

# LAUDERDALE CITY COUNCIL MEETING AGENDA

## TUESDAY, JULY 10, 2001

### CITY HALL, 7:30 P.M.

The City Council is meeting as a legislative body to conduct the business of the City according to ROBERT'S RULES OF ORDER AND THE STANDING RULES OF ORDER AND BUSINESS OF THE CITY COUNCIL. Unless so ordered by the Mayor, citizen participation is limited to the times indicated and always within the prescribed rules of conduct for public input at meetings.

1. CALL MEETING TO ORDER AT 7:30 P. M.

2. ROLL:

*Councilmembers:*

Gower \_\_\_\_\_ Christensen \_\_\_\_\_  
Gill-Gerbig \_\_\_\_\_ Hawkinson \_\_\_\_\_  
Mayor Dains \_\_\_\_\_

*Staff:* Getschow \_\_\_\_\_ Bownik \_\_\_\_\_

3. APPROVAL OF THE AGENDA

4. APPROVAL

- A. Approval of minutes of 6/19/01 City Council Meeting
- B. Approval of claims totaling \$68,712.78

5. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE COUNCIL ON ITEMS NOT ON THE AGENDA

Any member of the public may speak at this time on any item NOT on the agenda. In consideration of the public attending the meeting for specific items on the agenda, this portion of the meeting will be limited to fifteen (15) minutes. Individuals are requested to limit their comments to four (4) minutes or less. If the majority of the Council determines that additional time on a specific issue is warranted, then discussion on that issue shall be continued under Additional Items at the end of the agenda. Before addressing the City Council, members of the public are asked to step up to the microphone, give their name, address and state the subject to be discussed. All remarks shall be addressed to the Council as a whole and not to any member thereof. No person other than members of the Council and the person having the floor shall be permitted to enter any discussion without permission of the presiding officer. Your participation, as prescribed by the Council's ROBERT'S RULES OF ORDER AND THE STANDING RULES OF ORDER AND BUSINESS OF THE CITY COUNCIL, is welcomed and your cooperation is greatly appreciated.

**6. CONSENT**

**7. SPECIAL ORDER OF BUSINESS/RECOGNITIONS/PROCLAMATIONS/ CITIZENS ADDRESSING THE STREET AND UTILITY IMPROVEMENTS**

**8. INFORMATIONAL PRESENTATIONS**

**9. PUBLIC HEARINGS**

Public hearings are conducted so that the public affected by a proposal may have input into the decision. During hearings, all affected residents will be given an opportunity to speak pursuant to the ROBERT'S RULES OF ORDER AND THE STANDING RULES OF ORDER AND BUSINESS OF THE CITY COUNCIL.

- A. Consideration of a Conditional Use for Permit (CUP) for Hamline Auto Body to construct an Auto Body and Service Repair Facility at 2520 Broadway
- B. Consideration of a Variance Application for Hamline Auto Body related to the construction of an Auto Body and Service Repair Facility at 2520 Broadway

**10. ACTION**

- A. Consideration of a Conditional Use for Permit (CUP) for Hamline Auto Body to construct an Auto Body and Service Repair Facility at 2520 Broadway
- B. Consideration of a Variance Application for Hamline Auto Body related to the construction of an Auto Body and Service Repair Facility at 2520 Broadway

**11. REPORTS**

- A. 2001 Street and Utility Improvements Update- City Engineer *(no enclosure)*
- B. Cellular Tower and Antenna Lease in the Community Park *(no enclosure)*

**12. DISCUSSION**

- A. 2002-2003 Street and Utility Improvements Planning
- B. Lauderdale-Roseville Joint Meeting for the Highway 280 Reconstruction Project

**13. ITEMS REMOVED FROM THE CONSENT AGENDA**

**14. ADDITIONAL ITEMS**

**15. SET AGENDA FOR NEXT MEETING**

**16. ADJOURNMENT**

**Lauderdale City Council  
Meeting Minutes  
June 19, 2001**

1. Meeting called to order at 7:45 P.M.

2. ROLL

Council present: Gower, Gill-Gerbig, Christensen, Hawkinson, and Mayor Dains

Staff present: Getschow, Bownik

3. APPROVAL OF AGENDA

A. *Approval of Agenda.* Motion by Gill-Gerbig, second by Gower to approve the agenda. Motion carried unanimously.

4. APPROVAL

A. *Approval of Minutes.* Motion by Gill-Gerbig, second by Gower to approve the minutes of the June 12, 2001 City Council meeting. Motion carried unanimously.

B. *Approval of 2001 Street and Utility Improvements- Pay Request #1.* Motion by Gill-Gerbig, second by Hawkinson to approve Pay Request #1 of the 2001 Street and Utility Improvements from Northdale Construction for \$185,535.54. Motion carried unanimously.

C. *Approval of Claims totaling \$200,675.91 .* Motion by Gill-Gerbig, second by Gower to approve the claims totaling \$200,675.91. Motion carried unanimously.

5. OPPORTUNITY FOR THE PUBLIC TO ADDRESS ITEMS NOT ON THE AGENDA

6. CONSENT

7. SPECIAL ORDER OF BUSINESS/RECOGNITIONS/PROCLAMATIONS/  
CITIZEN'S ADDRESSING THE STREET AND UTILITY IMPROVEMENTS

8. PUBLIC HEARINGS

9. INFORMATIONAL PRESENTATIONS

A. *Highway 280 Reconstruction: Minnesota Department of Transportation.* Nancy Daubenger, Highway 280 Project Manager, and Frank Pafko, MNDOT Area Manager, updated the City Council on the current status of the Highway 280 reconstruction project and provided feedback to the City Council from the input received at the March 10, 2001 presentation.

MNDOT summarized that federal funds were obtained in 1999 to reconstruct the portion of #280 between Larpenteur Avenue and Highway 36/35W. The current plan is to still undertake this work in 2004. The rest of the #280 reconstruction work, including the Como and Larpenteur interchanges, is not specifically scheduled and would not begin until between 2016-2025. The MNDOT representatives discussed the layout of the portion of the highway that was planned for 2004 reconstruction. The latest layout proposes the construction of an interchange at Broadway, with the possibility of full and/or partial property acquisitions on the east side of Highway 280 in Lauderdale.

The City Council again expressed disappointment with the plan. The lack of support for the plan was mainly based upon: (1) Problems related to reconstructing only a portion of #280 in Lauderdale (north of Larpenteur), while not addressing the other portion of the highway until 2016-2025; (2) The safety and logistical problems on the rest of the system (i.e., to the north on the single lane ramp on to Highway 36 and to the south at the Larpenteur interchange) due to the construction of an interchange; and (3) The disruption to residential city properties on the east side of Highway 280 through full or partial acquisition as it relates to the construction of an interchange. Overall, the Council consensus was to not give municipal approval to MNDOT for this project in its current design with the construction of Broadway interchange.

Members of the Council also expressed their disapproval and disappointment with MNDOT'S process of interaction with the homeowners in this project. This was expressly illustrated with mailing of the "Relocation Handbooks" to households, wherein the households felt somewhat cornered and threatened. The Council requested that MNDOT fully inform the City Council of all details associated with the project ahead of time, stating that a lack of complete communication can send mixed messages to the residents.

The following persons present at the meeting addressed the City Council:

Gary Sax, 1935 Walnut Street, stated his opposition to the Broadway interchange design not only for the protection of his property, but for the safety concerns related to the flow of traffic. He feels that the lights at Broadway and County B serve as "ad hoc" metering devices that control the traffic flow on to Highway 35W/36.

Ed Engler, Colliers Towle, representing clients interested in a portion of the Highway 280 property, stated that access off Broadway is important to the viability and overall property value of the 6.8 acres of vacant land in Lauderdale that is yet to be developed.

Virginia Matheny, 1974 Walnut Street, questioned MNDOT on the potential use of eminent domain for this project. Frank Pafko, MNDOT Area Manager, stated that eminent domain has never been used in the State of Minnesota on non-interstate highways following a lack of municipal consent.

The Mayor stated that the City would welcome MNDOT back when they propose alternatives that do not displace residents of the community and provide good access to the commercial property on the west side of Highway 280.

A break was taken at 8:55 p.m. The meeting resumed at 9:15 p.m.

#### 10. ACTION

A. *1862 Eustis Street- Boulevard (Right-of-Way) Trees.* At the last Council meeting, the Council discussed a meeting that occurred on site on May 10<sup>th</sup> regarding the owners of 1862 Eustis Street assuming all liability and cost associated with all outcomes of the trees remaining in their current location. This includes the owner being responsible for tree removal at a later date for any reason, since it is the desire of the City to remove the trees at this time. The owner also sent a letter to the Council stating the desire to assume liability for the trees. The Council had discussed this liability issue and the drafting and execution of an agreement and asked that the City Administrator gather more information regarding the liability for future possible damage to the Street and Utility Improvements caused by the trees.

As an update, the City Administrator reported that an agreement could cover the City on possible damage to the infrastructure. But the Administrator did state that of the three trees under consideration for this agreement, one of the tree's roots were severely compromised during recent the street excavation work and that it presented an immediate potential hazard. The Administrator had conveyed this information to the owner, and both came way with the understanding that this particular tree may need to be removed, regardless of an agreement.

There was a discussion on intangibles and unknowns regarding the agreement such as how the agreement would "travel with the land" and how the city would enforce and uphold the agreement. Following this discussion, and with a majority of Council not interested in pursuing the agreement, the consensus was to not take action on drafting an agreement with the owner of 1862 Eustis in regards to the two trees in the right-of-way.

11. REPORTS

A. *Day in the Park Event Report.* Administrative Analyst James Bownik reported on the upcoming activities for "Day in the Park" scheduled for July 14, 2001 from 2:00 p.m. to 8:00 p.m. There will be a catered meal provided that evening, along with refreshments and live music.

12. DISCUSSION

13. ITEMS REMOVED FROM THE CONSENT AGENDA

14. ADDITIONAL ITEMS

15. SET AGENDA FOR NEXT MEETING

1. 2001 Street and Utility Improvements Update
2. Hamline Auto Body: Conditional Use Permit
3. Hamline Auto Body: Variance Application
4. Discussion of the 2002-2003 Improvements- Lift Station Elimination

16. ADJOURNMENT

Motion by Gill-Gerbig, second by Hawkinson to adjourn at 10:05 P.M. Ayes: All.

## The City of Lauderdale

Claims for Approval

July 10, 2001 City Council Meeting

|                                             |             |
|---------------------------------------------|-------------|
| 06/22/01 Payroll: Check # 6945 -6950        | \$5,565.66  |
| 06/22/01 Payroll: Federal Payroll Taxes EFT | \$2,373.21  |
| 06/22/01 Payroll: PERA EFT                  | \$864.48    |
| 07/06/01 Payroll: Check # 6953 - 6957       | \$5,729.17  |
| 07/06/01 Payroll: Federal Payroll Taxes EFT | \$2,418.82  |
| 07/06/01 Payroll: PERA EFT                  | \$883.14    |
| 07/06/01 Payroll: ICMA Manual Check # 15303 | \$839.99    |
| 07/10/01 Claims: Check # 15273 - 15302      | \$50,038.31 |
| Total Claims for Approval                   | \$68,712.78 |

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\*Paid Register  
CITY OF LAUDERDALE  
CLAIMS FOR APPROVAL  
PAYROLL DATE: JUNE 22, 2001  
COUNCIL MEETING DATE: JULY 10, 2001

| Check     | Employee  | Employee          | Social   | Pay    | Pay   |             | Check    |                       |
|-----------|-----------|-------------------|----------|--------|-------|-------------|----------|-----------------------|
| Number    | Number    | Name              | Security | Period | Group | Description | Amount   | Date                  |
|           |           |                   | Number   |        |       |             |          | Status                |
| 5945      | 000000011 | BOWNIK, JAMES     |          | 13     | 01    | BI-WEEKLY   | 832.46   | 22-Jun-01 Outstanding |
| 5946      | 000000003 | GETSCHOW, RICK    |          | 13     | 01    | BI-WEEKLY   | 1,595.64 | 22-Jun-01 Outstanding |
| 5947      | 000000030 | GOYETTE, SHANNON  |          | 13     | 01    | BI-WEEKLY   | 815.65   | 22-Jun-01 Outstanding |
| 5948      | 000000002 | HINRICHS, DAVID C |          | 13     | 01    | BI-WEEKLY   | 1,042.94 | 22-Jun-01 Outstanding |
| 5949      | 000000005 | HUGHES, JOSEPH A  |          | 13     | 01    | BI-WEEKLY   | 1,119.79 | 22-Jun-01 Outstanding |
| 5950      | 000000037 | WALSH, KEVIN      |          | 13     | 01    | BI-WEEKLY   | 159.18   | 22-Jun-01 Outstanding |
|           |           |                   |          |        |       |             | -----    |                       |
| and Total |           |                   |          |        |       |             | 5,565.66 |                       |



\*Paid Register  
CITY OF LAUDERDALE  
CLAIMS FOR APPROVAL  
PAYROLL DATE: JULY 6, 2001  
COUNCIL MEETING DATE: JULY 10, 2001

| eck       | Employee  | Employee          | Social   | Pay    | Pay          | Check              | Status      |
|-----------|-----------|-------------------|----------|--------|--------------|--------------------|-------------|
|           |           |                   |          |        |              |                    |             |
| mber      | Number    | Name              | Security | Period | Group        | Amount             |             |
|           |           |                   | Number   |        | Description  | Date               |             |
| 6953      | 000000011 | BOWNIK, JAMES     |          | 14     | 01 BI-WEEKLY | 1,026.43 06-Jul-01 | Outstanding |
| 6954      | 000000003 | GETSCHOW, RICK    |          | 14     | 01 BI-WEEKLY | 1,598.99 06-Jul-01 | Outstanding |
| 6955      | 000000030 | GOYETTE, SHANNON  |          | 14     | 01 BI-WEEKLY | 815.65 06-Jul-01   | Outstanding |
| 6956      | 000000002 | HINRICHS, DAVID C |          | 14     | 01 BI-WEEKLY | 1,352.60 06-Jul-01 | Outstanding |
| 6957      | 000000005 | HUGHES, JOSEPH A  |          | 14     | 01 BI-WEEKLY | 935.50 06-Jul-01   | Outstanding |
|           |           |                   |          |        |              | -----              |             |
| and Total |           |                   |          |        |              | 5,729.17           |             |

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\* Paid Check Reg  
CITY OF LAUDERDALE  
CLAIMS FOR APPROVAL  
JULY 10, 2001  
CITY COUNCIL MEETING

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| Check Invoice                                   |            |                                    |               | Transaction               |           |
|-------------------------------------------------|------------|------------------------------------|---------------|---------------------------|-----------|
| Number                                          | Number     | Name                               | Account Code  | Comments                  | Amount    |
| Check Number 15273 ABDO ABDO EICK & MEYERS      |            |                                    |               |                           |           |
| 15273                                           | 103099     | ABDO ABDO EICK & MEYERS            | 101-41300-301 | COMPLETE ANNUAL REPORTS   | 175.00    |
| 15273                                           | 103099     | ABDO ABDO EICK & MEYERS            | 601-49000-301 | COMPLETE ANNUAL REPORTS   | 175.00    |
|                                                 |            |                                    |               |                           | -----     |
| Totals Check Number                             |            | 15273 ABDO ABDO EICK & MEYERS      |               |                           | 350.00    |
| Check Number 15274 AGGREGATE INDUSTRIES         |            |                                    |               |                           |           |
| 15274                                           | 1640322    | AGGREGATE INDUSTRIES               | 101-45200-201 | AGLIME FOR BALLFIELD      | 1,363.23  |
|                                                 |            |                                    |               |                           | -----     |
| Totals Check Number                             |            | 15274 AGGREGATE INDUSTRIES         |               |                           | 1,363.23  |
| Check Number 15275 AT & T                       |            |                                    |               |                           |           |
| 15275                                           | 1216408664 | AT & T                             | 101-41200-391 | 06/01 LONG DISTANCE       | 14.24     |
|                                                 |            |                                    |               |                           | -----     |
| Totals Check Number                             |            | 15275 AT & T                       |               |                           | 14.24     |
| Check Number 15276 BANYON DATA SYSTEM           |            |                                    |               |                           |           |
| 15276                                           | 8260       | BANYON DATA SYSTEM                 | 101-41300-307 | AN FIXED ASSETS SUPPORT   | 298.84    |
|                                                 |            |                                    |               |                           | -----     |
| Totals Check Number                             |            | 15276 BANYON DATA SYSTEM           |               |                           | 298.84    |
| Check Number 15277 BIFFS, INC.                  |            |                                    |               |                           |           |
| 15277                                           | W129447    | BIFFS, INC.                        | 101-45200-427 | PARK BIFFY THRU 6/12/01   | 24.26     |
|                                                 |            |                                    |               |                           | -----     |
| Totals Check Number                             |            | 15277 BIFFS, INC.                  |               |                           | 24.26     |
| Check Number 15278 BOONESTROO, ROSENE, ANDERLIK |            |                                    |               |                           |           |
| 15278                                           | 79342      | BOONESTROO, ROSENE, ANDERLIK       | 410-48410-304 | 05/01 '00 ST/UTIL IMPROVE | 1,199.25  |
| 15278                                           | 79343      | BOONESTROO, ROSENE, ANDERLIK       | 411-48411-304 | 05/01 '01 ST/UTIL IMPROVE | 20,122.23 |
|                                                 |            |                                    |               |                           | -----     |
| Totals Check Number                             |            | 15278 BOONESTROO, ROSENE, ANDERLIK |               |                           | 21,321.48 |
| Check Number 15279 BOWNIK, JAMES                |            |                                    |               |                           |           |
| 15279                                           | 7/10/01    | BOWNIK, JAMES                      | 101-41200-331 | REIMB: LODGING LMC CONF   | 226.00    |
| 15279                                           | 7/10/01    | BOWNIK, JAMES                      | 101-41200-331 | REIMB: MILEAGE LMC CONF   | 103.69    |
| 15279                                           | 7/10/01    | BOWNIK, JAMES                      | 101-41200-331 | REIMB: PARKING LMC CONF   | 3.00      |
|                                                 |            |                                    |               |                           | -----     |
| Totals Check Number                             |            | 15279 BOWNIK, JAMES                |               |                           | 332.69    |

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CITY OF LAUDERDALE  
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CITY COUNCIL MEETING

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| Check Invoice<br>umber Number | Name                                 | Account Code  | Comments                 | Transaction<br>Amount |
|-------------------------------|--------------------------------------|---------------|--------------------------|-----------------------|
| heck Number                   | 15280 CINTAS                         |               |                          |                       |
| 15280 470365692               | CINTAS                               | 601-49000-425 | PUBLIC WORKS UNIFORM     | 27.70                 |
| 15280 754193492               | CINTAS                               | 601-49000-425 | PUBLIC WORKS UNIFORM     | 27.70                 |
| 15280 754191893               | CINTAS                               | 601-49000-425 | PUBLIC WORKS UNIFORM     | 27.70                 |
| 15280 754190287               | CINTAS                               | 601-49000-425 | PUBLIC WORKS UNIFORM     | 27.70                 |
|                               |                                      |               |                          | -----                 |
| Totals Check Number           | 15280 CINTAS                         |               |                          | 110.80                |
| heck Number                   | 15281 CITY OF FALCON HEIGHTS         |               |                          |                       |
| 15281 7/10/01                 | CITY OF FALCON HEIGHTS               | 101-42200-321 | 03/04/05 '01 FIRE CALLS  | 2,513.00              |
| 15281 7/10/01                 | CITY OF FALCON HEIGHTS               | 101-42200-322 | 03/04/05 '01 FALSE FIRE  | 718.00                |
|                               |                                      |               |                          | -----                 |
| Totals Check Number           | 15281 CITY OF FALCON HEIGHTS         |               |                          | 3,231.00              |
| heck Number                   | 15282 CITY OF ST ANTHONY             |               |                          |                       |
| 15282 252                     | CITY OF ST ANTHONY                   | 101-42100-319 | 08/01 POLICE SERVICES    | 17,798.17             |
|                               |                                      |               |                          | -----                 |
| Totals Check Number           | 15282 CITY OF ST ANTHONY             |               |                          | 17,798.17             |
| heck Number                   | 15283 EAST HENNEPIN AUTO SERVICE INC |               |                          |                       |
| 15283 7/10/01                 | EAST HENNEPIN AUTO SERVICE INC       | 101-43100-212 | 06/01 TRUCK FUEL         | 13.55                 |
| 15283 7/10/01                 | EAST HENNEPIN AUTO SERVICE INC       | 601-49000-212 | 06/01 TRUCK FUEL         | 13.55                 |
|                               |                                      |               |                          | -----                 |
| Totals Check Number           | 15283 EAST HENNEPIN AUTO SERVICE INC |               |                          | 27.10                 |
| heck Number                   | 15284 GETSCHOW, RICK                 |               |                          |                       |
| 15284 7/10/01                 | GETSCHOW, RICK                       | 101-41200-331 | REIMB: LODGING LMC CONF  | 226.00                |
|                               |                                      |               |                          | -----                 |
| Totals Check Number           | 15284 GETSCHOW, RICK                 |               |                          | 226.00                |
| heck Number                   | 15285 GLENWOOD INGLEWOOD             |               |                          |                       |
| 15285 62985323                | GLENWOOD INGLEWOOD                   | 101-41200-208 | BOTTLED WATER: CITY HALL | 17.78                 |
|                               |                                      |               |                          | -----                 |
| Totals Check Number           | 15285 GLENWOOD INGLEWOOD             |               |                          | 17.78                 |
| heck Number                   | 15286 HUGHES & COSTELLO              |               |                          |                       |
| 15286 7/10/01                 | HUGHES & COSTELLO                    | 101-42300-305 | 07/01 RETAINER FEE       | 850.00                |
| 15286 7/10/01                 | HUGHES & COSTELLO                    | 101-42300-355 | 07/01 PRINT/PROCESS      | 41.00                 |
|                               |                                      |               |                          | -----                 |
| Totals Check Number           | 15286 HUGHES & COSTELLO              |               |                          | 891.00                |

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CITY OF LAUDERDALE  
CLAIMS FOR APPROVAL  
JULY 10, 2001  
CITY COUNCIL MEETING

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| Check Invoice<br>Number                               | Name                        | Account Code  | Comments                  | Transaction<br>Amount |
|-------------------------------------------------------|-----------------------------|---------------|---------------------------|-----------------------|
| Check Number 15287 ICMA RETIREMENT TRUST - 457        |                             |               |                           |                       |
| 15287 7/10/01                                         | ICMA RETIREMENT TRUST - 457 | 101-21705     | 6/22/01 PAYROLL           | 1,087.44              |
| Totals Check Number 15287 ICMA RETIREMENT TRUST - 457 |                             |               |                           | 1,087.44              |
| Check Number 15288 KENNEDY & GRAVEN                   |                             |               |                           |                       |
| 5288 38298                                            | KENNEDY & GRAVEN            | 411-48411-305 | LEG SERV: '01 ST/UTIL IMP | 115.00                |
| 5288 38298                                            | KENNEDY & GRAVEN            | 101-41400-305 | 05/01 GEN LEGAL SERVICES  | 512.00                |
| 5288 38298                                            | KENNEDY & GRAVEN            | 101-41400-355 | 05/01 PRINT/PROCESS       | 8.75                  |
| Totals Check Number 15288 KENNEDY & GRAVEN            |                             |               |                           | 635.75                |
| Check Number 15289 MAMA                               |                             |               |                           |                       |
| 5289 86                                               | MAMA                        | 101-41200-308 | 1/18/01 LUNCHEON          | 16.00                 |
| 5289 61                                               | MAMA                        | 101-41200-308 | 2/15/01 LUNCHEON          | 16.00                 |
| 5289 10                                               | MAMA                        | 101-41200-308 | 4/19/01 LUNCHEON          | 16.00                 |
| Totals Check Number 15289 MAMA                        |                             |               |                           | 48.00                 |
| Check Number 15290 MINNESOTA AFSCME                   |                             |               |                           |                       |
| 5290 7/10/01                                          | MINNESOTA AFSCME            | 101-21709     | 06/01 UNION DUES          | 50.96                 |
| Totals Check Number 15290 MINNESOTA AFSCME            |                             |               |                           | 50.96                 |
| Check Number 15291 MN DEPARTMENT OF REVENUE           |                             |               |                           |                       |
| 5291 7/10/01                                          | MN DEPARTMENT OF REVENUE    | 101-21702     | 06/01 STATE PAYROLL TAXES | 740.25                |
| Totals Check Number 15291 MN DEPARTMENT OF REVENUE    |                             |               |                           | 740.25                |
| Check Number 15292 NORTH STAR STATE BANK              |                             |               |                           |                       |
| 5292 7/10/01                                          | NORTH STAR STATE BANK       | 101-41200-201 | COFFEE/CUPS FOR CITY HALL | 16.36                 |
| 5292 7/10/01                                          | NORTH STAR STATE BANK       | 101-41200-331 | MILEAGE: KEVIN            | 11.73                 |
| 5292 7/10/01                                          | NORTH STAR STATE BANK       | 201-45600-440 | PIZZA: PCIC               | 13.00                 |
| 5292 7/10/01                                          | NORTH STAR STATE BANK       | 101-41200-331 | MILEAGE: RICK             | 24.84                 |
| 5292 7/10/01                                          | NORTH STAR STATE BANK       | 201-45600-440 | PIZZA: PCIC               | 13.00                 |
| 5292 7/10/01                                          | NORTH STAR STATE BANK       | 101-41200-203 | CERTIFIED MAIL            | 14.96                 |
| 5292 7/10/01                                          | NORTH STAR STATE BANK       | 101-41200-331 | MILEAGE: SHANNON          | 13.46                 |
| Totals Check Number 15292 NORTH STAR STATE BANK       |                             |               |                           | 107.35                |
| Check Number 15293 OFFICE MAX                         |                             |               |                           |                       |

| Check Invoice                            |                |               |                           | Transaction |
|------------------------------------------|----------------|---------------|---------------------------|-------------|
| Check Number                             | Name           | Account Code  | Comments                  | Amount      |
| Check Number 15293 OFFICE MAX            |                |               |                           |             |
| 5293 752297J166                          | OFFICE MAX     | 101-41200-201 | GENERAL OFFICE SUPPLIES   | 59.24       |
| 5293 754438J166                          | OFFICE MAX     | 101-41200-201 | GENERAL OFFICE SUPPLIES   | 35.82       |
|                                          |                |               |                           | -----       |
| Totals Check Number 15293 OFFICE MAX     |                |               |                           | 95.06       |
| Check Number 15294 PARK SERVICE          |                |               |                           |             |
| 5294 7/10/01                             | PARK SERVICE   | 101-43100-212 | 06/01 TRUCK FUEL          | 67.19       |
| 5294 7/10/01                             | PARK SERVICE   | 601-49000-212 | 06/01 TRUCK FUEL          | 67.20       |
|                                          |                |               |                           | -----       |
| Totals Check Number 15294 PARK SERVICE   |                |               |                           | 134.39      |
| Check Number 15295 PARKER, DICK          |                |               |                           |             |
| 15295 7/10/01                            | PARKER, DICK   | 201-45600-377 | RED BEANS/RICE DAY N PARK | 300.00      |
|                                          |                |               |                           | -----       |
| Totals Check Number 15295 PARKER, DICK   |                |               |                           | 300.00      |
| Check Number 15296 QWEST                 |                |               |                           |             |
| 15296 7/10/01                            | QWEST          | 101-41200-391 | 07/01 CITY HALL PHONE     | 173.04      |
| 15296 7/10/01                            | QWEST          | 101-43100-391 | 07/01 CITY HALL PHONE     | 30.40       |
| 15296 7/10/01                            | QWEST          | 601-49000-391 | 07/01 CITY HALL PHONE     | 30.40       |
|                                          |                |               |                           | -----       |
| Totals Check Number 15296 QWEST          |                |               |                           | 233.84      |
| Check Number 15297 QWEST                 |                |               |                           |             |
| 15297 7/10/01                            | QWEST          | 601-49000-391 | 07/01 AUTODIAL: LARP AVE  | 59.90       |
|                                          |                |               |                           | -----       |
| Totals Check Number 15297 QWEST          |                |               |                           | 59.90       |
| Check Number 15298 RAPIT PRINTING        |                |               |                           |             |
| 15298 10-9841                            | RAPIT PRINTING | 101-41600-353 | PRINT 3 QTR 01 NEWSLETTER | 160.40      |
| 15298 10-9717                            | RAPIT PRINTING | 101-41600-355 | PLUMBING PERMIT APS       | 36.53       |
|                                          |                |               |                           | -----       |
| Totals Check Number 15298 RAPIT PRINTING |                |               |                           | 196.93      |
| Check Number 15299 SMILING CLOWNS        |                |               |                           |             |
| 15299 7/10/01                            | SMILING CLOWNS | 201-45600-377 | '01 DAY IN THE PARK       | 50.00       |
|                                          |                |               |                           | -----       |
| Totals Check Number 15299 SMILING CLOWNS |                |               |                           | 50.00       |

Jul 2001  
Fri 1:47 PM

\* Paid Check Reg  
CITY OF LAUDERDALE  
CLAIMS FOR APPROVAL  
JULY 10, 2001  
CITY COUNCIL MEETING

Page 5

| Check Invoice |              |                       |                       | Transaction               |           |
|---------------|--------------|-----------------------|-----------------------|---------------------------|-----------|
| Number        | Number       | Name                  | Account Code          | Comments                  | Amount    |
| Check Number  | 15300        | ST. ANTHONY PARK BAND |                       |                           |           |
| 15300         | 7/10/01      | ST. ANTHONY PARK BAND | 201-45600-377         | MUSIC '01 DAY IN THE PARK | 50.00     |
|               |              |                       |                       |                           | -----     |
| Totals        | Check Number | 15300                 | ST. ANTHONY PARK BAND |                           | 50.00     |
| Check Number  | 15301        | SUPER JUMP            |                       |                           |           |
| 15301         | 7/10/01      | SUPER JUMP            | 201-45600-377         | '01 DAY IN THE PARK       | 181.05    |
|               |              |                       |                       |                           | -----     |
| Totals        | Check Number | 15301                 | SUPER JUMP            |                           | 181.05    |
| Check Number  | 15302        | WALTER'S RUBBISH      |                       |                           |           |
| 15302         | 10400934     | WALTER'S RUBBISH      | 101-43100-384         | 3 QTR '01 RUBBISH REMOVE  | 30.40     |
| 15302         | 10400934     | WALTER'S RUBBISH      | 101-45200-384         | 3 QTR '01 RUBBISH REMOVE  | 30.40     |
|               |              |                       |                       |                           | -----     |
| Totals        | Check Number | 15302                 | WALTER'S RUBBISH      |                           | 60.80     |
|               |              |                       |                       |                           | -----     |
| Grand Total   |              |                       |                       |                           | 50,038.31 |







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## MEMOS BY JAMES

---

**DATE:** JULY 10, 2001  
**TO:** HONORABLE MAYOR AND COUNCIL  
**FROM:** JAMES BOWNIK, ADMINISTRATIVE ANALYST  
**RE:** CONDITIONAL USE PERMIT APPLICATION FOR 2520 BROADWAY DR

### **BACKGROUND**

**PROPOSAL:** Request for a Conditional Use Permit allowing for an auto body service & repair facility. The property in question is zoned I-1 Industrial.

**APPLICANT:** Amcon Construction on behalf of Hamline Auto Body  
200 West Highway 13  
Burnsville, MN 55337

**PROPERTY OWNER:** Philips Holdings LLC  
2601 Broadway NE  
Minneapolis, MN 55413

**PROPERTY LOCATION:** South 3.1 Acres of the 6.8 total acre site at 2520 Broadway Drive  
Lauderdale, MN 55113

**Attached as Exhibit A is the conditional use permit application for your review.**

### **CONDITIONAL USE PERMIT REQUEST**

According to Title 10-6-1 of the Lauderdale City Code, auto body service & repair facilities are not specifically listed as a permitted use or as an approved conditional use in the I-1 District.

However, Title 10-6-2 of the City Code states that conditional uses "similar in nature, and not detrimental to the integrity of the district, may be authorized by the Council in accordance with Chapter 12 of this Title".

Auto body service & repair facilities are similar in nature to auto reductions and junk yards, which is an approved conditional use. Actually, an auto body service & repair use is probably more similar in nature to the permitted use of a motor fuel station.

**Attached as Exhibit B are the sections of the City Code referenced above.**

## **PROPERTY INFORMATION**

Phillips Holdings LLC currently owns the entire 6.8 acre site at Highway 280 & Broadway. Hamline Auto Body proposes to purchase the southern 3.1 acres for the auto body & repair facility. However, the purchase agreement is still being negotiated.

All access to this site on the southern 3.1 acres is from Broadway Drive to the north. Thus, Hamline Auto Body would need a guarantee of access to the site from the property owners of the northerly 3.7 acres.

A Subdivision Plat would also need to be approved by the City Council.

## **REQUIREMENTS FOR APPROVAL OF A CONDITIONAL USE PERMIT**

Title 10-12-4 & 10-12-5 of the City Code allows the City Council to consider the following for the approval of a conditional use permit:

- 1) Does the use conform to the I-1 District?
- 2) Will the use provide a harmonious relationship with adjacent properties?
- 3) Is the visual impression & environment of the use consistent with the district?
- 4) Does the use organize vehicular access & parking in a way that minimizes traffic congestion in the district?
- 5) Does the use promote the objectives of Title 10 of the City Code: Zoning, and the Land Use & Tax Base section of the Lauderdale Comprehensive Plan?
- 6) Does the use comply with the following performance standards?
  - a. Fire Protection.
  - b. Electrical Disturbance.
  - c. Noise.
  - d. Vibrations.
  - e. Odors.
  - f. Air Pollution.
  - g. Glare.
  - h. Erosion.
  - i. Water Pollution.

## **STAFF FINDINGS & REVIEW**

### **1) *Does the use conform to the I-1 District?***

The use appears to conform to similar uses in the I-1 District.

### **2) *Will the use provide a harmonious relationship with adjacent properties?***

Hamline Auto Body's request to use the site for an auto body service & repair facility should be considered a moderate to high water user. This presents possible problems with the current sanitary sewer configuration. Currently, the sanitary sewer leaving this site is directed to the Ryan Street Lift Station, which has had recent capacity problems. City Engineer Paul Heuer presented Amcon Construction three options to possibly abate this concern in a memo dated

June 29, 2001. Also in the memo, Paul Heuer lays out what further information is needed for storm water management and water main.

**Attached as Exhibit C is Paul Heuer's memo to Amcon Construction which addresses issues related to sanitary sewer, storm sewer, water main, and site access.**

**3) *Is the visual impression & environment of the use consistent with the district?***

Hamline Auto Body has not submitted visual impressions of the site beyond the site plan, however, they may bring visual impressions to the Council Meeting. The building is proposed to be similar in appearance and the use of design materials to their site at 650 Grand Avenue in St. Paul. But, the building will be about 33,000 square feet at the Lauderdale site – compared to about 12,000 square feet in St. Paul. The proposed height is about 22 feet above grade for shop areas, and about 28 feet for the office area. Proposed construction materials consist of decorative concrete block, with an aluminum and glass curtainwall system for the entrance façade.

**Attached as Exhibit D is a picture of the front of Hamline Auto Body's St. Paul building from their website, [www. hamlineautobody.com](http://www.hamlineautobody.com).**

**4) *Does the use organize vehicular access & parking in a way that minimizes traffic congestion in the district?***

The vehicle access & parking plan appears to be organized in a way that does not significantly increase traffic congestion and noise. However, Hamline Auto Body needs an access easement from the property owners to the north as a guarantee of access to their site.

**5) *Does the use promote the objectives of Title 10 of the City Code: Zoning, and the Land Use & Tax Base section of the Lauderdale Comprehensive Plan?***

The use appears to promote the objectives of the Zoning Ordinance and the Land Use & Tax Base section of the Comprehensive Plan by encouraging development and/or redevelopment of commercial and industrial properties for the purpose of increasing tax base. It must be noted that a \$750,000 tax base revitalization grant was applied to this site in 1998.

**6) *Does the use comply with the following performance standards?***

- a. *Fire Protection.***
- b. *Electrical Disturbance.***
- c. *Noise.***
- d. *Vibrations.***
- e. *Odors.***
- f. *Air Pollution.***
- g. *Glare.***
- h. *Erosion.***
- i. *Water Pollution.***

The use appears to comply with the performance standards mentioned above, but more information about compliance with individual performance standards may be needed. For example, further information must be submitted to the City Engineer regarding the approval of a storm water management plan.

**Attached as Exhibit E is a checklist staff is using during the review process.**

### **SITE PLAN**

**Attached as Exhibit F is the Site Plan, Landscape Plan, Utilities Plan, Grading/Erosion Control Plan, and the Existing Conditions/Removals Plan for your review.**

### **PLANNING COMMISSION ACTION**

The Planning Commission did not meet to discuss the conditional use permit application due to the lack of a quorum. Instead, this action item was placed directly on the council agenda per Title 2-1-10-4:K of the current Zoning Ordinance. The Planning Commission received the information packet and have been invited and encouraged to attend the council meeting in order to provide input to the Council.

### **PUBLIC HEARING FOR THE CONDITIONAL USE PERMIT REQUEST**

On June 26, 2001, property owners within 350 feet from the perimeter of the subject property were sent notice of tonight's public hearing. A Public Notice was also published in the June 26, 2001 edition of the *Roseville Review*.

### **CITY COUNCIL ACTION REQUESTED**

The following issues are outstanding as they relate to the conditional use permit request:

- An access easement.
- Sanitary sewer plan approved.
- Storm water management plan approval.
- Documentation illustrating that the visual impressions and the environment of the use is consistent within the I-1 District.
- Water main plan approval, and coordination with and approval by St. Paul Regional Water Services.

The City Council could table this issue until these issues have been addressed.

The use appears to comply with the performance standards mentioned above, but more information about compliance with individual performance standards may be needed. For example, further information must be submitted to the City Engineer regarding the approval of a storm water management plan.

**Attached as Exhibit E is a checklist staff is using during the review process.**

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- Sanitary sewer plan approved.
- Storm water management plan approval.
- Documentation illustrating that the visual impressions and the environment of the use is consistent within the I-1 District.
- Water main plan approval, and coordination with and approval by St. Paul Regional Water Services.

The City Council should table this conditional use permit application until these issues have been addressed.

# Exhibit A



## Hamline Auto Body's Current Conditional Use Permit Application

# City of Lauderdale

1891 Walnut Street • Lauderdale • Minnesota 55113

Phone: 651.631.0300 Fax: 651.631.2066

## ZONING APPLICATION

| Type of Request                                     | Amount |
|-----------------------------------------------------|--------|
| <input type="checkbox"/> Variance                   | \$ 75  |
| <input type="checkbox"/> Zoning Amendment           | \$100  |
| <input checked="" type="checkbox"/> Conditional Use | \$165  |
| <input type="checkbox"/> PUD                        | N/A    |
| <input type="checkbox"/> Other                      |        |

Name of Applicant AMCON CONSTRUCTION ON BEHALF OF HAMLINE AUTO BODY

Address 200 WEST HIGHWAY 13

City BURNSVILLE State MN Zip 55337

Address of Property 2520 BROADWAY, LAUDERDALE  
(if different than above)

Day Phone (952) 890-1217 Evening Phone \_\_\_\_\_ Fax (952) 890-0064

Please describe why you are applying for this application THE PROPOSED USE,  
AUTO BODY SERVICE & REPAIR IS DESIGNATED AS A CONDITIONAL  
USE BY THE ZONING CODE.



Applicant's Signature  
MICHAEL J. MONN  
PROJECT ARCHITECT  
AMCON CONSTRUCTION COMPANY

6/5/2001

Date

### For Office Use Only

Date of Application 6-5-01 Amount Paid \$165 Receipt Number 6031  
PIN # \_\_\_\_\_

Recommendation of Planning Commission ( approve / deny ) Meeting Date N/A

Date of Public Hearing 7-10-01

City Council Action Taken ( approved / denied ) Meeting Date \_\_\_\_\_

Conditions? \_\_\_\_\_

## **Amcon Construction Company**

200 West Highway 13

Burnsville, Minnesota 55337

Phone: (612) 890-1217 Fax: (612) 890-0064

### **Conditional use request**

Date: June 5, 2001

Project: Hamline Auto Body  
Lauderdale, MN

From: Michael J. Monn A.I.A.

The new development for Hamline Auto Body is proposed to be located on the vacant land along the West Side of Highway 280, south of Broadway. The existing 6+ acre parcel will be subdivided to provide for a 3.1 acre lot at the south end of the development for Hamline. Access to the parcel will be off of Broadway from the north. The site is laid out with the primary public access areas at the north end of the site and the operational areas of the facility to the south end. The orientation of the building and the layout of the facility are impacted directly by the narrow east-west dimension of the property. This situation is further impacted by the existing overhead power line easement along the west property line.

The proposed use, auto body repair & service, is listed as a conditional use under the zoning ordinance and is in compliance with the City Code.

This use on the proposed site is a perfect buffer from the large-scale industrial buildings to the west and the highway and residential areas to the east. The scale and size of the building will serve as a transition from the industrial park. The building will be constructed primarily of precast concrete wall panels with an integral colored exposed aggregate finish. The office area of the building will be constructed of decorative integral colored concrete block with an aluminum and glass curtainwall system for the entrance facade. The facility will have an approximate height of 22' above grade for the shop areas and 28' for the office area.



# Exhibit B



## Title 10-6-1 & Title 10-6-2 of the Lauderdale City Code

10-6-2: **CONDITIONAL USES:** The conditional uses listed below and others similar in nature, not detrimental to the integrity of the district, may be authorized by the Council in accordance with Chapter 12 of this Title.

A. R-1, Suburban Residential:

1. Antennas;
2. Charitable institutions;
3. Churches;
4. Day care-nursery schools;
5. Hospitals and clinics;
6. Nurseries and greenhouses;
7. Parochial schools;
8. Planned unit developments;
9. Private clubs and schools;
10. Public buildings;
11. Public utility buildings;
12. Two family dwellings; and
13. Telecommunications towers.

B. R-2, Urban Residential:

1. Antennas;
2. Charitable institutions;
3. Churches;
4. Day care-nursery schools;
5. Hospitals and clinics;

3. Public and parochial schools;
4. Public parks and playgrounds; and
5. Townhouses.

D. B-1, Community Business:

1. Commercial schools;
2. Eating and drinking places;
3. Motor fuel stations;
4. Offices and banks;
5. Parking lots;
6. Personal and professional services;
7. Public buildings; and
8. Retail business.

E. I-1, Industrial:

1. Light manufacturing;
2. Motor fuel stations;
3. Offices;
4. Public buildings;
5. Research laboratories;
6. Testing laboratories; and
7. Warehousing.

*Permitted  
Uses*

F. C-1, Conservation:

1. Open space recreational uses; and
2. Public parks and playgrounds. (Zoning Ord. as amd.)

3. Antennas;
4. Auto sales, service and repair;
5. Commercial recreation;  
*5a. Day Care Centers (adopted 11/87)*
6. Funeral homes;
7. Hospitals and clinics;
8. Hotels and motels;
9. Multiple family dwellings;
10. Public utility buildings;
11. Research laboratories;
12. Wholesale business; and
13. Telecommunications towers.

E. I-1, Industrial:

1. Antennas;
2. Auto reductions and junk yards;
3. Commercial recreation;
4. Manufacturing;
5. Public utility buildings;
6. Supply yards;
7. Truck terminals;
8. Wholesale business; and
9. Telecommunications towers.

F. C-1, Conservation:

1. Commercial recreation;

*Approved  
Conditional  
Uses*

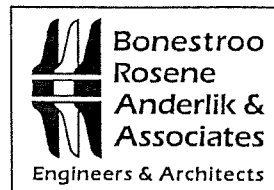
# Exhibit C



Paul Heuer's  
Memo to Amcon  
Construction Dated  
June 29, 2001

# MEMO

*Lauderdale*



**TO:** Wayde Johnson, Amcon Construction  
**FROM:** Paul Heuer  
**RE:** Hamline Auto Body – Amcon  
**FILE:** BRA File No. 532-gen  
**DATE:** June 29, 2001

We have reviewed the conditional use permit submittal for Hamline Auto Body dated June 5, 2001 and offer the following requirements and comments regarding engineering issues.

## Sanitary Sewer

This property is served by the Ryan Street Lift Station, which has had capacity problems in the past. We are concerned that adding a moderate to high water user on this site will exacerbate the current problem. Therefore, we cannot recommend approval of this site plan with the current sanitary sewer configuration. Alternatives to connecting to the existing sanitary sewer need to be considered. We have studied options related to allowing a high water use tenant to occupy the property. They are described as follows.

### Option 1: Increase Ryan Street Lift Station capacity

This option involves installing new pumps in the Ryan lift station, modifying the control panel, replacing the force main with a larger size, and replacing the existing generator with one that would handle the new pumps. (Rough construction cost estimate = \$110,000; rough project cost estimate = \$132,000).

### Option 2: Bypass the Ryan Street Lift Station

This option involves jacking new sanitary sewer across TH280 and connecting to existing sanitary sewer at Roselawn/Walnut. Wastewater flows from this site would bypass the Ryan lift station and flow into the Malvern lift station. A disadvantage of this option is that the sanitary sewer would be slightly higher than the existing sewer, making service to this site difficult without modifications to the building elevations. (Rough construction cost estimate = \$42,000; rough project cost estimate = \$50,000).

### Option 3: Connect to Sewer near Larpenteur

This option involves extending sewer southward from the site to existing sanitary sewer south of Larpenteur. Wastewater flows from this site would bypass the Ryan and Malvern lift stations. (Rough construction cost estimate = \$150,000; rough project cost estimate = \$180,000).

Option 3 has the potential to tie into future City improvements designed to eliminate one or both of the remaining lift stations. Therefore, the City may wish to negotiate with the applicant in pursuing Option 3.

## Water Main

- Water main is available at the northeast corner of the site. Existing pipes are cast iron, installed in 1954-1955. Existing pipe sizes serving the area are 4" and 6". Break records indicate that the north/south pipe on the west side of TH280 is in very poor condition and is in need of replacement. Capacity and available pressure is unknown. Coordination with the St. Paul Regional Water Services will be necessary to determine the arrangement for replacing the pipe and to determine the necessary

pipe sizes. (All water main in the City of Lauderdale is owned and maintained by St. Paul Regional Water Services).

### **Storm Sewer/Grading Plan**

- Water quantity calculations need to be submitted for review. Post development peak flows for the 2, 10, and 100-year storm events must be equal to or less than predevelopment peak flows.
- Water quality calculations need to be submitted for review. Requirements include 90% sediment removal and 60% Phosphorus removal.
- Approval/permit from Mn/DOT is required in order to connect to their existing storm sewer system.
- We recommend that CBMH 104 be constructed with a 3-foot sump to aid in removal of sediment periodically. Maintaining a sump on a periodic basis is easier than dredging the pond.
- We anticipate that the pond will be privately owned and maintained.
- The grading plan should identify the area between CBMH 104 and the pond as being the overflow location. We must ensure that water that overflows the parking lot during large storm events is directed into the pond. Erosion control should be considered for this overflow and for the pond overflow at the southeast corner of the pond.
- Silt fence locations are not clearly identified.

### **Streets/Access**

- Access is proposed through the property to the north. An access easement will be required.

Cc: Rick Getschow, City Administrator

# Exhibit D

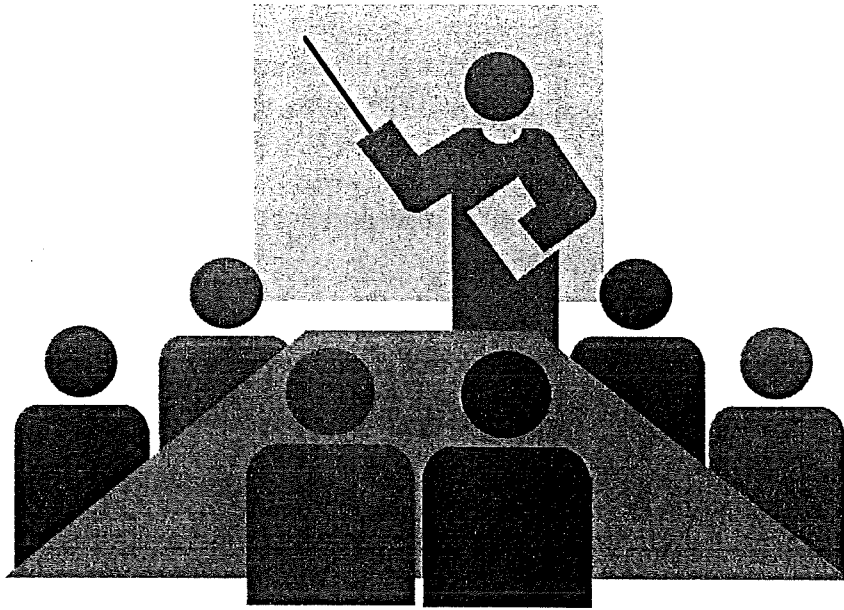
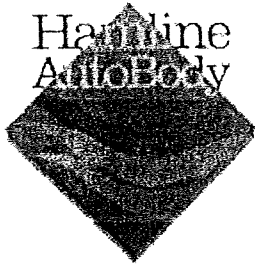


Photo of Hamline  
Auto Body's 650  
Grand Avenue  
Location in St. Paul





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A TOTAL COMMITMENT TO EARN YOUR TRUST.

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**Hamline Autobody  
makes the whole  
experience go very  
smoothly! Bob B.  
1997 Toyota**



**No Hassles, No Surprises:** From the moment you walk in until your repair work is finished, you will be treated with prompt and Courteous service. A trained technician will thoroughly inspect your car and listen carefully to your needs. From minor dents to major repairs, our skilled craftsmen use state-of-the-art equipment, materials, and techniques to make your car the best it can be. Before you leave you will know exactly what we plan on doing, you'll have a detailed estimate at a fair price, *and* you'll know when you can pickup your car. When necessary, a rental car can be arranged until your automobile is completed.

From time to time even we can't determine the full extent of damage to your vehicle until the actual work has begun. Should this ever happen, we'll call you immediately to get your approval before proceeding with any additional work. It's important to us that lines of communication are kept open.



# Exhibit E



## Staff Checklist Used During the Review Process

# CHECKLIST - Conditional Use Permit

date 6-5-01

Application Number: 01-01

## Questions

## Answered

1. Has a pre-application meeting been held with the City Staff?

yes

2. What is the current zoning district and in what zoning ordinance section is the conditional use permitted?

I-1, similar use

3. A site plan drawn to scale to include:

a. All existing and proposed buildings, parking areas, adjacent roads, advertising signs, trees, drainage ways and buildings on adjacent properties.

site plan only  
- no visual impression

b. All lot dimensions, lot area(s), yard dimensions and elevations.

yes

c. Location of any existing and proposed parking spaces and driveways.

yes

d. Storm water drainage plan, grading erosion control plan sufficient to drain and dispose of all surface water accumulation within area.

yes, but City  
Engineer requires  
more info.

e. Landscape plan including the size of trees and shrubs, sidewalks, trails, walkways, proposed fences, landscaping and retaining walls.

yes

f. Plans for storage areas.

yes

g. Exterior finish and front elevations of buildings.

Described in  
permit App only

4. Three full size site plans and other exhibits at no less than 100 scale are to be submitted with the application. Ten days before the Planning Commission meeting the applicant shall submit a reduced 11 by 17 inch reproducible plan and 8 1/2 by 11 inch transparency.

yes

5. A short narrative answering the following:

- a. The proposed use conforms to the district and conditional use provisions and all general regulations of the City Code. may need more info.
  - b. The proposed use meets all special standards which may apply to its class of conditional uses as set forth in the City Code. may need more info.
  - c. The proposed use shall not involve any element or cause any condition that may be dangerous, injurious, or noxious to any other property or persons, and shall comply with the performance standards, below. see below
  - d. The proposed use shall be sited, oriented, and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties. Appears to comply
  - e. The proposed use shall produce a total visual impression and environment which is consistent with the environment of the district in which it is located. need Visual Impressions
  - f. The proposed use shall organize vehicular access and parking to minimize traffic congestion in the district. Needs Access Easement
  - g. The proposed use shall promote the objectives of the City Code and shall be considered by the Council in light of the light of the Land Use Plan of the City. yes
6. The following are performance standards that need to be met before a conditional use permit is issued. see below
- a. Fire Protection: Fire prevention and fighting equipment required by the Fire Prevention and Building Code shall be readily available when any activity involving the handling or storage of flammable or explosive materials is carried on. Appears to comply
  - b. Electrical Disturbance: No activity associated with the use shall cause electrical disturbance adversely affecting radio or other electrical or electronic equipment in the vicinity of the use. Appears to comply

c. Noise: Noise which is determined to be objectionable because of volume, frequency, or beat shall be muffled or otherwise controlled in accordance with generally accepted noise level standards or State established standards. Fire sirens and related apparatus used solely for public purposes shall be exempt from this requirement.

*Appears to comply!*

d. Vibrations: Vibrations detectable without instruments on neighboring property in any district is prohibited.

*Appears to comply*

e. Odors: No malodorous gas or matter shall be permitted which is discernible on any adjoining lot or property. State standards on odor emissions may be used in measuring such odors.

*Appears to comply*

f. Air Pollution: Air pollution shall be subject to the standards established by the Minnesota Pollution Control Agency.

*Appears to comply*

g. Glare: Lighting devices which produce directly reflected glare on adjoining properties or thoroughfares shall not be permitted.

*Appears to comply*

h. Erosion: No offensive erosion by wind or water shall be permitted onto adjacent properties.

*City Engineer  
needs more info.*

i. Water Pollution: Water pollution shall be subject to the standards established by the Minnesota Pollution Control Agency:

*Appears to comply*

# Exhibit F



Hamline Auto Body's  
Site Plan, Landscape Plan,  
Utilities Plan,  
Grading/Erosion Control  
Plan, and Existing  
Conditions/Removals Plan









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## MEMOS BY JAMES

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DATE: JULY 10, 2001  
TO: HONORABLE MAYOR AND COUNCIL  
FROM: JAMES BOWNIK, ADMINISTRATIVE ANALYST  
RE: VARIANCE TO THE ZONING ORDINANCE REQUEST FOR  
2520 BROADWAY DRIVE



### **BACKGROUND**

PROPOSAL: Request for a Variance to the Side Yard Setback Requirements – to go from 20 feet to 13 feet from the east property line along Highway 280. The property in question is zoned I-1 Industrial.

APPLICANT: Amcon Construction on behalf of Hamline Auto Body  
200 West Highway 13  
Burnsville, MN 55337

PROPERTY OWNER: Philips Holdings LLC  
2601 Broadway NE  
Minneapolis, MN 55413

PROPERTY LOCATION: South 3.1 Acres of the 6.8 total acre site at 2520 Broadway Drive  
Lauderdale, MN 55113

Hamline Auto Body is applying for a variance to the side yard setback requirements to go from 20 feet to 13 feet from the east property line along Highway 280. The applicants propose to construct a new building on the south 3.1 acres of the total 6.8 acre site at 2520 Broadway Drive. The proposed building is restricted by an Xcel Energy powerline easement on the west side of the property that does not allow building construction in the easement area. The current Zoning Ordinance regulates the side yard setback in I-1 Industrial Districts to 20 feet.

**Attached as Exhibit A is the current variance application from Hamline Auto Body for your review.**

There are no other setback, height, or lot coverage issues associated with this variance application. There is a front and rear yard setback requirement of 30 feet in this district, however, Hamline Auto Body is not intending to encroach into the front or rear yard setback area. The proposal will not exceed the 35-foot height requirement. Also, the current Zoning Ordinance does not regulate lot coverage for this type of use in the I-1 District.

Attached as Exhibit B is the Table of Land and Yard Requirements from the current Zoning Ordinance.

### **SITE PLAN AND VARIANCE REQUEST**

Exhibit A has a site plan provided by the applicant which details where the applicant proposes to construct the new building. The proposal is to construct the new building along the east property line, which is Highway 280. The applicant is requesting that the 20-foot side yard setback regulation be relaxed to 13 feet due to a restricted Xcel Energy powerline easement on the west side of the property.

### **POLICIES AND PROCEDURES FOR VARIANCE APPROVAL**

In reviewing this variance request, the Council should consider the Zoning Ordinance requirements as well as relevant State Statutes. The following should be considered:

- Chapter 3 of the Zoning Ordinance defines variances as follows:

“The Board shall hear requests for variances from the literal provisions of this Title in instances where their strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration, and to grant such variances only when it is demonstrated that such actions will be in keeping with the spirit and intent of this Title. The Board of Appeals and Adjustments may not permit as a variance any use that is not permitted under this Title for property in the zone where the affected person's land is located”.

- According to State Statute 462.357, Subd. 6, the following regulations apply to variances:

The board of appeals and adjustments has the following powers with respect to the zoning ordinance: “To hear requests for variances from the literal provisions of the ordinance in instances where their strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration, and to grant such variances only when it is demonstrated that such actions will be in keeping with the spirit and intent of the ordinance. “Undue Hardship” as used in connection with the granting of a variance means the property in question cannot be put to a reasonable use if used under conditions allowed by the official controls, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance. Undue hardship also includes, but is not limited to, inadequate access to direct sunlight for solar energy systems”.

### **PLANNING COMMISSION ACTION**

The Planning Commission did not meet to discuss the variance request due to the lack of a quorum. Instead, this action item was placed directly on the council agenda per

Title 2-1-10-4:K of the current Zoning Ordinance. The Planning Commission received the information packet and have been invited and encouraged to attend the council meeting in order to provide input to the Council.

#### **PUBLIC HEARING FOR THE VARIANCE REQUEST**

On June 26, 2001 property owners adjacent to this property were sent notice of tonight's public hearing.

#### **CITY COUNCIL ACTION REQUESTED**

Approve or deny the variances request, attaching any conditions deemed necessary for approval. If the variances are approved, construction and design plans for the new building will be submitted to the City Building Official for approval before the building permit is issued.

# Exhibit A



## Hamline Auto Body's Current Variance Application

# City of Lauderdale

1891 Walnut Street • Lauderdale • Minnesota 55113

Phone: 651.631.0300 Fax: 651.631.2066

## ZONING APPLICATION

| Type of Request                              | Amount |
|----------------------------------------------|--------|
| <input checked="" type="checkbox"/> Variance | \$ 75  |
| <input type="checkbox"/> Zoning Amendment    | \$100  |
| <input type="checkbox"/> Conditional Use     | \$165  |
| <input type="checkbox"/> PUD                 | N/A    |
| <input type="checkbox"/> Other               |        |

Name of Applicant AMCON CONSTRUCTION ON BEHALF OF HAMLINE AUTO BODY

Address 200 WEST HIGHWAY 13

City BURNSVILLE State MN Zip 55337

Address of Property 2520 BROADWAY, LAUDERDALE  
(if different than above)

Day Phone (952) 890-1217 Evening Phone \_\_\_\_\_ Fax (952) 890-0064

Please describe why you are applying for this application THE REQUEST IS FOR A VARIANCE TO THE SIDETARD SETBACK FROM 20' TO 13' FOR THE EAST PROPERTY LINE ALONG HIGHWAY 280. THE PARCEL IS RESTRICTED IN THE EAST/WEST DIRECTION BY A POWERLINE EASEMENT.

  
Applicant's Signature

6/5/2001  
Date

MICHAEL J. MONN  
PROJECT ARCHITECT  
AMCON CONSTRUCTION COMPANY

For Office Use Only

Date of Application 6-5-01 Amount Paid \$75 Receipt Number 6031  
PIN # \_\_\_\_\_

Recommendation of Planning Commission (approve / deny) Meeting Date N/A  
Date of Public Hearing 7-10-01  
City Council Action Taken (approved / denied) Meeting Date \_\_\_\_\_  
Conditions? \_\_\_\_\_

**Amcon Construction Company**

**200 West Highway 13**

**Burnsville, Minnesota 55337**

Phone: (612) 890-1217 Fax: (612) 890-0064

**Variance request**

Date: June 5, 2001

Project: Hamline Auto Body  
Lauderdale, MN

From: Michael J. Monn A.I.A.

The proposed site at the southwest corner of Broadway & Highway 280 is a rather long and narrow parcel. This piece of land is further encumbered by the presence of a overhead power-line easement along the west property line.

We are requesting a variance of the side yard setback on the eastern property line adjacent to highway 280 from the zoning required 20' width to 13'.

Being on the highway side of the parcel, the variance will not negatively effect neighboring properties.

# Exhibit B



## Table of Land & Yard Requirements

10-8-8: TABLE:

| LAND AND YARD REQUIREMENTS TABLE                                                                             |                   |                |                |               |               |                                           |                             |                                |
|--------------------------------------------------------------------------------------------------------------|-------------------|----------------|----------------|---------------|---------------|-------------------------------------------|-----------------------------|--------------------------------|
| District                                                                                                     | Lot Size          |                | Yard Setback   |               |               | Site Area<br>Per<br>Dwelling<br>(sq. ft.) | Maximum<br>Coverage*<br>(%) | Usable<br>Open<br>Space<br>(%) |
|                                                                                                              | Area<br>(sq. ft.) | Width<br>(ft.) | Front<br>(ft.) | Rear<br>(ft.) | Side<br>(ft.) |                                           |                             |                                |
| <b>R-1 Suburban Residential</b>                                                                              |                   |                |                |               |               |                                           |                             |                                |
| Single Family Dwellings                                                                                      | 7,500             | 60             | 30             | 20            | 5             | 7,500                                     | **30                        | -                              |
| Two Family Dwellings                                                                                         | 10,000            | 80             | 30             | 20            | 5             | 5,000                                     | ***30                       | -                              |
| Other Uses                                                                                                   | 10,000            | 80             | 30             | 20            | 5             | -                                         | -                           | -                              |
| <b>R-2 Urban Residential</b>                                                                                 |                   |                |                |               |               |                                           |                             |                                |
| Single Family Dwellings                                                                                      | 5,000             | 40             | 25             | 20            | 5             | 5,000                                     | **30                        | -                              |
| Two Family Dwellings                                                                                         | 7,500             | 60             | 25             | 20            | 5             | 3,750                                     | ***30                       | -                              |
| Townhouses                                                                                                   | 2,500             | 20             | 25             | 20            | -             | 5,000                                     | 20                          | 52                             |
| Multi Family Dwellings                                                                                       | 7,500             | 60             | 25             | 20            | 10            | 1,875                                     | 28                          | 44                             |
| Other Uses                                                                                                   | 10,000            | 75             | 25             | 20            | 10            | -                                         | -                           | -                              |
| <b>R-3 Multiple Residential</b>                                                                              |                   |                |                |               |               |                                           |                             |                                |
| Single Family Dwellings                                                                                      | 5,000             | 40             | 20             | 20            | 10            | 5,000                                     | **30                        | -                              |
| Two Family Dwellings                                                                                         | 7,500             | 60             | 20             | 20            | -             | 3,750                                     | ***30                       | -                              |
| Townhouses                                                                                                   | 2,500             | 20             | 20             | 20            | -             | 5,000                                     | 20                          | 52                             |
| Multi Family Dwellings                                                                                       | 25,000            | 100            | 20             | 20            | 15            | 870                                       | 30                          | 40                             |
| Other Uses                                                                                                   | 5,000             | 50             | 20             | 20            | 10            | -                                         | -                           | -                              |
| <b>B-1 Community Business</b>                                                                                |                   |                |                |               |               |                                           |                             |                                |
| Multi Family Dwellings                                                                                       | 5,000             | 50             | -              | 15            | -             | 1,675                                     | 28                          | 44                             |
| Other Uses                                                                                                   | 5,000             | 50             | -              | 15            | -             | -                                         | -                           | -                              |
| <b>I-1 Light Industrial</b>                                                                                  |                   |                |                |               |               |                                           |                             |                                |
| All Uses                                                                                                     | 1 acre            | 150            | 30             | 30            | 20            | -                                         | -                           | -                              |
| <b>C-1 Conservation</b>                                                                                      |                   |                |                |               |               |                                           |                             |                                |
| All Uses                                                                                                     | 2 acres           | 300            | 50             | 30            | 30            | -                                         | -                           | -                              |
| * Maximum coverage shall be the percentage of lot area enclosed by the exterior faces of the exterior walls. |                   |                |                |               |               |                                           |                             |                                |
| ** Figure Includes assumed garage coverage of 576 sq. ft.                                                    |                   |                |                |               |               |                                           |                             |                                |
| *** Figure Includes assumed garage coverage of 1,252 sq. ft.                                                 |                   |                |                |               |               |                                           |                             |                                |

(Zoning Ord. as amd.)







## City Council Memorandum

|                       |                                                    |
|-----------------------|----------------------------------------------------|
| To:                   | Mayor and City Council                             |
| From:                 | Rick Getschow                                      |
| Council Meeting Date: | July 10, 2001                                      |
| Agenda Item:          | 2002-2003 Street and Utility Improvements Planning |

### Background:

City staff and the City Engineer have begun discussing the next year of street and utility improvements. As you know, the next planned area of construction is the remainder of the residential part of the City west of Eustis Street and south of Roselawn Avenue. While discussing plans for next year, a few issues have arisen that may change our recommendation on the next area of the City to undertake the improvements in.

They are:

- The desire for further lift station elimination. The two remaining lift stations (Ryan Ave. and Malvern St.) have not been proposed to be eliminated, but we believe that a strong possibility exists that they could. Due to the configuration of the sanitary sewer system, eliminating both of these lift stations would require that we complete the improvements north of Roselawn Avenue next year (2002) as opposed to in 2003.
- As the Highway 280 development proposals have been coming in, there have been several retail-oriented proposals that would be above average water users. The sanitary sewer from these 6.8 acres of property flows back to the Ryan Avenue lift station, and that lift station may not accommodate higher users. (One example of this issue is in the City Engineer memo to Hamline Auto Body regarding their conditional use application in this agenda packet). Therefore, new sanitary sewer main and lift station elimination could occur concurrently with the redevelopment of this property.

In light of these recent discussions, I feel that it is appropriate for City Staff, the City Engineer and the City Council to deliberate on this issue before further planning is undertaken for the 2002 and 2003 Improvements.

Some preliminary details regarding this issue are presented in a memorandum from the City Engineer regarding Hamline Auto Body that is included in this packet.

**Enclosures:**

1. City Engineer memo to the City Administrator regarding Hamline Auto Body dated June 29, 2001.
2. Current Sanitary Sewer System Map

**Council Action Requested:**

Provide direction on issues related to further lift station elimination and the time order of the 2002 and 2003 Street and Utility Improvements



# MEMO

*Lauderdale*

**TO:** Rick Getschow  
**FROM:** Paul Heuer  
**RE:** Hamline Auto Body – Amcon  
**FILE:** BRA File No. 532-gen  
**DATE:** June 29, 2001



The purpose of this memo is to offer more information and guidance on the sanitary sewer issue.

## Sanitary Sewer Options

The following options were taken from my engineering report for Hamline Auto Body. Each of these options takes care of only the property in question.

### Option 1: Increase Ryan Street Lift Station capacity

This option involves installing new pumps in the Ryan lift station, modifying the control panel, replacing the force main with a larger size, and replacing the existing generator with one that would handle the new pumps. (Rough construction cost estimate = \$110,000; rough project cost estimate = \$130,000).

### Option 2: Bypass the Ryan Street Lift Station

This option involves jacking new sanitary sewer across TH280 and connecting to existing sanitary sewer at Roselawn/Walnut. Wastewater flows from this site would bypass the Ryan lift station and flow into the Malvern lift station. A disadvantage of this option is that the sanitary sewer would be slightly higher than the existing sewer, making service to this site difficult without modifications to the building elevations. (Rough construction cost estimate = \$40,000; rough project cost estimate = \$50,000).

### Option 3: Connect to Sewer near Larpenteur

This option involves extending sewer southward from the site to existing sanitary sewer south of Larpenteur. Wastewater flows from this site would bypass the Ryan and Malvern lift stations. (Rough construction cost estimate = \$150,000; rough project cost estimate = \$180,000).

If Option 3 was pursued, then additional beneficial work could be added, such as:

1. Eliminate Ryan Street lift station = \$85,000 construction/\$100,000 project
2. Eliminate Malvern Street lift station = \$65,000 construction/\$80,000 project

**Therefore, eliminating both lift stations is estimated to cost approximately \$300,000/360,000.**

Our research shows that Option 3 is probably feasible. It requires dealing with multiple property owners, but the grades appear to work. Ultimately, we'll need survey data to confirm the feasibility of this option. We recommend trying to find a way to make Option 3 work in order to eliminate all City lift stations.

### **Savings from CIP**

Although construction costs have increased since completing the CIP in 1997, there are costs that can be removed from future projects if Option 3 were pursued (with the additional costs to eliminate the lift stations). The following project costs were planned for in the 1997 CIP:

|                                                         |      |                |
|---------------------------------------------------------|------|----------------|
| Replacing sanitary sewer on Malvern, Summer to Roselawn | 330' | \$29,000       |
| Replacing sanitary sewer on Malvern, Roselawn to Ryan   | 595' | \$52,000       |
| Replacing sanitary sewer on Ryan, Walnut to Malvern     | 375' | \$19,000       |
| Replacing force main on Ryan, Walnut to Malvern         | 135' | <u>\$5,000</u> |
|                                                         |      | \$105,000      |

Therefore, total net project costs for Option 3 with lift station eliminations is:

$$\$360,000 - \$105,000 = \mathbf{\$255,000}$$

### **Financing Options** (We recommend that you consult with the City Attorney on the chosen method)

1. Both of the properties at the southwest corner of Broadway/TH280 are affected by the Ryan Street lift station problems. Because of the fact that these two properties are undevelopable without sanitary sewer improvements, each could be assessed for a City improvement project that resolves the problem for both properties.
2. Area charges could be assessed to the two properties upon redevelopment. The tricky part of this method is that the actual improvements may need to be undertaken in two sections at different times.
3. Negotiated settlement: Negotiations could be undertaken with both property owners to receive contributions toward an Option 3 project. Based on the least expensive option available for serving the Hamline Auto Body property, we believe it is reasonable to obtain a minimum of \$50,000 from this property owner for sewer improvements. If a minimum of \$50,000 is obtained from the other property owner, then the total net cost for the Option 3 project is approximately \$150,000.











## City Council Memorandum

To: Mayor and City Council  
From: Rick Getschow  
Council Meeting Date: July 10, 2001  
Agenda Item: Lauderdale-Roseville Joint Meeting for Highway 280

### Background:

I stated in the June 29<sup>th</sup> Friday Report that we have been contacted by the City of Roseville regarding the Highway 280 Reconstruction Project. MNDOT will soon appear before the Roseville City Council with a preliminary layout, and since Roseville has followed the Lauderdale proceedings, they feel that the reconstruction project discussion at this point should involve both communities. Thus, the Roseville Council has requested that we schedule a joint work session together for the purpose of discussing this project. This is especially important since municipal consent plays such a vital role in the viability of state highway projects.

This work session would include the Lauderdale Council, the Roseville Council, and MNDOT. Even though the Roseville Council will be meeting with MNDOT for the first time on this issue, I felt that the meeting would not be fruitful for the Lauderdale Council if MNDOT was present and was not providing us with an update from the plan that they proposed (and the Council rejected) at the June 19<sup>th</sup> Council meeting. I was informed that MNDOT would be taking a step back to re-evaluate the entire project since the Council meeting of June 19<sup>th</sup>. They would like to attempt to reconstruct the highway and still meet the need and desires of the two cities before presenting a no-build option.

Roseville proposes Monday, August 6<sup>th</sup> as a date for the special joint work session. The normal dates for our Council meetings in August are on Tuesday, August 14<sup>th</sup> and Tuesday, August 28<sup>th</sup>. The meeting would be at Lauderdale City Hall.

### Council Action Requested:

Provide direction on the desire to conduct a joint work session, along with possible dates for the session, with the City Of Roseville and MNDOT for the purposes of discussing the Highway 280 Project.

