
To: CityCouncil <CityCouncil@blainemn.gov>
Subject: Flyer notice

The flyer from the group explains a lot. A grocery store and commercial use would be ideal. However having my kids who already have max classroom sizes are sunrise increasing or another rezone of boundaries due to high density housing being added is not acceptable. Please reconsider the allowance for the apartment complex we don't need 120+ more homes being added to this area with all the single family residents already being added to the opposite corner.

Thank you for your consideration,

Paul Perez

Blaine resident

From: Dorothy Webb <tooter1949@hotmail.com>
Sent: Friday, November 1, 2024 3:49:36 PM
To: Leslie Larson <leslielarson@blainemn.gov>
Subject: Re: New apartments at Lexington snd 125th

That would be fine. Thank you

Sent from my iPhone

On Nov 1, 2024, at 3:44 PM, Leslie Larson <leslielarson@blainemn.gov> wrote:

Thank you Dorothy for your feedback. I agree with your concern and will be voting no to the proposal.

Would you like your message to be included in the public record for Mondays meeting? Thank you again for your feedback.

<Image.jpeg>

Leslie Larson

Councilmember Ward 2

City of Blaine

10801 Town Square Drive NE, Blaine MN 55449

m: 612-489-9651

BlaineMN.gov

From: Dorothy Webb <tooter1949@hotmail.com>
Sent: Friday, November 1, 2024 11:21:12 AM
To: CityCouncil <CityCouncil@blainemn.gov>
Subject: New apartments at Lexington snd 125th

Enough on the apt's in Blaine. It is getting overrun with population for traffic and use of water and other needs of residents.

Quit thinking of money generated that we see no benefits like lowering of taxes but increase in taxes with then need for more schools, etc

Dorothy Webb
11014 Nassau Ct NE

From: J. Campbell <jacki.anderson91@gmail.com>
Sent: Monday, November 4, 2024 10:53:47 AM
To: Leslie Larson <leslielarson@blainemn.gov>
Subject: Re: Opposition to Rezoning Proposal at 125th and Lexington

Hi, Leslie,

If it would help in the decision making for the rest of the members, yes please.

Thank you,

Jacki

On Mon, Nov 4, 2024 at 10:50 AM Leslie Larson <leslielarson@blainemn.gov> wrote:

Thank you Jackie for your feedback. I agree with you and will be voting no to this proposal to add high density housing. Would you like your message to be included in the public record for tonight info for discussion? If you respond yes, I'll send it to the city planner to be added to the public commentary file. Thank you again.

Leslie Larson

Councilmember Ward 2

City of Blaine

10801 Town Square Drive NE, Blaine MN 55449

m: 612-489-9651

BlaineMN.gov

From: J. Campbell <jacki.anderson91@gmail.com>
Sent: Sunday, November 3, 2024 7:42:17 AM
To: CityCouncil <CityCouncil@blainemn.gov>
Subject: Opposition to Rezoning Proposal at 125th and Lexington

Dear City Council Members,

As a resident of Blaine, I am reaching out to express my strong opposition to the rezoning of the property at 125th and Lexington. Our community is already experiencing rapid residential growth, and the current infrastructure is struggling to keep pace. Additional apartment complexes, especially in areas not initially designated for such developments, will only compound these challenges.

Living near 125th, I'm particularly concerned about the increased traffic and strain on local services. Noise from emergency sirens is already constant, and further growth would only add to these pressures.

Thank you for considering the impact on residents and for your attention to this matter.

Sincerely,
Jacki

From: Kelly Stadler <kelly.i.stadler@gmail.com>
Sent: Monday, November 4, 2024 10:44:59 AM
To: Leslie Larson <leslielarson@blainemn.gov>
Subject: Re: Vote NO to apartments

Yes.

On Mon, Nov 4, 2024 at 10:43 AM Leslie Larson <leslielarson@blainemn.gov> wrote:

Thank you Kelly for your feedback. I agree with you and will be voting no to this proposal to add high density housing. Would you like your message to be included in the public record for tonight info for discussion? If you respond yes, I'll send it to the city planner to be added to the public commentary file. Thank you again.

Leslie Larson

Councilmember Ward 2

City of Blaine

10801 Town Square Drive NE, Blaine MN 55449

m: 612-489-9651

BlaineMN.gov

From: Kelly Stadler <kelly.i.stadler@gmail.com>
Sent: Sunday, November 3, 2024 5:44:13 PM
To: CityCouncil <CityCouncil@blainemn.gov>
Subject: Vote NO to apartments

Vote no to the 120 unit high rise apartment on 125th and Lexington. As a member of the community I can say this will affect us negotiating in many ways. The area is already overcrowded especially in our schools. We cannot afford to compromise the quality of education or children receive by cramming students into overpopulated classrooms. We also don't want to see any more increases in traffic to the area, or is busy enough.

Please vote NO!

Thank you for your time.

Yes

Sent from my iPhone

On Nov 4, 2024, at 10:47 AM, Leslie Larson <leslielarson@blainemn.gov> wrote:

Thank you Kevin for your feedback. I agree with you and will be voting no to this proposal to add high density housing. Would you like your message to be included in the public record for tonight info for discussion? If you respond yes, I'll send it to the city planner to be added to the public commentary file. Thank you again.

<Image.jpeg> **Leslie Larson**
Councilmember Ward 2
City of Blaine
10801 Town Square Drive NE, Blaine MN 55449

m: 612-489-9651
BlaineMN.gov

From: kevin bailey <kbailey317522@hotmail.com>

Sent: Sunday, November 3, 2024 11:44:15 AM

To: CityCouncil <CityCouncil@blainemn.gov>

Subject: Zoning change

Please listen to your internal recommendations and the public and do not change the zoning designation of the property at 125 and Lexington.

Sent from my iPhone

From: Dale Sprouse <dalesprouse@gmail.com>
Sent: Monday, November 4, 2024 10:45:18 AM
To: Leslie Larson <leslielarson@blainemn.gov>
Subject: Re: 125th and Lexington

yes please add this to public record

On Mon, Nov 4, 2024, 9:38 AM Leslie Larson <leslielarson@blainemn.gov> wrote:

Thank you Dale for your feedback. I agree with you and will be voting no to this proposal. Would you like your message to be included in the public record for tonight info for discussion? If you respond yes, I'll send it to the city planner to be added to the public commentary file. Thank you again.

Leslie Larson

Councilmember Ward 2

City of Blaine

[10801 Town Square Drive NE, Blaine MN 55449](#)

m: 612-489-9651

BlaineMN.gov

From: Dale Sprouse <dalesprouse@gmail.com>
Sent: Sunday, November 3, 2024 11:23:17 PM
To: CityCouncil <CityCouncil@blainemn.gov>
Subject: 125th and Lexington

All Council,

I'm writing this in opposition to the comprehensive plan amendment. For a developer to come to us and state "this is an all or nothing project" and demand rezoning to fit his financial gains is sickening to me for you to even consider it. It is not our problem that he made a poor business decision. Our planning commission that the mayor recommended and you approved voted unanimously to vote the proposal down. Hope you can follow their recommendation.

I'm really getting tired hearing how some of you wish to compare how Blaine isn't like Maple Grove, Edina and Woodbury. That is the very reason some have moved here and many others choose to stay here because we're not like them and don't wish to be.

I urge you to vote NO to amend Blaine's Comprehensive Growth Plan on this proposed project.

Dale Sprouse

[12880 Lexington Ave](#)

[Blaine 55449](#)

From: Hayley Mathay <hayleymathay@gmail.com>
Sent: Monday, November 4, 2024 11:04:04 AM
To: Leslie Larson <leslielarson@blainemn.gov>
Subject: Re: 125th and Lexington

Hi Leslie,

Yes, that would be great. Thank you so much.

On Mon, Nov 4, 2024 at 10:41 AM Leslie Larson <leslielarson@blainemn.gov> wrote:

Thank you Hayley for your feedback. I agree with you and will be voting no to this proposal to add high density housing. Would you like your message to be included in the public record for tonight info for discussion? If you respond yes, I'll send it to the city planner to be added to the public commentary file. Thank you again.

Leslie Larson

Councilmember Ward 2

City of Blaine

10801 Town Square Drive NE, Blaine MN 55449

m: 612-489-9651

BlaineMN.gov

From: Hayley Mathay <hayleymathay@gmail.com>
Sent: Sunday, November 3, 2024 7:36:18 PM
To: CityCouncil <CityCouncil@blainemn.gov>
Subject: 125th and Lexington

To whom it may concern,

Our household in the legacy creek neighborhood respectfully requests the City Council to deny the development request for a zoning variance to build the apartment building at 125th and Lexington. Developers have little to no regard for potential negative effects on community, livability or any future issues with their development plans; they are concerned solely with profit return on investment. Developers should not be the driving vision behind City development. That responsibility lies with the City Council.

The City Council should exercise their authority to deny the zoning variance and instead focus on what Blaine residents need at that space; commercial retail (i.e. shops, rec center(!), restaurants) and a grocery store. The zoning laws currently in effect are aimed perfectly at what development should take place in that space. There has been significant development of multi and single family living in Northwest Blaine over the last two years without regard for the other necessary infrastructure needed to support the growth.

Furthermore, Blaine's apartment development is better suited for the future central entertainment district near the NSC, where residents of multifamily units will enjoy amenities expected with a multifamily dwelling, such as walkable streets with restaurants and shops. A random apartment complex at a rural/suburban intersection does not fit any rational, well constructed City development plan.

The intersection of 125th and Lexington is a high use intersection that will continue to see traffic growth from Ham Lake, Blaine and Lino Lakes residents. If the current developer threatens to leave the lot un-developed without the variance...allow that to happen. The value of the lot will only continue to grow and a developer/builder will fill the space. A variance on zoning codes is not necessary to benefit Blaine residents and only appeases the pocket books of developers who do not reside in Blaine (both are from the western suburbs of Minneapolis) and have absolutely no vested interest in the quality of life of Blaine residents.

Respectfully,

Hayley Mathay

From: Jessica Shearen-Axelrod <shearenjessica@gmail.com>
Sent: Monday, November 4, 2024 10:55:19 AM
To: Leslie Larson <leslielarson@blainemn.gov>
Subject: Re: Opposition to High Density at 125th and Lexington

It is very reassuring to hear your position on this issue! Yes I would like to have my msg included in the public record, please. Thank you for your response! :)

On Mon, Nov 4, 2024 at 10:40 AM Leslie Larson <leslielarson@blainemn.gov> wrote:

Thank you Jessica for your feedback. I agree with you and will be voting no to this proposal to change the zoning to add high density housing. Would you like your message to be included in the public record for tonight info for discussion? If you respond yes, I'll send it to the city planner to be added to the public commentary file. Thank you again.

Leslie Larson

Councilmember Ward 2

City of Blaine

10801 Town Square Drive NE, Blaine MN 55449

m: 612-489-9651

BlaineMN.gov

From: Jessica Shearen-Axelrod <shearenjessica@gmail.com>
Sent: Sunday, November 3, 2024 8:17:14 PM
To: CityCouncil <CityCouncil@blainemn.gov>
Subject: Opposition to High Density at 125th and Lexington

Dear Blaine City Council members,

I am writing to express my concerns regarding the proposed changes to the comprehensive plan amendment resulting in high-density rezoning for our suburban area in NE Blaine, which is currently under consideration. As a member of this community, I believe it is imperative to voice why this development may not be in the best interest of our residents and the character of our local neighborhoods.

1. Community Character and Aesthetics: Our suburban area is known for its beautiful green spaces, and sense of community. High-density developments can disrupt the architectural integrity and charm that define our nearby neighborhoods, leading to a loss of identity that we all cherish.

2. Increased Traffic and Safety Concerns: High-density housing typically results in higher population densities, which translates to more vehicles on our roads. This will lead to more congestion and traffic accidents, making our community less safe for pedestrians, cyclists, and families that all enjoy the trail system in this area. Additionally, emergency services may face delayed response times due to increased traffic. The most recent traffic study marked more than 30,000+ vehicles daily at this intersection. With the proposed changes and development throughout this area, the projected traffic will increase to 50,000+ vehicles daily by 2029!

3. Strain on Local Infrastructure: Our existing infrastructure, including schools, parks, and public services such as waste management, is designed to accommodate our current population size. Increasing the number of residents through high-density housing could strain these services, leading to overcrowded schools, limited recreational spaces, unsafe crosswalks, and a decline in overall quality of life for our current residents that live here and pay considerable taxes.

4. Limited Public Input: Engaging residents in the planning process is crucial. There was VERY limited notification that this proposal was going before the Blaine Planning Commission.

Many community members have expressed concerns about the lack of transparency and opportunity for public discussion regarding this proposal. A development of this scale should incorporate the voices and needs of the current residents who will be directly affected in all of the adjacent neighborhoods along the Lexington and 125th corridors.

We understand the importance of thoughtful development and increasing housing options for our growing population. However, we believe that high-density rezoning is not the right solution for the NE corner of Blaine. We urge you to consider keeping it zoned commercial and respect our community's character and prioritize the well-being of us, the current local residents.

Thank you for your attention to this matter. We hope to engage in further discussions about sustainable development that aligns with the values and needs of our community.

Sincerely,

Jessica Shearen-Axelrod

4950 104th Ave NE, Circle Pines, MN 55014

651-788-2538

From: Corey Bayer <bayer1997@yahoo.com>
Sent: Monday, November 4, 2024 10:06:30 AM
To: Leslie Larson <leslielarson@blainemn.gov>
Subject: Re: Opposition to High Density at 125th and Lexington

Leslie,

Yes

Corey

On Monday, November 4, 2024 at 09:35:13 AM CST, Leslie Larson <leslielarson@blainemn.gov> wrote:

Thank you Corey for your feedback. I agree with you and will be voting no to this proposal. Would you like your message to be included in the public record for tonight info for discussion? If you respond yes, Ill send it to the city planner to be added to the public commentary file.

Leslie Larson

Councilmember Ward 2

City of Blaine

10801 Town Square Drive NE, Blaine MN 55449

m: 612-489-9651

BlaineMN.gov

From: Corey Bayer <bayer1997@yahoo.com>
Sent: Monday, November 4, 2024 8:34:37 AM

To: CityCouncil <CityCouncil@blainemn.gov>

Subject: Opposition to High Density at 125th and Lexington

Dear Blaine City Council Members,

I am writing to express my concerns regarding the proposed changes to the comprehensive plan amendment resulting in high-density rezoning for our suburban area in NE Blaine, which is currently under consideration. As a member of this community, I believe it is imperative to voice why this development may not be in the best interest of our residents and the character of our local neighborhoods.

1. Community Character and Aesthetics: Our suburban area is known for its beautiful green spaces, and sense of community. High-density developments can disrupt the architectural integrity and charm that define our nearby neighborhoods, leading to a loss of identity that we all cherish.

2. Increased Traffic and Safety Concerns: High-density housing typically results in higher population densities, which translates to more vehicles on our roads. This will lead to more congestion and traffic accidents, making our community less safe for pedestrians, cyclists, and families that all enjoy the trail system in this area. Additionally, emergency services may face delayed response times due to increased traffic. The most recent traffic study marked more than 30,000+ vehicles daily at this intersection. With the proposed changes and development throughout this area, the projected traffic will increase to 50,000+ vehicles daily by 2029!

3. Strain on Local Infrastructure: Our existing infrastructure, including schools, parks, and public services such as waste management, is designed to accommodate our current population size. Increasing the number of residents through high-density housing could strain these services, leading to overcrowded schools, limited recreational spaces, unsafe crosswalks, and a decline in overall quality of life for our current residents that live here and pay considerable taxes.

4. Limited Public Input: Engaging residents in the planning process is crucial. There was VERY limited notification that this proposal was going before the Blaine Planning Commission. Many community members have expressed concerns about the lack of transparency and opportunity for public discussion regarding this proposal. A development of this scale should incorporate the voices and needs of the current residents who will be directly affected in all of the adjacent neighborhoods along the Lexington and 125th corridors.

We understand the importance of thoughtful development and increasing housing options for our growing population. However, we believe that high-density rezoning is not the right solution for the NE corner of Blaine. We urge you to consider keeping it zoned commercial and respect our community's character and prioritize the well-being of us, the current local residents.

Thank you for your attention to this matter. We hope to engage in further discussions about sustainable development that aligns with the values and needs of our community.

Sincerely,

Corey Bayer

1296 130th Ave NE

Blaine, MN 55434

bayer1997@yahoo.com

From: Sean P <beta1736@gmail.com>
Sent: Monday, November 4, 2024 10:06:07 AM
To: Leslie Larson <leslielarson@blainemn.gov>
Subject: Re: Case 24-0057/SAS Lexington & 125th Development

Leslie,

Thank you for your quick response and yes please add it to the public record. I wish I could be there in person but I'm currently serving in the armed forces and can't make it tonight. I have already completed my absentee ballot and wish you good luck tomorrow.

v/r

Sean Bergen

On Mon, Nov 4, 2024 at 9:34 AM Leslie Larson <leslielarson@blainemn.gov> wrote:

Thank you Sean for your feedback. I agree with you and will be voting no to this proposal. Would you like your message to be included in the public record for tonight info for discussion? If you respond yes, Ill send it to the city planner to be added to the public commentary file.

Leslie Larson

Councilmember Ward 2

City of Blaine

10801 Town Square Drive NE, Blaine MN 55449

m: 612-489-9651

BlaineMN.gov

From: Sean P <beta1736@gmail.com>
Sent: Monday, November 4, 2024 9:16:04 AM
To: CityCouncil <CityCouncil@blainemn.gov>
Subject: Case 24-0057/SAS Lexington & 125th Development

about:blank

To the Mayor and City Council Members,

I'm writing in to express my opposition to the new development at the corner of 125th and Lexington. We moved to this area of Blaine as it is the only large-scale green space within the city and over the last five years that has diminished significantly. With the continued increase of homes in the area we have overtaxed our roads and schools. Sunrise elementary is only five years old and already had to expand to meet the local needs. The school was at such dire need to expand that they had to consider moving an entire grade to middle school. However, these solutions are far from possible going forward. Anoka Hennepin school district is 26 million in debt and only resolved 5 million over this year through budget cuts, reduction in programs, and by laying off over 40 people. To resolve the remaining 21 million next year means huge strains on the school system at all levels. Whichever school official that stated the additional homes and apartment complex won't impact the school is lying to themselves as every additional residence has the potential of increasing student to teacher ratios, diminishing children's abilities to learn, and them receiving the care they need. As a father of children that attend Sunrise, I can't accept an unnecessary development that has the potential to impact their education or strain the resources of the school. I would much rather support the city's growth to have additional private schools than yet another grocery store or additional residences in this area.

Many others have voiced a number of additional problems with this proposal to include turning Lexington and 125th into yet another Hwy 65 with multiple lights and dangerous intersections given the speed individuals drive down these roads. Not only does a high-density apartment not make sense in this area, neither does a daycare or a grocery store. First off, most high-density apartments are built near highways and freeways for quick access and along public transportation systems, which neither exist at this proposed intersection. The developer also proposed a daycare at this site, which anyone that looks around would find a high density of daycare options nearby with a number of openings. The newest daycare, Milestones, in Lino Lakes closed down half their preschool due to low admissions because there are so many options in childcare. Lastly, the grocery store, we have an abundance of grocery options within a few miles of this intersection. Kwik Trip has a large enough convenience store if you need eggs, milk, an onion, etc. to satisfy most needs and if not in less than a five-minute drive I can be at a Super Target, Walmart, Cub Foods, Aldi, even Fleet Farm has groceries. Pushing a high-end grocery store this deep into a neighborhood away from any highway or freeway entrance doesn't make business sense and drives more unnecessary traffic into residential areas where children are out biking and playing. Maybe the city should focus more on getting the Villages retail district to work then trying to develop a new one in an area that has less resources to support it. Jerry's groceries would even make more sense by the Lexi apartments and the 109th intersection then it does at the 125th intersection.

Lastly, can any of us point out a time when an ultimatum worked without one party feeling animosity towards the other. Anyone that tries to bully their way into getting what they want is not someone you want to do business with. Right now, it's an apartment and later it will become something else. We had a similar issue with Hyvee and the Risor Apartments which are still without any retail options they or the city were promised, and now we're stuck with a senior living complex across from a high school away from public transportation or highway system with little to no retail within walking distance. He who doesn't learn from history is bound to repeat it.

Thank you for your time.

Sean Bergen

Parkside North Resident

From: pete.beauchamp@gmail.com <pete.beauchamp@gmail.com>
Sent: Monday, November 4, 2024 9:45:00 AM
To: Leslie Larson <leslielarson@blainemn.gov>
Subject: Re: Urgent All Council

Yes, thank you for all that you do and taking time to read residents thoughts and concerns.

Have a great day.

Pete Beauchamp

Sent from my iPhone

On Nov 4, 2024, at 9:43 AM, Leslie Larson <leslielarson@blainemn.gov> wrote:

Thank you Pete for your feedback. I agree with you and will be voting no to this proposal. Would you like your message to be included in the public record for tonight info for discussion? If you respond yes, I'll send it to the city planner to be added to the public commentary file.

<Image.jpeg>

Leslie Larson

Councilmember Ward 2

City of Blaine

10801 Town Square Drive NE, Blaine MN 55449

m: 612-489-9651

BlaineMN.gov

From: pete beauchamp <pete.beauchamp@gmail.com>
Sent: Sunday, November 3, 2024 11:13:48 PM

To: CityCouncil <CityCouncil@blainemn.gov>

Subject: Urgent All Council

Hello,

As a Blaine resident for the past 20 years, I am happy to see the progress, however, I am more disappointed with the lack of planning as you expand development after development while keeping the existing infrastructure. Prior to any further housing developments, the city NEEDS to offer assistance to make the school system sustainable. You will continue to see families moving out of the city in which they have enjoyed for nearly 20 years due to the overcrowded subpar schools with no plan in site. Unfortunately we may be one of those families.

The city of Shoreview has a smaller footprint, however, the school system and community benefits such as the beautiful community center clearly stands out.

Please stop the high density housing plans. The current developments that you have allowed clearly do not fit within the rest of the picturesque Blaine plan. Schools, traffic, and services are becoming busy and limited. Why would you allow a prime wooded location and even consider high density housing near Main and Lexington? FIX the infrastructure before high density housing.

Please keep the nature aspect the city of Blaine has always had vs clearing every possible open section and adding townhomes, apartments and developers that have put houses too close together.

Build out the single family lots within the existing nature to keep things picturesque!

Thank you for your time and consideration. I would love to speak on this should there be any questions.

Thank you you.

Pete Beauchamp

920-606-4161

--

Pete Beauchamp
Blaine, MN 55449

From: Allison Haase <allison.m.haase@gmail.com>
Sent: Monday, November 4, 2024 11:13:23 AM
To: Leslie Larson <leslielarson@blainemn.gov>
Subject: Re: Request to Halt High-Density Development and Preserve Natural Areas in Northeast Blaine

Leslie,

Yes, please do. I appreciate your response!

Allison

On Mon, Nov 4, 2024 at 10:42 Leslie Larson <leslielarson@blainemn.gov> wrote:

Thank you Allison for your feedback. I agree with you and will be voting no to this proposal to add high density housing. Would you like your message to be included in the public record for tonight info for discussion? If you respond yes, I'll send it to the city planner to be added to the public commentary file. Thank you again.

Leslie Larson

Councilmember Ward 2

City of Blaine

[10801 Town Square Drive NE, Blaine MN 55449](#)

m: 612-489-9651

BlaineMN.gov

From: Allison Haase <allison.m.haase@gmail.com>
Sent: Sunday, November 3, 2024 6:36:23 PM
To: Terra Fleming <tfleming@blainemn.gov>; Chris Massoglia <cmassoglia@blainemn.gov>; Leslie Larson <leslielarson@blainemn.gov>; Jess Robertson <jrobertson@blainemn.gov>; Tom Newland <tnewland@blainemn.gov>; isaroya@blainemn.gov <isaroya@blainemn.gov>; Tim Sanders <tsanders@blainemn.gov>; CityCouncil <CityCouncil@blainemn.gov>

Subject: Request to Halt High-Density Development and Preserve Natural Areas in Northeast Blaine

Dear Blaine City Council,

I am writing to express my concerns regarding the rapid and high-density development currently happening in Blaine, specifically in the northeast area, and to strongly advocate for preserving the natural character and community-focused atmosphere that drew so many families to this area.

My family and I chose to make Blaine our home in 2020. We were attracted to its peaceful setting on the outskirts of the metro area, with convenient access to amenities and abundant green spaces. The natural wetlands, quiet streets, and low traffic made it an ideal location to raise our children. However, over the past four years, we have seen a substantial increase in high-density development, which is rapidly transforming the very qualities that initially attracted us here.

The continuous construction is leading to significant traffic congestion, particularly along Lexington Avenue, which is becoming increasingly similar to the heavily trafficked Highway 65. In addition, high-density developments are replacing natural spaces, impacting our quality of life and undermining Blaine's commitment to preserving nature, as symbolized by the tree on the city seal. I urge the city to pause further development approvals in high-density areas, especially where they encroach on natural wetlands.

Additionally, the strain on our local infrastructure, including school capacity, is becoming evident. The student-to-classroom ratio is increasing, and transportation times for students are excessive, particularly to the Spring Lake Park district schools. Without updated school zoning and the addition of necessary facilities, overcrowding will only worsen. This lack of infrastructure planning has led many families, including mine, to consider open-enrollment options outside the district.

Water availability and pressure have also noticeably declined. As residents, we are seeing the effects on local water tables, especially those near wetlands. The city's current approach appears to prioritize developers' interests over sustainable water management, which has serious long-term implications for our community.

Lastly, I question the necessity of additional grocery stores and daycares near Lexington and 125th, given the existing options in the vicinity. We have numerous vacant spaces across Blaine, particularly in areas like Pheasant Ridge and Northtown, which could be revitalized to support small businesses or community-oriented establishments instead of expanding into untouched areas.

We moved to Blaine for a balanced community—not an extension of high-density urban sprawl. I implore the city to reconsider its current trajectory and focus on sustainable, thoughtful development that honors our community's character, natural resources, and residents' quality of life.

Thank you for your attention to these pressing issues. I hope to see a renewed commitment to preserving the natural beauty and family-friendly environment that Blaine is known for.

Sincerely,
Allison Haase

[3856 112th Circle NE, Blaine MN 55449](#)

allison.m.haase@gmail.com

From: Donald Guzik <drguzik2012@gmail.com>
Sent: Monday, November 4, 2024 11:13:55 AM
To: Leslie Larson <leslielarson@blainemn.gov>
Subject: Re: Proposed 125th and Lexington Apartment complex

Yes, I would. And thank you for your support and fast response.

On Mon, Nov 4, 2024 at 11:09 AM Leslie Larson <leslielarson@blainemn.gov> wrote:

Thank you Don for your feedback. I agree with you and will be voting no to this proposal to add high density housing. Would you like your message to be included in the public record for tonight info for discussion? If you respond yes, I'll send it to the city planner to be added to the public commentary file. Thank you again.

Leslie Larson

Councilmember Ward 2

City of Blaine

10801 Town Square Drive NE, Blaine MN 55449

m: 612-489-9651

BlaineMN.gov

From: Donald Guzik <drguzik2012@gmail.com>
Sent: Monday, November 4, 2024 10:47:19 AM
To: CityCouncil <CityCouncil@blainemn.gov>
Subject: Proposed 125th and Lexington Apartment complex

Dear Council Members,

I'm writing this Email to inform you that I'm speaking out and asking that the Council NOT approve the building of the 120 unit high rise apartment on 125th and Lexington. No zoning changes to high

density in NE Blaine. The area is already stressed with overpopulation. Unfortunately I'm not able to attend the November 4th meeting on this issue and therefore voicing my position via this email. Please stop overbuilding in Blaine "Vote NO to the 120 Unit High Rise Apartment on 125th and Lexington"

Thank you for your understanding and support.

Don Guzik

11848 Naples Circle NE

From: Anna Scholl <annaelizabethscholl@gmail.com>
Sent: Monday, November 4, 2024 11:26:16 AM
To: Leslie Larson <leslielarson@blainemn.gov>
Subject: Re: Opposition to Re-Zoning 125th and Lexington for HJ Development

Yes, you can include it. I was wondering if kids are able to be in the room. I might have my daughter with me unless she can play at a friend's house.

On Mon, Nov 4, 2024 at 10:54 AM Leslie Larson <leslielarson@blainemn.gov> wrote:

Thank you Anna for your feedback. I agree with you and will be voting no to this proposal to add high density housing. Would you like your message to be included in the public record for tonight info for discussion? If you respond yes, I'll send it to the city planner to be added to the public commentary file. Thank you again.

Leslie Larson

Councilmember Ward 2

City of Blaine

[10801 Town Square Drive NE, Blaine MN 55449](#)

m: 612-489-9651

BlaineMN.gov

From: Anna Scholl <annaelizabethscholl@gmail.com>
Sent: Saturday, November 2, 2024 3:06:35 PM
To: CityCouncil <CityCouncil@blainemn.gov>; jennie.skancke@state.mn.us
<jennie.skancke@state.mn.us>
Subject: Opposition to Re-Zoning 125th and Lexington for HJ Development

I am writing to express my concerns about proposed rezoning and development in the area of 125th and Lexington to the Blaine City Council. I have cc'd Jennie Skancke, Wetlands Program Coordinator at the State of MN, for any input she may have. I have lived in the southern part of

Blaine for 2.5 years, and previously lived in NE Minneapolis and Columbia Heights. After reading the article published in Finance & Commerce about the presence of wetlands in the area slated for a potential grocery store, apartment building, other buildings, roads, and parking lots, I felt the need to speak out against changes to the zoning for the purpose of accommodating the apartments for this project, because I do not want wetlands destroyed for any building proposal.

<https://finance-commerce.com/2024/10/apartments-grocery-store-pitched-for-challenging-site-in-blaine/>

I reviewed the city council minutes from Oct. 8, 2024. Mr. Moe acknowledged that there are wetlands and endangered species on the site creating difficulties for development. There should be avoidance of disturbing the wetlands at all. It is a short-sighted plan when we sacrifice nature in the name of new structures, especially those that could be located in areas elsewhere, such as on the abandoned lots of past developments.

Prior to sending this email, and in preparation for the meeting this Monday, I read through the Blaine 2040 Comprehensive Plan. In chapter 2, there is a list of goals related to natural resources and sustainability. The first goal listed is "Promote preservation of Blaine's **high value natural resource areas for public enjoyment** through passive and active recreational opportunities." Following that is the second goal to "promote and **protect natural resources areas** in the review and approval of new development." Page 31 includes action items to not just protect the Blaine Wetland Sanctuary but "all other open spaces."

<https://www.blainemn.gov/558/Comprehensive-Plan>

Based on my review of Blaine's goals and action items, it appears to me that there should not be rezoning done for a building project if it impacts even a portion of wetlands. These areas should be protected under the state's Wetlands Conservation Act. Please consider how the destruction of nature affects all city residents for generations to come, rather than the profits a developer is seeking-for this project and any others.

<https://www.dnr.state.mn.us/eco/wetlands/index.html>

Thank you.

Anna Scholl

Blaine Resident

From: levi lockman <lockman151@yahoo.com>
Sent: Monday, November 4, 2024 11:57:08 AM
To: Leslie Larson <leslielarson@blainemn.gov>
Subject: Re: High rise apartments

Yes I would, thank you Leslie.

Levi Lockman

[Yahoo Mail: Search, Organize, Conquer](#)

On Mon, Nov 4, 2024 at 10:44 AM, Leslie Larson

<leslielarson@blainemn.gov> wrote:

Thank you Levi for your feedback. I agree with you and will be voting no to this proposal to add high density housing. Would you like your message to be included in the public record for tonight info for discussion? If you respond yes, I'll send it to the city planner to be added to the public commentary file. Thank you again.

Leslie Larson

Councilmember Ward 2

City of Blaine

10801 Town Square Drive NE, Blaine MN 55449

m: 612-489-9651

BlaineMN.gov

From: levi lockman <lockman151@yahoo.com>
Sent: Sunday, November 3, 2024 4:03:25 PM
To: CityCouncil <CityCouncil@blainemn.gov>
Subject: High rise apartments

Hello Blaine City council,

Please note this email is my official opposition to adding apartments to the Lexington corner project. This city is growing too fast with overdevelopment.

Can schools handle this? Does Blaine not have enough residents? Do the roads need more vehicles daily? No this city and schools cannot handle a large influx.

Vote no.

Levi Lockman

2442 123rd CT NE

Blaine

[Yahoo Mail: Search, Organize, Conquer](#)

From: Hayley Audette <hayleyaudette@gmail.com>
Sent: Monday, November 4, 2024 12:04:34 PM
To: Leslie Larson <leslielarson@blainemn.gov>
Subject: Re: Opposition 125th and Lexington

Yes - please include my message.

Thank you Leslie for your support. We are truly thankful for your leadership in our hometown!

Hayley Audette

On Nov 4, 2024, at 10:43 AM, Leslie Larson <leslielarson@blainemn.gov> wrote:

Thank you Hayley for your feedback. I agree with you and will be voting no to this proposal to add high density housing. Would you like your message to be included in the public record for tonight info for discussion? If you respond yes, I'll send it to the city planner to be added to the public commentary file. Thank you again.

<Image.jpeg> **Leslie Larson**
Councilmember Ward 2
City of Blaine
10801 Town Square Drive NE, Blaine MN 55449

m: 612-489-9651
BlaineMN.gov

From: Hayley Audette <hayleyaudette@gmail.com>
Sent: Sunday, November 3, 2024 4:47:46 PM

To: CityCouncil <CityCouncil@blainemn.gov>

Subject: Opposition 125th and Lexington

11/3/2024

Dear All Blaine City Council Members,

I am currently a Ham Lake resident since 2018.

Prior to that I was a Blaine resident since 1986.

I am a proud graduate of the high school and will admit that I enjoy the benefits of living and adjacent to the city. However, in recent years, there have been several drawbacks, including the extensive development and additional traffic.

I am writing to express my strong opposition to the comprehensive plan amendment request and the proposed rezoning of the commercial property located at 125th and Lexington. This proposal poses significant risks not only to the character of our community but also to the safety and well-being of the current residents.

There is significant opposition to this development change in the community and the Planning Commission voted unanimously to oppose with a 5-0 vote to DENY.

Common concerns amongst my neighbors:

As a Ham Lake resident - I am significantly concerned about the status of my personal well operations and those of my neighbors both in Ham Lake and in Blaine.

Can the community resources such as waste management and water management handle this type of development?

Can our police and fire department and other emergency resources handle the additional development and residents?

Can our local schools handle more residents? The nearby school has already had to expand to accommodate the explosive growth in the NE corner of Blaine. Sunrise Elementary was built just 5 short years ago, and recently had to build out and expand to allow 200 more students. With the building of the NE corner of 125th and Lexington, the Crispin Cove development will have 60+ homes, so you will be at risk of maxing out the capacity at Sunrise Elementary AGAIN in the near future.

The area surrounding this property is characterized by low-density residential neighborhoods, featuring many single family homes. These developments are not only a reflection of our community but also connect to vital open green spaces, and wetlands that are home to protected species. The plan change and zoning change threatens to disrupt the ecosystem and jeopardize the integrity of our area.

There is A LOT of land for sale in this area. The plans on the developer's website, HJ Development, hosts proposals for the adjoining properties that press high-density, medium-density row homes, townhomes, and small single family homes to North Lake Blvd. However, in a recent workshop session, the Council discussed zoning the connected land that is for sale (McKinley/Kemp properties) as R-1 or Developmental Flex to support larger lots that would have to be carefully developed near wetlands, but allow large custom built homes. I ask... who is going to build a large custom home next to an apartment building?

Moreover, the site of the proposed development is situated at a very busy intersection known for its recent increase of critical accidents over the past five years. Increasing the density in this congested area would only exacerbate existing traffic problems, potentially leading to more accidents and jeopardizing the safety of pedestrians, bicyclists, and motorists alike. It is imperative that we prioritize the safety of our current residents and the integrity of our infrastructure. The proposed high-density housing does not align with the vision of a community that values its expansive view of the Blaine open space, and utilizing our parks, and trails—resources we encourage local families to utilize for recreation, relaxation, and connecting with nature. By allowing this change to the comprehensive plan and rezoning, you risk inviting a development that prioritizes profit for developers over the well-being of our residents, our community and the environment we cherish.

Stop acquiescing to developers and start listening to residents. Yes, we want a premier grocer and restaurants at this commercial corner, but I think we should wait for the right deal instead of taking away multiple acres of our last remaining commercial zoning at this intersection.

I urge you to deny this proposal. Let us protect the character and safety of our neighborhoods by rejecting the rezoning of this critical commercial property. Our community deserves thoughtful planning that considers the future, preserves our open spaces, and maintains the quality of life that attracts families to our area.

Thank you for considering the input of the nearby existing neighbors closest to this property. I hope you will take the necessary steps to ensure that our community remains a welcoming, and environmentally conscious place to live.

Hayley Audette

On Oct 31, 2024, at 4:11 PM, lanette goad <nettemg@msn.com> wrote:

Yes

Sent from my iPhone

On Oct 31, 2024, at 12:20 PM, Leslie Larson <leslielarson@blainemn.gov> wrote:

Would you like your opposition email to be included in the public record? A yes or no response is fine either way.

<Image.jpeg>

Leslie Larson

Councilmember Ward 2

City of Blaine

10801 Town Square Drive NE, Blaine MN 55449

m: 612-489-9651

BlaineMN.gov

From: lanette goad <nettemg@msn.com>

Sent: Tuesday, October 29, 2024 6:08:46 PM

To: CityCouncil <CityCouncil@blainemn.gov>

Subject: Apartments on Lexington

I strongly disagree putting in Apartments on Lexington! The schools are overcrowded and the District has no Money to build additional space!

We do not want a Referendum for more taxes!! Listen to the People!!

Leave it the way it is intended for Commercial use!! Lanette Goad

12911 Erskin St Ne

Blaine

Sent from my iPhone

From: Wade Peterson <email@wade-o.com>
Sent: Monday, November 4, 2024 11:23:19 AM
To: Leslie Larson <leslielarson@blainemn.gov>
Subject: RE: SW corner of 125th Ave and Lexington Ave

Thanks Leslie, I think you spoke to my wife the other day. Nice to have you on board.

Yes, please feel free to forward my concerns to the city planner.

Wade

From: Leslie Larson <leslielarson@blainemn.gov>
Sent: Monday, November 4, 2024 11:04 AM
To: Wade Peterson <email@wade-o.com>
Subject: Re: SW corner of 125th Ave and Lexington Ave

Thank you Wade for your feedback. I agree with you and will be voting no to this proposal to add high density housing. I used to be your neighbor. My former home was the red house on 122nd circle that overlooked the barricade off our former deck. Now I'm on 117th, still in the Lakes. I agree with your concerns.

Would you like your message to be included in the public record for tonight info for discussion? If you respond yes, I'll send it to the city planner to be added to the public commentary file. Thank you again.

Leslie Larson

Councilmember Ward 2

City of Blaine

10801 Town Square Drive NE, Blaine MN 55449

m: 612-489-9651

BlaineMN.gov

From: Wade Peterson <email@wade-o.com>
Sent: Saturday, November 2, 2024 7:31:48 AM
To: CityCouncil <CityCouncil@blainemn.gov>
Cc: email@wade-o.com <email@wade-o.com>
Subject: SW corner of 125th Ave and Lexington Ave

I am a homeowner at 3233 122nd Ave NE, Blaine MN. The back of my home directly faces Lakes Parkway, with a wide-open view of the road.

First, I am opposed to extending Lakes Parkway to Lexington. Too much increased traffic (and noise). Traffic flow should have already been resolved by the recent reconstruction and widening of 125th. Why do we need 2 major throughfares parallel to and blocks from each other? With the planned extension going through a residential neighborhood; and placing an additional burden on the Master Plan Association maintained Lakes Parkway. Will the city maintain Lakes Parkway as well as Mickman does? Lakes Parkway does not have traffic lights. 125th does. Which do you think people will choose to avoid?

Second, I am opposed to the developer application to alter the zoning to allow for a 5 story 120-unit high rise apartment building on just over 3 acres at the corner of 125th and Lexington. We don't need, nor can we afford as a city this type of development. I recommend instead, furthering retail development. We don't have enough high-end dining facilities, or healthier drive-thru options (such as Shake Shack) in Blaine.

Thank you

Wade Peterson

3233 122nd Ave NE

Blaine, MN 55449

email@wade-o.com

YES please include

On Thu, 31 Oct, 2024 at 12:23 PM, Leslie Larson <leslielarson@blainemn.gov> wrote:

To: joann nietz

Would you like your opposition email to be included in the public record? A yes or no response is fine either way.

Leslie Larson

Councilmember Ward 2

City of Blaine

10801 Town Square Drive NE, Blaine MN 55449

m: 612-489-9651

BlaineMN.gov

From: Joann Nietz <gjn7@q.com>

Sent: Friday, October 25, 2024 11:46:36 AM

To: CityCouncil <CityCouncil@blainemn.gov>

Subject: To All Council Members

This letter is to All council members...I would simply like our voices heard regarding the request for rezoning the land on 125th and Lexington to high density so a high rise apartment complex can be built. Do WE REALLY NEED another 4 story apartment complex in Blaine. This area is already so congested with all the development that is going in. So sad to see the destruction of the beautiful area that 125th & Lexington once used to be. Builders can't seem to build anything without taking out ALL the trees, than they cram in cookie cutter house which I've heard include rental. Our schools are so cramped now, there have been issues with the water supply for Blaine and Ham Lake and the TRAFFIC OVERLOAD!!! I could go on and on but I'm sure you have heard from many others in Blaine with the same dislike for this proposal. We have lived in Blaine for 51 years, sad to see the direction Blaine has gone.

Please LISTEN to us...SLOW DOWN the building in Blaine.

Thank you

JoAnn and Gordon

From: Sandy Sprouse <sandysprouse@gmail.com>
Sent: Thursday, October 31, 2024 6:40:26 PM
To: Leslie Larson <leslielarson@blainemn.gov>
Subject: Re: Rezoning of 125th and Lexington

Yes please!

On Thu, Oct 31, 2024, 6:31 PM Leslie Larson <leslielarson@blainemn.gov> wrote:

Thank you for your feedback. I agree with you 100%.

Would you like your email added to the public record?

Leslie Larson

Councilmember Ward 2

City of Blaine

[10801 Town Square Drive NE, Blaine MN 55449](#)

m: 612-489-9651

BlaineMN.gov

From: Sandy Sprouse <sandysprouse@gmail.com>
Sent: Thursday, October 31, 2024 3:54:46 PM
To: CityCouncil <CityCouncil@blainemn.gov>
Subject: Rezoning of 125th and Lexington

Dear City Council,

I am opposed to rezoning any of the SW, 125th and Lexington property from Commercial to High Density just so the developer can make it work for him financially. As you know, we currently have enough High Density in the city's plan to meet the MET Council's requirements. The notion that this was a swap from the property just north of Main and Lexington is not accurate after watching you as

council members voting to have the High Density on the northwest corner of Main and Lexington removed.

Thank you for your No Vote in advance

Sandy Sprouse

[12880 Lexington Avenue](#)

[Blaine, MN](#)

Thank you Abby for your thoughtful insight.

I agree with your concerns and will be voting no to the proposal.

Your message will be forwarded to the public record email.

Leslie Larson

Councilmember Ward 2

City of Blaine

10801 Town Square Drive NE, Blaine MN 55449

m: 612-489-9651

BlaineMN.gov

From: Abby Kjos <abby.kjos@gmail.com>

Sent: Sunday, November 3, 2024 8:45:29 AM

To: CityCouncil <CityCouncil@blainemn.gov>

Subject: FOR PUBLIC RECORD: PLEASE DENY THE COMP PLAN AMENDMENT FOR 125TH AND LEXINGTON

11/3/2024

Dear All Blaine City Council Members,

I am writing to express my strong opposition to the comprehensive plan amendment request and the proposed rezoning of the commercial property located at 125th and Lexington. This proposal poses significant risks not only to the character of our community but also to the safety and well-being of the current residents.

There is significant opposition to this development change in the community and the Planning Commission voted unanimously to oppose with a 5-0 vote to DENY.

Common concerns amongst my neighbors:

Can the community resources such as waste management and water management handle this type of development? Previously, there have been concerns that many residents in the local area are highly affected by our waste management affecting many nearby Blaine

families. Also, the well water issues that many neighboring homes in Blaine and Ham Lake have had to suffer has many families concerned if more water issues will occur.

Can our local schools handle more residents? The nearby school has already had to expand to accommodate the explosive growth in the NE corner of Blaine. Sunrise Elementary was built just 5 short years ago, and recently had to build out and expand to allow 200 more students. With the building of the NE corner of 125th and Lexington, the Crispin Cove development will have 60+ homes, so you will be at risk of maxing out the capacity at Sunrise Elementary AGAIN in the near future.

The area surrounding this property is characterized by low-density residential neighborhoods, featuring many single family homes. These developments are not only a reflection of our community but also connect to vital open green spaces, and wetlands that are home to protected species. The plan change and zoning change threatens to disrupt the ecosystem and jeopardize the integrity of our area.

There is A LOT of land for sale in this area. The plans on the developer's website, HJ Development, hosts proposals for the adjoining properties that press high-density, medium-density row homes, townhomes, and small single family homes to North Lake Blvd. However, in a recent workshop session, the Council discussed zoning the connected land that is for sale (McKinley/Kemp properties) as R-1 or Developmental Flex to support larger lots that would have to be carefully developed near wetlands, but allow large custom built homes. I ask... who is going to build a large custom home next to an apartment building?

Moreover, the site of the proposed development is situated at a very busy intersection known for its recent increase of critical accidents over the past five years. Increasing the density in this congested area would only exacerbate existing traffic problems, potentially leading to more accidents and jeopardizing the safety of pedestrians, bicyclists, and motorists alike. It is imperative that we prioritize the safety of our current residents and the integrity of our infrastructure.

The proposed high-density housing does not align with the vision of a community that values its expansive view of the Blaine open space, and utilizing our parks, and trails—resources we encourage local families to utilize for recreation, relaxation, and connecting with nature. By allowing this change to the comprehensive plan and rezoning, you risk inviting a development that prioritizes profit for developers over the well-being of our residents, our community and the environment we cherish.

Stop acquiescing to developers and start listening to residents. Yes, we want a premier grocer and restaurants at this commercial corner, but I think we should wait for the right deal instead of taking away multiple acres of our last remaining commercial zoning at this intersection.

I urge you to deny this proposal. Let us protect the character and safety of our neighborhoods by rejecting the rezoning of this critical commercial property. Our community deserves thoughtful planning that considers the future, preserves our open spaces, and maintains the quality of life that attracts families to our area.

Thank you for considering the input of the nearby existing neighbors closest to this property. I hope you will take the necessary steps to ensure that our community remains a welcoming, and environmentally conscious place to live.

Sincerely,

Abby Kjos

3568 122nd Circle NE

Blaine, MN 55449

abby.kjos@gmail.com

From: [Leslie Larson](#)
To: [Planning](#)
Subject: Fw: Opposing expansion
Date: Monday, November 4, 2024 2:33:24 PM
Attachments: [Image.jpeg](#)
[Image.jpeg](#)



Leslie Larson

Councilmember Ward 2

City of Blaine

10801 Town Square Drive NE, Blaine MN 55449

m: 612-489-9651

BlaineMN.gov

From: seanrstadler <seanrstadler@gmail.com>
Sent: Monday, November 4, 2024 2:30:58 PM
To: Leslie Larson <leslielarson@blainemn.gov>
Subject: Re: Opposing expansion

Yes

----- Original message -----

From: Leslie Larson <leslielarson@blainemn.gov>
Date: 11/4/24 9:35 AM (GMT-06:00)
To: sean stadler <seanrstadler@gmail.com>
Subject: Re: Opposing expansion

Thank you Sean for your feedback. I agree with you and will be voting no to this proposal. Would you like your message to be included in the public record for tonight info for discussion? If you respond yes, Ill send it to the city planner to be added to the public commentary file.



Leslie Larson

Councilmember Ward 2

City of Blaine

10801 Town Square Drive NE, Blaine MN 55449

m: 612-489-9651

BlaineMN.gov

From: sean stadler <seanrstadler@gmail.com>
Sent: Monday, November 4, 2024 8:16:30 AM
To: CityCouncil <CityCouncil@blainemn.gov>
Subject: Opposing expansion

Dear Blaine City Councilmembers,

I am writing to express my concerns regarding the proposed changes to the comprehensive plan amendment resulting in high-density rezoning for our suburban area in NE Blaine, which is currently under consideration. As a member of this community, I believe it is imperative to voice why this development may not be in the best interest of our residents and the character of our local neighborhoods.

1. Community Character and Aesthetics: Our suburban area is known for its beautiful green spaces, and sense of community. High-density developments can disrupt the architectural integrity and charm that define our nearby neighborhoods, leading to a loss of identity that we all cherish.
2. Increased Traffic and Safety Concerns: High-density housing typically results in higher population densities, which translates to more vehicles on our roads. This will lead to more congestion and traffic accidents, making our community less safe for pedestrians, cyclists, and families that all enjoy the trail system in this area. Additionally, emergency services may face delayed response times due to increased traffic. The most recent traffic study marked more than 30,000+ vehicles daily at this intersection. With the proposed changes and development throughout this area, the projected traffic will increase to 50,000+ vehicles daily by 2029!
3. Strain on Local Infrastructure: Our existing infrastructure, including schools, parks, and public services such as waste management, is designed to accommodate our current population size. Increasing the number of residents through high-density housing could strain these services, leading to overcrowded schools, limited recreational spaces, unsafe crosswalks, and a decline in overall quality of life for our current residents that live here and pay considerable taxes.
4. Limited Public Input: Engaging residents in the planning process is crucial. There was VERY limited notification that this proposal was going before the Blaine Planning Commission.

Many community members have expressed concerns about the lack of transparency and opportunity for public discussion regarding this proposal. A development of this scale should incorporate the voices and needs of the current residents who will be directly affected in all of the adjacent neighborhoods along the Lexington and 125th corridors.

We understand the importance of thoughtful development and increasing housing options for our growing population. However, we believe that high-density rezoning is not the right solution for the NE corner of Blaine. We urge you to consider keeping it zoned commercial and respect our community's character and prioritize the well-being of us, the current local residents.

Thank you for your attention to this matter. We hope to engage in further discussions about sustainable development that aligns with the values and needs of our community.

Sincerely,

Sean Stadler
3637 Interlachen Dr NE
Ham Lake MN 55304

From: [Leslie Larson](#)
To: [Planning](#)
Subject: Fw: Opposition to High Density at 125th and Lexington
Date: Monday, November 4, 2024 1:43:07 PM
Attachments: [Image.jpeg](#)



Leslie Larson

Councilmember Ward 2

City of Blaine

10801 Town Square Drive NE, Blaine MN 55449

m: 612-489-9651

[BlaineMN.gov](#)

From: Crystal Bayer <crystalbayer11@yahoo.com>
Sent: Monday, November 4, 2024 1:11:48 PM
To: Leslie Larson <leslielarson@blainemn.gov>
Subject: Re: Opposition to High Density at 125th and Lexington

Yes please!

Thank you Leslie!

Sent from my iPhone

On Nov 4, 2024, at 10:42 AM, Leslie Larson <leslielarson@blainemn.gov> wrote:

Thank you Crystal for your feedback. I agree with you and will be voting no to this proposal to add high density housing. Would you like your message to be included in the public record for tonight info for discussion? If you respond yes, I'll send it to the city planner to be added to the public commentary file. Thank you again.

<Image.jpeg>

Leslie Larson

Councilmember Ward 2

City of Blaine

10801 Town Square Drive NE, Blaine MN 55449

m: 612-489-9651

[BlaineMN.gov](#)

From: Crystal Bayer <crystalbayer11@yahoo.com>

Sent: Sunday, November 3, 2024 6:04:08 PM

To: CityCouncil <CityCouncil@blainemn.gov>

Subject: Opposition to High Density at 125th and Lexington

Dear Blaine City Council Members,

I am writing to express my concerns regarding the proposed changes to the comprehensive plan amendment resulting in high-density rezoning for our suburban area in NE Blaine, which is currently under consideration. As a member of this community, I believe it is imperative to voice why this development may not be in the best interest of our residents and the character of our local neighborhoods.

1. Community Character and Aesthetics: Our suburban area is known for its beautiful green spaces, and sense of community. High-density developments can disrupt the architectural integrity and charm that define our nearby neighborhoods, leading to a loss of identity that we all cherish.

2. Increased Traffic and Safety Concerns: High-density housing typically results in higher population densities, which translates to more vehicles on our roads. This will lead to more congestion and traffic accidents, making our community less safe for pedestrians, cyclists, and families that all enjoy the trail system in this area. Additionally, emergency services may face delayed response times due to increased traffic. The most recent traffic study marked more than 30,000+ vehicles daily at this intersection. With the proposed changes and development throughout this area, the projected traffic will increase to 50,000+ vehicles daily by 2029!

3. Strain on Local Infrastructure: Our existing infrastructure, including schools, parks, and public services such as waste management, is designed to accommodate our current population size. Increasing the number of residents through high-density housing could strain these services, leading to overcrowded schools, limited recreational spaces, unsafe crosswalks, and a decline in overall quality of life for our current residents that live here and pay considerable taxes.

4. Limited Public Input: Engaging residents in the planning process is crucial. There was VERY limited notification that this proposal was going before the Blaine Planning Commission. Many community members have expressed concerns about the lack of transparency and opportunity for public discussion regarding this proposal. A development of this scale should incorporate the voices and needs of the current residents who will be directly affected in all of the adjacent neighborhoods along the Lexington and 125th corridors.

We understand the importance of thoughtful development and increasing housing options for our growing population. However, we believe that high-density rezoning is not the right solution for the NE corner of Blaine. We urge you to consider keeping it zoned commercial and respect our community's character and prioritize the well-being of us, the current local residents.

Thank you for your attention to this matter. We hope to engage in further

discussions about sustainable development that aligns with the values and needs of our community.

Sincerely,
Crystal Bayer
1296 130th Ave NE
Blaine, MN 55434
crystalbayer11@yahoo.com

From: [Leslie Larson](#)
To: [Planning](#)
Subject: Fw: Overbuilding
Date: Monday, November 4, 2024 1:42:52 PM
Attachments: [Image.jpeg](#)
[Image.jpeg](#)



Leslie Larson

Councilmember Ward 2

City of Blaine

10801 Town Square Drive NE, Blaine MN 55449

m: 612-489-9651

[BlaineMN.gov](#)

From: Jamie Just <justteeth@gmail.com>
Sent: Monday, November 4, 2024 1:17:45 PM
To: Leslie Larson <leslielarson@blainemn.gov>
Subject: Re: Overbuilding

Thank you, Leslie. Yes, you can include it in the public record. I hope to be in touch soon!
Jamie

On Mon, Nov 4, 2024 at 10:44 AM Leslie Larson <leslielarson@blainemn.gov> wrote:

Thank you Jamie for your feedback. I agree with you and will be voting no to this proposal to add high density housing. Would you like your message to be included in the public record for tonight info for discussion? If you respond yes, I'll send it to the city planner to be added to the public commentary file.

Best wishes and prayers for your surgery tomorrow as well.

signatureImage



Leslie Larson

Councilmember Ward 2

City of Blaine

[10801 Town Square Drive NE, Blaine MN 55449](#)

m: 612-489-9651

[BlaineMN.gov](#)

From: Jamie Just <justteeth@gmail.com>
Sent: Sunday, November 3, 2024 4:42:55 PM
To: CityCouncil <CityCouncil@blainemn.gov>
Subject: Overbuilding

I am unable to attend the meeting in person so I would like to state my displeasure at increasing high density housing in Blaine. I don't want additional burdens placed on the schools. I don't want the additional traffic. I don't want the increase in population creating

an environment that could increase the possibility of more crime. I am saying unequivocally NO to overbuilding and changing the zoning to accommodate more apartment buildings.

Jamie Just
117th Lane NE
Blaine, MN



City of Blaine

Staff Report

File Number: RES 24-160

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

Development Business - Sheila Sellman, City Planner

Agenda Item # 10.2

Resolution Granting a Variance to Store Semi-Trailers in a Portion of the Front Yard at 3701 85th Avenue NE. Old Dominion Freight Line (Case File No. 24-0046/EES)

Executive Summary

The applicant is requesting a variance from the requirement that outdoor storage be limited to side and rear yards to allow for front yard storage of semi trailers. This item was previously considered by the City Council and tabled to allow for more information. Staff are providing several options for action on this item.

Background

Planning Commission (Public Hearing)	08/14/24
City Council (Variance) - Tabled	09/04/24
City Council (Variance) - Tabled	09/16/24
City Council (Variance)	11/04/24
Action Deadline	11/20/24

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

The request for a variance to allow front yard storage of semi trailers was first considered by the City Council on September 4, 2024 and was tabled to September 16, 2024 to allow for engagement with the nearby residents. Staff facilitated a meeting with the nearby residents and Old Dominion staff and consultants. A primary concern in that meeting was whether a sound wall would be effective in reducing noise and a desire to allow for more time to research efficacy of sound barriers. The applicant requested an extension to the 60-day rule in Minnesota Statute 15.99 to allow for more time to research sound barriers. On September 16, 2024 the City Council tabled the item to a date uncertain, no later than November 18, 2024 to allow for research to be conducted.

The applicant provided a memo addressing concerns raised at previous City Council meetings and inviting Councilmembers to tour the site. That memo is attached.

Potential Actions

The attached resolution carries forward the recommendation from the Planning Commission, which allows for outside storage in the area shown as Area A in the attachment, which has historically been used for trailer storage, and was used legally for trailer storage by the previous occupant of the building, as allowed by grandfather status since it occurred prior to the code requirement prohibiting front yard storage.

If the City Council finds that the variance criteria are not met for any of the areas, the Council should identify findings for denial of the variance in entirety and direct staff to prepare a resolution for adoption at the November 18, 2024 meeting. Council should review the variance analysis below and identify what variance criteria are not met for Area A, if the variance request is denied in entirety.

If the City Council finds that storage in all or a portion of the front yard meets the variance criteria only with the addition of a sound barrier or other mitigation measures, the City Council should state the findings for that determination and direct staff to prepare a resolution for adoption at the November 18, 2024 meeting. One option, if the City Council supported a sound wall as a mitigation measure with limited storage in Area C is:

- Allow outside storage in Area A
- Allow outside storage in Area B with the following conditions:
 - 60 foot setback from the southern property line
- Allow outside storage in Area C with the following conditions:
 - 150 foot setback from the eastern property line
 - 60 foot setback from the southern property line
 - Removal of concrete within 45 feet of the southern property line and 100 feet of the eastern property line
 - Fencing must be installed enclosing the areas permitted for trailer storage
- Require installation of a 16 foot sound wall on the east side of the parking lot from the southern property line of the subject parcel to the southern property line of Outlot A, Rice Creek Park 2nd Addition. The wall shall be set back at least 50 feet from the eastern property line. Applicant must apply for and obtain a Conditional Use Permit for a special purpose fence. Installation of the wall must be complete by July 31, 2025.

Original Staff Report

Zoning

The property is zoned Heavy Industrial (I-2A). The I-2A zoning differs from the I-2 district by allowing for truck terminals and outside parking of trucks exceeding the number of dock doors, both of which are prohibited in all other districts.

Surrounding Zoning and Uses

The property is adjacent to other heavy industrial properties to the west and north, and one single

family and several townhome residential properties to the east (R-1 and R-3B). The property across 85th Avenue is an office use in Shoreview.

Existing Conditions

There is an existing truck terminal on the site.

History

The property was occupied by Consolidated Freight as a truck terminal starting in 1979. The property was vacated around 2000. In 2004, Old Dominion applied for and received a Conditional Use Permit (CUP) for a truck terminal. Since the property had been vacant for over a year, any previous approvals to operate a truck terminal or legal nonconforming status were void. The 2004 CUP required a variety of site improvements to screen the property from the neighboring residential properties and from the traveling public on 85th Avenue.

The applicant reconstructed the pavement on most of the site in 2022. Modifications were made to some of the fencing on site without a permit. Following a complaint near the end of 2023, code enforcement action was initiated for violation of some of the CUP conditions and for parking/storing of trucks/semi-trailers in the front yard, which is prohibited by the 1-2A standards. The applicant received a CUP amendment earlier this year to modify the fencing requirements that would allow for their preferred fencing configuration. That amendment did not allow for truck storage in the front yard. The applicant is now requesting a variance from the requirement that outside storage be located in the side or rear yard.

The subject property was zoned I-1, Light Industrial in 1979, I-2 Heavy Industrial in 1990 and I-2A Heavy Industrial in 1990. The single family home to the east of the subject site was zoned I-1, light industrial in 1979, R-1 single family residential in 1986, I-1 light industrial in 1990 and R-1 single family in 1994. The townhomes to the east of the subject site were zoned I-1, light industrial in 1979, and R-3B, medium density multi-family in 1986.

Original Staff Report Evaluation of Request

Code Requirement

The code specifies that outside storage in the I-2A district be limited to the side and rear yards. The applicant is requesting a variance from that requirement to store semi trailers in the front yard.

Site Plan

The site features a large truck terminal and truck yard as well as a smaller building located near the rear of the lot. The front yard is considered all area between the front property line and the front face of the building. Within the front yard there are three sections:

- Area A: the area between the front wall of the truck terminal and the historic passenger vehicle parking area. This area starts 190 feet from the front property line. Trailer storage consistently occurred under the previous occupants. While under the code as written in 2004, storage was not permitted in this area, it was part of the fenced truck yard and storage occurred in this area since the property was occupied by Old Dominion in 2004. Storage is not allowed in this area.
- Area B: the portion of the historic passenger vehicle parking area located west of the entry driveway. The storage in this area currently starts approximately 60 feet back from the front

property line and is approximately 28,000 sf in area. Storage has not historically occurred in this area and is not allowed in this area.

- Area C: the portion of the historic passenger vehicle parking area located east of the entry driveway. Storage in this area currently occurs throughout the fenced area which extends to the edge of the parking lot, approximately 25 feet from the front lot line. Storage has not historically occurred in this area and is not allowed in this area.

Architecture

Modifications were made to the main building in 2004, as required by the CUP.

Landscaping

The applicant is proposing to install additional conifer trees on the east side of the south parking lot. No tree removal is proposed.

Grading/Storm Drainage

The proposed project does not include any alterations to the existing grading or storm water drainage patterns on the property.

Utilities

The proposed development will utilize the existing utilities into the building. No new connections are proposed.

Wetlands/Watershed/FEMA

There are no wetlands or FEMA floodplain on the existing site. A Coon Creek Watershed District review is not required.

Access/Street Design/Sidewalks/Trails

The development will utilize the existing access points to the existing parking area. 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 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)

Following the Planning Commission meeting, the applicant provided a supplemental narrative and a site plan showing installation on a 16-foot-high sound wall along the portion of the eastern property line south of a large pond. The original variance analysis is provided, with notes based on the additional information added in italics.

(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

Front yard storage, particularly when on a heavily trafficked road and next to residential

property, is generally not consistent with the purposes of the zoning code to provide for compatible and appropriate use of land throughout the City of Blaine and to conserve the attractiveness of Blaine. Well screened storage with an excessive setback may be considered to be consistent with this purpose. *The installation of a sound wall would improve the compatibility of the truck terminal use, including the intensification of that use, with the neighboring residential properties. It would not improve the attractiveness to the traveling public.*

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

The variance would be 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.

The property was effectively used as a truck terminal for many years without utilizing the first 190 feet of the front yard for truck or trailer storage. Since the property has an oversized front yard that could be used for storage when built, and storage is set back 190 feet from the property line, staff considers storage in Area A to meet this criterion.

Storage in Area B may or may not meet this criterion. The terminal was effectively operated without this area for many years, it is visible to the traveling public, and allowing storage in this area represents an intensification of the use, which may create additional conflict with the nearby residential uses. The storage area is adjacent to other I-2A zoned parcels, and the proposed storage is setback 60 feet from the front property line, which exceeds the front yard building setback by 20 feet. Therefore, a relatively small amount of storage (28,000 sf or 1.5% of the subject property) near the road may or may not be considered reasonable.

Storage area C is adjacent to existing residential property and is more visible to the traveling public and therefore storage in that area is not reasonable.

The addition of a sound wall would increase the reasonableness of increased trailer storage next to a residential property.

The applicant argues that the use of the southern 190 feet of the property (areas B and C) for passenger vehicle parking is unsafe due to the distance between the front parking area and the building entrance. Concerns with the distance include conflict between pedestrian and truck traffic and icy conditions.

The applicant also notes that trailer parking is a permitted use elsewhere on the property, which is incorrect. Tractor/trailers parked on site are not considered outside storage when they are limited to one tractor/trailer per dock or bay door. Regardless of the location on site, any trailers exceeding the number of dock doors are considered outside storage.

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

The applicant cites that the property is unique due to the building being setback 320 feet from the front property line, rather than the minimum required 40 feet, and if the building were located at the 40-foot setback, all areas proposed for trailer storage would be considered side yard. At the time the building was constructed, there was not a requirement that storage be

located in side or rear yards (any legal nonconformity lapsed due to the property sitting vacant for several years). The front, side, and rear yards are based on the location of the principal structure. So, for all or part of areas B and C to be considered side yard, a principal structure would need to be located at that distance from the front line. Therefore, most of that storage area would be consumed by the principal structure. Storage in areas A and B meet this requirement. Storage in area C does not meet this requirement since that area, would need to be used for the building to make other areas on the site acceptable for outside storage.

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

The subject property and the properties to the west are industrial in nature. Limiting outside storage to the side or rear of the principal building minimizes the appearance of that outside storage and allowing it in the front yard, particularly the front 190 feet that has historically been used for employee parking, may alter the essential character of the locality. The applicant received a CUP for a ten-foot fence in the front yard, which would provide screening of trucks, however the trucks would remain visible over the fences, and the increase in truck storage would contribute to increased noise and vibration. Storage in Area A and Area B meet this criteria, however, storage in Area C, intensifies an industrial use adjacent to a residential use, changing the essential character.

The applicant identified other heavy industrial users in the vicinity with front yard outside storage, arguing that front yard storage would not alter the essential character of the locality. While the two referenced sites do have legal nonconforming front yard storage, in both cases the storage is substantially smaller than the amount of storage being requested. True North Steel has approximately 6,000 square feet of front yard storage and T Force Freight typically has five trailers docked at the dock doors on the front side of the main terminal building, which is behind the face of the smaller southern terminal.

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

The applicant has stated that the variance is not for economic reasons, stating that short-term trailer parking is needed as freight is loaded and unloaded. The expansion of trailer parking into Area B and Area C increases the capacity of the terminal, by allowing for more trailers to be staged at any given time, which would yield an economic benefit.

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

The applicant states the minimum variance was requested. The applicant has not provided an explanation as to why a smaller expansion of truck staging would not effectively mitigate the unique circumstance of an excessive front yard setback.

The applicant states that the requested storage is the minimum amount of storage necessary for normal operations. The narrative does not address why the applicant was able to operate the terminal from 2004-2022 without using the front area for storage and is no longer able to. Note that the front area was not used for passenger vehicle parking during that time.

Attachment List:

Zoning and Location Map
Storage Area Exhibit

Applicant Variance Narrative
Staff Variance Analysis by Area
Public Comments
Unapproved PC Minutes 8/14/24
Additional Variance Analysis
Revised Site Plan
Historic Aerial Photos
Neighborhood Meeting Summary
Extension Request and Additional Narrative
Storage Area Exhibit - Revised
Applicant Memo
Additional Comment

Strategic Plan Relationship

Not applicable.

Board/Commission Review

The Planning Commission voted unanimously to approve the variance to allow storage of trailers 190 feet or more behind the front property line and to not approve storage of trailers within the first 190 feet of the property.

Four residents spoke at the public hearing. The meeting minutes are attached for reference on the public hearing comments. Written comments submitted for the record are attached.

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.

A neighborhood meeting was held by staff at the direction of the City Council on September 10, 2024. A summary of that meeting is attached.

Staff Recommendation

Staff recommends adoption of the resolution below, or identifying findings for denial of the variance or approval with alternative conditions and directing staff to prepare a resolution for adoption at the November 18, 2024 City Council meeting.

Attachment List

1. Attachments
2. Unapproved PC Minutes 081424
3. Public Comments
4. Additional Variance Narrative and Site Plan
5. Historic Aerial Photos
6. Neighborhood Meeting Summary
7. Extension Request and Additional Information
8. Storage Area Exhibit - Revised
9. Applicant Memo
10. Additional Comment



City of Blaine

Signature Copy

Resolution: RES 24-160

Resolution Granting a Variance to Store Semi-Trailers in a Portion of the Front Yard at 3701 85th Avenue NE. Old Dominion Freight Line (Case File No. 24-0046/EES)

WHEREAS, an application has been filed by Old Dominion Freight Line Inc., as Case File No. 24-0046 for a variance to store semi-trailers in the front yard; and

WHEREAS, said case involves the land described as follows:

UNPLATTED CITY OF BLAINE THAT PART OF THE SE1/4 OF SW1/4 & TH PRT OF THE NE1/4 OF SW1/4 OF SEC 35 31 23 ANOKA CNTY, MN DESC AS FOL, BEG AT THE SE COR OF SD SE1/4 OF SW1/4 TH WLY ALG S LINE OF SD SW1/4 800 FT TH NLY PRLL/W THE W LINE OF SD SE1/4 OF SW1/4 TO ITS INTER /W A LINE PRLL/W & A DIST 350 FT SLY OF THE N LINE OF SD NE1/4 OF SW1/4 SD 350 FT MEAS ALG THE E LINE OF SD NE1/4 OF SW1/4 TH ELY ALG SD PRLL LINE TO THE SD E LINE TH SLY ALG SD E LINE TO THE POB; EX RD; SUBJ TO EASE OF REC

WHEREAS, a public hearing has been held by the Blaine Planning Commission on August 14, 2024, and the Planning Commission recommends approval of a variance to allow storage in the front yard, limited to the portion of the front yard that is at least 190 feet north of the front property line; and

WHEREAS, the Blaine City Council has reviewed said case on September 4, September 16, and November 4, 2024.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that the requested variance for trailer storage in the entire front yard is hereby denied per Sections 27.06 and 31.39 (a) of the Zoning Ordinance to store semi-trailers in the front yard, with the following findings:

1. The property is already operating as a truck terminal and was operated from 2006-2022 without use of the southern 190 feet of the property for passenger vehicle or trailer storage. The full requested variance is not necessary to operate the property in a reasonable manner. The variance would allow the applicant to expand current operations without changing the use. Thus, the proposed variance to allow storage of semi-trailers in the entire front yard is not reasonably necessary.
2. Applicant purchased the property in its current condition with the main building set back leaving the large front area, with all restrictions as applicable to front yards. There is room on the side of the terminal building and behind the terminal where the applicant is able to park and store trucks, which applicant has done for several years during operation. Applicant's request to now park and store trucks in nearly the entire front yard is a circumstance of applicants own creation based on applicants desire to place and store trucks in that area when applicant still has the ability to place and store trucks on the sides and back of the property.

3. The requested variance to park and store trucks and trailers on the portion of the front of the property east of the entry drive would alter the essential character of the locality. Though the property is already an industrial operation, the property is restricted from storing items on the front yard so to maintain aesthetics without cluttering the front yards. If variance is granted applicant will be allowed to store on the southern frontage of the property, which will alter the essential character of the locality as no other nearby properties have more than 6,000 square feet of front yard storage.

BE IT FURTHER RESOLVED by the City Council of the City of Blaine that an alternative variance for parking in that portion of the front yard greater than 60 feet north of the southern property line, west of the main entry drive and 190 feet north of the southern property line east of the main entry drive is hereby approved per Sections 27.06 and 31.39 (a) of the Zoning Ordinance to store semi-trailers in the front yard, with the following findings:

1. Storage in the front yard, meeting a 190-foot setback from the southern property line, does not alter the essential character of the surrounding area due to limited visibility from 85th Avenue achieved by the greater setback and proximity to the terminal building, which provides a point of visual focus.
2. Storage in the portion of the front yard on the west side of the entry drive meeting a 60 foot setback represents only 1.5% of the site area and is adjacent to other industrial uses. The 60 foot setback and limitation to only the area west of the entry drive limits the visual impact and reduces the impact to residential properties east of the subject property, maintaining consistency with the essential character of the surrounding area.
3. Storage in the front yard, meeting a 190-foot setback, is reasonable since the subject area was consistently and legally used by the previous occupant, Consolidated Freight, and would remain legal nonconforming if the terminal had not be vacant for over a year between Consolidated Freight's occupancy and Old Dominion's occupancy. Furthermore, storage meeting a 60 foot setback west of the main entry is reasonable given the small proportion of the overall site (1.5%).
4. If a conforming building, large enough to be considered a principal structure, was located in the southeastern portion of the site, the south western portion would be considered side yard, and eligible for storage uses as a conditional use. Storage in the entire southern portion of the site could not be achieved through that same logic, since the portion of the site used for a theoretical building could not be used for storage.
5. The terminal was constructed when use of the subject area was legal for trailer storage and the layout of the terminal, yard, and fencing supported the use of this area for trailer storage, resulting in unique circumstances not caused by the current owner.

And subject to the following conditions:

1. Storage of trailers may only occur on the west side of the main entry off of 85th, meeting a 60 foot setback from the southern property line, and on the east side of the entry drive, meeting a 190 foot setback from the southern property line, as should in the attached Exhibit A.
2. Storage shall be removed from the portion of the front yard not authorized for storage by December 31, 2024.

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



Signed by

Tim Sanders, Mayor

Signed by

Cathy Sorensen, CMC, City Clerk

PUBLIC NOTIFICATION LINE

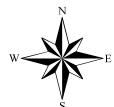


Project Location

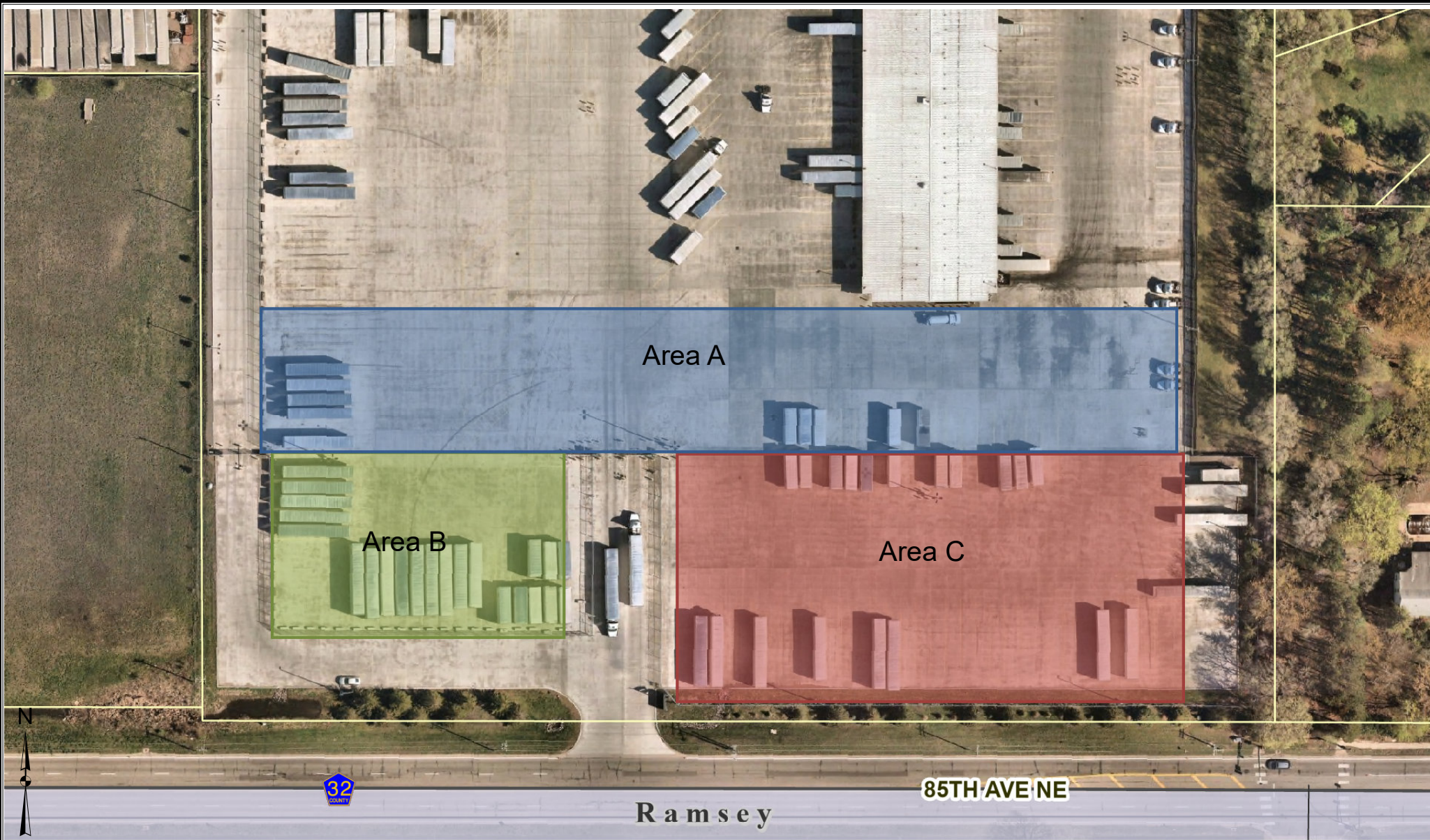
AUSTIN PARK
R-1



Case File No. 24-0046 **Old Dominion Freight Line**



Old Dominion Trailer Storage Areas



Parcel Information:

35-31-23-34-0001
3701 85TH AVE NE
BLAINE
MN 55126

Approx. Acres: 41.59

Plat:

Commissioner: JEFF REINERT

Owner Information:

OLD DOMINION FREIGHT LINE INC
500 OLD DOMINION WAY
THOMASVILLE
NC
27360

Anoka County GIS

1:1,200

Date: 7/22/2024

Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification.

Statement in Support of Variance Application of Old Dominion Freight Line, Inc.

Old Dominion is applying for a variance to allow Old Dominion to use the existing paved parking area in the front yard, between the existing building and the right-of-way of 85th Avenue NE, for short term parking of semitrailers, with or without tractors, to facilitate loading and unloading. Planning staff considers parking of a semitrailer without a tractor to be “outdoor storage,” which is not allowed in a front yard of any use.

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

The variance will allow the property owner to use the property in a reasonable manner for efficient operation of the existing truck terminal.

The City of Blaine granted Old Dominion Freight Line, Inc., the property owner, a conditional use permit to improve and use the property as a truck terminal, in 2004 as Resolution No. 04-209 (the “2004 CUP”). The 2004 CUP describes the paved area in the front yard as a “parking lot.” Old Dominion has been using, and wishes to continue using, the paved front yard for short term parking of semitrailers. Old Dominion moves trailers in and out of the front yard throughout the day. On occasion, Old Dominion will park empty trailers in the front yard overnight, but does not intend to use the front yard, or any portion of the property for longer term storage of trailers.

Old Dominion does not have any other practical use for the front yard parking lot. Old Dominion has safety concerns about using the parking area for employee parking, due to the long walk through the truck dock area to the building. These concerns are amplified during winter months given minimal daylight hours and potential icy conditions. Accordingly, Old Dominion accommodates employee parking elsewhere in the property.

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

The existing building, constructed by a previous owner, is setback approximately 320 feet from the 38th Avenue NE right-of-way, which is 280 feet more than the 40-foot front building setback required in the I-2A district. Further, given the location of the building and loading area on the relatively narrow lot, Old Dominion cannot accommodate short term parking for trailers in the side or rear yards.

Aside from the “plight” created by the unusually large front yard setback and narrow lot, Old Dominion asks the City to consider that the proposed trailer parking area is not actually within the required front yard, but in fact occupies an area that could be used for enclosed construction.

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

The overall use of the site as a truck terminal is consistent with the essential character of the locality, and will remain unchanged if the City grants the variance. That use is permitted in the I-2A Heavy Industrial District, subject to the 2004 CUP. Old Dominion is also seeking a CUP to install an 8’ tall solid fence along 85th Ave NE to provide additional screening from the Right-Of-Way. Further, there are similar uses in the surrounding area, including uses with truck and trailer

parking in the front yards. Accordingly, granting the variance for semitrailer parking in the front yard will be consistent with, and will not alter, the essential character of the locality.

Again, we ask the City to consider that the front yard parking lot is setback more than the code requires. Further, if the City grants the conditional use permit for an eight-foot high opaque fence, the front yard parking area will not be visible from 85th Avenue NE.

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

Old Dominion is not seeking the variance for economic reasons. Freight operations require short term parking for semitrailers as freight is loaded and unloaded. The side yards are not available due to the configuration of the lot and existing space between the building and existing wetlands and drainage ways in the rear yard limit use of that area for an additional parking area.

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

Old Dominion is seeking a variance for use of the existing paved portion of the front yard. Old Dominion is not seeking a variance for more parking space than it requires for normal operations.

Area A

- ▶ Between front wall of terminal and the historic passenger vehicle parking area
- ▶ Consistent, legal use of this area by previous occupant
- ▶ Set back 190 ft from right of way, limiting visual impact
- ▶ Meets variance criteria:
 - ▶ Harmony with intent of code
 - ▶ Far from road
 - ▶ Reasonable use
 - ▶ Historically used, no other reasonable use
 - ▶ Due to unique circumstances not caused by owner (unusually large building setback)
 - ▶ Does not change essential character
 - ▶ Minimally visible to traveling public, if at all



Area B

- ▶ Portion of front parking area between drive aisle and western property line (shared with another I-2A property)
- ▶ Set back 60 ft from right of way, limiting visual impact

May meet variance criteria:

- ▶ Harmony with intent of code
 - ▶ May or may not provide for compatible land use
- ▶ Reasonable use
 - ▶ Terminal was operated without storage in this area but would be side yard if a principal structure was located on the south east portion of the site
- ▶ Due to unique circumstances not caused by owner (unusually large building setback)
- ▶ Does not change essential character
 - ▶ Would be visible to the traveling public, may intensify noise and vibration concerns, is adjacent to other industrial uses, 1.5% of the total site



Area C

- ▶ Portion of front parking area between drive aisle and western property line (shared with another I-2A property)
- ▶ Set back 60 ft from right of way, limiting visual impact, applicant is proposing to remove the

Does not meet variance criteria:

- ▶ Harmony with intent of code
 - ▶ Does not provide for compatible land use or maintain attractiveness of the city
- ▶ Reasonable use
 - ▶ Terminal was operated without storage in this area, is adjacent to residential
- ▶ Due to unique circumstances not caused by owner (unusually large building setback)
 - ▶ To allow for Area B to be side yard, a building would need to be located in Area C, large enough to be principal structure
- ▶ Does not change essential character
 - ▶ Would be visible to the traveling public, is adjacent to residential, may intensify noise and vibration concerns





City of Blaine

Planning Commission

August 14, 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 Wednesday, August 14, 2024. Chair Goracke called the meeting to order at 7:00PM.

2. Roll Call

Members Present: Commission Members Deonauth, Gorzycki, Homan, Swanson, and Vice Chair Halpern.

Members Absent: Commission Member Olson and Chair Goracke.

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

4. Public Hearing

- 4.1.** 2024-315 Case File No. 24-0046 // Old Dominion Freight Line // 3701 85th Avenue NE
The applicant is requesting a variance to store semi-trailers in the front yard.
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 24-0046 was opened at 7:10PM.

Gary Schutta, 3801 85th Avenue NE, explained he lived adjacent to Old Dominion and would be most affected by the proposed variance. He explained he submitted a two page comment letter to the commission prior to this meeting. He indicated it appears these trailers are being innocently parked on the lot, but they do not get there without being pushed and pulled back and forth 24 hours a day seven days a week. He stated the beeping, crashing and honking echoes across the new cement slab and impacts the adjacent neighborhood. He anticipated more than 100 homes were being impacted by this business by noise. He

indicated when the trailers are dropped they shake his home and it was very disturbing. He explained the police department has better things to do than respond to continual noise complaints from this property. He did not believe any of the planning commissioners would enjoy living next to this business. He requested the commission deny the variance request.

Judy McGovern, 3824 86th Avenue NE, stated she lived directly behind Old Dominion. She explained she had the same concerns as Mr. Schutta with Old Dominion. She indicated the vibrating trucks, banging and noise is a constant from the Old Dominion property. She reported this was very disruptive to the neighborhood. She noted she has written a couple of letters to the city regarding her concerns. She explained her property value was 39% less than her neighbors because her home was adjacent to a commercial property. She asked that Old Dominion build a higher fence to assist with buffering the noise. She questioned why Old Dominion kept requesting variances after the work had already been done. She did not believe it was right for Old Dominion to keep getting more and more because the impact on the neighbors was too great. She asked that the City of Blaine not approve any further variances for Old Dominion.

Lisa Peterson, 8521 Xebec Street NE, explained she sent a letter to the city. She reported she has been seriously impacted by the noise coming from the Old Dominion property, which included banging, honking, phone dialing, and announcements over the PA. She indicated she has to sleep with a fan on every night, even in the winter, to buffer the noise. She commented on how Old Dominion has increased their noise level and number of trucks since their operation began. She discussed how Old Dominion built a chain link fence with barbed wire at the top without a variance. She understood the city council approved this fence after the fact and that the only penalty was that Old Dominion had to pay the application fee twice. She expressed frustration with the fact more homeowners were not notified of this public hearing. She discussed Old Dominion was now parking trucks closer to homes and had requested another variance. She stated this variance would be detrimental to the adjacent homes and requested the planning commission deny this request.

Vice Chair Halpern thanked the neighbors who had sent in letters voicing their concerns to the planning commission.

The public hearing was closed at 7:23PM.

Vice Chair Halpern requested staff speak to the city's requirements regarding the notification area for this variance request.

Community Development Specialist Showalter explained city code requires staff to notify residents living within 350 feet of a property. She reported city staff elected to post a sign regarding the public hearing on the Old Dominion property as well.

Commissioner Deonauth asked if the applicant was in attendance to address the concerns that have been voiced by the neighbors.

Jim Bailey, consultant for Old Dominion, discussed the CUP approvals he received for the fencing and parking improvements. He reported the fencing along 85th was encroaching and the CUP brought the fence into compliance with setbacks. In addition, removing the small area of concrete in Area C with a berm created a 10 foot screening fence. He explained Old

Dominion was working to be a good neighbor and was trying to alleviate some of the noise concerns.

Kevin Davidson, Director of Real Estate for Old Dominion, introduced himself to the planning commission. He stated Old Dominion wanted to be a good neighbor. He explained he appreciated the neighbor's comments. He discussed how his business has grown as Blaine has grown. He commented on how employee parking has shifted on the site and noted he has done his best to eliminate and reduce noise on the site. He reported Areas A, B and C were critical to his operations.

Commissioner Homan asked if a barrier or taller fence could be built to further buffer the property from the neighbors. Mr. Davidson explained the wooden fence was put in place to address this concern and stated he did not believe he could build a taller fence.

Vice Chair Halpern encouraged Old Dominion to speak with city staff regarding fence height requirements.

Commissioner Gorzycki stated Area C does not have a building on it, noting this would provide a decent noise blocker or buffer from the adjacent neighborhood. He indicated without a Building on Area C, Area B would be generating a great deal of noise for the neighbors.

Motion by Commissioner Gorzycki to recommend approval of Planning Case 24-0046 approval of a variance to allow storage of semi-trailers in the front yard meeting a 190-foot setback based on the following rationale:

Case 24-0046:

- 1. Storage area A was legally used by the prior occupant of the truck terminal (Consolidated Freight) and could still be used for trailer storage legally, if the use had not lapsed for a year between Consolidated Freight occupancy and Old Dominion occupancy.**
- 2. Storage area A is set back 190 feet from the road right of way, limiting visual impact to the traveling public.**
- 3. While the area between 40 and 190 feet from the right of way could be front yard if the building were located at the front setback line, the appearance of the trailers would be mitigated by the building which provides a point of visual focus and some screening.**
- 4. Storage area A has no other reasonable use given the proximity to the truck terminal.**
- 5. Storage in areas B and C is not in harmony with the intent of the zoning code and would change the essential character of the area.**

And subject to the following conditions:

- 1. Chain link fencing enclosing storage areas B and C shall be relocated to enclose only storage area A and signage shall be installed stating that no trailer storage shall occur in the area closer than 190 feet to the front property line.**

Motion seconded by Commissioner Homan. The motion passed 5-0.

Vice Chair Halpern noted this would be on the agenda of the September 4, 2024 city council meeting.

Gary Schutta
3801 85th Ave NE.
Blaine, (Shoreview for mailing) MN. 55126
RE: Old Dominion Trucking Co. CUP

8/3/2024

I have lived at my Home at 3801 85th Ave NE in Blaine for over 40 years. In that time there has been a Commercial Trucking Company next store. Over the years there has been the usual noise you would expect from a trucking operation. Most of this noise was tolerable. A few years ago, Old Dominion Trucking took over the property. Their operation started up slowly but started to become more of an annoyance as time passed.

Recently the front parking lot was re-constructed. I had called the Blaine City Offices and questioned what was going on. I talked with the City Planner, City Engineer, City Inspection Dept and the City Council Member at that time. I was told Old Dominion was only replacing the Parking lots & Driveways and there was no expansion of the operation past the then front fence.

I expected some noise during the re-construction of their parking lot. Apparently, they needed to compact the soil before installing the cement. The extreme amount of vibration & shaking from this I did not expect. At the time I did not fully realize the amount of damage all the vibration & shaking has done to my home & property. I have an older home that had cracks in the plaster walls that I have repaired over the years when they were repainted. I now have new cracks throughout my home and unusual settlement of the whole home & garage. Several doors now swing open or close on their own. I have new cracks in the basement & garage floors. The garage appears to have settled away from the house. All the outside cement sidewalks & steps have settled & cracked. The pool apron has settled away from the pool edge. The pool panels have cracked, and the pool water had dropped 18" overnight from the vibration & shaking during their soil compacting. Now even with some repairs it no longer will hold water without being continuously refilled.

Old Dominion was supposedly only replacing the Parking lots & Driveways and there was no expansion of the operation past the then front fence. Shortly after the new cement was installed trailers were moved forward past their fence to the street. Now it appears that Old Dominion is applying for a Conditional Use Permit to park trailers in that front lot. These trailers appear to be innocently, quietly parked in this front lot, but they are constantly being moved around. The noise from the truck engines racing, trailers being dropped shake my house. My bedroom window is less than 75 feet from the East parking lot edge. These bangs & crashes, truck backup beeping wake us up at night 24/7. The new lights added to the lot shine in through my windows and their echoing of their PA system in the middle of the night is uncalled for.

I can't sit outside during the summer without enduring all the noise with the added smell of Diesel exhaust. The addition of the new cement lot echoes and intensifies the noise.

There isn't anyone that would be happy to live at a location with all this noise. I recently had a conversation with the Rice Creek Park Homeowners Association (my next store neighbors) about increased noise. They asked me to make their concerns also known about the noise problem. The expansion of the trailers parking increases the excessive noise that just isn't affecting the adjoining properties but the whole neighbor hood of over 200 nearby residences.

Adding 8' & 10' fencing, 4' tall berms & 6' trees is all nice to improve the exterior appearance of the property, but it does not help the extreme increased annoyance of noise to the community.

When I bought this property, it was zoned light Industrial, planned to be a buffer between the residential & commercial properties. A few years after I purchased the property the zoning was changed by the City to residential. I was unsuccessful in fighting off this change. The County appraiser has recently devalued my property because of its being next to an undesirable noisy location.

The City Planners allowing this expansion of Old Dominion's operation next to my home and others has devalued our homes and made them less attractive at a reasonable market price. My home should be torn down and replaced with a small office or similar type business to help buffer the noisy, smelly trucking company. Now with the zoning change of my property that is not an option.

Old Dominion has a major noise problem that is affecting the whole neighborhood. Allowing them to expand adding more areas for trailers to park is just going to make it worse. I can no longer enjoy my home without a noisy reminder from a bang, clunk or beep from my neighbor to the West.

This variance will affect my home more than any others. I strongly recommend not approving any expansion of Old Dominions trucking operation and formerly make a complaint about the noise and shaking felt from Old Dominions Trucking Operation.

Gary Schutta
612-247-8594



From: [JUDITH MCGOVERN](#)
To: [Planning](#)
Subject: Fwd: Homeowners vs Trucking Company with City Hall
Date: Monday, August 12, 2024 8:06:33 PM

From: Rice Creek Park HOA <RiceCreekParkHOA@gmail.com>

Date: August 12, 2024 at 5:48:29 PM CDT

To: undisclosed-recipients;;

Subject: Homeowners vs Trucking Company with City Hall

To all Homeowners:

I'm writing this on behalf of the homeowners in this association that are tired of the excessive noise by the trucking company which has increased over the last couple years.

Consolidated Freightway was a small trucking company that was there for several years, they caused no problems and very little noise. When they went out of business we had silence for a few years. That ended when Old Dominion took over the property. The noise from Old Dominion has increased to 24 hours a day with the trucks dropping the rear end to unload the content, they play very loud music and carry on with loud conversation at all hours. When they load the trucks, they close it with two extremely loud bangs. This noise wakes me from a sound sleep quite often. After several complaints, the music stopped but the loud conversations and loud banging from the trucks did not stop or lighten up.

When COVID hit, Old Dominion decided to make a long driveway in the back which was followed with more trucks, drilling, dust, smells, over the course of a year. I wasn't able to sit on my deck or entertain friends because of the noise. My kitchen and dining area shook and vibrated daily from the heavy equipment driving up and down behind my property. It was awful. I decided it was time to contact City Hall and complain. A supervisor came and sat on my deck with me; he agreed that it was terrible. He indicated that the City Council signed an agreement with the trucking company years ago; therefore, nothing could be done!

Old Dominion is now a major hub for trucks throughout the USA. They continue to expand on variances for more projects which significantly increases the noise level in our neighborhood. A fence was built without a variance and now they plan to park more trucks in the area. This will cause more noise to our homeowner association and surrounding neighborhoods.

Blaine City Hall is holding a meeting on Wednesday, August 14th at 700PM regarding this issue. We strongly encourage you to submit any written comments and/or join us at the meeting.

HOW TO PARTICIPATE:

1. Review the submitted plans at [BlaineMN.gov/PCItems](https://blainemn.gov/PCItems). Staff reports will be available at [BlaineMN.gov/Agendas](https://blainemn.gov/Agendas) three days prior to the meeting.
2. Contact the Planning Department with any questions at 763-785-6180 or Planning@BlaineMN.gov.
3. Attend the public hearing and provide your comments!
4. Submit written comments via email to Planning@BlaineMN.gov or mail to Planning Department, 10801 Town Square Drive NE, Blaine, MN 55449. Written comments must be received no later than 12 noon on Tuesday August 13 to be shared with the Planning Commission. Unsigned or anonymous comments will not be accepted.

You can also contact the City of Blaine, Elizabeth Showalter, Office 763-717-275; Cell 612-615-5745.
E-Mail: BlaineMn.gov.

Thank you for taking the time to read this notice. Your help would be appreciated if you could join in any way to draw attention to the issues this trucking firm is causing for homeowners.

Judy McGovern

3824 86 Ave NE, Circle Pines, Mn 55014

From: [Lisa Email](#)
To: [Planning](#)
Cc: ["JUDITH MCGOVERN"; prospectmn@aol.com](#)
Subject: Old Dominion Trucking Company Variance
Date: Monday, August 12, 2024 8:09:53 PM

Dear Blaine Planning Commission,

I live off of Xebec St.NE , the first street east of Old Dominion Trucking Company.

I have been seriously impacted by the noise from this company.

I hear constant banging, honking, phone dialing and announcements over the PA.

I have to sleep with a fan on every night, even in the winter to try to buffer the noise.

When I moved into my home the previous trucking company had gone out of business and the neighborhood was peaceful.

Once Old Dominion Trucking Company moved in they were very loud and they kept adding more and more trucks. It appears that they have become a hub.

I was driving past Old Dominion and it looked like they were moving the fence forward.

I know that after contacting the City of Blaine that there was a set back and that they were not allowed to move the fence forward.

I contacted the City and Ben Stream (The Senior Building Inspector) came out and checked to see what Old Dominion was doing.

They assured him that they were only replacing parking lots and driveways and that the fence would not be moved.

Ben Stream then contacted me and assured me that the fence would not be moved.

Fast forward several months and I saw that Old Dominion had moved the fence forward, it was a chain link fence with barbed wire on the top, unlike the previous tasteful wooden fence.

It now looked like I was living next to a prison yard.

I called the city of Blaine only to find out that Old Dominion built the fence without a variance, then they applied for a variance that was voted on and granted.

The only penalty being that the company had to pay the application fee twice.

I was very upset. Then I noticed that they were now parking a large group of trucks in the front set back area. I contacted the city and was told that Old Dominion had applied for another variance, and was allowed to park there until the variance went before the city council.

Old Dominion is right next to a residential area.

More parking space up front means more trucks and more noise.

Please do not grant this variance.

Sincerely,

Lisa Peterson

8521 Xebec St. NE

From: [Renee Kaulfuss](#)
To: [Planning](#)
Subject: Old Dominion
Date: Wednesday, August 14, 2024 11:50:42 AM

Hi I'd like to submit my comments before the meeting tonight as I cannot attend.

I have called the police on the noise. We have lived here 14 years and the noise really takes away from our quality of life. As I sit here in my living room with the window open I can hear the trucks slamming doors. I can hear someone talking over a loudspeaker. You just can't have your windows open and get any peace and quiet. I think that is the most upsetting to me that in the spring, fall and sometimes in the winter, I enjoy having the windows open, but there's just too much noise.

The police can't do anything about the noise I know in the past I've had an officer stand out here and listen with their noise meter and they've gone over and talked to whoever was working at the time but nothing stays the same. It's just always noisy.

Sometimes when I do have the window open, I have two cats and when they're slamming those doors on the back of the trucks so loud there are times that it scares the cats and they go into hiding.

I have to wear earplugs at night to be able to sleep. Otherwise the noise of the trucks wake me up. Another noisy time is when I believe two trucks meet each other and they decide to honk at each other as to say hello and that is very noisy.

I just wanted to submit this to let you know that I too as a neighbor and my husband feel that Old Dominion has really grown and the noise has really grown and it just takes away the quality of life. I wish you could hear because some truck just came through and honked his horn three different times. Well, he just did it again. Thank you for listening.

Renee Kaulfuss 3834 86th Ave. NE.
651-485-7458
llpdrenee@aol.com
Sent from my iPhone

Gary Schutta
3801 85th Ave NE.
Blaine, (Shoreview for mailing) MN. 55126
RE: Old Dominion Trucking Co. CUP

8/30/2024

Council Members of Blaine,

I have lived at my Home at 3801 85th Ave NE in Blaine for over 40 years. I have submitted my objections to this Variance allowing Old Dominion to expand their operation into their front parking lot which should be in your packet of information about this application. I hope you all have read it.

**EXPANDING A NOISY COMMERCIAL BUSSINESS
OPERATION NEXT TO A PRIVATE SINGLEFAMILY HOME IS
WRONG AND SHOULD NOT BE ALLOWED!!!**

Gary Schutta
612-247-8594



From: Greg Wolf <gregswolf@yahoo.com>

Sent: Friday, September 6, 2024 3:31 PM

To: Planning <planning@blainemn.gov>

Subject: Fw: Meeting Information

Hi Planning Committee,

Since Old Dominion Freight Line has taken over the terminal, the increase in noise has been an issue for residents and for the peaceful enjoyment of our homes. The truck line that previously used the terminal was not a big of an issue, probably because they only used the terminal during the day and there was less volume overall. It's a busier terminal now, with trucks and noise occurring nearly 24 hours.

Maybe there are processes that Old Dominion could put into place to mitigate most of the noise, such as;

Close/lock the trailer doors before entering the yard so they aren't banging and making noise.

No yelling after 7 p.m. and until 7 a.m.

Propane trucks or forklifts for moving trailers around the yard.

Installing a sound barrier around the terminal yard. Obviously, this is an add but here's one [solution](#).

We appreciate your concern in this matter and hope that a common-sense solution can be found for everyone involved.

Greg Wolf
3852 86th Ave NE
Blaine, MN 55014

From: prospectmn@aol.com
To: [Elizabeth Showalter](#)
Cc: [Planning](#)
Subject: Re: Old Dominion - Extension
Date: Thursday, September 12, 2024 2:05:44 PM
Attachments: [image002.png](#)
[image005.png](#)
[image004.png](#)
[image003.png](#)

Hi Elizabeth,

An Extension is so far the only thing I can agree with on this Trailer Parking Variance. There are many things for me to consider if this is ever going to happen. How this is going to effect my property value and if a sound wall will do any good reducing the noise problem for me. Just to move things along I am making This formal complaint.

Since the extreme noise is continuing and Old Dominion is not approve to park trailers in their front lot I request the City Council vote for a Cease and Desist Order on any Trailer Parking in their front lot until such a Variance is granted. I also request that if a noise wall is part of the variance requirement that no trailers can be parked in the Front Lot until such Noise Wall has been completed. I am tired of being subjected to Old Dominion's ignoring my rights with this unreasonable noise restricting me from the enjoyment of my home. The City Council should also be ob-set that Old Dominion feels they can just do what they want and ask permission to do it afterwards.

I expect the Council to do the right thing.

Gary Schutta
612-247-8594

Dear Ms. Showalter and Council Members of Blaine,

I live at 3801 85th Ave NE directly to the East of the Old Dominion Freight Line. This has been my home for over 40 years. The Noise & Vibrations ever since Old Dominion has taken over the terminal have increased. This has become even more of an annoyance since the reconstruction of their front parking lot in 2022.

HISTORY

My home was built in 1936 and was located at the North end of the Anoka County Airport. Not being a good location of a home in the middle of a runway, in 1954 it was moved to its present location at 3801 85th Ave NE onto a 2 - acre lot. At that time this lot was in the middle of several acres of vacant land in every direction and was zoned light Industrial. In 1979 Consolidated Freight Line acquired and developed a Freight Terminal. Since this was being constructed next to a Single-Family Home, I believed at that time it was reasoned to set the Trucking Operation 280 feet back from the street more towards the rear of the single-family home's property was done to get the City Councils approval at that time. I am to understand there are no records on file to prove or dis-prove this. In 1986 Good Value Homes purchased the land to the North & East of my property to construct single family homes. There was an undeveloped 60-foot strip of land between My property and Consolidated Freight's property that was originally set aside for a road access to the North property. Good Value Homes did not need this access and the land was split in half. I purchased a 30-foot half and Consolidated Freight bought the other 30-foot half. There is an easement for the City Sewer & Water that runs down the middle of this property that feeds my home and the homes to the North of me.

CONSOLIDATED FREIGHT OPERATIONS

Consolidated Freight operated their Trucking Terminal from 1979 till 2000 when they filed for bankruptcy. During their operation of the terminal their employees had parked in the front lot with no apparent problems. The Terminal was vacant from 2000 to 2004.

OLD DOMINION FREIGHT OPERATIONS

Old Dominion Freight Bought the Terminal in 2004. There was never any evidence of their employees parking in the front lot other than during their parking lot re-construction in 2022. I had called the Blaine City Planners & Inspection Departments several times and was assured the noise from their re-construction was temporary and there would be no change to how the parking lot was to be used. The Vibro-compacting of the soil during their re-construction of their parking lot has caused many areas of damage to my property. Discussions with the site (alleged Forman) only offered excuses that keep delaying any actual action. I called the Blaine City Offices again when several of the trees that were on the 30-foot undeveloped strip of property were cut down & limbs cut off. The former curb was removed, and it appeared the parking lot was to move closer to the eastern property line. Their new aerial view map shows the front SE corner of their front lot now was extended out to the East property line adding an additional 30 feet to their parking lot. Now this lot is being used as part of their daily trailer parking. It is too noisy day & night and is just not acceptable. This is keeping me from the full enjoyment of my home.

VARIENCE REQUEST

Now after doing whatever they feel like as far as City Ordinance Requirements for 2 years, Old Dominion is asking for a Variance to use their front parking lot for truck trailer parking. They're not talking about how these innocent trailers get to be there or how long they will be staying. In fact, they are picked up and dropped off all day and night. The noise is incredible. (listen to sound clip attached) Since the City Council did not roll over at their last meeting and pass their Variance they are asking for a 60 - day extension on their Variance to research the Noise Wall. An Extension is so far the only thing I can agree with on this Trailer Parking Variance. There are many things for me to consider if this is ever going to happen. How this is going to affect my property value and if a sound wall will do any good reducing the noise problem for me.

Old Dominion's Attorney is using for an excuse that their employees will have a long unsafe walk over ice & through snow with truck traffic to get to the building. Consolidated Freight's employees did it for over 20 years. Most of their 240 employees work on loading docks with unheated trailers, dodging forklifts all day and are dressed for the job. Wells Fargo's Data Card Center is directly across the street and has over 1000 employees with a far larger parking lot further away from their building. Their employees are dressed for office work and don't seem to have a problem with the walk to their building.

Old Dominions Attorney also wrote a 5 - page letter to the affect that there were only 3 residents present complaining at these meetings. As of fact the neighboring community has not been aware of any of these meetings or of the Variance being requested. The small sign placed inside Old Dominion's entrance on a 50 mile an hour road did not get any notice or attention about the request for a variance, nor did the mailing of notices to everyone within 350' of the variance area. (3 – people) Their Attorney also points out that OD does nor exceed the States Noise Requirements. Using the suggested testing method of not exceeding 55 decibels for 10% of an hour (6 minutes). These bangs & crashes at night do not exceed more than a second at a time and would never exceed the 6-minute minimum. A bomb testing company lighting off a few blasts every hour a night would also pass using this test their attorney is referring too. Their attorney also went to the trouble of trying to make some point that my property and Ms. McGovern's property have actually increased in value. I cannot speak for Ms. McGovern but of course they have appreciated in an 8-year time period. The value stated for my property is stated far higher than what I am showing on my payable in 2024 Tax statement and is also valued less than 2023's value, so my property is devaluating. This can be verified with Anoka County if you care too. Making his Value assessment of at least my property a lie.

Just to move things along I am making This Formal Complaint to be added to the September 16th Agenda:

Since the extreme noise is continuing and Old Dominion is not approved to park trailers in their front lot. I request the City Council vote for a (Cease and Desist) Order on any Trailer Parking in their front lot until such a Variance is granted. I also request that if a noise wall is part of the variance requirement that no trailers can be parked in the Front Lot until such Noise Wall has been completed. I am tired of being subjected to Old Dominion's ignoring my rights with this unreasonable noise restricting me from the enjoyment of my home. (Please listen to attached noise clip) The City Council should also be Concerned that Old Dominion feels they can just do what they want and ask permission to do it afterwords.

I expect the Council to do the right thing

Gary Schutta
612-247-8594



PS. In case you haven't already read it, the 9/13/24 Local Issue of LIFE Newspaper has written a 3-page article about Old Dominion's Variance.

Supplemental Statement in Support of Variance Application

Old Dominion Freight Line, Inc.

3701 85th Avenue NE

Blaine Planning Commission Case No. 24-0046

Old Dominion Freight Line, Inc. (“Old Dominion”), the owner of the subject property, is submitting this Supplemental Statement in Support of Variance Application as additional support for its original application to address matters raised in the August 14, 2024 Planning Commission hearing,

Our revised proposed findings, below address matters raised in the Staff Report and comments from neighbors who attended the Planning Commission hearing. Old Dominion also proposes some further improvements to address neighbor concerns about noise and light, as a condition of approval of the variance. Specifically, Old Dominion proposes to build a sound barrier along the front yard parking area and a portion of the building, near the east boundary of the property, which will provide the outward appearance of a permitted building, and an additional sound and light barrier benefitting the neighboring residential properties, as illustrated in the drawings submitted with this supplement to our application. We understand Old Dominion will have to apply for a conditional use permit for the sound wall, so we propose that the variance be conditioned on obtaining that CUP and constructing the sound wall by July 31, 2025.

(See attached Site Plan titled “Old Dominion Trailer Storage Areas” for references to the segments of the existing front yard parking area as Area A, Area B and Area C.)

For convenience, the following incorporates our original Statement of Support, revised to address the Staff Report, comments, and our proposed sound wall:

Statement

Old Dominion is applying for a variance to allow Old Dominion to use the existing paved parking area in the front yard, between the existing building and the right-of-way of 85th Avenue NE, for short term parking of semitrailers, with or without tractors, to facilitate loading and unloading. Planning staff considers parking of a semitrailer without a tractor to be “outdoor storage,” which is not allowed in a front yard of any use.

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

The variance will allow the property owner to use the property in a reasonable manner for efficient operation of the existing truck terminal. The Blaine zoning ordinances allow automobile parking in the front yard but trailer parking is not permitted by the zoning code under the staff interpretation of trailer parking as “outdoor storage.”

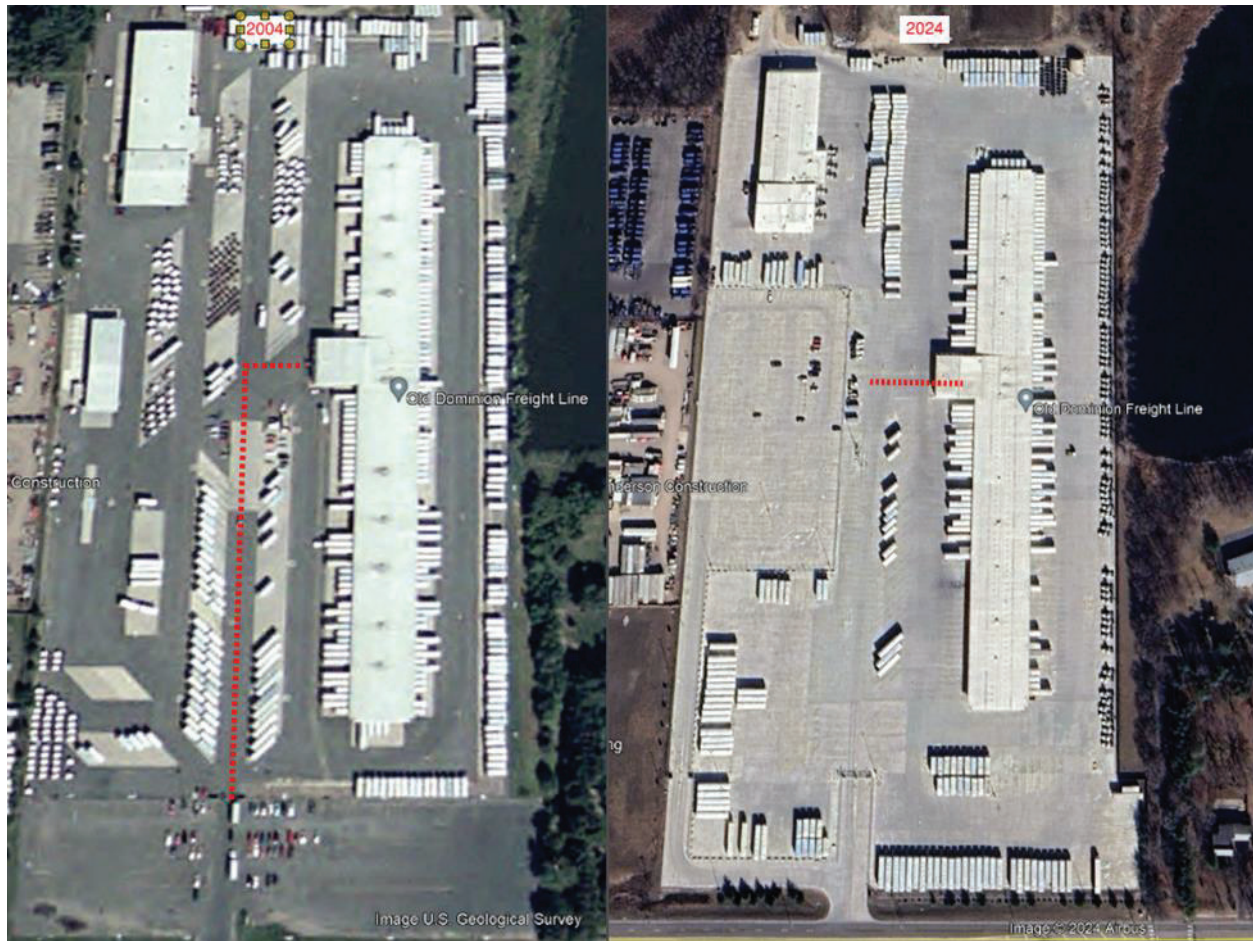
Trailer parking in the front yard is a reasonable use. Trailer parking is in fact a permitted use elsewhere on the property. Old Dominion is asking for the variance for the location of trailer parking on the property for practical reasons.

The City of Blaine granted Old Dominion Freight Line, Inc., the property owner, a conditional use permit to improve and use the property as a truck terminal, in 2004 as Resolution No. 04-209 (the “2004 CUP”). The 2004 CUP describes the paved area in the front yard as a “parking lot.” Old Dominion has been using, and wishes to continue using, the paved front yard for short term parking of semitrailers. Old Dominion moves trailers in and out of the front yard throughout the day. On occasion, Old Dominion will park empty trailers in the front yard overnight, but does not intend to use the front yard, or any portion of the property, for longer term storage of trailers. Old Dominion is seeking this variance to conform with the City’s determination that trailer parking is “outdoor storage.”

The original developer of the site, Consolidated Freight, used the parking area in the front yard for employee parking. Soon after Old Dominion commenced operations, Old Dominion moved employee parking to the west side of the site, closer to the pedestrian entrance to the building, primarily for safety reasons. Having employees park at the south end of the site required them to walk down the center of the truck route to the building entry, approximately 850 feet. The safety concerns were amplified during winter months given shorter daylight hours and potential icy conditions.

Relocating employee parking to the side lot reduced the pedestrian route to the building entrance to approximately 150 feet and substantially reduced pedestrian interaction with truck traffic, but also resulted in the loss of trailer parking area on site. Use of the front yard for trailer parking is a reasonable use of the otherwise unusable front yard, especially in light of the facts that trailer parking is (a) allowed elsewhere on the site and (b) substantially similar to non-commercial vehicle parking.

The proposed sound barrier will provide residential neighbors with screening from the front yard parking area and the added benefit of screening from the permitted side yard loading area.



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

The existing building, constructed by a previous owner, is setback approximately 320 feet from the 38th Avenue NE right-of-way, which is 280 feet more than the 40-foot front building setback required in the I-2A district. Further, given the location of the building and loading area on the relatively narrow lot, Old Dominion cannot accommodate short term parking for trailers in the side or rear yards.

Aside from the “plight” created by the unusually large front yard setback and narrow lot, Old Dominion asks the City to consider that the proposed trailer parking area is not actually within the required front yard, but in fact occupies an area that could be used for enclosed construction.

The Staff Report notes that if the building was actually moved forward to the allowed setback, the space would be occupied by building and there would be no space available for parking. That is precisely our point – if the existing building were pulled forward to the front setback then Old Dominion would gain an equal amount of area in the rear yard for short term trailer parking, in which case there would be no need for a variance at all. Old Dominion is dealing with the configuration of the site as it was when Old Dominion acquired the site. There is no space for trailers in the side or rear yard because of the original configuration of improvements and safety

requirements. Old Dominion did not create the circumstances that cause Old Dominion to require the variance to allow parking in the front yard.

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

The overall use of the site as a truck terminal is consistent with the essential character of the locality, and will remain unchanged if the City grants the variance. That use is permitted in the I-2A Heavy Industrial District, subject to the 2004 CUP. Old Dominion is also seeking a CUP to install an 8' tall solid fence along 85th Ave NE to provide additional screening from the Right-Of-Way. Further, there are similar uses in the surrounding area, including uses with truck and trailer parking in the front yards. Accordingly, granting the variance for semitrailer parking in the front yard will be consistent with, and will not alter, the essential character of the locality.

The Staff Report states that front yard parking would have been allowed under the code in effect at the time the property was developed as a truck terminal, but any nonconforming use rights have expired because the property was vacant for several years before Old Dominion acquired it. Whether or not the nonconforming use rights exist, the fact that the front yard could have been used for trailer parking is evidence that the such use is consistent with the essential character of the locality.

Outdoor storage is, in fact, a part of the essential character of the locality. There are other facilities within the locality of the property that do have outdoor storage adjacent to public rights of way. We understand there may be difference between the subject property and the nearby facilities that have outdoor storage, but as a practical matter, for determining “the essential character of the locality,” outdoor storage visible from public rights of way is a part of the essential character. See examples below.

Properties also within the I-2A zoning district provide storage areas that are visible to 85th Ave NE with no screening provided. TrueNorth Steel (located approximately 1000 feet west).



T Force Freight (located approximately 0.4 miles west)



T Force Freight (located approximately 0.4 miles west)



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

Old Dominion is not seeking the variance for economic reasons alone. Old Dominion’s primary concerns are safety and operations. Freight operations require short term parking for semitrailers as freight is loaded and unloaded. The side yards are not available due to the configuration of the lot and existing space between the building and existing wetlands and drainage ways in the rear yard limit use of that area for an additional parking area.

The Staff Report finds that the proposed use does not meet this standard because increased trailer capacity “would yield an economic benefit” but the ordinance does not say the property owner cannot enjoy “economic benefit” from the variance. The ordinance says “economic considerations alone do not constitute practical difficulties” sufficient to justify the variance.

In other words, Old Dominion cannot argue that it is entitled to the variance only because it would be more expensive to comply, nor that Old Dominion could make more money operating than it could if Old Dominion did in fact comply. As discussed above, Old Dominion is asking for the variance because Old Dominion cannot practically comply with the ordinance due to the site configuration, and still meet reasonable operational requirements and essential safety concerns.

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

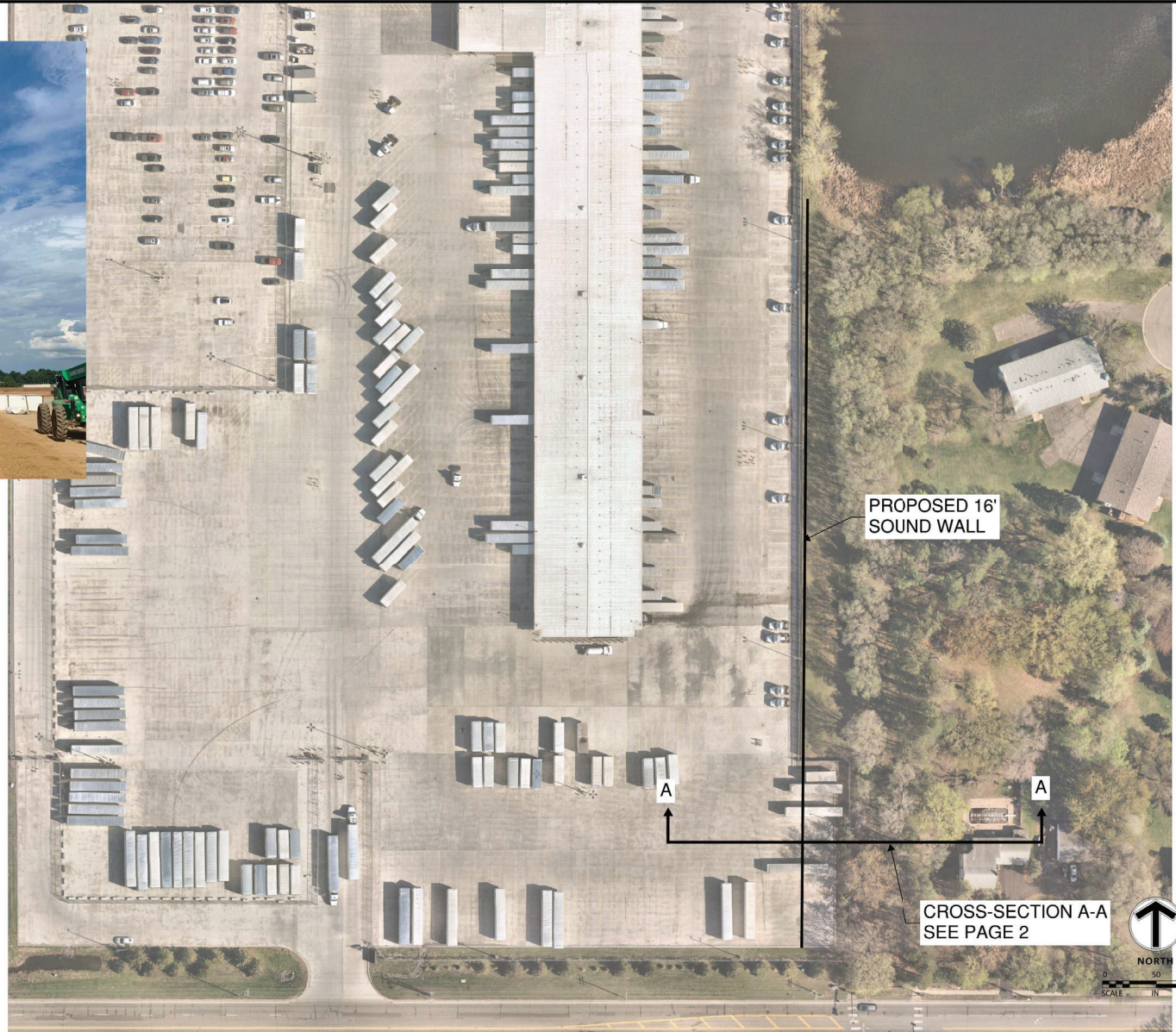
Old Dominion is seeking a variance for use of the existing paved portion of the front yard, in the manner Old Dominion operated before Old Dominion learned the City considers parking trailers to be “outdoor storage” and therefore not permitted in the front yard. Old Dominion is not seeking a variance for more parking space than it requires for normal operations. Because of the configuration of the parcel and existing improvements, and the difference in size and maneuverability of non-commercial vehicles and tractor-trailers, Old Dominion could not just swap the employee parking and proposed trailer parking even if Old Dominion could ignore the safety concerns that drove Old Dominion to reconfigure its outdoor areas.

Conclusion

Accordingly, Old Dominion respectfully requests the City of Blaine grant the requested variance, subject to the condition that Old Dominion obtain a conditional use permit for and construct a sound barrier by no later than July 31, 2025.



SOUND WALL EXAMPLE



NO	DATE	BY	CHKD	APPR	COMMENT
1	08/26/2024	TTP	JDB	JDB	SCREENING IMPROVEMENTS EXHIBIT

© 2021 Sambatek

PRELIMINARY
DESIGN REVIEW
PERMIT SUBMITTAL
CONSTRUCTION DOCUMENTS

DRAWN BY TTP
DESIGNED BY JDB
CHECKED BY MCA
PROJECT NO. 52905

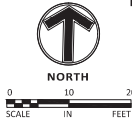
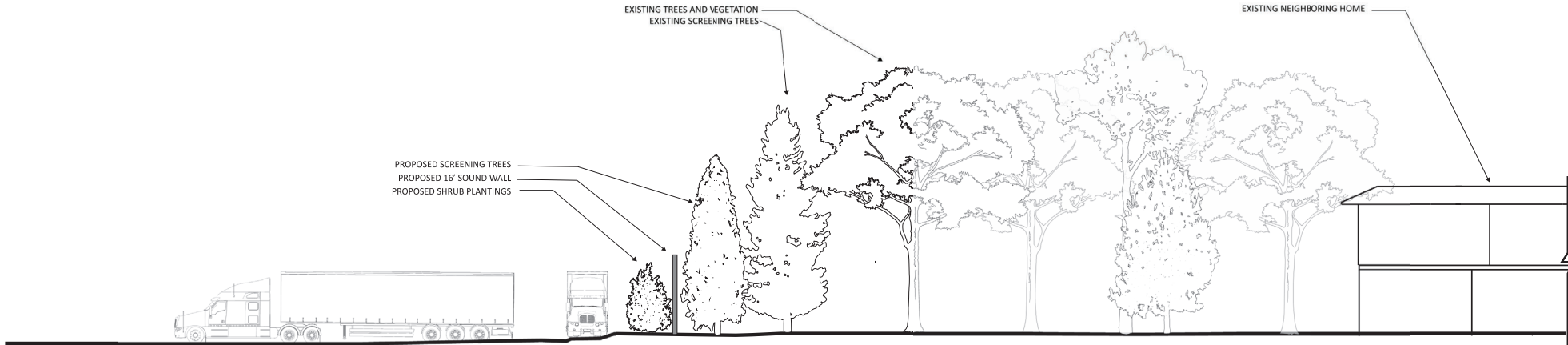

Sambatek
www.sambatek.com
 Engineering | Surveying | Planning | Environmental

OLD DOMINION FREIGHT LINE, INC.
 SCREENING IMPROVEMENTS
 BLAINE, MINNESOTA

SHEET
 1 OF 2
 REV.

24.15 (LMS TECH) | JOSEPH BAILEY | 8/26/2024 4:53:12 PM
 L:\PROJECTS\52905\GEO\CHALLENGERS\SOUND WALL CROSS SECTION DWG24036

CROSS SECTION A-A



NO	DATE	BY	CHKD	APPR	COMMENT
1	08/26/2024	TTP	JDB	JDB	SCREENING IMPROVEMENTS EXHIBIT

© 2021 Sambatek

STATE AID PROJECT NO.
STATE PROJECT NO.
COUNTY PROJECT NO.
CITY PROJECT NO.

DRAWN BY
TTP
DESIGNED BY
JDB
CHECKED BY
MCA
PROJECT NO.
52905



OLD DOMINION FREIGHT LINE, INC.
SCREENING IMPROVEMENTS
BLAINE, MINNESOTA

SHEET
1 OF 2
REV.

24.15 (RMS TECH) | SOPHIE GALLANDANT | 8/26/2024 2:56:01 PM
L:\PROJECTS\52905\52905 CAD\EXHIBITS\SCREENING WALL CROSS SECTION DWG-22X4



Figure 1: 2024 (Anoka County)



Figure 2: 2023 Aerial (Nearmap)



Figure 3: 2020 Aerial (Anoka County)



Figure 4: 2011 Aerial (Anoka County)



Figure 5: 2005 Aerial (Anoka County) – Shortly after Old Dominion Purchase



Figure 6: 1997 Aerial (Anoka County) – Consolidated Freight

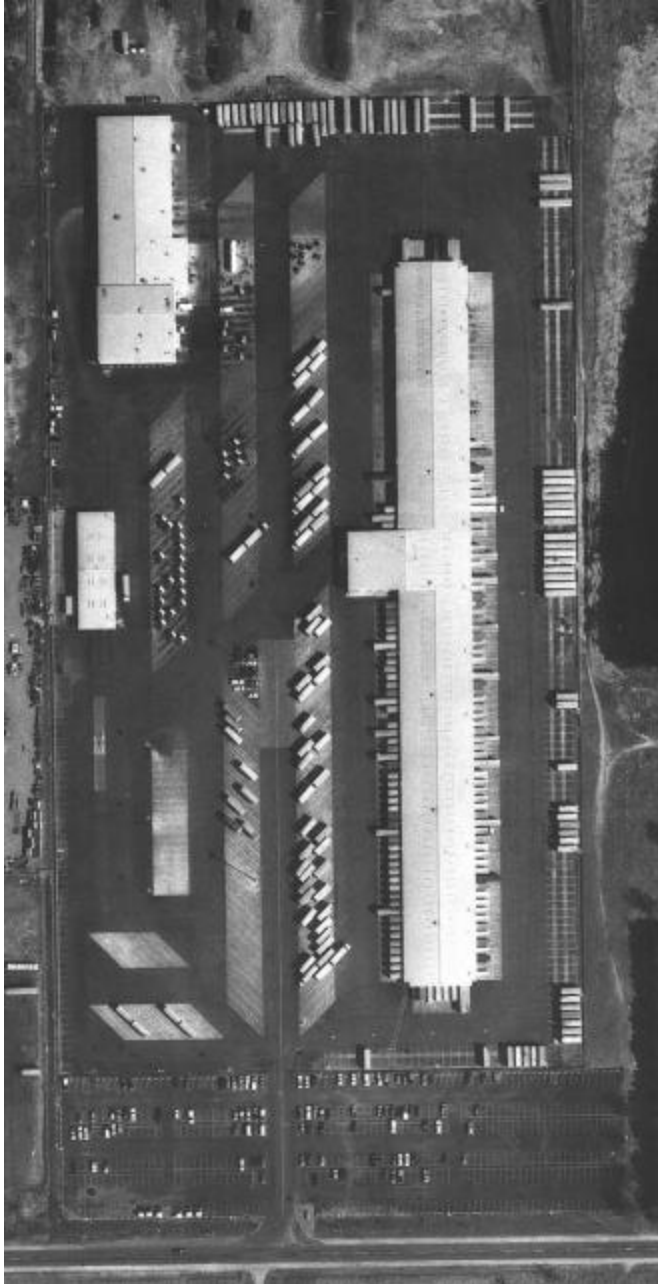


Figure 7: 1985 Aerial (Anoka County) – Consolidated Freight

Old Dominion Neighborhood Meeting

September 10, 2024 5:30-6:30 pm

Attendees

Staff: Sheila Sellman
Elizabeth Showalter
Old Dominion: Jon Anderson
Bryan Watkins
Joe Bailey (Sambatek)
Four Residents
Reporter from BAC Newspapers/Life

The meeting started with casual conversation between Old Dominion and residents about the noises heard from the site, the location of the proposed sound wall, and the general operations.

Residents were asked to identify their concerns about Old Dominion:

1. Noise
 - a. Clanging/banging/sledgehammer on doors
 - b. Honking
 - c. PA system
 - d. Dropping of trailers
 - e. Connecting of trailers
 - f. Motors
2. Vibrations
 - a. Trailers dropping
 - b. Trucks going back and forth along the drive on the eastern side of the terminal
3. Lighting
4. Smell
5. Garbage

The whole group was asked to identify potential solutions to the concerns:

1. Disable the PA system (already complete, listed as condition of approval)
2. 10 mph speed limit in yard (already in place)
3. Require a photometric plan and light meter readings
4. 16 foot soundwall
 - a. What if it doesn't work?
 - b. What does success look like?
 - i. 50% reduction in noise
 - ii. Less noticeable – not waking you up
 - c. Potential to use a noise absorbing material, like Echo Barrier
5. Berm with conifers is proposed adjacent to 3801 85th Ave NE already a condition of the CUP for fencing

- a. Potential to extend further north
 - b. Planting 8-foot conifers
6. Stop using rain curtains to reduce trash (already done)
7. Old Dominion currently has activity in Area C from 3 am - 9 am and is trying to limit to normal daytime hours (7 am – 7pm)
8. Potential to fill in a couple gaps in the trees on the north side of the pond

Residents were asked whether the proposed soundwall and some operational changes would be an adequate trade off for the front yard storage of trailers (in A/B/C)

- Not without soundwall research, wants the vote delayed for more answers
- Hard to say
- If the wall knocked noise down 50%, interested in the Echo Barrier or similar
- One resident who wasn't there told a resident who attended "all we want is a soundwall" which the group in attendance added to that, that the soundwall must actually work.

September 12, 2024

Via email: eshowalter@blainemn.gov

Elizabeth Showalter, AICP
Community Development Specialist
City of Blaine
Planning & Community Development
10801 Town Square Drive NE
Blaine MN 55449

Re: Blaine Planning Commission Case No. 24-0046
September 16, 2024 City Council Hearing
Old Dominion Freight Line, Inc. Variance Application for 3701 85th Avenue NE

Dear Ms. Showalter:

Please accept this letter on behalf of Old Dominion Freight Line, Inc. ("Old Dominion"), the owner of the 3701 85th Avenue NE (the "Property") (1) as formal confirmation of the request of Old Dominion for extension of the deadline for decision on our application for a variance under Blaine Planning Commission Case No. 24-0046, under Minnesota Statutes section 15.99, Subdivision 3(g), and (2) as additional support for its variance application.

Extension Request

As we requested and you confirmed by email exchange the morning, Old Dominion, as applicant, requests a 60-day extension to the decision deadline under Minnesota Statutes section 15.99, Subdivision 3(g). We understand the 60-day deadline for the City of Blaine to issue a written order with regard to Old Dominion's variance application expires on September 21, 2024. Old Dominion intends to use the extension to further develop its plans reduce off-site impacts of its operations with a sound wall, landscape improvements, and operational, including gathering and presenting more information about the likely effectiveness of the sound wall and other improvements

Old Dominion was encouraged by the meeting with its neighbors on Tuesday night and appreciates the City's assistance and participation in that meeting. Old Dominion looks forward to working with its residential neighbors and Planning and Community Development to develop a plan for the Property that will allow Old Dominion to operate in the variance areas and reduce off-site impacts in a manner that is acceptable to all parties.

Old Dominion also invites the City Council members to visit the Property during the extension period to tour the facility and experience first-hand how the facility operates.

50 South Sixth Street, Suite 2600, Minneapolis, MN 55402

Timeline of Freight Use at 3701 8th Avenue NE

We are providing the following history of development and use of the site and its neighbors to address questions raised at the City Council hearing on September 4, 2024. Specifically, with respect to off-site impacts (1) Old Dominion has not and is not proposing to materially alter the historic use of the property, including the physical improvements, intensity of use, noise, light and other off-site impacts and (2) Old Dominion has made and proposes to make operational improvements to reduce those off-site impacts.

In particular, we reiterate that the requested variance will not increase the level of activity on the site. In fact, as noted below, Old Dominion reduced activity on site by about 25% in 2022, when it moved a portion of its operations to the south metro area.

1. **1979 development.** Consolidated Freight Line acquired, developed, and commenced operations on the site as a freight terminal in 1979. Consolidated Freight constructed the building that is still in use by Old Dominion, with an approximately 280-foot front yard setback from 85th Street. The paving on the Property has been replaced but is in substantially the same locations as in 1979. The adjacent property at 3801 85th Street was already developed with the single family home that is currently Mr. Schutta's residence. The property was zoned commercial until recently. We understand that home was constructed in 1939. As of 1979, the property north of the Schutta property and abutting our eastern boundary was undeveloped. That property is currently a residential development known as Rice Creek Park Second Addition, including specifically 3822 and 3824 86th Ave NE, which abut the east boundary of the Property, north of Mr. Schutta's property.

2. **Consolidated Freight Operations.** From 1996 to 2002 Consolidated Freight located its employee parking in the front of the Property in Areas B and C (as these areas are labelled in the Planning Commission Report). Also during this time period, Consolidated Freight used the east fence line of the Property (adjacent to, or across the pond from, the Rice Creek Park Second Addition development) to store trailers. Around 2002, Consolidated Freight declared bankruptcy and activity on the Property ceased.

3. **Old Dominion Acquisition.** In 2004, Old Dominion acquired Consolidated Freight's assets out of the bankruptcy estate, including the Property. At that time, Old Dominion worked with the City to obtain a CUP for their re-use of the Property as a freight terminal. Old Dominion made a number of improvements to the Property to comply with the requirements of the CUP, primarily related to screening with fences and landscaping.

4. **Old Dominion Operations.** Starting in 2004, Old Dominion began relocating the employee parking from Areas B and C to the current location on the west side of the Property due to safety concerns and hazards created by foot traffic in the main drive lanes and the far distance of Areas B and C to the main building entrance. Also during this time, Old Dominion removed trailers from the east fence line and began parking tractors only along the east fence line. Parking tractors is quieter than parking trailers because the tractors do not need to be picked up and set down when being moved. Old Dominion has been operating with trailer parking in the front yard and employee parking in the side yard for as long as it has been operating at the Property. We are not aware of any complaints from our

neighbors until late 2023. We believe the repaving project, and the noise and activity related to it, is what triggered the complaints by our neighbors that led to the current enforcement action.

- From 2004 to 2014, Old Dominion leased dock space in the building to multiple, third-party carriers. In June 2014, Old Dominion took over exclusive use of the entire building and Property.
- In April 2022, Old Dominion moved a portion of its business to a new facility in Lakeville, MN resulting in 25% fewer drivers onsite and a 30% reduction in workforce at the Property.
- In 2022 and 2023, Old Dominion replaced all of the asphalt paving with concrete and moved the fence running parallel to 85th Avenue to its present location.
- In December 2023, Old Dominion relocated an old salt shed from Area C to the rear of the property.

As a result of the relocation of a portion of our business to Lakeville, there is less activity on site now than there has been since Old Dominion commenced operations in 2004.

5. **Code Enforcement Action.** Since the City of Blaine initiated code enforcement in late 2023 and early 2024, Old Dominion has made the following changes to the Property and to its operations on the Property to comply with code requirements and to decrease any disruption to the adjacent residential properties:

Pursuant to an amendment to our 2004 CUP, approved in 2024:

- Old Dominion will move the fence line along 85th Avenue to comply with the required setback and will remove the existing chain link fence and replace it with a cedar fence to match the look of the fence that historically separated the front employee parking from the rest of the Property. This new cedar fence will provide additional screening from the road for any trailers parked in Areas B and C, which Areas B and C are already screened from view by evergreen trees along 85th Avenue, some of which Old Dominion recently replaced due to disease.
- Old Dominion will remove the small extension of concrete paving in the southeast corner of the Property closest to Mr. Schutta's residence, to align with the paving north of that area.

In addition, Old Dominion made the following modifications to its operations to reduce noise and other impacts on our neighbors:

- Reduced backup alarms sounds from beeps to ribbits and decreased the decibel level to the minimum amount allowed by OSHA requirement.
- Eliminated the use of the external PA speakers.
- Increased frequency of trash and litter removal services on the Property.

- Rain curtains on docks have been removed to reduce litter on the Property.
- Began using front yard in the south end of the Property on an as needed basis only when areas on the west and north sides of the Property are filled.
- Began using the southeast fence line for tractor parking on an as need basis only when other tractor parking areas are full.

5. **Sound Wall Proposal.** The Planning Department performed a noise study at the Property and found that Old Dominion is in compliance with City and State requirements for noise transmission. In fact, the average decibel level on both readings were below 55 decibels, which is about the same noise level as a dishwasher in the next room according to the Minnesota Department of Transportation. Old Dominion has nevertheless proposed to install a sound wall along the length of the three residential properties that abut the eastern boundary of the Property, as a condition of the requested variance to allow use of Parking Areas A, B and C, for short term storage of trailers. Old Dominion will not install the sound wall if the City does not grant the variance for all three parking areas, A, B and C.

6. **Property Values.** Although not a direct condition of the variance, Old Dominion would like to address the claim by some of its residential neighbors that their property values have decreased due to Old Dominion's presence. The two residential properties closest to the proposed variance areas, Mr. Schutta's and Ms. McGovern's, both appear to have dramatically increased between 2016 and 2024. The Anoka County value of Mr. Schutta's for tax purposes has increased from \$202,300 in 2016 to \$304,900 in 2024 (about 150%). Ms. McGovern's property value has increased from \$123,100 in 2016 to \$219,500 in 2024 (about 180%). For what it is worth, the apparent market value as determined by Zillow as of September 9, 2024 is even greater: Mr Schutta's residence has increased in value over 189% since January 2015 and Ms. McGovern's residence has increased in value over 207% since January 2015.

We again thank the City for facilitating and participating in the discussion between Old Dominion and its residential neighbors and look forward to a resolution that benefits all parties.

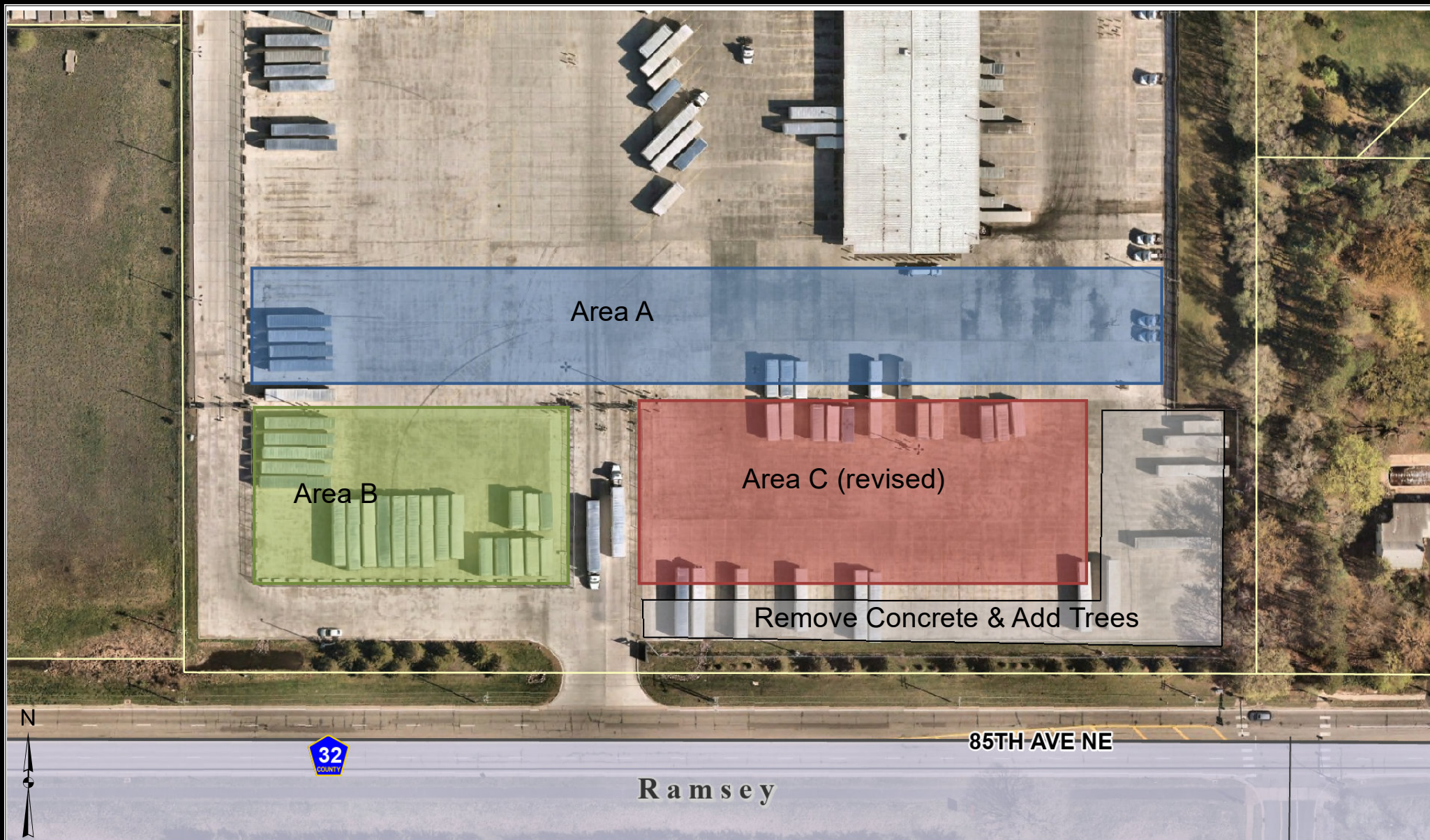
Very truly yours,

Stinson LLP



Eric Galatz

Revised Storage Areas



Parcel Information:

35-31-23-34-0001
3701 85TH AVE NE
BLAINE
MN 55126

Approx. Acres: 41.59

Plat:

Commissioner: JEFF REINERT

Owner Information:

OLD DOMINION FREIGHT LINE INC
500 OLD DOMINION WAY
THOMASVILLE
NC
27360

Anoka County GIS

1:1,200

Date: 10/24/2024

Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification.

October 24, 2024

Via email (see list below)

Mayor and Councilmembers
City of Blaine
10801 Town Square Drive NE
Blaine MN 55449

Re: Blaine Planning Commission Case No. 24-0046

September 16, 2024 City Council Hearing
Old Dominion Freight Line, Inc. Variance Application for 3701 85th Avenue NE

Dear Mr. Mayor and Councilmembers:

Please accept this letter on behalf of Old Dominion Freight Line, Inc. ("Old Dominion"), the owner of the 3701 85th Avenue NE (the "Property"). Old Dominion is scheduled to appear again in front of the City Council on November 4. Old Dominion would like to meet with as many of you as are willing at the Property to show you the Property, explain and demonstrate what steps have already been taken to reduce any disruption to residential neighbors, and to answer any questions you may have prior to the November 4 meeting if it be arranged.

We understand that there are constraints on how many of you can be present at a meeting before the City is required to provide public notice of the meeting. We therefore have set aside a few days and a range of hours each day, so you can coordinate times among yourselves.

Old Dominion is open to hosting visits on October 28 and 30, between 4:00 pm and 7:00 pm each day. We propose those hours because they usually our busiest, which will provide you an opportunity to experience the site in action. We would appreciate it if you can come in groups to minimize the number of visits, but please schedule a time that works for you. In any event please provide at least 24 hours' notice so we can arrange to have someone meet you and show you around.

In the meantime, we would like to address a few questions that came up at the September 16 City Council Meeting:

- Given the considerable cost to build the proposed sound wall, Old Dominion will only undertake construction of the sound wall if the City Council grants Old Dominion's variance request for all three parking areas.

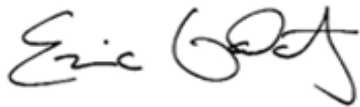
50 South Sixth Street, Suite 2600, Minneapolis, MN 55402

- There was concern about whether the sound wall will address other concerns of the residential neighbors, namely vibrations, smell, and structural damage.
 - o It is our understanding that any disruption and structural damage that has been caused by vibrations was primarily due to necessary soil compacting during construction on the site. Because construction has ceased, the most disruptive vibrations have also ceased. No vibrations now should be severe enough to cause structural damage to any neighboring homes.
 - o Some smells are unavoidable at a freight terminal, but Old Dominion operates across many states, including California, and therefore maintains all of its sites and its vehicles in compliance with California's stringent emissions standards. Old Dominion has received numerous recognitions for its sustainability efforts (<https://www.odfl.com/us/en/about/od-difference/awards.html>).
- Old Dominion has already undertaken the below changes to reduce disruption to its residential neighbors and has received positive feedback from a number of the neighbors on these efforts:
 - o Reduced backup alarms sounds from beeps to ribbits and decreased the decibel level to the minimum amount allowed by OSHA requirements.
 - o Eliminated the use of the external PA speakers.
 - o Increased frequency of trash and litter removal services on the Property.
 - o Rain curtains on docks have been removed to reduce litter on the Property.
 - o Began using front yard in the south end of the Property on an as needed basis only when areas on the west and north sides of the Property are filled.
 - o Began using the southeast fence line for tractor parking on an as need basis only when other tractor parking areas are full.
- Old Dominion will continue to consult with the City Planning Department and its residential neighbors on design plans for the sound wall to find a solution that will work for all parties.

We again thank the City for facilitating and participating in the discussion between Old Dominion and its residential neighbors and look forward to a resolution that benefits all parties.

Very truly yours,

Stinson LLP



Eric Galatz

cc: Elizabeth Showalter
Sheila Sellmen

Addressees:

tsanders@blainemn.gov
tnewland@blainemn.gov
lsaroya@blainemn.gov
jrobertson@blainemn.gov
leslielarson@blainemn.gov
tfleming@blainemn.gov
cmassoglia@blainemn.gov

Dear Mayor and Council Members,

I live at 3801 85th Ave NE directly to the East of the Old Dominion Freight Line. I have lived in my home next to this trucking terminal for over 40 years. Approval of this variance will affect me more than anyone else. This proposed area is next to my property and no others, and it will interfere with my life and continued enjoyment of my home and property.

The Noise & Vibrations have increased ever since Old Dominion has taken over the terminal. In discussions with the City Planning Department, I was assured that this re-construction would not change the operation of the terminal. Almost immediately after their re-construction of their front lot they started parking their trailers in it. The increased Noise and Vibrations has become unbearable causing damage to my property and many sleepless nights. I am opposed to any variance allowing Old Dominion to park in their front lot. I am also seeking Compensation from Old Dominion for the substantial damage they have caused to my property.

REASONS FOR NOT PASSING THIS VARRIANCE

- This Terminal was constructed in 1979 and was designed for Employee parking in the front lot and trailer storage on the sides and rear. Consolidated Freight Operated this Terminal from 1979 to 2000 (21 years) using the front lot for employee parking only. No trailers were parked in this front area. Old Dominion has operated the Terminal from 2004 to the present. They have never used the front lot for employee parking but have chosen to have their employees park on the West side of their terminal where trailers were intended to be parked. Moving their employee parking back to the front lot would free up the West side area for trailer parking. This would also keep the noisy trailer movement on the West side of their terminal away from the homes on the East side solving two problems.
- Old Dominion's Council has suggested that there is a safety issue that their employees would have to walk further to the building using the front lot. (**Nonsense**) Consolidated Freight's employees parked there for over 20 years with no difficulty. Wells Fargo's Data Card Center is directly across the street with 4 times the employees, with a far larger parking lot further away from their building and their employees have no problem with the walk to their building.
- Old Dominion's Council also states since they have **illegally** been parking trailers in the front lot, they would like to continue to use this area for short term trailer parking as needed. The moving of the trailers back & forth is what is causing the noise and vibrations. I am the neighbor that this is affecting. As of a few weeks ago there were near 100 trailers that were in the front lot. **Their intent is more than a few trailers moving on a daily basis.**
- Old Dominion's Council suggests that they have made noise reducing efforts already with outdoor PA system removed and truck backup beepers changed to ribbits. There is no formal agreement being made that would keep them from re-installing these after any variance agreement, that might be reached.
- Old Dominion suggested that they would put up a sound wall along the East side of their property. In a recent letter from Old Dominion's Attorney the length of this wall has seemed to be changed. I was promised that the Council and I would have an in-depth review proposing how this wall was to be build. So far, I believe the Council, nor I have seen a sound wall construction proposal to review.
- Old Dominion has offered an open house on Oct 28th – 30th for the Council to review their site in action. For this event they have purposely moved out all the trailers that had been parked in the front yard. The inside of their terminal isn't where the noise is. **This is not an honest representation of their site in action. I have no issue on their inside terminal operation. This was a con job I hope you all can realize. I invite anyone interested to view the damaged caused by their lot re-construction and the constant earth shaking from their truck & trailer movement. Maybe we could get Old Dominion to connect to or drop a trailer as so to experience what my side of the fence feels like.**
- With the Employees parking back in the front lot freeing up more West side storage there is no need for a variance.

I have lived in my home comfortably and peacefully next to this trucking terminal for over 40 years. In 2022 Old Dominion started illegally parking trailers next to my home upsetting my peaceful existence and enjoyment of my home. I can't believe the City Council is considering a request to change the parameters in which this Trucking Company has been operating under with no regard to my home that was there before this terminal was built. If Old Dominion wants this variance so bad they can own this property, and I will move to a quieter location.

I expect the Council to do the right thing.

Gary Schutta
612-247-8594

A handwritten signature in cursive script, appearing to read "Gary Schutta".



City of Blaine

Staff Report

File Number: RES 24-199

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

Development Business - Sheila Sellman, City Planner

Agenda Item # 10.3

Resolution Granting Preliminary Plat Approval to Divide One Existing Lot into Two Lots to be Known as Northtown Revitalization Second Addition at 100 Northtown Drive. 4th Dimension Properties, LLC. (Case File No. 24-0056/EES)

Executive Summary

The applicant is requesting a preliminary plat to divide one existing lot into two lots. The existing lot includes Hobby Lobby, the former LA Fitness, and parking lot. The plat will split the lot to allow separate ownership of the Hobby Lobby box and the LA Fitness box.

Background

Planning Commission Public Hearing	10/08/24
City Council (Preliminary Plat)	11/04/24
City Council (Final Plat)	TBD
Action Deadline	11/17/24

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

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

Planning Analysis

Zoning

The property is zoned County Road 10 Mixed Use (MU) which was established specifically for the Northtown Mall area.

Land Use Designation

The property is guided Community Commercial (CC).

Surrounding Zoning and Uses

All surrounding uses have the same zoning and land use (MU and CC). The neighboring properties are other parts of the Northtown Mall property, including the main mall parcel and outlot/parking lot parcels.

Existing Conditions

The lot proposed for platting consists of two existing anchor spots in the mall (Hobby Lobby and the former LA Fitness), and a portion of the adjacent parking lot.

History

The property was platted earlier this year as Northtown Revitalization. The applicant is requesting to replat one lot from that subdivision to facilitate separate ownership of land.

Plat

The applicant is proposing to subdivide one existing lot into two lots. There is no minimum lot size in the MU district.

A Conditional Use Permit (CUP) was issued earlier in 2024 concurrently with the original Northtown Revitalization plat for shared access and zero lot line buildings. That CUP allows for the two lots to be created without direct public access and without setbacks from the property lines. Revised access agreements must be recorded to the two new lots.

A parking analysis is attached to this report based on the use of the former LA fitness for another fitness use. That use would require a CUP. The parking analysis demonstrates adequate parking is available. Compliance with the parking requirements will be reviewed for any proposed use of the vacant space as part of a CUP or building permit application.

No development is proposed with this subdivision.

Engineering Analysis

Grading/Storm Drainage

The proposed project does not include any alterations to the existing grading or storm water drainage patterns on the property.

Utilities

No new connections are proposed.

Wetlands/Watershed/FEMA

There are no wetlands or FEMA flood plain on the existing site. A Coon Creek Watershed District (CCWD) review is not required.

Access/Street Design/Sidewalks/Trails

No new access point will be granted. No additional street design, sidewalks or trails will be required.

Strategic Plan Relationship

Not applicable.

Board/Commission Review

The Planning Commission voted unanimously to approve the preliminary plat. No one attended the public hearing. The meeting minutes are attached for reference.

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 100824



City of Blaine

Signature Copy

Resolution: RES 24-199

Resolution Granting Preliminary Plat Approval to Divide One Existing Lot into Two Lots to be Known as Northtown Revitalization Second Addition at 100 Northtown Drive. 4th Dimension Properties, LLC. (Case File No. 24-0056/EES)

WHEREAS, an application has been filed by 4th Dimension Properties, LLC, Case File No. 24-0056 for a preliminary plat known as Northtown Revitalization Second Addition; and

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

Lot 13 NORTHTOWN REVITALIZATION

WHEREAS, the Blaine Planning Commission has reviewed said case file on October 8, 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 October 8, 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 Northtown Revitalization Second Addition permitting preparation of a final plat for approval per Section 75-33 subject to the listed conditions:

1. The applicant is responsible for recording plat mylars with Anoka County. Proof of recording must be provided to the City prior to issuance of building permits.
2. The building official shall review and approve copies of dedicated access easements that permit the owners of portions of the building located on either side access to the other side for purposes of maintaining fire and life safety systems.
3. The applicant is responsible for recording access easements and shared parking agreements with Anoka County.

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

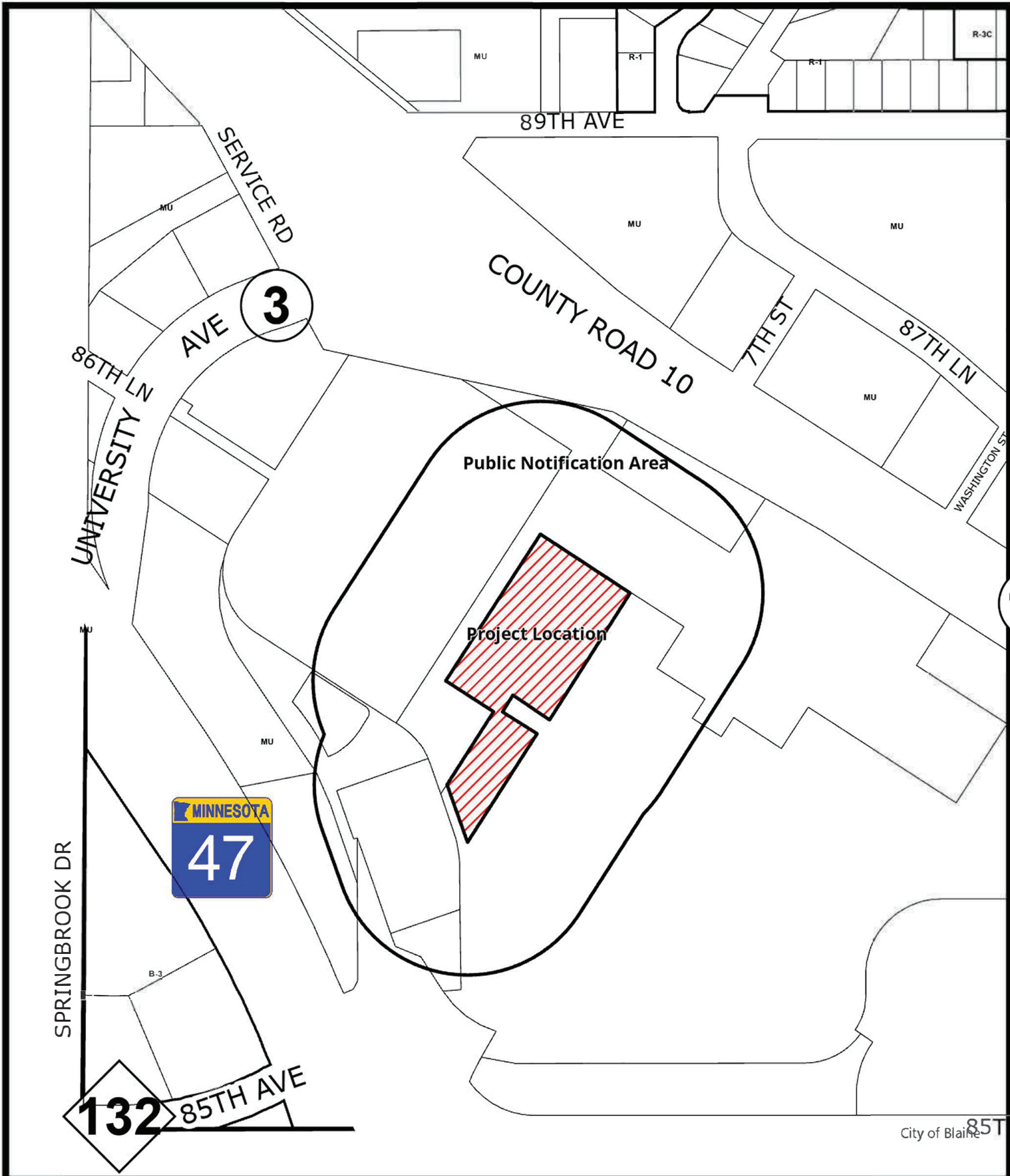
Signed by

Tim Sanders, Mayor



Signed by

Cathy Sorensen, CMC, City Clerk



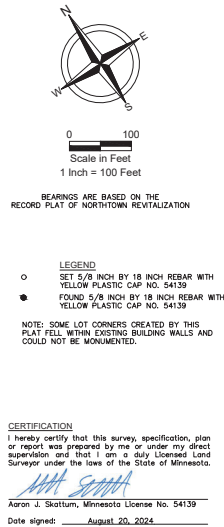
BlaineMN.gov

Case File No. 24-0056
Northtown Revitalization Second Addition

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



CITY OF BLAINE
COUNTY OF ANOKA
SEC. 31, TWP. 31, RNG. 23





- ◇ GATE VALVE
 - WATER SPIGOT
 - CURBSTOP
 - ⊗ SANITARY SEWER MANHOLE
 - ⊙ SANITARY SEWER CLEANOUT
 - STORM SEWER MANHOLE
 - STORM CATCH BASIN
 - < CULVERT
 - SIDEWALK ADA
- BUILDING**
- CONCRETE SURFACE
- BITUMINOUS SURFACE
- LANDSCAPED SURFACE
- EDGE OF TREES
- E UNDERGROUND ELECTRIC LINE
- F UNDERGROUND FIBER LINE
- X FENCE
- SS SANITARY SEWER LINE
- ST STORM SEWER LINE
- W WATER LINE

<u>PARKING STALLS:</u>		
LOT	REGULAR	HANDICAP
1	149	8
2	157	5

AREAS:		
LOT	SQ. FT.	ACRES
1	139,131	3.19
2	119,676	2.75

CLIENT:	SURVEYED PROPERTY ADDRESS
4TH DIMENSION	398 NORTHTOWN DR
PROPERTIES, LLC	BLAINE, MN 55434



DRAWN ON:	08.20.24	PROJECT NO.
DRAWN BY:	LFB	23348
CHECKED BY:	AJS	
PROJECT MANAGER:	TJG	V-102
FIELD BOOK:	263	
PAGE:	27	
DATE OF FIELDWORK:	03.20.24	
REVISED:	----	SHEET 2 OF



Two Carlson Parkway
Suite 110
Plymouth, MN 55447
P: 218.998.4041



Date: September 9, 2024
To: Sheila Sellman
From: Tom Goodrum, Moore Engineering Project Manager
Topic: Northtown Re-Plat of Lot 13 Narrative

Our request to re-plat and subdivide Lot 13 of NORTHTOWN REVITALIZATION will split the lot in half creating a new north and south lot. Lot 13 currently consists of the west anchor store area of the mall and surrounding parking. It is currently 5.94 acres in size and consists of 319 parking stalls. The re-plat will create two new lots as NORTHTOWN REVITALIZATION SECOND ADDITION.

- Lot 1 (north lot) will be 3.19 acres including 56,883 sq ft of building area and 157 parking stalls
- Lot 2 (south Lot) will be 2.75 acres with 45,984 sq ft of building area and 162 parking stalls

The purpose of the subdivision is to support the purchase of the newly created south lot (Lot 2) by a purchaser who intends to renovate the former LA Fitness space. They will have an opening to the interior of the mall and an opening which already exists (the former LA fitness opening) to help flow of traffic to and from the mall, as well as the main parking lot.

The new south lot will also include the south parking field consisting of 162 parking stalls, which includes 5 handicapped stalls. Along with the lot's designated stalls, the site is also served by the shared parking and drive aisle agreement that encompasses the mall site.

The proposed tenant use provides the type of alternative peak hour parking that is envisioned for the mall site as noted in the April 19, 2024, Parking Memo. For the proposed tenant of Lot 2 we are using the category *Fitness Centers*: 1 space for each three hundred (300) square feet of floor area. With 45,984 square feet of building space the parking code required 153 stalls. Well below the 162 stalls allotted with the proposed lot.

We are excited as we continue our growth at Northtown Mall.



Two Carlson Parkway
Suite 110
Plymouth, MN 55447
P: 218.998.4041



Date: September 9, 2024
To: Sheila Sellman
From: Tom Goodrum, Moore Engineering Project Manager
Topic: Northtown Re-Plat of Lot 13 Parking Memo

As noted in the previous parking memo we stated that as this area is built out, we will be evaluating the parking demands for each of the future owners. It is recognized that if parking demand exceeds the current available parking allotment there may be a need to construct alternative parking options.

Our request to re-plat and subdivide Lot 13 of NORTHTOWN REVITALIZATION will split the lot in half creating a new north and south lot. Lot 13 currently consists of the west anchor store area of the mall and surrounding parking. It is currently 5.94 acres in size and consists of 319 parking stalls. The re-plat will create two new lots as NORTHTOWN REVITALIZATION SECOND ADDITION.

- Lot 1 (north lot) will be 3.19 acres including 56,883 sq ft of building area and 157 parking stalls
- Lot 2 (south Lot) will be 2.75 acres with 45,984 sq ft of building area and 162 parking stalls

The purpose of the subdivision is to support the purchase of the newly created south lot (Lot 2) by a purchaser who intends to renovate the former LA Fitness space. They will have an opening to the interior of the mall and an opening which already exists to provide access to the mall as well as the main parking lot.

The new south lot will also include the south parking field consisting of 162 parking stalls, which includes 5 handicapped stalls. Along with the lot's designated stalls, the site is also served by the shared parking and drive aisle agreement that encompasses the mall site.

The proposed tenant use provides the type of alternative peak hour parking that is envisioned for the mall site as noted in the April 19, 2024, Parking Memo. For the proposed tenant of Lot 2 we are using the category *Fitness Centers*: 1 space for each three hundred (300) square feet of floor area. With 45,984 square feet of building space the parking code required 153 stalls. Well below the 162 stalls allotted with the proposed lot.

The parking allotment for Lot 1 will be evaluated once a tenant is approved for the space.



City of Blaine

Planning Commission

October 8, 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, October 8, 2024. Chair Goracke called the meeting to order at 7:00PM.

2. Roll Call

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

Members Absent: Commission Member Homan.

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

4. Public Hearing

- 4.5. 2024-424** Case File No. 24-0056 // 4th Dimension Properties, LLC // 100 Northtown Drive
The applicant is requesting preliminary plat approval to divide one existing lot into two lots to be known as Northtown Revitalization Second Addition.
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 24-0056 was opened at 9:10PM. As no one wished to appear, the public hearing was closed at 9:10PM.

Commissioner Halpern asked what was envisioned for this space.

Tom Goodwin, representative of the applicant, reported he does not have a specific tenant in mind, but noted there was a lot of excitement about this property.

Motion by Commissioner Halpern to recommend approval of Planning Case 24-0056 based on the following conditions:

Case 24-0056:

- 1. The applicant is responsible for recording plat mylars with Anoka County. Proof of recording must be provided to the City prior to issuance of building permits.**
- 2. The building official shall review and approve copies of dedicated access easements that permit the owners of portions of the building located on either side access to the other side for purposes of maintaining fire and life safety systems.**
- 3. The applicant is responsible for recording access easements and shared parking agreements with Anoka County.**

Motion seconded by Commissioner Gorzycki. The motion passed 6-0.

Chair Goracke noted this would be on the agenda of the November 4, 2024 city council meeting.



City of Blaine

Staff Report

File Number: ORD 24-2567

Agenda Date	Status
November 4, 2024	
In Control	File Type
City Council	Ordinance

Development Business - Sheila Sellman, City Planner

Agenda Item # 10.4

First Reading

Ordinance Granting a Rezoning from Planned Business District (PBD) to Development Flex (DF) at 3629 95th Avenue NE. As-Suffah Islamic Center (Case File No. 24-0059/SLK)

Executive Summary

The applicant is requesting a rezoning to Development Flex (DF) to allow for a K-8 school with a daycare and a Mosque. The subject site is currently zoned Planned Business district and does not allow elementary schools.

Background

Planning Commission (Public Hearing)	10/08/24
City Council (1st Reading)	11/04/24
City Council (2nd Reading) (CUP)	11/18/24
Action Deadline (60 Days)	11/09/24
Action Deadline (City Extended - 60 Days)	01/08/25

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

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.

The DF 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 DF 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:

- By encouraging a more creative approach in housing developments, that will result in quality living environments through innovative design and aesthetic controls;
- By permitting a combination of housing types and style, including single, two-family, and multiple family dwellings, with the exception of mobile homes;
- By allowing flexibility in design by permitting cluster developments and a variety of architectural styles and treatments;
- By allowing for any type of ownership, private, condominium, or rental;
- By allowing flexibility in setback and height restrictions;
- 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;
- By providing an efficient use of land resulting in more cost efficient installation of utilities, streets, and other facilities.
- By encouraging the preservation of common open space, recreational facilities, natural features, such as woodland and wetland areas;
- By contributing to the tax base of the community without making undue demands on the community services; and
- 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 applicant proposes that the proposed project meets the following criteria for the DF zoning district:

- That the proposal shall provide for a wider range of housing types, price ranges and styles than could be accomplished under the existing zoning;
 - Not applicable. This project involves a school, not housing. The proposal is very similar / almost identical to the East Blaine Mosque and Academy project that was approved by the Blaine City Council earlier this year. Although this proposal does not include housing, this project does provide for a wider range of amenities than what could be accomplished under the existing code, because the proposal includes an elementary school, which is currently not permitted under the existing zoning (place of worship and daycare uses are currently permitted under existing zoning).
- That the proposal shall provide amenities and facilities and open spaces greater than the minimum requirements under existing zoning;

- This proposal involves re-purposing an existing building that was originally intended for post-secondary education to elementary school purposes. The proposal provides amenities that are greater than the minimum requirements under existing zoning because an elementary school is not currently permitted, only post-secondary and pre-K education purposes are currently permitted (house of worship and daycare uses are currently permitted under existing zoning).
- c. That the proposed development is compatible with the purposes and intents of this ordinance and with the comprehensive plan;
 - The proposed development is compatible with the purposes and intents of the ordinance and the comprehensive plan. This project simply re-purposes an existing development, permitting diversified uses is one intent of DF zoning, and supporting educational opportunities for Blaine citizens is one of the purposes and intents of the comprehensive plan.
- d. 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;
 - This project is not detrimental in any way to the environment. This project does not alter the Subject Property in any meaningful way. Rather, all currently existing environmental aspects and natural features of the subject property will remain in place, and it is simply the use of the building that is going to slightly change from its original use of post-secondary education to the proposed use of elementary education (house of worship and daycare uses are currently permitted under existing zoning).
- e. 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;
 - There will not be any undue burden upon the public services and facilities. This project simply proposes the re-purposing of an existing building that was originally designed for a use that is nearly identical to what is currently being proposed. Moreover, no additional Sewer Access Charges (SAC) are being assessed, as the proposed use does not exceed the SAC units afforded to the current use. Streets and other systems serving the property are sufficient to accommodate the proposed use of an elementary school, mosque, and daycare. There are two main entrances to the business park where the subject property is located; one off of Hamline Avenue to the east, and the other off 95th Avenue to the south, both of which are arterial roads that can easily handle anticipated traffic.
- f. 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
 - Yes. The current building, the old Rasmussen College building, was built as the "last" parcel in a business park (i.e., the subject property is the parcel located the farthest from either entrance into the business park), and it is well integrated into the overall scheme of the surrounding properties and the business park. This proposal will not have any effect on the land uses of the surrounding properties or of the business park as a whole.
- g. That the proposal be consistent with all other applicable city and state regulations.
 - The applicant, As-Suffah Islamic Center, is working with all other regulatory agencies such as the Building Inspections Department and the fire marshall, to meet all other applicable

city and state regulations. This proposal is consistent with all other applicable city and state regulations.

Evaluation of Request

Planning Analysis

Zoning

The subject site is currently zoned PBD (Planned Business District).

Land Use Designation

The current land use designation is PI (Planned Industrial)/PC (Planned Commercial).

Surrounding Zoning and uses

The site is surrounded by properties zoned Planned Business District (PBD) and guided Planned Industrial/Planned Commercial (PI/PC) on the south, east, and west. A vacant single family parcel is to the north (located in the City of Lexington). The surrounding properties on the south, east, and west are part of Blaine Preserve Business Park.

Existing Conditions

The site was developed as the Rasmussen College and is currently occupied by Medway, a mental health therapy medical office.

History

In 2006, the City approved a code amendment to allow a post-secondary education use as a conditional use in the PBD. At that time, the PBD zoning did not contain a provision for schools or education uses, but did and currently encourages business and professional offices, research facilities and financial institutions as some of the primary non-manufacturing land uses.

The rationale in 2006 for supporting the proposed code amendment to allow post-secondary education was based on the following findings:

- Post-secondary education, particularly of a business or technical nature, would provide convenient employee training locations for support of the existing work force and Blaine employers.
- The presence of post-secondary colleges and institutions would create a positive reflection on the community and business environment.
- The specific location and proposal by Minnesota School of Business (Pheasant Ridge Drive) would add significant value to the CSM Business Park and help set the standard, both in land use and building architecture, for the CSM development and the I-35 corridor.

In August 2009, Rasmussen College received a Conditional Use Permit (CUP) to construct a 25,000 square foot college (post-secondary education), and for a zero-lot line for a shared driveway access between sites. Also in 2009, a preliminary and final plat was approved to subdivide 30.57 acres into one lot for the Rasmussen College building and three outlots.

In 2022, Rasmussen College closed the Blaine location. The building was leased by Medway to operate a

mental health therapy medical office in 2022. In May 2022, the Council approved a CUP for a medical office (Medway) to operate a mental health therapy use focused on children. This medical office (Medway) plans to remain on the site for approximately two years, therefore, their existing CUP will remain in place.

Site Plan

The applicant is requesting to rezone from PBD to DF, and a CUP for a religious institution (mosque), K-8 school, and daycare/preschool. The PBD zoning does not allow K-8 schools (elementary), therefore the applicant is requesting a rezoning.

The mosque, school, and daycare will utilize the existing building and parking with minimal interior renovations. The mosque will have capacity for approximately 118 people for worship services. Currently, the applicant projects that approximately 150 students will enroll for grades K-8 at the time of relocation from 8710 Central Avenue NE, where they have been located since 2019. The enrollment is proposed to increase to approximately 200 students over the next two years when the space occupied by Medway is converted to school space. The school will operate from 8AM - 3:15PM Monday to Friday. The classroom size for each grade will be around 20 students per class.

Students will be dropped off and picked up. Students will not be transported by bus. As-Suffah Academy will instruct its students and families to follow the traffic plan in order to control and manage the flow of traffic during peak hours. The traffic plan includes stacking of cars within the parking lot. As-Suffah Academy will have staff directing student arrival and dismissal with radio communication, and will direct traffic during drop-off and pick-up times as necessary.

The applicant intends to use the same drop-off procedure that it uses at its current location. Families will be allowed to drop off children at school between 7:15AM to 8AM, and pick-up will divide student dismissal into two (2) time slots, with families given specific time slots for pick-up. The first dismissal will begin at 3:15PM, and the second will begin at 3:30PM.

The main purpose of having a mosque in the same facility as As-Suffah Academy is to serve the needs of the students during the school year, although community members will be allowed to pray at the mosque when school is not in session. Outside of school hours, the mosque will be available to community members for prayer and worship.

The applicant intends to install a fenced-in playground in a location on the southwest corner of the building consisting of approximately 4,500 square feet.

Parking

Places of worship require at least one (1) parking space for each four (4) seats in accordance with the design capacity of the main auditorium. According to the submitted plans, the capacity is 118 people. Mosques don't have seats for worship, but parking is calculated the same way, therefore requiring 30 parking stalls. Schools, elementary, junior high, public or private: at least three (3) parking spaces per classroom, plus necessary spaces for student drop off and may be reduced at the zoning administrator's discretion.

There are 11 classrooms proposed, therefore the parking requirement for the school is 33 stalls. The daycare use requires at least one (1) parking space for each three hundred (300) square feet of floor

area. There is 866 s.f of daycare proposed, therefore the parking requirement is three stalls.

Business and professional offices or public administration buildings: At least one (1) parking space for each two hundred fifty (250) square feet of floor area. Based on the submitted plans, the proposed office space (889 s.f) will require four parking stalls.

The existing use of the building Medway is proposed to remain as a tenant for approximately two years. The required parking for medical clinics is at least one (1) space for each one hundred fifty (150) square feet of floor area. Therefore, the 6,482 sf used by Medway will require 43 parking stalls.

In total, 113 parking stalls are required for the proposed uses. The submitted site plan indicates there are 168 parking stalls available on site after site modifications for the proposed playground and drive aisles. Parking is met. The site plan indicates a stacking area on site for pickup or drop off.

Other schools that are in industrial areas

Karner Blue Education Center (K-8 school, focusing on providing learning for students who have emotional behavioral disorders, autism and developmental cognitive disabilities) is located at 3764 95th Avenue NE and is zoned DF and guided PI. In 2013, the property was rezoned from PBD to DF to allow the school. A CUP and rezoning to DF was approved by the City Council in June 2024 to allow a mosque (place of worship), K-8 School, and daycare at the previously owned Minnesota School of Business in the DF zoning district

Different types of schools and where they are allowed

The proposed use is a K-8 school and a daycare. Schools that are K-12, regardless of whether they are public or private, are allowed in residential zoning districts, and certain commercial districts. K-12 schools are not permitted in the PBD. "Preschools", or schools that offer education/care for children prior to kindergarten, are defined in the zoning code as a Day Care Center. Day care centers, including preschools, are licensed by the Minnesota Department of Human Services, which is different from a K-12 school. Religious schooling that occurs during worship services (e.g. Sunday school), are considered an accessory use to the primary place of worship, and do not require city approval.

Engineering Analysis

Transportation Plan

The narrative provided included a site plan with the proposed vehicular stack shown. The City of Blaine would state that the property allows for six vehicles to be in an area with active drop-off/pick-up with an additional twelve cars in the queue. As stated in the narrative, this provides additional vehicular stack as compared to the existing school site. Should additional stacking of vehicles become necessary, the City can work with the school to create additional areas to allow for additional vehicle accommodation.

Grading/Storm Drainage

The proposed project does not include any alterations to the existing grading or storm water drainage patterns on the property.

Utilities

The proposed development will utilize the existing utilities to the building. No new connections are proposed.

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.

Wetlands/Watershed/FEMA

There are no wetlands or FEMA flood plain on the existing site. A Coon Creek Watershed District review is not required.

Access/Street Design/Sidewalks/Trails

The development will utilize the existing access points to the existing parking area. No new access points 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.

Attachment List:

Zoning and Location Map

Narrative/Floor Plan

Site Plan

Existing CUP Resolution (Medway)

Public Comments

Unapproved Planning Commission Minutes 10/8/24

Strategic Plan Relationship

Not applicable.

Board/Commission Review

The Planning Commission voted unanimously to approve the rezoning. The meeting minutes are attached for reference on the public hearing comments.

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, introduce the ordinance for first reading and direct that it be placed on file for second reading at the November 18, 2024, council meeting.

Attachment List

1. Attachments
2. Public Comments
3. Unapproved PC Minutes 100824



City of Blaine

Signature Copy

Resolution:

First Reading

Ordinance Granting a Rezoning from Planned Business District (PBD) to Development Flex (DF) at 3629 95th Avenue NE. As-Suffah Islamic Center (Case File No. 24-0059/SLK)

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:

Lot 1, Block 1, BLAINE PRESERVE BUSINESS PARK SECOND ADDITION

Section 2. The above described property is hereby rezoned from:

~~Planned Business District (PBD)~~

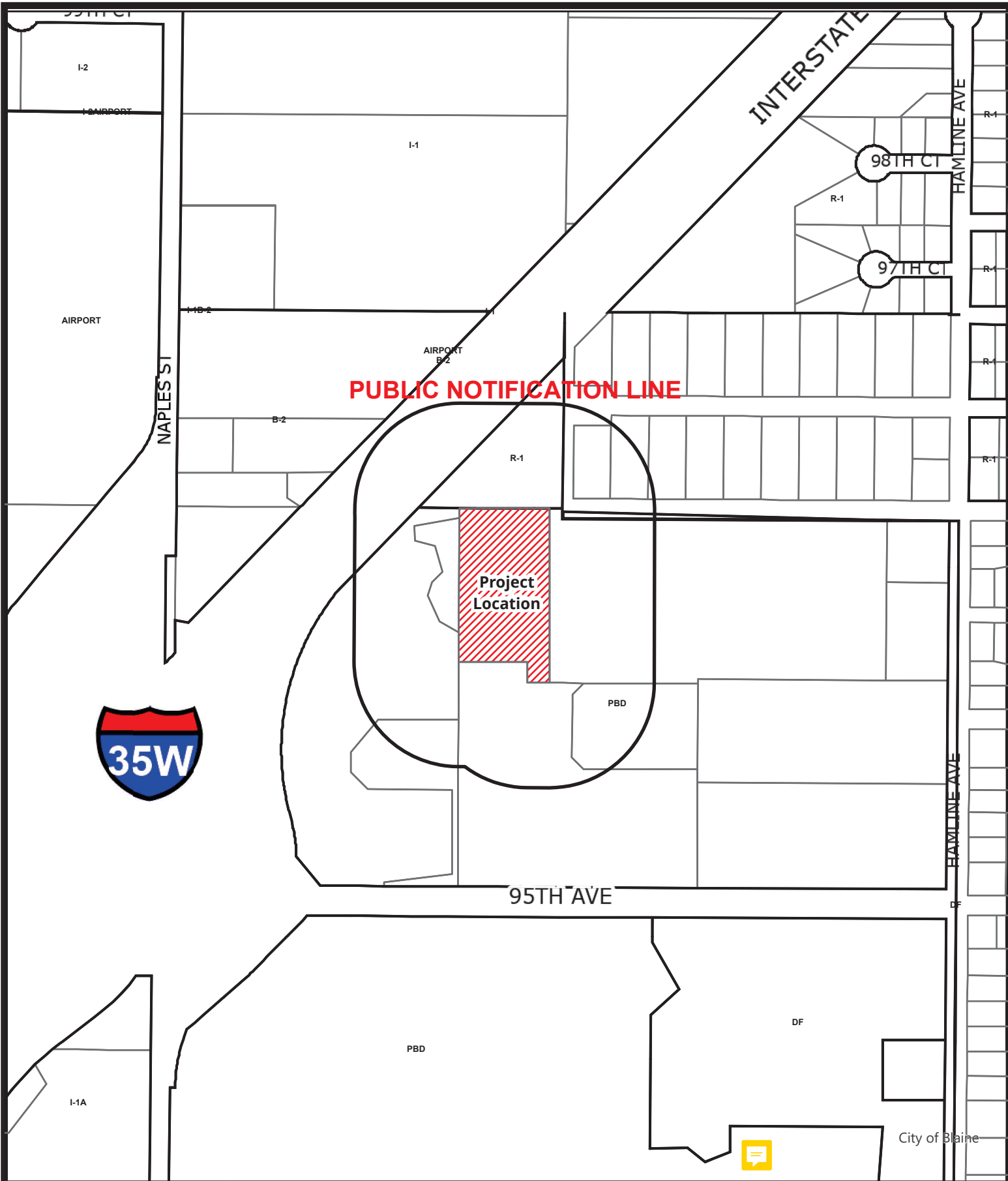
to

Development Flex (DF)

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 4th day of November, 2024.

PASSED by the City Council of the City of Blaine this day of 20__.



BlaineMN.gov

Case File No. 24-0059 As-Suffah Islamic Center

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



FERDINAND F. PETERS, ESQ. LAW FIRM
711 Smith Avenue South
St. Paul, Minnesota 55107
Phone: (651) 647-6250 Fax: (651) 560-7022
jsmigielski@ferdlaw.com

September 6, 2024

Ms. Sheila Sellman
Planning & Community Development
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449
ssellman@blainemn.gov

Sent Via On-Line Portal & Email

RE: As-Suffah Islamic Center (ASIC)
Application for Conditional Use Permit and Rezoning to Development Flex
3629 95th Avenue NE, Blaine, MN 55014
Property Parcel ID No.: 26-31-23-32-0010

Dear Ms. Sellman:

I am the attorney for As-Suffah Islamic Center (ASIC), a Minnesota non-profit religious organization and private elementary school. This letter accompanies As-Suffah's application (the "**Application**") for a conditional use permit and request to re-zone the old Rasmussen University building located at 3629 95th Avenue NE in Blaine (the "**Property**").

The purpose of this Application is to request re-zoning of the Property to Development Flex District, and a conditional use permit (or an amendment to the existing conditional use permit) so that As-Suffah Islamic Center can operate a daycare, house of worship, and elementary school at the Property.

As-Suffah Islamic Center has recently signed an enforceable purchase agreement to buy the Property from its current owner, Farasle Group, LLC, conditioned on the City's approval of As-Suffah's re-zoning request and conditional use permit Application.

The current zoning for the Property, Planned Business District, already permits the Property to be used for daycare and house of worship purposes, but elementary school purposes are not allowed in a Planned Business District,¹ and it is for that reason As-Suffah Islamic Center requests that the Property be re-zoned to Development Flex.

This letter also provides the City of Blaine with some background information about As-Suffah Islamic Center and a narrative about how it plans to use the Property.

¹ However, the current zoning does allow for post-secondary education and private instruction.

As-Suffah Islamic Center & As-Suffah Academy

As-Suffah Islamic Center (ASIC) is a non-profit organization that operates a private, kindergarten to 8th-grade religious elementary school under the name As-Suffah Academy. As-Suffah Islamic Center also operates a mosque that primarily serves to support religious instruction and religious services for the As-Suffah Academy students.

As-Suffah Academy has been in continuous operation since 2019, when it first opened as the Darul Arqam Islamic School as part of the Darul Arqam Center for Excellence, located at 8710 Central Avenue NE in Blaine.

In 2023, As-Suffah Academy registered with the state of Minnesota as its own non-profit entity: As-Suffah Islamic Center (ASIC). As-Suffah Academy is still located at its original location in the Darul Arqam Center for Excellence.

As-Suffah's current enrollment is approximately 110 students in kindergarten through 8th grade, and As-Suffah currently employs 13 full-time staff and 4 part-time staff. As-Suffah estimates that when it moves to the Property, it will have a maximum K–8 student enrollment of around 150 students, as well as a better learning environment.

School hours at the Property will be 8:00 a.m. to 3:15 p.m., Monday to Friday. The classroom size for each grade will be around 20 Students per class.

Subject to approval of a new certificate of occupancy, As-Suffah Academy intends to use the Property in its "as-is" condition, without performing any remodeling work or construction prior to occupying the Property and using it as an elementary school. Although designed as a post-secondary school, the current layout and design of the Property are more than adequate for As-Suffah Academy's pre-K–8th Grade needs.

As-Suffah Islamic Center also intends to operate a pre-K / daycare at the Property, subject to obtaining any needed licensing and/or building approvals.

The Mosque at As-Suffah Islamic Center

The main purpose of having a mosque in the same facility as As-Suffah Academy is to serve the needs of the students at As-Suffah Academy during the school year, although community members will be allowed to pray at the mosque when school is not in session.

Outside of school hours, the mosque will be available to community members for prayer and worship. The anticipated maximum attendance by community members at any one time will be approximately fifty (50) congregants. As-Suffah anticipates that its prayer room at the Property will be approximately 1,120 square feet.

Because of the fairly small number of non-students that will be using the mosque's prayer area at any one time, As-Suffah Academy intends to use the Property for a mosque in its "as-is" condition, without performing any remodeling work or construction prior to occupying the Property and using it as a house of worship.

The traditional Muslim call to prayer will not be broadcast outside of the building, and there will not be any other external noises related to any of the prayer activities taking place at the mosque. The only exterior activities planned at the Property will be playground or recess activities associated with As-Suffah Academy. As-Suffah Islamic Center does not host funerals or weddings.

Existing CUP, MedWay Support Services & ASIC's Plans for Growth

The current owner of the Property, Farasle Group, LLC is under common control with the Property's current and sole occupant: MedWay Support Services, a health provider.

As-Suffah Islamic Center has agreed with Farasle Group that MedWay Support Services can continue to operate at the Property for, at most, two (2) years from the date that As-Suffah Islamic Center purchases the Property.

While Medway transitions out of the Property, As-Suffah Islamic Center will develop plans to convert the existing MedWay space to expand the school over the next two years to a maximum of around 200 students. As-Suffah will then implement those changes once MedWay Support Services has moved out of the Property.

MedWay Support Services provides the following health services to its patients:

- Children's Therapeutic Services and Supports (CTSS)
- Early Intensive Developmental and Behavioral Intervention (EIDBI)
- Home-Based Children's Mental Health Services
- School-Based Children's Mental Health Services with special Ed needs.
- Mental Health Career Program

Approximately 25 to 30 patients visit MedWay Support Services each day, and there are approximately the same number of MedWay staff members that support those patients. Based on scheduling of the patients' appointments and staffing needs, MedWay Support Services uses a maximum of approximately 25 to 30 parking spaces at a time.

As-Suffah Islamic Center has no concerns about occupying the Property at the same time as MedWay Support Services. As-Suffah Islamic Center believes that the school, mosque, and daycare can all operate at the Property in harmony with MedWay Support Services, and that none of these four proposed occupants of the Property will cause any undue interruption to the others.

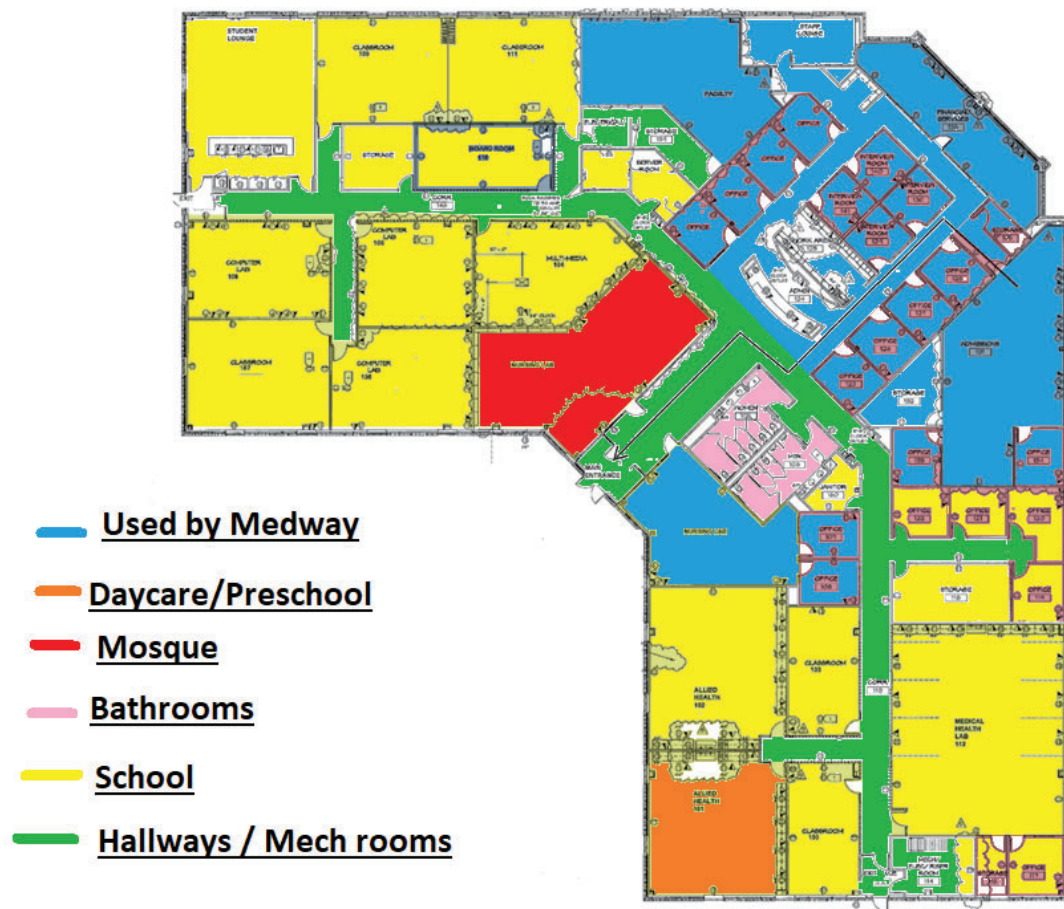
MedWay Support Services currently operates at the Property pursuant to a conditional use permit that was approved by the City of Blaine on May 2, 2022.

Because MedWay Support Services will continue to operate at the Property after ASIC purchases the Property, ASIC requests that MedWay's current conditional use permit remain in effect until MedWay vacates the Property, whether that entails the City approving ASIC's requested uses of mosque, daycare, and elementary school under a second conditional use permit, or by amending the current conditional use permit.

Internal Layout of the Property: Shared Space

As-Suffah Islamic Center and MedWay Support Services have agreed to share use of the Property. The following diagram roughly shows how the Property will be divided among the various users. A fully detailed site-plan is also provided with this Application.

Floor Plan



General Information Regarding Shared Use of the Building

Square Feet. The building on the Property consists of approximately 24,585 square feet.

Mosque. The prayer room will be in the “Nursing Lab” identified in red on the above floorplan and is approximately 1,120 square feet.

Daycare. The proposed daycare location, around 866 square feet, is identified in orange, above.

Medway Support Services. The space allocated to MedWay Support Services is identified in blue on the above diagram, and it consists of approximately 6,482 square feet. MedWay’s use of the Property has not changed in any meaningful way from when it applied for its conditional use permit with the City of Blaine, and it currently has: 2 offices, 1 file room, 2 storage rooms, 4 other general-use staff rooms, 3 group therapy rooms, and 9 individual therapy rooms.

As-Suffah Academy. Approximately 16,117 square feet of the building will be used exclusively by As-Suffah Academy for the elementary school. As-Suffah Academy will have 11 classrooms, 1 lunchroom, 6 offices, 3 storage rooms, and a staff lounge.

Bathrooms. The bathrooms (in pink, above) are shared by all building occupants as common areas. The bathrooms are included in the elementary school square footage.

ASIC Office Space. The total building space dedicated to ASIC office space (inclusive of the school *and* the mosque) is 889 square feet.

Detailed Floorplan. Please refer to the following chart, which corresponds to the detailed site plan on the subsequent page, to note precisely which rooms are intended for which purposes. The site plan also includes square footage measurements for each room.

The fully detailed site plan, on page 7 below, is also attached to this Application as a separate PDF document.

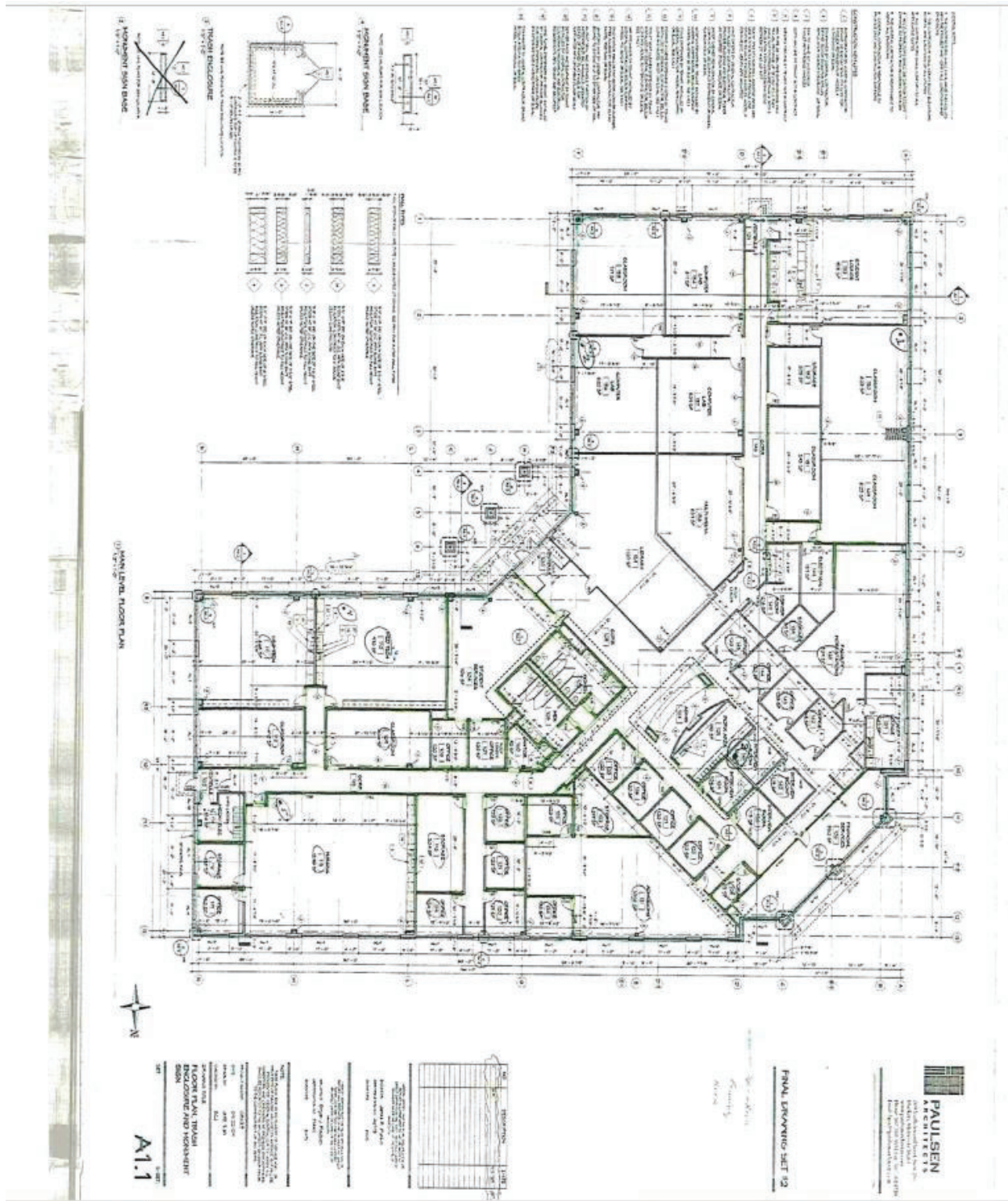
SITE PLAN REFERENCE CHARGE

(Site plan is on the following page.)

ASIC Use (Mosque, School, Daycare)	
Room No. (on site plan)	Planned Activity
153	Student Lounge: Cafeteria / Lunchroom As-Suffah Students will eat here between 11 AM and 1 PM.
150	Classroom
149	Classroom
152	Storage Room
151	Classroom
154	Classroom
155	Classroom
156	Classroom
157	Classroom
158	Staff Lounge
159	Mosque
120	Principal's office
121	Vice Principal's office
122	Imam's office (Mosque use)
107	Accounting Office
108	Accounting Office
119	Admission office
118	Storage Room
109	Classroom
112	Classroom
110	Classroom
111	Pre-k/ Daycare
116	Storage Room
117	Admission office
115	Classroom

Medway Use	
Room No. (on site plan)	Planned Activity
136	Group therapy activity room
123	Office
126	Storage Room
127	Skill Therapy training room
128	Skill Therapy room
135	File Room
145	Office
142	Skill Therapy room
143	Skill Therapy room
144	Skill Therapy room
137	Staff Lounge
138	Staff work area
139	Storage Room
125	Work & print & copy Area
124	Front Desk Area
107	Speech room
108	OT room
104	OT/Speech group room
131	Group therapy activities room
132	Storage Room
133	Skill Therapy room
134	Skill Therapy room

SITE PLAN
(Also attached to this Application in PDF format.)



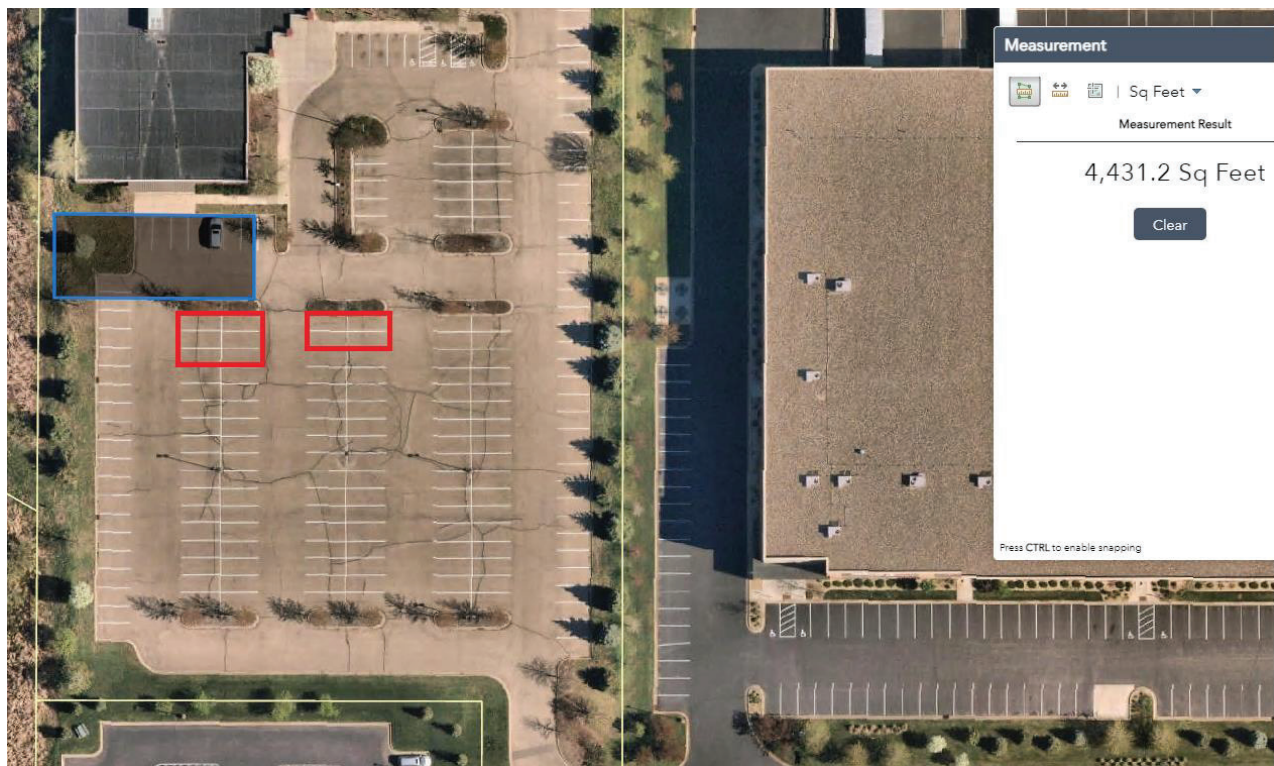
Outside Areas: Playground & Parking

The Property currently has approximately one hundred eighty-six (186) standard parking stalls, and approximately seven (7) ADA accessible parking stalls.

As-Suffah Academy intends to install a fenced-in playground in the approximate location of the area marked in blue on the diagram below, consisting of approximately 4,500 square feet. Construction the playground in this location may require a new travel lane.

Therefore, As-Suffah intends, subject to the City's review and approval, to remove the parking stalls from one or both of the areas outlined in red, to replace the driving lanes eliminated by the playground area. This will reduce the total number of standard parking stalls to between approximately 168 and 172 parking stalls. The impacted median divider islands will be moved and re-curbed to appropriate locations to the south, to demarcate the new driving lanes.

Additionally, As-Suffah is very willing to consider other areas on the Property that the City might suggest as more appropriate for the playground location. As-Suffah will follow all licensing, permitting, and building code procedures and regulations in constructing the playground area.



As-Suffah Academy also requests that if it proves too complicated or difficult to finalize the location of the playground in connection with the current Application, that the construction of the playground can be approved and completed after the CUP and re-zoning have been approved. As-Suffah will construct the playground because it wants its students to have an area to play and exercise, but building the playground area is not required for As-Suffah Academy to open its school.

The following diagram shows how the parking lot will be divided for use between ASIC and MedWay Support Services. Around thirty-five (35) parking stalls will be allocated to MedWay Support Services, and around sixty (60) stalls for As-Suffah Islamic Center.



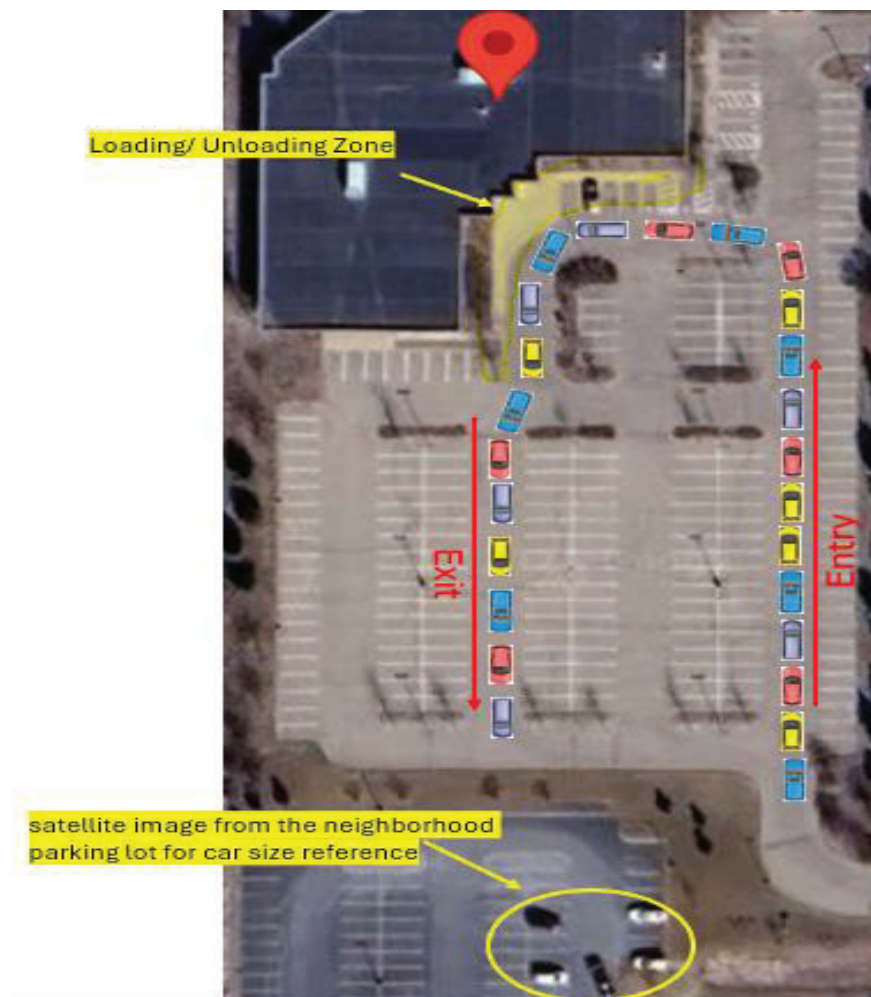
Please also see the attached parking-lot site plan for referencing stall sizes and dimensions.

Traffic Plan: Student Pick-up & Drop-off

As-Suffah Academy will instruct its students and families to follow the traffic plan on the next diagram, in order to control and manage the flow of traffic during peak hours. Students will not be transported by bus. As-Suffah Academy will require its families to drop-off and pick-up students to and from school, and there is plenty of room in the large parking lot located on the Property to accommodate the anticipated traffic. As-Suffah Academy will have staff directing student arrival and dismissal with radio communication, and will direct traffic during drop-off and pick-up times as necessary.

Stacking of Vehicles During Pick-Up and Drop-Off.

Based on the following satellite image and the average vehicle size, As-Suffah estimates that with proper traffic control, at least 25 vehicles can be “stacked” in a single the a car- line between the “loading zone” and the end of the driveway that leads into the Property, without the car-line encroaching on any neighboring driveway.



However, although As-Suffah Academy estimates that at least 25 cars can be stacked before they arrive at the loading zone, 25 cars is far less than the current number of cars that stack in the car-line at As-Suffah's current location. At its current location, there are only around 10 to 15 vehicles in the car-line at any one time, and As-Suffah currently uses the same pick-up and drop-off procedure that it is proposing now.

Additionally, if the number of cars in the car-line exceeds the capacity of the indicated stacking lane, As-Suffah has the option to additionally use the middle lane, between the entrance lane and the exit lane, to accommodate incoming traffic. In that case, cars entering the Property would form two stacking lanes, one in the eastern-most lane and one in the middle lane, and As-Suffah would have additional traffic control measures in place to ensure that the two lanes merge smoothly into the loading zone.

Student Drop-Off.

As-Suffah intends to use the same drop-off procedure that it uses at its current location. Families will be allowed to drop-off children at school between 7:15 and 8:00 a.m. Between this time, around 55 to 60 cars are expected. Based on traffic patterns at As-Suffah's current site, As-Suffah expects that there will not be more than 10 to 12 cars in the car-line at any one time during drop off. Because this is the same procedure that As-Suffah currently uses, As-Suffah has no reason to expect that the average number of cars in the car-line will change at the new location.

Student Pick-Up.

As-Suffah intends to divide student dismissal into two (2) time slots, with families given specific time slots for pick-up. The first dismissal will begin at 3:15 p.m., and the second will begin at 3:30 p.m.

From 3:15 to 3:30 p.m., As-Suffah expects between 25 to 30 cars, and from 3:30 to 3:45 p.m., we expect approximately around the same number of vehicles, for a total of approximately 55 to 60 cars at dismissal. Dividing dismissal time into two sessions will help alleviate traffic congestion during the dismissal process.

Again, this is the same procedure that As-Suffah uses at its current location, where there are only between 10 to 15 cars in the car-line at any one time during the afternoon pick-up. As-Suffah expects that to stay the same at its new location.

Building Inspections Pending; Property to be Utilized "As-Is":

Because the Rasmussen building was designed and intended as a school, As-Suffah Academy does not intend to make any structural or non-structural changes to the Property. As-Suffah Academy is not going to perform any construction or make any alterations or improvements to the Property other than installing a playground.

Except for installing the playground and making any changes to the parking lot necessary as a result (both of which could be completed after the CUP and re-zoning are approved), As-Suffah Academy intends to use the School Building and the Property as-is, in its current condition. Even though the School Building was originally intended for post-secondary education, it easily suits As-Suffah Academy's needs for its pre-K to 8th grade students, as well as the mosque and daycare.

However, As-Suffah is committed to making whatever changes are required, if any, by the City of Blaine Fire Marshal and Department of Building Inspections in order to receive a new certificate of occupancy.

Building and Fire Marshal inspections of the Property are currently pending, and the sewer availability inspection has already been completed. No additional sewer availability charges (SAC) are required for As-Suffah's intended use of the Property.

REZONING

Additionally, As-Suffah Academy believes that this Application meets the City's criteria for approval for re-zoning and conditional use permit for use of the Property as a school, house of worship, and daycare for the following reasons:

- As-Suffah's proposed use of the Property provides amenities, facilities, and open spaces greater than the minimum requirements under existing zoning;
- As-Suffah's proposed use of the Property is compatible with the purposes and intents of the Development Flex District and with the comprehensive plan;
- As-Suffah's proposed use of the Property will 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.
- As-Suffah's proposed use of the Property will 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
- As-Suffah's proposed use of the Property will not disturb the already "desirable and unified" environment within the boundaries of the Property, nor will As-Suffah's use of the Property be detrimental to any future land uses in the surrounding areas.
- As-Suffah's proposed use of the Property is consistent with all other applicable City and State regulations.

CONDITIONAL USE PERMIT REQUIREMENTS

- As-Suffah's proposed use of the Property will 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 because there is no new development being proposed.
- As-Suffah's proposed use of the Property will be located, designed, maintained, and operated to be compatible with adjoining properties and the existing or intended character of the zoning district because As-Suffah is not planning to make any changes to the Property.
- As-Suffah's proposed use of the Property will have an appearance that will not have an adverse effect upon adjacent properties because it is not changing.
- As-Suffah's proposed use of the Property will be reasonably related to the overall needs of the City and to the existing land use because the building on the Property was already designed as a school, and the City has recognized having sufficient educational resources as one of the City's needs.
- As-Suffah's proposed use of the Property is consistent with the purposes of the zoning code and purposes of the zoning district in which the applicant intends to locate the proposed use because two of the proposed uses (daycare and house of worship) are already permitted at the Property, and the additional use, elementary school, is very similar to other uses that are already permitted, such as post-secondary education.
- As-Suffah's proposed use of the Property does not conflict with the comprehensive plan of the City.
- As-Suffah's proposed use of the Property will not cause traffic hazard or congestion because the Property was already designed to accommodate a large number of students driving to and from the Property for education purposes.
- The Property has adequate utilities, access roads, drainage and necessary facilities to accommodate As-Suffah's proposed use of the Property because the proposed use of the Property is consistent with the originally proposed use and the current design of the Property.

[This space is blank.]

Attachments and Conclusion

Please note that the following items are included with this letter and As-Suffah Academy's Application:

1. Owner Consent Form, signed by Farasle Group LLC, authorizing As-Suffah Islamic Center to submit this Application
2. Approval of Existing Conditional Use Permit (MedWay Support Services)
3. 2022 ALTA Survey of the Property
4. Internal Site Plan of the Building
5. Parking-Lot Site-plan with stall size and dimensions
6. Original Site Construction Plans dated July 17, 2009 (Rasmussen University)

In summary, ASIC respectfully requests re-zoning of the Property to Development Flex, and a new conditional use permit (or an amendment to the existing conditional use permit) that will allow the Property to be used for all of ASIC's proposed uses, plus the existing use of the Property by MedWay Support Services.

Thank you for your attention to this letter. We look forward to working with the City in approving As-Suffah Academy's request for rezoning and a conditional use permit.

Please contact me if you have any questions or if you would like any additional information.

Sincerely,



Jay Smigielski
Attorney at Law

cc: Land Title, Inc. (Imountain@landtitleinc.com)
John Cameron, Esq., *Attorney for Current Property Owner, Farasle Group, LLC*
(john@cameronlawoffice.com)

KEY NOTES

1. CONSTRUCT BITUMINOUS PAVEMENT AS SPECIFIED BELOW.
2. BIT. WEAR COURSE
3. BIT. BASE COURSE
4. AGGREGATE BASE (CLASS 5)
5. COMPACTION DENSITY BETWEEN 95% AND 100% OF THE MARSHALL DENSITY. 100% FOR AGGREGATE BASE.
6. SOILS SPECIFICATION SUPERSEDES ABOVE LISTED SPECS.
7. 8" (4") CONCRETE CURBS & GUTTERS PER DETAIL SHEET SIDEWALK (4") WITH CLASS 5 AGGREGATE (4"), WIDTH VARIES.
8. PED. RAMP PER STANDARD SIDEWALK RAMP DETAILS. SEE DETAIL SHEET C-7. MINOT STANDARD PLATE TOP. USE PARALLEL RAMP OPTION.
9. PAINT INTERNATIONAL SYMBOL OF ACCESSIBILITY-WHITE ON BLUE BACKGROUND.
10. CONSTRUCT TRASH ENCLOSURE ON 6" CONCRETE PAD, SEE ARCHITECTURAL PLANS.
11. INSTALL LIGHT BOLLARD PER DETAIL ON PHOTOMETRICS PLAN.
12. MATCH EXISTING CURBS AND GUTTERS.
13. MATCH EXISTING BITUMINOUS PAVEMENT.
14. REFER TO LIGHTING & PHOTOGRAPHIC PLAN FOR LIGHT LOCATIONS & SPECIFICATIONS.
15. TRANSFORMER PAD BY GENERAL CONTRACTOR. INSTALL PER UTILITY COMPANY SPECIFICATIONS.
16. FIRE LANE NO PARKING SIGN - WHITE.
17. NOT USED.
18. PLANTING AREA - SEE LANDSCAPE PLAN.
19. INSTALL TYPE II TRAFFIC BARRIER TO BE REMOVED AT TIME OF FUTURE STREET CONSTRUCTION.
20. ACCESSIBLE PARKING SIGN (MINOT 17-87-BA AND 17-88) CENTER SIGN ON PARKING STALL LOCATION PER GENERAL CONTRACTOR. MOUNT ON FLANGED CHANNEL POST.

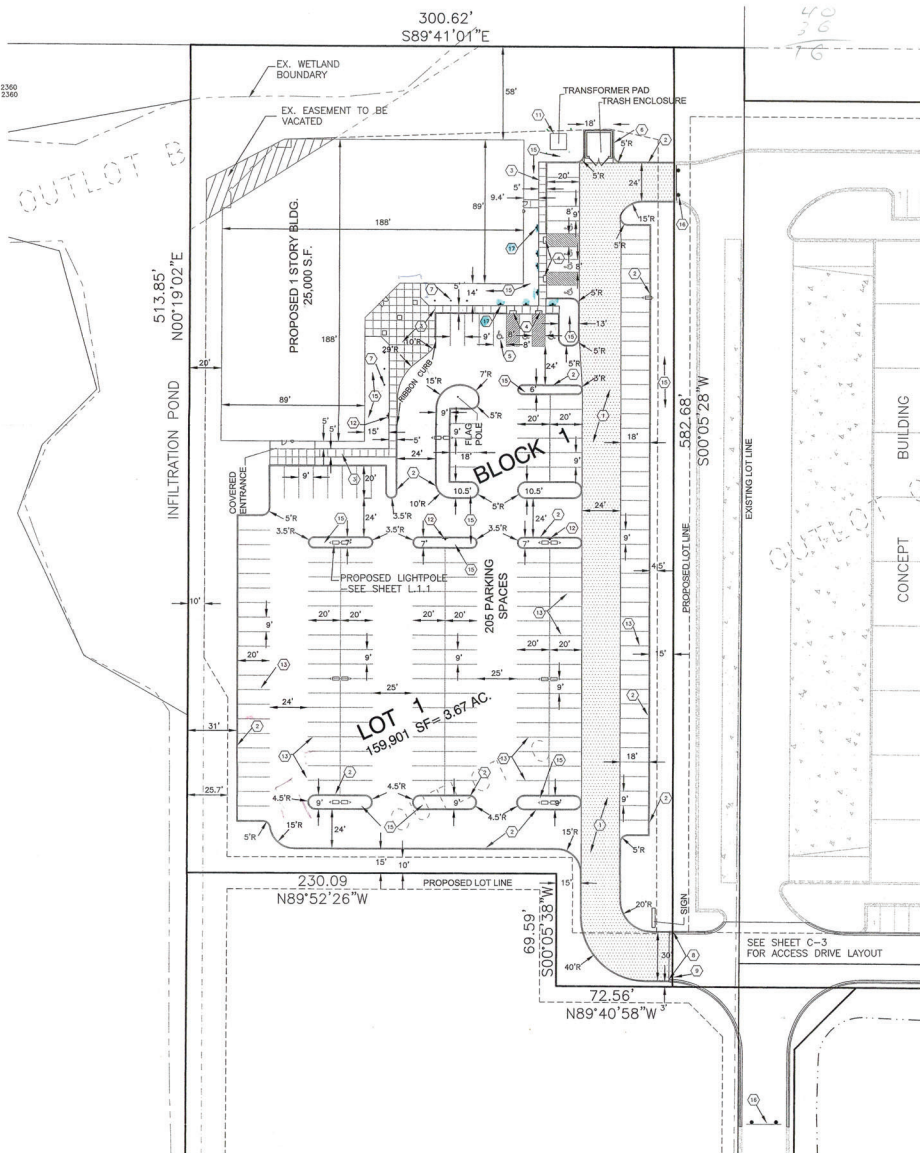
SITE LEGEND:

- HEAVY DUTY BITUMINOUS PAVEMENT
- LIGHT DUTY BITUMINOUS PAVEMENT
- EX CONCRETE PAVEMENT
- 8" (4") CURB AND GUTTER
- EX CURB AND GUTTER
- 5" CONCRETE SIDEWALK
- PROPERTY BOUNDARY
- UTILITY AND DRAINAGE EASEMENT
- PARKING COUNT
- DIRECTION OF TRAFFIC FLOW

SITE PLAN NOTES:

1. ALL DIMENSIONS SHOWN ARE TO TOP FACE OF CURBS, EDGE OF SIDEWALK OR EXTERIOR OF BUILDING UNLESS OTHERWISE NOTED. REFER TO ARCHITECTURAL PLANS FOR BUILDING DIMENSIONS AND SPECIFICATIONS AND LOCATIONS OF EXITS, RAMP, APPROACH, AND STOPS.
2. TACK SHALL BE USED ON BITUMINOUS EDGE PRIOR TO PATCHING. MATCH EXISTING GRADES.
3. ALL CONCRETE SIDEWALKS ADJACENT TO BUILDING SHALL BE SEPARATED WITH A 1/2" EXPANSION JOINT.
4. CONSTRUCT ACCESSIBLE PEDESTRIAN RAMP PER ADAAG & MINOT STANDARDS. PROVIDE CONTRACTING DETECTABLE WARNING STRIP. MAX. SLOPE 1:20.
5. GENERAL CONTRACTOR IS RESPONSIBLE FOR COORDINATING WITH FIRE MARSHAL FOR POSTING OF FIRE LANCES, CURB MARKING & SIGNAGE.
6. SEE SHEET C-2 FOR ACCESS DRIVE LAYOUT AND IMPROVEMENTS TO BE COMPLETED BY OTHERS.

BENCHMARK:
IN LIND LAKES, WEST ON TH 49 FROM JCT OF TH 49 AND FAI 35W THEN LT ON ULAC TO SUNSET AVE THEN LT ON SUNSET AVE TO FAI 35W, AT NW COR OF CO RD 12 (SUNSET AVE) BRD OVER FAI 35, 20.0 FT WEST OF SUNSET AVE, 215 FT WEST OF GUARDRAIL, 8.6 FT NORTH OF NW COR OF BRD, 3.7 FT SOUTH OF WET POST, 37.69 FT EAST OF RM 1, 223.23 FT NORTH OF RM 2.
ELEV.=929.29 NHD 88



LEGAL DESCRIPTION
OUTLOT C OF BLAINE PRESERVE BUSINESS PARK, ANOKA COUNTY, MINNESOTA

DEVELOPMENT DATA

COMPREHENSIVE PLAN LAND USE: Business / Office Park
EXISTING ZONING: Planned Business District (PBD)

PROPOSED PERFORMANCE STANDARDS:

Parking Setback	
ROW	30'
Side	15'
Rear	20'
Building Setback	
ROW	50' or one-half (1/2) of building height, whichever is greater
Side	15' or one-half (1/2) of the total building height, whichever is greater
Rear	20' or one-half (1/2) of the total building height, whichever is greater

All setbacks shall be determined from Planned Right-of-Way (ROW).

PARKING STALL REQUIREMENTS:

Office Area	1 / 200 SqFt
Warehouse Area	1 / 2,000 SqFt
Handicapped	1 per 25 Stalls

SITE DATA

Total Area =	159,901 SF = 3.67 AC
Proposed Impervious Area =	108,672 SF = 2.50 AC
Percent Proposed Impervious vs Total Area =	68%

PARKING STALL PROVIDED:

New Building (25,625 sf)	205 Stalls (8/1000 SqFt)
	Includes 7 HC Stall

DEVELOPER:
UNITED PROPERTIES INVESTMENT, LLC
3500 AMERICAN BLVD W.
SUITE 200
BLAINE, MN 55431
(952) 837-8525
CONTACT: BILL KATTER

RASMUSSEN COLLEGE
LOT 1, BLOCK 1, BLAINE PRESERVE BUSINESS PARK
SECOND ADDITION
BLAINE, MINNESOTA
SITE CONSTRUCTION PLANS

SITE PLAN

Prepared by: **SCOTT DAHLKE**, Reg. No. 24516
Date: 8/14/19
Checked by: **SCOTT DAHLKE**, Reg. No. 24516
Date: 8/14/19
Project: **QUALITY SITE DESIGN, LLC**
2000 Hwy 100 N, Ste 100
Blaine, MN 55431
Phone: (952) 837-8525
Fax: (952) 837-8526

DATE: 12-12-08	DESIGNED BY: VN	RECORD PLANS DATE: 8/14/19	BOOK: 00321	REVISION: 1
CHECKED BY: VN	DESIGNED BY: VN	RECORD PLANS DATE: 8/14/19	BOOK: 00321	REVISION: 1

SHEET NUMBER

C-2

SHEET

SITE

SHEET INDEX

- C-0 COVER SHEET
- C-1 EXISTING CONDITIONS
- C-2 SITE PLAN
- C-3 OVERALL BUSINESS PARK LAYOUT PLAN
- C-4 GRADING, DRAINAGE & EROSION CONTROL PLAN
- C-5 SWPPP PLAN
- C-6 UTILITY PLAN
- C-7 SANITARY SEWER & WATER MAIN DETAILS
- C-8 STORM SEWER & GRADING DETAILS
- C-9 LANDSCAPE PLAN
- EP SITE PHOTOMETRICS PLAN

DEVELOPER AND OWNER:

UNITED PROPERTIES INVESTMENT, LLC
C/O WILLIAM P. KATTER
3500 AMERICAN BLVD, WEST
SUITE 200
BLOOMINGTON, MN 55431
PH (952) 837-8525

PROJECT ARCHITECT:

ACI BOLLARD
C/O MIKE MRSKVIC
11477 OLIVE CROWN ROAD
SUITE 100
ST. LOUIS, MO 63141
PH (314) 991-9993

CIVIL ENGINEER:

QUALITY SITE DESIGN, LLC
C/O SCOTT DAHLKE
3600 HOLLY LAKE BL
SUITE 100
PLYMOUTH, MN 55447
PH (763) 550-9056
FX (763) 746-2993

OCCUPANT:

RASMUSSEN COLLEGE
C/O ZACH WASLEW
745 MCCLINTOCK DRIVE
SUITE 145
BURN ROSE, IL 60057
PH (630) 366-2822



City of Blaine
Anoka County, Minnesota
Signature Copy

Blaine City Hall
10801 Town Sq Dr NE
Blaine MN 55449

Resolution: RES 22-078

File Number: RES 22-078

Granting a Conditional Use Permit to Occupy and Operate a Mental Health Therapy Use (Medical Office) Focused on Children and Adolescents in a PBD (Planned Business District) Zoning District at 3629 95th Avenue NE. MedWay Support Services (Case File No. 22-0026/SLK)

WHEREAS, an application has been filed by Minnesota Management Inc. as Conditional Use Permit Case File No. 22-0026 for MedWay Support Services; and

WHEREAS, said case involves the property described as follows:

Lot 1 Block 1 Blaine Preserve Business Park Second Addition

WHEREAS, the Blaine City Council held a public hearing and has reviewed said case on May 2, 2022; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that a conditional use permit is hereby approved per Section 30.52 (d) and 27.04 of the Zoning Ordinance to occupy and operate a mental health therapy use (medical office) focused on children and adolescents in PBD (Planned Business District) zoning district with the following conditions:

1. All signage requires a separate permit meeting the requirements of the zoning ordinance.
2. The applicant must obtain a certificate of occupancy from the City prior to occupying the building.

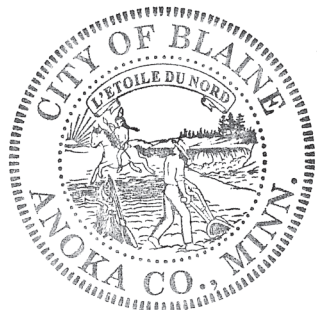
PASSED by the City Council of the City of Blaine this 2nd day of May, 2022.

Signed by:

Tim Sanders, Mayor

Date

May 2, 2022



Attest by:



Catherine Sorensen, CMC, City Clerk

Date

May 2, 2022

From: Amadu Barrie <amadubarrie@yahoo.com>

Sent: Friday, September 20, 2024 10:23 AM

To: Alan Goracke <agoracke@blainemn.gov>; Sheila Sellman <ssellman@blainemn.gov>

Cc: Jarai Barry <jaraibarry@gmail.com>

Subject: 3629 95th Ave NE Circle Pine MN -As-Suffah Academy Approval

Amadu Barrie

11238 Pierce Street NE

Blaine, MN 55434

amadubarrie@yahoo.com

Cell: 2145977512

Work Cell: 6518020217

09/20/2024

City Planners of Blaine

10801 Town Square Drive NE

Blaine, MN 55449

Dear City Planners,

I am writing to express my strong support for the approval of the school building for As-Suffah Academy. As a resident of Blaine, and a parent who is deeply invested in my children's education, I believe this project is vital to the future of our community.

I currently serve as a Quality Engineer Senior Supervisor at Abbott Medical. My family and I recently moved from Hugo to Blaine specifically for the opportunity to have my children attend As-Suffah Academy. This school provides a unique and valuable educational environment that aligns with our values and aspirations for their academic and personal growth.

Our journey to Minnesota began when my family and I relocated from Texas, motivated by the state's strong job market and excellent quality of education. My wife-Jarai Barry, who is a nurse working for Health Partners, and I were both drawn to Minnesota for its opportunities. Since arriving, we have been impressed by the educational standards and the welcoming nature of the community. I firmly believe that As-Suffah Academy will further strengthen Blaine's reputation as a city that supports high-quality education, diversity, and the growth of its residents.

The approval of this school building will have a positive impact not only on families like mine but also on the broader community by providing another strong educational institution. I kindly urge you to consider the long-term benefits this project will bring to our city.

Thank you for your time and consideration. Please feel free to forward my email to others on your team if I missed anyone.

Sincerely,

Amadu Barrie

Proud Resident of Blaine MN

From: [Henry](#)
To: [Nichole Swanson](#); [Maisa Olson](#); [Jonathan Gorzycki](#); [Terri Homan](#); [Lauren Deonauth](#); [Jason Halpern](#); [agoracke@blqinmn.gov](#); [Planning](#); [Patricia Robinson](#)
Subject: Opposition to Proposed Apartment Building and Mosque Construction
Date: Tuesday, October 8, 2024 11:58:40 AM

Dear City Council/Planning Committee

I hope this letter finds you well. I am writing to express my concerns regarding the proposed construction of an apartment building and mosque in Blaine and outline why I believe it is not in the city's best interest to proceed with these developments.

1. **Impact on Infrastructure:** The construction of a new apartment building will bring an influx of residents, which could strain the city's existing infrastructure. Roads, public transportation, water supply, and sewage systems may struggle to accommodate the added demand, leading to a deterioration in the quality of services for current residents.
2. **Traffic Congestion and Parking Issues:** Apartment buildings and mosques, by nature of their purpose, attract a significant number of people. This would likely result in increased traffic congestion in the surrounding areas, particularly during peak hours or religious services. Limited parking options could lead to overflow into nearby residential streets, negatively impacting the quality of life for current residents.
3. **Compatibility with the Surrounding Area:** The proposed developments may not be in keeping with the character and aesthetic of the surrounding neighborhood. For instance, the scale and design of an apartment complex may clash with a community primarily consisting of single-family homes. Similarly, religious institutions of any kind can sometimes become focal points for tension if not integrated sensitively into the local context.
4. **Noise and Disruption:** Both the apartment building and the mosque may bring with them noise disruptions. Construction activity will cause noise pollution in the short term, but even after completion, the influx of residents, coupled with the calls to prayer or large gatherings at the mosque, may disrupt the peaceful atmosphere of the community.
5. **Property Values:** Increased density and proximity to high-traffic areas can often negatively affect the property values of surrounding homes. Potential buyers may be deterred from purchasing homes in areas adjacent to high-rise apartment buildings or religious institutions, fearing increased congestion and noise.
6. **Community Sentiment:** It is important to ensure that any development aligns with the desires and needs of the existing community. Some residents may feel uncomfortable with large-scale changes to their neighborhood, particularly if there are concerns about cultural or social integration, or simply an attachment to the current composition of their environment. Community opposition should be taken into account.

In conclusion, while development is often a sign of progress, it is crucial that such projects are planned and executed with sensitivity to the needs and desires of the current residents, and with a clear understanding of how they will impact the broader city infrastructure and quality of life. I urge the city to reconsider this proposal and explore alternative sites or solutions that

would be better suited for both developments without adversely affecting the existing community.

Thank you for your consideration

Sincerely,

Henry McAuley

From: [omar.ali](#)
To: [Planning](#)
Subject: Conditional use permit
Date: Sunday, October 27, 2024 10:47:05 AM

As a resident of blaine and a parent of As-Asuffah. We asking the city of Blaine to grant permission to use the building at 3629 95th ave NE Blaine. We asking your support in this issue. Thank you for your support.

Sent via the Samsung Galaxy S24+, an AT&T 5G smartphone

From: [Shamsa Burci](#)
To: [Planning](#)
Subject: For the new building.
Date: Sunday, October 27, 2024 9:29:29 PM

We want a bigger building because the building we are in right now isn't big enough for the growing community of As suffah Islamic center, 3629 95th Avenue NE. (PC24-0059/SLK) The school for the students who attend to practice Islamic studies and regular schoolwork are seeing that there are more new students and not enough room for a lot of people. We hope that they can use this building for our growing community.

Sincerely, Kawthar Haji.

From: [Slah Jendoubi](#)
To: [Planning](#)
Subject: Rezoning/Conditional Use Permit -As-Suffah Islamic center, 3629 95th Avenue NE (PC24-0059)
Date: Sunday, October 27, 2024 9:25:07 PM

Slah Jendoubi
5760 Matterhorn Dr. NE
Fridley, MN 55432
Sjedoubi55432@gmail.com
612-749-3864

10/27/2024

Council Members of the City of Blaine
10801 Town Square Drive NE
Blaine, MN 55449

Subject: Rezoning/Conditional Use Permit -As-Suffah Islamic center, 3629 95th Avenue NE (PC24-0059)

Dear City of Blaine Council Members,

I am writing to express my strong support for the approval of the Rezoning/Conditional Use Permit -As-Suffah Islamic center, 3629 95th Avenue NE.

I am Slah Jendoubi, a volunteer at As-Suffah Academy. In my family, we place a strong emphasis on the value of good education. All my family members (7 of us) are university graduates. My daughter and her family moved to Blaine 4 years ago and now they reside at 10935 Nassau Cir NE. This summer, my son and his wife moved with his sister to Blaine too. One of the main reasons my children are moving to Blaine is the education of their children.

Your approval of the Rezoning/Conditional Use Permit will result in many benefits to the community and the city of Blaine and I will only mention a few of them.

1. Will significantly improve/impact the community by promoting a good and safe education environment.
2. Will lead to stronger local economies, as small businesses thrive in areas with increased foot traffic.
3. Will lead to a more sustainable, inclusive, diverse and vibrant community.

Thank you for your support and consideration.

Sincerely,
Slah Jendoubi
As-Suffah Volunteer

From: [A.M Rashid](#)
To: [Planning](#)
Subject: Support for As-Suffah Islamic Center (PC24-0059/SLK)
Date: Sunday, October 27, 2024 11:20:22 PM

Dear City Council Members,

My name is AbdulKadir Rashid, and I am writing to express my support for the Conditional Use Permit for As-Suffah Islamic Center (Project: PC24-0059/SLK) at 3629 95th Ave NE, Circle Pines. My children currently attend As-Suffah Academy, and I am confident this mosque and K-8 school will greatly benefit our community by providing an essential space for education, worship, and community gatherings.

I respectfully urge you to approve this permit to help As-Suffah Academy continue its positive impact on families like mine and many others.

Thank you for your consideration.

Sincerely,

AbdulKadir Rashid
6305 5th St NE, Fridley, MN 55432

Abdulkadir M. Rashid,
Cell: +1206-504-9191/+1612-504-9328
[Email: Abdulkadir.mrashid@gmail.com](mailto:Abdulkadir.mrashid@gmail.com)

From: [Abdimalik Adan](#)
To: [Planning](#)
Subject: Rezoning/Conditional Use Permit - As-Suffah Islamic Center, 3629 95th AV NE(PC24-0059/SLK)
Date: Monday, October 28, 2024 1:42:44 PM

Hello

As a Blaine resident in ward 3 and a proud dad of three kids whose two of them are in that school, I would like to voice my support for the above reference and would appreciate the approval of the project for the better future of our childrens.

Thanks

Abdimalik Adan

From: [Deqa Adan](#)
To: [Planning](#)
Subject: Support for Conditional Use Permit Approval for As-Suffah Academy
Date: Monday, October 28, 2024 5:12:02 PM

Dear City Council of Blaine,

I hope this message finds you in good health. My name is Deqa Adan and I am a parent on the waiting list for As-Suffah Academy. I am reaching out regarding the final approval of the Conditional Use Permit for As-Suffah Academy, located at (3629 95th Ave. NE, Circle Pines, MN 55014) This permit is essential for establishing the school as a K-8 educational facility, and it represents a significant opportunity for many families waiting for this important resource.

I kindly ask for your support in approving this permit, as it would greatly benefit many of us seeking a culturally specific educational environment. Our children often feel disconnected from nearby schools, and this academy could provide a nurturing space that aligns with their values and identity.

Your participation and support are vital to making this vision a reality.

Best regards,

Deqa Adan

156 103rd Ave NW

Coon Rapids MN 55448

From: [Amina A](#)
To: [Planning](#)
Subject: Rezoning/Conditional Use Permit -As-Suffah Islamic Center, 3629 95th Avenue NE (PC24-0059)
Date: Monday, October 28, 2024 7:04:53 PM

Dear City Council of Blaine,

I hope this message finds you in good health. My name is Amina Aden, reside at 2631 Moundsview BLVD, Mounds View, MN 55112. I am one of the parents whose children go to As-sulfa Academy.

I am reaching out regarding the final approval of the Conditional Use Permit for As-Suffah Academy, located at 3629 95th Ave. NE, Circle Pines, MN 55014. This permit is essential for establishing the school as a K-8 educational facility, and it represents a significant opportunity for my family and many families waiting for this important resource.

I kindly ask for your support in approving this permit, as it would greatly benefit many of us seeking a culturally specific educational environment. Our children often feel disconnected from nearby schools, and this academy could provide a nurturing space that aligns with their values and identity. Your participation and support are vital to making this vision a reality.

Best regards,
Amina

From: [DEEKO HASSAN](#)
To: [Planning](#)
Subject: Proposed Blaine School/mosque
Date: Monday, October 28, 2024 3:55:29 PM

Dear City Planning Team,

My name is Deeko Hassan. I am a resident of St. Paul, a pharmacist, and a business owner in Minneapolis. I strongly support Al Suffah Academy at 3629 95th Avenue NE. Furthermore, I am a parent of a Second grader who has attended Al-Suffah Academy since he was in kindergarten. I also have two other children who will attend this school next year. I have been driving my child over 45 minutes each way because this school provides a unique and valuable educational environment that aligns with my values and aspirations for their academic and personal growth; as a child of Minnesota public education, I am grateful for it. I have also experienced the identity of not fitting in with the greater student body because of how I dressed or my beliefs. And now that I have children of my own, I would like them not to experience that, but rather a place where they feel accepted and are not intended by their peers. Thus, I highly recommend that Blain City Planners approve Al-Suffah Academy to proceed.

Best regards,

Deeko Hassan, ALS. Director, RPH. PharmD

From: [Muno Mohamud](#)
To: [Planning](#)
Subject: Rezoning/Conditional Use Permit -As-Suffah Islamic center, 3629 95th Avenue NE (PC24-0059)
Date: Monday, October 28, 2024 7:40:08 PM

Muno Mohamud, live in Brooklyn Park mn

10/28/2024

Council Members of the City of Blaine
10801 Town Square Drive NE
Blaine, MN 55449

Dear City of Blaine Council Members,

I would like to express my gratitude support for the approval of the Rezoning/Conditional Use Permit -As-Suffah Islamic center, 3629 95th Avenue NE.

My name is Muno Mohamud, a parent of children at As-Suffah Academy. My kids go to As-Suffah Academy for three years. I notice a significant improvement with my kids. Also, they always feel save, secure and comfortable when they are at As-Suffah Academy. The leaders and teachers are very kind, friendly, supportive, and patient. They treat everyone at their fairly and equally.

Your approval of the Rezoning/Conditional Use Permit will result in many benefits to the community and the city of Blaine.

Thank you for your support and consideration.

Sincerely,
Muno Mohamud
As-Suffah Academy Parent.

From: [A. J.](#)
To: [Planning](#)
Subject: Rezoning/Conditional Use Permit -As-Suffah Islamic center, 3629 95th Avenue NE (PC24-0059)
Date: Tuesday, October 29, 2024 7:54:37 AM

Council Members of the City of Blaine

10801 Town Square Drive NE
Blaine, MN 55449

Subject: Rezoning/Conditional Use Permit -As-Suffah Islamic center, 3629 95th Avenue NE (PC24-0059)

Dear City of Blaine Council Members,

I am writing to express my strong support for the approval of the Rezoning/Conditional Use Permit -As-Suffah Islamic center, 3629 95th Avenue NE.

I am a resident of the city of Blaine. I live in The Community of Deacon's Walk, near the Target and Blaine Sports Center at 10935 Nassau circle ne Blaine, MN, 55449.

In regards to the Rezoning/Conditional Use Permit -As-Suffah Islamic center, 3629 95th Avenue NE (PC24-0059) I believe this is a great asset to the City of Blaine. As a mother myself with a three year old boy I would be interested in signing up my son for this school. I think it could be a great contribution to the growing population of Blaine. As a Muslim woman myself this is uniting idea that could generate more opportunities for the city of Blaine. I've lived in Blaine now for 4 years and I love to see the progress and wonderful change that the city has to offer. It's always nice to have options and opportunities for Blaine to grow and I would like to see this building be used as an education Institution.

Your approval of the Rezoning/Conditional Use Permit will result in many benefits to the community and the city of Blaine.

It will also significantly improve and impact our community by promoting a good and safe education environment.

This will lead to stronger local economies, as small businesses thrive in areas with increased foot traffic and interest. It is leading the way to a sustainable, inclusive, diverse, and vibrant community for us all.

Thank you for your support and consideration. Thank you for your time.

Best,
Alaa Jendoubi

Get [Outlook for Android](#)

From: [Nasteho Omar](#)
To: [Planning](#)
Subject: As-Suffah Academy
Date: Tuesday, October 29, 2024 8:34:34 AM

*Rezoning/Conditional Use Permit – As-Suffah Islamic Center, 3629 95th Avenue NE
(PC24-0059/SLK)

Dear; City planing Team

I hope this message finds you well.

My name is Nasteho Omar I am a resident of Blaine I am writing to request your support in obtaining a conditional use permit for As-Suffah Academy, an Islamic private school that seeks to repurpose the old Ramsey CC building in Blaine as a mosque and K-8 educational facility.

Currently, the academy is housed in a small, outdated building that significantly limits the opportunities for our students. The new space would provide a much-needed size upgrade, including larger classrooms, modern facilities, and an outdoor area where the children can engage in physical activities. This change would immensely benefit the students, allowing them to thrive both academically and socially in an environment that better meets their needs.

As-Suffah Academy serves as both a school and a community hub, offering a holistic education rooted in Islamic values. Upgrading to this larger space would not only improve the quality of education but also support the local Muslim community by providing a proper mosque for prayer and gatherings. We kindly ask for your support in the conditional use permit process so that we can continue to grow and provide the best for our students and their families. Thank you for your time and consideration. Please feel free to reach out if you need any additional information.

253-334-4767

Warm Regards,
Nasteho Omar,
A mother to AS-Suffah Academy school students

From: [Ms Ms](#)
To: [Planning](#)
Subject: Rezoning/Conditional Use Permit – As-Suffah Islamic Center, 3629 95th Avenue NE (PC24-0059/SLK)
Date: Wednesday, October 30, 2024 6:41:47 AM

Dear City Planning Team,

I hope this message finds you well. My name is Safiya, and I am a resident of New Brighton. I am reaching out to respectfully request your support in the approval of a conditional use permit for As-Suffah Academy. This Islamic private school intends to repurpose the former Ramsey CC building in Blaine as a mosque and K-8 educational facility.

Currently, our academy is situated in a small, outdated space, which limits the opportunities available to our students. Relocating to a larger building would offer spacious classrooms, updated facilities, and outdoor areas that encourage physical activity, greatly enhancing the academic and social experiences of our students.

As-Suffah Academy functions as both an educational institution and a community center, offering a well-rounded curriculum. Expanding into this larger space would not only enrich the educational experience but also provide the local Muslim community with a dedicated mosque for prayer and gatherings. We kindly request your support in the conditional use permit process to allow us to continue nurturing our students and supporting their families. Thank you for your time and consideration. Please feel free to reach out should you need any further information.

Sincerely,
A mother of As-Suffah Academy students

Safiya
Sent from [Outlook for iOS](#)



City of Blaine

Planning Commission

October 8, 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, October 8, 2024. Chair Goracke called the meeting to order at 7:00PM.

2. Roll Call

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

Members Absent: Commission Member Homan.

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

4. Public Hearing

- 4.4.** 2024-426 Case File No. 24-0059 // As-Suffah Islamic Center // 3629 95th Avenue NE
The applicant is requesting the following:
1. Rezoning from Planned Business District (PBD) to Development Flex (DF).
 2. Conditional use permit to allow a mosque (place of worship), K-8 elementary school, and a daycare/pre-school in the Development Flex (DF) zoning district.

Sponsors: Shawn Kaye, Planner

The report to the planning commission was presented by Shawn Kaye, Planner.

Jay Smigielski, Attorney for Ferdinand F Peters Law Firm, introduced himself to the

commission stating he was a representative for the applicant. He explained this was an existing school building that would be repurposed for another type of school. He indicated the only use that was not permitted on this site, was the elementary school, while secondary and post-secondary was allowed. He noted the same transportation routines would be followed for this school as was currently being done at their other site.

The public hearing for Case File 24-0059 was opened at 8:59PM.

Iman Asad, Executive Director of Muslim American Society of Minnesota, reported he was in favor of this application. He discussed how the community was seeing growth and a lot of this growth was coming from Muslim families. He explained many of these families were sending their children to schools in Fridley and Brooklyn Park. He urged the commission to support this application.

Aleem Maahammad, 4780 128th Street, voiced his support for the As Suffah Islamic Center. He indicated he attended a recent city council meeting where the National Stem Champion Muminah Mohammed was recognized. He reported this student was a resident of Blaine and brings great pride to this community. He encouraged the planning commission to support the As Suffah Islamic Center as this would be a positive impact on the city of Blaine.

Adam, stated he supported the school moving into the city of Blaine, noting the community needed more schools. He urged the commission to support the proposed K-8 school.

Dr. Gassar explained he recently moved to Minnesota. He discussed how important this school would be for his children and the community.

Barb Bailey asked if the Minnesota School of Business would be used for a mosque and school.

Chair Goracke reported this was the case but noted this was an entirely different request.

Ms. Bailey reported the two buildings that were being proposed for a mosque and school were less than one mile apart. She encouraged the commission to take under consideration the amount of funding that would leave the school district once these two new schools are open.

The public hearing was closed at 9:06PM.

Commissioner Olson explained she was able to choose where her children went to school, and she believed this was a great location for a K-8 school.

Motion by Commissioner Olson to recommend approval of Planning Case 24-0059A a rezoning from Planned Business District (PBD) to Development Flex (DF) with the following rationale:

Case 24-0059A:

- 1. The DF zoning district affords the City the opportunity to provide input on items**

that would benefit the surrounding neighborhoods and the City as a whole. The DF District also attempts to create a reasonable balance between the interests of the property owner in freely developing their property with greater flexibility in land uses.

2. The DF zoning allows the City the opportunity to apply standards consistent with other recent developments.

Motion by Commissioner Olson to recommend approval of Planning Case 24-0059B a conditional use permit to allow a mosque, K-8 elementary school, and a daycare/pre-school in the Development Flex (DF) zoning district with the following conditions:

Case 24-0059B:

1. Site plan approval is required as part of the building permit application. All site improvements, if any, to be included in the Site Improvement Performance Agreement (SIPA), and covered by an acceptable financial guarantee.
2. The City reserves the right to require the mosque and school to provide on-site traffic management.
3. All signage requires separate permits meeting the requirements of the zoning code.
4. Directional signage shall be provided in the parking lot for the drop-off and pick-up area.
5. Temporary uses such as outdoor events, are not permitted without a specific special event licensed issued by the City.
6. School hours shall be limited to 8AM to 4PM.
7. Each classroom is capped at 25 students.

Motion seconded by Commissioner Deonauth. The motion passed 6-0.

Chair Goracke noted this would be on the agenda of the November 4, 2024 city council meeting.



City of Blaine

Staff Report

File Number: ORD 24-2568

Agenda Date	Status
November 4, 2024	
In Control	File Type
City Council	Ordinance

Development Business - Sheila Sellman, City Planner

Agenda Item # 10.5

First Reading

Ordinance Approving Annual Revisions to the Blaine Zoning Ordinance. City of Blaine (Case File No. 24-0060/EES)

Executive Summary

Annually, staff reviews the zoning code to identify areas for improvement. This process was established following substantial revisions to the zoning code in 2020 to ensure that the code remains current and prevent the need for such substantial revisions. Changes this year include modification to the park dedication calculation, changes to setbacks in response to variance granting in 2024, and rewriting of intent/purpose statements for commercial and industrial districts.

Background

Planning Commission Public Hearing	10/08/24
City Council (1st Reading)	11/04/24
City Council (2nd Reading)	11/18/24

Staff report prepared by Elizabeth Showalter, Community Development Specialist.

Landscaping

Staff is proposing to modify the landscaping requirements in three ways:

1. Revise the language that allows oversize trees to count as multiple trees when there is not sufficient space on site to plant the required number of trees. The revision brings the code into alignment with long standing practices and improves clarity.
2. Revise the buffer yard flexibility requirement which allows for a reduction in the setback for commercial and industrial properties next to residential properties when additional landscaping is provided. The revision improves clarity and better balances installation of plant materials that

are effective buffers with the need to maintain appropriate spacing of plant materials for long term success.

3. Remove the requirement for wetland buffers which conflicts with a similar requirement in the stormwater section of the code of ordinances.

Multifamily R-3 Districts

Earlier this year, a variance was granted to allow for larger decks to be installed on nonconforming quad homes in the R-3C district. As part of the analysis of that variance request, staff identified that many townhome and quad home developments in the R-3A, R-3B, and R-3C districts do not meet the setback requirements which prevents any expansion to the size of decks as well as additions to the homes. Staff is proposing modifications to the townhome and quad home setbacks in all three R-3 districts to bring existing homes into conformance with the code. The proposed changes would establish setbacks from through streets (any street not contained within the development), internal streets, and all other lot lines. These changes would result in the vast majority of homes meeting the setback requirements, however some nonconformities would remain. The proposed setback requirements are:

Setback from streets:

- From any public or private street internal to the quad or townhome development:
 - Side of home with garage door: 25 feet
 - Side of home without garage door: 15 feet
- From any other street: 40 feet
- Setback from other lot lines:
 - No setback required for unit lots.
 - All other lots: 20 feet
- Minimum distance between homes: 30 feet

Staff is also proposing to eliminate the minimum unit sizes in the R-3 districts, which are based on outdated norms for townhome and apartment building design.

Accessory Building and Pool Equipment Setbacks

A variance to allow a 96 square-foot shed to be placed 3-feet from an adjacent property line in an R-1A zoning district was approved in 2023, where a 5-foot setback from rear and side yard property lines is required. At that time, council directed staff to look at the setbacks in the Residential (R) districts.

Staff is proposing to allow accessory structures less than 120 square-feet in area to meet a 1-foot setback from rear and side yard property lines in the R-1AA and R-1A zoning districts. This is consistent with the current accessory structure setbacks in the R-1 district.

Pool equipment (which includes the filter unit, pump, heating unit, and other noise-making mechanical equipment), is currently only allowed in the rear yard with the requirement that it meets a 10-foot setback from property lines. Staff is proposing to allow pool equipment in the side yard as well, subject to the same 10-foot setback. This increases the number of locations to place pool equipment on the property and is not expected to adversely affect adjacent property owners.

Parking Structures

The zoning code doesn't currently address parking structures except for in the 105th Redevelopment District. It is anticipated that larger office buildings and campus type developments may need some type of parking structure. Staff is proposing to allow parking ramps as an accessory use in the RR, Mixed Use, B-3 and B-5 zoning districts, and add as a conditional use in the POD and PBD zoning districts. Staff is proposing the following standards to comply for all parking structures:

1. Parking structures shall meet parking setbacks for the applicable district.
2. Any signage placed on the parking structure may result in the reduction or forfeiture of signage permitted on the principal building.
3. Parking structures must be constructed of at least 2 exterior materials. The material and color of the parking structure shall be compatible with the principal building.
4. Parking structures shall have no more than 3 levels of parking above grade. The parking structure shall not exceed the height of the principal building.

Commercial and Industrial Intent Statements

The zoning code includes an intent statement for each zoning district which outlines the purpose for the various districts and how they differ from one another. These intent statements are used when reviewing requests for rezoning and conditional use permits. These statements are currently inconsistent in structure between the different commercial and industrial districts, and in some cases, are outdated.

Staff is proposing revision to all commercial and industrial intent statements to follow a common pattern. That pattern includes: the types of uses allowed in the district, what uses the district should be located near, and what type of roads the district should be located on. For example, the intent statement for the B-1 district (which is a highly restrictive district used in areas surrounded by residential) would read, "The purpose of this district is to allow small commercial areas serving residential neighborhoods with low traffic uses. This district may be located adjacent to residential and commercial districts and shall be primarily located on collector roads." The B-3 district (located along Highway 65), would read, "The purpose of this district is to allow commercial uses serving regional trade areas with moderate to high traffic uses. This district may be located adjacent to residential, commercial, and industrial districts and shall be located on arterial roads."

The revised intent statements provide more clear guidance to applicants, staff, the Planning Commission and City Council about the intended use of each zoning district.

Solar in the Planned Office District (POD)

Freestanding solar is an accessory conditional use in the Planned Business District (PBD) and all industrial districts. The Planned Office District (POD) is similar to these districts as it allows for largely the same industrial uses as the PBD district and is intended for office, manufacturing, and corporate campus uses that lend themselves well to accessory freestanding solar arrays. Staff is proposing adding freestanding solar as an accessory use in the POD district, which will allow for solar on the State Emergency Operations Center property as well as other POD properties.

Park Dedication

A recent court ruling found that park dedication fees for commercial and industrial development must

be based on an individualized determination, rather than a set rate for all commercial or industrial property in the city. A revision to the park dedication portion of the subdivision code was prepared by staff and the City Attorney to comply with the court ruling. Park dedication for residential subdivisions will continue to be based on the number of residential units. Commercial and industrial subdivisions will have park dedication determined by the average value per acre in the zoning district applicable to the subdivision, and applicants may choose to submit an appraisal of the property being subdivided, and the park dedication would then be based on the percentage of that value. The park dedication rates per acre for commercial and industrial will be established annually in the fee schedule.

For 2025, staff is recommending the following fees which will be incorporated into the fee schedule adopted by resolution in December. Further information on this calculation is included in an attachment.

Zoning District	New Park Dedication Rate
B-1	\$9,765
B-2 and B-3	\$13,188
B-4 and POD	\$4,599
B-5 and PBD	\$7,825
I-1 and I-1A	\$5,052
I-2 and I-2A	\$6,235
MU	\$13,631
RD	\$8,671

While the rates vary from the existing commercial and industrial rates, the rates are close to the current rates in the zoning districts expected to have the most platting activity and, on average, are approximately the same as the current rate.

Improving Clarity and Removing Inconsistencies

The following nonsubstantive changes are included:

1. Correcting inconsistent language on the type of approval required for a land reclamation permit to reference an interim use permit in all cases.
2. Adding a definition for tattoo parlors which was added as a prohibited use in the Highway Overlay District (HOD) earlier this year.
3. Revising the definition of principal structure/use to improve clarity.

Strategic Plan Relationship

The modifications to the park dedication ordinance further the strategic priority for financial sustainability, by ensuring park dedication is collected in a way that complies with state statute and applicable court rulings and that the calculation of the park dedication fee is adequate to meet the park space and facilities needs generated by commercial and industrial platting.

Board/Commission Review

The Planning Commission voted unanimously to approve the code amendments. One person asked a question about existing zoning regulations on sheds at the public hearing.

Financial Impact

The calculation of park dedication will differ from the current methodology and will result in higher and lower fee payments for individual projects, but is anticipated to result in approximately equivalent revenues.

Public Outreach/Input

Notices of a public hearing were:

1. Published in Blaine/Spring Lake Park/Columbia Heights/Fridley Life.
2. Posted on the City website.

Staff Recommendation

By motion, introduce the ordinance for first reading and direct that it be placed on file for second reading at the November 18, 2024, council meeting.

Attachment List

1. Park Dedication Calculation
2. Unapproved PC Minutes 100824



City of Blaine

Signature Copy

Ordinance: ORD 24-2568

First Reading

Ordinance Approving Annual Revisions to the Blaine Zoning Ordinance. City of Blaine (Case File No. 24-0060/EES)

THE CITY OF BLAINE DOES ORDAIN: (Added portions are underscored and deleted portions are shown in overstrike.)

Part II - Code of Ordinances:

Chapter 18 – Buildings and Building Regulations

Article IX. - Swimming Pools

Division 3. - Design and Construction Standards

Sec. 18-421. - Location

(3) The filter unit, pump, heating unit, and other noise-making mechanical equipment shall be located no closer than ten feet to any lot line and be located in the rear yard: or side yard.

Chapter 34 – Environment

Article V. Earth Removal and Land Reclamation

Division 2. - Permit

Section 34-151

1. Earth removal, land reclamation, material storage or filling, shall be permitted in all zoning districts, on any lot or parcel except that it shall be unlawful for any person to remove, store, excavate, or place as fill any rock, sand, dirt, gravel, clay or other like material within the city, in excess of 100 cubic yards without first having applied for and having obtained a permit from the city. When 5,000 or more cubic yards of material is to be removed or deposited on any lot or parcel, an interim conditional ~~conditional~~ use permit shall be required.

Chapter 74 - Subdivisions

Article V: Park Dedication

75-130 Park dedication.

1. The City requires an applicant for a new subdivision where new lots or units are created to dedicate to the public a reasonable portion of the land or preserve for public use as parks, recreational facilities, playgrounds, trails, wetlands, open space or to contribute an equivalent amount of cash in

accordance with this section. The City shall, in its sole discretion, determine whether a cash payment in lieu of land is appropriate pursuant to 75-131 (b).

2. Previously subdivided property which was subject to a park dedication fee or dedication of land computed on the basis of a use that is not constructed, being resubdivided or platted with the same number of lots, is exempt from park dedication requirements. If, as a result of resubdividing the property, the number of lots is increased, then park dedication requirements must apply to the net increase of lots or units.
3. Upon the request of the applicant, the City may either increase or decrease such dedication or payment upon a determination by the City that such dedication or payment is unreasonable or insufficient given the specific characteristics of the proposed subdivision and its intended use.

75-131 Determination of land to be dedicated:

1. Suitability of Land. The City may determine, in its sole discretion, the location and configuration of any land to be dedicated pursuant to the park and recreation segment of the City's Comprehensive plan, taking into consideration the suitability of the land for its intended purpose and future needs of the community for park, playground, trail, or open space.
2. Land Amount. The amount of land required to be dedicated by the applicant shall be based on a rough proportionality to the need created by the proposed subdivision or development represented by the by the following formula:
 1. Residential. The park dedication requirement for a residential subdivision shall be based on the national standard of providing ten acres of parks and open spaces par one thousand residents.
 2. Industrial. The park dedication requirement for an industrial subdivision shall be four percent of the gross area.
 3. Commercial. The park dedication requirement for a commercial subdivision shall be four percent of the gross area.
3. The following areas shall be excluded when calculating the gross area of a subdivision for the purposes of park dedication:
 1. Right-of-way exceeding 80 feet in width.
 2. The water surface area of required holding ponds, filtration basins, and infiltration basins over 5,000 square feet in size.
 3. Any preserved wetland areas.

1. Determination of fees to be paid:

At the City's option, the applicant shall contribute a cash payment in lieu of all or a portion of the land required under this Section.

1. Fee Amount.

The park dedication fees to be paid by an applicant shall be based on the average market value of the land that would otherwise be required to be dedicated and as set forth in the City's fee schedule.

1. Residential. The City Council shall determine by action the park dedication fee for each type of residential unit permitted within the city based on the number of new lots or units created.
2. Industrial, Commercial, Mixed Use. The City Council shall determine by action the park dedication fee for industrial commercial, and that portion of mixed-use development not dedicated to

residential development. This fee shall be computed on a per-acre basis and shall not exceed three times the park dedication fee for a single-family residential unit.

75-133 Procedure.

1. If the City Council determines that specific land within the subdivision is desired for park purposes, the subdivider shall convey marketable title by warranty deed, free and clear of all encumbrances.
 1. If the amount of land is less than the percentage required to be dedicated, the subdivider shall pay in addition, an amount determined by multiplying the park dedication fee otherwise payable, by the total number of units approved for development, less the fair market value of the unimproved land dedicated.
 2. If the amount of land is greater than the percentage required to be dedicated, the City shall pay to the subdivider the fair market value of the unimproved land in excess of the percentage required to be dedicated, which value shall be determined at the time of final plat approval.
 3. If the City elects to require cash in lieu of land, the applicant shall pay to the City the amount of the fee as determined by action of the City Council.
 4. The amount shall be determined prior to the City granting final approval of the subdivision or plat. The amount of any cash in lieu of land shall be based on the average fair market value of the land that would otherwise be required to be dedicated and as set forth in the City's fee schedule.
 5. Cash contributions for residential development will be due and payable at the time of final plat approval.
 6. Cash contributions for commercial, industrial and that portion of mixed-use development not dedicated to residential development will be due and payable at the time of building permit issuance and shall be not greater than eight percent of the fair market value of the unimproved land.
 7. Park dedication fees shall be deposited in the special park fund and used solely for the purchase of parks or improvement of parks, playgrounds, community centers, or other recreational facilities in accordance with the park and recreational segment of the City's Comprehensive Plan. The Park Advisory Board shall make a recommendation to the City Council as to the location of any sites or facilities to be purchased with such funds.
2. Park dedication fees shall be established annually in the fee schedule. Park dedication fees paid for residential uses shall be split between park development and open space development as specified in the fee schedule. Park dedication fees for commercial and industrial uses shall be allocated entirely to park development.
3. If an applicant disputes the amount of the proposed cash in lieu of land is unable to negotiate an alternative amount with the City, the applicant may, at the applicant's expense, obtain an independent appraisal of the property to determine fair market value. The appraisal must be made by a certified real property appraiser who is licensed in the State of Minnesota and holds a MAI membership designation from the Appraisal Institute, or equivalent certification. Review of said appraisal and associated park dedication fee shall be considered by the City Council prior to the approval of the final plat.
4. Appeals regarding the proposed fee or dedication will be subject to the provisions established in Minnesota Statute Section 462.358 subd. 2c.

75-134-75-149 Reserved.

Sec. 75-130. Park dedication.

- (a) Whenever any land in the city is subdivided by any process, the policy of the city is to require dedication for park land and facilities in accordance with the policies detailed in this section. If property, which was subject to a park dedication fee or dedication of land computed on the basis of a use that is not constructed, is to be subsequently developed with uses that would require an additional fee for dedication of additional land, there shall be a credit for the amount previously paid or dedicated.
- (b) Because the subdivision of land results in additional development in the community, and thus causes additional demand upon the recreational park facilities located therein, the subdivider shall dedicate lands for park purposes or pay a park dedication fee as determined in this section. Due to the current status of the park and recreational system for the city, and particularly the amount of undeveloped park land, the need for additional lands for parks does not necessarily coincide with the areas being subdivided. Consequently, the council determines that contributions by subdividers to the development of recreational park facilities should be primarily by payment of park dedication fee rather than land dedication. Park dedication fees shall be deposited in the special park fund and used solely for the purchase of parks or improvement of parks, playgrounds, community centers, or other recreational facilities in accordance with the park and recreational segment of the city's comprehensive plan. The park advisory board shall make a recommendation to the city council as to the location of any sites or facilities to be purchased with such funds.
- (c) Where a proposed park site is shown on the future land use plan of the city and is located in whole or in part in the area being subdivided, the subdivider shall delineate such land on the final subdivision plat. Land in excess of the land required to be dedicated may be dedicated by the developer as part of the subdivision approval. Land in excess of that required or agreed to be dedicated shall be differentiated by symbol on the final plat from the land to be dedicated.

The acquisition of such additional land, other than required public right-of-way, may be acquired by the city at the cost of unimproved land at the time of final plat approval. Land reserved in excess of the amount of land required or agreed to be dedicated shall be reserved for acquisition by the city for one year from the date of approval of the final subdivision plat. The city may waive this requirement if it does not plan to acquire the land within the year.

- (d) If a required public right-of-way exceeds 80 feet in width, such right-of-way shall not be included in the gross area of the subdivision for purposes of park dedication. Whenever a parcel of land is subdivided into lots containing one or more acres and such lots may eventually be subdivided into smaller lots, the city council may require that such parcel of land be divided, so as to allow for the future construction of bike/walk paths or trails. Easements providing for the future opening and extension of such path or trails may be made a requirement of the plat. The water surface area of required holding ponds shall not be included in the gross area of the subdivision for purposes of park dedication.

Sec. 75-131. Determination of land to be dedicated or fees to be paid.

- (a) *Land amount.* The amount of land required to be dedicated by a developer shall be based on the gross area included in the subdivision, which would be developed for residential, commercial, or industrial purposes and shall be determined by the following formula:

- (1) *Residential.*

Dwelling Unit/Acre-	Land to be Dedicated-
0—1-	5 percent-
2—3-	10 percent-
4—5-	12 percent-
6—7-	14 percent-
8—12-	16 percent-
13—16-	18 percent-
For each unit over 16/acre, add 0.5 percent.-	

(2) *Industrial.* The park dedication requirement for an industrial subdivision shall be three percent of the gross area.-

(3) *Commercial.* The park dedication requirement for a commercial subdivision shall be three percent of the gross area.-

(b) *Section 75-132, fee amount.* The park dedication fees to be paid by a developer shall be based on the cost to provide neighborhood parks, to improve existing community parks and to acquire and develop new community parks, community recreational facilities, trails and public open space.-

(1) *Residential.* The city council shall determine by action the park dedication fee for each type of residential unit permitted within the city.-

(2) *Industrial.* The city council shall determine by action the park dedication fee for industrial development. This fee shall be computed on a per-acre basis and shall not exceed three times the park dedication fee for a single-family residential unit.-

(3) *Commercial.* The city council shall determine by action, the park dedication fee for commercial development. This fee shall be computed on a per-acre basis and shall not exceed three times the park dedication fee for a single-family residential unit.-

Sec. 75-132. Procedure.

(a) Due to differing amounts of land, or no lands at all, will be required, the following procedure will be used:-

(1) If the city council determines that specific land within the subdivision is desired for park purposes, the subdivider shall convey marketable title by warranty deed, free and clear of all encumbrances, as verified by the city attorney.-

a. If the amount of land is less than the percentage required to be dedicated, the subdivider shall pay in addition, an amount determined by multiplying the park dedication fee otherwise payable, by the total number of units approved for development, less the fair market value of the unimproved land dedicated.-

b. If the amount of land is greater than the percentage required to be dedicated, the city shall pay to the subdivider the fair market value of the unimproved land in excess of the percentage required to be dedicated, which value shall be determined at the time of final plat approval.-

(2) If the city elects to accept cash in lieu of land, the subdivider shall pay to the city the amount of the fee as determined by action of the city council.-

(b) ~~If any of the procedures for the determination of the park dedication fee are determined by any court to be invalid for any reason whatsoever, the park dedication fee shall then be determined as follows:-~~

~~(1) The city manager shall determine the fair market value of the unimproved land to be divided at the time of the final approval.~~

~~(2) A percentage equal to the percentage of land to be dedicated shall be applied to the fair market value in addition to the cost of developing parks and shall be the park dedication fee.~~

~~(c) Park dedication fees shall be established annually in the fee schedule. Park dedication fees paid for residential uses shall be split between park development and open space development as specified in the fee schedule. Park dedication fees for commercial~~

Secs. 75-134—75-149. Reserved.

Part III - Blaine Zoning Ordinance:

Chapter 25 - Definitions

Tattoo Parlors/Shops: Any room or space where tattooing (body art) or body piercing is performed, not including beauty salons or cosmetology businesses involving ear piercing or permanent cosmetic services.

Principal structure or use: One (1) which determines the predominant use as contrasted to accessory use or structure. The main use of land, buildings or other structures as distinguished from an accessory use.

Chapter 29 - Residential Districts

29.040 Single Family (R-1AA)

29.045 Standards

(d) Garages and accessory buildings shall have rear and side yard setbacks of not less than five (5) feet, and corner yard setbacks of not less than 20 feet with the exception that accessory buildings less than 120 square feet shall meet a one (1) foot setback. Garages and accessory buildings shall meet a corner side yard setback of not less than 20 feet.

29.050 Single Family (R-1A)

29.055 Standards

(e) Rear yard and side yard setback for detached garage – Fifteen (15) feet, and accessory buildings Five (5) feet. Rear yard and side yard setback for accessory buildings less than 120 square feet - one (1) foot. Corner yard setback for garages and accessory buildings – twenty five (25) feet.

29.080 – Low Density Multi-family (R-3A)

29.085 - Standards—quad, townhouse.

(a) Reserved.

(b) Minimum frontage—None.

(c) Minimum depth—None. Minimum width—None.

(d) Setback from streets:

1. From any public or private street internal to the quad or townhome development:

- (a) Side of home with garage door: 25 feet
- (b) Side of home without garage door: 15 feet
- 2. From any other streets: 40 feet
- (e) Setback from other lot lines:
 - 1. No setback required for unit lots.
 - 2. All other lots: 20 feet.
- (d) Front yard—Thirty-five (35) feet.
- (e) Rear yard—Twenty (20) feet.
- (f) Side yard—Twenty (20) feet. Reserved.
- (g) Reserved.
- (h) Reserved. Minimum dwelling size:-
 - (1) Two-bedroom multi-level—Nine hundred sixty (960) square feet on first finished floor.
 - (2) More than two (2) bedrooms—One hundred twenty (120) square feet for each additional bedroom.
- (i) Minimum distance between buildings— Thirty (30) feet. Forty (40) feet.

29.090 - Medium Density Multi-family (R-3B)

29.095 - Standards—quad, townhouse.

- (a) Reserved.
- (b) Minimum frontage—None.
- (c) Minimum depth—None. Minimum width—None.
- (d) Setback from streets:
 - 1. From any public or private street internal to the quad or townhome development:
 - (a) Side of home with garage door: 25 feet
 - (b) Side of home without garage door: 15 feet
 - 2. From any other streets: 40 feet
- (e) Setback from other lot lines:
 - 1. No setback required for unit lots.
 - 2. All other lots: 20 feet.
- (d) Front yard—Thirty-five (35) feet.
- (e) Rear yard—Twenty (20) feet.
- (f) Side yard—Twenty (20) feet. Reserved.
- (g) Reserved.
- (h) Reserved. Minimum dwelling size:-
 - (1) Two-bedroom multi-level—Nine hundred sixty (960) square feet on first finished floor.
 - (2) More than two (2) bedrooms—One hundred twenty (120) square feet for each additional bedroom.
- (i) Minimum distance between buildings— Thirty (30) feet. Forty (40) feet.

29.096 - Standards - Multiple Dwelling

- (i) Reserved. Minimum dwelling size: Six hundred (600) square feet plus one hundred twenty (120) square feet for each additional bedroom over one (1).

29.100 – High Density Multi-family (R-3C)

29.105 - Standards—quad, townhouse.

- (a) Reserved.
- (b) Minimum frontage—None.
- (c) Minimum depth—None. Minimum width—None.
- (d) Setback from streets:
 - 1. From any public or private street internal to the quad or townhome development:
 - (a) Side of home with garage door: 25 feet
 - (b) Side of home without garage door: 15 feet
 - 2. From any other streets: 40 feet
- (e) Setback from other lot lines:
 - 1. No setback required for unit lots.
 - 2. All other lots: 20 feet.
- (d) ~~Front yard—Thirty-five (35) feet.~~
- (e) ~~Rear yard—Twenty (20) feet.~~
- (f) ~~Side yard—Twenty (20) feet.~~ Reserved.
- (g) Reserved.
- (h) Reserved. ~~Minimum dwelling size:~~
 - (1) ~~Two-bedroom multi-level—Nine hundred sixty (960) square feet on first finished floor.~~
 - (2) ~~More than two (2) bedrooms—One hundred twenty (120) square feet for each additional bedroom.~~
- (i) Minimum distance between buildings— Thirty (30) feet. ~~Forty (40) feet.~~

29.106 - Standards – Multiple Dwelling

- (i) ~~Minimum dwelling size: Six hundred (600) square feet plus one hundred twenty (120) square feet for each additional bedroom exceeding one.~~ Reserved.

Chapter 30 – Commercial Districts

30.00 Neighborhood Business (B-1)

30.01 Intent

The purpose of this district is to allow small commercial areas to serve principally residential neighborhoods. These areas are generally located along or at the intersection of collector streets and arterials with a minimum lot size of one (1) acre.

The purpose of this district is to allow small commercial areas serving residential neighborhoods with low traffic uses. This district may be located adjacent to residential and commercial districts and shall be primarily located on collector roads.

30.10 Community Commercial (B-2)

30.11 Intent

~~Intended to provide retailing and services of both a convenience and durable nature to shoppers, such as apparel, furniture, food, banking and financial services for a trade area of nearby residential neighborhoods.~~

The purpose of this district is to allow commercial uses serving surrounding neighborhoods with low to moderate traffic uses. This district may be located adjacent to residential, commercial, and industrial districts and shall be primarily located on collector or arterial roads.

30.20 Regional Commercial (B-3)

30.21 Intent

~~Intended to provide retailing and services of both a convenience and durable nature to shoppers, such as apparel, furniture, food, banking and financial services for a regional trade area.~~

The purpose of this district is to allow commercial uses serving regional trade areas with moderate to high traffic uses. This district may be located adjacent to residential, commercial, and industrial districts and shall be primarily located on arterial roads.

30.23 Accessory Uses

(a) Signs as regulated in Section 34.07(a)

(b) parking structures as regulated in section 33.13(k)

30.30 Office Park (B-4)

~~B-4 The intent of this district is to encourage contemporary, professional and research offices in a park like setting for both individually developed lots or planned parks within the district. This district serves to provide for professional services to immediate residential neighborhoods and the City as well.~~

The purpose of this district is to allow office uses and supporting commercial uses serving a local or regional trade area. This district may be located adjacent to residential, commercial, and industrial districts and shall be primarily located on collector or arterial roads.

30.40 Regional Recreation (RR)

30.42 Conditional Uses

(k) parking structures as an accessory use, as regulated in section 33.13(k)

30.50 Planned Business District (PBD)

30.51 Intent

~~It is the intent of the Planned Business District to accomplish the following:~~

~~(a) To promote a planned environment for integrated industrial, office, commercial and multi-floor residential uses which feature design continuity. A development shall reflect a common theme using compatible architectural design and consistency in signage, landscaping, and lighting.~~

~~(c) To provide opportunity for greater flexibility in arranging land uses according to relative compatibility, convenience, and community needs.~~

~~(d) To encourage patterns of development in harmony with the objectives of the City's Comprehensive Plan.~~

~~(e) To encourage more attractive and enduring business neighborhoods.~~

~~(f) To encourage development compatible with the environmental values of the area and to preserve natural vegetation, wetlands, natural topography, and other such features of the District.~~

~~(g) To accommodate uses requiring access to major highways.~~

~~(h) To provide a uniform set of standards to be applied equally to all owners and developers in this District.~~

The purpose of this district is to allow commercial, multifamily residential and limited light industrial uses serving a local or regional trade area. This district may be located adjacent to residential, commercial, and industrial districts and shall be primarily located on collector or arterial roads.

30.52 Land Uses

(x) parking structures as an accessory use, as regulated in Section 33.13(k)

30.60 County Road 10 Mixed Use District (MU)

30.64 Conditional Uses

(z) parking structures as an accessory use, as regulated in Section 33.13(k)

30.70 Planned Office District (POD)

30.71 Intent

~~It is the intent of the Planned Office District (POD) to accomplish the following:~~

~~(a) To promote a planned environment for integrated business, office and manufacturing uses which feature design continuity. POD development shall reflect a common theme using compatible architectural design and consistency in signage, landscaping, and lighting.~~

~~(c) To provide opportunity for greater flexibility in arranging land uses according to relative compatibility, convenience, and community needs.~~

~~(d) To encourage patterns of development that result in high quality, high value, physical development and employment generation consistent with the objectives of the City's Comprehensive Plan.~~

~~(e) To encourage more attractive and enduring business parks or corporate office campuses.~~

~~(f) To encourage development compatible with the environmental values of the area and to preserve natural vegetation, wetlands, natural topography, and other such features of the District.~~

~~(g) To accommodate large scale uses requiring access to major roadways~~ ~~(h) To provide a uniform set of standards to be applied equally to all owners and developers in this District.~~

~~(h) To provide a uniform set of standards to be applied equally to all owners and developers in this District.~~

The purpose of this district is to allow office, manufacturing uses and supporting commercial uses in a corporate campus environment. This district may be located adjacent to residential, commercial, and industrial districts and shall be primarily located on collector or arterial roads.

30.72 Land Uses

(l) ground mounted solar as an accessory use

(m) parking structures as an accessory use, as regulated in Section 33.13(k)

30.80 Town Commercial (B-5)

30.81 Intent

It is the intent of this district to accomplish the following:

~~(a) To promote a planned environment for integrated commercial uses which feature design continuity. A development shall reflect a common theme using compatible architectural design and consistency in signage, landscaping, and lighting.~~

~~(b) To encourage orderly development of property.~~

~~(c) To provide opportunity for greater flexibility in arranging land uses according to relative compatibility, convenience, and community needs.~~

~~(d) To encourage patterns of development in harmony with the objectives of the City's Comprehensive Plan.~~

~~(e) To encourage more attractive and enduring business neighborhoods.~~

~~(f) To encourage development compatible with the environmental values of the area and to preserve natural vegetation, wetlands, natural topography, and other such features of the District.~~

~~(g) To accommodate uses requiring access to major highways.~~

~~(h) To provide a uniform set of standards to be applied equally to all owners and developers in this District.~~

The purpose of this district is to allow limited commercial uses that are appropriate for highly visible properties serving a local or regional trade areas with elevated architectural and site design. This district may be located adjacent to residential, commercial, and industrial districts and shall be primarily located on collector or arterial roads.

30.84 Accessory Uses

(b) parking structures as an accessory use, as regulated in Section 33.13(k)

Chapter 31 - Industrial Districts

31.00 Light Industrial (I-1)

31.01 Intent

~~The purpose of this district is to provide for the development of industrial uses ranging from small to large scale industry and related services. This district shall encourage the development of industrial uses accessible to major highways and utilizing City services of sanitary sewer, water, street, and storm drainage. Such light industrial areas can be located next to heavy industrial, commercial, residential, and airport districts and shall be free of hazardous or objectionable elements such as noise, odor, dust, smoke, glare, or other pollutants.~~

The purpose of this district is to allow light industrial uses ranging from small to large scale industry and related services. Uses shall be compatible with neighboring nonindustrial uses through architectural

standards and intensity of uses. This district may be located adjacent to residential, commercial, and industrial districts and shall have access to collector or arterial roads without passing through residential districts.

31.10 Light Industrial (I-1A)

31.11 Intent

~~The purpose of this district is to provide for the development of industrial uses ranging from small to large scale industry and related services and allow minimal outside storage. This district shall encourage the development of industrial uses accessible to major highways and utilizing City services of sanitary sewer, water, street, and storm drainage. Such light industrial areas can be located next to heavy industrial, commercial, residential, and airport districts and shall be free of hazardous or objectionable elements such as noise, odor, dust, smoke, glare, or other pollutants.~~

The purpose of this district is to allow light industrial uses ranging from small to large scale industry and related services, including limited outside storage. Uses shall be compatible with neighboring nonindustrial uses through architectural standards, intensity of uses and screening of limited outside storage. This district may be located adjacent to residential, commercial, and industrial districts and shall have access to collector or arterial roads without passing through residential districts.

31.20 Heavy Industrial (I-2)

31.21 Intent

~~The purpose of this district is to provide for the development of heavy industrial uses ranging from small to large scale industry with a need for outdoor uses and storage and related services. This district shall encourage the development of industrial uses accessible to major highways and utilizing City services of sanitary sewer, water, street, and storm drainage. Such heavy industrial areas should be located next to light industrial and airport districts and shall be free of hazardous or objectionable elements such as noise, odor, dust, smoke, glare, or other pollutants.~~

The purpose of this district is to allow heavy industrial uses ranging from small to large scale industry and related services, including outdoor uses and storage. This district may be located adjacent to commercial and industrial districts and shall have access to collector or arterial roads without passing through residential districts.

31.30 Heavy Industrial (1-2A)

31.31 Intent

~~The purpose of this district is to provide for the development of heavy industrial uses ranging from small to large scale industry with a need for outdoor uses and related services, including trucking and asphalt plants. This district shall encourage the development of industrial uses accessible to major highways and utilizing City services of sanitary sewer, water, street, and storm drainage. Such heavy industrial areas should be located next to heavy or light industrial and airport districts and shall be free of hazardous or objectionable elements such as noise, odor, dust, smoke, glare, or other pollutants.~~

The purpose of this district is to allow heavy industrial uses ranging from small to large scale industry and related services, including outdoor uses, storage and trucking oriented businesses. This district may be located adjacent to commercial and industrial districts and shall have access to collector or arterial roads without passing through residential districts.

Chapter 33 – Performance Standards

33.07 - Landscaping

(d) Minimum size of plantings:

(5) In the event the site plan layout does not have adequate open space for the plant materials required in (c), materials may be oversized to reduce the number of trees required. Overstory deciduous trees measuring 3 inch caliper or more, and coniferous trees reaching a height of 8-feet or more shall be counted as two (2) trees, subject to Zoning Administrator approval.

~~In the event a site plan layout does not have adequate open space to accommodate plant quantities as per Section 33.07(d), such quantities per species can be combined into less quantities per species, provided total required height or caliper is maintained. (Ord. No. 86-956, amended 7-10-1986)~~

(l) Preservation of Shoreland, Wetland, and Marsh Areas:-

~~(1) A protective buffer strip of natural vegetation at least 15 feet (25 feet average width) shall surround all wetlands. Reserved.~~

33.13 Parking

(k) Parking Structures

1. Parking structures shall meet parking setbacks for the applicable district.
2. Any signage placed on the parking structure may result in the reduction or forfeiture of signage permitted on the principal building.
3. Parking structures must be constructed of at least 2 exterior materials. The material and color of the parking structure shall be compatible with the principal building.
4. Parking structures shall have no more than 3 levels of parking above grade. The parking structure shall not exceed the height of the principal building.

33.20 - Buffer yard flexibility.

The 100 foot side and rear yard setback for buildings in specified commercial, industrial and multifamily residential districts adjacent to residential uses may be reduced to as narrow as 25 feet with the installation of a 7-foot fence constructed of solid maintenance free materials and installation of additional plant material as specified in the following table:

<u>Setback</u>	<u>Minimum spacing of additional 8 foot conifer trees</u>	<u>Minimum spacing of additional 2.5" overstory trees</u>
<u>75-99 feet</u>	<u>20 feet</u>	<u>None Required</u>
<u>50-74 feet</u>	<u>15 feet</u>	<u>30 feet</u>
<u>25-49 feet</u>	<u>12 feet</u>	<u>20 feet</u>

To determine the number of additional trees required, the length of the building at the reduced setback shall be divided by the minimum spacing of additional trees. Trees required under this section do not

count towards the landscaping requirements under 33.07. Existing trees may be utilized under this section, subject to Zoning Administrator approval.

All mechanical equipment shall meet a 50-foot setback or be roof mounted and screened from view.

~~If a reduction to the setback buffer is requested, the Director of Community Development may consider a reduction in five-foot increments down to twenty-five (25) feet, provided the applicant agrees to provide additional plant materials in the setback area using the following standards for each five-foot increment.~~

~~Required plant units/one hundred (100) lineal feet.~~

~~.3 overstory deciduous trees (minimum size two and one-half inch caliper b&b)~~

~~.6 ornamental trees (minimum size one and one-half inch caliper b&b)~~

~~2.0 shrubs (minimum size twenty-four inch pot)~~

~~1.1 evergreens/conifers (minimum size six-foot b&b)~~

~~Also, there shall be seven-foot-high solid fence constructed of maintenance free materials required along the lot line, all mechanical equipment shall be roof mounted (screened from view), no wall fans, no flood lighting or directional security lighting will be allowed to create glare or spill over onto adjacent properties.~~

~~(Ord. No. 86-937, amended)~~

INTRODUCED and read in full this 4th day of November, 2024.

PASSED by the City Council of the City of Blaine the day of , 20 .

ZONING DISTRICT	AVERAGE VALUE PER ACRE	CURRENT RATE	4% OF AVERAGE VALUE	
			Park Ded Rate	Difference
B-1	\$ 244,138.19	\$ 8,704.00	\$ 9,765	\$ 1,061
B-2 AND B-3	\$ 329,702.86	\$ 8,704.00	\$ 13,188	\$ 4,484
B-4 AND POD	\$ 114,984.59	\$ 8,704.00	\$ 4,599	\$ (4,104)
B-5 AND PBD	\$ 195,641.04	\$ 8,704.00	\$ 7,825	\$ (878)
I-1 AND I-1A	\$ 126,317.71	\$ 6,702.00	\$ 5,052	\$ (1,649)
I-2 AND I-2A	\$ 155,887.37	\$ 6,702.00	\$ 6,235	\$ (466)
MU	\$ 340,796.54	\$ 8,704.00	\$ 13,631	\$ 4,927
RD	\$ 216,789.20	\$ 8,704.00	\$ 8,671	\$ (32)

The average value of properties within each zoning district was calculated by:

1. Calculating the total area and assess land value of parcels within each zoning district, excluding areas identified as wetland by the National Wetland Inventory and parcels with tax exempt status. Tax exempt parcels are removed since assessed values tend to be less accurate on parcels that are not taxed. Wetland areas are removed since the park dedication rate is only applied to the upland area.
2. Combining zoning districts with similar uses (for example B-4 and POD both are used for office uses with allowances for some ancillary services).
3. Taking the dividing the total value in each grouping by the total acreage to determine the average land value per acre within the groupings of zoning districts.
4. Multiply by 4% to obtain the value of 4% of the land

The current rate for PBD is listed as the commercial rate. The district also allows for some industrial uses, which are currently charged the lesser industrial rate.

The PBD, MU, and RD districts allow for residential uses, and platting lots for apartments or townhomes in those districts would result in park dedication paid at the residential (per unit) rate.



City of Blaine

Planning Commission

October 8, 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, October 8, 2024. Chair Goracke called the meeting to order at 7:00PM.

2. Roll Call

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

Members Absent: Commission Member Homan.

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

4. Public Hearing

- 4.6.** 2024-427 Case File No. 24-0060 // City of Blaine
The City is proposing annual revisions to the Blaine Zoning Ordinance.
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 24-0060 was opened at 9:16PM.

Dale Strouth, 12880 Lexington Avenue, questioned if sheds were allowed in the city of Blaine.

Planner Kaye reported accessory buildings up to 120 square feet have always been allowed in most locations.

The public hearing was closed at 9:17PM.

Commissioner Halpern asked if the one foot setback for sheds would be opening this topic up for neighborly disagreements.

Community Development Specialist Showalter reported the vast majority of the single family lots in the R-1 district already have the one-foot setback requirement. She indicated the proposed change would bring the small minority of properties into alignment with the one-foot setback requirement.

Motion by Commissioner Deonauth to recommend approval of Planning Case 24-0060 based on the following conditions:

Case 24-0060:

- 1. Routine updates to the zoning code facilitate the code remaining current.**
- 2. The changes being proposed will improve the clarity of the code and address legal requirements.**
- 3. The changes to the parking requirements promote a balance between efficient use of land and provision of adequate parking.**
- 4. The changes continue to promote the health, safety and welfare of the residents, property owners and businesses within the City of Blaine.**

Motion seconded by Commissioner Gorzycki. The motion passed 6-0.

Chair Goracke noted this would be on the agenda of the November 4, 2024 city council meeting.