

**LAUDERDALE CITY COUNCIL MEETING AGENDA
7:30 P.M. TUESDAY, SEPTEMBER 10, 2013
LAUDERDALE CITY HALL, 1891 WALNUT STREET**

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 THE MEETING TO ORDER**
- 2. **ROLL CALL**
- 3. **APPROVALS**
 - a. Agenda
 - b. Minutes of the August 27, 2013 City Council Meeting
 - c. Claims Totaling \$101,807.55
- 4. **CONSENT**
- 5. **SPECIAL ORDER OF BUSINESS/RECOGNITIONS/PROCLAMATIONS**
- 6. **INFORMATIONAL PRESENTATIONS / REPORTS**
- 7. **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.

- 8. **DISCUSSION / ACTION ITEMS**
 - a. Lot Consolidation Request for 1818 and 1824 Walnut Street – Resolution 091013A
 - b. Lot Consolidation Request for 1850 and 1858 Walnut Street – Resolution 091013B
 - c. Fence Quotes for Skyview Park
 - d. 2014 Budget and Levy – Resolution 091013C
 - e. St. Paul Regional Water Appointment
 - f. Sanitary Sewer Lining Project
- 9. **ITEMS REMOVED FROM THE CONSENT AGENDA**
- 10. **ADDITIONAL ITEMS**
- 11. **SET AGENDA FOR NEXT MEETING**
 - a. Larpenteur Avenue Pedestrian Improvement Project
 - b. Animal Control Ordinance
 - c. City Logo
 - d. Sheriff Matt Bostrom – October 22

12. WORK SESSION

a. Opportunity for the Public to Address the City Council

Any member of the public may speak at this time on any item not on the agenda. In consideration for 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 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 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.

- b. Revisions to City Redevelopment Policies
- c. Zoning Ordinance Update

13. ADJOURNMENT

LAUDERDALE CITY COUNCIL
MEETING MINUTES
Lauderdale City Hall
1891 Walnut Street
Lauderdale, MN 55113

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August 27, 2013

Mayor Dains called the City Council meeting to order at 7:34 p.m.

Councilors present: Mary Gaasch, Roxanne Grove, Denise Hawkinson, Lara Mac Lean and Mayor Jeff Dains.

Staff present: Heather Butkowski, City Administrator, Jim Bownik, Assistant to the City Administrator; and Kevin Kelly, Deputy City Clerk.

Mayor Dains asked for changes to the meeting agenda. No changes were made to the agenda. Councilor Hawkinson moved to approve the agenda. Councilor Mac Lean seconded the motion and it passed unanimously.

Councilor Grove moved to approve the August 13, 2013 City Council meeting minutes. Councilor Mac Lean seconded the motion and it passed unanimously.

Councilor Hawkinson moved approval of the claims totaling \$37,436.48. Councilor Gaasch seconded the motion and it passed unanimously.

Councilor Gaasch moved to approve the consent agenda approving the July Financial Report and the deputy clerk step increase. Councilor Mac Lean seconded the motion and it passed unanimously.

Mayor Dains mentioned the successful Day in the Park event which was held on August 16. The family of Mary Croteau dedicated a bench in her memory. Mary was a longtime city volunteer and her family was present for the dedication. The bench will be used in the tennis court. Councilors also thanked Jim Bownik for all his work in coordinating the Day in the Park event and activities.

Discussion Items:

2014 Budget and Levy

Butkowski presented factors that affected the proposed budget. Those factors included an increase of \$18,000 in Local Government Aid, a \$1,000 decrease in Fiscal Disparities funding, and an increase of \$15,000 in the police services contract. Another cost will be payment to Ramsey County for an upgrade of election equipment.

The proposed budget balanced with a two-percent levy increase. The Council discussed ways to bring that down to a one-percent increase. Butkowski said the Council could pay for the election

LAUDERDALE CITY COUNCIL
MEETING MINUTES
Lauderdale City Hall
1891 Walnut Street
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August 27, 2013

equipment over time, thereby decreasing the levy. The Council suggested this was reasonable and directed staff to prepare a budget showing a one-percent levy increase.

Sanitary Sewer Lining

Butkowski reported the Highway 280 portion of the lining project was completed last week. The sewer lines between Fulham and Lake Streets and Eustis Street have been worked on this week which leaves three areas which cannot be lined in their current condition. The city engineer is considering options. To keep the process moving forward, staff asked for permission to authorize a survey of the easement area, if needed, and to secure temporary construction easements, if needed.

Councilor Grove moved to authorize a survey and directed staff to enter into temporary construction easements as needed for the sanitary sewer lining project. Councilor Mac Lean seconded the motion and it passed unanimously.

Agenda items for the September 10 Council Meeting may include a discussion of two different lot consolidation applications, appointment to the St. Paul Regional Water Board, the 2014 budget and levy, and the Larpenteur Avenue pedestrian project.

Mayor Dains explained that the Council was moving into the work session. Work sessions are a continuation of the meeting but not aired on community television.

Mayor Dains asked if anyone wished to address the Council; no one came forward.

Work Session:

Larpenteur Avenue Pedestrian Improvement Project

Geoff Martin and Paul Bilotta from Stantec produced the latest design changes to the project. These changes incorporated information which was gained from the survey work completed on the north side of Larpenteur Avenue to establish the right-of-way area. Martin summarized his understanding of work the Council is considering and asked for any changes or suggestions. Otherwise, civil engineers would begin drafting the construction documents for the project. The Council had no changes and directed Martin to move ahead with the preparation of construction documents for the work between TH280 and Eustis Street and Pleasant Street to Fulham Street.

Butkowski and the Council discussed how to handle snow clearance for the proposed sidewalk along the north side of Larpenteur. The City will have to contract out the work as there is not

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MEETING MINUTES
Lauderdale City Hall
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Lauderdale, MN 55113

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August 27, 2013

enough City staff to clean the sidewalks in a timely manner as alley plowing will remain the priority. Staff will look into how this may be handled.

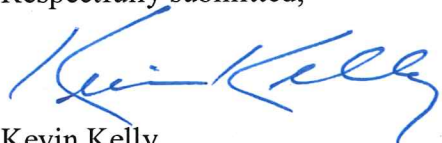
Mayor Dains stated he would invite the residents along Larpenteur Avenue to a future Council Meeting to discuss the plans for the Larpenteur Avenue project.

The meeting went into closed session at 9:15 p.m. to discuss potential agreement with the property owners of the property at 2430 Larpenteur Avenue.

The Council returned from the closed session at 9:36 p.m. The Mayor said the Council had decided not to lease or purchase the property at 2430 Larpenteur Avenue.

There being no further business on the council agenda, Councilor Hawkinson moved to adjourn the meeting. Councilor Mac Lean seconded the motion and it carried. The meeting adjourned at 9:38 p.m.

Respectfully submitted,



Kevin Kelly
Deputy City Clerk

CITY OF LAUDERDALE

CLAIMS FOR APPROVAL

September 10, 2013 City Council Meeting

Payroll

08/30/13 Payroll: Direct Deposit # 501637-501646	\$8,858.06
08/30/13 Payroll: Payroll Liabilities, e-payments #806E-809E	\$7,541.04

Vendor Claims

09/10/13 Claims: Check #'s 21881-21899	\$85,408.45
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SUBTOTAL \$101,807.55

Total Claims for Approval

\$101,807.55

CITY OF LAUDERDALE

08/30/13 9:28 AM

Page 1

*Claim Register©

083013pyroll

AUGUST 2013

Claim Type	Direct					
Claim#	3493	NORTH STAR BANK, CHECKING S	Ck# 000809E	8/30/2013		
Cash Payment	G 101-21703	FICA WITHHOLDING.		08/30/2013	Payroll	\$2,042.22
		Invoice				
Cash Payment	G 101-21701	FEDERAL TAXES		08/30/2013	Payroll	\$1,185.30
		Invoice				
Transaction Date	8/30/2013	Due 0	NORTH STAR CHE	10100	Total	\$3,227.52
Claim#	3494	PERA	Ck# 000806E	8/30/2013		
Cash Payment	G 101-21704	PERA		08/30/2013	Payroll	\$1,616.31
		Invoice				
Transaction Date	8/30/2013	Due 0	NORTH STAR CHE	10100	Total	\$1,616.31
Claim#	3495	ICMA RETIREMENT TRUST - 457	Ck# 000807E	8/30/2013		
Cash Payment	G 101-21705	ICMA RETIREMENT		08/30/2013	Payroll	\$968.16
		Invoice				
Transaction Date	8/30/2013	Due 0	NORTH STAR CHE	10100	Total	\$968.16
Claim#	3496	MN DEPARTMENT OF REVENUE	Ck# 000808E	8/30/2013		
Cash Payment	G 101-21702	STATE WITHHOLDING		08/30/2013	Payroll	\$1,729.05
		Invoice				
Transaction Date	8/30/2013	Due 0	NORTH STAR CHE	10100	Total	\$1,729.05
	Claim Type	Direct			Tota	\$7,541.04

Pre-Written Check	\$7,541.04
Checks to be Generated by the Compute	\$0.00
Total	\$7,541.04

CITY OF LAUDERDALE

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Paid Register

Check Number	Employee Number	Employee Name	Pay Period	Pay Group Description	Check Amount	Check Date	Status
501643	000000002	HINRICHS, DAVID C	18	BI-WEEKLY	\$1,469.98	8/30/2013	Outstanding
501644	000000005	HUGHES, JOSEPH A	18	BI-WEEKLY	\$1,743.81	8/30/2013	Outstanding
501639	000000010	DAINS, JEFFREY	18	BI-WEEKLY	\$333.53	8/30/2013	Outstanding
501637	000000011	BOWNIK, JAMES	18	BI-WEEKLY	\$1,541.47	8/30/2013	Outstanding
501638	000000007	BUTKOWSKI-HINRICHS, HE	18	BI-WEEKLY	\$1,843.66	8/30/2013	Outstanding
501642	000000041	HAWKINSON, DENISE	18	BI-WEEKLY	\$230.87	8/30/2013	Outstanding
501646	000000013	MAC LEAN, LARA	18	BI-WEEKLY	\$230.87	8/30/2013	Outstanding
501641	000000019	GROVE, BARBARA ROXANN	18	BI-WEEKLY	\$230.87	8/30/2013	Outstanding
501640	000000020	GAASCH, MARY A.	18	BI-WEEKLY	\$230.87	8/30/2013	Outstanding
501645	000000027	KELLY, KEVIN	18	BI-WEEKLY	\$1,002.13	8/30/2013	Outstanding
					<hr/>		
					\$8,858.06		

CITY OF LAUDERDALE

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***Check Detail Register©**

SEPTEMBER 2013

Check Amt Invoice Comment

10100 NORTH STAR CHECKING

		Check Amt	Invoice	Comment
Paid Chk# 021881 9/10/2013 AFSCME				
G 101-21709	UNION DUES	\$110.00		8/13 Union Dues
Total AFSCME		\$110.00		
Paid Chk# 021882 9/10/2013 BLUE CHIP TREE CO., INC.				
E 101-43000-317	TREE SERVICE	\$4,017.18		Tree trimming and removal in Park
Total BLUE CHIP TREE CO., INC.		\$4,017.18		
Paid Chk# 021883 9/10/2013 CITY OF FALCON HEIGHTS				
E 101-42100-321	FIRE CALLS	\$1,373.04		8/13 Fire Calls
Total CITY OF FALCON HEIGHTS		\$1,373.04		
Paid Chk# 021884 9/10/2013 CITY OF ST ANTHONY				
E 101-42100-319	POLICE CONTRACT	\$50,169.17		9/13 Police Contract
Total CITY OF ST ANTHONY		\$50,169.17		
Paid Chk# 021885 9/10/2013 GOPHER STATE ONE-CALL				
E 101-43400-386	GOPHER STATE ONE CALL	\$37.80		8/13 Locates
Total GOPHER STATE ONE-CALL		\$37.80		
Paid Chk# 021886 9/10/2013 HOME DEPOT CRC				
E 201-45600-377	DAY IN THE PARK	\$78.65		Poly Sheeting for DIP
Total HOME DEPOT CRC		\$78.65		
Paid Chk# 021887 9/10/2013 HUGHES AND JOSEPH				
E 101-41500-300	LEGAL FEES - PROSECUTING	\$850.00		8/13 Legal Fees
Total HUGHES AND JOSEPH		\$850.00		
Paid Chk# 021888 9/10/2013 KENNEDY & GRAVEN				
E 101-41500-305	LEGAL FEES - CIVIL	\$96.00		7/13 Legal Services
Total KENNEDY & GRAVEN		\$96.00		
Paid Chk# 021889 9/10/2013 KONICA MINOLTA				
E 101-41200-401	COPIER CONTRACT	\$224.42		9/13 Copier Contract
Total KONICA MINOLTA		\$224.42		
Paid Chk# 021890 9/10/2013 LILLIE SUBURBAN NEWS				
E 405-48500-327	OTHER SERV- SEWER/NPDES I	\$180.50		Annual TIF Notice
Total LILLIE SUBURBAN NEWS		\$180.50		
Paid Chk# 021891 9/10/2013 LMC				
E 101-41100-438	DUES & SUBSCRIPTIONS	\$2,402.00		2013 Annual Membership Dues
Total LMC		\$2,402.00		
Paid Chk# 021892 9/10/2013 LMCIT				
E 101-41100-361	GENERAL LIABILITY	\$5,775.60		8/1/13-8/1/14 Liability/auto/property/bonds
E 101-41200-361	GENERAL LIABILITY	\$5,053.65		8/1/13-8/1/14 Liability/auto/property/bonds
E 602-49100-361	GENERAL LIABILITY	\$1,804.87		8/1/13-8/1/14 Liability/auto/property/bonds

CITY OF LAUDERDALE

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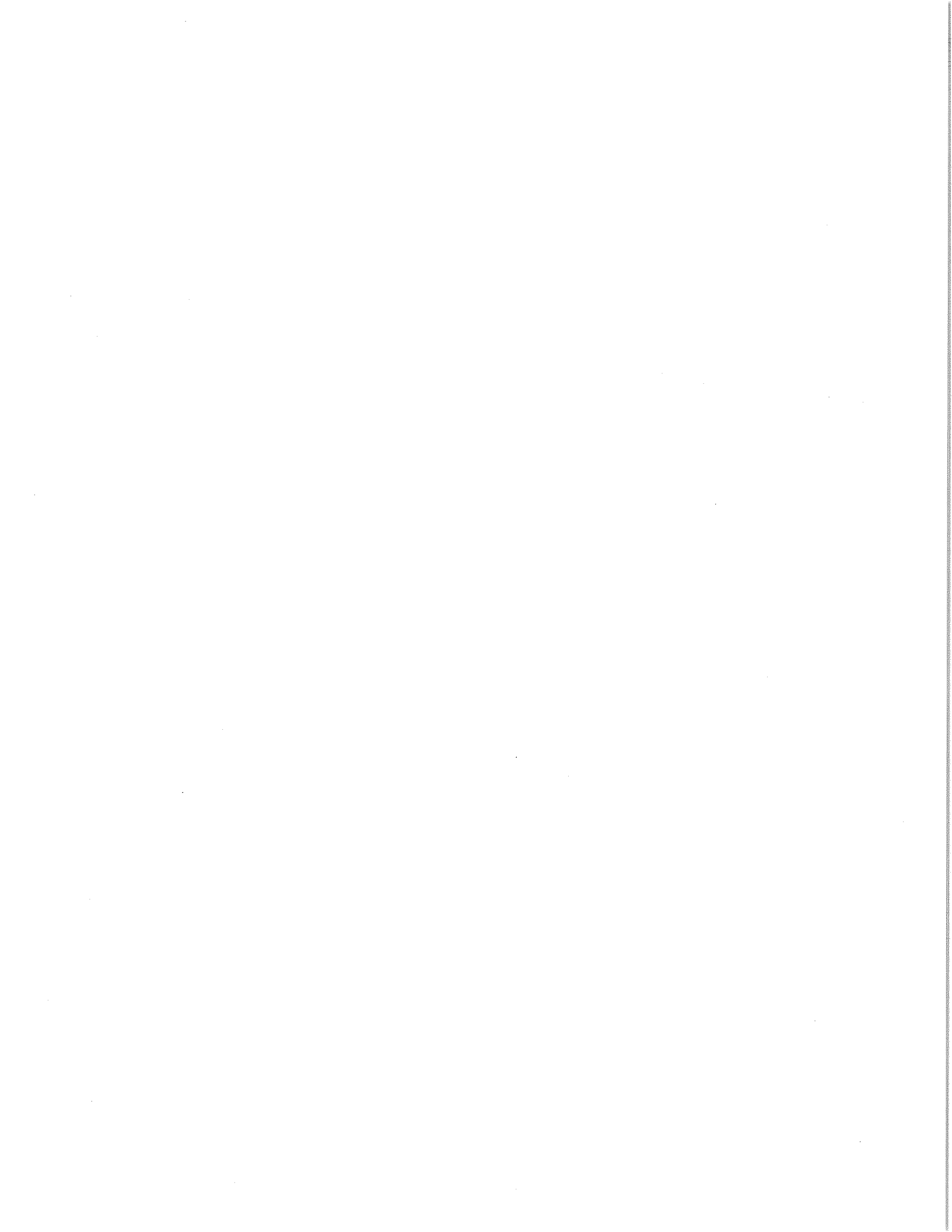
***Check Detail Register©**

SEPTEMBER 2013

	Check Amt	Invoice	Comment
E 601-49000-361 GENERAL LIABILITY	\$1,804.88		8/1/13-8/1/14 Liability/auto/property/bonds
Total LMCIT	\$14,439.00		
<hr/>			
Paid Chk# 021893 9/10/2013 MET-COUNCIL ENVIRONMENTAL SER.			
E 601-49000-387 WATER TREATMENT SERVICE	\$9,859.25		10/13 waste water treatment
otal MET-COUNCIL ENVIRONMENTAL SER.	\$9,859.25		
<hr/>			
Paid Chk# 021894 9/10/2013 MN MAYORS ASSOCIATION			
E 101-41100-438 DUES & SUBSCRIPTIONS	\$30.00		2013 Mayors Association Dues
Total MN MAYORS ASSOCIATION	\$30.00		
<hr/>			
Paid Chk# 021895 9/10/2013 RAMSEY COUNTY, PROP REC & REV			
G 101-21706 HEALTH INSURANCE	\$453.31		9/13 Employee Insurance
E 101-41200-355 MISC PRINTING/PROCESS SER	\$25.00		9/13 Employee Insurance
Total RAMSEY COUNTY, PROP REC & REV	\$478.31		
<hr/>			
Paid Chk# 021896 9/10/2013 W. BROWN LAND SURVEYING, INC.			
E 101-45200-442 MISC	\$596.50		Lot Survey of Skyview Park
Total W. BROWN LAND SURVEYING, INC.	\$596.50		
<hr/>			
Paid Chk# 021897 9/10/2013 WASTE MANAGEMENT			
E 101-43000-384 REFUSE DISPOSAL	\$202.43		9/13 PW Waste Refuse
Total WASTE MANAGEMENT	\$202.43		
<hr/>			
Paid Chk# 021898 9/10/2013 XCEL ENERGY, CITY HALL			
E 101-43000-381 ELECTRIC	\$187.20		8/13 City Utilities
E 101-43000-383 GAS UTILITIES	\$31.10		8/13 City Utilities
Total XCEL ENERGY, CITY HALL	\$218.30		
<hr/>			
Paid Chk# 021899 9/10/2013 XCEL ENERGY, STREET LIGHTING			
E 101-43000-380 STREET LIGHT UTILITY	\$46.40		8/13 Bridge Lights
Total XCEL ENERGY, STREET LIGHTING	\$46.40		
10100 NORTH STAR CHECKING	\$85,408.95		

Fund Summary

10100 NORTH STAR CHECKING	
101 GENERAL	\$71,680.80
201 COMMUNITY EVENTS	\$78.65
405 TIF-PROJECTS	\$180.50
601 SEWER UTILITIES	\$11,664.13
602 STORM SEWER ENTERPRISE FUND	\$1,804.87
	\$85,408.95



ACTION REQUESTED	LAUDERDALE COUNCIL
Consent _____	MEETING DATE <u>September 10, 2013</u>
Special _____	
Public Hearing _____	ITEM NUMBER <u>Lot Consolidation Request</u>
Report _____	<u>for 1818 & 1824 Walnut</u>
Discussion/Action <u>X</u>	
Resolution <u>X</u>	STAFF INITIAL <u>Jim</u>
Work session _____	APPROVED BY ADMINISTRATOR _____

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

Brian & Dana Malzer, 1824 Walnut Street, recently purchased the residence directly to the south, at 1818 Walnut Street. They are requesting to combine the two parcels under one Parcel ID. The parcels are each 40' x 127' (5,080 square feet). The new parcel would be 80' x 127' (10,060 square feet).

Structures exist on both lots of record that have served as single-family dwellings. However, the Malzers are proposing to convert the structure on the southern lot (1818 Walnut), into an attached garage for their residence at 1824 Walnut. Thus, they are also requesting the combined lots be known as 1824 Walnut.

The Council must adopt a resolution supporting the application to consolidate the two parcels. The resolution includes a condition that no more than one structure containing a dwelling unit shall be allowed on the consolidated parcels. Once adopted, the resolution, new legal description, and certificate of survey, must be recorded with the County. The County would then assign the combined parcels a new Parcel ID.

OPTIONS:

- Adopt the prepared resolution.
- Do not adopt the prepared resolution.

STAFF RECOMMENDATION:

Adopt the prepared resolution.

COUNCIL ACTION:

RESOLUTION NO. 091013A

**CITY OF LAUDERDALE
COUNTY OF RAMSEY
STATE OF MINNESOTA**

**RESOLUTION SUPPORTING THE APPLICATION FOR THE CONSOLIDATION OF TWO
CONTIGUOUS PARCELS OR LOTS OF RECORD LOCATED AT 1818 & 1824 WALNUT
STREET.**

WHEREAS, an application has been made with the City of Lauderdale requesting the consolidation of two contiguous parcels or lots of record located at 1818 & 1824 Walnut Street in Lauderdale and;

WHEREAS, the current legal description of 1818 Walnut Street (PARCEL ID: 172923320070) is Lot 20, Block 8, LAUDERDALE'S EAST SIDE ADDITION TO MINNEAPOLIS, Ramsey County, Minnesota and;

WHEREAS, the current legal description of 1824 Walnut Street (PARCEL ID: 172923320069) is Lot 21, Block 8, LAUDERDALE'S EAST SIDE ADDITION TO MINNEAPOLIS, Ramsey County, Minnesota and;

WHEREAS, the proposed legal description of the combined parcels is Lot 20 and 21, Block 8, LAUDERDALE'S EAST SIDE ADDITION TO MINNEAPOLIS, Ramsey County, Minnesota and;

WHEREAS, the new address shall be 1824 Walnut Street and;

WHEREAS, the consolidated parcels comply with the requirements of Title 10: Zoning, and Title 11: Subdivision, of the Lauderdale City Code and;

WHEREAS, no more than one structure containing a dwelling unit shall be allowed on the consolidated parcels and;

WHEREAS, a copy of the signed resolution will be provided to the applicant and;

WHEREAS, the applicant has 60 days from the time they receive the signed resolution to file the resolution and legal description with the Ramsey County Recorder or the approval becomes null and void and;

WHEREAS, after filing the resolution, legal description, and certificate of survey with the Ramsey County Recorder, the County will assign a Parcel ID to the new parcel;

NOW THEREFORE, BE IT RESOLVED that the Lauderdale City Council supports the consolidation of two contiguous parcels or lots of record as described above.

I CERTIFY THAT the City Council of Lauderdale adopted the above resolution on this 10th day of September, 2013.

(ATTEST)

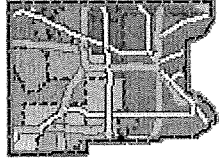
Jeffrey E. Dains, Mayor

(SEAL)

Heather Butkowski, City Administrator



Legend



- City Halls
- Schools
- Hospitals
- Fire Stations
- Police Stations
- Recreational Centers
- Parcel Points
- Parcel Boundaries

Notes

Enter Map Description

This map is a user generated static output from an internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

63.2 Feet

31.59

0

63.2

City of Lauderdale


MAIN 651-792-7650

received
Date: 8/22/13 8-22-13
(JB)

LAND USE APPLICATION

<u>Fee</u>	<u>Escrow</u>	<u>Type of Request</u>	<u>Description of Request</u>
\$100	\$ 0	<input checked="" type="checkbox"/> Lot Consolidation/Division	<u>Consolidate Lot 20 and 21</u>
\$150	\$ 0	<input type="checkbox"/> Variance	<u>Block 8 of Lauderdale's</u>
\$200	\$ 0	<input type="checkbox"/> Conditional Use	<u>East side addition to Minneapolis</u>
\$500	\$1,000	<input type="checkbox"/> Zoning Amendment	<u>as described on attached Survey</u>
\$500	\$1,000	<input type="checkbox"/> Subdivision	<u>Maintain 1824 Walnut St.</u>
\$500	\$1,000	<input type="checkbox"/> PUD	<u>as address.</u>
			<u>Existing structure on Parcel 20</u>
			<u>will be converted to a garage</u>

Applicant Information

Name: Brian Malzer
 Address: 1824 Walnut St.
 C, S, Z: Lauderdale, MN 55713
 Phone: 651-647-6972
 Email: BMalzer@NWHealth.edu
 Signature: 

Owner Information (if different)

Name: _____
 Address: _____
 C, S, Z: _____
 Phone: _____
 Email: _____
 Signature: _____

By signing above, the applicant agrees to pay the application fee and deposit an escrow fee to cover the city's consultants' costs associated with reviewing the associated request. Prior to having the request considered by the city, the applicant must deposit an escrow fee in an amount that is estimated to cover the city's consultants' costs as determined by the city administrator. If the city's consultants' costs exceed the initial escrow deposited by the applicant, an additional escrow fee will be required to cover the additional costs. The city shall use the applicant's fees to cover the city's actual consultants' costs in reviewing the request regardless of the city's action on the applicant's request. If the applicant's escrow fees exceed the city's actual consultants' costs for reviewing the request, the remaining escrow fees shall be refunded to the applicant.

Review Timeline: All applications, other than concept plans, must be complete before being formally reviewed. Minnesota Statute provides 15 days to determine the application's completeness. Completeness depends on whether or not the checklist items are fulfilled.

Checklist: Please review the checklist for the type of application you are applying for.

For Office Use Only	PIN#: _____
Date of Complete Application: <u>8-5-13</u>	Amount Paid: _____ Receipt #: <u>11144</u>
Escrow Fee Paid: <u>—</u>	Receipt #: _____ Date Escrow Returned: <u>—</u>
PC Recommendation: (approve/deny) Meeting Date: _____	
Public Hearing Date: _____ CC Action: (approved/denied) Meeting Date: _____	
Conditions? _____	

CERTIFICATE OF SURVEY FOR Brian Malzer

DESCRIPTION: FROM TAX RECORDS

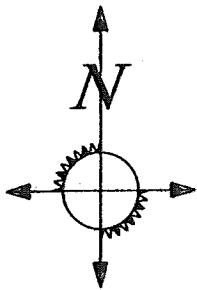
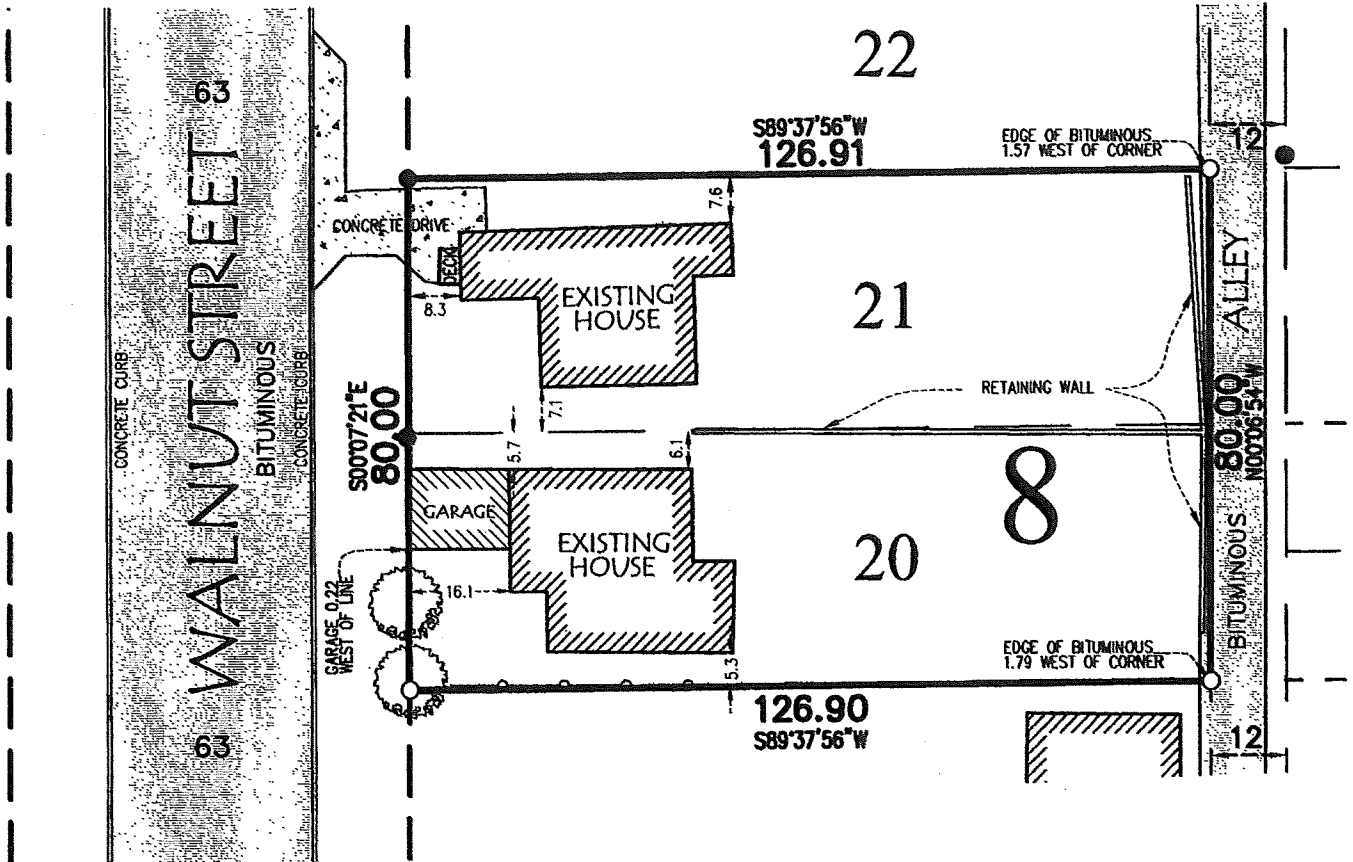
Lot 20 and 21, Block 8, LAUDERDALE'S
EAST SIDE ADDITION TO MINNEAPOLIS
Ramsey County, Minnesota.
Subject to easements of record, if any.

PROPERTY ADDRESS

1818 And 1824 Walnut St.
Roseville, MN

NOTES:

Bearings are on an assumed datum.



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

Theresa K. Foster

Theresa K. Foster

DATE 08/21/2013 LIC. NO. MN 47223

LEGEND:

- Denotes Iron monument found
- Denotes 1/2 inch Iron Pipe set and marked with RLS #47223



1440 Arcade St Suite 250
Saint Paul, MN 55106
Phone: 651-766-0112
Fax: 651-776-0206
E-mail: info@mpasso.com

ACTION REQUESTED	LAUDERDALE COUNCIL
Consent _____	MEETING DATE <u>September 10, 2013</u>
Special _____	
Public Hearing _____	ITEM NUMBER <u>Lot Consolidation Request</u>
Report _____	<u>for 1850 & 1858 Walnut</u>
Discussion/Action <u>X</u>	STAFF INITIAL <u>Jim</u>
Resolution <u>X</u>	APPROVED BY ADMINISTRATOR _____
Work session _____	

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

Gene Christianson, 1809 Malvern Street, owns a multi-family building at 1850 Walnut Street and a vacant lot to the north known as 1858 Walnut Street. He is requesting to combine the two parcels under one Parcel ID. The parcels are 60' x 127' (7,620 square feet) & 39' x 127' (4,953 square feet). The new parcel would be 99' x 127' (12,573 square feet). The combined lots would be known as 1850 Walnut.

The Council must adopt a resolution supporting the application to consolidate the two parcels. Once adopted, the resolution and new legal description must be recorded with the County. The County would then assign the combined parcels a new Parcel ID.

OPTIONS:

- Adopt the prepared resolution.
- Do not adopt the prepared resolution.

STAFF RECOMMENDATION:

Adopt the prepared resolution.

COUNCIL ACTION:

RESOLUTION NO. 091013B

**CITY OF LAUDERDALE
COUNTY OF RAMSEY
STATE OF MINNESOTA**

RESOLUTION SUPPORTING THE APPLICATION FOR THE CONSOLIDATION OF TWO CONTIGUOUS PARCELS OR LOTS OF RECORD LOCATED AT 1850 & 1858 WALNUT STREET.

WHEREAS, an application has been made with the City of Lauderdale requesting the consolidation of two contiguous parcels or lots of record located at 1850 & 1858 Walnut Street in Lauderdale and;

WHEREAS, the current legal description of 1850 Walnut Street (PARCEL ID: 172923320064) is North ½ of Lot 28 and all of Lot 29, Block 8, LAUDERDALE'S EAST SIDE ADDITION TO MINNEAPOLIS, Ramsey County, Minnesota and;

WHEREAS, the current legal description of 1858 Walnut Street (PARCEL ID: 172923320063) is Lot 30, Block 8, LAUDERDALE'S EAST SIDE ADDITION TO MINNEAPOLIS, Ramsey County, Minnesota and;

WHEREAS, the proposed legal description of the combined parcels is North ½ of Lot 28 and all of Lot 29 and 30, Block 8, LAUDERDALE'S EAST SIDE ADDITION TO MINNEAPOLIS, Ramsey County, Minnesota and;

WHEREAS, the new address shall be 1850 Walnut Street and;

WHEREAS, the combined parcels comply with the requirements of Title 10: Zoning, and Title 11: Subdivision, of the Lauderdale City Code and;

WHEREAS, a copy of the signed resolution will be provided to the applicant and;

WHEREAS, the applicant has 60 days from the time they receive the signed resolution to file the resolution and legal description with the Ramsey County Recorder or the approval becomes null and void and;

WHEREAS, after filing the resolution and legal description with the Ramsey County Recorder, the County will assign a PARCEL ID to the new parcel;

NOW THEREFORE, BE IT RESOLVED that the Lauderdale City Council supports the consolidation of two contiguous parcels or lots of record as described above.

I CERTIFY THAT the City Council of Lauderdale adopted the above resolution on this 10th day of September, 2013.

(ATTEST)

Jeffrey E. Dains, Mayor

(SEAL)

Heather Butkowski, City Administrator



63.2

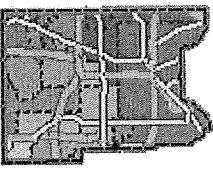
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
31.59

63.2 Feet

NAD_1983_HARN_Adj_MN_Ramsey_Feet
© Ramsey County Enterprise GIS Division

Legend



-  City Halls
-  Schools
-  Hospitals
-  Fire Stations
-  Police Stations
-  Recreational Centers
-  Parcel Points
-  Parcel Boundaries

Notes

Enter Map Description

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

City of Lauderdale

MAIN 651-792-7650

LAND USE APPLICATION

Date: 8/16/13 ^{received} 8-20-13
JB

Fee Escrow Type of Request

\$100 \$ 0 Lot Consolidation/Division
\$150 \$ 0 Variance
\$200 \$ 0 Conditional Use
\$500 \$1,000 Zoning Amendment
\$500 \$1,000 Subdivision
\$500 \$1,000 PUD

Summary of Request

Combine two lots into
1 parcel
17-29-23-32-0064 1850 Wahnvi
17-29-23-32-0064 1858 Wahnvi

Applicant Information

Name: Gene Christianson
Address: 1809 Malvern St.
C, S, Z: Lauderdale, Mn 55113
Phone: 651-402-9729
Email: crisyounge@edinarealty.com
Signature: [Signature]

Owner Information (if different)

Name: same
Address: _____
C, S, Z: _____
Phone: _____
Email: _____
Signature: _____

By signing above, the applicant agrees to pay the application fee and deposit an escrow fee to cover the city's consultants' costs associated with reviewing the associated request. Prior to having the request considered by the city, the applicant must deposit an escrow fee in an amount that is estimated to cover the city's consultants' costs as determined by the city administrator. If the city's consultants' costs exceed the initial escrow deposited by the applicant, an additional escrow fee will be required to cover the additional costs. The city shall use the applicant's fees to cover the city's actual consultants' costs in reviewing the request regardless of the city's action on the applicant's request. If the applicant's escrow fees exceed the city's actual consultants' costs for reviewing the request, the remaining escrow fees shall be refunded to the applicant.

Review Timeline: All applications, other than concept plans, must be complete before being formally reviewed. Minnesota Statute provides 15 days to determine the application's completeness. Completeness depends on whether or not the checklist items are fulfilled.

Checklist: Please review the checklist for the type of application you are applying for.

For Office Use Only	PIN#: _____
Date of Complete Application: <u>8-29-13</u>	Amount Paid: <u>100</u> Receipt #: <u>11128</u>
Escrow Fee Paid: _____	Receipt #: _____ Date Escrow Returned: _____
PC Recommendation: (approve/deny) _____	Meeting Date: _____
Public Hearing Date: _____	CC Action: (approved/denied) Meeting Date: _____

To: City of Lauderdale

Attention: Jim Bownik

Re: Lot consolidation of 2 parcels of land

Parcel ID 17-29-23-32-0064

North ½ of Lot 28 and all of Lot 29 of Block 8 of Lauderdale's East
Side Addition *to Minneapolis* *1850 Walnut*

Parcel ID 17-29-23-32-0063

Lot 30 of Block 8 of Lauderdale's East Side Addition. *1858 Walnut*
to Minneapolis

Jim,

Thank you for your assistance with this application. We are requesting the consolidation of two parcels into one parcel.

The parcel on ^{*OK*} ~~1858~~ Walnut St. (17-29-23-32-^{*0063*}~~0064~~) is vacant and adjoins the parcel on ~~1850~~ Walnut St. (17-29-23-32-~~0063~~).

^{*OK*} The intention is to consolidate the two lots into one parcel to be able to build a proper garage and storage for the building on the adjoining parcel.

The proposed legal description would be

Parcel ID ~~17-2-23-32-0064~~ *Assigned by Ramsey County*

North ½ of Lot 28 and all of Lot 29 & 30 of Block 8 of Lauderdale's
East Side Addition *to Minneapolis*

Thank you for your time and consideration.

Gene Christianson

651-402-9729

1858 Walnut St, Lauderdale, MN 55113, Ramsey County



N/A	N/A	4,792	\$12,000
Beds	Bldg Sq Ft	Lot Sq Ft	CREV Sale Price
N/A	N/A	RES LOT	06/01/1994
Baths	Yr Built	Type	CREV Sale Date

Owner Information

Owner Name:	Christianson Gene E	Taxpayer ZIP+4:	5239
Taxpayer Address:	1809 Malvern St	Taxpayer Carrier Route:	C014
Taxpayer City and State:	Lauderdale, MN	Owner Occupied:	No
Taxpayer Zip:	55113		

Location Information

Municipality:	Lauderdale	School District Name:	Roseville
Zip Code:	55113	School District:	623
Carrier Route:	C004	Section #:	17
Census Tract:	420.02	Township #:	29
Subdivision:	Lauderdales East Sideadditii	Range #:	23
Lot:	30	Quarter:	3
Block:	8	Quarter-Quarter:	2

Tax Information

PID#:	172923320063	Special Assessment:	\$422
PID:	17-29-23-32-0063		
Legal Description:	LOT 30 BLK 8		

Assessment & Tax

Assessment Year	2012	2011	2010
Estimated Mkt. Value - Total	\$55,900	\$55,900	\$55,900
Estimated Mkt. Value - Land	\$55,900	\$55,900	\$55,900
Taxable Mkt. Value - Total	\$55,900	\$55,900	\$55,900
Taxable Mkt. Value - Land	\$55,900	\$55,900	\$55,900
YOY Taxable Mkt. Value Chg (\$)	\$0	\$0	
YOY Taxable Mkt. Value Chg (%)	0%	0%	

Payable Tax Year	Total Tax	YOY Tax Change (\$)	YOY Tax Change (%)
2011	\$1,302		
2012	\$1,388	\$86	6.61%
2013	\$1,418	\$30	2.16%

Characteristics

Lot Acres:	0.11	Lot Shape:	F
Lot Sq Ft:	4,792	Land Use - County:	Residential Vacant Land Lot
Lot Frontage:	39	Land Use - CoreLogic:	Residential Lot
Lot Depth:	127		

Last Market Sale & Sales History

Recording Date:	06/01/1994	Deed Type:	Warranty Deed
Sale Date:	06/01/1994	Owner Name:	Christianson Gene E
Sale Price:	\$12,000	Seller:	Fevig Arvid O

Courtesy of Cristina Young, NorthstarMLS

The data within this report is compiled by CoreLogic from public and private sources. If desired, the accuracy of the data contained herein can be independently verified by the recipient of this report with the applicable county or municipality.

Property Detail

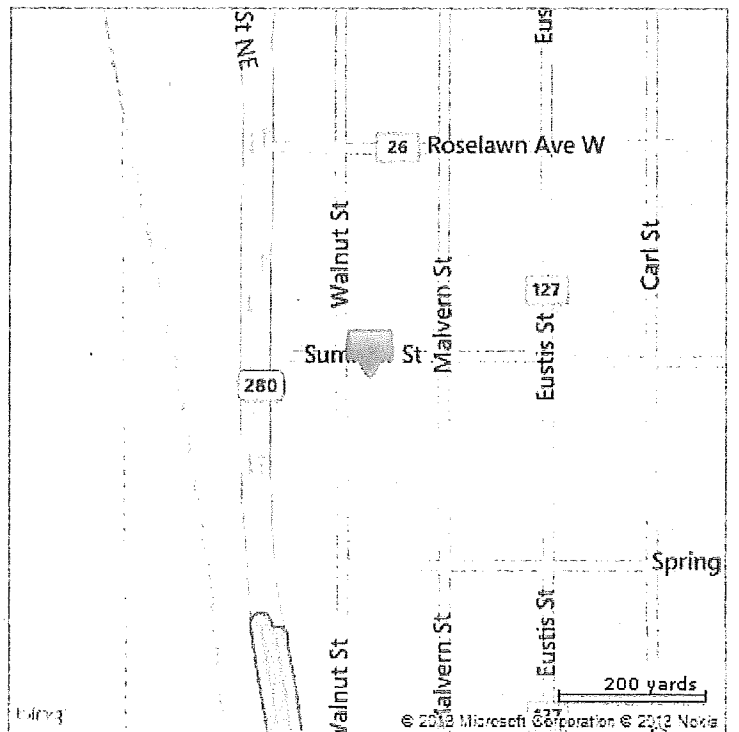
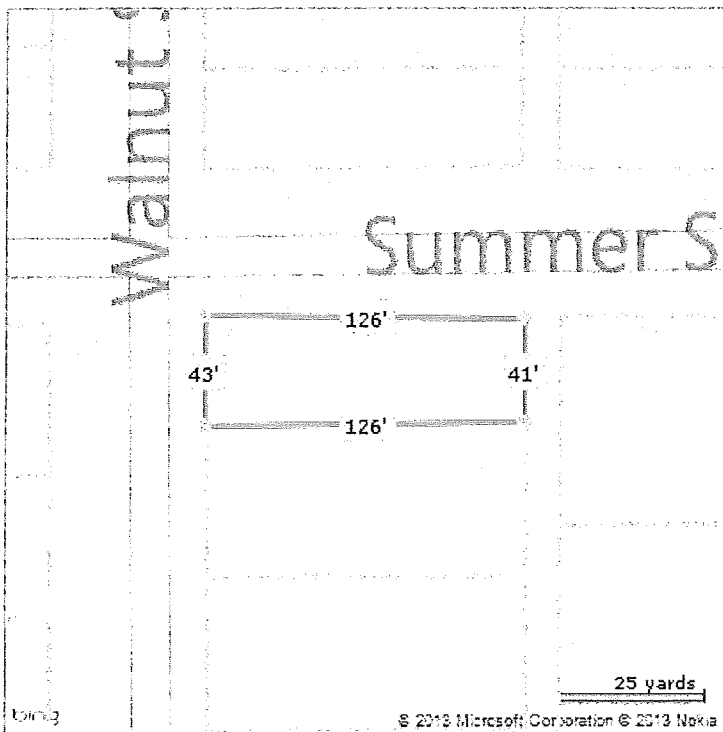
Recording Date	06/01/1994		06/15/1990	12/16/1983
Sale/Settlement Date	06/01/1994	01/24/1992	06/08/1990	
Sale Price	\$12,000	\$6,500	\$6,000	
Buyer Name	Christianson Gene E	Christianson Gene E	Peterson Lee J	
Buyer Name 2			Palmer Adam J	
Seller Name	Fevig Arvid O		Roseth Lilley	
Document Type	Warranty Deed	Deed (Reg)	Contract Of Sale	Deed (Reg)

Certificates of Real Estate Value

CREV Sale Date	Buyer Name	Signer Date	Filing Date	Deed Type	CREV Sale Price	CREV #	CREV ID
06/01/1994	Christianson Gene E	06/01/1994	06/01/1994	Warranty Deed	\$12,000	210684	796243
12/14/1991	Fevig Arvid O/ Fevig Dolores E	01/16/1992	01/16/1992	Warranty Deed	\$6,500	181857	818438
06/08/1990	Peterson Lee J/ Palmer Adam J	06/15/1990	06/15/1990	Contract For Deed	\$6,000	164338	807053

CREV Sale Date	06/01/1994	12/14/1991	06/08/1990
CREV Sale Price	\$12,000	\$6,500	\$6,000
Buyer Name	Christianson Gene E	Fevig Arvid O/Fevig Dolores E	Peterson Lee J/Palmer Adam J
Buyer Address	1809 Malvern	1810 Malvern	
Buyer City/State/ZIP	Lauderdale, MN, 55113	Lauderdale, MN, 55113	
Seller Name	Fevig Arvid O	Peterson Lee J	Roseth Lilley
Seller Address	1810 Malvern		Central Care Nursing Hm
Seller City/State/ZIP	Lauderdale, MN, 55113		Minneapolis, MN,
Down Payment		\$6,500	\$1,500
Loan Amount			\$2,950
Loan Balloon Date			12/31/1990
Loan Interest Rate			10%
Loan Monthly Payment			\$200

Property Map



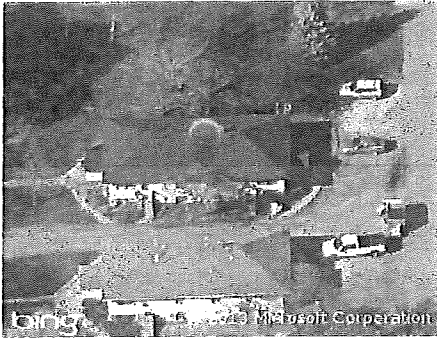
*Lot Dimensions are Estimated

Courtesy of Cristina Young, NorthstarMLS

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Property Detail

1850 Walnut St, Lauderdale, MN 55113-5262, Ramsey County



N/A	3,146	7,405	\$130,000
Beds	Bldg Sq Ft	Lot Sq Ft	CREV Sale Price
N/A	1957	APT	06/01/1994
Baths	Yr Built	Type	CREV Sale Date

Owner Information

Owner Name:	Christianson Gene E	Taxpayer ZIP+4:	5239
Taxpayer Address:	1809 Malvern St	Taxpayer Carrier Route:	C014
Taxpayer City and State:	Lauderdale, MN	Owner Occupied:	No
Taxpayer Zip:	55113		

Location Information

Municipality:	Lauderdale	School District:	623
Zip Code:	55113	Section #:	17
Carrier Route:	C004	Township #:	29
Census Tract:	420.02	Range #:	23
Subdivision:	Lauderdales East Sideadditii	Quarter:	3
Lot:	28	Quarter-Quarter:	2
Block:	8	Location:	Neighborhood / Spot
School District Name:	Roseville		

Tax Information

PID#:	172923320064	% Improved:	67%
PID:	17-29-23-32-0064	Special Assessment:	\$1,077
Legal Description:	N 1/2 OF LOT 28 AND ALL OF LOT 29 BLK 8		

Assessment & Tax

Assessment Year	2012	2011	2010
Estimated Mkt. Value - Total	\$270,000	\$273,600	\$288,000
Estimated Mkt. Value - Land	\$90,000	\$90,000	\$90,000
Estimated Mkt. Value - Building	\$180,000	\$183,600	\$198,000
Taxable Mkt. Value - Total	\$270,000	\$273,600	\$288,000
Taxable Mkt. Value - Land	\$90,000	\$90,000	\$90,000
Taxable Mkt. Value - Building	\$180,000	\$183,600	\$198,000
YOY Taxable Mkt. Value Chg (\$)	-\$3,600	-\$14,400	
YOY Taxable Mkt. Value Chg (%)	-1.32%	-5%	

Payable Tax Year	Total Tax	YOY Tax Change (\$)	YOY Tax Change (%)
2011	\$5,490		
2012	\$5,744	\$254	4.63%
2013	\$5,882	\$138	2.4%

Characteristics

Lot Acres:	0.17	Year Built:	1957
Lot Sq Ft:	7,405	Finished Sq Ft:	3,146
Lot Shape:	U	Total Building Sq Ft:	3,146
Land Use - County:	Apartments 1-9 Rental Units	Basement Sq Ft:	754
Land Use - CoreLogic:	Apartment	Basement Type:	Basement
# of Buildings:	1	Location Type:	Neighborhood / Spot
Total Units:	6		

Courtesy of Cristina Young, NorthstarMLS

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Property Detail

Features

Building Description	Building Size
B1	754
01	1,638
B1	754
01	1,638
B1	
01	
B1	
01	

Last Market Sale & Sales History

Recording Date:	08/14/2002	Deed Type:	Warranty Deed
Sale Date:	05/31/2002	Owner Name:	Christianson Gene E
Sale Price:	\$130,000	Seller:	Fevig Arvid O & Dolores E
Price Per Square Feet:	\$41.32		
Recording Date	08/14/2002		08/31/1972
Sale/Settlement Date	05/31/2002	06/09/1994	
Sale Price	\$130,000	\$130,000	
Buyer Name	Christianson Gene E	Fevig Arvid O & Fevig Dolores E	
Buyer Name 2		Fevig Dolores E	
Seller Name	Fevig Arvid O & Dolores E		
Document Type	Warranty Deed	Deed (Reg)	Deed (Reg)

Certificates of Real Estate Value

CREV Sale Date	Buyer Name	Signer Date	Filing Date	Deed Type	CREV Sale Price	CREV #	CREV ID
06/01/1994	Christianson Gene E	06/01/1994	06/09/1994	Contract For Deed	\$130,000	210685	887472
06/01/1994	Christianson Gene E	06/01/1994	06/01/1994	Warranty Deed	\$130,000	301636	836040
06/01/1994	Christianson Gene E	06/01/1994	06/09/1994	Contract For Deed	\$130,000	210685	36730
CREV Sale Date		06/01/1994		06/01/1994		06/01/1994	
CREV Sale Price		\$130,000		\$130,000		\$130,000	
Buyer Name	Christianson Gene E	Christianson Gene E		Christianson Gene E		Christianson Gene E	
Buyer Address	1809 Malvern	1809 Malvern		1850 Walnut St		1809 Malvern	
Buyer City/State/ZIP	Lauderdale, MN, 55113	Lauderdale, MN, 55113		Lauderdale, MN, 55113		Lauderdale, MN, 55113	
Seller Name	Fevig Arvid O/Fevig Dolores E	Fevig Arvid O		Fevig Arvid O		Fevig Arvid O/Fevig Dolores E	
Seller Address	1810 Malvern	1810 Malvern St		1810 Malvern St		1810 Malvern	
Seller City/State/ZIP	Lauderdale, MN, 55113	Lauderdale, MN, 55113		Lauderdale, MN, 55113		Lauderdale, MN, 55113	
Down Payment	\$30,000	\$30,000		\$30,000		\$30,000	
Acquisition Type 1				Condemned Or Foreclosed Upon			
Loan Amount	\$100,000					\$100,000	
Loan Balloon Date	07/01/2004					07/01/2004	
Loan Interest Rate	7.5%					7.5%	
Loan Monthly Payment	\$806					\$806	

Mortgage History

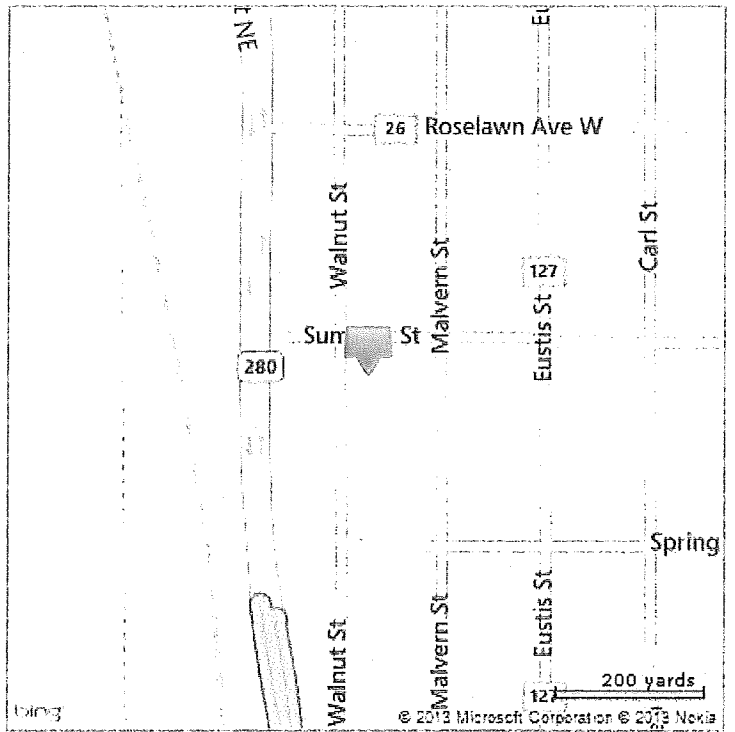
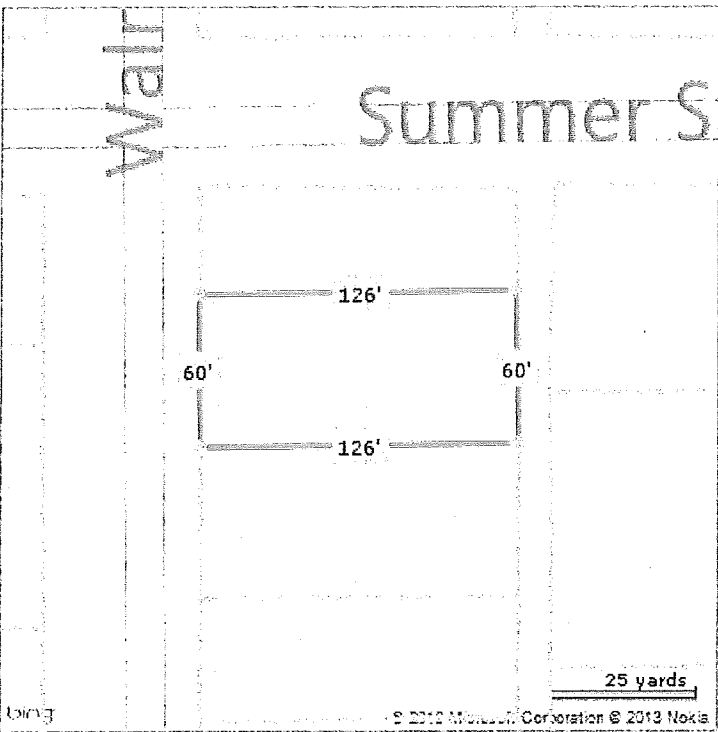
Mortgage Date	08/14/2002
Mortgage Amount	\$85,000
Mortgage Lender	US Bk National Assn
Borrower Name	Christianson Gene E
Mortgage Type	Conventional

Courtesy of Cristina Young, NorthstarMLS

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Property Detail

Property Map



*Lot Dimensions are Estimated

ACTION REQUESTED	LAUDERDALE COUNCIL
Consent _____	MEETING DATE <u>September 4, 2013</u>
Special _____	ITEM NUMBER <u>Skyview Park Fence</u>
Public Hearing _____	STAFF INITIAL <u>Jim</u>
Report _____	APPROVED BY ADMINISTRATOR _____
Discussion/Action <u>X</u>	
Resolution _____	
Work session _____	

BACKGROUND:

The Council previously discussed the fence project at the June 11, 2013 meeting (the minutes from the meeting are attached). It was decided to delay a decision until survey work was completed to delineate the property line. I have contacted the adjacent property owner, Earl Peterson (1738 Walnut), to let him know about the proposed project and this meeting.

A clothes line pole is approximately 10 feet on Park property. If the fence is placed on the property line, as previously discussed, staff plans to dig up the clothes line pole and lay it on the ground in Mr. Peterson's yard.

I received quotes from 3 companies, based on a Request for Quotes (RFQ). Here are the lowest quotes for 3 options- chain link (non-privacy), wood cedar (privacy), and PVC (privacy):

- Chain Link: \$2,198 Town & Country Fence
- Wood Cedar: \$3,529 Midwest Fence (does not include painting or staining)
- PVC: \$4,562 Midwest Fence

The PCIC recommended a wood cedar privacy fence.

OPTIONS:

- 1) Motion to install one of the 3 fence options at Skyview Park.
- 2) Motion to not install any fence at Skyview Park.
- 3) Do nothing.

STAFF RECOMMENDATION:

- 1) Motion to install one of the 3 fence options at Skyview Park.

COUNCIL ACTION:

LAUDERDALE CITY COUNCIL
MEETING MINUTES
Lauderdale City Hall
1891 Walnut Street
Lauderdale, MN 55113

Page 2 of 4

June 11, 2013

enjoys living in the neighborhood and the setback variance would allow his family to have a larger backyard for his children to play in.

No one else came forward and Mayor Dains closed the hearing at 7:47 p.m.

The Council discussed the comments made by Newhouse during the public hearing and in his application. They felt the request was reasonable as it would make the neighborhood more family-friendly, which is a goal of the City Council.

Councilor Hawkinson moved approval of the 3.5 foot front-yard variance request for Jeremy and Jessica Newhouse, owners of 1728 Malvern Street. Councilor Mac Lean seconded the motion and it passed unanimously.

Skyview Park Fence

Bownik presented quotes for different styles of fencing for the northern property line of Skyview Park. Bownik stated that the Park and Community Involvement Committee recommended a wood cedar privacy style fence. Earl Peterson, owner of 1738 Walnut Street, addressed the Council. He said he would like to see a privacy style fence constructed beyond his clothes line (on City property). Peterson stated there can be quite a bit of noise from the park and suggested the City plant trees or a community garden to help decrease sound from the park. Doug Voges of 1731 Malvern addressed the Council. He stated the Park is in the back of his property and enjoys the Park and the views of the downtown skyline.

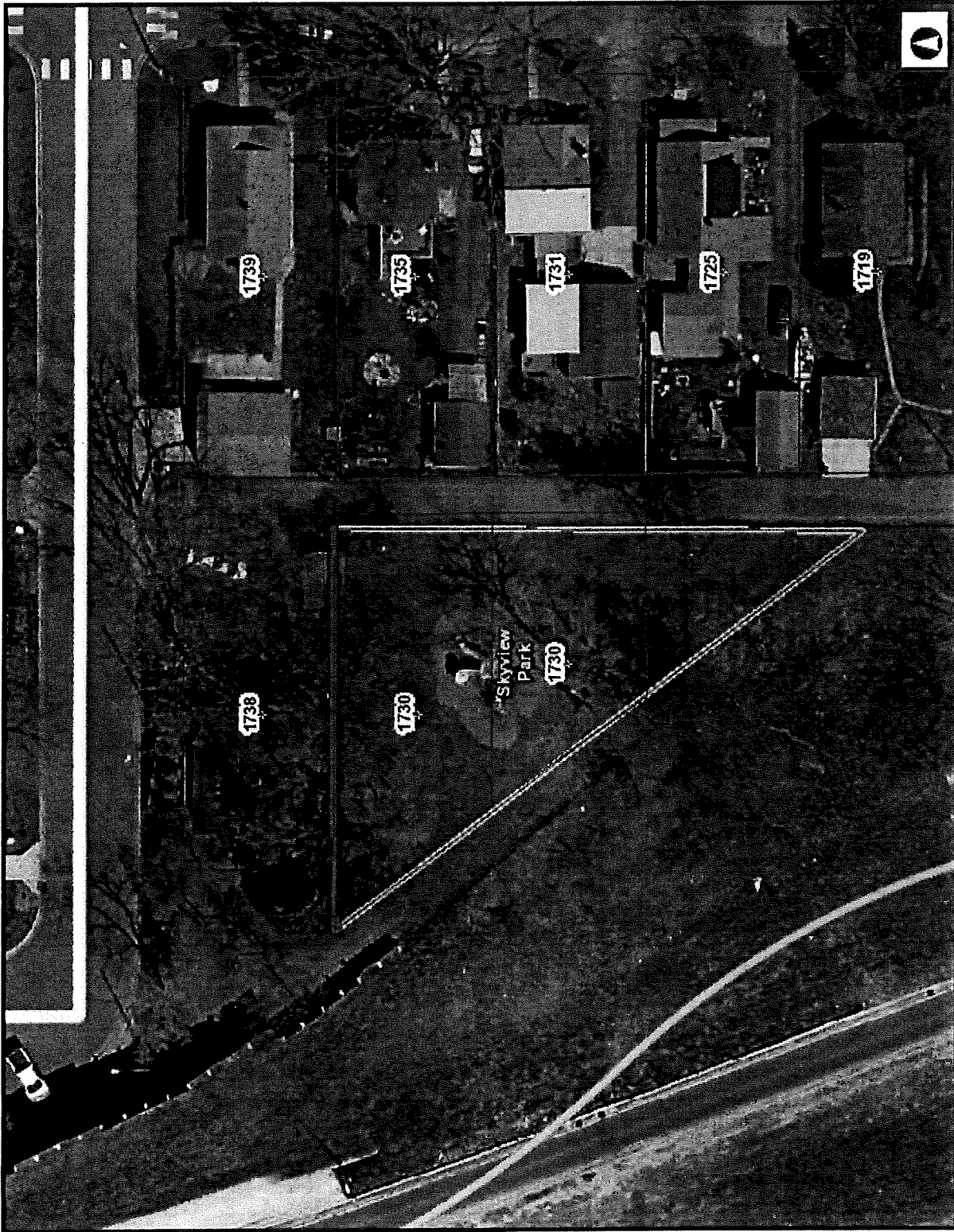
Councilors were concerned about the maintenance of the fence and how a community garden would work in this Park space.

Mayor Dains tabled a decision on the fence until the property corners are identified and the exact location of the property line is known.

2014 Police Contract with the City of St. Anthony

The Council had previously reviewed the draft agreement. No changes were recommended so final approval of the agreement was moved.

Councilor Gaasch moved approval of the 2014 Police Contract with the City of St. Anthony. Councilor Mac Lean seconded the motion and it passed unanimously.



94.8 47.39 0 94.8 Feet

NAD_1983_HARN_Adj_MN_Ramsey_Feet
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Legend

- County Offices
- City Halls
- Schools
- Hospitals
- Fire Stations
- Police Stations
- Recreational Centers
- Parcel Points
- Parcels
- GISRASTER.GISPUB.IMAGE
- High : 255
- Low : 0

Notes

Enter Map Description



ESTIMATION WORKSHEET

8511 Xylon Avenue North • Brooklyn Park, MN 55445-1820
Office (763) 425-5050 Fax (763) 425-9006

www.tcfence.com



CUSTOMER INFORMATION

Name: City of Lauderdale
Address: 1891 Walnut Street
City: Lauderdale, MN. 55113
Attention: Jim Bownik
Skyview Park, 1730 Walnut Street, Lauderdale, MN.

Salesperson: JEFF BECKER
Date of Contact: 05-31-13
Date of Quote: 05-31-13
Date to Install: _____
Terms: _____

PRICES QUOTED ARE GUARANTEED FOR 15 DAYS

Furnish and Install



127 lf of 5' tall black coated chain link fence.
Fence will have 2" line posts driven 4' deep to set 10' o.c.. 2 1/2" terminal posts will be concrete set. ?
Fence will have a top and bottom tension wire, with 2" 8 gauge finish fabric 5' tall.
Total = \$2,198.00

Optional PVC Fence
127 lf of 6' tall WHITE Bufftech Chesterfield pvc privacy fence.
5" x 5" posts 8' o.c. will be concrete set.
Total = \$5,678.00

127 lf of 6' tall cedar wood privacy fence.
4" x 4" cedar posts concrete set 8' o.c., 2" x 4" cedar stringers (2 per bay), and 1' x 6" x 6' cedar wood boards nailed to stringers. The style of fence will be "Shadow Box" or "Good Neighbor"
Note: Price does not include any staining or painting of fence
Total= \$3,600.00

Any questions concerning our bid, please give me a call. Thanks for the opportunity to provide you pricing on this fence project.
Sincerely yours,
Jeff Becker,
Sales Representative

Thanks!
Jeff Becker

ESTIMATE / ORDER



525 E. Villaume Ave.

So. St. Paul, MN 55075

Phone: 651-451-2222

Fax: 651-451-6939

Gopher state (1) Call ID #464 _____ Ticket # _____

Nearest Intersecting Street _____

Hudson Page # _____ Hudson Grid # _____

Township _____ County _____

Company: City of Lauderdale Bill To: _____ Date: 5/8/2013

Address: 1891 Walnut Street Address: _____ Job No: _____

City: Lauderdale State: MN Zip: 55113 City: _____ State: _____ Zip: _____ Estimator: David Reiss

Contact: Jim Bownik P.O. _____

Job Site Address: Skyview Park Work Phone 651-792-7656

1730 Walnut Street Fax #: _____

Lauderdale, MN Other Phone _____

Terms	<input type="checkbox"/> Down Payment
	<input type="checkbox"/> Progress Payment
	<input type="checkbox"/> Bal on Completion

Quantity	Description	Amount
127	linear feet of 5' high black vinyl chain link fence.	
	Top rail 1-5/8" O.D. <i>bottom tension wire?</i>	
	Line posts 2" O.D.	
	End posts 2-1/2" O.D.	
	All posts driven 48" into the ground.	
	Material and Labor	\$ 2,284.00
127	linear feet of 6' high western red cedar solid board fence.	
	Face boards 1" X 6"	
	Top and bottom rails 2" X 4"	
	Posts 4" X4".	
	All posts set in concrete foundations. Material and Labor \$3,529.00 *	
127	linear feet of 6' high white PVC privacy fence.	
	All posts 5" X 5" and set in concrete foundations. Material and Labor \$4,562.00 *	
127	linear feet of 6' high TREX privacy fence.	
	All posts 5" X 5" and set in concrete foundations. Material and Labor \$7,835.00	

<p>A Service charge of 1.5% (18% annually) will be applied on all past due balances. The purchaser shall be responsible for any and all collection and legal costs incurred by Midwest Commercial Fence in the event of this bill becoming past due. Midwest Fence reserves the right to lien the improved property if payment in full as agreed to in this contract is not received.</p>	MATERIALS AND INSTALLATION		\$ 2,284.00
	<small>THIS ESTIMATE VALID FOR 30 DAYS FROM ABOVE DATE</small>		TAX
			TOTAL

Owner responsible for establishing correct property and fence lines. Any permits required shall be the sole responsibility of the owner. Owner responsible for removal of obstructions of every nature which will interfere with the installation of the fence. This contract assumes normal ground conditions. Should rocky or excessive hard digging be encountered, owner agrees to pay additional costs of such work. Midwest Fence shall furnish only the materials and labor specified in this contract. Any changes made from the above specifications will be billed at Midwest Fence's current retail prices.

THIS CONTRACT SUBJECT TO ACCEPTANCE BY MIDWEST FENCE'S CREDIT MANAGER.

I accept this contract on behalf of Midwest Fence & Mfg. Co.

_____	_____
Credit Manager	Customer Signature
_____	_____
Date	Date
_____	_____
Date	Salesperson Signature
_____	_____
Date	Date



SINCE 1917 THE MARK OF PERMANENCE

Office (651)-464-7373
Toll Free (800)-328-9558
Fax (651)-464-7377
Cellular (612)-328-8806

ijorgensen@centuryfence.com

P.O. Box 277, Forest Lake, MN, 55025

5/8/2013

Phone: 651-792-7656 Fax: 651-631-2066

Proposal To:

City of Lauderdale
Attn: Jim Bownik
1891 Walnut St
Lauderdale, MN 55113

Ship To:

Skyview Park
1730 Walnut St
Lauderdale MN

Installed Material Only Prepaid Freight Freight Collect F.O.B. Job Site **Delivery Schedule:** As Required

Description

Furnish and install:

Option #1 - 130 l.f. of 5' high black vinyl coated chain link fence
(2) 2-1/2" end posts
All posts will be air driven
Total \$2,975.00

Option #2 - 130 l.f. of 6' high cedar wood privacy fence...Total \$4,867.00

Option #3 - 130 l.f. of 6' high PVC privacy fence white in color...Total \$5,675.00
ADD \$400.00 for tan color

Options 2 and 3 posts will be set in concrete footings
Painting or staining of wood fence to be by others
Locating of private utilities to be by others
Excludes excavation through rock, frost, or backfill
Proposal is valid for 30 days

Acceptance: This proposal when accepted in writing by purchaser and by Century Fence Company's Main Office becomes a contract between two parties. The conditions on the attached "Terms and Conditions" sheet are made a part of this contract.

Terms of Payment: Net Cash upon receipt of invoice.

Buyer's signature _____ Date _____ Submitted by _____
Ian Jorgensen

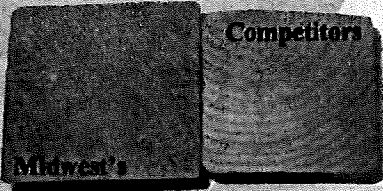
WHAT DIFFERENTIATES MIDWEST'S WOOD FENCE FROM OUR COMPETITION?

The old adage "you get what you pay for" applies to so many industries, and fencing is no exception. Our superior materials, experience, and workmanship is second to none. We offer all this at a fair price that can save you hundreds,

if not thousands of dollars in the long run. Our industry-leading 5 year workmanship warranty is backed by the stability of over 60 years of serving the metro area as the largest residential fence company.

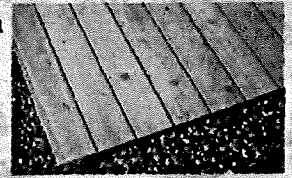
Canadian Cedar Posts

Midwest Fence buys wood posts directly from Canada. Our Canadian cedar posts measure on average 3 3/4" to 4" across. Many of our competitors use just 3 1/2" posts. Canadian Cedar also has a more dense growth ring pattern, adding to the hardness and durability of the post. These and other factors contribute to a superior product and greater longevity.

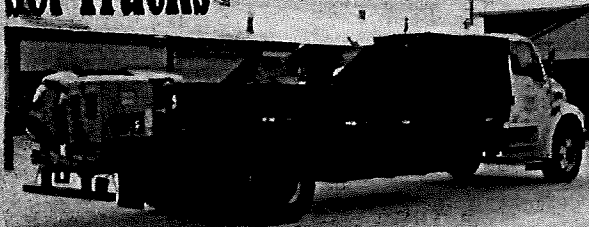


#1 Grade Coastal Red Cedar Boards

Midwest Fence buys exclusively #1 grade coastal red cedar boards. Not only are these boards the most naturally rot-resistant available, but are also the most warp and crack resistant. They're also known for their ability to absorb and retain oil-based stains. As of late, our market has been invaded by Western Red Cedar imitators, such as Chinese Cedar, Fir, Treated Pine and others. Some companies go as far as mixing cedar boards with pine or other type posts! Nothing stands the test of time as well as Coastal Red Cedar!



Set Trucks



Midwest fence is one of the very few companies that owns set trucks. These are dedicated concrete trucks with a built in cement mixer and gravel bed which enables us to mix our concrete onsite. Most companies use pre-mixed bags of concrete such as Quick Crete™ or Sakrete™. This inferior process results in footings that crack and break down prematurely allowing water to seep in and erode your posts. This, in turn, significantly reduces the longevity of your fence.

2-trip installation

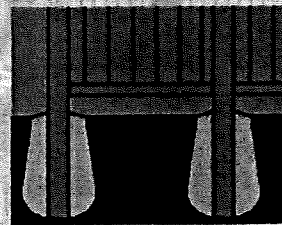
Midwest Fence sets posts first and allows concrete to set up properly before returning approximately 1 week later to complete. This results in a stronger, longer lasting fence.

DURA CEDAR pressure treated posts

Midwest Fence is the only fence company to offer customers an environmentally friendly, non-toxic, pressure treatment system that extends the life of your post without discoloration! This exclusive process using durazyme® can increase the life of cedar posts another 50% or more! Visit www.midwestfence.com for more information.



Belled and crowned footings



Belled footings make the fence stronger and less likely to heave and lift out of the ground during cold winter months. When moisture in the ground freezes, expanding ice in the soil creates side and bottom pressure on post footings that can easily push the post right out of the ground, like toothpaste out of a tube! A belled-bottom footing installation reduces the likelihood of this occurring significantly, increasing the life of your fence. Crowning the top of the footing, creating a troweled, angled top that rises up to meet the post, forces water to run away from the base of the post, extending their life.

Crew specialization

Midwest Fence separates its post set crews from its finishing crews. Installation specialization results in concentrating experience and expertise in one area resulting in a better quality and more uniform installation. At most other companies, the installer that sets the posts, also finishes the installation.

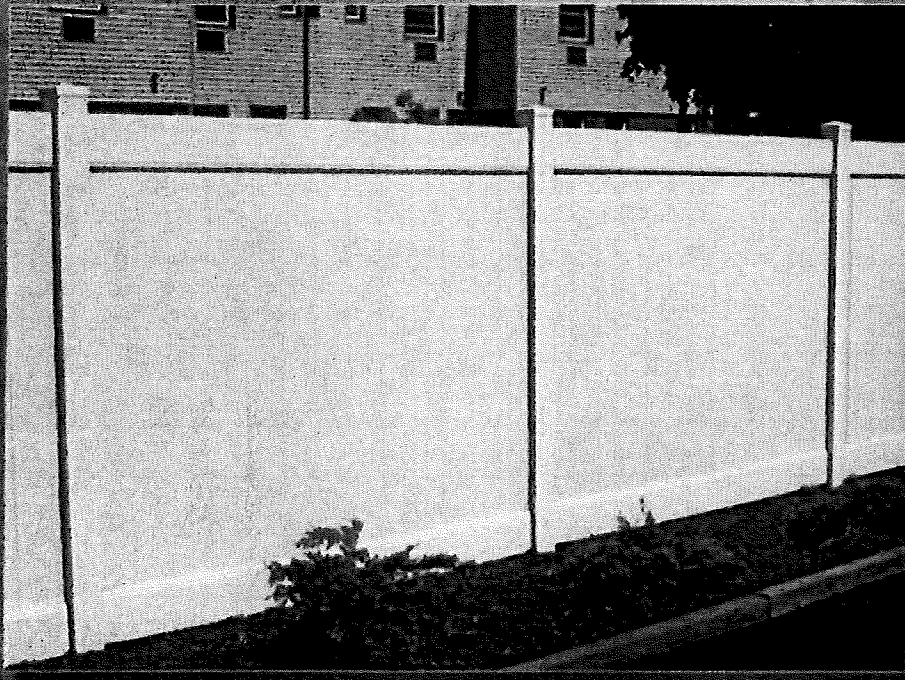
MIDWEST FENCE
AND MANUFACTURING CO.
651-451-2222
525 E. Villanue Ave. So. St. Paul, MN 55075.



www.midwestfence.com

HARTFORD

exclusively from Midwest Fence



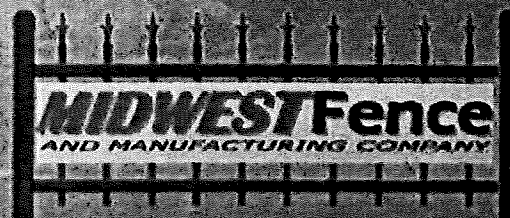
- **Standard Height Options:**
72"
- **Post Spacing Options:**
8' center-to-center
- **Post Dimensions:**
72" High Fence = 5" x 5" x 108"
- **Standard Post Depth:**
72" High Fence = 34" Depth
- **Standard Cap Style:**
5" x 5" Traditional
- **Horizontal Dimensions:**
2" Thick x 7" Wide (Top)
2" Thick x 7" Wide (Bottom)
- **Picket Spacing/Picket Dem.:**
7/8" x 7" Wide
- **Ground Clearance:**
2"

The Hartford, exclusively from Midwest Fence, provides a solid privacy wall that features tongue and groove verticals for greater fence strength. Hartford has proven to be a solid choice among homeowners who want full privacy for their yard.

Call Midwest Fence today or visit www.midwestfence.com for a free, no obligation, consultation with one of our fence experts.

Midwest Fence and Mfg. Co.
525 E. Villaume Ave.
So. St. Paul, MN 55075
651-451-2222


sales@midwestfenceco.com
www.midwestfence.com



LAUDERDALE COUNCIL ACTION FORM

Action Requested

Consent _____
Public Hearing _____
Discussion _____ X
Action _____ X
Resolution _____
Work Session _____

Meeting Date September 10, 2013
ITEM NUMBER 2014 Budget & Levy
STAFF INITIAL 
APPROVED BY ADMINISTRATOR _____

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

The Council asked me to bring back a budget showing a 1-percent levy increase (local impact of 1.45%). I did this largely by assuming the City would pay for the new election equipment over a couple of years instead of paying for it all in 2014.

Since the last meeting, staff researched how much the City will save due to the sales tax exemption. As the exemption doesn't apply to many things and there is still some disagreement between government entities and the Department of Revenue about the new law, it is hard to calculate. Based on our best understanding, Kevin calculated how much the City paid in sales tax in 2012 that we might not be paying in 2014. That totaled about \$1,191.

The Council must also decide which day to hold the Truth in Taxation hearing. This year the Council can choose from November 26 or December 10. If held on November 26, staff will have time to adjust the budget before the final meeting of the year. Generally, we hold it at the December meeting.

OPTIONS:

1. Discuss any changes needed in the budget or levy.
2. Set the preliminary levy by resolution. What the Council sets as the preliminary levy can't be raised before year-end, but it can be lowered. The amount certified will include the fiscal disparities aid.
3. Establish the truth in taxation public hearing date.

STAFF RECOMMENDATION:

Adopt Resolution 091013C - A Resolution Levying Taxes for 2013 Payable in 2014 in the amount of \$ _____ and Establishing _____ 2013, at 7:30 p.m. as the date and time of the Truth in Taxation Hearing.

RESOLUTION NO. 091013C

**CITY OF LAUDERDALE
COUNTY OF RAMSEY
STATE OF MINNESOTA**

**RESOLUTION LEVYING TAXES FOR 2013 PAYABLE IN 2014
AND ESTABLISHING THE DATE OF THE TRUTH IN TAXATION HEARING**

BE IT HEREBY RESOLVED by the City of Lauderdale, Ramsey County, State of Minnesota as follows:

The following tax levies are hereby made against all taxable property in the City of Lauderdale for the tax levy 2013, payable 2014:

Total proposed levy for 2013 payable in 2014: **\$616,215**

This includes estimated fiscal disparities amount of \$120,934.

BE IT FURTHER RESOLVED, that there will not be certified debt levies for the General Obligation Bonds Series 2003A.

BE IT FURTHER RESOLVED, that in conformance with the Truth in Taxation Law, the public hearing to allow citizen input on the levy and budget will be held Tuesday, November 26, 2013, at 7:30 p.m. in the Council Chambers at Lauderdale City Hall.

BE IT FURTHER RESOLVED that the City Administrator is authorized and directed at this time to certify this Resolution to the County Auditor of Ramsey County, Minnesota.

CITY OF LAUDERDALE)
COUNTY OF RAMSEY) ss
STATE OF MINNESOTA)

I, Heather Butkowski, being duly qualified and City Administrator for the City of Lauderdale, Ramsey County, Minnesota, do hereby certify that the attached and foregoing is a true and correct copy of a Resolution duly adopted by the City Council of the City of Lauderdale on September 10, 2013, as the same appears in the minutes of said meeting on file and of record in City Offices.

Dated this 10th day of September, 2013.

Jeff Dains, Mayor

(ATTEST)

Heather Butkowski, City Administrator

(SEAL)

City of LAUDERDALE

BOND ISSUES	ORIGINAL PRINCIPAL	DATE ISSUED	PAYABLE 2014 DEBT LEVY	ADDITIONS OR REDUCTIONS BY RESOLUTION	CERTIFIED DEBT LEVY
GO IMP BONDS 2003A	990,000	1-Jun-03	\$ 78,451.00	-78,451.00	\$ -
			\$78,451.00	-\$78,451.00	\$0.00

I hereby certify that the above schedule of bond levies to be spread on the payable 2014 tax rolls agrees with the City records and is true and correct. Copies of any resolutions which increase or reduce these levies are attached.

Signed: _____

Date: _____

::

CITY OF LAUDERDALE
2014 Revenue Budget Worksheet

2012 Amt	2013 YTD Amt	2013 Budget	2014 Budget	Account Descr	UnderLine
FUND 101 GENERAL					
\$483,024.03	\$246,818.24	\$488,203.00	\$495,281.00	R 101-31010 CURRENT AD VALOREM	_____
\$7,360.59	\$11,353.22	\$0.00	\$0.00	R 101-31020 DELINQUENT AD VALOREM	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 101-31030 FORFEITED TAX SALES	_____
\$100,748.07	\$66,319.87	\$121,912.00	\$120,934.00	R 101-31040 FISCAL DISPARITIES	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 101-32000 LICENSE AND PERMITS	_____
\$150.00	\$0.00	\$150.00	\$150.00	R 101-32110 3.2 ALCHOLIC LICENSE	_____
\$400.00	\$0.00	\$400.00	\$400.00	R 101-32120 CIGARETTE LICENSE	_____
\$1,350.00	\$1,408.00	\$1,000.00	\$1,300.00	R 101-32130 GARBAGE HAULERS LICENSE	_____
\$970.00	\$600.00	\$600.00	\$600.00	R 101-32140 HEATING/AC LICENSE	_____
\$600.00	\$400.00	\$300.00	\$400.00	R 101-32150 TREE COMPANIES LICENSE	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 101-32160 GAS STATION LICENSE	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 101-32170 DRIVEWAY CONTRACTOR S LICENSE	_____
\$4,933.25	\$2,189.00	\$3,000.00	\$4,000.00	R 101-32180 RENTAL HOUSING LICENSE	_____
\$11,986.94	\$11,112.41	\$6,000.00	\$9,000.00	R 101-32210 BUILDING PERMITS	_____
\$1,000.00	\$450.00	\$500.00	\$500.00	R 101-32211 ZONING PERMIT APPLICATION	_____
\$2,736.32	\$2,055.15	\$1,000.00	\$2,000.00	R 101-32225 PLAN REVIEW FEE	_____
\$1,494.00	\$944.00	\$700.00	\$800.00	R 101-32230 PLUMBING PERMITS	_____
\$340.00	\$240.00	\$250.00	\$250.00	R 101-32240 ANIMAL LICENSES	_____
\$1,728.50	\$1,236.00	\$1,000.00	\$1,100.00	R 101-32270 HEATING A/C PERMIT	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 101-32280 STREET EXCAVATION PERMIT	_____
\$516,153.00	\$258,076.50	\$516,153.00	\$535,093.00	R 101-33401 LOCAL GOVERNMENT AID	_____
-\$134.39	\$0.00	\$0.00	\$0.00	R 101-33402 HOMESTEAD CREDIT	_____
\$1,198.00	\$599.00	\$1,198.00	\$1,198.00	R 101-33405 PERA RATE INCREASE	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 101-33406 MARKET VAL HOM CRED/LIHAC	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 101-33623 MET COUNCIL - LIV COMM GRANT	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 101-33624 LIVABLE COMMUNITIES	_____
\$7,633.25	\$5,462.00	\$4,000.00	\$5,000.00	R 101-34101 CITY HALL/PARK RENTAL	_____
\$156.00	\$25.00	\$0.00	\$0.00	R 101-34103 ADMINISTRATIVE FEE	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 101-34105 SALE OF PUBLICATIONS	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 101-34107 ASSESSMENT SEARCHES	_____
\$98.38	\$76.53	\$50.00	\$100.00	R 101-34109 COPIES	_____
\$150.00	\$150.00	\$0.00	\$0.00	R 101-34110 VARIANCE FEES	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 101-34111 LEGAL FEES	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 101-34112 CONDITIONAL USE PERMITS	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 101-34113 ZONING AMENDMENT	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 101-34114 ADVERTISING SALES	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 101-34115 GENERAL GOVERNMENT MISC.	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 101-34116 ENGINEERING FEES	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 101-34201 FALSE SECURITY ALARM - POLICE	_____
\$222.63	\$0.00	\$500.00	\$500.00	R 101-34202 FALSE FIRE ALARM - FIRE DEPT.	_____
\$425.00	\$75.00	\$1,000.00	\$1,000.00	R 101-34203 FIRE INSPECTION FEE	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 101-34205 FIRE CALL REIMBURSEMENT	_____
\$50,182.40	\$25,786.32	\$37,000.00	\$45,000.00	R 101-35101 COURT FINES	_____
\$27,470.25	\$197.52	\$0.00	\$0.00	R 101-36100 SPECIAL ASSESMENTS	_____
\$92.00	-\$92.00	\$0.00	\$0.00	R 101-36101 PRINCIPAL	_____
\$1,844.55	\$19.97	\$0.00	\$0.00	R 101-36102 PENALTIES & INTEREST	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 101-36103 TREE REMOVAL	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 101-36200 MISCELLANEOUS REVENUE	_____
\$2,952.56	\$1,188.46	\$2,000.00	\$1,800.00	R 101-36211 INVESTMENT INTEREST	_____
\$1,500.00	\$0.00	\$0.00	\$0.00	R 101-36230 DONATIONS	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 101-36231 DOG PARK DONATIONS	_____
\$646.50	\$565.00	\$300.00	\$500.00	R 101-36240 SURCHARGES	_____

2012 Amt	2013 YTD Amt	2013 Budget	2014 Budget	Account Descr	UnderLine
\$134.56	\$259.87	\$0.00	\$0.00	R 101-36250 REFUNDS & REIMBURSEMENTS	_____
\$7,149.00	\$1,982.00	\$0.00	\$0.00	R 101-36252 LMC INSURANCE REFUND	_____
\$16.65	\$0.00	\$0.00	\$0.00	R 101-36255 MISC	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 101-39101 SALES FIXED ASSETS	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 101-39200 INTERFUND OPERATING TRANSFERS	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 101-39999 PRIOR PERIOD ADJUSTMENT	_____
\$1,236,712.04	\$639,497.06	\$1,187,216.00	\$1,226,906.00		
FUND 201 COMMUNITY EVENTS					
\$0.00	\$0.00	\$0.00	\$0.00	R 201-34785 PARK EVENTS	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 201-34786 WINTER EVENT	_____
\$75.00	\$75.00	\$50.00	\$75.00	R 201-34787 GARAGE SALE	_____
\$1,200.00	\$1,409.00	\$800.00	\$800.00	R 201-34788 DAY IN THE PARK	_____
\$401.00	\$760.00	\$400.00	\$400.00	R 201-34789 MUSIC UNDER THE TREES	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 201-34790 MUGS	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 201-34791 POP SALES	_____
\$397.00	\$92.00	\$100.00	\$100.00	R 201-34792 T-SHIRT SALES	_____
\$325.00	\$0.00	\$700.00	\$400.00	R 201-34793 FUN RUN/WALK	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 201-34794 NATIONAL NIGHT OUT	_____
\$1,793.19	\$0.00	\$600.00	\$1,000.00	R 201-34795 HALLOWEEN DONATIONS	_____
\$38.94	\$18.81	\$50.00	\$35.00	R 201-36211 INVESTMENT INTEREST	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 201-36230 DONATIONS	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 201-36250 REFUNDS & REIMBURSEMENTS	_____
\$139.64	\$70.02	\$100.00	\$100.00	R 201-36255 MISC	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 201-39200 INTERFUND OPERATING TRANSFERS	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 201-39201 TRANSFER FROM GENERAL FUND BAL	_____
\$4,369.77	\$2,424.83	\$2,800.00	\$2,910.00		
FUND 202 COMMUNICATIONS					
\$0.00	\$4,939.00	\$0.00	\$0.00	R 202-33600 GRANTS & AID FROM LOCAL GOV.	_____
\$124.10	\$38.22	\$100.00	\$75.00	R 202-36211 INVESTMENT INTEREST	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 202-36250 REFUNDS & REIMBURSEMENTS	_____
\$20,312.84	\$10,318.97	\$20,000.00	\$20,000.00	R 202-36253 CABLE FRANCHISE REVENUE	_____
\$20,436.94	\$15,296.19	\$20,100.00	\$20,075.00		
FUND 203 RECYCLING					
\$0.00	\$0.00	\$0.00	\$0.00	R 203-33621 METROPOLITAN COUNCIL-BIN GRAN	_____
\$4,947.00	\$0.00	\$4,800.00	\$0.00	R 203-33622 COUNTY GRANTS	_____
\$35,001.22	\$18,414.63	\$35,000.00	\$0.00	R 203-36100 SPECIAL ASSESMENTS	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 203-36101 PRINCIPAL	_____
\$419.00	-\$280.63	\$0.00	\$0.00	R 203-36102 PENALTIES & INTEREST	_____
\$573.51	\$270.30	\$300.00	\$0.00	R 203-36211 INVESTMENT INTEREST	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 203-36250 REFUNDS & REIMBURSEMENTS	_____
\$0.00	\$307.00	\$0.00	\$0.00	R 203-36255 MISC	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 203-39200 INTERFUND OPERATING TRANSFERS	_____
\$40,940.73	\$18,711.30	\$40,100.00	\$0.00		
FUND 301 TAX INCREMENT DEBT SERVICE					
\$0.00	\$0.00	\$0.00	\$0.00	R 301-31040 FISCAL DISPARITIES	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 301-31050 TAX INCREMENT	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 301-31051 DELINQUENT TAX INCREMENT	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 301-33402 HOMESTEAD CREDIT	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 301-33406 MARKET VAL HOM CRED/LIHAC	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 301-36100 SPECIAL ASSESMENTS	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 301-36211 INVESTMENT INTEREST	_____
\$0.00	\$0.00	\$0.00	\$0.00	R 301-39200 INTERFUND OPERATING TRANSFERS	_____

2012 Amt	2013 YTD Amt	2013 Budget	2014 Budget	Budget Account Descr	UnderLine	DEPT Descr
\$293.01	\$380.27	\$400.00	\$400.00	E 101-41200-327 OTHER SERV- SEWER/NPDES II P		ADMINISTRATIVE
\$1,153.22	\$876.48	\$1,000.00	\$1,000.00	E 101-41200-331 TRAVEL EXPENSE		ADMINISTRATIVE
\$935.75	\$769.50	\$1,000.00	\$1,000.00	E 101-41200-352 PUBLIC INFO NOTICES		ADMINISTRATIVE
\$2,518.00	\$2,007.03	\$3,000.00	\$2,800.00	E 101-41200-353 NEWSLETTER PRINTING		ADMINISTRATIVE
\$0.00	\$0.00	\$0.00	\$0.00	E 101-41200-354 PHONEBOOK PRINTING		ADMINISTRATIVE
\$275.00	\$175.00	\$500.00	\$300.00	E 101-41200-355 MISC PRINTING/PROCESS SERVI		ADMINISTRATIVE
\$4,946.50	\$590.75	\$5,500.00	\$5,500.00	E 101-41200-361 GENERAL LIABILITY		ADMINISTRATIVE
\$1,703.01	\$915.30	\$2,000.00	\$2,000.00	E 101-41200-391 TELEPHONE/PAGERS		ADMINISTRATIVE
\$2,968.53	\$1,940.47	\$3,000.00	\$3,100.00	E 101-41200-401 COPIER CONTRACT		ADMINISTRATIVE
\$0.00	\$0.00	\$0.00	\$0.00	E 101-41200-404 COMPUTER REPAIR/MAINTENAN		ADMINISTRATIVE
\$0.00	\$0.00	\$0.00	\$0.00	E 101-41200-409 OTHER EQUIPMENT REPAIR/MAI		ADMINISTRATIVE
\$0.00	\$0.00	\$0.00	\$0.00	E 101-41200-420 RENTALS		ADMINISTRATIVE
\$3,191.80	\$1,624.20	\$3,300.00	\$3,400.00	E 101-41200-438 DUJES & SUBSCRIPTIONS		ADMINISTRATIVE
\$0.00	\$0.00	\$0.00	\$0.00	E 101-41200-439 SPECIAL EVENTS		ADMINISTRATIVE
\$86.92	\$74.71	\$200.00	\$100.00	E 101-41200-440 MEETING EXPENSES		ADMINISTRATIVE
\$473.52	\$258.70	\$500.00	\$500.00	E 101-41200-442 MISC		ADMINISTRATIVE
\$0.00	\$0.00	\$0.00	\$0.00	E 101-41200-530 FURNITURE & EQUIPMENT		ADMINISTRATIVE
\$0.00	\$0.00	\$0.00	\$0.00	E 101-41200-531 OFFICE EQUIPMENT		ADMINISTRATIVE
\$147.06	\$0.00	\$0.00	\$0.00	E 101-41200-534 OFFICE FURNITURE		ADMINISTRATIVE
\$2,207.22	\$0.00	\$1,000.00	\$1,000.00	E 101-41200-538 COMPUTER SOFTWARE & EQUIP		ADMINISTRATIVE
\$7,486.27	\$5,380.24	\$8,035.00	\$8,400.00	E 101-41500-101 FULL TIME EMPLOYEES REGULAR		ELECTIONS, LEGA
\$0.00	\$0.00	\$0.00	\$0.00	E 101-41500-103 PART TIME EMPLOYEES		ELECTIONS, LEGA
\$2,501.00	\$0.00	\$0.00	\$2,600.00	E 101-41500-104 TEMP EMPLOYEES		ELECTIONS, LEGA
\$542.82	\$390.02	\$583.00	\$609.00	E 101-41500-121 PERA CONTRIBUTIONS		ELECTIONS, LEGA
\$572.79	\$411.59	\$615.00	\$643.00	E 101-41500-122 FICA CONTRIBUTIONS		ELECTIONS, LEGA
\$900.00	\$800.00	\$1,200.00	\$1,275.00	E 101-41500-131 HEALTH INSURANCE		ELECTIONS, LEGA
\$0.00	\$0.00	\$0.00	\$0.00	E 101-41500-133 LIFE INSURANCE		ELECTIONS, LEGA
\$67.70	\$49.23	\$64.00	\$82.00	E 101-41500-151 WORKERS COMP PREMIUM		ELECTIONS, LEGA
\$396.37	\$0.00	\$100.00	\$150.00	E 101-41500-201 GENERAL SUPPLIES		ELECTIONS, LEGA
\$0.00	\$0.00	\$0.00	\$0.00	E 101-41500-202 PERMENANT SUPPLIES		ELECTIONS, LEGA
\$10,208.10	\$5,950.00	\$18,000.00	\$11,500.00	E 101-41500-300 LEGAL FEES - PROSECUTING		ELECTIONS, LEGA
\$13,272.00	\$13,688.00	\$14,000.00	\$14,500.00	E 101-41500-301 AUDITING		ELECTIONS, LEGA
\$15,856.65	\$3,436.47	\$10,000.00	\$10,000.00	E 101-41500-305 LEGAL FEES - CIVIL		ELECTIONS, LEGA
\$426.14	\$426.14	\$700.00	\$700.00	E 101-41500-327 OTHER SERV- SEWER/NPDES II P		ELECTIONS, LEGA
\$0.00	\$0.00	\$0.00	\$0.00	E 101-41500-331 TRAVEL EXPENSE		ELECTIONS, LEGA
\$325.75	\$0.00	\$0.00	\$400.00	E 101-41500-352 PUBLIC INFO NOTICES		ELECTIONS, LEGA
\$52.54	\$0.00	\$700.00	\$300.00	E 101-41500-355 MISC PRINTING/PROCESS SERVI		ELECTIONS, LEGA
\$0.00	\$0.00	\$0.00	\$0.00	E 101-41500-409 OTHER EQUIPMENT REPAIR/MAI		ELECTIONS, LEGA
\$51.67	\$0.00	\$0.00	\$225.00	E 101-41500-440 MEETING EXPENSES		ELECTIONS, LEGA
\$16.97	\$0.00	\$0.00	\$0.00	E 101-41500-442 MISC		ELECTIONS, LEGA

2012 Amt	2013 YTD Amt	2013 Budget	2014 Budget	Account Descr	UnderLine	DEPT Descr
\$0.00	\$0.00	\$0.00	\$0.00	E 101-41500-530 FURNITURE & EQUIPMENT		ELECTIONS, LEGA
\$0.00	\$0.00	\$0.00	\$2,500.00	E 101-41500-539 VOTING MACHINE		ELECTIONS, LEGA
\$0.00	\$0.00	\$0.00	\$0.00	E 101-42100-202 PERMENANT SUPPLIES		POLICE
\$12,125.16	\$8,781.20	\$13,175.00	\$14,200.00	E 101-42100-318 911 Dispatch		POLICE
\$596,069.08	\$401,353.31	\$602,030.00	\$617,081.00	E 101-42100-319 POLICE CONTRACT		POLICE
\$16,483.73	\$0.00	\$18,000.00	\$18,000.00	E 101-42100-320 FIRE CONTRACT		POLICE
\$25,638.69	\$6,865.22	\$16,000.00	\$16,000.00	E 101-42100-321 FIRE CALLS		POLICE
\$240.89	\$0.00	\$500.00	\$500.00	E 101-42100-322 FIRE FALSE ALARMS		POLICE
\$500.00	\$0.00	\$1,000.00	\$1,000.00	E 101-42100-323 FIRE INSPECTION		POLICE
\$0.00	\$6.24	\$0.00	\$0.00	E 101-42100-355 MISC PRINTING/PROCESS SERVI		POLICE
\$0.00	\$0.00	\$5,000.00	\$0.00	E 101-42100-360 INSURANCE		POLICE
\$0.00	\$0.00	\$0.00	\$0.00	E 101-42100-391 TELEPHONE/PAGERS		POLICE
\$68.64	\$37.44	\$400.00	\$300.00	E 101-42100-442 MISC		POLICE
\$0.00	\$0.00	\$0.00	\$0.00	E 101-42100-530 FURNITURE & EQUIPMENT		POLICE
\$30,521.09	\$20,651.09	\$28,348.00	\$28,917.00	E 101-43000-101 FULL TIME EMPLOYEES REGULAR		PUBLIC WORKS
\$2,329.94	\$747.93	\$3,000.00	\$3,000.00	E 101-43000-102 EMPLOYEE OVERTIME		PUBLIC WORKS
\$0.00	\$0.00	\$0.00	\$0.00	E 101-43000-104 TEMP EMPLOYEES		PUBLIC WORKS
\$2,381.88	\$1,551.36	\$2,273.00	\$2,314.00	E 101-43000-121 PERA CONTRIBUTIONS		PUBLIC WORKS
\$2,639.50	\$1,725.09	\$2,398.00	\$2,442.00	E 101-43000-122 FICA CONTRIBUTIONS		PUBLIC WORKS
\$4,443.92	\$3,124.25	\$4,800.00	\$5,100.00	E 101-43000-131 HEALTH INSURANCE		PUBLIC WORKS
\$1,330.01	\$1,104.39	\$1,442.00	\$1,468.00	E 101-43000-151 WORKERS COMP PREMIUM		PUBLIC WORKS
\$686.94	\$0.00	\$600.00	\$0.00	E 101-43000-202 PERMENANT SUPPLIES		PUBLIC WORKS
\$3,163.85	\$1,428.69	\$3,000.00	\$3,300.00	E 101-43000-212 MOTOR FUELS		PUBLIC WORKS
\$0.00	\$0.00	\$0.00	\$0.00	E 101-43000-213 LUBRICANTS & OTHER FLUIDS		PUBLIC WORKS
\$54.51	\$0.00	\$0.00	\$0.00	E 101-43000-225 LANDSCAPING MATERIALS		PUBLIC WORKS
\$0.00	\$129.68	\$0.00	\$0.00	E 101-43000-226 SIGNS		PUBLIC WORKS
\$0.00	\$0.00	\$0.00	\$0.00	E 101-43000-227 TOOLS & EQUIPMENT		PUBLIC WORKS
\$2,687.62	\$417.11	\$2,000.00	\$2,000.00	E 101-43000-228 MISC REPAIRS MAINT SUPPLIES		PUBLIC WORKS
\$0.00	\$0.00	\$1,000.00	\$1,000.00	E 101-43000-304 ENGINEERING		PUBLIC WORKS
\$0.00	\$0.00	\$400.00	\$400.00	E 101-43000-308 TRAINING\CONFERENCES		PUBLIC WORKS
\$7,411.12	\$10,944.61	\$15,000.00	\$15,000.00	E 101-43000-313 SNOW & ICE REMOVAL		PUBLIC WORKS
\$3,927.48	\$1,390.00	\$5,000.00	\$0.00	E 101-43000-314 STREET SWEEPING		PUBLIC WORKS
\$1,874.69	\$13,701.30	\$8,000.00	\$8,000.00	E 101-43000-317 TREE SERVICE		PUBLIC WORKS
\$1,620.00	\$0.00	\$0.00	\$0.00	E 101-43000-324 ALLEY REPAIR		PUBLIC WORKS
\$1,079.41	\$525.49	\$1,500.00	\$1,100.00	E 101-43000-327 OTHER SERV- SEWER/NPDES II P		PUBLIC WORKS
\$0.00	\$0.00	\$0.00	\$0.00	E 101-43000-328 STREET REPAIR		PUBLIC WORKS
\$0.00	\$0.00	\$0.00	\$0.00	E 101-43000-362 PROPERTY INSURANCE		PUBLIC WORKS
\$0.00	\$0.00	\$0.00	\$0.00	E 101-43000-363 AUTOMOTIVE INSURANCE		PUBLIC WORKS
\$6,828.98	\$4,454.74	\$6,500.00	\$7,000.00	E 101-43000-380 STREET LIGHT UTILITY		PUBLIC WORKS
\$2,743.27	\$1,669.72	\$3,200.00	\$3,200.00	E 101-43000-381 ELECTRIC		PUBLIC WORKS

2012 Amt	2013 YTD Amt	2013 Budget	2014 Budget	Account Descr	UnderLine	DEPT Descr
\$137.24	\$73.10	\$100.00	\$150.00	E 101-43000-382 WATER		PUBLIC WORKS
\$2,213.87	\$1,819.05	\$3,000.00	\$2,700.00	E 101-43000-383 GAS UTILITIES		PUBLIC WORKS
\$2,598.89	\$1,975.97	\$3,000.00	\$3,000.00	E 101-43000-384 REFUSE DISPOSAL		PUBLIC WORKS
\$502.04	\$343.00	\$500.00	\$500.00	E 101-43000-391 TELEPHONE/PAGERS		PUBLIC WORKS
\$857.54	\$1,573.95	\$3,000.00	\$2,000.00	E 101-43000-402 CITY TRUCK REPAIR/MAINTENA		PUBLIC WORKS
\$0.00	\$0.00	\$0.00	\$0.00	E 101-43000-426 MACHINERY RENTAL		PUBLIC WORKS
\$146.43	\$39.31	\$0.00	\$0.00	E 101-43000-442 MISC		PUBLIC WORKS
\$0.00	\$0.00	\$0.00	\$0.00	E 101-43000-510 LAND		PUBLIC WORKS
\$0.00	\$0.00	\$0.00	\$0.00	E 101-43000-530 FURNITURE & EQUIPMENT		PUBLIC WORKS
\$32,566.66	\$22,543.54	\$33,680.00	\$34,661.00	E 101-43400-101 FULL TIME EMPLOYEES REGULAR		PLANNING, ZONIN
\$0.00	\$1,316.25	\$0.00	\$0.00	E 101-43400-104 TEMP EMPLOYEES		PLANNING, ZONIN
\$2,361.21	\$1,634.49	\$2,442.00	\$2,513.00	E 101-43400-121 PERA CONTRIBUTIONS		PLANNING, ZONIN
\$2,699.16	\$1,974.19	\$2,576.00	\$2,652.00	E 101-43400-122 FICA CONTRIBUTIONS		PLANNING, ZONIN
\$0.00	\$0.00	\$0.00	\$0.00	E 101-43400-126 ICMA RETIREMENT		PLANNING, ZONIN
\$4,493.24	\$3,497.79	\$5,400.00	\$5,738.00	E 101-43400-131 HEALTH INSURANCE		PLANNING, ZONIN
\$0.00	\$0.00	\$0.00	\$0.00	E 101-43400-133 LIFE INSURANCE		PLANNING, ZONIN
\$1,224.07	\$1,024.86	\$1,338.00	\$1,367.00	E 101-43400-151 WORKERS COMP PREMIUM		PLANNING, ZONIN
\$0.00	\$0.00	\$0.00	\$0.00	E 101-43400-201 GENERAL SUPPLIES		PLANNING, ZONIN
\$0.00	\$0.00	\$0.00	\$0.00	E 101-43400-202 PERMENANT SUPPLIES		PLANNING, ZONIN
\$264.65	\$184.00	\$300.00	\$300.00	E 101-43400-203 POSTAGE		PLANNING, ZONIN
\$0.00	\$1,981.00	\$5,000.00	\$0.00	E 101-43400-306 CONSULTING FEES		PLANNING, ZONIN
\$750.00	\$0.00	\$500.00	\$500.00	E 101-43400-308 TRAINING\CONFERENCES		PLANNING, ZONIN
\$0.00	\$0.00	\$0.00	\$0.00	E 101-43400-310 PLUMBING INSPECTOR		PLANNING, ZONIN
\$0.00	\$0.00	\$0.00	\$0.00	E 101-43400-311 HEATING INSPECTOR		PLANNING, ZONIN
\$450.28	\$0.00	\$1,000.00	\$1,000.00	E 101-43400-312 BUILDING INSPECTOR		PLANNING, ZONIN
\$0.00	\$0.00	\$0.00	\$0.00	E 101-43400-327 OTHER SERV- SEWER/NPDES II P		PLANNING, ZONIN
\$0.00	\$0.00	\$0.00	\$0.00	E 101-43400-331 TRAVEL EXPENSE		PLANNING, ZONIN
\$33.25	\$0.00	\$0.00	\$0.00	E 101-43400-355 MISC PRINTING/PROCESS SERVI		PLANNING, ZONIN
\$477.60	\$290.35	\$600.00	\$500.00	E 101-43400-386 GOPHER STATE ONE CALL		PLANNING, ZONIN
\$0.00	\$0.00	\$0.00	\$0.00	E 101-43400-388 SAC UNIT CHARGES PAID TO MC		PLANNING, ZONIN
\$0.00	\$0.00	\$0.00	\$0.00	E 101-43400-437 SALES TAX		PLANNING, ZONIN
\$409.01	\$0.00	\$200.00	\$200.00	E 101-43400-442 MISC		PLANNING, ZONIN
\$542.55	\$358.53	\$500.00	\$500.00	E 101-43400-443 SURCHARGE REPORT		PLANNING, ZONIN
\$38,969.94	\$26,910.08	\$45,985.00	\$40,991.00	E 101-45200-101 FULL TIME EMPLOYEES REGULAR		PARK MAINTENAN
\$0.00	\$0.00	\$0.00	\$0.00	E 101-45200-103 PART TIME EMPLOYEES		PARK MAINTENAN
\$2,691.00	\$5,242.50	\$6,000.00	\$6,000.00	E 101-45200-104 TEMP EMPLOYEES		PARK MAINTENAN
\$2,825.49	\$1,940.49	\$2,899.00	\$2,972.00	E 101-45200-121 PERA CONTRIBUTIONS		PARK MAINTENAN
\$3,356.30	\$2,567.95	\$3,518.00	\$3,595.00	E 101-45200-122 FICA CONTRIBUTIONS		PARK MAINTENAN
\$5,597.81	\$4,163.62	\$6,960.00	\$7,395.00	E 101-45200-131 HEALTH INSURANCE		PARK MAINTENAN
\$0.00	\$0.00	\$0.00	\$0.00	E 101-45200-133 LIFE INSURANCE		PARK MAINTENAN

2012	2013	2013	2014	Budget	Account Descr	UnderLine	DEPT Descr
Amnt	YTD Amt	Budget	Budget				
\$0.00	\$0.00	\$0.00	\$0.00	E 101-45200-142	UNEMPLOYMENT BENEFIT		PARK MAINTENAN
\$1,169.57	\$973.39	\$1,271.00	\$1,293.00	E 101-45200-151	WORKERS COMP PREMIUM		PARK MAINTENAN
\$69.60	\$0.00	\$300.00	\$0.00	E 101-45200-201	GENERAL SUPPLIES		PARK MAINTENAN
\$0.00	\$128.51	\$200.00	\$200.00	E 101-45200-202	PERMANANT SUPPLIES		PARK MAINTENAN
\$0.00	\$0.00	\$0.00	\$0.00	E 101-45200-212	MOTOR FUELS		PARK MAINTENAN
\$0.00	\$0.00	\$0.00	\$0.00	E 101-45200-225	LANDSCAPING MATERIALS		PARK MAINTENAN
\$1,441.40	\$803.73	\$700.00	\$1,000.00	E 101-45200-228	MISC REPAIRS MAINT SUPPLIES		PARK MAINTENAN
\$0.00	\$0.00	\$0.00	\$0.00	E 101-45200-317	TREE SERVICE		PARK MAINTENAN
\$106.87	\$0.00	\$0.00	\$0.00	E 101-45200-327	OTHER SERV- SEWER/NPDES II P		PARK MAINTENAN
\$700.00	\$700.00	\$700.00	\$700.00	E 101-45200-370	PARK & REC EXPENSES		PARK MAINTENAN
\$1,715.00	\$920.00	\$1,500.00	\$2,000.00	E 101-45200-371	NON-RESIDENT REIMBURSEMEN		PARK MAINTENAN
\$418.94	\$328.83	\$500.00	\$500.00	E 101-45200-381	ELECTRIC		PARK MAINTENAN
\$229.99	\$102.04	\$200.00	\$200.00	E 101-45200-382	WATER		PARK MAINTENAN
\$580.38	\$534.69	\$1,000.00	\$1,000.00	E 101-45200-383	GAS UTILITIES		PARK MAINTENAN
\$0.00	\$0.00	\$0.00	\$0.00	E 101-45200-384	REFUSE DISPOSAL		PARK MAINTENAN
\$20.33	\$0.00	\$50.00	\$50.00	E 101-45200-391	TELEPHONE/PAGERS		PARK MAINTENAN
\$0.00	\$0.00	\$1,000.00	\$1,000.00	E 101-45200-403	TRACTOR/MOWER REPAIR/MAIN		PARK MAINTENAN
\$0.00	\$0.00	\$0.00	\$0.00	E 101-45200-412	WARMING HOUSE REPAIR/MAIN		PARK MAINTENAN
\$827.49	\$825.85	\$500.00	\$800.00	E 101-45200-427	PORTA POTTY RENTAL		PARK MAINTENAN
\$0.00	\$0.00	\$0.00	\$0.00	E 101-45200-437	SALES TAX		PARK MAINTENAN
\$16.05	\$0.00	\$300.00	\$0.00	E 101-45200-442	MISC		PARK MAINTENAN
\$0.00	\$0.00	\$0.00	\$0.00	E 101-45200-536	PARK PHONE		PARK MAINTENAN
\$0.00	\$0.00	\$0.00	\$0.00	E 101-45200-540	MACHINERY & EQUIPMENT		PARK MAINTENAN
\$0.00	\$0.00	\$0.00	\$0.00	E 101-45200-550	OTHER IMPROVEMENTS		PARK MAINTENAN
\$0.00	\$0.00	\$0.00	\$0.00	E 101-45300-101	FULL TIME EMPLOYEES REGULAR		CONTINGENCY
\$0.00	\$0.00	\$0.00	\$0.00	E 101-45300-121	PERA CONTRIBUTIONS		CONTINGENCY
\$0.00	\$0.00	\$0.00	\$0.00	E 101-45300-122	FICA CONTRIBUTIONS		CONTINGENCY
\$0.00	\$0.00	\$0.00	\$0.00	E 101-45300-131	HEALTH INSURANCE		CONTINGENCY
\$0.00	\$0.00	\$0.00	\$0.00	E 101-45300-442	MISC		CONTINGENCY
\$0.00	\$0.00	\$20,000.00	\$20,000.00	E 101-45300-444	CONTINGENCY FUNDS		CONTINGENCY
\$0.00	\$0.00	\$0.00	\$0.00	E 101-45300-710	OPERATING TRANSFERS		CONTINGENCY
\$0.00	\$0.00	\$0.00	\$0.00	E 101-45400-710	OPERATING TRANSFERS		TRANSFERS OUT
\$0.00	\$0.00	\$0.00	\$0.00	E 101-45400-721	OPERATING TRANSFER TO 201		TRANSFERS OUT
\$0.00	\$0.00	\$0.00	\$0.00	E 101-45400-731	OPERATING TRANSFER TO 301		TRANSFERS OUT
\$0.00	\$0.00	\$0.00	\$0.00	E 101-45400-732	OPERATING TRANSFER TO 302		TRANSFERS OUT
\$0.00	\$0.00	\$0.00	\$0.00	E 101-45400-733	OPERATING TRANSFER TO 303		TRANSFERS OUT
\$0.00	\$0.00	\$0.00	\$0.00	E 101-45400-734	OPERATING TRANSFER TO 304		TRANSFERS OUT
\$32,006.00	\$0.00	\$6,993.00	\$0.00	E 101-45400-741	OPERATING TRANSFER TO 401		TRANSFERS OUT
\$84,012.00	\$0.00	\$0.00	\$0.00	E 101-45400-742	OPERATING TRANSFER TO 402		TRANSFERS OUT
\$0.00	\$0.00	\$0.00	\$0.00	E 101-45400-743	OPERATING TRANSFER TO 403		TRANSFERS OUT

2012 Amt	2013 YTD Amt	2013 Budget	2014 Budget	Budget Account Descr	UnderLine	DEPT Descr
\$32,006.00	\$0.00	\$0.00	\$0.00	E 101-45400-744 OPERATING TRANSFER TO 404		TRANSFERS OUT
\$0.00	\$0.00	\$0.00	\$0.00	E 101-45400-745 OPERATING TRANSFER TO 405		TRANSFERS OUT
\$0.00	\$0.00	\$0.00	\$0.00	E 101-45400-747 OPERATING TRANSFER TO 407		TRANSFERS OUT
\$0.00	\$0.00	\$0.00	\$38,000.00	E 101-45400-749 OPERATING TRANSFER TO 409		TRANSFERS OUT
\$6,459.75	\$44,930.77	\$24,000.00	\$30,000.00	E 101-48100-306 CONSULTING FEES		DEVELOPMENT
\$0.00	\$0.00	\$0.00	\$0.00	E 101-48100-442 MISC		DEVELOPMENT
\$0.00	\$0.00	\$0.00	\$0.00	E 101-48411-550 OTHER IMPROVEMENTS		LIV COM LTRI
\$0.00	\$0.00	\$0.00	\$0.00	E 101-48412-306 CONSULTING FEES		LARP AVE DVLPMT
\$0.00	\$0.00	\$0.00	\$0.00	E 101-48412-442 MISC		LARP AVE DVLPMT
\$0.00	\$0.00	\$0.00	\$0.00	E 101-48412-550 OTHER IMPROVEMENTS		LARP AVE DVLPMT
\$0.00	\$0.00	\$0.00	\$0.00	E 101-48412-555 LARPENITEUR AVE REDEVELOP		LARP AVE DVLPMT
\$1,231,332.95	\$767,882.15	\$1,187,216.00	\$1,226,906.00			
FUND 201 COMMUNITY EVENTS						
\$17.00	\$0.00	\$0.00	\$0.00	E 201-45600-201 GENERAL SUPPLIES		COMMUNITY EVE
\$0.00	\$0.00	\$100.00	\$0.00	E 201-45600-202 PERMENANT SUPPLIES		COMMUNITY EVE
\$0.00	\$0.00	\$0.00	\$0.00	E 201-45600-327 OTHER SERV- SEWER/NPDES II P		COMMUNITY EVE
\$0.00	\$0.00	\$0.00	\$0.00	E 201-45600-352 PUBLIC INFO NOTICES		COMMUNITY EVE
\$488.05	\$32.82	\$500.00	\$0.00	E 201-45600-368 FUN RUN/WALK		COMMUNITY EVE
\$400.00	\$427.95	\$400.00	\$0.00	E 201-45600-369 MUSIC UNDER THE TREES		COMMUNITY EVE
\$0.00	\$0.00	\$0.00	\$0.00	E 201-45600-372 MUGS		COMMUNITY EVE
\$0.00	\$0.00	\$0.00	\$0.00	E 201-45600-373 T-SHIRTS		COMMUNITY EVE
\$0.00	\$0.00	\$0.00	\$0.00	E 201-45600-374 POP		COMMUNITY EVE
\$0.00	\$0.00	\$250.00	\$0.00	E 201-45600-375 WINTER EVENT		COMMUNITY EVE
\$0.00	\$160.84	\$0.00	\$0.00	E 201-45600-376 GARAGE SALE		COMMUNITY EVE
\$1,257.57	\$979.45	\$1,300.00	\$0.00	E 201-45600-377 DAY IN THE PARK		COMMUNITY EVE
\$126.00	\$126.00	\$150.00	\$0.00	E 201-45600-378 NATIONAL NIGHT OUT		COMMUNITY EVE
\$743.99	\$0.00	\$600.00	\$0.00	E 201-45600-379 HALLOWEEN EVENT		COMMUNITY EVE
\$0.00	\$0.00	\$0.00	\$0.00	E 201-45600-428 MISC RENTAL		COMMUNITY EVE
\$0.00	\$0.00	\$0.00	\$0.00	E 201-45600-430 MISC		COMMUNITY EVE
\$140.00	\$84.00	\$200.00	\$0.00	E 201-45600-440 MEETING EXPENSES		COMMUNITY EVE
\$0.00	\$0.00	\$0.00	\$0.00	E 201-45600-744 OPERATING TRANSFER TO 404		COMMUNITY EVE
\$3,172.61	\$1,811.06	\$3,500.00	\$0.00			
FUND 202 COMMUNICATIONS						
\$16,094.81	\$11,234.12	\$16,784.00	\$0.00	E 202-49500-101 FULL TIME EMPLOYEES REGULAR		CABLE T.V.
\$1,166.88	\$814.41	\$1,217.00	\$0.00	E 202-49500-121 PERA CONTRIBUTIONS		CABLE T.V.
\$1,323.74	\$923.79	\$1,284.00	\$0.00	E 202-49500-122 FICA CONTRIBUTIONS		CABLE T.V.
\$0.00	\$0.00	\$0.00	\$0.00	E 202-49500-126 ICMA RETIREMENT		CABLE T.V.
\$2,250.18	\$1,760.00	\$2,640.00	\$0.00	E 202-49500-131 HEALTH INSURANCE		CABLE T.V.
\$0.00	\$0.00	\$0.00	\$0.00	E 202-49500-133 LIFE INSURANCE		CABLE T.V.

LAUDERDALE COUNCIL ACTION FORM

Action Requested

Consent _____
Public Hearing _____
Discussion X
Action _____
Resolution _____
Work Session _____

Meeting Date September 10, 2013

ITEM NUMBER St. Paul Reg. Water

STAFF INITIAL 

APPROVED BY ADMINISTRATOR _____

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

As we previously discussed, it is the Lauderdale's turn to appoint someone to the St. Paul Regional Water Board. The meetings are the second Tuesday of the month at 5 p.m. at St. Paul City Hall. As that poses a potential conflict with the City Council's meetings, it seemed like the Council was going to likely want to appoint someone else.

There are a couple of ways to make this appointment. More informally, the Council could identify residents or business owners that you think would represent Lauderdale well. I would contact these people and see if any would like to be considered. Alternatively, the Council could open the appointment to the community and see who applies. Staff needs to know the direction the Council would like to go tonight as we start to put together the next newsletter.

OPTIONS:

STAFF RECOMMENDATION:

COUNCIL ACTION:

LAUDERDALE COUNCIL ACTION FORM

Action Requested

Consent _____
Public Hearing _____
Discussion X
Action X
Resolution _____
Closed Session _____

Meeting Date August 27, 2013

ITEM NUMBER Sanitary Sewer Lining

STAFF INITIAL AB

APPROVED BY ADMINISTRATOR _____

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

As we discussed during the last meeting, there a couple of issues in the sewer line that need to be addressed before the lining can be done. Staff and the city engineer have been working out a solution as the contractor doing the lining does not have the expertise or experience to fix the sections in question. After reviewing the options and meeting with affected homeowners along Fulham Street, we think we have a plan.

One section of sewer on Eustis Street (in the roadway) and one section on Fulham (in the Gerbig's backyard) will need to be excavated and a section of sewer replaced (a couple of feet). The entire length of pipe will then be lined. Staff asked the City's usual contractor for this sort of work for a quote. I hope to have this by Tuesday for Council consideration, but I may not. Either way I will provide an update.

OPTIONS:


STAFF RECOMMENDATION:

COUNCIL ACTION:

LAUDERDALE COUNCIL ACTION FORM

Action Requested

Consent _____
 Public Hearing _____
 Discussion _____
 Action _____
 Resolution _____
 Work Session X

Meeting Date September 10, 2013
 ITEM NUMBER Development Policies
 STAFF INITIAL 
 APPROVED BY ADMINISTRATOR _____

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

As you may remember, the Corval Group previously engaged a broker to sell their property. That relationship ended but they appear to be continuing to explore options to find a more suitable space. That coupled with rumblings that Luther Seminary might be selling some of their property in Lauderdale makes it a good time to update the City's TIF Policy and establish a Business Subsidy Policy.

The City's current policy was adopted some time ago, I am not sure when. As TIF laws change frequently, and the Policy was created by a different Council, it makes sense to review it and update it if need be. The policy should reflect the current Council's willingness or unwillingness to use TIF districts for redevelopment.

Inevitably, developers will look to the City for assistance to make a redevelopment project financially feasible. Before that happens, the City should have a Business Subsidy Policy in place regarding how you will handle requests. The Council doesn't want to be in the position of trying to draft a policy and decide what is in the best interest of the City when a development project is moving forward.

I asked the City's financial advisor, Stacie Kvilvang to walk the Council through the process of updating these policies and provide an overview of what to expect if the City receives a request from a developer. To help you in advance of the meeting, I attached the current TIF Policy and a memo from the League. Stacie will be able to address any questions the Council has but I specifically asked her to address the following: what community development tools cities have; why do cities use them; when do cities use them; what are the costs to the community versus the benefits; how do you calculate the costs of these tools versus the long term impact of redevelopment; what strategies are there to striking a deal with the least financial costs and risks; how do developers show a financial need; and what follow up is there to prove that they actually needed financial assistance.

CITY OF LAUDERDALE TAX INCREMENT FINANCING POLICY

GENERAL POLICY

The City of Lauderdale has determined that, in certain instances, tax increment financing may be desirable in order to attract new development, expand employment opportunities, or assist in the redevelopment of blighted areas. The City will consider using tax increment financing to assist development under the guidelines set forth below, but reserves the right to approve or disapprove projects on a case by case basis, taking into consideration, among other things, the following factors:

1. The proposed project shall be compatible with the overall development plans and objectives of the City. The Lauderdale Comprehensive Plan will be a guide to gauge compatibility.
2. The project shall be of a nature that the City wishes to attract, or an existing business the city wishes to expand within the City considering potential for employment, incentive for further development, increased tax base, impact on city service needs and support for industrial, commercial or housing currently located within the City, or shall be in an area that the City wishes to redevelop.
3. An application for tax increment financing will not be considered by the City Council until preliminary findings have been made with respect to zoning, building plans, platting, streets, and utility services.
4. The proposed facility, or expansion of an existing facility, shall provide a significant, demonstrable benefit to the City. Applicant should define their project's impacts on employment and tax base within the City.
5. The project must not put a burden on existing City services or utilities beyond which can be reasonably and economically accommodated.
6. A request for tax increment financing shall demonstrate that alternative financing is not available and that the project will meet all statutory tests.
7. The City will generally only consider "pay-as-you-go" tax increment assistance. The City will consider upfront tax increment assistance grants only upon a showing of special circumstances and only when the city's financial risks can be adequately reduced.
8. The City shall always retain absolute discretion with regard to offering tax increment financing in every instance.

PROCEDURES

- (A) Applicant shall make an application for financing on the attached application form. The completed application is to be returned to the City Administrator, together with a non-refundable application fee of \$5,000. The City will refund the fee upon the issuance of tax increment bonds or will increase the pay-as-you-go assistance to reimburse the developer for the deposit. If a deal is not consummated, the City will also return any unused portion of the deposit to the developer
- (B) The applicant shall furnish along with the application, a description of the project, plat plan, rendering of the proposed building, a brief description of the applicant and any other relevant information requested by the City.
- (C) Upon receipt of the application, the City Administrator and/or Planner, Financial Consultant, Attorney, and Engineer perform a preliminary review of the proposed project for consistency with established priorities, and planning, financial and engineering objectives. Upon completion of the review, a result of the analysis and review will be submitted to the City Council.
- (D) The City Council will determine the acceptability of the proposal. If approved, the application is returned to the City Administrator for continued processing.
- (E) The City will draft and prepare a tax increment financing project plan and development and/or assessment agreement for the project. The City will also draft necessary notices, resolutions, and certificates.
- (F) The applicant must enter into a development agreement prior to the commitment of tax increment financing assistance, in form and substance satisfactory to the City.
- (G) The applicant must enter into an assessment agreement setting forth a minimum market value for the project after its completion.
- (H) The City reserves the right to determine the duration of any financial assistance offered and the project costs for which it will allow tax increment financing to be used. It is the City's intent to minimize the length of any tax increment financing district and restrict the use of tax increments to pay eligible project costs.

- (I) The City Council reserves the right to deny any application for financing at any stage of the proceedings prior to its execution of the Development Agreement.

- (J) The City is to be reimbursed, and held harmless, by the applicant for and from any out-of-pocket costs related to the actual or proposed tax increment financing or the proposed issuance of bonds.

- (K) All applications and supporting materials and documents shall remain the property of the City and all such materials may be subject to disclosure and/or public review under applicable provisions of State Law.

APPLICATION FOR TAX INCREMENT ASSISTANCE

I. APPLICANT

- (A) Business name, address, telephone number:

- (B) Business Form (corporation, partnership, sole proprietorship, etc.) state of incorporation, or organization and date of formation:

- (C) Brief description of nature of business, principal products, etc.:

- (D) If project is to be leased, list prospective lessees, nature of lessee's business, and principal products, etc.:

- (E) If applicant is corporation, state officers, directors, stockholders holding more than 5% of stock of corporation (state name, address and relationship to applicant): [If corporation is not formed, set forth as much as possible concerning potential officers, directors, and stockholders.]

- (F) If applicant is general partnership, state general partners and if limited partnership, state general partners and limited partners with more than 5% interest in the limited partnership: [If partnership is not formed, set forth as much as possible concerning potential partners.]

- (G) Name, address, and telephone number of applicant's legal counsel and accountant:

II. PROJECT

- (A) Location (state street address and attach the legal description of project site):

- (B) Present ownership of project site. If project site is not presently owned by applicant, describe arrangements by which the applicant intends to acquire or use the site:

- (C) Describe Project – If project is a building or addition to building, specify number of stories, square footage, related parking facilities, etc. If project includes equipment, describe equipment. If mixed land use, describe project's physical dimensions by type of land use. (Attach site plan and building elevations, if available.)

- (D) Zoning:
 - (1) What is the zoning status of the project site ?

 - (2) Is the zoning status appropriate for the intended use ?

 - (3) Will rezoning, zoning variance, conditional use permit, or any other zoning related permit be sought in connection with the project ?

 - (4) Is the property properly subdivided for the intended use ?

 - (5) If the applicant is proposing Planned Unit Development (PUD) status, additional information is required. See Lauderdale City Zoning Ordinance.

(E) Estimated Project Related Costs:

- | | | |
|------|--------------------------------|----------|
| (1) | Land acquisition | \$ _____ |
| (2) | Site development | \$ _____ |
| (3) | Building cost | \$ _____ |
| (4) | Equipment | \$ _____ |
| (5) | Architectural/Engineering Fees | \$ _____ |
| (6) | Legal Fees | \$ _____ |
| (7) | Other Consulting Fees | \$ _____ |
| (8) | Off-site development costs | \$ _____ |
| (9) | Contingencies | \$ _____ |
| (10) | Other (please specify) | \$ _____ |
| | TOTAL | \$ _____ |

(F) Total Estimated Market Value at Completion \$ _____

(G) Source of Financing:

- | | | |
|-----|--------------------------------------|----------|
| (1) | Industrial Revenue Bonds | \$ _____ |
| (2) | Tax Increment Assistance | \$ _____ |
| (3) | Developer Equity | \$ _____ |
| (4) | Bank loan or other private financing | \$ _____ |
| (5) | Other (please specify) | \$ _____ |

- (H) Will project be occupied by applicant after completion ? If not, state name of future lessees, and the status of commitments or lease agreements:
- (I) Name and addresses of architect, engineer, and general contractor for the project:
- (J) Current real estate taxes assessed on project site, and estimated real estate taxes on project site upon completion of the project:
- (K) Project construction schedule:
- (1) Construction start date _____
- (2) Construction completion date _____
- (3) If phased project _____ Year _____ % Complete
 _____ Year _____ % Complete

III. TAX INCREMENT FINANCING ASSISTANCE REQUEST

- (A) Describe amount and type of project expenses for which tax increment financing assistance is being requested:
- (B) Is the applicant requesting upfront assistance or pay-as-you-go ? If applicant is requesting upfront assistance, attach 3 years audited financial statements or the equivalent financial information.
- (C) Estimated number of new jobs: _____

IV. MISCELLANEOUS

- (A) Detail the status of any previous or current requests which applicant, its principals or affiliates have ever made to the City or to other municipalities for tax increment financing :

- (B) If tax increment financing assistance has been provided for applicant by other municipalities, list type of project, total project costs, and any related bond information, where applicable:

- (C) Have principals of the company or any affiliated entities with which they have been associated ever been in bankruptcy ? If yes, describe circumstances:

- (D) Has applicant ever defaulted on any bond or mortgage commitment ?

- (E) Will any public official of the City, either directly or indirectly, benefit by the issuance of the City's tax increment revenue bonds for this project within the meaning of Minnesota Statutes, Sections 412.311 or 471.87 ? If so, please specify:

The undersigned hereby affirms that all information provided to the City of Lauderdale (the "City") relative to the application form tax increment financing assistance ("TIF") is true, correct and complete to the best of the undersigned's knowledge. The undersigned acknowledges that false information or material omissions on the application or any supporting documents may disqualify the applicant from further consideration from TIF. The undersigned hereby authorizes the City to investigate all statements and representations made by the applicant and grants permission for the City to inquire of all financial institutions, partnerships, credit rating agencies and other sources of information cited by the applicant, as may be deemed necessary by the City. The undersigned hereby authorizes release to the City of personal, financial, or business records held by sources cited by the applicant herein.

The applicant acknowledges that the information provided by the undersigned in connection with this application is governed by the Minnesota government data practices act and may include data which are considered under that statute. The information supplied by the applicant may be used or reviewed by city staff, consultants, members of the city council, or other advisory bodies and may be available or discussed at public meetings. Private data collected by the City will be used to determine the need for and the amount of TIF offered by the City to the applicant. The applicant is not legally required to supply the requested information, but failure to do so may result in the City refusing to grant TIF to the applicant. The undersigned, hereby authorizes the City to use the data as it deems appropriate in order to determine the advisability of granting tax increment assistance and hereby releases the City from all liability for damages that may arise from the City's use of private or other data submitted in connection with this application.

Dated: _____ Applicant: _____

By: _____

Its: _____

The City reserves the right to require additional information and supporting data from the applicant after the filing of this Application.

The applicant is required to correct and update this application on a continuing basis, as new information becomes available.

Part IV
REGULATORY AND DEVELOPMENT FUNCTIONS OF CITIES

**CHAPTER 15: COMMUNITY DEVELOPMENT AND
REDEVELOPMENT**

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Chapter 15

Community development and redevelopment

This chapter describes the requirements for a city to establish criteria for awarding business subsidies, addresses the various development agencies cities may create, and provides a brief overview of state and federally sponsored programs for encouraging development and redevelopment. Most economic development tools can be applied to any size city. These tools are interrelated, and a city may use several for one project.

I. Business subsidies or financial assistance

A. Business subsidies

Minn. Stat. §§ 116J.993 to 116J.995.

Minn. Stat. § 116J.993, subd. 3.

State law defines “business subsidy” or “subsidy.” It is a state or local government agency grant, contribution of personal property, real property, infrastructure, or the principal amount of a loan at rates below those commercially available to the recipient. In addition, a business subsidy is any reduction or deferral of any tax or any fee, any guarantee of any payment under any loan, lease, or other obligation, or any preferential use of government facilities given to a business in an amount greater than \$150,000.

Minn. Stat. § 116J.994, subds. 5, 11.

Minnesota Department of Employment and Economic Development (DEED).

Prior to awarding a business subsidy of more than \$150,000 (and as defined by law) to any business, a city and any Housing and Redevelopment Authority (HRA), Economic Development Authority (EDA), port authority, and nonprofit created by a local government must hold a public hearing and adopt criteria for awarding business subsidies. The public hearing notice must include a statement that either a resident or a city property owner may file a written complaint with the city if the city does not follow the business subsidy law. Written complaints must be filed within specified timelines. The criteria must include a policy regarding the wages to be paid for any jobs created. Copies of the criteria adopted by cities are found on the Minnesota Department of Employment and Economic Development (DEED) web site.

Minn. Stat. § 116J.994, subd. 3.

Once the criteria are established, the grantor and the recipient must enter into subsidy agreements that meet the statutory requirements. The agreement must include an obligation to repay part or the entire subsidy if the recipient does not meet its obligations.

- Minn. Stat. § 116J.993, subd. 3.
Minn. Stat. § 469.185. Types of assistance meeting the definition of a business subsidy include: grants; contributions of real or personal property or infrastructure; the principal amount of a loan at rates below those commercially available to the recipient; any reduction or deferral of any tax or any fee; any guarantee of any payment under any loan, lease or other obligation; or any preferential use of government facilities given to a business.
- Minn. Stat. § 116J.994, subd. 11. The law imposes a 180-day statute of limitations on actions to challenge a city after approval of a business subsidy agreement. Citizens or owners of taxable property in a city may bring a civil action against the city for failure to comply with the business subsidy laws. Cities should therefore consult closely with the city attorney before awarding a business subsidy.
- Minn. Stat. § 116J.993, subd. 3. There are several exceptions to this definition, including a subsidy of less than \$150,000; subsidies for redevelopment, pollution control and land clean up, housing, industrial revenue bonds, utility property tax abatements and other similar programs.
- Minn. Stat. § 116J.994, subds. 4, 7, 8. Recipients must provide grantors with information on their progress toward the goals outlined in the agreement. The goals for increasing jobs or retaining jobs must result in local job creation and job retention. Grantors must submit the annual Minnesota Business Assistance Form (MBAF) to the Department of Employment and Economic Development (DEED) by April 1 each year for each business subsidy agreement. Local government agencies in cities with a population of 2,500 or more must submit an MBAF, regardless of whether they have awarded business subsidies. Local government agencies in cities with a population of 2,500 or less are exempt from filing the MBAF if they have not awarded a subsidy in the past five years.

B. Financial assistance

- Minn. Stat. § 116J.994, subd. 2.
Minn. Stat. § 116J.994, subd. 8. Cities may offer “financial assistance” in the form of a business loan of more than \$25,000 or a guarantee of \$75,000 or more, but less than \$150,000 required to constitute a business subsidy. If a city offers such financial assistance it must develop criteria and set minimum wage floor levels as prescribed in business subsidy law. Cities granting such financial assistance must submit business assistance reports to the Department of Employment and Economic Development (DEED) within one year of granting the assistance.

II. City development tools

A. General city development powers

- Minn. Stat. § 469.041. Cities have authority to aid and cooperate in the planning, construction, or operation of economic development, and housing and redevelopment projects. The following is a partial list of actions cities may take, with or without compensation:

- Dedicate, sell, convey, or lease any of its interests in any property or grant easements, licenses, or any other rights or privileges to an HRA.
- Furnish parks, playgrounds, recreational, community education, water, sewer, and drainage facilities or other works adjacent to or in connection with housing and redevelopment projects.

Minn. Stat. § 469.192.

A statutory city, home rule charter city, economic development authority, housing and redevelopment authority, or port authority may make a loan to a business, a for-profit or nonprofit organization, or an individual for any purpose the entity is otherwise authorized to carry out under any of the laws cited.

Judd Supply Co. v. Merchants & Mfgs. Ins. Co., 448 N.W.2d 895 (Minn. Ct. App. 1989).

Private development projects that receive public financial or other assistance will not necessarily become public projects that trigger competitive bidding or other state laws applicable to public works.

B. Housing and redevelopment authorities

The predominant method of delivering and administering housing and redevelopment programs in Minnesota is through a legal public agency, accountable to city government. A city may establish this public agency, which is often the HRA. There are more than 230 HRAs in Minnesota.

1. Elements of an HRA

Minn. Stat. §§ 469.001 to 469.047.

Minn. Stat. § 469.003.

An HRA is a public corporation with power to undertake certain types of housing and redevelopment or renewal activities. While state legislation conveys authority for housing and redevelopment in each city, it is up to the city council to formally establish an HRA before it can do business and use its powers. Once a council legally establishes an HRA, it may undertake certain types of planning and community development activities on its own with council approval.

Minn. Stat. § 469.003, subd. 1.

To create a housing and redevelopment authority, the city council must, by resolution, make the following findings required by law:

- Substandard, slum or blighted areas that cannot be redeveloped without governmental assistance; or
- A shortage of affordable, decent, safe, and sanitary dwelling accommodations available to low-income individuals and families.

Minn. Stat. § 469.003, subds. 2, 4.

The council must pass this resolution after a public hearing. A copy of this resolution must go to the commissioner of DEED.

2. Area of operation for an HRA

Minn. Stat. § 469.004, subds. 1, 2.

The area of operation of a city HRA is the corporate limits of the city. County and multi-county HRAs operate in areas that include all the political subdivisions within the county or counties, except they may not undertake any project within the boundaries of a city that has not adopted a resolution authorizing the county or multi-county HRA to exercise powers within that city.

Minn. Stat. § 469.004, subd. 5.

Establishment of a county or multi-county HRA precludes the formation of city HRAs, unless the county or multi-county HRA and the commissioner of DEED agree to let the city form one.

3. HRA membership

Minn. Stat. § 469.003, subd. 5, 6.

An HRA consists of up to seven commissioners who are residents of the city. The mayor appoints and the council approves the members who serve five-year, staggered terms. City councilmembers often serve on the HRA. The entire membership of an HRA may consist of councilmembers.

24 C.F.R. 964.415.

Federal regulations require that at least one eligible resident be a member of a public housing agency board, which may be the HRA, an EDA or other public housing authority (PHA). This rule applies to any public housing agency that holds a public housing annual contributions contract with HUD or that administers Section 8 tenant-based rental assistance. The rule does not apply to state-financed public housing projects or Section 8 project-based assistance. A “small PHA exception” also exists.

Minn. Stat. § 469.003, subd. 7.

The city clerk must file a certificate of appointment for each commissioner of a city HRA and send a certified copy to the commissioner of DEED.

Minn. Stat. § 469.011, subd. 2.
Minn. Stat. § 469.011, subd. 4.

State law allows the HRA to adopt bylaws. Commissioners may accept compensation of up to \$75 for each meeting they attend. Commissioners who are elected officials may receive daily payment for a particular day only if they do not receive any other daily payment for public service on that day. Commissioners who are public employees may not receive daily payment, but may not suffer loss in compensation or benefits as a result of their service.

4. HRA powers

Minn. Stat. § 469.012, subd. 1.

An HRA is primarily responsible for the planning and implementation of redevelopment and/or low-rent housing assistance programs within its area of operation. An HRA has all the powers necessary to carry out the state HRA Act, including but not limited to the following powers:

- To sue and be sued.
- To employ staff and an executive director.

- To undertake projects within its area of operation and to provide for the construction, reconstruction, improvement, extension, alteration, or repair of any project or part of a project.
- To sell, buy, own, and lease property by any means necessary, including the power of eminent domain.
- To cooperate with and use state and federal financial assistance programs.
- To develop rehabilitation and code enforcement techniques.
- To issue bonds for any of its corporate purposes backed by the pledge of revenues, grants or other contributions.
- To implement renewal or redevelopment programs using tax increment financing.
- To own, hold, improve, lease, sell or dispose of real or personal property.
- To designate substandard, slum or deteriorating areas needing redevelopment, and unsafe, unsanitary, and overcrowded housing.
- To make necessary expenditures to carry out the purposes of the HRA law.
- To develop and administer an interest reduction program to assist the financing of the construction, rehabilitation, or purchase of low- or moderate-income housing.

5. HRA special assessment and levy authority

Minn. Stat. § 469.001 – 469.047.

Minn. Stat. § 469.033, subd. 6.

Minn. Stat. § 275.70 to 275.74.

Minn. Stat. § 275.066.

HRA power to levy and collect taxes or special assessments is limited to the power provided in state law. Subject to a resolution of consent from the city council an HRA may levy a tax upon all taxable property within the city. (The council may give a consent that covers a series of years if they so choose or council may pass a resolution authorizing an HRA levy for a set amount of time, for example, the entire term of the bonds secured in part by an HRA levy and in part by a city levy.) State law recognizes the distinct nature of HRAs and designates them as “special taxing districts.” The maximum general allowable operational levy of HRAs is 0.0185 percent of the previous year’s taxable market value of all property in the city. The city’s total taxable market value is available from the county assessor. An HRA raises its own levy because it is a separate political subdivision and not a “local governmental unit.” Therefore, an HRA levy is not subject to levy limits but is subject to the 0.0185 percent market value limit. Levies collected by an HRA must be used only for purposes listed in the HRA Act.

Minn. Stat. § 469.107.

Minn. Stat. § 275.066.

There is crossover between HRA and EDA levies that can be confusing. Typically, EDAs are not authorized to levy taxes under state law. However, many city EDA-enabling resolutions adopt all the powers of an HRA, and then the EDA functions as a special taxing district under state law. If the enabling resolution so allows, the EDA levies a separate tax or “HRA levy” not subject to levy limits or city debt limits—but again subject to the 0.0185 percent of total city market value limit in state law. The city attorney may verify the structure and levy authority of each city’s HRA and/or EDA.

Minn. Stat. § 469.012, subd. 4.
Minn. Stat. § 469.028.

While HRAs have the legal authority to “do whatever is necessary and convenient” to implement redevelopment, they are subject to the ordinances and laws of the city. The city council must approve HRA plans before the housing and redevelopment authority may begin implementation.

6. HRA contracting

Minn. Stat. § 469.015.
Minn. Stat. § 469.015, subd. 1a.

All HRA construction work and purchases of equipment, supplies or materials that involve expenditure of more than \$100,000 must be competitively bid. An HRA (and a city) may also use the “best value alternative.” There are limited exceptions to these requirements for emergencies and certain projects, such as parking ramps and certain public transit facilities.

7. HRA financing

Minn. Stat. § 469.033.
Minn. Stat. § 469.034.

Operating funds, capital improvements, and debt retirement expenses for HRA projects may be financed by any one, or combination of, the following methods:

- Federal grants.
- Revenue bonds the HRA or local governing body sells.
- General obligation bonds the local governing body sells.
- Tax increments from redevelopment projects.
- A limited mill levy for redevelopment projects and planning activities.
- A limited mill levy for informational and relocation services.

Minn. Stat. § 469.034, subd. 1.

When an HRA issues bonds, the revenue generated must be used for the projects financed, or bond costs must be paid from income generated by designated projects. The law states that the principal and interest on bonds are payable exclusively from the income and revenues of the project financed with the proceeds of the bonds, or exclusively from the income and revenues of certain designated projects, whether or not they are financed in whole or in part with the proceeds of the bonds.

8. HRA certifications to state

The following documents relating to the establishment and activities of local HRAs must go to the DEED commissioner:

Minn. Stat. § 469.003, subds. 4,
6.
Minn. Stat. § 469.003, subd. 7.

- Resolution of need.
- Certificates of appointment or reappointment of HRA commissioners.
- Project reports.
- Applications for federal assistance.
- Contracts with federal agencies.
- Redevelopment plans.
- Low rent public housing project and management plans.

Minn. Stat. § 469.013.

In addition, annual financial reports must go to the state auditor.

9. HRA federal certification

In order for a local HRA to use federal Department of Housing and Urban Development (HUD) assistance programs, it must submit a transcript of organizational documents to the HUD area office.

C. Economic development authorities

Minn. Stat. §§ 469.090 to 469.1082.

Minn. Stat. § 469.1082, subd. 5.

Minnesota Department of Employment and Economic Development: The Economic Development Authorities Handbook.

All cities and townships have authority from the state Legislature to create economic development authorities. The city may consolidate the economic development authority (EDA) with an existing HRA or the city may grant the authority HRA powers. The city council may create an EDA by passing an enabling resolution. Before adopting the enabling resolution, the city must first conduct a public hearing. The enabling resolution establishes a board of commissioners for the EDA. The city council can choose to serve as the EDA board of commissioners or create a board composed of community members. The mayor, with approval of the council, appoints the commissioners. The board may consist of three, five or seven members who serve six-year terms. The board is subject to the open meeting law.

1. EDA levies

Minn. Stat. § 275.70.

Minn. Stat. § 275.066.

The typical EDA levy is different from the HRA levy discussed above. It is not a levy raised by the EDA—it is a levy set by a city at the request of the EDA. Basically, the city simply appropriates part of the money the city collects in the general city levy to the EDA. Because the EDA levy is part of the city levy, it is not a “special levy” under state law and thus the EDA levy is subject to the city’s overall levy limit. However, as noted above, many EDA-enabling resolutions adopt all the powers of an HRA. If so, the EDA may levy a separate tax or “HRA levy,” and then the EDA functions as a special taxing district as if it were an HRA and that levy is not subject to levy limits or to city debt limits. An EDA using the levy powers of an HRA is still limited to a levy no more than 0.0185 percent of the total taxable market value in the city.

2. EDA loans

Minn. Stat. § 469.192.

Minn. Stat. §§ 469.090 to 469.1082.

Minn. Stat. § 469.098.

An EDA is authorized to make a loan to a business, a for-profit or nonprofit organization, or an individual. Before taking an action or making a decision which could substantially affect an EDA commissioner's or an employee's financial interests or those of an organization with which the commissioner or an employee is associated, a commissioner or employee of an authority must comply with specific requirements to disclose the conflict and obtain prior approval. Failure to do so may result in criminal charges.

Loans must be for a purpose the EDA is authorized to carry out under the law. An authorized purpose must deal with or contribute to economic or industrial development. EDAs have the ability to use pooled bond reserving. In most development programs, each bond issue is independent of any other bond issue with a separate service or sinking fund account. EDAs, however, may create a single common bond reserve fund. Under this arrangement, each project's revenues go into a common fund, which in turn pays the bondholders on all projects.

Through this pooling mechanism, the security of each project's bond increases and borrowing costs decrease as long as the pool has the necessary volume and diversity of cash flow.

3. Other EDA powers

Minn. Stat. § 469.101, subds 1, 2.

Minn. Stat. § 469.101, subd. 1.
Minn. Stat. § 469.102.

EDAs can acquire property and facilities but cannot issue debt without an election. The city must authorize the issuance of debt in the resolution creating the EDA. In addition, EDAs can create economic development districts but the districts must be contiguous. Current law eliminates the requirements that economic development districts established by EDAs meet the "blight test" under tax increment financing law for redevelopment districts. EDAs may exercise powers under the housing and redevelopment authority (HRA) law (if a particular EDA enabling resolution includes HRA power) to create a redevelopment project, housing development, or housing project under which a restrictive blight test does not apply. These projects can be used for similar purposes to those of an economic development district under the EDA law.

D. Port authorities

Minn. Stat. §§ 469.048- 469.068.
Minn. Stat. § 469.053.

The state Legislature authorizes city creation of port authorities. A port authority is a separate political entity with the right to sue and be sued in its own name and is generally organized to increase commerce in a city. Unlike EDAs and HRAs, a port authority may issue general obligation bonds without holding an election.

Minn. Stat. § 469.050.
Minn. Stat. § 469.051.

Cities establish a port authority by passing an enabling resolution. It may have from three to seven commissioners (two of whom must be on the city council) appointed by the mayor and approved by the city council, unless a different number or procedure is set out in the enabling law. State law governs commissioner pay, vacancies, duties, and port authority by-laws.

Minn. Stat. § 469.051, subd. 2.

A port authority shall annually elect a president or chair, vice-president or vice-chair, treasurer, secretary, and assistant treasurer. A commissioner may not serve as president or chair and vice-president or vice-chair at the same time. The other offices may be held by one commissioner. The offices of secretary and assistant treasurer need not be held by a commissioner.

The treasurer of a port authority must be bonded to faithfully perform these duties:

- Receive and be responsible for port authority money.
- Be responsible for the acts of the assistant treasurer, if appointed.
- Disburse port authority money by check or electronic procedures.
- Keep an account of the source of all receipts, and the nature, purpose, and authority of all disbursements.
- File the authority's detailed financial statement with its secretary at least once a year at times set by the authority.

Minn. Stat. § 469.051, subd. 9.

The port authority's annual detailed financial statement must show all receipts and disbursements, their nature, the money on hand, the purposes to which the money on hand is to be applied, the authority's credits and assets, and its outstanding liabilities. The authority must examine the statement together with the treasurer's vouchers. If the authority finds the statement and vouchers correct, it shall approve them by resolution and record the resolution.

Minn. Stat. §§ 469.048–469.068.

State law governs many other aspects of port authorities, including but not limited to use of city property by a port authority, employees, contracts, and audits. The city attorney also acts as the port authority's attorney.

E. Municipal or area redevelopment agencies

Minn. Stat. §§ 469.109 to 469.123.

Any rural municipality or group of municipalities may establish a public body, known as a municipal or area redevelopment agency, in and for the area the municipality covers. This law defines municipalities as home rule charter or statutory cities, counties, towns or school districts.

Minn. Stat. § 469.110, subd. 11.
Minn. Stat. § 469.111.

The law includes only rural areas, which generally means all areas that are not within the boundary of any city having a population of 50,000 or more, and not immediately adjacent to urbanized and urbanizing areas with a population density of more than 100 persons per square mile—or areas with an unemployment rate of 6 percent or more. The restrictions limit applicability of the law to rural areas and to the Iron Range.

Minn. Stat. § 469.111.
Minn. Stat. § 469.115.

The establishment of the municipal or area redevelopment agency is similar to the establishment of an HRA. A municipal or area redevelopment agency has similar powers to an HRA.

F. City development districts

Minn. Stat. §§ 469.124 to 469.134.

Any home rule charter or statutory city may designate development districts within the boundaries of the city. Within these districts, cities may:

- Adopt a development program to acquire, construct, reconstruct, improve, alter, extend, operate, maintain or promote developments aimed at improving the physical facilities, quality of life, and quality of transportation.
- Promote pedestrian skyway systems.

- Install special lighting systems, street signs and street furniture, landscaping of streets and public property, and snow removal systems.

Minn. Stat. § 469.127.

The law encourages pedestrian skyway systems, underground pedestrian concourses, people-mover systems, and publicly owned parking structures. It exempts these structures from taxation even when they are attached to privately owned buildings.

G. City industrial development

Minn. Stat. §§ 469.152 to 469.1651.

Minn. Stat. § 469.152.

For the purpose of attracting industrial and commercial development and encouraging local governments to prevent economic deterioration, any home rule charter or statutory city or its redevelopment agency has the power to promote industrial development by:

- Acquiring, constructing, and holding lands, buildings, easements, improvements to lands and buildings, capital equipment, and inventory for industrial projects.
- Issuing revenue bonds and entering into revenue agreements to finance these activities to promote industrial projects.
- Refinancing health care and other facilities.

Minn. Stat. § 469.155, subd. 4.

Under the legislation, cities assist industries in starting operations and use generated revenues to repay the costs. This law is the basis for issuing most industrial revenue bonds.

Minn. Stat. § 469.153, subd. 2.

Industrial projects eligible for assistance include any revenue-producing enterprises engaged in assembling, fabricating, manufacturing, mixing, processing, storing, warehousing, or distributing any products of agriculture, forestry, mining, or manufacturing; or in research and development activity in these fields; or in the manufacturing, creation, or production of intangible property, including any patent, copyright, formula, process, design, know how, format, or other similar item. "Project" also includes any properties designated as a qualified green building and sustainable design project under state law. Eligible projects may include costs related to dewatering activities.

Minn. Stat. § 469.1655.

Minn. Stat. § 469.155, subd. 14.

The law prohibits a city from operating any of these projects as a business or in any other manner.

III. Other development strategies

A. Housing bonds

Minn. Stat. ch. 462C.

Cities may use revenue bonds for financing single- and multi-family housing, primarily for the benefit of low- and moderate-income families. The law contains single- and multi-family housing criteria and the specific actions cities must take to comply with the law. Federal law limits the issuance of housing revenue bonds. Bonding authority is allocated by a state formula.

B. Industrial parks

An industrial park is a tract of land suitable for industrial use because of location, topography, proper zoning, availability to utilities, and accessibility to transportation. A single body has administrative control of the tract. In some cities, an industrial park may be little more than a tract of unimproved land, while in other cities it may be totally served by city services and have restrictive building requirements. An industrial park's purpose is to attract industrial development.

Property a city holds for later sale for economic development purposes remains tax exempt for a period of eight years, or until buildings or other improvements that are constructed after acquisition reach one-half occupancy.

Currently, private enterprise creates most new industrial park development by establishing a for-profit community development corporation. A city can cooperate with that corporation through its land-use controls and methods of financing public improvements. Many cities have also established industrial parks complete with streets, water, and sewer, in spite of the possible tax ramifications. The city then sells or leases a portion of the park to a business needing a location for its building.

Minn. Stat. § 469.185.

Minn. Stat. § 465.035.

A.G. Op. 476-B-2 (Mar. 2, 1961).

City of Pipestone v. Madsen, 287 Minn. 357, 178 N.W.2d 594 (1970).

The law authorizes any city owning lands that are not restricted by deed to convey the lands for nominal consideration, to encourage and promote industry, and to provide employment for citizens. In finding that a conveyance of land for an indoor arena was not within the statute, the attorney general concluded the conveyance must encourage and promote industry and provide employment for citizens. A more direct promotion of industry is necessary, beyond the fact that more potential customers might be in town as a result of athletic contests. However, the courts have upheld the municipal industrial development revenue bond law, discussed subsequently, against the same objection. The city's attorney can best advise the city concerning the legality of a purchase of land for resale.

C. Industrial revenue bonds

Minn. Stat. §§ 469.152 to 469.1651.

The municipal industrial development laws help cities attract new commercial and industrial development, and keep existing businesses in the city. The law authorizes the council to issue revenue bonds, and use the proceeds to acquire and construct industrial sites and facilities. The city then leases these facilities to private industry and uses the rental fee proceeds to retire the bonds.

A city may issue industrial revenue bonds, also known as municipal revenue bonds, without public referendum. It cannot pledge the full faith and credit of a community as security for these bonds. Thus, the city may not tax property owners to pay principal and interest on the bonds.

For more information, contact DEED 651.259.7114, 800.657.3858.. Main Office: 1st National Bank Building 332 Minnesota Street, Suite E200 Saint Paul, MN 55101-1351.

If a city decides to investigate the use of industrial bond financing, it should contact the Department of Employment and Economic Development. The department provides the city with information, advice, and technical assistance. This assistance is important, due to the adoption of federal and state laws allocating issuance authority among the states and their political subdivisions. The commissioner of Securities must approve the project.

D. Commercial rehabilitation

Minn. Stat. § 469.184.

Cities have authority to carry out programs for the rehabilitation of small- and medium-sized commercial buildings. The city must adopt a program ordinance that provides for the adoption of program regulations, including a definition of small- and medium-sized commercial buildings. Loans under the program may be for amounts up to \$200,000. The city may finance the program through the sale of revenue bonds.

E. Tax increment financing (TIF)

Minn. Stat. §§ 469.174 to 469.1794.

Tax increment financing authority is available to most cities. Cities with housing and redevelopment authorities, economic development authorities, port authorities, redevelopment agencies, those cities administering development districts or development projects, or cities exercising port authority powers under a general or special law may use tax increment financing. Amendments to the law, however, may make the use of this development tool more complicated.

Tax increment financing is a funding technique that takes advantage of the increases in tax capacity and property taxes from development or redevelopment to pay upfront public development or redevelopment costs. The difference in the tax capacity and the tax revenues the property generates after new construction has occurred, compared with the tax capacity and tax revenues it generated before the construction, is the captured value. The taxes paid on the captured value are called “increments.” Unlike property taxes, increments are not used to pay for the general costs of cities, counties, and schools. Instead, increments go to the development authority and are used to repay public indebtedness or current costs the city incurred in acquiring the property, removing existing structures or installing public services.

Thus, the property owner in a TIF district continues to pay the full amount of property taxes. TIF involves only the increased property taxes generated within the district. It does not change the amount of property taxes currently derived from the redevelopment area, nor does it directly affect the amount or rate of general ad valorem taxes the city levies. The result of a TIF project is an increased tax base that will benefit all local taxing jurisdictions. Additionally, TIF districts usually spur economic development and redevelopment through creating job, removing blight, and providing more affordable housing.

Minn. Stat. § 469.177, subd. 1

Amendments to TIF law in 2012, address changes caused by the market value exclusion program. If the market value of a homestead property within a TIF district reduces of the homestead market value in the district, the original tax capacity of the TIF district will be reduced by the same amount. Thus, the tax increment collected by the city will remain the same. If your city has a TIF district with townhouses or condominiums, you may want to verify that valuations are properly adjusted by the county auditor.

State v. Wicklund, 589 N.W.2d 793 (Minn. 1999).

TIF is used to encourage four general types of private development: redevelopment, renovation and renewal, growth in low- to moderate-income housing, and economic development. Public financing using TIF funding for a privately owned facility does not make public space in the facility a public forum for free speech purposes.

A TIF district may involve compact development. Two major conditions must be satisfied:

Minn. Stat. § 469.174. Minn. Stat. § 469.175 subd. 2a. Minn. Stat. § 469.176, subd. 1b. Minn. Stat. § 469.176, subd. 1i. Minn. Stat. § 469.176, subd. 4c. Minn. Stat § 273.13, subd. 24.

- Parcels consisting of 70 percent of the area of the district are occupied by buildings or similar structures that are classified as class 3a property under state law. and
- The planned redevelopment or development of the district, when completed, will increase the total square footage of buildings, classified as class 3a under state law, occupying the district by three times or more relative to the square footage of similar buildings occupying the district when the resolution is approved.

Minn. Stat. § 469.176, subd. 7.

In some specific situations, a TIF authority may request inclusion in a tax increment financing district and the county auditor may certify the original tax capacity of a parcel or a part of the following property types:

- Agricultural.
- Private outdoor recreational, open space and park land.
- Rural preserve property.
- Metropolitan agricultural preserves.

The authority to establish or approve a compact development district expired on June 30, 2012.

Minn. Stat. § 469.176, subd. 4c.

TIF economic development districts must:

- Request certification of the district no later than June 30, 2012.
- Must begin construction before Jan. 1, 2012, for development of housing.

Minn. Stat. § 469.1761, subd. 2 or 3.

These districts may not be used to assist housing that is developed to qualify for owner-occupied or rental housing, or similar requirements of other law, if construction of the project begins later than July 1, 2011.

Minn. Stat. § 469.176, subd. 4m.

Cities have temporary authority to spend TIF funds to stimulate construction using economic development districts for any type of project if three conditions are met:

- The municipality funds projects that will create new jobs in the state, including construction jobs, and the project otherwise would not have begun before July 1, 2012, without assistance.
- Construction of the project begins no later than July 1, 2012.
- The request for certification is made by June 30, 2012.

Minn. Stat. § 469.176, subd. 4n (d).

For a development consisting of housing, the authority to spend tax increments expires Dec. 31, 2011, and construction must commence before July 1, 2011, except the authority to spend tax increments on market rate housing developments expires July 31, 2012, and construction must commence before Jan. 1, 2012. This temporary authority to spend the tax increment expires Dec. 31, 2012.

Minn. Stat. § 469.175, subd. 5.

The city using TIF must report annually to the county board, the county auditor, the school board, and the state auditor as to the status of the TIF district or districts and publish the report. The state auditor has established a uniform system of accounting and financial reporting for TIF districts. The city must annually submit to the state auditor a financial report in compliance with these standards.

Minn. Stat. § 469.1771, subs. 1, 2b.

The state auditor may audit TIF districts. If the state auditor notifies a TIF authority of an alleged violation, a copy of the notice is also forwarded to the county attorney. If no corrective action is brought within one year, the county attorney must notify the state auditor, who then notifies the attorney general. If the attorney general finds a substantial violation, the attorney general will petition the state tax court to suspend the authority's power to use TIF for a period of up to five years.

Minn. Stat. § 469.177, subd. 8.
Lake Superior Paper Indus. v. State, 624 N.W.2d 254 (Minn. 2001). *Brookfield Trade Center, Inc. v. County of Ramsey*, 609 N.W.2d 868 (Minn. 1998).

The TIF agreement with the developer is a complex document. Assistance from a financial advisor and the city attorney is necessary in order to anticipate the many potential problems. An agreement can establish a minimum market value for tax increment assessment purposes, as well as provide that the developer pay a certain level of taxes regardless of any classification rate changes or levy decreases. The agreement should be entered into before the assembly and acquisition of the land on which the completed improvements are to be located.

See Minn. Stat. §§ 469.177, subds. 1b, 11, Minn. Stat. § 469.1771, subd. 1. Minn. Stat. § 469.1793. Minn. Stat. § 469.1814.

The 2001 tax reform legislation, which reduced class rates and provided for the state takeover of the general education levy, resulted in several changes to various statutes to accommodate the changes. These changes considerably reduce the continued viability of TIF in the future.

Minn. Stat. § 469.174.

The law imposes a 180-day statute of limitations on actions to challenge the creation or modification of a TIF district. The law is complex including a “but-for” finding before a city approves a TIF plan and the creation of a TIF district. Cities must follow statutory requirements including but not limited to administrative expenses, plan modifications, reporting requirements, use of increment in pre-1979 districts, excess increments, pooling, decertification, and use of funds outside the district.

Minn. Stat. § 469.175.

Before a district can be created, the law requires a detailed estimate of the impact of a proposed district on city-provided services, such as police and fire protection, public infrastructure, and borrowing costs attributable to the district, in addition to other complex estimations must be prepared.

Walser Auto Sales, Inc. v. City of Richfield, 635 N.W.2d 391 (Minn. Ct. App. 2001); *aff'd*, 644 N.W.2d 425 (Minn. 2002)

Cities should use extreme care in establishing a TIF district and should follow all procedural requirements; otherwise, a court may find the district was not properly established. In one case, a TIF district was not properly established where minimal effort was made to ensure the thorough inspection of the properties, inaccurate methodology was used to establish the condition of the buildings, and the buildings found structurally substandard were not reasonably distributed throughout the district.

Chenoweth v. City of New Brighton, 655 N.W.2d 821 (Minn. Ct. App. 2003).

In another case, a cause of action for inverse condemnation does not arise where a city’s involvement with an adjacent property owner’s development consists of establishing a TIF district, entering into a contract with a private developer specifying the size and value of structures to be built, and providing for substantial city assistance to facilitate development.

Given the complexity of the laws governing the use of TIF, cities or HRAs should not undertake this method of financing community development projects without the advice of an attorney and professional consultants.

F. Property tax abatement

Minn. Stat. §§ 469.1812 to 469.1815.

A city may use this development tool to segregate some or all of the taxes (or the increase in taxes) it imposes on a parcel of property if the city expects the benefits of the proposed abatement agreement at least to equal the costs of the proposed development. The term “abatement” is somewhat misleading, as in most cases the tax is not forgiven; it is paid normally, but the amount of property tax levied by the city is used to pay for the bonds. The city must determine that the agreement is in the public interest because it will increase or preserve tax base, provide employment opportunities, provide or help acquire or construct public facilities, help redevelop or renew blighted areas, or help provide access to services for residents of the city. Property taxes in a TIF district cannot be abated unless the period of the abatement will not occur until after the district is decertified.

A resolution must be adopted after notice and public hearing, specifying the terms of the abatement. A city may issue bonds or other obligations to provide an amount equal to the sum of the abatements granted for a specific property. The maximum principal amount of these bonds may not exceed the estimated sum of the abatements for the property for the years authorized. The bonds may be general obligations of the city if the city council chooses to pledge the full faith and credit of the city in the resolution issuing the bonds. The law limits property tax abatements to 15 years. School districts and counties have similar abatement powers. A city, county, and school district can agree to abate their taxes on the same property.

IV. State-sponsored development tools

A. Minnesota Housing Finance Agency

Minn. Stat. ch. 462A. For more information about MHFA programs, contact MHFA at 400 Sibley Street Suite 300, St. Paul, MN 55101-1998 (651) 296-7608 or (800) 657-3769.

The goals of the Minnesota Housing Finance Agency (MHFA) are to provide decent, affordable housing to low- and moderate-income people; preserve the existing housing stock in Minnesota; preserve existing neighborhoods and prevent them from deteriorating; and prevent mortgage foreclosures while promoting energy conservation in residential housing.

The Minnesota Legislature created the MHFA in response to a shortage of affordable housing for low- and moderate-income people. Private enterprise and private investment were unable, without public assistance, to provide an adequate supply of safe, sanitary, and decent housing at affordable prices and rents.

Minn. Stat. § 462A.073 *et seq.*
MHFA: Minnesota City
Participation Program.

The sale of state tax-exempt bonds is the primary financing for MFHA programs. Through the Minnesota City Participation Program, Minnesota Housing sells mortgage revenue bonds on behalf of cities to meet locally identified housing needs. The proceeds of these bonds provide below-market interest rate home mortgage loans for low- and moderate-income, first-time homebuyers, or for the construction or rehabilitation of single- and multi-family housing. Appropriations from the Legislature provide additional funding for programs, including the promotion of energy conservation; an increase in home ownership opportunities for first time homebuyers; home improvement grants to very low-income homeowners; and programs to improve the housing available to Native Americans, large families, and people with disabilities.

B. Department of Employment and Economic Development (DEED)

Minn. Stat. ch. 116J.
Minnesota Department of
Employment and Economic
Development.

The Minnesota Department of Employment and Economic Development is the primary development agency for Minnesota. DEED staff is responsible for a wide range of grant and loan programs, as well as for providing technical assistance to businesses and communities.

Minn. Stat. §§ 116J.411 to
116J.424.

Minn. Stat. § 116J.575.

See, Minnesota Department of
Employment and Economic
Development for Local
Government.

The USDA Development.

DEED also provides grants for contamination cleanup and redevelopment. A redevelopment account allows DEED to make grants to local units of government up to 50 percent of the cost of redeveloping blighted industrial, residential, or commercial property. DEED administers the rural development program; makes challenge grants to regional organizations to encourage private investment in rural areas; and administers a revolving loan fund to provide loans to new and expanding business in rural Minnesota. Local government units, including cities, may receive these loans if the community has established a local revolving loan fund and can provide at least an equal match to the loan received.

Minn. Stat. § 116J.431.

Greater Minnesota Business
Development Infrastructure Grant
Program.

Cities outside the seven-county metropolitan area may receive grants from DEED for up to 50 percent of the capital costs of public infrastructure necessary for certain specified economic development projects, excluding retail and office space. For this program, “public infrastructure” means publicly owned physical infrastructure necessary to support economic development projects, including but not limited to sewers, water supply systems, utility extensions, streets, wastewater treatment systems, stormwater management systems, and facilities for pretreatment of wastewater to remove phosphorus.

Minn. Stat. § 116J.431, subd. 2.

Under this law, an “economic development project” for which a county or city may be eligible to receive a grant under this section includes manufacturing; technology; warehousing and distribution; research and development; agricultural processing or industrial park development that would be used by any one of these businesses.

Minn. Stat. § 116J.435.

DEED runs the Innovative Business Development Public Infrastructure (BDPI) program that provides grants to local governmental units on a competitive basis statewide for up to 50 percent of the capital cost of the public infrastructure necessary to expand or retain jobs.

Innovative Business
Development Program:
Department of Employment and
Economic Development.

"Innovative business" means a business that is engaged in, or is committed to engage in, innovation in Minnesota in one of the following:

Minn. Stat. § 116J.435.

- Using proprietary technology to add value to a product, process, or service in a high technology field.
- Researching or developing a proprietary product, process, or service in a high technology field.
- Researching, developing, or producing a new proprietary technology for use in the fields of tourism, forestry, mining, transportation, or green manufacturing.

"Proprietary technology" means the technical innovations that are unique and legally owned or licensed by a business and includes, without limitation, those innovations that are patented, patent pending, a subject of trade secrets, or copyrighted. "Eligible project" means a bioscience an innovative business development capital improvement project in this state, including:

- Manufacturing; technology; warehousing and distribution; research and development.
- Bioscience innovative business incubator.
- Agricultural bio-processing processing; or industrial, office. or
- Research park development that would be used by a bioscience-based an innovative business.

Minn. Stat. § 272.02, subd. 64.

DEED administers "tax-free" job opportunity building zones (JOBZ). In each of these zones, businesses will be eligible for a broad range of tax incentives for a period of 12 years. Under the program, local units of government, including cities, must submit applications to DEED and follow all statutory requirements related to JOBZ.

C. Enterprise Minnesota

Minn. Stat. ch. 116O.

Enterprise Minnesota is a nonprofit business consulting organization, set up by the Legislature that helps small and medium-sized manufacturing companies, education services, and government entities in Minnesota. Enterprise Minnesota operates as a fee-for-services 501(c) (3) nonprofit.

Enterprise Minnesota 612-373-
2900 or 800-325-3073.

Minn. Stat. § 116O.061.

Enterprise Minnesota focuses on applied research and technology transfer and early stage funding. It may provide financial assistance, including loan guarantees, direct loans, interest subsidies, or equity investments, to sole proprietorships, corporations, other entities, nonprofit organizations, or joint ventures. Financial assistance includes but is not limited to assisting a qualified company or organization with business services and products that will enhance the operations of the entity.

D. E-commerce ready cities

Minn. Stat. § 116J.037.
DEED (651) 297-1291 or (800)
657-3858.

As a tangential aid to encouraging development, the Department of Employment and Economic Development may designate cities that meet certain criteria as e-commerce ready.

E. Corporations

Minn. Stat. § 465.717. Minn.
Stat. § 471.59.
LMCIT risk information memo,
Liability Coverage for Joint
Powers Agreements.

Cities must not create nonprofit corporations unless authorized to do so by special legislation. The law allows incorporation of a joint powers entity, but these must comply with all applicable public sector laws (open meeting, gift law, conflicts of interest, competitive bidding, etc.) and must be separately insured.

V. Federal development tools

A. Community development block grants

More information is available on
the HUD web site.

The Community Development Block Grant (CDBG) program, under the U.S. Department of Housing and Urban Development (HUD), provides cities with federal funding to initiate and continue a diverse array of housing and community development projects.

B. Rural development grants

For more information, contact
Rural Development State Office
410 Farm Credit Service Building
375 Jackson Street St. Paul, MN
55101-1853, (651) 602-7800; See
also, Handbook, Chapter 25.

A variety of grants and loans to encourage economic development are available to cities from the U. S. Department of Agriculture, rural development program. Sewer, water, rural enterprise, housing, and other types of grants and loans are available.

VI. How this chapter applies to home rule charter cities

All of the tools this chapter lists are available to charter cities. The general discussions also apply to all cities.

LAUDERDALE COUNCIL ACTION FORM

Action Requested

Consent _____
 Public Hearing _____
 Discussion _____
 Action _____
 Resolution _____
 Work Session X

Meeting Date September 10, 2013
 ITEM NUMBER Zoning Update
 STAFF INITIAL AB
 APPROVED BY ADMINISTRATOR _____

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

In addition to the question of financial assistance by the City, folks representative Corval and Luther Seminary have asked what types of uses the City would like to see in a redevelopment concept. They also ask how the Comp Plan guides the use of the land. My answer has been that the Comp Plan allows for a mixed use approach and that the City Council updated its Planned Unit Development ordinance with the expectation that redevelopment would be carried out through that tool. As that doesn't directly answer the question, their follow up questions have basically asked me to say "yes or no" to different uses. My answers have been based off the current zoning ordinance and council discussions to date. Much like the TIF Policy and the Business Subsidy Policy, the zoning for the B-1 district should also be updated.

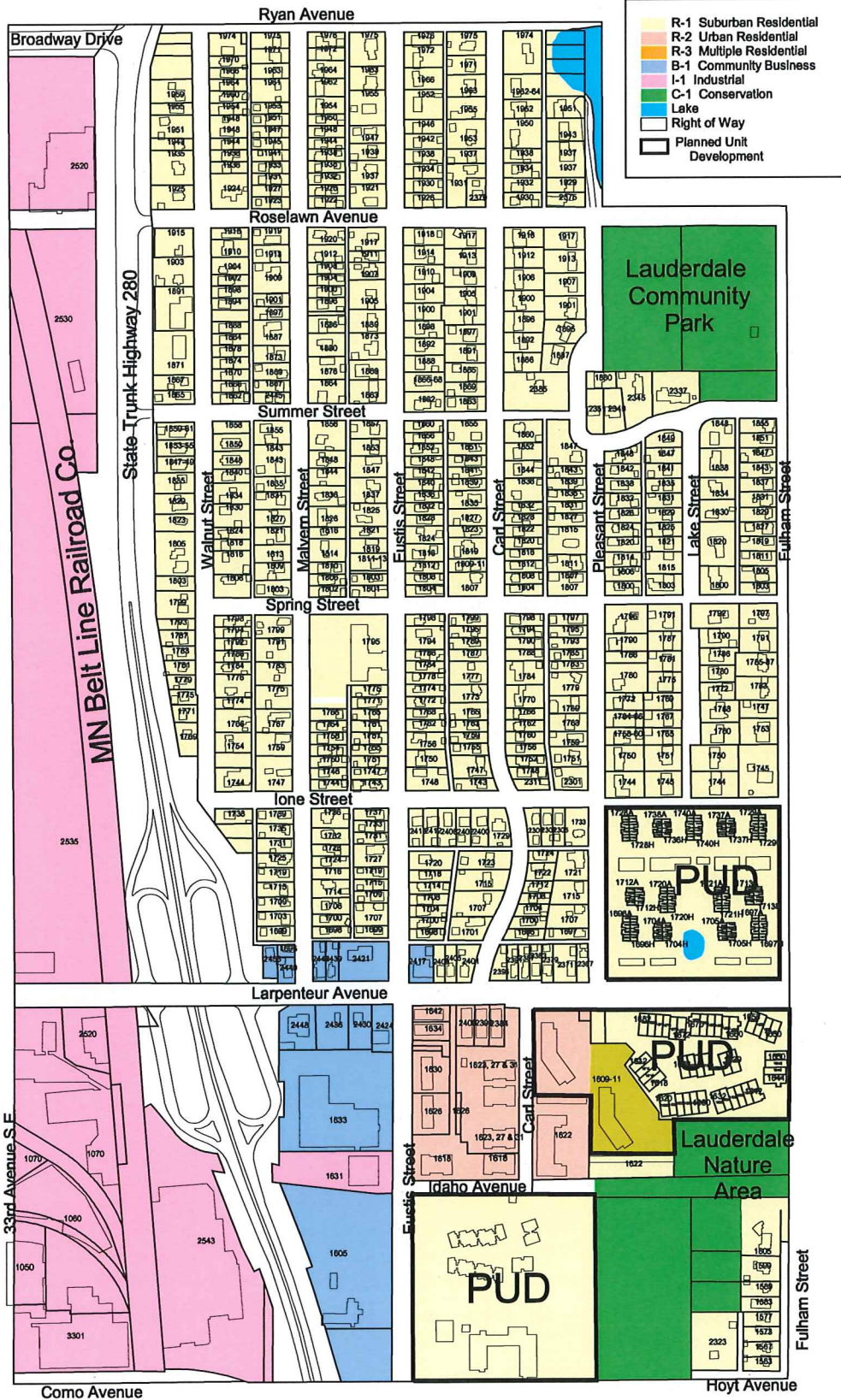
As you will recall, we started the zoning revision process a couple of years ago. It stopped when a court decision involving the City of Minnetonka threw a monkey wrench into the way City's had been granting variances. In May of 2011 the legislature addressed the concerns that evolved from that court decision and the ability of City Council's to grant variances was essentially restored. Since that decision, we have not taken up the zoning ordinance revision process except the chapter on Planned Unit Developments.

Attached is a copy of the City's current zoning map, the *District Uses* and *Conditional Uses* ordinances, and three pages of information from the League that defines what permitted and conditional uses are. I also attached the district uses from Falcon Heights and Roseville. Falcon Heights *B-3 Snelling & Larpenteur District* uses seemed most in line with what I think the Council would like the uses to be here. In Roseville, I would suggest the Council review the columns labeled *Neighborhood Business (NB)* and *Community Business (CB)*. They demonstrate a broader depth of specificity in allowed uses than what our ordinance shows. You will also notice they are the types of uses commonly found in retail pockets that attract local residents and those in a couple mile area from the retail centers. This is the type of draw the City would need in the area to make a liquor store viable.

The next step is a little daunting, to start identify uses that fit within the vision for the Larpenteur Avenue Corridor. I suggest going through Falcon Height's and Roseville's allowed uses and seeing what makes sense for the Council's vision.

The City of Lauderdale

1996 Zoning Map



Map 1
August
1997

350 0 350 Feet



DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

You may also notice that Roseville put a significant amount of information on design standards in their ordinance. Falcon Heights did to a less extent. That too may be information the Council wants to add to the zoning ordinance.

Sign Ordinance:

I spoke to Paul Muilenberg from Croix Oil this week. They are no further along in knowing how they envision the alley behind their new building working. That means the alley improvement plans we have been discussing will need to be put on pause. I can address this further during the meeting.

In a nutshell, Croix Oil is still very concerned about the Council's dislike of their proposed sign and the "reader board." They feel that needs to be resolved before they can move ahead with their rebuild plans. As you read in the last Friday Report, this is an issue that many cities are grappling with. As the sign ordinance is also part of the zoning ordinance that affects the City's commercial corridor, we should consider updating them in tandem.

CHAPTER 6
DISTRICT USES

SECTION:

- 10-6-1: Permitted Uses
- 10-6-2: Conditional Uses
- 10-6-3: Roomers As Accessory Use

 10-6-1: PERMITTED USES:

The permitted uses for each zoning district are listed below:

A. R-1, Suburban Residential:

- 1. Public parks and playgrounds;
- 2. Public schools;
- 3. Single family dwellings; and
- 4. Amateur radio antennas.

B. R-2, Urban Residential:

- 1. Public parks and playgrounds;
- 2. Public schools;
- 3. Single family dwellings; and
- 4. Two family dwellings.

C. R-3, Multiple Residential:

- 1. Churches;
- 2. Multiple family dwellings;
- 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.

F. C-1, Conservation:

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



* 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;
6. Multiple family dwellings;
7. Parochial schools;
8. Planned unit development;
9. Private clubs and schools;
10. Public buildings;

11. Public utility buildings;
12. Townhouses; and
13. Telecommunications towers.

C. R-3, Multiple Residential:

1. Antennas;
2. Charitable institutions;
3. Hospitals and clinics;
4. Nursing homes;
5. Planned unit development;
6. Private clubs and schools;
7. Public buildings;
8. Public utility buildings;
9. Single family dwellings;
10. Two family dwellings; and
11. Telecommunications towers.

D. B-1, Community Business:

1. Adult uses;
2. Animal clinics;
3. Antennas;
4. Auto sales, service and repair;
5. Commercial recreation;
- 5a. Day care centers (adopted 1987);
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. Auto sales, service, and repair;
4. Commercial recreation;
5. Manufacturing;
6. Public utility buildings;
7. Supply yards;
8. Truck terminals;
9. Wholesale business; and
10. Telecommunications towers.

F. C-1, Conservation:

1. Commercial recreation;
2. Nurseries and greenhouses;
3. Public and parochial schools;
4. Public buildings; and
5. Public utility buildings. (Zoning Ord. as amd.)
6. Antennas; and
7. Telecommunications towers

10-6-3: ROOMERS AS ACCESSORY USE:

The Board of Adjustments and Appeals may permit the accommodation of not more than two (2) nontransient roomers as an accessory use to a single family house provided that no sign is displayed.
(Zoning Ord. as amd.)

CHAPTER 12
CONDITIONAL USES

SECTION:

- 10-12-1: General Provision
- 10-12-2: Application; Fee
- 10-12-3: Review
- 10-12-4: Criteria For Approval
- 10-12-5: Performance Standards

10-12-1: GENERAL PROVISION:

Conditional uses may be allowed or denied by the Council after recommendations by the Planning Commission in accordance with the criteria and provisions listed in this Chapter. (Zoning Ord. as amd.)

10-12-2: APPLICATION; FEE:

Applications for conditional uses will be filed with the Zoning Administrator and shall be accompanied by:

A. Fee: An application fee in an amount equal to that set by resolution of the Council from time to time.

B. Site Plan: Five (5) copies of a site plan and supporting data which shows the size, location, and topography of the site; the use of adjacent land; the proposed size, bulk, use and location of buildings; the locations and proposed function of all yards, open spaces, parking areas, driveways, storage areas and accessory structures; the location of all utilities, the provisions for parking, moving or loading of vehicles; and the timing of construction proposed.

C. Additional Information: Such other information as the Administrator may require. (Zoning Ord. as amd.)

10-12-3: REVIEW:

The Administrator shall forward copies of the application to the Council and to the Planning Commission for review and approval.

A. Planning Commission: The Planning Commission shall forward its recommendation to the Council within forty five (45) days unless the petitioner agrees in writing to a time extension. Failure of the Commission to act within the allotted time shall be deemed to be a favorable recommendation.

B. City Council:

1. Approval; Additional Conditions: The Council may attach such

conditions as it deems necessary to the approval of any conditional use. The approved site plan and all attached conditions shall be accepted by the petitioner within thirty (30) days of approval by the Council. If not so accepted, the application is deemed denied and no further application for the same use may be made within six (6) months of such denial. All developments, construction and use shall be in accordance with the approved plan, unless a revised plan is submitted, approved and accepted. Any development contrary to the approved use plan is a violation of this Title.

2. Denial: If an application for a conditional use is denied by the Council, the denial shall be accompanied by written findings of the Council including supporting data submitted by a qualified consultant, if any, setting forth the reasons for the denial in terms of the ways in which the proposed use fails to meet the standards and intent of this Title and is otherwise injurious to the public health, safety and welfare. (Zoning Ord. as amd.)

10-12-4: CRITERIA FOR APPROVAL:

A conditional use may be approved by the Council if it is found to meet the following criteria:

A. The proposed use conforms to the district and conditional use provisions and all general regulations of this Title.

B. The proposed use meets all special standards which may apply to its class of conditional uses as set forth in this Title.

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 of Section 10-12-5 of this Chapter.

D. The proposed use shall be sited, oriented and landscaped to produce a harmonious relationship of buildings and grounds to adjacent building and properties.

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.

F. The proposed use shall organize vehicular access and parking to minimize traffic congestion in the district.

G. The proposed use shall promote the objectives of this Title and shall be considered by the Council in the light of Land Use Plan of the City. (Zoning Ord. as amd.)

10-12-5: PERFORMANCE STANDARDS:

Conditional uses shall comply with the requirements of this Section. In order to determine whether a proposed use will so

conform, the Council may obtain a qualified consultant to testify as to the proposed use. The cost for consultant services shall be charged to the applicant and payment thereof is a condition of approval.

- 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.
- 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.
- 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.
- D. Vibrations: Vibrations detectable without instruments on neighboring property in any district are prohibited.
- 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.
- F. Air Pollution: Air pollution shall be subject to the standards established by the Minnesota Pollution Control Agency.
- G. Glare: Lighting devices which produce directly reflected glare on adjoining properties or thoroughfares shall not be permitted.
- H. Erosion: No offensive erosion by wind or water shall be permitted onto adjacent properties.
- I. Water Pollution: Water pollution shall be subject to the standards established by the Minnesota Pollution Control Agency. (Zoning Ord. as amd.)

RELEVANT LINKS:

3. Review of specific types of zoning applications

Cities who have adopted a zoning ordinance need procedures to help them review the different types of zoning applications they receive. Cities typically receive applications for conditional use permits, interim uses, variances and requests for rezonings. As discussed above, all of these applications are subject to the 60-Day Rule. However, this is where the similarities among the review procedures for each type of application ends. Each type of application requires a different standard of review, because state law (and likely local ordinance as well) establishes specific requirements for granting each type of application.

a) Permitted uses

Cities may vary in their administrative procedures for handling permitted uses. For example, some cities will have their building inspector confirm that a use is permitted and meets all applicable zoning rules at the time a building permit is issued with no other formal action from the city. Other cities, that may not enforce the State Building Code, may require all landowners seeking to develop or build to apply for a formal zoning permit. The permit is issued to confirm that that the use is permitted and/or meets all other applicable zoning standards.

Regardless of the administrative procedures used, it is important to remember that a city may not impose additional conditions on a permitted use that fits the standards of city ordinance. Such actions are likely to be seen as arbitrary or denying the landowner equal protection and due process. Generally, a landowner is entitled to engage in the permitted use provided they have met all applicable requirements.

Cities should regularly review their permitted uses to be certain that the listed permitted uses fit current city needs and circumstances. Permitted uses that may have previously been standard (such as carriage houses in residential districts), may be inappropriate on a modern city, residential block. As time passes, permitted uses may need to be reclassified as prohibited uses or transformed into conditional uses, where conditions may be imposed to prevent any negative secondary effects.

Chase v. City of Minneapolis,
401 N.W.2d 408 (Minn.
1981).

*Rose Cliff Landscape Nursery
v. City of Rosemount*, 467
N.W.2d 641 (Minn. Ct. App.
1991).

See Section III-A,
establishing permitted and
conditional uses.

RELEVANT LINKS:

See Section V-C, standards of reviewing zoning applications: limits on city discretion.
Minn. Stat. § 462.357, subd. 6.
Sunrise Lake Ass'n v. Chisago County Bd. of Comm'rs, 633 N.W.2d 59 (Minn. Ct. App. 2001).
See Section V-C-3-d, requests for variances from the zoning ordinance.

Amoco Oil Co. v. City of Minneapolis, 395 N.W.2d 115 (Minn. Ct. App., 1986).

Zylka v. City of Crystal, 167 N.W.2d 45 (Minn. 1969).

See Sample resolution granting a CUP.

See Sample resolution denying a CUP.

Minn. Stat. § 462.3595.

Zylka v. City of Crystal, 167 N.W.2d 45, (Minn. 1969).

Minn. Stat. § 462.3595.
Minn. Stat. § 462.3595, subd. 2.

Schwardt v. County of Watonwan, 656 N.W.2d 383 (Minn. 2003).

Yang v. County of Carver, 660 N.W.2d 828 (Minn. Ct. App. 2003).

Citizens for a Balanced City v. Plymouth Congregational Church, 672 N.W.2d 13 (Minn. Ct. App. 2003).

Trisko v. City of Waite Park, 566 N.W.2d 349 (Minn. Ct. App. 1997).

b) Prohibited uses

Cities may receive applications requesting permission to engage in uses explicitly prohibited under the city's zoning ordinance. For example, a request to engage in industrial activities in a commercial zone. When a use is prohibited, the city cannot allow the use unless an amendment to the city's zoning ordinance is adopted in accordance with the procedures of the Municipal Planning Act. Cities are prohibited from granting variances or conditional use permits to engage in prohibited uses.

c) Conditional use permits

The concept of a conditional use permit (CUP) was created to give cities more flexibility in zoning ordinance administration. Generally, conditional uses are uses that are often too problematic to be permitted uses as of right in a district. However, since the use is still generally favorable or necessary, outright prohibition of the use is generally not practical or desired. A classic example of such a mixed positive/negative use is a gas station in a residential area. Conditional uses seek to strike a middle ground between outright, unchecked permissive establishment and complete prohibition. Conditional uses are uses that will be allowed if certain conditions (that minimize the problematic features of the use) are met.

Cities must specify conditional uses in a city ordinance. Generally, a list of conditional uses will be found alongside the permitted uses in a city ordinance. The ordinance must also establish what conditions or standards must be met to allow the conditional use. Ordinances that fail to establish standards for granting the listed conditional uses are problematic and potentially invalid.

The city must grant the CUP if the applicant satisfies all the conditions established in the ordinance.

A city may deny a CUP if the proposed use:

RELEVANT LINKS:

Hubbard Broadcasting, Inc. v. City of Afton, 323 N.W.2d 757 (Minn. 1982).
See Section I-C Role of comprehensive planning in zoning ordinance adoption.
SuperAmerica Group, Inc. v. City of Little Canada, 539 N.W.2d 264 (Minn. Ct. App. 1995).

In re Livingood, 594 N.W.2d 889 (Minn. 1999).

Minn. Stat. § 462.3595, subd. 4.

Northpoint Plaza v. City of Rochester, 465 N.W.2d 686 (Minn. 1991).

Snaza v. City of St Paul, 548 F.3d 1178 (8th Cir. 2008).
Minn. Stat. § 462.3597.
A.G. Op. 59-A-32 (February 27, 1990).

Upper Minnetonka Yacht Club v. City of Shorewood, 770 NW 2d 184 (Minn. Ct. App. 2009).

See LMC information memo, *Land Use Variances*.

Minn. Stat. § 462.354, subd. 6.
See Section V-B-5 Boards of Adjustment and Appeals.

- Does not meet the specific standards or conditions established in the zoning ordinance;
- Is not consistent with the city's officially adopted comprehensive plan;
- Endangers or is not compatible with the health, safety and welfare of the public.

When a local government denies a landowner a CUP without sufficient evidence to support its decision, a court can order the issuance of the permit subject to reasonable conditions.

Once a CUP is granted, a certified copy of the CUP (including a detailed list of all applicable conditions) must be recorded with the county recorder or the registrar of titles, and must include a legal description of the land.

CUPs are considered property interests that run with the land—that is, they pass from seller to buyer when the land is sold or transferred. For this reason, time restrictions on a CUP are potentially invalid. In one instance, however, the courts have supported the city's decision to issue a time-limited CUP. If the city wishes to issue a time-limited CUP, the city attorney should be consulted.

Once issued, a CUP's conditions cannot be unilaterally altered by the city, absent a violation of the CUP itself.

d) Requests for variances from the zoning ordinance

Variances are an exception to rules laid out in a zoning ordinance. They are permitted departures from strict enforcement of the ordinance as applied to a particular piece of property if strict enforcement would cause the owner "practical difficulties." Variances are generally related to physical standards (such as setbacks or height limits) and may not be used to allow a use that is prohibited in the particular zoning district. Essentially, variances allow the landowner to deviate from the rules that would otherwise apply.

The law provides that requests for variances are heard by the board of adjustment and appeals. In many communities, the planning commission serves this function. Generally, the board's decision is subject to appeal to the city council. Under the statutory practical difficulties standard, a landowner is entitled to a variance if the facts satisfy the three-factor test of (1) reasonableness, (2) uniqueness, and (3) essential character.

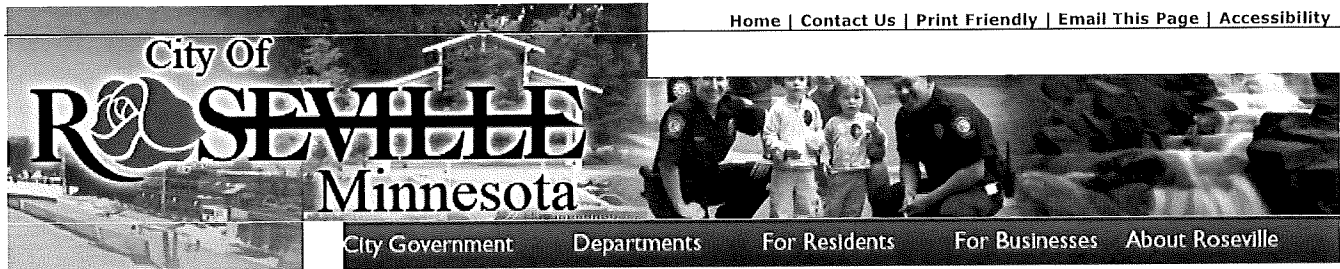
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Sec. 113-179. - B-3 Snelling and Larpenteur community business district.

- (a) *Scope.* The provisions of this section apply to the B-3 Snelling and Larpenteur community business district.
- (b) *Purpose and intent.*
- (1) The district applies only to the northeast, northwest, and southwest quadrants of the Larpenteur and Snelling intersection. The district is designed to provide retail sales and services that serve the surrounding neighborhoods' and community's needs. Retail sales and services that serve a larger geographic area are available in larger, nearby business districts in adjacent cities. By limiting and controlling the uses that are permitted, the district is designed to be accessible to retail customers from the nearby neighborhoods and the community, to be compatible with the character of the neighborhoods and overall community, and to minimize the blighting influence on the surrounding residential neighborhoods.
 - (2) Furthermore, the district provides for and encourages compact centers for retail sales and services by grouping businesses into patterns of workable relationships that complement each other. The district is designed to be easily accessible to users. It excludes highway oriented and other high traffic volume businesses that would tend to disrupt the cohesiveness of the shopping center or its circulation patterns and shared parking arrangements.
- (c) *Permitted uses.* No structure or land shall be used except for the following uses:
- (1) Auto parts and accessory stores.
 - (2) Apparel and accessory stores.
 - (3) Beauty shops and barbershops.
 - (4) Bowling alleys.
 - (5) Coin and philatelic (stamp) stores.
 - (6) Commercial art services.
 - (7) Commercial photography services.
 - (8) Computer programming and data processing services.
 - (9) Dance studios, schools and halls.
 - (10) Eating establishments.
 - (11) Financial institutions and insurance establishments with hours open to the public no earlier than 8:00 a.m. and no later than 6:00 p.m. An automatic teller machine may operate 24 hours a day.
 - (12) Food stores, excluding the outdoor sales of produce, meat and seafood.
 - (13) Garment pressing, and agents for laundries and dry cleaners.
 - (14) Hardware stores.
 - (15) Health services, offices and clinics.
 - (16) Home furnishing, appliance and equipment stores.
 - (17) Laundry and garment services.
 - (18) Laundromats - self serve.
 - (19) Mailing services.
 - (20) Miscellaneous retail establishments, including antique stores but excluding fuel dealers and gun shops.
 - (21) Motion picture theaters.
 - (22) Offices, business and professional.
 - (23) Office supply and art supply stores, retail.
 - (24) Paint, glass and wallpaper stores, retail.
 - (25) Personal service establishments as follows: tax return preparation services, diet centers, costume and dress suit rental stores, photograph services.
 - (26) Photographic studios, portrait.
 - (27) Physical fitness facilities.
 - (28) Precious metal dealers with a precious metal dealer license.
 - (29) Photocopying and duplicating shops, provided not more than six employees are employed on the premises at one time.
 - (30) Public and essential service uses.
 - (31) Schools and studios for art, music and interior design.
 - (32) Secretarial and stenographic services.
 - (33) Tanning salons.
 - (34) Therapeutic massage enterprise.
 - (35) Video rental stores.
- (d) *Conditional uses.* The following uses are permitted subject to the issuance of a CUP:
- (1) Animal grooming and pet stores provided there shall be no boarding of animals on the site.
 - (2) Basement storage of goods not sold on the premises provided that the space is completely finished and ready for use, is sprinkled, has elevator access, provides two pedestrian accesses, has an existing loading dock or area that does not conflict with adjacent residential areas or entry to businesses and is approved by the city fire marshal.
 - (3) Car washes which are accessory to the principal use and meet the requirements for service stations, section 113-383
 - (4) Child care and nursery school facilities subject to licensing by the state.
 - (5) Charitable gambling establishments as a principal use in accordance with the city's licensing requirements, section 30-4
 - (6) Custom manufacturing of handmade goods that are sold on the premises provided the manufacturing operation is incidental to a retail operation.
 - (7) Drinking establishments, bars and taverns, subject to the city's licensing requirements, chapter 6, article II of this Code.
 - (8) Gun shops are a conditional use on the northwest corner of Snelling and Larpenteur as long as the following conditions exist:

- a. A minimum of 1,000 feet from any residential zone except for a minimum of 150 feet from any residential zone when the residential zone is buffered by a separate commercial facility.
- b. A minimum of 750 feet from any park.
- c. A minimum of 1,000 feet from any public or private preschool, elementary or secondary school or church.
- (9) Hotels and motels by PUD.
- (10) Motor fuel or service stations subject to the design and performance standards as specified in section 113-383
- (11) Multifamily housing by PUD.
- (12) Satellite communications dishes as an accessory use.
- (13) Secondhand goods store, as defined in this chapter.
- (14) Veterinary clinics with no boarding of animals on the site and no external runs.
- (e) *Permitted accessory uses.*
 - (1) Any accessory use permitted in section 113-177(e).
 - (2) Limited repair and service operations which are incidental to a principal use.
 - (3) One pool table per 2,000 square feet of area excluding area devoted to bowling lanes and one video or electronic game per 300 square feet of area excluding area devoted to bowling lanes are permitted accessory uses to a bowling alley.
 - (4) The limited sale of used merchandise is allowed as an accessory use, but only if the following conditions are met:
 - a. The sale of used merchandise must be clearly incidental to the sale of new merchandise of the same general type.
 - b. The used merchandise which is sold on the premises must be acquired by the owner of the principal use only on a "trade-in" basis from customers trading in used merchandise at the time they purchase new merchandise of the same general type.
 - c. The portion of used merchandise on the premises may not, at any time, occupy more than ten percent of the sales area of the premises.
- (f) *Other requirements.* All uses shall, in addition to all other requirements, apply the following standards:
 - (1) No bars on doors or windows during business hours.
 - (2) No automatic interior or exterior security lock doors that require request for entry or exit during business hours.
 - (3) No exterior storage of merchandise.
 - (4) No exterior sales of merchandise except twice a year for three days at a time as a sidewalk sale.
- (g) *Building height and yard requirements.*
 - (1) Maximum principal building height is three stories or 35 feet, except as provided for in section 113-243. Accessory buildings are subject to section 113-240(f).
 - (2) Minimum building yard requirements:
 - a. Front, 30 feet.
 - b. Side, 20 feet, but 30 feet if abutting a street and 40 feet if abutting an R district. No side yard shall be required for a party wall subject to section 113-241
 - c. Rear, 20 feet, but ten feet if abutting an alley.
 - d. Maximum lot coverage, 75 percent. This requirement shall only apply to sites that abut an R district to provide sufficient land area for buffering, landscaping and screening. Coverage may be increased by the city if a permanent screen or buffer, other than a wooden fence, is constructed which provides 100 percent yearround opacity for adjacent residential areas after approval by the city council and review by the planning commission.

(Code 1993, § 9-10.01; Ord. No. 0-89-2, 1-11-1989; Ord. No. 0-91-8, § 1, 5-22-1991; Ord. No. 0-93-07, § 3, 7-28-1993; Ord. No. 0-94-05, § 4, 3-23-1994; Ord. No. 0-95-01, §§ 3, 4, 5-10-1995; Ord. No. 97-03, § 1, 6-25-1997; Ord. No. 0-99-09, § 8, 12-15-1999; Ord. No. 00-02, §§ 6, 7, 9, 7-26-2000; Ord. No. 06-03, § 4, 9-13-2006)



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Chapter 1005 Commercial and Mixed-Use Districts

SECTION:

1005.01: Statement Of Purpose

1005.02: Design Standards

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1005.01: Statement Of Purpose

The commercial and mixed-use districts are designed to:

A. Promote an appropriate mix of commercial development types within the community;

B. Provide attractive, inviting, high-quality retail shopping and service areas that are conveniently and safely accessible by multiple travel modes including transit, walking, and bicycling;

C. Improve the community's mix of land uses by encouraging mixed medium- and high-density residential uses with high-quality commercial and employment uses in designated areas;

D. Encourage appropriate transitions between higher-intensity uses within commercial and mixed use centers and adjacent lower-density residential districts; and

E. Encourage sustainable design practices that apply to buildings, private development sites, and the public realm in order to enhance the natural environment.

1005.02: Design Standards

The following standards apply to new buildings and major expansions of existing buildings (i.e., expansions that constitute 50% or more of building floor area) in all commercial and mixed-use districts. Design standards apply only to the portion of the building or site that is undergoing alteration.

A. Corner Building Placement: At intersections, buildings shall have front and side facades aligned at or near the front property line.

B. Entrance Orientation: Where appropriate and applicable, primary building entrances shall be oriented to the primary abutting public street. Additional entrances may be oriented to a secondary street or parking area. Entrances shall be clearly visible and identifiable from the street and delineated with elements such as roof overhangs, recessed entries, landscaping, or similar design features. (Ord. 1415, 9-12-2011)

C. Vertical Facade Articulation: Buildings shall be designed with a base, a middle, and a top, created by variations in detailing, color, and materials. A single-story building need not include a middle.

1. The base of the building should include elements that relate to the human scale, including doors and windows, texture, projections, awnings, and canopies.

2. Articulated building tops may include varied rooflines, cornice detailing, dormers, gable ends, stepbacks of upper stories, and similar methods.

D. Horizontal Facade Articulation: Facades greater than 40 feet in length shall be visually articulated into smaller intervals of 20 to 40 feet by one or a combination of the following techniques:

1. Stepping back or extending forward a portion of the facade;
2. Variations in texture, materials or details;

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- 3. Division into storefronts,
- 4. Stepbacks of upper stories; or
- 5. Placement of doors, windows and balconies.
- E. Window and Door Openings:
 - 1. For nonresidential uses, windows, doors, or other openings shall comprise at least 60% of the length and at least 40% of the area of any ground floor facade fronting a public street. At least 50% of the windows shall have the lower sill within three feet of grade.
 - 2. For nonresidential uses, windows, doors, or other openings shall comprise at least 20% of side and rear ground floor facades not fronting a public street. On upper stories, windows or balconies shall comprise at least 20% of the facade area.
 - 3. On residential facades, windows, doors, balconies, or other openings shall comprise at least 20% of the facade area.
 - 4. Glass on windows and doors shall be clear or slightly tinted to allow views in and out of the interior. Spandrel (translucent) glass may be used on service areas.
 - 5. Window shape, size, and patterns shall emphasize the intended organization and articulation of the building facade.
 - 6. Displays may be placed within windows. Equipment within buildings shall be placed at least 5 feet behind windows.
- F. Materials: All exterior wall finishes on any building must be one or a combination of the following materials: face brick, natural or cultured stone, textured pre-cast concrete panels, pre-colored or factory stained or stained on site textured concrete block, stucco, glass, pre-finished metal, fiberglass or similar materials, or cor-ten steel (other than unpainted galvanized metal or corrugated materials). Other new materials of equal quality to those listed may be approved by the Community Development Department.
- G. Four-sided Design: Building design shall provide consistent architectural treatment on all building walls. All sides of a building must display compatible materials, although decorative elements and materials may be concentrated on street-facing facades. All facades shall contain window openings. This standard may be waived by the Community Development Department for uses that include elements such as service bays on one or more facades.
- H. Maximum Building Length: Building length parallel to the primary abutting street shall not exceed 200 feet without a visual break such as a courtyard or recessed entry, except where a more restrictive standard is specified for a specific district.
- I. Garages Doors and Loading Docks: Loading docks, refuse, recyclables, and/or compactors shall be located on rear or side facades and, to the extent feasible, garage doors should be similarly located. Garage doors of attached garages on a building front shall not exceed 50% of the total length of the building front. Where loading docks, refuse, recyclables, and/or compactors abut a public street frontage, a masonry screen wall comprised of materials similar to the building, or as approved by the Community Development Department, shall be installed to a minimum height to screen all activities. (Ord. 1415, 9-12-2011)
- J. Rooftop Equipment: Rooftop equipment, including rooftop structures related to elevators, shall be completely screened from eye level view from contiguous properties and adjacent streets. Such equipment shall be screened with parapets or other materials similar to and compatible with exterior materials and architectural treatment on the structure being served. Horizontal or vertical slats of wood material shall not be utilized for this purpose. Solar and wind energy equipment is exempt from this provision if screening would interfere with system operations.



1005.03: Table of Allowed Uses

Table 1005-1 lists all permitted and conditional uses in the commercial and mixed use districts.

- A. Uses marked as "P" are permitted in the districts where designated.
- B. Uses marked with a "C" are allowed as conditional uses in the districts where designated, in compliance with all applicable standards.
- C. Uses marked as "NP" are not permitted in the districts where designated.
- D. A "Y" in the "Standards" column indicates that specific standards must be complied with, whether the use is permitted or conditional. Standards for permitted uses are included in Chapter 1011 of this Title; standards for conditional uses are included in Section 1009.02 of this Title.
- E. Combined Uses: Allowed uses may be combined within a single building, meeting the following standards:
 - 1. Residential units in mixed-use buildings shall be located above the ground floor or on the ground floor to the rear of nonresidential uses;
 - 2. Retail and service uses in mixed-use buildings shall be located at ground floor or lower levels of the building; and
 - 3. Nonresidential uses are not permitted above residential uses.

Table 1005-1	NB	CB	RB	CMU	Standards
Office Uses					

Office	P	P	P	P	
Clinic, medical, dental or optical	P	P	P	P	
Office showroom	NP	P	P	P	
Retail, general and personal service*	P	P	P	P	
Commercial Uses					
Animal boarding, kennel/day care (indoor)	P	P	P	P	Y
Animal boarding, kennel/day care (outdoor)	NP	C	C	NP	Y
Animal hospital, veterinary clinic	P	P	P	P	Y
Bank, financial institution	P	P	P	P	
Club or lodge, private	P	P	P	P	
Day care center	P	P	P	P	Y
Grocery store	C	P	P	P	
Health club, fitness center	C	P	P	P	
Learning studio (martial arts, visual/performing arts)	C	P	P	P	
Liquor store	C	P	P	P	
Lodging: hotel, motel	NP	P	P	P	
Mini-storage	NP	P	P	NP	
Mortuary, funeral home	P	P	P	P	
Motor fuel sales (gas station)	C	P	P	C	Y
Motor vehicle repair, auto body shop	NP	C	P	C	Y
Motor vehicle rental/leasing	NP	P	P	NP	Y
Motor vehicle dealer (new vehicles)	NP	NP	P	NP	
Movie theater, cinema	NP	P	P	P	
Pawn shop	NP	C	C	NP	
Parking	C	C	C	C	
Restaurant, Fast Food	NP	P	P	P	
Restaurant, Traditional	P	P	P	P	
Residential Family Living					
Dwelling, one-family attached (townhome, rowhouse)	NP	NP	NP	P	
Dwelling, multi-family (3-8 units per building)	NP	NP	NP	P	
Dwelling, multi-family (upper stories in mixed-use building)	P	P	NP	P	
Dwelling, multi-family (8 or more units per building)	C	NP	NP	P	
Dwelling unit, accessory	NP	NP	NP	C	Y
Live-work unit	C	NP	NP	P	Y
Residential - Group Living					
Community residential facility, state licensed, serving 7-16 persons	C	NP	NP	C	Y
Dormitory	NP	NP	NP	C	
Nursing home, assisted living facility	C	C	C	C	Y
Civic and Institutional Uses					
College, or post-secondary school, campus	NP	NP	P	P	Y
College or post-secondary school, office-based	P	P	P	P	Y
Community center, library, municipal building	NP	NP	P	P	
Place of assembly	P	P	P	P	Y
School, elementary or secondary	NP	NP	P	P	Y

Theater, performing arts center	NP	NP	P	P	Y
Utilities and Transportation					
Essential services	P	P	P	P	
Park-and-ride facility	NP	P	P	P	
Transit center	NP	P	P	P	
Accessory Uses, Buildings, and Structures					
Accessory buildings for storage of domestic or business supplies and equipment	P	P	P	P	Y
Accessibility ramp and other accommodations	P	P	P	P	
Detached garage and off-street parking spaces	P	P	P	P	Y
Drive-through facility	NP	C	C	NP	Y
Gazebo, arbor, patio, play equipment	P	P	P	P	Y
Home occupation	P	NP	NP	P	Y
Renewable energy system	P	P	P	P	Y
Swimming pool, hot tub, spa	P	P	P	P	Y
Telecommunications tower	C	C	C	C	Y
Tennis and other recreational courts	C	C	P	P	Y
Temporary Uses					
Temporary building for construction purposes	P	P	P	P	Y
Sidewalk sales, boutique sales	P	P	P	P	Y
Portable storage container	P	P	P	P	Y

(Ord. 1427, 7-9-2012)

1005.04: Neighborhood Business (NB) District

A. Statement of Purpose: The Neighborhood Business District is designed to provide a limited range of neighborhood-scale retail, service, and office uses in proximity to residential neighborhoods or integrated with residential uses. The NB district is also intended to:

1. Encourage mixed use at underutilized retail and commercial intersections;
2. Encourage development that creates attractive gateways to City neighborhoods;
3. Encourage pedestrian connections between Neighborhood Business areas and adjacent residential neighborhoods;
4. Ensure that buildings and land uses are scaled appropriately to the surrounding neighborhood; and
5. Provide adequate buffering of surrounding neighborhoods.

B. Design Standards: The standards in Section 1005.02 shall apply except building length parallel to the primary abutting street shall not exceed 160 feet without a visual break such as a courtyard or recessed entry.

C. Dimensional Standards:

Minimum lot area	No requirement
Maximum building height	35 feet
Minimum front yard building setback	No requirement
Minimum side yard building setback	6 feet where windows are located on a side wall or on an adjacent wall of an abutting property 10 feet from residential lot boundary Otherwise not required
Minimum rear yard building setback	25 feet from residential lot boundary 10 feet from nonresidential boundary
Minimum surface parking setback	5 feet

D. Residential Density: Residential densities shall not exceed 12 units per acre.

E. Improvement Area: The total improved area, including paved surfaces and the

footprints of principal and accessory buildings and structures, shall not exceed 85% of the total parcel area.

F. Frontage Requirement: Buildings at corner locations shall be placed within five feet of the lot line on either street for a distance of at least 20 feet from the corner.

G. Parking Placement: Surface parking shall not be located between the front facade of a building and the abutting street. Parking shall be located to the rear or side of the principal building. Parking abutting the primary street frontage is limited to 50% of that lot frontage.

H. Screening from Residential Property: Screening along side and rear lot lines abutting residential properties is required, consistent with Chapter 1011 of this Title.

1005.05: Community Business (CB) District

A. Statement of Purpose: The Community Business District is designed for shopping areas with moderately scaled retail and service uses, including shopping centers, freestanding businesses, and mixed-use buildings with upper-story residential uses. CB Districts are intended to be located in areas with visibility and access to the arterial street system. The district is also intended to:

1. Encourage and facilitate pedestrian, bicycle and transit access; and
2. Provide adequate buffering of surrounding neighborhoods.

B. Dimensional Standards:

Table 1005-3	
Minimum Lot Area	No requirement
Maximum building height	40 feet
Front yard building setback (min - max)	0 to 25 feet ^a
Minimum side yard building setback	6 feet where windows are located on a side wall of an abutting property
	10 feet from residential lot boundary ^b
	Otherwise not required
Minimum rear yard building setback	25 feet from residential lot boundary
	10 feet from nonresidential boundary
Minimum surface parking setback	5 feet
<p>a Unless it is determined by the Community Development Department that a certain setback minimum distance is necessary for the building or to accommodate public infrastructure.</p> <p>b Unless greater setbacks are required under Section 1011.12 E.1. of this Title.</p>	

C. Residential Density: Residential densities shall not exceed 24 units per acre.

D. Improvement Area: The total improved area, including paved surfaces and footprints of principal and accessory buildings and structures, shall not exceed 85% of the total parcel area.

E. Frontage Requirement: A minimum of 30% of building facades abutting a primary street shall be placed within 25 feet of the front lot line along that street.

F. Surface Parking: Surface parking on large development sites shall be divided into smaller parking areas with a maximum of 100 spaces in each area, separated by landscaped areas at least 10 feet in width. Landscaped areas shall include pedestrian walkways leading to building entrances.

G. Parking Placement: When parking is placed between a building and the abutting street, the building shall not exceed a maximum setback of 85 feet, sufficient to provide a single drive aisle and two rows of perpendicular parking along with building entrance access and required landscaping. This setback may be extended to a maximum of 100 feet if traffic circulation, drainage, and/or other site design issues are shown to require additional space. Screening along side and rear lot lines abutting residential properties is required, consistent with Chapter 1011 of this Title.

1005.06: Regional Business (RB) District

A. Statement of Purpose: The RB District is designed for businesses that provide goods and services to a regional market area, including regional-scale malls, shopping centers, large-format stores, multi-story office buildings and automobile dealerships. RB Districts are intended for locations with visibility and access from the regional highway system. The district is also intended to:

1. Encourage a "park once" environment within districts by enhancing pedestrian movement and a pedestrian-friendly environment;

2. Encourage high quality building and site design to increase the visual appeal and continuing viability of development in the RB District; and

3. Provide adequate buffering of surrounding neighborhoods.

B. Design Standards: The standards in Section 1005.02 shall apply except that ground floor facades that face or abut public streets shall incorporate one or more of the following features along at least 60% of their horizontal length:

1. Windows and doors with clear or slightly tinted glass to allow views in and out of the interior. Spandrel (translucent) glass may be used on service areas;
2. Customer entrances;
3. Awnings, canopies, or porticoes; and
4. Outdoor patios or eating areas.

C. Dimensional Standards:

Table 1005-4	
Minimum lot area	No requirement
Maximum building height	65 feet; taller buildings may be allowed as conditional use
Minimum front yard building setback	No requirement (see frontage requirement below)
Minimum side yard building setback	6 feet where windows are located on a side wall or on an adjacent wall of an abutting property 10 feet from residential lot boundary Otherwise not required
Minimum rear yard building setback	25 feet from residential lot boundary 10 feet from nonresidential boundary ^a
Minimum surface parking setback	5 feet
^a Unless greater setbacks are required under Section 1011.12 E.1. of this Title.	

D. Improvement Area: The total improved area, including paved surfaces and footprints of principal and accessory buildings or structures, shall not exceed 85% of the total parcel area.

E. Frontage Requirement: A development must utilize one or more of the three options below for placement of buildings and parking relative to the primary street:

1. At least 50% of the street frontage shall be occupied by building facades placed within 20 feet of the front lot line. No off-street parking shall be located between the facades meeting this requirement and the street.
2. At least 60% of the street frontage shall be occupied by building facades placed within 65 feet of the front lot line. Only 1 row of parking and a drive aisle may be placed within this setback area.
3. At least 70% of the street frontage shall be occupied by building facades placed within 85 feet of the front lot line. Only 2 rows of parking and a drive aisle may be placed within this setback area.

F. Access and Circulation: Within shopping centers or other large development sites, vehicular circulation shall be designed to minimize conflicts with pedestrians.

G. Surface Parking: Surface parking on large development sites shall be divided into smaller parking areas with a maximum of 100 spaces in each area, separated by landscaped areas at least 10 feet in width. Landscaped areas shall include pedestrian walkways leading to building entrances.

H. Standards for Nighttime Activities: Uses that involve deliveries or other activities between the hours of 10:00 P.M. and 7:00 A.M. (referred to as "nighttime hours") shall meet the following standards:

1. Off-street loading and unloading during nighttime hours shall take place within a completely enclosed and roofed structure with the exterior doors shut at all times.
2. Movement of sweeping vehicles, garbage trucks, maintenance trucks, shopping carts, and other service vehicles and equipment is prohibited during nighttime hours within 300 feet of a residential district, except for emergency vehicles and emergency utility or maintenance activities.
3. Snow removal within 300 feet of a residential district shall be minimized during nighttime hours, consistent with the required snow management plan.

1005.07: Community Mixed-Use (CMU) District

A. Statement of Purpose: The Community Mixed-Use District is designed to encourage the development or redevelopment of mixed-use centers that may

are intended to identify general locations and required connections but not to constitute preliminary or final engineering.

2. **Street Type:** The regulating plan may include specific street design standards to illustrate typical configurations for streets within the district, or it may use existing City street standards. Private streets may be utilized within the CMU District where defined as an element of a regulating plan.

3. **Parking**

a. **Locations:** Locations where surface parking may be located are specified by block or block face. Structured parking is treated as a building type.

b. **Shared Parking or District Parking:** A district-wide approach to off-street parking for nonresidential or mixed uses is preferred within the CMU district. Off-street surface parking for these uses may be located up to 300 feet away from the use. Off-street structured parking may be located up to 500 feet away from the use.

c. **Parking Reduction and Cap:** Minimum off-street parking requirement for uses within the CMU district may be reduced to 75% of the parking requirements in Chapter 1019 of this Title. Maximum off-street parking shall not exceed the minimum requirement unless the additional parking above the cap is structured parking.

4. **Building and Frontage Types:** Building and frontage types are designated by block or block face. Some blocks are coded for several potential building types; others for one building type on one or more block faces.

5. **Build to Areas:** Build to Areas indicate the placement of buildings in relation to the street.

6. **Uses:** Permitted and conditional uses may occur within each building type as specified in Table 1005-01, but the vertical arrangement of uses in a mixed-use building may be further regulated in a regulating plan

(Ord. 1415, 9-12-2011)

C. **Regulating Plan Approval Process:** A regulating plan may be developed by the City as part of a zoning amendment following the procedures of Section 1009.06 of this Title and thus approved by City Council. (Ord. 1415, 9-12-2011)

D. **Amendments to Regulating Plan:** Minor extensions, alterations or modifications of proposed or existing buildings or structures, and changes in street alignment may be authorized pursuant to Section 1009.05 of this Title. (Ord. 1415, 9-12-2011)

E. **Twin Lakes Sub-Area 1 Regulating Plan Map:**

Figure 1005-1: Twin Lakes Sub-Area 1 Regulating Plan Map

