

**CITY OF BLAINE
ANOKA COUNTY, MINNESOTA**

**CITY COUNCIL MEETING NO. 03-22
Thursday, April 3, 2003**

**7:30 P.M.
Council Chambers
10801 Town Square Drive**

- 1. CALL TO ORDER BY THE MAYOR**
- 2. PLEDGE OF ALLEGIANCE TO THE FLAG**
- 3. ROLL CALL**
- 4. APPROVAL OF MINUTES**
 - Workshop Meeting – March 13, 2003
 - Workshop Meeting – March 20, 2003
 - Regular Meeting – March 20, 2003
- 5. AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS**
 - 5.1 PRESENTATION** - Recognition Plaques – Doug Oswald, Board of Review; Greg Ovik, Planning Commission; John Graham, Park Board
 - 5.2 ORGANIZATIONAL BUSINESS** – Appointment to Spring Lake Park Firefighters Relief Association Board of Trustees
- 6. COMMUNICATIONS**
- 7. OPEN FORUM FOR CITIZEN INPUT** - *Open Forum is an opportunity for citizens 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.*
- 8. ADOPTION OF AGENDA**
- 9. 8:00 P.M. - PUBLIC HEARINGS AND ITEMS SET FOR A CERTAIN TIME**
 - 9.1 PUBLIC HEARING** – Expenditure of Local Law Enforcement Block Grant Funds – *David Johnson, Safety Services Manager/Chief of Police*
 - A.** Authorizing Expenditure of Grant No. 2002-LB-BX-1305 in the Amount of \$22,007
- 10. 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.*
 - 10.1** Schedule of Bills Paid

- 10.2** Approve Tobacco and Tobacco Products License for Mr. Tobacco and Cigar, Inc., 1430 - 93rd Lane NE – *Jane Hall, City Clerk*
- 10.3** Resolution No. 03-49, Receive Petition and Order Public Hearing for Vacation of Drainage Easement for Lot 6, Block 5, Gemmill's Addition, Vacation No. V03-03 – *Chuck Lenthe, City Engineer*
- 10.4** Resolution No. 03-50, Receive Petition and Order Public Hearing for Vacation of Drainage Easement for Outlot C, Honey Grove, Vacation No. V03-04 – *Chuck Lenthe, City Engineer*
- 10.5** Resolution No. 03-51, Receive Petition and Order Public Hearing for Vacation of Drainage and Utility Easements for Outlots A, B, and C, Honey Grove, Vacation No. V03-04 – *Chuck Lenthe, City Engineer*
- 10.6** Resolution No. 03-47, Amending Joint Powers Agreement with North Metro Telecommunications Commission – *Roark Haver, Communications Coordinator*
- 10.7** Approve Donation in the Amount of \$1,175 for Cost-Share Purchase of Defibrillator Equipment for Fire Department – *Robert Therres, Support Services Manager*

11. DEVELOPMENT BUSINESS

- 11.1** Resolution No. 03-42, Granting a Conditional Use Permit for Total Garage Area Exceeding 1,000 Square Feet and allowing Construction of a Detached Garage that will be 1,200 Square Feet at 10580 Quincy Boulevard, Bill Booth (Case File No. 03-11/SLK) – *Bryan Schafer, Planning Director*
- 11.2** Resolution No. 03-44, Granting Final Plat Approval to Subdivide 4.5 Acres into 8 Single-Family Lots to be known as Deacon's Oaks at 117th Lane and London Street NE, Gonyea Homes Inc. (Case File No. 02-67/LST) – *Bryan Schafer, Planning Director*
- 11.3** Resolution No. 03-40, Granting Final Plat Approval to Subdivide 33 Acres into 24 Lots for 171 Multi-Family Units and Three (3) Outlots to be known as Club West 9th Addition at Club West Parkway and 113th Avenue NE, The Rottlund Company, Inc. (Case File No. 03-06/SLK) – *Bryan Schafer, Planning Director*
- 11.4** Resolution No. 03-54, Granting Final Plat Approval to Subdivide 9.63 Acres into Two (2) Lots and an Outlot for Retail, Restaurant and Services Uses to be known as National Market Center 2nd Addition at 105th Avenue/Highway 65 NE (Case File No. 03-24/SLK) – *Bryan Schafer, Planning Director*
- 11.5** Resolution No. 03-41, Granting a Conditional Use Permit to Construct Two (2) Retail Buildings Totaling 38,903 Square Feet and a Zero Lot Line on the South Line for Parking and Driveway Access at 105th Avenue/Highway 65 NE, Continental Development Corporation (Case File No. 03-05/SLK) – *Bryan Schafer, Planning Director*

- 11.6** Resolution No. 03-43, Granting Preliminary Plat Approval to Subdivide 34.59 Acres into 37 Single Family Lots and Two (2) Outlots to be known as Quail Creek 8th Addition at Quail Creek Parkway/Taconite Street NE, Newmark Homes, Inc. (Case File No. 03-13/LST) – *Bryan Schafer, Planning Director*
- 11.7** Blaine Environmental Campus (SKB Environmental), 10320 Naples Street NE – *Bryan Schafer, Planning Director*
 - A.** Resolution No. 03-52, Granting a Renewal of Conditional Use Permit 02-40 to Construct a Concrete Batch Plant with Outside Storage of Equipment and Materials
 - B.** Resolution No. 03-53, Granting a Renewal of Conditional Use Permit 02-41 to allow Multiple Buildings (3) on One Lot
- 11.8** First Reading - Ordinance No. 03-1970, Granting a Rezoning from R-2 (Two Family) to DF (Development Flex), Dailey Companies, Inc., Ulysses Street/129th Avenue (Case File No. 03-15/LST) – *Bryan Schafer, Planning Director*
- 11.9** Resolution No. 03-46, Approving the AUAR (Alternative Urban Area Review) for The Lakes Mixed Use Development (Case File No. 02-71/BKS) – *Bryan Schafer, Planning Director*
- 11.10** First Reading - Ordinance No. 03-1974, Granting a Rezoning from FR (Farm Residential) to DF (Development Flex) East of Radisson Road and South of Main Street for the Lakes Development, Main Street 1000, LLC for The Lakes Development (Case File No. 03-16/BKS) – *Bryan Schafer, Planning Director*

12. ADMINISTRATION

- 12.1** Adoption of Minnesota Uniform Fire and Building Codes – *Katherine Gove, Fire Marshal; Gary Hagedorn, Chief Building Official;*
 - A.** First Reading – Ordinance No. 03-1972, Amending Chapter 9, Fire Protection and Prevention; Article I, of the Blaine Code of Ordinances, Perpetually Adopting the Most Current Edition of the Minnesota State Fire Code
 - B.** First Reading – Ordinance No. 03-1973, Amending Chapter 6, Buildings; Construction; Related Activities, Article I, of the Blaine Code of Ordinances, Perpetually Adopting the Most Current Edition of the Minnesota State Building Code
- 12.2** Resolution No. 03-55, Authorizing Transfer of Funds for City Hall Building Project – *Robert Therres, Support Services Manager*
- 12.3** Additional City Hall Improvements - *Robert Therres, Support Services Manager*

13. OTHER BUSINESS

14. ADJOURNMENT

UNAPPROVED

**CITY OF BLAINE
ANOKA COUNTY, MINNESOTA
WORKSHOP
CITY COUNCIL MEETING NO. 03-16
Thursday, March 13, 2003**

5:45 P.M.
Cloverleaf Farm Room
10801 Town Square Drive

CALL TO ORDER/ROLL CALL

The meeting was called to order by Mayor Ryan at 6:00 p.m.

PRESENT: Councilmembers Clark (arrived at 6:11 p.m.), Herbst, Hovland, Kolb, Swanson, Mayor Ryan.

ABSENT: Councilmember Capra.

Quorum Present.

ALSO PRESENT: Ronald Wood, City Manager; Bob Therres, Support Services Manager; Cathy Conlow, Public Services Manager; Dave Johnson, Safety Services Manager/Police Chief; Bryan Schafer, Planning Director; Mike Ulrich, Public Works Director; Katherine Gove, Fire Marshal/Code Enforcement Director; Jane Hall, City Clerk; and Carol Hamer, Recording Secretary.

Blaine Quality Automotive Conditional Use Permit (CUP)

The Planning Director advised Blaine Quality Automotive, located at 9664 Central Avenue NE, was issued a Conditional Use Permit in September 1995. This CUP allows the applicant to have four cars parked outside overnight, but they have not been able to comply with this requirement. Staff discussed this with the Council in July and was directed to try to resolve the issue with the applicant. Staff met with Alan Singh, owner of Blaine Quality Automotive, several times and suggested they may have outgrown the site and that staff may be able to assist them in finding a larger parcel. No conclusions have been reached at this time, and he believes Mr. Singh would like to stay at this site.

Mr. Singh explained he purchased this property in 1997 and has done many improvements. They have been servicing this area and the business has grown. He stated some customers they have are low-income people and on several occasions he has had to hold onto cars until Friday when they receive a paycheck. Due to this the cars sometimes remain parked on the lot. He would like to work this out with the City, as he does not have any intention of relocating his business.

Councilmember Swanson explained the residents of the manufactured homes next to this site believe the City is not enforcing the rules of this Conditional Use Permit as they would if the property were adjacent to North Oaks. He stated compliance with the Conditional Use Permit is a big issue.

Councilmember Clark arrived at 6:11 p.m.

The manager of North Villa stated the issues with this property are cleanliness of the site, vehicles that are continually parked there, barrels that remain outside, white lattice fencing that looks terrible, vehicles worked

on under their canopy outside, and how the grounds are kept during the summer. He stated there are always more than four vehicles parked on the site, usually at least eight to twelve.

Councilmember Kolb suggested fencing be constructed behind the property and the vehicle limit be raised.

Councilmember Swanson asked what the impact would be on traffic if an eight-foot fence were constructed along the back of the property. The Planning Director responded if a fence were run along the back side of the property they would have to be sure the south driveway in the automotive site remains, and not bring the fence too far up to 97th Avenue. He noted the fence would remove some of the view of the site for the residents but it would not do anything for Highway 65. The building is so small he believes it must be hard for the operator to run a good clean operation with all the equipment needed. The owner has discussed an expansion; however, with the list of variances he is not sure it would make sense. There is a possibility the City could help them find another site that would let them have space for multiple bays. This might require help of the EDA to buy the existing site, which would be turned into green space, as it is too small to be utilized.

Darrell Singh, manager of Blaine's Quality Automotive, presented information of the steps they are taking to clean up their site. He explained the addition they discussed was primarily for inside storage that would alleviate a wood fence. They would apply for a zero lot line variance to continue the building along the property line.

The Safety Services Manager/Police Chief inquired if Blaine Quality Automotive has put any mechanical liens on vehicles to sell, as there have been complaints regarding vehicles for sale at the site. Mr. Singh responded in the negative.

Darrell Singh said they have a site plan prepared by their architectural firm that he would like to leave with the City.

Councilmember Hovland suggested fencing that tapers down on the ends be looked into to minimize the effects on the site.

Council consensus was to have staff review the site plan and the variances required and report back to the Council, with the manager of North Villa to participate in the process.

Presentation – Utilities Infrastructure Model

The Public Services Manager explained in 2001 the City completed a comprehensive Capital Improvement Program for the water system. The Council requested a financial plan be completed for the Capital Improvement Program. There are three types of improvements in the water system. The first is improvements in support of new development, which is typically supported from WAC. Second are improvements to the existing system paid out of depreciation expenses. Lastly, improvement of water quality falls under new development and depreciating expenses. Springsted Financial Advisors, which has previously completed financial analysis for the City, has completed a utilities infrastructure model they will be presenting tonight.

Patty Kettles, Project Manager with Springsted Financial Advisors, presented the Utilities Model Plan from 2003 to 2013.

The City Manager advised if these improvements were all to be built today the cost would be \$39,000,000; if they are built over time the cost would be \$48,000,000. These improvements are needed to meet drinking water standards, secondary standards, aesthetics, and to deal with growth.

Councilmember Hovland asked what kind of effect it would have if the City were to encourage homeowners to put in sandpoint wells for their watering system. The Public Services Manager responded the City has requested new developments to pull irrigation water from ponds and water areas. These issues can be complicated, however, and would be cost prohibitive for current homeowners.

The City Manager advised the important thing is the improvements, what the costs will be, and if it would be paid for with a cash flow method or a pay as you go method. If a pay as you go method were to be used funds would be used from past and current residents for improvements that future residents will take advantage of. If a debt financing method were to be used all of the residents would be paying for the improvements. He advised debt financing could also be a cheaper way of financing the improvements. Staff now has the model for this and they will be developing a five year financial plan that will be presented to the Council. This model will also allow them to decrease their rates when it is appropriate at any time in the five year period.

Councilmember Clark asked if a debt financing method would count against the City's total debt limit. Bob Thistle, representative of Springsted, explained it would be treated as a revenue debt, and does not count against the City's debt limit.

The City Manager advised the water and sewer funds will be separated out in the future. Mr. Thistle advised WAC and SAC charges should be used for capital improvements and replacements. The City has used it for operations and that should not continue.

Councilmember Hovland suggested the public be educated as to why the City has watering bans.

Councilmember Clark suggested the financing could be a combination of pay as you go and debt financing, and that the pay increase to the residents should not be too drastic.

The meeting was recessed at 7:51 p.m. The meeting was reconvened at 8:00 p.m.

Presentation – Integrated Financial Model

Nick Dragisich, representative of Springsted, presented information on developing a financial plan for the future.

The City Manager advised the City needs to adopt policies that are fiscally driven and based upon the best information they can gather over time. A land use plan is absolutely imperative; it can be looked at from a standpoint of social impact and livability, but also from a fiscal impact. The City needs a policy driven in financial planning rather than being reactive. With the model from Springsted, staff can more accurately tell the Council what the fiscal impact will be with land use planning. Springsted will look at the General Fund, Utilities Fund, and Debt Service Fund, and model them over the next five years; the results will be presented to the Council. He would like to come to the Council with a contract of \$17,500 with Springsted for their consideration.

The Support Services Manager advised the funds for the contract would be prorated from the Capital Improvement Fund, Park Fund, General Fund, and Water and Sewer Fund.

Council consensus was for staff to proceed in preparing a contract with Springsted for an Integrated Financial Model in the amount of \$17,500 for the Council to review.

Councilmember Swanson requested Springsted present a seminar on property tax to the Council.

The City Manager noted the process has been started for hiring a Finance Director and they will have this model in place when this position is filled.

Liquor Violation at Tasty Pizza

The Safety Services Manager/Police Chief advised a public hearing needs to be scheduled concerning a liquor violation at Tasty Pizza. The hearing could be held at a regular Council meeting or a special meeting could be called after a Council workshop on the second Thursday of April or May.

Council consensus was to call a special meeting on the second Thursday of April or May following a workshop.

The City Clerk advised the owner will be served with a letter and notice of the public hearing will be published 10 days prior to the hearing.

OTHER

Councilmember Hovland suggested the City add a charge to the Fine Arts Committee of working on historical items for the City. The City Manager responded a good place to start would be to forward this to the Director of Parks and Recreation. The Fine Arts Committee currently has a lot of work before them. They will be working on a presentation of Shakespeare in the Park this summer and a jazz festival in the summer of 2004.

Councilmember Kolb suggested the City have a representative sit on the Anoka County Historical Society, and noted the third story of the City Hall has space that could be utilized.

The workshop was adjourned at 8:53 p.m.

Tom Ryan, Mayor

ATTEST:

Jane M. Hall, CMC, City Clerk

UNAPPROVED

**CITY OF BLAINE
ANOKA COUNTY, MINNESOTA
WORKSHOP
CITY COUNCIL MEETING NO. 03-17
Thursday, March 20, 2003**

5:45 P.M.
Cloverleaf Farm Room
10801 Town Square Drive

CALL TO ORDER/ROLL CALL

The meeting was called to order by Mayor Ryan at 5:49 p.m.

PRESENT: Councilmembers Capra, Clark (arrived at 6:16 p.m.), Herbst, Hovland, Swanson, and Mayor Ryan.

ABSENT: Councilmember Kolb.

Quorum Present.

ALSO PRESENT: Ronald Wood, City Manager; Tom Sweeney (arrived at 6:05 p.m.); Cathy Conlow, Public Services Manager; Dave Johnson, Safety Services Manager/Police Chief; Nyle Zikmund, Fire Chief; Chuck Lenthe, City Engineer; Bryan Schafer, Planning Director; Cathy Sorensen, Deputy City Clerk; and Carol Hamer, Recording Secretary.

Funding Request – Charitable Gaming Contribution for Defibrillator Equipment for Fire Department

Jane Daniels, representative of the Rotary Club of Blaine and Ham Lake, reviewed the mission and projects of the Rotary Club of Blaine and Ham Lake. She explained the Blaine Ham Lake Rotary is donating \$2500 towards defibrillators. Allina Health Care Foundation will match funds to help communities provide first responders with defibrillators. Currently the SLP-Blaine-Moundsview Fire Department is in need of three additional defibrillators and the Ham Lake Fire Department is in need of one. The cost of one defibrillator is \$2500. By asking for matching funds from each city and then getting matching funds from Allina, they can reach their goal of providing defibrillators for all the first responders. The SLP-Blaine-Moundsview Fire Department has already raised \$7,000 to purchase the first three of six defibrillators. They know funds are limited within all city budgets and are asking for \$1175 in charitable gambling monies.

Councilmember Capra asked if the City would have any liability associated with these units. The Safety Services Manager/Police Chief responded the City would be exempt from liability under the Good Samaritan Law.

Councilmember Hovland asked if the City has a program for the maintenance of the defibrillators, such as charging the batteries and if the units hold up in cold weather. The Safety Services Manager/Police Chief responded the older units have rechargeable batteries, and the new ones come with a permanent yearlong battery. The City has recharging stations for the older units, and the units they currently have remain in the patrol cars and are not left in the cold.

Judy Gotham-Nelson, representative from Allina Health Care Foundation, explained the Lifepack 500 packaging says it has been tested to -20 Celsius.

Council consensus was to authorize the City Manager to donate \$1175 from the Charitable Gambling Fund to the Rotary Club of Blaine and Ham Lake for the purchase of defibrillator equipment.

Ms. Gotham-Nelson noted Lieutenant John Miller had asked if Blaine could receive credit for a defibrillator they had just purchased before this program started, which was agreed to. The device just came in today and she would like to get it in a squad car as soon as possible. The Safety Services Manager/Police Chief responded he would pick up the device.

The City Attorney arrived at 6:05 p.m.

Al Sannerud, representative of the Rotary Club, explained that Books for Africa is another project of the Club. Books are desperately needed for a library built by Peace Corp workers, Catholic churches and Methodist churches. He requested anyone with books to donate contact the Rotary Club and they will pick them up.

Acquisition of Property Located at 8866 Central Avenue NE

The City Engineer explained MnDOT acquired property in 1997 located at the southwest intersection of 89th Avenue and Highway 65 as part of the Highway 10 improvements. MnDOT acquired a home and property located at 8866 Central Avenue. The house was demolished and right-of-way was taken for the intersection improvements. Since the improvements were made, MnDOT wants to release the remaining parcel. They are required to notify the City of Blaine prior to selling the lot. The lot is presently 80 feet wide but the City will be taking an additional 14 feet along 89th Avenue for right-of-way. After taking an additional 14 feet, the end result will be that the lot will become 66 feet wide. MnDOT is currently estimating a value on the property at \$45,000 to \$65,000, however, an appraisal will be done. He reviewed the reasons why staff is recommending the EDA acquire the land from MnDOT.

Councilmember Swanson commented this should be considered, as at some point they will need to look at Highway 65 and change the access roads. They can release it when Highway 65 is completed.

Councilmember Herbst commented this is a good idea, as Highway 65 will likely need to be widened.

Councilmember Clark arrived at 6:16 p.m.

Councilmember Capra stated they cannot look objectively at this until they know the exact cost of the property. In addition, the Council needs to determine what the goals and objectives are of the EDA.

The City Manager stated that staff would proceed with an appraisal and bring forward as an agenda item now that they have received Council direction.

Review Building and Fire Code Amendments

Gary Hagedorn, Chief Building Official, explained the State of Minnesota is replacing the current Minnesota Uniform Building and Fire Codes with the new Minnesota State Building and Fire Codes. These will be based on the 2000 editions of the International Building and Fire Codes or I-Codes. Cities within the 11

county metropolitan area are mandated by state law to adopt the State Fire and Building Code. The proposed code amendment involves perpetual adoption of the most current Minnesota State Building and Fire Codes. As of today 45 out of 50 states are adopting the amendments. This will not change what they are currently doing; it just makes the definition more clear.

Councilmember Capra expressed concern regarding owners of buildings where changes that could be cost prohibitive are required. If the costs were too high and the owner could not complete the improvements the building could not be rented. The alternative would be to charge above market rate rents to help pay for the costs of the improvements.

Mr. Hagedorn advised typically, buildings in Blaine are up to standards.

The Council discussed the possible changes of use in buildings, multi-tenant buildings with different uses, and the requirements for sprinkling.

Councilmember Capra stated he believes the way this amendment is proposed is unfair. If a sprinkling system is needed, the cost in a new building is not nearly as expensive as in an existing building where walls would need to be torn out. The owner would then have a huge expense and be unable to rent because he would have to charge rent that is too high.

Councilmember Herbst inquired if the code would make things more lucrative or more restrictive for a business. Mr. Hagedorn responded he believes it is a good thing, and very few buildings would have to upgrade to the specific requirements of this code. It will save money for them in the long run with insurance rates going down and a better chance of getting a tenant in the building.

Councilmember Capra asked what other changes a business would need to take on should they change classifications. Mr. Hagedorn responded the other requirements would typically be a fire separation wall and exiting standards.

Councilmember Clark asked what codes staff would look at when reviewing a floor plan. Mr. Hagedorn responded they would look at what occupancies are there, if a firewall is needed, exiting, ventilation, and handicap access.

Councilmember Capra stated whenever a change is made everything would have to be brought up to code. This can be substantial to whoever owns the building.

Councilmember Clark suggested a low interest loan fund be established to assist property owners affected by this code. Katherine Gove, Fire Marshal, responded the BADC is established for this purpose. She advised the changes do not have a significant impact. For example, a retail video store changed to an assembly classification there were no code changes.

Nyle Zikmund, Fire Chief, noted in 15 years there have only been two loan applications.

Councilmember Hovland suggested the Council review the codes to determine they are fair and applicable to all businesses and homeowners, existing and new.

Councilmember Capra suggested there may be a way to link this back into the EDA as a redevelopment concept. They have discussed the EDA bringing business in and expanding the base. There will be times

when the low interest on a loan will not be enough for a business' balance sheet. Councilmember Clark questioned how that concept would be applied fairly.

Councilmember Hovland recommended a committee be formed of at least one Councilmember from each district to review the codes. It would take some time, but would be to everyone's benefit. The City Manager responded a workshop on codes is scheduled.

The City Manager advised the City is required to abide by this code by state statute.

Councilmember Herbst suggested they be very careful in the ordinance concerning the change of use in buildings. He also has concerns with the effect of this on old buildings, but he thinks this will be beneficial.

Blaine's Blazin' 4th Fireworks

Mayor Ryan reported Kelly Dorn of the Village Shopping Center has considered financing the fireworks for Blaine's Blazin' 4th if part of the celebration were to be moved into their shopping center. There is a possibility he would fund the fireworks if advertising for the shopping center were to be included in the celebration.

Councilmember Clark expressed concern with moving the celebration to the parking lot of a shopping center, which could hurt the ability of community groups to run fundraisers.

Councilmember Swanson commented they may want to move the celebration back to Aquatore Park.

Mayor Ryan adjourned the workshop at 7:15 p.m.

Tom Ryan, Mayor

ATTEST:

Catherine M. Sorensen, Deputy City Clerk

UNAPPROVED

**CITY OF BLAINE
ANOKA COUNTY, MINNESOTA**

**CITY COUNCIL MEETING NO. 03-18
Thursday, March 20, 2003**

**7:30 P.M.
Council Chambers
10801 Town Square Drive**

CALL TO ORDER BY THE MAYOR RYAN

The meeting was called to order at 7:30 p.m. by Mayor Ryan followed by the Pledge of Allegiance and the Roll Call.

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL

Councilmembers Capra, Clark, Herbst, Hovland, Swanson, Mayor Ryan, City Manager Ron Wood, and City Attorney Thomas Sweeney.

ABSENT: Councilmember Kolb.

Quorum present.

ALSO PRESENT: Cathy Conlow, Public Services Manager; Bryan Schafer, Planning Director; Roark Haver, Communications Technician; Cathy Sorensen, Deputy City Clerk; and Carol Hamer, Recording Secretary.

APPROVAL OF MINUTES

Workshop Meeting – March 6, 2003

Regular Meeting – March 6, 2003

Action 03-89

Moved by Councilmember Herbst, seconded by Councilmember Hovland, that the minutes of the Workshop Meeting of March 6, 2003, and Regular Meeting of March 6, 2003, be approved.

Councilmember Clark corrected page 8, action 03-75, to show himself as the maker of the motion, rather than Councilmember Hovland.

Motion adopted unanimously.

AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS

PROCLAMATION – Recognition of Outstanding Achievement – Eagle Scout Michael Hanzal

(AI 5.1)

Mayor Ryan recognized Eagle Scout Michael Hanzal for his hard work and dedication to the ideals of scouting and earning the outstanding rank of Eagle Scout.

Michael Hanzal stated this is a great achievement where you learn you are a leader and understand what you have been through and accomplished.

Councilmember Hovland commented the Scout program truly builds character. He stated the boys truly earn this badge and learn a lot about citizenship within the community, the nation, and the world. Many Scouts continue on with their careers with something they learned through Scouting.

COMMUNICATIONS

Mayor Ryan reported the service the City has received from Volunteers of America is being included in the cuts by the state government. Elderly people depend on this program and it may be removed totally from the budget. It is not only about the \$1.75 meal the people receive, but that it gets them away from their home. He encouraged people to contact their legislators, as this will hurt a lot of people.

Mayor Ryan reported several members of the Council and the City Manager traveled to Washington D.C. for a conference March 7th. They met with their congressional representatives and attended classes concerning issues they have faced for many years. They learned there are 45 states with budget problems, some far worse than Minnesota. One of the main things the Council was trying to accomplish was to get in as much lobbying as they can for the transportation bill. The support was awesome, and they discussed problems on Highway 65. All of their representatives gave them very good representation. He commented he had a chance to have dinner with the President, but could not attend, as the dinner was the day after they were leaving.

Councilmember Hovland commented there were over 3,000 municipal government officials on hand to develop priority agendas for 2003 focusing on such things as homeland security, combating racism, youth educations and families. The following statement was made by the NLC president: "Cities and towns need to maintain a strong voice in our nation's capital, especially in light of the economic downturns. With the added responsibilities of homeland security cities and towns are now on the front lines of defense and need to be able to not only guard against terrorism but meet the needs of our citizens."

Councilmember Herbst commented the Council went to this conference to focus on several issues, with the main issue being transportation funding. This Council has been very active on Highway 65 and the more they discuss Highway 65 and transportation funds the better chance there is of receiving the funds. They also have their county working on the same issue, which is well known by Congress. The Council learned a lot, had access to their senators and congressmen, and the City Manager did a great job. It was a cheap lobbying trip and was successful.

The City Manager commented a lot has been said about the cost of lobbying and the best lobbyists of this community are the elected officials. They need to be in front of their state legislators and United States senators in congress. He recommends they continue to do this; if they budget their money right they will be able to do this at least twice per year.

Mayor Ryan stated they should wish their troops the best. There has been a lot of conversation in both directions regarding the war, but the troops should be remembered in their prayers.

OPEN FORUM FOR CITIZEN INPUT

None.

ADOPTION OF AGENDA

The agenda was adopted as presented.

8:00 P.M. - PUBLIC HEARINGS AND ITEMS SET FOR A CERTAIN TIME

None.

APPROVAL OF CONSENT AGENDA:

Councilmember Herbst requested the removal of agenda item 10.3.

Action 03-90 (AI 10.1, 10.2, 10.4, and 10.5)

Moved by Councilmember Hovland, seconded by Councilmember Herbst, that Consent Agenda items 10.1, 10.2, 10.4, and 10.5 be approved.

Schedule of Bills Paid

Second Reading - Ordinance No. 03-1971, Vacation of Utility and Drainage Easements for Lots 1, 2, 5, 6, 7 and 8, Block 2, Roseland Industrial Park, Adding Chapter 146YY, Vacation No. V03-01

Approval of Temporary Nursery Sales Licenses

- Cub Foods North, 12595 Central Avenue NE

- Cub Foods, 585 Northtown Drive NE

- Frattalone Hardware, 10809 University Avenue NE

Authorizing Purchase of 2003 Capital Equipment (Skid Loader and Mini-Van) in the Amount of \$46,858.78, including \$2,651.36 in State Sales Tax

Motion adopted unanimously.

Resolution No. 03-33, Authorizing Financial Contribution from the Gaming Fund to Minnesota Food Share in the Amount of \$7,500

Mayor Ryan noted this contribution was made last year from the Charitable Gambling Fund. There are a lot of people out of work that need this service and anything anyone can do is appreciated.

Action 03-91 (AI 10.3)

Moved by Councilmember Herbst, seconded by Councilmember Hovland, that “Resolution No. 03-33, Authorizing Financial Contribution from the Gaming Fund to Minnesota Food Share in the Amount of \$7,500” be approved.

Motion adopted unanimously.

DEVELOPMENT BUSINESS

117th Lane/London Street NE, TJB Homes (Case File No. 03-08/LST)

A. Second Reading - Ordinance No. 03-1968, Granting a Rezoning from FR (Farm Residential) to R-1AA (Single-Family)

The Planning Director presented background information.

Action 03-92 (AI 11.1A)

Moved by Councilmember Capra, seconded by Councilmember Swanson, that Ordinance No. 03-1968, “Amending the Zoning Code of the City of Blaine So As To Provide Changes in the Zoning Classification, Case File 03-08” be approved.

Councilmember Clark requested the plan for preserving trees in this area, which is fairly wooded, be discussed. The Planning Director explained the grading plan will be looked at to determine if grading needs to occur on some of the lots, this will minimize the loss of trees. Secondly, staff will work with the builder during the process of the building permit. They will work with issues such as driveway placement so the best trees can be saved. There are a number of trees impacted and staff will work with the builders on each lot. Staff and the builder both want the same thing, as generally the lots with trees draw a premium at the time of sale.

Councilmember Hovland asked if sidewalks are planned along London Street or 117th Avenue. The Planning Director responded this has been included as a condition. There will be a sidewalk on the east side of London Street and as the area develops it would connect London Park and TPC Park.

Motion adopted unanimously.

B. Resolution No. 03-34, Granting Preliminary Plat Approval to Subdivide 14.5 Acres into 15 Single-Family Lots along 117th Lane and One (1) Outlot for Future Development to be known as Deacon’s Forest

Action 03-93 (AI 11.1B)

Moved by Councilmember Clark, seconded by Councilmember Capra, that Resolution No. 03-34, “Granting Preliminary Plat Approval Per Section 18-4(C)(1) of the Subdivision Ordinance of the City of Blaine, 117th Lane/London Street NE, TJB Homes, Deacon’s Forest” be approved.

Motion adopted unanimously.

Resolution No. 03-35, Granting Final Plat Approval to Subdivide 4.09 Acres Into 2 Lots at Xylite Street and Yancy Court to be known as The Sanctuary 4th Addition, Paulson Development (Case File No. 02-10/LST)

The Planning Director presented background information on this request.

Action 03-94 (AI 11.2)

Moved by Councilmember Capra, seconded by Councilmember Hovland, that Resolution No. 03-35, “Granting Final Plat Approval Per Section 18-3(3)(g) of the Subdivision Ordinance of the City of Blaine, Paulson Development, Yancy Street and Xylite Court NE, Sanctuary 4th Addition” be approved.

126th Avenue/Highway 65 NE, Noecker Development, LLC (Case File No. 03-02/LST)

A. Resolution No. 03-36, Granting a Comprehensive Plan Amendment from CC (Community Commercial) to HDR (High Density Residential)

Action 03-95 (AI 11.3A)

Moved by Councilmember Swanson, seconded by Councilmember Hovland, that Resolution No. 03-36, “Amending the Comprehensive Plan to Change the Land Use Plan from CC (Community Commercial) to HDR (High Density Residential), Noecker Development, LLC, 126th Avenue/Highway 65 NE, Granite Gardens and Granite Crossings, Case File 03-02” be approved.

The Planning Director presented background information on this request.

Councilmember Capra stated he has struggled with changing the Comprehensive Plan from commercial or light industrial to high density or medium density residential. He has a concern that they keep changing the Comprehensive Plan from commercial to residential as the City develops out. He stated there is no question it is a lot easier to develop the residential than any of the commercial or industrial, as the residential goes much quicker. His concern is as things develop in the future the people with open pieces of property left in the City will be holding the bag. He stated there needs to be special planning on this in the future. This is the last change he will vote for where they are taking a commercial piece and changing it to residential. The only reason he is voting for this one is because of its location, the access, and what he believes will happen with the property. He does not think it could sustain itself as a high quality commercial piece in the future. He stated the land use in the City concerns him as they move forward.

Councilmember Clark stated he concurs with Councilmember Capra. They have made a conscious effort to conserve their industrial land, and there is also a need to be cognizant of conserving the prime commercial space.

The City Manager explained the City will be entering into a contract with Springsted, Inc. to develop the Integrated Financial Model System. They will be looking at the City’s land use plan and at the fiscal impact by using the model to see what occurs. They will be able to change the land use plan and see what fiscal impact it would have. This gives them a better understanding of how they designate land and ratios and how it impacts their tax base and quality of life in their community. He noted Councilmember Capra raises a valid concern. With this model, however, they can look at changes in land designations when some pieces of property that would traditionally be a good retail use are not succeeding with businesses. In the long run they can make sure they have the proper ratio for industrial, residential, and commercial. The City has challenges and the model will help them make better decisions in this area. In the future Councilmember Capra may want to vote in favor of another change as long as he knows they will have the same ratio in the future.

Mayor Ryan stated it is important to look at each one of the changes in land designation. Five to six years ago the amount of commercial land was excessive on Highway 65. At that time the value was two dollars per square foot, and it is now five dollars per square foot. This side street was not a good commercial location, and now they have been able to create a restaurant and service businesses. They have never had an

open unit in senior housing, recently there were 400-500 people waiting, and many seniors are doubling up because of the cost.

Councilmember Swanson stated he will support this even though he agrees with the concern of the conversion of commercial and light industrial land. He also has a concern about the type of residential development they have in the City, and this is a very unique type of residential development with a good location for it. If it were a normal townhome development he would not support it. He is glad to see something with creativity on Highway 65.

Motion adopted unanimously.

Second Reading - Ordinance No. 03-1969, Granting a Rezoning from B-3 (Regional Commercial) to DF (Development Flex)

Action 03-96 (AI 11.3B)

Moved by Councilmember Herbst, seconded by Councilmember Hovland, that Ordinance No. 03-1969, “Amending the Zoning Code of the City of Blaine So As To Provide Changes in the Zoning Classification from B-3 (Regional Commercial) to DF (Development Flex), Noecker Development, LLC, Granite Gardens and Granite Crossings, Case File 03-02” be approved.

Motion adopted unanimously.

C. Resolution No. 03-37, Granting a Conditional Use Permit to Construct a 92-Unit Senior Rental Apartment Complex and 60 Senior Condominiums under the DF (Development Flex) Zoning

Action 03-97 (AI 11.3C)

Moved by Councilmember Hovland, seconded by Mayor Ryan, that Resolution No. 03-37, “Granting a Conditional Use Permit Per Sections 27.03 and 29.80 of the Zoning Ordinance of the City of Blaine, Noecker Development, LLC, Granite Gardens and Granite Crossings” be approved.

Mot adopted unanimously.

D. Resolution No. 03-38, Granting Preliminary Plat Approval to Subdivide Approximately 6.3 Acres into Two (2) Development Parcels and an Outlot for Future Development

Action 03-98 (AI 11.3D)

Moved by Councilmember Herbst, seconded by Mayor Ryan, that Resolution No. 03-38, “Granting Preliminary Plat Approval Per Section 18-4(C)(1) of the Subdivision Ordinance of the City of Blaine, 126th Avenue/Highway 5 NE, Noecker Development, LLC, Granite Gardens and Granite Crossings” be approved.

Motion adopted unanimously.

Resolution No. 03-39, Granting Preliminary Plat Approval to Subdivide 4.38 Acres into Three (3) Parcels for a Retail Building, Fast Food Restaurant, and a Walgreen's at Pheasant Ridge Drive/Lexington Avenue (SE Corner), Net Lease Development, LLC (Case File No. 03-04/SLK)

Action 03-99 (AI 11.4)

Moved by Councilmember Capra, seconded by Councilmember Hovland, that Resolution No. 03-39, “Granting Final Plat Approval Per Section 18-3(3)(g) of the Subdivision Ordinance of the City of Blaine, Net Lease Development, LLC, Pheasant Ridge Drive/Lexington Avenue (SE Corner), Pheasant Ridge Village 2nd Addition” be approved.

The Planning Director presented background information.

Motion adopted unanimously.

ADMINISTRATION

Resolution No. 03-30, Amending Resolution No. 01-183, Amending Resolution No. 95-22, Establishing Financing Sources for Capital Improvement Fund

Action 03-100 (AI 12.1)

Moved by Councilmember Swanson, seconded by Councilmember Hovland, that Resolution No. 03-30, “Amending Resolution No. 01-183, Amending Resolution No. 95-22, Establishing Financing Sources for Capital Improvement Fund” be approved.

The City Manager explained the Council previously passed a resolution that states that any General Fund balance in excess of 30 percent of the then current General Fund Budget must be transferred to the Capital Improvement Fund. This Capital Improvement Fund has accumulated to approximately seven million dollars. There is now a budget crisis and the City is having revenue impacts from LGA funds. The proposed amendment eliminates the requirement to transfer the general fund balance in excess of 30 percent of the current year’s budget to the Capital Improvement Fund. This would allow the Council to use general fund dollars to deal with aid cuts to the general fund, not only for 2003, but for anticipated further cuts in 2004. This resolution does not eliminate the Council’s ability to transfer general fund balance to the CIF. It only eliminates the requirement to do so.

Mayor Ryan noted the Capital Improvement Fund has served its purpose, however, with the financial problems they are facing they need to put the monies back into the budget. They can transfer the funds again when they are able to.

Motion adopted unanimously.

OTHER BUSINESS

Call Special Closed Meeting on Thursday, April 3, 2003, 6:30 p.m., to Discuss Pending Litigation – Blaine International Village, et al

Action 03-101 (AI 13.1)

Moved by Councilmember Herbst, seconded by Councilmember Hovland, that “Call Special Closed Meeting on Thursday, April 3, 2003, 6:30 p.m., to Discuss Pending Litigation – Blaine International Village, et al” be approved.

Motion adopted unanimously.

City Meeting with Legislators

Mayor Ryan reported Senator Don Betzold and Representative Connie Bernardy will be at the City Hall from 10:00 a.m. to noon Saturday to discuss any issues residents have with the Legislature. Councilmember Herbst encouraged residents to come and discuss Highway 65 transportation issues.

City and State Budget Deficits.

The City Manager reported regarding the state government and the budget deficit, staff had one time understood what they thought the monetary impact would be on the City with the loss of LGA and with levy limits. The impact was approximately 2.4 million dollars. Staff provided a plan to deal with this, however, since then there have been numerous changes coming forward. There is a bill now going through legislation that would limit the amount of revenue available in 2004 and 2005 to the amount of the 2002 levy. That is another five percent impact on the budget the City will have to deal with. In addition, there is another bill going through that eliminates the ability of the cities to issue debt, including certificates used to purchase their vehicles. That has a major impact in terms of the fleet vehicles they have, as they do not have cash reserves to buy them. Those two impacts could be as much as 10 percent of the general fund budget. Staff was very close to being able to deal with another budget plan and now that will have to change again. It is a moving target and hopefully they will have a good handle on what the worst-case scenario will be in the near future.

Councilmember Swanson noted if the levy limits are held at the 2002 level the City would only be able to incur costs from new development, and not benefit from revenue.

Mayor Ryan commented everyone is part of this fix, however, a statement was made that no one will have increased taxes, yet there was a letter published that showed fees have already increased by 460 million dollars.

The City Manager stated focus is being lost on the problem, which is a state deficit. Freezing employee wages at the local level and freezing the debt ability of the City will have zero impact on the state deficit. Many of the things circulating through the legislature are new impacts on controlling local government but have nothing to do with solving the state budget process. He encouraged the public to come to the meeting on Saturday, to visit the City's website and call and ask questions. The better informed the public is, the better recommendations they can give to local, state and federal representatives.

Public Hearing to Review the Conditional Use Permit for Lighting at Be-Bop's Sports Bar.

Moved by Councilmember Clark, seconded by Councilmember Capra, to direct Staff to call a public hearing for the April 3, 2003 City Council meeting to review the Conditional Use Permit for lighting at BeBop Sports Bar and Grill.

Councilmember Clark explained the City's agreement with BeBop to amend their Conditional Use Permit in February of 2001 had a stipulation they would hold a public hearing at the end of 2002 to review the affect of the Conditional Use Permit change. With a change in the management at City Hall and the monumental tasks staff undertook in the move the public hearing did not happen. The applicant would like to hold the public hearing and will request to change the hours lighting is allowed from 10:30 to 11:00 p.m.

The Public Services Manager advised the publication requirements cannot be met for the April 3 City Council meeting, and the meeting would not be able to be held until the second meeting in April.

Motion adopted unanimously.

ADJOURNMENT

The meeting was adjourned at 8:32 p.m. by Mayor Ryan.

Tom Ryan, Mayor

ATTEST:

Catherine M. Sorensen, Deputy City Clerk

T:\CityClerk\CSorensen\MINUTES\Council & Workshop\2003\032003REG.doc

**THE
SPRING LAKE PARK
FIREMEN'S RELIEF
ASSOCIATION**

1710 Highway 10, Spring Lake Park, Minnesota 55432

March 25, 2003

Mayor Tom Ryan
Blaine City Council
10801 Town Square Drive
Blaine, MN 55449

Dear Mayor and Council:

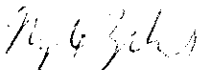
Recently, we were informed of the decision made by the Blaine City Council to appoint Council members Kathy Kolb and Richard Swanson to the Spring Lake Park Firefighters Relief Association.

Minnesota Statutes 424A.02 provides that only one member be appointed from the City of Blaine as a trustee of the Relief Association Corporation. Trustless are appointed for a one-year term pursuant to the same statute.

The Corporation and Board of Trustees are responsible for the management and administration of a six million dollar pension fund that provides benefits to retired volunteer firefighters of the SBM Fire Department.

Your assistance in naming a single individual and informing us of that decision at your earliest possible convenience will be greatly appreciated.

Sincerely,


Nyle Zikmund
Fire Chief


Tim Skillings
Relief Association President



CITY OF BLAINE

TO: Mayor and City Council

APPROVED:

FROM: David Johnson, Safety Services Manager/Chief of Police

DATE: April 3, 2003

NO.: 9.1

ITEM: **PUBLIC HEARING:** Expenditure of Local Law Enforcement Block Grant Funds

A. Authorizing Expenditure of Local Law Enforcement Block Grant No. 2002-LB-BX-1305 in the Amount of \$22,007

This item gives interested people a chance to voice their ideas on how the City of Blaine and Blaine Police Department can allocate the expenditure of the available LLEBG funds for law enforcement purposes within the federally defined program areas. After hearing the public comments, Council will be asked to allocate the available LLEBG funds for specific purchases and/or projects.

BACKGROUND:

In 2002, The City of Blaine Police Department was awarded a "Local Law Enforcement Block Grant" (LLEBG) through a federal program administered by the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance. This specific grant, number 2002-LB-BX-1305, is in the amount of \$19,806 and requires a local cash match of \$2,201. The cash match was included in the Police Department's 2003 General Fund Budget and transferred to the federal grant account. The grant period is October 1, 2001 through September 30, 2003 and the funds must be expended within that time. Total grant funds, including the cash match, are \$22,007. Previous Local Law Enforcement Grants were received in years 1996 through 2002.

The City of Blaine and Blaine Police Department have complied with all federal requirements regarding the LLEBG Program and a "Grant Adjustment Notice (GAN)" has been issued allowing the expenditure of the funds for the purpose of purchasing law enforcement technology equipment. The project requested for use of LLEBG Funds was the purchase, installation and implementation of a "Livescan Fingerprint Capture System" in the Detention Area of the Blaine Police Facility. Specifically, the system would take the fingerprints of arrested persons booked into the Blaine Police Department Municipal Detention Facility, digitally scan them, classify them, make paper copies on the appropriate forms, transmit automatically to the State of Minnesota Bureau of Criminal Apprehension and the Federal Bureau of Investigation. The "Livescan Fingerprint Capture System" will also send and receive the fingerprint information which confirms the identity of persons whose fingerprints are already in the State or Federal systems. Finally, this system will automatically integrate the biographical information on arrested persons from the digital booking photo system already installed and operational to the "Livescan Fingerprint Capture System" so the information does not have to be double entered by Department personnel

The State of Minnesota has awarded the bid and State contract for software and equipment for the “Livescan Fingerprint Capture System” that is authorized to connect to the BCA and FBI systems to Identix Incorporated. All entities wishing to enter to State and Federal systems for fingerprinting must purchase the hardware and software from the approved vendor. The costs for purchasing the equipment and software, installation and training are as follows:

Hardware, Software, Interfaces & Installation	\$37,427.23
State Sales Tax	<u>2,432.77</u>
Total Cost	\$39,860.00

The LLEBG Funds available and cash match would pay for \$22,007 of this purchase and installation. The remaining \$17,853 and staff training costs would be paid by proceeds from “Juvenile Accountability Incentive Block Grants” already requested and received by the Blaine Police Department for this purpose from the Minnesota Department of Economic Security. No General Fund or Capital Funds will be used.

This is the recommendation for the use of the LLEBG Funds by the Blaine Police Department and the Advisory Board which was established to review the use by the requirements of the Grantor. The City Council must also receive and consider input on use of the LLEBG Funds from the public. The only restrictions on the use of the funds is that they must be expended for law enforcement purposes in any of the following areas:

- Hiring of Law Enforcement Personnel
- Overtime For Law Enforcement Personnel
- Technology and Information Sharing
- Enhancing Security
- Drug Courts
- Enhancing Adjudication
- Multi-Jurisdictional Task Forces
- Crime Prevention
- Indemnification Insurance

RECOMMENDED COUNCIL ACTION:

By motion, authorize and allocate the LLEBG funds available from grant 2002-LB-BX-1305, and the required cash match, to purchase and install the Identix Incorporated “Livescan Fingerprint Capture System” in the Detention Area of the Blaine Police Facility

ATTACHMENTS:

[US Department of Justice Award](#)
[Cost Quotation from Identix Incorporated dated January 16, 2003](#)



U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS

AWARD

PAGE 1 OF 7

OJP ☒ BJA ☐ OJDP ☒
BJS ☐ NIJ ☐ OVC ☐

GRANT
COOPERATIVE AGREEMENT

CHECK APPROPRIATE BOX

1. GRANTEE NAME AND ADDRESS (Including Zip Code)

Blaine City
10801 Town Square Drive N.E.
Blaine, MN 55449-8101

4. AWARD NUMBER: 2002-I.B-BX-1305

5. PROJECT PERIOD: FROM 10/01/2001 TO 09/30/2003

BUDGET PERIOD: FROM 10/01/2001 TO 09/30/2003

1A. GRANTEE IRS/VENDOR NO. 416008302

6. AWARD DATE 07/10/2002

7. ACTION

2. SUBGRANTEE NAME AND ADDRESS (Including Zip Code)

8. SUPPLEMENT NUMBER

☒ Initial

☐ Supplemental

2A. SUBGRANTEE IRS/VENDOR NO.

9. PREVIOUS AWARD AMOUNT

\$0.00

3. PROJECT TITLE

FY 2002 Local Law Enforcement Block Grants

10. AMOUNT OF THIS AWARD

\$19,806

11. TOTAL AWARD

\$19,806

12. SPECIAL CONDITIONS (Check, if applicable)

☒ THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH
ON THE ATTACHED 6 PAGES

13. STATUTORY AUTHORITY FOR GRANT

TITLE 1 OF THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968,
42 U.S.C. 3701, ET. SEQ., AS AMENDED

TITLE 2 OF THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT OF 1974
42 U.S.C. 5601, ET. SEQ., AS AMENDED

VICTIMS OF CRIME ACT OF 1984, 42 U.S.C. 10601, ET. SEQ., PUBLIC LAW 98-473, AS AMENDED

☒ OTHER (Specify): Fiscal Year 2002, Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act (Pub. L. No. 107-77)

14. FUTURE FISCAL YEAR(S) SUPPORT:

SECOND YEAR'S BUDGET PERIOD:

N/A

AMOUNT OF FUNDS:

N/A

TYPE OF FUNDS:

THIRD YEAR'S BUDGET PERIOD:

N/A

AMOUNT OF FUNDS:

N/A

TYPE OF FUNDS:

15. METHOD OF PAYMENT

THE GRANTEE WILL RECEIVE CASH VIA A LETTER OF CREDIT

YES ☒ NO

AGENCY APPROVAL

GRANTEE ACCEPTANCE

16. TYPED NAME AND TITLE OF APPROVING OJP OFFICIAL

Richard Nedelkoff
Director
Bureau of Justice Assistance

18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL

Robert Therres
Interim City Manager

17. SIGNATURE OF APPROVING OJP OFFICIAL

19. SIGNATURE OF AUTHORIZED GRANTEE

19A. DATE

AGENCY USE ONLY

20. ACCOUNTING CLASSIFICATION CODES

FISCAL YEAR FUND CODE BUD. ACT. DIV. REG. SUB. POMS

X B LI 80 00 00

21. LHM14

1102U01305

Quotation

Identix Incorporated
 (The recently merged companies of Visionics and Identix)
 Regional Sales Office
 1609 Island Pass
 Waconia, MN 55387
 Tel: (952) 442-8701
 Fax: (952) 442-1327

Date of Quotation: 16-Jan-03

Quotation Valid Thru: 16-Apr-03

Quotation Prepared For:

Blaine PD
10801 Town Square Drive
Blaine, MN 55449
 Attn: Sgt. Dan Szykulski
 Ph: (763) 785-6135

Model	Description	Qty	Unit Price	Extended Price
TPFC-DTMFMNLE1	System Includes: Tenprinter FC Desktop Modular System w/ Flat Screen Monitor Tenprint Card Application Software Package Tenprint Card Format Development; Add'l Card Tenprint Card Format Development; Add'l Card WSQ Compression Software Slap-to-Roll Image Matching Software Image Printer Station; double-sided ACMS Communication Software; Minnesota Installation and Training for TPFC System 1 Year Warranty after date of Installation Shipping	1	\$ 33,995.00	\$ 33,995.00
L11803-00	Demographic Interface to Visions	1	\$ 5,865.00	\$ 5,865.00

Equipment- \$37,427.23
 Tax- \$ 2,432.77
 Total- \$39,860.00

Total Price:

\$ 39,860

One-Year 24/7 Maintenance Agreement (after 1 Year Warranty Expires):

\$ 5,940

OR

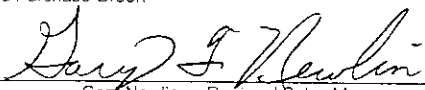
One-Year 9/5 Maintenance Agreement (after 1 Year Warranty Expires):

\$ 5,220

General Terms and Conditions:

- 1) Products are warranted against defects in materials and/or workmanship for a period of one (1) year from the date of installation.
- 2) Prices do not include any provisions for taxes (if any), which are the responsibility of the purchaser.
- 3) Terms of payment are net thirty (30) days from shipment of the system.
- 4) Prices exclude any provisions for engineering labor service charges (labor) incurred by the customer during the warranty period, unless such charges are the direct result of defects in materials or workmanship. Engineering service charges subsequent to the warranty period (both parts and labor) are the responsibility of the customer. A maintenance contract for the system is recommended and is available from Identix. Pricing is listed above.
- 5) No costs of installing or maintaining the communication line for outbound transmissions are included in this quote.
- 6) Preparation of the site to accommodate the system is the responsibility of the customer. Site requirements (power and environment) are provided in the Site Survey which will be provided to the customer upon receipt of a Purchase Order.

Quotation Prepared for Identix Incorporated By:


 Gary Newlin, Regional Sales Manager

CITY OF BLAINE

Approved on 4/03/2003 for Payments through 3/07/2003

Vendor Name	Description	Amount
ADAM'S PEST CONTROL INC	MONTHLY PEST CONTROL	31.95
ALZA CORPORATION	REFUND 2002 INSTALLMENT	2,308.47
AMERICAN PLANNING ASSOCIATION	ZONING NEWS SUBSCRIPTION	65.00
AMI IMAGING SYSTEMS INC	LIGHT FOR MICROPRINTER	90.00
ANIMAL CONTROL SERVICES INC	ANIMAL IMPOUND FEES	315.12
ANOKA COUNTY	MDT STATE ACCESS FEES	2,174.83
ANOKA COUNTY	ASSESSING CONTRACT	213,997.00
ANOKA COUNTY	CUP/VARIANCE RECORDINGS	90.00
ANOKA COUNTY - ES	HAZARDOUS WASTE LICENSE	135.00
ANOKA COUNTY COMM DEVELOPMENT	INTEREST ON CDBG FUNDS	2,421.53
ANOKA COUNTY GOVERNMENT CENTER	RECORDS SHARED COSTS	971.36
ANOKA COUNTY HIGHWAY DIVISION	JEFFERSON @ NTOWN SIGNAL	4,316.62
ANOKA COUNTY LICENSE BUREAU	SALES TAX/TABS ON #2321	3,248.47
ANOKA HENNEPIN SCHOOL DIST 11	COUNTERACT SUPPLIES	214.00
ANOKA-HENNEPIN TECH COLLEGE	SCHOOLS	475.00
ARNDT/ALICE	FEBRUARY 2003	2,617.15
ARROWWOOD	MCFOA STATE CONFERENCE	252.42
AT & T BROADBAND	CABLE SERVICE	13.21
AUTO-CHLOR SYSTEM	DISHWASHER SUPPLIES	19.70
AUTO-MEDICS TOWING	TOWING	292.88
BATTERIES PLUS	SEWER SYSTEM SUPPLIES	36.19
BCA-RECORDS	BACKGROUND	24.00
BECKES/JOANNE	PARKING FEES	5.00
BILLMARK/ROY	ENTERTAINMENT FOR 3/17	60.00
BLACKBURN MFG CO	WATER/SEWER FLAGS	136.30
BLAINBROOK ENTERTAINMENT	YOUTH OUTINGS	172.50
BLAINE HARDWARE	SUPPLIES	459.94
BLAINE SECURITY LOCKSMITH INC	KEYS	11.30
BLAINE/CITY OF	PETTY CASH	86.00
BOEGE/MARGARET	REFUND	22.00
BROWNING-FERRIS INDUSTRIES INC	GARBAGE SERVICE - JANUARY 03	167,809.83
BURNET RELOCATION	REPAIR COSTS	308.53
CAROLAN/SUSAN	FEB 18 NRCB PAYMENT	35.00
CATCO PARTS SERVICE	VEHICLE/EQUIPMENT PARTS	305.90
CENTENNIAL SCHOOL DIST 12	YOUTH OUTINGS	19.50
CENTER FOR ENERGY & ENVIRONMENT	HOME LOAN PROGRAM	1,790.00
CENTERPOINT ENERGY MINNEGASCO	MARCH 2003	5,889.28
CERAMIC TUNA INC	CERAMICS SUPPLIES	47.47
CHIBARDUN TELEPHONE CO-OP INC	MARCH 2003	86.75
CINTAS CORPORATION #470	RENTAL OF UNIFORMS	263.64
CLARK/BEVERLY	REFUND	88.00
COMMUNITY SERVICES	WINTER BROCHURE	420.00
COMPLETE HEALTH ENVIRONMENTAL	SAFETY PROG/PROFESIONAL SRVS	1,020.00
COTTEN'S INC	VEHICLE PARTS	285.74
CPS TECHNOLOGY SOLUTIONS INC	AS/400 MAINTENANCE	261.47
CROWN TROPHY	COPS AND KIDS GAME	63.84
CUB FOODS INC-NORTHTOWN STORE	MISC GROCERIES	284.27
CUNNINGHAM/DAN	REIMBURSEMENT	89.97

Approved on 4/03/2003 for Payments through 3/07/2003

Vendor Name	Description	Amount
DAVE'S SPORT SHOP	VOLLEYBALLS FOR LEAGUES	115.02
DAVIES WATER EQUIP. CO.	TOOLS	46.14
DEHN OIL COMPANY	MOTOR FUELS	7,351.76
DOODY MECHANICAL SERVICE	HEATER REPAIRS AT PW	754.71
DRAIN KING INC	PROFESSIONAL SERVICES	468.50
DUTCHER, KELLING, BOCOVICH	AUDIT EXPENSE	3,000.00
ECM PUBLISHERS, INC.	PUBLISH ORDINANCES	117.56
EHLERS & ASSOCIATES INC	PROFESSIONAL SERVICES	1,312.50
ELITE DOCUMENT SOLUTIONS	SOFTWARE MAINTENANCE	1,649.25
EMERGENCY AUTOMOTIVE TECH	VEHICLE PARTS	125.41
EXCENSUS LLC	PROFESSIONAL SERVICES	125.00
EXPRESS MESSENGER	DELIVERY SERVICE	145.60
FACILITY MANAGEMENT PARTNERS	FACILITY MANAGEMENT	9,046.54
FIRE MARSHAL'S ASSOC OF MN	FIRE STANDARDS SEMINAR	40.00
FIRE MARSHAL'S ASSOC OF MN	FIRE STANDARDS SEMINAR	300.00
FIRESIDE HEARTH & HOME	REFUND	120.00
FRAME AND WHEEL ALIGNMENT	VEHICLE REPAIRS	45.00
FRIDLEY AUTO BODY INC	CLAIM #11043374 2-16-03	4,280.85
FRIENDLY CHEVROLET, INC.	VEHICLE PARTS	147.59
GENERAL REPAIR SERVICE	LIFTSTATION MAINTENANCE	999.54
GENOSKY/ANN	MILEAGE REIMBURSEMENT	21.60
GIBSON/BILL	SPECIAL EVENT	125.00
GOPHER STATE ONE-CALL INC.	LOCATE TICKETS	227.85
H & L MESABI INC	EQUIPMENT PARTS	1,842.35
HAWKINS, INC.	CHEMICALS	4,957.97
HAYS/JOHN	FEB 18 NRCB PAYMENT	50.00
HECKLER & KOCH INC	TRAINING	1,185.00
HELMIN/GERTRUDE	REFUND	10.00
HINIKER/JEROME	FEB 18 NRCB PAYMENT	35.00
HOME DEPOT-GECF	PW BLDG SUPPLIES	901.87
HOYLE/PETRA	REFUND	8.00
HUNT/ANDREA	FUEL FOR CITY VEHICLE	12.00
INDEPENDENT SPORTS NETWORK	OFFICIALS FOR BB LEAGUES	880.00
JADE CATERING	TRAINING	10.00
JADE CATERING	CONF REGISTRATION FEE	10.00
JOHN'S AUTO PARTS	REFUND	152.00
JRH AUTOMOTIVE EQUIPMENT	HOIST ACCESSORIES	2,918.10
JRH AUTOMOTIVE EQUIPMENT	HOIST	3,999.08
K MART	POLAROID FILM	172.34
KENNEDY TRANSMISSION	VEHICLE REPAIRS	2,066.73
KNAPP/DAVE	PARK BOARD MTG	50.00
KOTTKE'S BUS SERVICE INC	YOUTH OUTINGS	196.00
KUNZA/SHARI	REIMBURSEMENT	78.84
KUSTOM SIGNALS, INC.	RADAR REPAIR	169.81
LAB SAFETY SUPPLY INC	SAFETY SUPPLIES	101.49
LAPHAM/MIKE	BACKGROUNDS	400.00
LARSON/VICKIE	REFUND	5.00
LINO LAKES/CITY OF	SPECIAL EVENTS	97.97

Approved on 4/03/2003 for Payments through 3/07/2003

Vendor Name	Description	Amount
LITTLE FALLS MACHINE	EQUIPMENT PARTS	482.45
MAMA GMC LABOR RELATIONS	ANNUAL RENEWAL	5,660.00
MCDONALD/RHONDA	MILEAGE EXPENSE	16.77
MCNAUL/JIM	INTERNET ACCESS REIMBURSEMENT	48.84
MENARDS - COON RAPIDS	SUPPLIES	416.73
MERTEN/GAIL	WORK CLOTHING	79.48
METROPOLITAN COUNCIL	FEB 2003 SAC CHARGES	45,441.00
MICHAELS	ARTS AND CRAFTS	100.00
MICK'S PRINTING	YOUTH OUTINGS	434.78
MINNEAPOLIS OXYGEN COMPANY	MEDICAL OXYGEN	48.74
MINNESOTA AWWA	SCHOOL	40.00
MINNESOTA DEPT OF COMMER	NOTARY PUBLIC-CHESNESS	40.00
MINNESOTA GFOA	MAILING LABELS	15.00
MINNESOTA POLLUTION CONTROL	LICENSE	23.00
MINNESOTA POLLUTION CONTROL	LICENSE	23.00
MINNESOTA REVENUE	HAZARDOUS WASTE TAX	50.00
MINNESOTA STATE TREASURER	FEBRUARY 2003	3,356.75
MN CHAPTER OF IAPMO	MEMBERSHIP DUES	50.00
MN DEPT OF LABOR & INDUSTRY	ROBBERY PREV TRAINING	25.00
MN DEPT OF LABOR & INDUSTRY	ROBBERY PREV TRAINING	25.00
MN PIE	SCHOOL	340.00
MTI DISTRIBUTING INC	EQUIPMENT PARTS	110.94
MULLER FAMILY THEATRES	YOUTH OUTINGS	115.50
NATIONAL LEAGUE OF CITIES	ANNUAL NLC DUES	3,134.00
NATIONAL WATERWORKS INC	METERS	400.09
NELSON'S DECORATING	WELLHOUSE REPAIRS	141.05
NEXTEL COMMUNICATIONS	FEBRUARY 2003	3,368.64
NORTH AMERICAN SALT COMPANY	WINTER SALT	73,219.52
NORTH COUNTRY FORD	VEHICLE REPAIRS	637.28
NORTH METRO CROSSING COA	2003 NMCC CONTRIBUTION	7,000.00
NORTH METRO MAYORS ASSOC.	BOARD MTG - RYAN/WOOD	65.58
NORTHERN SANITARY SUPPLY	CLEANING SUPPLIES	1,232.87
NORTHERN TOOL & EQUIPMENT CO.	EQUIPMENT PARTS/TOOLS	288.61
NORTHLAND BUSINESS SYSTEM	DICTATION SYSTEM	11,546.43
NORTHLAND WIRELESS INC	PAGER QUARTERLY	31.79
NOTT COMPANY	EQUIPMENT PARTS	164.05
O'KEEFE INCORPORATED	FURNITURE & FIXTURES	1,705.58
OFFICE DEPOT INC	OFFICE SUPPLIES	803.96
PAULSON CONSTRUCTION	ESCROW RELEASE	2,000.00
PERSONNEL DECISIONS INC	LEAP TESTING FEE	164.17
PETERS/DENNIS	MEETING REIMBURSEMENT	43.56
PLEAA	ASSOCIATION DUES	30.00
POSTMASTER	NEWSLETTER POSTAGE	333.00
PRINT CENTRAL	FEBRUARY NEWSLETTER/FORMS	5,253.49
R A FIELD & ASSOCIATES	LAND APPRAISAL	300.00
RADIO SHACK	NEW SQUAD PARTS	25.50
RAFFERTY/GENE	PARK BOARD MTG	35.00
RAFFERTY/GENE	FEB 18 NRCB PAYMENT	35.00

Approved on 4/03/2003 for Payments through 3/07/2003

Vendor Name	Description	Amount
RALEIGH/DONALD	PARK BOARD MTG	35.00
RASMUSSEN/EARL	FEB 18 NRCB PAYMENT	35.00
RED ROOSTER AUTO SALES	VEHICLE PARTS	847.45
RENNER & SONS/E.H.	WATER SYSTEM SUPPLIES	99.58
RISE INDUSTRIAL	CUSTODIAL SERVICES	579.60
RITZ CAMERA CENTERS	GRISE AND WOOD PHOTOS	8.51
ROBERT HALF TECHNOLOGY	CONSULTING	2,475.00
ROBINETTE/SCOTT	TUITION REIMBURSEMENT	161.54
S & T OFFICE PRODUCTS INC	OFFICE SUPPLIES	39.32
SAFE KIDS NW METRO MINNE	TRAINING	25.00
SAFE KIDS NW METRO MINNE	CHILD SAFETY SEAT TRAIN	25.00
SANDBERG REED/ANN	FEB 18 NRCB PAYMENT	35.00
SANDERS, WACKER, BERGLY, INC	PLANNING SERVICES BBC	607.50
SCHULTZS MOBILE HOME SER	REFUND	60.00
SERVICE GRINDING INC	EQUIPMENT REPAIRS	110.00
SPEEDWAY SUPERAMERICA LLC	CAR WASH	6.00
SPRING LAKE PARK FIRE DEPT.	MAY-JUN 03 FIRE PROTECTION	119,708.18
STANTON GROUP	EMPLOYEE REIMBURSEMENT	5,780.24
STRAUGHAN HARDWARE INC	DUPLICATE KEYS	15.98
SULLIVANS UTILITY SERVIC	DISPOSAL	484.36
SVENNINGSSEN/CHERYL	PARK BOARD MTG	35.00
SYSTEMS SUPPLY INC	BLACK TONER FOR HP4500	366.93
TIMESAVER OFF SITE SECRETARIAL	MINUTES	722.39
TOLL GAS & WELDING SUPPLY	EQUIPMENT REPAIRS	108.20
TOTAL CONTROL SYSTEMS INC	WELL #10 MAINT.	560.78
TOURNAMENT PLAYERS CLUB	CITY MANAGER BUS MTG	79.13
TOYOTA LIFT OF MINNESOTA	EQUIPMENT REPAIRS	110.93
TRUCHON/MARY JO	FEB 18 NRCB PAYMENT	35.00
TWIN CITY WATER CLINIC INC	WATER TESTING	350.00
U S BANK	PAYING AGENT FEES	5,275.00
U S LINK	FEBRUARY 2003	4,129.48
UNITED PARCEL SERVICE	SHIPPING CHARGES	37.04
UNIVERSITY OF MINNESOTA	BUSINESS RETENTION	6,000.00
UNIVERSITY OF MINNESOTA	SCHOOL	250.00
UNIVERSITY OF MINNESOTA	MUNICIPALS	96.00
VAN-O-LITE INC	WELLHOUSE LIGHTS	46.33
VELOCITY EXPRESS	DELIVERY CHARGE	18.75
VERIZON WIRELESS, BELLEVUE	MARCH 2003	125.89
VIKING INDUSTRIAL CENTER	GAS MONITOR	1,682.70
VOLUNTEERS OF AMERICA	VAN DRIVER MEALS	38.50
W.W. GRAINGER, INC.	PW BLDG REPAIRS	460.23
WALLIN VIDEO PRODUCTIONS	VAN FIRE VIDEOS	213.00
WALTHOUR/JERRY	PARK BOARD MTG	35.00
WASH N FILL	CAR WASHES	96.00
WAYTEK INC	EQUIPMENT PARTS	31.51
WAYTEK INC	VEHICLE PARTS	17.65
ZEE SERVICE COMPANY	FIRST AID SUPPLIES	87.72
	TOTAL	786,056.67



CITY OF BLAINE

TO: Mayor and City Council

APPROVED:

FROM: Jane M. Hall, City Clerk

DATE: April 3, 2003

NO.: 10.2

ITEM: **CONSENT AGENDA:** Approve a Tobacco and Tobacco Products License for Mr. Tobacco and Cigar, Inc., 1430 – 93rd Lane NE

BACKGROUND:

The applicant, Rami Abdulah Yacoub, 219 – 53rd Avenue NE, Fridley, MN, has submitted an application for a tobacco and tobacco products license for Mr. Tobacco and Cigar, Inc., 1430 – 93rd Lane NE. The applicant has met the licensing requirements by depositing a pro-rated fee of \$135 with the City and by completing all necessary forms. Mr. Yacoub will be purchasing the existing business, Mr. Tobacco, from Mr. Mahmoud Ismail and will begin operation once the tobacco license is approved.

The Blaine Police Department has completed a background investigation on the applicant and nothing was found to prohibit the issuance of a tobacco license.

RECOMMENDED COUNCIL ACTION:

By motion, approve the tobacco and tobacco products license for Mr. Tobacco and Cigar, Inc.



CITY OF BLAINE

TO: Mayor and City Council

APPROVED:

FROM: Charles Lenthe, Public Works Coordinator/City Engineer

DATE: April 3, 2003

NO.: 10.3

ITEM: **CONSENT AGENDA:** Resolution No. 03-49, Receive Petition and Order Public Hearing for Vacation of Drainage Easement for Lot 6, Block 5, Gemmill's Addition, Vacation No. V03-03

Council is asked to receive a petition from the property owner. The Council will vote to set a meeting to give interested people a chance to voice their concerns about the changes to the drainage easements.

BACKGROUND:

A petition dated March 3, 2003, was submitted to the City by Scott Olmstead Builders, Inc. of Andover, Minnesota, requesting vacation of drainage easement. The easement covered a pond constructed with the plat of Gemmill's Addition in 1985. This vacation is being requested because the pond is no longer needed since the storm sewer was rerouted into ponds constructed with the Pleasure Creek development. The pond will be filled in and a single family home will be constructed on the lot. The property owner represents a majority of the affected property owners abutting this easement.

SCHEDULE OF ACTIONS:

04/03/03	-	Receive Petition and Order Public Hearing
05/01/03	-	Hold Public Hearing and First Reading
05/15/03	-	Second Reading
05/23/03	-	Publish Ordinance
06/23/03	-	Ordinance Available for Recording at County

RECOMMENDED COUNCIL ACTION:

By motion, approve Resolution No. 03-49.

ATTACHMENT:

[Resolution No. 03-49](#)
[Petition](#)
[Map A](#)
[Map B](#)

CITY OF BLAINE

RESOLUTION NO. 03-49

**RECEIVE PETITION AND ORDER PUBLIC HEARING
VACATION OF DRAINAGE AND UTILITY EASEMENT
LOT 6, BLOCK 5, GEMMILL'S ADDITION
VACATION NO. V03-03**

WHEREAS, the City Council has received a petition dated the 3rd day of March, 2003, requesting vacation of drainage and utility easement for Lot 6, Block 5, Gemmill's Addition; 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 drainage and utility easement for the property owner.
2. A Public Hearing shall be held on the proposed vacation at 8:00 p.m. on the 1st day of May, 2003, 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 3rd day of April, 2003.

Tom Ryan, Mayor

ATTEST:

Jane M. Hall, CMC, City Clerk



PETITION TO VACATE EASEMENT

DATE

2-3-03

TO: The Mayor and Council Members City of Blaine:

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

The drainage easement on Lot 6, Bk 2
Gemmell's Addition

and petition that said portion of said easement be vacated

The facts and reasons for this application are as follows:

The drainage easement is no longer
needed. The pond that was covered
by easement has been replaced.

In consideration of vacating the easement 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 easement.

Signature of Owner	Address	Legal Description of Property
<i>[Signature]</i>	899 99th Lane	Lot 6, Bk 2

This petition was circulated by:

Name of Petitioner Scott C. Insland Bld's

Telephone No. 763-755-0300

Street 1881 Station Parkway

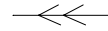
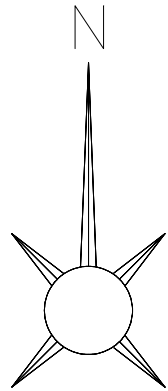
City/State/Zip Ancker, MN 55304

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

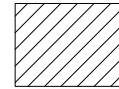


CITY OF BLAINE

LOCATION MAP - RESOLUTION NO. 03-49 VACATION NO. 03-03

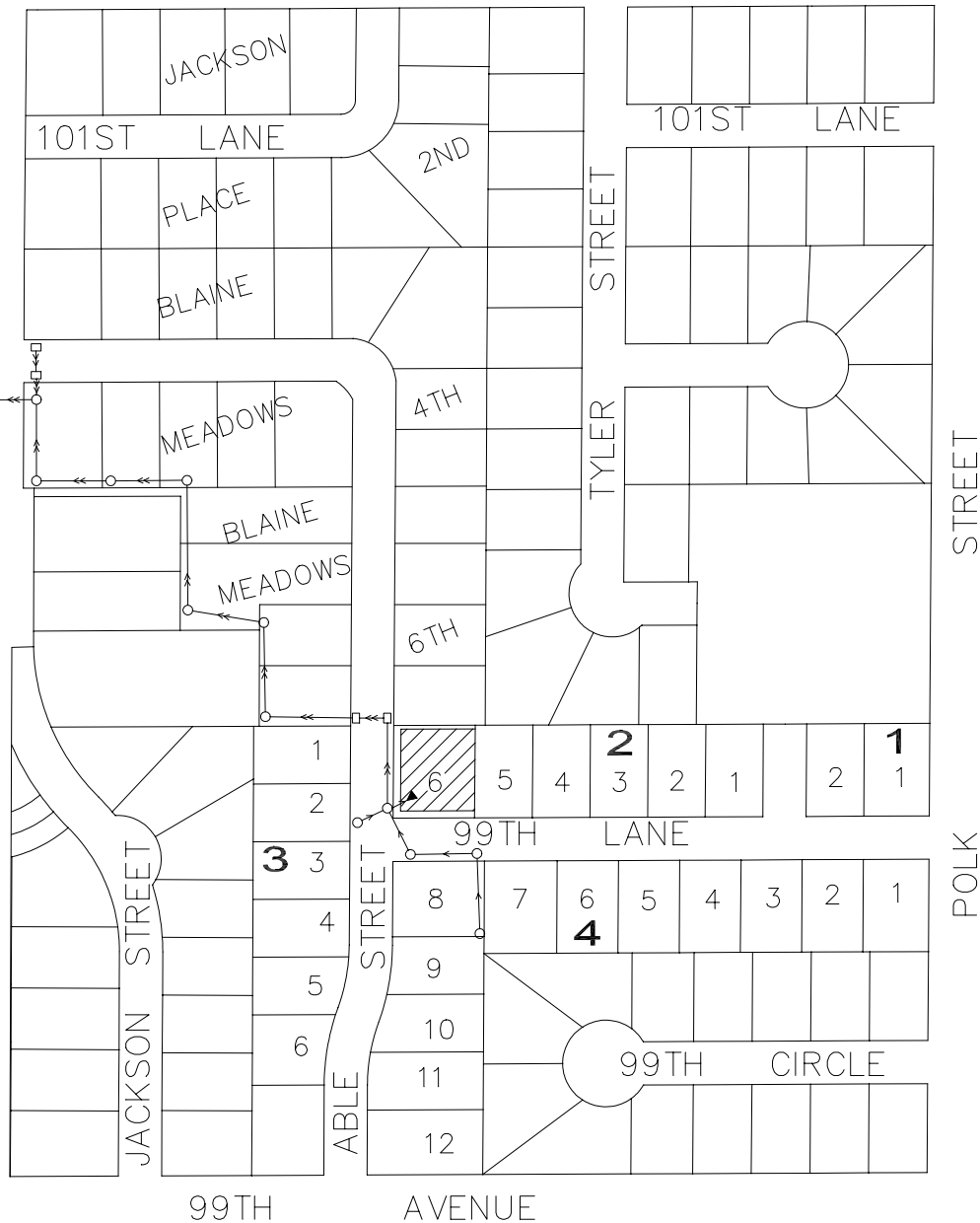


NEW STORM
ROUTE



EASEMENT TO
BE VACATED

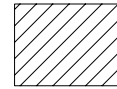
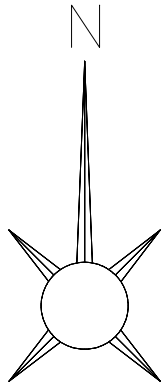
TO PLEASURE
CREEK POND



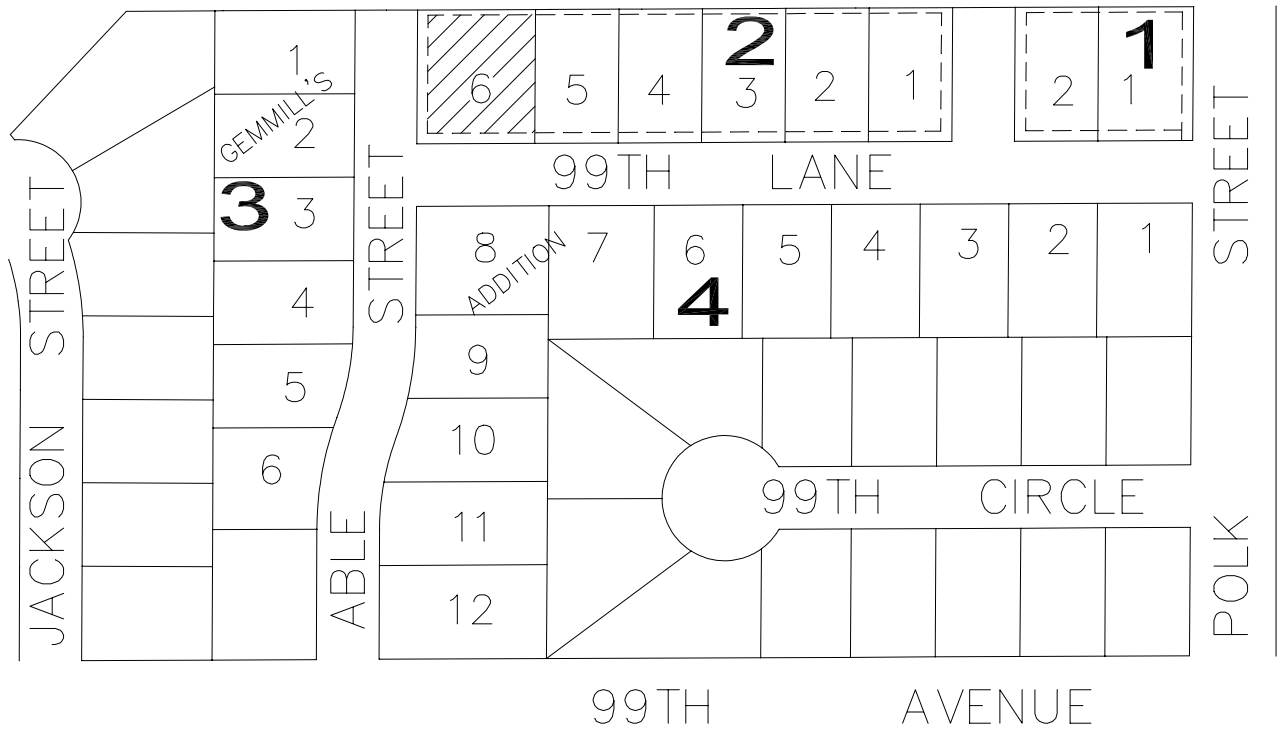


CITY OF BLAINE

LOCATION MAP - RESOLUTION NO. 03-49 VACATION NO. 03-03



EASEMENT TO
BE VACATED





CITY OF BLAINE

TO: Mayor and City Council

APPROVED:

FROM: Charles Lenthe, Public Works Coordinator/City Engineer

DATE: April 3, 2003

NO.: 10.4

ITEM: **CONSENT AGENDA:** Resolution No. 03-50, Receive Petition and Order Public Hearing for Vacation of Drainage and Utility Easement for Outlot C, Honey Grove, Vacation No. V03-04

Council is asked to receive a petition from the property owner. The Council will vote to set a meeting to give interested people a chance to voice their concerns about the changes to the drainage and utility easements.

BACKGROUND:

A petition dated March 12, 2003, was submitted to the City by Ronald R. Wood, Executive Director of the Blaine Economic Development Authority, requesting vacation of drainage and utility easements. This vacation is being requested in order to redevelop the property as Main Street Marketplace. Easements will be rededicated with the new plat. The property owner represents a majority of the affected property owners abutting this easement.

SCHEDULE OF ACTIONS:

04/03/03	-	Receive Petition and Order Public Hearing
05/01/03	-	Hold Public Hearing and First Reading
05/15/03	-	Second Reading
05/23/03	-	Publish Ordinance
06/23/03	-	Ordinance Available for Recording at County

RECOMMENDED COUNCIL ACTION:

By motion, approve Resolution No. 03-50.

ATTACHMENT:

[Resolution No. 03-50](#)

[Petition](#)

[Map A](#)

[Map B](#)

CITY OF BLAINE

RESOLUTION NO. 03-50

**RECEIVE PETITION AND ORDER PUBLIC HEARING
VACATION OF DRAINAGE AND UTILITY EASEMENT
OUTLOT C, HONEY GROVE
VACATION NO. V03-04**

WHEREAS, the City Council has received a petition dated the 12th day of March, 2003, requesting vacation of drainage and utility easement for Outlot C, Honey Grove; 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 drainage and utility easement for the property owner.
2. A Public Hearing shall be held on the proposed vacation at 8:00 p.m. on the 1st day of May, 2003, 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 3rd day of April, 2003.

Tom Ryan, Mayor

ATTEST:

Jane M. Hall, CMC, City Clerk



PETITION TO DRAINAGE AND UTILITY EASMENT

DATE

March 12, 2003

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

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


Drainage and Utility Easements on Outlot C, Honey Grove Addition, together with a Drainage and Utility Easement on a parcel of land lying easterly of Ulysses Street, Northerly of TH 242, Southerly and Westerly of Outlot C, Honey Grove, all as recorded in Anoka County, Minnesota.

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

The facts and reasons for this application are as follows:

The property is being redeveloped as Main Street Marketplace. The easements are no longer needed in their present location and will be rededicated with the new plat.

In consideration of vacating the right-of-way and utility and drainage 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 right-of-way and utility and drainage easements.

Signature of Owner	Address	Legal Description of Property
	10801 Town Square Drive NE	-Outlot C, Honey Grove
Executive Director,	Blaine, MN 55449	-That part of the Southeast ¼ fo the
Blaine Economic		Southwest ¼ of Section 5, T31N, R23W,
Development Authority		lying westerly and southerly of Outlot C,
		Honey Grove, easterly of Ulysses Street, and
		northerly of TH 242, PIN 05-31-23-34-0010

This petition was circulated by:

Name of Petitioner Ron Wood, Executive Director

Telephone No. 763-784-6700

Street 10801 Town Square Drive NE

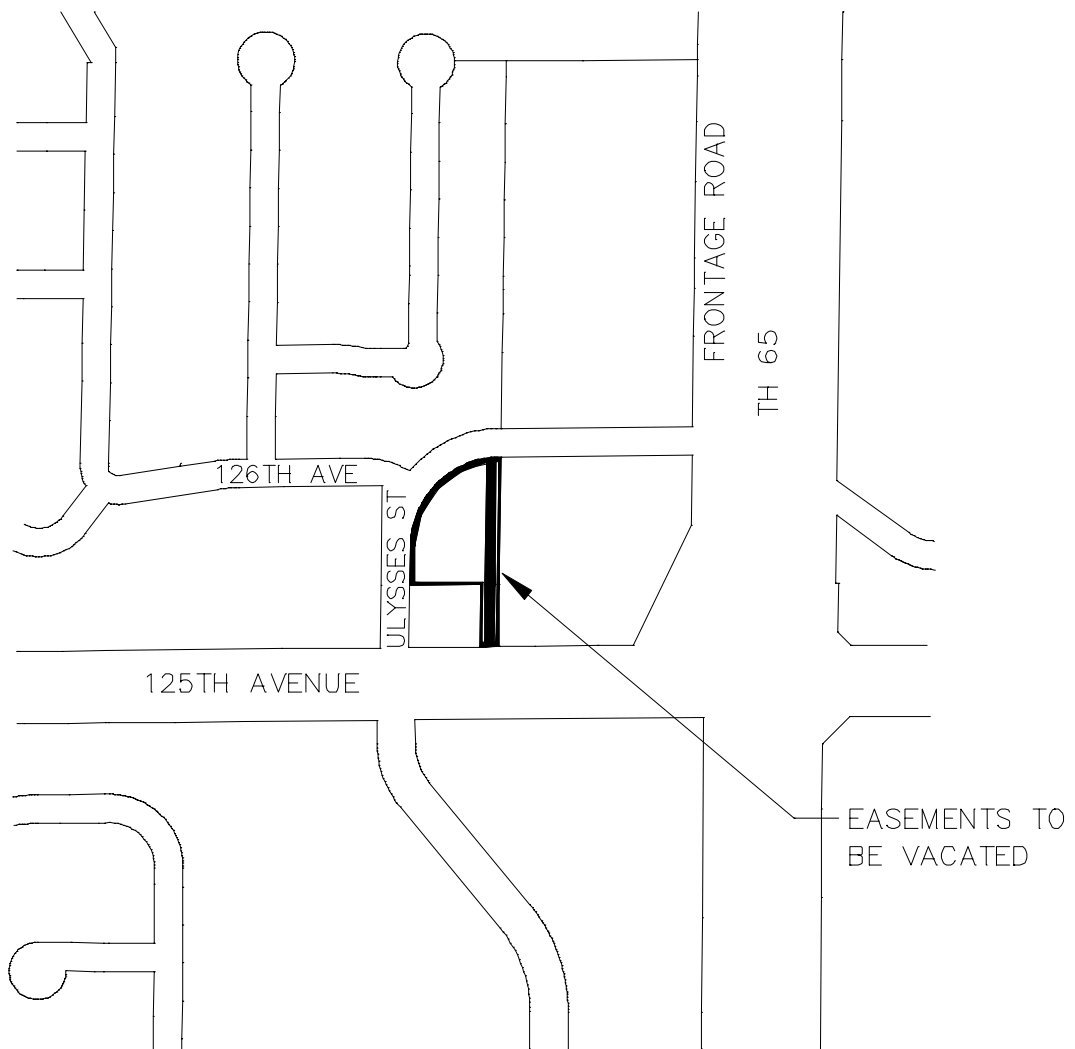
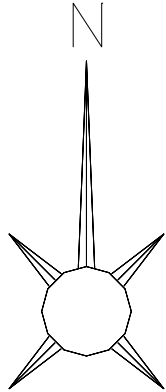
City/State/Zip Blaine, MN 55449

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CITY OF BLAINE

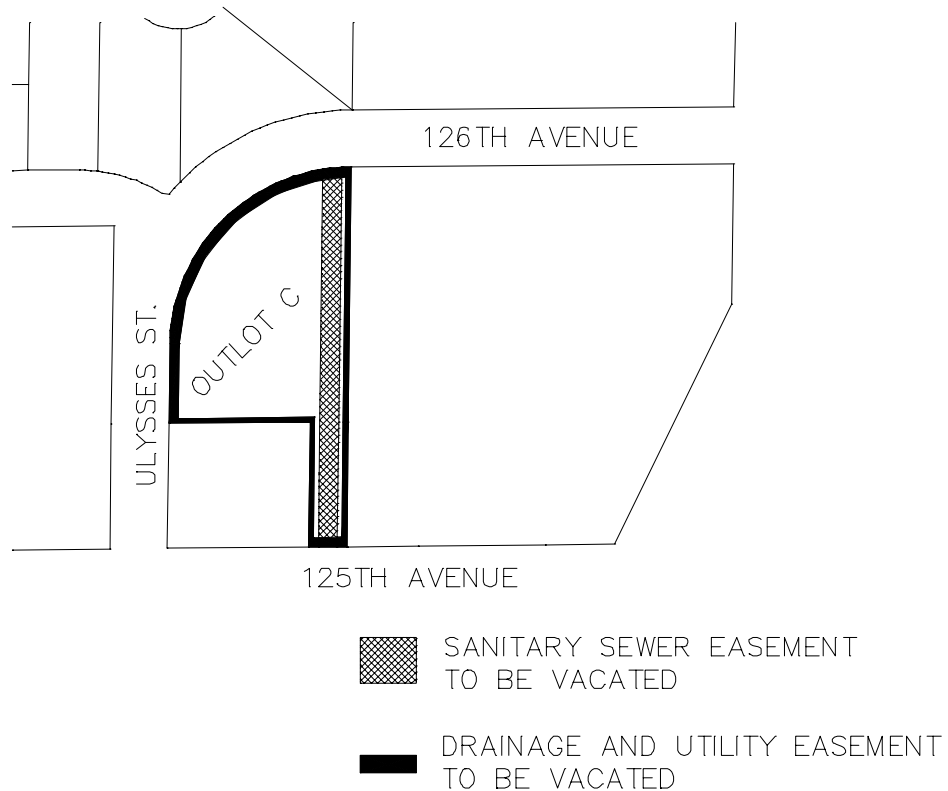
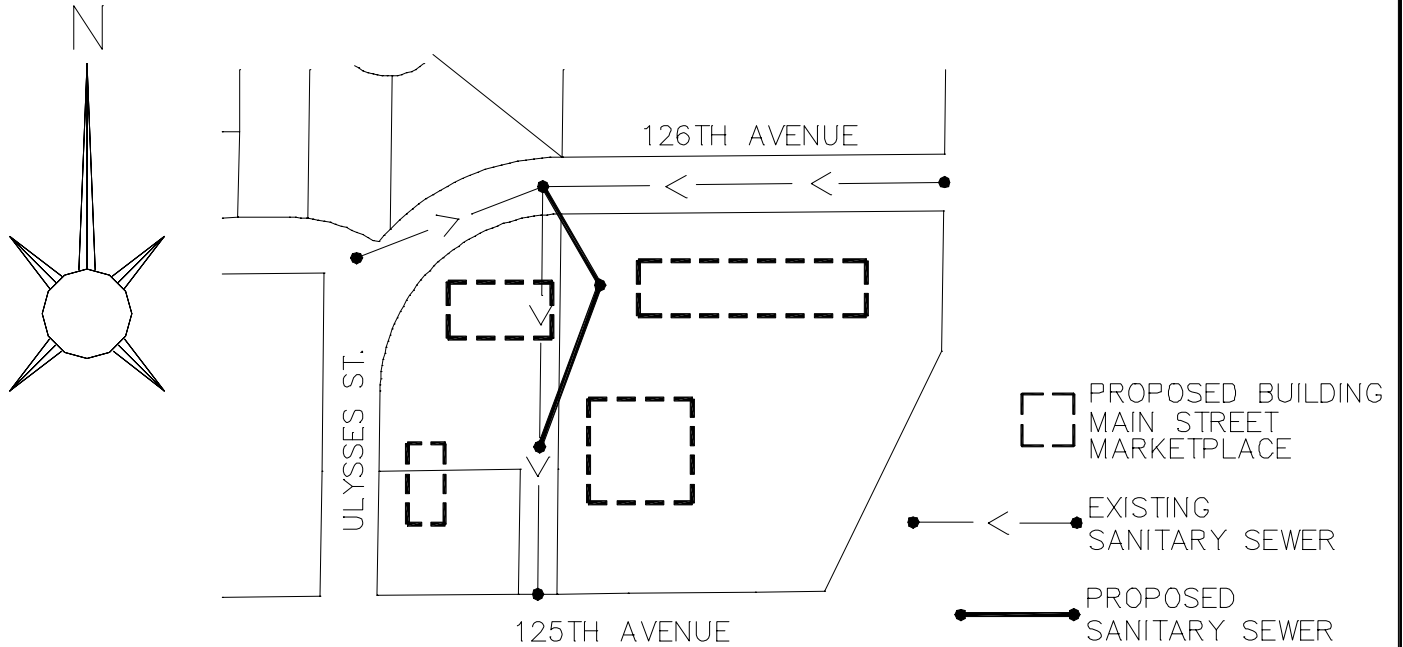
LOCATION MAP - RESOLUTION NO. 03-50 VACATION NO. 03-04





CITY OF BLAINE

LOCATION MAP - RESOLUTION NO. 03-50 VACATION NO. 03-04





CITY OF BLAINE

TO: Mayor and City Council

APPROVED:

FROM: Charles Lenthe, Public Works Coordinator/City Engineer

DATE: April 3, 2003

NO.: 10.5

ITEM: **CONSENT AGENDA:** Resolution No. 03-51, Receive Petition and Order Public Hearing for Vacation of Drainage and Utility Easements for Outlots A, B, and C, Club West, Vacation No. V03-05

Council is asked to receive a petition from the property owner. The Council will vote to set a meeting to give interested people a chance to voice their concerns about the changes to the drainage and utility easements.

BACKGROUND:

A petition dated March 6, 2003, was submitted to the City by The Rottlund Company, Inc. of Roseville, Minnesota, requesting vacation of drainage and utility easements. This vacation is being requested in order to replat the outlots as Club West 9th Addition. Easements will be rededicated with the new plat. The property owner represents a majority of the affected property owners abutting this easement.

SCHEDULE OF ACTIONS:

04/03/03	-	Receive Petition and Order Public Hearing
05/01/03	-	Hold Public Hearing and First Reading
05/15/03	-	Second Reading
05/23/03	-	Publish Ordinance
06/23/03	-	Ordinance Available for Recording at County

RECOMMENDED COUNCIL ACTION:

By motion, approve Resolution No. 03-51.

ATTACHMENT:

[Resolution No. 03-51](#)

[Petition](#)

[Map A](#)

[Map B](#)

CITY OF BLAINE

RESOLUTION NO. 03-51

**RECEIVE PETITION AND ORDER PUBLIC HEARING
VACATION OF DRAINAGE AND UTILITY EASEMENTS
OUTLOTS A, B, AND C, CLUB WEST
VACATION NO. V03-05**

WHEREAS, the City Council has received a petition dated the 6th day of March, 2003, requesting vacation of drainage and utility easements for Outlots A, B, and C, Club West; 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 drainage and utility easement for the property owner.
2. A Public Hearing shall be held on the proposed vacation at 8:00 p.m. on the 1st day of May, 2003, 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 3rd day of April, 2003.

Tom Ryan, Mayor

ATTEST:

Jane M. Hall, CMC, City Clerk



PETITION TO VACATE RIGHT-OF-WAY AND UTILITY AND DRAINAGE EASEMENT

DATE

March 6, 2003

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


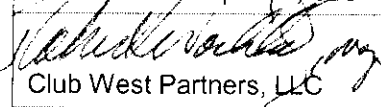
The undersigned represent that they are the majority of owners of real property abutting
Outlots A, B and C, Club West

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

The facts and reasons for this application are as follows:

Outlots A, B and C to be replatted as Club West 9th Addition, therefore drainage and utility easements on
said outlots are no longer needed.

In consideration of vacating the right-of-way and utility and drainage 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 right-of-way and utility and drainage easements.

Signature of Owner	Address	Legal Description of Property
 Tradition Development, LLC	6800 France Ave. S, Suite 178 Edina, MN 55435	Outlots B and C, Club West
 Club West Partners, LLC	6800 France Ave. S, Suite 178 Edina, MN 55435	Outlot A, Club West

This petition was circulated by:

Name of Petitioner The Rottlund Company, Inc.

Telephone No. 651-638-0500

Street 3065 Centre Pointe Drive

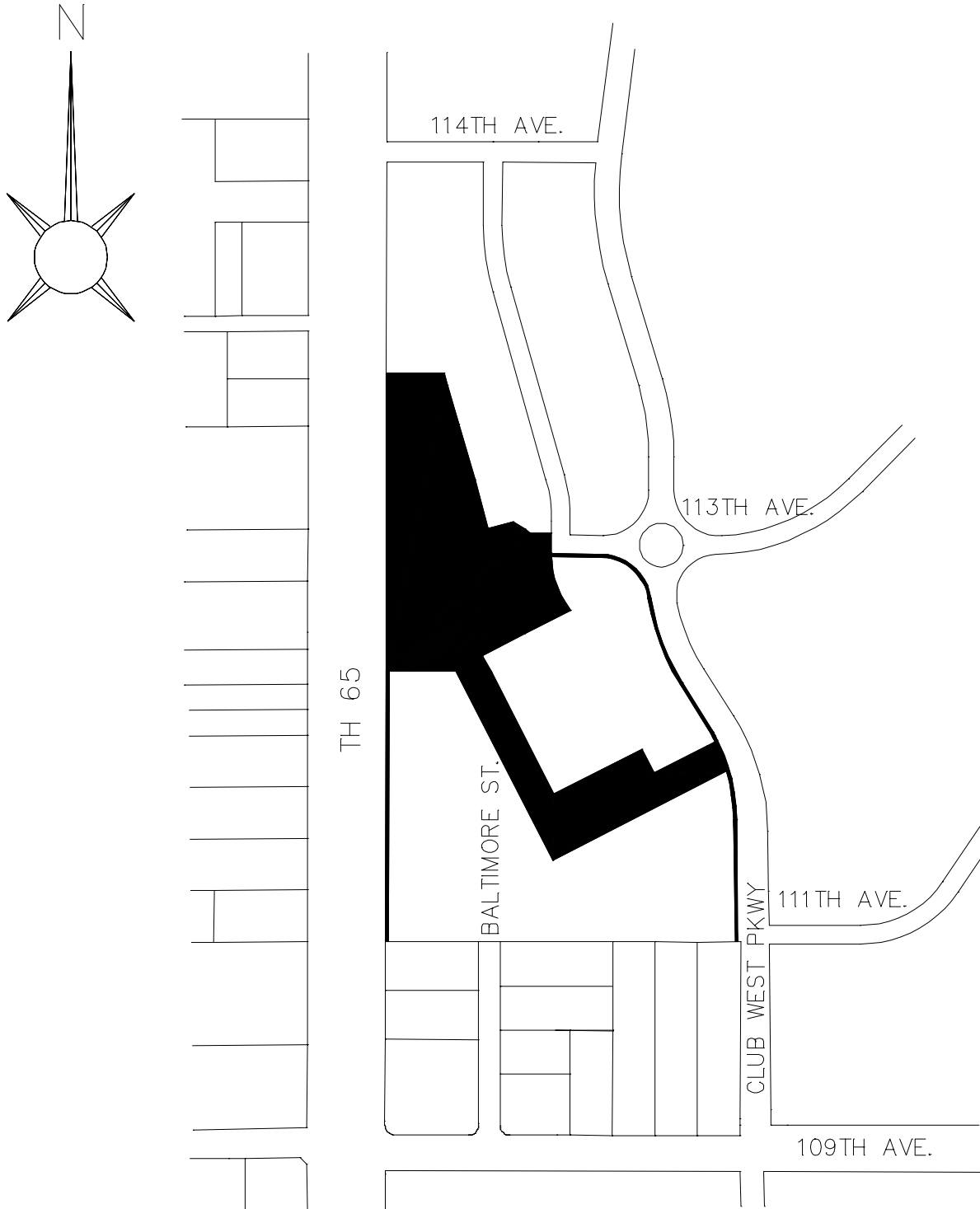
City/State/Zip Roseville, MN 55113

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CITY OF BLAINE

LOCATION MAP - RESOLUTION NO. 03-51 VACATION NO. 03-05

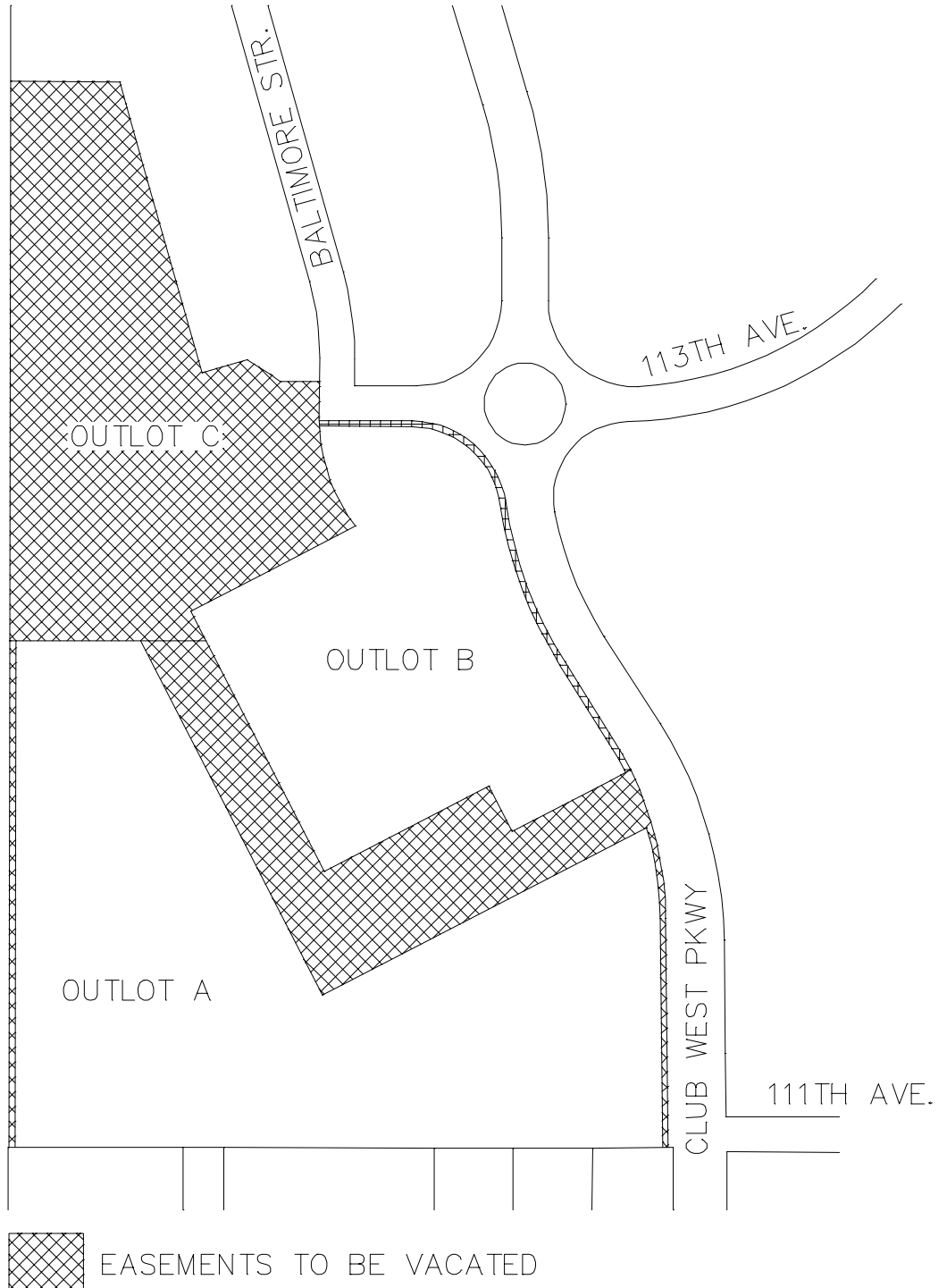
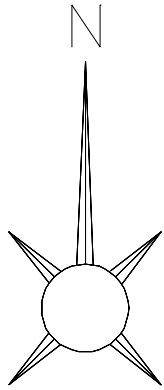


 EASEMENTS TO BE VACATED



CITY OF BLAINE

LOCATION MAP - RESOLUTION NO. 03-51 VACATION NO. 03-05





CITY OF BLAINE

TO: Mayor and City Council

APPROVED:

FROM: Roark Haver, Communications Technician

DATE: April 3, 2003

NO.: 10.6

ITEM: **CONSENT AGENDA:** Resolution No. 03-47, Rescinding Resolution No. 03-07 and Amending the Amended Joint and Cooperative Agreement for the Administration of a Cable Communications System to Permit the Issuance of Bonds, Obligations and Other Forms of Indebtedness and to Modify the Process for withdrawing from the North Metro Telecommunications Commission

BACKGROUND:

The North Metro Telecommunications Commission is in the process of purchasing land for the construction of a new Community Media Center. In order for the North Metro Telecommunications Commission to issue bonds to pay for the facility, the Joint and Cooperative Agreement that governs the structure and scope of the Commission needs to be modified to give the Commission that authority in order to purchase the land necessary for a new Community Media Center. The current language in the Joint and Cooperative Agreement specifically prohibits the Commission for purchasing real estate. The Commission cannot issue bonds until all of its member Cities amend the Joint and Cooperative Agreement.

The City of Blaine passed the original version of this amendment at the January 16, 2003 Council meeting. Since that time the agreement has been modified to more clearly identify the franchise fees as the source of funding to payback the bonds for this project.

RECOMMENDED COUNCIL ACTION:

By motion, approve Resolution No. 03-47.

ATTACHMENT:

[Resolution No. 03-47](#)

CITY OF BLAINE

RESOLUTION NO. 03-47

**RESCINDING RESOLUTION NO. 03-07 AND AMENDING THE AMENDED JOINT
AND COOPERATIVE AGREEMENT FOR THE ADMINISTRATION OF A CABLE
COMMUNICATIONS SYSTEM TO PERMIT THE ISSUANCE OF BONDS,
OBLIGATIONS AND OTHER FORMS OF INDEBTEDNESS AND TO MODIFY THE
PROCESS FOR WITHDRAWING FROM THE NORTH METRO
TELECOMMUNICATIONS COMMISSION**

WHEREAS, The City of Blaine, Minnesota (the “City”) is a member of the North Metro Telecommunications Commission (the “Commission”), a municipal joint powers board organized pursuant to a Joint and Cooperative Agreement, as amended (“Agreement”), adopted by the Cities of Blaine, Centerville, Circle Pines, Ham Lake, Lexington, Lino Lakes and Spring Lake Park, Minnesota (the “Member Cities”) pursuant to Minn. Stat. § 471.59; and

WHEREAS, the Commission wishes to purchase a parcel of land in one of the Member Cities and to improve such parcel by completing a new operations/studio facility on that land (the “Project”), in order to exercise its powers and carry out its duties under Article VIII of the Agreement; and

WHEREAS, Article VIII, § 2 of the Agreement states that the Commission may not contract for the purchase of real estate without the prior authorization of the Member Cities; and

WHEREAS, the Commission voted on October 16, 2002, to authorize staff to pursue options for purchasing an appropriate parcel of land and to retain an architect to draft necessary architectural diagrams for the new studio facility; and

WHEREAS, the Commission proposes to issue revenue bonds or similar obligations in a principal amount not to exceed \$2,500,000 (the “Bonds”) in order to finance the Project; and

WHEREAS, Minn. Stat. § 471.59, subd. 11 states that the governing bodies of the Member Cities must expressly authorize the Commission to issue bonds, obligations and other forms of indebtedness; and

WHEREAS, the Agreement, as currently written, does not expressly authorize the Commission to issue bonds, obligations and other forms of indebtedness; and

WHEREAS, it is necessary to amend the Agreement to permit the issuance of the Bonds and to ensure that each of the Member Cities remains responsible for its share of that indebtedness; and

WHEREAS, Resolution No. 03-47, which was previously adopted by the City for the purpose of amending the Agreement to permit the issuance of the Bonds, was not acceptable to and was not approved by all the Member Cities; and

WHEREAS, all the Member Cities must agree on any amendments to the Agreement;
and

WHEREAS, the Member Cities have now agreed upon how the Agreement should be amended to permit the Commission to issue bonds, obligations and other forms of indebtedness.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine as follows: That the Joint and Cooperative Agreement for the administration of a cable communications system shall be amended as noted in Attachment A.

PASSED by the City Council of the City of Blaine this 3rd day of April 2003.

Tom Ryan, Mayor

ATTEST:

Jane M. Hall, CMC, City Clerk

ATTACHMENT A

1. That Article II of the Agreement shall be amended to read as follows:

The general purpose of this agreement is to establish an organization to monitor the operation and activities of cable communications, and in particular, the Cable Communications System (System) of the parties; to provide coordination of administration and enforcement of the franchises of parties for their respective System; to produce, edit and transmit video programming for the parties of this agreement; to make video production, editing and studio facilities and equipment available to the citizens of the parties to this agreement through the operation of a Community Media Center; to promote the development of locally produced cable television programming; to ensure public access to emerging telecommunications technologies; and to conduct such other activities authorized herein as may be necessary to insure equitable and reasonable rates and service levels for the citizens of the Members to this agreement.

2. That Article IV, Section 3 of the Agreement shall be amended to read as follows:

Section 3. "Community Media Center" means the public access center formerly run by the cable company, and any other public access center and studio facility that may be subsequently constructed by the Commission, along with all related equipment and staff.

3. That Article VIII of the Agreement shall be amended by adding a new Section 13 that reads as follows:

Section 13. The Commission is given express authority to issue bonds, obligations and other forms of indebtedness, in a principal amount not to exceed \$2,500,000 (the "Bonds"), to finance the Commission's purchase of real property and its construction and acquisition on that property of a public access center and an operations/studio facility, to include the Community Media Center and the offices of the Commission (the "Project"). The term "Bonds" shall also include bonds issued to refund and refinance the Bonds, or any portion thereof. Refunding Bonds shall not count against the \$2,500,000 limit except to the extent that the amount of the refunding Bonds exceeds the amount of the Bonds being refunded thereby, but that limit shall not apply to any issue of refunding Bonds which produces an overall savings in debt service cost. As provided in Minn. Stat. § 471.59, subd. 11, the Bonds shall be obligations of the Commission which are issued on behalf of the Members, and shall be issued subject to the conditions and limitations set forth in Minn. Stat. § 471.59, subd. 11. The Bonds shall be payable solely from the Member's franchise fees, as hereinafter provided. The Commission may not pledge to the payment of the Bonds the full faith and credit or taxing power of the Members. No bonds, obligations or other forms of indebtedness other than the Bonds may be issued by the Commission without the prior consent of the Members.

4. That Article VIII, Section 13 of the Agreement shall be renumbered as Section 17.
5. That Article XI, Section 3 of the Agreement shall be amended to read as follows:

The financial contributions of the Members in support of the Commission shall be of two types: (1) each Member shall be responsible for its share of the debt service payments on the Commission's Bonds (but only from the Member's franchise fees), which share shall be in the same proportion as the Member's franchise fees for the immediately preceding calendar year were to the total franchise fees receivable by the Commission for that calendar year (the "Debt Service Share"); and (2) each member shall be responsible for its share of the operating and capital costs of the Commission (not including any part of the debt service on the Commission's Bonds), which share shall be in direct proportion to the percent of annual subscriber revenues of each Member to the total annual revenues of the system multiplied by the Commission's annual budget (the "Operating Cost Share"). The annual budget shall establish the contribution of each Member for its Operating Cost Share for the ensuing year. Each Member shall cause its franchise fees to be paid directly to the Commission, and the Commission shall deduct from each Member's quarterly payment of franchise fees, before application to any other purpose, one-fourth of the Member's Debt Service Share for that calendar year. If any Member's quarterly payment of franchise fees is not sufficient to pay its quarterly Debt Service Share, the deficiency will continue to be an obligation of the Member and will be deducted from the next payment or payments of the Member's franchise fees until the deficiency has been restored. After provision is made for payment of the Debt Service Share, the remaining franchise fees shall be applied as a credit against each Member's Operating Cost Share owed the Commission, with any excess being remitted to the Member by the Commission and any shortfall being payable to the Commission by the Member. The remainder of any franchise fee remitted back to the Member by the Commission shall be used for cable-related expenses. Each Member acknowledges that its Debt Service Share of the franchise fee collections will be irrevocably pledged by the Commission as security for the Commission's Bonds.

6. That Article XI, Section 5 of the Agreement shall be amended to read as follows:

Section 5. A proposed budget for the operation of the Commission, including the Community Media Center, for each calendar year shall be formulated by the Executive Director under the direction of the Operations Committee and submitted to the Commission on or before July 1 of each year. The Commission shall submit the proposed budget to the Members on or before August 1 of each year. Such budget shall be deemed approved by a Member unless, prior to October 15 preceding the effective date of the proposed budget, the Member gives notice in writing to the Commission that it is withdrawing from the Commission, subject to Article XII, Section 2 of this agreement. Final action adopting a budget for the ensuing calendar year shall be taken by the Commission on or before November 1 of each year.

7. That Article XII, Section 2 of the Agreement shall be amended to read as follows:

Section 2. In order to prevent obligation for its Operating Cost Share for the ensuing calendar year, a Member must withdraw from the Commission by filing a written notice with the secretary by October 15 of any year giving notice of withdrawal effective at the end of the calendar year; and membership shall continue until the effective date of the withdrawal. A notice of withdrawal may be rescinded by a Member at any time prior to the effective date of withdrawal. If a Member withdraws before the dissolution of the Commission, the Member shall have no claim against the assets of the Commission, including the right to receive an

allocation of franchise fees, except as provided herein. A Member withdrawing after October 15 shall be obligated to pay its entire Operating Cost Share (including any shortfalls) for the ensuing year as outlined in the budget of the Commission for the ensuing year. A withdrawn Member will continue to be responsible for its Debt Service Share (payable only from the withdrawn Member's franchise fees) notwithstanding its withdrawal from the Commission, and shall continue to have its franchise fees paid directly to the Commission until all Bonds have been paid. Any excess of the withdrawn Member's franchise fees over the withdrawn Member's Debt Service Share (and any required Operating Cost Share, if the Member gave notice of withdrawal after October 15 of the preceding calendar year) shall be remitted by the Commission to the withdrawn Member. A Member that has withdrawn from the Commission may, if no Bonds are outstanding, upon request, recover an amount of any equity that exists, as of the withdrawal date, in real property and buildings purchased or constructed with any Bonds, up to (but not exceeding) the Member's individual percentage of total franchise fees paid to all the Members (or their designee) and the withdrawn Member for the calendar year preceding withdrawal. The Commission may, if no Bonds are outstanding, at any time after the withdrawal of a Member as provided for herein, initiate a buy-out of the proportionate equity interest of the withdrawn Member, which interest is to be the withdrawn Member's individual percentage of total franchise fees paid to the Members (or their designee) and the withdrawn Member for the calendar year preceding the buy-out, pursuant to terms and conditions agreed upon by the parties. The amount of any equity distributed to a withdrawn Member will be paid, without interest, on a payment schedule established by the Commission, provided, however, the term of such payment schedule shall not exceed five (5) years. When calculating an equity repayment schedule, the Commission may deduct the withdrawn Member's proportionate share of outstanding indebtedness from the amount of any equity due to the withdrawn Member. Notwithstanding anything to the contrary, a withdrawing Member shall have no claim to the franchise fee the Grantee collected on its behalf for the year in which its withdrawal is effective, except for the reimbursement of cable-related expenses for that year. If no Bonds are outstanding, for the calendar year following withdrawal, and for all subsequent years, the entire franchise fee calculated upon gross revenues attributable to the system within the withdrawn Member shall be paid by Grantee to the withdrawn Member in accordance with the Franchise.

8. That Article XII, Section 1 of the Agreement shall be amended to read as follows:

The Commission shall continue for an indefinite term unless the number of Members becomes less than five, and the Commission may also be terminated by mutual agreement of all of the Members at any time; provided that the Commission shall continue to exist as long as any Bonds described in Article VIII, Section 13 of this agreement remain outstanding.

9. The City understands and agrees that, pursuant to the foregoing amendments of the Agreement, (a) the Commission would be authorized to acquire the land and issue the Bonds for the Project and to proceed with its completion and (b) the City would be obligated to pay its share of the debt service on the Bonds from franchise fees and to continue to do so even if the City might elect to withdraw from the Commission.
10. This paragraph is solely to allow the Bonds initially issued pursuant to Article VIII, Section 13 of the Agreement to be designated as "qualified tax-exempt obligations"

within the meaning of Section 265(b)(3) of the Internal Revenue Code (the “Code”) in the hope and expectation of achieving thereby certain lower interest rates on the Bonds. For this purpose, it is assumed that the full \$2,500,000 of Bonds would be issued in 2003, although the actual amount of Bonds issued may be less, and that each Member City of the Commission would have an allocation of that total bond issue, based on the percentage shares of the members for 2002, as follows:

<u>Member</u>	<u>Percentage Share</u>	<u>Allocated Bond Amount</u>
Blaine	52.347%	\$1,308,675
Centerville	3.567	89,175
Circle Pines	5.001	125,025
Ham Lake	11.696	292,400
Lexington	2.551	63,775
Lino Lakes	16.391	409,775
Spring Lake Park	8.447	211,175
	100.00%	\$2,500,000

This City’s allocated bond amount (as provided above) is hereinafter referred to as the City’s Bonds, and the City hereby makes the following factual statements and representations:

- (a) the City hereby designates the City’s Bonds as “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Code;
- (b) the sum of the City’s Bonds plus the reasonably anticipated amount of all other tax-exempt obligations (other than private activity bonds, treating qualified 501(c)(3) bonds as not being private activity bonds) which will be issued by the City (and all entities subordinate to, or treated as one issuer with, the City) during calendar year 2003 is not expected to exceed \$10,000,000; and
- (c) pursuant to Section 265(b)(3)(C)(iii) of the Code, the City states that it is receiving the benefits from the issuance of the City’s Bonds and the City hereby irrevocably agrees (solely for purposes of said Section 265(b)(3) of the Code) with the other Member Cities of the Commission to the foregoing respective allocations of the principal amount of the Bonds and further agrees and finds that said allocation bears a reasonable relationship to the respective benefits received.

Nothing in this paragraph is intended or shall be interpreted to limit or alter the respective percentage shares of the Member Cities or their respective allocations of debt service obligations on the Bonds, as those may be determined in accordance with the Agreement for 2003 or any subsequent year.

11. This Resolution, and the amendments made to the Agreement, shall be construed to authorize the Commission to contract for and purchase real estate, as part of the Project.

12. Resolution No. 03-07 is hereby immediately rescinded and superceded by this Resolution.

13. The City officers are authorized to take such actions as may be necessary or desirable to implement the approvals given in this Resolution, including the execution on behalf of the City of an amendment to or an amendment and restatement of the Agreement and, upon request, providing to the Commission or bond counsel for the Bonds certifications of this Resolution or certifications of facts and circumstances of the City as may be pertinent in connection with the issuance of the Bonds. This Resolution shall be effective immediately.



CITY OF BLAINE

TO: Mayor and City Council

APPROVED:

FROM: Robert Therres, Support Services Manager

DATE: April 3, 2003

NO.: 10.7

ITEM: **CONSENT AGENDA:** Approve Donation in the Amount of \$1,175 for Cost-Share Purchase of Defibrillator Equipment for Fire Department

BACKGROUND:

The Blaine-Ham Lake Rotary Club is helping obtain defibrillators for the Spring Lake Park-Blaine-Mounds View (SBM) and Ham Lake Fire Departments. Allina Health Care has set aside \$38,000 in matching funds to help communities provide first responders with defibrillators. Each defibrillator costs \$2,500. The Rotary Club is seeking a donation from each of the cities to receive matching funds from Allina Health Care Foundation.

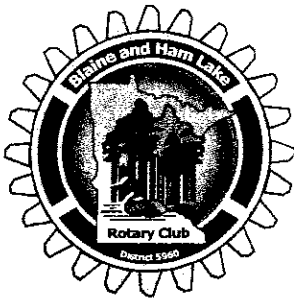
Donations from the Charitable Gaming Fund require formal action by the City Council.

RECOMMENDED COUNCIL ACTION:

By motion, approve donation in the amount of \$1,175 from the Charitable Gaming Fund.

ATTACHMENT:

[Donation Request Letter](#)



The Rotary Club of Blaine & Ham Lake

1441 Bunker Lake Blvd. NE • Ham Lake, MN 55304

March 5, 2003

Honorable Mayor Tom Ryan and Councilmembers:

We would like to appear before the Council at the Council Workshop on March 13, 2003 and for consideration on March 20, 2003 Council Meeting.

The Blaine Ham Lake Rotary is donating \$2500 towards defibrillators for the Spring Lake-Blaine-Moundsview Fire Department and the Ham Lake Fire Departments. Allina Health Care Foundation has set aside \$38000 in matching funds to help communities provide first responders with defibrillators. Currently the SLP-Blaine-Moundsview Fire Department is in need of three and the Ham Lake Fire Department is in need of one. The cost of one defibrillator is \$2500 dollars. By us asking for matching funds from each city and then getting matching funds from Allina, we can reach our goal of providing defibrillators for all the first responders. The SLP-Blaine-Moundsview Fire Department has already raised \$7000 dollars to purchase the first three of six defibrillators. This will complete the need for the fire departments and will enable us to begin to provide updated defibrillators for all police cars.

We know that funds are limited within all city budgets and are asking for \$1250 in charitable gambling monies. This will maximize our \$2500 into \$15000.

Blaine Ham Lake Rotary - \$2500

City of Ham Lake - \$1250

City of Blaine - \$1250

City of SLP - \$1250

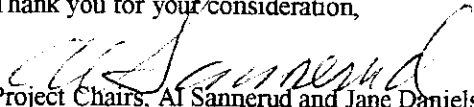
City of Moundsview \$1250

\$7,500

Match from Allina \$7,500

\$15,000 = 6 defibrillators

Thank you for your consideration,


Project Chairs, Al Samnerud and Jane Daniels

*Council Workshop
3/20/03*



CITY OF BLAINE

TO: Mayor and City Council

REVIEWED:

FROM: Bryan K. Schafer, Planning Director

DATE: April 3, 2003

NO.: 11.1

ITEM: **DEVELOPMENT BUSINESS:** Resolution No. 03-42, Granting a Conditional Use Permit for Total Garage Area Exceeding 1,000 Square Feet and Allowing Construction of a Detached Garage That Will be 1,200 Square Feet at 10580 Quincy Boulevard. Bill Booth.

(Case File No. 03-11/SLK)

SCHEDULE OF ACTIONS:

- Planning Commission (Public Hearing) 03/11/03
- City Council (Conditional Use Permit) 04/03/03
- Action Deadline (Extended by City) 05/18/03

PLANNING COMMISSION:

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

BACKGROUND:

The property is located in the R-1 (Single Family) zoning district, which allows total garage area to be between 1,000 and 1,200 square feet with an approved Conditional Use Permit. The applicant wishes to remove their existing attached garage prior to the construction of the new detached garage. The proposed 1,200 square foot detached garage will be constructed in the rear yard. Therefore, the total proposed garage space on the parcel will be 1,200 square feet.

The applicant intends to access the proposed garage with a hard surfaced driveway that will be constructed in the same location as the existing attached garage. Therefore, a condition has been added that indicates a hard surfaced driveway must be constructed to access the new detached garage prior to issuance of a certificate of occupancy for the proposed garage.

The proposed detached garage will be required to match the existing home in materials and color. The proposed garage would meet all required setbacks.

There are no code violations on record for this site.

The applicant is proposing to use the garage for personal storage. Therefore, the garage space may not be used for a home occupation.

All other conditions listed below are reflective of the conditions placed on other conditional use permits of the same nature over the past years.

RECOMMENDED COUNCIL ACTION:

By motion, approve Resolution No. 03-42.

ATTACHMENTS:

[Resolution No. 03-42](#)

[Staff Report 03/11/03](#)

[Unapproved PC Minutes 03/11/03](#)

CITY OF BLAINE

RESOLUTION NO. 03-42

**GRANTING A CONDITIONAL USE PERMIT
PER SECTION 29.34 (i) OF THE ZONING ORDINANCE
OF THE CITY OF BLAINE
BILL BOOTH
10580 QUINCY BOULEVARD NE**

WHEREAS, an application has been filed by Bill Booth as conditional use permit Case File No. 03-11; and

WHEREAS, a public hearing has been held by the Blaine Planning Commission on March 11, 2003; and

WHEREAS, the Blaine Planning Commission recommends said conditional use permit be approved; and

WHEREAS, the Blaine City Council has reviewed said case on April 3, 2003.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that a conditional use permit is hereby approved per Section 29.34 (i) of the zoning ordinance for total garage area exceeding 1,000 square feet and allowing construction of a detached garage that will be 1,200 square feet at 10580 Quincy Boulevard based on the following conditions:

1. The applicants' proposed garage must be used for personal storage space only, and it may not be used for a home occupation.
2. Exterior materials and color of the proposed garage to match the exterior of the existing home.
3. The existing attached garage must be removed from the property prior to issuance of a building permit for the detached garage. A demolition permit is required to remove the existing attached garage.
4. A hard surfaced driveway must be constructed to access the new detached garage prior to issuance of a certificate of occupancy for the proposed garage.

PASSED by the City Council of the City of Blaine this 3rd day of April 2003.

Tom Ryan, Mayor

ATTEST:

Jane M. Hall, CMC, City Clerk



REQUEST FOR PLANNING COMMISSION ACTION

Item No. 4.2

MEETING DATE: March 11, 2003

BY:

Shawn L. Kaye

APPROVED:

Bryan K. Schafer

CASE FILE NO.: 03-11

ITEM: Conditional Use Permit

PETITIONER: Bill Booth

LOCATION: 10580 Quincy Boulevard

ZONING/LAND USE: R-1 (Single Family)
LDR (Low Density Residential)

AREA: Approximately 10,800 Square Feet

APPLICABLE REGULATIONS: 29.34 (i) of the Zoning Ordinance

ATTACHMENTS: [Zoning/Location Map](#)
[Certificate of Survey](#)
[Elevations](#)
[Floor Plan](#)
[Photos](#)

TENTATIVE SCHEDULE:

Planning Commission Public Hearing: 03/11/03
City Council: 04/03/03
Begin Site Work: Spring 2003

REQUEST: The applicant is requesting a conditional use permit for total garage area exceeding 1,000 square feet and allowing construction of a detached garage that will be 1,200 square feet. The existing attached garage is proposed to be removed with the construction of the detached garage. The total garage and accessory space on the property will be between 1,000 and 1,200 square feet which requires a conditional use permit.

BACKGROUND: The property is located in the R-1 (Single Family) zoning district, which allows total garage area to be between 1,000 and 1,200 square feet with an approved Conditional Use Permit. The applicant wishes to remove their existing attached garage prior to the construction of

the new detached garage. The proposed 1,200 square foot detached garage will be constructed in the rear yard. Therefore, the total proposed garage space on the parcel will be 1,200 square feet.

The applicant intends to access the proposed garage with a hard surfaced driveway that will be constructed in the same location as the existing attached garage. Therefore, a condition has been added that indicates a hard surfaced driveway must be constructed to access the new detached garage prior to issuance of a certificate of occupancy for the proposed garage.

The proposed detached garage will be required to match the existing home in materials and color. The proposed garage would meet all required setbacks.

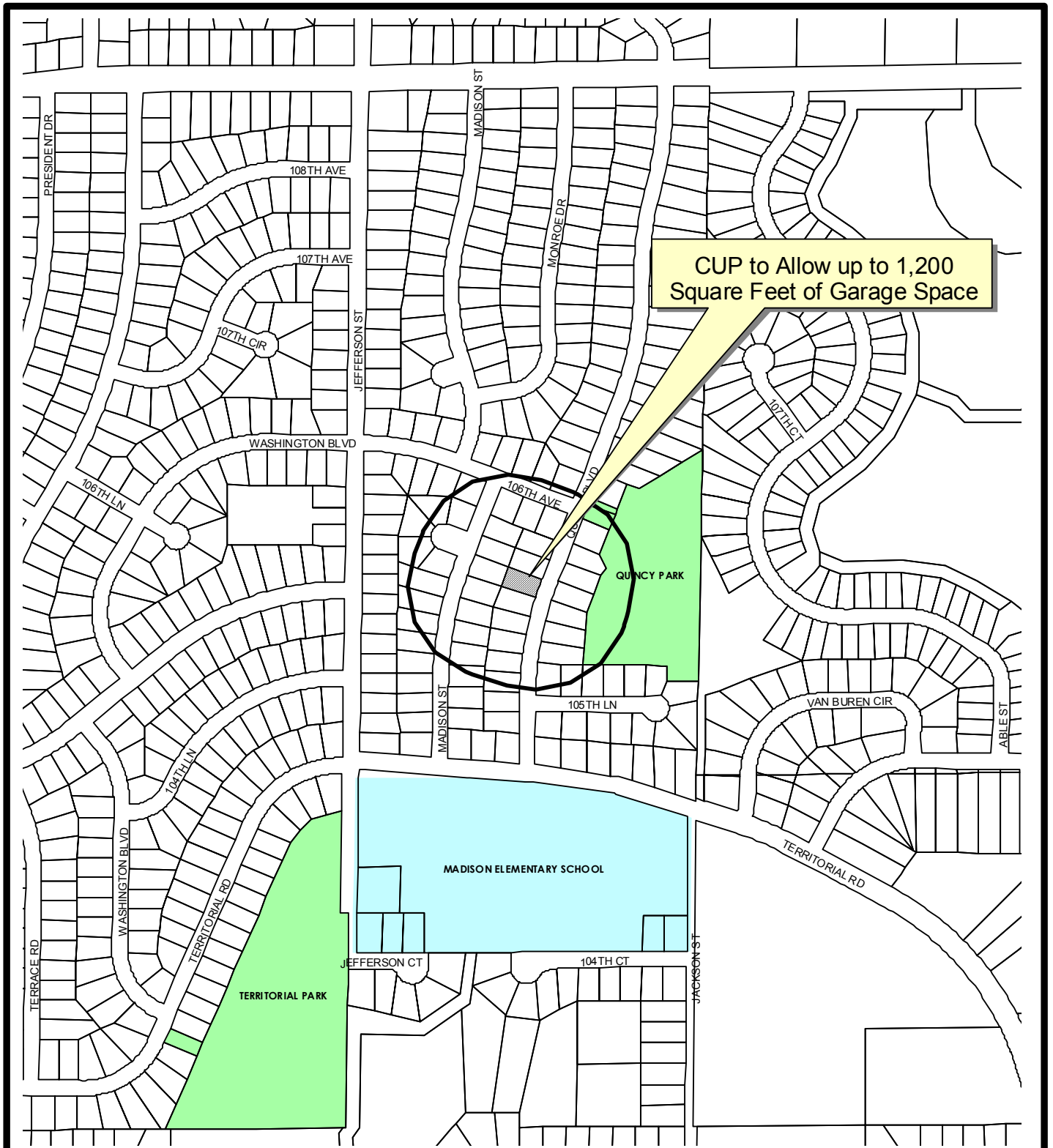
There are no code violations on record for this site.

The applicant is proposing to use the garage for personal storage. Therefore, the garage space may not be used for a home occupation.

All other conditions listed below are reflective of the conditions placed on other conditional use permits of the same nature over the past years.

RECOMMENDATION: In **Planning Case 03-11**, it is recommended that the Planning Commission recommend approval of the conditional use permit based on the following conditions:

1. The applicants' proposed garage must be used for personal storage space only, and it may not be used for a home occupation.
2. Exterior materials and color of the proposed garage to match the exterior of the existing home.
3. The existing attached garage must be removed from the property prior to issuance of a building permit.
4. A hard surfaced driveway must be constructed to access the new detached garage prior to issuance of a certificate of occupancy for the proposed garage.



1 inch = 500 feet

ZONING AND LOCATION MAP

CASE # 03-11



City of Blaine - 10801 Town Square Drive. - Blaine, MN 55449 (763) 785-6180



Land Planning
Land Surveying
Soils Testing
Civil & Municipal
Engineering

Suburban

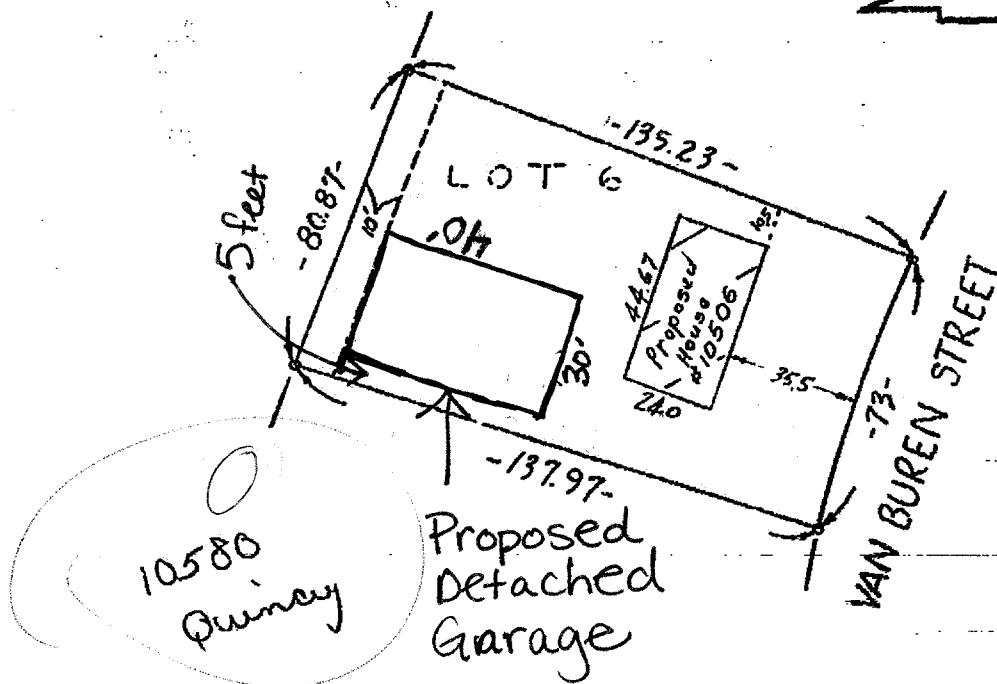
ENGINEERING, INC.

— Engineers & Surveyors —

6075 Highway #65 NE.
Minneapolis 21,
Minnesota
St. Paul 4-6000

certificate of survey for LAND & PROPERTIES, INC.

NORTH



○ DENOTES IRON

----- DENOTES UTILITY & DRAINAGE EASEMENT

LOT 6 BLOCK 6 DONNAYS OAK PARK 9TH

ANOKA COUNTY

I hereby certify that this is a true and correct representation of a survey of the boundaries of the above described land, and of the location of all buildings, thereon, and all visible encroachments, if any, from or on said land. As surveyed by me this August day of August A.D. 1961.

SUBURBAN ENGINEERING, INC.

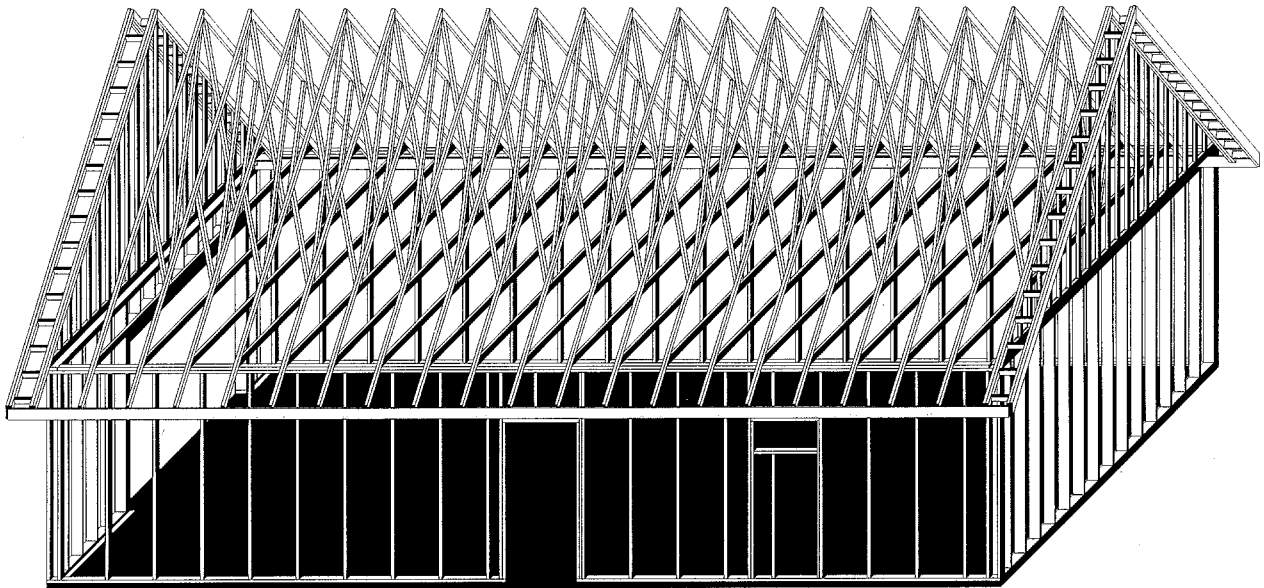
Engineers & Surveyors

by E. A. Rathbun

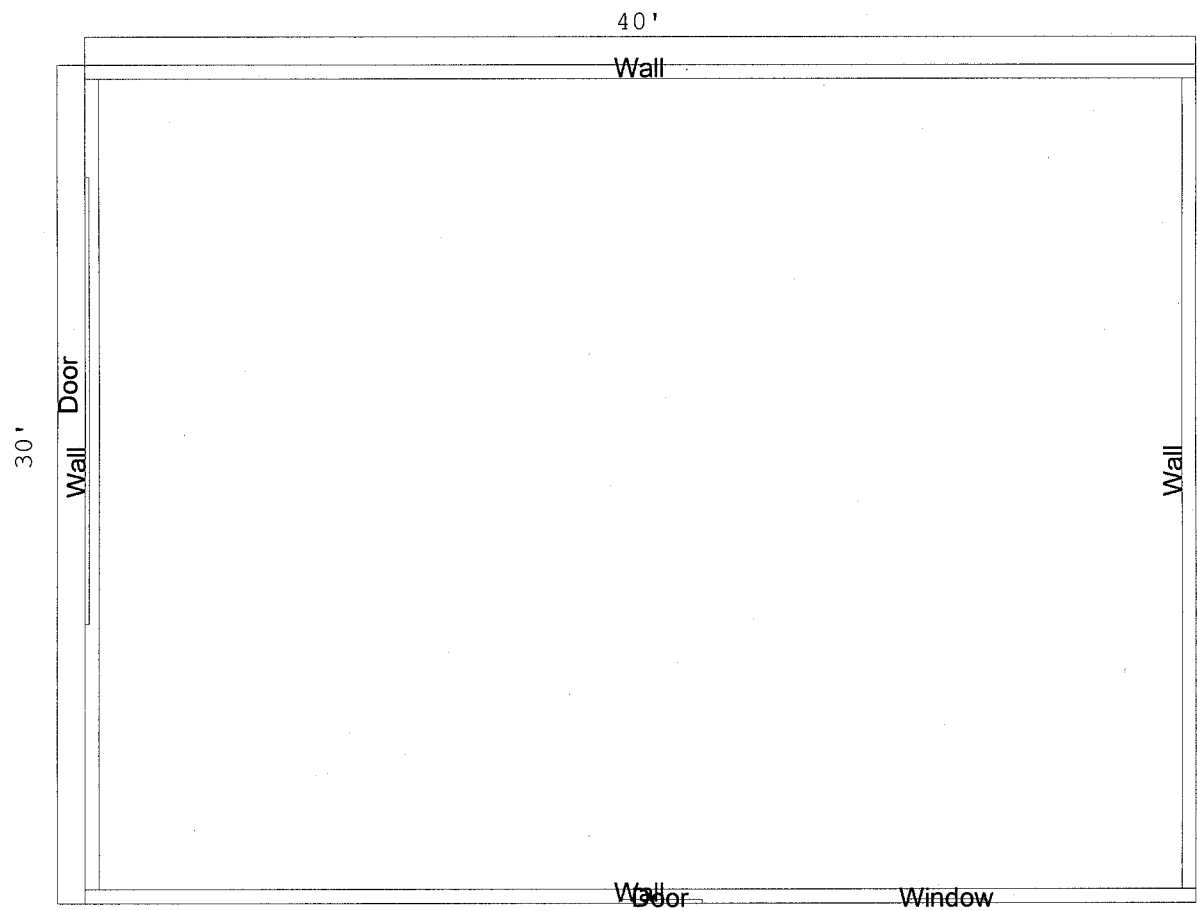
SCALE 1" = 40'

The Home Depot # 2828, 4550 PHEASANT RIDGE DR, BLAINE, MN 55449, (763) 717-0316
Wed Jan 22 11:01:03 2003
The materials in this garage will cost \$24634.48
This Price does
not include any

File saved as: f:\dn\garages\12209AB5.GAR
Drawing: 3-Dimensional View



The Home Depot # 2828, 4550 PHEASANT RIDGE DR, BLAINE, MN 55449, (763) 717-0316
Wed Jan 22 11:01:03 2003
File saved as: f:\dn\garages\12209AB5.GAR
Drawing: Plan View









Item 4.2 – Case File 03-11 – Public Hearing – The applicant is requesting a conditional use permit for total garage area exceeding 1,000 square feet and allowing construction of a detached garage that will be 1,200 square feet. The existing attached garage is proposed to be removed with the construction of the detached garage. The total garage and accessory space on the property will be between 1,000 and 1,200 square feet that requires a conditional use permit.
Bill Booth, 10580 Quincy Boulevard.

The report to the Planning Commission was presented by Shawn Kaye. The public hearing for Case File 03-11 was opened at 7:28 p.m.

Bill Booth, applicant, inquired if a building permit is needed before he removes the existing attached garage. Ms. Kaye responded she believes a demolition permit is needed from the Building Department, and Staff will verify this information.

As no one further wished to appear, the public hearing was closed at 7:29 p.m.

Motion by Commissioner Heckman to recommend approval of Planning Case 03-11 based on the following conditions:

Case 03-11:

1. The applicants' proposed garage must be used for personal storage space only, and it may not be used for a home occupation.
2. Exterior materials and color of the proposed garage to match the exterior of the existing home.
3. The existing attached garage must be removed from the property prior to issuance of a building permit.
4. A hard surfaced driveway must be constructed to access the new detached garage prior to issuance of a certificate of occupancy for the proposed garage.

Motion seconded by Commissioner Lahti. The motion passed 7-0.



CITY OF BLAINE

TO: Mayor and City Council

REVIEWED:

FROM: Bryan K. Schafer, Planning Director

DATE: April 3, 2003

NO.: 11.2

ITEM: **DEVELOPMENT BUSINESS:** Resolution No. 03-44, Granting Final Plat Approval to Subdivide 4.5 Acres Into 8 Single-Family Lots to be Known as Deacon's Oaks at 117th Lane and London Street NE. Gonyea Homes Inc.

(Case File No. 02-67/LST)

SCHEDULE OF ACTIONS:

- Planning Commission (Public Hearing) 11/12/02
- City Council (First Reading Rezoning) 12/05/02
- City Council (Second Reading Rezoning, Preliminary Plat) 12/19/02
- City Council (Final Plat)..... 04/03/03

PLANNING COMMISSION:

The Planning Commission voted unanimously to approve the rezoning and preliminary plat at the November 12, 2003 meeting. There were no comments at the public hearing.

BACKGROUND:

This property is located directly north of the TPC 11th development and directly west of the TPC 12th development. Due to the development around this property, the owner of the property wishes to subdivide the land into 8 single family lots with a R-1AA (Single Family) zoning designation.

The proposed lots will access 117th Lane NE. Construction of street and utility improvements for 117th Lane NE were petitioned for by adjacent property owners and a public improvement project was ordered by the City Council. 117th Lane is currently under construction from London Street NE to the existing 117th Lane NE in the adjacent plat of TPC 12th Addition. Each of the proposed lots have been served with sanitary sewer and water services with this project.

The lots in the plat are consistent with the requirements of the R-1AA (Single Family) zoning district. All lots are larger than the required minimum square footage of 10,800 square feet. All lots meet the required minimum lot width of 80 feet, and all lots meet the required minimum lot depth of 125 feet.

There is currently an existing home on Lot 4 will remain as the property develops. The proposed plat also indicates that there are three detached structures on the proposed plat located on Lots 5, 6 and 7. These structures will either need to be removed from the plat entirely, or they could be moved to Lot 4 with the existing house provided the structures meet City code requirements for square footage and building code requirements.

There are numerous trees on this property and custom grading will be required. A development plan that includes custom grading information, tree preservation and erosion control information must be submitted for City approval prior to issuance of a building permit.

This property was previously assessed for 4.14 acres of trunk sanitary sewer. An additional 0.31 acres of trunk sanitary sewer charges become due with development for acreage the City's information had indicated could be wetlands. The 2002 rate for trunk sanitary sewer is \$2,314 per acre for a total due of \$717.34.

Park dedication will be required for the seven new lots in the amount of \$1,700 per lot.

Using fiscal impact variables collected by Support Services from the various departments the annual fiscal impact for Deacon's Oaks with 8 lots, is as follows:

Street Maintenance - .14 miles @ \$5,944 per mile	\$ 832
Park Maintenance - 0 acres of parkland @ \$2,144 per acre	none
Street Lighting - .14 miles @ \$1,058 per mile	\$ 148
Recreation Programs - 22 people @ \$11,807 per 1000	\$ 260
Police Patrol- 22 people @ \$79,170 per 1000	\$ 1,742
Fire Protection- 22 people @ \$53,219 per 1000	<u>\$ 1,171</u>
Total Estimated Cost	\$4,153

Estimated Local Tax Revenue:

Based on current tax rates, 8 homes valued at 250,000 have the potential at full buildout to generate \$7,400 in tax revenues. Based on current levy limits however, the city does not receive additional tax collections.

RECOMMENDED COUNCIL ACTION:

By motion, approve Resolution No. 03-44.

ATTACHMENTS:

[Resolution No. 03-44](#)

[Location Map](#)

[Final Plat](#)

CITY OF BLAINE

RESOLUTION NO. 03-44

**GRANTING FINAL PLAT APPROVAL
PER SECTION 18-3(3)(g) OF THE SUBDIVISION ORDINANCE
THE CITY OF BLAINE
GONYEA HOMES, INC.
117TH LANE/LONDON STREET NE
DEACON'S OAKS**

WHEREAS, an application has been filed by Gonyea Homes, Inc. as subdivision Case No. 02-67; and

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

THE SOUTH 270 FEET OF THE EAST 719 FEET OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 31, RANGE 23, ANOKA COUNTY, MINNESOTA.

WHEREAS, the Blaine City Council granted preliminary plat approval on December 19, 2002, subject to the stipulations as contained in Blaine City Council Resolution No. 02-200; and

WHEREAS, the applicant has submitted a final plat in general conformance with the approved preliminary plat.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that final plat approval for Deacon's Oaks per Section 18-3(3)(g) of the subdivision regulations is hereby granted subject to the following stipulations:

1. The structures on Lots 5 and 6 will either need to be removed from the plat entirely, or they could be moved to Lot 4 with the existing house provided the structures meet City code requirements for square footage and building code requirements. Information or plans for the removal or relocation of these buildings must be presented prior to issuance of building permits for these lots.
2. The driveway for the existing home on Lot 4 must be removed from Lot 3 and relocated to serve Lot 4 prior to issuance of a building permit for Lot 3.
3. Custom grading is required on each individual lot for tree preservation purposes.

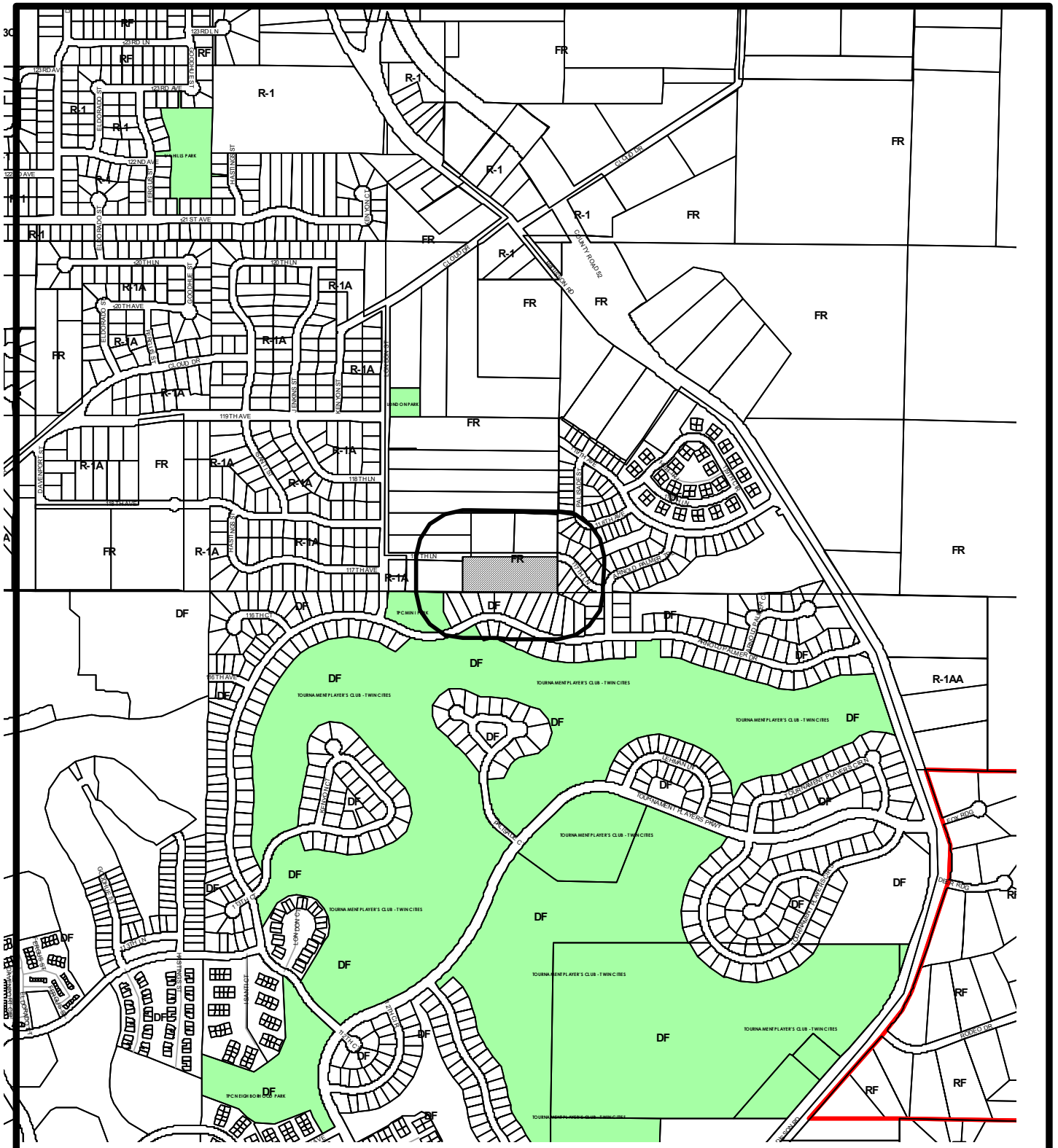
4. A development plan must be submitted for City approval prior to issuance of a building permit and must include custom grading information per lot, tree preservation and erosion control information.
5. The developer must receive a Coon Creek Watershed District permit prior to start of custom grading.
6. The owner of the existing home will need to contact the City's Building Inspection Department on the procedure to properly abandon their septic system and well before connection to public utilities.
7. An additional 0.31 acres of trunk sanitary sewer charges become due with development. The 2002 rate for trunk sanitary sewer is \$2,314 per acre for a total due of \$717.34.
8. Standard drainage and utility easements are required along all lot lines.
9. Park dedication is required for the seven new lots in the plat in the amount of \$1,700 per lot or \$11,900.
10. Developer to construct grouped mailboxes upon approval of design and location plan coordinated with the City and US Post Office.
11. A \$5,000 engineering escrow will be required prior to release of the plat for recording to ensure that all grading activities are constructed according to the approved plans.

PASSED by the City Council of the City of Blaine this 3rd day of April 2003.

Tom Ryan, Mayor

ATTEST:

Jane M. Hall, CMC, City Clerk



1 : 1000'

ZONING AND LOCATION MAP

CASE # 02-67

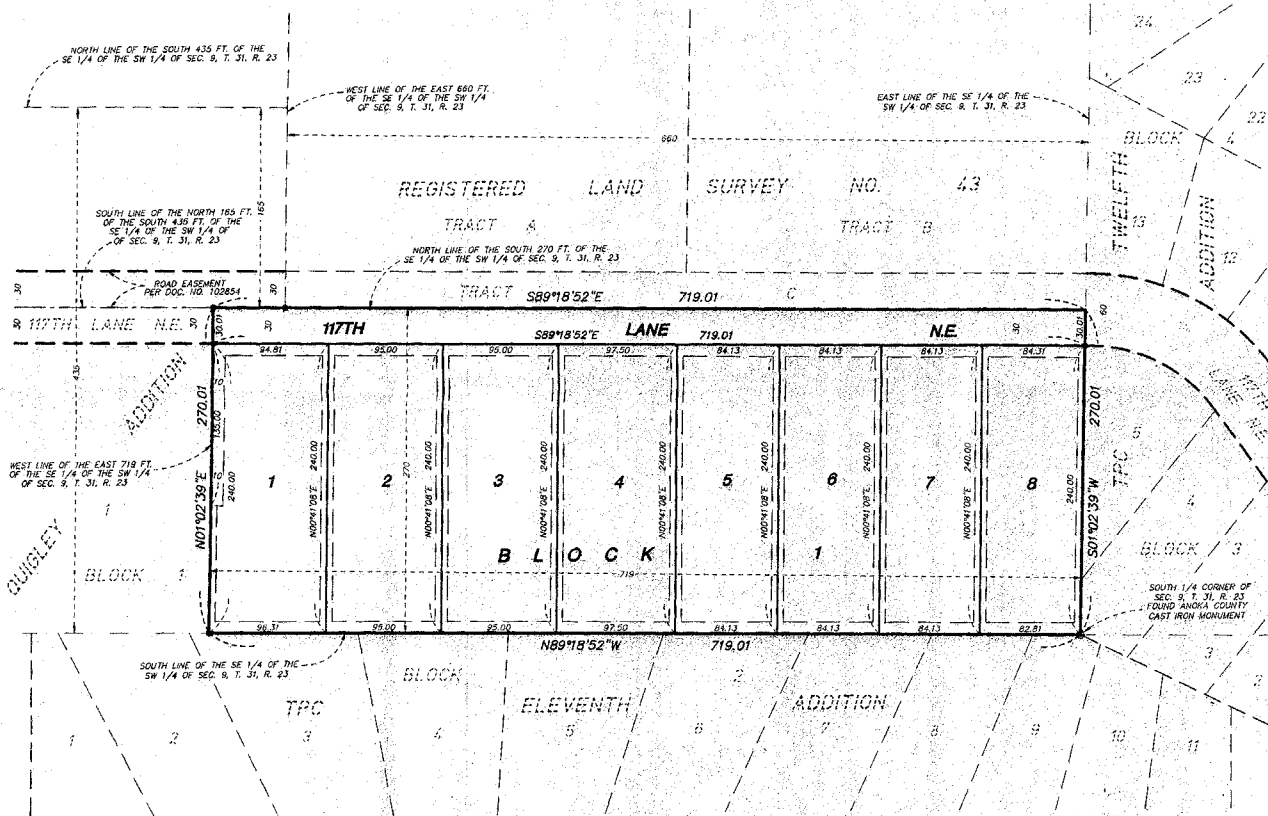
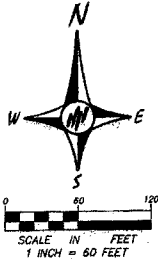


City of Blaine - 10801 Town Square Drive. - Blaine, MN 55449 (763) 785-6180



DEACONS OAKS

CITY OF BLAINE
ANOKA COUNTY
SEC. 9, T. 31, R. 23



FOR THE PURPOSES OF THIS PLAT THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 31, RANGE 23 IS ASSUMED TO HAVE A BEARING OF NORTH 89 DEGREES 18 MINUTES 52 SECONDS WEST.

ALL MONUMENTS REQUIRED BY MINNESOTA STATUTE AND WHETHER SHOWN ON THIS PLAT OR NOT, WILL BE SET WITHIN ONE YEAR OF THE RECORDING DATE OF THIS PLAT AND SHALL BE EVIDENCED BY A 1/2 INCH BY 1 1/2 INCH IRON MONUMENT MARKED BY R.L.S. 25287.

• DENOTES 1/2 INCH PIPE MONUMENT FOUND

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



BEING 5 FEET IN WIDTH, AND ADJOINING SIDE LOT LINES, AND 10 FEET IN WIDTH, AND ADJOINING STREET AND REAR LOT LINES, UNLESS OTHERWISE SHOWN ON THE PLAT.

KNOW ALL PERSONS BY THESE PRESENTS: That Thomas M. Evertz and Pamela A. Evertz, formerly known as Pamela A. Christanson, husband and wife, owners of the following described property situated in the County of Anoka, State of Minnesota, to wit:

The East 719 feet of the South 270 feet of the Southeast Quarter of Southwest Quarter (SE1/4 of SW1/4) of Section Nine (9), Township Thirty-one (31), Range Twenty-three (23), Anoka County, Minnesota.

Have caused the same to be surveyed and platted as DEACONS OAKS, and do hereby donate and dedicate to the public for public use forever the lane as shown on this plat. Also dedicating to the public the easements as shown on this plat for drainage and utility purposes.

In witness whereof said Thomas M. Evertz and Pamela A. Evertz, formerly known as Pamela A. Christanson, husband and wife, have hereunto set their hands this _____ day of _____ 20____

Thomas M. Evertz
Thomas M. Evertz

Pamela A. Evertz
Pamela A. Evertz

State of Minnesota
County of _____

The foregoing instrument was acknowledged before me this _____ day of _____ 20____ by Thomas M. Evertz, married.

Notary Public, _____ County, Minnesota
My commission expires _____

State of Minnesota
County of _____

The foregoing instrument was acknowledged before me this _____ day of _____ 20____ by Pamela A. Evertz, formerly known as Pamela A. Christanson, married.

Notary Public, _____ County, Minnesota
My commission expires _____

I, Mark F. Malstovich, hereby certify that I have surveyed and platted the property described on this plat as DEACONS OAKS; that this plat is a correct representation of the survey; that all distances are correctly shown on the plat in feet and hundredths of a foot; that all monuments have been correctly placed in the ground as shown or will be correctly placed in the ground as designated; that the outside boundary lines are correctly designated on the plat; and that there are no wet lands as defined in MS 505.02, Subd. 1, or public highways to be designated other than as shown.

Mark F. Malstovich, Land Surveyor
Minnesota License Number 25287

State of Minnesota
County of _____

The foregoing Surveyors Certificate was acknowledged before me this _____ day of _____ 20____ by Mark F. Malstovich, Minnesota License No. 25287

Notary Public, _____ County, Minnesota
My commission expires _____

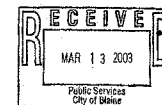
BLAINE, MINNESOTA
This plat of DEACONS OAKS was approved and accepted by the City Council of the City of Blaine, Minnesota, at a regular meeting thereof held this _____ day of _____ 20____. If applicable, the written comments and recommendations of the Commissioner of Transportation and County Highway Engineer have been received by the City or the prescribed thirty day period has elapsed without receipt of such comments and recommendations as provided by Minnesota Statutes, Section 505.03, Subdivision 2.

CITY COUNCIL OF THE CITY OF BLAINE, MINNESOTA
Mayor _____ Clerk _____

ANOKA COUNTY SURVEYOR

This plat was checked and approved on this _____ day of _____ 20____

By _____
Larry D. Holm, Anoka County Surveyor



Passe Engineering Inc.
Registered Professional Engineers
Licensed Land Surveyors



CITY OF BLAINE

TO: Mayor and City Council

REVIEWED:

FROM: Bryan K. Schafer, Planning Director

DATE: April 3, 2003

NO.: 11.3

ITEM: **DEVELOPMENT BUSINESS:** Resolution No. 03-40, Granting Final Plat Approval to Subdivide 33 Acres Into 24 Lots for 171 Multi-Family Units and Three (3) Outlots to be Known as Club West 9th Addition at Club West Parkway and 113th Avenue NE. The Rottlund Company, Inc.

(Case File No. 03-06/SLK)

SCHEDULE OF ACTIONS:

Planning Commission (Public Hearing) 02/11/03

City Council (Conditional Use & Preliminary Plat) 03/06/03

- City Council (Final Plat)..... 04/03/03

BACKGROUND:

The Rottlund Company's final plat consists of subdividing (Phase 1) approximately 33 acres into a subdivision for 171 townhomes and three outlots. This proposed development will be an addition to the existing Club West Development.

Currently, the property is zoned DF and was zoned this in 2001 with the development of Club West 1st Addition. The developer is proposing three different townhome styles with different sizes and price ranges. The conditional use permit, approved by Council March 6, 2003, establishes the development standards for each of these areas.

The proposed development will have four access points including two direct access points off of Club West Parkway.

The entire project will consist of 34 separate buildings, ranging in size from four units to 12 units.

Club West 9th Addition (Phase 1) is proposed to contain three owner occupied housing options including the following:

- a) 56 two-story, back to back style, Villa Townhomes. These units are similar to existing units located in Club West. The finished square footage of the Villa unit is 1,632.

- b) 55 Classic Row Townhomes. These are single loaded two story units that have the attached two-stall garage to the rear of the unit. As a result, the homes are placed closer to the street with architectural emphasis on the front entrance and elevation of the home. These units are almost identical to the Urban Row Homes that are currently being built in Club West along Club West Parkway but approximately 1,147 square feet larger with a finished square footage of 2,319.
- c) 60 Gable Townhomes. These units are back-to-back style and have attached two stall garages on all units. The finished square footage of the interior unit is 1,599 and the exterior unit is 1,806. This is a completely new product for Club West and Blaine but has been built by Rottlund in several other communities.

This development also will meet one of the development requirements contained in the original Club West approval by constructing the public street connection from Baltimore Street to Club West Parkway. This extension is important in that it will provide an alternative access to the existing Baltimore Street businesses that will have their access from 109th Avenue modified with 109th Avenue improvement this coming summer. The 111th Avenue connection between Baltimore Street and Club West Parkway has been modified to run along the site's south property line, consistent with the Preliminary Plat approval granted by the Council on March 6, 2003.

ESTIMATE OF FISCAL IMPACT:

Using fiscal impact variables collected by Support Services from the various departments the annual fiscal impact for Club West 9th Addition, with 171 units, is as follows:

Street Maintenance - .20 miles @ \$5,944 per mile	\$1,189
Park Maintenance - 10 acres @\$2,144 per acres (25% share)	\$5,360
Street Lighting - .20 miles @ \$1,058 per mile	\$212
Recreation Programs - 470 people @ \$11,807 per 1000	\$5,549
Police Patrol- 470 people @ \$79,170 per 1000	\$37,130
Fire Protection- 470 people @ \$53,219 per 1000	<u>\$25,013</u>
Total Estimated Cost	\$74,453

Estimated Local Tax Revenue:

Based on current tax rates, 171 homes valued at \$190,000 have the potential at full buildout to generate \$117,990 in tax revenues. Based on current levy limits however, the city does not receive additional tax collections.

RECOMMENDED COUNCIL ACTION:

By motion, approve Resolution No. 03-40.

ATTACHMENTS:

[Resolution No. 03-40](#)

[Location Map](#)

[Final Plat](#)

CITY OF BLAINE

RESOLUTION NO. 03-40

**GRANTING FINAL PLAT APPROVAL
PER SECTION 18-3(3)(g) OF THE SUBDIVISION ORDINANCE
THE CITY OF BLAINE
THE ROTTLUND COMPANY, INC.
CLUB WEST PARKWAY/113TH AVENUE NE
CLUB WEST 9TH ADDITION**

WHEREAS, an application has been filed by The Rottlund Company, Inc. as subdivision Case No. 03-06; and

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

OUTLOTS A, B AND C, CLUB WEST, ANOKA COUNTY, MINNESOTA.

WHEREAS, the Blaine City Council granted preliminary plat approval on March 6, 2003, subject to the stipulations as contained in Blaine City Council Resolution No. 03-24; and

WHEREAS, the applicant has submitted a final plat in general conformance with the approved preliminary plat.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that final plat approval for Club West 9th Addition per Section 18-3(3)(g) of the subdivision regulations is hereby granted subject to the following stipulations:

1. Park dedication to be paid for the 171 residential units at the rate of \$1,463 per unit for a total of \$250,173. A credit to be given, to the developer, for their effort in developing the five neighborhood parks, trail system, pedestrian bridge, additional park landscaping and lighting, etc.
2. A rough grading and sediment control plan must be submitted for City approval prior to work being performed on site. Erosion control and tree preservation details shall be included on the grading plan.
3. The size of site being graded and storm sewer extensions require a National Pollutant Discharge Elimination System (NPDES) permit from Minnesota Pollution Control Agency.
4. A development plan must be submitted for City approval prior to issuance of the first building permit. The development plan must indicate that all structures will be protected from flooding.

5. Coon Creek Watershed District permit is required prior to the approval of grading.
6. An as-built survey will be required to verify lowest opening elevation for each structure.
7. The developer will be responsible for installation of sanitary sewer, water main, storm drainage improvements, streets with concrete curb and gutter, streetlights, mailboxes, sidewalks, trails, traffic control signs, street signs, and all appurtenant items. Plans and specifications must be approved by the City prior to start of construction.
8. All City “public” streets require dedication of 60 feet of right-of-way and shall be constructed to 29 feet back to back of width.
9. Minnesota Department of Transportation permit is required for any work in the State right-of-way.
10. All streets will follow the Anoka County street name grid system.
11. Standard utility and drainage easements must be dedicated along all lot lines and over drainage ditches, ponds, delineated wetlands, and storm water detention basins.
12. Developer to require homeowner’s associations to be responsible for maintenance and upkeep of landscape improvements along and within the right-of-way for Club West Parkway, along trail corridors that are located outside of public parks.
13. Execution and recording of a Development Agreement, which sets forth in greater detail the plat conditions as well as other responsibilities for the development of this plat.
14. All pedestrian trails shall be constructed to a width of 8 feet. The trails shall be at or above the 100 year flood elevation and be designed to support a 10,000 pound maintenance vehicle. Final grading plan to be reviewed for providing adequate space between anticipated high water levels, trail and residential units.
15. Streets adjacent to the proposed round about may require “No Parking” restrictions for some distance back from the round about intersections to accommodate sight distance and maneuvering requirements.
16. Standard water and sanitary sewer access charges (WAC & SAC) become due with each building permit.
17. Trunk sanitary sewer charges will become due with development. The 2003 rate for trunk sanitary sewer is \$2,469.00 per acre.

18. The following units should have enhanced end units to be consistent with previously approved townhomes within Club West:

Classic Row	Unit #25, 28, 29 and 32 (East End) Unit #26 and 30 (Both Ends)
Gables	Unit #1 (Both Ends) Unit #2 and 3 (East End)
Villa	Units on Lots #4, 5, 6, and 7 (South End) Unit # 8 (East End)

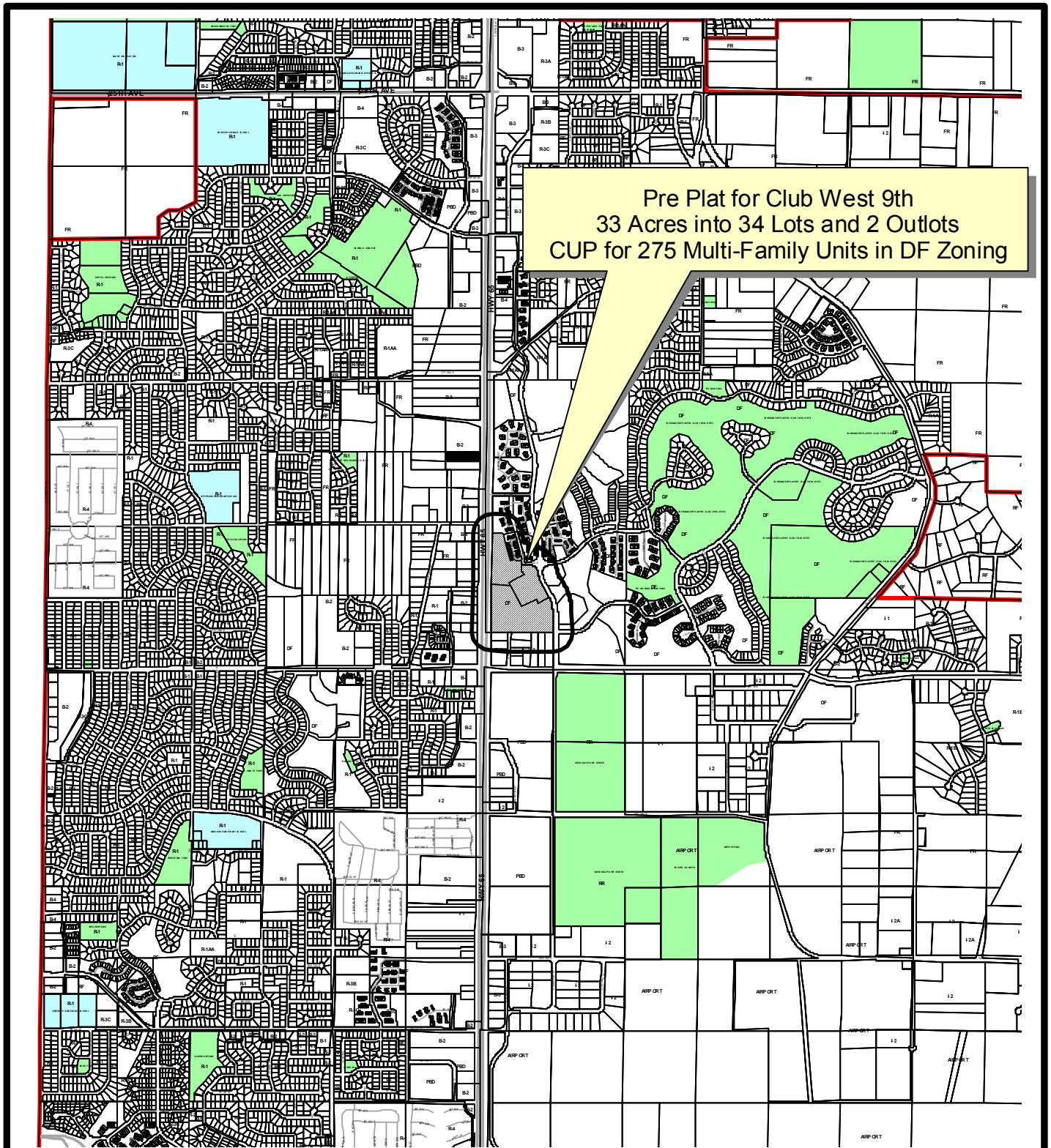
19. If so required by MnDOT and/or the City of Blaine, now or in the future, the Developer and/or Home Owner's Association must dedicate any easements without compensation along TH 65 necessary for the construction of a sound/noise wall barrier.

PASSED by the City Council of the City of Blaine this 3rd day of April 2003.

Tom Ryan, Mayor

ATTEST:

Jane M. Hall, CMC, City Clerk



1 inch = 1000 feet

ZONING AND LOCATION MAP

CASE # 03-06



City of Blaine - 10801 Town Square Drive. - Blaine, MN 55449 (763) 785-6180



KNOW ALL MEN BY THESE PRESENTS: That Tradition Development, LLC, a Minnesota Limited Liability Company, owner and proprietor of the following described property situated in the County of Anoka, State of Minnesota, to wit: Outlots B and C, CLUB WEST, Anoka County, Minnesota.

and Club West Partners, LLC, a Minnesota Limited Liability Company, owner owner and proprietor of the following described property situated in the County of Anoka, State of Minnesota, to wit:

Outlot A, CLUB WEST, Anoka County, Minnesota.

Have caused the same to be surveyed and platted as CLUB WEST NINTH ADDITION and do hereby donate and dedicate to the public for public use forever the avenue and easements for drainage and utility purposes only. In witness whereof said Tradition Development, LLC, a Minnesota Limited Liability Company, has caused these presents to be signed by its proper officer this ____ day of _____, 2003, and in witness whereof said Club West Partners, LLC, a Minnesota Limited Liability Company, has caused these presents to be signed by its proper officer this ____ day of _____, 2003.

TRADITION DEVELOPMENT, LLC

CLUB WEST PARTNERS, LLC

Thomas J. Enebak as Chief Manager

Thomas J. Enebak as Chief Manager

STATE OF MINNESOTA
COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____, 2003, by Thomas J. Enebak as chief manager of Tradition Development, LLC, a Minnesota Limited Liability Company, on behalf of said company.

Notary Public, _____ County, Minnesota
My Commission Expires January 31, 2006

STATE OF MINNESOTA
COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____, 2003, by Thomas J. Enebak as chief manager of Club West Partners, LLC, a Minnesota Limited Liability Company, on behalf of said company.

Notary Public, _____ County, Minnesota
My Commission Expires January 31, 2005

I hereby certify that I have surveyed and platted the property described on this plat as CLUB WEST NINTH ADDITION; that this plat is a correct representation of the survey; that all distances are correctly shown on the plat in feet and hundredths of a foot; that all monuments have been correctly placed in the ground as shown or will be placed as required by the local governmental unit; that the outside boundary lines are correctly designated on the plat; and that there are no waterfalls, in accordance with section 505.02 Subdivision 1, or public highways to be designated other than as shown.

Terrence E. Rothenbacher, Land Surveyor
Minnesota License Number 20595

STATE OF MINNESOTA
COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____, 2003, by Terrence E. Rothenbacher, Land Surveyor, Minnesota License No. 20595.

Notary Public, _____ County, Minnesota
My Commission Expires January 31, 2005

BLAINE, MINNESOTA

This plat of CLUB WEST NINTH ADDITION was approved and accepted by the City Council of the City of Blaine, Minnesota, at a regular meeting thereof held this ____ day of _____, 2003. If applicable, the written comments and recommendations of the Commissioner of Transportation and the County Highway Engineer have been received by the City or the prescribed 30 day period has elapsed without receipt of such comments and recommendations, as provided by Minnesota Statutes Section 505.03, Section 2.

By: _____ Mayor By: _____ Clerk

Checked and approved this ____ day of _____, 2003.

By: _____
Anoka County Surveyor

GRAPHIC SCALE

100 0 50 100 200 400

(IN FEET)
1 inch = 100 ft.

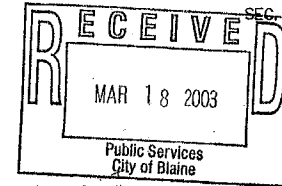
PIONEER
engineering

LAND SERVICES & REAL ESTATE
LAND PLANNERS & LANDSCAPE ARCHITECTS

CLUB WEST NINTH ADDITION

CITY OF BLAINE
COUNTY OF ANOKA

SEC. 17, TWP. 31, RGE. 23



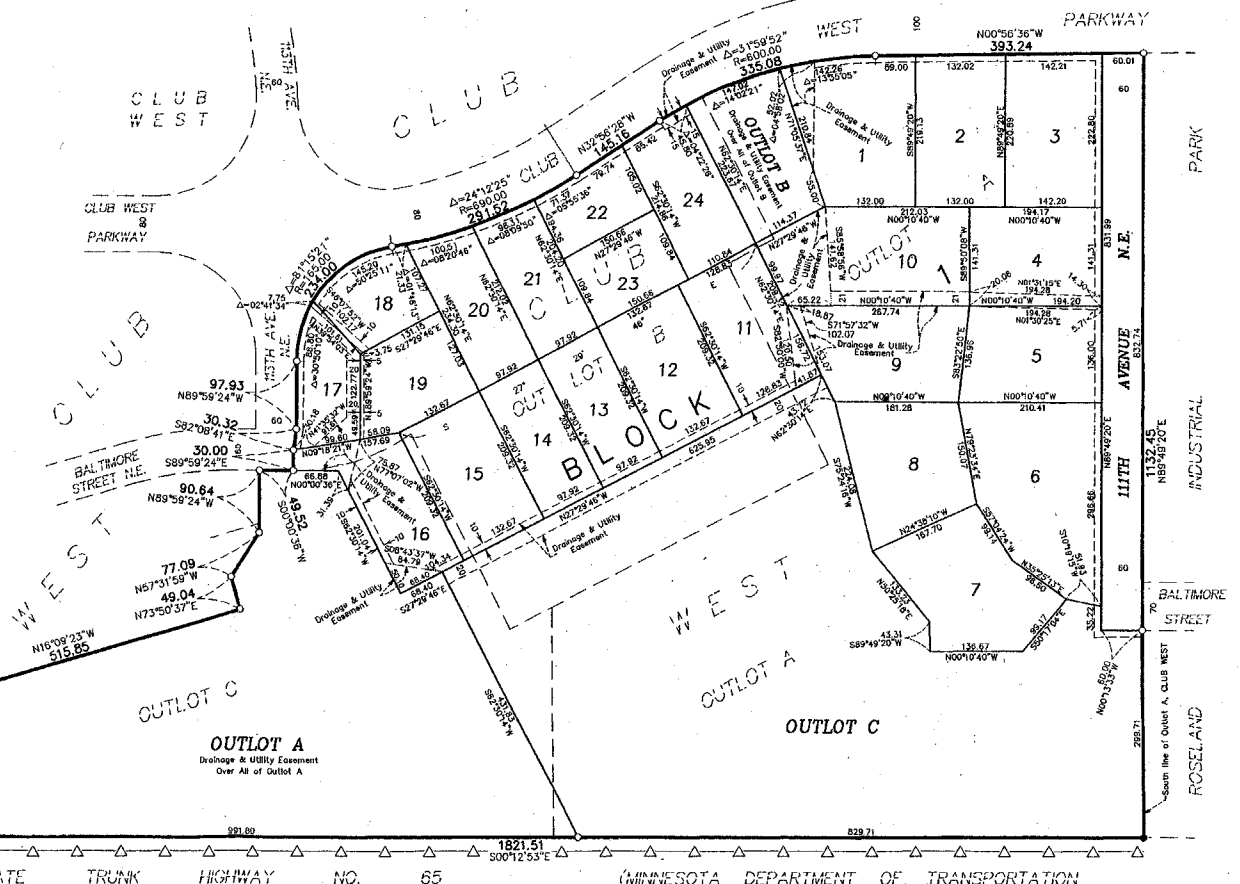
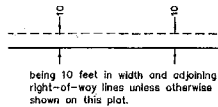
△ Denotes Restricted Right of Access as shown on the plat of CLUB WEST

- Denotes iron monument found
- Denotes 1/2 inch by 14 inch iron monument set and marked with license number 20595

For the purposes of this plat, the south line of Outlot A, CLUB WEST is assumed to have a bearing of North 89°49'20" East.

All monuments required by Minnesota Statute, whether shown on this plat or not, will be set within one year of the recording date of this plat, and shall be evidenced by a 1/2 inch by 14 inch iron pipe marked by RLS 20595.

DRAINAGE AND UTILITY
EASEMENTS ARE SHOWN THUS:
(NOT TO SCALE)



OUTLOT A
Drainage & Utility Easement
Over All of Outlot A

STATE TRUNK HIGHWAY NO. 65

(MINNESOTA DEPARTMENT OF TRANSPORTATION
MONUMENTATION PLAT 02-M17)



CITY OF BLAINE

TO: Mayor and City Council

REVIEWED:

FROM: Bryan K. Schafer, Planning Director

DATE: April 3, 2003

NO.: 11.4

ITEM: **DEVELOPMENT BUSINESS:** Resolution No. 03-54, Granting Final Plat Approval to Subdivide 9.63 Acres Into Two (2) Lots and an Outlot for Retail, Restaurant and Services Uses to be Known as National Market Center 2nd Addition at 105th Avenue/Highway 65 NE.

(Case File No. 03-24/SLK)

SCHEDULE OF ACTIONS:

- Planning Commission (Public Hearing) 08/13/02
- City Council (1st Addition - CUP, Preliminary Plat) 09/05/02
- City Council (1st Addition – Final Plat)..... 09/19/02
- City Council (2nd Addition – Final Plat)..... 04/03/03

BACKGROUND:

The Continental Development Corporation has presented a final plat for National Market Center 2nd addition that contains two lots, and one outlot. The total acreage of the National Market Center development is 56.6 acres. Lots 1 and 2 and Outlot A is approximately 9.63 acres.

All internal utilities shall be maintained privately by the development association, including storm water detention/treatment basins and restoration wetlands. City will maintain utilities in public right-of-way and the easement south of 103rd Avenue NE.

Park dedication fees will be required for Lots 1 and 2 at the rate of \$5,000 per acre. Outlot A will be subject to park dedication at the rate in effect when the site is developed.

A portion of this parcel is shown on the FEMA flood maps as an area determined to be in an A-Zone, an area that can be inundated by 100 year flooding. This designation will require the developer to process a Letter of Map Revision with FEMA.

The final plat is consistent with the approved preliminary plat and associated conditions, Resolution No. 02-148.

RECOMMENDED COUNCIL ACTION:

By motion, approve Resolution No. 03-54

ATTACHMENTS:

[Resolution No. 03-54](#)

[Final Plat](#)

[Location Map](#)

CITY OF BLAINE

RESOLUTION NO. 03-54

**GRANTING FINAL PLAT APPROVAL
PER SECTION 18-3(3)(g) OF THE SUBDIVISION ORDINANCE
THE CITY OF BLAINE
CONTINENTAL DEVELOPMENT CORPORATION
105TH AVENUE/HIGHWAY 65 NE
NATIONAL MARKET CENTER 2ND ADDITION**

WHEREAS, an application has been filed by Continental Development Corporation as subdivision Case No. 03-24; and

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

OUTLOT F, NATIONAL MARKET CENTER, ANOKA COUNTY, MINNESOTA

WHEREAS, the Blaine City Council granted preliminary plat approval on September 5, 2002, subject to the stipulations as contained in Blaine City Council Resolution No. 02-148; and

WHEREAS, the applicant has submitted a final plat in general conformance with the approved preliminary plat.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that final plat approval for National Market Center 2nd Addition per Section 18-3(3)(g) of the subdivision regulations is hereby granted subject to the following stipulations:

1. Park dedication required for Lots 1 and 2 at the rate of \$5,000 per acre for a total park dedication fee of \$34,050. Payment required prior to release of final plat mylars for recording. Outlot A will be subject to park dedication fees at the time in which it is developed.
2. Storm water calculations must be submitted that indicate storm water discharge from the site does not exceed the predevelopment discharge rate.
3. Existing storm water that crosses this property from adjacent properties must be taken into consideration in storm water calculations.
4. The applicant must obtain a Coon Creek Watershed District (CCWD) permit prior to any work on site.
5. The developer shall provide the City additional information on their import of fill material, sequence of grading, and interim turf establishment.

6. Erosion control measures must be indicated on the final grading plan and all silt fence must be in place prior to start of grading operations.
7. A National Pollutant Discharge Elimination System (NPDES) permit is required from the Minnesota Pollution Control Agency (MPCA.)
8. The developer will be responsible for installation of sanitary sewer, water main, storm drainage improvements, streets with concrete curb and gutter, streetlights, sidewalks, traffic control signs, and all appurtenant items.
9. City shall inspect all public improvements installed by the developer.
10. Sizes of proposed water main and sanitary sewer lateral lines must be verified for adequacy by the developer's engineer prior to utility plan approval.
11. All internal utilities shall be maintained privately by the development association, including storm water detention/treatment basins and restoration wetlands. City will maintain utilities in public right-of-way and the easement south of 103rd Avenue NE.
12. Access to private water and sanitary sewer services shall be granted for each individual site.
13. Separate fire lines and domestic water services are required for each structure from the water main lateral lines to each structure.
14. Water Availability Charges (WAC) and Sewer Availability Charges (SAC) become due with each building permit.
15. A MnDOT permit is required for all work performed within TH 65 right-of-way. The plat cannot be released for recording until the permit has been issued by MnDOT.
16. Anoka County review of the Plat with appropriate dedication of additional right-of-way and right of access.
17. Anoka County Highway permit required for all work within 105th Avenue NE right-of-way. The plat cannot be released for recording until the permit has been issued by Anoka County.
18. Plat needs to show existing street easement lines.
19. The property being platted is currently in the green acres program and all deferred levied assessments become due with platting.

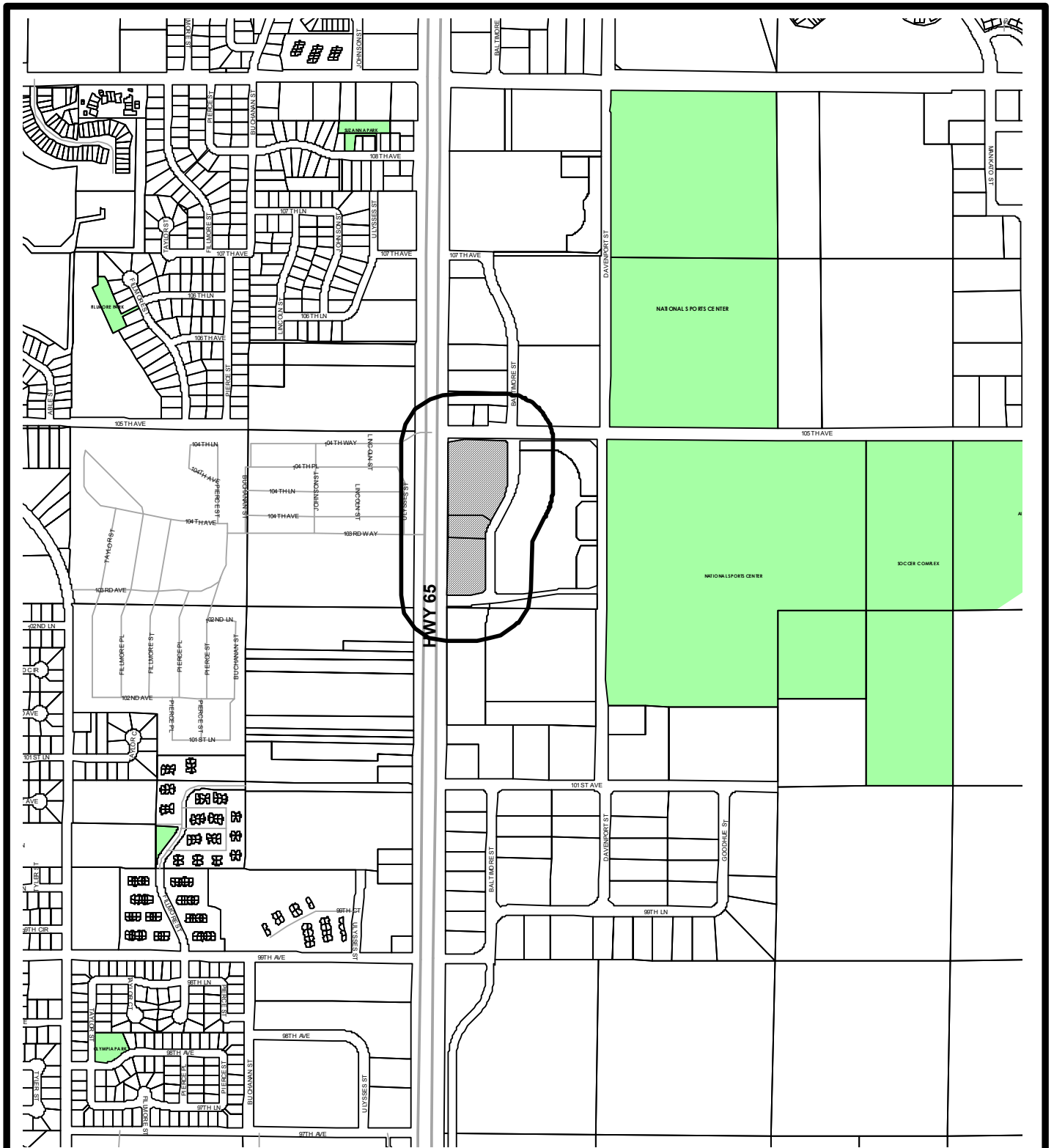
20. Dedication of utility and drainage easements along lot lines, over restoration wetlands, and storm water treatment/detention areas.
21. Plans and specifications for public and private improvements require City approval prior to start of construction.
22. Developer shall process a Letter of Map Revision with FEMA.
23. Developer shall maintain all sidewalks and landscaping within the public right-of-way.
32. Sidewalk shall be extended along the south side of 105th Avenue from TH 65 to the corner of Baltimore Street NE.

PASSED by the City Council of the City of Blaine this 3rd day of April 2003.

Tom Ryan, Mayor

ATTEST:

Jane M. Hall, CMC, City Clerk



1 inch = 1000 feet

ZONING AND LOCATION MAP

CASE # 03-24



City of Blaine - 10801 Town Square Drive - Blaine, MN 55449 (763) 785-6180



NATIONAL MARKET CENTER 2ND ADDITION

City of Blaine
County of Anoka
Sec. 20, Twp. 31, Rge. 23

KNOW ALL PERSONS BY THESE PRESENTS: That Continental Development Corporation, a Minnesota corporation, owner and proprietor and Village Bank, a Minnesota Corporation, mortgagee of the following described property situated in the County of Anoka, State of Minnesota, to-wit:

Outlot F, NATIONAL MARKET CENTER, according to the recorded plat thereof, Anoka County, Minnesota.

Have caused the same to be surveyed and platted as NATIONAL MARKET CENTER 2ND ADDITION and do hereby donate and dedicate to the public for public use forever the drainage and utility easements as shown on the plat. In witness whereof said Continental Development Corporation has caused these presents to be signed by its proper officer this _____ day of _____, 20____. Also in witness whereof said Village Bank, has caused these presents to be signed by its proper officer this _____ day of _____, 20____.

CONTINENTAL DEVELOPMENT CORPORATION

Charles S. Cook, as president

VILLAGE BANK

_____ as _____

STATE OF MINNESOTA) The foregoing instrument was acknowledged before me this _____ day of _____, 20____ by Charles S. Cook, as president
COUNTY OF _____) of Continental Development Corporation, a Minnesota corporation, on behalf of the corporation.

Holary Public, _____ County, Minnesota
My Commission expires _____

STATE OF MINNESOTA) the foregoing instrument was acknowledged before me this _____ day of _____, 20____ by _____
COUNTY OF _____) as _____ of Village Bank, a Minnesota corporation, on behalf of the corporation.

Holary Public, _____ County, Minnesota
My Commission expires _____

I hereby certify that I have surveyed and platted the land described in the dedication on this plat as NATIONAL MARKET CENTER 2ND ADDITION; that this plat is a correct representation of said survey, that all distances are correctly shown on said plat in feet and hundredths of a foot, that all monuments have been correctly placed in the ground as shown, or shall be correctly placed in the ground within one year after the recording date of this plat; that the outside boundaries are correctly designated on said plat; and that there are no wetlands, in accordance with M.S. 505.02, Subdivision 1, or public highways to be designated on said plat other than as shown thereon.

Jeffrey N. Coine, Registered Land Surveyor
Minnesota License No. 12251

STATE OF MINNESOTA) The surveyors certificate was acknowledged before me a Notary Public, this _____ day of _____, 20____, by Jeffrey N. Coine,
COUNTY OF ANOKA) Land Surveyor.

Holary Public, Anoka County, Minnesota
My Commission expires _____

CITY OF BLAINE

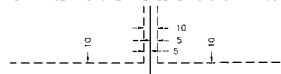
We hereby certify that the City Council of the City of Blaine, Anoka County, Minnesota, duly accepted and approved the plat of NATIONAL MARKET CENTER 2ND ADDITION at a regular meeting held this _____ day of _____, 20____. If applicable, the written comments and recommendations of the Commissioner of Transportation and the County Highway Engineer have been received by the City or the prescribed 30 day period has elapsed without receipt of such comments and recommendations, as provided by Minn. Statutes, Section 505.03, Subd. 2.

By _____ Mayor By _____ City Manager

Checked and approved this _____ day of _____, 20____

By _____
Anoka County Surveyor

DRAINAGE AND UTILITY EASEMENTS SHOWN THUS:

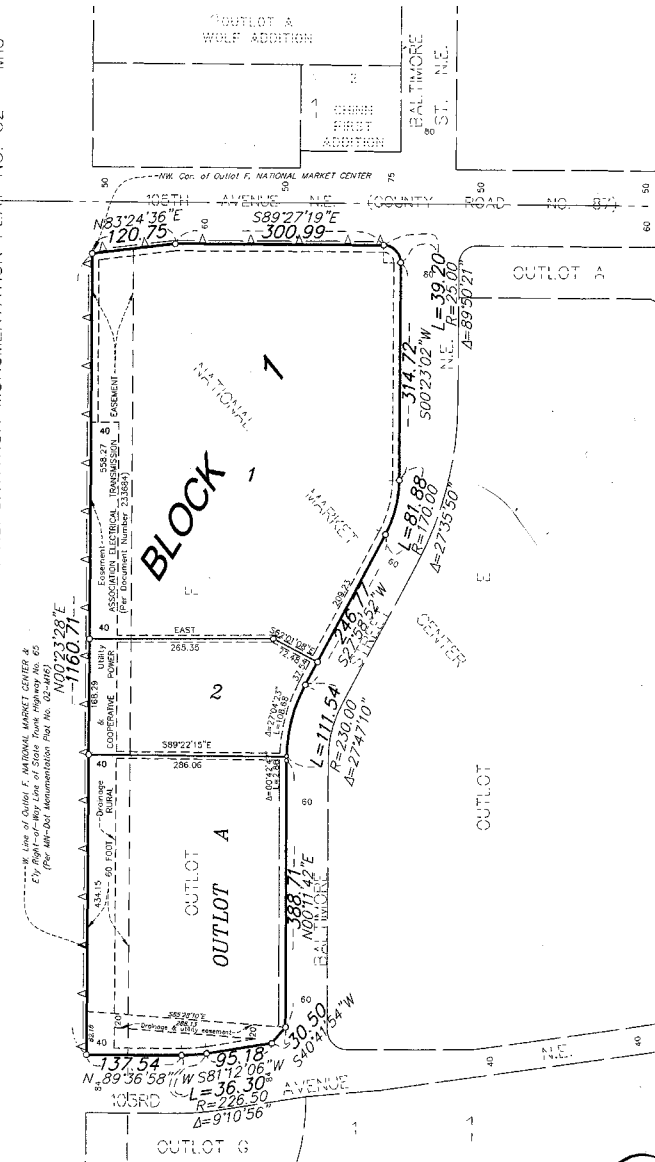


BEING 10 FEET WIDE AND ADJOINING ALL STREET
RIGHT-OF-WAY LINES AND REAR LOT LINES
AND 5 FEET WIDE AND ADJOINING ALL SIDE LOT
LINES UNLESS OTHERWISE SHOWN ON THE PLAT.

0 100 200
SCALE - 1 INCH = 100 FEET



CENTRAL AVENUE N.E. (STATE TRUNK HIGHWAY No. 65)
MINNESOTA DEPARTMENT OF TRANSPORTATION MONUMENTATION PLAT NO. 02 - W16



For the purposes of this plat, the west line of
Outlot F, NATIONAL MARKET CENTER, Anoka County,
Minnesota, is assumed to bear N00°23'28\"



RLK - Kuusisto, Ltd.



CITY OF BLAINE

TO: Mayor and City Council

REVIEWED:

FROM: Bryan K. Schafer, Planning Director

DATE: April 3, 2003

NO.: 11.5

ITEM: **DEVELOPMENT BUSINESS:** Resolution No. 03-41, Granting a Conditional Use Permit to Construct Two (2) Retail Buildings Totaling 38,903 Square Feet and a Zero Lot Line on the South Line for Parking and Driveway Access at 105th Avenue/Highway 65 NE. Continental Development Corporation.

(Case File No. 03-05/SLK)

SCHEDULE OF ACTIONS:

- Planning Commission (Public Hearing) 03/11/03
- City Council (Conditional Use Permit) 04/03/03
- Action Deadline (Extended by City) 05/02/03

PLANNING COMMISSION:

The Planning Commission voted unanimously to approve the conditional use permit. There were comments from a nearby property owner regarding access from 105th Avenue.

BACKGROUND:

The property (4.4 acres) on the southeast corner of Highway 65 and 105th Avenue is zoned PBD (Planned Business District). At this time, Continental Development Corporation wishes to develop this property to include two retail buildings totaling 38,903 square feet. The proposed retail buildings will be part of the National Market Center Development.

A conditional use permit is required for all uses in the PBD district. Therefore, the applicant is requesting approval of a conditional use permit for the two retail buildings at this time. Menard's, also part of the National Market Center development, received their CUP in late 2002 and plan to be under construction this spring.

Site Plan

The site plan for this lot indicates that a 24,612 square foot multi-tenant retail building will be located on the west side of the site. A second 14,291 square foot multi-tenant retail building will be located on the north side of the site. The site plan indicates 273 parking spaces to serve the two retail buildings, which meets ordinance requirements for the type of uses proposed. The applicant's intent is to locate restaurant type uses at the ends of both retail buildings.

The site will be accessed from three separate locations. The accesses will include two entrances off of Baltimore Street NE and an access from the adjacent outlot to the south when that site develops.

Access to private water and sanitary services shall be granted for the site. Separate fire lines and domestic services are required for each structure from the water main lateral lines to each structure.

The site application for Buildings 1 and 2 is an extension of the National Market Center development and as such most street and utility issues associated with the entire site were addressed with the original CUP. One condition of the original CUP that has not been satisfactorily resolved as yet are the improvements on 105th Avenue and related requirement for the developer to obtain a permit from Anoka County for the Baltimore Street intersection. It is recommended that the Baltimore Street intersection permit from the Anoka County Highway Department be issued prior to City issuance of Site Plan Approval for the construction of Buildings 1 and 2.

Building Elevations

The PBD zoning district is exempt from the Highway 65 Overlay District requirements, which means that the building standards in the Overlay district do not directly apply to the proposed retail buildings. However, the City Council has directed staff to encourage applicants to meet the Overlay district standards as far as building construction is concerned, and to apply the standards through the conditional use permit process. This is done by placing a condition on the permit that states the building must meet these standards.

The elevations that have been provided meet the Highway 65 Overlay District standards with the use of brick, simulated stone, E.I.F.S., and glass on all four sides of the buildings. Staff believes the applicant has made this an attractive building and the elevations presented are recommended for approval. A condition has been added that states the building must be constructed consistent with submitted materials made part of this conditional use permit application.

Landscape Plan

The landscape plan, that has been submitted does meet the Highway 65 Overlay District requirements related to the quantity of trees required. You will notice that the landscape plan presented provides a very attractive appearance for this site along Highway 65, 105th Avenue.

Signage

Any signage that is placed on this site requires a separate permit process and is addressed as such in the conditions.

The development of new retail/restaurant/service establishments will greatly compliment the Trunk Highway 65 area in general, and it will provide much needed services for the residents of Blaine.

RECOMMENDED COUNCIL ACTION:

By motion, approve Resolution No. 03-41.

ATTACHMENTS:

[Resolution No. 03-41](#)

[Staff Report 03/11/03](#)

[Unapproved PC Minutes 03/11/03](#)

CITY OF BLAINE

RESOLUTION NO. 03-41

**GRANTING A CONDITIONAL USE PERMIT
PER SECTION 31.33 (11) OF THE ZONING ORDINANCE
OF THE CITY OF BLAINE
CONTINENTAL DEVELOPMENT CORPORATION
105TH AVENUE/HIGHWAY 65 NE**

WHEREAS, an application has been filed by Continental Development Corporation as conditional use permit Case File No. 03-05; and

WHEREAS, a public hearing has been held by the Blaine Planning Commission on March 11, 2003; and

WHEREAS, the Blaine Planning Commission recommends said conditional use permit be approved; and

WHEREAS, the Blaine City Council has reviewed said case on April 3, 2003.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that a conditional use permit is hereby approved per Section 31.33 (11) of the zoning ordinance to construct two (2) retail buildings totaling 38,903 square feet and a zero lot line on the south line for parking and driveway access at 105th Avenue and Highway 65 NE based on the following conditions:

1. No outside display or storage of products is allowed at any time on site. This includes any type of garden sales.
2. Site, buildings, and landscaping to be constructed consistent with submitted materials made part of this Conditional Use Permit application. However, the site plan will be subject to further site plan review related to landscaping and all site improvements.
3. Site plan and grading approval required prior to site work and building permits.
4. Temporary signage regulated under Zoning Ordinance Section 34.13.
5. Permanent signage requires a separate permit approval process.
6. No exterior unscreened overnight storage of shopping carts, pallets or delivered products.
7. No overnight storage of semi trailers or delivery vehicles unless adjacent to loading dock areas.

8. All lighting on site must meet requirements established by Section 33.02 of the Zoning Ordinance.
9. Developer shall maintain all sidewalks and landscaping within the public right-of-way.
10. The building must be designed and maintained in accordance with the MN Uniform Fire Code.
11. Prior to issue of Site Plan Approval, the developer shall have obtained a permit from the Anoka County Highway Department for construction of the Baltimore Street/105th Avenue intersection, which involves the improvements on 105th Avenue requested by National Market Center subdivision.

PASSED by the City Council of the City of Blaine this 3rd day of April 2003.

Tom Ryan, Mayor

ATTEST:

Jane M. Hall, CMC, City Clerk



REQUEST FOR PLANNING COMMISSION ACTION

Item No. 4.1

MEETING DATE: March 11, 2003

BY:

Shawn L. Kaye

APPROVED:

Bryan K. Schafer

CASE FILE NO.: 03-05

ITEM: Conditional Use Permit

PETITIONER: Continental Development Corporation

LOCATION: Highway 65/105th Avenue (SE Corner)

ZONING/LAND USE: PBD (Planned Business District)
PI/PD (Planned Industrial)/(Planned Commercial)

AREA: Approximately 4.4 Acres

APPLICABLE REGULATIONS: Section 31.33 (11) of the Zoning Ordinance

ATTACHMENTS: [Zoning/Location Map](#)
[Site Plan](#)
[Landscape Plan](#)
[Floor Plans](#)
[Elevations](#)

TENTATIVE SCHEDULE:

Planning Commission Public Hearing: 03/11/03
City Council: 04/03/03

REQUEST: The applicant is requesting a conditional use permit to construct two (2) retail buildings totaling 38,903 square feet and a zero lot line on the south line for parking and driveway access.

BACKGROUND: The property (4.4 acres) on the southeast corner of Highway 65 and 105th Avenue is zoned PBD (Planned Business District). At this time, Continental Development Corporation wishes to develop this property to include two retail buildings totaling 38,903 square feet. The proposed retail buildings will be part of the National Market Center Development.

A conditional use permit is required for all uses in the PBD district. Therefore, the applicant is requesting approval of a conditional use permit for the two retail buildings at this time. Menard's, also part of the National Market Center development, received their CUP in late 2002 and plan to be under construction this spring.

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Signage

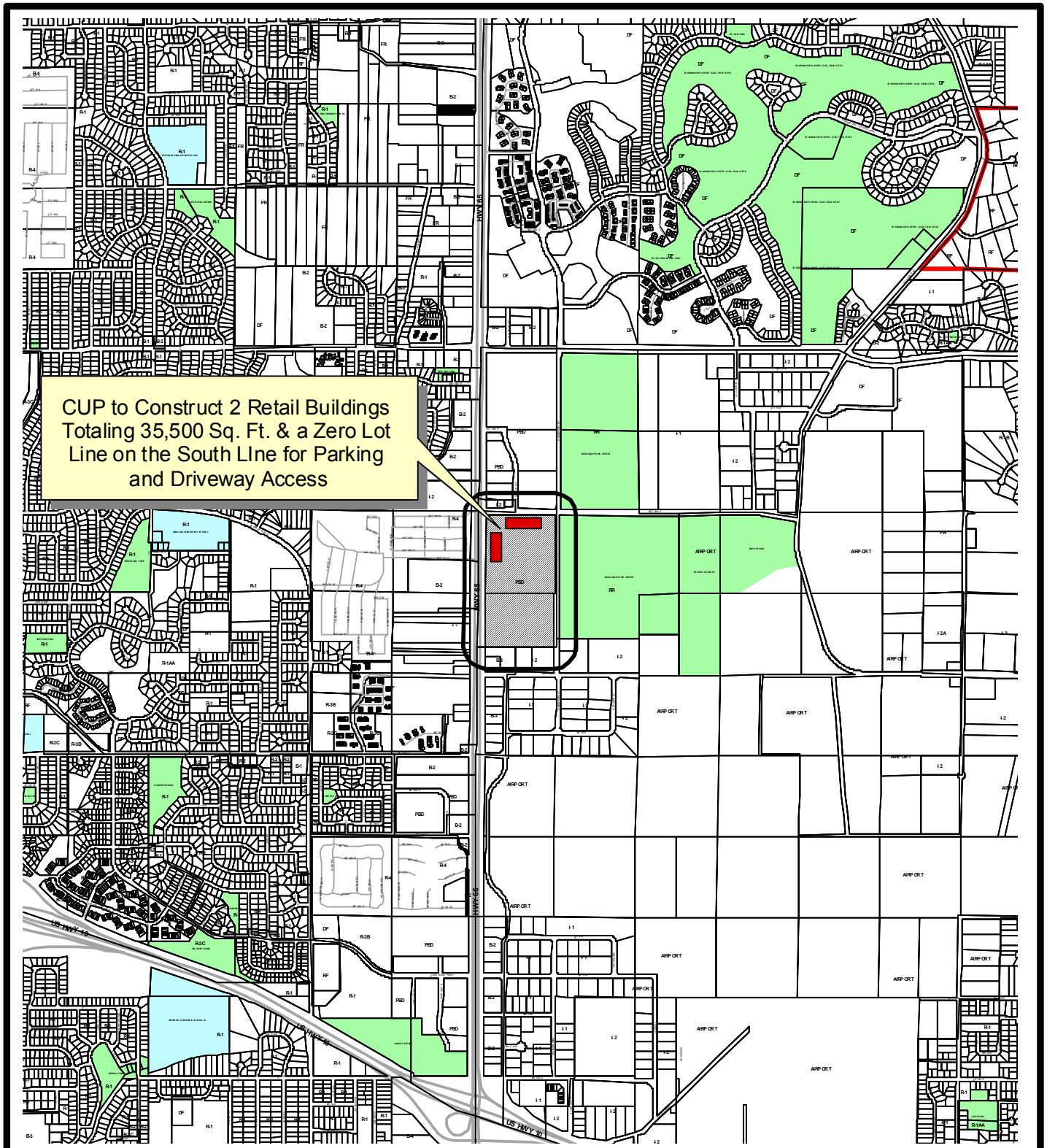
Any signage that is placed on this site requires a separate permit process and is addressed as such in the conditions.

The development of new retail/restaurant/service establishments will greatly compliment the Trunk Highway 65 area in general, and it will provide much needed services for the residents of Blaine.

RECOMMENDATION: In **Planning Case 03-05**, it is recommended that the Planning Commission recommend approval of the conditional use permit to construct two (2) retail buildings totaling 38,903 square feet and a zero lot line on the south line for parking and driveway access based on the following conditions:

1. No outside display or storage of products is allowed at any time on site. This includes any type of garden sales.
2. Site, buildings, and landscaping to be constructed consistent with submitted materials made part of this Conditional Use Permit application. However, the site plan will be subject to further site plan review related to landscaping and all site improvements.
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10. The building must be designed and maintained in accordance with the MN Uniform Fire Code.
11. Prior to issue of Site Plan Approval, the developer shall have obtained a permit from the Anoka County Highway Department for construction of the Baltimore Street/105th Avenue intersection, which involves the improvements on 105th Avenue requested by National Market Center subdivision.



1 inch = 1000 feet

ZONING AND LOCATION MAP

CASE # 03-05

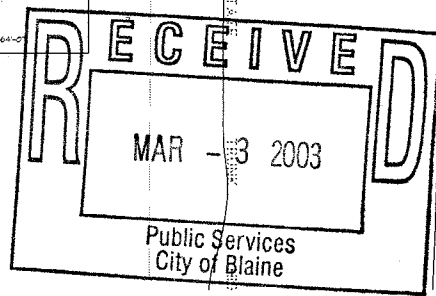


City of Blaine - 10801 Town Square Drive. - Blaine, MN 55449 (763) 785-6180



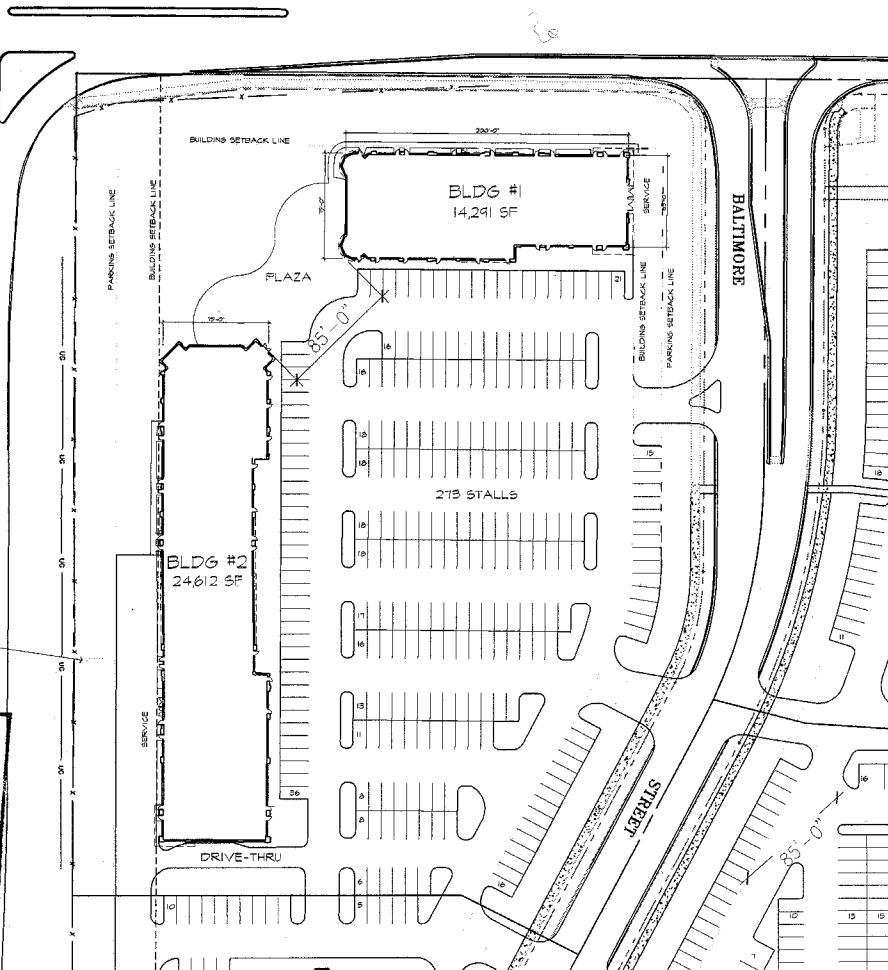
	SIZE	PARKING	
		REQUIRED PER CODE	PROVIDED
RETAIL #1	8,375 SF.	42 STALLS (1/200)	
RESTAURANT A	2,632 SF.	26 STALLS (1/100)	
RESTAURANT B	3,094 SF.	31 STALLS (1/100)	
UTILITY	225 SF.		
RETAIL #2	18,872 SF.	64 STALLS (1/200)	
RESTAURANT C	6,000 SF.	60 STALLS (1/100)	
RESTAURANT D	3,000 SF.	30 STALLS (1/100)	
COFFEE	1,500 SF.	15 STALLS (1/100)	
UTILITY	240 SF.		
	36,005 SF.	273 STALLS	273 STALLS

DEVELOPMENT TYPE: SHOPPING CENTER
 ZONING CODE: CITY OF BLAINE
 CLASSIFICATION: REGIONAL COMMERCIAL (B-B)
 BUILDING SETBACKS: FRONT 30 FT. SIDE 20 FT. BACK 20 FT.
 PARKING SETBACKS: FRONT 20 FT. SIDE 10 FT. BACK 10 FT.
 PARKING DIMENSIONS: STALL 10'x20'-0" AISLE 24'-0" BAY 64'-0"



MONUMENT SIGN LOCATION
 TO BE VERIFIED

2 SITE PLAN - BUILDINGS ONE AND TWO

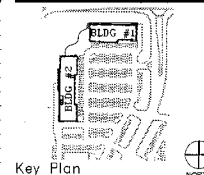


KKE architects
 minneapolis newport beach dallas
 KKE Architects, Inc.
 300 first avenue north
 minneapolis, mn 55401
 612/339-4200
 612/342-9267 fax

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

Printed Name: _____
 Signature: _____
 Date: _____ License #: _____

No.	Date	Revision Description
1	1-10-03	City Submittal
2	2-11-03	Revised City Submittal
3	3-03-03	Revised City Submittal



NATIONAL MARKET
 CENTER
 BLAINE, MN

SITE PLAN
 BUILDINGS ONE
 AND TWO

Project: C0001100.01 Drawing Number: A102
 Date: March 3, 2003
 Drawn by: CHN
 Checked by: TH

PLANT SCHEDULE

CODE	QTY	COMMON NAME/LATIN NAME	SIZE	ROOT	REMARKS
A*	6	AUTUMN GLAZE MAPLE	3.0"	B&B	STRAIGHT LEADER
B	4	Acer freemanii Autumn Glaze	2.5"	B&B	AND FULL CROWN
C	8	SUGAR MAPLE	2.5"	B&B	STRAIGHT LEADER
D	8	Acer saccharum	2.5"	B&B	AND FULL CROWN
E*	1	AUTUMN PURPLE ASH	3.0"	B&B	STRAIGHT LEADER
F	3	Fraxinus americana Autumn Purple	2.5"	B&B	AND FULL CROWN
G	9	SHADEMASTER HONEYLOCUST	2.5"	B&B	STRAIGHT LEADER
H	8	Shadblow tripartita Shademaster	2.5"	B&B	AND FULL CROWN
I	5	NORTHERN RED OAK	2.5"	B&B	STRAIGHT LEADER
J	12	Quercus rubra	2.5"	B&B	AND FULL CROWN
K	7	REDMOND UNDEN	2.5"	B&B	STRAIGHT LEADER
L	6	Thuja occidentalis Redmond	2.5"	B&B	AND FULL CROWN
M	5	GRIZZLY BEAR JUNIPER	6"	B&B	STRAIGHT LEADER
N	8	Juniperus scopulorum Grizzly Bear	6"	B&B	AND FULL CROWN
O	25	WHITE PINE	8"	B&B	STRAIGHT LEADER
P	54	Pinus strobus	8"	B&B	AND FULL CROWN
Q	38	FAT ALBERT SPRUCE	6"	B&B	STRAIGHT LEADER
R	114	Picea pungens Fat Albert	6"	B&B	AND FULL CROWN
S	6	Amelanchier canadensis	2.5"	B&B	STRAIGHT LEADER
T	6	SPRING SNOW CRABAPPLE	2.5"	B&B	AND FULL CROWN
U	7	Malus pyracantha	2.5"	B&B	AND FULL CROWN
V	6	PRAIRIE FIRE CRABAPPLE	2.5"	B&B	AND FULL CROWN
W	5	Malus spicata	2.5"	B&B	AND FULL CROWN
X	3	CANADA RED BELLEF CHERRY	2.5"	B&B	AND FULL CROWN
Y	25	Prunus virginiana Shubert Select	2.5"	B&B	AND FULL CROWN
Z	17	DWARF BURNING BUSH	30"	CONT.	PLANT 5'-0" O.C.
AA	25	DWARF KOREAN LILAC	30"	CONT.	PLANT 5'-0" O.C.
AB	54	ANTHONY WATERER SPIREA	30"	CONT.	PLANT 3'-0" O.C.
AC	38	SPRING SNOW CRABAPPLE	2.5"	B&B	AND FULL CROWN
AD	114	SEA GREEN JUNIPER	2.5"	B&B	AND FULL CROWN
AE	6	Juniperus chinensis Sea Green	2.5"	B&B	AND FULL CROWN

* INDICATES OVERSIZED PLANT MATERIAL

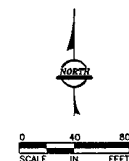
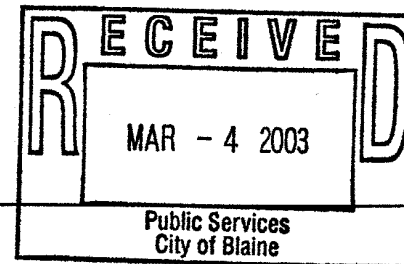
LANDSCAPE REQUIREMENTS

	OVERSTORY TREES	CONIFEROUS TREES	ORNAMENTAL TREES	SHRUBS
REQUIRED	30	29	29	127
PROPOSED	30	29	30	248

* QUANTITIES LISTED ABOVE REFER TO REQUIREMENTS DEFINED BY THE HIGHWAY 65 OVERLAY DISTRICT. CALCULATIONS WERE DETERMINED USING A PERIMETER DISTANCE OF 1,957'.

LANDSCAPE NOTES

- REFER TO LANDSCAPE DETAIL SHEET FOR GENERAL PLANTING NOTES, IRRIGATION NOTES AND PLANTING DETAILS.
- ALL AREAS TO BE SODDED UNLESS OTHERWISE NOTED.
- ALL PARKING LOT ISLANDS SHALL RECEIVE 4" SHREDDED HARDWOOD MULCH.
- PARKING LOT ISLANDS TO BE BERMED APPROXIMATELY 12" TO 15" ABOVE TOP OF CURB.
- ALL SHRUB AREAS IN OPEN TURF SHALL BE EDGED WITH PVC EDGING.
- TREE QUANTITIES OVER AND ABOVE THE REQUIRED AMOUNT ARE INTENDED TO BE APPLIED TO FUTURE LOTS NOT FRONTING HIGHWAY 65.
- ALL PLANTING BEDS AND SODDED AREAS TO BE IRRIGATED.
- LANDSCAPE CONTRACTOR SHALL SUBMIT A SHOP DRAWING OF IRRIGATION PLAN TO THE LANDSCAPE ARCHITECT FOR APPROVAL.
- PROVIDE PVC SLEEVES UNDER DRIVE FOR IRRIGATION AND ELECTRIC POWER.



BLAINE, MINNESOTA
 BUILDINGS 1 & 2 OF
 NATIONAL CENTER
 PRELIMINARY
 LANDSCAPE PLAN
 11800 ABERDEEN STREET NE, SUITE 100
 BLAINE, MN 55449
 REVISIONS
 CORP
 DATE
 3/03/03

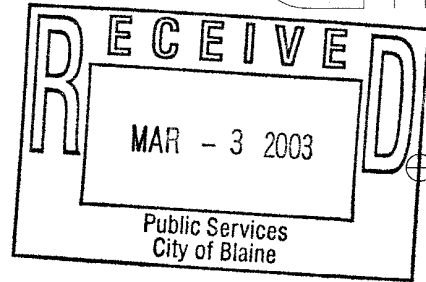
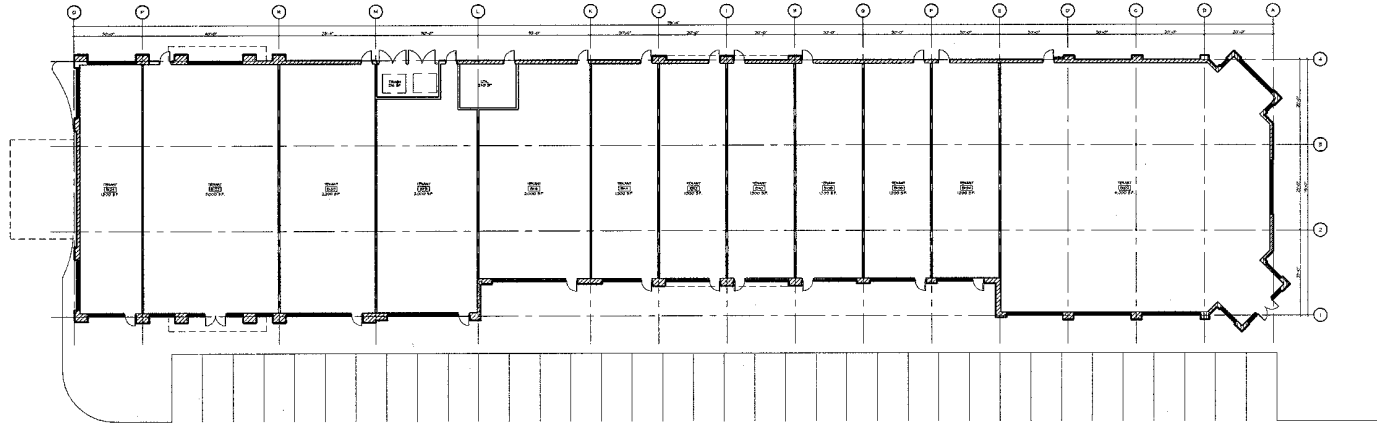


RLK-Kauziste
 11800 Aberdeen Street, Suite 100
 Blaine, MN 55449
 Phone (763) 422-8922
 Fax (763) 422-8923
 Email info@rlk-kauziste.com
 Website www.rlk-kauziste.com

DATE
 3/03/03

DESIGNED
 CHECKED
 DATE
 3/03/03

DATE
 3/03/03



FLOOR PLAN - BUILDING #2



TENANT AREA	_____
COMMON AREA	_____
BUILDING '2' AREA	_____



KKE Architects, Inc.

300 first avenue north
minneapolis, mn 55401
612/339-4200
612/342-9267 fax

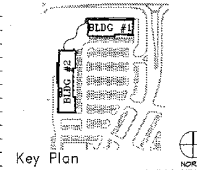
I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of Minnesota.

Printed Name: _____

Signature: _____

Date: _____ License #: _____

No.	Date	Revision Description
1	10-03	City Submittal
2	11-03	Revised City Submittal
3	03-03	Revised City Submittal

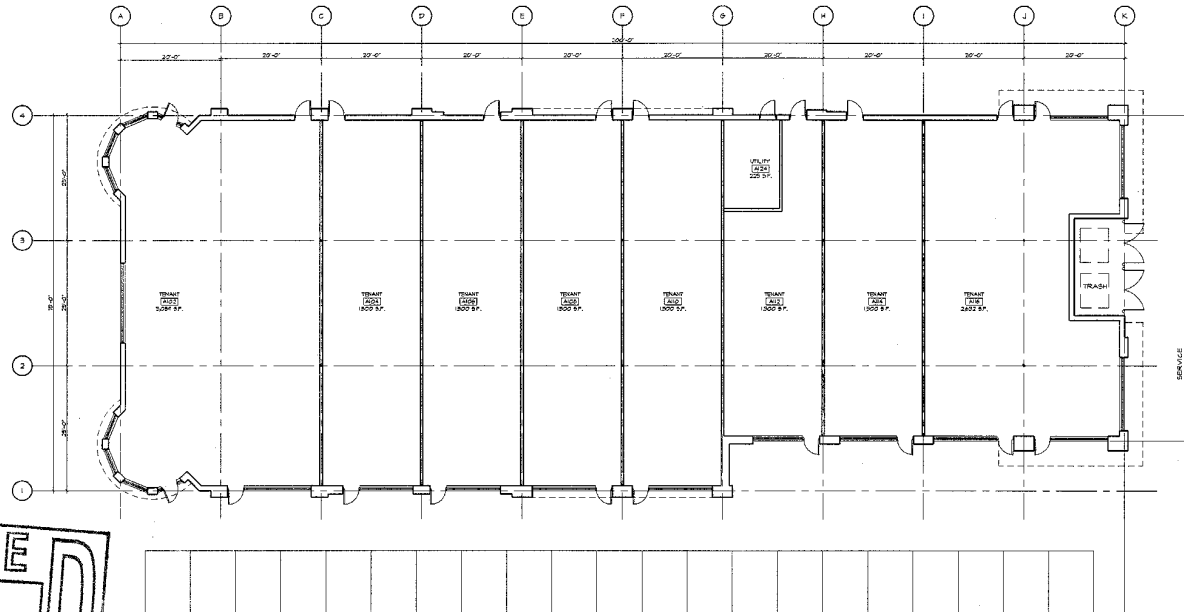


NATIONAL MARKET
CENTER
BLAINE, MN

FLOOR PLAN
BUILDING TWO

Project: 080810001 Drawing Number: A202
Date: March 3, 2003
Drawn by: THM
Checked by: THM

Copyright © 2003 by KKE Architects, Inc.



RECEIVED
MAR - 3 2003
Public Services
City of Blaine

FLOOR PLAN - BUILDING #1
3/22' x 1'-0"

TENANT AREA	14,066 SF
COMMON AREA	225 SF
BUILDING 1 st AREA	14,291 SF

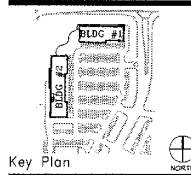
KKE architects
minneapolis newport beach dallas

KKE Architects, Inc.
300 first avenue north
minneapolis, mn 55401
612/539-4200
612/342-9267 fax

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

Printed Name: _____
Signature: _____
Date: _____ License #: _____

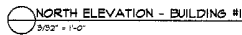
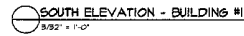
No.	Date	Revision Description
1-10-03		City Submittal
2-11-03		Revised City Submittal
3-03-03		Revised City Submittal



**NATIONAL MARKET CENTER
BLAINE, MN**

**FLOOR PLAN
BUILDING ONE**

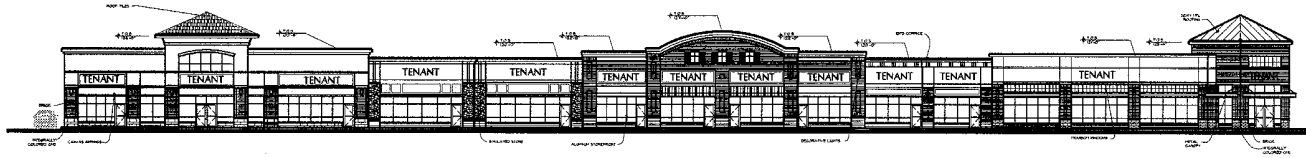
Project: 09081103-01 Drawing Number: A201
Date: March 3, 2003
Drawn by: TSM
Checked by: TM



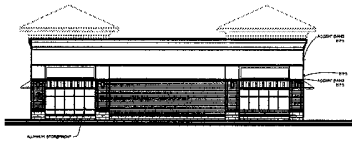
Printed Name: _____
Signature: _____
Date: _____ License #: _____

Key Plan

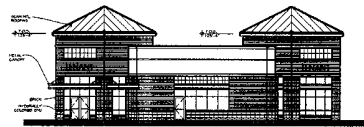
Project 03051100.01 Drawing Number **A301**
 Date March 5, 2008
 Drawn by TRM
 Checked by TH



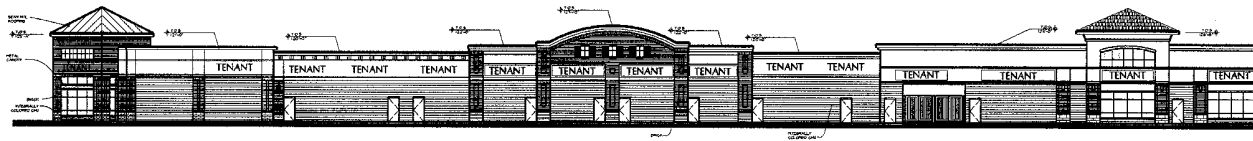
EAST ELEVATION - BUILDING #2
1/8" = 1'-0"



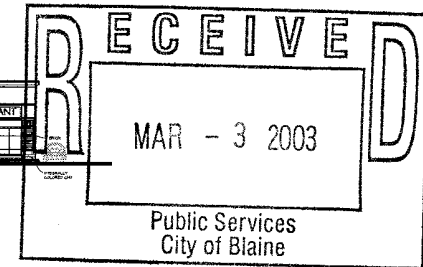
SOUTH ELEVATION - BUILDING #2
1/8" = 1'-0"



NORTH ELEVATION - BUILDING #2
1/8" = 1'-0"



WEST ELEVATION - BUILDING #2
1/8" = 1'-0"



KKE
architects
minneapolis newport beach dallas

KKE Architects, Inc.
300 first avenue north
minneapolis, mn 55401
612/339-4200
612/342-9267 fax

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

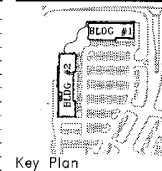
Printed Name: _____

Signature: _____

Date: _____

License #: _____

No.	Date	Revision Description
1-10-03		City Submittal
2-11-03		Revised City Submittal
3-03-03		Revised City Submittal



Key Plan

NATIONAL MARKET
CENTER
BLAINE, MN

ELEVATIONS
BUILDING TWO

Project: 0200.N002.01 Drawing Number:
Date: March 8, 2003
Drawn by: TRM
Checked by: TM

A302

Item 4.1 – Case File 03-05 – Public Hearing – The applicant is requesting a conditional use permit to construct two (2) retail buildings totaling 38,903 square feet and a zero lot line on the south line for parking and driveway access.
Continental Development Corporation, Highway 65/105th Avenue (SE Corner).

The report to the Planning Commission was presented by Shawn Kaye. The public hearing for Case File 03-05 was opened at 7:16 p.m.

Mark Berger, 1491 105th Avenue NE, explained he owns a business on the corner of Baltimore Street and 105th Avenue. His concern is if the access on this corner will become a right in/right out. Jean Keely responded Anoka County is currently requiring the developer to install a median from TH 65 to Davenport Street down the center of 105th Avenue. Davenport Street and 105th Avenue are planned to be the main intersection with a future traffic signal.

Mr. Berger stated that will entail chaos for access to his business and the semis that deliver to him. He explained his lot exits onto 105th Avenue and he does not have an access to Baltimore Street. Ms. Keely responded semis delivering to Mr. Berger's property going north on TH 65 would have to go up to 107th Avenue, come down Baltimore Street, and use 105th Avenue. They would have to go around that block to get to his property. There will not be a direct access off of TH 65 and eastbound 105th Avenue.

Mr. Berger stated this is a very lousy set up to service his property, Culvers, and future properties in this location. There should be a lighted intersection at 105th Avenue and Baltimore Street, and the increased truck traffic will cause more congestion on the road.

Chair Anderson asked if there are plans for Davenport Street and 105th Avenue to be signalized. Ms. Keely responded in the affirmative and explained it might not be constructed right away, but it will be in the near future.

Commissioner Heckman arrived at 7:20 p.m.

Chair Anderson questioned if Mr. Berger would need to discuss improvements at 105th Avenue with the county, as it is a county road. Ms. Keely responded in the affirmative.

As no one further wished to appear, the public hearing was closed at 7:22 p.m.

Commissioner Bourke asked if the developer or the county will be paying for the road improvements. Ms. Keely responded the developer would be paying for the improvements.

Commissioner Lundeen noted there may be a restaurant on the site, and inquired if they would place restrictions on the outside dining now or in the future. Ms. Kaye responded another conditional use permit would be required for outside dining.

Motion by Commissioner Lundeen to recommend approval of Planning Case 03-05 based on the following conditions:

Case 03-05:

1. No outside display or storage of products is allowed at any time on site. This includes any type of garden sales.
2. Site, buildings, and landscaping to be constructed consistent with submitted materials made part of this Conditional Use Permit application. However, the site plan will be subject to further site plan review related to landscaping and all site improvements.
3. Site plan and grading approval required prior to site work and building permits.
4. Temporary signage regulated under Zoning Ordinance Section 34.13.
5. Permanent signage requires a separate permit approval process.
6. No exterior unscreened overnight storage of shopping carts, pallets or delivered products.
7. No overnight storage of semi trailers or delivery vehicles unless adjacent to loading dock areas.
8. All lighting on site must meet requirements established by Section 33.02 of the Zoning Ordinance.
9. Developer shall maintain all sidewalks and landscaping within the public right-of-way.
10. The building must be designed and maintained in accordance with the MN Uniform Fire Code.
11. Prior to issue of Site Plan Approval, the developer shall have obtained a permit from the Anoka County Highway Department for construction of the Baltimore Street/105th Avenue intersection, which involves the improvements on 105th Avenue requested by National Market Center subdivision.

Motion seconded by Commissioner Bourke. The motion passed 6-1 (Commissioner Lahti).

Chair Anderson noted this will be on the agenda of the April 3, 2003 City Council meeting.



CITY OF BLAINE

TO: Mayor and City Council

REVIEWED:

FROM: Bryan K. Schafer, Planning Director

DATE: April 3, 2003

NO.: 11.6

ITEM: **DEVELOPMENT BUSINESS:** Resolution No. 03-43, Granting Preliminary Plat Approval to Subdivide 34.59 Acres Into 37 Single Family Lots and Two (2) Outlots to be Known as Quail Creek 8th Addition at Quail Creek Parkway/Taconite Street NE. Newmark Homes, Inc.

(Case File No. 03-13/LST)

SCHEDULE OF ACTIONS:

- Planning Commission (Public Hearing) 03/11/03
- City Council (Preliminary Plat)..... 04/03/03
- Action Deadline 04/08/03

PLANNING COMMISSION:

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

BACKGROUND:

Gagnon Development received preliminary plat approval for the Quail Creek Master Plan that contained approximately 300 lots on February 17, 1994. To date, 248 lots have been platted with the first seven additions of Quail Creek. The Planning Commission was only required to review the preliminary plat of this development, and the final plats of the first seven additions were only reviewed by the City Council as those additions were consistent with the approved preliminary plat. At this time Newmark Homes is requesting the approval of a preliminary plat for the 8th Addition of Quail Creek. The applicant has been required to provide another preliminary plat for this addition, because the proposed preliminary plat is significantly different than what was provided in the original preliminary plat in 1994.

The proposed preliminary plat provides 38 single-family lots and two outlots. The original (labeled as "old") preliminary plat indicated there would be approximately 25 lots in a much different configuration than what is currently proposed.

The applicant wishes to create a new plat that provides more single-family lots and four cul-de-sacs. Newmark Homes believes that the proposed plat will blend in to the natural beauty of the area while creating minimal negative impacts to the trees and wetlands on site.

Staff initially had some concerns with the number of cul-de-sacs that are being proposed in this plat due to the cost of maintenance of the cul-de-sacs and the fact that cul-de-sacs do not always lend to the cohesiveness of neighborhoods. However, after reviewing the grading plan and wetland delineation, staff believes the current plat is acceptable due to the fact that eliminating some of the cul-de-sacs would have a significant impact on the wetlands in the plat.

The lots in the plat all meet the minimum lot size, lot depth and lot width requirements of the R-1AA (Single-Family) zoning district, with the exception of Lots 8 and 24 at the end of Street B. Those two lots, as shown on the plat, have a cul-de-sac lot frontage of only 52 feet. The requirement for this zoning district is 60 feet. A condition has been listed that requires the applicant to redesign the lots to meet the 60-foot frontage requirement. Many of the other lots have been designed with slightly wider frontages of 85-90 feet rather than the 80-foot standard originally approved with the first preliminary plat.

Outlot A is a 20-foot wide outlot that will be obtained between Lots 8 and 24 of the proposed plat. This outlot is what the City needs to extend a trail south into Pioneer Park. The Park and Recreation Director has indicated that a 30-foot wide outlot is necessary for the trail connection so the plat should be reconfigured as such and this has been added as a condition below. The developer will be required to construct this trail and the developer will receive a credit for park dedication fees that includes the cost of the outlot and the construction of the trail.

- Note: The developer has provided a revised preliminary sketch that accommodates the frontage condition and the 30-foot wide outlot which reduced the lot count to 37.

Park dedication for this plat is required prior to release of the plat for recording at Anoka County. The park dedication fee is \$1,700 per lot or \$62,900 for 37 new lots.

In addition to the trail connection, it is recommended that a six-foot wide concrete sidewalk be provided along the west side of Street B that connects to the trail and to the sidewalk on the north side of Quail Creek Parkway.

Outlot B will eventually consist of more single-family homes; however, a substantial portion of Outlot B is considered wetlands. This outlot will be platted at a later date.

The “new” Quail Creek Master Plan indicates future residential growth both northeast and southeast of the proposed 8th Addition. Much of these areas lie outside of the current MUSA (Metropolitan Urban Service Area) and would require a Comprehensive Plan Amendment from both the City Council and Metropolitan Council before they could be developed. Sewer capacity and availability would also need to be considered as part of the land use amendment and MUSA process.

Using fiscal impact variables collected by Support Services from the various departments the annual fiscal impact for Quail Creek 8th Addition with 37 lots, is as follows:

Street Maintenance - .35 miles @ \$5,944 per mile	\$2,080
Park Maintenance - .86 acres of parkland @ \$2,144 per acre	\$1,843
Street Lighting - .35 miles @ \$1,058 per mile	\$ 370
Recreation Programs - 102 people @ \$11,807 per 1,000	\$1,204
Police Patrol- 102 people @ \$79,170 per 1,000	\$8,075
Fire Protection- 102 people @ \$53,219 per 1,000	<u>\$5,428</u>
Total Estimated Cost	\$19,000

Estimated Local Tax Revenue:

Based on current tax rates, 37 homes valued at 300,000 have the potential at full buildout to generate \$41,218 in tax revenues. Based on current levy limits however, the city does not receive additional tax collections.

Engineering Comments

Grading of the site is proposed to provide home types that are exclusively walk out which involves, on this site, removal of the trees in all but the rear yard areas of the development. Fill will be brought to the development to raise the street and front yard areas to create a higher grade to permit the walk out of a full basement in the rear. A number of permits will be required to proceed with the work including, Coon Creek Watershed District, Pollution Control Agency and final approval of the City of grading and development plans. City FEMA maps show that the wetland areas are classified as zone x and thus are not subject to a requirement to amend the maps.

Utilities that will be installed are extensions of previously constructed improvements, including extension of a truck water main on Quail Creek Parkway, which will be further extended east consistent with the Cities Water System Plan. Storm sewer improvements are consistent with previous subdivisions in this area, which involves construction of facilities in the street area and discharge to adjacent wetland and ditch areas. Treatment of the storm water discharge occurs either by a treatment pond or a structural device. Detail of the storm sewer design is to be submitted with final construction plans.

Street improvements are also an extension of previously constructed streets. Quail Creek Parkway serves as the collector street for the development and is proposed to have no access. The other streets are local streets with access. The development will add approximately 380 additional trips, most of which will use Quail Creek Parkway accessing Radisson Road. Traffic generation for this development has been taken into consideration in 2025 traffic projections.

RECOMMENDED COUNCIL ACTION:

By motion, approve Resolution No. 03-43

ATTACHMENTS:

[Resolution No. 03-43](#)

[Staff Report 03/11/03](#)

[Unapproved PC Minutes 03/11/03](#)

CITY OF BLAINE

RESOLUTION NO. 03-43

**GRANTING PRELIMINARY PLAT APPROVAL
PER SECTION 18-4(C)(1)
QUAIL CREEK PARKWAY/TACONITE STREET NE
NEWMARK HOMES, INC.
QUAIL CREEK 8TH ADDITION**

WHEREAS, an application has been filed by Newmark Homes, Inc. as subdivision Case File No. 03-13; and

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

OUTLOT I, QUAIL CREEK 2ND ADDITION, ANOKA COUNTY, MINNESOTA AND;

THAT PART OF OUTLOT B, QUAIL CREEK 2ND ADDITION.

WHEREAS, the Blaine Planning Commission has reviewed said case file on April 8, 2003; and

WHEREAS, the Blaine Planning Commission has recommended subdivision Case File No. 03-13 be approved subject to certain stipulations; and

WHEREAS the Blaine City Council has reviewed said case file on April 3, 2003.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that preliminary plat approval per Section 18-4(C)(1) of the subdivision regulations is hereby granted to Newmark Homes, Inc. permitting preparation of a final plat of 37 lots for approval per Section 18-3(a) subject to the following conditions:

1. Park dedication is required for this plat in the amount of \$1,700 per lot or \$62,900 for 37 new homes. This payment to be received by the City prior to release of the plat for recording at Anoka County. Park dedication will be required for Outlot B at the time of platting.
2. Lots 8 and 24 to be reconfigured as noted by the revised preliminary plat concept to provide a lot frontage of 60 feet.
3. The plat should be modified as noted by the revised preliminary plat concept to create a 30-foot wide outlot for Outlot A rather than a 20-foot wide outlot.
4. Developer is required to construct a 10-foot wide bituminous trail proposed in Outlot A. Credit for park dedication fees will be given to the Developer for the value of the outlot and for the construction of the trail.

5. A six-foot wide concrete sidewalk is to be provided along the west side of Street B that connects to the trail and the sidewalk on the north side of Quail Creek Parkway.
6. Full participation with the City's tree preservation ordinance and policies including custom grading of lots with appropriate effort to preserve trees.
7. A development plan submitted for City approval indicating lowest opening elevations for all proposed homes prior to issuance of any building permits.
8. Rough grading and sediment control plan submitted for City approval prior to any grading work onsite.
9. All street names to be consistent with the Anoka County grid system with the exception of the extended Quail Creek Parkway.
10. Coon Creek Watershed District Permit is required prior to any grading work on site.
11. Applicant to obtain a NPDES permit from the Pollution Control Agency.
12. Submission and City approval of final design and construction plans for installation of sanitary sewer, water main, storm sewer and street improvements, including street signs, street lights and traffic control signs.
13. Execution and recording of development agreement, which sets forth in greater detail the above conditions, as well as the other items of responsibilities for the development of the plat.
14. Standard utility and drainage easements must be dedicated along all lot lines, over wetlands, and over storm pipe.
15. Developer to submit uniform grouped mailbox design with a location plan coordinated between the City and the US Postal Office.

PASSED by City Council of the City of Blaine this 3rd day of April 2003.

Tom Ryan, Mayor

ATTEST:

Jane M. Hall, CMC, City Clerk



REQUEST FOR PLANNING COMMISSION ACTION

Item No. 4.3

MEETING DATE: March 11, 2003

BY:
Lori S. Thomsen

APPROVED:
Bryan K. Schafer

CASE FILE NO.: 03-13

ITEM: Preliminary Plat

PETITIONER: Newmark Homes, Inc.

LOCATION: Quail Creek Parkway/and Taconite Street

ZONING/LAND USE: R-1AA (Single Family)/LDR (Low Density Residential)

AREA: 34.59 Acres

**APPLICABLE
REGULATIONS:** Chapter 18 of the Subdivision Ordinance

ATTACHMENTS: [Zoning/Location Map](#)
[Preliminary Plat](#)
[Quail Creek Master Plan—old](#)
[Quail Creek Master Plan--new](#)

TENTATIVE SCHEDULE:

Planning Commission Public Hearing: 03/11/03
City Council: 04/03/03
Watershed District Approval
Begin Site Work: Undetermined

REQUEST: The applicant is requesting preliminary plat approval to subdivide 34.59 acres into 38 single family lots and two (2) outlots to be known as Quail Creek 8th Addition.

BACKGROUND: Gagnon Development received preliminary plat approval for the Quail Creek Master Plan that contained approximately 300 lots on February 17, 1994. To date, 248 lots have been platted with the first seven additions of Quail Creek. The Planning Commission was only required to review the preliminary plat of this development, and the final plats of the first seven additions were only reviewed by the City Council as those additions were consistent with the approved preliminary plat. At this time Newmark Homes is requesting the approval of a preliminary plat for the 8th Addition of Quail Creek.

The applicant has been required to provide another preliminary plat for this addition, because the proposed preliminary plat is significantly different than what was provided in the original preliminary plat in 1994.

The proposed preliminary plat provides 38 single-family lots and two outlots. The original (labeled as “old”) preliminary plat indicated there would be approximately 25 lots in a much different configuration than what is currently proposed.

The applicant wishes to create a new plat that provides more single-family lots and four cul-de-sacs. Newmark Homes believes that the proposed plat will blend in to the natural beauty of the area while creating minimal negative impacts to the trees and wetlands on site. Staff initially had some concerns with the number of cul-de-sacs that are being proposed in this plat due to the cost of maintenance of the cul-de-sacs and the fact that cul-de-sacs do not always lend to the cohesiveness of neighborhoods. However, after reviewing the grading plan and wetland delineation, staff believes the current plat is acceptable due to the fact that eliminating some of the cul-de-sacs would have a significant impact on the wetlands in the plat.

The lots in the plat all meet the minimum lot size, lot depth and lot width requirements of the R-1AA (Single-Family) zoning district, with the exception of Lots 8 and 24 at the end of Street B. Those two lots, as shown on the plat, have a cul-de-sac lot frontage of only 52 feet. The requirement for this zoning district is 60 feet. A condition has been listed that requires the applicant to redesign the lots to meet the 60-foot frontage requirement. Many of the other lots have been designed with slightly wider frontages of 85-90 feet rather than the 80-foot standard originally approved with the first preliminary plat.

Outlot A is a 20-foot wide outlot that will be obtained between Lots 8 and 24 of the proposed plat. This outlot is what the City needs to extend a trail south into Pioneer Park. The Park and Recreation Director has indicated that a 30-foot wide outlot is necessary for the trail connection so the plat should be reconfigured as such and this has been added as a condition below. The developer will be required to construct this trail and the developer will receive a credit for park dedication fees that includes the cost of the outlot and the construction of the trail.

Park dedication for this plat is required prior to release of the plat for recording at Anoka County. The park dedication fee is \$1,700 per lot or \$64,600 for 38 new lots.

In addition to the trail connection, it is recommended that a six-foot wide concrete sidewalk be provided along the west side of Street B that connects to the trail and on the north side of Quail Creek Parkway.

Outlot B will eventually consist of more single-family homes; however, a substantial portion of Outlot B is considered wetlands. This outlot will be platted at a later date.

The “new” Quail Creek Master Plan indicates future residential growth both northeast and southeast of the proposed 8th Addition. Much of these areas lie outside of the current MUSA (Metropolitan Urban Service Area) and would require a Comprehensive Plan Amendment from both the City Council and Metropolitan Council before they could be developed. Sewer capacity and availability would also need to be considered as part of the land use amendment and MUSA process.

Engineering Comments

Grading of the site is proposed to provide home types that are exclusively walk out which involves, on this site, removal of the trees in all but the rear yard areas of the development. Fill will be brought to the development to raise the street and front yard areas to create a higher grade to permit the walk out of a full basement in the rear. A number of permits will be required to proceed with the work including, Coon Creed Watershed District, Pollution Control Agency and final approval of the City of grading and development plans. City FEMA maps show that the wetland areas are classified as zone x and thus are not subject to a requirement to amend the maps.

Utilities that will be installed are extensions of previously constructed improvements, including extension of a truck water main on Quail Creek Parkway, which will be further extended east consistent with the Cities Water System Plan. Storm sewer improvements are consistent with previous subdivisions in this area, which involves construction of facilities in the street area and discharge to adjacent wetland and ditch areas. Treatment of the storm water discharge occurs either by a treatment pond or a structural device. Detail of the storm sewer design is to be submitted with final construction plans.

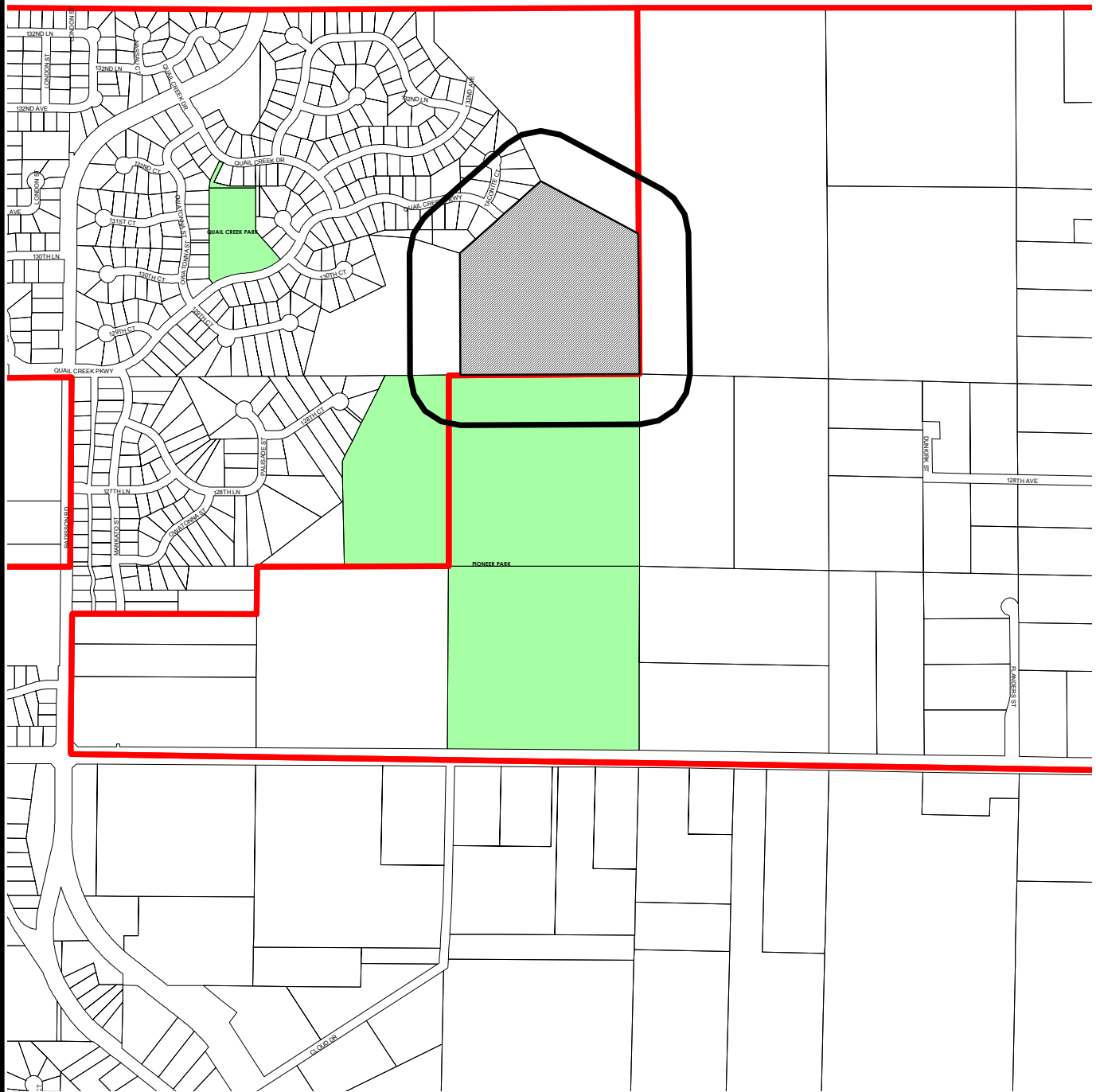
Street improvements are also an extension of previously constructed streets. Quail Creek Parkway serves as the collector street for the development and is proposed to have no access. The other streets are local streets with access. The development will add approximately 380 additional trips, most of which will use Quail Creek Parkway

accessing Radisson Road. Traffic generation for this development has been taken into consideration in 2025 traffic projections.

RECOMMENDATION: In **Planning Case 03-13**, it is recommended that the Planning Commission recommend approval of the preliminary plat based on the following conditions:

1. Park dedication is required for this plat in the amount of \$64,600 for 38 new homes. This payment to be received by the City prior to release of the plat for recording at Anoka County. Park dedication will be required for Outlot B at the time of platting.
2. Lots 8 and 24 to be reconfigured to provide a lot frontage of 60 feet.
3. The plat should be modified to create a 30-foot wide outlot for Outlot A rather than a 20-foot wide outlot.
4. Developer is required to construct a 10-foot wide bituminous trail proposed in Outlot A. Credit for park dedication fees will be given to the Developer for the outlot and for the construction of the trail.
5. A six-foot wide concrete sidewalk is to be provided along the west side of Street B that connects to the trail, and on the north side of Quail Creek Parkway.
6. Full participation with the City's tree preservation ordinance and policies including custom grading of lots with appropriate effort to preserve trees.
7. A development plan submitted for City approval indicating lowest opening elevations for all proposed homes prior to issuance of any building permits.
8. Rough grading and sediment control plan submitted for City approval prior to any grading work onsite.
9. All street names to be consistent with the Anoka County grid system with the exception of the extended Quail Creek Parkway.
10. Coon Creek Watershed District Permit is required prior to any grading work on site.
11. Applicant to obtain a NPDES permit from the Pollution Control Agency.

12. Submission and City approval of final design and construction plans for installation of sanitary sewer, water main, storm sewer and street improvements, including street signs, street lights and traffic control signs.
13. Execution and recording of development agreement, which sets forth in greater detail the above conditions, as well as the other items of responsibilities for the development of the plat.
14. Standard utility and drainage easements must be dedicated along all lot lines, over wetlands, and over storm pipe.
15. Developer to submit uniform grouped mailbox design with a location plan coordinated between the City and the US Postal Office.



1 inch = 1000 feet

ZONING AND LOCATION MAP

CASE # 03-13



City of Blaine - 10801 Town Square Drive. - Blaine, MN 55449 (763) 785-6180



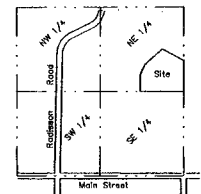


QUAIL CREEK 8TH ADDITION

City of Blaine
Anoka County, Minnesota

LEGAL DESCRIPTION :

Outlot 1, QUAIL CREEK 2ND ADDITION, Anoka County, Minnesota and;
That part of Outlot B, QUAIL CREEK 2ND ADDITION lying



Vicinity Map
No Scale
Sec. 4, T. 31, R. 23

LOCATION MAP

No Scale

INDEX :

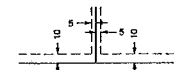
- 1) COVERSHEET/PRELIMINARY PLAT
- 2) PRELIMINARY GRADING PLAN (NORTH 1/2)
- 3) PRELIMINARY GRADING PLAN (SOUTH 1/2)
- 4) PRELIMINARY UTILITY PLAN
- 5) EXISTING CONDITIONS
- 6) EROSION CONTROL

SITE DATA

EXISTING ZONING : RURAL/AGRICULTURAL
PROPOSED ZONING : RESIDENTIAL
EXISTING LAND USE : UNDESIGNATED
PROPOSED LAND USE : LOW DENSITY RESIDENTIAL

	SQ. FT. ±	ACRES ±
TOTAL SITE AREA	1,508,629	34.58
TOTAL LOT AREA	915,022	21.01
TOTAL OUTLOT AREA	20,908	0.48
Outlot A	2,530	0.06
Outlot B	418,376	9.60
STREET R/W AREA	170,709.31	3.92
Quail Creek Parkway	35,777.71	0.82
Street A	16,395.99	0.38
Street B	50,442.48	1.16
Street C	50,887.67	1.17
Street D	17,005.95	0.39
TOTAL NO. OF LOTS	38	
AVERAGE LOT SIZE	39,846.13	0.91

Drainage and Utility Easements are shown here.



Being 5 feet in width and adjoining lot lines, unless otherwise shown, and 10 feet in width and adjoining street lines as shown on the plat.

Bearings shown are based upon an assumed datum.

PRELIMINARY
NOT FOR CONSTRUCTION

Scale 1" = 100'

PROJECT NUMBER	03034
DATE	
BY	
REVISIONS	
DATE	
BY	
REVISIONS	

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer in the State of Minnesota.

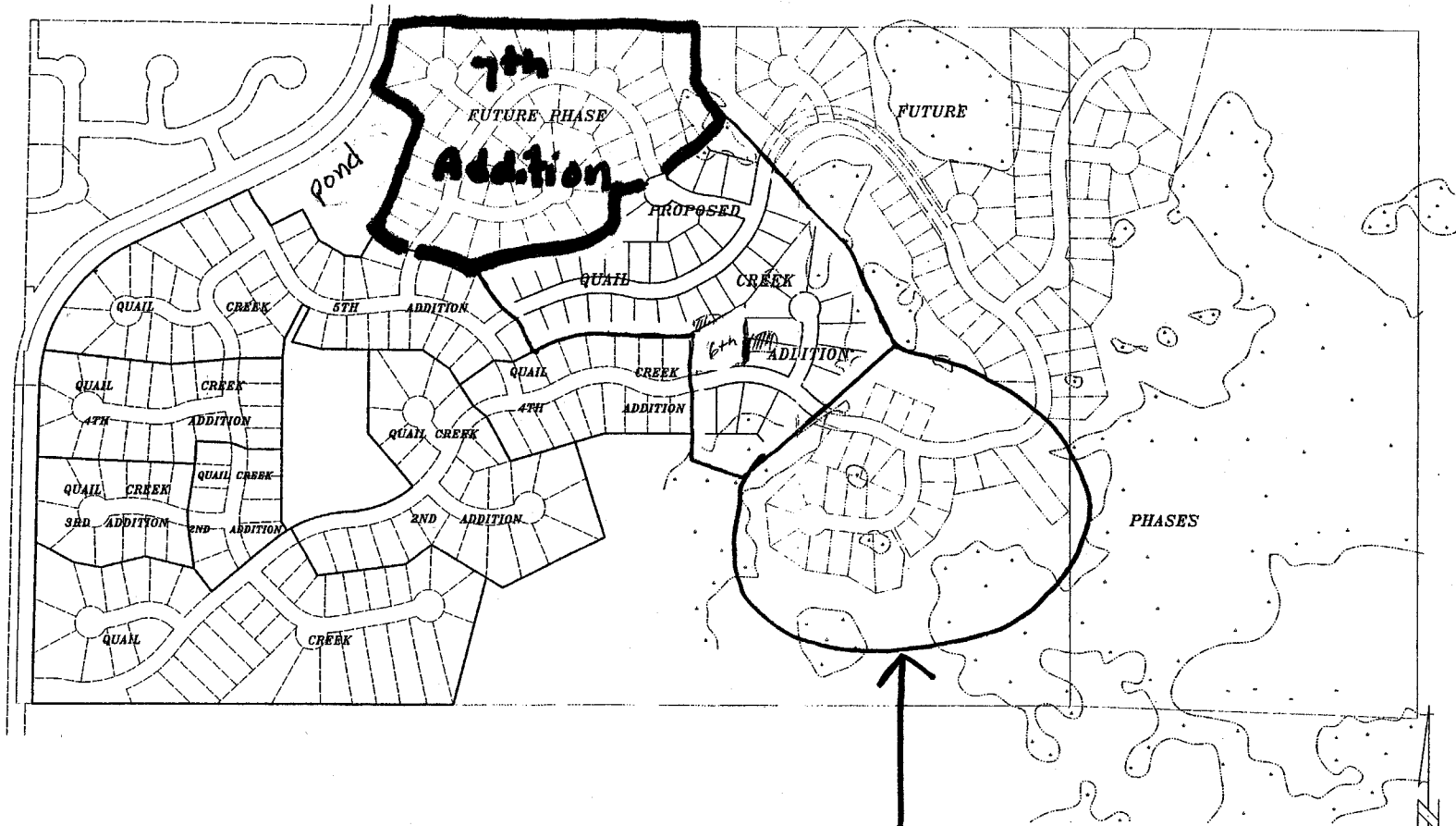
Jeffrey D. Lindgren, Minn. No. 14376

QUAIL CREEK 8TH ADDITION
COVERSHEET/PRELIM. PLAT
PREPARED FOR
ROSTER LIMITED
PARTNERSHIP
2345 130TH Court N.E.
Blaine, MN 55125
Phone: (612) 755-7358

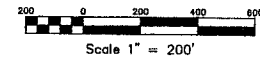
DATE
02/07/03

Master Plan (old)

QUAIL CREEK
City of Blaine
Anoka County, Minnesota



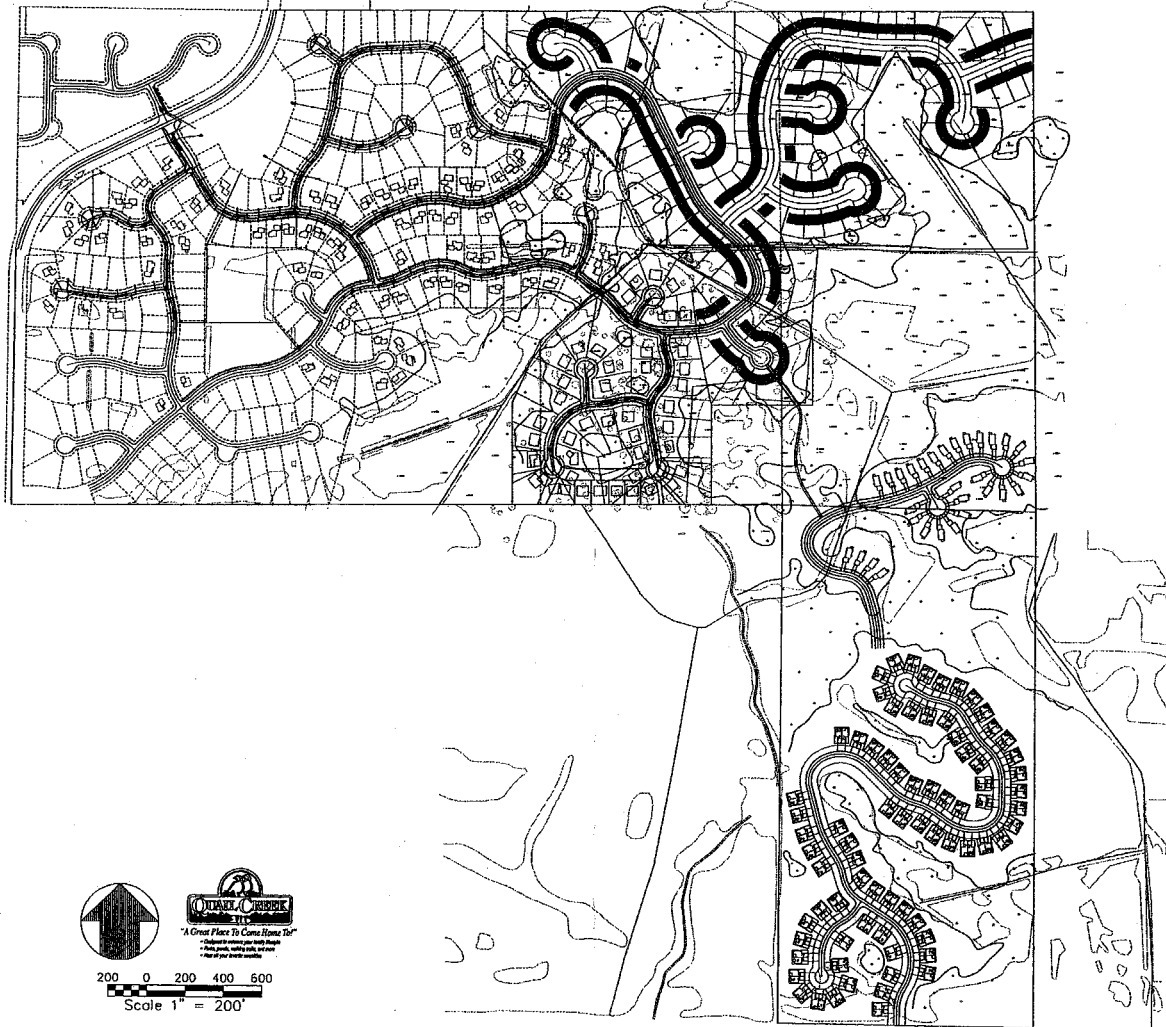
General Area
of Quail Creek
8th Addition



PROJECT NUMBER 001015	
DATE	BY
REVISIONS	
HEDLUND PLANNING ENGINEERING SURVEYING 1000 N. W. 10th St. Suite 100 Blaine, MN 55449 Phone: (612) 425-8800 Fax: (612) 425-8800	
QUAIL CREEK COMPOSITE DRAWING ROSTER LIMITED PARTNERSHIP 1000 N. W. 10th St. Suite 100 Blaine, MN 55449 Phone: (612) 755-7386	
DATE	
July 19, 2000	

QUAIL CREEK MASTER PLAN

NEW



Item 4.3 – Case File 03-13 – Public Hearing – The applicant is requesting preliminary plat approval to subdivide 34.59 acres into 38 single-family lots and two (2) outlots to be known as Quail Creek 8th Addition.
Newmark Homes, Inc., Quail Creek Parkway/Taconite Street NE.

The report to the Planning Commission was presented by Lori Thomsen. The public hearing for Case File 03-13 was opened at 7:35 p.m. As no one wished to appear, the public hearing was closed at 7:35 p.m.

Motion by Commissioner Schultz to recommend approval of Planning Case 03-13 based on the following conditions:

Case 03-13:

1. Park dedication is required for this plat in the amount of \$64,600 for 38 new homes. This payment to be received by the City prior to release of the plat for recording at Anoka County. Park dedication will be required for Outlot B at the time of platting.
2. Lots 8 and 24 to be reconfigured to provide a lot frontage of 60 feet.
3. The plat should be modified to create a 30-foot wide outlot for Outlot A rather than a 20-foot wide outlot.
4. Developer is required to construct a 10-foot wide bituminous trail proposed in Outlot A. Credit for park dedication fees will be given to the Developer for the outlot and for the construction of the trail.
5. A six-foot wide concrete sidewalk is to be provided along the west side of Street B that connects to the trail, and on the north side of Quail Creek Parkway.
6. Full participation with the City's tree preservation ordinance and policies including custom grading of lots with appropriate effort to preserve trees.
7. A development plan submitted for City approval indicating lowest opening elevations for all proposed homes prior to issuance of any building permits.
8. Rough grading and sediment control plan submitted for City approval prior to any grading work onsite.
9. All street names to be consistent with the Anoka County grid system with the exception of the extended Quail Creek Parkway.
10. Coon Creek Watershed District Permit is required prior to any grading work on site.
11. Applicant to obtain a NPDES permit from the Pollution Control Agency.

12. Submission and City approval of final design and construction plans for installation of sanitary sewer, water main, storm sewer and street improvements, including street signs, street lights and traffic control signs.
13. Execution and recording of development agreement, which sets forth in greater detail the above conditions, as well as the other items of responsibilities for the development of the plat.
14. Standard utility and drainage easements must be dedicated along all lot lines, over wetlands, and over storm pipe.
15. Developer to submit uniform grouped mailbox design with a location plan coordinated between the City and the US Postal Office.

Motion seconded by Commissioner Lundeen. The motion passed 7-0.

Chair Anderson noted this would be on the agenda of the April 3, 2003 City Council meeting.



CITY OF BLAINE

TO: Mayor and City Council

REVIEWED:

FROM: Bryan K. Schafer, Planning Director

DATE: April 3, 2003

NO.: 11.7

ITEM: **DEVELOPMENT BUSINESS:** Blaine Environmental Campus (SKB Environmental), 10320 Naples Street NE.

- a) Resolution No. 03-52, Granting a Renewal of Conditional Use Permit 02-40 to Construct a Concrete Batch Plant with Outside Storage of Equipment and Materials.
- b) Resolution No. 03-53, Granting a Renewal of Conditional Use Permit 02-41 to Allow Multiple Buildings (3) on One Lot.

(Case File No. 00-20/LST)

SCHEDULE OF ACTIONS:

- | | |
|----------------------------------------------|----------|
| Planning Commission (Public Hearing) | 05/09/00 |
| City Council (Conditional Use Permits) | 06/01/00 |
| City Council (CUP Renewal)..... | 05/03/01 |
| City Council (CUP Renewal)..... | 03/21/02 |
| • City Council (CUP Renewal)..... | 04/03/03 |

PLANNING COMMISSION:

The Planning Commission voted unanimously to approve the conditional use permits on May 9, 2000. There were several comments at the public hearing from adjacent property owners regarding possible nuisance situations of odor, rodents, noise etc. created by operation of the transfer station. Specifically there were concerns involving onsite storage of household solid waste. SKB responded by indicating that they are required to provide storage capacity but do not intend to store waste overnight.

The Planning Commission did not review the request for renewal of the conditional use permits.

BACKGROUND:

The applicant received approval of three Conditional Use Permits in June of 2000. The approval granted at that time allowed the applicant to establish two different uses under the I-2A (Heavy Industrial) zoning. The projects include construction of a concrete batch plant with outside storage of equipment and materials and construction of a solid waste transfer facility. The third Conditional Use Permit is for construction of multiple buildings on one parcel.

On May 3, 2001 and on March 21, 2002 the City Council renewed the three original conditional use permits due to the fact that the applicant had not yet begun construction on site because the necessary approvals from the Minnesota Pollution Control Agency and Anoka County for these operations had not yet been obtained. Since that time, the applicant has obtained the necessary permits from both entities and a the building for the Waste Transfer Station has been constructed.

The applicant has been unable to secure tenants for the concrete batch plant site and the office building portion of the site. The conditional use permit approvals expired on or about March 21, 2003; therefore, the applicant is requesting another renewal of the conditional use permits for the concrete batch plant and for multiple buildings on one lot. The renewals, if granted, would be valid for another year. This will allow additional time for the applicant to secure tenants for both sites.

It should also be noted that the applicant had originally intended to request Conditional Use Permits to establish a concrete recycling facility and an outdoor yard waste composting facility as part of their overall plan. Current ordinance does not permit the concrete recycling facility at the levels they wish to establish and does not allow the outdoor composting use at all.

Below is the project background that was part of the City's three years ago:

Site and General Information

This 38-acre site is predominately upland with small wetland areas located at the northeast and southwest corners of the property. In the initial stages of development only a very small portion of wetland would be filled (less than an acre) to accommodate the north access onto Naples Street. Additional wetland impacts would be proposed with the future concrete recycling yard.

The site is heavily wooded and contains approximately 2,700 significant trees. Heavy concentrations of Red Oak and White Oak dominate this site. Smaller areas of Aspen are located adjacent to existing wetland basins. Tree impacts, based on the size of the buildings and the type of intense activity, will result in heavy tree loss for the areas that are being developed at this time. It is estimated that between 15 and 20 percent of the 2,700 trees would be removed with the three-building complex and two primary uses that are proposed at this time. Additional trees would be removed with the future activities. The exact number of trees removed and type and amount of tree replacement will be calculated with each site plan approval. There are conditions contained in the various Conditional Use Permits that attempt to limit the amount of tree loss.

This site was served with City sewer and water in 1999 and has access to those services in Naples Street. Street and storm sewer reconstruction of Naples Street is scheduled for summer and early fall. The site was rezoned to I-2A (Heavy Industrial) in 1999. The site was previously zoned I-1 (Light Industrial).

Please review the attached applicant's narrative for additional details on the specific conditional use permit requests.

RECOMMENDED COUNCIL ACTION:

- a) By motion, approve Resolution No. 03-52
- b) By motion, approve Resolution No. 03-53

ATTACHMENTS:

[Resolution No. 03-52](#)

[Resolution No. 03-53](#)

[Location Map](#)

[Applicant's March 10 Letter Requesting Renewal](#)

[Applicant's Narrative and Project Drawings From April 7, 2000](#)

CITY OF BLAINE

RESOLUTION NO. 03-52

**GRANTING A RENEWAL OF A CONDITIONAL USE PERMIT
PER SECTION 31.1984(e)(g)(h) OF THE ZONING ORDINANCE
OF THE CITY OF BLAINE
BLAINE ENVIRONMENTAL CAMPUS
10320 NAPLES STREET NE**

WHEREAS, an application has been filed by Blaine Environmental Campus as conditional use permit Case File No. 00-20; and

WHEREAS, a public hearing has been held by the Blaine Planning Commission on May 9, 2000; 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 1, 2000 and granted approval of the conditional use permit; and

WHEREAS, the City Council considered the renewal of the conditional use permit on May 3, 2001, March 21, 2002, and April 3, 2003.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that a renewal of conditional use permit 02-40 is hereby approved per Section 31.1984(e)(g)(h) of the zoning ordinance to construct a concrete batch plant with outside storage of equipment and materials at 10320 Naples Street NE with the following conditions:

1. Site grading plan to be developed with every effort taken to preserve maximum number of existing trees at site perimeter. Site plan approval is required prior to any site activity. Construction limits to be detailed on final site plan. Future use areas not to be disturbed unless authorized by future City Council and staff approvals.
2. Tree replacement to be calculated and incorporated into final landscape plan prior to any site activity.
3. Perimeter of outside storage to be fenced. All outside storage areas, driveways and parking area to be hard surfaced with asphalt or concrete. All driveway and circulation areas to be bound with concrete curb and gutter. Stockpile area location and size to be detailed on final site plan subject to the approval of the Zoning Administrator and will not be required to be hard surfaced.
4. Provision for onsite hydrant(s) at necessary locations as directed by the Fire Marshal as part of site plan approval.

5. All building construction to meet the I-2A zoning standards.
6. Outside storage of materials limited to no more than 1,000 cubic yards of material.
7. Outside storage of trucks be limited to no more than 25 trucks. Truck storage area to be detailed on final site plan.
8. Park dedication for entire existing upland portion of site is due with first building permit at per acre rate in effect at time permit is obtained.
9. No freestanding site lighting to be taller than 20 feet. All attached lighting to be downlit to limit off-site or upward glare.
10. All signage by separate permit. No signage allowed on towers or elevators.
11. All facility operations to be consistent with applicant's attached narrative dated April 7, 2000.
12. Applicant to provide City with any written comments regarding site operations or issues received from any other regulatory agencies within five business days.
13. The concrete batch plant shall be operated in accordance with all applicable local, state and federal laws, rules and regulations regarding, but not limited to groundwater pollution, water quality, air pollution, noise, odors, or vibration.
14. Adoption of this Resolution replaces Resolution No. 02-40.

PASSED by the City Council of the City of Blaine this 3rd day of April 2003.

Tom Ryan, Mayor

ATTEST:

Jane M. Hall, CMC, City Clerk

CITY OF BLAINE

RESOLUTION NO. 03-53

**GRANTING A RENEWAL OF A CONDITIONAL USE PERMIT
PER SECTION 31.1984(g) OF THE ZONING ORDINANCE
OF THE CITY OF BLAINE
BLAINE ENVIRONMENTAL CAMPUS
10320 NAPLES STREET NE**

WHEREAS, an application has been filed by Blaine Environmental Campus as conditional use permit Case File No. 00-20; and

WHEREAS, a public hearing has been held by the Blaine Planning Commission on May 9, 2000; and

WHEREAS, the Blaine Planning Commission recommends said conditional use permit be approved; and

WHEREAS, the Blaine City Council has reviewed and approved said case on June 1, 2000; and

WHEREAS, the City Council considered the renewal of the conditional use permit on May 3, 2001, March 21, 2002 and April 3, 2003.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that a renewal of the conditional use permit 02-41 is hereby approved per Section 31.1984(e)(g)(h) of the zoning ordinance to allow multiple buildings (3) on one lot at 10320 Naples Street NE with the following conditions:

1. Applicant to understand that the conditions contained in this Conditional Use Permit are based on preliminary site and operational information and that additional site, building or operational comments may be generated after applicant submits more detailed site and building information as part of the site plan approval and building permit process.
2. Site plan approval is required before beginning any site activity. All financial guarantees must be in place before site plan approval will be granted.
3. No site activity or use is authorized unless specified. Future uses mentioned in this report or applicant's narrative require separate approval.
4. Applicant to modify site plan to provide 45-foot setback along Naples Street, and a landscaping plan must be provided that includes a general opaque landscape buffer within the 45-foot setback area.

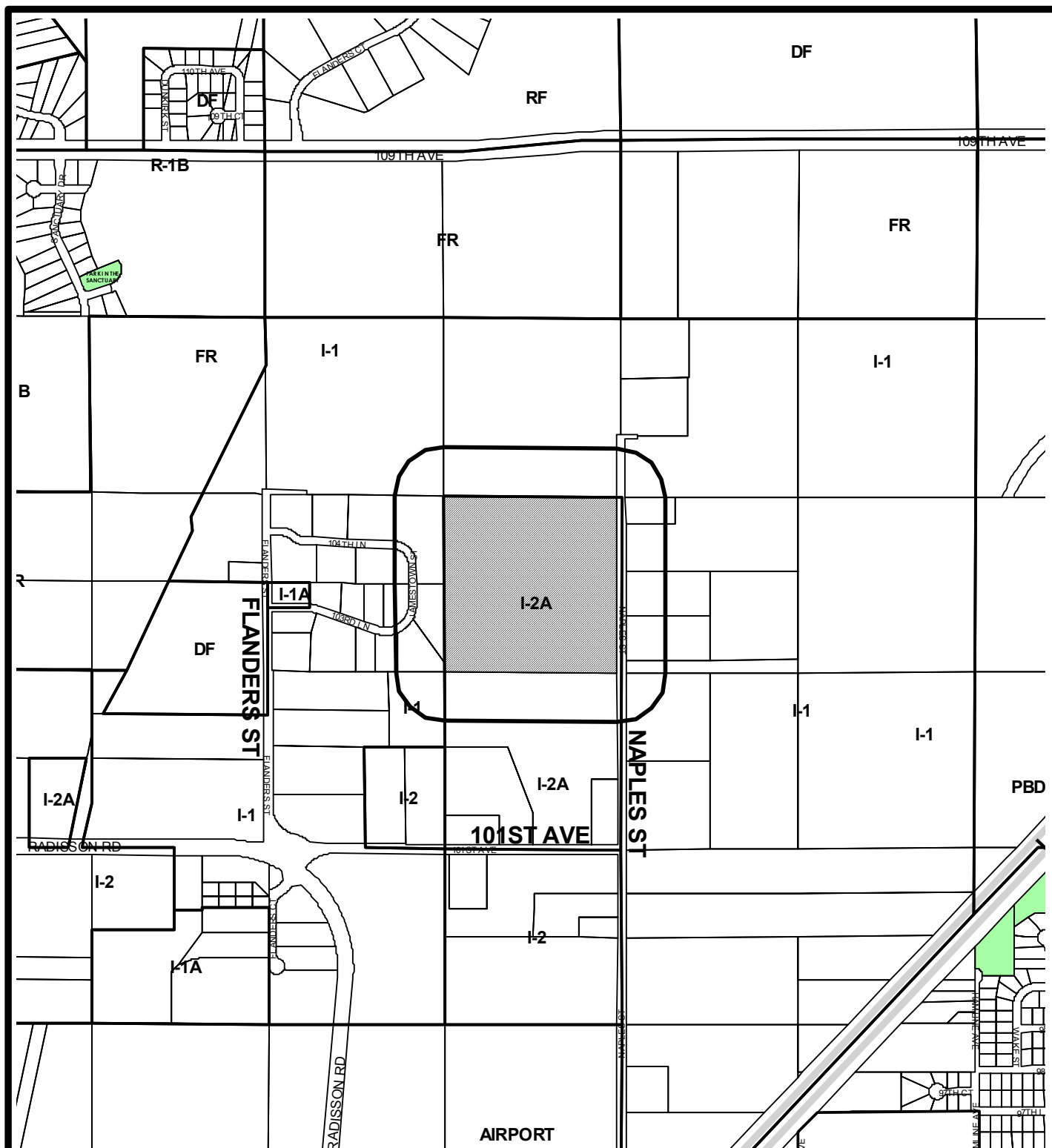
5. Applicant to modify location of south driveway to preserve greater amount of trees. Both driveways serving the site to be narrowed to maximum width of 30 feet to save additional trees as well as to close off site lines into the rear of the site.
6. Applicant work with building architect to upgrade façade of office building and transfer building per Chapter 10, Article VI.
7. Applicant to pay \$45,000 for traffic signal installation at Naples Street and County State Aid Highway 52.
8. Parcel has pending assessments of \$252,092 for Naples Street improvements, Project 96-07.
9. Applicant shall anticipate future area assessment for 101st Avenue reconstruction.
10. Proposed storm drainage design requires additional discussion with City Staff and Rice Creek Watershed District prior to first site plan approval. Rice Creek Watershed permit is required prior to any site work.
11. Applicant to provide cash escrow in the amount of \$5,000 to cover City expenses in site monitoring, litter control, complaint follow-up etc. Applicant to replace spent escrow money when notified by City and when balance falls below \$2,000.
12. Failure of applicant, operators of transfer site or operators of concrete batch plant to abide by the conditions of the various Conditional Use Permit conditions that apply to this site, shall be cause for the City, upon review of documentation and following public hearing, revoke the Conditional Use Permit(s).
13. Dedication of 15-foot and 20-foot temporary construction easements for Naples Street reconstruction.
14. Applicant shall apply for a National Pollutant Discharge Elimination System (NPDES) permit from the MN Pollution Control Agency.
15. City reserves the right to restrict hours of operation in the future if night time (between 8:00 PM and 6:00 AM) operations are, in the opinion of the City Council, creating a nuisance for any of the surrounding property owners or roadways.
16. Adoption of this Resolution replaces Resolution No. 02-41.

PASSED by the City Council of the City of Blaine this 3rd day of April 2003.

Tom Ryan, Mayor

ATTEST:

Jane M. Hall, CMC, City Clerk



1 : 1000'

ZONING AND LOCATION MAP

CASE #00-20

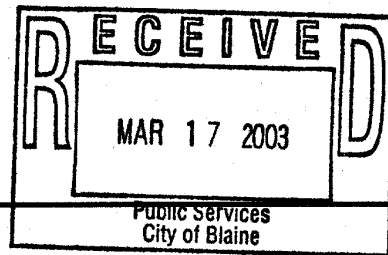


City of Blaine - 9150 Central Avenue N.E. - Blaine, MN 55434 - (763) 785-6180





March 10, 2003



Lori Thomsen
Planner
City of Blaine
9150 Central Avenue N.E.
Blaine, MN 55434-3499

RE: Conditional Use Permit Extension for the Blaine Environmental Campus

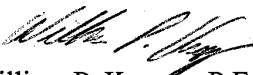
Dear Ms. Thomsen:

On June 1, 2000, Blaine Environmental Campus, LLC. (BEC) received Conditional Use Permits (CUP's) for a concrete batch plant, solid waste transfer station, and to allow multiple buildings (3) on one lot. Since that time, BEC was able to contract with a tenant for the solid waste transfer station which has been operational since construction was completed in the spring of 2002. However, due to the slow economy and reduced expenditures of many companies, BEC has not yet secured tenants for the other CUP uses. BEC was granted one-year extensions of the CUP permits on May 3, 2001, and again on March 21, 2002.

BEC has had several positive conversations with potential tenants for the other uses but may not secure a tenant before the CUP's expire on March 21, 2003. Therefore, BEC is requesting a one-year extension to Conditional Use Permit (CUP) # 01-74 for the construction of a concrete batch plant and CUP # 01-72 to allow multiple buildings on one lot.

Enclosed please find a completed Conditional Use Permit (CUP) Application form for the extension of the existing CUP's at the Blaine Environmental Campus. The application fee was already paid with the original issuance of the CUP permits. If you have any questions or need any additional information to process this request please call me at 651-251-6203. Thank you for your time and consideration of this application.

Sincerely,


William P. Keegan, P.E.
Environmental Engineer

CC: Richard O'Gara, SKB Environmental
John Domke, SKB Environmental
William Fogerty, F&W Properties, Lino Lakes, Minnesota
Kathleen Osborne, Foth & Van Dyke, Eagan, Minnesota
Doc St. Clair, SKB Environmental

Attachments

251 Starkey St. • P.O. Box 7216 • St. Paul, MN 55107
651-224-6329 • FAX 651-223-5053



Printed on Recycled Paper.

1 Introduction

The Blaine Environmental Campus, LLC (LLC-a Limited Liability Corporation) wishes to obtain approval from the city of Blaine for four projects on LLC's site at 102XX Naples Street in Blaine, Minnesota. These projects include:

- ♦ A Transfer Station
- ♦ An Organic Processing Facility
- ♦ A Concrete Recycling Area
- ♦ A Concrete Batch Plant with outside storage

This submittal includes the Conditional Use Permit (CUP) applications for each of the four above projects, plus a fifth CUP application for Multiple Buildings on the site. The purpose of this report is to provide preliminary information as requested to assist you in your review of the CUP request.

The following report sections include Operation and Maintenance Manuals for the four projects. The transfer station and the organics processing facility manuals are combined since the same building will be used for both operations.

The LLC's goal is to obtain permits in the following sequence:

- ♦ City of Blaine
- ♦ Rice Creek Water Shed
- ♦ Anoka County
- ♦ Minnesota Pollution Control Agency

2 Transfer Station and Organics Facility Operations Manual

2.1 General

2.1.1 General Operations Description

SKB Environmental, Inc. (SKB) will operate a yard waste, construction and demolition (C&D) waste transfer facility, and an MSW transfer facility with some processing capabilities for both C&D and MSW (organics) waste. The Blaine transfer facility will accept waste from commercial haulers and residents.

C&D waste, MSW and selected other recyclables, delivered by residents and businesses will also be processed and/or transferred from the facility. C&D debris and MSW intended for disposal will be placed in transfer trailers prior to transfer to approved disposal facilities. C&D materials suitable for recycling will be sorted and placed in roll-off boxes and processed or marketed. MSW will be sorted by separating the organic waste. All organic waste will be loaded on separate transfer trailers and delivered to an organic processing facility to start. Once enough volume is delivered to the facility, the organic waste will be composted on site in an approved in-vessel system. All other MSW will be transferred to an approved disposal facility.

The facility will also accept tires, white goods, mattresses, and recyclables such as paper, glass, aluminum, tin, and cardboard and other recyclables as markets allow.

Source Separated Organics are wastes from commercial, industrial, and institutional facilities that are ideal for composting—materials like food processing residues, garden wastes and yard wastes, or soiled and unrecyclable paper that can be easily composted instead of disposed of at high-cost landfills or other waste management facilities.

2.1.2 Site Plan and Traffic Flow

Drawing No. 3 shows the general plans for the transfer facility and site. Access to the site will continue to be gained through either the north entrance for solid waste vehicles and through the south entrance for concrete vehicles. The site's truck scale will be located to allow access to both the solid waste vehicles and the concrete vehicles. Next to this structure will be the office where the scale attendant will be located.

All waste delivery vehicles will pass across the truck scale and receive a ticket from the attendant. The waste trucks will enter the transfer building through the overhead doors on the east side of the building.

MSW delivery vehicles will be weighed, proceed to the designated waste tipping floor to drop materials, then exit the building through the overhead doors on the west side. After tipping, the waste delivery vehicles will re-enter the scale to record a tare weight, if one is needed. After weighing out, waste delivery vehicles will leave the site via the north exit.

C&D debris delivery vehicles will also pass across the scale to obtain a ticket, although weighing will be optional. The C&D trucks will enter the building through the overheads doors on the east side of the building and proceed to the C& D tipping floor, which is located in the south corner of the building. After tipping, these vehicles will exit the building through the overhead doors on the west side and leave the site via the north exit.

Loads of MSW will be shipped from the transfer facility via semi-transfer trailers. These vehicles will use the loadout area on the north corner of the building. Transfer vehicles will drive into the loading area through the north end pit area. Transfer vehicles will exit the site via the north exit.

Loads of C&D debris and recyclables will be shipped from the transfer facility via semi-transfer trailers. These vehicles will use the loadout area on the south corner of the building. Transfer vehicles will drive into the loading area through the south pit area. Roll-off boxes for C&D debris and recyclables will be placed in the C&D loading area and tipping floor. When filled, the boxes will be lifted onto a truck that enters and exits the facility via the overhead doors on the east side. Traffic flow through these doors generally runs parallel to but does not interfere with traffic flow across the site scale. Transfer vehicles will exit the site via the north exit.

2.2 Hours of Operation

The expected operating hours will be based on the time of year and the amount of material incoming. Hours of operation will be approximately the following:

- ♦ 6:00 a.m. to 7:00 p.m. Typical hours Monday through Saturday

2.3 Access to the Facility

2.3.1 Traffic Routes

The Transfer Station is accessed only via Naples Street.

2.3.2 Access Control and Regulation

Two entrance gates will be placed across the site access road, entering from Naples Street. These gates will remain locked during non-operational.

A permanent sign located near the entrance will be modified to display days and hours of operation, the new MPCA permit number, and acceptable waste types.

Either a gate attendant or a certified operator are on duty on site during all operating hours. The attendant is responsible for monitoring and approving each load of material as it enters the site. The operator(s) are responsible for inspecting the loads for prohibited materials as they are tipped on the tipping floors.

2.3.3 Authorized Customers

Use of the site will be limited to residential, City, or commercial vehicles delivering MSW, C&D debris or recyclables, and transfer vehicles.

2.3.4 Potential Vehicle Types and Quantities

Typical sizes of trucks utilizing this facility are the following:

- ♦ Packer truck: 20 cubic yards or 3 to 8 tons
- ♦ Roll-off truck: 10, 20, 30, 40, or 50 cubic yards
- ♦ Transfer trailer: 110 to 115 cubic yards or 22 tons
- ♦ Private vehicle: 2 to 5 cubic yards
- ♦ End dump truck: 20, 30, or 50 cubic yards

Truck Traffic - Incoming

- ♦ The number of trucks carrying MSW to the site will be approximately 30 per day. The average number of trucks per hour is 2.3 trucks.
- ♦ The number of C&D trucks hauling to the facility will be approximately 30 trucks per day or 2.3 trucks per hour.

Truck Traffic - Outgoing

- ♦ The number of trucks carrying MSW and organic waste from the site will be approximately 11 trucks per day. Until such times as organic material will be processed on site, the number of outgoing trucks for MSW will be approximately 8 trucks per day.
- ♦ The number of C&D trucks hauling from the facility will be approximately 10 transfer trucks per day. Approximately 10 percent of the outgoing C&D trucks will be 40 cubic yard roll-offs for recyclables.

Truck Types

- ♦ MSW and organics will be hauled to the site in packer trucks.
- ♦ C&D waste is anticipated to enter the facility in private vehicles and in roll-off trucks. Approximately 10 percent of the outgoing C&D will be recyclables. The recyclables will be hauled away in roll-off containers. The remaining 90 percent C&D waste will be hauled away in transfer trailers trucks.

Waste Volumes

- ♦ The MSW and organic average volume entering the site will be 250 tons per day.
- ♦ The estimated C&D waste to enter the site will be 250 tons per day.
- ♦ The total of the combined waste types will be a maximum of 500 tons per day.

2.4 Acceptable Wastes and Materials

SKB will accept yard waste, MSW mixed with organics, C&D debris, and selected recyclables at the facility.

Yard waste is defined as garden wastes, leaves, lawn cuttings, weeds, tree waste, and prunings generated from residential and commercial properties. MSW is defined as garbage and refuse from commercial, industrial, and residential generators.

Construction debris is defined as waste building materials, packaging, and rubble resulting from construction, remodeling, repair, and demolition of buildings and roads.

Demolition debris is defined as solid waste resulting from the demolition of buildings, roads, and other man-made structures including concrete, brick, bituminous concrete, untreated wood, masonry, glass, trees, rock, and plastic building parts, but excluding friable asbestos waste.

As noted above, the facility will also accept tires and recyclables such as paper, glass, aluminum, tin, mattresses, white goods, cardboard, and wood waste and other recyclables as markets allow.

2.5 Prohibited Wastes

The Blaine facility will not accept the following materials: dead animals, liquids, septic tank pumpings, sludges, vehicles, machinery, fertilizers, or hazardous waste. Neither will the facility accept friable asbestos wastes, which were excluded in the definition of acceptable demolition debris.

As noted above, yard wastes, tires, and appliances, typically included in the definition of mixed municipal wastes, will be accepted at the Blaine facility for recovery purposes.

On-site personnel will be responsible for visually inspecting all loads to insure that prohibited materials are not accepted at the facility.

2.6 Waste Handling, Shipment, and Disposal

2.6.1 MSW and Organic Waste Handling, Shipment, and Disposal

Organic waste will first be separated by hand and mechanically from the MSW. MSW will then be pushed or carried by front-end loader from the MSW tipping floor into transfer trailers parked in the pit area in the north corner of the facility. Operators will not manually handle the MSW material while it is on the tipping floor except as needed to remove contaminants or prohibited materials.

Organic wastes and MSW will be transferred from the facility to other permitted organic waste compost facilities for composting. Until such time as an organic facility is permitted on site, loadout will occur, at a minimum, on a daily basis.

2.6.2 Construction and Demolition Debris

Recyclable and non-recyclable components of the C&D deliveries will be separated by SKB staff on the C&D tipping floor. Separated components will be placed in roll-off boxes for temporary storage before delivery to markets, or approved demolition debris disposal facilities. These roll-off containers will typically be shipped as they are filled in order to minimize on-site storage.

Space is available in the building for future processing areas. Processing equipment will be added as markets for other recyclables develop.

2.6.3 Other Recyclables

Recyclable materials, either those materials delivered source separated or the recyclables manually separated from one of the two tipping floors, will be placed in roll-off boxes for temporary storage before delivery to a processor or market. Roll-offs will be stored under cover to maintain product quality and minimize site impacts. Roll-off containers will typically be shipped as they are filled in order to minimize on-site product storage.

2.6.4 Tires

Tires will be accepted and stored within the building in a roll-off box. As per regulations, no more than 500 tires will be stored at the facility at any one time. It is anticipated that as a roll-off box becomes full, it will be hauled away by the recycler.

2.7 Maintenance

The MSW and organic waste tipping floor and loadout area will typically be cleaned on a weekly basis. The C&D tipping floor and loadout areas will typically be cleaned on a monthly basis with all residue delivered to an appropriate disposal facility. Cleaning will consist of a combination of dry and wet methods (e.g., sweeping, spraying, etc.) appropriate to the work area and weather conditions.

2.8 Storage Capacity

The Blaine facility will have adequate capacity to provide:

- ♦ Three days of MSW storage, dependent on seasonal delivery quantities. Storage of this product will occur first in transfer trailers and second on the Transfer Station tipping floor.
- ♦ Three days of C&D debris storage at projected delivery quantities. Storage of this product will occur first in dedicated recycling and waste roll-off containers and second on the C&D tipping floor.
- ♦ 30 days of recyclable storage at projected delivery quantities. Storage of this product will occur in dedicated recycling roll-off containers. As roll-off containers are filled, they will be tarped and shifted to sit outside the building.

2.9 Equipment

Two front-end loaders and miscellaneous skid loaders will be used on site to sort and load materials.

Transfer vehicles removing materials from the site will meet the requirements of Minn. R. 7035.0800, subparts 2 and 3. The vehicles will be maintained in good repair and regularly cleaned to prevent nuisances, pollution, and insect breeding.

2.10 Environmental Controls

2.10.1 Dust

The Blaine site, including the on-site access road, will be constructed of road base material (i.e., asphalt or concrete) that produces little dust. A ventilation system will be incorporated into the design of the building to minimize dust and fumes from the working area.

2.10.2 Noise

On-site noise will be low due to the enclosure of operations within the transfer building. Outdoor noise from delivery and shipment traffic and heavy machinery (during construction, cleaning or snow removal) is expected to be minimal.

2.10.3 Litter

Site activities will occur primarily within the transfer building. Any product stored outside the facility will be tarped or otherwise covered in order to minimize windblown litter. Employees will be dispatched on a regular basis to collect litter that may accumulate on site.

2.10.4 Odor

Due to the use of an enclosed transfer facility for storage prior to transfer, odor concerns from the Blaine site are expected to be negligible.

2.10.5 Run-off Controls

Runoff controls, including infiltration basins and wetlands to be mitigated will be used at the Blaine site. Water will go through the runoff controls before entering the wetland.

2.11 Site Safety

Communication equipment on the site will include a telephone and a base radio station in the office, and hand-held and/or two-way radio equipment in operating equipment.

Minor fires such as equipment fires or within roll-off boxes or dumpsters will be handled by on-site fire extinguishers located in the buildings and on operating equipment. The transfer facility will also be equipped with a dry, pressurized sprinkler system or other city zoning acceptable method. Sensors within the building will activate the system in the event of a fire of significant intensity.

Fires, other than those discussed in the previous paragraph, will be handled by the city of Blaine Fire Department.

2.12 Operator Training

The site operators will be trained, certified, and have refresher courses as per MPCA solid waste regulations. Bolander has a Health & Safety officer who will oversee training requirements and schedules. Bolander and SKB hold monthly safety meetings.

2.13 Inspections

Inspections to observe the site, safety and emergency equipment, security devices, fencing, concrete floor integrity, and other conditions are performed and recorded on a routine basis.

2.14 Design Information

2.14.1 Road Design and Maintenance

The Blaine Facility, including on-site access roads and parking areas, will be surfaced with an all weather asphalt or concrete surface in order to minimize dust concerns and ensure access. The asphalt/concrete surfaces and surface markings will be constructed/applied to conform with applicable standards of the Minnesota Department of Transportation.

2.14.2 Building Design

The Blaine Transfer Station Facility will consist of a 60,000 square foot (400 feet by 150 feet) steel and concrete block building (Butler or equivalent) with an approximate 30-foot height and a sealed concrete base floor.

The building will be accessible through 12 passage doors located on all sides, with 12 overhead doors. The overhead doors will be either manually or electrically operated depending upon the anticipated frequency of use of each door.

The Transfer Station will be heated only in select areas. It is anticipated that the heating system will be a natural gas operated radiant heat or natural gas fired unit heaters. The purpose will be to minimally heat the building so that the inside temperature does not go below approximately 20 degrees F.

Ventilation in the Transfer Station will be achieved through a combination of natural, and mechanical means. The facility will typically operate with overhead doors opened, unless prohibited by high winds or other inclement weather. Additional mechanical ventilation will be offered by a series of fans, vents, and filters placed at upper and lower levels.

Lighting within the working area of the Transfer Station will be provided by high bay lighting fixtures and clear panels within the roofing system. Since the facility will be operated primarily during daylight hours, the exterior lighting will be for security purposes. Such lighting will be located over key entrances and exits, and the parking area.

2.14.3 Floor Design

The floor of the transfer building will be a concrete slab sealed with a chemical hardener. An approved product that can be used is Day-Chem Sure Hard. Day-Chem Sure Hard is a colorless, odorless solution of specialized reactive chemicals that penetrate concrete and masonry surfaces to seal, densify and harden. Day-Chem Sure Hard is a water-based product and as a result, it is V.O.C. compliant and environmentally safe to use. Its advantages are as follows:

- ♦ Seals, hardens, and dustproofs
- ♦ Resists black rubber tire marks on floors
- ♦ Will not scratch or peel
- ♦ Environmentally safe
- ♦ Water-based, V.O.C. compliant
- ♦ No odor, no fumes

2.14.4 Scale and Scale Office Design

A scale will be situated between the Transfer Station and the Concrete Batch Plant. The scale will be utilized by both the transfer and the batch plant vehicles. An enclosed scale office will be constructed adjacent to the scale. This scale office will be heated and ventilated.

2.14.5 Facility Construction Documentation

The Transfer Station Facility is scheduled to have construction start during summer 2000. Construction documentation and Quality Assurance/Quality Control (QA/QC) measures will be provided for the project with specific detail for the following items:

- ♦ Concrete slab floor
- ♦ Footings (geotechnical data)
- ♦ Architectural plans
- ♦ Plan modifications
- ♦ Structural details
- ♦ Environmental containment devices

The construction specifications will provide the required QA/QC for the above items.

2.15 Closure and Post Closure Plan

2.15.1 Introduction

This closure and post closure plan document for the Blaine Transfer Station has been developed for use in establishing the financial assurance requirements associated with the Transfer Station.

2.15.2 Dates of Operation

Construction of the Transfer Station will be completed during 2000. Acceptance of C&D debris at the Transfer Station is projected to begin spring 2001. The closure date of the Transfer Station is not specified.

2.15.3 Site Contacts/Important Persons

At this time, the contact persons for the Blaine Transfer Station are Richard O'Gara, President, and Kevin Tritz, Vice President. Both can be reached at:

SKB Environmental
251 Starkey Street
St. Paul, Minnesota 55107
(651) 224-6329

2.15.4 Notification of Final Closure

At the time of final closure, a list of contacts for the site will be submitted to the MPCA, City of Blaine, and Anoka County. The contacts list will include names, addresses, and telephone numbers of individuals who are knowledgeable about the setting, design, construction, operation, maintenance, closure, and potential future uses of the Transfer Station.

The MPCA will be notified in writing at least seven days prior to initiating closure activities at the Blaine Transfer Station. The planned closure date will be included in the notification. Regular users of the transfer station will also be notified in writing of the planned closure. In addition, a notice will be posted at the entrance of the facility indicating the date of closure and provide a listing of other facilities accepting similar materials.

Following completion of final closure activities, a date and time for a final closure inspection by the City of Blaine will be established. The MPCA will also be notified of the date and time of this final closure inspection. The purpose of this inspection is to verify complete physical closure of the transfer station.

2.15.5 Closure Activities

The Blaine Transfer Station consists of a 60,000 square foot steel and concrete building (Butler building or equivalent) and surrounding traffic areas. Yard waste, C&D debris, and various recyclable materials will be temporarily held on site, typically within the building or enclosed containers, prior to transportation to a processing, market, or disposal facility.

At the time of Transfer Station closure, the owner/operator of the Transfer Station will:

- ♦ Remove and transport all remaining yard waste to a yard waste composting facility.
- ♦ Remove and transport all remaining C&D debris to an appropriate recycling or disposal facility.
- ♦ Remove and transport all remaining recyclable materials, including tires, to an appropriate recycling facility.
- ♦ Remove and transport all remaining waste or debris to an appropriate disposal facility.
- ♦ Remove equipment from the site.
- ♦ Provide for the continued security and maintenance of the site (or, as appropriate, transfer responsibility for the site to new property owners or leasers).

2.16 Organics Storage Area

2.16.1 Clay Pad Liner Option

The clay lined pad option for the organic storage area would be utilized by the compost bags lined up on a clay lined pad. The clay pad would include a 2-foot-thick clay pad liner, covered by a 1-foot-thick recycled aggregate. The liner would be sloped to drain into the retention basin. Clay would need to be brought to the site from a clay source. Construction would include a record survey documentation of the liner and basin. Soils material testing would be completed as per

MPCA guidelines for clay liners, including moisture and density testing. Upon completion of the clay pad liner, 12 inches of Class 5 crushed rock would be placed over the clay pad liner.

2.16.2 Concrete Pad Option

Another potential option for the organics storage area is to utilize containers instead of compost bags. If this system for composting organics is used then a concrete pad would be necessary instead of a clay lined pad. The concrete pad would include a graded granular subbase, 6-inches on reinforced concrete, and it would be covered by a 1-foot layer of recycled aggregate.

2.16.3 Clay Lined Retention Pond

For either composting system, a clay lined retention pond will be installed on the downgradient edge of the pad. Surface water will be directed to the pond and retained to allow sediments to settle out. An overflow pipe would be installed that would drain to the natural surface water area.

4 Concrete Batch Plant Operations and Maintenance Manual

4.1 Plant Description

Aggregate Industries will be installing a new state-of-the-art central ready-mix plant on the site. The plant will consist of an aggregate feed system, cement silo system, an emission control baghouse, aggregate bins for storage, and a quality control lab and office. The plant will have an output of approximately 200 cubic yards per hour. An estimated 100,000 [or 10,000 ??] cubic yards of material will be produced at the plant annually. Equipment incidental to the operation includes one loader.

Aggregate used to produce the various mixes will be hauled to the site and deposited directly into the plant. No crushing or washing will take place on site. There will be limited stockpiling (less than 300 tons).

4.2 Hours of Operation

The plant is proposed to operate 12 hours per day, five days per week, and Saturday until noon throughout the year. Operations will not be continuous but on an as-needed basis. On rare occasion, nighttime operations are required in order to supply concrete for state and county projects, which are often conducted at night to reduce traffic problems associated with daytime construction activities.

4.3 Noise

The facility will comply with the MPCA noise standards.

4.4 Air Emissions/Dust/Odor

The facility will operate under an MPCA Air Emissions permit. The plant must comply with the standards of the MPCA. The plant will be equipped with pollution control technology and will have a baghouse to trap particulate matter within the exhaust stream.

There is no odor associated with ready-mix production.

Fugitive dust will be controlled by paving the main portion of the plant site where trucks will be driving during the loading process. A water truck will be available to water the site as needed for dust control.

4.5 Traffic

The site entrance will be off of Naples Street Northeast, and the exit will be on 101st Avenue Northeast. 101st Avenue Northeast and County Road 52 will be used to route traffic to and from 35W and the site.

Traffic associated with the facility will consist of Aggregate Industries ready-mix trucks (belly dump tractor/trailers) hauling aggregate and cement from the site. It is estimated that an average of 15 trucks per hour will be accessing the site, with an anticipated maximum of 30 trucks per hour.

4.6 Environmental Compliance Plans

All Aggregate Industries ready-mix plants operate under several federal, state, and local environmental regulatory programs. Each plant operates in compliance with the appropriate air, water, and waste permits and licenses, along with their regulatory requirements.

4.7 Above-ground Storage Tanks

The MPCA requires facilities with above-ground storage tanks to comply with a number of regulations involving the construction, operation, and maintenance of above-ground storage tanks. Aggregate Industries complies with the regulations as a matter of company policies. No permit or license is required.

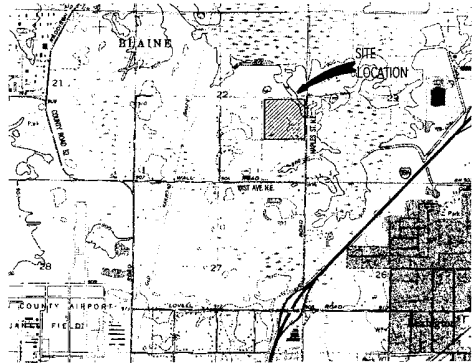
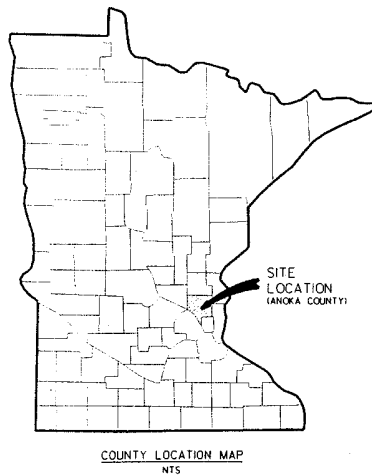
4.8 Waste

All solid waste from the site will be disposed of according to applicable regulatory requirements. Licensed vendors will be contracted to transport and haul waste that is generated at the site.

CONDITIONAL USE PERMIT AND PRELIMINARY SITE PLAN APPLICATION FOR

BLAINE ENVIRONMENTAL CAMPUS, LLC

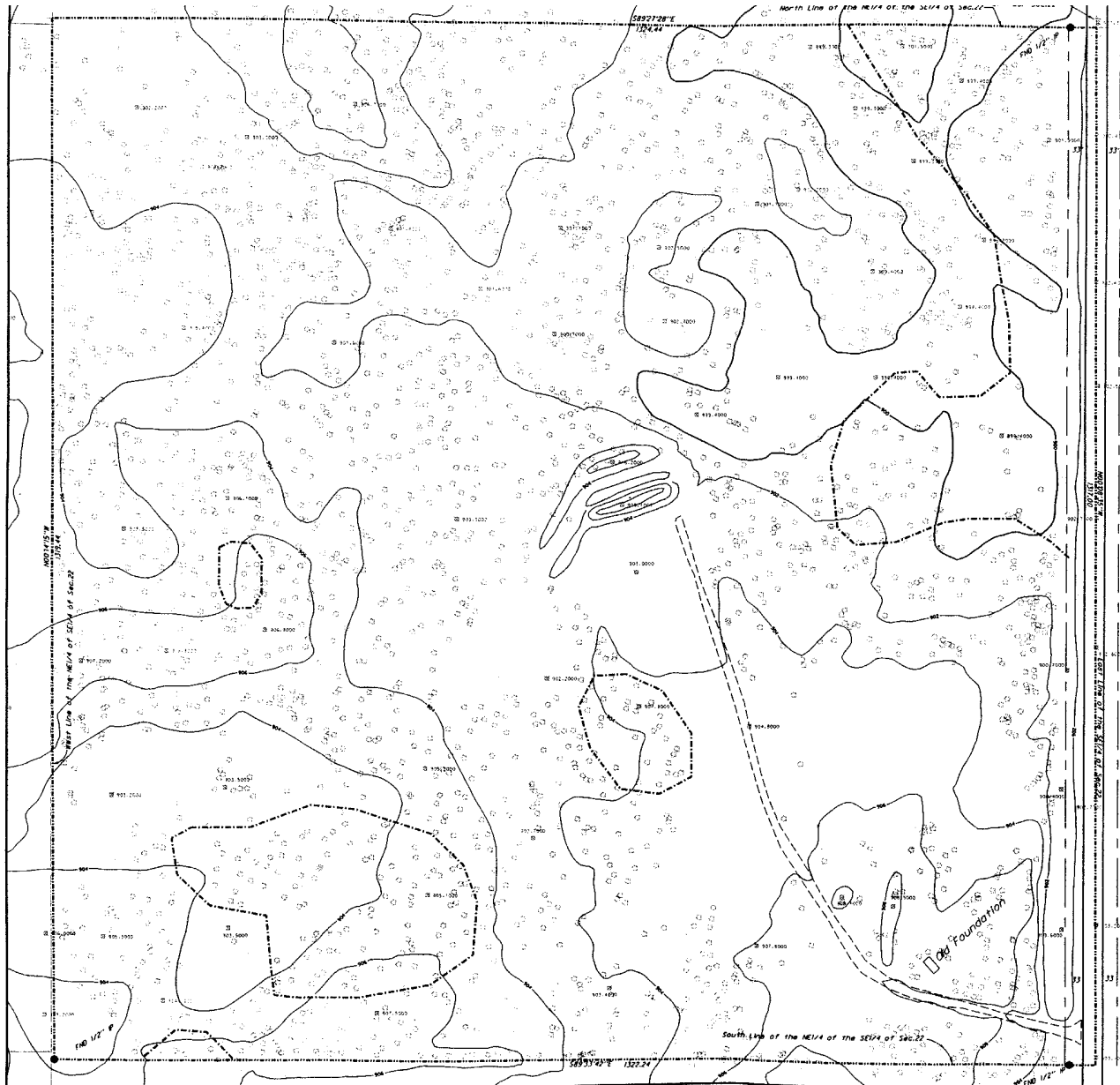
BLAINE, MINNESOTA
APRIL 2000



INDEX	
DRAWING NO.	DESCRIPTION
1	TITLE SHEET
2	EXISTING CONDITIONS
3	SITE LAYOUT
4	GRADING PLAN
5	LANDSCAPE PLAN
6	TRANSFER STATION FLOOR PLAN
7	TRANSFER STATION ELEVATIONS
8	CONCRETE BATCH PLANT FLOOR PLAN
9	CONCRETE BATCH PLANT ELEVATIONS
10	OFFICE/WAREHOUSE BUILDING FLOOR PLAN/ELEVATIONS

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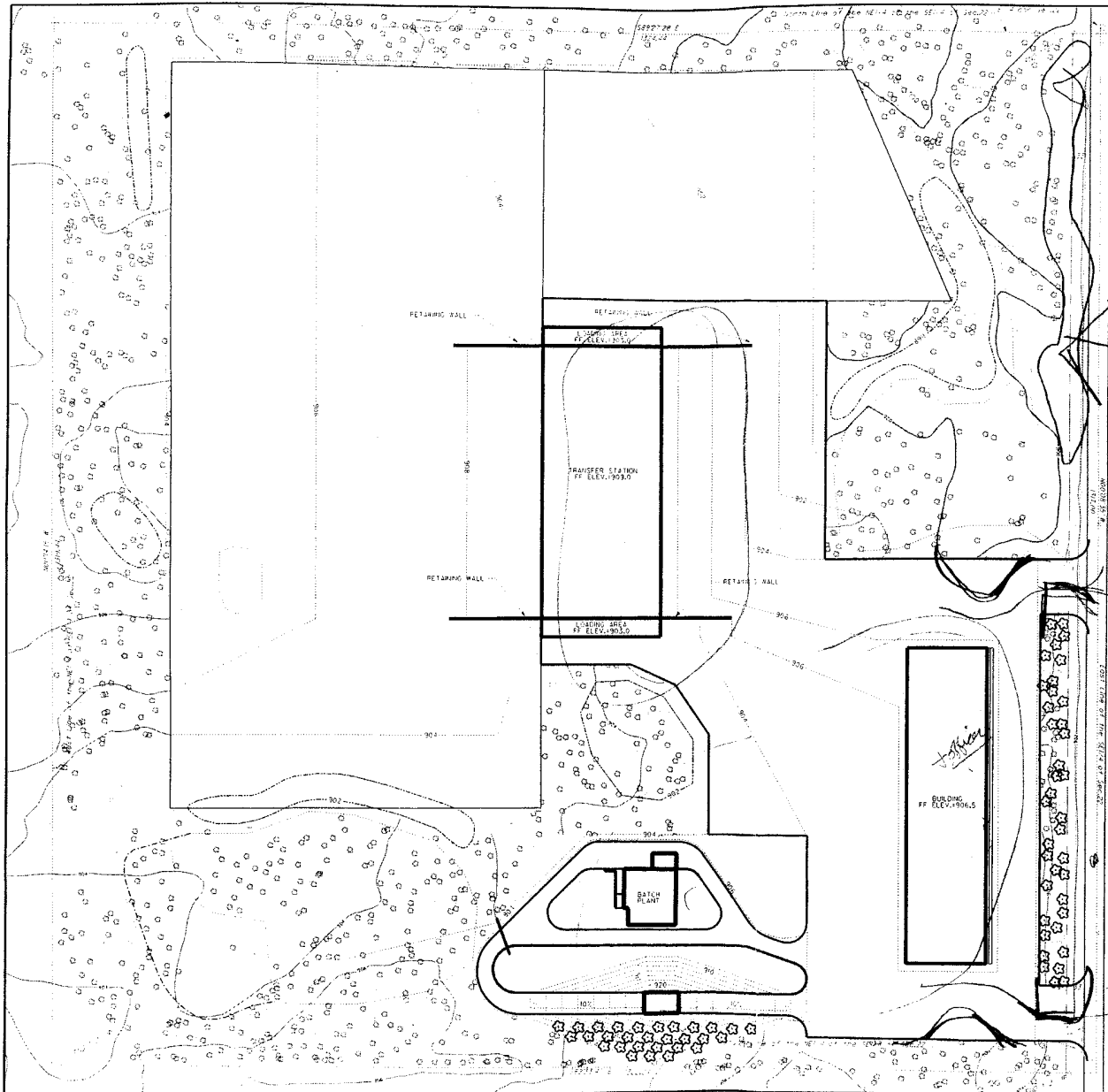
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- PROPERTY LINE
- - - RIGHT-OF-WAY
- ⊙ SURVEYED TREE LOCATION
- - - EXISTING TRAIL
- - - APPROXIMATE WETLAND LOCATION

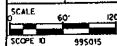
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- PROPERTY LINE
- RIGHT-OF-WAY
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- EXISTING TRAIL
- APPROXIMATE WETLAND LOCATION
- ★ PROPOSED PLANTING LOCATION

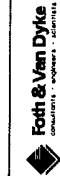


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SITE PLAN
S&B ENVIRONMENTAL CAMPUS
BLAINE, MINNESOTA

LANDSCAPE PLAN

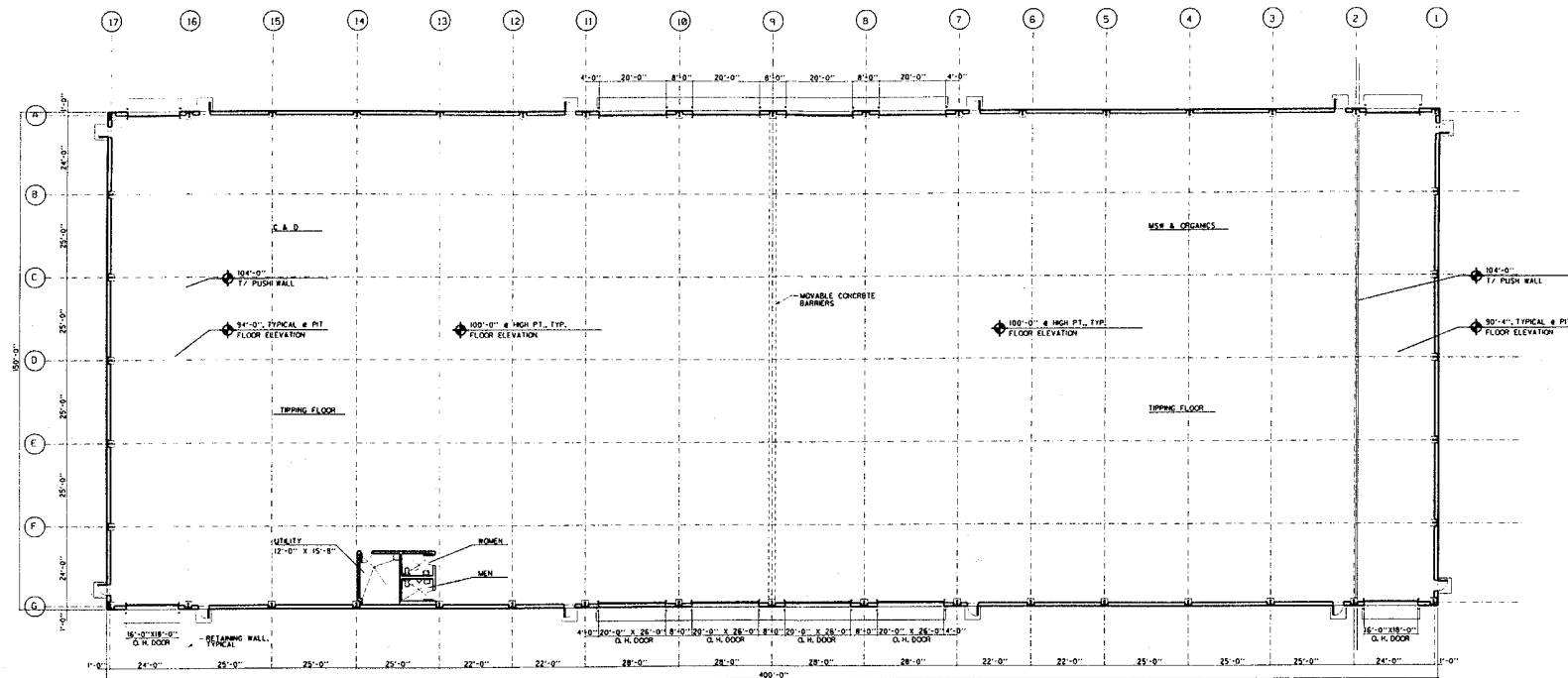


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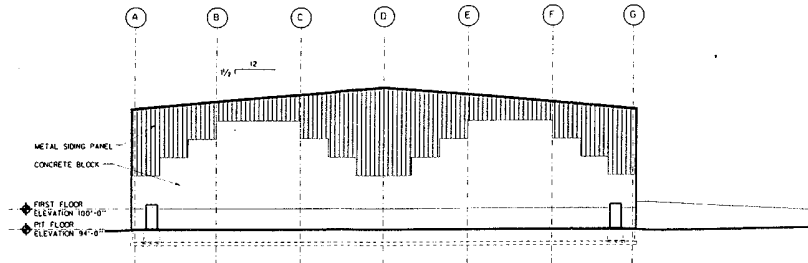
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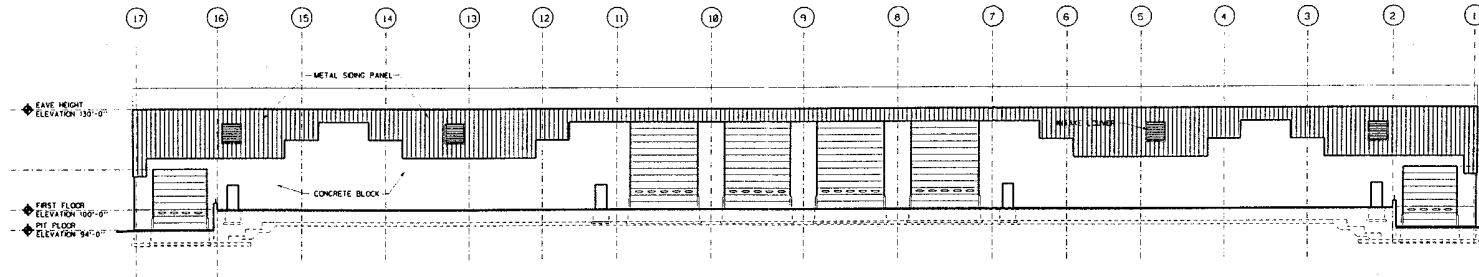


FLOOR PLAN

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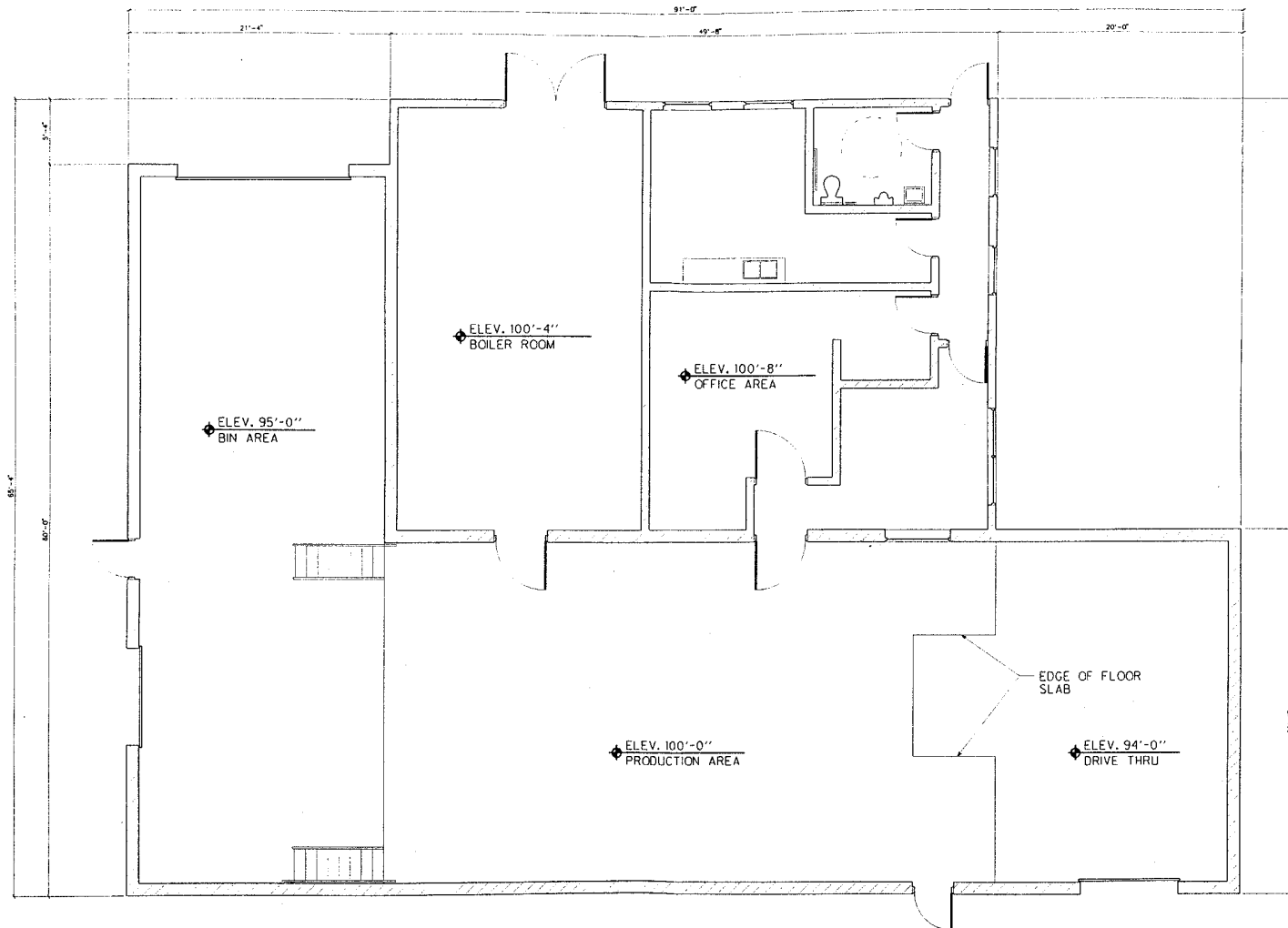
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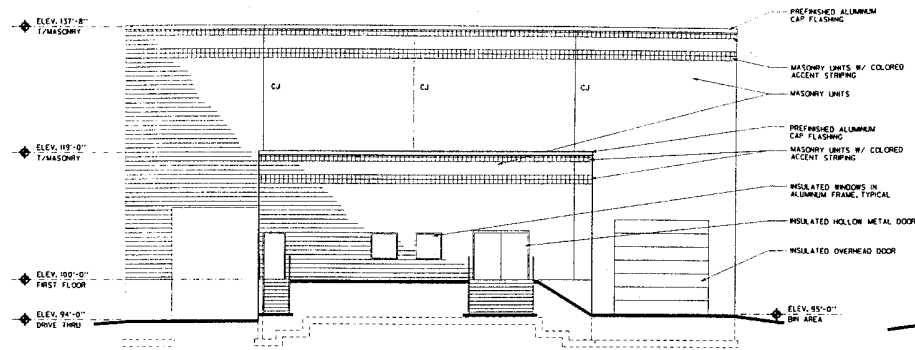
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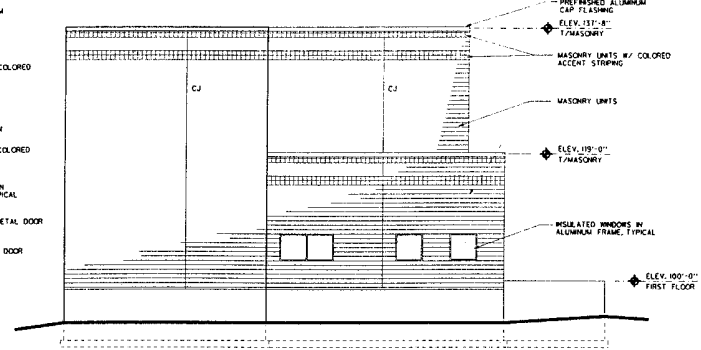


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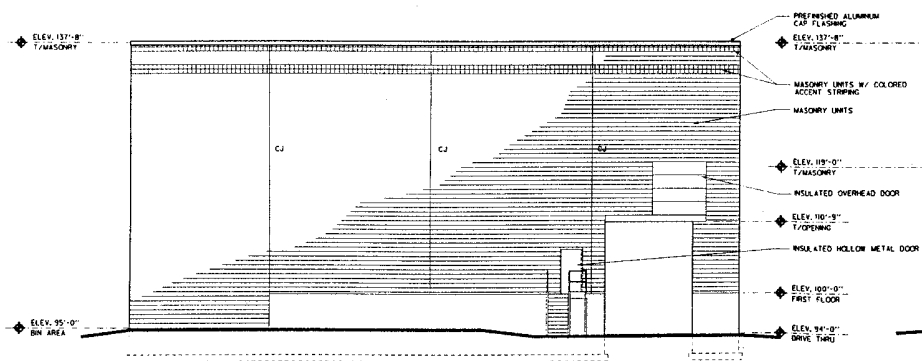
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DRAWING NO. 8		REVISIONS / REMARKS	
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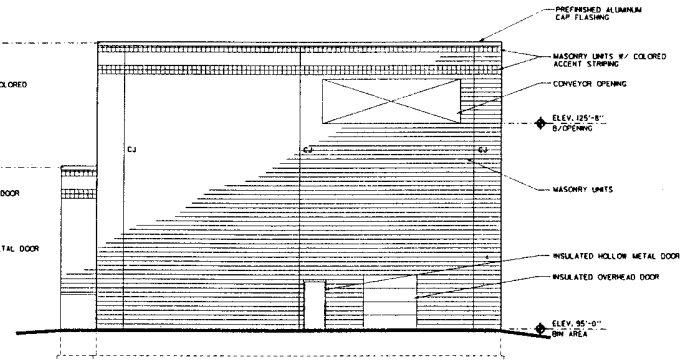
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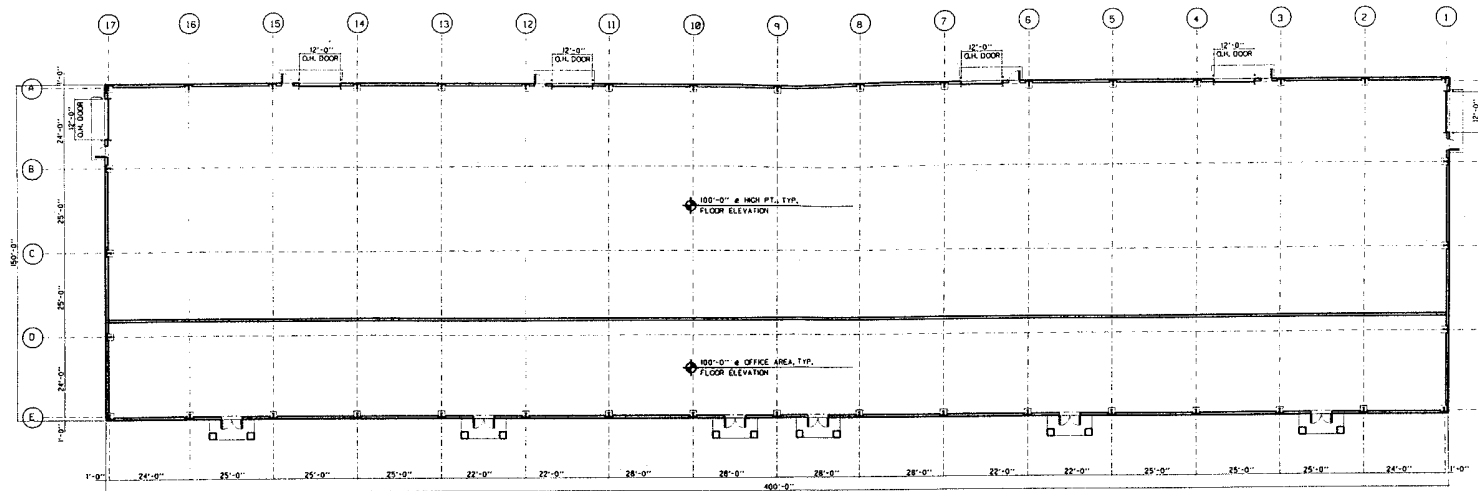


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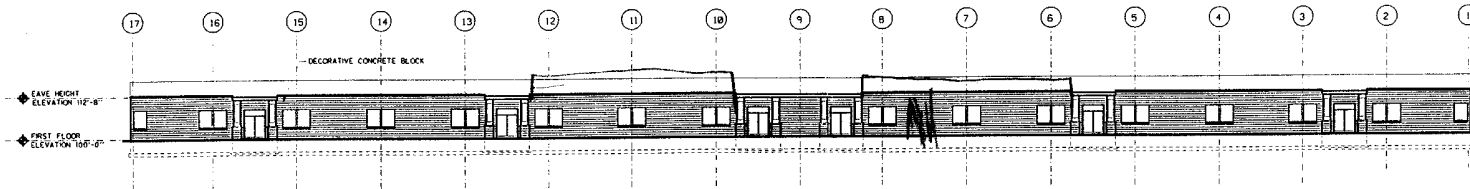


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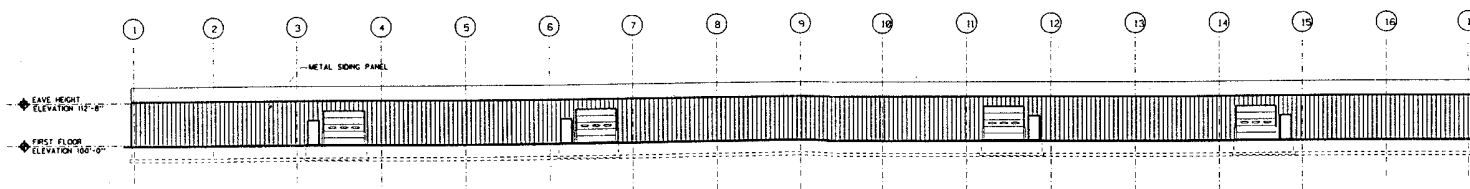
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Foth & Van Dyke CONSULTING ENGINEERS & ARCHITECTS 1000 W. WISCONSIN AVE. SUITE 200 MILWAUKEE, WI 53233 TEL: 414.224.1100 FAX: 414.224.1101 WWW.FOTHVANDYKE.COM		REUSE OF DOCUMENTS THIS DOCUMENT IS THE PROPERTY OF FOTH & VAN DYKE. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF FOTH & VAN DYKE.	
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SCALE $\frac{1}{4}" = 1'-0"$		SCOPED NO. 995015	
DRAWING NO.		9	



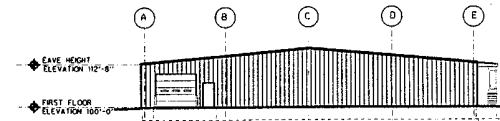
FLOOR PLAN



EAST ELEVATION



WEST ELEVATION



SOUTH ELEVATION

CADD PROJ. CODE: 0002	CADD FILE NAME: 0002
DATE: DEC. 2000	DATE: MAY 2000
SUBMIT BY: JAC	DATE: N/A
SURVEY DATA: JAC	DATE: N/A

REVISIONS / REMARKS	NO.	BY	DATE
	1		
	2		
	3		
	4		

Foth & Van Dyke
 consultants • engineers • architects

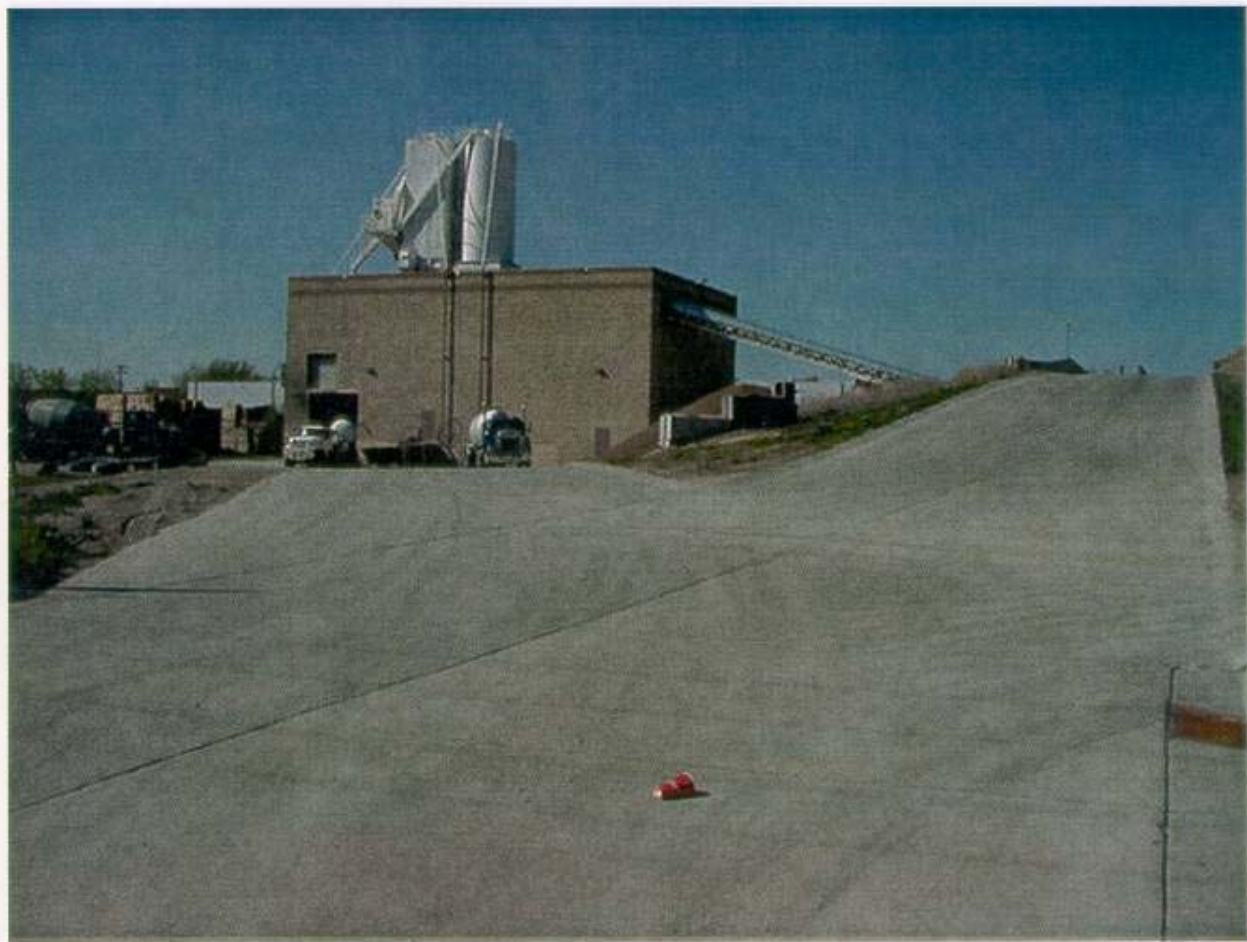
REUSE OF DOCUMENTS
 THIS DOCUMENT WAS REGENERATED FROM A SOURCE
 THAT MAY BE USED WITHOUT THE WRITTEN APPROVAL OF
 THE FIRM RESPONSIBILITY OF THE INSTRUMENTED DATE

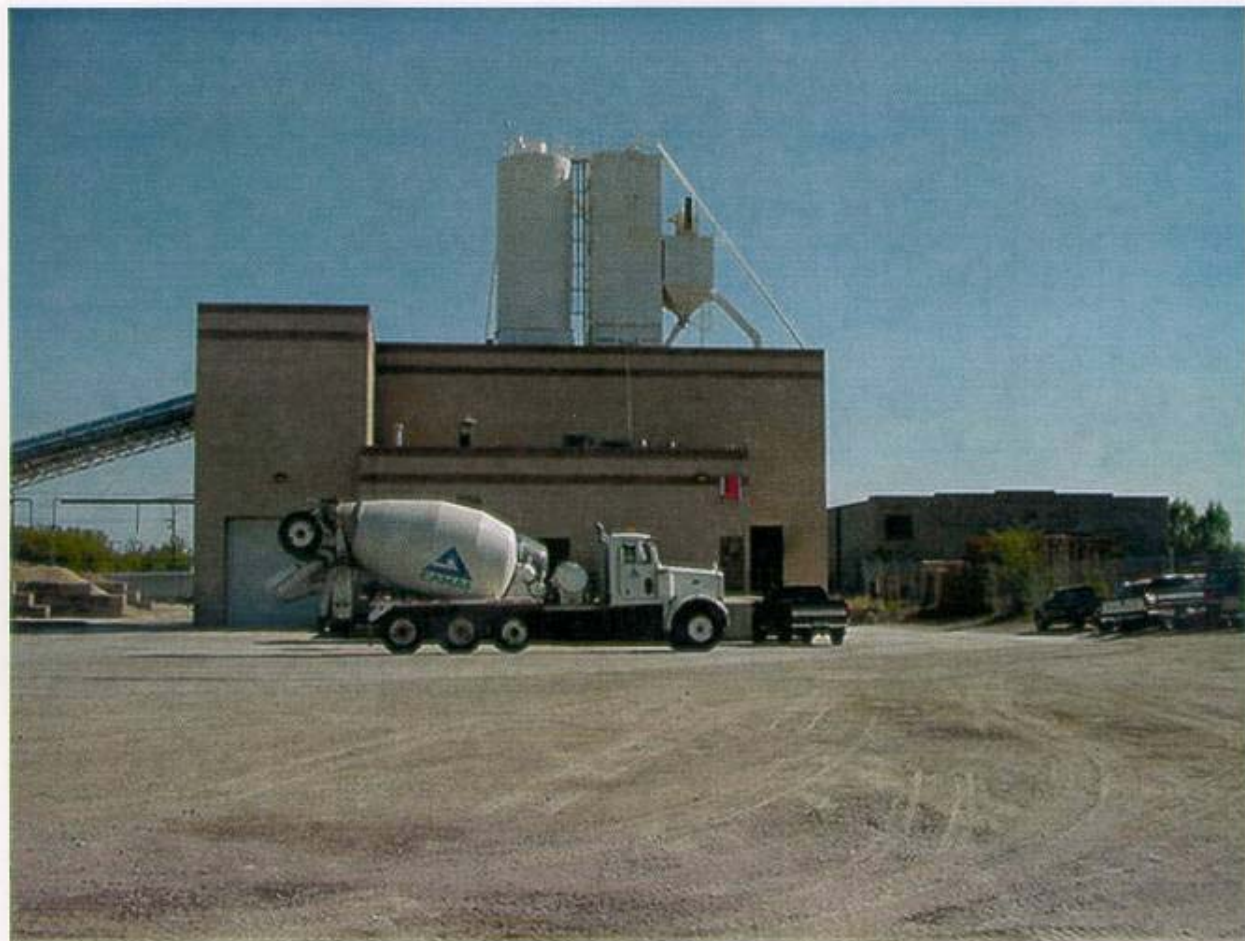
SITE PLAN	REMARKS
SAB ENVIRONMENTAL CAMPUS	
BLAINE, MINNESOTA	

OFFICE/WAREHOUSE BUILDING	REMARKS
FLOOR PLAN/ELEVATION	

SCALE	1/4" = 1'-0"
SCOPE	995015
DRAWING NO.	









CITY OF BLAINE

TO: Mayor and City Council

REVIEWED:

FROM: Bryan K. Schafer, Planning Director

DATE: April 3, 2003

NO.: 11.8

ITEM: **DEVELOPMENT BUSINESS:** First Reading Ordinance No. 03-1970, Granting a Rezoning from R-2 (Two Family) to DF (Development Flex). Dailey Companies, Inc. Ulysses Street/129th Avenue.

(Case File No. 03-15/LST)

SCHEDULE OF ACTIONS:

- Planning Commission (Public Hearing) 03/11/03
- City Council (First Reading Rezoning) 04/03/03
- City Council (Comp Plan Amend, 2nd Reading, CUP, Pre Plat)... 04/17/03
- Action Deadline (Extended by City) 05/24/03

PLANNING COMMISSION:

The Planning Commission voted unanimously to approve the comprehensive plan amendment, rezoning, conditional use permit and preliminary plat. There were comments at the public hearing from adjacent residents regarding headlight screening, site drainage, general screening of the property, and the type of units to be constructed.

BACKGROUND:

Dailey Companies, Inc. is proposing to develop four twinhome units on the parcel of land immediately west of the existing Wash and Fill Station on 129th Avenue and Highway 65. This parcel of land has remained vacant for some time and is currently zoned R-2 (Two-Family)

Rezoning and Comprehensive Plan Amendment

The applicant is requesting that the property be rezoned to DF (Development Flex) to accommodate the construction of four twinhome units. This zoning district was chosen by the applicant so the site could accommodate four twinhome units rather than two twinhome units, which is all that could be constructed under the normal R-2 zoning district requirements. By rezoning the property to DF the applicant gains reduced lot sizes resulting in greater unit density and some reduction in setbacks, while the City is allowed additional flexibility in working with the applicant on upgrading the units and landscape plans.

The property to the south of this development is zoned DF (Development Flex), and the townhome units on that property are considered medium density. Therefore, this project is a nice transition to the property to the south.

At this time, staff is amenable to rezoning and is recommending approval. In addition, the density of the site (5.2 units per acre) requires that a comprehensive plan amendment be processed to allow for medium density on the site; therefore, a comprehensive plan amendment from LDR (Low Density Residential) to MDR (Medium Density Residential) is being requested.

Preliminary Plat

The preliminary plat consists of eight twinhome lots and one common lot. Each twinhome lot is considered a zero lot line split for the building pad and each lot is 2,470 square feet (6,250 square feet is required in the R-2 zoning district). Lot 9, which is to be under common ownership, is 1.08 acres. This results in one housing unit for every 8,275 square feet of area.

Park dedication is required for eight new units at the rate of \$1,700 per unit, or a total of \$13,600. This payment is required prior to release of plat for recording at Anoka County.

Engineering Comments

Utilities have been installed to the edges of this proposed development and assessments levied for the improvements. The assessments will be paid by the developer as each lot is transferred. The developer will be required to extend the facilities to serve the individual units. As proposed, the indicated shown improvements should be modified to provide the water main within the right of way of Ulysses Street and the sanitary sewer and storm sewer, which will be private, within the property of the development. The design of the utility improvements is acceptable, however, the storm sewer needs ponding prior to entering the storm sewer system. This could be accomplished by installation of grassy swales. Final utility plans must be provided before work can start.

The internal street will be private, typical of all townhome developments, and as shown on the plan, is of acceptable width and structure. The amount of traffic generated by the development is low consisting of approximately 50 trips per day.

Easements, as shown, will be acceptable upon filing of the plat.

Conditional Use Permit—Site Plan

Setbacks: All setbacks as shown on the plat and site plan meet the requirements of the R-2 zoning district with the exception of the front yard setback along Ulysses Street. The setback along Ulysses Street would normally be required to be 35 feet, but the site plan indicates the setback is 25 feet. Staff believes this setback is acceptable.

Units: All units are approximately 1,600 square feet and have a 20-foot by 20-foot garage which meets the requirements of the Zoning Ordinance. All units have brick on more than half of the front elevations, incorporated with glass and siding. The rear of the units consist of

glass and siding, but have enhanced roof lines that break up the rear of the unit. This site is located within the Highway 65 Overlay District, and these units meet the architectural requirements of this district.

As part of the conditional use permit approval, staff is recommending that brick be extended to the roof line on the front of the garages rather than stopping just below the roof line.

Landscaping: The landscape plan also meets the requirements of the Highway 65 Overlay District. Careful consideration has been given to the reduced setback area along Ulysses Street and 15 conifer trees have been located in this area to mitigate the effects of the road and the adjacent development. Some of the existing trees are proposed to be saved along the west edge of the development. A condition has been added that requires the developer to properly fence the trees prior to site work, and that the fencing requires the approval of the City Forester before any site work can begin.

One of the concerns brought up at the public hearing was in regard to screening headlights that are directed towards adjacent residences to the west of this property. Staff has added a condition below that states that eight six-foot conifer trees must be planted 15 feet on center on the west edge of the driveway to block headlights from adjacent properties.

The entire site must have underground irrigation for all landscaping and the entire site must be sodded over four inches of black dirt which shall contain no more than 35% sand.

The following size standards should be applied to the trees on site:

Overstory: 2 ½ inch caliper
Conifer: six feet in height
Ornamental: 2 inch caliper.

Parking: The Planning Commission expressed some concern regarding the lack of parking on site. Staff believes it is reasonable to increase the entrance drive and drive aisle to a width of 29 feet to accommodate parking spaces on both sides of the drive aisle. A condition has been added that requires the developer to revise the plans as such, and to adjust the length of the driveways to do so, rather than moving the structures. This should provide ample parking for the residents and their guests.

RECOMMENDED COUNCIL ACTION:

By motion, introduce Ordinance No. 03-1970 for first reading and direct that it be placed on file for second reading at the April 17, 2003, Council meeting.

ATTACHMENTS:

[Ordinance No. 03-1970](#)

[Staff Report 03/11/03](#)

[Unapproved PC Minutes 03/11/03](#)

[Email from Adjacent Resident](#)

CITY OF BLAINE

ORDINANCE NO. 03-1970

**AMENDING THE ZONING CODE OF THE CITY OF BLAINE
SO AS TO PROVIDE CHANGES IN THE ZONING CLASSIFICATION
CASE FILE 03-15**

THE CITY OF BLAINE DOES ORDAIN: (Added portions are underscored and deleted portions are shown in brackets 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:

OUTLOT A, PETERSON ESTATES 1st ADDITION, ANOKA COUNTY, MINNESOTA.

Section 2. The above described property is hereby rezoned from:

~~[R-2 (Two Family)]~~
to
DF (Development Flex)

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 the 3rd day of April 2003.

PASSED by the City Council of the City of Blaine this _____ day of _____ 2003.

Tom Ryan, Mayor

ATTEST:

Jane M. Hall, CMC, City Clerk



REQUEST FOR PLANNING COMMISSION ACTION

Item No. 4.4

MEETING DATE: March 11, 2003

BY:

Lori S. Thomsen

APPROVED:

Bryan K. Schafer

CASE FILE NO.: 03-15

ITEM: a) Comprehensive Plan Amendment
b) Rezoning
c) Preliminary Plat
d) Conditional Use Permit

PETITIONER: Dailey Companies, Inc.

LOCATION: Ulysses Street/129th Avenue NE

ZONING/LAND USE: R-2 (Two Family)
LDR (Low Density Residential)

AREA: 1.53 Acres

APPLICABLE REGULATIONS: Chapter 18 of the Subdivision Ordinance, Sections 27.03 and 29.80 of the Zoning Ordinance

ATTACHMENTS: [Zoning/Location Map](#)
[Preliminary Plat](#)
[Elevations](#)
[Floor Plans](#)
[Landscape Plan](#)

TENTATIVE SCHEDULE:

Planning Commission Public Hearing: 03/11/03
City Council 1st Reading: 04/03/03
City Council 2nd Reading, CUP, Pre Plat, Comp Plan: 04/17/03
Watershed District Approval—needs to apply
Begin Site Work: Spring 2003

REQUEST: The applicant is requesting the following:

- a) Comprehensive plan amendment from LDR (Low Density Residential) to MDR (Medium Density Residential).
- b) Rezoning from R-2 (Two Family) to DF (Development Flex)
- c) Preliminary plat approval to subdivide 1.53 acres into eight (8) lots and one (1) common lot to be known as Dailey's Fair Oaks.
- d) Conditional use permit to allow for construction of four (4) twin homes in a DF (Development Flex) zoning district.

BACKGROUND:

Dailey Companies, Inc. is proposing to develop four twinhome units on the parcel of land immediately west of the existing Wash and Fill Station on 129th Avenue and Highway 65. This parcel of land has remained vacant for some time and is currently zoned R-2 (Two-Family)

Rezoning and Comprehensive Plan Amendment

The applicant is requesting that the property be rezoned to DF (Development Flex) to accommodate the construction of four twinhome units. This zoning district was chosen by the applicant so the site could accommodate four twinhome units rather than two twinhome units, which is all that could be constructed under the normal R-2 zoning district requirements. By rezoning the property to DF the applicant gains reduced lot sizes resulting in greater unit density and some reduction in setbacks, while the City is allowed additional flexibility in working with the applicant on upgrading the units and landscape plans.

The property to the south of this development is zoned DF (Development Flex), and the townhome units on that property are considered medium density. Therefore, this project is a nice transition to the property to the south.

At this time, staff is amenable to rezoning and is recommending approval. In addition, the density of the site (5.2 units per acre) requires that a comprehensive plan amendment be processed to allow for medium density on the site; therefore, a comprehensive plan amendment from LDR (Low Density Residential) to MDR (Medium Density Residential) is being requested.

Preliminary Plat

The preliminary plat consists of eight twinhome lots and one common lot. Each twinhome lot is considered a zero lot line split and each lot is 2,470 square feet (6,250 square feet is required in the R-2 zoning district). Lot 9, which is to be under common ownership, is 1.08 acres.

Park dedication is required for eight new units at the rate of \$1,700 per unit, or a total of \$13,600. This payment is required prior to release of plat for recording at Anoka County.

Engineering Comments

Utilities have been installed to the edges of this proposed development and assessments levied for the improvements. The assessments will be paid by the developer as each lot is transferred. The developer will be required to extend the facilities to serve the individual units. As proposed, the indicated shown improvements should be modified to provide the water main within the right of way of Ulysses Street and the sanitary sewer and storm sewer, which will be private, within the property of the development. The design of the utility improvements is acceptable, however, the storm sewer needs ponding prior to entering the storm sewer system. This could be accomplished by installation of grassy swales. Final utility plans must be provided before work can start.

The internal street will be private, typical of all townhome developments, and as shown on the plan, is of acceptable width and structure. The amount of traffic generated by the development is low consisting of approximately 50 trips per day.

Easements, as shown, will be acceptable upon filing of the plat.

Conditional Use Permit—Site Plan

Setbacks: All setbacks as shown on the plat and site plan meet the requirements of the R-2 zoning district with the exception of the front yard setback along Ulysses Street. The setback along Ulysses Street would normally be required to be 35 feet, but the site plan indicates the setback is 25 feet. Staff believes this setback is acceptable.

Units: All units are approximately 1,600 square feet and have a 20-foot by 20-foot garage which meets the requirements of the Zoning Ordinance. All units have brick on more than half of the front elevations, incorporated with glass and siding. The rear of the units consist of glass and siding, but have enhanced roof lines that break up the rear of the unit. This site is located within the Highway 65 Overlay District, and these units meet the architectural requirements of this district.

As part of the conditional use permit approval, staff is recommending that brick be extended to the roof line on the front of the garages rather than stopping just below the roof line.

Landscaping: The landscape plan also meets the requirements of the Highway 65 Overlay District. Careful consideration has been given to the reduced setback area along Ulysses Street and 15 conifer trees have been located in this area to mitigate the effects of the road and the adjacent development. Some of the existing trees are proposed to be saved along the west edge of the development. A condition has been added that requires the developer to properly fence the trees prior to site work, and that the fencing requires the approval of the City Forester before any site work can begin.

The entire site must have underground irrigation for all landscaping and the entire site must be sodded over four inches of black dirt which shall contain no more than 35% sand.

The following size standards should be applied to the trees on site:

Overstory: 2 ½ inch caliper
Conifer: six feet in height
Ornamental: 2 inch caliper.

RECOMMENDATION: In Planning Case **03-15A and B**, it is recommended that the Planning Commission recommend approval of the comprehensive plan amendment and rezoning based on the following rationale:

1. DF (Development Flex) is the appropriate zoning district for this property to allow the developer and the City to provide a product that will enhance the viability of the site for four twinhome units, while providing enhanced elevations of the twinhomes to make this a nice product for consumers who wish to purchase one of the townhomes.
2. The property to the south of this development is zoned DF (Development Flex), and the townhome units on that property are considered medium density. Therefore, this project is a nice transition to the property to the south.
3. MDR (Medium Density Residential) is the appropriate land use designation for a project with a density that exceeds five units per acre.

In Planning Case **03-15C**, it is recommended that the Planning Commission recommend approval of the preliminary plat based on the following conditions:

1. Park dedication is required for eight new units at the rate of \$1,700 per unit, or a total of \$13,600. This payment is required prior to release of plat for recording at Anoka County.

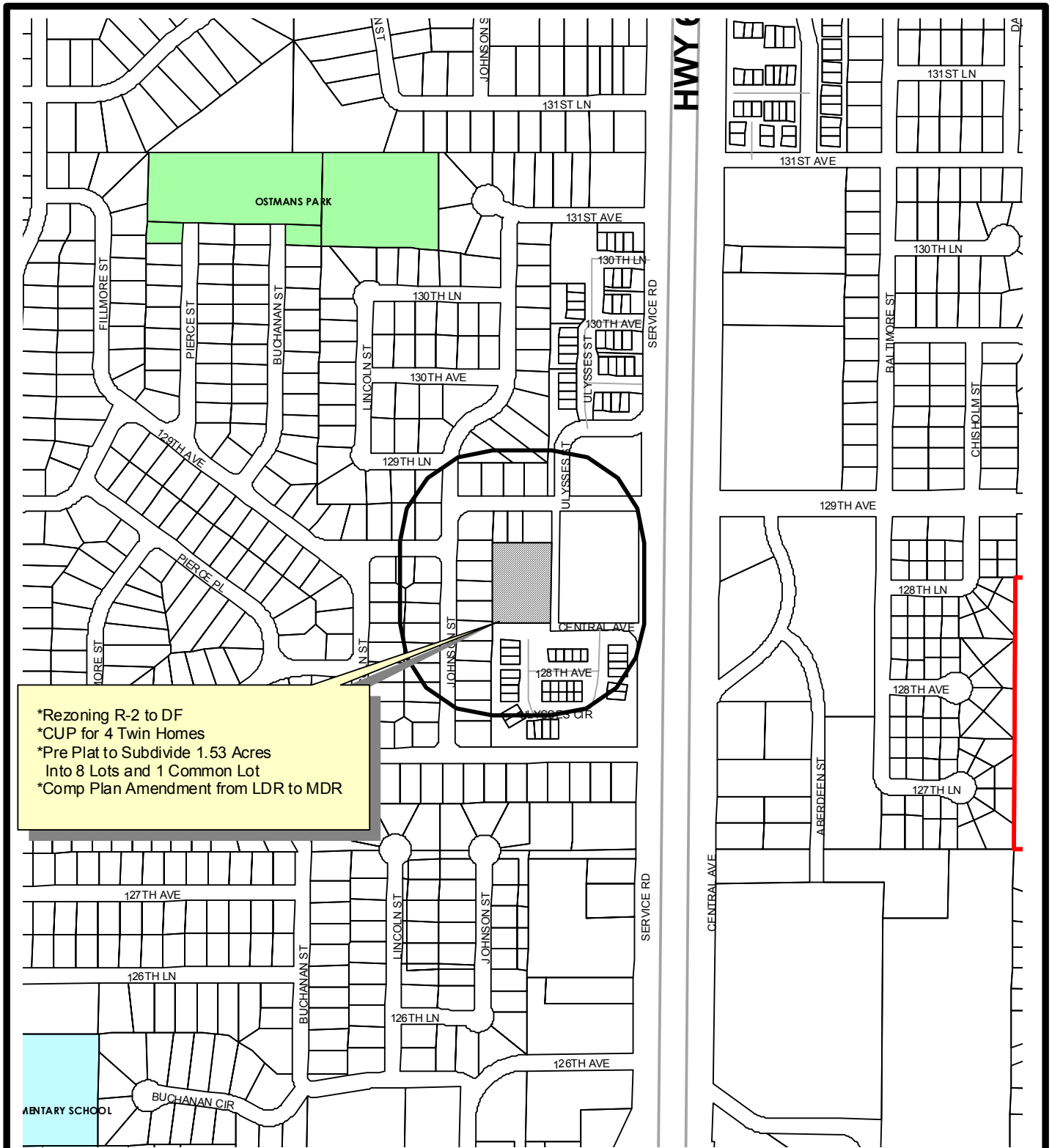
2. Water and sewer availability charges (WAC and SAC) become due with each building permit.
3. Each townhouse unit must be individually served with a sanitary sewer and water service. Each individual water service will require a curb stop and box.
4. Dedication of standard utility and drainage easements along all lot lines.
5. An As-Built Survey will be required to verify lowest opening elevation for each structure.
6. Developer to submit uniform grouped mailbox design with a location plan coordinated between the City and the US Postal Office.
7. Site plan approval is required prior to any work being performed on site. This approval will include the submission of a site improvement performance agreement and associated financial guarantee for all improvements to be installed on site.
8. Submission and City approval of grading, sediment control, and surface restoration plan is required before any work is performed on site.
9. Applicant to obtain a permit from the Coon Creed Watershed District prior to any work being performed on site.
10. Applicant to obtain a NPDES II permit from the Pollution Control Agency for grading and sediment control.
11. Applicant to obtain City approval of final utility and street improvement plans with modification of storm drainage as stated. Water main installation will be public, sanitary and storm sewer improvements will be private.
12. Install a street light, street sign and traffic control sign at the intersection of the private street with Ulysses. The private street name shall follow the Anoka County grid system, i.e. 128th Lane.

In Planning Case **03-15D**, it is recommended that the Planning Commission recommend approval of the conditional use permit based on the following conditions:

1. The site must meet the Highway 65 Overlay District requirements in terms of landscaping and building elevations.

2. Brick to be extended to the roof line on the front of the garages rather than stopping just below the roof line.
3. The development of the site to be consistent with the plans presented as part of this report and conditional use permit application.
4. The developer to properly fence the existing trees to remain prior to site work, and the fencing requires the approval of the City Forester before any site work can begin.
5. The entire site must have underground irrigation for all landscaping and the entire site must be sodded over four inches of black dirt which shall contain no more than 35% sand.
6. The following size standards should be applied to the trees on site:

Overstory:	2 ½ inch caliper
Conifer:	six feet in height
Ornamental:	2 inch caliper.



1 inch = 500 feet

ZONING AND LOCATION MAP

CASE # 03-15



City of Blaine - 10801 Town Square Drive. - Blaine, MN 55449 (763) 785-6180



VICINITY MAP

MAJESTIC BUNKER

LAKE BLVD

MAJESSON RD

129TH AVE NE

SITE LOCATION

MAYN STREET (HWY 242)

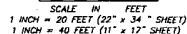
177TH

HWY 65

ENGINEER/SURVEYOR

1611 HIGHWAY 10 N.E.
SPRING LAKE PARK, MINNESOTA 55432
PHONE: (763) 780-4100

LOT 9 OF THIS DEVELOPMENT WILL
INCLUDE A BLANKET EASEMENT
OVER THE ENTIRE LOT FOR
DRAINAGE AND UTILITIES



Floor plan of a two-unit apartment building. The plan shows two units, 'TWIN' (Unit 1) and 'HOME' (Unit 2), each with a living area, dining area, kitchen, and bathroom. Unit 1 has a living area of 38' x 38', a dining area of 38' x 38', a kitchen of 38' x 38', and a bathroom of 38' x 38'. Unit 2 has a living area of 38' x 38', a dining area of 38' x 38', a kitchen of 38' x 38', and a bathroom of 38' x 38'. The plan also includes a garage (GAR) and a stoop/walk area. Dimensions are provided for various rooms and overall sections.

_____ = BOUNDARY LINE
 _____ = LOT LINE
 _____ = DRAINAGE & UTILITY EASEMENT LINE
 _____ = PROPOSED DRIVEWAY
 P = PROPOSED PATIO
 D = PROPOSED DECK

TOTAL OF BOUNDARY AREA = 66,850± SQ.FT.\1.53 AC.
TOTAL OF LOT AREA - 802,470 = 19,760± SQ.FT.
TOTAL DENSITY = 5.2 UNITS\ACRE
TOTAL OF LOT 9 = 47,090± SQ.FT.\1.08 AC.
LOT 9 IS TO BE COMMON OWNERSHIP

Outlot A, Peterson Estates 1st Addition,
Anoka County, Minnesota.

FOR THIS PLAN, THE NORTH LINE OF OUTLOT A, PETERSONS ESTATES 1ST ADDITION, IS TO BEAR N 88°53'11"E.

[illegible]

PASSE ENGINEERING, INC.

MINNEAPOLIS • LAND SURVEYORS
J. L. DSON • CHAIRMAN
(763) 780-4113 • (715) 381-1150 • (763) 889-

mail: posvie@posvie-eng.com

DAILEY'S FAIR OAKS

PRELIMINARY PLAT

City of Blaine, Minnesota

	MAY	I HEREBY CERTIFY THAT THIS PEARL SPECIFICATION AS SHOWN WAS APPROVED BY THE BOARD OF
GRANDS		

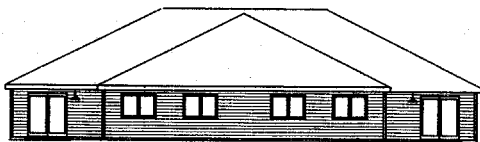
ON ACCOUNT HAS PREPARED BY ME OR UNDER MY
DIRECT SUPERVISION AND THAT I AM A QUALI
FIED PROFESSIONAL ENGINEER UNDER THE
LAW OF THE STATE OF MONTANA.

23.000	27/02	0.000	0.000	0.000
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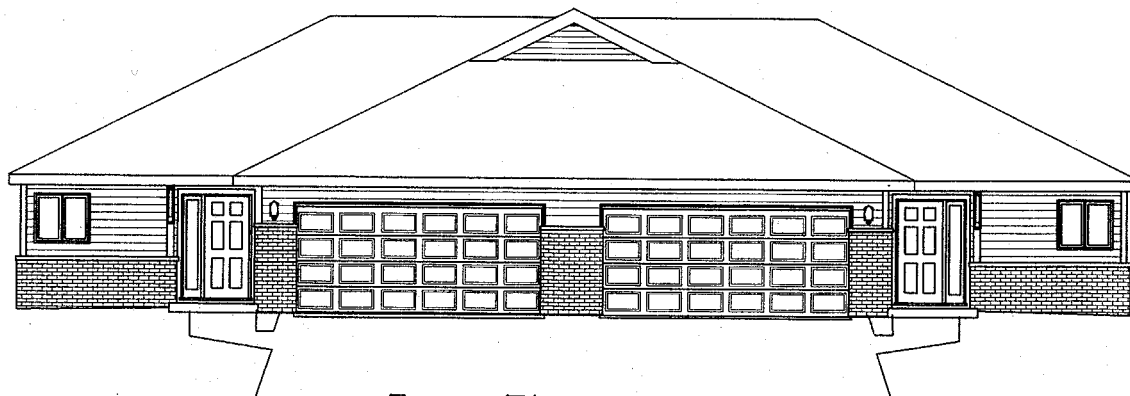
C:



Rear Elevation



Side Elevation



Front Elevation

Scale 1/4" = 1'-0"

Dailey's
Fair Oaks Townhomes
Ulysses Street N.E.
Blaine, MN 55449

Dailey Homes Inc.
1471 91ST. AVE. N.E.
BLAINE MN. 55449
(763) 784-3910

DATE: 02/17/2008

PLAN: 03-03

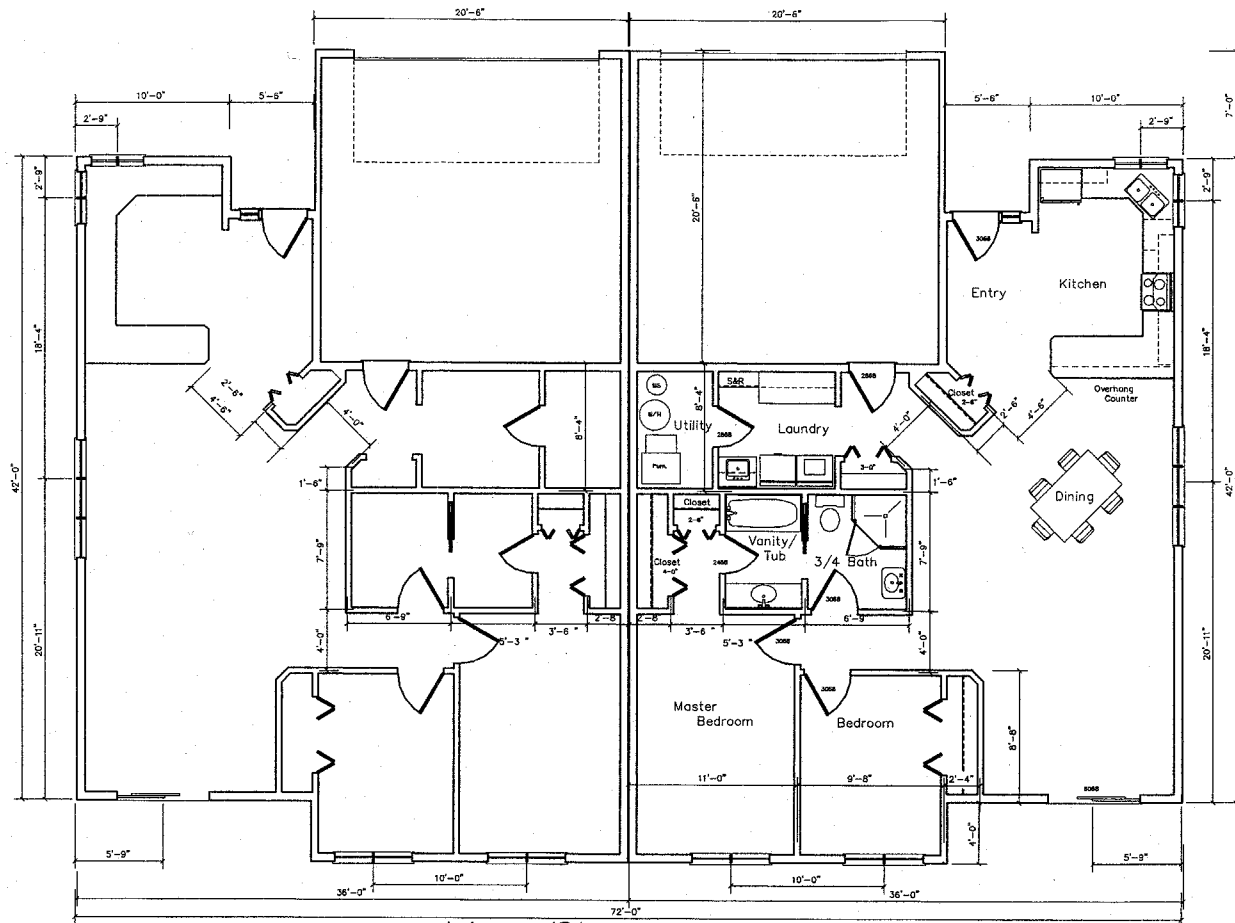
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PAGE

1 of 2



Floor Plan

Scale 1/4" = 1'-0"

Dailey's
Fair Oaks Townhomes
Ulysses Street N.E.
Blaine, MN 55449

Dailey Homes Inc.
1471 91ST. AVE. N.E.
BLAINE MN. 55449
(763) 784-3910

DATE: 02/19/2009

PLAN: 83-03

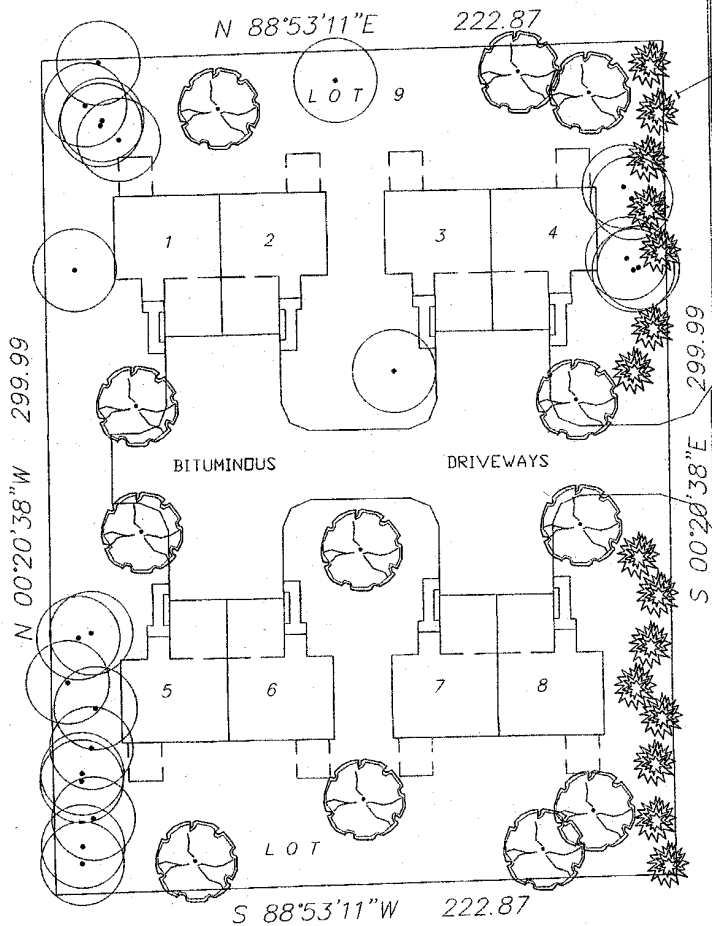
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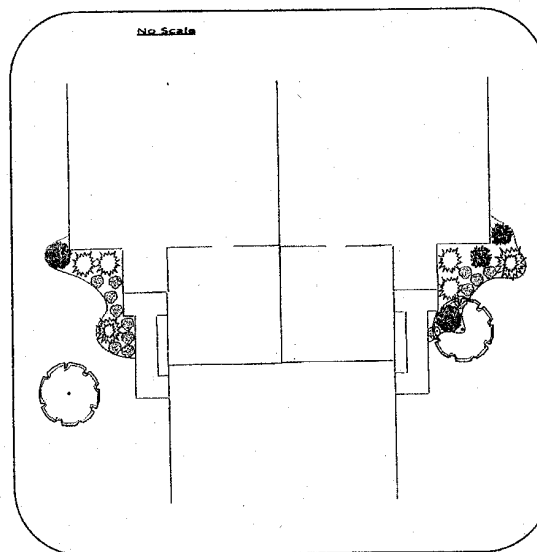
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2 of 2



TYPICAL ENTRY PLANTING



PLANT LEGEND

- Crab, Spring Snow 2" DB [8]
- Weigela, Red Prince 18" pot [8]
- Spiraea, Goldflame 18" pot [8]
- Juniper, Sea Green #6 pot [16]
- Spiraea, Goldmound 18" pot [86]
- Arbutus, Little Giant #6 pot [8]

TREE LEGEND

- Maple, Green Mt. Sugar 2.5" DB [12]
- Spruce, Black Hill 5" DB [12]
- Existing Tree [22]

GENERAL NOTES

Should a plant be unavailable at the time of installation, all substitutions are subject to the approval of the Owner and the City.

Mulch in shrubbery beds may be rock, the color of which may vary according to the siding and/or brick color of buildings. OR shredded hardwood bark mulch. A three inch depth of rock and/or shredded hardwood bark mulch over weed barrier is required.

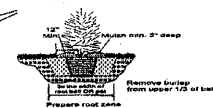
It is the responsibility of the Landscape Contractor to identify all underground utilities, cables, conduits, etc. on the property.

All plants shall be nursery grown and of specimen quality. Plants shall be free from defects, disfiguring knots, sunscald injuries, plant diseases, insect eggs, borers, and all forms of infestation.

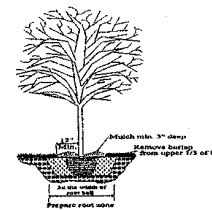
Edging between planting beds and sodded/seeded areas, will be of a high quality vinyl.

Tree guying shall be optional. The Landscape Contractor shall be responsible for maintaining trees in a straight upright condition for a period of twelve months following installation.

CENTRAL AVENUE



SHRUB INSTALLATION
Deadhouse and Evergreen Shrubs
Balled & Burlapped GRT Plants



TREE INSTALLATION
Deadhouse Tree
Balled and Burlapped

DAILEY COMPANIES
1471 - 91ST. Lane
BLAINE, MN 55449
764-3910

Taberg Lawn & Landscape
1981-2000

DAILEY COMPANIES
Daily Fair Oaks Twin Homes
BLAINE, MN

LANDSCAPE PLAN
EGP
1

DATE
2/1/2000
BY
JAN M.
SCALE
1\"/>

Item 4.4 – Case File 03-15 – Public Hearing – The applicant is requesting the following:

- a) Rezoning from R-2 (Two Family) to DF (Development Flex).
- b) Conditional use permit to allow for construction of four (4) twin homes in a DF (Development Flex) zoning district.
- c) Preliminary plat approval to subdivide 1.53 acres into eight (8) lots and one (1) common lot to be known as Dailey's Fair Oaks.
- d) Comprehensive plan amendment from LDR (Low Density Residential) to MDR (Medium Density Residential).

Dailey Companies, Inc., Ulysses Street/129th Avenue.

The report to the Planning Commission was presented by Lori Thomsen. The public hearing for Case File 03-15 was opened at 7:43 p.m.

Kurt Coon, 12825 Johnson Street, stated his first concern is regarding site drainage. He explained currently the lots south of him are both downhill from where he is. He would like to know if the lots will drain out to Ulysses Street or back towards the existing properties towards Johnson Street, which would have serious potential for problems. Ms. Keely explained it is expected that on the north side of lots 1, 2, 3 and 4 and the south side of lots 5, 6, 7 and 8 there would be a grassy swale area to hold storm drainage until it can flow east into the storm sewer in Ulysses Street.

Mr. Coon stated his second concern is the placement of the driveway. There currently are several shrubs that are planted in that area that will open directly to Ulysses Street and Highway 65, and there are no conditions listed for any landscaping. He does not want to have lights shining into his backyard. Ms. Thomsen advised the Commission could add a condition to place a row of conifers in that area to block headlights.

W. D Worley, 12949 Johnson Street, stated his property borders the northeast corner of this development and he has several concerns. He inquired what the function is of the common lot. Ms. Thomsen explained the common lot works similar as to in a townhome association. The owner of each individual unit owns from wall to wall with no landscaping or any surrounding property. The property around them, which is the common lot, is owned by the association to which each individual homeowner pays dues for maintenance of the common lot. This maintenance would refer to such things as mowing, snowplowing and landscaping.

Mr. Worley stated the properties on the west side of this development, which have been protected to some degree by the forest and wooded area, will have their backyards totally opened up. The residents are not against the development; however, the landscaping proposed seems to be totally inferior for blocking the backyards. These residents were thinking in terms of a fence to correspond with what has been there to run north/south on the west side of the property. He commented the area to be developed is between 7,000 and 8,000 square feet, which it seems would accommodate four normal home sites; his lot on the corner is 19,000 square feet. He inquired how they will squeeze parking and a driveway in this development. The most important issue is if these homes and units are designed for purchase or rent should this rezoning be successful. Lastly, if this conditional use permit is allowed he would like to know when they will see a more technical and physical plan to see what will really be there.

As no one further wished to appear, the public hearing was closed at 7:50 p.m.

Chair Anderson inquired about the landscaping. Ms. Thomsen responded part of the reason Staff did not require any additional landscaping is because they do not think many trees will be taken out. Most of the trees along the west property line will remain and Staff thought it would be an adequate buffer. There will be one existing tree along the north property line.

Commissioner Schultz asked if this will be part of an existing association. Ms. Thomsen responded it would be a new association; it is not affiliated with any surrounding developments.

Commissioner Bourke asked if there is presently fencing across either side of the property. Ms. Thomsen responded there is no fencing on this property, and she is not aware of what the individual homeowners have on the lots to the west.

Commissioner Bourke inquired if there is fire access to the site and if there is a designated area for snow removal. Ms. Thomsen responded there is fire access. She does not know if the development has a designated area for snow. Another option would be to take the snow off site if there is a problem, and that would be the responsibility of the developer.

Commissioner Lundeen inquired about issues with noise from the car wash to the east. Ms. Thomsen responded Staff added the conifer trees on that side of the site because of the car wash. She does not know if it would be appropriate to put a fence in the front yard of this project, and the adjacent car wash would be an existing condition when residents move in.

Commissioner Lahti inquired if the Highway 65 overlay district has noise abatement requirements. Ms. Thomsen responded Staff is hoping the trees will help in eliminating the noise factor. The overlay district does not require noise abatement standards.

Commissioner Lahti inquired about guest parking for the development. Ms. Thomsen responded the parking on this site is designed to be in front of the garages.

Ms. Keely advised she does not believe parking is allowed on Ulysses Street, as it was built as a part of the frontage road system six or seven years ago. Typically the City does not build collector routes with parking.

Commissioner Lahti inquired where people would park if there were more than two guests at a unit. Bryan Schafer responded there is a 25-foot drive that serves as an access and a 35-foot approach in front of each garage door that should be capable of four cars. There is also a 25 foot wide turn around with room for a couple more cars. He explained in the final design Staff may suggest the drive be changed to 29 feet, rather than the 35-foot approach, to give room for additional parking on the drive.

Commissioner Lundeen inquired about putting fencing along the west and north sides of the property.

Chair Anderson suggested more landscaping be considered, rather than a fence, which would require more maintenance. Landscaping would grow over the years and will serve the same purpose, however, it would not have the upkeep and aesthetics would be nicer.

Motion by Commissioner Heckman to recommend approval of Planning Case 03-15A, B, C and D, with the City and the developer to discuss changes to the driveway to provide additional parking space, and to discuss additional landscaping along the north and west property lines. Motion based on the following rationale and conditions:

Case 03-15A and B:

1. DF (Development Flex) is the appropriate zoning district for this property to allow the developer and the City to provide a product that will enhance the viability of the site for four twinhome units, while providing enhanced elevations of the twinhomes to make this a nice product for consumers who wish to purchase one of the townhomes.
2. The property to the south of this development is zoned DF (Development Flex), and the townhome units on that property are considered medium density. Therefore, this project is a nice transition to the property to the south.
3. MDR (Medium Density Residential) is the appropriate land use designation for a project with a density that exceeds five units per acre.

Case 03-15C:

1. Park dedication is required for eight new units at the rate of \$1,700 per unit, or a total of \$13,600. This payment is required prior to release of plat for recording at Anoka County.
2. Water and sewer availability charges (WAC and SAC) become due with each building permit.
3. Each townhouse unit must be individually served with a sanitary sewer and water service. Each individual water service will require a curb stop and box.
4. Dedication of standard utility and drainage easements along all lot lines.
5. An As-Built Survey will be required to verify lowest opening elevation for each structure.
6. Developer to submit uniform grouped mailbox design with a location plan coordinated between the City and the US Postal Office.
7. Site plan approval is required prior to any work being performed on site. This approval will include the submission of a site improvement performance agreement and associated financial guarantee for all improvements to be installed on site.

8. Submission and City approval of grading, sediment control, and surface restoration plan is required before any work is performed on site.
9. Applicant to obtain a permit from the Coon Creed Watershed District prior to any work being performed on site.
10. Applicant to obtain a NPDES II permit from the Pollution Control Agency for grading and sediment control.
11. Applicant to obtain City approval of final utility and street improvement plans with modification of storm drainage as stated. Water main installation will be public, sanitary and storm sewer improvements will be private.
12. Install a street light, street sign and traffic control sign at the intersection of the private street with Ulysses. The private street name shall follow the Anoka County grid system, i.e. 128th Lane.

Case 03-15D:

1. The site must meet the Highway 65 Overlay District requirements in terms of landscaping and building elevations.
2. Brick to be extended to the roof line on the front of the garages rather than stopping just below the roof line.
3. The development of the site to be consistent with the plans presented as part of this report and conditional use permit application.
4. The developer to properly fence the existing trees to remain prior to site work, and the fencing requires the approval of the City Forester before any site work can begin.
5. The entire site must have underground irrigation for all landscaping and the entire site must be sodded over four inches of black dirt which shall contain no more than 35% sand.
6. The following size standards should be applied to the trees on site:
 - Overstory: 2 ½ inch caliper
 - Conifer: six feet in height
 - Ornamental: 2 inch caliper.

Motion seconded by Commissioner Bourke. The motion passed 7-0.

The meeting was recessed at 8:01 p.m. The meeting was reopened at 8:06 p.m.

From: Robert B Hanscom [bubba163@juno.com]
Sent: Tuesday, March 11, 2003 9:11 PM
To: LLagoon@ci.blaine.mn.us
Subject: Rezoneing

Robert B Hanscom
12941 Johnson st,n.e
Blaine, Mn.55434

I do not support this rezoning, I would rather see single family homes in here.

Robert b. Hanscom



CITY OF BLAINE

TO: Mayor and City Council

REVIEWED:

FROM: Bryan K. Schafer, Planning Director

DATE: April 3, 2003

NO.: 11.9

ITEM: **DEVELOPMENT BUSINESS:** Resolution No. 03-46, Accepting the AUAR (Alternative Urban Area Review) for The Lakes Mixed Use Development.

(Case File No. 02-71/BKS)

SCHEDULE OF ACTIONS:

- Planning Commission(Public Hearing).....N/A
- City Council (Ordering the AUAR) 11/21/02
- City Council (Accepting the AUAR)..... 04/03/03

BACKGROUND:

The City of Blaine ordered an AUAR in November 2002 to initiate the environmental review process for "The Lakes" development. The Lakes is a 1,080-acre mixed-use development and is proposed at a site currently undeveloped or used as sod farms. This development is consistent with the City of Blaine's comprehensive plan as adopted on October of 2002. Under the preferred development scenario approximately 661-675 acres will be developed into 3,700 residential units. The remaining land will consist of 68-82 acres of commercial/industrial sites, 82 acres of parkland, 191 acres of constructed surface water bodies and 65 acres of parkway, collectors or gateway.

The AUAR was prepared and distributed to all of the potential commenting agencies. Comments from five agencies were received and are outlined below including the City's response on each issue.

DNR Comments

DNR Permit is not required for work in the beds of public waters. This has been corrected in the Final AUAR document.

DNR Permits will be needed for construction dewatering and may be needed for withdrawals from the lake. Also, city permits will need to be amended for any new supply wells. This has been corrected in the Final AUAR document.

Land use and lot configuration will make water quality management a difficult issue. The long term plan should include education for owners. Basic water quality management concepts will be incorporated into the site plans. These concepts will be consistent with the city Comprehensive Plan and the Stage 2 NPDES permit. Education could include a variety of methods, and may include regional signage, association notification, city newsletters, or direct mailings.

Recreational use of the development's lakes should be enhanced by coordination with DNR's Fishing in Neighborhood program. These opportunities are beyond the scope of the AUAR, but will be explored.

The use of conservation landscaping is encouraged to minimize water use for irrigation. A comprehensive landscape plan will be developed as part of the permitting process. All site plans will be consistent with the city Comprehensive Plan and minimize reliance on the City's potable water supply, such as utilizing surface water or private wells.

Runoff rate and volume control encouraged. These elements are already incorporated into the design under city requirements.

MPCA Comments

Improvements noted in the AUAR must be implemented to support findings of the traffic study. The specified improvements will be coordinated at each stage of planning and zoning approvals.

The city should coordinate with Metropolitan Council on transit issues. The City and developer have been in contact with and will continue to work with Met Council and Anoka County regarding transit, shuttle and carpool service for this area.

The proposer should consider additional measures to mitigate runoff rate increases. The site hydrology has been engineered to meet or exceed all local, state and federal runoff requirements.

Support is offered for the efforts on wetland conservation regional septic system upgrade. No response is necessary.

Anoka County Comments

The average daily traffic data used for Lexington Avenue are suspect. More time is sought to work in the details of the AUAR data. The City and developer are aware of the issue

regarding traffic forecasts for Lexington Avenue and will continue to assist the County's consultant, as needed. Data utilized in the analysis is consistent with the Comprehensive Plan.

An additional north-south collector is recommended within the development. The development scenarios within the AUAR do not preclude this type of roadway alignment.

A county right-of-way permits required. This has been corrected in the Final AUAR document.

The 125th Ave NE designation is not correct. Also, average daily traffic data are not consistent with the county's information. Designation and ADT for 125th Avenue NE have been modified to reflect current Anoka County information in the Final AUAR document.

No details are provided and no assurances are offered regarding transit incorporation. These should be set now to help assure future development. The City and developer have been in contact with Met Council and Anoka County and have agreed to provide for a transit friendly development. However, detailed plans for the provision of these services cannot be established at this time without a fundamental framework of service to the region.

125th Ave. NE designation is in error and travel demand management (TDM) details are lacking. The City will work with the developer to generate a TDM platform for the office/light industrial portion of the development to include staggered work shifts, carpool incentives, model shift encouragement, etc. Detailed plans will be created as this portion of the area develops and potential uses are known. It is noted that the diverse housing types proposed in The Lakes will appeal to all market types and demographics resulting in an anticipated greater range in work schedules and expanded drive times.

Confirm infrastructure upgrade costs are not county's. The participation of the developer to mitigate their impacts will occur as warrants are satisfied for infrastructure upgrades and in accordance with evolving City/County participation policy.

Infrastructure impacts should be listed. Details on these issues have been expanded in the Final AUAR.

125th upgrade costs must be born by the City or developer. As this area and other adjacent properties develop, it is understood mitigation to the 125th Avenue NE corridor will need to be provided by the benefiting parties in accordance with evolving City/County participation policy.

Metropolitan Council Comments

Scenario 1 is supported. No response is necessary.

Surmountable curbs recommended to facilitate amphibians and reptile movement. These elements have been added to the Final AUAR.

Retention of more high quality woodland is requested. The site plans have been developed to maintain a large proportion of these areas. Additionally, the city is working with the developer to secure additional wooded areas for preservation.

Restrict lawn chemicals to protect water quality. Fertilizer application is already regulated by state. This will be noted in the association documents.

Native planting is encouraged to minimize care needs. The developers will work with builders to encourage such plantings. This concept is consistent with the goals of the recently approved Comprehensive Plan and the requirements of the pending Stage 2 City NPDES Storm Water Permit.

Steps to obtain a conditional letter of map revision (CLOMAR) from FEMA for the 100 yr flood plain map need to be specified. This information has been added to the Final AUAR. The developer will work with the city staff to resolve these issues in the most appropriate manner.

Low-impact development concepts should be integrated. These issues will be pursued through the planning and zoning process. Development plans will be consistent with concepts established in the Comprehensive Plan.

Scenario 2 is supported. No response is necessary.

Discussion regarding Metro Transit's intention for area service need to be clarified. This information has been incorporated into the Final AUAR.

Expand total land cover analysis descriptions to include acreage. A table of these acreages has been added to the Final AUAR.

Additional oak woodland area should be preserved. The site plans have been developed to maintain a large proportion of these areas. The city is currently negotiation with the developer to acquire additional forested areas.

The developer and city are encouraged to coordinate regional trail issues with the County. These issues will be coordinated through ongoing dialog between City and County staff. A corridor has been established by the developer as part of the preliminary plat.

Development of affordable housing is encouraged. This issue is beyond the scope of the AUAR.

MnDOT Comments

There is a typographic error between Figure 9A and Figure 9B. This has been corrected in the Final AUAR document.

The Developer should model traffic at the TH65 and 125th interchange. The City and developer are aware of the joint powers agreement to improve the TH65 / 125th Avenue NE intersection. The information regarding this development has been shared with the hired consultant (SEH) and is being used to develop alternative interchange designs. No further analysis is necessary.

MITIGATION PLAN

The purpose of an AUAR is to identify potential environmental impacts related to a proposed project or comprehensive plan. The AUAR is also meant to be a tool to define mitigation measures associated with identified environment concerns. The AUAR deals with conceptual aspects of a project, potential environmental impacts, and mitigation plans. In the case of “The Lakes” AUAR, a substantial amount of Site-specific information was collected and analyzed.

Question 8 of the AUAR identifies the permits and approval needed for the project. Permits and approvals will come from local watershed districts, the City of Blaine, Anoka County, various state agencies, and several federal agencies. These permits contain detailed site-specific requirements and mitigation measures to continue with the project. Most of these permits and approvals will be obtained after the AUAR has been approved and will contain additional detail on mitigation plans.

Following are brief discussions of identified potential environmental impacts and generalized mitigation methods.

On-Site Wells

After the sale and vacancy of the farmsteads, unneeded domestic and irrigation wells will be abandoned according to Minnesota Department of Health requirements.

On-Site Septic Systems

After the sale and vacancy of the farmsteads, all septic systems will be abandoned according to state requirements.

Impacts to Neighboring Wells

Any potential temporary interruptions of neighboring wells during dewatering of “The Lakes” development can be supplemented with water via trucks or other means as required.

Wetlands

The project will impact wetlands at the Site. The project will obtain permits from the U. S. Army Corp of Engineers and two local watershed districts. The developer will work with local, county, state, and federal agencies to develop a mitigation plan as part of the permitting process.

Wildlife Habitat/Natural Communities

The change of the property from a rural agricultural setting to a residential development with small areas of industrial/commercial/retail use will have minor effects on the wildlife and plant communities. The majority of the Site is not currently wildlife habitat, and the proposed development will save the majority of the habitat on the Site. Some wildlife habitat will be displaced over portions of the Site, but a relatively large tract of undeveloped green space will be left undeveloped in the southeastern portion of the property. This undeveloped area also contains much of the tree cover at the property. This undeveloped portion will remain connected to the City of Blaine’s open space adjacent to the property. The City of Blaine is currently in discussions with The Lakes developers to obtain this portion of the development to augment their existing open space. The development of the Site will conform with the City of Blaine’s Tree Preservation Plan. Road design will allow for surmountable curbing (where allowed by county and city design specifications) to facilitate amphibian and reptile movement.

Construction Activities

Noise, fugitive dust, and erosion may occur during initial construction activities.

- Noise impacts will be mitigated by using properly muffled equipment and limiting the hours of construction.
- Dust will be controlled using Best Management Practices (BMPs) consisting of the following practices: limiting the amount of exposed soils, re-vegetating/repaving the areas as soon as practicable, and watering unpaved areas, mining operations, and stockpiles as required during dry and windy conditions.

- The proposed construction plans will include the following BMPs to minimize erosion during construction: erosion control fences, inlet filters, vegetation establishment schedules, erosion control fabrics, mulch, hay bales, diversion channels, temporary cover crops, sod, and landscaping. Also, dike terraces, slope grading techniques, temporary sediment basins, and rock construction entrances will be utilized as required. In addition, periodic street cleaning on adjacent local roads will be coordinated by the City of Blaine.

Stormwater Management and Water Quality

Many of the comments received on the Draft AUAR were directed at stormwater/runoff and water quality issues related to the urbanization of the Site. There are many ways to mitigate these issues including structural (physical methods) and non-structural (policy, public education, etc). The federal government has established National Pollutant Discharge Elimination System (NPDES) permits for Storm Water Program for Municipal Separate Storm Sewer Systems (MS4). Both Anoka County and the City of Blaine meet the mandatory requirements to obtain NPDES Phase II permits for their communities. The City of Blaine has addressed these concerns in their pending NPDES Phase II permit and their comprehensive plan. Following is brief discussion of potential site-specific methods that could be used at the “The Lakes” development beyond those identified in the Phase II permit.

- Stormwater Management -- On-Site water quality of the runoff from the development will be typical of a suburban residential mixed with minor commercial development, resulting in increased amount of phosphates and other typical components of urban runoff. Runoff from the development will be treated in numerous on-Site storm water detention ponds, discharged into the surface water body and/or ditch system, and ultimately be released from the Site at a flow rate that is less than or equal to existing conditions. Temporarily retaining water on the Site in ponds will allow nutrients and pollutants to precipitate as sediment colloids, effectively increasing the quality of water released from the Site. The stormwater ponds will be constructed as part of the project to protect receiving waters from runoff. These will be National Urban Runoff Program (NURP) ponds designed in accordance with the Walker Method for water quality and rate control.
- Water Quality -- A large emphasis will be placed on maintaining the quality of the larger water bodies on site, as they are considered a great amenity to the project. Studies were performed by a limnologist to determine the best scenario for constructing these water bodies. The result of this study indicated that backfilling to create an overall water depth of approximately 14' would prevent lake turnover. In addition, every effort will be made to assure that water flowing into these water bodies is pretreated, and that any additional measures necessary to assure water quality and long term viability of these water bodies will be implemented.

Traffic (Through 2025)

The proposed development will increase traffic on roadways in the vicinity of the Site. Mitigation will include adding stoplights and turn lanes and widening roads as necessary during the various stages of the development. Following is a summary of potential mitigation measures identified in the Traffic Study for preferred development (Scenario 1):

125th Avenue NE

- 2009 Build - Upgrade to four-lane facility from Radisson Road NE to Lexington Avenue NE.
- 2025 Build - Same as 2009 Build.

Radisson Road NE and 125th Avenue NE

- 2009 Build - Dual left northbound; northbound approach to consist of two left turn lanes, a through lane and a shared through/right turn lane.
- 2025 No-Build - Dual left northbound and eastbound. Conversion of the northbound approach to two left turn lanes, a through lane and a shared through/right turn lane.
- 2025 Build - Same as 2025 No-Build.

Radisson Road NE and Cloud Drive NE

- 2009 Build - Construction of a traffic signal with permitted phasing for eastbound/westbound left turns and protected phasing for northbound and southbound left turns. Reconstruction of the westbound approach to provide a left turn lane and a shared through/right turn lane. Restriping of the northbound approach to include a right turn lane. Restriping of the southbound approach to include the existing "future" left turn lane.
- 2025 Build - Same as 2009 Build.

Radisson Road NE and 119th Avenue NE

- 2009 Build - Construction of a traffic signal with permitted phasing for eastbound left turns, protected phasing for northbound and southbound left turns and permitted/protected phasing for westbound left turns. Construction of a westbound approach to provide a left turn lane and a shared through/right turn lane. Restriping of the eastbound approach to provide a left turn lane and a shared through/right turn lane. Restriping of the northbound approach to include a right turn lane. Restriping of the southbound approach to include the existing "future" left turn lane. Possible road modifications to provide for Metro Transit Bus Pull Out.
- 2025 Build - Same as 2009 Build.

Radisson Road NE and Arnold Palmer Drive

- 2009 Build - Construction of a stop-controlled westbound approach to provide a left turn lane and a shared through/right turn lane. Restriping of the eastbound approach to provide a left turn lane and a shared through/right turn lane. Restriping of the southbound approach to include the existing "future" left turn lane.
- 2025 Build - Same as 2009 Build.

Radisson Road NE and Rodeo Drive NE

- No mitigation is proposed.

Radisson Road NE and 109th Avenue NE

- 2025 Build - The intersection is predicted to operate at or near capacity; therefore, it is suggested that the intersection be monitored to assess the need for improvements.

Radisson Road NE and 105th Avenue NE

- No mitigation is proposed.

Radisson Road NE and Interstate 35W Southbound

- No mitigation is proposed.

Radisson Road NE and Interstate 35W Northbound

- No mitigation is proposed.

Lexington Avenue NE and Interstate 35W Northbound

- 2025 No-Build - The intersection is predicted to operate at or near capacity, it is suggested that the intersection be monitored to assess the need for improvements such as a triple left eastbound, or the construction of a folded-diamond interchange.
- 2025 Build - Same as 2025 No-Build.

Lexington Avenue NE and Interstate 35W Southbound

- 2025 No-Build - Should three left turn lanes be provided at the northbound ramps, an additional through lane northbound or the construction of a folded-diamond interchange would become necessary.
- 2025 Build - Same as 2025 No-Build.

Lexington Avenue NE and 109th Avenue NE

- 2025 No-Build - Additional through lane eastbound and westbound.
- 2025 Build - Additional through lane eastbound and westbound. Because the intersection is predicted to operate at or near capacity, it is suggested that the intersection be monitored to assess whether additional improvements need to be undertaken.

Lexington Avenue NE and 119th Avenue NE

- 2009 Build - If this intersection is constructed it is suggested that it include a traffic signal with a northbound left turn lane and protected phasing and an eastbound approach with left and right turn lanes.
- 2025 Build - Same as 2009 Build.

Lexington Avenue NE and 125th Avenue NE

- 2009 Build - Dual left northbound.
- 2009 Build with access at 119th Avenue NE from Lexington Avenue NE, then no mitigation is necessary.
- 2025 Build - Same as 2009 Build.
- 2025 Build with access at 119th Avenue NE from Lexington Avenue NE, then no mitigation required.

125th Avenue NE and North Lake Boulevard

- 2009 Build - Construction of a stop-controlled northbound approach to provide left and right turn lanes. Reconfiguration of the eastbound approach to include two through lanes and a right turn lane. Reconfiguration of the westbound approach to include two through lanes and a left turn lane.
- 2025 Build - Same as 2009 Build.

125th Avenue NE and Harpers Street NE

- 2009 Build - Construction of a traffic signal with permitted phasing for eastbound, northbound and southbound left turns and permitted/protected phasing for westbound left turns. Construction of the northbound approach to provide a lane and a shared through/right turn lane. Construction of left turn lanes for the eastbound and westbound traffic and construction of a right turn lane for eastbound traffic.
- 2025 Build - Same as 2009 Build.

125th Avenue NE and Cloud Drive NE

- 2009 Build - Reconstruction of the northbound approach to include a right turn lane and left turn lane and construction of a left turn lane for westbound traffic and a right turn lane for eastbound traffic.
- 2025 Build - Same as 2009 Build.

Mitigation for Scenario 2 is included in Appendix D in the Traffic Study.

RECOMMENDED COUNCIL ACTION:

By motion, approve Resolution No. 03-46 accepting the AUAR response and mitigation plan.

ATTACHMENTS:

[Resolution No. 03-46](#)
[Location Map](#)

CITY OF BLAINE

RESOLUTION NO. 03-46

**ACCEPTING THE AUAR (ALTERNATIVE URBAN AREA REVIEW)
FOR THE LAKES MIXED USE DEVELOPMENT**

CASE FILE NO. 02-71

WHEREAS, Main Street Associates will be proposing the development of a mixed-use residential and commercial project at the southeast corner of Main Street and Radisson Road to be known as The Lakes; and

WHEREAS, the project requires an AUAR to be prepared; and

WHEREAS, the City of Blaine is the Responsible Governmental Unit (RGU) and has prepared an AUAR (Alternative Urban Area Review) with Mitigation Plan; and

WHEREAS, the AUAR has been reviewed by the required public agencies with comments received by five public agencies; and

WHEREAS, the City of Blaine has prepared a response for each agency comment and has distributed those responses to those agencies with no objections received by the City to the final AUAR or Mitigation Plan.

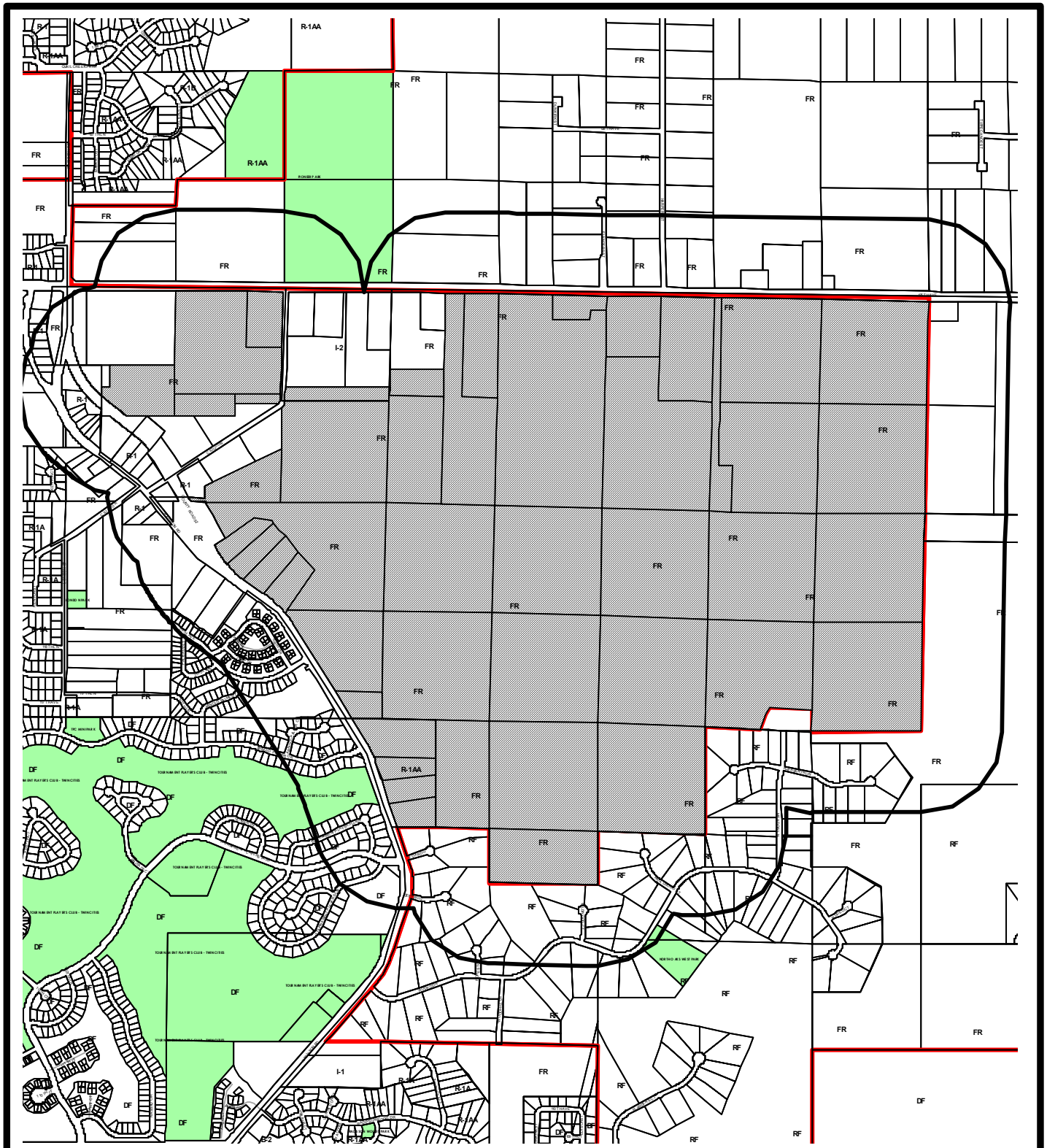
NOW, THEREFORE, BE IT RESOLVED that the City Council accepts the AUAR and Mitigation Plan for The Lakes development.

PASSED by the City Council of the City of Blaine this 3rd day of April 2003.

Tom Ryan, Mayor

ATTEST:

Jane M. Hall, CMC, City Clerk



1 : 1000'

ZONING AND LOCATION MAP

CASE # 02-71



City of Blaine - 10801 Town Square Drive - Blaine, MN 55449 (763) 785-6180





CITY OF BLAINE

TO: Mayor and City Council

REVIEWED:

FROM: Bryan K. Schafer, Planning Director

DATE: April 3, 2003

NO.: 11.10

ITEM: **DEVELOPMENT BUSINESS:** First Reading Ordinance No. 03-1974, Granting a Rezoning from FR (Farm Residential) to DF (Development Flex) East of Radisson Road and South of Main Street for The Lakes Development. Main Street 1000, LLC.

(Case File No. 03-16/BKS)

SCHEDULE OF ACTIONS:

- Planning Commission (Public Hearing) 03/11/03
- City Council (1st Reading Rezoning) 04/03/03
- City Council (2nd Reading Rezoning, Pre Plat, CUP)..... 05/01/03
- Action Deadline (Extended by City) 05/27/03

PLANNING COMMISSION:

The Planning Commission voted unanimously to approve the rezoning, conditional use permit and preliminary plat. There were three residents at the meeting who spoke about berming and landscaping along 125th Avenue locations for commercial development, phasing of traffic, signals, protections of existing wells and storm drainage concerns.

BACKGROUND:

Preparation for the anticipated development of this area began at the City level in late 2000 when discussions began regarding a comprehensive plan amendment that the City would undertake to study and plan for the future development of the City's Northeast Area. The resulting Northeast Area plan, specifically for that portion referred to in planning documents as the West Meadows area, was adopted by the City Council on October 5, 2002 and by the Metropolitan Council on February 12, 2003. As a result of the plan amendment this area was placed inside the MUSA (Metropolitan Urban Service Area) and urban land uses were established. This request, made by Main Street 1000 LLC, is based on the newly adopted Comprehensive Plan and MUSA boundary change.

A development of this large size requires a significant environmental review, which has been underway since September 2002. In this instance, an AUAR (Alternative Urban Area Review) has been prepared and is currently being reviewed by the required review agencies. The AUAR essentially takes the place of an EAW/EIS and the comments that are expected to be received for the AUAR will be addressed and AUAR accepted as final and complete prior to any action being taken by the City Council on the 2nd Reading of Rezoning, Conditional Use Permit or Preliminary Plat. The AUAR summary of issues as well as the traffic analysis summary has been attached for your review. The AUAR, and response to comments, is tentatively scheduled for consideration at the April 3, 2003 City Council meeting.

The Lakes development proposal consists of subdividing approximately 1,080 acres into a large subdivision with an initial phase of 1,645 dwelling units creating a variety of single and multi-family residential uses. Currently approximately 15 different housing product types have been identified with a minimum of five different local and national builders. The Lakes, when completed, could include up to 3,700 housing units. Initial site activity will focus along Radisson Road. The preliminary plat also includes many outlots for parks, ponds and trails as well as for a future phases of the development. The Lakes plan book that has been attached, describes in some detail the design elements of this development and should be referenced as this report is reviewed.

Because the developer is proposing several different housing styles with different design issues, platting requirements, lot sizes, markets and price ranges, the DF (Development Flex) zoning has been chosen to establish the minimum standards for each of these areas. The DF zoning is not anticipated to extend to the industrial/office area located adjacent to main Street and Cloud Drive. The appropriate zoning for that area will be considered at the time development of that area is being proposed.

The Lakes will have three primary access points including:

- Radisson Road at 119th Avenue (Lakes Parkway)
- 125th Avenue at Harpers Street
- Future connection to Lexington Avenue at approximately 121st Avenue (Lakes Parkway)

The Lakes will also have three secondary access points at:

- Radisson Road and 116th Avenue
- Cloud Drive (provides connections to 125th Avenue and Radisson Road)
- 125th Avenue approximately halfway between Harpers Street and Zest Street

The site's primary access from Radisson Road at 119th Avenue, proposed to be named Lakes Parkway, would provide a full movement access that would require signalization early in The Lakes development staging. The primary 125th Avenue access at Harpers Street would also be signalized at some point in the development staging. The future access to Lexington Avenue, when Lakes Parkway is extended with other development, would also require signalization.

Neighborhood Descriptions

In summary, The Lakes development is proposed to contain the following elements:

1. Fifteen owner occupied housing options including the following:

- a) Hans Hagen Homes- 334 units ranging from \$189,000 to \$375,000
 - 156 single loaded row townhomes in 7 and 9 unit buildings single-family homes.
 - 24 single level quad homes
 - 69 detached Arbor Homes on 55-foot lots with rear alley access. These single-family homes will have rear garages with an approximately 25-foot rear setback off a private service alley. The rear alley provides a very attractive front entrance to the public street and sidewalk system without driveway interruptions.
 - 85 detached Executive Homes on 75-85 foot lots
- b) Gorham Builders- 496 units ranging from \$275,000 to \$400,00+
 - 386 single family executive homes on 80-85 foot lots
 - 70 detached townhomes with shared driveways (similar to TPC)
 - 40 executive twinhome units

Many of the Gorham single-family lots will have rear yards that are adjacent to the larger more rural estate lots of North Oaks West. One of the design considerations outlined in the Northeast Area Study was to create a transition of lot sizes between the 2-3 acre North Oaks West Lots and the smaller more urban lots that will be developed in The Lakes. The lots proposed in the Gorham Homes area will have typical single-family lot frontages of 80-feet. If the Planning Commission feels that these lot widths should be expanded to provide a more gradual transitional it will require the Planning Commission recommending the removal of lots and establishing lot frontages greater than 80-feet to be consistent with that goal.

Lot depths in this area have been expanded by the developer with lots generally at 200 feet depth. Given this greater depth, the rear yard setbacks in these lots are proposed to be set at 75-feet. Most setbacks are expected to be between 75 and 100 feet.

- a) Hanson Builders- 59 units ranging from \$390,000 to \$650,000+
 - 59 single family executive homes on 80-85 foot lots, many with lake frontage on the west side of the lake
- b) Sharper Homes- 245 units ranging from \$160,000 to \$350,000
 - 86 detached townhomes, many with rear facing garages and private alley service drive
 - 113 row-style townhomes with rear facing garages
 - 46 single family homes on 70-foot lots

- c) Semler Homes- 155 units ranging in value from \$225,000 to \$350,000
 - 109 detached rambler style townhomes with a minimum 1480 square feet plus lower walkout level. Many with lake or open space frontage.
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 - d) Rottlund Homes- 356 units ranging from \$150,000 to \$250,000+
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 - 104 two-story, back to back style, Villa Townhomes by Rottlund. These units are based on units located in Deacons Walk and Club West
 - 156 Gable Townhomes. These are three stories, back-to-back style units that have the attached garages underneath two living levels. These homes are larger than the Villa models with attached decks over the garage entrances. These units have recently been approved at Club West
 - 48 Tradition style single-family homes on 52-foot lots. These homes, with floor plans between 1,600 and 2,400 square feet, were introduced in Club West. The unique aspect of these homes is the prominent front porch with recessed garages.
2. Development of five interconnected neighborhood parks ranging in size from just under one acre to approximately 20 acres. All parks to be connected by sidewalk, bikeway or off-street trail system. All parks, which primarily are located around the major parkway system, will feature enhanced landscaping, lighting and other park improvements. Improvements to be constructed by the developer and financed by credits against City Park Dedication fees.
 3. The Lakes, as the name implies, will include construction of 158 acres of interconnected open water in four or five major bodies. Roadway water crossings that will be constructed as part of the parkway loop system will have architecturally significant bridge features that will add to the upgraded nature and appeal of the development. Significant portions of the shoreline will have public access including two large parks and trail corridors.
 4. The Lakes development, through the construction of Lakes Parkway and South Lakes Parkway, proposes to develop a heavily landscaped parkway system that will serve as a roadway spine or loop through the center of this development. The parkways will be a center divided street with sidewalks, off street trail, paved bike lane and limited parking on both sides. A prominent design feature of the parkway will be a significantly wider right of way with a much higher degree of landscaping both in the median and as part of

the wider boulevards. The parkway will have underground irrigation that along with the landscaping will be part of the homeowner's association maintenance responsibility.

5. The lakes concept anticipates a small commercial node at the north edge of the large lake body. No plans have been developed as of yet but it is envisioned that this area might include restaurant, coffee, movie rental, barbershop, drycleaner or other convenience needs. Gasoline sales are not envisioned at this location. A separate Conditional Use Permit review will be scheduled when more definite plans have been prepared for this area.
6. The development contains a landscape plan with heavy treatment along Radisson Road consisting of a 6-foot high earth berm with landscaping materials. Future considerations along Main Street will include similar treatment.
7. The Lakes, as outlined, also provides outlots for future development that could, based on the adopted land use plan consist of apartments, condominiums, senior housing, additional townhomes and future industrial/office development. As those plans are clarified they will be presented at subsequent meetings for review and consideration for Conditional Use Permits, potential rezoning or plat requests. Some of these areas could also be appropriate for public service uses such as churches, schools libraries or other public related service needs.
8. All single family detached and twinhome housing units are proposed to be constructed with a 25-foot front yard setback. The reduced setback has been chosen by the developer to reduce the amount of fill required to develop the desired housing as well as to enhance the pedestrian nature of this development by placing the front of the homes closer to the street and pedestrian sidewalk system and encouraging the garages to be recessed into the facade of the home.
9. The attached townhomes and condominiums that has building sizes greater than 8,500 square feet will be provided with automatic fire suppression systems. Common utilities will also be used consistent with condominium type products.
10. Because of the proximity of portions of this development to Radisson Road and 125th Avenue it is recommended that airport noise abatement standards be incorporated into all housing constructed.

ENGINEERING ITEMS

1. Sanitary sewer flows from the site will enter the City of Blaine system at an existing trunk sanitary sewer located at the intersection of Radisson Woods Drive and Radisson Road. A series of sanitary sewer trunk lines and laterals will be constructed within the plat and will connect to one centralized lift station. The lift station will pump into a force main that will initially connect to an existing sanitary sewer pipe located at the intersection of Arnold Palmer Drive and Radisson Road. This connection will be used until the force main is installed along Radisson Road to Radisson Woods Drive. The existing pipe at Arnold Palmer Drive does have the capacity to handle flows for the initial phases of the development, but was not designed for the full build out of the area. Trunk sanitary sewer will be installed up to 125th Avenue through the development to anticipate future connections to the north. The Lakes lift station will be designed to accommodate the future growth north of 125th Avenue as identified in the Northeast Area Study. The Lakes development area was identified with project 92-14 to contribute sanitary trunk over sizing charges for the construction of larger pipes downstream. It is proposed not to require the development to pay the over sizing due to the trunk sanitary sewer infrastructure being installed with the development.
2. The site will be served by City water main through connections at the intersections of 119th Avenue and Radisson Road and at 116th Avenue in the plat of Radisson Pond. Trunk water main will be installed in the development in accordance to the City's water plan. It is proposed that the City will pay a portion of the trunk water main improvements constructed along "Lakes Parkway" and "Harpers Street" due to the fact that the water main is oversized to meet the City's Water Plan. The Development Contract will set forth in greater detail as to how the payment will be structured.
3. Traffic generated as a result of the development will be significant as well as that generated from the entire NE Area. Impacts from the traffic are identified in the AUAR, as well as what improvements are necessary to mitigate these impacts. Lakes Parkway will be constructed to meet a 40 mph design speed, with the remaining parkways designed to meet a 35 mph design speed. The developer understands that future infrastructure improvement projects along County Roads may require additional right-of-way. The developer shall dedicate any necessary right-of-way at its own cost. The City will notify the developer in writing of the right-of-requirements, and the developer shall dedicate the right-of-way prior to award of contract for the improvement project for which the right-of-way is needed.

4. Similar to development of the TPC, Pleasure Creek, Knoll Creek and Club West it is intended that the existing land be modified through extensive grading efforts with the result in the large open water areas. The sand from the excavation of those ponds will be used to raise the level of the site. These site modifications are needed to accommodate the development of the homes that are proposed. The existing ditch and drainage patterns will be redirected through the open pond network. Final approval of the grading and storm water management plan will be coordinated with the City and Coon Creek Watershed District (CCWD). The developer is working with a limnologist to best design the lake depths for water quality.
5. There are deferred street assessments for Cloud Drive on parcels, PIN 09-31-23-12-0002, 09-31-23-12-0003 & 9-31-23-14-0001, and for 125th Avenue, PIN 10-31-23-11-0001 that will become current and payable with platting. There are pending assessments for Radisson Road improvements on parcels, PIN 09-31-23-44-0001 & 09-31-23-44-0002 that will be assessed in the fall of 2003.
6. The developer is responsible for all development related costs as outlined above, per the City's Northeast Area Assessment Policy.

RECOMMENDED COUNCIL ACTION:

By motion, introduce Ordinance No. 03-1974 for first reading and direct that it be placed on file for second reading at the May 1, 2003, Council meeting.

ATTACHMENTS:

[Ordinance No. 03-1974](#)

[Staff Report 03/11/03](#)

[Unapproved PC Minutes 03/11/03](#)

CITY OF BLAINE

ORDINANCE NO. 03-1974

**AMENDING THE ZONING CODE OF THE CITY OF BLAINE
SO AS TO PROVIDE CHANGES IN THE ZONING CLASSIFICATION
CASE FILE 03-16**

THE CITY OF BLAINE DOES ORDAIN: (Added portions are underscored and deleted portions are shown in brackets 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:

SECTION 11

WEST HALF OF NORTHWEST QUARTER; WEST HALF OF SOUTHWEST QUARTER

SECTION 10

EAST HALF OF SECTION 10 EXCEPT THE SOUTH 286 FEET OF THE EAST 635.64 FEET; AND

WEST HALF OF SECTION 10 EXCEPT THE NORTH 942.31 FEET OF THE WEST 662.38 FEET.

SECTION 9

SOUTHEAST QUARTER OF THE NORTHEAST QUARTER; SOUTH 100.02 OF THE NORTHEAST QUARTER; NORTHWEST QUARTER OF THE NORTHEAST QUARTER; THAT PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER THAT LIES SOUTH OF AUDITOR'S SUBDIVISION NO. 81

ALL THAT PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 31, RANGE 23, ANOKA COUNTY MINNESOTA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER THENCE SOUTH 00 DEGREES 01 MINUTES, 09 SECONDS, EAST ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, A DISTANCE OF 270.77 FEET THENCE NORTH 89 DEGREES, 35 MINUTES, 47 SECONDS EAST PARALLEL WITH THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 9, A DISTANCE OF 750.00 FEET THENCE NORTH 00 DEGREES 20 MINUTES, 43 SECONDS EAST PARALLEL WITH THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 162.48 FEET THENCE NORTH 89 DEGREES, 37 FEET, THENCE NORTH 00 DEGREES, 20 MINUTES, 43 SECONDS EAST PARALLEL WITH THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF

162.48 FEET THENCE NORTH 89 DEGREES, 37 MINUTES, 12 SECONDS EAST, PARALLEL WITH THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 572.48 FEET TO THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER THENCE NORTH 00 DEGREES, 20 MINUTES, 43 SECONDS EAST ALONG SAID EAST LINE A DISTANCE OF 108.00 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER THENCE SOUTH 89 DEGREES, 37 MINUTES, 12 SECONDS WEST ALONG SAID NORTH LINE A DISTANCE OF 1,324.20 TO THE POINT OF BEGINNING.

THE SOUTH BOUNDARY LINES OF THE ABOVE DESCRIBED LAND HAVE BEEN MARKED BY JUDICIAL LANDMARKS SET PURSUANT TO TORRENS CASE #C8-89-2862.

THAT PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 31, RANGE 23, ANOKA COUNTY, MINNESOTA DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER THENCE ON AN ASSUMED BEARING OF SOUTH 89 DEGREES, 38 MINUTES, 30 SECONDS WEST ALONG THE SOUTH LINE OF THE NORTH HALF OF SAID SECTION 9, A DISTANCE OF 237.93 FEET TO ITS INTERSECTION OF THE CENTER LINE OF RADISSON ROAD AS SHOWN ON THE REGISTERED LAND SURVEYS NUMBERS 13 AND 40, FILES OF THE REGISTRAR OF TITLES, ANOKA COUNTY, MINNESOTA. THENCE NORTH 40 DEGREES, 29 MINUTES, 22 SECONDS WEST, ALONG SAID CENTER LINE A DISTANCE OF 65.40 FEET THENCE 89 DEGREES 38 MINUTES, 30 SECONDS EAST PARALLEL WITH THE SOUTH LINE OF THE NORTH HALF OF SAID SECTION 9 A DISTANCE OF 674.89 FEET THENCE NORTH 00 DEGREES 21 MINUTES, 30 SECONDS WEST A DISTANCE OF 148.0 FEET THENCE NORTH 62 DEGREES, 40 MINUTES, 07 SECONDS EAST A DISTANCE OF 1,042.59 FEET TO THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER THENCE SOUTH 00 DEGREES, 20 MINUTES, 43 SECONDS WEST ALONG SAID EAST LINE A DISTANCE OF 670.94 FEET TO THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER. THENCE SOUTH 89 DEGREES, 38 MINUTES, 30 SECONDS WEST ALONG THE SOUTH LINE OF THE NORTH HALF OF SAID SECTION 9 A DISTANCE OF 1315.75 FEET TO THE POINT OF BEGINNING. SUBJECT THAT PART PLATTED AS PARCELS 23 AND 23B AS SHOWN AS ON THE ANOKA COUNTY RIGHT OF WAY PLAT #59 TAKEN AS FEE TITLE.

THE BOUNDARY LINES OF THE ABOVE DESCRIBED LAND HAVE BEEN MARKED BY JUDICIAL LANDMARKS SET PURSUANT TO TORRENS CASE #C8-89-2862.

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 31, RANGE 23, LYING NORTH AND EAST OF BETHEL AND RICE CREEK ROAD EXCEPT THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 31, RANGE 23, LYING NORTH AND EAST OF A ROAD KNOWN AS RICE CREEK AND BETHEL ROAD AND EXCEPT THAT PART OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 31, RANGE 23, ANOKA COUNTY, MINNESOTA DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE WEST LINE OF SAID SOUTHEAST QUARTER AND THE CENTER LINE OF COUNTY ROAD #52 AS THE SAME IS NOW LAID OUT AND TRAVELED SAID COUNTY ROAD ALSO KNOWN AS RADISSON ROAD AND SAID POINT OF INTERSECTION BEING 281.40 FEET SOUTH OF THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER THENCE SOUTH 40 DEGREES, 53 MINUTES EAST, ON SAID CENTER LINE A DISTANCE OF 486.56 FEET THENCE SOUTH 56 DEGREES, 48 MINUTES EAST ON SAID CENTER LINE A DISTANCE OF 17.02 FEET TO THE POINT OF BEGINNING OF LAND TO BE DESCRIBED THENCE NORTH 52 DEGREES, 28 MINUTES EAST A DISTANCE OF 840.43 FEET THENCE SOUTH 80 DEGREES, 48 MINUTES EAST A DISTANCE OF 215.10 FEET THENCE SOUTH 42 DEGREES, 48 MINUTES EAST A DISTANCE OF 806.72 FEET THENCE SOUTH 32 DEGREES, 32 MINUTES WEST A DISTANCE OF 724.54 FEET TO THE CENTER LINE OF SAID COUNTY ROAD #52 THENCE NORTH 32 DEGREES, 48 MINUTES WEST ON SAID CENTER LINE A DISTANCE OF 94.39 FEET THENCE NORTH 56 DEGREES, 48 MINUTES WEST ON SAID CENTER LINE A DISTANCE OF 1,148.34 FEET TO THE POINT OF BEGINNING THE WEST LINE OF SAID SOUTHEAST QUARTER IS ASSUMED TO BEAR DUE SOUTH FOR THE PURPOSES OF THIS DESCRIPTION.

ALSO EXCEPT:

PARCEL 10, 10A AND 10B, ANOKA COUNTY HIGHWAY RIGHT OF WAY PLAT #59.

THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER THAT LIES NORTHEASTLY OF COUNTY 52 RIGHT OF WAY

SECTION 15

EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER
NORTHEAST QUARTER OF THE NORTHWEST QUARTER; NORTHWEST QUARTER
OF THE NORTHEAST QUARTER; NORTH HALF OF THE SOUTHEAST QUARTER OF
THE NORTHWEST QUARTER

ALSO DESCRIBED BY BELOW LISTED PIN NUMBERS:

10-31-23-42-0001	09-31-23-21-0003
10-31-23-43-0001	09-31-23-13-0001
10-31-23-41-0001	09-31-23-13-0003
10-31-23-44-0003	09-31-23-12-0002
15-31-23-12-0001	09-31-23-12-0003
15-31-23-21-0001	09-31-23-11-0005
15-31-23-24-0002	09-31-23-14-0001
15-31-23-22-0002	09-31-23-13-0006
09-31-23-41-0001	09-31-23-44-0002
10-31-23-11-0001	10-31-23-33-0001
10-31-23-14-0002	10-31-23-32-0001
11-31-23-22-0001	10-31-23-23-0002
11-31-23-23-0001	10-31-23-22-0004
11-31-23-32-0001	10-31-23-12-0002
11-31-23-33-0001	10-31-23-12-0001
10-31-23-24-0002	10-31-23-14-0001
10-31-23-31-0001	10-31-23-22-0001
10-31-23-34-0001	10-31-23-13-0003
10-31-23-23-0001	10-31-23-21-0003

Except for that area designated by preliminary plat dated March 3, 2003 as Outlot W and intended for future industrial development.

Section 2. The above described property is hereby rezoned from:

[~~FR (Farm Residential)~~]

to

DF (Development Flex)

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 3rd day of April 2003.

PASSED by the City Council of the City of Blaine this _____ day of _____ 2003.

Tom Ryan, Mayor

ATTEST:

Jane M. Hall, CMC, City Clerk



REQUEST FOR PLANNING COMMISSION ACTION

Item No. 4.5

MEETING DATE: March 11, 2003

BY:

Bryan K. Schafer

CASE FILE NO.: 03-16

ITEM:
a) Rezoning
b) Conditional Use Permits
c) Preliminary Plat Approval

PETITIONER: Main Street 1,000 LLC

LOCATION: East of Radisson Road and South of 125th Avenue

ZONING/LAND USE: Existing Zoning: FR (Farm Residential)
Existing Land Use: LDR (Low Density Residential)
MDR (Medium Density Residential)
HDR (High Density Residential)
LI (Light Industrial)
CC (Community Commercial)

AREA: Approximately 1,080 acres

APPLICABLE REGULATIONS: Chapter 18 of the Subdivision Ordinance
Zoning Ordinance Sections 27.03 and 29.80

ATTACHMENTS: [Zoning and Location Map](#)
[Pre-Plat and Site Drawings](#)-Pioneer Engineering Pages 1,2, 8-36
Development Plan Book Dated February 28, 2003
Park Development Agreement Memo**
[AUAR Summary of Issues](#)
[Traffic Analysis Memo From AUAR](#)

***Please Note That The Park Development Agreement Memo Is Still Under Consideration And Will Be Forwarded Under Separate Cover Or Distributed At The Public Hearing*

SCHEDULE:

Planning Commission Public Hearing03/11/03
City Council (1st Reading Rezoning, AUAR Acceptance)..04/03/03
City Council (2nd Reading Rezoning, Pre-Plat, CUP).....05/01/03
Final Plat.....Undetermined
Coon Creek Watershed.....Plans Under Review
Anoka CountyPlans Under Review
Site Work.....Grading Tentatively May 02, 2003

REQUEST:

The applicant is requesting the following in order to create a development, The Lakes, consisting of a 1,080-acre mixed-use and mixed density project of single family, townhome and apartment style housing units with a component of commercial/retail/office and industrial space:

- a) Rezoning from FR (Farm Residential) to DF (Development Flex).
- b) Preliminary plat approval to subdivide 1080 acres into approximately 1,645 housing units consisting of:
 - 739 single family lots
 - 265 detached townhomes (Homeowner Association Maintained)
 - 641 townhomes and condominiums
 - 14 outlots for future development of later phases including townhomes, condominiums, apartments, commercial and industrial space.
 - A series of outlots for parks, trails, ponds and open space.
- c) Conditional use permit to develop up to 739 single family lots, 265 detached townhomes and 641 attached townhomes or condominiums as part of master planned phased development.

BACKGROUND:

Preparation for the anticipated development of this area began at the City level in late 2000 when discussions began regarding a comprehensive plan amendment that the City would undertake to study and plan for the future development of the City's Northeast Area. The resulting Northeast Area plan, specifically for that portion referred to in planning documents as the West Meadows area, was adopted by the City Council on October 5, 2002 and by the Metropolitan Council on February 12, 2003. As a result of the plan amendment this area was placed inside the MUSA (Metropolitan Urban Service Area) and urban land uses were established. This request, made by Main Street 1000 LLC, is based on the newly adopted Comprehensive Plan and MUSA boundary change.

A development of this large size requires a significant environmental review, which has been underway since September 2002. In this instance, an AUAR (Alternative Urban Area Review) has been prepared and is currently being reviewed by the required review agencies. The AUAR essentially takes the place of an EAW/EIS and the comments that are expected to be received for the AUAR will be addressed and AUAR accepted as final and complete prior to any action being taken by the City Council on the 2nd Reading of Rezoning, Conditional Use Permit or Preliminary Plat. The AUAR summary of issues as well as the traffic analysis summary has been attached for your review. The AUAR, and response to comments, is tentatively scheduled for consideration at the April 3, 2003 City Council meeting.

ANALYSIS:

The Lakes development proposal consists of subdividing approximately 1,080 acres into a large subdivision with an initial phase of 1,645 dwelling units creating a variety of single and multi-family residential uses. Currently approximately 15 different housing product types have been identified with a minimum of five different local and national builders. The Lakes, when completed, could include up to 3,700 housing units. Initial site activity will focus along Radisson Road. The preliminary plat also includes many outlots for parks, ponds and trails as well as for a future phases of the development. The Lakes plan book that has been attached, describes in some detail the design elements of this development and should be referenced as this report is reviewed.

Because the developer is proposing several different housing styles with different design issues, platting requirements, lot sizes, markets and price ranges, the DF (Development Flex) zoning has been chosen to establish the minimum standards for each of these areas. The DF zoning is not anticipated to extend to the industrial/office area located adjacent to main Street and Cloud Drive. The appropriate zoning for that area will be considered at the time development of that area is being proposed.

The Lakes will have three primary access points including:

- Radisson Road at 119th Avenue (Lakes Parkway)
- 125th Avenue at Harpers Street
- Future connection to Lexington Avenue at approximately 121st Avenue (Lakes Parkway)

The Lakes will also have three secondary access points at:

- Radisson Road and 116th Avenue
- Cloud Drive (provides connections to 125th Avenue and Radisson Road)
- 125th Avenue approximately halfway between Harpers Street and Zest Street

The site's primary access from Radisson Road at 119th Avenue, proposed to be named Lakes Parkway, would provide a full movement access that would require signalization early in The Lakes development staging. The primary 125th Avenue access at Harpers Street would also be signalized at some point in the development staging. The future access to Lexington Avenue, when Lakes Parkway is extended with other development, would also require signalization.

Neighborhood Descriptions

In summary, The Lakes development is proposed to contain the following elements:

1. Fifteen owner occupied housing options including the following:

a) Hans Hagen Homes- 334 units ranging from \$189,000 to \$375,000

- 156 single loaded row townhomes in 7 and 9 unit buildings single-family homes.
- 24 single level quad homes
- 69 detached Arbor Homes on 55-foot lots with rear alley access. These single-family homes will have rear garages with an approximately 25-foot rear setback off a private service alley. The rear alley provides a very attractive front entrance to the public street and sidewalk system without driveway interruptions.
- 85 detached Executive Homes on 75-85 foot lots

b) Gorham Builders- 496 units ranging from \$275,000 to \$400,00+

- 386 single family executive homes on 80-85 foot lots
- 70 detached townhomes with shared driveways (similar to TPC)
- 40 executive twinhome units

Many of the Gorham single-family lots will have rear yards that are adjacent to the larger more rural estate lots of North Oaks West. One of the design considerations outlined in the Northeast Area Study was to create a transition of lot sizes between the 2-3 acre North Oaks West Lots and the smaller more urban lots that will be developed in The Lakes. The lots proposed in the Gorham Homes area will have typical single-family lot frontages of 80-feet. If the Planning Commission feels that these lot widths should be expanded to provide a more gradual transitional it will require the Planning Commission recommending the removal of lots and establishing lot frontages greater than 80-feet to be consistent with that goal.

Lot depths in this area have been expanded by the developer with lots generally at 200 feet depth. Given this greater depth, the rear yard setbacks in these lots are proposed to be set at 75-feet. Most setbacks are expected to be between 75 and 100 feet.

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 - 59 single family executive homes on 80-85 foot lots, many with lake frontage on the west side of the lake
- b) Sharper Homes- 245 units ranging from \$160,000 to \$350,000
 - 86 detached townhomes, many with rear facing garages and private alley service drive
 - 113 row-style townhomes with rear facing garages
 - 46 single family homes on 70-foot lots
- c) Semler Homes- 155 units ranging in value from \$225,000 to \$350,000
 - 109 detached rambler style townhomes with a minimum 1480 square feet plus lower walkout level. Many with lake or open space frontage.
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 - 48 Tradition style single-family homes on 52-foot lots. These homes, with floor plans between 1,600 and 2,400 square feet, were introduced in Club West. The unique aspect of these homes is the prominent front porch with recessed garages.
2. Development of five interconnected neighborhood parks ranging in size from just under one acre to approximately 20 acres. All parks to be connected by sidewalk, bikeway or off-street trail system. All parks, which primarily are located around the major parkway system, will feature enhanced landscaping, lighting and other park improvements. Improvements to be constructed by the developer and financed by credits against City Park Dedication fees. See the attached *Park Development Agreement Memo* outlining the key elements of The Lakes park development.
 3. The Lakes, as the name implies, will include construction of 158 acres of interconnected open water in four or five major bodies. Roadway water crossings that will be constructed as part of the parkway loop system will have architecturally significant bridge features that will add to the upgraded nature and appeal of the development. Significant portions of the shoreline will have public access including two large parks and trail corridors.
 4. The Lakes development, through the construction of Lakes Parkway and South Lakes Parkway, proposes to develop a heavily landscaped parkway system that will serve as a roadway spine or loop through the center of this development. The parkways will be a center divided street with sidewalks, off street trail, paved bike lane and limited parking on both sides. A prominent design feature of the parkway will be a significantly wider right of way with a much higher degree of landscaping both in the median and as part of the wider boulevards. The parkway will have underground irrigation that along with the landscaping will be part of the homeowner's association maintenance responsibility.
 5. The lakes concept anticipates a small commercial node at the north edge of the large lake body. No plans have been developed as of yet but it is envisioned that this area might include

restaurant, coffee, movie rental, barbershop, drycleaner or other convenience needs. Gasoline sales are not envisioned at this location. A separate Conditional Use Permit review will be scheduled when more definite plans have been prepared for this area.

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9. The attached townhomes and condominiums that has building sizes greater than 8,500 square feet will be provided with automatic fire suppression systems. Common utilities will also be used consistent with condominium type products.
10. Because of the proximity of portions of this development to Radisson Road and 125th Avenue it is recommended that airport noise abatement standards be incorporated into all housing constructed.

ENGINEERING ITEMS

1. Sanitary sewer flows from the site will enter the City of Blaine system at an existing trunk sanitary sewer located at the intersection of Radisson Woods Drive and Radisson Road. A

series of sanitary sewer trunk lines and laterals will be constructed within the plat and will connect to one centralized lift station. The lift station will pump into a force main that will initially connect to an existing sanitary sewer pipe located at the intersection of Arnold Palmer Drive and Radisson Road. This connection will be used until the force main is installed along Radisson Road to Radisson Woods Drive. The existing pipe at Arnold Palmer Drive does have the capacity to handle flows for the initial phases of the development, but was not designed for the full build out of the area. Trunk sanitary sewer will be installed up to 125th Avenue through the development to anticipate future connections to the north. The Lakes lift station will be designed to accommodate the future growth north of 125th Avenue as identified in the Northeast Area Study. The Lakes development area was identified with project 92-14 to contribute sanitary trunk over sizing charges for the construction of larger pipes downstream. It is proposed not to require the development to pay the over sizing due to the trunk sanitary sewer infrastructure being installed with the development.

2. The site will be served by City water main through connections at the intersections of 119th Avenue and Radisson Road and at 116th Avenue in the plat of Radisson Pond. Trunk water main will be installed in the development in accordance to the City's water plan. It is proposed that the City will pay a portion of the trunk water main improvements constructed along "Lakes Parkway" and "Harpers Street" due to the fact that the water main is oversized to meet the City's Water Plan. The Development Contract will set forth in greater detail as to how the payment will be structured.
3. Traffic generated as a result of the development will be significant as well as that generated from the entire NE Area. Impacts from the traffic are identified in the AUAR, as well as what improvements are necessary to mitigate these impacts. Lakes Parkway will be constructed to meet a 40 mph design speed, with the remaining parkways designed to meet a 35 mph design speed. The developer understands that future infrastructure improvement projects along County Roads may require additional right-of-way. The developer shall dedicate any necessary right-of-way at its own cost. The City will notify the developer in writing of the right-of-requirements, and the developer shall dedicate the right-of-way prior to award of contract for the improvement project for which the right-of-way is needed.

4. Similar to development of the TPC, Pleasure Creek, Knoll Creek and Club West it is intended that the existing land be modified through extensive grading efforts with the result in the large open water areas. The sand from the excavation of those ponds will be used to raise the level of the site. These site modifications are needed to accommodate the development of the homes that are proposed. The existing ditch and drainage patterns will be redirected through the open pond network. Final approval of the grading and storm water management plan will be coordinated with the City and Coon Creek Watershed District (CCWD). The developer is working with a limnologist to best design the lake depths for water quality.
5. There are deferred street assessments for Cloud Drive on parcels, PIN 09-31-23-12-0002, 09-31-23-12-0003 & 9-31-23-14-0001, and for 125th Avenue, PIN 10-31-23-11-0001 that will become current and payable with platting. There are pending assessments for Radisson Road improvements on parcels, PIN 09-31-23-44-0001 & 09-31-23-44-0002 that will be assessed in the fall of 2003.
6. The developer is responsible for all development related costs as outlined above, per the City's Northeast Area Assessment Policy.

RECOMMENDATION:

In **Planning Case 03-16A**, it is recommended that the Planning Commission recommend approval of the rezoning from FR (Farm Residential) to DF (Development Flex). These recommendations are based on the following rationale:

1. The DF zoning with standards incorporated by a Conditional Use Permit is an appropriate zoning for single and multi-family residential as well as neighborhood scale commercial.
2. The DF zoning standards to be incorporated are consistent with and will compliment homes and housing options that have been constructed within recent master planned developments. The standards will create an attractive benchmark of quality single and multi-family homes with desired range in appearance, style, density, and construction value and market appeal.

In **Planning Case 03-16B (Single Family)**, it is recommended that the Planning Commission recommend approval of the Conditional Use Permit to construct up to 739 single family homes with the following conditions:

The Lakes development containing up to 739 single-family lots shall conform to the following standards:

The Lakes Single Family - DF Development Standards

Permitted Uses

1. Single-family detached dwellings.
2. Group family daycare.

Accessory Uses

1. Private garages - no detached accessory structures.
2. Private swimming pools/meeting the requirements of Blaine Municipal Code Section 6-121.
3. Keeping of not more than two (2) boarders and/or roomers per dwelling unit.

Conditional Uses

1. Home occupations listed as Conditional Uses fewer than 33.11.

Standards

1. Front yard setback - 25 feet.
2. Side yard setback – for lots wider than 70 feet - ten feet for house-five feet for garages.
3. Side yard setback- for lots with widths of 70 feet or less- 5 feet for house-five feet for garage except that rear alley garages may be set at zero lot line. In no instance may structures on adjacent lots be less than 5 feet house to garage or 15 feet house to house.
4. Corner side yard setback - 20 feet. Garages facing and accessing the corner side yard shall have setback of 25 feet.
5. Rear yard setback - 35 feet for house or front facing garage with the exception that lots adjacent to North Oaks West have a minimum rear yard setback of 75 feet.
6. Rear Yard setback for rear facing garages with alley or service lane to be 25 feet.
7. Maximum building height - 2 1/2 stories or 35 feet.
8. 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 are not permitted, except for enclosures essential to service permitted swimming pools.
9. The minimum finished floor area above grade for all homes shall be 1,600 square feet. All homes shall have a minimum depth and width of 24 feet.
10. 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.

11. All residential dwellings must be built in conformance with the current edition of the Minnesota State Building Code.
12. Driveways shall not be constructed closer than 5 feet to the property line except as provided with alley facing garages, which can be zero lot 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.
13. Rear yard alleys or service drives are considered private shared driveways and are to be maintained privately by covenant agreement or homeowner's association.
14. 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.
15. Each lot shall contain one front yard tree and one boulevard tree with a minimum of 2½-inch caliper. Front yard tree may be over story deciduous shade tree or approved six-foot tall conifer. Corner lots shall each have one additional boulevard tree.
16. Lots with rear yard water frontage, on the two large water bodies labeled by the Preliminary Plat as Outlots O and C, shall contain a minimum of one over story shade tree with minimum caliper of 2.5 inches.
17. Rear yard fences, if permitted by developer covenants, adjacent to water or park out lots to have maximum height of 4 feet. Fences to be picket style and constructed with maintenance free materials.
18. All homes, within the development to incorporate Airport Noise Abatement Standards to mitigate noise impacts.
19. Side patio or entrance doors not to be included on any single family home that does not contain adequate lot space to provide a minimum deck or patio width of at least 10 feet. No deck or patio can be placed closer than 7.5 feet from the interior side lot line. No deck can be enclosed that is placed closer than 10 feet from an interior side lot line.
20. Developer to execute and record, with the sale of each single family lot, an affidavit indicating to homebuyers that the soils located in the rear and side yards of the single family lots have not been corrected to accommodate general building construction or pools and that additional effort may be required, by the

homeowner, to stabilize those soils before additional construction could occur.

In Planning Case 03-16B (Detached and Attached Townhomes/ Condominiums), it is recommended that the Planning Commission recommend approval of a Conditional Use Permit to construct up to 265 detached style townhomes and 641 attached townhomes and condominium housing units with the following conditions:

1. Construction of all detached townhomes and attached housing units to be generally guided by the City Council's Resolution and by depictions, drawings and information contained in the Development Plan Book and attached Pioneer Engineering drawings (pages 1, 2, 8-36), dated March 3, 2003 with the provision that, prior to site work (other than preliminary site grading), the specific developer/builder of each housing area submit fully detailed site, grading, utility, landscaping and building plans for each house style represented by this application. All site plans and units plans require approval of the Planning Department prior to work beginning. All site work to meet the Performance Standards Section 33.00 of the Zoning Ordinance.
2. All site plans to be reviewed, by the City, for how the site plans deal with berming and landscaping along Radisson Road and in future phases along 125th Avenue, setbacks between units and paved surfaces, provision for adequate and convenient off-street parking, landscape treatments along project edges and between project types, emergency vehicle access and fire hydrant spacing.
3. All housing units to incorporate Airport Noise Abatement Standards.
4. Developer to install grouped mailboxes with design and locations approved by City and US Postal Service.
5. All attached housing units, with total structure sizes greater than 8,500 square feet, to be provided with automatic fire suppression systems.
6. Minimum floor area above grade for detached townhomes 1,240 square feet and attached condominiums and townhomes of 1,225 square feet.
7. Model home sales area with temporary office trailers (maximum of 4) to be set-up based on location, site and landscape plans to be approved by the City prior to installation. Trailers to be removed within one year from 1st phase final plat approval by the City Council.

In **Planning Case 03-16C**, it is recommended that the Planning Commission recommend approval of the preliminary plat for approximately 1645 housing units with outlots for future development, parks, ponds and trails with the following conditions:

1. Park dedication is paid for the 1645 residential units at the 2003 rate of \$1,700 per unit. All park dedication to be calculated at the time of final plat filing with credit to be given, to the developer, for their effort in developing and deeding the neighborhood parks, trail system, additional park landscaping and lighting, etc. The agreement for credit and payment by the developer is based on the attached *Park Development Agreement Memo* and also based on 3,300 housing units and 11 acres of commercial/retail. Housing units over 3,300 units, additional acres of commercial or future industrial created and platted in future phases are subject to park dedication payment at the rate in effect at that time and are outside of the agreement outlined by the *Park Development Agreement Memo*.
2. Developer to grant by warranty deed, within 30 days of City acceptance of completed park improvements, the outlots proposed for future parks and trails.
3. A rough grading and sediment control plan must be submitted for City approval prior to work being performed on site. Erosion control and tree preservation details shall be included on the grading plan.
4. The size of site being graded requires a National Pollutant Discharge Elimination System (NPDES) permit from Minnesota Pollution Control Agency.
5. A development plan must be submitted for City approval prior to issuance of the first building permit. The development plan must indicate that all structures will be protected from flooding.
6. Coon Creek Watershed District permit is required prior to the approval of grading.
7. The developer shall process a Letter of Map Change with FEMA prior to issuance of building permits within the unnumbered A-Zone on the FEMA flood map. Developer shall provide all FEMA paperwork and structure as-built surveys to homeowners at time of lot closing. Developer is responsible for following through with FEMA as necessary to receive final FEMA documents and to provide those documents to the homeowners, and to record the final documents on the certificate of title for each parcel in the development.

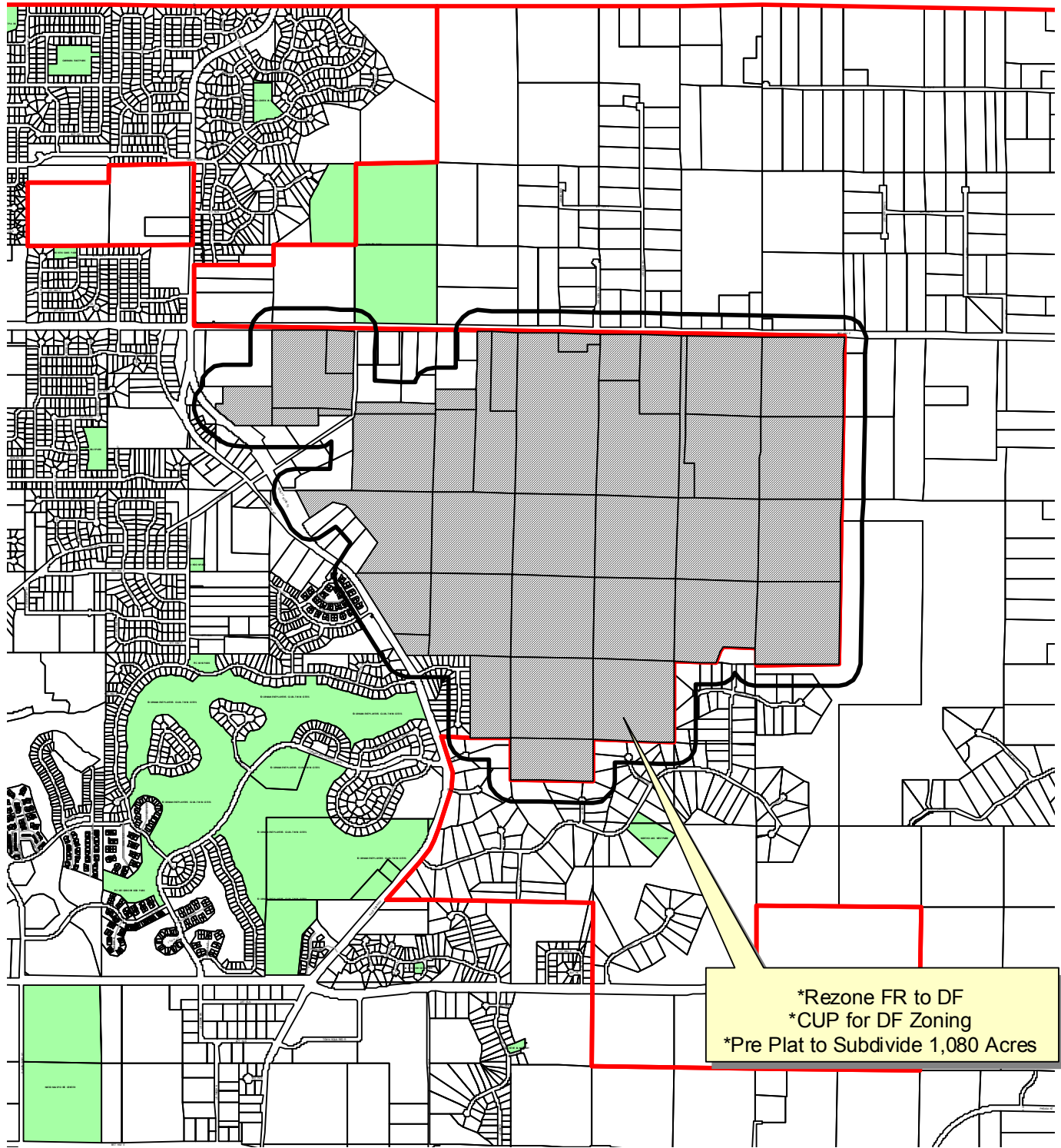
8. An as-built survey will be required to verify elevations for each structure constructed adjacent to ponds, drainage ditches, and storm water detention basins, or in areas of high ground water.
9. The developer will be responsible for installation of sanitary sewer, water main, storm drainage improvements, streets with concrete curb and gutter, streetlights, mailboxes, sidewalks, trails, traffic control signs, street signs, and all appurtenant items. Plans and specifications must be approved by the City prior to start of construction.
10. All City streets, exclusive of parkways, require dedication of 60 feet of right-of-way and shall be constructed to 29 feet back to back of width.
11. All parkways (Lakes Parkway, Harpers Street, West lake Boulevard and South Lake Boulevard) to include striped on-street bike lane in each direction, 8-foot wide asphalt off-street trail on one side and 6-foot wide concrete sidewalk on opposite side.
12. Anoka County Highway Department permit is required for work performed within County right-of-way.
13. All streets will follow the Anoka County street name grid system except for Lakes Parkway, South Lake Boulevard and West lake Boulevard.
14. Plat to be modified to provide two public street accesses to 4 residential parcels adjacent to Radisson Road. Location of street connections to be generally located at north side of north lot and east side of south lot. Specific location to be determined by City prior to Final Plat for this location.
15. Property being platted must be brought out of the Green Acres Program and deferred taxes will become due. Deferred street assessments for Cloud Drive on parcels, PIN 09-31-23-12-0002, 09-31-23-12-0003 & 9-31-23-14-0001, and for 125th Avenue, PIN 10-31-23-11-0001 will become current and payable with platting. There are pending assessments for Radisson Road improvements on parcels, PIN 09-31-23-44-0001 & 09-31-23-44-0002 that will be assessed in the fall of 2003.
16. Standard utility and drainage easements must be dedicated along all lot lines and over drainage ditches, ponds, delineated wetlands, and storm water detention basins. Developer to provide access to existing power lines in plat. The Developer is to provide access for maintenance of storm water detention basins. Restrictions will be placed on lots as needed to limit fences and landscaping to insure access.

17. Developer to require homeowner's associations to be responsible for maintenance and upkeep of landscape improvements along and within the right-of-way for all of the parkway style developed streets including "Parkway Planting Concept" areas as shown in *Lakes Plan Book*.
18. The plat's grading plan to provide useable rear yard area behind single-family homes of approximately 25 to 30 feet with slopes not exceeding four to five percent.
19. Developer to install grouped mailboxes with design and locations approved by City and US Postal Service.
20. Execution and recording of a Development Agreement, which sets forth in greater detail the plat conditions as well as other responsibilities for the development of this plat.
21. Preliminary plat approval contingent upon developer's commitment to pay the cost of off-site improvements required by Anoka County for traffic signal and/or necessary roadway modifications. The traffic mitigation analysis, provided as part of the AUAR suggest these locations to be at Lakes Parkway and Radisson Road, Cloud Drive and Radisson Road, Harpers Street and 125th Avenue and the 125th Avenue connection at the northeast corner of the plat. The developer shall dedicate additional right-of-way necessary for the construction of these improvements.
22. All pedestrian trails through parks or corridor connections shall be constructed to a width of 10 feet. The trails shall be at or above the 100-year flood elevation and be designed to support a 10,000-pound maintenance vehicle. Final grading plans to be reviewed for providing adequate space between anticipated high water levels, trail and residential units.
23. Private streets or alleys can be constructed to a minimum of 22 feet in width if signed "No Parking". Private 24-foot wide streets can be parked on one side provided "NO PARKING FIRE LANE" signs are posted every 75 feet on the opposite side of the drive.
24. All alley or rear yard access drives are considered private shared driveways and are to be maintained privately by covenant agreement or homeowner's association.
25. Soil boring information is required for determination of lowest floor elevations.
26. Landscape irrigation systems installed throughout the development shall use created ponds, existing wells, or new wells as source of water supply with a moisture sensor installed.

27. 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.
28. Developer understands that the City reserves the consideration to request an outlot or easement to provide pedestrian or vehicle access from Meadow Lane into the south edge of the development.
29. Preliminary plat approval contingent upon the developer modifying the roadway network and plat to provide through movement from West Lake Boulevard to Cloud Drive and by providing second lake crossing on the southern most water feature as shown on the Pioneer drawings dated March 3, 2003.
30. Developer may request ability to operate on-site crushing facility to meet site's aggregate materials requirement. This request will be handled separately through a Conditional Use Permit review. The review to evaluate site location, vehicle access, operational characteristics, hours of operations, term of operations, etc.
31. All development signage by separate review.
32. Developer to provide schedule for removal of all existing structures. Schedule to be incorporated into final plat approval of 1st phase. All structure removal will require demolition permits. All wells and septic systems to be properly abandoned per all local and state requirements.
33. City acknowledges that the development will construct trunk sanitary sewer and trunk water main infrastructure within the plat that will benefit properties outside of the plat. Trunk sanitary sewer over sizing costs will not be charged with this plat. The City will contribute a portion of the cost of trunk water main installed on The Lakes Parkway and on Harpers Street. This contribution will be limited to the over sizing cost of the water main. The amount and timing of the contribution will be set forth in greater detail in the Development Contract.

BKS:ll

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*Rezone FR to DF
*CUP for DF Zoning
*Pre Plat to Subdivide 1,080 Acres

1 Inch = 2,500 Feet

ZONING AND LOCATION MAP

CASE # 03-16

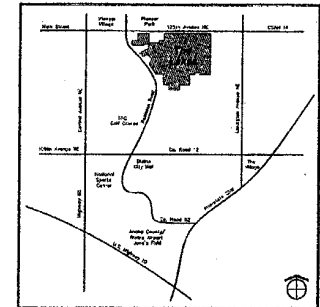
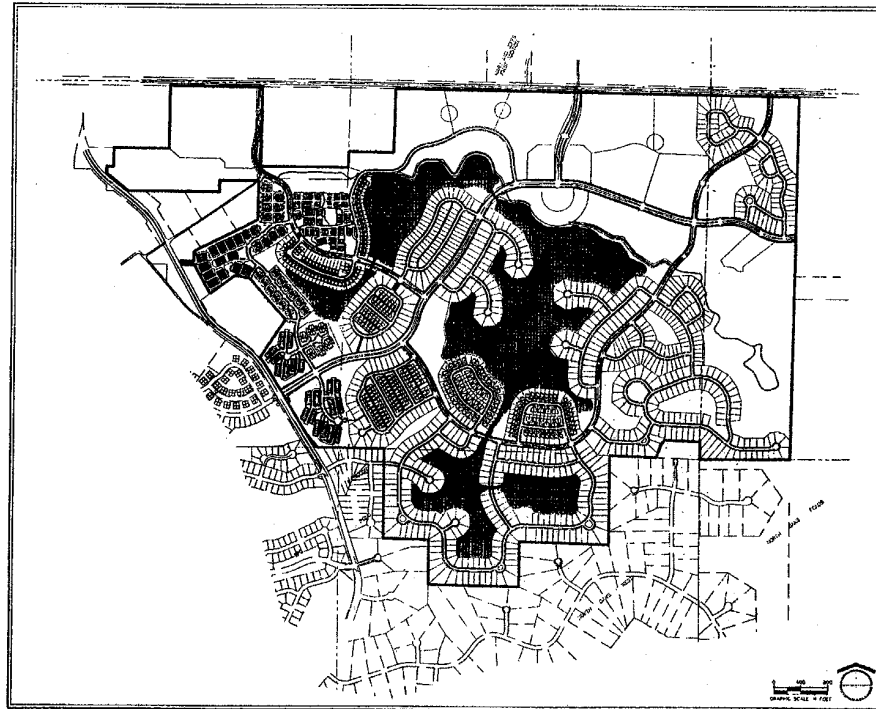


City of Blaine - 10801 Town Square Drive. - Blaine, MN 55449 (763) 785-6180



The Lakes

Blaine, Minnesota



LOCATION MAP

SHEET INDEX

1. COVER SHEET
2. LAND USE PLAN
- 3 & 4. BOUNDARY SURVEY
5. EXISTING CONDITIONS
6. TREE INVENTORY
7. TREE PRESERVATION PLAN
8. PRELIMINARY PLAT INDEX
- 9-21. PRELIMINARY PLAT
22. SITE PLAN INDEX
- 23-36. PRELIMINARY SITE & UTILITY PLAN
37. GRADING PLAN INDEX
- 38-91. PRELIMINARY GRADING & EROSION CONTROL PLAN
- 91-95. DETAILS

The information and/or recordings and maps contained herein, such as street and lot location, dimensions, area, landscaping and amenities, are of the site as shown on the site plan and are not intended to be used for any other purpose of depicting or creating a site plan, and are subject to change, as represented or verified on its existing development, ownership or land use of such properties to being made, and Buyers should not and will not rely on the information and/or recordings and maps or views contained herein in deciding to purchase any property etc.

Pioneer Engineering, S.A. makes no warranties or representations of any kind or character, expressed or implied, with respect to the matters depicted or shown on the recordings, drawings and other information herein.

For details of existing developed areas, refer to the recorded final plat. The names of the property owners and their successors and assigns reserve the right to make zoning, development, ownership and/or use changes to any part(s) of the properties.

The Developer reserves the right to change the plans without further notice, subject to City and all Government approvals.

Pioneer Engineering, S.A.
 1875 Station Parkway, W.
 Andover, MN 55004
 Tel: 612-444-1111
 Fax: 612-444-1112
 E-mail: info@pioneereng.com

I hereby certify that this plan 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.

Name: [Signature]
 Title: Professional Engineer
 Exp. No.: 00000000 Date: 01/01/01

1. PER SET REVIEW

Revisions: 0/2/01

Date: 01/01/01
 Designed: [Signature]
 Drawn: [Signature]

SHEET

COVER SHEET

OWNER

MAIN STREET 1000, LLC
 1875 Station Parkway, W.
 Andover, MN 55004

PROJECT

THE LAKES
 BLAINE, MINNESOTA

SHEET 1

OF 95 SHEETS

GRAPHIC SCALE

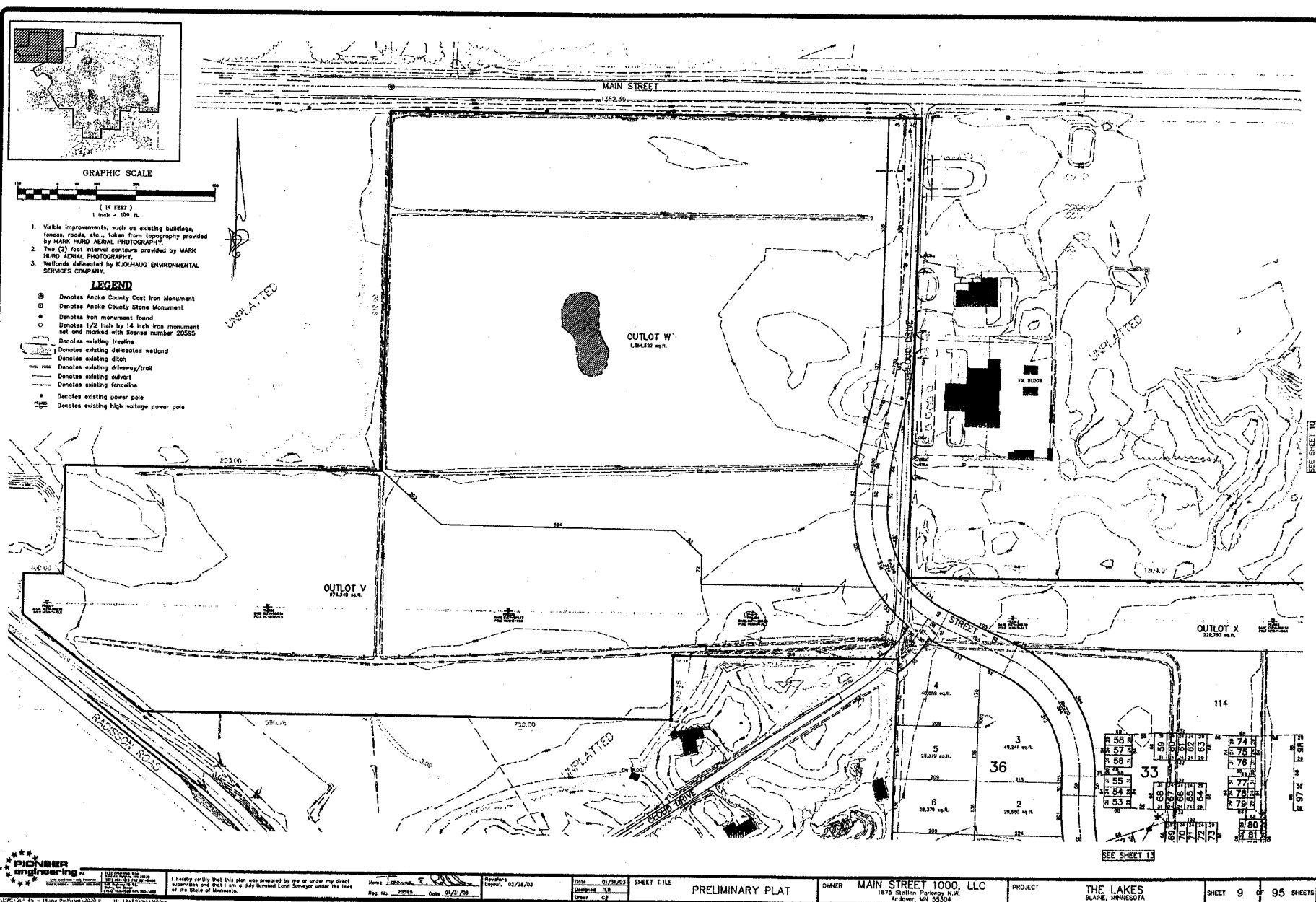


(IN FEET)

1. Visible improvements, such as existing buildings, fences, roads, etc., taken from topography provided by MARK HURD AERIAL PHOTOGRAPHY.
2. Two (2) foot interval contours provided by MARK HURD AERIAL PHOTOGRAPHY.
3. Wetlands delineated by KJOLHAUG ENVIRONMENTAL SERVICES COMPANY.

LEGEND

- ☉ Denotes Anoka County Cast Iron Monument
- ☐ Denotes Anoka County Stone Monument
- Denotes Iron monument found
- Denotes 1/2 inch by 1/4 inch iron monument set and marked with license number 20595
- ~~~~~ Denotes existing easeline
- ~~~~~ Denotes existing delineated wetland
- ~~~~~ Denotes existing ditch
- ~~~~~ Denotes existing driveway/trail
- ~~~~~ Denotes existing culvert
- ~~~~~ Denotes existing fence/line
- Denotes existing power pole
- ~~~~~ Denotes existing high voltage power pole



PIONEER
engineering

[illegible]

I hereby certify that this plan 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.

Name Thomas E. Ross
 Han No. 20585 Date 01/31/03

Revisors
Layout: 03/28/03

Date	01/31/2017
Designed	NER

SHEET TITLE

PRELIMINARY PLAT

OWNER MAIN STREET 1000, LLC
1875 Stollon Parkway NW

PROJECT

THE LAKES
BLAINE, MINNESOTA

SHEET 9 OF 95 SHEETS

1. Visible improvements, such as existing buildings, fences, roads, etc., taken from topography provided by MARK HURD AERIAL PHOTOGRAPHY.
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3. Wetlands delineated by KOLHAUS ENVIRONMENTAL SERVICES COMPANY.

LEGEND

- Denotes Anoka County East Iron Monument
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- - - Denotes existing delineated wetland
- - - Denotes existing ditch
- - - Denotes existing driveway/troil
- - - Denotes existing culvert
- - - Denotes existing fence
- - - Denotes existing power pole
- - - Denotes existing high voltage power pole

GRAPHIC SCALE



SEE SHEET 9

SEE SHEET 11

SEE SHEET 17

SEE SHEET 14



114

I hereby certify that this plan 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.

Name: John C. [Signature]
Reg. No. 20065 Date: 01/21/20

Exempt: 02/28/20

Date: 01/21/20
Designed: TH
Drawn: CT

SHEET TITLE

PRELIMINARY PLAT

OWNER: **MAIN STREET 1000, LLC**
1875 Station Parkway N.W.
Andover, MN 55304

PROJECT

THE LAKES
BLAINE, MINNESOTA

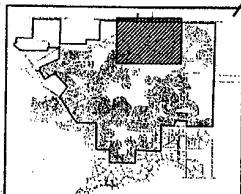
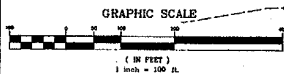
SHEET 10 OF 95 SHEETS

1. Visible improvements, such as existing buildings, fences, roads, etc., taken from topography provided by MARK HURD AERIAL PHOTOGRAPHY.
2. Two (2) foot interval contours provided by MARK HURD AERIAL PHOTOGRAPHY.
3. Wetlands delineated by KOLHAUS ENVIRONMENTAL SERVICES COMPANY.

LEGEND

- ⊙ Denotes Anoka County Coal Iron Monument
- ⊠ Denotes Anoka County Stone Monument
- Denotes iron monument found
- Denotes 1/2 inch by 1/4 inch iron monument set and marked with license number 20585
- Denotes existing easeline
- - - Denotes existing delineated wetland
- - - Denotes existing ditch
- - - Denotes existing driveway/road
- - - Denotes existing culvert
- - - Denotes existing fence line
- Denotes existing power pole
- Denotes existing high voltage power pole

SEE SHEET 10



PIONEER engineering
1875 Station Parkway N.E.
Andover, MN 55304
Tel: 763.433.1111
Fax: 763.433.1112

DATE: 02/28/03
BY: [Signature]
CHECKED: [Signature]
APPROVED: [Signature]

I hereby certify that this plan 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.

Name: [Signature]
Reg. No.: 2085 Date: 02/28/03

Exhibits: 02/28/03
Legend: 02/28/03

DATE: 02/28/03
DRAWN: [Signature]

SHEET TITLE

PRELIMINARY PLAT

OWNER: MAIN STREET 1000, LLC
1875 Station Parkway N.E.
Andover, MN 55304

PROJECT: THE LAKES
RIANE, MINNESOTA

SHEET 11 OF 95 SHEETS

1. Visible improvements, such as existing buildings, fences, roads, etc., taken from topography provided by MARK HURD AERIAL PHOTOGRAPHY.
2. Two (2) foot interval contours provided by MARK HURD AERIAL PHOTOGRAPHY.
3. Wellheads delineated by KJOLHAUG ENVIRONMENTAL SERVICES COMPANY.

LEGEND

- Denotes Anoka County Cast Iron Monument
- Denotes Anoka County Stone Monument
- Denotes Iron monument found
- Denotes 1/2 inch by 14 inch iron monument set and marked with license number 20595
- Denotes existing tree line
- Denotes existing delineated wetland
- Denotes existing ditch
- Denotes existing driveway/trail
- Denotes existing culvert
- Denotes existing fence line
- Denotes existing power pole
- Denotes existing high voltage power pole

OUTLOT GG
301,400 sq. ft.

OUTLOT JJ
312,288 sq. ft.

OUTLOT KK
178,718 sq. ft.

OUTLOT LL
342,840 sq. ft.

OUTLOT HH
592,840 sq. ft.

OUTLOT II
524,428 sq. ft.

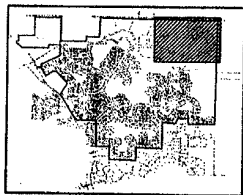
OUTLOT NN
544,528 sq. ft.

OUTLOT MM
524,428 sq. ft.

UNPLATTED

GRAPHIC SCALE

(IN FEET)
1 inch = 100 ft.



SEE SHEET 16

SEE SHEET 15



PIONEER
ENGINEERING, INC.
1875 Station Parkway N.W.
Anand, MN 55004
Tel: 763.444.1111
Fax: 763.444.1112

I hereby certify that this plan 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.

Name: **David J. Johnson** License: **02/28/83**
Reg. No. **20595** Date: **01/23/83**

Date: **01/23/83**
Drawing: **100**
Sheet: **12**

SHEET TITLE

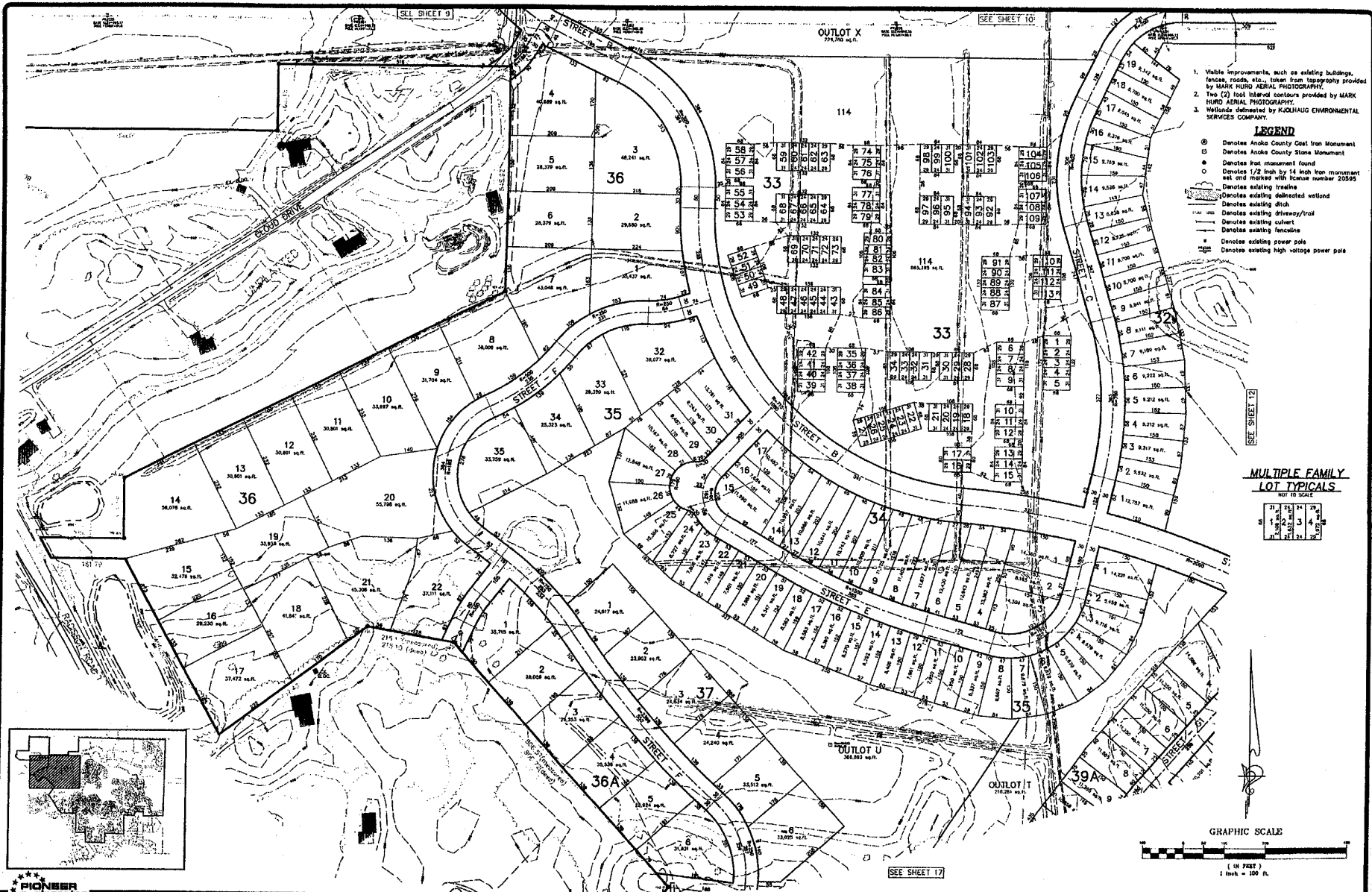
PRELIMINARY PLAT

OWNER: **MAIN STREET 1000, LLC**
1875 Station Parkway N.W.
Anand, MN 55004

PROJECT

THE LAKES
BLAINE, MINNESOTA

SHEET **12** OF **95** SHEETS

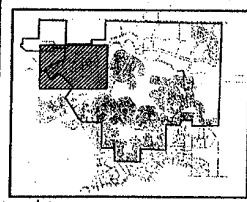


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3. Wetlands delineated by KJULIAUG ENVIRONMENTAL SERVICES COMPANY.

LEGEND

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- Denotes existing inactive
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- Denotes existing driveway/trail
- Denotes existing culvert
- Denotes existing fence
- Denotes existing power pole
- Denotes existing high voltage power pole

MULTIPLE FAMILY LOT TYPICALS



PIONEER engineering

1. I hereby certify that this plan 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.

Survey No. 2288 Date 01/20/23

Revised 02/28/23

Drawn by 02/28/23

Checked by 02/28/23

Drawn by 02/28/23

Sheet No. 13 of 95

Project Name

Client Name

Address

City

State

Zip

Phone

Fax

Email

Website

Project No.

Sheet No.

Date

By

For

Project

Client

Address

City

State

Zip

1. Visible improvements, such as existing buildings, fences, roads, etc., taken from topography provided by MARK HURO AERIAL PHOTOGRAPHY.
2. Two (2) foot interval contours provided by MARK HURO AERIAL PHOTOGRAPHY.
3. Wetlands delineated by KOLHAUS ENVIRONMENTAL SERVICES COMPANY.

LEGEND

- Denotes Anoka County Cast Iron Monument
- Denotes Anoka County Stone Monument
- Denotes Iron monument found
- Denotes 1/2 inch by 14 inch iron monument set and marked with license number 20595
- Denotes existing trail
- Denotes existing delineated wetland
- Denotes existing ditch
- Denotes existing driveway/trail
- Denotes existing culvert
- Denotes existing fence
- Denotes existing power pole
- Denotes existing high voltage power pole

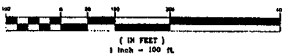
SEE SHEET 13

SEE SHEET 10

SEE SHEET 16

SEE SHEET 19

GRAPHIC SCALE



ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 01/21/2015 BY 60322 UCBAW/STP

I hereby certify that this plan 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.

Survey License No. 20595 Date 01/21/2015

Revised Layout: 02/19/2015

Date: 01/21/2015
Designed: JES
Drawn: CE

SHEET TITLE

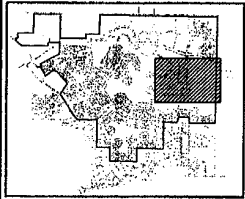
PRELIMINARY PLAT

OWNER MAIN STREET 1000, LLC
1875 Station Parkway N.W.
Andover, MN 55304

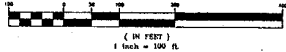
PROJECT

THE LAKES
BLAKE, MINNESOTA

SHEET 14 OF 95 SHEETS



GRAPHIC SCALE



1. Visible Improvements, such as existing buildings, fences, roads, etc., taken from topography provided by MARK HURD AERIAL PHOTOGRAPHY.
2. Two (2) foot interval contours provided by MARK HURD AERIAL PHOTOGRAPHY.
3. Wetlands delineated by KJOLHAUG ENVIRONMENTAL SERVICES COMPANY.

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- Denotes Anoka County Stone Monument
- Denotes Iron monument found
- Denotes 1/2 inch by 1/4 inch iron monument set and marked with license number 20595
- Denotes existing easine
- Denotes existing delineated wetland
- Denotes existing ditch
- Denotes existing driveway/trail
- Denotes existing culvert
- Denotes existing levee
- Denotes existing power pole
- Denotes existing high voltage power pole

SEE SHEET 14

SEE SHEET 10

SEE SHEET 11

SEE SHEET 12

OUTLOT O

OUTLOT I

OUTLOT J

PARKWAY - A

UNPLATTED

NORTH OAKS PONDS

PIONEER engineering

I hereby certify that this plan 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.

Survey License # 20595 Date 01/29/03

Wetlands Delineated 02/28/03

Date 01/29/03 SHEET FILE
Drawing 70
Drawn 03

PRELIMINARY PLAT

OWNER MAIN STREET 1000, LLC
1875 Station Parkway N.E.
Andover, MN 55304

PROJECT

THE LAKES
BLAINE, MINNESOTA

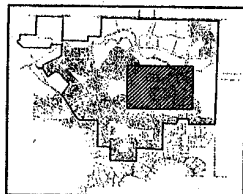
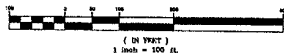
SHEET 15 OF 95 SHEETS

1. Visible Improvements, such as existing buildings, fences, roads, etc., taken from topography provided by MARK HUND AERIAL PHOTOGRAPHY.
2. Two (2) foot interval contours provided by MARK HUND AERIAL PHOTOGRAPHY.
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- Denotes existing ditch
- Denotes existing driveway/road
- Denotes existing culvert
- Denotes existing fence
- Denotes existing power pole
- Denotes existing high voltage power pole

GRAPHIC SCALE



OUTLOT O

OUTLOT O
4,000,027 sq. ft.

SEE SHEET 11

SEE SHEET 12

SEE SHEET 19

SEE SHEET 20



PIONEER
engineering
11111 11111 11111
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11111 11111 11111

I hereby certify that this plan 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.
Map No. 20565 Date 01/21/03

Revised 02/26/03
02/26/03

Date 02/26/03
Designed 02
Drawn 02

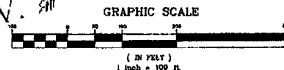
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OWNER MAIN STREET 1000, LLC
1000 Main Street
Andover, MN 55004

PROJECT

THE LAKES
BLAINE, MINNESOTA

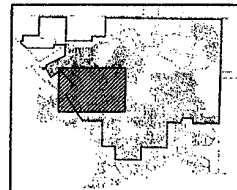
SHEET 16 OF 95 SHEETS



1. Visible improvements, such as existing buildings, fences, roads, etc., taken from topography provided by MARK HURD AERIAL PHOTOGRAPHY.
2. Two (2) foot interval contours provided by MARK HURD AERIAL PHOTOGRAPHY.
3. Wetlands delineated by KJOSHAUG ENVIRONMENTAL SERVICES COMPANY.

LEGEND

- Denotes Anoka County Coal Iron Monument
- Denotes Anoka County Stone Monument
- Denotes iron monument found
- Denotes 1/2 inch by 14 inch iron monument set and marked with license number 20595
- Denotes existing baseline
- Denotes existing delineated wetland
- Denotes existing ditch
- Denotes existing driveway/road
- Denotes existing culvert
- Denotes existing fence line
- Denotes existing power pole
- Denotes existing high voltage power pole



MULTIPLE FAMILY TYPICALS

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11/11/2014 11:11 AM
11/11/2014 11:11 AM
11/11/2014 11:11 AM

I hereby certify that this plan 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.

Name: **20595** Date: **01/21/20**

Partitions: **01/21/20**

Date: **01/21/20**

Described: **11/11**

Sheet: **17**

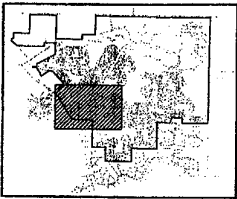
PRELIMINARY PLAT

OWNER: **MAIN STREET 1000, LLC**

PROJECT:

THE LAKES
BLAINE, MINNESOTA

SHEET 17 OF 95 SHEETS



MULTIPLE FAMILY TYPICALS

NOT TO SCALE

1	2	3	4	5	6	7	8	9	10
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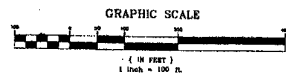
SEE SHEET 17

OUTLOT R
146.41 AC.

1. Visible improvements, such as existing buildings, fences, roads, etc., taken from topography provided by MARK HIRD AERIAL PHOTOGRAPHY.
2. Two (2) foot interval contours provided by MARK HIRD AERIAL PHOTOGRAPHY.
3. Wetlands delineated by KUDRHAUS ENVIRONMENTAL SERVICES COMPANY.

LEGEND

- Denotes Anoka County Coal Iron Monument
- Denotes Anoka County Stone Monument
- Denotes Iron monument found
- Denotes 1/2 inch by 1/4 inch iron monument set and marked with license number 20595
- Denotes existing fence
- Denotes existing delineated wetland
- Denotes existing ditch
- Denotes existing driveway/trail
- Denotes existing culvert
- Denotes existing fence
- Denotes existing power pole
- Denotes existing high voltage power pole



PIONEER
engineering

20500 Highway 100, Suite 100
Blaine, MN 55425
Phone: (763) 479-1111
Fax: (763) 479-1112
www.pioneer-engineering.com

I hereby certify that this plan 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.

Name: Landmark
Reg. No. 20595 Date: 01/20/03

Project:
Layout: 01/20/03

Sheet: 01/20/03
Drawn: CL

SHEET TITLE

PRELIMINARY PLAT

OWNER: **MAIN STREET 1000, LLC**
1875 Oliver Avenue
Andover, MN 55304

PROJECT

THE LAKES
BLAINE, MINNESOTA

SHEET 18 OF 95 SHEETS

SEE SHEET 21

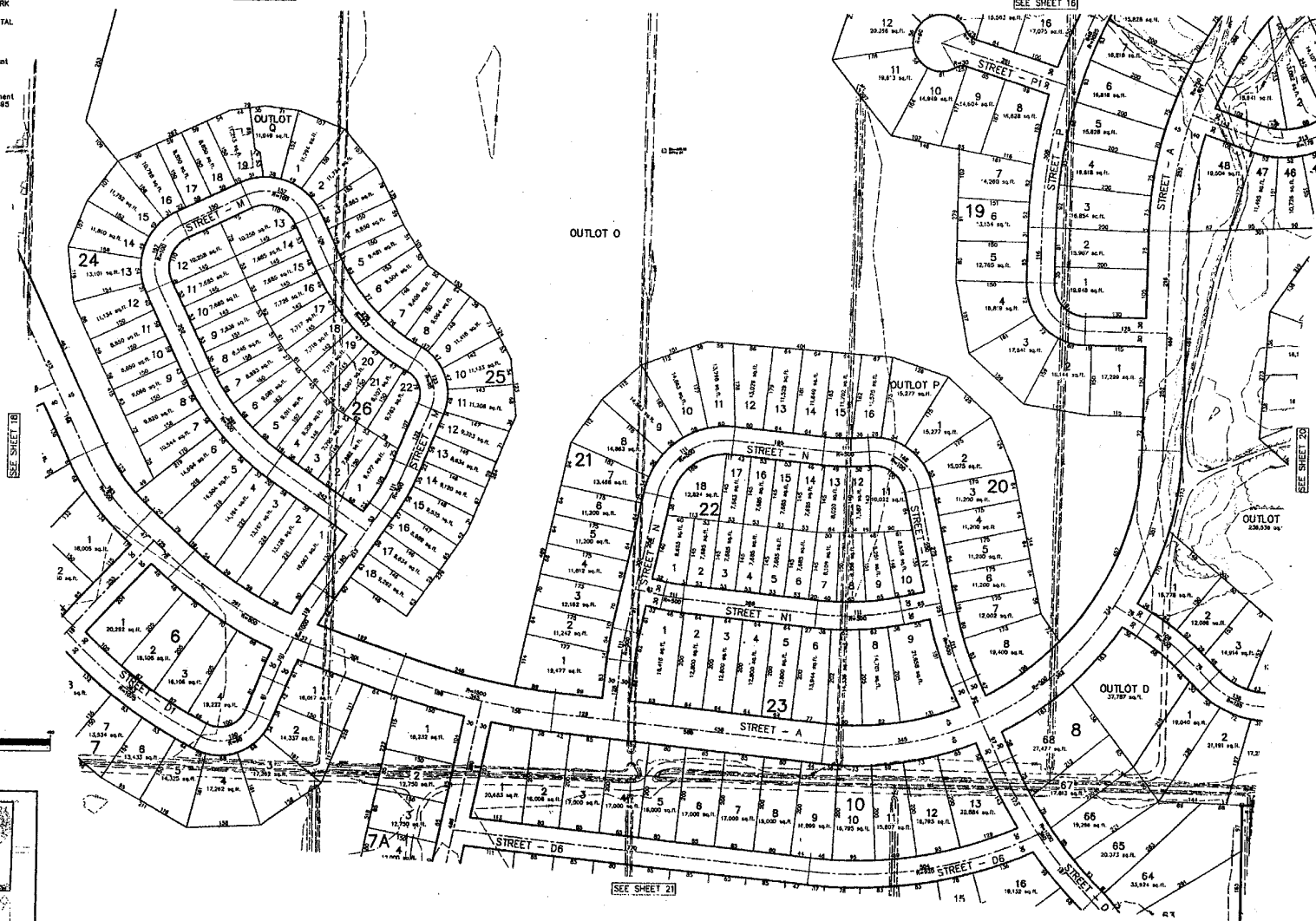
1. Visible improvements, such as existing buildings, fences, roads, etc., taken from topography provided by MARK HURO AERIAL PHOTOGRAPHY.
2. Two (2) foot interval contours provided by MARK HURO AERIAL PHOTOGRAPHY.
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LEGEND

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- ⊠ Denotes Anoka County Stone Monument
- Denotes Iron monument found
- Denotes 1/2 inch by 1/4 inch iron monument set and marked with license number 20565
- Denotes existing treeline
- Denotes existing delineated wetland
- Denotes existing ditch
- Denotes existing driveway/troll
- Denotes existing culvert
- Denotes existing fence line
- Denotes existing power pole
- Denotes existing high voltage power pole

SEE SHEET 14

SEE SHEET 18



GRAPHIC SCALE

(IN FEET)
1 inch = 100 ft.

SEE SHEET 21

SEE SHEET 23



Pioneer Engineering
11111 Highway 100
Suite 100
Blaine, MN 55425
Phone: 763-479-1111
Fax: 763-479-1112
Email: info@pioneereng.com

I hereby certify that this plan 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.

Project: **11111 Highway 100**
Date: **01/21/23**
Page No.: **20565**

Revisions:
01/21/23

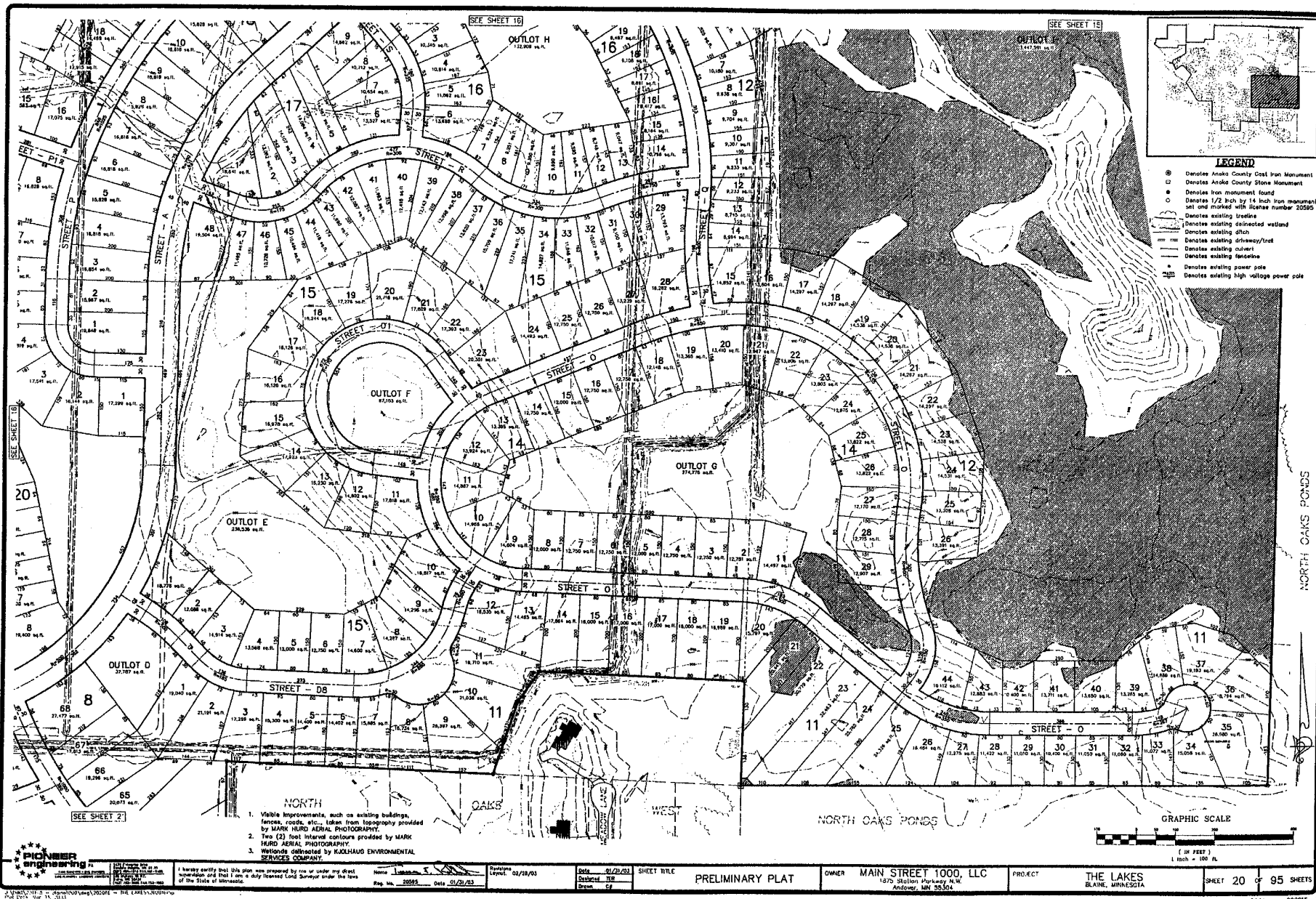
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Drawn: **CT**

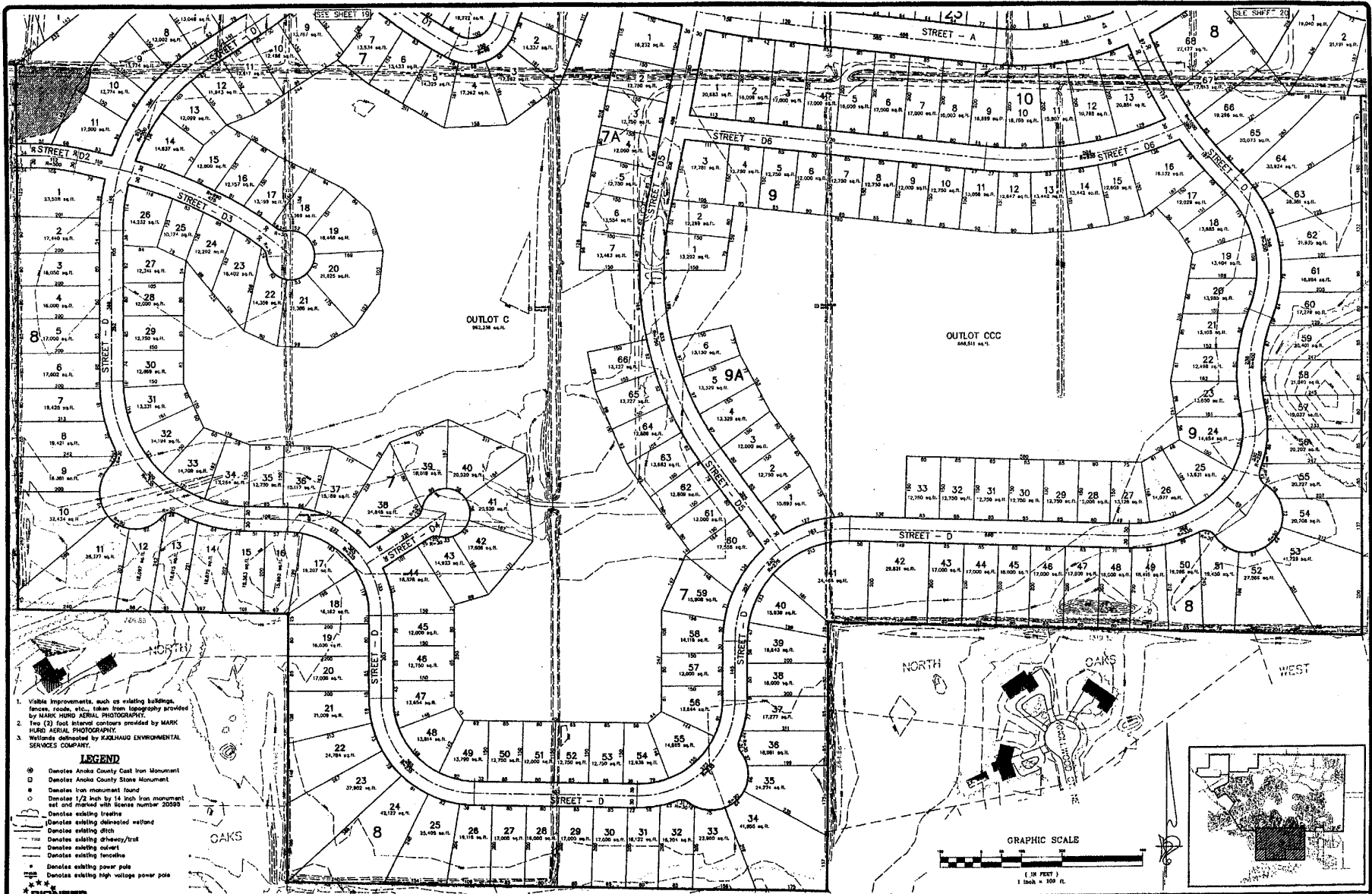
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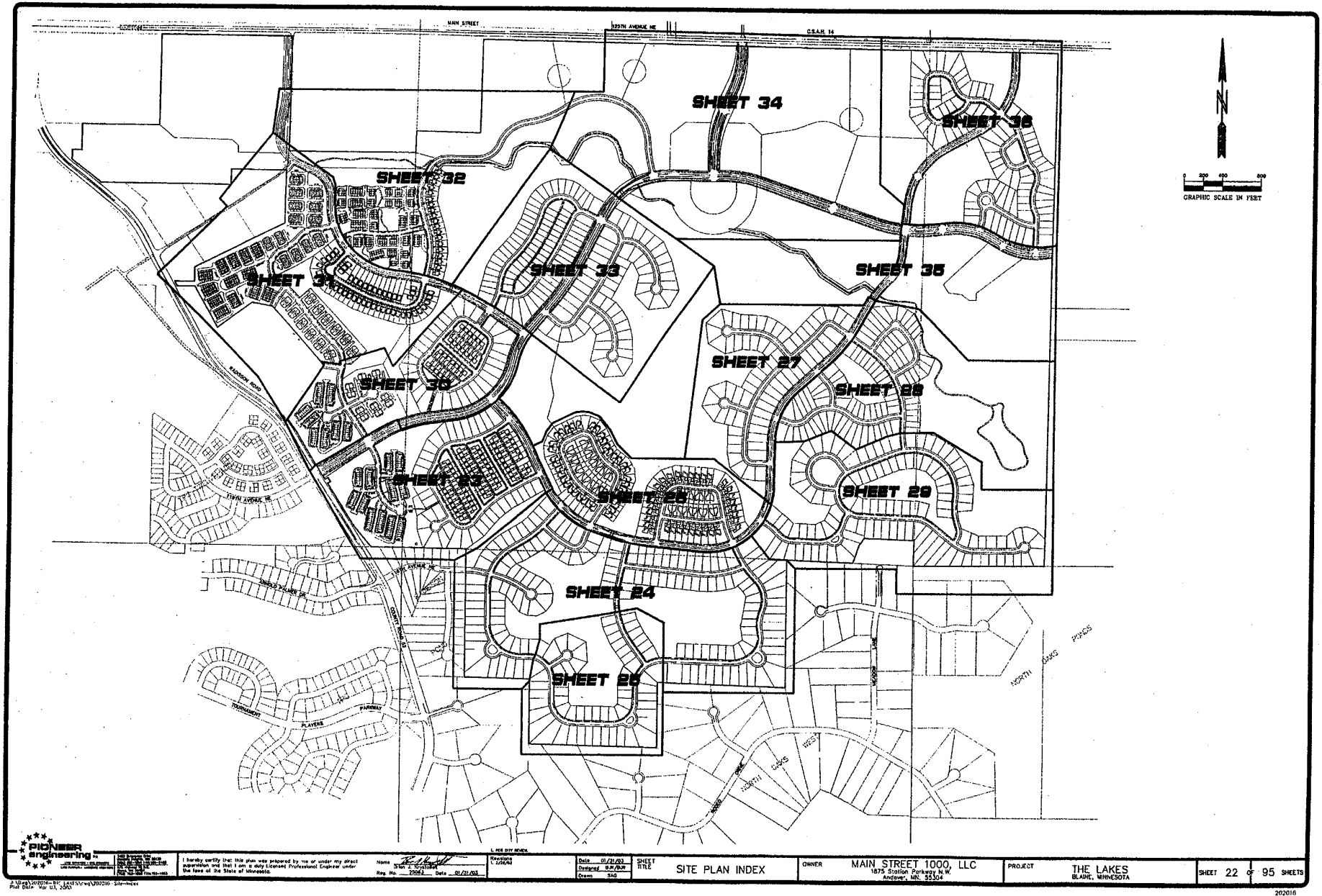
OWNER: **MAIN STREET 1000, LLC**
1000 Main Street
Blaine, MN 55425

PROJECT: **THE LAKES**
BLAINE, MINNESOTA

SHEET **19** OF **95** SHEETS







I hereby certify that this plan 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.

Project: 1000 Main Street
 Date: 08/20/03
 Drawn: SAG

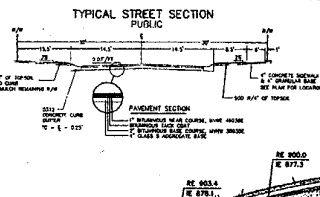
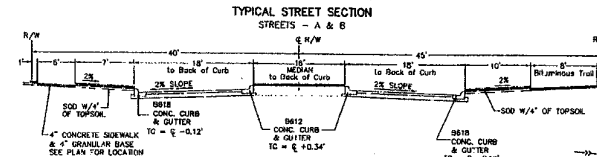
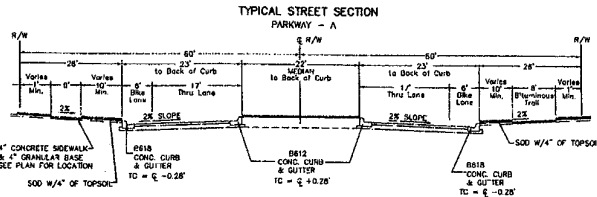
Revision: 1/2/04
 Date: 08/20/03
 Drawn: SAG

SHEET TITLE: SITE PLAN INDEX

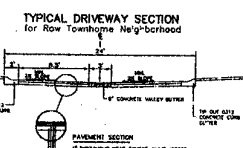
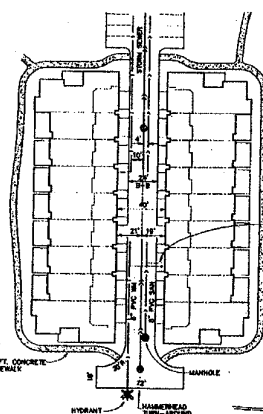
OWNER: MAIN STREET 1000, LLC
 1000 Station Park Lane SE
 Andover, MN 55304

PROJECT: THE LAKES
 BLAINE, MINNESOTA

SHEET 22 OF 95 SHEETS



**HANS HAGEN
ROW TO WHOME
NEIGHBORHOOD**
NO SCALE
NUMBER OF UNITS - 96
GUEST PARKING SPACES - 60
ON STREET PARKING SPACES - 61



**PIONEER
Engineering, Inc.**
11111 11111 11111
11111 11111 11111
11111 11111 11111

I hereby certify that this plan 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.

Drawn: *[Signature]*
Check: *[Signature]*
Date: 01/24/04

1. PRELIMINARY

2. PRELIMINARY

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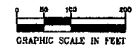
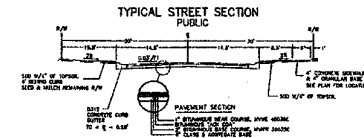
30. PRELIMINARY

**PRELIMINARY
SITE & UTILITY PLAN**

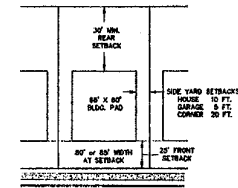
OWNER: **MAIN STREET 1000, LLC**
1075 Station Parkway
Andover, MN 55304

PROJECT: **THE LAKES
BLAINE, MINNESOTA**

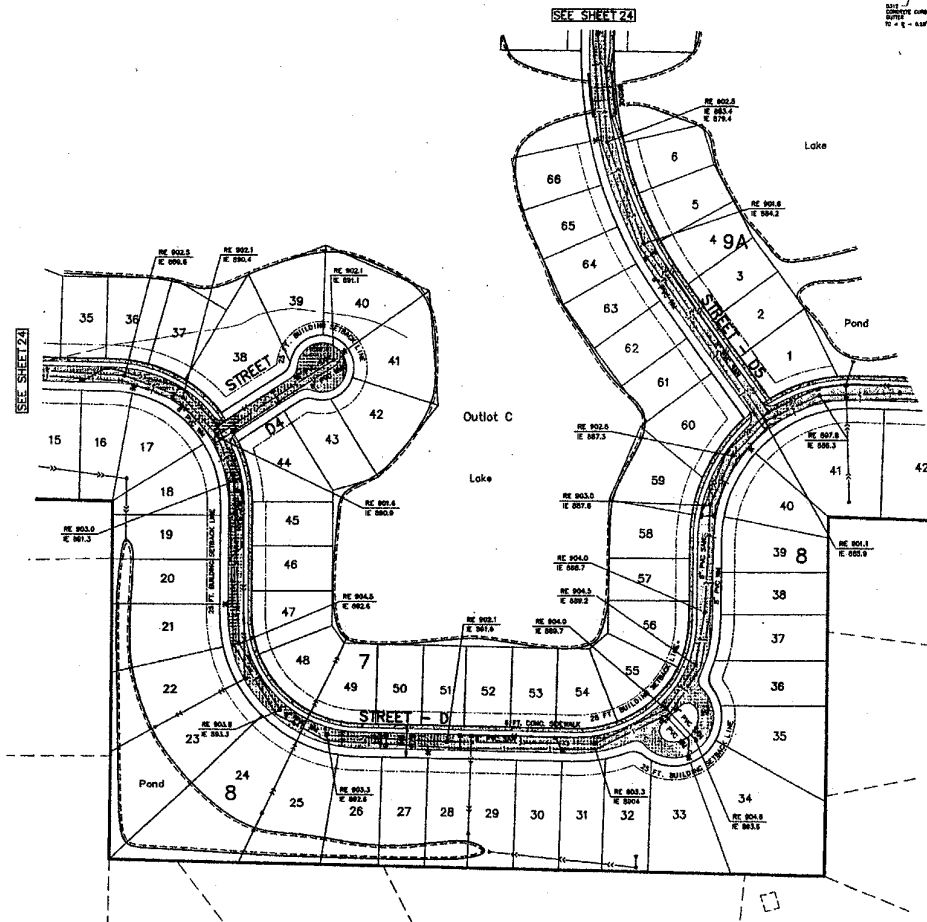
SHEET **23** OF **95** SHEETS



SINGLE FAMILY
80' or 86' WIDE LOT
NEIGHBORHOOD
NUMBER OF UNITS - 321
NO SCALE



TYPICAL SERVICES SHALL BE:
1" COPPER, TYPE K WATER SERVICE &
4" PVC SCHEDULE 40 SAN. SERVICE



1. THE CITY OF BLAINE, MINNESOTA, HAS REVIEWED THIS PLAN AND FINDS IT TO BE IN ACCORDANCE WITH THE CITY ORDINANCES AND THE MINNESOTA ENGINEERING ACT.

I hereby certify that this plan 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.

Name: John J. Jorgensen
Reg. No.: 25062 Date: 01/24/2015

Date: 01/24/2015
Drawing: 047/254
Sheet: 254

SHEET TITLE
PRELIMINARY
SITE & UTILITY PLAN

OWNER
MAIN STREET 1000, LLC
1875 Station Parkway N.W.
Andover, MN 55004

PROJECT

THE LAKES
BLAINE, MINNESOTA

SHEET 25 OF 95 SHEETS

Diagram illustrating the typical service shed layout and dimensions:

- Overall width: 12'
- Overall depth: 12'
- Entrance width: 3' (MINIMUM AT SETBACK)
- Interior dimensions: 9.5' (width), 9.5' (depth)
- Minimum buildings: 9.5' (width), 9.5' (depth)
- Side yard setbacks:
 - HOUSE: 7.5 FT.
 - GARAGE: 5 FT.
 - CORNER: 20 FT.

TYPICAL SERVICE SHED SHALL BE:
 1" CORRUG. 70% K WATER RESISTANCE
 4" PVC SCHEDULE 40 SAIL SERVICE

25' FRONT SETBACK

52' WIDTH AT SETBACK

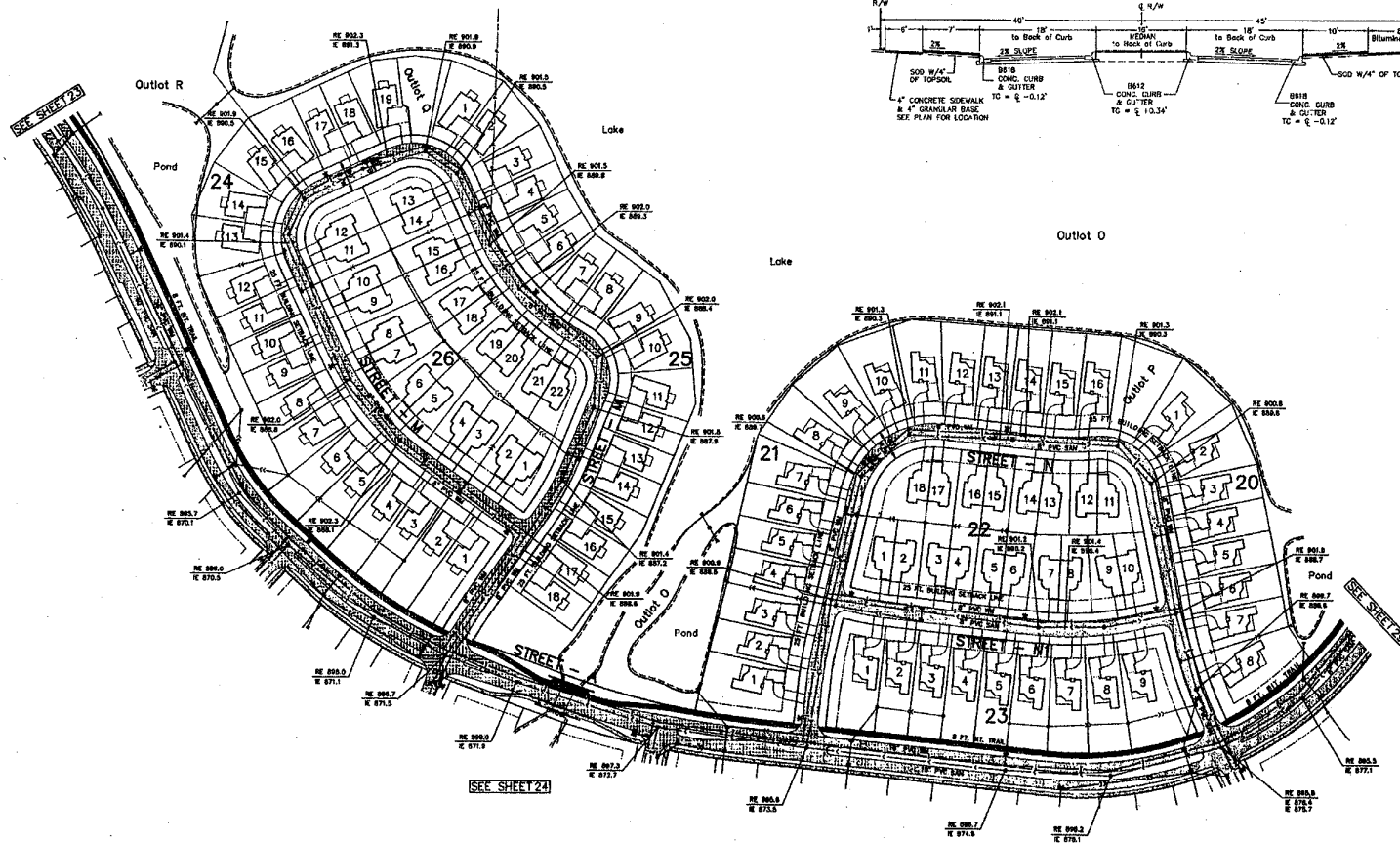
25' MINIMUM BETWEEN BUILDINGS

TYPICAL SERVICES SHALL BE:
 1" COVERED TYPE K WATER SERVICE &
 4" PVC SCHEDULE 40 SAN SERVICE

Diagram illustrating a typical service trench layout with dimensions and material specifications:

- 3" MIN. AT OUTRIG
- 25' F. SETBACK
- 12" MINIMUM (BETWEEN) BUILDINGS
- 5'
- 7.5'

TYPICAL SERVICES SHALL BE:
 1" COPPER, TYPE K WATER SERVICE &
 4" PVC SCHEDULE 40 SANI. SERVICE

[illegible]

PIONEER
ELECTRONICS

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-16-2010 BY 60322 JAW/gf

20 THE FOLLOWING IS A LIST OF
THE NAMES OF THE
PERSONS WHOSE NAMES ARE ON THE

I hereby certify that this plan 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.

Name Orion S. Kristoferson
 SSN No. 25063 Date 01/15/01

1. PER CITY REVIEW

Date	01/31/03
Designed	B.K./B.M.

SHEE

PRELIMINARY
SITE & UTILITY PLAN

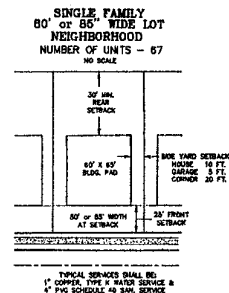
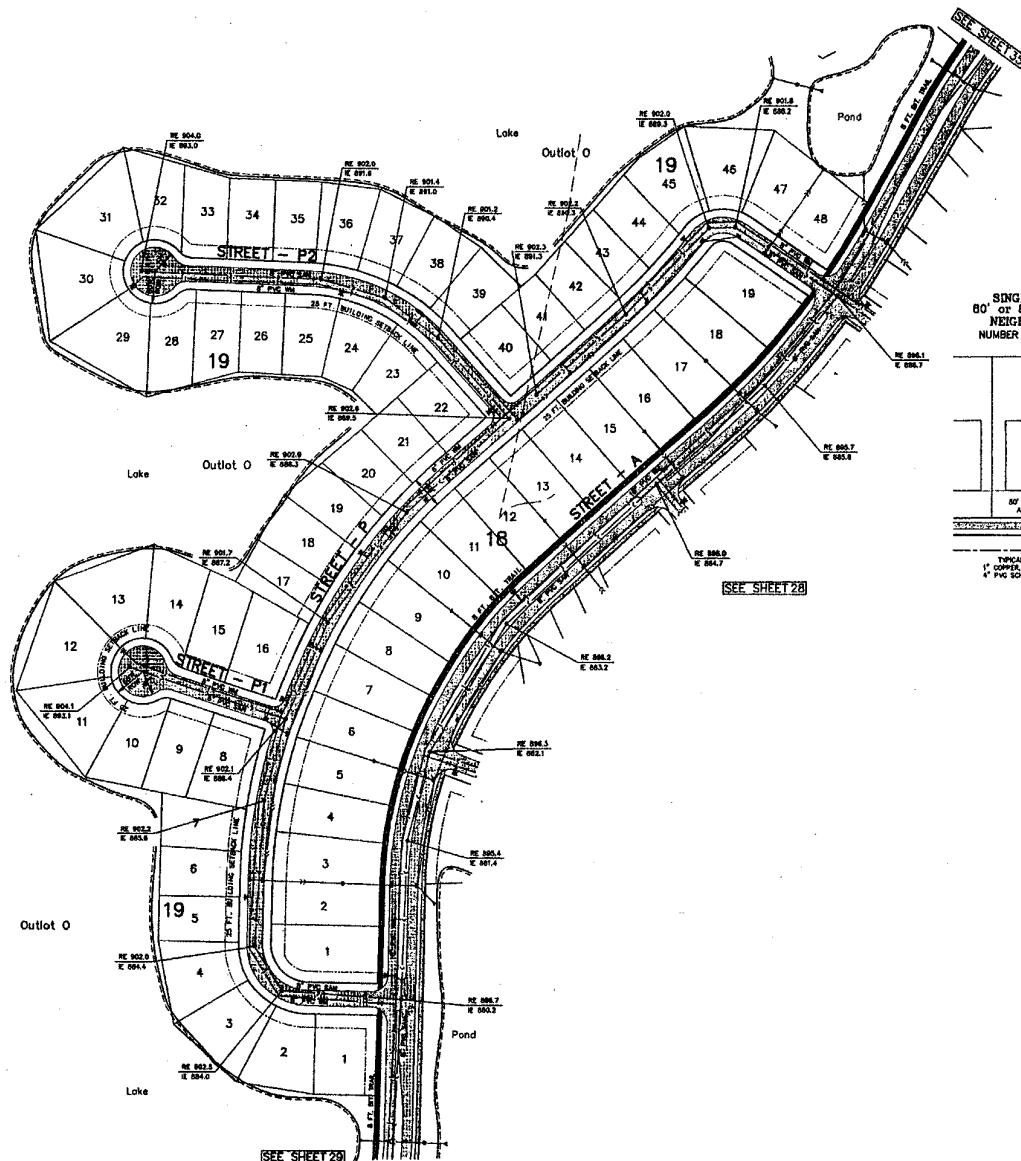
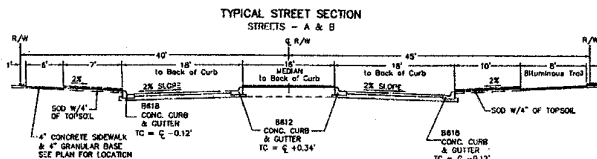
FINISHED

MAIN STREET 1000, LLC
1875 Stollon Parkway N.W.
Andover, MN 55304

1. **Introduction**
 2. **Methodology**
 3. **Results**
 4. **Discussion**
 5. **Conclusion**
 6. **References**
 7. **Appendix**
 8. **Index**
 9. **Glossary**
 10. **Notes**
 11. **Tables**
 12. **Figures**
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 255. **Tables**

THE LAKES
BLAINE, MINNESOTA

SHEET 26 OF 95 SHEETS



I hereby certify that this plan 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.

Name B. J. Kryzaniuk
Brian J. Kryzaniuk
Mat. No. 25063 Date 01/11/03

Date	01/31/03
Designed	RJK/MJS

SEE SHEET 29

PRELIMINARY
SITE & UTILITY PLAN

OWNER	
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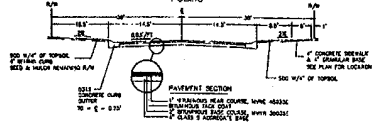
MAIN STREET 1000, LLC
1875 Station Parkway N.W.
Andover, MN 55304

PROJECT	
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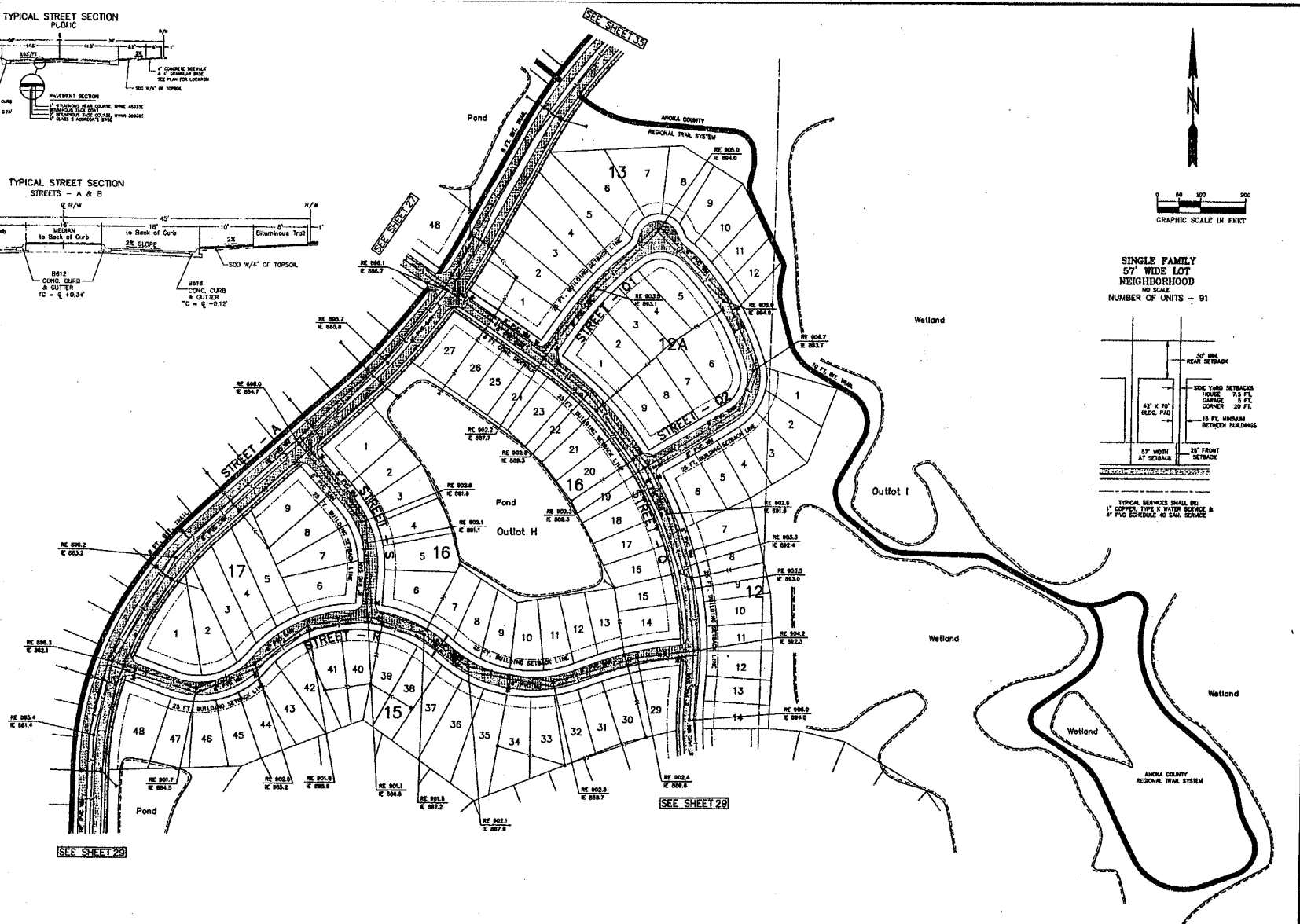
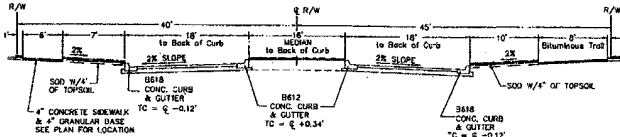
THE LAKES
BLAINE MINNESOTA

SHEET 27 OF 95 SHEETS

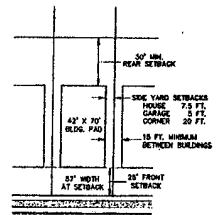
TYPICAL STREET SECTION
PUBLIC



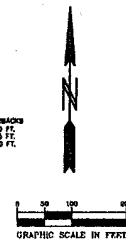
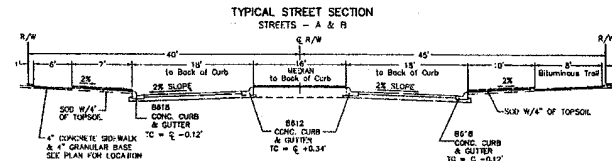
TYPICAL STREET SECTION
STREETS - A & B



SINGLE FAMILY
57' WIDE LOT
NEIGHBORHOOD
NO SCALE
NUMBER OF UNITS - 91



TYPICAL SERVICES SHALL BE
1" COPPER, TYPE K WATER SERVICE &
4" PVC SEWERAGE & SAN. SERVICE



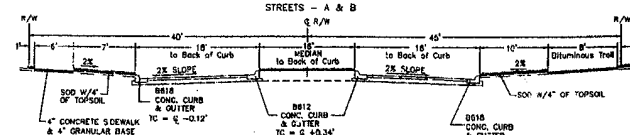
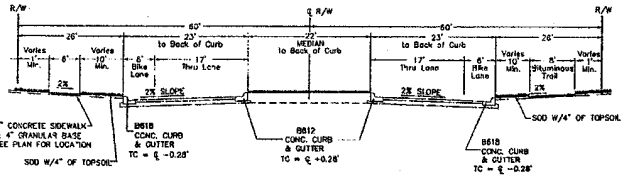
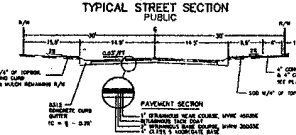
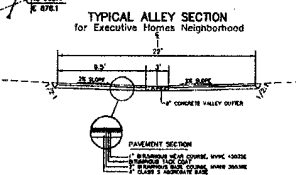
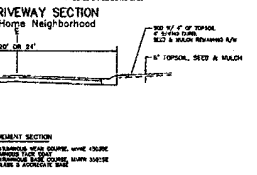
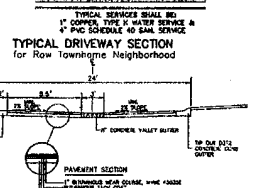
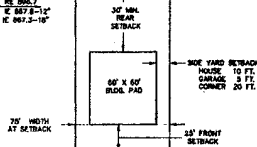
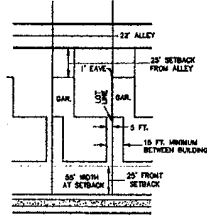
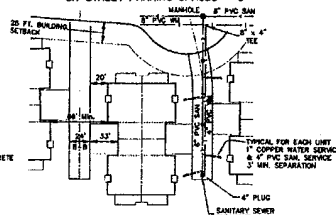
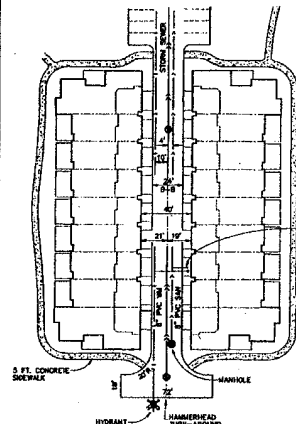
SHEET 29 OF 95 SHEETS

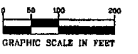
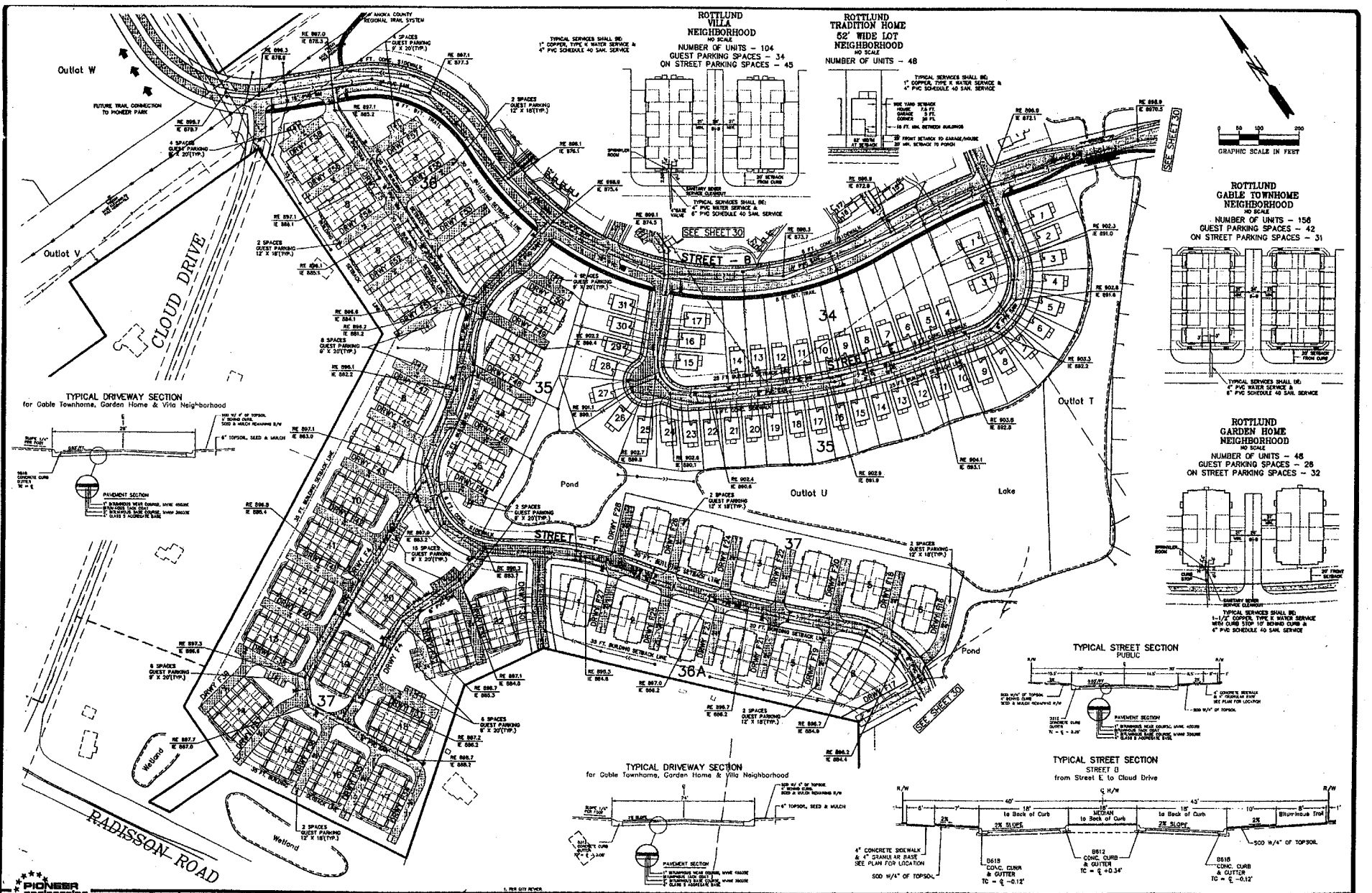
**HANS HAGEN
ROW TOWNHOME
NEIGHBORHOOD**
NO SCALE
NUMBER OF UNITS - 60
GUEST PARKING SPACES - 38
ON STREET PARKING SPACES - 7

**HANS HAGEN
QUAD HOME
NEIGHBORHOOD**
NO SCALE
NUMBER OF UNITS - 24
GUEST PARKING SPACES - 26
ON STREET PARKING SPACES - 9

**HANS HAGEN
EXECUTIVE HOME
NEIGHBORHOOD
(ZERO LOT LINE)**
NO SCALE
NUMBER OF UNITS - 26

GRAPHIC SCALE IN FEET
**HANS HAGEN
ORGAN HOME
NEIGHBORHOOD**
NUMBER OF UNITS - 32
NO SCALE





PIONEER engineering
 1800 10th Avenue S.W.
 Grand Rapids, MI 49503
 Tel: 616-941-1000
 Fax: 616-941-1001
 Email: info@pioneereng.com
 Website: www.pioneereng.com

I hereby certify that this plan 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.

Name: [Signature]
 Title: Engineer
 Date: 05/01/20
 Project: 1800 10th Avenue S.W.

DATE: 05/01/20
 SHEET: 31
 TITLE: **PRELIMINARY SITE & UTILITY PLAN**

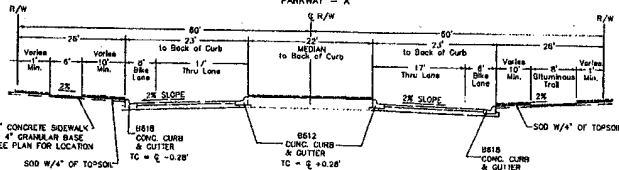
OWNER: **MAIN STREET 1000, LLC**
 1805 Station Parkway N.W.
 Andover, MN 55004

PROJECT: **THE LAKES**
 BLAINE, MINNESOTA

SHEET **31** OF **95** SHEETS

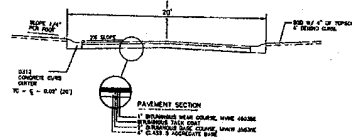
TYPICAL STREET SECTION

PARKWAY - A



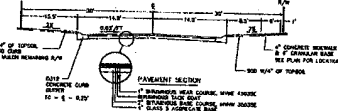
TYPICAL ALLEY SECTION

for Driveway A



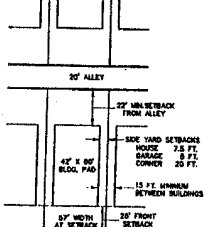
TYPICAL STREET SECTION

PUBLIC



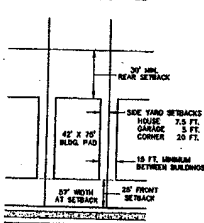
SINGLE FAMILY 57' WIDE LOT NEIGHBORHOOD

NUMBER OF UNITS - 34



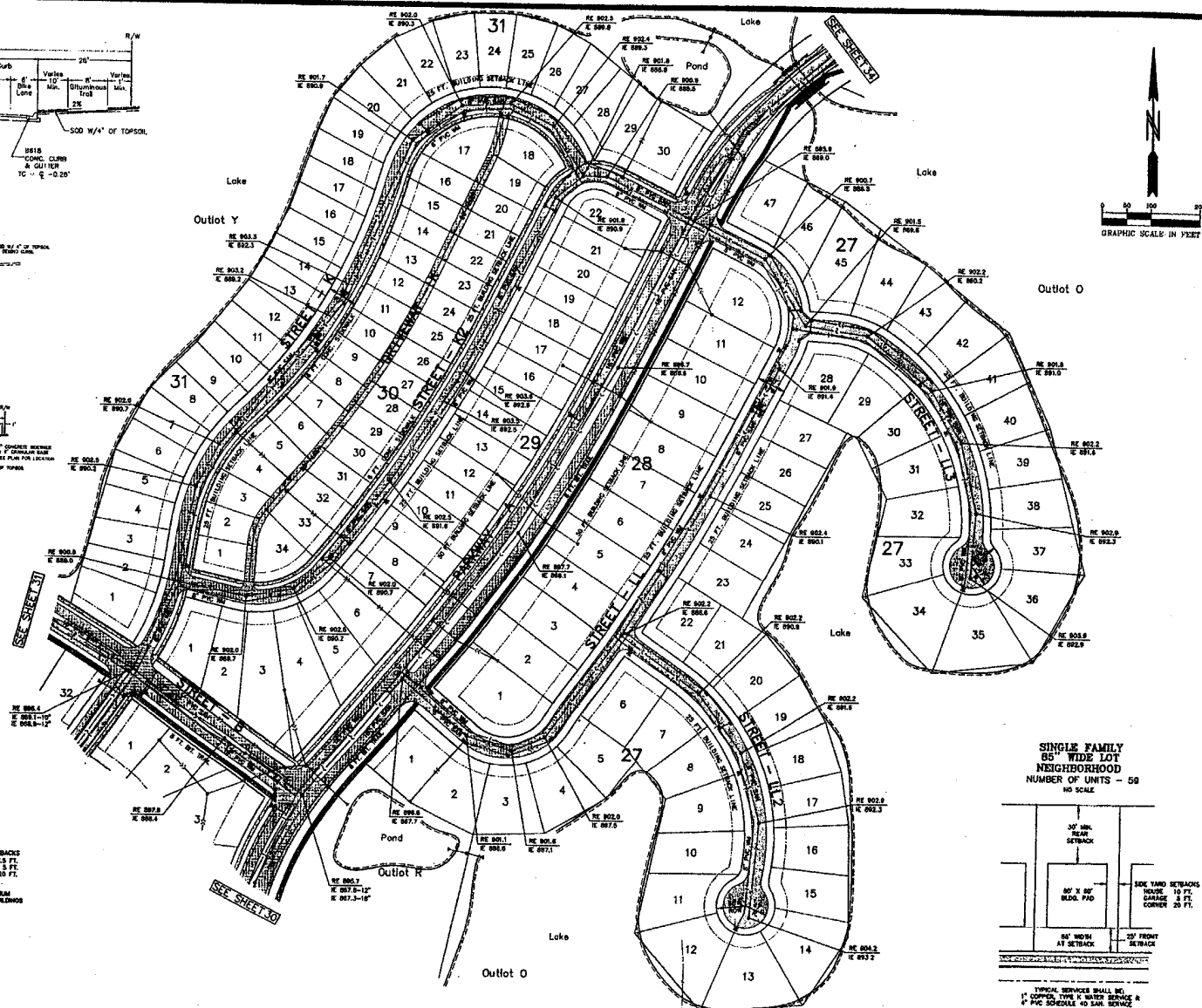
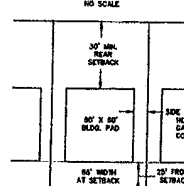
SINGLE FAMILY 57' WIDE LOT NEIGHBORHOOD

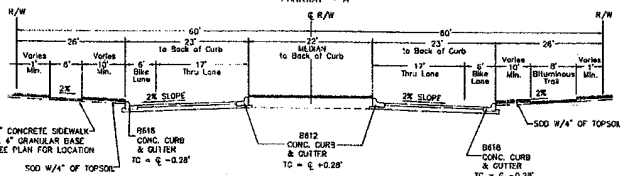
NUMBER OF UNITS - 52



SINGLE FAMILY 85' WIDE LOT NEIGHBORHOOD

NUMBER OF UNITS - 59





4" CONCRETE SIDEWALK
& 4" GRANULAR BASE
SEE PLAN FOR LOCATION

SOD W/4" OF TOPSOIL:

Outlet DD

Outlet GG

Outlet JJ

Outlet AA

Outlet EE

Outlot FF

Outlet HH

Outlet II

Outlet M

Outlet N

Outlet K

Po

SEE SHEET 38

OF 95 SHEETS

2024116

I hereby certify that this sign 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.

Name Brian J. Kristofsky
 Reg. No. 23063 Date 01/31/03

L. PRAIRIE REVIEW

(SEE SHEET 35)

Date	01/31/03
Designed by	B.M./B.M.
Drawn by	EAD

SHEET
FILE

PRELIMINARY
SITE & UTILITY PLAN

OWNERS

MAIN STREET 1000, LLC
1875 Stollon Parkway N.W.
Andover, MN 55004

PROJECT

THE LAKES
BLAINE, MINNESOTA

SHEET 34 OF 95 SHEETS

SEE SHEET 34

Outlet M

Pond

Outlet K

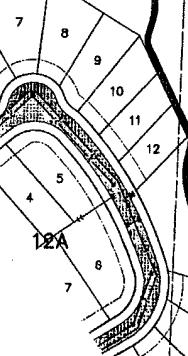
Outlet O

Lake

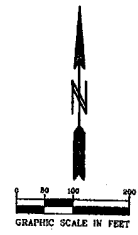
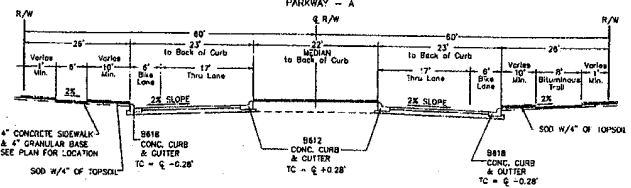
SEE SHEET 27

SHOKA COUNTY
REGIONAL TRAIL SYSTEM

12A



TYPICAL STREET SECTION



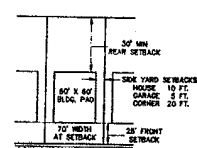
SEE SHEET 36

PARKWAY A

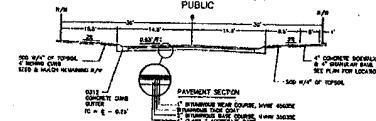
Outlet J

Outlet I

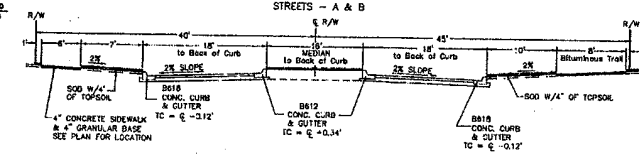
Wetland



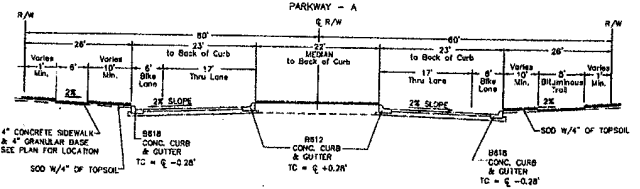
TYPICAL STREET SECTION
PUBLIC



TYPICAL STREET SECTION
STREETS A, B, D



TYPICAL STREET SECTION
PARKWAY - 4



28. Compatibility with plans

The AUAR must include a statement of certification from the RGU that its comprehensive plan complies with the requirements set out at MN Statutes 4410.361, subpart 1. The AUAR document should discuss the proposed AUAR development in the context of the comprehensive plan. If this has not been done as part of the responses to items 6, 9, 19, 22, and others, it must be addressed here; a brief synopsis should be presented here if the material has been presented in detail under other items. Necessary amendments to comprehensive plan elements to allow for any of the development scenarios should be noted.

If there are any management plans of any other local, state, or federal agencies applicable to the AUAR area, the document must discuss the compatibility of the plan with the various development scenarios studied, with emphasis on any incompatible elements.

Scenario 3 in "The Lakes Development" AUAR complies with the current City of Blaine's Comprehensive Plan that meets Minnesota statute 4410.361, subpart 1. The City has submitted a revised comprehensive plan for review and approval by the Met Council.

29. Impact on Infrastructure and Public Services

According to EQB guidance, this item should first of all summarize information on physical infrastructure presented under other items (such as 6, 18, 19, and 22). Other major infrastructure or public services not covered under other items should be discussed as well – this includes major social services such as schools, police, fire, etc. As noted in the "EAW Guidelines" the RGU must be careful to include project-associated infrastructure as an explicit part of the AUAR review if it is to be exempt from project-specific review in the future.

Expanded municipal infrastructure, including public-street extensions, sanitary sewer, watermain, and storm sewer improvements will be required for the development. These improvements will be designed in accordance with City standards.

The City will evaluate the need for increased social services (schools, fire, police, etc) as the population of the area increases.

30. Related Developments; Cumulative Impacts

*EQB guidance indicates this question is **not applicable** to an AUAR.*

31. Other Potential Environmental Impacts

If the project may cause any adverse environmental impacts that were not addressed by items 1 to 28, identify and discuss them here, along with any proposed mitigation.

None are anticipated.

32. Summary of Issues

List any impacts and issues identified above that may require further investigation before the project is commenced. Discuss any alternatives or mitigative measures that have been or may be considered for these impacts and issues, including those that have been or may be ordered as permit conditions.

EQB guidance specifies this question may be answered as asked by the form, or instead may choose to provide an Executive Summary to the document that basically covers the same information. Either way, the major emphasis should be on potentially significant impacts, the differences in impacts between major development

Due to the nature of "The Lakes" development, Scenarios 1 & 2 are similar, with the exception of housing densities and density of commercial development. Resulting impacts are anticipated to be same for each scenario. No significant impacts are anticipated due to Scenario 3 development. A summary of the key impacts for Scenarios 1&2 is listed below.

- On-Site Wells – Currently, at least one domestic well is present on each of the properties at the Site with the exception of 11701 Radisson Road. Additionally, four irrigation wells (with water appropriation permits) are present across the Site. After the sale and vacancy of the properties, the wells will be abandoned according to Minnesota Department of Health requirements.
- Impacts to Neighboring Wells – Dewatering during grading of the Site is not expected to cause any problems in domestic or irrigation wells in the vicinity of the Site. It is possible that surrounding homes having separate shallow sand point wells for lawn/garden irrigation may be affected temporarily during construction. If this occurs, the developer could supplement these properties with water via trucks or other means as required.
- Septic Systems -- Septic systems are present at all of the properties with the exception of 11701 Radisson Road. After the sale and vacancy of the properties, the septic systems will be abandoned according to Minnesota Pollution Control Agency's requirements.
- Impacted Soil and Groundwater – All of the properties with the exception of 2726 125th Avenue NE were investigated for soil and groundwater contamination. While low levels of some compounds were found in groundwater and soil, none of the values exceeded established state limits. All of the Sites were closed by the Minnesota Pollution Control Agency with no requirements for further investigation or mitigation (see Appendix C).
- Wetlands – The project will impact wetlands at the Site. The project will obtain permits from the U. S. Army Corp of Engineers and the City of Blaine and will work with local, county, state, and federal agencies to develop a mitigation plan.
- Wildlife Habitat/Natural Communities – The change of the property from a rural agricultural setting to a residential development with small areas of industrial/commercial/retail use will have minor effects on the wildlife and plant communities. Some wildlife habitat will be displaced over portions of the Site, but a relatively large tract of undeveloped green space will be left undeveloped in the southeastern portion of the property. This undeveloped portion will remain connected to the City of Blaine's open space adjacent to the property. This undeveloped area also contains much of the tree cover at the property. The development of the Site will conform with the City of Blaine's Tree Preservation Plan.
- Traffic – The proposed development will increase traffic on roadways in the vicinity of the Site. Mitigation will include adding stoplights and turn lanes and widening roads as necessary during the various stages of the development. Appendix D contains the traffic study conducted for the development and discusses mitigation measures in detail.
- Construction Activities – Noise, fugitive dust, and erosion may occur during initial construction activities. Impacts due to noise will be mitigated by using properly muffled equipment and limiting the hours of construction. Dust will be controlled using Best Management Practices (BMPs) consisting of the following practices: limiting the amount of exposed soils, re-vegetating/repaving the areas as soon as practicable, and watering unpaved areas, mining operations, and stockpiles as required during dry and windy conditions. The proposed construction plans will include the following BMPs to minimize erosion during construction: erosion control fences, inlet filters, vegetation establishment

schedules, erosion control fabrics, mulch, hay bales, diversion channels, temporary cover crops, sod, and landscaping. Also, dike terraces, slope grading techniques, temporary sediment basins, and rock construction entrances will be utilized as required. In addition, periodic street cleaning on adjacent local roads will be coordinated by the City of Blaine.

- **City Infrastructure** – Both city water and sewer will be extended into “The Lakes” development. The Metropolitan Utilities Service Area (MUSA) will be expanded with the October 2002 *Northeast Area Plan Amendment* to the City’s Comprehensive Plan and no additional improvements are expected for the trunk sewer system or Metropolitan Council Environmental Service (MCES) treatment facility. The City of Blaine’s *Northeast Area Plan Amendment* calls for the addition of three wells. It is estimated that one or two of these wells will service “The Lakes” development.
- **Stormwater Management** -- After development of the Site, the volume of runoff from the Site would likely increase as a result of the greater extent of impervious surface. The on-Site quality of the runoff would be typical of a suburban residential mixed with minor commercial development, resulting in increased amount of phosphates and other typical components of urban runoff. Runoff from the development will be treated in numerous on-Site storm water detention ponds, discharged into the surface water body and/or ditch system, and ultimately be released from the Site at a flow rate that is less than or equal to existing conditions. Temporarily retaining water on the Site in ponds will allow nutrients and pollutants to precipitate as sediment colloids, effectively increasing the quality of water released from the Site. The stormwater ponds will be constructed as part of the project to protect receiving waters from runoff. These will be NURP National Urban Runoff Program (NURP) ponds designed in accordance with the Walker Method for water quality and rate control.
- **Water Quality** -- A large emphasis will be placed on maintaining the quality of the larger water bodies on site, as they are considered a great amenity to the project. Studies were performed by a limnologist to determine the best scenario for constructing these water bodies. The result of this study indicated that backfilling to create an overall water depth of approximately 14’ would prevent lake turnover. In addition, every effort will be made to assure that water flowing into these water bodies is pretreated, and that any additional measures necessary to assure water quality and long term viability of these water bodies will be implemented.

33. CERTIFICATIONS BY THE RGU

EQB guidance specifies that in an AUAR document, no certifications as listed in the end of the EAW form are necessary. (The RGU is legally responsible for the accuracy and completeness of the document and for properly distributing it nonetheless.)

22. Traffic

EQB guidance specifies for most AUAR reviews a relatively detailed traffic analysis will be needed, especially if there is to be much commercial development in the AUAR area or if there are major congested roadways in the vicinity. The results of the traffic analysis used in the responses to item 23 and to the noise aspect of item 25.

Instead of the information required under this heading in an EAW, EQB guidance requests the following information be provided:

- A description and map of the existing and proposed roadway system, including state, regional, and local roads to be affected by the development of the AUAR area. This information should include existing and proposed roadway capacities and existing and projected background (i.e., without the AUAR development) traffic volumes;
- Trip generation data – trip generation rates and trip totals – for each major development scenario broken down by land use zones and/or other relevant subdivisions of the area. The projected distributions onto the roadway system must be included;
- Analysis of impacts of the traffic generated by the AUAR area on the roadway system, including: comparison of peak period total flows to capacities and analysis of Levels of Service and delay times at critical points (if any);
- A discussion of structural and non-structural improvements and traffic management measures that are proposed to mitigate problems;

NOTE: in the above analyses, the geographical scope must extend outward as far as the traffic to be generated would have a significant effect on the roadway system and traffic measurements and projections should include peak days and peak hours, or other appropriate measures related to identifying congestion problems, as well as ADTs.

A detailed traffic impact analysis has been conducted for the subject area and is included as Appendix D. Note that the analysis document in Appendix D is the traffic impact study text, and the technical appendix, with the analysis worksheets, is on file at Pinnacle Engineering for review. The following discussion summarizes the information contained in the report.

Existing Roadway System

The study area is served by two existing principal arterial roadways:

- I-35W, to the south and east of the study area, is a four-lane interstate freeway with interchanges and auxiliary lanes for merging at Radisson Road NE and Lexington Avenue NE. Current average daily traffic (ADT) volume in the vicinity of the study area is 45,000-50,000.
- TH-65, one to two miles west of the study area, is a four-lane expressway with signalized traffic control at the intersections of minor arterials and major collectors. Current traffic volumes using the facility are approximately 45,000 ADT.

The study area is served by three minor arterials:

- Radisson Road (County State Aid Highway (CSAH) 52) is a four-lane divided arterial at the western edge of the study area, becoming a two-lane undivided facility south of 105th Avenue NE. Approximate current traffic volumes range from 6,700 ADT near 125th Avenue NE to 12,000 ADT near I-35W.
- Lexington Avenue (CSAH 17) is a two-lane divided arterial to the east of the study area, becoming a four-lane facility south of 109th Avenue NE. Approximate current traffic volumes range from 9,000 ADT near 125th Avenue NE to 12,000 near I-35W.
- 125th Avenue NE (CSAH 14) is a two-lane arterial at the northern edge of the study area. Approximate current traffic volume is 7,900 ADT.

Figure 22.1 illustrates the primary roadway system serving the study area.

Planned and Programmed Roadway Improvements

Information provided by the City of Blaine, Anoka County and Mn/DOT identified the following improvements that will be made prior to the year 2009:

- Radisson Road NE will become a divided four-lane facility from 105th Avenue NE to Interstate 35W. (Complete in 2003)
- Lexington Avenue NE will become a four-lane facility from 125th Avenue NE to 109th Avenue NE. (Complete 2004-2005)
- Signals will be constructed at the Radisson Road NE and Interstate 35W Northbound and Southbound Ramps. (2002-2003)
- The interchange of Radisson Road NE and Interstate 35W will be reconfigured into a "folded diamond" type interchange so that northbound to westbound traffic will make a right turn instead of a left turn. (2002-2003)
- 109th Avenue NE will become a four-lane facility from TH 65 to Radisson Road NE. (2005-2006)

Illustrations of these improvements are shown on Figure 7 in Appendix D. It is noted that improvements between 2009 and 2025 are only concepts at this time. Further, 119th Avenue NE may be extended from Radisson Road NE to Lexington Avenue NE as development occurs.

Existing and Planned Transit Services

Metro Transit is completing a large Park and Ride facility near the I-35W and Radisson Road NE ramps. It is currently the intent of Metro Transit to service this lot via its routes that utilize Radisson Road NE, which are "deadhead" routes servicing customers in a single direction only. Future plans may include transit service along 125th Avenue NE and Lexington Avenue NE.

As the study area develops to include the Office Park/Industrial Park area, it may be desirable to consider including an on-site Park and Ride facility near the 125th Avenue NE and Radisson Road NE intersection.

The proposed land use has been designed to provide for transit friendly development by locating density near Radisson Road NE and along 125th Avenue NE. It is anticipated that a Metro Transit stop will be added at the intersection of Radisson Road NE and 119th Avenue NE. Further, the internal roadway network lends itself to neighborhood shuttle service with potential hubs near the retail commercial center and at all major internal intersections.

Transportation Study

A detailed traffic impact analysis has been prepared to fully investigate the effects of the proposed land use scenarios on the local and regional roadway systems. This report has been included as Appendix D. Traffic information and forecasts were based on traffic counts conducted in March of 2002, as well as data provided by the City of Blaine, MnDOT and Anoka County.

Traffic generation was prepared using the Institute of Transportation Engineers "Trip Generation (6th Edition)." Probable land uses, as allowed by the City of Blaine Comprehensive Plan, were compared for the highest and lowest combinations of traffic generation. (See Tables 2 and 4 in Appendix D). It was concluded that the maximum potential site development (Scenario 2) will result in approximately 5,900 PM peak hour trips. The preferred alternative, Scenario 1, will result in approximately 4,300 PM peak hour trips. An additional alternative reflecting current zoning was also considered, resulting in 17 PM peak hour trips. This alternative will not increase the traffic at any study area intersection by 10 trips, and therefore is represented by the future No-Build conditions. The detailed traffic study considers both Build scenarios and the No-Build condition, and provides mitigation suggestions for each.

On a daily basis the trip generation potential of the alternatives range from approximately 43,700-61,600 trips. The existing roadway network currently serves approximately 24,000 trips.

The timing of the development of the project area is uncertain at this time other than it is expected to occur by the year 2009.

The estimated site-generated traffic has been assigned to the adjacent street system based on the following:

- An evaluation of existing peak hour traffic patterns.
- The City of Blaine's Comprehensive Transportation Study.
- Proximity to the various site access locations.
- A travel time study conducted on Wednesday, May 15, 2002.

The traffic generated by the project during the weekday AM and PM peak hours was distributed as shown on Figures 9a and 9b in Appendix D for residential/office and retail trips, respectively. The entrance chosen by traffic to access the development was assigned based on the destination or origin of the traffic and on the shortest estimated travel time.

Three separate methods were utilized to estimate 2009 and 2025 background growth and were compared to ensure a conservative result. The first method resulted from the April 2002 study conducted by the City of Blaine (utilizing the model at the University of Minnesota Center for Transportation Studies) that predicted year 2025 traffic volumes in Blaine. The second method estimated the traffic generation potential of new developments allowed per the zoning map of Blaine; these estimates would be added to existing volumes to predict future volumes. The final method involved applying a universal growth factor to account for growth in the area.

After comparing all three methods, the most conservative result was derived from the use of a growth factor that closely mirrored the results of the City's study. The City's study included the proposed AUAR study area. The result therefore, was adjusted to reflect conditions without this project. Comparing the adjusted City's study estimates with existing traffic volumes resulted in an annual growth rate of 2.0%. To provide a conservative estimate of future traffic conditions, this study assumed a 2.5% annual growth rate for background traffic. The Background (No-Build) traffic volumes for 2009 and 2025 are illustrated on Figures 5 and 6 in Appendix D, respectively. Figures 10 and 11 contained in Appendix D include the Scenario 1 Build traffic for the 2009 and 2025 design years.

The 2009 and 2025 PM peak hour levels of service were analyzed at 16 existing and future intersections. 2009 conditions are summarized in Table 22.1. (See Appendix D for 2025 Level of Service summary for Scenario 1, as well as the complete Scenario 2 summary.) Analysis was conducted using both SYNCHRO 5.0 and SIMTRAFFIC traffic operations analysis software. In general, a peak hour Level of Service D or better is considered acceptable in the Twin Cities area.

Table 22.1 Intersection Level of Service

Intersection:	Radisson Rd. & 125th Ave.	Radisson Rd. & Cloud Dr.	Radisson Rd. & 119th Ave.	Radisson Rd. & Arnold Palmer Dr.	Radisson Rd. & Rodeo Dr.	Radisson Rd. & 109th Ave.	Radisson Rd. & 105th Ave.	Radisson Rd. & 35W SB	Radisson Rd. & 35W NB	Lexington Ave. & 35W NB	Lexington Ave. & 35W SB	Lexington Ave. & 109th Ave.	Lexington Ave. & 125th Ave.	125th Ave. & N. Lk. Blvd.	125th Ave. & Harpers St.	125th Ave. & Cloud Dr.
Scenario:																
2009 AM No-Build																
Overall	B	a	a	a	a	B	A	A	A	A	A	B	B		a	a
2009 PM No-Build																
Overall	C	a	a	a	a	B	A	A	A	B	A	B	B		a	a
2009 AM Scenario 1																
Overall	B	A	B	a	a	B	A	A	A	A	A	B	C	a	A	a
2009 PM Scenario 1																
Overall	C	A	B	a	a	C	A	A	A	C	A	B	C	a	B	a
Note: Overall LOS for Unsignalized Intersections (lower case) Represents Intersection Capacity Utilization (ICU) Percentage LO																

Modification to intersections would be required as follows to mitigate growth in background traffic as well as site-generated traffic in the 2009 and 2025 design years.

Scenario 1

125th Avenue NE

- 2009 Build - Upgrade to four-lane facility from Radisson Road NE to Lexington Avenue NE.
- 2025 Build - Same as 2009 Build.

Radisson Road NE and 125th Avenue NE

- 2009 Build - Dual left northbound; northbound approach to consist of two left turn lanes, a through lane and a shared through/right turn lane.
- 2025 No-Build - Dual left northbound and eastbound. Conversion of the northbound approach to two left turn lanes, a through lane and a shared through/right turn lane.
- 2025 Build - Same as 2025 No-Build.

Radisson Road NE and Cloud Drive NE

- 2009 Build - Construction of a traffic signal with permitted phasing for eastbound/westbound left turns and protected phasing for northbound and southbound left turns. Reconstruction of the westbound approach to provide a left turn lane and a shared through/right turn lane. Restriping of the northbound approach to include a right turn lane. Restriping of the southbound approach to include the existing "future" left turn lane.
- 2025 Build - Same as 2009 Build.

Radisson Road NE and 119th Avenue NE

- 2009 Build - Construction of a traffic signal with permitted phasing for eastbound left turns, protected phasing for northbound and southbound left turns and permitted/protected phasing for westbound left turns. Construction of a westbound approach to provide a left turn lane and a shared through/right turn lane. Restriping of the eastbound approach to provide a left turn lane and a shared through/right turn lane. Restriping of the northbound approach to include a right turn lane. Restriping of the southbound approach to include the existing "future" left turn lane. Possible road modifications to provide for Metro Transit Bus Pull Out.
- 2025 Build - Same as 2009 Build.

Radisson Road NE and Arnold Palmer Drive

- 2009 Build - Construction of a stop-controlled westbound approach to provide a left turn lane and a shared through/right turn lane. Restriping of the eastbound approach to provide a left turn lane and a shared through/right turn lane. Restriping of the southbound approach to include the existing "future" left turn lane.
- 2025 Build - Same as 2009 Build.

Radisson Road NE and Rodeo Drive NE

- No mitigation is proposed.

Radisson Road NE and 109th Avenue NE

- 2025 Build - The intersection is predicted to operate at or near capacity; therefore, it is suggested that the intersection be monitored to assess the need for improvements.

Radisson Road NE and 105th Avenue NE

- No mitigation is proposed.

Radisson Road NE and Interstate 35W Southbound

- No mitigation is proposed.

Radisson Road NE and Interstate 35W Northbound

- No mitigation is proposed.

Lexington Avenue NE and Interstate 35W Northbound

- 2025 No-Build - The intersection is predicted to operate at or near capacity, it is suggested that the intersection be monitored to assess the need for improvements such as a triple left eastbound, or the construction of a folded-diamond interchange.
- 2025 Build - Same as 2025 No-Build.

Lexington Avenue NE and Interstate 35W Southbound

- 2025 No-Build - Should three left turn lanes be provided at the northbound ramps, an additional through lane northbound or the construction of a folded-diamond interchange would become necessary.
- 2025 Build - Same as 2025 No-Build.

Lexington Avenue NE and 109th Avenue NE

- 2025 No-Build - Additional through lane eastbound and westbound.
- 2025 Build - Additional through lane eastbound and westbound. Because the intersection is predicted to operate at or near capacity, it is suggested that the intersection be monitored to assess whether additional improvements need to be undertaken.

Lexington Avenue NE and 119th Avenue NE

- 2009 Build - If this intersection is constructed it is suggested that it include a traffic signal with a northbound left turn lane and protected phasing and an eastbound approach with left and right turn lanes.
- 2025 Build - Same as 2009 Build.

Lexington Avenue NE and 125th Avenue NE

- 2009 Build - Dual left northbound.
- 2009 Build with access at 119th Avenue NE from Lexington Avenue NE, then no mitigation is necessary.
- 2025 Build - Same as 2009 Build.
- 2025 Build with access at 119th Avenue NE from Lexington Avenue NE, then no mitigation required.

125th Avenue NE and North Lake Boulevard

- 2009 Build - Construction of a stop-controlled northbound approach to provide left and right turn lanes. Reconfiguration of the eastbound approach to include two through lanes and a right turn lane. Reconfiguration of the westbound approach to include two through lanes and a left turn lane.
- 2025 Build - Same as 2009 Build.

125th Avenue NE and Harpers Street NE

- 2009 Build - Construction of a traffic signal with permitted phasing for eastbound, northbound and southbound left turns and permitted/protected phasing for westbound left turns. Construction of the northbound approach to provide a lane and a shared through/right turn lane. Construction of left turn lanes for the eastbound and westbound traffic and construction of a right turn lane for eastbound traffic.
- 2025 Build - Same as 2009 Build.

125th Avenue NE and Cloud Drive NE

- 2009 Build - Reconstruction of the northbound approach to include a right turn lane and left turn lane and construction of a left turn lane for westbound traffic and a right turn lane for eastbound traffic.
- 2025 Build - Same as 2009 Build.

Regional System Impacts

I-35W and TH 65, the principal arterials serving the site, currently operate near capacity in the peak hours and will continue to be congested as the region develops, regardless of development of "The Lakes" site. Development of "The Lakes" will increase PM peak/peak direction traffic on northbound I-35W by nearly 3 percent near Radisson Road NE, and by less than 1 percent on northbound TH 65. The development will provide a benefit to the regional system by increasing the potential work opportunities associated with the office park portion of the site, thus providing a balanced jobs-to-housing development. This will provide opportunities for shorter commutes.

The regional Transportation Development Guide includes improvements to I-35W, but not until the post-2015 time period. In the near term, the effects of the additional demand due to the development of The Lakes area would need to be mitigated by:

- Continued metering of the freeway system.
- Diversion of additional traffic to the A-minor arterial system (Lexington Avenue NE, Rice Street NE).
- Implementation of travel demand management elements such as distributing information regarding alternate modes of transportation and working with Metro Transit to enhance transit opportunities as demand is produced.

23. Vehicle-related air emissions

Provide an estimate of the effect of the project's traffic generation on air quality, including carbon monoxide levels. Discuss the effect of traffic improvements or other mitigation measures on air quality impacts.

The guidance provided in the "EAW Guidelines" should also be followed for an AUAR. Mitigation proposed to eliminate any potential problems may be presented under item 22 and merely referenced here. The MPCA staff should be consulted regarding possible ISP requirements for certain proposed developments; although the RGU may not want to assume responsibility for applying for an ISP for specific developments, it may be desirable to coordinate the AUAR and ISP analyses closely.

By federal guidelines, the change in traffic operations will not require a micro-scale analysis. The Level of Service is anticipated to maintain an acceptable level with or without the project in the year 2025. In 2025, the northbound ramp from Lexington onto I-35W may require further evaluation for air quality if Scenario 1 or 2 development occurs.

Item 4.5 – Case File 03-16 – Public Hearing – The applicant is requesting the following in order to create a development, The Lakes, consisting of a 1,080-acre mixed-use and mixed density project of single family, townhome and apartment style housing units with a component of commercial/retail/office and industrial space:

- a) Rezoning from FR (Farm Residential) to DF (Development Flex).
- b) Preliminary plat approval to subdivide 1,080 acres into approximately 1.645 housing units consisting of:
 - 739 single family lots
 - 265 detached townhome lots (homeowner association maintained)
 - 641 attached single family lots for townhomes and condominiums
 - 14 outlots for future development of later phases including townhomes, condominiums, apartments, commercial and industrial space.
- c) Conditional use permit to develop up to 739 single family lots, 265 detached townhomes and 641 attached townhomes or condominiums as part of master planned phased development.

Main Street 1000, LLC, East of Radisson Road and South of Main Street.

Mike Gair, representative of Main Street 1000, LLC, reviewed the concepts of master planning and the benefits to the City and residents. He reviewed the land use master plan for The Lakes and the proposed surrounding land use and stated the development team is in general concurrence with the conditions required by Staff.

The report to the Planning Commission was presented by Bryan Schafer. The public hearing for Case File 03-16 was opened at 8:48 p.m.

John Mickley, 12651 Harpers Street, explained he has been going to the northeast area planning meetings and he has concerns about the north border of this site. He asked if there will be any berming or trees separating this development from the rural life they have on the north side of Main Street. It appears this is being set up aesthetically nice for the new development, but he does not want to look at a bunch of apartment buildings. Mr. Gair responded all of the planned documents show a green edge along the southern edge of Main Street. A strip of land will be reserved to plant or berm, which is consistent with the conversations earlier this year.

Mr. Mickley asked if there would be retail sites, such as gas stations, on the corner of Harpers Street and Main Street. Mr. Gair responded 1.4 acres in the interior of the development are intended to provide neighborhood commercial functions, such as a restaurant, convenience store, daycare, or personal services. It is intended to take care of the daily and weekly needs of the residents, although others could pull off of Main Street to use the businesses.

Mr. Mickley asked how much of the high intensity development will end up being rental property. Mr. Gair responded the plans show luxury condos, multi-family units that are owner occupied or renter occupied, market rate townhomes, and apartments. These all comprise three areas in the development. In addition the senior housing would be rentals or condominiums.

Mr. Schafer explained the conditional use permit that would be granted is specifically authorized for the more detailed areas outlined on this plan. The land use sections are concepts and when

the developers want approval for those items they will need to go through a process like this, with area residents being notified.

Darrell Goad, 12701 Harpers Street, inquired if traffic control lights will be installed at the start of construction at the three main arteries and the three secondary arteries for this development. Ms. Keely responded the first traffic signal anticipated for construction would be at 119th Avenue and Radisson Road, which is where the first phase of active construction is expected to occur. In the future there will be a signal at Harpers Street and 125th Avenue, which is not expected until the areas along the north portion of the development are growing. Also in the future, there will be a signal where the drive of The Lakes would enter into Lexington Avenue, which will happen when development occurs between The Lakes plat and Lexington Avenue. She explained the AUAR projected 2009 as a build out date but the actual changes to 125th Avenue would be determined by Anoka County since it is under their jurisdiction. The date for those improvements would be dependent on the sequence of construction within this plat.

Mr. Schafer explained the dates in the traffic study are conclusions reached as to the build out of the development.

Mr. Goad asked if the three main artery roads would require right-of-ways. Ms. Keely responded the internal roadway system would be constructed with the phases of the development. The three traffic signals they discussed would also be part of those phases.

Mr. Goad noted the lake is planned to be approximately 14 feet deep. He expressed concern that this could interfere with the aquafilter and affect his private well and sewer. The AUAR report said if there was a problem with shallow wells the developer would bring in water. He inquired what would be done if he has a problem and expressed concern if there is a problem with their water that the City will want to come in with sewer too. Ms. Keely explained during construction, when putting in sanitary sewer and water, ground water needs to be pulled down to construct in a dry trench. The construction of the sanitary sewer and water the AUAR referred to is not expected to affect private wells, as they are far enough away from the actual construction. However, if there are problems the developer would have to address them. This is the same as when the City performs public improvement projects where they have gone past private wells; if the wells are affected the City's contractor has provided an alternate source of water until the groundwater comes back in that area; and it always has come back.

Bruce Olson, 3200 Pheasant Run, explained he owns a lot that backs up into the development and the back of his home is 50 feet from the end of the lot line. There is also an easement on the lot for a drainage ditch. He asked if the drainage ditch and the easement would no longer be needed. John Jackels, representative of Emmerich Development Corporation, explained he believes the ditch will continue to be utilized to drain the rear yards of the new homes constructed along Mr. Olson's west property line.

As no one further wished to appear, the public hearing was closed at 9:05 p.m.

Commissioner Lundeen commented the water amenity is the key to this whole site, and asked what guarantee they have that the water will always be there. Mr. Jackels responded they have

on their list of consultants a geotechnical engineer and a hydrologist that have been measuring the ground water over the last two years. The lakes are simply a revelation of the ground water and very similar methods will be employed as on other projects in the City, such as TPC and Club West.

Chair Anderson noted the TPC ponds are 50 to 60 feet deep, which is much deeper than this lake will be. He inquired what the rationale was to have the depth of this lake at 14 feet. Mr. Jackels responded as a result of the necessity to mine the lakes in search of granular material to build up the site it will be deeper than 14 feet. 14 feet is the ideal depth for a lake in terms of water quality and long term viability of the water bodies.

Commissioner Bourke clarified at this point they are looking at just the concept, and they will see a lot of the developments coming back through with details. Mr. Schafer responded the preliminary plat and conditional use permit for the 1,645 lots are being recommended for approval. This is for the townhomes and single family homes along the southwest area of the site and the plan is fairly certain. Staff would not expect a lot of deviation in final plats for this area; if there were to be a major deviation it would need to come back for another hearing. In the future the areas with less detail to the north will be brought back for further review and could be addressed at that time.

Commissioner Lundeen inquired how the public services would be brought into the site and what effects it would have on the residents along Main Street. Ms. Keely responded Staff expects sanitary sewer will be brought in off of Radisson Road. A lift station would be constructed with this development and initially a forcemain would connect into the TPC where the City constructed a trunk sewer. Eventually the forcemain would be continued down to Radisson Woods Drive, where there is a larger pipe that can handle more capacity that will serve this entire area. It would be stubbed to the south side of 125th Avenue at Harpers Street for future extensions to the north if the area north of 125th Avenue chooses to develop. There would also be a trunk water main constructed through this plat and in The Lakes Boulevard that would eventually tie into Lexington Avenue. Off of that there would be another connection into the water main constructed one year ago just south of 119th Avenue adjacent to Arnold Palmer Drive on the west side. There would begin to be a loop in the system back to Radisson Road. As other areas connect to this water main, there would be additional loops to the system that will provide better water quality.

Mr. Schafer explained Staff would also expect that the timing of those extensions cross this development whether the existing sewer or parkway system would be tied and timed to different phases as they bring them on. There are several phases in the development and it might be two to three years before a connection of Harpers Street to 125th Avenue.

Commissioner Lundeen asked if any other easements will need to be purchased or right-of-ways acquired along Main Street as it develops to a four lane road. Ms. Keely responded the staff report includes a condition that states if additional right-of-ways are needed the developer would dedicate them. This has to do with ongoing discussions with Anoka County. There may be additional right-of-ways needed on Radisson Road if a turn lane needs to be constructed into the development. Those issues will be worked out as each phase of the construction moves forward

and would be included in a development agreement with each phase. Condition number twelve under the preliminary plat does reference this.

Commissioner Lundeen asked if the residents on the north side of Main Street could be affected by right-of-ways or easements. Ms. Keely responded this condition applies to the south side of 125th Avenue adjacent to this plat.

Chair Anderson inquired about direction Staff had requested in the report regarding lot sizes in the Gorham Homes area adjacent to North Oaks West. Mr. Schafer explained page five of the staff report references the single family lots of Gorham Homes. One of the design considerations outlined in the Northeast Area Study was to create a transition of lot sizes between the two to three acre North Oaks West Lots and the smaller more urban lots that will be developed in The Lakes. There were no specifics recommended. One of the concepts Staff looked at is the lots platted on the south edge of the Gorham neighborhood are generally 80 foot wide lots, which is fairly standard with R-1 lots. The unique part is they are significantly deeper than typical R-1 lots usual depth, with a depth of 200 feet. They would expect homes to be setback in this area between 75 and 100 feet. Staff wanted the Commission to be aware that the lot width is 80 feet, rather than 90 or 100 feet, however, there is benefit in the depth of the lots.

Commissioner Heckman asked who will be maintaining the civic area park and beach, and if other residents in the City can use this area. Mr. Gair responded the civic area would owned and maintained by the City. The association will be responsible for the boulevard and any private common space.

Commissioner Heckman asked if the waterway will be primarily for non-motorized use. Mr. Gair responded they have only been focusing on kayaking, self propelled non-motorized vehicles, or small sail craft. The water only lends itself to very passive recreation.

Commissioner Heckman asked if the lake will be stocked by the DNR. Mr. Jackels responded they expect to a certain degree fish will populate the water bodies naturally on their own.

Commissioner Lahti commented with the high density areas planned within this development it would benefit everyone to have the bus service run along the area where the higher density would be so the residents would not have to drive somewhere to catch the bus.

Commissioner Bourke asked how many feet in depth the buffer is planned for along Main Street. Mr. Gair responded the plan shows the depth at 70 feet. On the average it will likely be closer to 40 or 50 feet, however, it will undulate as it works through the site. As each of the plans come forward they will see how the individual designers and developers articulate that through each of those pockets.

Commissioner Bourke inquired if the smaller associations would be dictated over by the master association. Mr. Gair responded in the affirmative.

Commissioner Steinworth inquired if the whole development is designed on the assumption that all the properties will be occupied within a certain time frame, and if there is a risk of the

infrastructure not being supported if this were not to happen. Mr. Jackels responded once the developer has the proper approval in place and commences with the grading of the site they will continue to grade until the entire site is complete.

Commissioner Schultz inquired if the lakes will be constructed in phases. Mr. Jackels responded Radisson Road and The Lakes Parkway will be the beginning point at the west and they will work towards the east.

Commissioner Lahti inquired if the developers have been notified of the email received by the City regarding the loss of trees and other concerns.

Chair Anderson noted for the record the email was received by Charles and Ann Bryz-Gornia. He commented the City does have a tree preservation plan.

Mr. Schafer advised Mr. Gair pointed out the higher quality area of trees on this site have been in discussion and they are hoping to achieve a significant amount of open space in the development.

Commissioner Lundeen commented he assumes the existing homes on this site will be removed as they get in way of the grading, with no immediate plan to eliminate them all. Mr. Jackels responded as the development will begin in the west and move towards the east there are no immediate plans to remove the sites adjacent to Main Street. As the areas along Main Street happen to be guided for more multi-type uses the homes would not fit in the future.

Motion by Commissioner Lundeen to recommend approval of Planning Case 03-16A, B and C based on the following rationale and conditions:

Case 03-16A:

1. The DF zoning with standards incorporated by a Conditional Use Permit is an appropriate zoning for single and multi-family residential as well as neighborhood scale commercial.
2. The DF zoning standards to be incorporated are consistent with and will compliment homes and housing options that have been constructed within recent master planned developments. The standards will create an attractive benchmark of quality single and multi-family homes with desired range in appearance, style, density, and construction value and market appeal.

Case 03-16B (Single Family):

The Lakes Single Family - DF Development Standards

Permitted Uses

1. Single-family detached dwellings.
2. Group family daycare.

Accessory Uses

1. Private garages - no detached accessory structures.
2. Private swimming pools/meeting the requirements of Blaine Municipal Code Section 6-121.
3. Keeping of not more than two (2) boarders and/or roomers per dwelling unit.

Conditional Uses

1. Home occupations listed as Conditional Uses fewer than 33.11.

Standards

1. Front yard setback - 25 feet.
2. Side yard setback – for lots wider than 70 feet - ten feet for house- five feet for garages.
3. Side yard setback- for lots with widths of 70 feet or less- 5 feet for house-five feet for garage except that rear alley garages may be set at zero lot line. In no instance may structures on adjacent lots be less than 5 feet house to garage or 15 feet house to house.
4. Corner side yard setback - 20 feet. Garages facing and accessing the corner side yard shall have setback of 25 feet.
5. Rear yard setback - 35 feet for house or front facing garage with the exception that lots adjacent to North Oaks West have a minimum rear yard setback of 75 feet.
6. Rear Yard setback for rear facing garages with alley or service lane to be 25 feet.
7. Maximum building height - 2 1/2 stories or 35 feet.
8. 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 are not permitted, except for enclosures essential to service permitted swimming pools.
9. The minimum finished floor area above grade for all homes shall be 1,600 square feet. All homes shall have a minimum depth and width of 24 feet.
10. 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.
11. All residential dwellings must be built in conformance with the current edition of the Minnesota State Building Code.
12. Driveways shall not be constructed closer than 5 feet to the property line except as provided with alley facing garages, which can be zero lot 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.
13. Rear yard alleys or service drives are considered private shared driveways and are to be maintained privately by covenant agreement or homeowner's association.
14. 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.

15. Each lot shall contain one front yard tree and one boulevard tree with a minimum of 2½-inch caliper. Front yard tree may be over story deciduous shade tree or approved six-foot tall conifer. Corner lots shall each have one additional boulevard tree.
16. Lots with rear yard water frontage, on the two large water bodies labeled by the Preliminary Plat as Outlots O and C, shall contain a minimum of one over story shade tree with minimum caliper of 2.5 inches.
17. Rear yard fences, if permitted by developer covenants, adjacent to water or park out lots to have maximum height of 4 feet. Fences to be picket style and constructed with maintenance free materials.
18. All homes, within the development to incorporate Airport Noise Abatement Standards to mitigate noise impacts.
19. Side patio or entrance doors not to be included on any single family home that does not contain adequate lot space to provide a minimum deck or patio width of at least 10 feet. No deck or patio can be placed closer than 7.5 feet from the interior side lot line. No deck can be enclosed that is placed closer than 10 feet from an interior side lot line.
20. Developer to execute and record, with the sale of each single family lot, an affidavit indicating to homebuyers that the soils located in the rear and side yards of the single family lots have not been corrected to accommodate general building construction or pools and that additional effort may be required, by the homeowner, to stabilize those soils before additional construction could occur.

Case 03-16B (Detached and Attached Townhomes/Condominiums):

1. Construction of all detached townhomes and attached housing units to be generally guided by the City Council's Resolution and by depictions, drawings and information contained in the Development Plan Book and attached Pioneer Engineering drawings (pages 1, 2, 8-36), dated March 3, 2003 with the provision that, prior to site work (other than preliminary site grading), the specific developer/builder of each housing area submit fully detailed site, grading, utility, landscaping and building plans for each house style represented by this application. All site plans and units plans require approval of the Planning Department prior to work beginning. All site work to meet the Performance Standards Section 33.00 of the Zoning Ordinance.
2. All site plans to be reviewed, by the City, for how the site plans deal with berming and landscaping along Radisson Road and in future phases along 125th Avenue, setbacks between units and paved surfaces, provision for adequate and convenient off-street parking, landscape treatments along project edges and between project types, emergency vehicle access and fire hydrant spacing.
3. All housing units to incorporate Airport Noise Abatement Standards.
4. Developer to install grouped mailboxes with design and locations approved by City and US Postal Service.
5. All attached housing units, with total structure sizes greater than 8,500 square feet, to be provided with automatic fire suppression systems.
6. Minimum floor area above grade for detached townhomes 1,240 square feet and attached condominiums and townhomes of 1,225 square feet.

7. Model home sales area with temporary office trailers (maximum of 4) to be set-up based on location, site and landscape plans to be approved by the City prior to installation. Trailers to be removed within one year from 1st phase final plat approval by the City Council.

Case 03-16C:

1. Park dedication is paid for the 1645 residential units at the 2003 rate of \$1,700 per unit. All park dedication to be calculated at the time of final plat filing with credit to be given, to the developer, for their effort in developing and deeding the neighborhood parks, trail system, additional park landscaping and lighting, etc. The agreement for credit and payment by the developer is based on the attached *Park Development Agreement Memo* and also based on 3,300 housing units and 11 acres of commercial/retail. Housing units over 3,300 units, additional acres of commercial or future industrial created and platted in future phases are subject to park dedication payment at the rate in effect at that time and are outside of the agreement outlined by the *Park Development Agreement Memo*.
2. Developer to grant by warranty deed, within 30 days of City acceptance of completed park improvements, the outlots proposed for future parks and trails.
3. A rough grading and sediment control plan must be submitted for City approval prior to work being performed on site. Erosion control and tree preservation details shall be included on the grading plan.
4. The size of site being graded requires a National Pollutant Discharge Elimination System (NPDES) permit from Minnesota Pollution Control Agency.
5. A development plan must be submitted for City approval prior to issuance of the first building permit. The development plan must indicate that all structures will be protected from flooding.
6. Coon Creek Watershed District permit is required prior to the approval of grading.
7. The developer shall process a Letter of Map Change with FEMA prior to issuance of building permits within the unnumbered A-Zone on the FEMA flood map. Developer shall provide all FEMA paperwork and structure as-built surveys to homeowners at time of lot closing. Developer is responsible for following through with FEMA as necessary to receive final FEMA documents and to provide those documents to the homeowners, and to record the final documents on the certificate of title for each parcel in the development.
8. An as-built survey will be required to verify elevations for each structure constructed adjacent to ponds, drainage ditches, and storm water detention basins, or in areas of high ground water.
9. The developer will be responsible for installation of sanitary sewer, water main, storm drainage improvements, streets with concrete curb and gutter, streetlights, mailboxes, sidewalks, trails, traffic control signs, street signs, and all appurtenant items. Plans and specifications must be approved by the City prior to start of construction.
10. All City streets, exclusive of parkways, require dedication of 60 feet of right-of-way and shall be constructed to 29 feet back to back of width.
11. All parkways (Lakes Parkway, Harpers Street, West lake Boulevard and South Lake Boulevard) to include striped on-street bike lane in each direction, 8-foot wide asphalt off-street trail on one side and 6-foot wide concrete sidewalk on opposite side.

12. Anoka County Highway Department permit is required for work performed within County right-of-way.
13. All streets will follow the Anoka County street name grid system except for Lakes Parkway, South Lake Boulevard and West lake Boulevard.
14. Plat to be modified to provide two public street accesses to 4 residential parcels adjacent to Radisson Road. Location of street connections to be generally located at north side of north lot and east side of south lot. Specific location to be determined by City prior to Final Plat for this location.
15. Property being platted must be brought out of the Green Acres Program and deferred taxes will become due. Deferred street assessments for Cloud Drive on parcels, PIN 09-31-23-12-0002, 09-31-23-12-0003 & 9-31-23-14-0001, and for 125th Avenue, PIN 10-31-23-11-0001 will become current and payable with platting. There are pending assessments for Radisson Road improvements on parcels, PIN 09-31-23-44-0001 & 09-31-23-44-0002 that will be assessed in the fall of 2003.
16. Standard utility and drainage easements must be dedicated along all lot lines and over drainage ditches, ponds, delineated wetlands, and storm water detention basins. Developer to provide access to existing power lines in plat. The Developer is to provide access for maintenance of storm water detention basins. Restrictions will be placed on lots as needed to limit fences and landscaping to insure access.
17. Developer to require homeowner's associations to be responsible for maintenance and upkeep of landscape improvements along and within the right-of-way for all of the parkway style developed streets including "Parkway Planting Concept" areas as shown in *Lakes Plan Book*.
18. The plat's grading plan to provide useable rear yard area behind single-family homes of approximately 25 to 30 feet with slopes not exceeding four to five percent.
19. Developer to install grouped mailboxes with design and locations approved by City and US Postal Service.
20. Execution and recording of a Development Agreement, which sets forth in greater detail the plat conditions as well as other responsibilities for the development of this plat.
21. Preliminary plat approval contingent upon developer's commitment to pay the cost of off-site improvements required by Anoka County for traffic signal and/or necessary roadway modifications. The traffic mitigation analysis, provided as part of the AUAR suggest these locations to be at Lakes Parkway and Radisson Road, Cloud Drive and Radisson Road, Harpers Street and 125th Avenue and the 125th Avenue connection at the northeast corner of the plat. The developer shall dedicate additional right-of-way necessary for the construction of these improvements.
22. All pedestrian trails through parks or corridor connections shall be constructed to a width of 10 feet. The trails shall be at or above the 100-year flood elevation and be designed to support a 10,000-pound maintenance vehicle. Final grading plans to be reviewed for providing adequate space between anticipated high water levels, trail and residential units.
23. Private streets or alleys can be constructed to a minimum of 22 feet in width if signed "No Parking". Private 24-foot wide streets can be parked on one side provided "NO PARKING FIRE LANE" signs are posted every 75 feet on the opposite side of the drive.
24. All alley or rear yard access drives are considered private shared driveways and are to be maintained privately by covenant agreement or homeowner's association.

25. Soil boring information is required for determination of lowest floor elevations.
26. Landscape irrigation systems installed throughout the development shall use created ponds, existing wells, or new wells as source of water supply with a moisture sensor installed.
27. 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.
28. Developer understands that the City reserves the consideration to request an outlot or easement to provide pedestrian or vehicle access from Meadow Lane into the south edge of the development.
29. Preliminary plat approval contingent upon the developer modifying the roadway network and plat to provide through movement from West Lake Boulevard to Cloud Drive and by providing second lake crossing on the southern most water feature as shown on the Pioneer drawings dated March 3, 2003.
30. Developer may request ability to operate on-site crushing facility to meet site's aggregate materials requirement. This request will be handled separately through a Conditional Use Permit review. The review to evaluate site location, vehicle access, operational characteristics, hours of operations, term of operations, etc.
31. All development signage by separate review.
32. Developer to provide schedule for removal of all existing structures. Schedule to be incorporated into final plat approval of 1st phase. All structure removal will require demolition permits. All wells and septic systems to be properly abandoned per all local and state requirements.
33. City acknowledges that the development will construct trunk sanitary sewer and trunk water main infrastructure within the plat that will benefit properties outside of the plat. Trunk sanitary sewer over sizing costs will not be charged with this plat. The City will contribute a portion of the cost of trunk water main installed on The Lakes Parkway and on Harpers Street. This contribution will be limited to the over sizing cost of the water main. The amount and timing of the contribution will be set forth in greater detail in the Development Contract.

Motion seconded by Commissioner Heckman. The motion passed 7-0.



CITY OF BLAINE

TO: Mayor and City Council

APPROVED:

FROM: Katherine A. Gove, Fire Marshal/Code Compliance & Gary Hagedorn, Chief Building Official

DATE: April 3, 2003

NO.: 12.1

ITEM: **ADMINISTRATION:**

- A. First Reading – Ordinance No. 03-1972 Amending Chapter 9, Fire Protection and Prevention, Article 1., of the Blaine Code of Ordinances, perpetually Adopting the Most Current Edition of the Minnesota State Fire Code.
- B. First Reading – Ordinance No. 03-1973 Amending Chapter 6, Buildings; Construction; Related Activities, Article I., of the Blaine Code of Ordinances Perpetually Adopting the Most Current Edition of the Minnesota State Building Code.

SCHEDULE OF ACTIONS:

- City Council (First Reading)..... 04/03/03
City Council (Second Reading)..... 04/17/03

BACKGROUND:

The State of Minnesota is replacing the current Minnesota Uniform Building and Fire Codes with the new Minnesota State Building and Fire Codes which will be based on the 2000 editions of the International Building and Fire Codes. Cities within the 11 county metropolitan area are required by state law to adopt the State Fire and Building Code. The proposed code amendment involves perpetual adoption of the most current MN State Building and Fire Codes.

The International Building and Fire Codes were created by melding the requirements from three existing model codes previously used regionally throughout the nation. The development process of the International Codes incorporated the best and most practical requirements from each code along with updating provisions to allow for the use of new technology. The codes encourage the use of fire sprinklers by allowing more tradeoffs or exceptions when sprinklers are used, thus reducing construction costs and improving the life safety of building occupants and fire fighters.

Chapter 1306 of the State Building Code will provide an equivalent level of fire sprinkler protection as the code that has been adopted in Blaine since 1989. This chapter provides for consistent sprinkler protection thresholds for all occupancies including residential structures with multiple dwelling units over 8,500 square feet in area. Fire sprinklers offer a cost effective alternative to the traditional fire suppression methods.

Chapter 1306 allows Blaine to utilize limited taxpayer dollars more efficiently by protecting the viability of a volunteer fire department. Sprinkler systems not only protect lives and property but they are essential in protecting businesses and their long-term economic viability in our community by reducing or eliminating damage from fires and associated down time.

Note that these provisions do not impact existing businesses until they expand or are occupied by a new use with a distinctly different occupancy classification. To eliminate any hardship that this will have the EDA is considering a grant program for existing businesses that are impacted by these provisions when an occupancy change requires a sprinkler system installation. This item will be discussed at the April 17, 2003 workshop.

RECOMMENDED COUNCIL ACTION:

By motion, introduce Ordinance No. 03-1972 and Ordinance No. 03-1973 for first readings and direct that they be placed on file for second readings at the April 17, 2003 Council meeting.

ATTACHMENTS:

[Ordinance 03-1972](#)

[Ordinance 03-1973](#)

[Chapter 1306](#)

CITY OF BLAINE

ORDINANCE NO. 03-1972

AMENDING CHAPTER 9, FIRE PROTECTION AND PREVENTION, ARTICLE 1., OF THE BLAINE CODE OF ORDINANCES, PERPETUALLY ADOPTING THE MOST CURRENT EDITION OF THE MINNESOTA STATE FIRE CODE

THE CITY OF BLAINE DOES ORDAIN; (Added portions are underscored and deleted portions are shown in brackets with overstrike.)

ARTICLE I. IN GENERAL

Sec. 9-1. [~~Adoption of Minnesota Uniform~~ State Fire Code Adopted by reference.

[~~The current Minnesota Uniform Fire Code, including amendments in effect, and appendix Chapters II E, III C, VI B thereto, are hereby adopted as the fire code of the city.~~] The most current edition of the Minnesota State Fire Code, as adopted by the Commissioner of Public Safety pursuant to Minnesota Statutes Chapter 299F.011, including all of the amendments, rules and regulations established, adopted and published from time to time by the Minnesota Commissioner of Public Safety, through the State Fire Marshal Division is hereby adopted by reference. The Minnesota State Fire Code is hereby incorporated in this ordinance as if fully set out herein.

Sect. 9-2. Amendments made in the Uniform Fire Code:

[~~The Minnesota Uniform Fire Code is amended and changed in the following respects:~~]
That the following sections are hereby revised:

- (1) 101.1 These regulations shall be known as the Minnesota State Fire Code of the City of Blaine.
- (2) 109.3 Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor.
- (3) 111.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a misdemeanor.
- (4) That the limits referred to in certain sections of the Minnesota State Fire Code are hereby established as follows:
 - (a) Section 3204.3.1.1 Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited except in industrial zoning districts.
 - (b) Section 3404.2.9.5.1 The Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited except in commercial and industrial zoning districts.

(c) Section 3406.2.4.4 The storage of Class I and II liquids in above-ground tanks shall not be prohibited as outlined in Section 3406.

~~[Sec. 9-3. Establishment and duties of bureau of fire prevention.~~

- (a) The Minnesota Uniform Fire Code shall be enforced by the bureau of fire prevention in the fire department under contract with the city, which is hereby established and shall be operated under the supervision of the chief of the fire department.
- (b) The chief of the fire department may detail such members of the fire department as members of the bureau of fire prevention and as inspectors as shall from time to time be necessary.
- (c) A report of the bureau of fire prevention shall be made annually and transmitted to the city council.
- (d) The chief of the fire department, other fire department employees and other city employees, designated by the chief of the fire department, are authorized to issue tags for violations of this chapter in lieu of arrest or continued detention.]

Sec. [9-4] 9-3. Fire department permit fees.

All Fire Department Permit fees shall be set in accordance with a fee schedule adopted by resolution of the city council.

Sec. [9-5] 9-4. Penalties.

- (a) Any persons, firm or corporation which shall violate any provisions of this chapter and/or the Minnesota Uniform Fire Code shall be guilty of a misdemeanor.
- (b) The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.
- (c) Each day any such violation shall continue shall constitute a separate offense.

INTRODUCED AND READ in full this 4th day of April, 2003.

PASSED by the City Council of the City of Blaine this _____ day of _____, 2003.

Tom Ryan, Mayor

ATTEST:

Jane M. Hall, CMC, City Clerk

CITY OF BLAINE

ORDINANCE NO. 03-1973

AMENDING CHAPTER 6, BUILDINGS; CONSTRUCTION; RELATED ACTIVITIES, ARTICLE I., OF THE BLAINE CODE OF ORDINANCES PERPETUALLY ADOPTING THE MOST CURRENT EDITION OF THE MINNESOTA STATE BUILDING CODE

THE CITY OF BLAINE DOES ORDAIN: (Added portions are underscored and deleted portions are shown in brackets with overstrike.)

ARTICLE I. IN GENERAL

Sec. 1-6. Minnesota State building code – Adopt[ion]ed by reference.

~~[The 1998 Minnesota State Building Code is hereby adopted as the building code of the city. The city manager shall be responsible for the enforcement of said code and shall be the appointing authority required by said code. The most current edition of the Minnesota State Building Code, as adopted by the Commissioner of Administration pursuant to Minnesota Statutes Chapter 16B.59 to 16B.75, including all of the amendments, rules and regulations established, adopted and published from time to time by the Minnesota Commissioner of Administration, through the Building Codes and Standards Division is hereby adopted by reference including Chapter 1306 with options 1306.0020 Subpart 2, and 1306.0030 E Option 1. The Minnesota State Building Code is hereby incorporated in this ordinance as if fully set out herein.]~~

Sec. 6-2. ~~[Same – Copy on file]~~ Application, Administration and Enforcement.

~~[One copy of the above code shall be retained by the city clerk for inspection and use of the public.]~~

- (1) The application, administration, and enforcement of the code shall be in accordance with Minnesota State Building Code. This code shall be enforced by the Minnesota Certified Building Official designated by City of Blaine to administer the code.
- (2) Any person(s), firm or corporation which shall violate any provisions of this Chapter and/or the Minnesota Sate Building Code shall be guilty of a misdemeanor.
- (3) Each day any such violation shall continue shall constitute a separate offense, unless otherwise specifically provided.

Sec. 6-3. Permits and Fees.

~~[The schedules of permit fees shall be established by resolution of the council and shall be kept on file in the office of the city clerk.]~~ The issuance of permits and the collection of fees shall be as authorized in Minnesota Statutes, 16B.62, Subdivision 1. Permit fees shall be assessed for work governed by this code in accordance with the fee schedule adopted by the resolution of the council. In addition, a surcharge fee shall be collected on all permits issued for work governed by this code in accordance with Minnesota Statute 16B.70.

Sec. 6-7. Same Temporary.

Under such rules and regulations as may be established by the council, a temporary certificate of occupancy for not more than [~~thirty (30)~~] sixty (60) days for a part of a building may be issued.

ARTICLE X. FIRE SUPPRESSION SYSTEMS**~~Sec. 6-180. General application of article.~~**

~~This section authorizes provisions for the installation of on premises fire suppression systems in new buildings, buildings increased in area or occupant, load and buildings which have the occupancy changed.~~

~~Sec. 6-181. Permits and fees for fire sprinkler systems.~~

~~Before issuing any permits for the installation of any water based fire suppression sprinkler equipment, the required fees shall be paid by the applicant; no permit for the installation of such systems shall be issued until the applicant files with the city a complete set of plans for such system approved by the fire chief. The council shall adopt a fee schedule, by resolution, for activities regulated by this section.~~

~~Sec. 6-182. Requirements for new construction.~~

~~Automatic sprinkler systems must be installed and maintained in operable conditions in buildings in the occupancy classifications listed in item (1) through (11) as defined by the Minnesota Uniform Building Code. The square footage requirements stated in the following items establish the threshold where the provisions apply; in the case of mixed occupancies the threshold number of the most restrictive occupancy applies to the entire building, except for minor additions that do not increase the occupant load or significantly increase the fire load.~~

- ~~(1) Group A-1 occupancies.~~
- ~~(2) Group A-2 occupancies with an occupant load of three hundred (300) or more.~~
- ~~(3) Group A-2.1 occupancies.~~
- ~~(4) Group A-3 occupancies with an accumulative occupant load of three hundred (300) or more.~~
- ~~(5) Group S-3 service stations with three thousand (3,000) or more gross square feet of floor area, not including canopies.~~
- ~~(6) Group S-3 parking garages with five thousand (5,000) or more gross square feet of floor area.~~
- ~~(7) Group B offices and postsecondary classrooms with eight thousand five hundred (8,500) or more gross feet of floor area or three (3) or more stories in height.~~
- ~~(8) Group M mercantile, S storage F factory occupancies with two thousand (2,000) or more gross square feet of floor area or three (3) or more stories in height.~~
- ~~(9) Group E-1 and E-2 occupancies with eight thousand five hundred (8,500) or more gross square feet of floor area or two (2) or more stories in height.~~
- ~~(10) Group E-3 occupancies with an occupant load of thirty (30) or more.~~

- ~~(11) Group R-1 apartment houses, hotels and motels with eight thousand five hundred (8,500) or more gross square feet of floor area or with dwelling units or guest rooms on three (3) or more floors.~~

~~Sec. 6-183. Compliance with UBC Standards 9-1 and 9-2.~~

~~Where automatic sprinkler systems are required by the Minnesota State Building Code regardless of this section then a complete automatic sprinkler system must be installed in compliance with UBC Standards 9-1 and 9-2. This article [Ordinance No. 89-1129 as amended] is not intended to alter or amend the existing Minnesota State Building Code requirements for automatic fire suppression systems.~~

~~Sec. 6-184. Penalty.~~

~~Any person or corporation in violation of any provision of this article shall be guilty of a misdemeanor. Each day violation exists shall be considered a separate offense.~~

~~Sec. 6-185-6-199. Reserved.]~~

ARTICLE ~~[XII].~~ X ALARM SYSTEMS*

INTRODUCED AND READ in full this 4th day of April, 2003.

PASSED by the City Council of the City of Blaine this _____ day of _____, 2003.

Tom Ryan, Mayor

ATTEST:

Jane M. Hall, CMC, City Clerk

Department of Administration
Proposed Permanent Rules Relating to State Building Code
SPECIAL FIRE PROTECTION SYSTEMS

1306.0010 GENERAL.

This chapter authorizes optional provisions for the installation of on-premises fire suppression systems that may be adopted by a municipality in addition to the State Building Code. If the municipality adopts them, the sprinkler system requirements of this chapter become part of the State Building Code and are applicable throughout the municipality. This chapter, if adopted, must be adopted without amendment.

1306.0020 MUNICIPAL OPTION.

Subpart 1. **Requirement.** The sprinkler system requirements of this chapter, if adopted, must be adopted with the selection of either subpart 2 or 3, without amendment.

Subp. 2. **Existing and new buildings.** Automatic sprinkler systems for new buildings, buildings increased in total floor area (including the existing building), or buildings in which the occupancy classification has changed, must be installed and maintained in operational condition within the structure. The requirements of this subpart apply to structures that fall within the occupancy classifications established in part 1306.0030, items A to E.

Exceptions:

1. The floor area of minor additions that do not increase the occupant load do not have to be figured into the square footage for occupancy classifications established in part 1306.0030, items A to E.
2. The existing portion of R-2 apartment occupancies, attached R-3 occupancies, and attached townhomes are not required to be sprinklered under this chapter.

Subp. 3. **New buildings.** Automatic sprinkler systems for new buildings, additions to existing buildings, or buildings in which the occupancy classification has changed must be installed and maintained in operational condition within the structure. The requirements of this subpart apply to structures that fall within the occupancy classifications established in part 1306.0030, items A to E.

Exception: The floor area of minor additions that do not increase the occupant load do not have to be figured into the square footage for occupancy classifications established in part 1306.0030, items A to E.

1306.0030 REQUIREMENTS.

For purposes of this chapter, area separation, fire barriers, or fire walls do not establish separate buildings. Gross square footage (gsf) means the floor area as defined in the International Building Code. The floor area requirements established in items A to E are based on the

gross square footage of the entire building and establish thresholds for these requirements. The following occupancy groups must comply with sprinkler requirements of this chapter, unless specified otherwise:

- A. Group A-1, A-2, A-3, and A-4 occupancies;
- B. Group B, F, M, and S occupancies with 2,000 or more gross square feet of floor area or with three or more stories in height;
- C. Group E occupancies with 2,000 or more gross square feet of floor area or with two or more stories in height;
- D. Group E day care occupancies with an occupant load of 30 or more;
- E. Optional occupancy group-municipality may choose option 1 or option 2.
 - 1. Group R-1 and R-2 occupancies with 8,500 or more gross square feet of floor area or dwelling units or guestrooms on three or more floors; and attached R-3 occupancies and attached townhouses built to the International Residential Code with 8,500 or more gross square feet of floor area. All floors, basements, and garages are included in this floor area threshold.
 - 2. Attached R-3 occupancies and attached townhouses built to the International Residential Code with more than 16 dwelling units or more than three stories in height.

1306.0040 STANDARD.

Automatic sprinkler systems must comply with the applicable standard referenced in the State Building Code. If a public water supply is not available, an alternate on-site source of water may be used if it meets the approval of the building official and fire chief. If an adequate alternate water supply sufficient for hose stream requirements is provided or available, the building official and fire chief may permit the water supply requirements for the hose stream demands to be modified.

1306.0050 SUBSTITUTE CONSTRUCTION.

The installation of an automatic sprinkler system, as required by this chapter, does not preclude the substitution of one-hour fire-resistive construction as permitted by the International Building Code, Table 601, footnote d.

1306.0060 EXEMPTION.

The building official, with the concurrence of the fire official, may waive the requirements of this chapter if the application of water has been demonstrated to constitute a serious life, fire, or environmental hazard, or if the building does not have an adequate water supply and the

building is surrounded by public ways or yards more than 60 feet wide on all sides.

1306.0070 REPORTING.

A municipality must submit a copy of the ordinance adopting this chapter to the Department of Administration, Building Codes and Standards Division, within 15 days of its adoption.

REPEALER. Minnesota Rules, part 1306.0100, is repealed.



CITY OF BLAINE

TO: Mayor and City Council

APPROVED:

FROM: Robert Therres, Support Services Manager

DATE: April 3, 2003

NO.: 12.2

ITEM: **ADMINISTRATION:** Resolution No. 03-55, Authorizing Transfer of Funds for City Hall Building Project

BACKGROUND:

On December 19th the City Council approved of a final payment to Shingobee Builders Inc. as part of closing out the City Hall Construction Project. Because this project did end up coming in 3% over budget the Council wanted to know the funding source for the amount over budget. Staff recommended to Council that the original budget have enough funds to cover the costs for the City Hall Project.

This request is for the formal action to transfer funds in the CIF originally budgeted for the City Hall Project to the City Hall Project fund. The amount of funds being requested to transfer is \$719,058.22, which is slightly less than the original budget.

Attached is a spreadsheet showing the original budget of revenues for the City Hall Project with the amount being transferred.

RECOMMENDED COUNCIL ACTION:

By motion, approve Resolution No. 03-55.

ATTACHMENTS:

[Resolution No. 03-55](#)
[Updated City Hall Budget](#)

CITY OF BLAINE

RESOLUTION NO. 03-55

**AUTHORIZING TRANSFER OF FUNDS FOR
CITY HALL BUILDING PROJECT**

WHEREAS, The City of Blaine has budgeted and built a City Hall and Police Offices to adequately serve the residents and staff; and

WHEREAS, The Blaine City Council originally budgeted funds from the Capital Improvement Fund, the General Fund, the Economic Development Authority, and the Enterprise Fund to finance the construction of the City Hall and Police Offices; and

WHEREAS, Some of the budgeted funds have not been transferred until they have been actually needed; and

WHEREAS, The City Hall and Police Offices are now complete and all the costs associated with this project have been identified; and

WHEREAS, Funds not originally transferred, in the amount of \$719,058.22, need to be transferred to the City Hall Project Fund to cover the actual costs of the City Hall and Police Offices project; and

WHEREAS, This amount is still within the original budget for the City Hall and Police Offices project; and

WHEREAS, These funds will be transferred from the Capital Improvement Fund, but will not come from the principal in the fund as directed by City Code.

NOW, THEREFORE BE IT RESOLVED, By the City Council of the City of Blaine that the amount of \$719,058.22 be transferred from the Capital Improvement Fund to the City Hall Project Fund.

PASSED by the City Council of the City of Blaine this 3rd day of April 2003.

Tom Ryan, Mayor

ATTEST:

Jane Hall, City Clerk

**City of Blaine
City Hall Construction
Activity through November 30, 2002**

	1999	2000	2001	2002	2003	Total	Budget
Sources of Funds:							
Interest on Investments	(14,252.77)	375,391.11	181,749.87	-	-	542,888.21	-
Miscellaneous Revenues	-	-	39,400.00	10,870.25	-	50,270.25	-
Transfers In:							
General Fund	2,530,000.00	-	-	-	400,000.00	2,930,000.00	2,930,000.00
EDA	-	-	-	-	-	-	2,775,000.00
Capital Improvement Fund	-	7,336,825.00	-	-	319,058.22	7,655,883.22	7,700,000.00
Public Utilities Fund	-	200,000.00	-	-	-	200,000.00	200,000.00
Refuse Fund	-	50,000.00	-	-	-	50,000.00	50,000.00
Sale of 9150 Central Avenue	-	-	-	-	-	-	1,300,000.00
Total Sources of Funds	<u>2,515,747.23</u>	<u>7,962,216.11</u>	<u>221,149.87</u>	<u>10,870.25</u>	<u>719,058.22</u>	<u>11,429,041.68</u>	<u>14,955,000.00</u>
Uses of Funds:							
Architect Fees	45,755.58	788,779.88	245,331.94	261,292.35	-	1,341,159.75	1,001,592.00 *
Engineering Costs	-	8,669.99	43,913.39	-	-	52,583.38	-
Contract Cost:							
Construction Manager	-	143,958.29	513,196.82	192,604.53	-	849,759.64	668,925.00
Construction	-	481,780.20	8,926,979.49	1,505,213.13	-	10,913,972.82	11,874,070.00
Legal Costs	1,330.00	16,323.00	3,296.50	20,719.50	2,939.00	44,608.00	-
Other Project Costs	5,698.80	22,310.35	15,476.98	163,873.11	-	207,359.24	-
Contingency	-	-	-	-	-	-	593,703.00
Furniture, Fixtures & Equipment	-	-	15,696.09	745,310.87	1,705.58	762,712.54	620,000.00
Telephone & Public Address System	-	10,939.60	150,809.38	163,079.09	-	324,828.07	150,000.00
Total Uses of Funds	<u>52,784.38</u>	<u>1,472,761.31</u>	<u>9,914,700.59</u>	<u>3,052,092.58</u>	<u>4,644.58</u>	<u>14,496,983.44</u>	<u>14,908,290.00</u>
Cash Balance at end of Period	<u>2,462,962.85</u>	<u>8,952,417.65</u>	<u>(741,133.07)</u>	<u>(3,782,355.40)</u>	<u>(3,067,941.76)</u>	<u>(3,067,941.76)</u>	<u>46,710.00</u>

* - budget includes engineering fees



CITY OF BLAINE

TO: Mayor and City Council

APPROVED:

FROM: Robert Therres, Support Services Manager

DATE: April 3, 2003

NO.: 12.3

ITEM: **ADMINISTRATION:** Additional City Hall Improvements

BACKGROUND:

FMP Inc., the vendor who handles building maintenance for City Hall has made us aware of two energy savings programs that the City can take advantage of for the new City Hall.

The first program is the installation of Power Factor Correction capacitors on the main electric lines feeding City Hall. This would reduce our electric bills during peak months. The cost to do this project is \$1,950 and has a payback in reduced electrical bills in approximately 31 months.

The second program is to use our generator during peak periods, reducing Connexus Energy's peak demand to City Hall. It is a program where the City enters an agreement with Connexus Energy where we use our own generator during peak periods and in return we get a guaranteed credit on our electrical bill for participating in this program. It is estimated that we would use our own generator for about 50 hours per year, with a guarantee that it will not exceed 300 hours per year. The cost of doing the necessary electrical work to take advantage of this program is approximately \$28,000 and would have a pay back of three years. The City would enter a seven-year agreement with Connexus for this program.

The City is proposing to finance these improvements by using the available funds in the City Hall Project Fund. When all the transfers are complete, there will be approximately \$45,000 in the City Hall Project Fund that can be used for these improvements.

RECOMMENDED COUNCIL ACTION:

By motion, approve of Improvements to City Hall Generator and Electrical system in the amount not to exceed \$35,000

ATTACHMENT:

[Description of Generation Credit Program](#)

Distributed Generation Credit Rider

Description

Connexus Energy promotes the use of customer-owned generation for peak shaving. Customers receive a credit based on the demand, which is reduced at the time of the system peak.

Availability

This Rider is available to customers of Connexus Energy with sufficient load to fully utilize the output of at least 100 kW of generator capacity. This Rider shall apply to qualifying customers subject to the General Rules and Conditions of Service.

This generation credit rider cannot be used with any other load control rate or rider.

Customers purchasing from Connexus Energy by a contract rate will be considered on a case-by-case basis.

Monthly Rate

Each month, the customer will receive a credit based on the Monthly Curtailed Demand times a Generation Credit. If the customer's generation does not operate or fails to operate when requested by Connexus Energy, no credit shall be given for that month and an additional fee will be assessed.

Period	Monthly Generation Credit in \$/kW		Additional monthly fee \$/kW (only applies if generator fails to operate)
	Years 1, 2, 3	Years 4, 5, 6, 7	
Summer (June, July, August)	\$13.00	\$12.00	\$5.00
Winter (December, January, February)	\$ 8.00	\$ 8.00	None
Spring / Fall (all other months)	\$ 5.00	\$ 4.00	None

Fuel Credit Mechanism

The customer is responsible for paying for the fuel for the generator. However, if the hours of operation for peak shaving exceed 80 hours annually, then the customer shall be reimbursed for fuel cost for operation in excess of 80 hours at the rate of \$0.08/kWh. No fuel credit will be paid for operation during outages or for generator testing. The fuel credit amount may be periodically revised.

Rate Code
Dist. Generation Credit Rider

Rate Code
E295

Distributed Generation Credit Rider

Additional Credit

At the sole discretion of Connexus Energy, an additional credit may be made available to promote distributed generation to defer distribution plant investment in certain portions of the distribution network.

Metering

The monthly basic service charge shall be increased by \$40 per month to cover the cost of the additional metering and administration.

Guarantee

The credits offered by this Distributed Generation Credit Rider will be guaranteed for seven years from the effective date of the Electric Service Agreement executed between the customer and Connexus Energy, irrespective of any subsequent changes to the level of credits which Connexus Energy may offer under this Rider.

Limitations

This generation credit rider will be offered through May 31, 2003.

Determination of Monthly Curtailed Demand

Monthly Curtailed Demand (MCD) in each month shall be the load, in kW, which is deemed to have been supplied by customer-owned generation during the hour of the Great River Energy (GRE) system monthly coincidental peak (Coincidental Peak), used to determine Connexus Energy's monthly wholesale billing demand. The MCD shall be determined each month in the following manner:

- 1) **Control Months** - For each billing month in which the customer's generator is operated during the hour of the GRE coincidental peak for the month, the MCD shall be determined by the lesser of the customer's load or the generator output.
- 2) **Non-Control Months** -For each billing month in which Connexus Energy does not operate the generator during the hour of the Coincidental Peak, the MCD shall be equal to the customer's actual measured load, in kW, during the hour of the Coincidental Peak, provided that the generator was operational. For cases where the generator does not provide power to the entire facility, the MCD shall be determined for each such case based on a percentage of total loads.

Conditions of Service

1. The customer must provide a phone line for control and meter reading.
2. The customer by selecting billing under this Generation Credit Rider must agree to remain on it for an entire year. Early termination may require the customer to return credits already paid.
3. The customer must provide an automatic transfer switch acceptable to Connexus Energy, which will allow remote operation of the switch using Connexus Energy's SCADA system. The automatic transfer switch must be installed such that it will disconnect one hundred percent (100%) of the load that is connected to the generator(s) unless other arrangements are made with Connexus Energy.
4. The times and duration of operation shall be at the discretion of Connexus Energy provided that the generator will not be operated more than 12 hours per day or 300 hours per year (excluding outage situations).
5. It is the customer's responsibility to maintain sufficient generation capacity, fuel, and maintenance to meet the electric power requirements during periods of operation.
6. Notice of Interruption shall be by a signal provided by Connexus Energy's SCADA load management system, telephone or by other appropriate means. Connexus Energy will provide as much advance notice as circumstances reasonably allow.
7. If, for any reason, the switch or generator fails to operate or the customer's load fails to transfer when dispatched by Connexus Energy, the customer shall receive no credit and a penalty may apply. If the customer's generation fails to operate more than three times during the year, Connexus Energy has the right to remove the customer from the Generator Credit Rider.
8. The generator installation must abide by Connexus Energy's General Rules and Conditions of Service pertaining to customer owned generation facilities and abide by all local and national safety codes.
9. Customer must continue to purchase all of their electric energy and electric energy delivery services from Connexus Energy.

Reference:

Board Minutes: 3-18-99, 6-17-99, 5-18-00, 2-15-01, 2-14-02, 11-21-02