New Brighton City Council
Business Meeting Agenda
New Brighton City Council Chambers
June 23, 2020 6:30 PM

I. Call to Order and Roll Call

_____ Mayor Johnson
_____ Councilmember Allen
_____ Councilmember Fynewever
_____ Councilmember Jacobsen
_____ Councilmember Dunsworth

II. Pledge of Allegiance

III. Public Comment Forum

IV. Approval of Agenda

V. Minutes

1. **Approve City Council Minutes**
   a. June 9, 2020 City Council Worksession Minutes
   b. June 9, 2020 City Council Meeting Minutes
2. **Accept Receipt of Commission Minutes**
   a. January 21, 2020 Planning Commission Meeting Minutes
   b. February 5, 2020 Economic Development Commission Meeting Minutes
   c. April 21, 2020 Planning Commission Meeting Minutes

VI. Special Order of Business

VII. Consent Agenda

1. Consider Approval of Payments of Electronic Funds Transfer (EFT) 10929-10932, ACH Payments 10919-10948, & Vouchers 158718-158836 for a total of $419,118.17.
2. Consider a Resolution to Appoint a City Insurance Agent.
3. Consider chair and vice-chair recommendations for the Public Safety Commission.
4. Consider chair and vice-chair recommendations for the Planning Commission
5. Consider a Resolution approving the first amendment to the Contract for Private Redevelopment with Dominium dated July 19, 2019.
6. Consider Resolution Approving Tobacco License for Adinkra Tobacco
7. Consider Approval of Anti-Virus Purchase
8. Consider Approval of Microsoft Licensing Contract

VIII. Public Hearings:

IX. Council Business

1. Consider a Resolution to Approve a Final Planned Residential Development for the Dominium Senior Housing portion of Midtown Village (Phase III)
2. Consider a Resolution to Approve a Special Use Permit for outdoor storage of various materials for businesses at 761 1st Street SW
3. Consider Resolution Delegating Authority to Adopt a COVID-19 Preparedness Plan
4. Consider Resolution Establishing and Combining Polling Places for Remaining 2020 Elections

X. Commission Liaison Reports, Announcements, and Updates

City Manager Devin Massopust
Councilmember Graeme Allen
Councilmember Emily Dunsworth
Councilmember Nasreen Fynewever
Councilmember Paul Jacobsen
Mayor Val Johnson

XI. Adjournment

Council Worksession
June 9, 2020
5:00 pm

Present: Mayor Valerie Johnson
Councilmember Graeme Allen
Councilmember Emily Dunsworth
Councilmember Nasreen Fynewever
Councilmember Paul Jacobsen

Absent:

Staff in Attendance: Devin Massopust, Terri Spangrud, Tony Paetznick

Guests in Attendance:

Update on 2020 Election Administration

Massopust explained that COVID-19 was impacting how the 2020 election would be held. He stated City Clerk Spangrud had a report for the Council on this topic.

Spangrud provided the Council with an update on how the 2020 election would be administered. She explained HAVA (Help America Vote Act) funds are distributed to cities during every election cycle to assist with improving voter accessibility. She commented on the strict guidelines on how these funds can be used, but noted the CARES Act authorizes the use of HAVA funds to ensure the health and safety of election officials and in-person voters. She reported the Minnesota legislature did not make changes to current election procedures, but did appropriate HAVA funds. She indicated it was her understanding the HAVA funds would be available for New Brighton to apply for through March of 2022. She explained New Brighton would have until July 1st to designate new polling places, as school were no longer supported as polling places. She discussed the absentee balloting process that would be followed in 2020 and reported the State of Minnesota was encouraging voters to vote by mail or curbside. She reviewed the operating structure and communications strategy that would be followed by Ramsey County elections. She stated three different mailings would be sent to encourage residents to vote absentee. The New Brighton polling locations were reviewed in detail. It was noted the City had four or five polling places set and there were three or four that still had to be determined. Further discussion ensued regarding the polling place requirements and staff explained changes must be made before July 1st. Staff reviewed potential scenarios and locations for Precincts 1 through 8. She provided further comment on the importance of safe elections and explained staff would be bringing forward a Resolution for the Council to approve the revised polling places.

Mayor Johnson requested further information regarding extended voting hours. Spangrud explained the extended hours may not go more than one hour past the voting time and should reflect how long it takes to travel from one precinct to the new precinct in order to vote.

Spangrud discussed the importance of election judges noting State Law requires at least four judges per precinct. She reported recruitment has been difficult in 2020 and staff has only 36% of the staff members required for the Primary Election and 19% for the Presidential Election. She commented on how the number of voters at the precincts may go down this year as more residents may opt to vote absentee. She encouraged

the Council to contact staff with recommendations for election judges. She reported City staff would be cross trained to assist with the election in the event there was a severe shortage of judges. Individuals interested in applying to become an election judge should visit the City's website.

Councilmember Allen asked if all four election parties had to be equally represented at each polling location. Spangrud reported no more than half the election judges can be from any one party. She explained individuals that have not declared a political party can also serve, but their duties would be limited.

Councilmember Jacobsen requested further information regarding the HAVA funds. Spangrud indicated HAVA funds are released every two years and have to be applied for. She stated HAVA funds are administered through a grant program and are used for making a restroom handi-cap accessible. She commented this program was enlarged to ensure voter safety during the COVID-19 pandemic. She explained the City would have to apply for this grant funding.

Councilmember Jacobsen questioned how many election judges the City had in place in 2016. Spangrud stated she did not have that information in front of her. She indicated the City would need seven or eight election judges per precinct to work 15.5 hours for the primary election in August and 16 to 18 election judges per precinct for the Presidential election in November. Further discussion ensued regarding the requirements for election judges.

Councilmember Allen commented the City may have accessibility issues if Brightwood Hills was selected as a polling location. Spangrud stated she would keep this in mind.

Councilmember Fynewever questioned what type of translator services would be in place for the upcoming elections. Spangrud explained translator services were coordinated by the County and these were typically a call-in translator service. She reported New Brighton has been extremely fortunate to have several election judges who were multi-lingual.

Spangrud discussed other election activities noting Ramsey County would be managing absentee voting at the New Brighton Community Center. She commented on how absentee ballots would be applied for and noted early voting would begin seven days prior to Election Day. She explained health care facility voting would be offered in 2020, along with curbside voting. She anticipated curbside voting would be popular this fall. She stated staff was working on ways for candidates to electronically file for municipal candidacy.

Spangrud reviewed Election Day COVID-19 mitigation plans. She explained Ramsey County had used existing HAVA funds to purchase cloth facemasks for every election judge, along with single-use face masks for voters (enough for 10% of the registered voters in each precinct). She indicated the County would also be providing hand sanitizer, single-use pens, disinfectant wipes, gloves and two 3'x3' plexi-glass shields. She reported elections staff was working on a Communication Plan in order to keep voters apprised of how the upcoming elections would be held. The next steps for the City were reviewed with the Council in detail.

Councilmember Dunsworth thanked Spangrud for her thorough report. She asked if postcards would be sent to inform voters of the upcoming polling changes. Spangrud explained notifications (postcards or letters) would be sent and noted the City would be working with the County on this matter.

Councilmember Dunsworth encouraged staff to draft an article for the upcoming newsletter regarding elections and elections changes. She suggested staff consider contacting the census bureau to see if census workers were willing to serve as election judges.

Mayor Johnson indicated the neighborhood centers were quite small. She wondered if it would be a better

option to combine polling locations versus using the small neighborhood centers. Spangrud stated that was the reason this information was brought to the City Council, because the Council's opinion matters. She explained the City has a limited number of facilities available for polling (without being able to use schools). She reported staff was open to pursuing whatever direction the Council had with regard to polling locations.

Councilmember Jacobsen agreed the neighborhood centers were not big spaces. He questioned if the gym at St. John's could be used as a combined precinct. Spangrud stated this was an option. She commented Precinct 2 was the City's smallest precinct. Massopust reported staff would be considering how to balance voter accessibility with voter safety through social distancing. He explained he encouraged Clerk Spangrud to keep polling locations similar within the precincts because voter accessibility was very important. He indicated after the polling locations were set, the City would then focus on how to address proper social distancing and voter safety.

Councilmember Dunsworth stated voters may be discouraged if lines were too long. She encouraged staff to pick large polling places, to properly inform voters where their polling location would be and to create safe social distancing at the polling locations. She recommended the smaller polling places be eliminated from consideration. It was her hope absentee voting would increase this year in order to keep the elections running smoothly.

Councilmember Fynewever commented on the benefits of keeping polling places close to voters. She stated another option to consider would be to have people vote within specified timelines within neighborhood zones in order to space people out.

Councilmember Jacobsen indicated his worry with only having one polling location would be the wait times that could be created. He suggested several different polling locations be selected to assist with easing voter wait times. He stated he appreciated Councilmember Fynewever's suggestion to space out voters.

Councilmember Fynewever asked if there was any legal way to have smaller polling places available and one general polling place (the Community Center). Spangrud stated this would not be an option as each resident was assigned to a polling location based on their address. She reported she would work on a plan for the City's polling locations and would report back to the Council at the June 23rd meeting. Massopust thanked the Council for its feedback and noted staff would work to have a plan with four larger polling places.

Update from Public Safety Director Tony Paetznick

Massopust reported the recent death of George Floyd has caused an outcry on policing services and how they are being done. He commented as an organization the City was open to and embracing that challenge. He explained Director Paetznick would be providing the Council with an update on how the City was working to bring about change.

Paetznick provided the Council with an update from the Public Safety Department. He thanked the City of New Brighton for their cooperation during the last few weeks when a curfew was in place. He appreciated the community coming together to report suspicious activity and was proud of how well the community looked out for each other. He reported New Brighton was celebrating its 20th year of providing public safety services in the City.

Paetznick encouraged the Council and members of the public to view the Public Safety Commission meeting from June 8th where he gave a presentation on 21st Century Policing. He discussed the six pillars of 21st Century Policing and how they were advancing policing in the community. These pillars included building trust and legitimacy, policy and oversight, technology and social media, community policing and crime

reduction, training and education, and officer wellness and safety. He described the actions the Public Safety Department has taken in the last five years to incorporate these pillars. He then commented on the framework that was in place to continue the good work that has started. He commented on the importance of listening at this pivotal time and noted he has appreciated the comments he was receiving from residents. He encouraged residents to visit the City's website in order to provide additional feedback on the Listen page.

Councilmember Dunsworth thanked Director Paetznick for his report. She explained she had a ton of questions and she believed this topic required more than 30 minutes at a worksession meeting. She requested this topic be brought back to a future worksession meeting for further discussion. She indicated this was a topic that the City needed to be fully transparent about.

Mayor Johnson stated this item was just recently added to the agenda and she appreciated Councilmember Dunsworth suggestion to further discuss this topic at a future meeting.

Councilmember Allen thanked Director Paetznick for his thorough report and stated he looked forward to further discussing this topic.

Councilmember Dunsworth questioned how the City addresses a complaint or incident. Paetznick stated pursuant to the Minnesota Board of Peace Officers standards all law enforcement agencies are required to have a complaint policy in place. He reported the forms were readily available to the public and can be submitted via email, fax, regular mail or over the phone. He explained these complaints are then reviewed by a supervisor and was sorted to determine the level of severity of the complaint. His staff determines if coaching, mentoring and training was required or if a policy violation has occurred more action was required.

Councilmember Jacobsen asked how many complaints the department receives per year and what type of complaints are received. Paetznick explained formal complaints are rare. He stated lower level complaints are made each year and are handled by management through training and mentoring. He indicated he could investigate this further and would have this information for the Council to review at a future meeting.

Councilmember Dunsworth stated she was concerned about microaggressions. She inquired if this was talked about within the Public Safety Department. Paetznick commented microaggressions was not a topic within the departments training manual but this was addressed in de-escalation training. He discussed how training within the State was evolving to address these new topics. He noted he could provide the Council with further information regarding the ongoing training the City's officers receive each year.

Massopust reported the Council could plan to address this topic further at the June 23rd worksession meeting.

Worksession adjourned at 6:27 pm

Respectfully submitted,

Terri Spangrud
City Clerk

COUNCIL PROCEEDINGS
THE CITY OF NEW BRIGHTON

Pursuant to notice thereof, a regular meeting of the New Brighton City Council was held Tuesday, June 9, 2020 at 6:30 pm in the New Brighton Council Chambers. Due to the COVID-19 pandemic this meeting was held virtually.

Present: **Mayor Johnson, Councilmembers Allen, Dunsworth, Fynewever, and Jacobsen**
Absent:

Also Present: **Devin Massopust-City Manager, Sarah Sonsalla-City Attorney, Gina Smith-Interim Finance Director, Ben Gozola-Assistant Director of Community Assets and Development**

Call to Order
Mayor Johnson called the meeting to order at 6:30 pm.

Call to Order

Pledge of Allegiance
Councilmember Jacobsen led the Council in the Pledge of Allegiance.

Pledge of Allegiance

Public Comment Forum
Mayor Johnson opened the Public Forum for comments from the public.

Public Comment Forum

Mayor Johnson reported Jenny Hendrickson at 115 Wedgewood Court submitted a comment stating she was concerned with the recent events surrounding the death of George Floyd. She encouraged the Public Safety Department and the City Council reconsider their policies and procedures. Ms. Hendrickson suggested New Brighton become a My Brother's Keeper Community at www.obama.org. Ms. Hendrickson stated this organization would expand the good work already being done in the City through community policing to ensure boys and girls of color are offered the same opportunities as the white individuals in the community. Ms. Hendrickson commented she wanted to see the community continue to work to become more inclusive. Ms. Hendrickson's second concern was with the COVID-19 pandemic noting she was a health care worker. Ms. Hendrickson encouraged residents in New Brighton to wear masks when indoors and suggested the City Council pass a Resolution making this a requirement within the community.

Approval of Agenda
Approval of the June 9, 2020 Council Agenda.

Approval of Agenda
Approval of the June 9, 2020 Agenda.

Motion by Councilmember Jacobsen, seconded by Councilmember Dunsworth to approve the agenda as submitted.

A roll call vote was taken. 5 Ayes, 0 Nays-Motion Carried

Council Minutes
Approval of the Council Worksession minutes from April 27, 2020.

Council Minutes
Approval of Council Minutes

Approval of the Council Worksession minutes from May 12, 2020.
Approval of the Council minutes from May 12, 2020.

Motion by Councilmember Jacobsen, seconded by Councilmember Allen to approve the worksession minutes from the April 27, 2020 meeting.

A roll call vote was taken. 5 Ayes, 0 Nays - Motion Carried

Motion by Councilmember Jacobsen, seconded by Councilmember Allen to approve the worksession minutes from the May 12, 2020 meeting.

A roll call vote was taken. 5 Ayes, 0 Nays - Motion Carried

Motion by Councilmember Jacobsen, seconded by Councilmember Allen to approve the minutes from the May 12, 2020 meeting.

A roll call vote was taken. 5 Ayes, 0 Nays - Motion Carried

Commission Minutes

Commission Minutes

Mayor Johnson received the following minutes on behalf of the City:

- Public Safety Commission Minutes from March 9, 2020.
- PREC Minutes from May 6, 2020.

Special Order of Business

Special Order of Business

None.

Consent Agenda

Consent Agenda

1. Consider Approval of Payments of Electronic Funds Transfer (EFT) 10775–10918, ACH Payments 10753-10774 & Vouchers 158656-158717 for a total of $2,396,419.98.

1. Consider Approval of Payments of EFT 10775–10918, ACH Payments 10753-10774 & Vouchers 158656-158717.

2. Consider the Recommendation to Appoint the Chair and Vice Chair of the Parks, Recreation and Environmental Commission.

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Motion by Councilmember Jacobsen, seconded by Councilmember Allen to approve the Consent Agenda as presented.

Councilmember Jacobsen clarified for the record that Pam Axberg was recommended to serve as the Chair for PREC and Matt Johnson would serve as the Vice Chair.

A roll call vote was taken. 5 Ayes, 0 Nays - Motion Carried

Public Hearing

Public Hearing

None.

Council Business

Council Business

None.

Commission Liaison Reports, Announcements and Updates

Commission Liaison Reports, Announcements and Updates

Devin Massopust

City Manager Massopust reported work began on the Parks Comprehensive Plan in 2018. He explained work on this project was put on hold after COVID-19 began. He indicated staff was has been taking public comment on the plan and these comments would be gathered and taken to PREC for consideration at their next meeting. He anticipated the Parks Comprehensive Plan would be back before the City Council sometime in August.

City Manager Massopust explained City staff and its leadership team takes the situation involving George Floyd and racial injustice very seriously. He indicated he was very discouraged two weeks ago and after having some time he has been encouraged by his leadership team and how they were working to address racial inequality. He stated Director Paetznick would remain in the public eye as the City continues to address this issue.

Emily Dunsworth

Councilmember Dunsworth reported she attended the PREC meeting on Wednesday, June 3rd where a presentation was provided by Director Schlichting on the projects that would be completed in the City in 2020. She thanked the Parks and Recreation Department for adapting to all of the changes that have had to occur due to COVID-19. She stated the world has changed in the past few weeks and the depths of racism has been brought to light. She indicated New Brighton was not immune to this issue. She explained this was an emotional and difficult topic. She stated she was proud to be serving on the City Council in order to dig in and address this concern.

Nasreen Fynewever

Councilmember Fynewever congratulated the Class of 2020 and commended all school staff for a job well done. She stated as a woman of color she did not have words to say other than to note she was willing to step forward and show the black community and communities of color have a place in New Brighton. She commented it was important for her voice and all minority voices to matter. She explained New Brighton was receptive to minorities showing up at the table.

Graeme Allen

Councilmember Allen reported the Public Safety Commission met on Monday, June 8th where the group discussed 21st Century policing, along with departmental policies and procedures. He applauded Public Safety Director Paetznick comments in light of George Floyd's murder. He appreciated the fact that Director Paetznick was committed to listening. He encouraged residents to visit the listen page on the City's website in order to offer feedback. He stated now was the time to do better, to listen more and be intentional about change that needs to occur. He explained the Public Safety Commission reappointed Jeff Hollimon as the Chair and Karen Wagner as the Vice Chair. He noted the calls for Allina and police was on the rise since the COVID-19 pandemic began. He encouraged residents to be kind to one another.

Councilmember Allen reported there would be a blood drive at the New Brighton Community Center on Wednesday, June 17th. He stated appointments can be made for the blood drive from 12:00 p.m. to 6:00 p.m.

Paul Jacobsen

Councilmember Jacobsen reported the Planning Commission would meet next on Tuesday, June 16th. He discussed how the world has changed since the last Council meeting. He stated he was pleased to see that local businesses were slowly being allowed to reopen. He

commented he was disheartened by the events that occurred in Minneapolis and how this has negatively impacted the entire community. He stated he was committed to ensuring that New Brighton never lost its identity because united we stand and divided we fall. He thanked the members of the community for giving New Brighton its identity. He encouraged those interested in serving as an election judge to visit the City's website or to contact City Hall for further information.

Mayor Johnson

Mayor Johnson reported Bill Grossman, the Mayor of New London, passed away on May 26th. She explained she brought this up because the City's antique car run goes from New London to New Brighton each year. She discussed the tremendous effort Mayor Grossman put into the antique car run and stated he would be dearly missed. She sent her condolences to the Grossman family and to the New London community.

Mayor Johnson reported the EDC would be meeting on Wednesday, June 10th at 7:30 a.m. She reiterated the City needed election judges for the upcoming primary and general elections. She reported absentee ballots would be available for both elections.

Mayor Johnson explained the events of the last two weeks have been outrageous and tragic. She thanked her fellow Councilmembers for offering comments. She indicated these were hard and difficult times and noted the City of New Brighton would not be shying away from the difficult topics or conversations that need to be held. She appreciated the comments from Councilmember Fynewever and how her voice mattered. She thanked Councilmember Jacobsen for reiterating that all residents in New Brighton make up this community. She thanked Public Safety Director Paetznick for setting up a listening platform on the City's website to allow residents to provide the City with feedback. She stated she was looking forward to moving this City forward in the right direction. She sent her condolences to the Floyd family and offered her commitment to all people of color in the City of New Brighton that this issue would be addressed and would be addressed right.

Adjournment

Mayor Johnson adjourned the meeting at 7:07 p.m.

Adjournment
The meeting adjourned at 7:07 p.m.

_____
Valerie Johnson, Mayor

ATTEST:_____
Terri Spangrud, City Clerk

MINUTES
PLANNING COMMISSION
January 21, 2020 City Hall
Council Chambers 7:00 p.m.

I. Call to Order

The meeting was called to order at 7:00 p.m. by Chairperson Nichols-Matkaiti.

II. Roll Call

Members Present.....Chairperson Erin Nichols-Matkaiti and Commissioners Todd Biedenfeld, Youssef Enanaa, Jeanne Frischman, Tim McQuillan, and Jeremy Melquist

Members Absent.....none

Also Present .....Ben Gozola (Assistant Director of Community Assets and Development) and Mayor Valerie Johnson

III. Approval of Agenda

Motion by Commissioner McQuillan, seconded by Commissioner Biedenfeld, to approve the January 21, 2020 agenda as presented.

Approved 6-0.

IV. Approval of Minutes

Minutes from December 17, 2019

Motion by Commissioner Biedenfeld, seconded by Commissioner McQuillan, to approve the December 17, 2019 meeting minutes as presented.

Approved 6-0.

V. Report from City Council Liaison

Mayor Johnson provided the Commission with an update from the City Council. She explained the Council discussed upcoming Commission member interviews and potential training for Commission Chairs. She reported the City was now taking applications for open Commission seats and interviews would be held in February and March. She noted the passport office was now open for the public. She indicated the ice castles opened to the public on Friday, January 17th and she encouraged all residents to visit. She reported the search continues for a new City Manager and the City was receiving applications at this time.

Commissioner Biedenfeld explained there was still a need for election judges and noted the State would be having three elections in 2020.

VI. Public Hearing

None.

VII. Business Items

1) **PRELIMINARY AND FINAL PLAT: An application from Murlowski Properties Inc. to replat the four properties at 2200 Old Highway 8 into two parcels, and to clean up legal descriptions between this property and adjacent lands. No new lots will be created as a result of this platting process. PIDs: 17-30-23-41-0013, 17-30-23-42-0004, 17-3023-43-0005, and 17-30-23-42-0006.**

Assistant Director of Community Assets and Development Gozola reported Murlowski Properties Inc. are seeking to clean up the legal descriptions between their properties and surrounding properties to position the property for future development or sale. Through this plat, the existing four parcels will be combined into two. Boundaries for the resulting parcels will mimic existing parcel lines. The only visible changes will largely be to the legal descriptions of the land in this area. The platting process is the ONLY time a City may require the dedication of additional right-of-way on property to facilitate future roadway needs. In this case, the applicants currently own one of the few major undeveloped open areas of property within the City which has questionable/poor access to the public roadway network. To protect the City's future interest in allowing a public roadway to be built into this area of the City, staff has recommended the dedication of an additional roadway easement over proposed Lot 1. The applicant is objecting to this recommendation. It was noted the staff memo provides an overview of the issue, the applicant's concerns, and the options available to the City. Staff provided further comment on the Preliminary and Final Plat. He stated the applicant has three options at this time:

1) Accept the existing 30 foot easement as meeting code standards and future needs.
2) Require the applicant to dedicate an alternative & usable roadway access easement at this time that could accommodate the City's minimum road design and provides access to Lot 1.

3) Require the applicant to dedicate the additional 30 foot easement proposed by staff with the understanding that the new easement (or all 60 feet) would be vacated in the future if any of the following occur:
    a. An alternative and useable roadway access to Old Highway 8 is established elsewhere on the property
    b. Right of way for Mustang Circle in Mounds View is extended southward to the municipal boundary thereby creating a new northern roadway access for 2200 Old Highway 8.

Chair Nichols-Matkaiti asked if the extra 30 feet was required on Lot 2. Assistant Director of Community Assets and Development Gozola explained the extra 30 feet was only required on Lot 1 in order to gain access to Lot 2.

Chair Nichols-Matkaiti questioned if the roadway were put in place, and the 30-foot easement were used, would the building become non-conforming. Assistant Director of Community Assets and Development Gozola reported this was the case. He explained the property owner would then be required to seek City approval if changes were made to the building.

Commissioner McQuillan inquired how wide City streets were. Assistant Director of Community Assets and Development Gozola commented City right-of-way was typically 60 feet, and the roadway would be somewhere between 20 to 30 feet.

Commissioner McQuillan asked if the roadway was Class 5 at this time. Assistant Director of Community Assets and Development Gozola reported this was a private roadway and it was paved.

Mike Murlowski, 2200 Old Highway 8, explained there were a number of things going on with this request. He stated he could not work with uncertainties, especially given the fact he would be selling the building on Lot 1 to Mario Mario Cocchiarella. He discussed how the requested 30-foot easement would make the building on Lot 1 non-conforming. He indicated this shouldn't be a problem, but stated this could be a hardship for the new owner.

Mr. Murlowski commented on the location of the truck scale. He reported this truck scale would be located right in the middle of the easement. He stated he feared how his business would be impacted if he had to remove the truck scale three, five or ten years down the road. He explained he started this process to clear up gaps and overlaps. He indicated he has spent over two years working with attorneys, surveyors, title companies and the City try and get this matter cleaned up. He expressed frustration with the fact the City was now requiring an easement on his property.

Mr. Murlowski stated this property would be coming back before the City for redevelopment at some point in the future. He indicated there was zero to be gained by requiring him to provide a 60-foot easement when a 30-foot private drive was already in place. He commented further on how he was working to clear up the gaps and overlaps on his property and requested the 30-foot easement not be required on Lot 1.

Commissioner McQuillan asked if the truck scale on this property was public or private. Mr. Murlowski reported the truck scale was privately owned.

Commissioner Melquist questioned who has been responsible for maintaining the private roadway. Mr. Murlowski indicated he has paid to maintain the roadway and noted the entire private drive would be torn up and repaved in the summer of 2020.

Mr. Murlowski commented further on his property noting the site could be replatted in the future and the easement should be considered at that time.

Assistant Director of Community Assets and Development Gozola explained staff has a different opinion on this matter and believed it was in the City's best interest to secure the easement at this time given the fact the property was being replatted.

Mr. Murlowski indicated his 35-acre property would be replatted in the future and he believed the City was putting a very serious hardship on his property by requiring the 30-foot easement through Lot 1. He stated the non-conforming limitations on Building 1 could restrict the future owner from putting on an addition.

Mario Cocchiarella, Bel Air Site Work Services, stated the truck scale would also be located right in the middle of the easement. He explained the City was requesting this easement to protect their interests. He recommended the City allow the property to remain as is and that he be required to prove to the City the site has sufficient access. He feared how Lot 1 would be impacted if the truck scale had to be removed and the building would become non-conforming. He stated the real issue with this property was the separation between his driveway and Mustang Drive. He requested the future development capabilities be incumbent upon the property owners and not be a requirement of the City.

Commissioner Biedenfeld questioned if the railroad had an easement through the Murlowski property. Mr. Murlowski stated this was the case and noted the railroad only serviced one customer, Scherer Brothers.

Chair Nichols-Matkaiti asked if this property did not have public access. Assistant Director of Community Assets and Development Gozola explained Lot 2, as currently proposed, had frontage on Old Highway 8. He stated Lot 1 did not have public access but rather was serviced by a 30-foot private roadway which was why the City was requiring an expanded easement. He commented further on how the City could pursue an encroachment agreement with the property owner if a roadway were required in the future. He noted the City would not have a lot of incentive relocate the truck scale as the City would need to incur the cost.

Commissioner McQuillan indicated the current location of the truck scale was very easy for trucks to access and a relocation of the scale would be inconvenient for the business. He explained he had been a business owner and he understood the expense of maintaining a property. He agreed it would be a hardship to have the easement in place on Lot 1. He stated if the City were to allow the applicant to the roll the dice, the applicant would be responsible for providing access to the site in the future if it were to redevelop.

Mr. Cocchiarella discussed how he and Mr. Murlowski would have to approach the surrounding landowners in order to gain access to the property in the future if a redevelopment were to occur. He commented there were alternatives, but he believed now was not the time to resolve the access issues.

Commissioner Melquist questioned when the public right-of-way would be required. Assistant Director of Community Assets and Development Gozola stated the City can examine land during the platting process to determine if there are public interests in obtaining right-of-way. He noted there was a difference in opinion between the City and the applicant at this time on the right-of-way requirements.

Commissioner Biedenfeld asked if the Lots could be combined through the platting in order to eliminate the need for the easement. Assistant Director of Community Assets and Development Gozola reported this had been discussed, but noted Lot 1 was being sold to Mr. Cocchiarella which was the reason for the replatting.

Commissioner McQuillan stated if the plat were approved as recommended by staff, the building and truck scale would become legal non-conforming. Assistant Director of Community Assets and Development Gozola stated this was the case.

Commissioner McQuillan questioned what would be lost if the plat were approved with only the existing 30 feet of right-of-way. Assistant Director of Community Assets and Development Gozola indicated if there were different controlling interests between Lot 1 and Lot 2, it may be difficult to come to an agreement about how to access Lot 2 in the future. He understood that the property owners were willing to take the risk, but he asked if it was in the City's best interest to risk this property not being able to be developed in the future.

Chair Nichols-Matkaiti inquired if there were any other properties in the City that did not have proper right-of-way or easements in place. She questioned if a precedent could be set if the City were to approve this request without the 60 feet of public right-of-way. Assistant Director of Community Assets and Development Gozola reported the Commission did not need to worry about setting a precedent as every application has a unique set of facts.

Commissioner Frischman asked if this item came back to the Planning Commission because new information was brought to the City from the applicant. Assistant Director of Community Assets and Development Gozola reported this was the case noting the applicant verbally opposed the easement at the City Council meeting while no opposing the easement before the Planning Commission.

Commissioner Frischman questioned if the applicant has opposed the easement for the past two years. Assistant Director of Community Assets and Development Gozola commented there was no opposition originally because there was no proposal for the site. He indicated the opposition came about when the applicant brought forward a plat.

Commissioner Biedenfeld asked if staff has had any conversations with the City of Mounds View regarding potential future access to Lot 2 from the north. Assistant Director of Community Assets and Development Gozola explained he had reached out to the City of Mounds View to see if an easement was in place. He reported an easement was not in place and noted Mounds View did not have plans to provide access.

Chair Nichols-Matkaiti inquired how the Commission wanted to proceed. She asked if the Commission believed having the 30-foot easement protected the City's interests with future development.

Commissioner Biedenfeld stated the burden would fall on the owner of Lot 2 to provide an access point if the property were to develop at some point in the future. He did not believe the "chimney" portion of the property was an option. He anticipated access would have to be gained from the City of Mounds View. However, he believed, at the end of the day this problem would have to be resolved by the applicant.

Mayor Johnson explained the final decision on this matter would be made by the City Council. She indicated the Planning Commission could move forward with the original recommendation and require the extra 30-foot easement, or a new recommendation could be made to the Council.

Commissioner McQuillan stated the applicant keeps referring to now not being the right time. He questioned what the applicant meant by this statement. Mr. Murlowski explained he believed now was not the right time because the site was not being redeveloped. Rather, the site was being cleaned up of gaps and overlaps. He was of the opinion the City was putting the cart before the horse. He indicated the City was putting a hardship on him that was not necessary. He stated putting his building and truck scale into a non-conforming status was not acceptable to him.

Chair Nichols-Matkaiti requested feedback from the Commission on how to proceed.

Commissioner Frischman indicated she was conflicted with how the City would be impacted if the can were kicked down the road. She commented, in the end, the decision would be made by the City Council. She stated ultimately the Planning Commission was tasked to focus on City Code.

Chair Nichols-Matkaiti agreed the Planning Commission should focus on City Code as this was to guide the groups decisions. For this reason, she was in favor of sticking to the original recommendation made by the Planning Commission.

Commissioner McQuillan agreed.

Mr. Murlowski stated he did not support the application going forward in such a manner that his building and the truck scale would become non-conforming. He asked if this request could be withdrawn if the extra 30-foot easement were required. Assistant Director of Community Assets and Development Gozola explained the applicant would have the option of not recording the plat.

Mr. Murlowski reported he did not want the City Council to take action on this item and but rather would like to withdraw the request versus being required to provide the City with the 30-foot easement. Assistant Director of Community Assets and Development Gozola commented the applicant could withdraw the request prior to the Council taking action on the item. He recommended the Planning Commission make a recommendation at this time and that staff meet with the applicant later this week to discuss the matter further prior to being reviewed by the City Council.

Commissioner Biedenfeld stated he was sympathetic to the property owner but noted he understood the recommendation being made by staff.

Mayor Johnson commented by requiring this easement the future development rights of the property owner of Lot 2 were being protected.

Mr. Murlowski indicated the proposed easement would not do any party any good. He explained access to Old Highway 8 would not ever be granted. He explained the only thing that the easement would do would be to place a hardship on Murlowski and Lot 1 by making the building and truck scale non-conforming.

Motion by Commissioner McQuillan, seconded by Commissioner Frischman, to reaffirm the recommendation made to the City Council regarding the Preliminary and Final Plat for the property at 2200 Old Highway 8.

Approved 4-2 (Biedenfeld and Melquist opposed).

2) ZONING CODE UPDATE PROJECT: Annotated Outline Review.

Assistant Director of Community Assets and Development Gozola reviewed the annotated outline that had been drafted for the Zoning Code update project. The revised project timeline was reviewed and it was recommended a temporary steering committee of nine to eleven people be formed to discuss the zoning code updates. He reported the City secured a $25,000 grant to assist with covering the expenses of the visioning process being planned for Silver Lake Road. He described the public outreach and education that would occur throughout this process. The project goals were discussed in detail with the Commission.

Chair Nichols-Matkaiti questioned if AirBNB's should be considered in the Zoning Code. Assistant Director of Community Assets and Development Gozola stated this matter was reviewed by the Council last year and the Council wanted property rights to be maintained and no action was taken to amend City Code.

Chair Nichols-Matkaiti asked how the steering committee will be formed. Assistant Director of Community Assets and Development Gozola reported the City Council would determine how the steering committee would be formed.

Commissioner Biedenfeld commented this was a huge undertaking and he commended staff for taking on this project. He noted he supported the City Council moving forward with the formation of a steering committee.

Chair Nichols-Matkaiti and Commissioner McQuillan also supported the formation of a steering committee.

Commissioner McQuillan stated he was pleased the Zoning Code would be placed on the City's website with hyperlinks. He believed this would be a valuable tool for the City to have in the long-run.

The Commission thanked staff for the thorough report on the Zoning Code update project.

Motion by Commissioner Frischman, seconded by Commissioner McQuillan, to accept the annotated outline as presented.

Approved 6-0.

VIII. Adjournment

Motion by Commissioner Frischman, seconded by Commissioner McQuillan, to adjourn the meeting.

6 Ayes, 0 Nayes, Motion carried.

Meeting adjourned at 8:58 PM

Respectfully submitted,



Ben Gozola
Assistant Director of Community Assets and Development

MINUTES
New Brighton Economic Development Commission
Regular Meeting – February 5, 2020
7:30 a.m.

I. Call to Order

Chairperson Zisla called the meeting to order at 7:30 a.m.

II. Roll Call

Members Present.....Chair Paul Zisla, Commissioners Bob Benke, Harry Carter, Bret Fynewever, Clint Kuipers, Mike Murlowski, Rachel Nelson (arrived at 7:35 a.m.), Max Nundahl, and Anthony Pledger

Members Absent.....None

Also Present .....Ben Gozola (Assistant Director of Community Assets & Development), Craig Schlichting (Director of Community Assets & Development), Brenda Davitt (Finance Director), Gina Smith (Assistant Finance Director), Noah Her (Open To Business), Mikayla Hewitt (Baker Tilly), and and Councilmember Graeme Allen

III. Approval of Agenda

Motion by Commissioner Carter, seconded by Commissioner Benke to approve the agenda as presented.

Approved 8-0

IV. Approval of Minutes

Motion by Commissioner Murlowski, seconded by Commissioner Benke to approve the minutes from the November 6, 2019 meeting.

Approved 8-0

V. Report from Council Liaison

Councilmember Allen provided the EDC with an update from the City Council. He stated the Dominium portion of the Midtown Village project was underway. He discussed the changes that would occur at Pike Lake Apartments noting the City has been working with Ramsey County to try and connect these residents with new housing options.

VI. Business Items

A. Open To Business 2019 Year in Review

Gozola reported Noah Her, the City's new Open To Business representative, was present to provide the EDC with an overview of their activities in 2019, updates on the recent transitions in service, and can answer any questions you have about the program moving forward.

Noah Her, Open to Business representative, introduced himself to the Commission. He explained in 2019 the County made itself available six times to residents and business owners in New Brighton. He stated a total of 65 hours were invested in New Brighton business owners. He stated 50% of his clients were women, 20% were minorities and 20% were low income. He discussed the business types he was working with and described the type of services he provided. He anticipated additional services would be provided in 2020 given the fact full-time services would now be provided by Ramsey County. He commented on the marketing materials that were being created by the County for Open To Business and stated he was looking forward to the coming year.

Discussion included:

- It was noted a glass blowing business would be moving into New Brighton.
- Mr. Her described how business owners could reach him for services.
- The Commission thanked Mr. Her for his efforts on behalf of New Brighton business owners.

B. Baker Tilly TIF District Status Report

Gozola stated a representative from Baker Tilly in attendance to provide an update on the status of current TIF districts in the City. Staff provided the Commission with a draft "Summary of TIF Districts" report.

Mikayla Hewitt, Baker Tilly, introduced herself to the Commission. She discussed the fundamentals of tax increment financing and summarized the TIF districts in the City. She stated the purpose of this review was to have the Commission understand the current financial status for each of the City's TIF districts and to determine what flexibility there may be in each district. It was noted the City has two different types of TIF districts, a Redevelopment District and a Housing District.

Ms. Hewitt reported tax increment has been a benefit to the City of New Brighton with significant tax capacity and market value growth within the TIF districts. She discussed how captured tax capacity is added to the City's tax base as increased tax capacity upon decertification and described the "but for" test. She reviewed the eligible costs that could be covered by TIF. The City's active housing and redevelopment TIF districts were discussed, along with the decertification dates. She then discussed several recommendations for the City to consider.

Discussion included:

- Ms. Hewitt described how interfund loans worked.
- Staff described how the Community Reinvestment Fund was utilized by the City.
- It was noted some of the TIF districts were decertifying early because the property value growth exceeded expectations.
- Staff commented on the TIF district that was created for Midtown Village (TIF District No. 34).
- Ms. Hewitt discussed the health of each TIF district, noting those that had a surplus and those that had a deficit. Finance Director Davitt described how growth in the districts with deficits improves over time.
- The Commission thanked staff and Ms. Hewitt for the thorough report on the City's TIF districts.
- The Commission recommended further discussion regarding the City's TIF districts and tax capacity be discussed at the next EDC meeting.

C. <u>Zoning Code Update Project: Annotated Outline</u>

Gozola reported the Annotated Outline for the Zoning Code Update project will establish the overall roadmap the City will follow over the next 12 to 18 months to update its zoning ordinance. At this time, the Economic Development Commission is asked to review the document, and recommend needed changes, updates, or additions to the suggested approach and timeline. Once approved by the City Council, staff will initiate the code update project in accordance with this document. It was noted one or two Commissioners may be asked to serve on a Zoning Code Steering Committee.

VII. Adjourn

Motion by Commissioner Benke, seconded by Commissioner Murlowski to adjourn the meeting.

9 Ayes, 0 Nays, Motion carried

Meeting adjourned at 9:05 am

Respectfully submitted,



Ben Gozola
Assistant Director of Community Assets and Development

MINUTES
PLANNING COMMISSION
April 21, 2020 City Hall
Council Chambers 7:00 p.m.

I. Call to Order

The meeting was called to order at 7:00 p.m. by Chairperson Nichols-Matkaiti. Due to the COVID-19 crisis this meeting was held virtually.

II. Roll Call

Members Present.....Chairperson Erin Nichols-Matkaiti and Commissioners Todd Biedenfeld, Youssef Enanaa, Jeanne Frischman, Tim McQuillan, and Jeremy Melquist

Members Absent.....none

Also Present .....Ben Gozola (Assistant Director of Community Assets and Development) and Paul Jacobsen (Councilmember)

III. Approval of Agenda

Motion by Commissioner McQuillan, seconded by Commissioner Biedenfeld to approve the April 21, 2020 agenda as presented.

A roll call vote was taken. Approved 6-0.

IV. Approval of Minutes

Minutes from January 21, 2020

Motion by Commissioner Frischman, seconded by Commissioner Melquist to approve the January 21, 2020 meeting minutes as presented.

A roll call vote was taken. Approved 6-0.

V. Report from City Council Liaison

Councilmember Jacobsen provided the Commission with an update from the City Council. He discussed how the world has changed since the last time the Planning Commission had met. He stated the middle of March brought about a whole new normal for everyone. He understood this new normal would take some time to adjust to. He thanked the Planning Commission for being flexible this evening and for holding this meeting virtually. He reported the City Council recently hired a new City Manager. After interviewing four candidates, the Council appointed Devin Massopust. He noted the Commission position interviews have been postponed until early May at which time the Council will hold the remainder of the interviews and make appointments. He explained Councilmember Mary Burg tendered her letter of resignation with the City Council and the Council was taking applications for this vacant seat. He stated Councilmember Burg was a mentor to him and she would be sorely missed on the New Brighton City Council. He indicated the license office was now open for limited business and noted the golf course opened this past weekend.

VI. Public Hearing

1) **Special Use Permit Amendment: Request from Murlowski Properties Inc. to amend the existing Special Use Permit, Site Plan, and current conditions of approval to permit a new roadway access to their properties at 2200 Old Highway 8 – PIDs 17-30-23-41-0013, 17-30-23-42-0004, and 17-30-23-42-0009.**

   Assistant Director of Community Assets and Development Gozola reported Murlowski Properties Inc is seeking to amend previous approvals for their SUP and Site Plan to allow for a potential future roadway down the chimney of the property out to Old Highway 8. No changes in use are proposed. The variance is necessary as technically the new roadway would not provide full frontage on one of the proposed lots as required by code. The purpose of this exercise is to demonstrate that a public or private road could be constructed, and to create an Outlot that would allow for such. No road will be constructed at this time. Detailed decisions (i.e. final alignment, construction details, ROW width & location) can be determined when proposed Lot 2 develops in the future. Staff provided further comment on the request and recommended approval of the Special Use Permit Amendment, based on the findings of fact and subject to the following conditions:

   a. Prior to the City signing the final plat and authorizing it for filing at the County, the applicant shall dedicate an easement over the storm water pipe and lake outlet extending northward from Rush Lake as directed by the City Engineer.

   b. Upgrades to the existing storm sewer outlet for Rush Lake will be implemented concurrent with either new development of proposed Lot 1, or when grant funding is secured for the improvement. Relocation of the outlet will require dedication of a new easement to accommodate the new pipe.

Chair Nichols-Matkaiti asked for questions or comments from the Commission.

Commissioner McQuillan asked if the right-of-way on Lot 1 would be vacated. Assistant Director of Community Assets and Development Gozola explained the right-of-way would not be vacated.

Commissioner Biedenfeld thanked the applicant for putting in the effort come up with a creative solution for his property.

Chair Nichols-Matkaiti agreed and thanked staff and the applicant for finding a solution.

Chair Nichols-Matkaiti opened the Public Hearing at 7:20 p.m.

Mike Murlowski, 2200 Old Highway 8, thanked staff for their time and effort. He appreciated the solution that has been created because it takes care of his interests as well as the City's interests.

Motion by Commissioner McQuillan, seconded by Commissioner Biedenfeld to close the Public Hearing.

A roll call vote was taken. Approved 6-0.

Commissioner Biedenfeld supported the new solution and recommended this matter be approved.

Motion by Commissioner Frischman, seconded by Commissioner McQuillan, to recommend the City Council approve staff recommendation.

A roll call vote was taken. Approved 6-0.

2) Benedictine Health Center rezoning and PRD Amendment:

a. Ordinance 873: Adopting of an Ordinance rezoning property located at 2722 I-694 Service Drive from B-1 to R-3B (PID 19-30-23-34-0010). The proposed rezoning would allow for consideration of a revised Planned Residential Development for the Benedictine Health Center in compliance with the new Comprehensive Plan.

Assistant Director of Community Assets and Development Gozola reported State law provides cities with nine months to update zoning ordinances and maps following approval of a new comprehensive plan. The recently approved 2040 Comp Plan initiated that time clock, and the City undertook an effort to update zoning classifications throughout the City in compliance with the new plan. Some areas, like the subject parcel, were deemed to have compliant zoning as the City has yet to establish new zoning for its mixed use areas, and applicants could request a rezoning should they come forward with a PRD application to fulfill the Comp Plan goals. In 2019, the Benedictine Health Center requested and received approval of rezoning for two parcels adjacent to their campus, and subsequently gained approval of a PRD to expand their facility. Following those approvals, the Benedictine's were presented with an opportunity to acquire the parcel subject to this application, and they've elected to re-examine their PRD to incorporate this additional land. As a preliminary step; however, they must once again request rezoning of property to accommodate their use. Like the 2019 requests, this application is consistent with the 2040 Comprehensive Plan, and is therefore

supported by Staff. Staff provided further comment on the request and recommended approval of the Ordinance, based on the following:

- The applicants have already demonstrated their plans to expand the Health Center are compliant with the Comprehensive Plan;
- The revised plans will allow the Benedictine Health Center to address most of (if not all) resident concerns that arose during the 2019 PRD review.
- Planned Residential Developments are not a by-right development option. The City Council maintains ample authority to deny the revised PRD if they believe the goals and objectives of the new 2040 Comprehensive Plan would not being met by the revised plan.

Chair Nichols-Matkaiti opened the Public Hearing at 7:30 p.m.

Assistant Director of Community Assets and Development Gozola reported he received an email from Gene and Kathleen Delaney at 2828 Linden Drive stating they supported the proposed rezoning for Benedictine Health Center.

Motion by Commissioner McQuillan, seconded by Commissioner Biedenfeld to close the Public Hearing.

A roll call vote was taken. Approved 6-0.

Motion by Commissioner McQuillan, seconded by Commissioner Melquist, to recommend the City Council approve staff recommendation.

A roll call vote was taken. Approved 6-0.

b. Preliminary Planned Residential Development: Application from the Benedictine Health Center to amend an approved 2019 PRD to reconfigure their building in light of recent property acquisitions – PIDs 19-30-23-34-0051, 19-30-23-34-0008, 19-30-23-34-0009, and 19-30-23-34-0010.

Assistant Director of Community Assets and Development Gozola reported the Benedictine Health Center is seeking approval of a Preliminary Planned Residential Development to remodel and expand their existing facility at 1101 Black Oak Drive. The project will include remodeling of the existing building, demolition of an older portion of the current facility, and construction of a new wing primarily along the southern portion of the property to accommodate 56 new independent living units, 40 additional assisted living units, 24 additional living memory care units and 8 skilled nursing apartments (16 beds) to complement the current facility. Once complete, the new campus will provide a "continuum of care" for seniors allowing area residents to age in place regardless of their health status. Elevations of the addition were reviewed with the Commission. Staff provided further comment on the new site plan and recommended approval of the Preliminary Planned Residential Development, based on the findings of fact and subject to the following conditions:

1. Engineering comments in the 4/8/20 Engineering Memo shall be addressed.
2. Signage along the western side of the building shall direct visitors to the main entrance off of I-694 Service Drive.

3. The circle drive off of Black Oak Drive shall be a one-way to the north, and a “do not enter” sign should be placed at the northern entry point.
4. Minor changes as requested by public safety to improve emergency vehicle turning movements shall be incorporated into the plans as necessary.
5. Drainage and utility easements (or others), as required by the City Engineer, shall be provided on the future final plat.
6. A new (minimum) 6 foot tall fence shall be installed between this development and the residential units to the NE. Materials, style, location, and ownership of the fence is to be worked out with the neighboring residents prior to final installation.
7. The lighting plan shall be amended (if necessary) to meet all minimum required standards prior to final plat submittal.
8. The Benedictine Health Center shall share in maintenance costs for ponding if the adjacent HOA pond is impacted by the proposed project.
9. Damage to surrounding properties as a result of construction shall be dealt with by the responsible contractor
10. All utilities (i.e. telephone, electric, gas service lines, etc) are to be placed underground.
11. Should parking problems arise post development, underground spaces assigned to assisted living and/or independent living units shall reallocated as necessary to address the problem.
12. The applicants shall erect a main entry monument sign near the new entrance off 27th Avenue NW. The sign should clearly designate this entry point as the main entrance for all visitors and staff. Final design to be determined with final PRD plans.
13. The existing sidewalk leading to Linden Drive shall be relocated (or a new sidewalk shall be added) to line up with and provide access to the existing trail system to the north leading into Innsbruck Park.
14. The applicant shall work with the City Forester on final planting locations and mix shown on the landscaping plan prior to submission of final plat.
15. The applicant shall work with the City Engineer regarding proper tree placement near the ROW of Linden Drive.
16. All trash and recycling enclosures must be constructed of sturdy, opaque materials (with trash and recycling receptacles screened from view) that are in harmony with architecture and materials of the main building.
17. A final plat shall be submitted combining all parcels into a single parcel.
18. Approval of this Preliminary Planned Residential development shall remain valid for 180 days from the date of approval. One extension of up to an additional 180 days may be approved by the City Council thereafter.

Chair Nichols-Matkaiti asked for comments or questions from the Commission.

Commissioner Frischman stated her only concern with the project was how increased traffic would impact the surrounding townhomes.

Chair Nichols-Matkaiti opened the Public Hearing at 7:46 p.m.

Chester Yanik, Benedictine Health Center representative, discussed how the adjustments to the site would reduce traffic along 27th. He noted current location of the garbage containers near the townhomes would be eliminated and this area would be landscaped. He commented further on the neighborhood meeting that was held by Benedictine stating he received a great deal of support from the townhome residents for the new site plan.

David Yanik, Benedictine Health Center representative, explained the two neighborhood meetings were not required, but were held voluntarily and he was pleased by the positive feedback that Benedictine received from the public.

Carol Finsted, resident of the Lindsey Court Townhome Association, requested Benedictine improve the fencing that ran between the townhomes and the Benedictine property. She reported this would assist with providing greater security and protection for the neighborhood. She commented on how the traffic would now be entirely funneled down 27th and stated this was a concern to her. She explained this was a safety concern for the townhome residents because there were no sidewalks for pedestrians on this roadway. She indicated she also has concerns with parking spilling out into the neighborhood.

Chair Nichols-Matkaiti reported one of the conditions for approval required the applicant to install a fence. Assistant Director of Community Assets and Development Gozola reported this was the case.

Assistant Director of Community Assets and Development Gozola explained he would pass along Ms. Finsted's safety concerns along 27th to the Public Safety Commission.

Representative Connie Bernardy thanked all who have been involved in this project. She appreciated the feedback that had been provided to the developer by the neighbors as this would help enhance and protect the neighborhood. She stated she appreciated all of the efforts from both staff and the developer. She explained this was important housing for the community to have as it would allow additional New Brighton residents to age in place. She reported this was an active neighborhood and she encouraged the City to consider how to add sidewalks.

Councilmember Jacobsen stated the parking on Black Oak Drive was previously a concern. He asked with the proposed changes to the site, how cars would get to the existing back parking lot. Chester Yanik, reported all of the parking along Black Oak Drive was being removed. He provided further comment on the angular parking that would be constructed in this area.

Assistant Director of Community Assets and Development Gozola read an email he received from Thomas and Barbara Babcook at 2840 Linden Drive stating these residents had concerns with the traffic along their street. The Babcook's recommended a three way stop be installed at Linden Drive and Black Oak Drive. The Babcook's indicated this would benefit the safety of all in the neighborhood. He proposed these comments, along with Ms. Finsted's comments, be forwarded onto the Public Safety Commission.

Commissioner Frischman thanked the developer and applicant for holding neighborhood meetings.

Representative Bernardy stated she was pleased that the traffic and safety concerns were being passed along to the Public Safety Commission.

Commissioner Biedenfeld stated he was pleased to the applicant had made changes to the plans that addressed the previously mentioned concerns. He thanked the applicant and staff for working together to create this new plan.

Motion by Commissioner Frischman, seconded by Commissioner McQuillan to close the Public Hearing.

A roll call vote was taken. Approved 6-0.

Motion by Commissioner Frischman, seconded by Commissioner McQuillan to recommend the City Council approve staff recommendation.

A roll call vote was taken. Approved 6-0.

VII. Business Items

1) Solar Ordinance Best Practices Review for SolSmart Designation.

Assistant Director of Community Assets and Development Gozola reported per the SolSmart website:

"Local governments have tremendous influence over the prospects for solar energy growth. Unnecessary paperwork, red tape, and other burdensome requirements increase costs and discourage solar companies from moving to the area. By streamlining these requirements and taking other steps to encourage solar development, communities become "open for solar business." And since the solar industry is a leading source of American job creation, attracting solar investment in your community is a great way to promote economic development and new jobs."

Assistant Director of Community Assets and Development Gozola explained one required step to get SolSmart certification is to present the organization's recommendations on zoning ordinance changes to the Planning Commission for review. Their main overarching finding was *"New Brighton's ordinance is fairly silent on solar. We recommend adding language around solar as it relates to planning, zoning, and development, consistent with the Minnesota Local Government Solar Toolkit Model Ordinance so as to increase solar technology adoption."*

Staff provided further comment on the proposed language changes to the Solar Ordinance recommendations as proposed by the Great Plains Institute and requested feedback from the Commission.

Chair Nichols-Matkaiti reported the City has assisted residents and Barley Johns with solar projects. She stated while the code was currently silent with respect to solar panels, this did not mean the City was opposed.

Commissioner Frischman explained she was looking forward to having these changes a part of New Brighton's City Code.

Commissioner Biedenfeld commented his only concern with the proposed code was with ground mounted solar panels. He believed the City would have to watch the location of these panels closely.

Commissioner Melquist asked if these panels were typically residential or commercial. Assistant Director of Community Assets and Development Gozola commented he has not received a request since his time with the City. However, based on Chair Nichols-Matkaiti's comment the City has worked with applicants willing to make an investment in solar energy.

Motion by Commissioner Frischman, seconded by Commissioner Biedenfeld to acknowledge receipt of the recommendations from the Great Plains Institute as it relates to SolSmart Certification.

A roll call vote was taken. Approved 6-0.

VIII. Adjournment

Motion by Commissioner Frischman, seconded by Commissioner McQuillan to adjourn the meeting.

A roll call vote was taken. Motion carried.

Meeting adjourned at 8:31 P.M.

Respectfully submitted,



Ben Gozola
Assistant Director of Community Assets and Development

VII_1 APPROVAL OF PAYMENTS

CHECK DISBURSEMENT REPORT FOR CITY OF NEW BRIGHTON

Check Date	Check #	Payee	Description	Amount
			CHECK NUMBER 10929 - 10932	
05/31/2020	10929(E)	PAYMENTECH - EFT	CREDIT CARD FEES	29.50
05/31/2020	10929(E)	PAYMENTECH - EFT	CREDIT CARD FEES	814.82
05/31/2020	10929(E)	PAYMENTECH - EFT	CREDIT CARD FEES	622.24
05/31/2020	10929(E)	PAYMENTECH - EFT	CREDIT CARD FEES	622.25
05/31/2020	10929(E)	PAYMENTECH - EFT	CREDIT CARD FEES	311.12
				2,399.93
06/01/2020	10930(E)	HEALTH PARTNERS- EFT	Dental W/H	5,586.15
06/01/2020	10930(E)	HEALTH PARTNERS- EFT	COBRA W/h	404.44
				5,990.59
06/03/2020	10931(E)	AFLAC	AFLAC	2,763.26
06/04/2020	10932(E)	EBSO	Health Insurance	103,408.20
06/04/2020	10932(E)	EBSO	COBRA W/h	5,411.66
06/04/2020	10932(E)	EBSO	Insurance Contrib	3,202.82
				112,022.68
		TOTAL - ALL FUNDS	TOTAL OF 4 CHECKS	123,176.46
			CHECK NUMBER 10919 - 10948	
06/05/2020	10919(A)	CRAWFORD, LEIGH	Travel	163.13
06/05/2020	10920(A)	DEDOMINCES, BRIAN	Travel	87.75
06/05/2020	10921(A)	FLEXIBLE PIPE TOOL COMPANY	Misc Mat & Sup	1,219.80
06/05/2020	10922(A)	GDO LAW	LEGAL COSTS	6,879.00
06/05/2020	10923(A)	GOPHER STATE ONE-CALL	Other Services	174.15
06/05/2020	10923(A)	GOPHER STATE ONE-CALL	Other Services	174.15
06/05/2020	10923(A)	GOPHER STATE ONE-CALL	Other Services	174.15
				522.45
06/05/2020	10924(A)	IN CONTROL, INC	Professional Service	624.58
06/05/2020	10925(A)	KILLMER ELECTRIC CO, INC	MAINT BLDG, EQUIP	105.00
06/05/2020	10926(A)	L.E.L.S	POLICE UNION DUES	1,302.00
06/05/2020	10926(A)	L.E.L.S	SERGEANT UNION DUES	310.00
				1,612.00
06/05/2020	10927(A)	METROPOLITAN COUNCIL	MWCC - Sewer Charge	134,175.15
06/05/2020	10928(A)	MN TEAMSTERS #320	MAIN UNION DUES	1,288.00
06/12/2020	10933(A)	A.E.M ELECTRICAL SERVICES INC	MAINT BLDG, EQUIP	1,222.39
06/12/2020	10934(A)	BAYCOM	Veh & Equip Acquis	1,734.00
06/12/2020	10935(A)	BS & A SOFTWARE	Professional Service	922.00

VII_1 APPROVAL OF PAYMENTS

CHECK DISBURSEMENT REPORT FOR CITY OF NEW BRIGHTON

Check Date	Check #	Payee	Description	Amount
06/12/2020	10936(A)	COVERALL OF THE TWIN CITIES	CLEANING	1,825.00
06/12/2020	10936(A)	COVERALL OF THE TWIN CITIES	CLEANING	2,616.00
				4,441.00
06/12/2020	10937(A)	DAVE PERKINS CONTRACTING, INC	MAINT BLDG, EQUIP	3,100.00
06/12/2020	10938(A)	EMERGENCY RESPONSE SOLUTIONS	Small Equipment	12.18
06/12/2020	10939(A)	FACTORY MOTOR PARTS CO	Misc Mat & Sup	63.57
06/12/2020	10940(A)	GOPHER STATE ONE-CALL	Other Services	203.85
06/12/2020	10940(A)	GOPHER STATE ONE-CALL	Other Services	203.85
06/12/2020	10940(A)	GOPHER STATE ONE-CALL	Other Services	203.85
				611.55
06/12/2020	10941(A)	HAWKINS, INC.	CHEMICALS	4,530.05
06/12/2020	10941(A)	HAWKINS, INC.	CHEMICALS	1,856.07
				6,386.12
06/12/2020	10942(A)	ICL, LLC	MAINT BLDG, EQUIP	104.50
06/12/2020	10942(A)	ICL, LLC	MAINT BLDG, EQUIP	160.00
06/12/2020	10942(A)	ICL, LLC	MAINT BLDG, EQUIP	586.00
06/12/2020	10942(A)	ICL, LLC	MAINT BLDG, EQUIP	278.00
				1,128.50
06/12/2020	10943(A)	JACOBSON ENVIRONMENTAL, PLLC	MAINT BLDG, EQUIP	603.00
06/12/2020	10944(A)	LEXIPOL LLC	Professional Service	1,671.00
06/12/2020	10945(A)	MANSFIELD OIL COMPANY OF GAINSVILLE	FUELS	2,318.01
06/12/2020	10946(A)	MIDWAY FORD CO.	Veh & Equip Acquis	31,282.80
06/12/2020	10947(A)	TOKLE INSPECTIONS INC	Electrical Inspect	3,423.88
06/12/2020	10948(A)	WSN CONSTRUCTION SERVICES LLC	MAINT BLDG, EQUIP	4,437.00
		TOTAL - ALL FUNDS	TOTAL OF 26 CHECKS	210,033.86

CHECK NUMBER 158718 - 158836

06/04/2020	158718	ALLARD, BECKY	ACCTS PAYABLE- NBCC	158.00
06/04/2020	158719	ALTRINGER, ANGELA	ACCTS PAYABLE- NBCC	110.00
06/04/2020	158720	BARLEY JOHN'S BREWPUB	Liquor Licenses	1,875.00
06/04/2020	158721	BEARDEN, MEGAN	ACCTS PAYABLE- NBCC	79.00
06/04/2020	158722	BEAULIEU, LINDSEY	ACCTS PAYABLE- NBCC	140.00
06/04/2020	158723	BENSON, NOAH	ACCTS PAYABLE- NBCC	79.00

VII_1 APPROVAL OF PAYMENTS

CHECK DISBURSEMENT REPORT FOR CITY OF NEW BRIGHTON

Check Date	Check #	Payee	Description	Amount
06/04/2020	158724	BLVD AUTOWORKS	ACCTS PAYABLE- NBCC	505.00
06/04/2020	158725	BODURTHA, KARI	ACCTS PAYABLE- NBCC	140.00
06/04/2020	158726	BRIDGEMAN, TIMOTHY	RECYCLING	13.20
06/04/2020	158726	BRIDGEMAN, TIMOTHY	WATER	32.93
06/04/2020	158726	BRIDGEMAN, TIMOTHY	STORM WATER	14.46
06/04/2020	158726	BRIDGEMAN, TIMOTHY	STREET LIGHTING	8.92
				69.51
06/04/2020	158727	CLAY, JENNA	ACCTS PAYABLE- NBCC	55.00
06/04/2020	158728	CONNOY, MEGHAN	ACCTS PAYABLE- NBCC	79.00
06/04/2020	158729	DELICH, SARA	ACCTS PAYABLE- NBCC	198.00
06/04/2020	158730	DIETRICH, RAYMOND	ACCTS PAYABLE- NBCC	** VOIDED **
06/04/2020	158731	DILLE, KATIE	ACCTS PAYABLE- NBCC	237.00
06/04/2020	158732	DOHERTY, SARAH	ACCTS PAYABLE- NBCC	198.00
06/04/2020	158733	DRUKTA, JIGME	ACCTS PAYABLE- NBCC	110.00
06/04/2020	158734	DUFFY, AMANDA	ACCTS PAYABLE- NBCC	158.00
06/04/2020	158735	ELLING, PAULA	ACCTS PAYABLE- NBCC	139.59
06/04/2020	158736	EUGENE, SARA	ACCTS PAYABLE- NBCC	158.00
06/04/2020	158737	FARMER, ASHLEY	ACCTS PAYABLE- NBCC	158.00
06/04/2020	158738	FEIKER, KARL	ACCTS PAYABLE- NBCC	158.00
06/04/2020	158739	FELDNER, DAVE	RECYCLING	3.31
06/04/2020	158739	FELDNER, DAVE	WATER	26.83
06/04/2020	158739	FELDNER, DAVE	STORM WATER	5.61
06/04/2020	158739	FELDNER, DAVE	STREET LIGHTING	3.46
				39.21
06/04/2020	158740	GAPINSKI, BRANDIE	ACCTS PAYABLE- NBCC	55.00
06/04/2020	158741	GOTTWALT, CORRI	ACCTS PAYABLE- NBCC	139.59
06/04/2020	158742	GREEN, MELISSA	ACCTS PAYABLE- NBCC	297.00
06/04/2020	158743	HASELMAN, JODI	ACCTS PAYABLE- NBCC	316.00
06/04/2020	158744	HASSAN, RODA	ACCTS PAYABLE- NBCC	79.00

VII_1 APPROVAL OF PAYMENTS

CHECK DISBURSEMENT REPORT FOR CITY OF NEW BRIGHTON

Check Date	Check #	Payee	Description	Amount
06/04/2020	158745	HILL, NIKI	ACCTS PAYABLE- NBCC	99.00
06/04/2020	158746	HOFF, HEIDI	ACCTS PAYABLE- NBCC	55.00
06/04/2020	158747	JOSEPHSON, AMANDA	ACCTS PAYABLE- NBCC	110.00
06/04/2020	158748	KANODIA, NANDINI	ACCTS PAYABLE- NBCC	55.00
06/04/2020	158749	KIKEH, KARRIE	ACCTS PAYABLE- NBCC	79.00
06/04/2020	158750	KOMINSKI, KELLY	ACCTS PAYABLE- NBCC	79.00
06/04/2020	158751	LACKTORIN, SHANNON	ACCTS PAYABLE- NBCC	505.00
06/04/2020	158752	LINDSTROM, MANDY	ACCTS PAYABLE- NBCC	158.00
06/04/2020	158753	MALTBY, JANA	ACCTS PAYABLE- NBCC	55.00
06/04/2020	158754	MANKAD, ANJALI	ACCTS PAYABLE- NBCC	55.00
06/04/2020	158755	MARSON, ANDREW	ACCTS PAYABLE- NBCC	158.00
06/04/2020	158756	MATHUSUTHANAN, PRIYA	ACCTS PAYABLE- NBCC	79.00
06/04/2020	158757	MCGRATH, KATHY	ACCTS PAYABLE- NBCC	79.00
06/04/2020	158758	MINISCALCO, THERESA	ACCTS PAYABLE- NBCC	24.00
06/04/2020	158759	MN DRIVER AND VEHICLE SERVICES	REP/MAINT-FLEET-OUTSR	14.25
06/04/2020	158760	MULCAHY, DIEDRE	ACCTS PAYABLE- NBCC	158.00
06/04/2020	158761	NANDASHEKARAPPA, RAJESH	ACCTS PAYABLE- NBCC	158.00
06/04/2020	158762	PARK, CARISSA	ACCTS PAYABLE- NBCC	198.00
06/04/2020	158763	PAYAN, ELSSIE	ACCTS PAYABLE- NBCC	79.00
06/04/2020	158764	PAYAN, ELSSIE	ACCTS PAYABLE- NBCC	55.00
06/04/2020	158765	PEDERSON, CHELSIE	ACCTS PAYABLE- NBCC	70.00
06/04/2020	158766	ROCCA, CAROL	ACCTS PAYABLE- NBCC	20.00
06/04/2020	158767	ROSE, VINCENT	ACCTS PAYABLE- NBCC	79.00
06/04/2020	158768	SHERAP, TANZING	ACCTS PAYABLE- NBCC	79.00

VII_1 APPROVAL OF PAYMENTS

CHECK DISBURSEMENT REPORT FOR CITY OF NEW BRIGHTON

Check Date	Check #	Payee	Description	Amount
06/04/2020	158769	STEPANCHAK, WENDY	ACCTS PAYABLE- NBCC	260.00
06/04/2020	158770	STUDENSKI, JOANN	ACCTS PAYABLE- NBCC	40.00
06/04/2020	158771	SUMSKY, KATHRYN	ACCTS PAYABLE- NBCC	198.00
06/04/2020	158772	TRETTEL, ROSE	ACCTS PAYABLE- NBCC	50.00
06/04/2020	158773	TURNER, SARAH	ACCTS PAYABLE- NBCC	55.00
06/04/2020	158774	VANDERWOUDE, JENNIFER	LB REFUND	64.25
06/04/2020	158775	WALLACE, JENA	ACCTS PAYABLE- NBCC	79.00
06/04/2020	158776	WARNER, CHARLIE	ACCTS PAYABLE- NBCC	110.00
06/04/2020	158777	WEAVER, GORDON	ACCTS PAYABLE- NBCC	25.00
06/04/2020	158778	WHITE, TIFFANY	ACCTS PAYABLE- NBCC	12.00
06/11/2020	158779	ALABI, VICTORIA	ACCTS PAYABLE- NBCC	600.00
06/11/2020	158780	ANDERSON, PATRICIA	LB REFUND	10.00
06/11/2020	158781	BARTON SAND & GRAVEL CO	Misc Mat & Sup	60.00
06/11/2020	158782	BAYSAL, NICOLE	ACCTS PAYABLE- NBCC	55.00
06/11/2020	158783	BECKER, LINDSAY	ACCTS PAYABLE- NBCC	55.00
06/11/2020	158784	BECKER-WARNER, RACHEL	ACCTS PAYABLE- NBCC	55.00
06/11/2020	158785	BELSHAN, SARA	ACCTS PAYABLE- NBCC	55.00
06/11/2020	158786	BOYADJIS, MARK	Construction Costs	2,459.70
06/11/2020	158787	BROWN, PHIL	ACCTS PAYABLE- NBCC	70.00
06/11/2020	158788	BURKUM, ALI	ACCTS PAYABLE- NBCC	70.00
06/11/2020	158789	BUSE, TRACI	ACCTS PAYABLE- NBCC	140.00
06/11/2020	158790	CAESAR, JILIAN	ACCTS PAYABLE- NBCC	70.00
06/11/2020	158791	CLEMENTSON, ERIC	ACCTS PAYABLE- NBCC	84.00

VII_1 APPROVAL OF PAYMENTS

CHECK DISBURSEMENT REPORT FOR CITY OF NEW BRIGHTON

Check Date	Check #	Payee	Description	Amount
06/11/2020	158792	CONNOY, MEGHAN	ACCTS PAYABLE- NBCC	70.00
06/11/2020	158793	COURTNEY, ANGELA	ACCTS PAYABLE- NBCC	140.00
06/11/2020	158794	DARLING, JEFF	ACCTS PAYABLE- NBCC	140.00
06/11/2020	158795	DAVIS, STEPHANIE	ACCTS PAYABLE- NBCC	297.00
06/11/2020	158796	DEER, STEPHANIE	ACCTS PAYABLE- NBCC	70.00
06/11/2020	158797	DEHKES, BILL	Construction Costs	2,596.62
06/11/2020	158798	DULLINGER, GRETCHEN	ACCTS PAYABLE- NBCC	70.00
06/11/2020	158799	EDWARDS, ANDREA	ACCTS PAYABLE- NBCC	80.00
06/11/2020	158800	EMERSON, STEPHANIE	ACCTS PAYABLE- NBCC	140.00
06/11/2020	158801	FOX, VIRGINIA	ACCTS PAYABLE- NBCC	140.00
06/11/2020	158802	FRIELER, JULIE	ACCTS PAYABLE- NBCC	140.00
06/11/2020	158803	GARMAN, CHARLOTTE	ACCTS PAYABLE- NBCC	40.00
06/11/2020	158804	GUTIERREZ, ERIC	Construction Costs	2,323.05
06/11/2020	158805	GUTIERREZ, MANUELA	ACCTS PAYABLE- NBCC	20.00
06/11/2020	158806	HAAS, JESSICA	ACCTS PAYABLE- NBCC	80.00
06/11/2020	158807	HANSON, JAKE	LB REFUND	5.00
06/11/2020	158808	HAO, GINGER	ACCTS PAYABLE- NBCC	210.00
06/11/2020	158809	HERLOFSKY, KELLY	ACCTS PAYABLE- NBCC	70.00
06/11/2020	158810	HICKS, KRISTIN	ACCTS PAYABLE- NBCC	70.00
06/11/2020	158811	HILDRETH, ROBERT	RECYCLING	15.68
06/11/2020	158811	HILDRETH, ROBERT	WATER	31.24
06/11/2020	158811	HILDRETH, ROBERT	STORM WATER	19.53
06/11/2020	158811	HILDRETH, ROBERT	STREET LIGHTING	12.04
				78.49
06/11/2020	158812	HOFF, HEIDI	ACCTS PAYABLE- NBCC	20.00
06/11/2020	158813	HOILIEN, KARI	ACCTS PAYABLE- NBCC	70.00
06/11/2020	158814	HOKANSON, KATIE	ACCTS PAYABLE- NBCC	140.00

VII_1 APPROVAL OF PAYMENTS

CHECK DISBURSEMENT REPORT FOR CITY OF NEW BRIGHTON

Check Date	Check #	Payee	Description	Amount
06/11/2020	158815	IACARELLA, RITA	ACCTS PAYABLE- NBCC	320.00
06/11/2020	158816	JOHNSON, LAURA	ACCTS PAYABLE- NBCC	36.00
06/11/2020	158817	JOHSNON, TARA	ACCTS PAYABLE- NBCC	40.00
06/11/2020	158818	KANDA, RASHNI	ACCTS PAYABLE- NBCC	55.00
06/11/2020	158819	KRUSE, AMANDA	ACCTS PAYABLE- NBCC	70.00
06/11/2020	158820	LMCIT	LIAB INS PREM	42,183.00
06/11/2020	158821	MINNESOTA EXTERIORS INC	State Surcharge (Valuation Based)	24.83
06/11/2020	158821	MINNESOTA EXTERIORS INC	Building Valuation Fee	997.00
06/11/2020	158821	MINNESOTA EXTERIORS INC	Administrative Fee	34.00
				1,055.83
06/11/2020	158822	O'BRIEN AUTOMOTIVE TEAM	LB REFUND	16.02
06/11/2020	158823	PETERSEN, AMANDA	RECYCLING	5.94
06/11/2020	158823	PETERSEN, AMANDA	WATER	24.70
06/11/2020	158823	PETERSEN, AMANDA	STORM WATER	7.53
06/11/2020	158823	PETERSEN, AMANDA	STREET LIGHTING	4.64
				42.81
06/11/2020	158824	QUALITY TRUSTED COMMERCIAL	State Surcharge (Valuation Based)	50.00
06/11/2020	158824	QUALITY TRUSTED COMMERCIAL	REVIEW REQUIRED, CLICK ADD>>	799.18
06/11/2020	158824	QUALITY TRUSTED COMMERCIAL	Building Valuation Fee	1,229.50
06/11/2020	158824	QUALITY TRUSTED COMMERCIAL	Administrative Fee	17.00
				2,095.68
06/11/2020	158825	RAMSEY COUNTY EMCOM	Professional Service	12,870.25
06/11/2020	158825	RAMSEY COUNTY EMCOM	MAINT BLDG, EQUIP	496.08
				13,366.33
06/11/2020	158826	SCHUH, YEUNHI	ACCTS PAYABLE- NBCC	40.00
06/11/2020	158827	SCHULZ, KATY	ACCTS PAYABLE- NBCC	110.00
06/11/2020	158828	ST PAUL, CITY OF	Misc Mat & Sup	4,386.21
06/11/2020	158828	ST PAUL, CITY OF	Misc Mat & Sup	267.72
06/11/2020	158828	ST PAUL, CITY OF	Misc Mat & Sup	1,070.88
				5,724.81
06/11/2020	158829	STENZEL, MICHELLE	ACCTS PAYABLE- NBCC	40.00
06/11/2020	158830	SZUMOWSKI, ANGIE	ACCTS PAYABLE- NBCC	110.00
06/11/2020	158831	TRIVISKI, ALIJA	ACCTS PAYABLE- NBCC	105.00
06/11/2020	158832	TUOMINEN, CARA	ACCTS PAYABLE- NBCC	220.00

VII_1 APPROVAL OF PAYMENTS

CHECK DISBURSEMENT REPORT FOR CITY OF NEW BRIGHTON

Check Date	Check #	Payee	Description	Amount
06/11/2020	158833	TUSHAR, NIKOLINE	ACCTS PAYABLE- NBCC	55.00
06/11/2020	158834	WINNER GAS AND AUTO SERVICE	FUELS	13.90
06/11/2020	158835	WORCESTER, ANDREA	LB REFUND	44.25
06/11/2020	158836	YANG, NIKKI	ACCTS PAYABLE- NBCC	246.96
		TOTAL - ALL FUNDS	TOTAL OF 119 CHECKS (1 voided)	85,907.85
		TOTAL PAYMENTS		**$ 419,118.17**

Agenda Section:	**Consent**
Report Date:	**June 17, 2020**
Council Meeting Date:	**June 23, 2020**

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION: CONSIDERATION OF A RESOLUTION TO APPOINT A CITY INSURANCE AGENT
INTERIM DEPARTMENT HEAD'S APPROVAL: Gina Smith GMS
CITY MANAGER'S APPROVAL:
No comments to supplement this report DAM **Comments attached** ___

Recommendation: To adopt the resolution appointing a city insurance agent.

Legislative History: The City's property/casualty and workers' compensation insurance is provided by the League of Minnesota Cities Insurance Trust (LMCIT). The LMCIT is a cooperative self-insurance pool of cities and other entities and is not an insurance company by traditional standards. As a condition of participating in the property/casualty and workers' compensation programs, members are required to designate an insurance agent.

Explanation: The City's former Finance Director was licensed to serve as the City's insurance agent, and is able to continue to serve as agent through June 30, 2020. As this is an uncommon licensure for government finance professionals to hold, the City will now need to engage the services of an external insurance agency, as it did prior to 2015. The City received the following fee proposals.

	Insurance Agency		
Service Period	Corporate Four Insurance Agency	Ross Nesbit Agencies, Inc.	Arthur J. Gallagher Risk Management Services
July 1 – December 31, 2020	$4,750	$6,000	$10,000
January 1 – December 31, 2021	$9,500	$12,000	$20,000
January 1 – December 31, 2022	$9,500	$12,000	$20,000
January 1 – December 31, 2023	$9,500	$12,000	$20,000

Corporate Four Insurance Agency was selected due to their expertise and experience in working with the LMCIT since its inception. Account Executives Ron Youngdahl and Carl Bennetsen, formerly affiliated with Northern Capital Insurance Group, also served as the City's insurance agents for several years through December 31, 2014 when the former Finance Director took over this responsibility.

Financial Impact: The cost of this professional service was not included in the 2020 budget but will be offset by personnel budget savings due to the turnover of the Finance Director position. Future years will be included in the Risk Management Internal Service Fund annual budget.

Gina Smith
Interim Finance Director

Attachments: Resolution to Appoint a City Insurance Agent
Service Fee Agreement

RESOLUTION NO. _____
STATE OF MINNESOTA
COUNTY OF RAMSEY
CITY OF NEW BRIGHTON

RESOLUTION TO APPOINT CORPORATE FOUR INSURANCE AGENCY, INC. AS THE CITY'S INSURANCE AGENT AND APPROVING THE SERVICE FEE AGREEMENT WITH CORPORATE FOUR INSURANCE AGENCY, INC.

WHEREAS, the League of Minnesota Cities Insurance Trust (LMCIT) requires cities to use the services of an agent in order to participate in the LMCIT property/casualty program; and

WHEREAS, the City Council has reviewed and considered the written materials from LMCIT discussing the agent's role and compensation in LMCIT; and

WHEREAS, Ron Youngdahl of Corporate Four Insurance Agency, Inc. ("Corporate Four") is willing to provide to the City the services listed below under the terms and conditions listed below.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of New Brighton, Minnesota as follows:

Appointment

1. The City of New Brighton hereby appoints Corporate Four as its agent for purposes of the City's participation in the LMCIT property/casualty program and workers' compensation program.

Term

2. This appointment shall commence on July 1, 2020 and remain effective until December 31, 2023.

Compensation

3. As compensation for the services provided to the City as described in Paragraph 4 below, the City will pay Corporate Four a fee of $9,500 annually (with the exception of the year 2020 which shall be prorated). This fee includes services performed by Corporate Four for both the property/casualty program and the workers' compensation program. The City hereby directs LMCIT not to include any allowance for an agent's fee in quoting and billing the City's premiums for property, liability, and automotive coverage and to refund the two percent workers' compensation coverage agent fee allowance to the City.

Services

4. Corporate Four will perform the following services for the City as they relate to the property/casualty and workers' compensation programs:

a. Advise and assist the City in assembling and accurately reporting underwriting data for rating purposes, including updating property values.

b. Assist the City with the completion of the LMCIT renewal forms based on the data supplied by the City.

c. Advise and assist the City in evaluating and selecting among coverage alternatives such as deductibles, limits, optional coverages, alternative coverage forms, etc.

d. Review the LMCIT insurance policies and invoices for completeness and accuracy. Confirm that the policies and schedules have been updated with the new data supplied during the renewal process.

e. Advise the City on potential gaps or overlaps in coverages.

f. Assist the City as requested in submitting claims and interpreting coverage as applied to particular claims.

g. Conduct quarterly reviews of open claims. Review claim reserves for appropriateness.

h. Assist as requested with safety and loss control activities.

i. Assist the City in identifying risk exposures and developing appropriate strategies to address those exposures.

j. Perform other duties customarily handled by an insurance agent and agreed upon by both the City and Corporate Four such as, but not limited to, providing explanations of coverage, issuing certificates of insurance as needed, providing unbiased recommendations, answering questions and resolving issues.

Agreement

5. The City Council hereby approves the Service Fee Agreement between the City and Corporate Four and authorizes the Mayor and the City Manager to execute said agreement on behalf of the City.

ADOPTED this 23rd day of June 2020 by the New Brighton City Council with a vote of _____ ayes and _____ nays.

_____
Valerie Johnson, Mayor

_____
Devin Massopust, City Manager

ATTEST:

_____
Terri Spangrud, City Clerk

As the _____ of Corporate Four Insurance Agency, Inc., a Minnesota corporation, I hereby agree on behalf of the corporation to the terms and conditions set forth in this Resolution and agree that the corporation is bound by these terms and conditions along with the terms set forth in the Service Fee Agreement between the City and Corporate Four Insurance Agency, Inc.

CORPORATE FOUR INSURANCE AGENCY, INC.

By: _____

Its: _____

City of New Brighton

Service Fee Agreement

The City of New Brighton, hereinafter "Client" agrees to engage the services of Corporate Four Insurance Agency, 7220 Metro Blvd., Edina, MN 55439, hereinafter Corporate Four, and Corporate Four agrees, as a function of their business as General Agents, or Insurance Brokers, to advise Client in the management of risk of loss generally covered by property and casualty insurance, and to procure or attempt to procure on Client's behalf such insurance as Client may designate, subject to the following terms and conditions:

I. **Effective Date and Term**:
This agreement shall begin as of the date signed and shall continue until December 31, 2023, and thereafter shall continue from year to year. Either party may terminate this agreement at any time by giving 30 days written notice of termination.

II. Objective of Agreement:
Corporate Four will act in the dual capacity of risk management consultant and insurance agent and/or broker.

III. Basis of Compensation:
The annual fee for services provided by employees of Corporate Four during the period of this agreement will be:

July 1, 2020 – December 31, 2020	$4,750
January 1 – December 31, 2021	$9,500
January 1 – December 31, 2022	$9,500
January 1 – December 31, 2023	$9,500

This fee is guaranteed from July 1,2020 to December 31,2023 with an annual option thereafter. The initial installment is payable upon execution of the Agreement and is fully earned as of the date. Insurance coverage with insurers other than the League of MN Cities Insurance Trust may include commissions.

Corporate Four Insurance:

By:_____

Date:_____

City of New Brighton:

By:_____

By:_____

Date:_____

Report Number:	**3**
Agenda Section:	**Consent**
Report Date:	**06/17/2020**
Council Meeting Date:	**06/23/2020**

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION: Consider appointing Geoff Hollimon as the Public Safety Commission chairperson and Karen Wagner as vice-chair for the upcoming year
DEPARTMENT HEAD'S APPROVAL: Anthony S. Paetznick, Director of Public Safety
CITY MANAGER'S APPROVAL:
No comments to supplement this report DAM **Comments attached** ___

Recommendation: Accept the Public Safety Commission's recommendation to appoint Geoff Hollimon as the Public Safety Commission chairperson and Karen Wagner as vice-chair for the upcoming year.

Legislative History: June 8, 2020: Commissioner Boyd made a motion to recommend Commissioner Hollimon to serve as chairperson and Commissioner Wagner to serve as vice-chair. Commissioner Wakai seconded the motion and it passed 8-0.

Financial Impact: n/a

Explanation: In accordance with City Code Section 2-63 (1), the Public Safety Commission recommended chair and vice-chair appointments for the upcoming year at their June 8, 2020 meeting. Both Commissioners recommended meet the criteria of City Code Section 2-63 (2). Both Commissioners Hollimon and Wagner indicated their willingness to serve in these capacities over the next year, should the Council accept these recommendations.

Anthony S. Paetznick
Director of Public Safety

Report Number:	**4**
Agenda Section:	**Consent (VII)**
Report Date:	**6/18/20**
Council Meeting Date:	**6/23/20**

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:	**Consider appointing Erin Nichols-Matkaiti as the Planning Commission Chair and Jeanne Frischman as Vice Chair for the 2020-21 Planning Commission term**
DEPARTMENT HEAD'S APPROVAL:Craig Schlichting	CGS
CITY MANAGER'S APPROVAL:	
No comments to supplement this report DAM	**Comments attached** ___

Recommendation: **Accept the Planning Commission's recommendation to appoint Erin Nichols-Matkaiti as the Planning Commission chairperson and Jeanne Frischman as vice-chair for the upcoming year.**

Legislative History: June 16, 2020: The Planning commission discussed who it felt would best serve the body as Chair and Vice Chair over the coming year, and unanimously voted to recommend Erin Nichols-Matkaiti as Chair and Jeanne Frischman as Vice Chair for the upcoming year. There were no further nominations.

Financial Impact: None

Summary: In accordance with City Code Section 2-63 (1), the Planning Commission is to recommended chair and vice-chair appointments for the upcoming year at their April meeting. Due to COVID-19 and the delay in new commissioner assignments, this action was delayed until June.

Staff finds that both Commissioners recommended for service meet the criteria of City Code Section 2-63 (2). Both Commissioners (Nichols-Matkaiti and Frischman) have indicated their willingness to serve in these capacities over the next year should the Council accept these recommendations.

Attachments: None

Ben Gozola, AICP
Assistant Director of Community Assets and Development

Agenda Section:	**VII**
Item:	**5**
Report Date:	**6/18/20**
Council Meeting Date:	**6/23/20**

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:	Consider a Resolution approving the first amendment to the Contract for Private Redevelopment with Dominium dated July 19, 2019.
DEPARTMENT HEAD'S APPROVAL:Craig Schlichting CGS	
CITY MANAGER'S APPROVAL:	
No comments to supplement this report DAM	**Comments attached** ___

15.99 Deadline: none

Recommendations:
- **Approval of the resolution to amend deadlines within the Dominium Developer's agreement**

Legislative History:
- Developer's Agreement with Dominium for the affordable family and senior buildings finalized on July 19, 2019.
- LIHTC received for the family building in late 2019, and final plat approved for the family building on November 19, 2019
- LIHTC for the senior building in 2019 was extremely competitive resulting in a lottery draw of projects, and the NB building was put on-hold for funding.

Financial Impact: None

Summary: Low Income Housing Tax Credits (LIHTC) for the Dominium senior building are not anticipated to be secured until later this year, so deadlines drawn up in the original developer's agreement with Dominium must be extended out to accommodate the new targeted project initiation date of early 2021.

Attachments: Resolution Approving the first Amendment to the Contract for Private Redevelopment with Dominium Dated July 19, 2019.

Ben Gozola, AICP
Assistant Director of Community Assets and Development

RESOLUTION NO. _____
STATE OF MINNESOTA
COUNTY OF RAMSEY
CITY OF NEW BRIGHTON

RESOLUTION APPROVING THE FIRST AMENDMENT TO CONTRACT FOR PRIVATE REDEVELOPMENT DATED JULY 19, 2019

WHEREAS, the City and New Brighton Leased Housing Associates II, LLLP entered into the Contract for Private Development dated July 10, 2019 ("Redevelopment Contract"); and

WHEREAS, the Redevelopment Contract provides the senior housing phase of the Midtown Village development; and

WHEREAS, Section 1.1 of the Redevelopment Contract provides for a closing date of June 30, 2020 that may be extended to September 1, 2020; and

WHEREAS, New Brighton Leased Housing Associates II, LLLP has requested that the closing date be amended to the year 2021; and

WHEREAS, the First Amendment to Contract for Private Redevelopment Dated July 19, 2019, attached hereto as Exhibit 1, modifies the closing date to June 30, 2021 and an extension date of September 1, 2021.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of New Brighton hereby approves the First Amendment to Contract for Private Redevelopment Dated July 19, 2019 and authorizes the Mayor and City Manager to execute the same.

ADOPTED this ____ day of June, 2020 by the New Brighton City Council with a vote of ___ ayes and ____ nays

_____
Valerie Johnson, Mayor

_____
Devin Massopust, City Manager

ATTEST:

_____
Terri Spangrud, City Clerk

EXHIBIT 1

This instrument was drafted by:

Hoff Barry, P.A. (SBL)
100 Prairie Center Drive, Ste. 200
Eden Prairie MN 55344

FIRST AMENDMENT TO CONTRACT FOR PRIVATE REDEVELOPMENT DATED JULY 19, 2019

THIS FIRST AMENDMENT TO CONTRACT FOR PRIVATE REDEVELOPMENT DATED JULY 19, 2019 (the "**Amendment**") made and entered into as of the _____ day of _____, 2020, by and between the **City of New Brighton**, a Minnesota municipal corporation, ("**City**") and **New Brighton Leased Housing Associates II, LLLP**, a Minnesota limited liability limited partnership ("**Redeveloper**").

WHEREAS, City and Redeveloper entered into that Contract for Private Redevelopment dated July 19, 2019 ("**Redevelopment Contract**"); and

WHEREAS, City and Redeveloper desire to amend the Redevelopment Contract to acknowledge and address the need to extend the Closing Date and Section 10.11 of the Redevelopment Contract requires that any amendment must be in a writing executed by City and Redeveloper; and

WHEREAS, City and Redeveloper enter into this Amendment to amend the terms of the Redevelopment Contract.

NOW, THEREFORE, in consideration of the foregoing, and in consideration of the mutual terms, covenants, conditions and agreements herein contained, City and Redeveloper agree as follows:

1. The above recitals are a material part of this Amendment and are incorporated herein.

2. Any capitalized terms that are undefined herein shall have the same meaning as in the Redevelopment Contract.

3. Section 1.1 of the Redevelopment Agreement shall be modified by replacing the term "Closing Date" or "Date of Closing" in its entirety with the following:

> "Closing Date" or "Date of Closing" means on or before June 30, 2021, as may be extended upon the request of Redeveloper, on the condition that the reason for the extension is directly related to obtaining financing

required for the contemplated transaction herein; provided, however, the dated shall not be later then September 1, 2021.

4. All other terms and conditions of the Redevelopment Contract not expressly modified by this Amendment shall continue in full force and effect.

The remainder of this page intentionally left blank; signature pages follow

IN WITNESS WHEREOF, the City and Agent have caused this Amendment to be executed as of the day and year first above written.

Dated: _____, 20___

CITY OF NEW BRIGHTON, MINNESOTA

By _____
Mayor

By _____
City Manager

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

On this _____ day of _____, 20____ before me, a notary public, personally appeared Valerie Johnson and Devin Massopust, to me personally known and who by me duly sworn did say that they are the Mayor and City Manager, respectively, of the City of New Brighton, Minnesota, and acknowledged the foregoing instrument on behalf of said City.

_____
Notary Public

Dated: _____, 20____

NEW BRIGHTON LEASED HOUSING ASSOCIATES II, LLLP, a Minnesota limited liability limited partnership

By: New Brighton Leased Housing Associates II, LLC, a Minnesota limited liability company
Its: General Partner

By _____
Owen C. Metz
Its: Vice President

STATE OF MINNESOTA)
) ss
COUNTY OF _____)

On this _____ day of _____, 20_____ before me, a notary public within and for _____ County, personally appeared Owen C. Metz to me personally known who by me duly sworn, did say that he/she is the Vice President of New Brighton Leased Housing Associates II, LLC, a Minnesota limited liability company, the General Partner of New Brighton Leased Housing Associates II LLLP, a Minnesota limited liability limited partnership, and acknowledged the foregoing instrument on behalf of said partnership.

_____
Notary Public

Agenda Section:	**Business**
Report Date:	**06/17/2020**
Council Meeting Date:	**06/23/2020**

NEW BRIGHTON
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REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION: Consider Resolution Granting Approval of Tobacco License for Adinkra Tobacco
DEPARTMENT HEAD'S APPROVAL:
CITY MANAGER'S APPROVAL:
No comments to supplement this report DAM **Comments attached** ___

Recommendation:
Approve a Resolution Approving a Tobacco License for Adinkra Tobacco (formerly Tee Tobacco) for the business located at 1439 Silver Lake Rd NW for the sale of legal tobacco and tobacco-related products to be conducted in compliance with State law and City Ordinances.

History: The Applicant submitted a tobacco license application and paid the required $345 fee for Tee Tobacco located at 1439 Silver Lake Rd NW in November 2019.

At their December 10, 2019 meeting, the City Council passed a resolution denying the Tobacco License for the following reasons:

1. The Applicant has provided false and misleading information on the application which is grounds for denial of the license pursuant to Section 15-59 (D) of the City Code. When conducting the background investigation, it was found by the City's Public Safety Department that there was a discrepancy in the spelling of the Applicant's first and last names on the supplemental background application and on his State issued identification card. The Applicant did not provide the City with any explanation for this discrepancy.
2. The Applicant has failed to provide information that is required on the application which is grounds for denial of the license pursuant to Section 15-59 (D) of the City Code. Per the supplemental background application form, the Applicant is to provide any names that he has ever used by or been known by other than true names and his birth date. The Applicant did not list any other names and provided one birth date. The City's background investigation found that the Applicant has eleven reported names and three dates of birth that he uses.
3. The Applicant has failed to provide information that is required on the application which is grounds for denial of the license pursuant to Section 15-59 (D) of the City Code. The name of the applicant's business is "TEE's Tobacco." Per the supplemental background application form and Minnesota Statutes Section 333.01, subdivision 1, the Applicant is to file a certificate of assumed name with the Minnesota Secretary of State for the business. The Applicant did not file this information with the Secretary of State. It was also determined by the City that TEE's Tobacco has not been registered with the Secretary of State as a business entity.

4. The Applicant has provided misleading information on the application which is grounds for denial of the license pursuant to Section 15-59 (D) of the City Code. The supplemental background application form requires the Applicant to list "all convictions for any felony, crime, or ordinance violation" (with the exception of any traffic ordinance violations). The Applicant did not list any violations on the supplemental background application form. The City's background investigation found that the Applicant has four felony convictions, one gross misdemeanor conviction, and 20 driving after withdrawal convictions, none of which were disclosed by the Applicant.
5. The Applicant has failed to provide information that is required on the application which is grounds for denial of the license pursuant to Section 15-59 (D) of the City Code. Minnesota Statutes Section 270C.72, subdivision 4 requires businesses who make taxable sales or businesses that are required to file or pay MinnesotaCare taxes or special taxes when they are in the business of selling items such as alcohol or tobacco register for a Minnesota tax identification number. The Applicant did not provide a Minnesota tax identification number on his tobacco license application and City staff was unable to confirm that the Applicant has registered for one.

On December 12, 2019, City staff notified the Applicant of the license denial. Staff informed him of his right to appeal the decision by filing a petition for a writ of certiorari and a proposed writ of certiorari with the Minnesota Court of Appeals within 60 days. Staff also provided him with the staff report to the City Council and a true and correct copy of Resolution 2019-120: Denying Issuance of a Tobacco License – 1439 Silver Lake Rd NW.

On December 16, 2019, the Applicant notified staff that, instead of appealing the tobacco license denial, he was going to submit a new tobacco license application. City staff consulted with the City attorney who did not find any restriction from reapplying for a license after a denial in current New Brighton City Code or in MN State Statutes.

On December 18, 2019, the Applicant submitted a new tobacco license application, background check form and required $345 license fee for a tobacco license for Adinkra Tobacco located at 1439 Silver Lake Rd NW.

On December 27, 2019 the Applicant informed city staff that he had changed the format of his business from a sole proprietorship to a Limited Liability Corporation (LLC) and he updated his license application and background check forms to reflect these changes. In January, the applicant requested that City place his application on hold until he could provide the City with additional updated documentation.

Findings:

The applicant submitted a letter to the City disclosing all names and birthdates. He also provided a written explanation stating that his name and information had been incorrectly recorded in reports and records and, until applying for this license, he had been unaware of it.

The applicant provided a supplemental list of all convictions including those found in the background investigation. None are related to Tobacco. Offenses related to controlled substances are more than five years old. All other criteria has been met including submission of a MN Tax ID number registered to Adinkra Tobacco LLC and a Certificate of Incorporation issued by the MN Secretary of State's Office.

Terri Spangrud
City Clerk

RESOLUTION
CITY COUNCIL
CITY OF NEW BRIGHTON

RESOLUTION APPROVING KIDDRICK CODE (D/B/A ADINKRA TOBACCO)'S APPLICATION FOR A TOBACCO LICENSE

WHEREAS, Kidderick Code, doing business as Adinkra Tobacco (the "Applicant"), a business to be located at 1439 Silver Lake Road NW in New Brighton, has submitted an application for a tobacco license in the City of New Brighton; and

WHEREAS, the Applicant has paid the required fee and has submitted a complete application to request the license; and

WHEREAS, subsequent to the Applicant's application for a tobacco license, members of the New Brighton Public Safety Department conducted a background investigation of the Applicant, which is a requirement in order for the City to be able to issue the license; and

WHEREAS, based on the application and the background investigation of the Applicant, it has been concluded by City staff that there are no grounds for denial of the application; and

WHEREAS, City staff is recommending approval of the application; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of New Brighton hereby approves the Applicant's application for a tobacco license for Adinkra Tobacco based on the foregoing recitals and the following findings of the City Council, all of which is to protect the public's health, safety, and welfare:

1. The Applicant must comply with all requirements of the City Code, including, but not limited to, the City's tobacco licensing regulations which are set forth in Chapter 15, Article 4 of the City Code. Among other requirements, said tobacco licensing regulations prohibit smoking within the indoor areas of the licensed establishment, with the exception that sampling is permitted pursuant to Section 15-56 (2)(B) of the City Code. Said regulations also only authorize the sale of licensed products as they are defined in Section 15-56 of the Code. Said licensed products must not contain any substances described in Section 15-60 (1)(C) of the City Code.

ADOPTED this 23rd day of June, 2020 by the New Brighton City Council with a vote of ___ ayes and ___ nays.

Valerie Johnson, Mayor

ATTEST:

Devin Massopust, City Manager

Terri Spangrud, City Clerk

Article 4. Tobacco

Sec. 15-55. Purpose and Findings.

(1) The City of New Brighton recognizes that tobacco use has been shown to be the cause of several serious health problems which subsequently place a financial burden on all levels of government; this Article is intended to regulate the sale of tobacco, tobacco-related devices, electronic delivery devices, and nicotine or lobelia delivery products for the purpose of enforcing and furthering existing laws, and to protect minors and young adults against the serious effects associated with use and initiation.

(2) The City also recognizes that the use of tobacco products has devastating health and economic consequences. Tobacco use is the foremost preventable cause of premature death in America. It causes half a million deaths annually and has been responsible for 20.8 million premature deaths in the U.S. over the past 50 years since the first Surgeon General's report on smoking in 1964. This leads to more than $300 billion in health care and lost worker productivity costs each year. In Minnesota, smoking was responsible for $3.19 billion in excess medical expenditures and the deaths of 6,312 individuals in 2014.

(3) The City further recognizes that young people are particularly susceptible to the addictive properties of tobacco products, and are particularly likely to become lifelong users. An estimated 5.6 million youth aged Oto 17 are projected to die prematurely from a tobacco-related illness if prevalence rates do not change. National data show that about 95 percent of adult smokers begin smoking before they tum 21. The ages of 18 to 21 are a critical period when many smokers move from experimental smoking to regular, daily use. Electronic delivery device use among minors has recently tripled and is shown to be on the rise among youth. Young minds are particularly susceptible to the addictive properties of nicotine. As a result, approximately 3 out of 4 teen smokers end up smoking into adulthood.

(4) In 2015, the Institute of Medicine concluded that raising the minimum legal sales age for tobacco products nationwide will reduce tobacco initiation, particularly among adolescents aged 15 to 17, improve health across the lifespan, and save lives; and that raising the minimum legal sales age for tobacco products nationwide to 21 would, over time, lead to a 12 percent decrease in smoking prevalence. The Institute of Medicine also predicts that raising the minimum legal sales age for tobacco products nationwide to 21 would result in 223,000 fewer premature deaths, 50,000 fewer deaths from lung cancer, and 4.2 million fewer years of life lost for those born between 2000 and 2019, and would result in near immediate reductions in preterm birth, low birth weight, and sudden infant death syndrome.

(5) Cigar and pipe smokers are more than twice as likely to have decreased lung function compared to non-smokers. Cigar and pipe smokers who also smoke cigarettes may triple their risk of decreased lung function.

(6) Scientific evidence on the toxicity of secondhand tobacco smoke is both overwhelming and indisputable. The complex mixture of gases and particles that make up secondhand smoke (also known as environmental tobacco smoke) contains at least 250 chemicals known to be lethal, including more than 50 that can cause cancer. Medical authorities from around the world have concluded that secondhand smoke exposure causes heart

disease, stroke, respiratory disease and lung cancer, has immediate adverse effects on the cardiovascular system, and causes sudden infant death syndrome, acute respiratory infections, ear infections, and asthma attacks in children.

(7) In making these findings, the City Council accepts the conclusions and recommendations of the U.S. Surgeon General reports, "E-cigarette Use Among Youth and Young Adults" (2016), "The Health Consequences of Smoking-50 Years of Progress" (2014) and "Preventing Tobacco Use Among Youth and Young Adults" (2012); a BlueCross BlueShield of Minnesota report, "Health Care Costs and Smoking in Minnesota: The Bottom Line" (2017); the Institute of Medicine in their study, "Public Health Implications of Raising the Minimum Age of Legal Access to Tobacco Products" (2015); the Centers for Disease Control and Prevention in their studies, "Tobacco Use Among Middle and High School Students-United States, 2011-2015," and "Selected Cigarette Smoking Initiation and Quitting Behaviors Among High School Students, United States, 1997"; and of the following scholars in these scientific journals: Xin Xu et al., Annual Healthcare Spending Attributable to Cigarette Smoking: An Update, Am. J. Prev. Med. 48(3): 326-33 (Mar. 2015); Giovino GA, "Epidemiology of Tobacco Use in the United States," Oncogene (2002) 21, 7326-40; Khuder SA, et al., "Age at Smoking Onset and its Effect on Smoking Cessation," Addictive Behavior 24(5):673-7, September-October 1999; D'Avanzo B, et al., "Age at Starting Smoking and Number of Cigarettes Smoked," Annals of Epidemiology 4(6):455-59, November 1994; Chen, J & Millar, WJ, "Age of Smoking Initiation: Implications for Quitting," Health Reports 9(4):39-46, Spring 1998; Everett SA, et al., "Initiation of Cigarette Smoking and Subsequent Smoking Behavior Among U.S. High School Students," Preventive Medicine, 29(5):327-33, November 1999; and Rodriguez J, Jiang R, Johnson WC, MacKenzie BA, Smith LJ, Barr RG; The Association of Pipe and Cigar Use With Cotinine Levels, Lung Function, and Airflow Obstruction: A Cross-sectional Study; Ann Intern Med. 201O;152:20 l-210 copies of which are adopted byreference.

(8) The City determines that e-delivery products and e-liquids are particularly attractive to youth and that steps are needed to limit youth exposure and access to such products.

(9) The City values youth and seeks their input in order to positively raise awareness and seek solutions to problems facing youth, such as tobacco industry targeting and youth tobacco use.

(10) The City's mission is to ensure an attractive, clean, safe, and inclusive community that enhances the quality of life for all people, and preventing youth tobacco use helps achieve these goals.

(11) This Article is intended to regulate the sale of tobacco, tobacco-related devices, electronic delivery devices, and nicotine or lobelia delivery products for the purpose of enforcing and furthering existing laws, to protect youth and young adults against the serious effects associated with use and initiation, and to further the official public policy of the State in regard to preventing young people from starting to smoke as stated in Minnesota Statutes Section 144.391.

Sec. 15-56. Definitions.

Except as may otherwise be provided or clearly implied by context, all terms are given their commonly accepted definitions. For the purpose of this Article, the following definitions apply unless the context clearly indicates or requires a different meaning:

Child-resistant packaging. Packaging that meets the definition set forth in code of federal regulations, title 16, section 1700. l 5(b), as in effect on January 1, 2015, and was tested in accordance with the method described in Code of Federal Regulations, Title 16, Section 1700.20, as in effect on January l, 2015.

Cigar. Any roll of tobacco that is wrapped in tobacco leaf or in any other substance containing tobacco, with or without a tip or mouthpiece, which is not a cigarette as defined in Minnesota Statutes Section 297F.01, subdivision 3, as may be amended from time to time.

Compliance checks. The system the City uses to investigate and ensure that those authorized to sell licensed products are following and complying with the requirements of this Article. Compliance checks involve the use of persons under the age of 21 who purchase or attempt to purchase licensed products. Compliance checks may also be conducted by the City or other units of government for educational, research and training purposes or for investigating or enforcing federal, state or local laws and regulations relating to licensed products.

Electronic delivery device. Any product containing or delivering nicotine, lobelia, or any other substance intended for human consumption through the inhalation of aerosol or vapor from the product. Electronic delivery device includes, but is not limited to, devices manufactured, marketed, or sold as e-cigarettes, e-cigars, e-pipes, vape pens, mods, tank systems, or under any other product name or descriptor. Electronic delivery device includes any component part of a product, whether or not marketed or sold separately. Electronic delivery device does not include any product that has been approved or certified by the United States Food and Drug Administration for sale as a tobacco-cessation product, as a tobacco-dependence product, or for other medical purposes, and is marketed and sold for such an approved purpose.

Hookah. A pipe with a long flexible tube by which the smoke is drawn through a jar of water and thus cooled for the use of tobacco or tobacco related products.

Indoor area. All space between a floor and a ceiling that is bounded by walls, doorways, or windows, whether open or closed, covering more than 50 percent of the combined surface area of the vertical planes constituting the perimeter of the area. A wall includes any retractable divider, garage door, or other physical barrier, whether temporary or permanent. A standard window screen (0.011 gauge with an 18 by 16 mesh count) is not considered a wall.

Licensed products. The term that collectively refers to any tobacco, tobacco-related device, electronic delivery device, or nicotine or lobelia delivery product.

Loosies. The common term used to refer to single or individually packaged cigars or cigarettes, or any other licensed product that has been removed from its intended retail packaging and offered for sale.

Moveable place of business. Any form of business operated out of a kiosk, truck, van, automobile, or other type of vehicle or transportable shelter and not a fixed address store front or other permanent type of structure authorized for sales transactions.

Nicotine or lobelia delivery product. Any product containing or delivering nicotine or lobelia

intended for human consumption, or any part of such a product, that is not tobacco or an electronic delivery device as defined in this section. Nicotine or lobelia delivery product does not include any product that has been approved or otherwise certified for legal sale by the United States Food and Drug Administration for tobacco use cessation or for other medical purposes, and is being marketed and sold solely for that approved purpose.

Retail establishment. Any place of business where licensed products are available for sale to the general public. The phrase includes but is not limited to grocery stores, convenience stores, gasoline service stations, bars, and restaurants.

Sale. Any transfer of goods for money, trade, barter, or other consideration.

Sampling. The lighting of tobacco, tobacco products, tobacco-related devices or the activation of and inhaling of vapor from electronic cigarettes in a retail establishment by a customer or potential customer for the purpose of sampling the product or device before a purchase.

Smoking. Inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated product, whether natural or synthetic, containing, made, or derived from nicotine, tobacco, marijuana, or other plant, that is intended for inhalation. Smoking also includes carrying or using an activated electronic delivery device.

Tobacco. Any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product including but not limited to cigarettes; cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobaccos; shorts; refuse scraps, clippings, cuttings, and sweepings of tobacco; and other kinds and forms of tobacco. Tobacco does not include any product that has been approved by the United States Food and Drug Administration for sale as a tobacco-cessation product, as a tobacco-dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.

Tobacco products shop. A retail establishment with an entrance door opening directly to the outside that derives more than 90 percent of its gross revenue from the sale of tobacco, tobacco related products, and tobacco related devices and in which the sale of other products is merely incidental. "Tobacco products shop" does not include a tobacco products department or section of any individual business establishment with any type of food, liquor, or restaurant license.

Tobacco-related device. Any pipe, rolling papers, or other device intentionally designed or intended to be used in a manner that enables the chewing, sniffing, or smoking of tobacco or tobacco products, including electronic delivery devices. Tobacco-related device includes components of tobacco-related devices which may be marketed or sold separately.

Vapor lounge. A vapor products shop which allows customers to be seated.

Vapor products shop. A retail establishment with an entrance door opening directly to the outside that derives more than 90 percent of its gross revenue from the sale of electronic delivery devices, electronic cigarettes, and related products and in which the sale of other products is merely incidental. "Vapor products shop" does not include a vapor products department or section of any individual business establishment with any type of food, liquor, or restaurant license.

Vending machine. Any mechanical, electric or electronic, or other type of device that dispenses licensed products upon the insertion of money, tokens, or other form of payment directly into the machine by the person seeking to purchase the licensed product.

Sec. 15-57. License.

(l) **License required.** A license shall be obtained before any person directly, indirectly or by means of any device shall keep for retail sale, sell at retail, or otherwise dispose of licensed products at any place in the City.

(2) **Application.** Application shall be made on a form as prescribed by the City and shall include:

(A) The full name and residential and business addresses and telephone numbers of the applicant, business owner if different from the applicant, and manager, if applicable.

(B) The location of the building and the part intended to be used by the applicant under the license.

(C) The kind of business conducted at the location.

(D) The name of the business for which the license is sought, and the name under which the business is being conducted.

(E) Any additional information requested by the City on the application form.

Upon receipt of a completed application, the City Clerk will forward the application to the Public Safety Department. The Public Safety Department will conduct an investigation and report the results to the City Clerk. The Clerk will then forward the application to the City Council for action at its next regularly scheduled City Council meeting. If the City Clerk determines that an application is incomplete, it will be returned to the applicant with notice of the information necessary to make the application complete.

(3) **Action.** The City Council may either approve or deny the license, or it may delay action for a reasonable period of time to complete any investigation of the application or the applicant deemed necessary. If the City Council approves the license, the City Clerk will issue the license to the applicant. If the City Council denies the license, notice of the denial will be given to the applicant along with notice of the applicant's right to appeal the decision.

(4) **Term.** All licenses issued are valid from April 1 to March 31.

(5) **Revocation or suspension.** Any license issued may be revoked or suspended following the procedure provided in Section 15-62.

(6) **Transfers.** All licenses issued are valid only on the premises for which the license was issued and only for the person to whom the license was issued.

(7) **Moveable place of business.** No license will be issued to a moveable place of business. Only fixed location businesses are eligible to be licensed.

(8) **License displayed.** The license shall be conspicuously displayed at the licensed business location and shall be exhibited to any authorized person upon request.

(9) **Minimum clerk age.** Individuals employed by a person licensed under this Article must be at least 18 years of age to sell licensed products.

(I0) **Smoking prohibited.** Smoking is prohibited within the indoor area of any retail establishment licensed under this Article.

Sec. 15-58. License Fee.

The license fee shall be established by the City's fee schedule. No license fee shall be prorated for a period ofless than a year. No license shall be issued until the required license fee has been paid.

Sec. 15-59. Basis for Denial of License.

(I) Grounds for denying the issuance or renewal of a license include but are not limited to the following:

(A) The applicant is under 21 years ofage.

(B) The applicant has been convicted within the past five years of any violation of a federal, state, or local law, ordinance provision, or other regulation relating to licensed products.

(C) The applicant has had a license to sell licensed products suspended or revoked within the preceding 12 months of the date of application.

(D) The applicant fails to provide any information required on the application, or provides false or misleading information.

(E) The applicant is prohibited by federal, state, or other local law, ordinance, or other regulation from holding a license, including but not limited to Minnesota Statutes Section 270C.72.

(2) Except as may otherwise be provided by law, the existence of any particular ground for denial does not mean that the City must deny the license.

(3) If a license is mistakenly issued or renewed to a person, it will be revoked upon the discovery that the person was ineligible for the license under this Article. Notice of the revocation will be given to the entity along with information on the right to appeal.

Sec. 15-60. Prohibited Acts.

(1) In **general.** No person shall sell or offer to sell any licensed product:

(A) By means of loosies as defined in Section 15-56.

(B) By means of any type of vending machine.

(C) Containing opium, morphine, jimson weed, bella donna, strychnos, cocaine, marijuana, or other deleterious, hallucinogenic, toxic or controlled substances except nicotine and other substances found naturally in tobacco or added as part of an otherwise lawful manufacturing process. It is not the intention of this provision to ban the sale of lawfully manufactured cigarettes or other products subject to this Article.

(D) By any other means, to any other person, on in any other manner or form prohibited by federal, state or other local law, ordinance provision, or other regulation.

(2) Smoking prohibitions; sampling allowed.

(A) Except as allowed by Minnesota Statutes Section 144.4167, smoking shall be prohibited and no person shall smoke in public places and places of work.

(B) Pursuant to Minnesota Statutes Section 144.4167, subdivision 4, tobacco sampling, including sampling of electronic delivery devices and products used in electronic delivery devices, is allowed in a tobacco products shop or vapor products shop.

(3) **Lounges.** Smoking lounges, hookah lounges, and vapor lounges are prohibited.

(4) **Legal age.** No person shall sell or give away licensed products to any person under 21 years of age.

(A) Age verification. Licensees must verify by means of government-issued photographic identification that the purchaser is at least 21 years of age. Verification is not required for a person over the age of 30. That the person appeared to be 30 years of age or older does not constitute a defense to a violation of this subsection.

(B) Signage. Notice of the legal sales age and age verification requirement must be posted at each location where licensed products are offered for sale. The required signage, which will be provided to the licensee by the City, must be posted in a manner that is clearly visible to anyone who is or is considering making a purchase.

(5) **Liquid packaging.** No person shall sell or offer for sale any liquid, whether or not such liquid contains nicotine, which is intended for human consumption and use in an electronic delivery device, in packaging that is not child-resistant. Upon request, a licensee must provide a copy of the certificate of compliance or full laboratory testing report for the packaging used.

Section 15-61. Compliance Checks and Inspections.

All licensed premises must be open to inspection by law enforcement or other authorized City

officials during regular business hours. From time to time, but at least twice per year, the City will conduct compliance checks. In accordance with State law, the City will conduct at least one compliance check that involves the participation of a person between the ages of 15 and 17 and at least one compliance check that involves the participation of a person between the ages of 18 and 20 to enter licensed premises to attempt to purchase licensed products. Prior written consent of a parent or guardian is required for any person under the age of 18 to participate in a compliance check. Persons used for the purpose of compliance checks will be supervised by law enforcement or other designated personnel.

Sec. 15-62. Violations and Penalties.

This Section prescribes administrative penalties for violation of this Article. No penalty under this Section shall take effect until the licensee has received written notice of the alleged violation and has had an opportunity for a hearing before the City Council. The notice may be served personally or by mail. The decision of the City Council shall be provided in writing if a violation is determined to have occurred. Judicial appeal shall be as provided for by State law.

(1) **Licensees.** Any licensee found to have violated this Article, or whose employee violated this Article, will be charged an administrative fine of $200 for a first violation; $500 for a second offense at the same licensed premises within a 24-month period; and $750 for a third or subsequent offense at the same location within a 24-month period. Upon the third violation, the license will be suspended for a period of not less than 30 consecutive days. Upon a fourth violation, the license will be revoked.

(2) **Other individuals.** Individuals, other than persons under the age of 21, who are found to be in violation of this Article may be charged an administrative fine of $50.

(3) **Persons under the age of 21.** Persons under the age of21 who violate this Article may only be subject to non-criminal, non-monetary civil penalties such as tobacco-related education classes, diversion programs, community services, or another penalty that the City determines to be appropriate. The City Council will consult with court personnel, educators, parents, children, and other interested parties to determine an appropriate penalty for persons under the age of21 in the City. The penalty may be established by ordinance and amended from time to time.

(4) **Statutory penalties.** If the administrative penalty authorized to be imposed by Minnesota Statutes Section 461.12, as it may be amended from time to time, differ from that established in this section, then the higher penalty will prevail.

(A) ***Initial Violation.*** If a licensee or its employee violates any provision of this Article, the licensee shall be charged an administrative penalty.

(B) ***Second Violation.*** If a licensee or its employee violates any provision of this Article twice at the same location within 24 months of the initial violation, the licensee shall be charged another administrative penalty.

(C) ***Third Violation.*** If a licensee or its employee violates any provision of this Article for a third time at the same location within 24 months of the initial violation, the licensee shall be charged another administrative penalty and the license shall be suspended for seven days.

(D) ***Violator.*** Any person who sells or gives away tobacco licensed products to a person under 21 years of age shall be charged an administrative penalty. This penalty shall be in addition to the penalty charged under Section 15-62 (4) (A) through (C).

(E) Nothing in this Article shall prohibit the City from seeking prosecution as a misdemeanor for any alleged violation.

(F) In addition to misdemeanor prosecution and administrative penalties, violation of this Article is grounds for suspension, revocation, or non-renewal of a license.

Sec. 15-63. Affirmative Defense.

It shall be an affirmative defense to a charge of selling tobacco to a person under 21 years of age that the licensee or individual making the sale relied in good faith upon proof of age as evidenced by:

(1) A valid driver's license or identification card issued by the State of Minnesota, another state, or a province of Canada which includes the photograph and date of birth of the licensed person; or

(2) A valid military identification card issued by the United State Department of Defense; or

(3) In the case of a foreign national from a country other than Canada, a valid passport.

Sec. 15-64. Religious, Spiritual, or Cultural Ceremonies or Practices.

Nothing in this Article prevents the provision of tobacco or tobacco-related devices to any person, including a minor, as part of an indigenous practice or a lawfully recognized religious, spiritual, or cultural ceremony or practice.

Sec. 15-65. Severability.

If any section or provision of this Article is held invalid, such invalidity will not affect other sections or provisions that can be given force and effect without the invalidated section or provision.

Secs. 15-66--15-73. Reserved.

RESOLUTION
CITY COUNCIL
CITY OF NEW BRIGHTON

RESOLUTION APPROVING KIDDRICK CODE (D/B/A ADINKRA TOBACCO)'S APPLICATION FOR A TOBACCO LICENSE

WHEREAS, Kidderick Code, doing business as Adinkra Tobacco (the "Applicant"), a business to be located at 1439 Silver Lake Road NW in New Brighton, has submitted an application for a tobacco license in the City of New Brighton; and

WHEREAS, the Applicant has paid the required fee and has submitted a complete application to request the license; and

WHEREAS, subsequent to the Applicant's application for a tobacco license, members of the New Brighton Public Safety Department conducted a background investigation of the Applicant, which is a requirement in order for the City to be able to issue the license; and

WHEREAS, based on the application and the background investigation of the Applicant, it has been concluded by City staff that there are no grounds for denial of the application; and

WHEREAS, City staff is recommending approval of the application; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of New Brighton hereby approves the Applicant's application for a tobacco license for Adinkra Tobacco based on the foregoing recitals and the following findings of the City Council, all of which is to protect the public's health, safety, and welfare:

1. The Applicant must comply with all requirements of the City Code, including, but not limited to, the City's tobacco licensing regulations which are set forth in Chapter 15, Article 4 of the City Code. Among other requirements, said tobacco licensing regulations prohibit smoking within the indoor areas of the licensed establishment, with the exception that sampling is permitted pursuant to Section 15-56 (2)(B) of the City Code. Said regulations also only authorize the sale of licensed products as they are defined in Section 15-56 of the Code. Said licensed products must not contain any substances described in Section 15-60 (1)(C) of the City Code.

ADOPTED this 23rd day of June, 2020 by the New Brighton City Council with a vote of ___ ayes and ___ nays.

Valerie Johnson, Mayor

ATTEST:

Devin Massopust, City Manager

Terri Spangrud, City Clerk

Report Number: 7	
Agenda Section: 7	
Report Date: 6/19/20	
Council Meeting Date: 6/23/20	

NEW BRIGHTON
building tomorrow today

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION: Consider Approval of Anti-Virus Purchase
DEPARTMENT HEAD'S APPROVAL:
CITY MANAGER'S APPROVAL:
No comments to supplement this report DAM **Comments attached** ___

Recommendation:
Approve the contract to purchase Sophos Anti-Virus as a replacement for our current vendor, Symantec.

Legislative History:
There is no legislative history for this consideration.

Financial Impact:
There will be no new financial impact. The cost of Sophos ($6,131.20) is equal to or less than what we would pay for Symantec.

Explanation:
The City's technology requires security measures to protect from external threats. This is not only evident as an industry best practice, but also a requirement from external organizations such as section 5.10.4 of the FBI's Criminal Justice Information Systems (CJIS) Security Policy.

We are motivated to change our vendor and product due to the recent acquisition of Symantec by Broadcom. The new ownership has led to several negative changes in service including the following: We are no longer eligible for a customer service representative. Our access to support has been significantly reduced. Our renewal support has been significantly reduced. Product updates and development of features have been slowed or halted indefinitely during the transition, and potentially beyond. In addition, while there has been a substantive reduction in service delivery, there has been no reduction in the price of the product. Contacts in other cities and other industries have reported similar issues and are switching as well.

After reviewing five other competing products, Sophos is the best fit for the city in features and price.

QUOTE CONFIRMATION

PEOPLE WHO GET IT

DEAR NICK KRIZ,

Thank you for considering CDW•G for your computing needs. The details of your quote are below. Click here to convert your quote to an order.

QUOTE #	QUOTE DATE	QUOTE REFERENCE	CUSTOMER #	GRAND TOTAL
LHRW857	3/18/2020	SOPHOS 1 YR	6270008	$6,131.20

QUOTE DETAILS

ITEM	QTY	CDW#	UNIT PRICE	EXT. PRICE
Sophos Central Intercept X Advanced - competitive upgrade subscription lice Mfg. Part#: CIXH1GSCU UNSPSC: 43233205 Electronic distribution - NO MEDIA Contract: MARKET	120	5328107	$20.91	$2,509.20
Sophos Central Intercept X Advanced for Server - subscription license (1 ye Mfg. Part#: CSAF1GSAA UNSPSC: 43233205 Electronic distribution - NO MEDIA Contract: MARKET	30	3892885	$58.31	$1,749.30
SOPHOS 2HR BASIC PRO SVCS Mfg. Part#: PCBZTCCAA Electronic distribution - NO MEDIA Contract: MARKET	2	3682019	$936.35	$1,872.70

PURCHASER BILLING INFO		
Billing Address: CITY OF NEW BRIGHTON ACCTS PAYABLE 803 OLD HIGHWAY 8 NW UPPR NEW BRIGHTON, MN 55112-2792 **Phone:** (651) 638-2172 **Payment Terms:** Net 30 Days-Govt State/Local	SUBTOTAL	$6,131.20
	SHIPPING	$0.00
	SALES TAX	$0.00
	GRAND TOTAL	$6,131.20
DELIVER TO		
Shipping Address: CITY OF NEW BRIGHTON NICK KRIZ 803 OLD HIGHWAY 8 NW UPPR NEW BRIGHTON, MN 55112-2792 **Phone:** (651) 638-2172 **Shipping Method:** ELECTRONIC DISTRIBUTION	**Please remit payments to:** CDW Government 75 Remittance Drive Suite 1515 Chicago, IL 60675-1515	

Need Assistance? CDW•G SALES CONTACT INFORMATION

Gabe Brown | (877) 638-8136 | gabebro@cdwg.com

This quote is subject to CDW's Terms and Conditions of Sales and Service Projects at http://www.cdwg.com/content/terms-conditions/product-sales.aspx

Report Number:	8
Agenda Section:	7
Report Date:	6/19/20
Council Meeting Date:	6/23/20

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION: Consider Approval of Microsoft Licensing Contract
DEPARTMENT HEAD'S APPROVAL:
CITY MANAGER'S APPROVAL:
No comments to supplement this report DAM **Comments attached** ___

Recommendation:
Approve the contract to update Microsoft server licensing.

Legislative History:
There is no legislative history for this consideration.

Financial Impact:
Microsoft server licensing will cost $39,729.78. This expense was budgeted for this year in the IT fund.

Explanation:
The City uses Microsoft products and operating systems in nearly all of our server, desktop, and laptop devices. The core of our technology environment includes Active Directory, Exchange, SQL, and many of their other products.

The City has not formally purchased Microsoft licensing since 2012, and we are required to "true up" our license count with them periodically. This contract represents the first half of doing so by acquiring appropriate server and client access licensing. The second half of licensing will include Microsoft Office. City IT staff is currently performing a cost benefit analysis of Office 365 versus traditional installation, and will present a recommendation at a later time.

Pricing Proposal
Quotation #: 18784654
Created On: 4/22/2020
Valid Until: 5/22/2020

City of New Brighton

Nick Kriz
803 Old Highway 8 NW
New Brighton, MN 55112
United States
Phone: (651) 638-2100
Fax:
Email: Nick.Kriz@newbrightonmn.gov

Inside Account Executive

Christopher Owens
290 Davidson Ave
Somerset, NJ 08873
Phone: 732-868-8849
Fax: 732-
Email: christopher_owens@shi.com

All Prices are in US Dollar (USD)

	Product	Qty	Your Price	Total
1	Microsoft Windows Server 2019 Standard - License - 2 cores - Select Plus - Single Language Microsoft - Part#: 9EM-00681 **Note:** Software; ESD	12	$84.21	$1,010.52
2	Microsoft Windows Server 2019 Datacenter - License - 2 cores - Select Plus - Single Language Microsoft - Part#: 9EA-01073 **Note:** Software; ESD	26	$527.24	$13,708.24
3	Microsoft Windows Server 2019 - License - 1 user CAL - Select Plus - Single Language Microsoft - Part#: R18-05796 **Note:** Software; ESD	160	$28.75	$4,600.00
4	Microsoft SQL Server Standard Core Edition - License & software assurance - 2 cores - Select, Select Plus - Win - Single Language Microsoft - Part#: 7NQ-00300 Coverage Term: 5/1/2020 – 4/30/2023 **Note:** Software; ESD	2	$4,296.18	$8,592.36
5	Windows 10 Pro - Upgrade license - 1 device - Select Plus Microsoft - Part#: FQC-09551 **Note:** Software; ESD	1	$127.96	$127.96
6	Microsoft Exchange Server 2019 Standard - License - 1 server - Select Plus - Win - Single Language Microsoft - Part#: 312-04418 **Note:** Software; ESD	2	$533.35	$1,066.70
7	Microsoft Exchange Server 2019 Standard CAL - License - 1 user CAL - volume - Win - Single Language Microsoft - Part#: 381-04518 **Note:** Software; ESD	160	$66.40	$10,624.00

Subtotal	$39,729.78
Total	$39,729.78

Additional Comments

Hardware items on this quote may be updated to reflect changes due to industry wide constraints and fluctuations.

Thank you for choosing SHI International Corp! The pricing offered on this quote proposal is valid through the expiration date listed above. To ensure the best level of service, please provide End User Name, Phone Number, Email Address and applicable Contract Number when submitting a Purchase Order. For any additional information including Hardware, Software and Services Contracts, please contact an SHI Inside Sales Representative at (888) 744-4084.

SHI International Corp. is 100% Minority Owned, Woman Owned Business.
TAX ID# 22-3009648; DUNS# 61-1429481; CCR# 61-243957G; CAGE 1HTF0

The Products offered under this proposal are resold in accordance with the SHI Online Customer Resale Terms and Conditions, unless a separate resale agreement exists between SHI and the Customer.

Agenda Section:	**IX**
Item:	**1**
Report Date:	**6/18/20**
Council Meeting Date:	**6/23/20**

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:	Consider a Resolution to Approve a Final Planned Residential Development for the Dominium Senior Housing portion of Midtown Village (Phase III)
DEPARTMENT HEAD'S APPROVAL:Craig Schlichting CGS	
CITY MANAGER'S APPROVAL:	
No comments to supplement this report DAM	**Comments attached** ___

15.99 Deadline: The 60-day review period for this application expires on 7/7/2020. This deadline can be extended an additional 60 days if necessary.

Recommendations:
- **The Planning Commission and Staff are both recommending approval of the Final Planned Residential Development and Plat.**

Legislative History:
- Complete application received on 5/8/20.
- Planning Commission review held on 5/19/20

Financial Impact: **Significant over the long term.** Ehlers estimates the proposed development of Midtown Village will result in $210K of yearly tax revenue going specifically to the City upon decertification of TIF District #34.

Summary: Dominium is seeking approval of a Final Planned Residential Development for Phase III of the Midtown Village development. This final phase will include preparation of the remaining land north of Old Highway 8 for development, installation of public improvements, and construction of the affordable senior housing building (to be called Oaks Landing). Preliminary approval for this development was granted by the City Council on May 28th, 2019. Subsequent approvals of the 1st & 2nd phases occurred on 7-23-19 and 11-26-19 respectively. This is the final phase of the Midtown Village development.

Attachments:
1) *Staff Report*
2) *Engineer's memo*
3) *Approval Resolution*

4) *Final PRD Plans & Plat*
    a. *Narrative*
    b. *Final Plat*
    c. *Lot Areas*
    d. *Final Plans*
    e. *Stormwater management plan*



Ben Gozola, AICP
Assistant Director of Community Assets and Development

Planning Report

FINAL PRD Review: Midtown Village Phase III

To: **City Council**

From: Ben Gozola, Assistant Director DCAD

Meeting Date: **6-23-20**

Applicant: **Dominium**

Main Contact: Devon Quist

Location: 8th Avenue & Old Highway 8

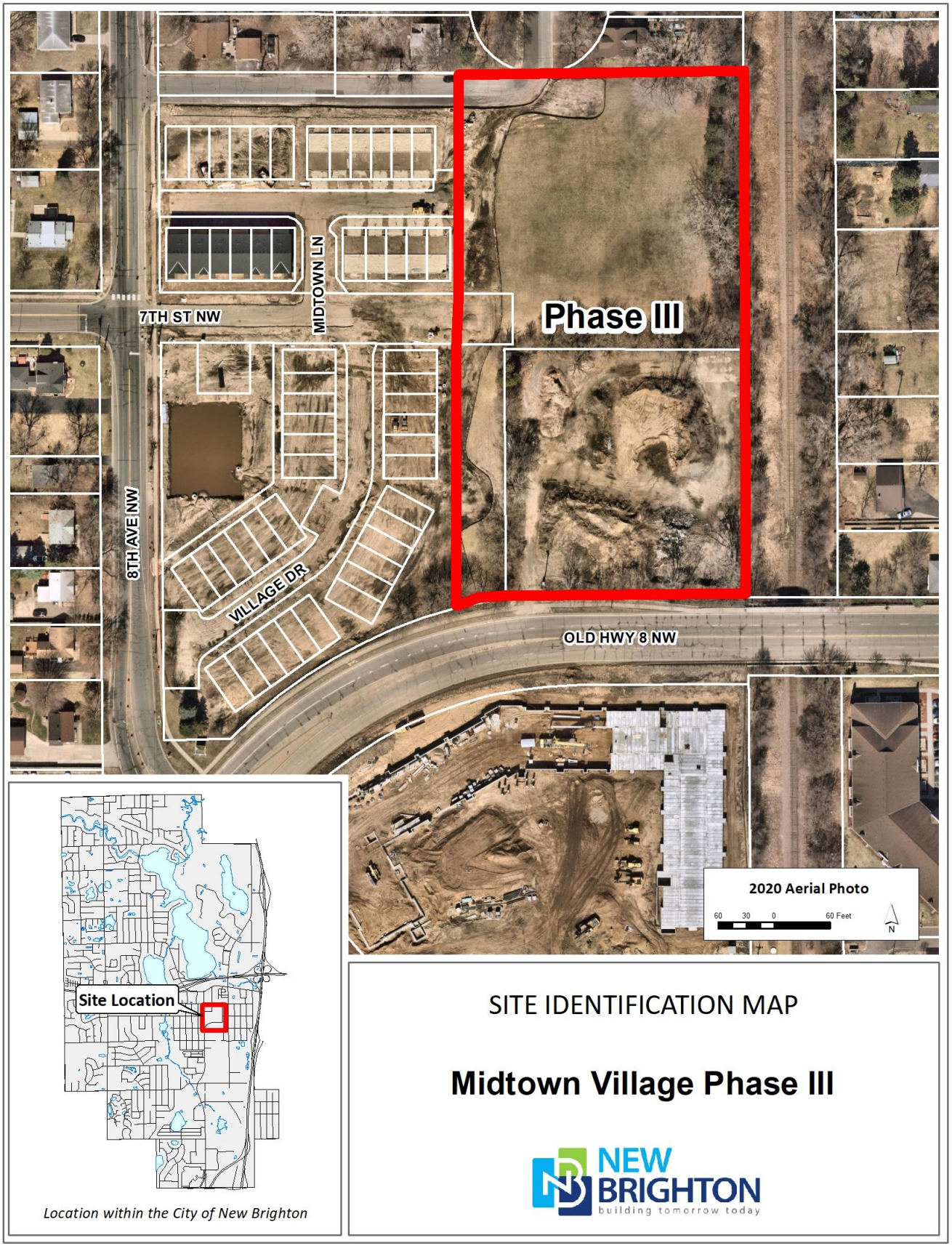
Zoning: **R-3B**

Introductory Information

Project: Dominium is seeking approval of a Final Planned Residential Development for Phase III of the Midtown Village development. This final phase will include preparation of the remaining land for development, installation of public improvements, and construction of the affordable senior building to the north of Old Highway 8. Preliminary approval for this development was granted by the City Council on May 28th, 2019.

History / Timeline:

- Dates Unknown: City acquires the PW materials storage site, the PW facilities site, and 609 Old Highway 8 (all have been City owned for many, many, years)
- ≈ 1939: original New Brighton Elementary School constructed
- ≈ 1978: School converted into a "community resource center" providing general services to the public and local seniors.
- ≈ 1983: School district sells property to the Korean United Methodist Church
- ≈ 2017: City acquires 629 Old Highway 8 on the open market at fair market value
- 2017: City acquires the former New Brighton Elementary School/Korean United Methodist Church site on the open market at fair market value
- 2019: City acquires 581 Old Highway 8 on the open market at fair market value
- Neighborhood Meeting on conceptual plan held on 10/25/18
- Conditional rezoning of parcels to R-3B recommended for approval by the Planning Commission on 1/15/19, and approved by the City Council on 1/22/19
- Planning Commission review & public hearing of Preliminary PRD held on 5/21/19
- City Council approval of Preliminary PRD on 5/28/19
- City Council approval of Final PRD Phase I on 7/23/19
- City Council approval of Final PRD Phase II on 11/26/19


Phase III
7TH ST NW
MIDTOWN LN
8TH AVE NW
VILLAGE DR
OLD HWY 8 NW
2020 Aerial Photo
60 30 0 60 Feet
N
Site Location
Location within the City of New Brighton
SITE IDENTIFICATION MAP
Midtown Village Phase III
NEW BRIGHTON
building tomorrow today

General Findings

Site Data:

- Land Area ≈ 3.92 acres
- Existing Use – vacant land
- Existing Zoning –R-3B
- Property Identification Numbers (PIDs): 29-30-23-13-0020 and 29-30-23-12-0176

Comp Plan Update:

- The new 2040 Comprehensive Plan guides this property for "Mixed Use Neighborhood Node." This new land use designation will ultimately require a new zoning district to accommodate a mix of uses including high density residential at densities between 8 and 40 units per acre. Preliminary PRD approval determined the proposed plan was in-line with general comp plan guidance and overall goals of the City.
- The new Comprehensive Plan was approved by the Metropolitan Council on July 10th, 2019, and was subsequently put into effect by the City Council on July 23rd, 2019.

Notable Code Definitions:

- ***SUBDIVISION***. A parcel of land divided into smaller parts such as blocks or lots, or a tract of land which is re-divided after the first division.
- ***DWELLING, MULTIPLE-FAMILY***. A building or portion thereof containing three or more dwelling units.

Primary Applicable Codes:

- **Zoning Chapter 7, Article 1, Section 7-100 City Council Final Plan Review**
  Indicates that the City Council is to review the final plans for substantial compliance to preliminary approval.
- **City Code Chapter 26, Article 3, Final Plat.**
  Identifies the rules for final platting of lands.
- **City Code Chapter 26, Article 4, Park Land Dedication.**
  Identifies dedication requirements for parks and open spaces.

Final PRD Review

In General:

- The Final Planned Residential Development review stage ensures that conditions of Preliminary are (or will be) successfully addressed by the proposed development.

PRD Plans & Final Plat Review:

- Preliminary PRD approval grants the right for a developer to move forward with a project provided the final plans are in "substantial compliance" with preliminary approval. By code, substantial compliance is determined by the following criteria:

  - *Have the final plans increased residential density?*
    No. The proposed density matches the preliminary approval.

  - *Have the final plans increased nonresidential floor area?*
    No. There are no commercial or industrial uses proposed as part of the final plans.

  - *Have the final plans decreased the area of open space or changed design such that public areas will no longer function as intended?*
    No. Open space and park spaces are consistent with the preliminary approval.

  - *Have the final plans adhered to conditions placed on the Preliminary plans?*
    Yes. With conditions, staff finds the final plans to be ready for approval at this time.

  Based on the above, both the Planning Commission and staff find that the final PRD PLANS are in substantial compliance with the preliminary approval.

- In addition to ensuring the development plans comply with preliminary approvals, Council is to examine the final plat to determine compliance with the City's subdivision codes in Chapter 26. By code, compliance is determined by the following criteria:

  - *Was the final plat received within one year of preliminary approval (or within one year of the last phase being approved)?*
    Yes. Phase II was approved on November 26th, 2019.

  - *Was the final plat prepared by a land surveyor, and do the documents conform to all State and County requirements?*
    Yes. The proposed plat was prepared by Max L. Stanislowski, Licensed Land Surveyor, and the City Attorney has confirmed the final plat is in order with only minor corrections needed.

  - *Do the final plat documents provide all information to be shown as called for by Section 26-41(2) of the City's Subdivision Codes?*
    Yes. All necessary information is shown on the final plat.

(cont.)

- *Are park dedication requirements being met by the final plat?*
  Yes. Dedication will be satisfied via cash-in-lieu of land per a developer's agreement being prepared. Per the Preliminary PRD approval, the dedication will be $372,300 for the senior building. It is anticipated that some of this dedication will be used to build out the public park dedicated as part of Phase I next spring/summer.

- *Has a title opinion been provided and reviewed by the City Attorney?*
  Yes. All concerns were successfully addressed.

Based on these criteria, the Planning Commission and staff both find the final PLAT to be in substantial compliance with subdivision requirements and preliminary approval..

Conclusion:

Dominium is seeking approval of a Final Planned Residential Development for Phase III of the Midtown Village development. This final phase will include preparation of the land for development, installation of public improvements, and construction of the 204 affordable senior units approved by the City Council on May 28th, 2019.

By Code, the Planning Commission was asked to make recommendations on the status of the documents, and their recommendations are as follows:

1. **The final plat and plans are in substantial compliance with preliminary approval.**
2. **The plans do not deviate from previous approvals, and all proposed changes were in response to conditions of approval.**
3. **No further or new conditions are recommended.**

Staff concurs with these recommendations.

Based on a complete application date of 5/8/20, the deadline for a decision by the City Council is 7/7/20. One extension of up to 60 additional days is available.

Template Denial Motion:

(not recommended)

- "I move to deny the requested final planned residential development and plat based on the following findings of fact:"
  - *(provide findings to support your conclusion)*

Template Approval Motion:

RECOMMENDED

- **Move approval of the resolution approving the Final Planned Residential Development and Plat for Phase III of the Midtown Village Development."**

Resolution Findings of Fact:

1. *City Council granted approval of the Preliminary Planned Residential Development (PRD) for the proposed improvements on May 28th, 2019, subject to conditions.*
2. *The development will allow the City to work towards its established goals of:*
    a. *Supporting a diverse population with a diverse housing stock;*
    b. *Establishing a sense of place with new development as the buildings will be constructed of high-quality materials, and their design/placement will transform the entryway into this portion of the community;*
    c. *Developing a specifically targeted "potential area of improvement;"*
    d. *Creating new development that utilizes traditional neighborhood design principals such as on-street parking, pedestrian friendly streetscapes, and multi-storied, mixed use development;*
    e. *Creating safe streets by introducing a traffic signal to the intersection of 8th Avenue & Old Highway 8, by adding pedestrian bump outs along 8th Avenue to make crossing easier and to slow down traffic, and by introducing many more sidewalks and trails to the area which will connect to other city destinations;*
    f. *Providing a much needed mix of new market rate units, affordable senior units at 60% AMI, and affordable workforce housing units also at 60% AMI;*
    g. *Providing a new neighborhood park for this development and the surrounding residents to enjoy;*
3. *The proposed Final PRD plans and final plat are in substantial compliance with the approved Preliminary PRD and associated conditions of approval listed in Resolution 2019-049:*
    a. *The proposed final plan has not increased the approved residential density within Phase III of the project;*
    b. *No non-residential uses are proposed;*
    c. *Open space areas are compliant with the approved Preliminary PRD;*

(cont.)

d. All conditions are either met, or can be addressed moving forward via further conditions placed on Final PRD approval.

4. The proposed Commencement Date of the project is identified as April 1, 2021, and the proposed Compliance date is identified as August 1, 2022.

Resolution Conditions:

1. Engineering comments in the 5/15/20 Engineering Memo shall all be addressed moving forward, and the City reserves the right to hold up filing of the final plat and/or permits until applicable conditions are satisfied.

2. The applicant shall enter into a developer's agreement with the City covering all aspects of public improvements, dedications, responsibilities, etc.

3. All general development conditions of preliminary approval (i.e. utilities to be underground, lighting to be down directional, plantings to remove metal cages around root balls, etc) shall continue to be applicable to Final PRD approval.

4. The Applicant shall obtain a sign permit from the City prior to construction of monument signage.

5. A final landscape plan must be submitted, and Black Hills Spruce shall be replaced with Myers Spruce on the final plans.

6. A final lighting plan must be submitted, and all requirements of code shall be met before installations occur.

7. Developers shall coordinate their development activities with the Fire Marshal and Community Engagement Officer during construction.

8. All construction activities shall adhere to New Brighton City Code restrictions especially as they relate to parking and hours of work.

9. Dominium shall issue a title policy covering the City's dedicated easement rights contained in the plat.

cc: *Devon Quist, Dominium*

interoffice
MEMORANDUM

to:	Ben Gozola, Assistant Director of Community Assets and Development/City Planner
from:	Craig Schlichting, Director of Community Assets and Development
subject:	Oaks Landing Apartments
date:	May 15, 2020

The Engineering Department has reviewed the revised site plan dated 3/26/2019 for Oaks Landing Apartments and we offer the following comments:

C 1-1

1. Existing conditions of 7th Avenue, 7th Street, and 8th Avenue have changed as a result of Midtown Village construction. Update sheet to reflect current conditions.

C 1-2

1. Update sheet to include current conditions of 7th Avenue, 7 Street, and 8th Avenue. Sewer and water connections in 7th Street and 7th Avenue have been completed by Pulte.

C 1-3

1. Contractor to provide additional traffic control for offsite work. Work shall also be coordinated with affected homeowner(s). New service installation will be coordinated and installed by City and billed to Dominium.

C 3-1

1. Structural design on gravity wall or tie backs needs to be provided.

2. Wall tie-backs into RR bridge area needs more detail (riprap, or concrete slope paving may be required).

C 4-1

1. Remove hydrant adjacent to 7th Ave hammerhead. This was not installed.

2. Install gate valve on domestic water service.

3. Note that all hydrants shall be Clow Medallion.

4. Show location of Fire Department Connection.

5. Tracer wire to be provided on PVC watermain, coordinate approved materials with Public Works.

6. Storm sewer MH at 7th Avenue to be replaced with appropriate sized precast. Update demolition plan to include impacts to curb and bituminous at new 7th Avenue hammerhead.

7. Sewer service for 751 7th Avenue to be cut and routed to MH north on 7th Avenue.

8. Storm sewer that runs beneath the 7th Avenue hammerhead shall be RCP.

C 4-2

1. Coordinate connection at existing catch basin on 7th Street NW with Pulte. Ensure structure is large enough to accept additional 24" pipe.

2. Provide maintenance schedule for underground storm sewer system.

3. Call out elevations where watermain and storm sewer cross to prevent conflicts.

Miscellaneous

1. MnDOLI permit to be acquired.

2. Obtain fire apparatus dimensions for turning movements.

3. Concrete sidewalk within City ROW to have 6" aggregate base.

4. Show truncated domes at all pedestrian ramp locations.

5. Look into possibility of relocated power pole along Old Highway 8 and illuminate sidewalk jog.

RESOLUTION _____
STATE OF MINNESOTA
COUNTY OF RAMSEY
CITY OF NEW BRIGHTON

RESOLUTION MAKING FINDINGS OF FACT AND APPROVING A FINAL PLANNED RESIDENTIAL DEVELOPMENT TO AUTHORIZE PHASE III OF THE MIDTOWN VILLAGE DEVELOPMENT CONSISTING OF SITE PREPARATION, INSTALLATION OF PUBLIC IMPROVEMENTS, AND CONSTRUCTION OF 204 AFFORDABLE MULTIFAMILY SENIOR HOUSING UNITS

WHEREAS, the City of New Brighton is a municipal corporation, organized and existing under the laws of the State of Minnesota; and,

WHEREAS, the City Council of the City of the New Brighton has adopted a 2030 comprehensive plan and corresponding zoning regulations to promote orderly development and utilization of land within the city; and,

WHEREAS, the City Council of the City of the New Brighton approved a new 2040 comprehensive plan which went into effect on July 23, 2019; and

WHEREAS, Dominium (the "Applicant") is seeking approval of a Final Planned Residential Development for Phase III of the Midtown Village development to authorize site work, public improvements, and construction of 204 affordable multifamily senior housing units on land legally described as shown on Exhibit A; and

WHEREAS, the City Council granted approval of the Preliminary Planned Residential Development for the proposed improvements on May 28th, 2019; and

WHEREAS, the City Council granted final approval of Phase I on July 23rd, 2019; and

WHEREAS, the City Council granted final approval of Phase II on November 26th, 2019; and

WHEREAS, the Applicant made complete application for Phase III on May 8th, 2020; and

WHEREAS, staff fully reviewed the request and prepared a report for consideration by the Planning Commission at their meeting on May 19th, 2020; and

WHEREAS, the Planning Commission considered the Final Planned Residential Development submittals and staff report, and recommended approval of the Final Planned Residential Development application on May 19th, 2020; and

WHEREAS, the City Council considered on June 23rd, 2020, the recommendations of the Planning Commission, Staff, the Applicant's submissions, the contents of the staff report, and other evidence available to the Council.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of New Brighton hereby approves the proposed Final Planned Residential Development for Phase III of the Midtown Village development consisting of site preparation, public improvements, and construction of 204 affordable multifamily senior housing units based on the following findings of fact:

1. *City Council granted approval of the Preliminary Planned Residential Development (PRD) for the proposed improvements on May 28th, 2019, subject to conditions.*
2. *The development will allow the City to work towards its established goals of:*
    a. *Supporting a diverse population with a diverse housing stock;*
    b. *Establishing a sense of place with new development as the buildings will be constructed of high-quality materials, and their design/placement will transform the entryway into this portion of the community;*
    c. *Developing a specifically targeted "potential area of improvement;"*
    d. *Creating new development that utilizes traditional neighborhood design principals such as on-street parking, pedestrian friendly streetscapes, and multi-storied, mixed use development;*
    e. *Creating safe streets by introducing a traffic signal to the intersection of 8th Avenue & Old Highway 8, by adding pedestrian bump outs along 8th Avenue to make crossing easier and to slow down traffic, and by introducing many more sidewalks and trails to the area which will connect to other city destinations;*
    f. *Providing a much needed mix of new market rate units, affordable senior units at 60% AMI, and affordable workforce housing units also at 60% AMI;*
    g. *Providing a new neighborhood park for this development and the surrounding residents to enjoy;*
3. *The proposed Final PRD plans and final plat are in substantial compliance with the approved Preliminary PRD and associated conditions of approval listed in Resolution 2019-049:*
    a. *The proposed final plan has not increased the approved residential density within Phase III of the project;*
    b. *No non-residential uses are proposed;*
    c. *Open space areas are compliant with the approved Preliminary PRD;*
    d. *All conditions are either met, or can be addressed moving forward via further conditions placed on Final PRD approval.*

4. *The proposed Commencement Date of the project is identified as April 1, 2021, and the proposed Compliance date is identified as August 1, 2022*

BE IT FURTHER RESOLVED, that approval of the Final Planned Residential Development shall be subject to the following conditions:

1. *Engineering comments in the 5/15/20 Engineering Memo shall all be addressed moving forward, and the City reserves the right to hold up filing of the final plat and/or permits until applicable conditions are satisfied.*

2. *The applicant shall enter into a developer's agreement with the City covering all aspects of public improvements, dedications, responsibilities, etc.*

3. *All general development conditions of preliminary approval (i.e. utilities to be underground, lighting to be down directional, plantings to remove metal cages around root balls, etc) shall continue to be applicable to Final PRD approval.*

4. *The Applicant shall obtain a sign permit from the City prior to construction of monument signage.*

5. *A final landscape plan must be submitted, and Black Hills Spruce shall be replaced with Myers Spruce on the final plans.*

6. *A final lighting plan must be submitted, and all requirements of code shall be met before installations occur.*

7. *Developers shall coordinate their development activities with the Fire Marshal and Community Engagement Officer during construction.*

8. *All construction activities shall adhere to New Brighton City Code restrictions especially as they relate to parking and hours of work.*

9. *Dominium shall issue a title policy covering the City's dedicated easement rights contained in the plat.*

ADOPTED this 23rd day of June, 2020 by the New Brighton City Council with a vote of __ ayes and __ nays.

_____
Valerie Johnson, Mayor

_____
Devin Massopust, City Manager

ATTEST:

_____
Terri Spangrud, City Clerk

The undersigned Applicants have read, understand and hereby agree to the terms of this resolution and on behalf of himself/herself, his/her heirs, successors and assigns, hereby agree to the conditions set forth above, and to the recording of this resolution and attachments in the chain of title of the property.

Dated _____ _____
<authorized representative>

Subscribed and sworn to before me this _____ day of _____, 2020.

_____
Notary Public

Exhibit A

The East 260 feet of that part of the Southwest Quarter of the Northeast Quarter of Section 29, Township 30, Range 23, lying West of the West line of the Minnesota Belt Line Railway Right-of-Way and Northerly of State Trunk Highway 8 except the North 30 feet thereof.

and

Outlot J, MIDTOWN VILLAGE.

August 20, 2019

Attn: Craig Schlichting
City of New Brighton
803 Old Highway 8 NW
New Brighton, MN 55112

RE: Midtown Village
Response to City of New Brighton Comments
Loucks Project No. 18373.00

Ben,

On behalf of Dominium Acquisition and Development, Loucks has prepared the following response to the New Brighton City comments letter, dated May 16th, 2019.

General Comments for both Pulte and Dominium

General

1. All existing overhead wires and poles shall be removed. All utilities and services shall be installed underground.
   Response: Note added to sheet C1-2 stating requirement.

2. Additional street lighting may be required throughout the site(s) and on adjacent streets. Coordinate with City Engineer on requirements.
   Response: Further direction necessary, if additional lighting is to be incorporated into plans.

Storm Sewer-Grading

1. All storm sewer utilities within the site are to be considered private and are the responsibility of the property owners for construction and maintenance.
   Response: Noted.

2. A permit will be required from the Rice Creek Watershed District.
   Response: Conditional approval has been received for Rice Creek Watershed District. A permit will be obtained prior to construction starting.

Watermain

1. The watermain system within the site is to be considered private and shall be constructed and maintained by the property owners. A permit will be required for all sewer and water connections and shall be inspected by Public Works.
   Response: Watermain within north property is private. South site contains an existing public watermain, which is being rerouted and placed in an easement.

2. The owner/engineer will need to obtain a permit from MnDOLI for watermain construction and internal plumbing design.
   Response: MnDOLI permit will be applied for and obtained.

3. Any hydrant(s) to be installed shall be Clow Medallions. Existing hydrants that are removed during construction shall be salvaged and delivered to the Public Works Department. Public Works and Public Safety will review existing hydrant condition, as new hydrants may be required.
   Response: City hydrant detail incorporated.

4. Hydrant location and the fire department connections need to be coordinated with the Fire Marshall.
   Response: Please provide fire department comments, and they will be incorporated into the plans.

5. All watermain pipe to be CL 52 ductile iron pipe with Clow resilient wedge gate valves. The proposed layout will need to include 45-degree bends in lieu of the 90-degree bends shown.
   Response: Materials updated on plan sheets and in notes. All 90-degree bends have been replaced with two 45-degree bends.

6. A minimum vertical separation of 18 inches must be provided between sanitary and watermain crossings.
   Response: Note provided on plans.

7. Show fire apparatus turning movement drawing for site plans.
   Response: Please provide fire truck specifications.

Sanitary Sewer

1. The sanitary sewer services are to be considered private and shall be constructed and maintained by the property owners. A permit will be required for all sewer and water connections and shall be inspected by Public Works.
   Response: Noted.

Dominium

Sheet C1-2

1. Existing salt building to remain
   Response: Details of salt building along-side development, are being worked through.

2. Removal and replacement of City PW fence by dominium
   Response: New fence will be provided. See BKV landscape plans.

3. City discussed demo/abatement of buildings, indicate areas not completed by dominium to be by others. Noting trees, fencing, bituminous, and other items will remain the responsibility of Dominium's contractor.
Response: Note updated to "DEMO WITHIN ADJACENT DEVELOPMENT TO BE COORDINATED WITH CITY & PULTE".

4. Show 6th Avenue NW and utilities within street corridor. Coordination may be required with residents along 6th Avenue NW during watermain work. More detail is required where watermain is being removed and where existing watermain terminates.
Response: Watermain to be removed to property line and plugged.

Sheet C2-1

1. B618 curb and gutter on 8th Avenue Extension.
Response: B618 Curb and gutter specified along 8th Ave. NW.

2. 8th Ave extension to be adjusted based on Kimley Horn draft plan for future signal.
Response: Please provide referenced Kimley Horn plans.

3. New fence to be installed adjacent to PW facility.
Response: New fence will be provided. See BKV landscape plans.

4. Adjust property line for salt building to remain.
Response: Details of salt building along-side development, are being worked through.

5. Add ROW for 7th St extension and snow storage on north site.
Response: Right of way added.

6. Extend sidewalk to south line of ROW for 8th Avenue Extension.
Response: Sidewalk extended south.

7. Crosswalks and work within Old Highway 8 ROW require county permits and approval.
Response: Noted.

8. Add trails within RR ROW.
Response: 8' bituminous trail added adjacent to railroad. Detail added.

9. Road width for 8th Avenue extension to be widened based on Kimley Horn draft plan.
Response: Please provide referenced Kimley Horn plans.

10. Parking additions may be required on PW property, plans to adjust accordingly.
Response: Please provide further information on parking required.

11. Magellan facility needs to be shown with existing easement until it is known if this can be moved.
Response: Easement/facility relocation is being worked through with Magellan. City has and will continue to be copied on all correspondence. When a resolution is settled on, revised plans reflecting necessary changes will be submitted to the City.

Sheet 4-1

1. No PVC for water to be owned and maintained by City. Services or private main can remain PVC.
   Response: Materials updated on plan sheets and in notes.

2. Move hydrants to location best suited for fire protection and shown building fire department connection locations.
   Response: Please provide fire department review if new hydrant locations are needed.

3. Water east of Senior Building to be abandoned and filled with sand. New Service to be installed for affected resident(s).
   Response: Watermain is shown to be removed to property line and plugged.

4. Show Magellan facilities.
   Response: Surveyors do not have access to gated Magellan facility.

5. Replace 90-degree bends with 45-degree bends. Water cannot be placed within Magellan easement.
   Response: All 90-degree bends have been replaced with two 45-degree bends.

6. Show newly re-installed hydrant on City PW facility site.
   Response: New hydrant added on PW property.

Sheet 4-2

1. Show easements for watermain that is not private.
   Response: Easements added for public watermain.

2. Show valves for family building services
   Response: Domestic water service connections shown having gate valves at both the family and senior buildings. No valves are to be installed on fire protection services.

3. RCP for storm on City PW site.
   Response: Materials updated in plan notes.

4. Storm sewer cannot be located in Magellan easement.
   Response: Storm sewer has been routed around north and west sides of building to avoid Magellan easement.

5. Storm sewer on lot line near Pulte units will need an easement.
   Response: Plat covers this area with necessary easement.

6. All proposed storm and sanitary structures shall have flex seal installed on the adjusting rings.
   Response: Note added to utility sheets.

Sheet 8-1

1. City streets shall have the following section and material: 2" Type SP 12.5 Bituminous Wearing Course Mixture SPWEB340C, Bituminous Tack Coat, 3" Type SP 12.5
   Response: City bituminous pavement section detail added.

2. Remove your detail for hydrants and valves, only Clow allowed (as indicated on 8-2 details).
   Response: Detail removed.

Sincerely,

LOUCKS
Samuel Trebesch, PE

MIDTOWN VILLAGE 3RD ADDITION

KNOW ALL PERSONS BY THESE PRESENTS: That the City of New Brighton, a Minnesota municipal corporation, fee owner, of the following described property situated in the City of New Brighton, County of Ramsey, State of Minnesota:

The East 260 feet of that part of the Southwest Quarter of the Northeast Quarter of Section 29, Township 30, Range 23, lying West of the West line of the Minnesota Belt Line Railway Right-of-Way and Northerly of State Trunk Highway 8 except the North 30 feet thereof.

and

Outlot J, MIDTOWN VILLAGE.

Has caused the same to be surveyed and platted as MIDTOWN VILLAGE 3RD ADDITION, and does hereby dedicate to the public for public use forever the public ways and the drainage and utility easements as shown on this plat.

In witness whereof said City of New Brighton, has caused these presents to be signed by its proper officers this _____ day of _____, 20_____.

Signed: City of New Brighton

_____ _____
Valerie Johnson, Mayor Devin Massopust, City Manager

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20_____, by Valerie Johnson, Mayor and by Devin Massopust, City Manager of the City of New Brighton, a Minnesota municipal corporation, on behalf of the corporation.

_____ _____
Signature Printed Name, Notary
Notary Public, _____ County, _____
My Commission Expires _____

SURVEYORS CERTIFICATION

I, Max L. Stanislowski, Licensed Land Surveyor, do hereby certify that I have surveyed or directly supervised the survey of the property described on this plat; prepared this plat or directly supervised the preparation of this plat; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments indicated on this plat will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of the surveyor's certification are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this _____ day of _____, 20_____.

_____
Max L. Stanislowski, Licensed Land Surveyor
Minnesota License No. 48988

STATE OF MINNESOTA
COUNTY OF HENNEPIN

The foregoing instrument was acknowledged before me this _____ day of _____, 20_____, by Max L. Stanislowski, a Licensed Land Surveyor.

_____ _____
Signature Printed Name, Notary
Notary Public, Hennepin County, Minnesota
My Commission Expires January 31, 2025

CITY OF NEW BRIGHTON, MINNESOTA

We do hereby certify that on the _____ day of _____, 20_____, the City Council of the City of New Brighton, Minnesota approved this plat. Also, the conditions of Minnesota Statutes, Section 505.03, Subd. 2, have been fulfilled.

By: _____,
Valerie Johnson, Mayor

By: _____,
Devin Massopust, City Manager

PROPERTY TAX, RECORDS AND ELECTION SERVICES DEPARTMENT

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable in the year 20_____ on the land hereinbefore described have been paid. Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered this _____ day of _____, 20_____.

Christopher A. Samuel, Ramsey County Auditor/Treasurer By: _____, Deputy

COUNTY SURVEYOR

Pursuant to Minnesota Statutes Section 383A.42, this plat has been approved this _____ day of _____, 20_____.

_____
Daniel D. Baar, LS, Ramsey County Surveyor

COUNTY RECORDER, County of Ramsey, State of Minnesota

I hereby certify that this plat of MIDTOWN VILLAGE 3RD ADDITION was recorded in the office of the County Recorder for public record on this _____ day of _____, 20_____, at _____ o'clock _____.M. and was duly filed in Book _____ of Plats, Pages _____ and _____, as Document Number _____.

_____
Deputy County Recorder

LOUCKS

MIDTOWN VILLAGE 3RD ADDITION

MINNESOTA COMMERCIAL RAILWAY COMPANY RIGHT-OF-WAY
(FORMERLY THE MINNESOTA TRANSFER RAILROAD)

W LINE OF MINNESOTA BELT LINE RAILWAY AND TRANSFER COMPANY RIGHT OF WAY

1/2 INCH IRON PIPE

S0°42'38"E 604.68

564.68

CAP# 48988

Old Highway 8 (C.S.A.H. No. 77)

ELECTRICAL EASEMENT PER DOC. NO.

SW1/4

NE1/4

MIDTOWN

ADDITION

COUNTY

S89°59'42"E 140.52

S. LINE OF THE NW1/4 OF THE NE1/4 OF SEC. 29, T. 30, R.23 AKA E. & W. 1/4 LINE

Lot 1

Block 1

Outlot J

SEC. 29

T. 30

R. 23

A LINE 30 FT. S OF THE E AND W 1/4 1/4 LINE OF THE NE1/4 OF SEC. 29, T. 30, R. 23

S89°59'47"E 307.29

40.00 S0°11'56"W

VACATED

N89°59'47"W 86.37

7th Street NW

S62°12'05"W 60.21

DRAINAGE AND UTILITY EASEMENT

S0°00'14"W 17.79

S0°00'14"W 80.18

73.43 S14°59'29"E

N89°57'33"W 60.00

35.00

N0°00'14"E 236.96

N0°00'14"E 54.00

S89°57'33"E 60.00

7th Street NW

54

S0°00'14"W 26.58

44.56 N0°00'14"E

46.80 S55°19'03"E

DRAINAGE AND UTILITY EASEMENT

N0°00'14"E 283.91

S89°15'20"W 184.96

HIGHWAY EASEMENT PER DOC. NO. 609667

Old Highway 8

S89°15'20"W 184.94

Old Highway 8

40.00

40

40

33

33

260

C.B#9=S85°05'11"W C=75.24 Δ=8°20'18" R=517.46 L=75.31

C.B#9=S78°03'41"W L=55.52 R=527.47 Δ=6°01'52" C=55.50

L=75.38 R=477.46 Δ=9°02'44" C=75.30 C.B#9=S84°43'58"W

SEE DETAIL

40

10.10

40.47

N0°42'38"W 50.57

SIDEWALK EASEMENT PER DOC. NO. 2562535

VILLAGE

FREDMAN

RAMSEY

Detail

0 10

SCALE IN FEET
1 INCH = 10 FEET

C.B#9=S84°59'36"W C=38.28 Δ=4°23'28" R=499.57 L=38.29

L=58.41 Δ=4°15'09"

L=75.31 R=517.46 Δ=8°20'18" C.B#9=S85°05'11"W C=75.24

SIDEWALK EASEMENT PER DOC. NO. 2562535

10.10 1.31 40.47 50.57 N0°42'38"W

L=55.52 R=527.47 Δ=6°01'52" C=55.50 C.B#9=S78°03'41"W

Old Highway 8 (C.S.A.H. No. 77)

VICINITY MAP

NOT TO SCALE

NE 1/4 SE 1/4 SITE OLD HIGHWAY 8 8TH STREET NW NW 1/4 5TH STREET NW SW 1/4

SECTION 29, TOWNSHIP 30N, RANGE 23W,
RAMSEY COUNTY, MINNESOTA

● FOUND IRON PIPE CAP NO. 18425 UNLESS SHOWN OTHERWISE

○ SET 1/2 INCH X 14 INCH IRON PIPE, MARKED "LS 48988"

0 30

SCALE IN FEET
1 INCH = 30 FEET

THE BEARINGS FOR THIS SURVEY ARE BASED ON THE RAMSEY COUNTY COORDINATE SYSTEM NAD 83 (1986 ADJUST).

LOUCKS

ISSUED BY
COMMERCIAL PARTNERS TITLE, LLC
200 South Sixth Street, Suite 1300, Minneapolis, MN 55402
AS AGENT FOR
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

SUPPLEMENTAL COMMITMENT

File No.: 55522

Issued On: November 14, 2019

This Third Supplemental Commitment has been issued to reflect the following change:

1. Item No. 5 of Schedule A has been revised.
2. Item Nos. 10, 11, 12, 14, 15 and 21 of Schedule B - Part II have been deleted.
3. Item Nos. 13, 22, 23, 24 and 31 of Schedule B - Part II have been revised.

COMMERCIALPARTNERS
TITLE, LLC
200 South Sixth Street, Suite 1300
Minneapolis, MN 55402
Phone: (612) 337-2470
Fax: (612) 337-2471

Privacy Policy Notice

PURPOSE OF THIS NOTICE

We may collect nonpublic personal information about you from the following sources:

- Information we receive from you such as on applications or other forms.
- Information about your transactions we secure from our files, or from [our affiliates or] others.
- Information that we receive from others involved in your transaction, such as the real estate agent or lender.

Unless it is specifically stated otherwise in an amended Privacy Policy Notice, no additional nonpublic personal information will be collected about you.

We may disclose any of the above information that we collect about our customers or former customers to our affiliates or to nonaffiliated third parties as permitted by law.

We also may disclose this information about our customers or former customers to the following types of nonaffiliated companies that perform services on our behalf or with whom we have joint marketing agreements:

- Financial service providers such as companies engaged in banking, consumer finance, securities and insurance.
- Non-financial companies such as envelope stuffers and other fulfillment service providers.

WE DO NOT DISCLOSE ANY NONPUBLIC PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT SPECIFICALLY PERMITTED BY LAW.

We restrict access to nonpublic personal information about you to those employees who need to know that information in order to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

COMMITMENT FOR TITLE INSURANCE

NOTICE

IMPORTANT - READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I - Requirements; Schedule B, Part II - Exceptions; and the Commitment Conditions, *Old Republic National Title Insurance Company*, a(n) Florida corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

If all of the Schedule B, Part I - Requirements have not been met within 180 days after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Old Republic National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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AMERICAN LAND TITLE ASSOCIATION

COMMITMENT CONDITIONS

1. DEFINITIONS

(a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.

(b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.

(c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.

(d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.

(e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.

(f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.

(g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.

(h) "Title": The estate or interest described in Schedule A.

2. If all of the Schedule B, Part I - Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:
   (a) the Notice;
   (b) the Commitment to Issue Policy;
   (c) the Commitment Conditions;
   (d) Schedule A;
   (e) Schedule B, Part I—Requirements; [and]
   (f) Schedule B, Part II—Exceptions[; and
   (g) a counter-signature by the Company or its issuing agent that may be in electronic form].

4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Old Republic National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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AMERICAN LAND TITLE ASSOCIATION

5. LIMITATIONS OF LIABILITY

(a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
   (i) comply with the Schedule B, Part I - Requirements;
   (ii) eliminate, with the Company's written consent, any Schedule B, Part II - Exceptions; or
   (iii) acquire the Title or create the Mortgage covered by this Commitment.

(b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.

(c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.

(d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.

(e) The Company shall not be liable for the content of the Transaction Identification Data, if any.

(f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I - Requirements have been met to the satisfaction of the Company.

(g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT

(a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.

(b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.

(c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.

(d) The deletion or modification of any Schedule B, Part II - Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.

(e) Any amendment or endorsement to this Commitment must be in writing [and authenticated by a person authorized by the Company].

(f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Old Republic National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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AMERICAN LAND TITLE ASSOCIATION

8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

9. ARBITRATION

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Policy Amount is $2,000,000 or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at http://www.alta.org/arbitration.

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AMERICAN LAND TITLE ASSOCIATION

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

COMMITMENT FOR TITLE INSURANCE

Transaction Identification Data for reference only:
Issuing Agent: Commercial Partners Title, LLC
Issuing Office's ALTA® Registry ID: 0006204
Commitment No.: 55522
Issuing Agent File No.: 55522
Project Name: New Brighton (Family)
Revision No.: Third Supplemental

SCHEDULE A

1. Commitment Date: October 28, 2019 at 07:00 AM

2. Policy to be issued:

   a. ALTA Owner's Policy (06/17/06)
   Proposed Insured: New Brighton Leased Housing Associates III, LLLP, a Minnesota limited liability limited partnership
   Proposed Policy Amount: $1,000.00

   b. ALTA Loan Policy (06/17/06)
   Proposed Insured: Alliance Bank, its successors and/or assigns as their respective interests may appear.
   Proposed Policy Amount: $1,000.00

3. The estate or interest in the Land described or referred to in this Commitment is Fee Simple.

4. The Title is, at the Commitment Date, vested in:

   City of New Brighton, a Minnesota municipal corporation (as to Parcels 1, 2, 3, 4 and 6)

   Village of New Brighton, a Minnesota municipal corporation (as to Parcel 5)

5. The Land is described as follows:

6. SEE SCHEDULE C ATTACHED HERETO

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AMERICAN LAND TITLE ASSOCIATION

SCHEDULE A
(Continued)

Issuing Agent:

Commercial PartnersTitle, LLC
200 South 6th Street, Suite 1300
Minneapolis, MN 55402
(612) 337-2470

Countersigned

_____
Authorized Signatory

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
A Stock Company
400 Second Avenue South, Minneapolis, Minnesota 55401
(612) 371-1111

By *President*

Attest *Secretary*

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AMERICAN LAND TITLE ASSOCIATION

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

COMMITMENT FOR TITLE INSURANCE

SCHEDULE B, PART I
Requirements

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.

2. Pay the agreed amount for the estate or interest to be insured.

3. Pay the premiums, fees, and charges for the Policy to the Company.

4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.

5. This Commitment was prepared by:
Commercial Partners Title, LLC
200 South Sixth Street, Suite 1300
Minneapolis, MN 55402

Phone: (612) 337-2470
Fax: (612) 337-2471

Please direct questions regarding this Commitment to: Nancy Landmark, Underwriting Counsel, at (612) 337-2483 and direct questions regarding the closing to: Heather Grommesch, Commercial Closer, at (612) 337-2487.

If you would like to arrange for additional parties to receive this documentation, please contact our Production Department at (612) 337-2470.

6. Upon our receipt and review of a standard form of affidavit disclosing no adverse matters, Item Nos. 1, 2, 4, 5 and 6 of Schedule B - Part II will be deleted from the final policy. Item No. 8 of Schedule B - Part II will be modified to reflect the interests of specific tenants. A current survey, certified to Commercial Partners Title, LLC and Old Republic National Title Insurance Company, will be required to delete Item No. 3 of Schedule B - Part II from the final policy.

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7. We require a Well Disclosure Certificate be completed and furnished at the time of closing for all deeds that require a Certificate of Real Estate Value, or one of the following statement must be added to the deed:

   The seller certifies that the seller does not know of any wells on the described real property.
   or
   I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

8. The Tax Reform Act of 1986 requires that the seller provide the following information at the time of closing: 1. Tax Identification Number 2. Full Forwarding Address.

9. Commercial Partners Title, LLC does not have the Abstract of Title for the subject property.

10. Because the Buyer is a Partnership, Limited Partnership, Limited Liability Partnership or Limited Liability Limited Partnership, we require the following documents for review with possible further requirements:
   - Partnership and/or Operating Agreement
   - Evidence of Authority of General Partner(s) to Execute Documents
   - Certificate filed with the Secretary of State (for a LP, LLP or LLLP)

11. In the event this transaction involves new construction or if there has been construction on the property during the last six months please immediately contact the closer or underwriting attorney listed above to discuss the transaction.

    If the transaction involves a construction mortgage or is a vacant land acquisition mortgage no construction related work can be performed on the property until after the mortgage is recorded and pictures have been taken at the site, in order to establish priority for the construction mortgage. Indemnities will be required at closing from the appropriate parties, depending upon the nature of the transaction.

12. The legal description at Item No. 5 of Schedule A is related to the property addresses of:

    Old Highway 8, New Brighton, MN (Parcel 1)
    701 8th Avenue Northwest, New Brighton, MN (Parcel 2)
    629 Old Highway 8 Northwest, New Brighton, MN (Parcel 3)
    609 Old Highway 8 Northwest, New Brighton, MN (Parcel 4)
    700 5th Street Northwest, New Brighton, MN (Parcel 5)
    581 Old Highway 8 Northwest, New Brighton, MN (Parcel 6)

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13. We have been informed that the property described at Item No. 5 of Schedule A is being platted as a part of the current transaction. The new plat must be recorded prior to closing or, if it is to be recorded with the other closing documents, it must be signed by all appropriate parties and governmental agencies, including the county surveyor, prior to closing. In addition, real estate taxes must be paid in full for all of the underlying tax parcels for the year in which the plat is recorded.

14. Because the Sellers are a Corporation, we require the following documents for review with possible further requirements:
    - Certificate of Good Standing
    - Articles of Incorporation
    - By-Laws
    - Corporate Resolution
    - Evidence of Authority of Officer(s) to Execute Documents

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SCHEDULE B, PART II
Exceptions

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I - Requirements are met.

2. Rights or claims of parties in possession not shown by the public records.

3. Any encroachment, encumbrance, violation, variation or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.

4. Easements or claims of easements not shown by the public records.

5. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.

6. Taxes or special assessments which are not shown as existing liens by the public records.

7. General and special taxes and assessments as hereafter listed, if any (all amounts shown being exclusive of interest, penalties and costs):

   A. Real estate taxes payable in 2019 $0.00.
   Base tax $0.00 (EXEMPT) Property Identification No. 29-30-23-13-0020 (Parcel 1)

   Real estate taxes payable in 2019 are $0.00.
   Base tax $0.00 (EXEMPT) Property Identification No. 29-30-23-13-0021 (Parcel 2)

   Real estate taxes payable in 2019 are $0.00.
   Base tax $0.00 (EXEMPT) Property Identification No. 29-30-23-13-0022 (Parcel 3)

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Real estate taxes payable in 2019 are $0.00.
Base tax $0.00 (EXEMPT) Property Identification No. 29-30-23-13-0023 (Parcel 4)

Real estate taxes payable in 2019 are $0.00.
Base tax $0.00 (EXEMPT) Property Identification No. 29-30-23-13-0024 (Parcel 5)

Real estate taxes payable in 2019 are $6,134.00 and are paid.
Base tax $6,134.00 Property Identification No. 29-30-23-13-0025 (Parcel 6)

NOTE: Because the city acquired the Parcel 6 in 2019, the parcel will be exempt in 2020.

NOTE: There are no delinquent taxes of record.

B. There are no levied or pending assessments of record.

8. Rights or claims of tenants, as tenants only, in possession under unrecorded leases.

9. Consequences of lack of recorded instrument evidencing the name change/merger of Independent School District No. 38 and Independent School District No. 621. (Parcel 2)

NOTE: Independent School District No. 38 acquired an interest in subject property pursuant to instrument filed as Document No. 1271110. The following conveyance of record, Warranty Deed filed as Document No. 2612605, was executed by Independent School District No. 621. An instrument evidencing the name change/merger of Independent School District No. 38 and Independent School District No. 621 was not found of record.

10. This exception has been deleted and will not appear on the final policy.

~~Terms and conditions of Highway Easement dated April 3, 1922, filed May 13, 1922, as Document No. 609667. (Parcel 1)~~

~~NOTE: This exception does not affect the proposed Lot 1, Block 2, Midtown Village 2nd Addition.~~

11. This exception has been deleted and will not appear on the final policy.

~~Sanitary sewer easement in favor of the Village of New Brighton dated March 27, 1950, filed May 22, 1950, in Book 1335, Page 195, as Document No. 1230312. (Parcel 2)~~

~~NOTE: This exception does not affect the proposed Lot 1, Block 2, Midtown Village 2nd Addition.~~

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12. This exception has been deleted and will not appear on the final policy.

~~Terms and conditions of Easement dated November 14, 1960, filed August 17, 1961, in Book 1750, Page 3, as Document No. 1543266. (Parcel 2)~~

~~NOTE: This exception does not affect the proposed Lot 1, Block 2, Midtown Village 2nd Addition.~~

13. Terms and conditions of Highway Easement dated July 22, 1974, filed February 7, 1975, as Document No. 1901592. (Parcels 4 and 6)

NOTE: This exception does not affect the proposed Lot 1, Block 1, Midtown Village 2nd Addition.

14. This exception has been deleted and will not appear on the final policy.

~~Resolution No. 83-147 by the City of New Brighton dated December 27, 1983, filed July 31, 1984, as Document No. 2229946. (Parcel 2)~~

~~NOTE: This exception does not affect the proposed Lot 1, Block 2, Midtown Village 2nd Addition.~~

15. This exception has been deleted and will not appear on the final policy.

~~Easement in favor of the City of New Brighton dated August 7, 1990, filed September 12, 1990, as Document No. 2562535. (Parcel 2)~~

~~NOTE: This exception does not affect the proposed Lot 1, Block 2, Midtown Village 2nd Addition.~~

16. Terms and condition of Easement dated August 28, 1996, filed December 20, 1996, as Document No. 2970177. (Parcel 6)

17. Subject to the right-of-way of 8th Avenue Northwest, formerly known as Long Lake Road, Old Highway 8 Northwest (County Road 77), 5th Street Northwest, 7th Street Northwest and 7th Avenue Northwest.

NOTE: This exception does not affect the proposed Lot 1, Block 1, Midtown Village 2nd Addition.

18. Terms and conditions of Resolution No. 83-112, issued by the City of New Brighton, adopted September 27, 1983, filed June 2, 1984, as Document No. 2226008. (Parcel 3)

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19. Terms and conditions of easement for water main system purposes in favor of the Village of New Brighton as set forth in instrument dated September 13, 1960, filed December 12, 1960, as Document No. 1526170.

20. Terms and conditions of easement for ingress and egress purposes as set forth in instrument dated September 13, 1952, filed September 17, 1952, as Document No. 1290633. (Parcel 4)

21. This exception has been deleted and will not appear on the final policy.

~~Terms and conditions of easement for water supply line purposes as shown in instrument dated September 15, 1952, filed October 13, 1953, as Document No. 1318427. (Parcel 1)~~

~~NOTE: This exception does not affect the proposed Lot 1, Block 2, Midtown Village 2nd Addition.~~

22. Terms and conditions of, and easements referenced in, Stipulation dated June 9, 1970, filed August 31, 1970, as Document No. 1781212. (Parcel 5)

NOTE: This exception does not affect the proposed Lot 1, Block 1, Midtown Village 2nd Addition.

23. Terms and conditions of Quit Claim Deed dated April 12, 1971, filed April 29, 1971, as Document No. 1797275. (Parcel 4)

NOTE: This exception does not affect the proposed Lot 1, Block 1, Midtown Village 2nd Addition.

24. Terms and conditions of easement for electric transmission line purposes, in favor of Northern States Power Company, as set forth in instrument dated September 15, 1941, filed June 28, 1942, as Document No. 1005105. (Parcel 6)

NOTE: This exception does not affect the proposed Lot 1, Block 1, Midtown Village 2nd Addition.

25. Terms and conditions of easement for water system purposes as set forth in instrument dated February 28, 1951, filed July 23, 1951, as Document No. 1261903. (Parcels 4 and 6)

26. Terms and conditions of Sanitary Sewer Easement dated November 23, 1960, filed January 11, 1963, as Document No. 1581803. (Parcels 5 and 6)

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27. Terms and conditions of Sanitary Sewer Easement dated November 23, 1960, filed January 30, 1963, as Document No. 1582737. (Parcels 5 and 6)

28. Terms and conditions of Resolution No. 15-067, issued by the City of New Brighton, adopted October 27, 2015, filed November 20, 2017, as Document No. 4686748. (Parcel 6)

29. This exception has been deleted and will not appear on the final policy.

~~Terms and conditions of Contract for Deed dated June 21, 2018, filed June 29, 2018, as Document No. 4715884, by and between Tell Ventures, LLC, a Minnesota limited liability company, vendor, and Burrs Family Holdings LLC, a Minnesota limited liability company, vendee.~~

30. Site Lease dated September 12, 1974, filed October 9, 1974, in Book 2487, Page 937, between the City of New Brighton, a municipal corporation, as lessor, and Williams Pipe Line Company, a Delaware corporation, as lessee. (Parcel 5)

31. Highway Easement dated March 23, 1926, filed May 26, 1926, as Document No. 710276, in Book 806, Page 406.

NOTE: This exception does not affect the proposed Lot 1, Block 1, Midtown Village 2nd Addition

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AMERICAN LAND TITLE ASSOCIATION

COMMITMENT FOR TITLE INSURANCE

SCHEDULE C

The Land is described as follows:

Parcel 1:

Intentionally deleted.

Parcel 2:

Intentionally deleted.

Parcel 3:

The East 200 feet of the North 502.5 feet of the Southwest Quarter of the Northeast Quarter of Section 29, Township 30, Range 23, lying South of the Southerly right-of-way line of Old Highway No. 8 and West of the West railroad right-of-way line of the Minnesota Belt Line Railway.

and

The East 200 feet of all that part of the Southwest Quarter of the Northeast Quarter of Section 29, Township 30, Range 23, lying West of the West right-of-way line of the Minnesota Belt Line Railway, except the North 502.5 feet thereof and except the South 700 feet thereof.

Ramsey County, Minnesota
Abstract Property

Parcel 4:

All that part of the Southwest Quarter of the Northeast Quarter of Section 29, Township 30 North, Range 23 West, lying West of West Right of Way line of Minnesota Belt Line Rail Road and Southerly of State Highway No. 8, except the South 700 feet thereof and except the East 200 feet thereof.

Ramsey County, Minnesota
Abstract Property

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AMERICAN LAND TITLE ASSOCIATION

Parcel 5:

The South 700 feet of that part of the Southwest 1/4 of the Northeast 1/4 of Section 29, Township 30, Range 23, Ramsey County, Minn. lying Westerly of the Minnesota Transfer Railway right of way, except the West 260 feet thereof, subject to 5th Street N.W. as shown by the records in the Real Estate Division in the office of the Register of Deeds in and for said County and State.

Ramsey County, Minnesota
Abstract Property

Parcel 6:

Outlot K, Midtown Village.

Ramsey County, Minnesota
Abstract Property

NOTE: The Company has been advised that the Land will be platted as a part of the current transaction. The legal description to be insured will be:

Lot 1, Block 1, Midtown Village 2nd Addition.

Ramsey County, Minnesota
Abstract Property

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AMERICAN LAND TITLE ASSOCIATION

EXHIBIT "A"

Parcel 1:

Intentionally deleted.

Parcel 2:

Intentionally deleted.

Parcel 3:

The East 200 feet of the North 502.5 feet of the Southwest Quarter of the Northeast Quarter of Section 29, Township 30, Range 23, lying South of the Southerly right-of-way line of Old Highway No. 8 and West of the West railroad right-of-way line of the Minnesota Belt Line Railway.

and

The East 200 feet of all that part of the Southwest Quarter of the Northeast Quarter of Section 29, Township 30, Range 23, lying West of the West right-of-way line of the Minnesota Belt Line Railway, except the North 502.5 feet thereof and except the South 700 feet thereof.

Ramsey County, Minnesota
Abstract Property

Parcel 4:

All that part of the Southwest Quarter of the Northeast Quarter of Section 29, Township 30 North, Range 23 West, lying West of West Right of Way line of Minnesota Belt Line Rail Road and Southerly of State Highway No. 8, except the South 700 feet thereof and except the East 200 feet thereof.

Ramsey County, Minnesota
Abstract Property

Parcel 5:

The South 700 feet of that part of the Southwest 1/4 of the Northeast 1/4 of Section 29, Township 30, Range 23, Ramsey County, Minn. lying Westerly of the Minnesota Transfer Railway right of way, except the West 260 feet thereof, subject to 5th Street N.W. as shown by the records in the Real Estate Division in the office of the Register of Deeds in and for said County and State.

Ramsey County, Minnesota
Abstract Property

Parcel 6:

Outlot K, Midtown Village.

Ramsey County, Minnesota
Abstract Property

NOTE: The Company has been advised that the Land will be platted as a part of the current transaction. The legal description to be insured will be:

Lot 1, Block 1, Midtown Village 2nd Addition.

Ramsey County, Minnesota

EXHIBIT "A"
(Continued)

Abstract Property

MIDTOWN VILLAGE 2ND ADDITION

KNOW ALL PERSONS BY THESE PRESENTS: That the City of New Brighton, a Minnesota municipal corporation, fee owner, of the following described property situated in the City of New Brighton, County of Ramsey, State of Minnesota:

The East 200 feet of all that part of the North 502.5 feet of the Southwest Quarter of the Northeast Quarter of Section 29, Township 30, Range 23, lying south of the southerly right-of-way line of Old Highway 8 and west of the west railroad right-of-way line of the Minnesota Belt Line Railway;

and

The East 200 feet of all that part of the Southwest Quarter of the Northeast Quarter of Section 29, Township 30, Range 23, lying west of the west right-of-way line of the Minnesota Belt Line Railway, except the North 502.5 feet thereof and except the South 700 feet thereof;

and

All that part of the Southwest Quarter of the Northeast Quarter of Section 29, Township 30 North, Range 23 West, lying West of West Right of Way line of Minnesota Belt Line Rail Road and Southerly of State Highway No. 8, except the South 700 feet thereof and except the East 200 feet thereof;

and

The South 700 feet of that part of the Southwest Quarter of the Northeast Quarter of Section 29, Township 30, Range 23, Ramsey County, Minn. lying Westerly of the Minnesota Transfer Railway right of way, except the West 260 feet thereof, subject to 5th Street N.W;

and

Outlot K, MIDTOWN VILLAGE.

Has caused the same to be surveyed and platted as MIDTOWN VILLAGE 2ND ADDITION, and does hereby dedicate to the public for public use forever the public ways and the drainage and utility easements as shown on this plat.

In witness whereof said City of New Brighton, has caused these presents to be signed by its proper officers this _____ day of _____, 20_____.

Signed: City of New Brighton

_____ _____
Mayor City Manager

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20_____, by _____, Mayor and by _____, City Manager of the City of New Brighton, a Minnesota municipal corporation, on behalf of the corporation.

_____ _____
Signature Printed Name, Notary
Notary Public, _____ County, _____
My Commission Expires _____

SURVEYORS CERTIFICATION

I, Max L. Stanislowski, Licensed Land Surveyor, do hereby certify that I have surveyed or directly supervised the survey of the property described on this plat; prepared this plat or directly supervised the preparation of this plat; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments indicated on this plat will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of the surveyor's certification are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this _____ day of _____, 20_____.

_____
Max L. Stanislowski, Licensed Land Surveyor
Minnesota License No. 48988

STATE OF MINNESOTA
COUNTY OF HENNEPIN

The foregoing instrument was acknowledged before me this _____ day of _____, 20_____, by Max L. Stanislowski, a Licensed Land Surveyor.

_____ _____
Signature Printed Name, Notary
Notary Public, Hennepin County, Minnesota
My Commission Expires January 31, 2025

CITY OF NEW BRIGHTON, MINNESOTA

We do hereby certify that on the _____ day of _____, 20_____, the City Council of the City of New Brighton, Minnesota approved this plat. Also, the conditions of Minnesota Statutes, Section 505.03, Subd. 2, have been fulfilled.

By: _____, Mayor

By: _____, City Manager

PROPERTY TAX, RECORDS AND ELECTION SERVICES DEPARTMENT

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable in the year 20_____ on the land hereinbefore described have been paid. Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered this _____ day of _____, 20_____.

Christopher A. Samuel, Ramsey County Auditor/Treasurer By: _____, Deputy

COUNTY SURVEYOR

Pursuant to Minnesota Statutes Section 383A.42, this plat has been approved this _____ day of _____, 20_____.

_____
Daniel D. Baar, LS, Ramsey County Surveyor

COUNTY RECORDER, County of Ramsey, State of Minnesota

I hereby certify that this plat of MIDTOWN VILLAGE 2ND ADDITION was recorded in the office of the County Recorder for public record on this _____ day of _____, 20_____, at _____ o'clock _____.M. and was duly filed in Book _____ of Plats, Pages _____ and _____, as Document Number _____.

_____
Deputy County Recorder

LOUCKS

MIDTOWN VILLAGE 2ND ADDITION

MINNESOTA COMMERCIAL RAILWAY COMPANY RIGHT-OF-WAY
(FORMERLY THE MINNESOTA TRANSFER RAILROAD)

OLD HIGHWAY 8 (C.S.A.H. NO. 77)

MIDTOWN VILLAGE 2ND ADDITION

S W 1/4

S. 29

N E 1/4

T. 30

R. 23

E 1/4 COR S. 29, T. 30, R. 23 FOUND BRASS DISK

S89°58'54"E 1957.28

SW COR, NE 1/4 OF S. 29, T. 30, R. 23

S LINE OF THE SW 1/4 OF THE NE 1/4 OF S. 29, T. 30, R. 23

N LINE OF THE SW 1/4 OF THE NE 1/4 OF S. 29, T. 30, R. 23

W LINE OF THE SW 1/4 OF THE NE 1/4 OF S. 29, T. 30, R. 23

S'LY ROW LINE OLD HIGHWAY 8

S LINE OF THE N 502.5 FT OF THE SW 1/4 OF THE NE 1/4 OF S. 29, T. 30, R. 23

THE N LINE OF THE S 700 FT OF THE SW 1/4 OF THE NE 1/4 OF S. 29, T. 30, R. 23

W LINE OF MINNESOTA TRANSFER RAILWAY COMPANY RIGHT OF WAY

A LINE 200 FT W OF THE MINNESOTA BELT LINE RAILWAY AND TRANSFER COMPANY RIGHT OF WAY

CENTER LINE OF S.H. 8-83

W LINE OF THE SW 1/4 OF THE NE 1/4 OF S. 29, T. 30, R. 23

S0°42'38"E 937.78

565.05

342.73 N89°58'22"E 9.16

95.45

N89°15'20"E 184.91

S0°42'38"E 40.02

S0°01'06"W 15.00

N89°58'54"W 106.01

4.22

N89°58'54"W 276.59

DRAINAGE AND UTILITY EASEMENT

209.34

276.82

S89°58'54"E 296.00

S89°58'54"E 401.88

ROAD EASEMENT PER DOC. NO. 1781212

5th Street NW

N89°58'54"W 401.86

SEE DETAIL A

SEE DETAIL B

SEE DETAIL C

HIGHWAY EASEMENT PER DOC. NO. 722578

HIGHWAY EASEMENT PER DOC. NO. 609867

OLD HIGHWAY 8 (C.S.A.H. NO. 77)

C=393.73 C.Brg.=S62°30'40"W L=408.40 R=437.46 Δ=52°29'20"

L=519.80 R=477.46 Δ=62°22'34" C.Brg.=N56°15'35"E C.=494.51

C=380.19 R=437.46 Δ=51°30'45" C.Brg.=S61°31'23"W L=393.31

S56°09'06"E 26.11

Δ=14°36'40" R=175.00 L=44.64

OUTLOT K VILLAGE

S41°12'26"E 113.97

54.78

Δ=15°49'31" L=34.53

8th Avenue NW

DRAINAGE AND UTILITY EASEMENT N89°58'54"W 208.70

N89°58'54"W 200.91

165.31

SANITARY SEWER EASEMENT PER DOC. NOS. 1581803 & 1582757

Exception

R. 23

1

2

MIDTOWN VILLAGE

L=105.51 Δ=14°08'31"

L=116.91 Δ=15°40'12"

L=127.90 R=427.46 Δ=17°08'37" C.=127.43 C.Brg.=N19°40'31"E

N89°58'54"W 55.92

SANITARY SEWER EASEMENT PER DOC. NO. 1581803

E LINE OF THE W 260.00 FT OF THE SW 1/4 OF THE NE 1/4 OF S. 29, T. 30, R. 23

550.05

N0°44'40"W 410.10

N3°02'41"E 150.15

1/2 INCH IP

N0°44'40"W 580.05

Δ=9°38'15" R=75.00 L=12.62 C.BRG=S36°23'19"E C.=12.60

Cap#48988

30.00

260.02

S89°58'54"E

N89°58'54"W 401.88

5TH STREET NW

7TH STREET NW

8TH AVE NW (FORMERLY LONG LAKE RD.)

W LINE OF THE SW 1/4 OF THE NE 1/4 OF S. 29, T. 30, R. 23

(C.S.A.H. NO. 77)

VACATED 27TH AVE NW

VACATED

33 33 40 40 54 60 100

DETAIL A

NO SCALE

L=519.80 R=477.46 Δ=62°22'34" C.Brg.=N56°15'35"E C.=494.51

OLD HIGHWAY 8 (C.S.A.H NO. 77)

L=393.31 R=437.46 Δ=51°30'45" C.=380.19 C.Brg.=S61°31'23"W

L=408.40 R=437.46 Δ=53°29'20" C.=393.73 C.Brg.=S62°30'40"W

OLD HIGHWAY 8 (C.S.A.H NO. 77)

Exception

S'LY ROW LINE OLD HIGHWAY NO. 8

S89°15'20"W 184.91

40.02 S0°42'38"E

CAP# 18407

L=15.09 R=437.46 Δ=1°58'35"

C.=15.09 C.Brg.=N88°16'03"E

A LINE 200 FT W OF THE MINNESOTA BELT LINE RAILWAY AND TRANSFER COMPANY RIGHT OF WAY

1

DETAIL B

NO SCALE

OLD HIGHWAY 8 (C.S.A.H. 77)

8th Avenue NW

55.92 N89°58'54"W

44.61

11.31

Δ=1°28'25" L=10.89

N90°00'00"E 30.04

S89°58'54"E 46.14

L=5.61 Δ=2°34'23"

S41°12'26"E 113.97

C.Brg.=N19°40'31"E L=127.90 R=427.46

L=105.51 Δ=14°08'31"

L=116.91 Δ=15°40'12"

R=125.00' Δ=9°30'20" L=20.74 C.=20.71 C.Brg.=N45°57'38"W

DRAINAGE AND UTILITY EASEMENT

OUTLOT K VILLAGE

MIDTOWN VILLAGE

1

2

DETAIL C

NO SCALE

N0°44'40"W 580.05

550.05

N3°02'41"E 150.15

SANITARY SEWER EASEMENT PER DOC. NO. 1581803

0.08

1/2 INCH IP

N89°58'54"W 401.88

5TH STREET NW

30.00

1

2

VICINITY MAP

NOT TO SCALE

NE 1/4

SE 1/4

NW 1/4

SW 1/4

SITE

OLD HIGHWAY 8

8TH STREET NW

5TH STREET NW

SECTION 29, TOWNSHIP 30N, RANGE 23W, RAMSEY COUNTY, MINNESOTA

M.V. MIDTOWN VILLAGE

● FOUND IRON PIPE CAP NO. 18425 UNLESS SHOWN OTHERWISE

○ SET 1/2 INCH X 14 INCH IRON PIPE, MARKED "LS 48988"

◉ FOUND CAST IRON MONUMENT UNLESS SHOWN OTHERWISE

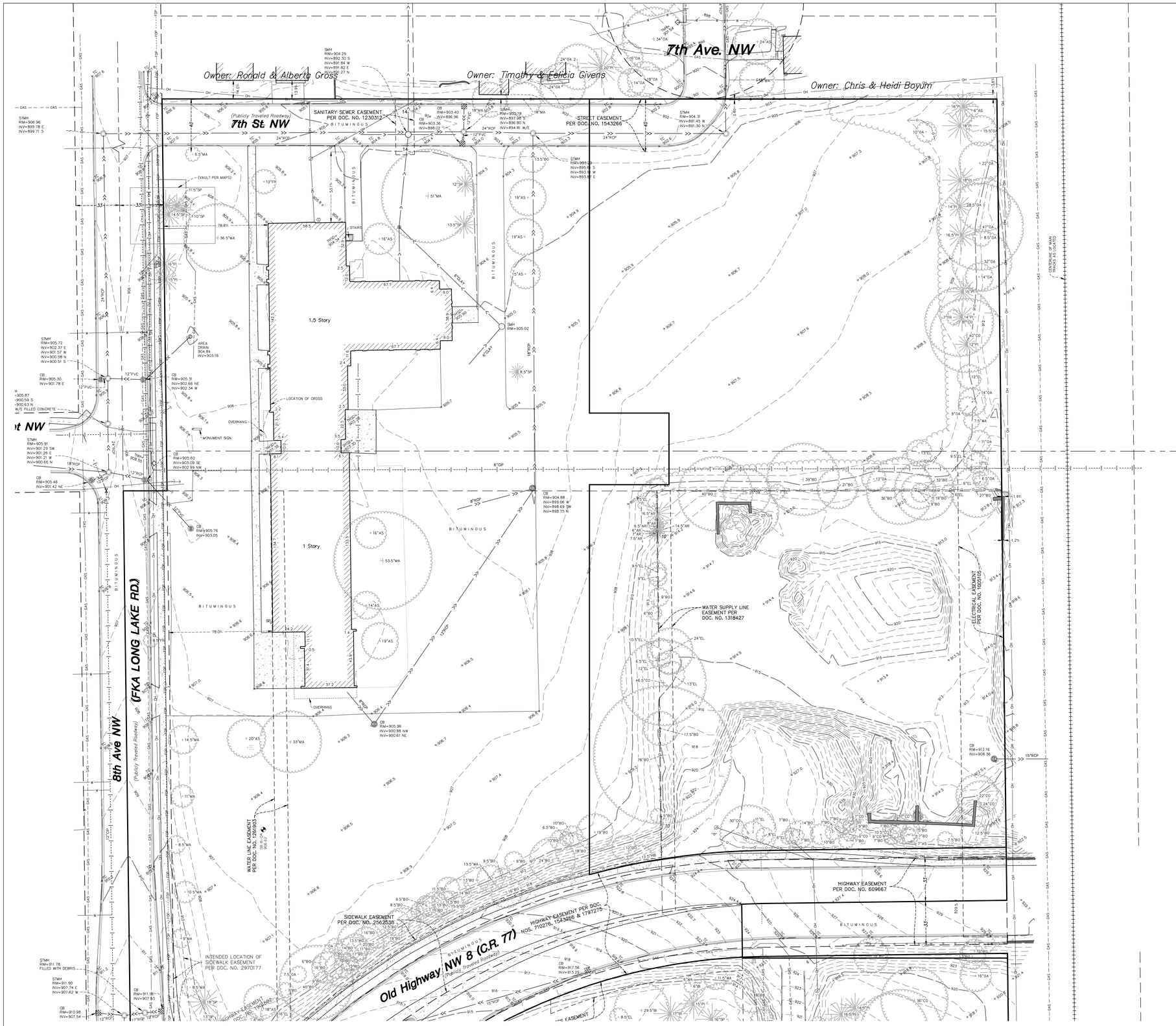
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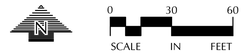
0 60

SCALE IN FEET
1 INCH = 60 FEET

THE BEARINGS FOR THIS SURVEY ARE BASED ON THE RAMSEY COUNTY COORDINATE SYSTEM NAD 83 (1986 ADJUST).

LOUCKS





SURVEY LEGEND

AS	ASH		CATCH BASIN		STORM SEWER
AP	APPLE		STORM MANHOLE	S	SANITARY SEWER
BA	BASSWOOD		SANITARY MANHOLE	W	WATERMAIN
BI	BIRCH		WATER MANHOLE	S	SANITARY SEWER SERVICE
BO	BOXELDER		HYDRANT	W	WATER SERVICE
BU	BUCKEYE		GATE VALVE		CULVERT
BS	BUSH		POWER POLE	CTV	UNDERGROUND CABLE TV
CA	CATULPA		LIGHT POLE	ELE	UNDERGROUND ELECTRIC
CE	CEDAR		YARD LIGHT	FO	UNDERGROUND FIBER OPTIC
CO	COTTONWOOD		GUY WIRE	GAS	UNDERGROUND GAS
DE	DEAD TREE		SIGN	TEL	UNDERGROUND TELEPHONE
EL	ELM	972.5	SPOT ELEVATION	UTIL	UNDERGROUND UTILITY
FR	MISC FRUIT		A/C UNIT	OH	OVERHEAD UTILITY
FI	FIR		CABLE TV PEDESTAL	TRFC	UNDERGROUND TRAFFIC
HA	HACKBERRY		ELECTRIC TRANSFORMER	DT	DRAIN TILE
HI	HICKORY		TELEPHONE PEDESTAL	FM	FORCE MAIN
IR	IRONWOOD		UTILITY PEDESTAL		CHAIN LINK FENCE
LI	LINDEN		ELECTRIC MANHOLE		POST FENCE
LO	LOCUST		GAS VALVE		WOOD FENCE
MA	MAPLE		TELEPHONE MANHOLE		GUARDRAIL
OA	OAK		UTILITY MANHOLE		RETAINING WALL
PA	PALM		ELECTRIC METER		TRAFFIC SIGNAL
PI	PINE		GAS METER		CONCRETE CURB
PO	POPLAR		HAND HOLE		CONCRETE
SP	SPRUCE	RD	ROOF DRAIN		BITUMINOUS
TR	TREE (GEN)	EO	ELECTRIC OUTLET		PAVERS
WA	WALNUT	FC	FIRE CONNECTION	872	CONTOUR
WI	WILLOW		MAILBOX		RAILROAD TRACKS
TC	TOP OF CURB		FLAG POLE		CONIFEROUS TREE
TW	TOP OF WALL		GUARDPOST		DECIDUOUS TREE
THSD	ELEV ⊕ THRESHOLD		MONITORING WELL		
			POST INDICATOR VALVE		
			SOIL BORING		

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763.424.5505
www.loucksinc.com

LOUCKS PROJECT NO. 18373.00

PROJECT TITLE

OAKS LANDING APARTMENTS

OWNER/DEVELOPER

DOMINIUM

ISSUE #	DATE	DESCRIPTION
	07/30/2019	PERMIT AND PRICING SET
	03/26/2020	PERMIT AND PRICING SET

CERTIFICATION

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

Michael J. St. Martin, PE

24440 — License Number
07/30/2019 — Date

DATE	03/26/2020
DRAWN BY	AJA
CHECKED BY	SRT
COMMISSION NUMBER	18373.00

SHEET TITLE

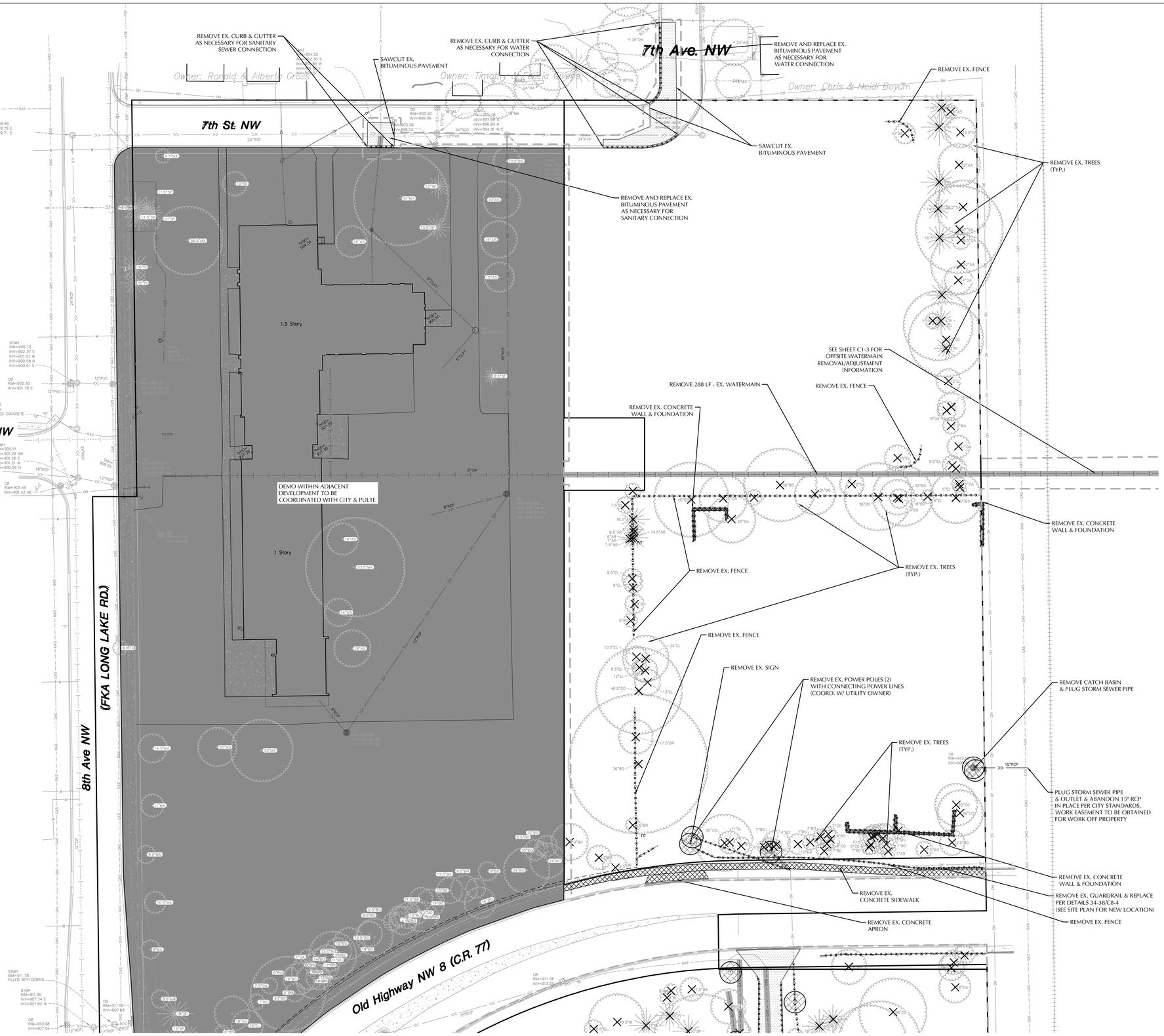
EXISTING CONDITIONS

SHEET NUMBER

C1-1

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BKVTB-30x42



0 30 60
SCALE IN FEET

SURVEY LEGEND

AS	ASH		CATCH BASIN		STORM SEWER
AP	APPLE		STORM MANHOLE		SANITARY SEWER
BA	BASSWOOD		SANITARY MANHOLE		WATERMAIN
BI	BIRCH		WATER MANHOLE		SANITARY SEWER SERVICE
BO	BOXELDER		HYDRANT		WATER SERVICE
BU	BUCKEYE		GATE VALVE		CULVERT
BS	BUSH		POWER POLE	CTV	UNDERGROUND CABLE TV
CA	CATULPA		LIGHT POLE	ELE	UNDERGROUND ELECTRIC
CE	CEDAR		YARD LIGHT	FO	UNDERGROUND FIBER OPTIC
CO	COTTONWOOD		GUY WIRE	GAS	UNDERGROUND GAS
DE	DEAD TREE		SIGN	TEL	UNDERGROUND TELEPHONE
EL	ELM	972.5	SPOT ELEVATION	UTL	UNDERGROUND UTILITY
FR	MISC FRUIT		A/C UNIT	OH	OVERHEAD UTILITY
FI	FIR		CABLE TV PEDESTAL	TRFC	UNDERGROUND TRAFFIC
HA	HACKBERRY		ELECTRIC TRANSFORMER	DT	DRAIN TILE
HI	HICKORY		TELEPHONE PEDESTAL	FM	FORCE MAIN
IR	IRONWOOD		UTILITY PEDESTAL	X	CHAIN LINK FENCE
LI	LINDEN		ELECTRIC MANHOLE		POST FENCE
LO	LOCUST		GAS VALVE		WOOD FENCE
MA	MAPLE		TELEPHONE MANHOLE		GUARDRAIL
OA	OAK		UTILITY MANHOLE		RETAINING WALL
PA	PALM		ELECTRIC METER		TRAFFIC SIGNAL
PI	PINE		GAS METER		CONCRETE CURB
PO	POPLAR		HAND HOLE		CONCRETE
SP	SPRUCE	RD	ROOF DRAIN		BITUMINOUS
TR	TREE (GEN)	EO	ELECTRIC OUTLET		PAVERS
WA	WALNUT	FC	FIRE CONNECTION	872	CONTOUR
WI	WILLOW		MAILBOX		RAILROAD TRACKS
TC	TOP OF CURB		FLAG POLE		CONIFEROUS TREE
TW	TOP OF WALL		GUARDPOST		DECIDUOUS TREE
THSD	ELEV @ THRESHOLD		MONITORING WELL		
			POST INDICATOR VALVE		
			SOIL BORING		

DEMOLITION LEGEND

- REMOVE EXISTING BITUMINOUS PAVING
- REMOVE EXISTING CONCRETE PAVING, SIDEWALKS, ISLANDS, ETC.
- REMOVE EXISTING BUILDINGS
- REMOVE EXISTING CURB & GUTTER, RETAINING WALLS, WOOD FENCE, BILLBOARDS, ETC.
- REMOVE EXISTING UTILITIES
- REMOVE EXISTING MANHOLES, POWER POLES, LIGHT POLES, BOLLARDS, PARKING METERS, SIGNS, ETC.
- REMOVE EXISTING TREES
- REMOVAL LIMITS

DEMOLITION NOTES

1. CONTRACTOR SHALL REMOVE AND/OR RELOCATE EXISTING PRIVATE UTILITIES AS NECESSARY. CONTRACTOR TO COORDINATE ACTIVITIES WITH UTILITY COMPANIES.
2. CONTRACTOR SHALL PROTECT SURFACE AND SUBSURFACE FEATURES NOT NOTED FOR REMOVAL.
3. CLEAR AND GRUB AND REMOVE ALL TREES, VEGETATION AND SITE DEBRIS PRIOR TO GRADING. TOPSOIL SHALL BE STOCKPILED ON-SITE AND ALL OTHER REMOVED MATERIAL SHALL BE HAULED FROM THE SITE DAILY. ALL CLEARING AND GRUBBING AND REMOVALS SHALL BE PERFORMED PER THE CONTRACT SPECIFICATIONS. EROSION CONTROL MEASURES SHALL BE IMMEDIATELY ESTABLISHED UPON REMOVAL. SEE THE STORMWATER POLLUTION PREVENTION PLAN (SWPPP).
4. CONTRACTOR SHALL REMOVE ALL SITE SURFACE FEATURES WITHIN REMOVAL LIMITS UNLESS OTHERWISE NOTED.
5. ALL FOUNDATIONS ASSOCIATED WITH WALLS, BUILDINGS, ETC. MUST BE DEMOLISHED WITH STRUCTURE.
6. CONTRACTOR TO SCHEDULE PRE-CONSTRUCTION MEETING WITH POWER UTILITY OWNER(S) TO DISCUSS DISCONNECTS/RELOCATIONS.
7. ALL EXISTING OVERHEAD WIRES AND POLES SHALL BE REMOVED AND INSTALLED UNDERGROUND EXCEPT FOR THOSE THAT CROSS COUNTY ROAD 77. COORDINATE RELOCATION WITH UTILITY OWNER.

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Landscape Architecture
Engineering

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763.424.5505
www.loucksinc.com

LOUCKS PROJECT NO. 18373.00

PROJECT TITLE

OAKS LANDING APARTMENTS

OWNER/DEVELOPER

DOMINIUM

ISSUE #	DATE	DESCRIPTION
	07/30/2019	PERMIT AND PRICING SET
	03/26/2020	PERMIT AND PRICING SET

CERTIFICATION

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

Michael J St. Martin, PE

24440 — License Number
07/30/2019 — Date

DATE	03/26/2020
DRAWN BY	AJA
CHECKED BY	SRT
COMMISSION NUMBER	18373.00

SHEET TITLE

DEMOLITION PLAN

SHEET NUMBER

C1-2

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BKVTB-30x42



SURVEY LEGEND

AS	ASH		CATCH BASIN		STORM SEWER
AP	APPLE		STORM MANHOLE		SANITARY SEWER
BA	BASSWOOD		SANITARY MANHOLE		WATERMAIN
BI	BIRCH		WATER MANHOLE	S	SANITARY SEWER SERVICE
BO	BOXELDER		HYDRANT	W	WATER SERVICE
BU	BUCKEYE		GATE VALVE		CULVERT
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HI	HICKORY		TELEPHONE PEDESTAL	FM	FORCE MAIN
IR	IRONWOOD		UTILITY PEDESTAL	X X	CHAIN LINK FENCE
LI	LINDEN		ELECTRIC MANHOLE	O O	POST FENCE
LO	LOCUST		GAS VALVE	□ □	WOOD FENCE
MA	MAPLE		TELEPHONE MANHOLE		GUARDRAIL
OA	OAK		UTILITY MANHOLE		RETAINING WALL
PA	PALM		ELECTRIC METER		TRAFFIC SIGNAL
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PO	POPLAR		HAND HOLE		CONCRETE
SP	SPRUCE	RD	ROOF DRAIN		BITUMINOUS
TR	TREE (GEN)	EO	ELECTRIC OUTLET		PAVERS
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TW	TOP OF WALL		GUARDPOST		DECIDUOUS TREE
THSD	ELEV @ THRESHOLD		MONITORING WELL		
			POST INDICATOR VALVE		
			SOIL BORING		

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- REMOVE EXISTING BUILDINGS
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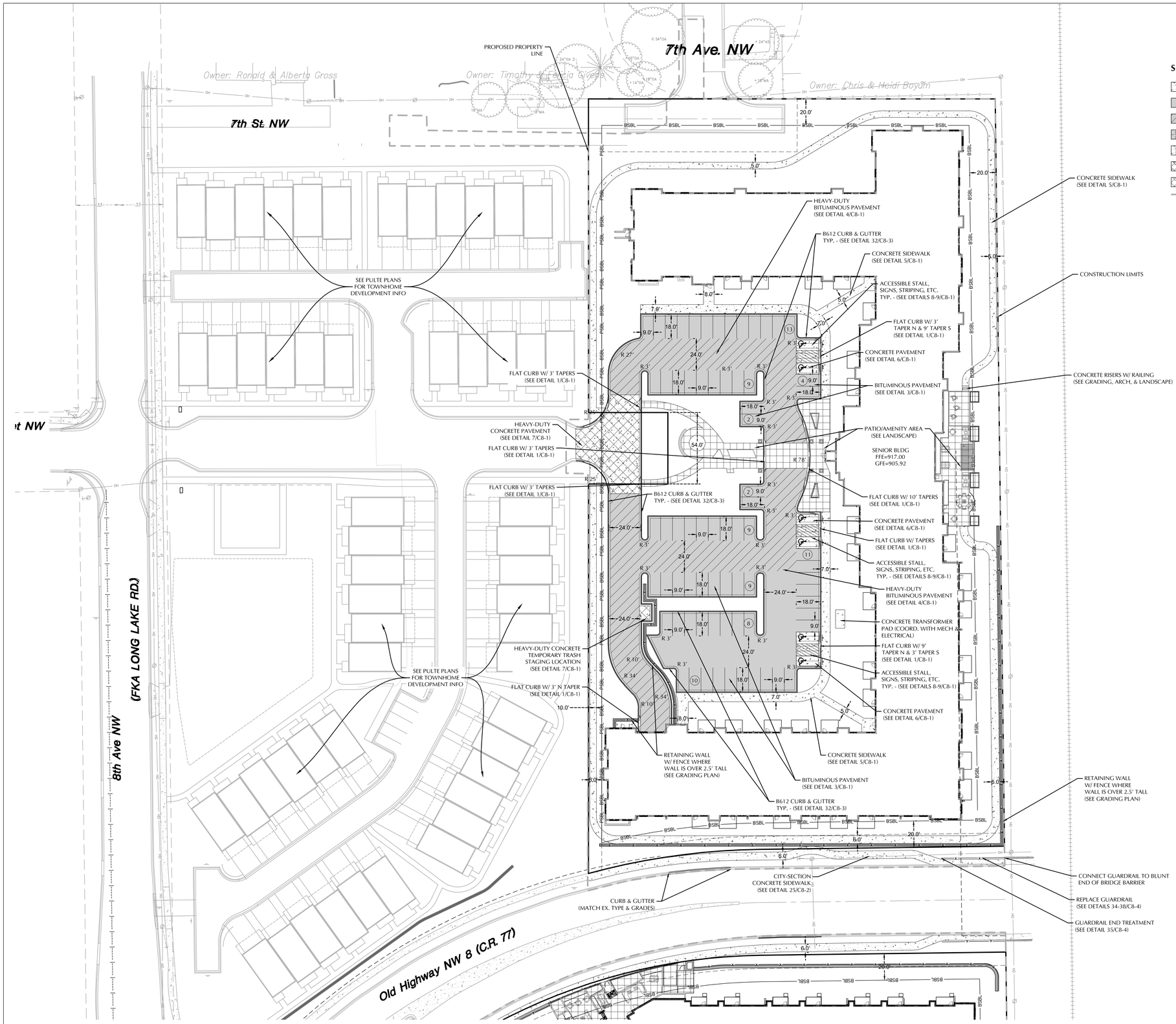
OFFSITE WATERMAIN ABANDONMENT, REMOVAL, & ADJUSTMENT

SHEET NUMBER

C1-3

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BKVTB-30x42



0 30 60
SCALE IN FEET

SITE PLAN LEGEND

- CONCRETE SIDEWALK
- BITUMINOUS PAVEMENT
- HEAVY DUTY BITUMINOUS PAVEMENT
- BITUMINOUS TRAIL
- CONCRETE PAVEMENT
- HEAVY-DUTY CONCRETE PAVEMENT
- SPECIALTY LANDSCAPE PAVING
- CONSTRUCTION LIMITS

CIVIL LEGEND

EXISTING		PROPOSED
	SANITARY MANHOLE	
	STORM MANHOLE	
	CATCH BASIN	
	CULVERT	
	HYDRANT	
	GATEVALVE	
	POST INDICATOR VALVE	
	LIGHT POLE	
	POWER POLE	
	SIGN	
	BENCHMARK	
	SOIL BORINGS	
	WATER MANHOLE	
	TELEPHONE MANHOLE	
	UTILITY MANHOLE	
	ELECTRIC MANHOLE	
W	WATER SERVICE	
SAN	SANITARY SERVICE	
	HANDICAP PARKING	
100	DIRECTION OF FLOW	100
959.8	SPOT ELEVATION	959.8
952	CONTOURS	952
S	SANITARY SEWER	
ST	STORM SEWER	
W	WATERMAIN	
FM	FORCEMAIN	FM
DT	DRAINTILE	DT
	SILT FENCE	
	CURB & GUTTER	
	RETAINING WALL	
	TREELINE	
	EASEMENT LINE	
	SETBACK LINE	
X	FENCE LINE	X
TEL	UNDERGROUND TELE	
GAS	UNDERGROUND GAS	
OH	OVERHEAD UTILITY	
FO	UNDERGROUND FIBER OPTIC	
ELE	UNDERGROUND ELECTRIC	
CTV	UNDERGROUND CABLE TV	
	PROPERTY LINE	
	CONIFEROUS TREE	
	DECIDUOUS TREE	
23	PARKING COUNTS	

SITE DATA

CURRENT ZONING:	PRD (PLANNED RESIDENTIAL DEVELOPMENT)
PROPOSED ZONING:	PRD (PLANNED RESIDENTIAL DEVELOPMENT)
FRONT BUILDING SETBACK:	10 FT.
PARKING SETBACK:	20 FT.
SIDE/REAR BUILDING SETBACK:	20 FT.
NORTH PROPERTY AREA:	3.95 AC.
AREA OF DISTURBANCE:	4.22 AC.
NORTH IMPERVIOUS AREA:	2.67 AC.

SITE NOTES

1. ALL PAVING, CONCRETE CURB, GUTTER AND SIDEWALK SHALL BE FURNISHED AND INSTALLED IN ACCORDANCE WITH THE DETAILS SHOWN PER THE DETAIL SHEET(S) AND STATE/LOCAL JURISDICTION REQUIREMENTS.
2. ACCESSIBLE PARKING AND ACCESSIBLE ROUTES SHALL BE PROVIDED PER CURRENT ADA STANDARDS AND LOCAL/STATE REQUIREMENTS.
3. ALL CURB DIMENSIONS SHOWN ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
4. ALL BUILDING DIMENSIONS ARE TO THE OUTSIDE FACE OF WALL UNLESS OTHERWISE NOTED.
5. TYPICAL FULL SIZED PARKING STALL IS 9' X 18' WITH A 24' WIDE TWO WAY DRIVE UNLESS OTHERWISE NOTED.
6. ALL CURB RADII SHALL BE 3.0' UNLESS OTHERWISE NOTED.
7. BITUMINOUS IMPREGNATED FIBER BOARD TO BE PLACED AT FULL DEPTH OF CONCRETE ADJACENT TO EXISTING STRUCTURES AND BEHIND CURB ADJACENT TO DRIVEWAYS AND SIDEWALKS.
8. SEE SITE ELECTRICAL PLAN FOR SITE LIGHTING.

NORTH OFF-STREET PARKING CALCULATIONS

PROPOSED SURFACE PARKING PROVIDED:	77 STALLS
SURFACE ACCESSIBLE PARKING:	6 STALLS
REQUIRED SURFACE ACCESSIBLE PARKING:	4 STALLS*

**REQUIRED MINIMUM NUMBER OF ACCESSIBLE SPACES FOR 76-100 STALLS*

CALL BEFORE YOU DIG!
Gopher State One Call
TWIN CITY AREA: 651-454-0002
TOLL FREE: 1-800-252-1166

WARNING:

THE CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING FOR LOCATIONS OF ALL EXISTING UTILITIES. THEY SHALL COOPERATE WITH ALL UTILITY COMPANIES IN MAINTAINING THEIR SERVICE AND / OR RELOCATION OF LINES.

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CONSULTANTS

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7200 Hemlock Lane, Suite 300
Maple Grove, MN 55369
763.424.5505
www.loucksinc.com

LOUCKS PROJECT NO. 18373.00

PROJECT TITLE

OAKS LANDING APARTMENTS

OWNER/DEVELOPER

DOMINIUM

ISSUE #	DATE	DESCRIPTION
	07/30/2019	PERMIT AND PRICING SET
	03/26/2020	PERMIT AND PRICING SET

CERTIFICATION

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

Michael J. St. Martin, PE

24440 — License Number
07/30/2019 — Date

DATE	03/26/2020
DRAWN BY	AJA
CHECKED BY	SRT
COMMISSION NUMBER	18373.00

SHEET TITLE

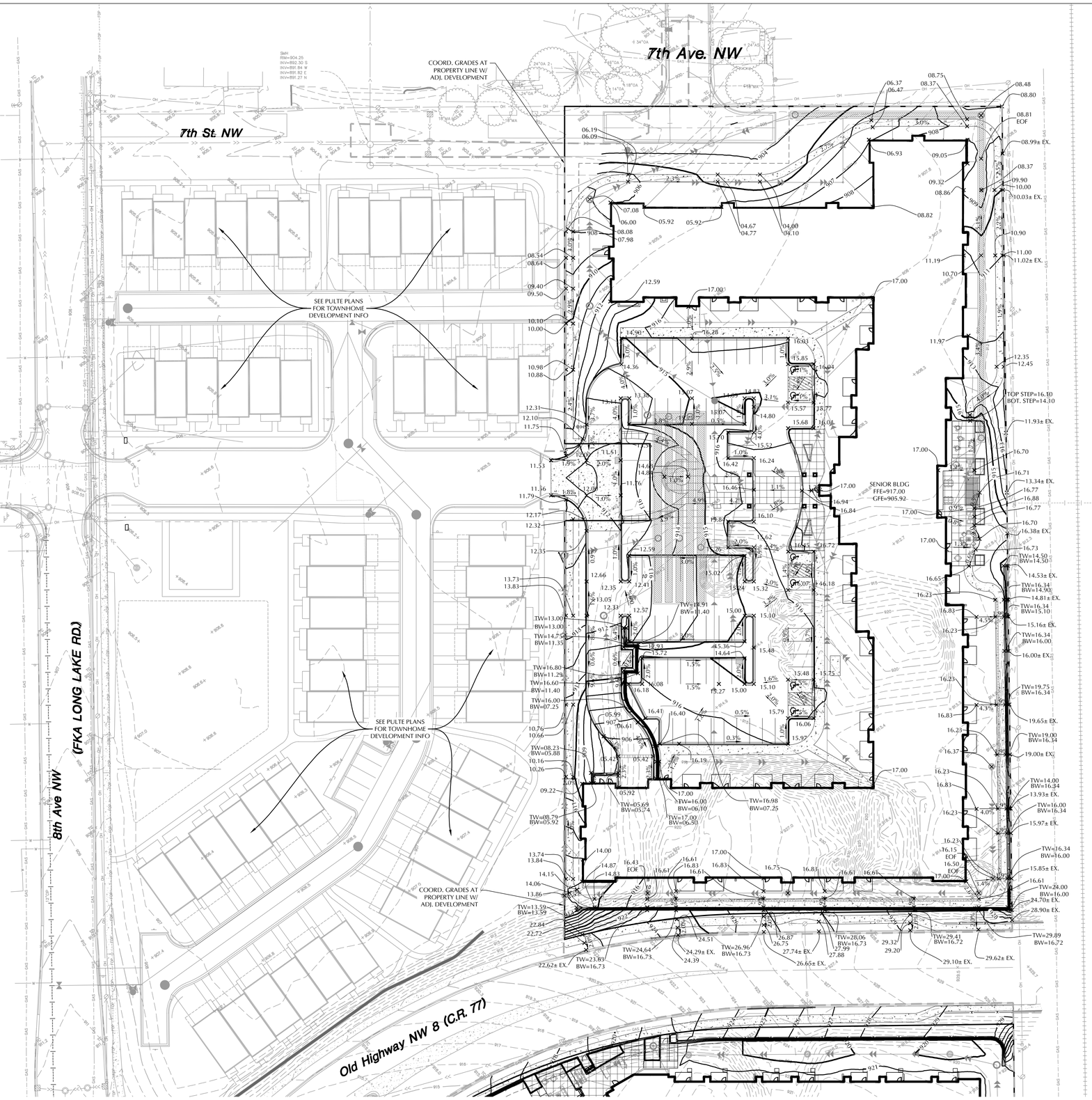
SITE PLAN

SHEET NUMBER

C2-1

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BKVTB-30x42



CIVIL LEGEND

EXISTING		PROPOSED
	SANITARY MANHOLE	
	STORM MANHOLE	
	CATCH BASIN	
	CULVERT	
	HYDRANT	
	GATEVALVE	
GV	POST INDICATOR VALVE	GV
	LIGHT POLE	
	POWER POLE	
	SIGN	
	BENCHMARK	
	SOIL BORINGS	
	WATER MANHOLE	
	TELEPHONE MANHOLE	
	UTILITY MANHOLE	
	ELECTRIC MANHOLE	
	WATER SERVICE	
	SANITARY SERVICE	
	HANDICAP PARKING	
	DIRECTION OF FLOW	
	SPOT ELEVATION	
	CONTOURS	
	SANITARY SEWER	
	STORM SEWER	
	WATERMAIN	
FM	FORCEMAIN	FM
DT	DRAINTILE	DT
	SILT FENCE	
	CURB & GUTTER	
	RETAINING WALL	
	TREELINE	
	EASEMENT LINE	
	SETBACK LINE	
	FENCE LINE	
TEL	UNDERGROUND TELE	
GAS	UNDERGROUND GAS	
OH	OVERHEAD UTILITY	
FO	UNDERGROUND FIBER OPTIC	
ELE	UNDERGROUND ELECTRIC	
CTV	UNDERGROUND CABLE TV	
	PROPERTY LINE	
	CONIFEROUS TREE	
	DECIDUOUS TREE	
	PARKING COUNTS	28

GRADING, DRAINAGE & EROSION CONTROL NOTES

1. SPOT ELEVATIONS REPRESENT FINISHED SURFACE GRADES, GUTTER/FLOW LINE, FACE OF BUILDING, OR EDGE OF PAVEMENT UNLESS OTHERWISE NOTED.
2. CATCH BASINS AND MANHOLES IN PAVED AREAS SHALL BE SUMPED 0.04 FEET. ALL CATCH BASINS IN GUTTERS SHALL BE SUMPED 0.16 FEET. RIM ELEVATIONS SHOWN ON PLANS DO NOT REFLECT SUMPED ELEVATIONS.
3. ALL DISTURBED UNPAVED AREAS ARE TO RECEIVE MINIMUM OF 4 INCHES OF TOP SOIL AND SEED/MULCH OR SOD. THESE AREAS SHALL BE WATERED/MAINTAINED BY THE CONTRACTOR UNTIL VEGETATION IS ESTABLISHED.
4. FOR SITE RETAINING WALLS "TW" EQUALS SURFACE GRADE AT TOP FACE OF WALL (NOT TOP OF WALL), "GW" EQUALS SURFACE GRADE AT WALL GRADE TRANSITION, AND "BW" EQUALS SURFACE GRADE AT BOTTOM FACE OF WALL (NOT BOTTOM OF BURIED WALL COURSES).
5. STREETS MUST BE CLEANED AND SWEPT WHENEVER TRACKING OF SEDIMENTS OCCURS AND BEFORE SITES ARE LEFT IDLE FOR WEEKENDS AND HOLIDAYS. A REGULAR SWEEPING SCHEDULE MUST BE ESTABLISHED.
6. DUST MUST BE ADEQUATELY CONTROLLED.
7. SEE SWPPP FOR ADDITIONAL EROSION CONTROL NOTES AND REQUIREMENTS.
8. SEE UTILITY PLANS FOR WATER, STORM AND SANITARY SEWER INFORMATION.
9. SEE SITE PLAN FOR CURB AND BITUMINOUS TAPER LOCATIONS.
10. SEE LANDSCAPE PLAN FOR FINAL SITE STABILIZATION.
11. SEE LANDSCAPE FOR RETAINING WALL FINISHES AND PRODUCT INFO.

CALL BEFORE YOU DIG!
Gopher State One Call
TWIN CITY AREA: 651-454-0002
TOLL FREE: 1-800-252-1166

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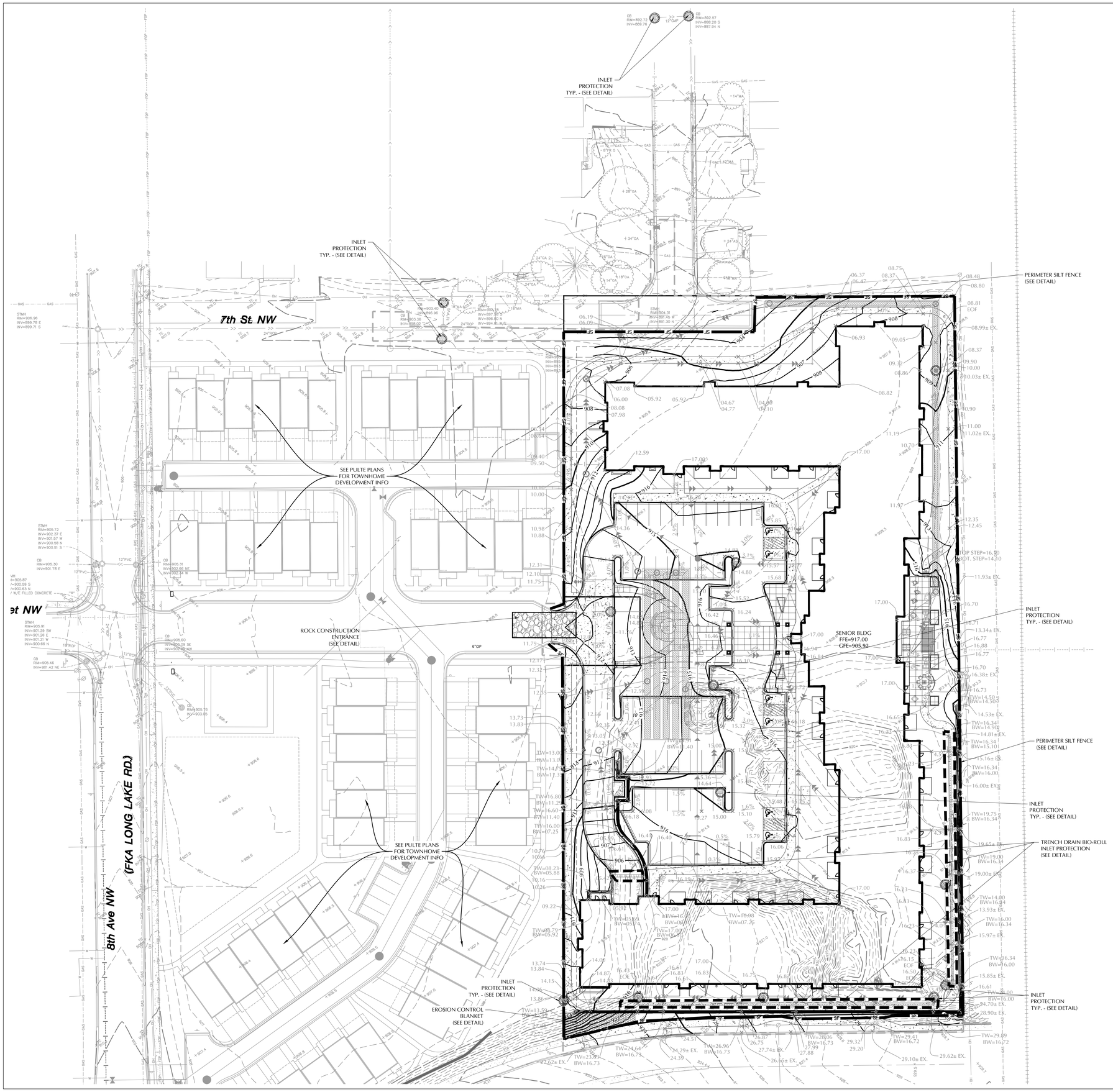
GRADING PLAN

SHEET NUMBER

C3-1

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SHEET TITLE

SWPPP

SHEET NUMBER

C3-2

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BKVTB-30x42

SWPPP NOTES

1. THE NATURE OF THIS PROJECT WILL CONSIST OF CONSTRUCTING ONE APARTMENT BUILDING, SURFACE PAVEMENTS, AND UTILITIES. IT IS INTENDED FOR THIS PROJECT TO BE CONSTRUCTED IN ONE PHASE - INCLUDING ALL SITE WORK AND APARTMENT BUILDING CONSTRUCTION.

2. THE INTENDED SEQUENCING OF MAJOR CONSTRUCTION ACTIVITIES ARE AS FOLLOWS:

2.1. INSTALL VEHICLE TRACKING BMP
2.2. INSTALL SILT FENCE AROUND SITE
2.3. CLEAR AND GRUB SITE
2.4. STRIP AND STOCKPILE TOPSOIL
2.5. REMOVE PAVEMENTS AND UTILITIES
2.6. CONSTRUCT STORMWATER MANAGEMENT SYSTEM - TO RECEIVE WATER AS TEMPORARY BMP DURING CONSTRUCTION
2.7. ROUGH GRADE SITE
2.8. IMPORT CLEAN FILL FOR REPLACEMENT AND BALANCE
2.9. INSTALL UTILITIES
2.10. INSTALL BUILDING FOUNDATIONS (APARTMENTS AND TOWNHOMES)
2.11. INSTALL CURB AND GUTTER
2.12. INSTALL PAVEMENTS AND WALKS
2.13. FINAL GRADE SITE
2.14. REMOVE ACCUMULATED SEDIMENT FROM STORMWATER SYSTEMS
2.15. INSTALL EROSION CONTROL BLANKET IN ANY SEEDED PORTION OF STORMWATER SYSTEMS
2.16. INSTALL POST CONSTRUCTION SILT FENCE AROUND STORMWATER SYSTEMS
2.17. SEED AND MULCH
2.18. INSTALL BIO-ROLLS OR SILT FENCE AT BACK OF CURB OR PAVEMENT, AS NECESSARY THROUGH APARTMENT AND TOWNHOME CONSTRUCTION PROCESS
2.19. WHEN ALL CONSTRUCTION ACTIVITY IS COMPLETE AND THE SITE IS STABILIZED, REMOVE SILT FENCE AND RESEED ANY AREAS DISTURBED BY THE REMOVAL

3. SITE DATA:
AREA OF DISTURBANCE: ±4.22 AC
PRE-CONSTRUCTION IMPERVIOUS AREA: ±0.00 AC
POST-CONSTRUCTION IMPERVIOUS AREA: ±2.67 AC

GENERAL SOIL TYPE: SEE GEOTECHNICAL EVALUATION REPORT
EXPECTED RAINFALL: SEE STORMWATER MANAGEMENT PLAN FOR FREQUENCY, INTENSITY, AND DURATION OF PRECIPITATION

4. THE LOCATION OF AREAS NOT TO BE DISTURBED MUST BE IDENTIFIED WITH FLAGS, STAKES, SIGNS, SILT FENCE, ETC. BEFORE CONSTRUCTION BEGINS.

5. NO DRAINAGE AREA TO BE MORE THAN FIVE (5) ACRES OF RUNOFF CAUSING THE NEED FOR A TEMPORARY SEDIMENT BASIN.

6. THE LOCATION OF INFILTRATION SYSTEMS SHALL BE CLEARLY MARKED ON SITE AND COMPACTION OF UNDERLYING SOILS SHALL BE AVOIDED. HEAVY EQUIPMENT, CONSTRUCTION TRAFFIC, CONSTRUCTION STAGING, AND ANY OTHER ACTIVITY RESULTING IN COMPACTION SHALL BE KEPT OUT OF THE INFILTRATION PRACTICE. HEAVY EQUIPMENT SHALL NOT BE USED TO EXCAVATE INFILTRATION SYSTEMS UNLESS WORK IS COMPLETED FROM OUTSIDE OF THE INFILTRATION PRACTICE.

7. ALL DISTURBED GROUND LEFT INACTIVE FOR SEVEN (7) OR MORE DAYS SHALL BE STABILIZED BY SEEDING OR SODDING (ONLY AVAILABLE PRIOR TO SEPTEMBER 15) OR BY MULCHING OR COVERING OR OTHER EQUIVALENT CONTROL MEASURE.

8. RECEIVING WATERS: SURFACE WATERS DRAIN TO THE EXISTING STORM SEWER IN 7TH ST. NW WHICH IS ASSUMED TO FLOW NORTH TO SOUTH LONG LAKE. THIS LAKE HAS AN EPA APPROVED IMPAIRMENT FOR CHLORIDE.

C1. DURING CONSTRUCTION:
- STABILIZATION OF ALL EXPOSED SOIL AREAS MUST BE INITIATED IMMEDIATELY TO LIMIT SOIL EROSION BUT IN NO CASE COMPLETED LATER THAN SEVEN (7) DAYS AFTER THE CONSTRUCTION ACTIVITY IN THAT PORTION OF THE SITE HAS TEMPORARILY OR PERMANENTLY CEASED.
- TEMPORARY SEDIMENT BASIN REQUIREMENTS DESCRIBED IN SECTION 14 MUST BE USED FOR COMMON DRAINAGE LOCATIONS THAT SERVE AN AREA WITH FIVE (5) OR MORE ACRES DISTURBED AT ONE TIME. (IF PRESENT)

C2. POST CONSTRUCTION: THE WATER QUALITY VOLUME THAT MUST BE RETAINED ON SITE BY THE PROJECT'S PERMANENT STORMWATER MANAGEMENT SYSTEM DESCRIBED IN SECTION 15 SHALL BE ONE AND ONE TENTH (1.1) INCH OF RUNOFF FROM THE NEW IMPERVIOUS SURFACES CREATED BY THE PROJECT. SEE SECTION 15 FOR MORE INFORMATION ON INFILTRATION DESIGN, PROHIBITIONS AND APPROPRIATE SITE CONDITIONS.

C3. BUFFER ZONE: THE PERMITTEE(S) SHALL INCLUDE AN UNDISTURBED BUFFER ZONE OF NOT LESS THAN 100 LINEAR FEET FROM THE SPECIAL WATER (NOT INCLUDING TRIBUTARIES) AND THIS BUFFER ZONE SHALL BE MAINTAINED AT ALL TIMES, BOTH DURING CONSTRUCTION AND AS A PERMANENT FEATURE POST CONSTRUCTION, EXCEPT WHERE A WATER CROSSING OR OTHER ENCROACHMENT IS NECESSARY TO COMPLETE THE PROJECT. THE PERMITTEE(S) MUST FULLY DOCUMENT THE CIRCUMSTANCE AND REASONS THAT THE BUFFER ENCROACHMENT IS NECESSARY IN THE SWPPP AND INCLUDE RESTORATION ACTIVITIES. REPLACEMENT OF EXISTING IMPERVIOUS SURFACE WITHIN THE BUFFER IS ALLOWED UNDER THIS PERMIT. ALL POTENTIAL WATER QUALITY, SCENIC AND OTHER ENVIRONMENTAL IMPACTS OF THESE EXCEPTIONS MUST BE MINIMIZED BY THE USE OF ADDITIONAL OR REDUNDANT BMPS AND DOCUMENTED IN THE SWPPP FOR THE PROJECT. (IF PRESENT)

8. ON SLOPES 3:1 OR GREATER MAINTAIN SHEET FLOW AND MINIMIZE RILLS AND/OR GULLIES, SLOPE LENGTHS CAN NOT BE GREATER THAN 75 FEET.

9. ALL STORM DRAINS AND INLETS MUST BE PROTECTED UNTIL ALL SOURCES OF POTENTIAL DISCHARGE ARE STABILIZED.

10. TEMPORARY SOIL STOCKPILES MUST HAVE EFFECTIVE SEDIMENT CONTROL AND CAN NOT BE PLACED IN SURFACE WATERS OR STORM WATER CONVEYANCE SYSTEMS. TEMPORARY STOCKPILES WITHOUT SIGNIFICANT AMOUNT OF SILT, CLAY, OR ORGANIC COMPOUNDS ARE EXEPMT EX: CLEAN AGGREGATE STOCK PILES, DEMOLITION CONCRETE STOCKPILES, SAND STOCKPILES.

11. SEDIMENT LADEN WATER MUST BE DISCHARGED TO A SEDIMENTATION BASIN WHENEVER POSSIBLE. IF NOT POSSIBLE, IT MUST BE TREATED WITH THE APPROPRIATE BMP'S.

12. SOLID WASTES MUST BE STORED, COLLECTED AND DISPOSED OF PROPERLY PER MPCA STANDARDS.

13. EXTERNAL WASHING OF CONSTRUCTION VEHICLES MUST BE LIMITED TO A DEFINED AREA OF THE SITE. RUNOFF MUST BE PROPERLY CONTAINED.

14. NO ENGINE DEGREASING IS ALLOWED ON SITE.

15. THE OWNER WHO SIGNS THE NPDES PERMIT APPLICATION IS A PERMITTEE AND IS RESPONSIBLE FOR COMPLIANCE WITH ALL TERMS AND CONDITIONS OF THE PERMIT. THE OPERATOR (CONTRACTOR) WHO SIGNS THE NPDES PERMIT APPLICATION IS A PERMITTEE FOR ALL APPLICABLE CONSTRUCTION ACTIVITY REQUIREMENTS FOUND IN SECTIONS 3, 4, 6-24 OF THE NPDES PERMIT AND IS JOINTLY RESPONSIBLE WITH THE OWNER FOR COMPLIANCE WITH THOSE PORTIONS OF THE PERMIT.

16. TERMINATION OF COVERAGE-PERMITTEE(S) WISHING TO TERMINATE COVERAGE MUST SUBMIT A NOTICE OF TERMINATION (NOT) TO THE MPCA. ALL PERMITTEE(S) MUST SUBMIT A NOT WITHIN 30 DAYS AFTER ONE OR MORE OF THE FOLLOWING CONDITIONS HAVE BEEN MET:

C. FINAL STABILIZATION, PER NPDES PERMIT SECTION 13 HAS BEEN ACHIEVED ON ALL PORTIONS OF THE SITE FOR WHICH THE PERMITTEE IS RESPONSIBLE.
D. TRANSFER OF OWNERSHIP AS DESCRIBED IN THE PERMIT.

17. INSPECTIONS
A. INITIAL INSPECTION FOLLOWING SILT FENCE INSTALLATION BY CITY REPRESENTATIVE IS REQUIRED.
B. EXPOSED SOIL AREAS: ONCE EVERY 7 DAYS AND WITHIN 24 HOURS FOLLOWING A 0.5" OVER 24 HOUR RAIN EVENT.
C. PERMITTEES MUST OBTAIN RAINFALL AMOUNTS BY EITHER A PROPERLY MAINTAINED RAIN GAUGE INSTALLED ONSITE, A WEATHER STATION THAT IS WITHIN ONE (1) MILE OF YOUR LOCATION, OR A WEATHER REPORTING SYSTEM THAT PROVIDES SITE SPECIFIC RAINFALL DATA FROM RADAR SUMMARIES
D. STABILIZED AREAS: ONCE EVERY 30 DAYS
E. FROZEN GROUND: AS SOON AS RUNOFF OCCURS OR PRIOR TO RESUMING CONSTRUCTION.
F. INSPECTION AND MAINTENANCE RECORDS MUST BE RETAINED FOR 3 YEARS AFTER FILING OF THE NOTICE OF TERMINATION AND MUST INCLUDE: DATE AND TIME OF ACTION, NAME OF PERSON(S) CONDUICTING WORK, FINDING OF INSPECTIONS AND RECOMMENDATIONS FOR CORRECTIVE ACTION, DATE AND AMOUNT OF RAINFALL EVENTS GREATER THAN 0.5 INCHES IN A 24 HOUR PERIOD.

18. MINIMUM MAINTENANCE
A. SILT FENCE TO BE REPAIRED, REPLACED, SUPPLEMENTED WHEN NONFUNCTIONAL, OR 1/3 FULL; WITHIN 24 HOURS
B. SEDIMENT BASINS DRAINED AND SEDIMENT REMOVED WHEN REACHES 1/2 STORAGE VOLUME. REMOVAL MUST BE COMPLETE WITHIN 72 HOURS OF DISCOVERY.
C. SEDIMENT REMOVED FROM SURFACE WATERS WITHIN (7)SEVEN DAYS
D. CONSTRUCTION SITE EXITS INSPECTED, TRACKED SEDIMENT REMOVED WITH 24 HOURS.
E. PROVIDE COPIES OF EROSION INSPECTION RESULTS TO CITY ENGINEER FOR ALL EVENTS GREATER THAN ½" IN 24 HOURS

19. THE SWPPP, INCLUDING ALL CHANGES TO IT, AND INSPECTIONS AND MAINTENANCE RECORDS MUST BE KEPT AT THE SITE DURING CONSTRUCTION ACTIVITY BY THE PERMITTEE(S) WHO HAVE OPERATIONAL CONTROL OF THE SITE.

20. OWNER MUST KEEP RECORDS OF ALL PERMITS REQUIRED FOR THE PROJECT, THE SWPPP, ALL INSPECTIONS AND MAINTENANCE, PERMANENT OPERATION AND MAINTENANCE AGREEMENTS, AND REQUIRED CALCULATIONS FOR TEMPORARY AND PERMANENT STORM WATER MANAGEMENT SYSTEMS. THESE RECORDS MUST BE RETAINED FOR THREE YEARS AFTER FILING NPDES NOTICE OF TERMINATION.

21. SWPPP MUST BE AMENDED WHEN:
A. THERE IS A CHANGE IN DESIGN, OPERATION, MAINTENANCE, WEATHER OR SEASONAL CONDITIONS THAT HAS A SIGNIFICANT EFFECT ON DISCHARGE
B. INSPECTIONS INDICATE THAT THE SWPPP IS NOT EFFECTIVE AND DISCHARGE IS EXCEEDING WATER QUALITY STANDARDS.
C. THE BMP'S IN THE SWPPP ARE NOT CONTROLLING POLLUTANTS IN DISCHARGES OR IS NOT CONSISTENT WITH THE TERMS AND CONDITIONS OF THE PERMIT.

22. CONCRETE WASHOUT AREA
A. CONTRACTOR TO PROVIDE PREFABRICATED CONCRETE WASH-OUT CONTAINER WITH RAIN PROTECTION PER PLAN.
B. CONCRETE WASH-OUT TO BE IDENTIFIED WITH SIGNAGE STATING "CONCRETE WASHOUT AREA DO NOT OVERFILL".
C. CONCRETE WASHOUT WATER NEEDS TO BE PUMPED WITHIN 24 HOURS OF STANDING WATER IN WASHOUT AREA.

23. POLLUTION PREVENTION AND OTHER BMPS
A. PESTICIDES HERBICIDES, FERTILIZERS, TREATMENT CHEMICALS, ETC MUST BE UNDER COVER.
B. HAZARDOUS MATERIALS (OIL, GAS, PAINT, ETC) MUST BE PROPERLY STORED IN SEALED CONTAINERS AND MEET STATE SECONDARY CONTAINMENT REQUIREMENTS.
C. PORTABLE TOILETS MUST BE SECURED.
D. ADEQUATE SPILL RESPONSE KIT AD DISPOSAL PLAN ON-SITE. SPILLS MUST BE CLEANED UP IMMEDIATELY.
E. ALL MPCA LIQUID AND SOLID WASTE (CONCRETE, STUCCO, PAINT, CURES, ETC) WASHOUT REQUIREMENTS MUST BE MET ON SITE.

24. IN THE EVENT OF ENCOUNTERING A WELL OR SPRING DURING CONSTRUCTION CONTRACTOR TO CEASE CONSTRUCTION ACTIVITY AND NOTIFY ENGINEER.

25. PIPE OULTETS MUST BE PROVIDED WITH TEMPORARY OR PERMANENT ENERGY DISSIPATION WITHIN 24 HOURS AFTER CONNECTION TO A SURFACE WATER.

26. FINAL STABILIZATION

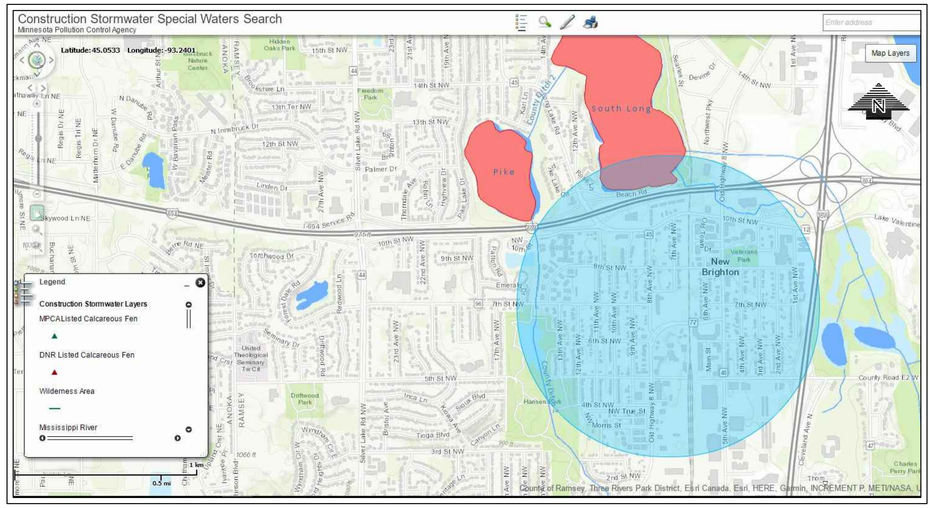
FINAL STABILIZATION REQUIRES THAT ALL SOIL DISTURBING ACVTIVITIES HAVE BEEN COMPLETED AND THAT DISTURBED AREAS ARE STABILIZED BY A UNIFORM PERENNIAL VEGETATIVE COVER WITH 70% OF THE EXPECTED FINAL DENSITY, AND THAT ALL PERMANENT PAVEMENTS HAVE BEEN INSTALLED. ALL TEMPORARY BMP'S SHALL BE REMOVED, DITCHES STABILIZED, AND SEDIMENT SHALL BE REMOVED FROM PERMANENT CONVEYANCES AND SEDIMENTATION BASINS IN ORDER TO RETURN THE POND TO DESIGN CAPACITY.

27. RESPONSIBILITIES
A. THE OWNER MUST IDENTIFY A PERSON WHO WILL OVERSEE THE SWPPP IMPLEMENTATION AND THE PERSON RESPONSIBLE FOR INSPECTION AND MAINTENANCE:
CONTACT: _____
COMPANY: _____
PHONE: _____

B. THE OWNER MUST IDENTIFY THE A PERSON WHO WILL BE RESPONSIBLE FOR LONG TERM OPERATIONS AND MAINTENANCE OF THE PERMANENT STORMWATER MANAGEMENT SYSTEM:
CONTACT: _____
COMPANY: _____
PHONE: _____

27. THE WATERSHED DISTRICT OR THE CITY MAY HAVE REQUIREMENTS FOR INSPECTIONS OR AS-BUILT DRAWINGS VERIFYING PROPER CONSTRUCTION OF THE BMPS.

CONSTRUCTION STORMWATER SPECIAL WATERS SEARCH MAP

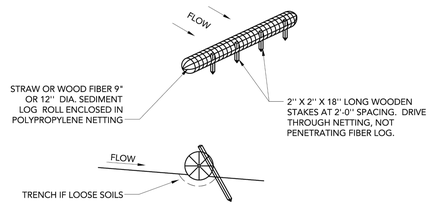


UNIVERSITY OF MINNESOTA

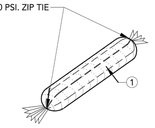
Austen J. Adam

Design of Construction SWPPP (May 31 2022)

NOTES:
1. PLACE BOTTOM EDGE OF WIRE FENCE INTO 6 IN DEEP TRENCH.
2. POSTS SHALL BE:
   - 6 FT MAX. SPACING.
   - STANDARD STEEL T-TYPE POSTS.
   - 5' MIN. LENGTH POSTS, DRIVEN 2 FT INTO THE GROUND.
3. ATTACH WIRE FENCE TO STEEL POSTS WITH NO. 9 GA. ALUMINUM WIRE OR NO. 9 GALVANIZED STEEL PRE-FORMED CLIPS.
4. ATTACH FABRIC TO WIRE FENCING WITH WIRE OR ZIP TIES. A MIN. OF 3 ZIP TIES PER POST. EXTEND BOTTOM OF FABRIC INTO TRENCH.
5. BACKFILL TRENCH & COMPACT.
6. STRAW, WOOD CHIP, COMPOST OR ROCK LOGS PER MNDOT SPECS 3890, 3897.



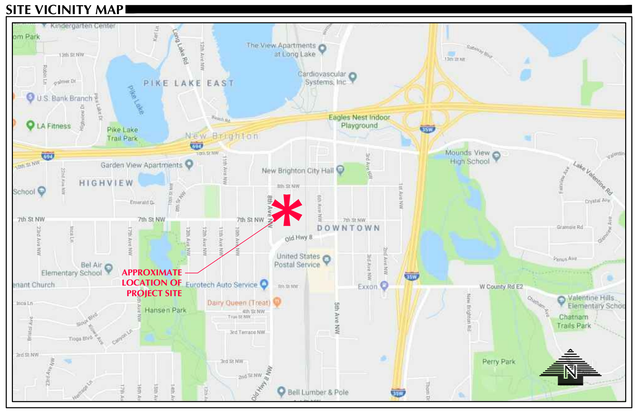
ENDS SECURELY CLOSED TO PREVENT LOSS OF OPEN GRADED AGGREGATE FILL. SECURED WITH 50 PSI. ZIP TIE



NOTES:
SEE SPECS. 2573, 3137, 3890 & 3897.
MANUFACTURED ALTERNATIVES LISTED ON Mn/DOT'S APPROVED PRODUCTS LIST MAY BE SUBSTITUTED.
1. GEOTEXTILE SOCK BETWEEN 4-10 FEET LONG AND 4-6 INCH DIAMETER. SEAM TO BE JOINED BY TWO ROWS OF STITCHING WITH A PLASTIC MESH BACKING OR PROVIDE A HEAT BONDED SEAM (OR APPROVED EQUIVALENT). FILL ROCK LOG WITH OPEN GRADED AGGREGATE CONSISTING OF SOUND DURABLE PARTICLES OF COARSE AGGREGATE CONFORMING TO SPEC. 3137 TABLE 3137-1; CA-3 GRADATION.

LOUCKS	BIO-ROLL OR ROCK LOG	LOUCKS PLATE NO. 3002
		DRAWN 11/2016

SITE VICINITY MAP

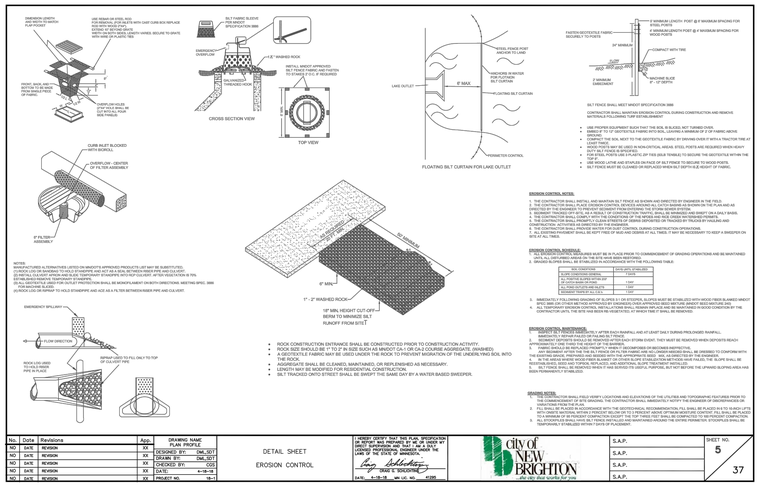


ESTIMATED QUANTITIES

DESCRIPTION	UNIT	QUANTITY
TEMPORARY ROCK CONSTRUCTION ENTRANCE	EA	1
EROSION CONTROL BLANKET	SF	782
SILT FENCE	LF	1,725
INLET PROTECTION	EA	15
BIO-ROLL	LF	993

RECEIVING WATERS

NAME OF WATER BODY	TYPE OF WATER BODY	SPECIAL WATER	IMAIRED WATER	TYPE OF SPECIAL WATER
SOUTH LONG	LAKE	NO	YES	



BKV/TB-30x42

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ENVIRONMENTAL

7200 Hemlock Lane, Suite 300
Maple Grove, MN 55369
763.424.5505
www.loucksinc.com

LOUCKS PROJECT NO. 18373.00

PROJECT TITLE

OAKS LANDING APARTMENTS

OWNER/DEVELOPER

DOMINIUM

ISSUE #	DATE	DESCRIPTION
	07/30/2019	PERMIT AND PRICING SET
	03/26/2020	PERMIT AND PRICING SET

CERTIFICATION

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

Michael J. St. Martin, PE

24440 License Number

07/30/2019 Date

DATE	03/26/2020
DRAWN BY	AJA
CHECKED BY	SRT
COMMISSION NUMBER	18373.00

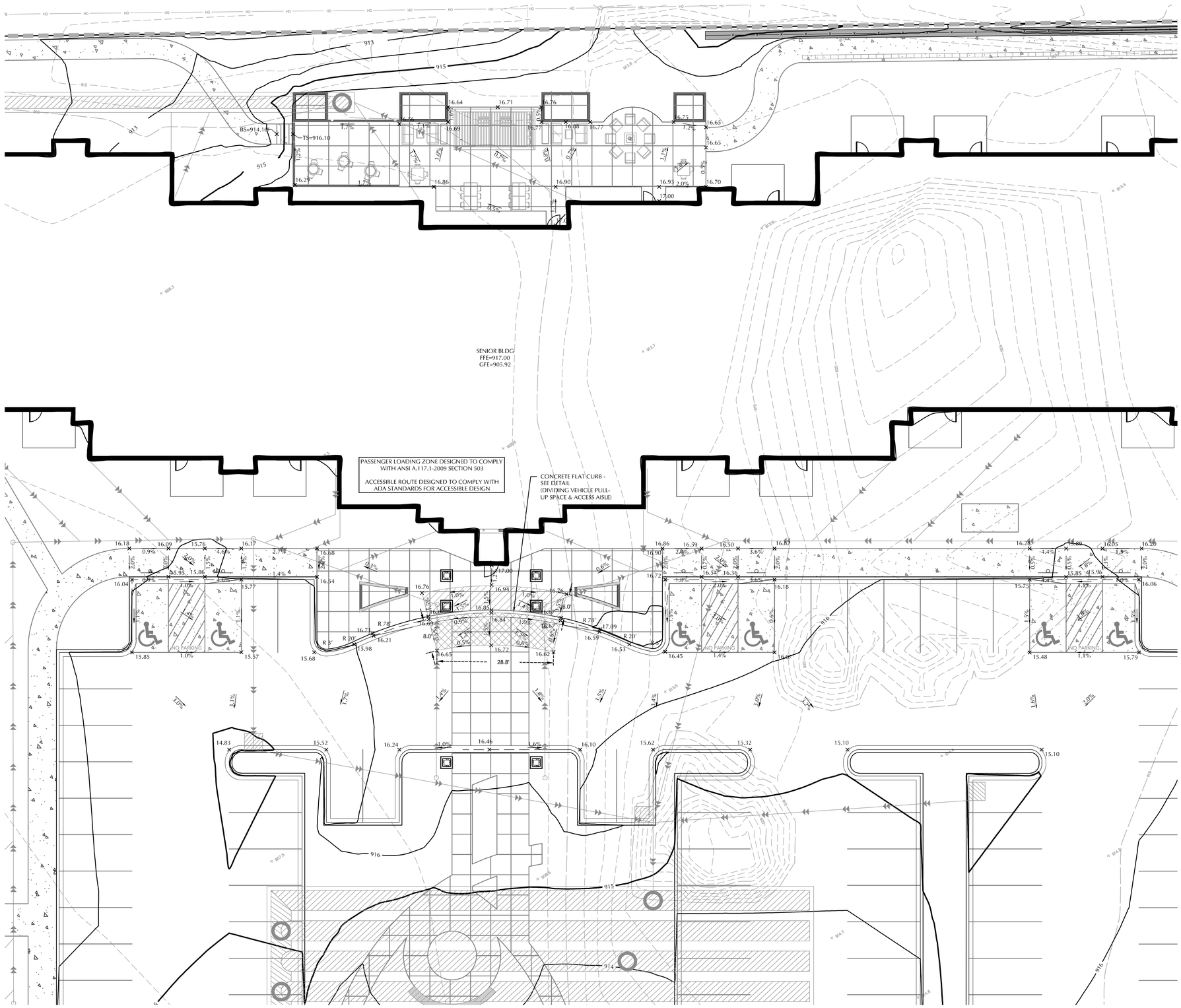
SHEET TITLE

SWPPP NOTES

SHEET NUMBER

C3-3

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0 10 20
SCALE IN FEET

EXISTING	CIVIL LEGEND	PROPOSED
	SANITARY MANHOLE	
	STORM MANHOLE	
	CATCH BASIN	
	CULVERT	
	HYDRANT	
	GATEVALVE	
GPIV	POST INDICATOR VALVE	GPIV
	LIGHT POLE	
	POWER POLE	
	SIGN	
	BENCHMARK	
	SOIL BORINGS	
	WATER MANHOLE	
	TELEPHONE MANHOLE	
	UTILITY MANHOLE	
	ELECTRIC MANHOLE	
	WATER SERVICE	
	SANITARY SERVICE	
	HANDICAP PARKING	
LINE	DIRECTION OF FLOW	LINE
959.8	SPOT ELEVATION	959.8
954	CONTOURS	954
	SANITARY SEWER	
	STORM SEWER	
	WATERMAIN	
FM	FORCEMAIN	FM
DT	DRAINTILE	DT
	SILT FENCE	
	CURB & GUTTER	
	RETAINING WALL	
	TREELINE	
	EASEMENT LINE	
	SETBACK LINE	
	FENCE LINE	
TEL	UNDERGROUND TELE	
GAS	UNDERGROUND GAS	
OH	OVERHEAD UTILITY	
FO	UNDERGROUND FIBER OPTIC	
ELE	UNDERGROUND ELECTRIC	
CTV	UNDERGROUND CABLE TV	
	PROPERTY LINE	
	CONIFEROUS TREE	
	DECIDUOUS TREE	
	PARKING COUNTS	28

LEGEND

- ACCESS AISLE
- VEHICLE PULL-UP AREA
- CONSTRUCTION LIMITS

GRADING, DRAINAGE & EROSION CONTROL NOTES

1. SPOT ELEVATIONS REPRESENT FINISHED SURFACE GRADES, GUTTER/FLOW LINE, FACE OF BUILDING, OR EDGE OF PAVEMENT UNLESS OTHERWISE NOTED.
2. CATCH BASINS AND MANHOLES IN PAVED AREAS SHALL BE SUMPED 0.04 FEET. ALL CATCH BASINS IN GUTTERS SHALL BE SUMPED 0.16 FEET. RIM ELEVATIONS SHOWN ON PLANS DO NOT REFLECT SUMPED ELEVATIONS.
3. ALL DISTURBED UNPAVED AREAS ARE TO RECEIVE MINIMUM OF 4 INCHES OF TOP SOIL AND SEED/MULCH OR SOD. THESE AREAS SHALL BE WATERED/MAINTAINED BY THE CONTRACTOR UNTIL VEGETATION IS ESTABLISHED.
4. FOR SITE RETAINING WALLS "TW" EQUALS SURFACE GRADE AT TOP FACE OF WALL (NOT TOP OF WALL); "GW" EQUALS SURFACE GRADE AT WALL GRADE TRANSITION, AND "BW" EQUALS SURFACE GRADE AT BOTTOM FACE OF WALL (NOT BOTTOM OF BURIED WALL COURSES).
5. STREETS MUST BE CLEANED AND SWEPT WHENEVER TRACKING OF SEDIMENTS OCCURS AND BEFORE SITES ARE LEFT IDLE FOR WEEKENDS AND HOLIDAYS. A REGULAR SWEEPING SCHEDULE MUST BE ESTABLISHED.
6. DUST MUST BE ADEQUATELY CONTROLLED.
7. SEE SWPPP FOR ADDITIONAL EROSION CONTROL NOTES AND REQUIREMENTS.
8. SEE UTILITY PLANS FOR WATER, STORM AND SANITARY SEWER INFORMATION.
9. SEE SITE PLAN FOR CURB AND BITUMINOUS TAPER LOCATIONS.
10. SEE LANDSCAPE PLAN FOR FINAL SITE STABILIZATION.

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TWIN CITY AREA: 651-454-0002
TOLL FREE: 1-800-252-1166

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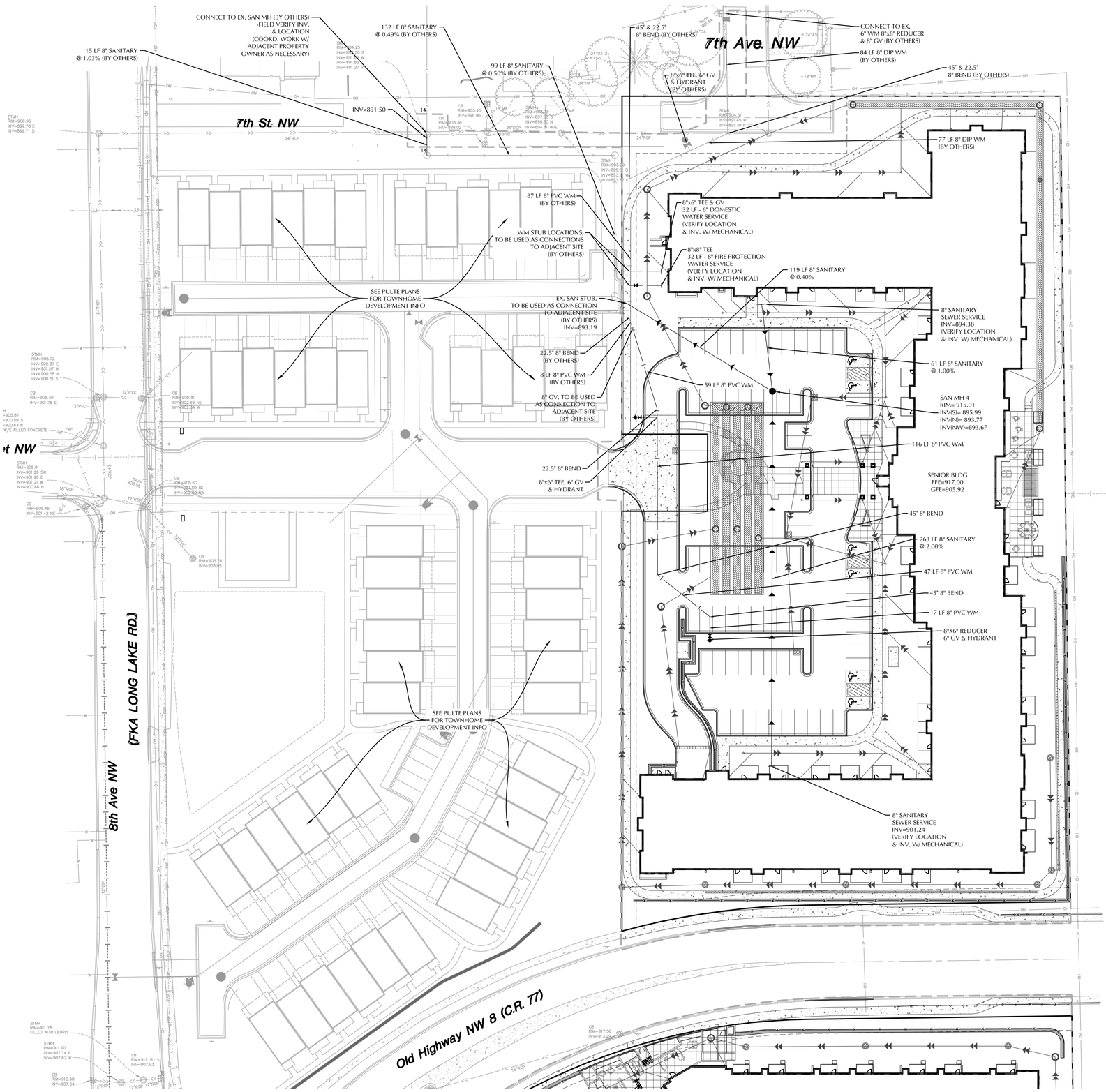
SENIOR BUILDING ENTRANCE & PATIO GRADING PLAN

SHEET NUMBER

C3-4

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BKVTB-30x42



0 30 60
SCALE IN FEET

CONSTRUCTION LIMITS

STRUCTURE TABLE						
NAME	TYPE	SIZE	RIM	BUILD	CASTING	NOTES
1	MH	48"	906.00	14.35'	R-1642	BY OTHERS
2	MH	48"	906.00	13.60'	R-1642	BY OTHERS
3	MH	48"	910.75	17.75'	R-1642	BY OTHERS
4	MH	48"	915.01	21.34'	R-1642	

EXISTING	CIVIL LEGEND	PROPOSED
	SANITARY MANHOLE	
	STORM MANHOLE	
	CATCH BASIN	
	CULVERT	
	HYDRANT	
	GATEVALVE	
	POST INDICATOR VALVE	
	LIGHT POLE	
	POWER POLE	
	SIGN	
	BENCHMARK	
	SOIL BORINGS	
	WATER MANHOLE	
	TELEPHONE MANHOLE	
	UTILITY MANHOLE	
	ELECTRIC MANHOLE	
	WATER SERVICE	
	SANITARY SERVICE	
	HANDICAP PARKING	
	DIRECTION OF FLOW	
	SPOT ELEVATION	
	CONTOURS	
	SANITARY SEWER	
	STORM SEWER	
	WATERMAIN	
	FORCEMAIN	
	DRAINTILE	
	SILT FENCE	
	CURB & GUTTER	
	RETAINING WALL	
	TREELINE	
	EASEMENT LINE	
	SETBACK LINE	
	FENCE LINE	
	UNDERGROUND TELE	
	UNDERGROUND GAS	
	OVERHEAD UTILITY	
	UNDERGROUND FIBER OPTIC	
	UNDERGROUND ELECTRIC	
	UNDERGROUND CABLE TV	
	PROPERTY LINE	
	CONIFEROUS TREE	
	DECIDUOUS TREE	
	PARKING COUNTS	

UTILITY NOTES

1. ALL SANITARY SEWER, STORM SEWER AND WATERMAIN UTILITIES SHALL BE FURNISHED AND INSTALLED PER THE REQUIREMENTS OF THE SPECIFICATIONS,THE MINNESOTA PLUMBING CODE, THE LOCAL GOVERNING UNIT , AND THE STANDARD UTILITIES SPECIFICATION OF THE CITY ENGINEERS ASSOCIATION OF MINNESOTA (CEAM), LATEST EDITION.
2. ALL UTILITY PIPE BEDDING SHALL BE COMPACTED SAND OR FINE GRANULAR MATERIAL. ALL COMPACTION SHALL BE PERFORMED PER THE REQUIREMENTS OF THE CEAM SPECIFICATION.
3. ALL CONNECTIONS TO EXISTING UTILITIES SHALL BE PERFORMED PER THE REQUIREMENTS OF THE STATE AND LOCAL JURISDICTIONS. THE CITY DEPARTMENT OF ENGINEERING AND BUILDING INSPECTIONS DEPARTMENT AND THE CONSTRUCTION ENGINEER MUST BE NOTIFIED AT LEAST 48 HOURS PRIOR TO ANY WORK WITHIN THE PUBLIC RIGHT OF WAY, OR WORK IMPACTING PUBLIC UTILITIES.
4. ALL STORM SEWER , SANITARY SEWER AND WATER SERVICES SHALL TERMINATE 5' FROM THE BUILDING FACE UNLESS OTHERWISE NOTED.
5. A MINIMUM OF 18 INCHES OF VERTICAL SEPARATION AND 10 FEET OF HORIZONTAL SEPARATION IS REQUIRED BETWEEN WATERMAIN AND ALL OTHER UTILITIES UNLESS OTHERWISE NOTED.
6. ALL NEW WATERMAIN AND SERVICES MUST HAVE A MINIMUM OF 8.0 FEET OF COVER. EXTRA DEPTH MAY BE REQUIRED TO MAINTAIN A MINIMUM 18" VERTICAL SEPARATION TO SANITARY OR STORM SEWER LINES. THE CONTRACTOR SHALL FIELD ADJUST WATERMAIN TO AVOID CONFLICTS WITH SANITARY SEWER, STORM SEWER, AND SERVICES AS REQUIRED. INSULATION OF WATER AND SANITARY SEWER LINES SHALL BE PROVIDED WHERE 8.0 FEET MINIMUM DEPTH CAN NOT BE ATTAINED.
7. ALL FIRE HYDRANTS SHALL BE LOCATED 5 FEET BEHIND BACK OF CURB OR EDGE OF PAVEMENT UNLESS OTHERWISE NOTED.
8. ALL SANITARY SEWER WYES, TEES AND SERVICES SHALL BE SCH. 40 PVC.
9. ALL PORTIONS OF THE STORM SEWER SYSTEM, INCLUDING CATCH BASINS, LOCATED WITHIN 10 FEET OF THE BUILDING OR WATER SERVICE LINE MUST BE TESTED ACCORDANCE WITH MINNESOTA RULES, CHAPTER 4714.
10. ALL JOINTS AND CONNECTIONS IN THE STORM SEWER SYSTEM SHALL BE GASTIGHT OR WATERTIGHT (SEE MINNESOTA RULES, CHAPTER 4714). APPROVED RESILIENT RUBBER JOINTS MUST BE USED TO MAKE WATERTIGHT CONNECTIONS TO MANHOLES, CATCHBASINS, AND OTHER STRUCTURES.
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12. OPERATING VALVES FOR TURNING WATER MAIN ON/OFF: PUBLIC UTILITIES DEPARTMENT WILL OPERATE ALL VALVES AND FILL ALL WATER MAINS (PUBLIC AND PRIVATE). CONTRACTOR SHALL GIVE AT LEAST 24 HOURS NOTICE TO HAVE WATER SHUT OFF AND SHALL NOTIFY IN WRITING, ALL AFFECTED CUSTOMERS AT LEAST 24 HOURS IN ADVANCE BEFORE SHUT OFF; ATTACH TO DOOR, ETC., NOT IN MAILBOXES.
13. TEMPORARY SERVICE: THE CONTRACTOR SHALL PROVIDE TEMPORARY SERVICE IF SERVICE CANNOT BE RESTORED SAME DAY. IF USING HYDRANT FOR TEMPORARY SERVICE, NOTIFY PUBLIC UTILITIES DEPARTMENT AND USE ONLY PRE-APPROVED HYDRANT AND SUPPLIED HYDRO METER WITH BACK FLOW. THE CONTRACTOR'S TEMPORARY MAIN SHALL BE DISINFECTED, FLUSHED AND BACTERIOLOGICAL ANALYSIS SHOWN NEGATIVE PRIOR TO PUTTING THE TEMPORARY SYSTEM IN SERVICE. THE TEMPORARY WATER SYSTEM SHALL BE IN PLACE PRIOR TO THE PUBLIC UTILITIES DEPARTMENT SHUTTING OFF ANY WATER MAINS.
14. ALL PROPOSED STRUCTURES SHALL HAVE FLEX SEAL INSTALLED ON THE ADJUSTING RINGS.
15. STORM SEWER MATERIALS: PRIVATE: HDPE
PVC (SCHEDULE 40)
PUBLIC: RCP
16. HIGH-DENSITY POLYETHYLENE (HDPE) STORM DRAINS MUST COMPLY WITH MINNESOTA RULES, CHAPTER 4714:
a. PIPES 4-INCH TO 10-INCH IN SIZE MUST COMPLY WITH AASHTO M252.
b. PIPES 12-INCH TO 60-INCH IN SIZE MUST COMPLY WITH ASTM F2306.
c. ALL FITTINGS MUST COMPLY WITH ASTM D3212.
d. WATER-TIGHT JOINTS MUST BE USED AT ALL CONNECTIONS INCLUDING STRUCTURES.
17. ALL STORM SEWER DOWNSPOUT COLLECTION PIPES AND WYES SHALL BE PVC (SCHEDULE 40)
18. CONTRACTOR TO NOTIFY ENGINEER 1 WEEK PRIOR TO INSTALLATION OF ANY UNDERGROUND STORM SYSTEM, TO ALLOW FOR COORDINATION OF GATHERING NECESSARY AS-BUILT INFORMATION.
19. A TRACE WIRE SHALL BE #12 AWG-SOLID HS-30 MIL HDPE JACKET-BLUE COPPER CLAD STEEL WIRE MANUFACTURED BY COPPERHEAD INDUSTRIES LLC INSTALLED DIRECTLY ON TOP OF ALL PVC WATER PIPE FOR FUTURE LOCATION PURPOSES.
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21. SANITARY SEWER MATERIAL: PVC SDR 26
22. WATERMAIN MATERIAL: PRIVATE: PVC C900
PUBLIC: CL 52 DIP
GATE VALVES: CLOW DIP

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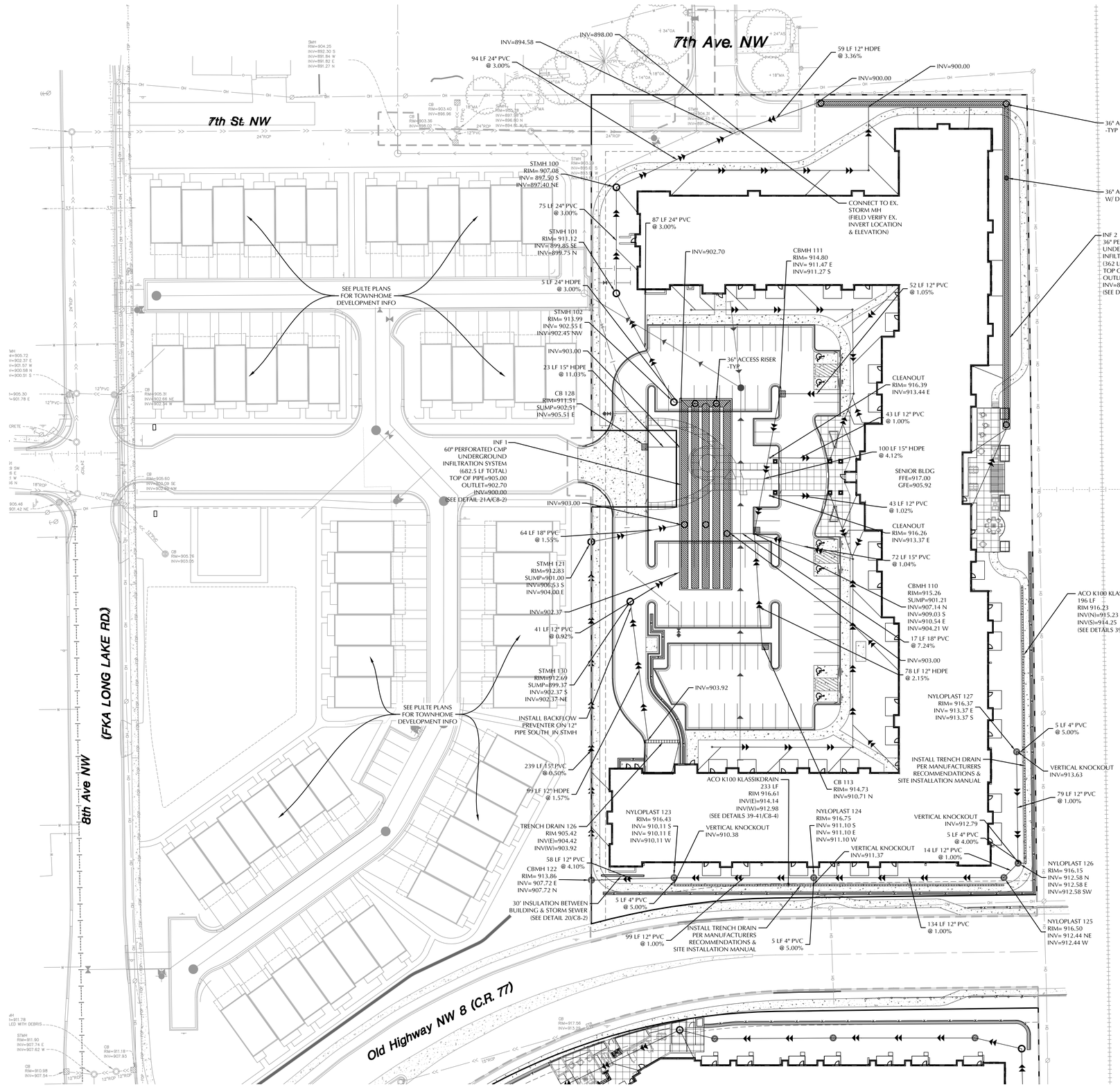
SANITARY SEWER & WATERMAIN PLAN

SHEET NUMBER

C4-1

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BKVTB-30x42



0 30 60
SCALE IN FEET

CONSTRUCTION LIMITS

STRUCTURE TABLE						
NAME	TYPE	SIZE	RIM	BUILD	CASTING	NOTES
100	STMH	48"	907.08	9.68'	R-1733	
101	STMH	48"	911.12	11.37'	R-1733	
102	STMH	48"	913.99	11.54'	R-1733	
110	CBMH	48"	915.26	14.05'	R-3067-V	
111	CBMH	48"	914.80	3.53'	R-3067-V	
113	CB	2'X3'	914.79	4.08'	R-3067-V	
121	STMH	48"	912.83	11.84'	R-1733	
122	CBMH	48"	913.86	6.14'	R-2578	
123	CBMH	18"	916.43	6.32'	1081DI	NYLOPLAST
124	CBMH	18"	916.75	5.65'	1081DI	NYLOPLAST
125	CBMH	18"	916.50	4.06'	1081DI	NYLOPLAST
126	CBMH	18"	916.15	3.57'	1081DI	NYLOPLAST
127	CBMH	18"	916.37	3.00'	1081DI	NYLOPLAST
128	CB	2'X3'	911.51	9.00'	R-3067-V	
130	STMH	48"	912.69	13.32'	R-1733	

CIVIL LEGEND	EXISTING	PROPOSED
SANITARY MANHOLE		
STORM MANHOLE		
CATCH BASIN		
CULVERT		
HYDRANT		
GATEVALVE		
POST INDICATOR VALVE		
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PUBLIC: CL 52 DIP
GATE VALVES: CLOW DIP

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Interior Design
Landscape Architecture
Engineering

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EOE

CONSULTANTS

LOUCKS
PLANNING
CIVIL ENGINEERING
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LANDSCAPE ARCHITECTURE
ENVIRONMENTAL
7200 Hemlock Lane, Suite 300
Maple Grove, MN 55369
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LOUCKS PROJECT NO. 18373.00

PROJECT TITLE

OAKS LANDING APARTMENTS

OWNER/DEVELOPER

DOMINIUM

ISSUE #	DATE	DESCRIPTION
	07/30/2019	PERMIT AND PRICING SET
	03/26/2020	PERMIT AND PRICING SET

CERTIFICATION

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

Michael J St. Martin, PE

24440 License Number — 07/30/2019 Date

DATE	03/26/2020
DRAWN BY	AJA
CHECKED BY	SRT
COMMISSION NUMBER	18373.00

SHEET TITLE

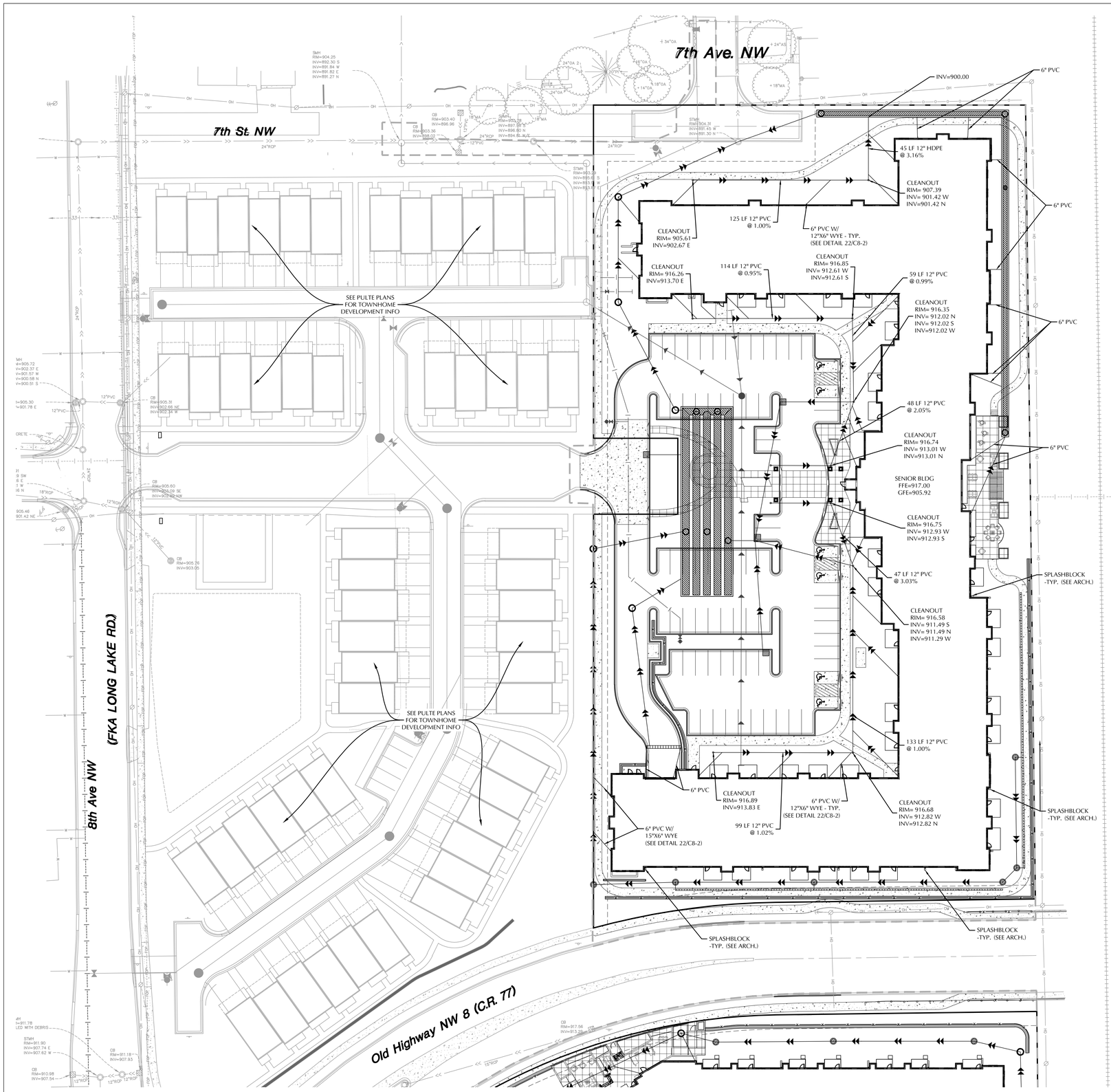
STORM SEWER PLAN

SHEET NUMBER

C4-2

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BKVTB-30x42



UTILITY NOTES

1. ALL SANITARY SEWER, STORM SEWER AND WATERMAIN UTILITIES SHALL BE FURNISHED AND INSTALLED PER THE REQUIREMENTS OF THE SPECIFICATIONS,THE MINNESOTA PLUMBING CODE, THE LOCAL GOVERNING UNIT , AND THE STANDARD UTILITIES SPECIFICATION OF THE CITY ENGINEERS ASSOCIATION OF MINNESOTA (CEAM), LATEST EDITION.
2. ALL UTILITY PIPE BEDDING SHALL BE COMPACTED SAND OR FINE GRANULAR MATERIAL. ALL COMPACTION SHALL BE PERFORMED PER THE REQUIREMENTS OF THE CEAM SPECIFICATION.
3. ALL CONNECTIONS TO EXISTING UTILITIES SHALL BE PERFORMED PER THE REQUIREMENTS OF THE STATE AND LOCAL JURISDICTIONS. THE CITY DEPARTMENT OF ENGINEERING AND BUILDING INSPECTIONS DEPARTMENT AND THE CONSTRUCTION ENGINEER MUST BE NOTIFIED AT LEAST 48 HOURS PRIOR TO ANY WORK WITHIN THE PUBLIC RIGHT OF WAY, OR WORK IMPACTING PUBLIC UTILITIES.
4. ALL STORM SEWER , SANITARY SEWER AND WATER SERVICES SHALL TERMINATE 5' FROM THE BUILDING FACE UNLESS OTHERWISE NOTED.
5. A MINIMUM OF 18 INCHES OF VERTICAL SEPARATION AND 10 FEET OF HORIZONTAL SEPARATION IS REQUIRED BETWEEN WATERMAIN AND ALL OTHER UTILITIES UNLESS OTHERWISE NOTED.
6. ALL NEW WATERMAIN AND SERVICES MUST HAVE A MINIMUM OF 8.0 FEET OF COVER. EXTRA DEPTH MAY BE REQUIRED TO MAINTAIN A MINIMUM 18" VERTICAL SEPARATION TO SANITARY OR STORM SEWER LINES. THE CONTRACTOR SHALL FIELD ADJUST WATERMAIN TO AVOID CONFLICTS WITH SANITARY SEWER, STORM SEWER, AND SERVICES AS REQUIRED. INSULATION OF WATER AND SANITARY SEWER LINES SHALL BE PROVIDED WHERE 8.0 FEET MINIMUM DEPTH CAN NOT BE ATTAINED.
7. ALL FIRE HYDRANTS SHALL BE LOCATED 5 FEET BEHIND BACK OF CURB OR EDGE OF PAVEMENT UNLESS OTHERWISE NOTED.
8. ALL SANITARY SEWER WYES, TEES AND SERVICES SHALL BE SCH. 40 PVC.
9. ALL PORTIONS OF THE STORM SEWER SYSTEM, INCLUDING CATCH BASINS, LOCATED WITHIN 10 FEET OF THE BUILDING OR WATER SERVICE LINE MUST BE TESTED ACCORDANCE WITH MINNESOTA RULES, CHAPTER 4714.
10. ALL JOINTS AND CONNECTIONS IN THE STORM SEWER SYSTEM SHALL BE GASTIGHT OR WATERTIGHT (SEE MINNESOTA RULES, CHAPTER 4714). APPROVED RESILIENT RUBBER JOINTS MUST BE USED TO MAKE WATERTIGHT CONNECTIONS TO MANHOLES, CATCHBASINS, AND OTHER STRUCTURES.
11. HYDRANT USE: CONTRACTOR IS RESPONSIBLE TO NOTIFY PUBLIC UTILITIES DEPARTMENT WHEN THEY NEED TO USE A HYDRANT; ONLY PRE-AUTHORIZED HYDRANTS WILL BE USED, HYDRANTS TO BE OPERATED ONLY WITH PROPER EQUIPMENT SUCH AS A HYDRANT NUT WRENCH, NOT A PIPE WRENCH, HYDRANT METER IS AVAILABLE FROM PUBLIC UTILITIES DEPARTMENT, ANY TRUCK, ETC. FILLED FROM A HYDRANT MUST BE METERED, MUST HAVE PHYSICAL BREAK OR BACK-FLOW PREVENTER APPROVED BY PUBLIC UTILITIES DEPARTMENT. ALSO APPLIES TO SUBCONTRACTORS.
12. OPERATING VALVES FOR TURNING WATER MAIN ON/OFF: PUBLIC UTILITIES DEPARTMENT WILL OPERATE ALL VALVES AND FILL ALL WATER MAINS (PUBLIC AND PRIVATE). CONTRACTOR SHALL GIVE AT LEAST 24 HOURS NOTICE TO HAVE WATER SHUT OFF AND SHALL NOTIFY IN WRITING, ALL AFFECTED CUSTOMERS AT LEAST 24 HOURS IN ADVANCE BEFORE SHUT OFF; ATTACH TO DOOR, ETC., NOT IN MAILBOXES.
13. TEMPORARY SERVICE: THE CONTRACTOR SHALL PROVIDE TEMPORARY SERVICE IF SERVICE CANNOT BE RESTORED SAME DAY. IF USING HYDRANT FOR TEMPORARY SERVICE, NOTIFY PUBLIC UTILITIES DEPARTMENT AND USE ONLY PRE-APPROVED HYDRANT AND SUPPLIED HYDRO METER WITH BACK FLOW. THE CONTRACTOR'S TEMPORARY MAIN SHALL BE DISINFECTED, FLUSHED AND BACTERIOLOGICAL ANALYSIS SHOWN NEGATIVE PRIOR TO PUTTING THE TEMPORARY SYSTEM IN SERVICE. THE TEMPORARY WATER SYSTEM SHALL BE IN PLACE PRIOR TO THE PUBLIC UTILITIES DEPARTMENT SHUTTING OFF ANY WATER MAINS.
14. ALL PROPOSED STRUCTURES SHALL HAVE FLEX SEAL INSTALLED ON THE ADJUSTING RINGS.
15. STORM SEWER MATERIALS: PRIVATE: HDPE
PVC (SCHEDULE 40)
PUBLIC: RCP
16. HIGH-DENSITY POLYETHYLENE (HDPE) STORM DRAINS MUST COMPLY WITH MINNESOTA RULES, CHAPTER 4714:
a. PIPES 4-INCH TO 10-INCH IN SIZE MUST COMPLY WITH AASHTO M252.
b. PIPES 12-INCH TO 60-INCH IN SIZE MUST COMPLY WITH ASTM F2306.
c. ALL FITTINGS MUST COMPLY WITH ASTM D3212.
d. WATER-TIGHT JOINTS MUST BE USED AT ALL CONNECTIONS INCLUDING STRUCTURES.
17. ALL STORM SEWER DOWNSPOUT COLLECTION PIPES AND WYES SHALL BE PVC (SCHEDULE 40)
18. CONTRACTOR TO NOTIFY ENGINEER 1 WEEK PRIOR TO INSTALLATION OF ANY UNDERGROUND STORM SYSTEM, TO ALLOW FOR COORDINATION OF GATHERING NECESSARY AS-BUILT INFORMATION.
19. A TRACE WIRE SHALL BE #12 AWG-SOLID HS-30 MIL HDPE JACKET-BLUE COPPER CLAD STEEL WIRE MANUFACTURED BY COPPERHEAD INDUSTRIES LLC INSTALLED DIRECTLY ON TOP OF ALL PVC WATER PIPE FOR FUTURE LOCATION PURPOSES.
20. A TRACE WIRE SHALL BE #12 AWG-SOLID HS-30 MIL HDPE JACKET-BLUE COPPER CLAD STEEL WIRE MANUFACTURED BY COPPERHEAD INDUSTRIES LLC INSTALLED DIRECTLY ON TOP OF ALL PVC WATER P
21. SANITARY SEWER MATERIAL: PVC SDR 26
22. WATERMAIN MATERIAL: PRIVATE: PVC C900
PUBLIC: CL 52 DIP
GATE VALVES: CLOW DIP

CALL BEFORE YOU DIG!
Gopher State One Call
TWIN CITY AREA: 651-454-0002
TOLL FREE: 1-800-252-1166

WARNING:

THE CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING FOR LOCATIONS OF ALL EXISTING UTILITIES. THEY SHALL COOPERATE WITH ALL UTILITY COMPANIES IN MAINTAINING THEIR SERVICE AND / OR RELOCATION OF LINES.

THE CONTRACTOR SHALL CONTACT GOPHER STATE ONE CALL AT 651-454-0002 AT LEAST 48 HOURS IN ADVANCE FOR THE LOCATIONS OF ALL UNDERGROUND WIRES, CABLES, CONDUITS, PIPES, MANHOLES, VALVES OR OTHER BURIED STRUCTURES BEFORE DIGGING. THE CONTRACTOR SHALL REPAIR OR REPLACE THE ABOVE WHEN DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.

CIVIL LEGEND

EXISTING		PROPOSED
	SANITARY MANHOLE	
	STORM MANHOLE	
	CATCH BASIN	
	CULVERT	
	HYDRANT	
	GATEVALVE	
	POST INDICATOR VALVE	
	LIGHT POLE	
	POWER POLE	
	SIGN	
	BENCHMARK	
	SOIL BORINGS	
	WATER MANHOLE	
	TELEPHONE MANHOLE	
	UTILITY MANHOLE	
	ELECTRIC MANHOLE	
	WATER SERVICE	
	SANITARY SERVICE	
	HANDICAP PARKING	
	DIRECTION OF FLOW	
	SPOT ELEVATION	
	CONTOURS	
	SANITARY SEWER	
	STORM SEWER	
	WATERMAIN	
	FORCEMAIN	
	DRAINTILE	
	SILT FENCE	
	CURB & GUTTER	
	RETAINING WALL	
	TREELINE	
	EASEMENT LINE	
	SETBACK LINE	
	FENCE LINE	
	UNDERGROUND TELE	
	UNDERGROUND GAS	
	OVERHEAD UTILITY	
	UNDERGROUND FIBER OPTIC	
	UNDERGROUND ELECTRIC	
	UNDERGROUND CABLE TV	
	PROPERTY LINE	
	CONIFEROUS TREE	
	DECIDUOUS TREE	
	PARKING COUNTS	

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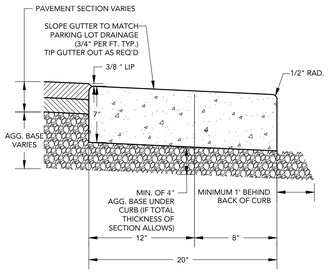
ROOF STORM SEWER PLAN

SHEET NUMBER

C4-3

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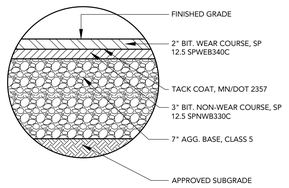
BKVTB-30x42



SPECIFICATION NOTES:
1. UPON COMPLETION, CURBING SHOULD BE SPRAYED WITH A MEMBRANE CURING COMPOUND PER MNDOT 3754.
2. EXPANSION JOINTS AT MAX. SPACING OF 200'.
3. CONSTRUCT IN ACCORDANCE WITH MNDOT 2531.

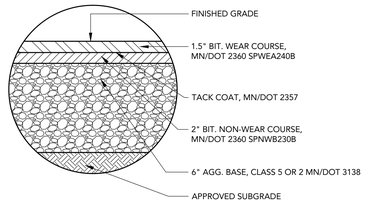
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LOUCKS	FLAT CURB AND GUTTER (12")	LOUCKS PLATE NO. 2012
		DRAWN 2/2016



2

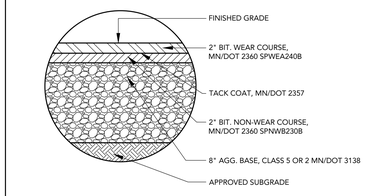
LOUCKS	STANDARD CITY ROAD BITUMINOUS PAVEMENT SECTION	LOUCKS PLATE NO. 2031A
		DRAWN 06/2019



PAVEMENT SECTION BASED ON GEOTECHNICAL REPORT BY BRAUN INTERTEC, DATED JULY 15, 2019

3

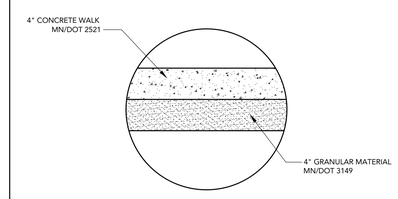
LOUCKS	STANDARD BITUMINOUS PAVEMENT SECTION	LOUCKS PLATE NO. 2031
		DRAWN 12/2016



PAVEMENT SECTION BASED ON GEOTECHNICAL REPORT BY BRAUN INTERTEC, DATED JULY 15, 2019

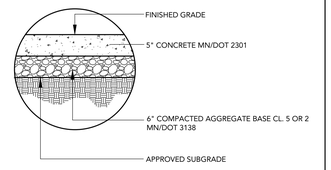
4

LOUCKS	HEAVY DUTY BITUMINOUS PAVEMENT SECTION	LOUCKS PLATE NO. 2032
		DRAWN 12/2016



5

LOUCKS	CONCRETE SIDEWALK SECTION	LOUCKS PLATE NO. 2034
		DRAWN 12/2016

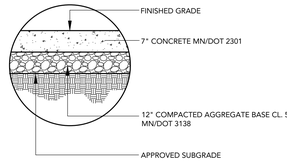


NOTES:
1. CONCRETE 6" THICK OR LESS SHALL BE REINFORCED WITH WELDED WIRE FABRIC OR REINFORCING BARS. CONCRETE 7" THICK OR GREATER SHALL BE REINFORCED PER GEOTECHNICAL RECOMMENDATIONS.
2. SAWED OR FORMED CONTROL JOINTS SHOULD BE INCLUDED FOR EACH 225 SQUARE FEET OF AREA OR LESS (15 FEET BY 15 FEET).
3. SAW CUTS SHOULD NOT CUT THROUGH THE WELDED WIRE FABRIC OR REINFORCING STEEL AND DOWELS SHOULD BE UTILIZED AT FORMED AND/OR COLD JOINTS.

PAVEMENT SECTION BASED ON GEOTECHNICAL REPORT BY BRAUN INTERTEC, DATED JULY 15, 2019

6

LOUCKS	CONCRETE PAVEMENT SECTION	LOUCKS PLATE NO. 2033
		DRAWN 12/2016

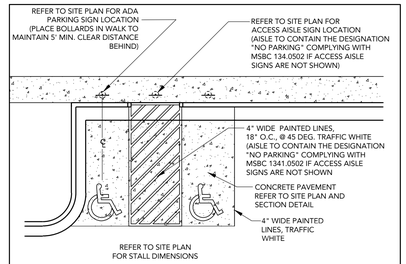


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PAVEMENT SECTION BASED ON GEOTECHNICAL REPORT BY BRAUN INTERTEC, DATED JULY 15, 2019

7

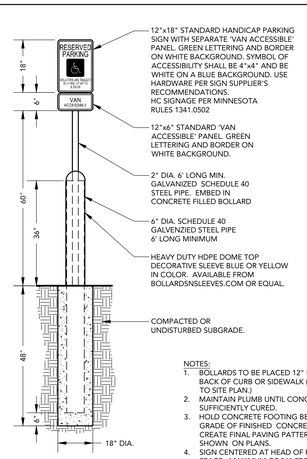
LOUCKS	HEAVY-DUTY CONCRETE PAVEMENT SECTION	LOUCKS PLATE NO. 2033A
		DRAWN 12/2016



NOT TO SCALE

8

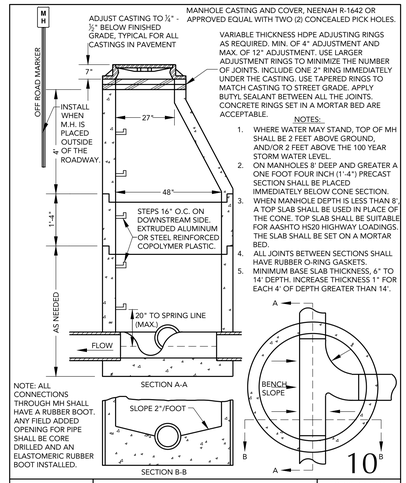
LOUCKS	TYPICAL ADA PARKING STALL STRIPING	LOUCKS PLATE NO. 2037
		DRAWN 03/2017



NOTES:
1. BOLLARDS TO BE PLACED 12" BEHIND BACK OF CURB OR SIDEWALK (REFER TO SITE PLAN.)
2. MAINTAIN PLUMB UNTIL CONCRETE IS SUFFICIENTLY CURED.
3. HOLD CONCRETE FOOTING BELOW GRADE OF FINISHED CONCRETE TO CREATE FINAL PAVING PATTERN AS SHOWN ON PLANS.
4. SIGN CENTERED AT HEAD OF PARKING SPACE - MAXIMUM OF 96" FROM HEAD OF PARKING SPACE.

9

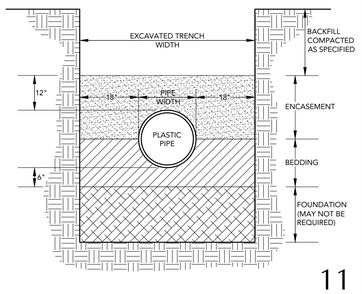
LOUCKS	TYPICAL ADA PARKING SIGN / BOLLARD COMBO	LOUCKS PLATE NO. 2038A
		DRAWN 03/2017



NOTES:
1. WHERE WATER MAY STAND, TOP OF MH SHALL BE 2 FEET ABOVE GROUND, AND/OR 2 FEET ABOVE THE 100 YEAR STORM WATER LEVEL.
2. ON MANHOLES 8' DEEP AND GREATER A ONE FOOT FOUR INCH (1'-4") PRECAST SECTION SHALL BE PLACED IMMEDIATELY BELOW CONE SECTION.
3. WHEN MANHOLE DEPTH IS LESS THAN 8', A TOP SLAB SHALL BE USED IN PLACE OF THE CONE. TOP SLAB SHALL BE SUITABLE FOR AASHTO HS20 HIGHWAY LOADINGS. THE SLAB SHALL BE SET ON A MORTAR BED.
4. ALL JOINTS BETWEEN SECTIONS SHALL HAVE RUBBER O-RING GASKETS.
5. MINIMUM BASE SLAB THICKNESS, 6" TO 14' DEPTH. INCREASE THICKNESS 1" FOR EACH 4' OF DEPTH GREATER THAN 14'.

10

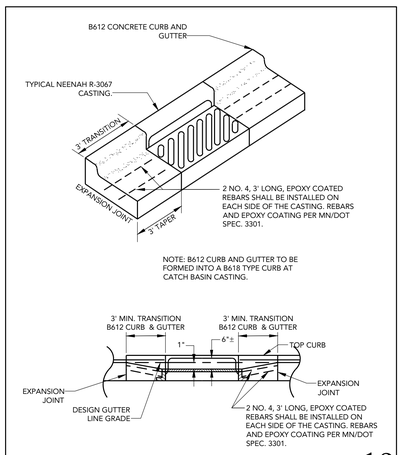
LOUCKS	STANDARD SANITARY SEWER MANHOLE	LOUCKS PLATE NO. 4000
		DRAWN 2/2016



NOTE:
GRANULAR MATERIALS FURNISHED FOR USE IN FOUNDATION, BEDDING, ENCASEMENT, OR BACKFILL CONSTRUCTION SHALL CONFORM TO THE FOLLOWING REQUIREMENTS:
- FOUNDATION MATERIALS SHALL HAVE 100% PASSING THE 1 1/2" SIEVE AND A MAXIMUM OF 10% PASSING THE No. 4 SIEVE. NOT LESS THAN 50% OF THE MATERIAL RETAINED BY THE No. 4 SIEVE SHALL HAVE ONE (1) OR MORE CRUSHED FACES. HARD, DURABLE CRUSHED CARBONATE QUARRY ROCK MAY BE USED FOR FOUNDATION MATERIALS.
- BEDDING AND ENCASEMENT MATERIALS FOR FLEXIBLE PIPE SHALL MEET THE REQUIREMENTS OF MNDOT SPECIFICATION 3149.2B1, GRANULAR BORROW, EXCEPT THAT 100% SHALL PASS THE ONE INCH (1") SIEVE.
- BACKFILL MATERIALS SHALL CONSIST OF SUITABLE EXISTING TRENCH MATERIALS, EXCEPT AS OTHERWISE SPECIFIED. SUITABLE MATERIAL SHALL BE DEFINED AS A MINERAL SOIL FREE OF FOREIGN MATERIALS (RUBBISH, ORGANICS & DEBRIS), FROZEN CLUMPS, OVERSIZE STONE, ROCK, CONCRETE OR BITUMINOUS CHUNKS, AND OTHER UNSUITABLE MATERIALS THAT MAY DAMAGE PIPE, PREVENT THOROUGH COMPACTION, OR INCREASE THE RISKS OF SETTLEMENT.

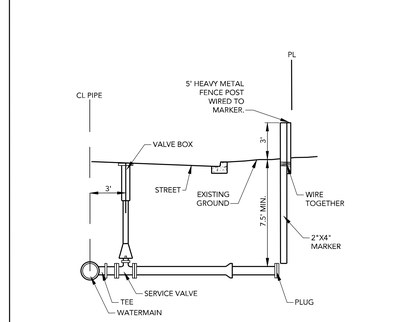
11

LOUCKS	PLASTIC PIPE BEDDING	LOUCKS PLATE NO. 4008
		DRAWN 2/2016



12

LOUCKS	CATCH BASIN CASTING INSTALLATION B612 TO CASTING	LOUCKS PLATE NO. 4312
		DRAWN 12/2016



NOTE:
VALVES SHALL BE TIED TO TEE AT MAIN WITH 2 3/4"ROUND TIE RODS. ALL BOLTS, T-BOLTS, NUTS AND RODDING INSTALLED BELOW GRADE SHALL BE ASTM F593 TYPE 316 STAINLESS STEEL.

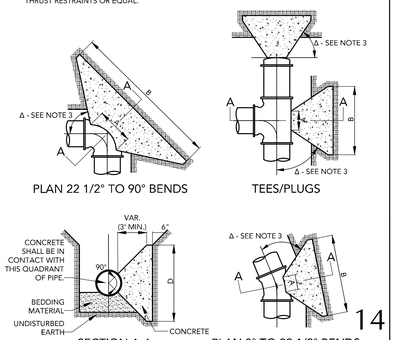
ALL GATE VALVES TO BE CLOW DIP.

13

LOUCKS	LARGE WATER SERVICE CONNECTION	LOUCKS PLATE NO. 4604
		DRAWN 2/2016

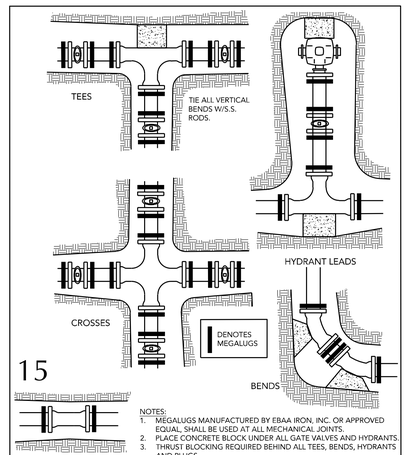
NOTES:
1. SHAPE OF BACK OF BUTTRESS MAY VARY AS LONG AS POURED AGAINST FIRM UNDISTURBED EARTH.
2. DIMENSION "A" SHOULD BE AS LARGE AS POSSIBLE.
3. Δ= 45° MINIMUM.
4. PLACE POLY SHEETING BETWEEN CONCRETE & PIPE.
5. ALL BENDS AND FITTINGS SHALL BE RESTRAINED WITH MEGALUGS THRUST RESTRAINTS OR EQUAL.

BUTTRESS DIMENSIONS								
PIPE SIZE	22 1/2° BEND		45° BEND		90° BEND		TEE/PLUG	
	B	D	B	D	B	D	B	D
6"	1'-5"	1'-5"	1'-5"	1'-5"	2'-1"	1'-6"	2'-0"	1'-6"
8"	1'-5"	1'-5"	2'-1"	1'-6"	2'-8"	2'-0"	1'-10"	2'-6"
12"	1'-10"	1'-10"	3'-4"	2'-0"	4'-2"	2'-6"	3'-3"	2'-6"
16"	2'-0"	2'-0"	3'-10"	3'-0"	4'-2"	3'-6"	4'-8"	3'-6"
20"	3'-6"	2'-8"	5'-6"	3'-4"	8'-4"	4'-0"	5'-10"	4'-0"
24"	4'-4"	3'-0"	6'-10"	3'-10"	9'-8"	5'-0"	6'-9"	5'-0"



14

LOUCKS	CONCRETE THRUST BLOCKING	LOUCKS PLATE NO. 4606
		DRAWN 2/2016



NOTES:
1. MEGALUGS MANUFACTURED BY EBAA IRON, INC. OR APPROVED EQUAL SHALL BE USED AT ALL MECHANICAL JOINTS.
2. PLACE CONCRETE BLOCK UNDER ALL GATE VALVES AND HYDRANTS.
3. THRUST BLOCKING REQUIRED BEHIND ALL TEES, BENDS, HYDRANTS AND PLUGS.
4. ALL BOLTS, T-BOLTS, NUTS AND RODDING INSTALLED BELOW GRADE SHALL BE ASTM F593 TYPE 316 STAINLESS STEEL.

15

LOUCKS	TYPICAL MEGALUG LOCATION	LOUCKS PLATE NO. 4607
		DRAWN 2/2016

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ISSUE #	DATE	DESCRIPTION
	07/30/2019	PERMIT AND PRICING SET
	03/26/2020	PERMIT AND PRICING SET

CERTIFICATION

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

Michael J. St. Martin, PE

24440 License Number — 07/30/2019 Date

DATE	03/26/2020
DRAWN BY	AJA
CHECKED BY	SRT
COMMISSION NUMBER	18373.00

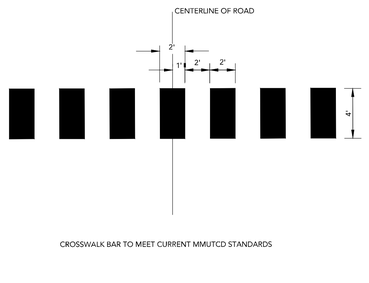
SHEET TITLE

CIVIL DETAILS

SHEET NUMBER

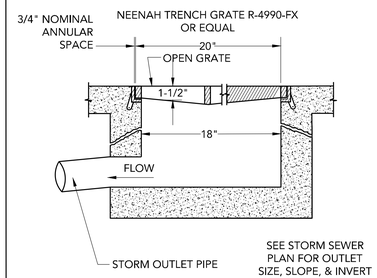
C8-1

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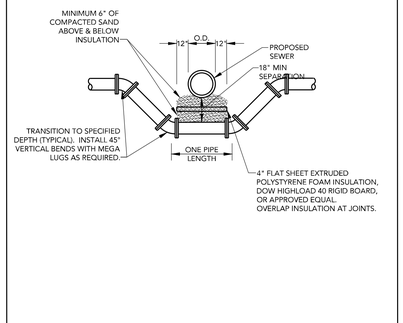
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LOUCKS	CROSSWALK BAR	LOUCKS PLATE NO. 2040
		DRAWN 12/2016



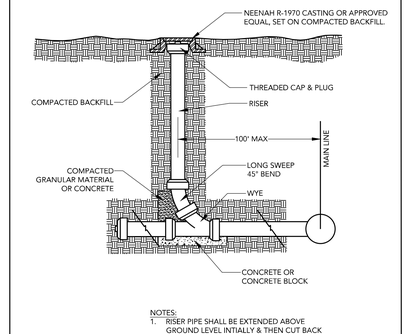
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LOUCKS	UNDERGROUND GARAGE ENTRANCE TRENCH DRAIN / OUTLET DETAIL	LOUCKS PLATE NO. 4319
		DRAWN 2/2016



18

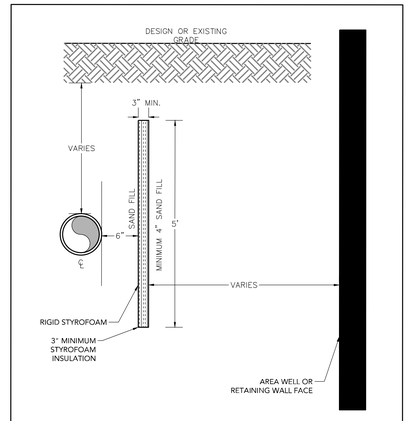
LOUCKS	WATERMAIN UNDER SEWER DEFLECTION	LOUCKS PLATE NO. 4611
		DRAWN 2/2016



NOTES:
1. RISER PIPE SHALL BE EXTENDED ABOVE GROUND LEVEL INTIALLY & THEN CUT BACK TO MATCH FINAL GRADE (BY OTHERS)
2. CLEANOUT TO BE COVERED WITH A CASTING. NEENAH R-1970 OR APPROVED EQUAL.

19

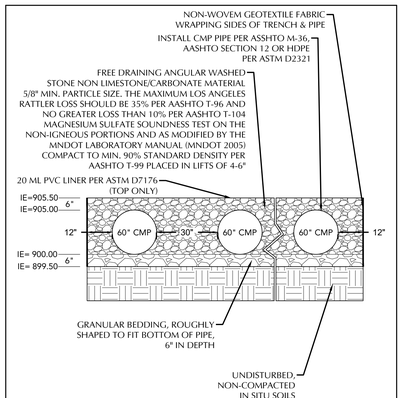
LOUCKS	CLEAN-OUT STRUCTURE	LOUCKS PLATE NO. 4006
		DRAWN 2/2016



NOTE:
PIPE SHALL BE CENTERED PERPENDICULAR TO INSULATION UNLESS OTHERWISE SPECIFIED. SEE PLANS FOR SPECIFIED LOCATIONS AND LENGTH.

20

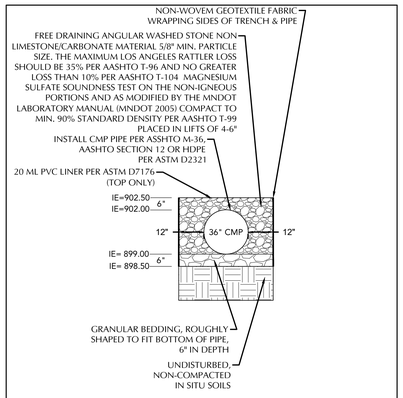
LOUCKS	SIDE COVER INSULATION DETAIL	LOUCKS PLATE NO. CUSTOM
		DRAWN 7/2019



NOTES
1. CONTRACTOR SHALL INSTALL REQUIRED CMP, PIPE BENDS AND TEES TO CONNECT PIPES AT THE LIMITS OF THE UNDERGROUND PIPE SYSTEM FOOTPRINT. (SEE UTILITY PLAN)
2. SEE STORM SEWER PLAN FOR LAYOUT.
3. CONTRACTOR TO PROVIDE SHOP DRAWINGS FOR REVIEW.

21A

LOUCKS	INF 1 - 60" PERFORATED CMP PIPE SYSTEM	LOUCKS PLATE NO.

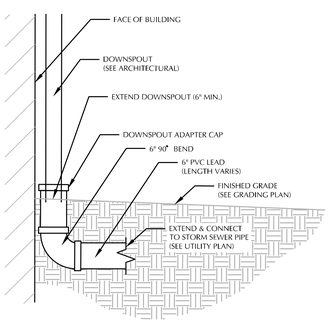


NOTES
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2. SEE STORM SEWER PLAN FOR LAYOUT.
3. CONTRACTOR TO PROVIDE SHOP DRAWINGS FOR REVIEW.

21B

LOUCKS	INF 2 - 36" PERFORATED CMP PIPE SYSTEM	LOUCKS PLATE NO.

NOTE:
CONTRACTOR TO FIELD VERIFY DOWNSPOUT SIZE & PROVIDE APPROPRIATE SIZED CONNECTION MATERIALS.



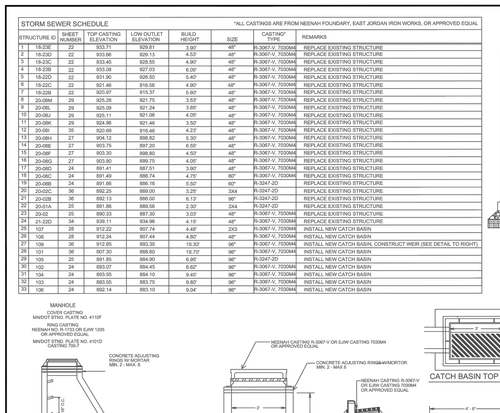
22

LOUCKS	DOWNSPOUT CONNECTION	LOUCKS PLATE NO. 5002
		DRAWN 3/2017

STORM SEWER SCHEDULE — *ALL CASTINGS ARE FROM NEENAH FOUNDARY, EAST JORDAN IRON WORKS, OR APPROVED EQUAL

STRUCTURE ID	SHEET NUMBER	TOP CASTING ELEVATION	LOW OUTLET ELEVATION	BUILD HEIGHT	SIZE	CASTING* TYPE	REMARKS
1	18-23E	22	933.71	929.81	3.90"	48"	R-3067-V, 7030N4	REPLACE EXISTING STRUCTURE
2	18-23D	22	933.66	929.13	4.53"	48"	R-3067-V, 7030N4	REPLACE EXISTING STRUCTURE
3	18-23C	22	933.45	928.55	4.90"	48"	R-3067-V, 7030N4	REPLACE EXISTING STRUCTURE
4	18-23B	22	933.06	927.03	6.05"	48"	R-3067-V, 7030N4	REPLACE EXISTING STRUCTURE
5	18-22D	22	931.90	926.50	5.40"	48"	R-3067-V, 7030N4	REPLACE EXISTING STRUCTURE
6	18-22C	22	921.46	916.56	4.90"	48"	R-3067-V, 7030N4	REPLACE EXISTING STRUCTURE
7	18-22B	22	920.97	915.37	5.60"	48"	R-3067-V, 7030N4	REPLACE EXISTING STRUCTURE
8	20-08M	29	925.28	921.75	3.53"	48"	R-3067-V, 7030N4	REPLACE EXISTING STRUCTURE
9	20-08L	29	925.09	921.24	3.85"	48"	R-3067-V, 7030N4	REPLACE EXISTING STRUCTURE
10	20-08J	29	925.11	921.06	4.05"	48"	R-3067-V, 7030N4	REPLACE EXISTING STRUCTURE
11	20-08K	29	924.96	921.46	3.50"	48"	R-3067-V, 7030N4	REPLACE EXISTING STRUCTURE
12	20-08I	28	920.89	916.46	4.23"	48"	R-3067-V, 7030N4	REPLACE EXISTING STRUCTURE
13	20-08H	27	904.12	899.82	5.30"	48"	R-3067-V, 7030N4	REPLACE EXISTING STRUCTURE
14	20-08E	27	903.75	897.20	6.55"	48"	R-3067-V, 7030N4	REPLACE EXISTING STRUCTURE
15	20-08F	27	903.30	898.80	4.50"	48"	R-3067-V, 7030N4	REPLACE EXISTING STRUCTURE
16	20-08G	27	903.80	899.75	4.05"	48"	R-3067-V, 7030N4	REPLACE EXISTING STRUCTURE
17	20-08D	24	897.41	897.51	3.90"	48"	R-3067-V, 7030N4	REPLACE EXISTING STRUCTURE
18	20-08C	24	891.49	886.74	4.75"	60"	R-3067-V, 7030N4	REPLACE EXISTING STRUCTURE
19	20-08B	24	891.99	886.16	5.50"	60"	R-3247-2D	REPLACE EXISTING STRUCTURE
20	20-02C	36	892.25	889.00	3.25'	3X4	R-3247-2D	REPLACE EXISTING STRUCTURE
21	20-02B	36	892.13	888.00	5.13'	96"	R-3247-2D	REPLACE EXISTING STRUCTURE
22	20-01A	25	891.86	889.56	2.30'	3X4	R-3247-2D	REPLACE EXISTING STRUCTURE
23	20-02	25	890.33	887.30	3.03'	48"	R-3067-V, 7030N4	REPLACE EXISTING STRUCTURE
24	21-22D	34	939.11	934.96	4.15'	48"	R-3067-V, 7030N4	REPLACE EXISTING STRUCTURE
25	107	28	912.22	907.74	4.48'	24X3	R-3067-V, 7030N4	INSTALL NEW CATCH BASIN
26	108	29	912.24	907.44	4.80'	48"	R-3067-V, 7030N4	INSTALL NEW CATCH BASIN
27	109	36	912.65	893.35	19.30'	96"	R-3067-V, 7030N4	INSTALL NEW CATCH BASIN, CONSTRUCT WEIR (SEE DETAIL TO RIGHT)
28	101	36	907.50	888.60	18.70'	96"	R-3067-V, 7030N4	INSTALL NEW CATCH BASIN
29	105	25	891.85	884.90	6.95"	96"	R-3247-2D	INSTALL NEW CATCH BASIN
30	102	24	893.07	884.45	8.62'	96"	R-3067-V, 7030N4	INSTALL NEW CATCH BASIN
31	104	24	893.55	884.10	9.45'	96"	R-3067-V, 7030N4	INSTALL NEW CATCH BASIN
32	103	24	893.55	883.75	9.80'	96"	R-3067-V, 7030N4	INSTALL NEW CATCH BASIN
33	106	24	892.14	883.10	9.04'	96"	R-3067-V, 7030N4	INSTALL NEW CATCH BASIN

MANHOLE
COVER CASTING
MNDOT STND. PLATE NO. 4110F
RING CASTING
NEENAH NO. R-1733 OR EJIW 1205
OR APPROVED EQUAL
MNDOT STND. PLATE NO. 4101D
CASTING 7067



No.	Date	Revisions	App.
NO	DATE	REVISION	XX
NO	DATE	REVISION	XX
NO	DATE	REVISION	XX
NO	DATE	REVISION	XX
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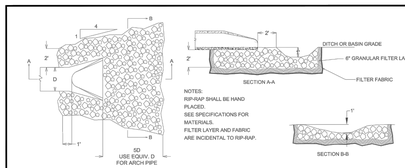
DRAWING NAME PLAN PROFILE	
DESIGNED BY:	DML,SDT
DRAWN BY:	DML,SDT
CHECKED BY:	CGS
DATE:	4-18-18
PROJECT NO.	18-1

DETAIL SHEET
STORM SEWER

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.
CRAIG S. SOUCZYNSKI
DATE: 4-18-18 MN LIC. NO. 41295

city of NEW BRIGHTON
the 100 blue spruces for 2nd

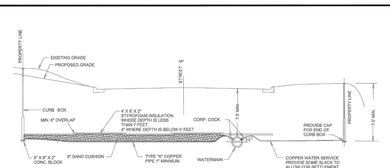
S.A.P.	SHEET NO. 6
S.A.P.	37
S.A.P.	
S.A.P.	



RIP-RAP QUANTITIES (C.Y.)

PIPE DIA	RIP-RAP	PIPE DIA	RIP-RAP	PIPE DIA	RIP-RAP
12"	4	24"	10	42"	23
15"	5	27"	12	48"	29
18"	6	30"	14	54"	34
21"	8	36"	19	60"	39

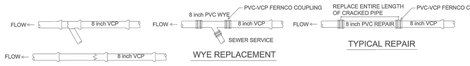
RIP-RAP FOR OUTLET TO DRY DITCH OR BASIN



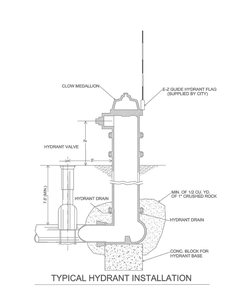
TYPICAL WATERMAIN & SERVICE INSTALLATION
NO SCALE



TYPICAL WATER SERVICE ABANDONMENT
NO SCALE



TYPICAL SANITARY SEWER REPAIR



TYPICAL HYDRANT INSTALLATION

No.	Date	Revisions	App.
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NO	DATE	REVISION	XX
NO	DATE	REVISION	XX
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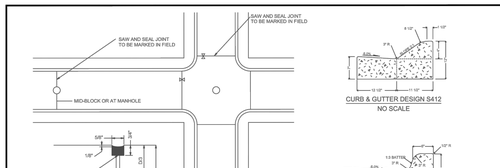
DRAWING NAME PLAN PROFILE	
DESIGNED BY:	DML,SDT
DRAWN BY:	DML,SDT
CHECKED BY:	CGS
DATE:	4-18-18
PROJECT NO.	18-1

DETAIL SHEET
SEWER REPAIR AND WATERMAIN

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.
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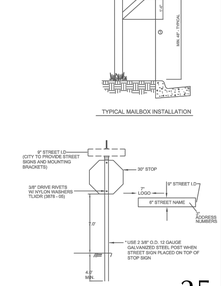
city of NEW BRIGHTON
the 100 blue spruces for 2nd

S.A.P.	SHEET NO. 7
S.A.P.	37
S.A.P.	
S.A.P.	



TYPICAL RESIDENTIAL DRIVEWAY INSTALLATION CONCRETE

TYPICAL RESIDENTIAL DRIVEWAY INSTALLATION BITUMINOUS



No.	Date	Revisions	App.
NO	DATE	REVISION	XX
NO	DATE	REVISION	XX
NO	DATE	REVISION	XX
NO	DATE	REVISION	XX
NO	DATE	REVISION	XX

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DESIGNED BY:	DML,SDT
DRAWN BY:	DML,SDT
CHECKED BY:	CGS
DATE:	4-18-18
PROJECT NO.	18-1

DETAIL SHEET
STREET AND SIGN DETAILS

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.
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city of NEW BRIGHTON
the 100 blue spruces for 2nd

S.A.P.	SHEET NO. 8
S.A.P.	37
S.A.P.	
S.A.P.	

BKVTB-30x42

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Architecture
Interior Design
Landscape Architecture
Engineering

Boarman
Kroos
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Group
Inc.

222 North Second Street
Minneapolis MN 55401
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Facsimile: 612-339-6212
www.bkvgroup.com
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LANDSCAPE ARCHITECTURE
ENVIRONMENTAL

7200 Hemlock Lane, Suite 300
Maple Grove, MN 55369
763.424.5505
www.loucksinc.com

LOUCKS PROJECT NO. 18373.00

PROJECT TITLE

OAKS LANDING APARTMENTS

OWNER/DEVELOPER

DOMINIUM

ISSUE #	DATE	DESCRIPTION
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	03/26/2020	PERMIT AND PRICING SET

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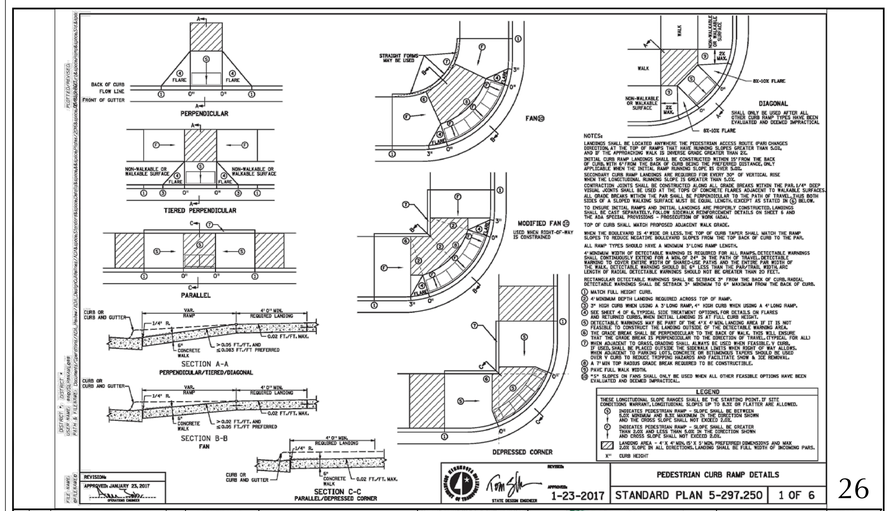
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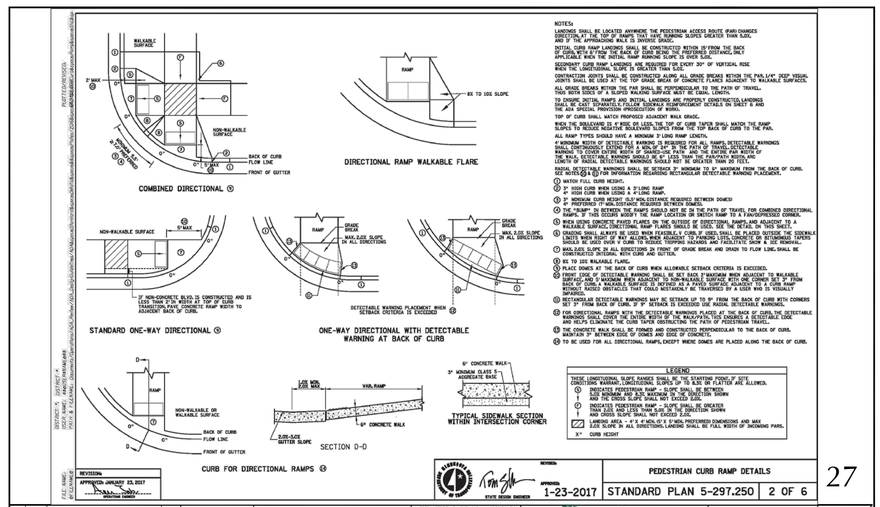
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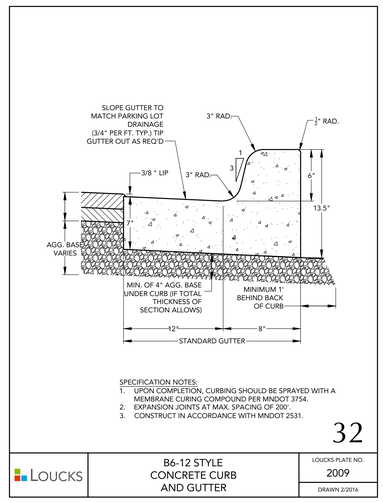
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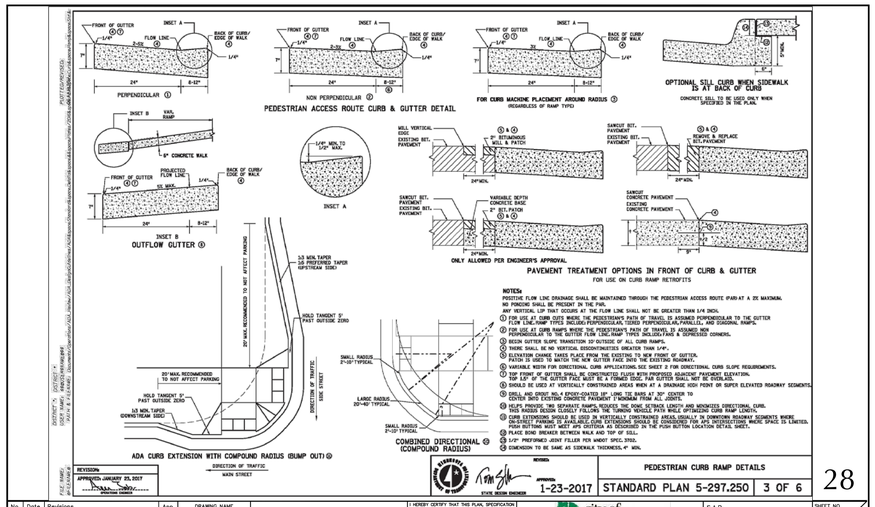
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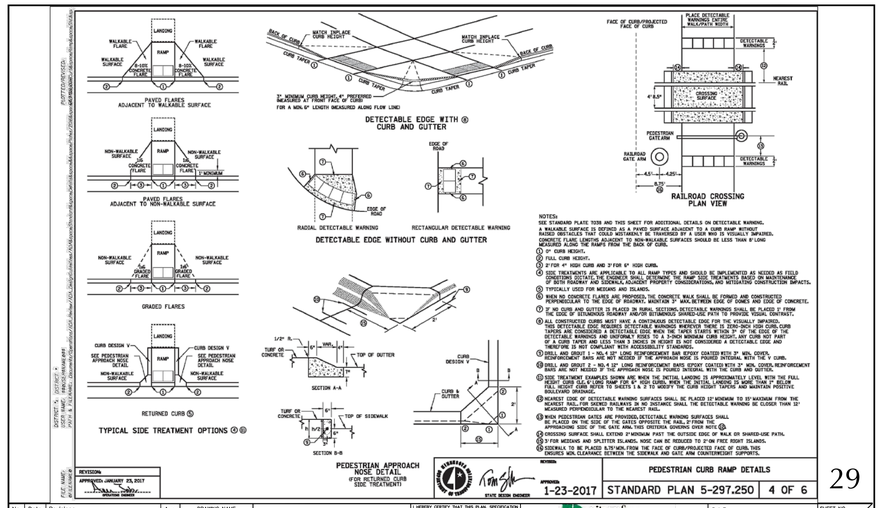
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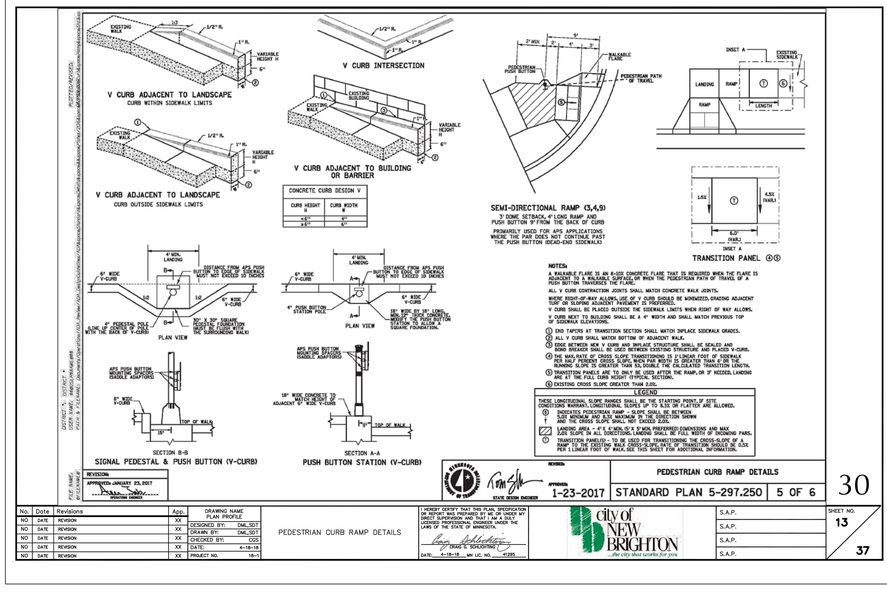


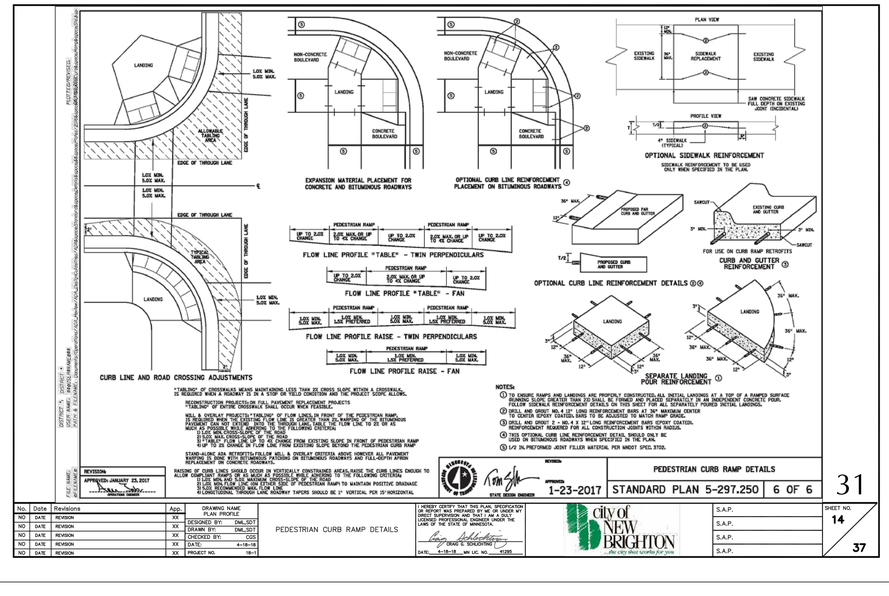












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Michael J. St. Martin, PE

24440 — License Number
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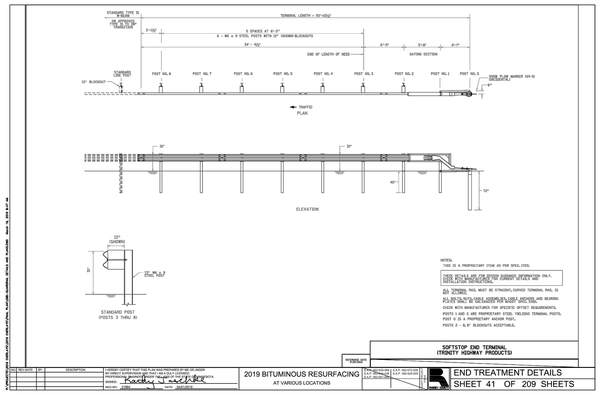
CIVIL DETAILS

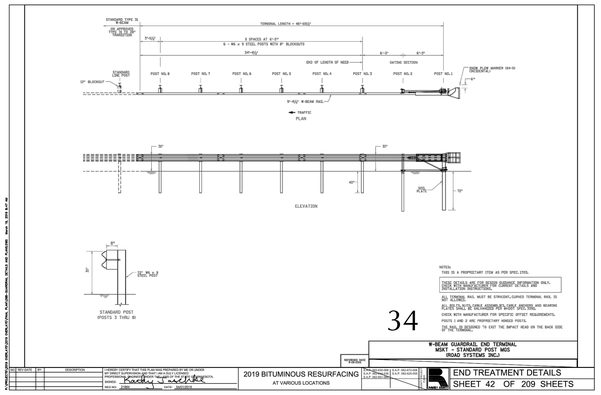
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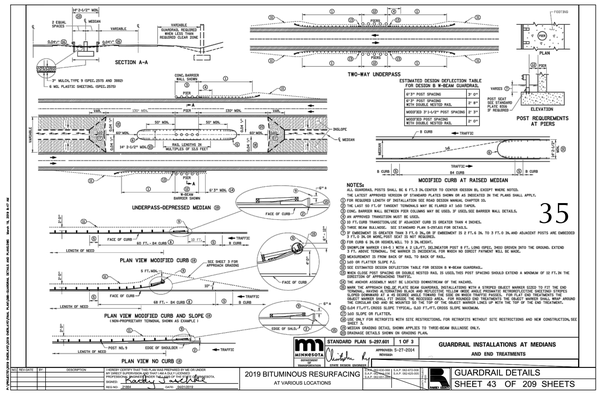
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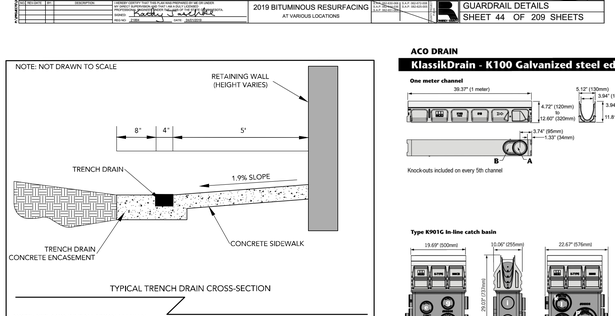
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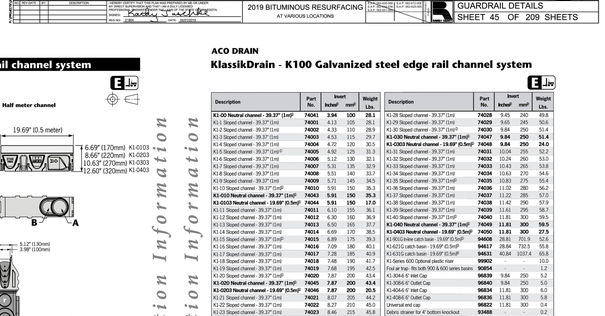
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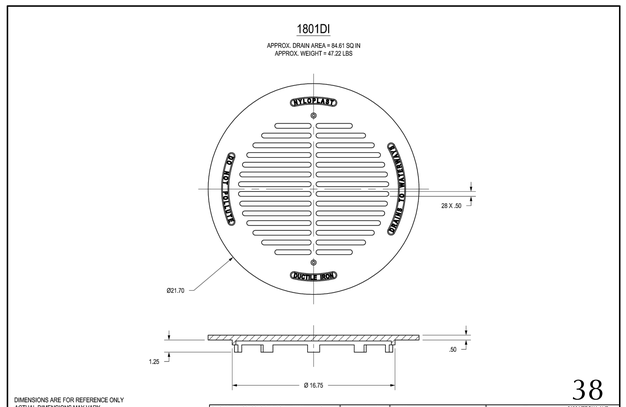






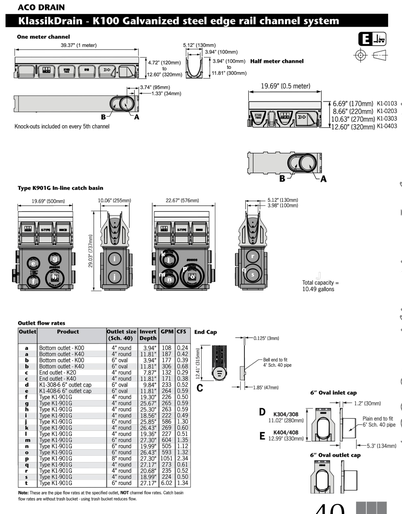






ACO DRAIN

KlassikDrain - K100 Galvanized steel edge rail channel system



Outlet	Product	Outlet size (Sch. 40)	Invert Depth	GPM	CFS
a	Bottom outlet - K00	4" round	3.94"	108	0.24
a	Bottom outlet - K40	4" round	11.81"	187	0.42
b	Bottom outlet - K00	6" oval	3.94"	172	0.39
b	Bottom outlet - K40	6" oval	11.81"	306	0.68
c	End outlet - K00	4" round	3.94"	108	0.24
c	End outlet - K40	4" round	11.81"	171	0.38
d	K1-3088-6 6" outlet cap	6" oval	9.84"	233	0.52
e	K1-4088-6 6" outlet cap	6" oval	11.81"	264	0.59
f	Type K1-901G	4" round	19.30"	726	0.50
g	Type K1-901G	4" round	25.67"	865	0.59
h	Type K1-901G	4" round	25.30"	763	0.59
i	Type K1-901G	4" round	28.90"	1066	0.80
j	Type K1-901G	4" round	18.82"	725	1.51
k	Type K1-901G	4" round	26.43"	769	0.60
l	Type K1-901G	4" round	19.36"	727	0.51
m	Type K1-901G	6" round	27.20"	604	1.38
n	Type K1-901G	6" round	19.99"	505	1.12
o	Type K1-901G	6" round	26.43"	593	1.32
p	Type K1-901G	6" round	27.30"	1093	2.34
q	Type K1-901G	6" round	27.17"	273	0.61
r	Type K1-901G	6" round	18.99"	1066	2.37
s	Type K1-901G	4" round	18.99"	224	0.50
t	Type K1-901G	6" round	27.17"	6.02	1.34

Note: These are the pipe flow rates at the specified outlet, **NOT** channel flow rates. Catch basin flow rates are without trash bucket - using trash bucket reduces flow.

April 2018

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ACO

ACO Specification Information

ACO DRAIN

KlassikDrain - K100 Galvanized steel edge rail channel system

Description	Part No.	Invert Inches²	Invert mm²	Weight Lbs.
K1-00 Neutral channel - 39.37" (1m)²	**74041**	**3.94**	**100**	**28.1**
K1-1 Sloped channel - 39.37" (1m)	74001	4.13	105	28.1
K1-2 Sloped channel - 39.37" (1m)	74002	4.33	110	28.9
K1-3 Sloped channel - 39.37" (1m)	74003	4.53	115	29.7
K1-4 Sloped channel - 39.37" (1m)	74004	4.72	120	30.5
K1-5 Sloped channel - 39.37" (1m)²	74005	4.92	125	31.3
K1-6 Sloped channel - 39.37" (1m)	74006	5.12	130	32.1
K1-7 Sloped channel - 39.37" (1m)	74007	5.31	135	32.9
K1-8 Sloped channel - 39.37" (1m)	74008	5.51	140	33.7
K1-9 Sloped channel - 39.37" (1m)	74009	5.71	145	34.5
K1-10 Sloped channel - 39.37" (1m)²	74010	5.91	150	35.3
K1-010 Neutral channel - 39.37" (1m)²	**74043**	**5.91**	**150**	**35.3**
K1-0103 Neutral channel - 19.69" (0.5m)²	**74044**	**5.91**	**150**	**17.0**
K-11 Sloped channel - 39.37" (1m)	74011	6.10	155	36.1
K1-12 Sloped channel - 39.37" (1m)	74012	6.30	160	36.9
K1-13 Sloped channel - 39.37" (1m)	74013	6.50	165	37.7
K1-14 Sloped channel - 39.37" (1m)	74014	6.69	170	38.5
K1-15 Sloped channel - 39.37" (1m)²	74015	6.89	175	39.3
K1-16 Sloped channel - 39.37" (1m)	74016	7.09	180	40.1
K1-17 Sloped channel - 39.37" (1m)	74017	7.28	185	40.9
K1-18 Sloped channel - 39.37" (1m)	74018	7.48	190	41.7
K1-19 Sloped channel - 39.37" (1m)	74019	7.68	195	42.5
K1-20 Sloped channel - 39.37" (1m)²	74020	7.87	200	43.4
K1-020 Neutral channel - 39.37" (1m)²	**74045**	**7.87**	**200**	**43.4**
K1-0203 Neutral channel - 19.69" (0.5m)²	**74046**	**7.87**	**200**	**20.5**
K-21 Sloped channel - 39.37" (1m)	74021	8.07	205	44.2
K1-22 Sloped channel - 39.37" (1m)	74022	8.27	210	45.0
K1-23 Sloped channel - 39.37" (1m)	74023	8.46	215	45.8
K1-24 Sloped channel - 39.37" (1m)	74024	8.66	220	46.6
K1-25 Sloped channel - 39.37" (1m)²	74025	8.86	225	47.4
K1-26 Sloped channel - 39.37" (1m)	74026	9.06	230	48.2
K1-27 Sloped channel - 39.37" (1m)	74027	9.25	235	49.0

Description	Part No.	Invert Inches²	Invert mm²	Weight Lbs.
K1-28 Sloped channel - 39.37" (1m)	74028	9.45	240	49.8
K1-29 Sloped channel - 39.37" (1m)	74029	9.65	245	50.6
K1-30 Sloped channel - 39.37" (1m)²	74030	9.84	250	51.4
K1-030 Neutral channel - 39.37" (1m)²	**74047**	**9.84**	**250**	**51.4**
K1-0303 Neutral channel - 19.69" (0.5m)²	**74048**	**9.84**	**250**	**24.0**
K1-31 Sloped channel - 39.37" (1m)	74031	10.04	255	52.2
K1-32 Sloped channel - 39.37" (1m)	74032	10.24	260	53.0
K1-33 Sloped channel - 39.37" (1m)	74033	10.43	265	53.8
K1-34 Sloped channel - 39.37" (1m)	74034	10.63	270	54.6
K1-35 Sloped channel - 39.37" (1m)²	74035	10.83	275	55.4
K1-36 Sloped channel - 39.37" (1m)	74036	11.02	280	56.2
K1-37 Sloped channel - 39.37" (1m)	74037	11.22	285	57.0
K1-38 Sloped channel - 39.37" (1m)	74038	11.42	290	57.9
K1-39 Sloped channel - 39.37" (1m)	74039	11.61	295	58.7
K1-40 Sloped channel - 39.37" (1m)²	74040	11.81	300	59.5
K1-040 Neutral channel - 39.37" (1m)²	**74049**	**11.81**	**300**	**59.5**
K1-0403 Neutral channel - 19.69" (0.5m)²	**74050**	**11.81**	**300**	**27.5**
K1-B03 in-line catch basin - 19.69" (0.5m)²	94608	28.81	701.9	53.6
K1-423 Catch basin - 19.69" (0.5m)²	94617	28.84	732.5	55.8
K1-K31G Catch basin - 19.69" (0.5m)²	94631	40.84	1037.4	65.8
K1-35 Series 600 Optional plastic riser	99902	-	-	10.0
Trial air trap - fits both 900 & 600 series basins	90854	-	-	1.2
K1-3044 6" Inlet Cap	96839	9.84	250	5.2
K1-3066 6" Outlet Cap	96840	9.84	250	5.0
K1-4044 6" Inlet Cap	96834	11.81	300	6.0
K1-4066 6" Outlet Cap	96836	11.81	300	5.8
Universal end cap	96822	11.81	300	0.4
Debris strainer for 4" bottom knockout	93488	-	-	0.2
4" Duet to 6" round outlet adapter	95140	-	-	1.1
K1-installation device	97477	-	-	2.8
Gate removal tool	01318	-	-	0.3
K1-QuickLok locking bar	02899	-	-	0.1

Notes:
1. This channel offers a bottom knockout features; 4" round/6" oval.
2. Inverts shown are for the male end; for female invert depth subtract 5mm I.D.2"I from the male invert (except for neutral channels, where it will be same as male invert).
   To calculate the overall channel depth add 20mm I.d/.8"I to invert depth.
3. This catch basin kit includes a polymer concrete top, removable QuickLok locking bar, trash bucket and plastic base. Select an appropriate grate.
4. This catch basin kit includes a polymer concrete top, removable QuickLok locking bar, deep trash bucket, plastic riser and plastic base. Select an appropriate grate.

Specifications

General
The surface drainage system shall be ACO Drain K100 complete with gratings secured with 'QuickLok' locking as manufactured by ACO, Inc. or approved equal.

Materials
The trench system bodies shall be manufactured from polyester polymer concrete with the minimum properties as follows:

Compressive strength:	14,000 psi
Flexural strength:	4,000 psi

Water absorption	0.07%
Frost proof	YES
Salt proof	YES
Dilute acid and alkali resistant	YES

The nominal clear opening shall be 4" (120mm) internally and 4.72" (120mm) externally. The widths shall be manufactured with either an invert slope of 0.5% or with neutral invert and have a wall thickness of at least 0.50" (13mm). Each unit will feature a partial radius in the trench bottom and a male to female connection with a rubber joint seal. Above horizontal cast in anchoring keys on the outside wall to ensure maximum mechanical bond to the surrounding bedding material and pavement surface. The galvanized steel edge rail will be integrally cast by the manufacturer to ensure maximum homogeneity between polymer concrete body and edge rail. Each edge rail shall be at least 3.15" (2.5mm) thick.

Grates
Grates shall be specified. See separate ACO Spec Info grate sheets for details. After removal of grates and 'QuickLok' bar there shall be uninterrupted access to the trench to aid maintenance.

Installation
The trench drain system shall be installed in accordance with the manufacturer's installation instructions and recommendations.

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Mentor, OH 44060
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Fax: (440) 639-7235

West Sales Office
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Casa Grande, AZ 85122
Toll Free: (800) 543-4764
Toll Free: (888) 490-9502
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Southeast Sales Office
4217 Pine Tree Drive
Fort Mill, SC 29708
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SPEC INFO 41

April 2018

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Agenda Section:	**IX**
Item:	**2**
Report Date:	**6/18/20**
Council Meeting Date:	**6/23/20**

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:	Consider a Resolution to Approve a Special Use Permit for outdoor storage of various materials for businesses at 761 1st Street SW.
DEPARTMENT HEAD'S APPROVAL:Craig Schlichting	CGS
CITY MANAGER'S APPROVAL:	
No comments to supplement this report DAM **Comments attached** ___	

15.99 Deadline: 7/13/20

Recommendations:
- **Both the Planning Commission and staff believe the SUP can be approved with conditions.**

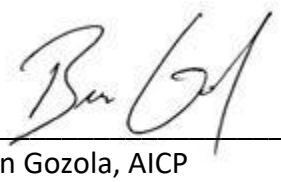
Legislative History:
- Application Received on 5/14/20
- Planning Commission Public Hearing held on 6/16/20

Financial Impact: None

Summary: WAKirkpatrick (a.k.a. Big Blue Box) is looking to sell their property at 761 1st Avenue SW to A Tree Service Inc. As part of the transaction, both companies have agreed to split use of the property moving forward for their respective businesses which include outdoor storage needs.

- A Tree Service would utilize the eastern portion of the site (including the building) for office use and for storage of wood materials and vehicles from their job sites. All wood materials would be chipped and cut off-site.
- Big Blue Box would retain a lease over the western portion of the site, and would utilize their portion of the land for container storage similar to the other existing Big Blue Box sites also on 1st Avenue SW.

Attachments:
1) *Staff Report*
2) *Engineering Memo*
3) *Resolution*
4) *City Maps*
5) *Applicant's supporting documentation*



Ben Gozola, AICP
Assistant Director of Community Assets and Development

Planning Report

Special Use Permit Review

To: **City Council**

From: Ben Gozola, Assistant Director DCAD

Meeting Date: **6-23-20**

Applicants: **WA Kirkpatrick, LLC (Big Blue Box)**

Main Contacts: Bill Kirkpatrick (Big Blue Box) & Denise Volk (A Tree Service)

Location: 761 1st Street SW

Zoning: **I-2**

Introductory Information

Project: WAKirkpatrick (a.k.a. Big Blue Box) is looking to sell their property at 761 1st Avenue SW to A Tree Service Inc. As part of the transaction, both companies have agreed to split use of the property moving forward for outdoor storage purposes.

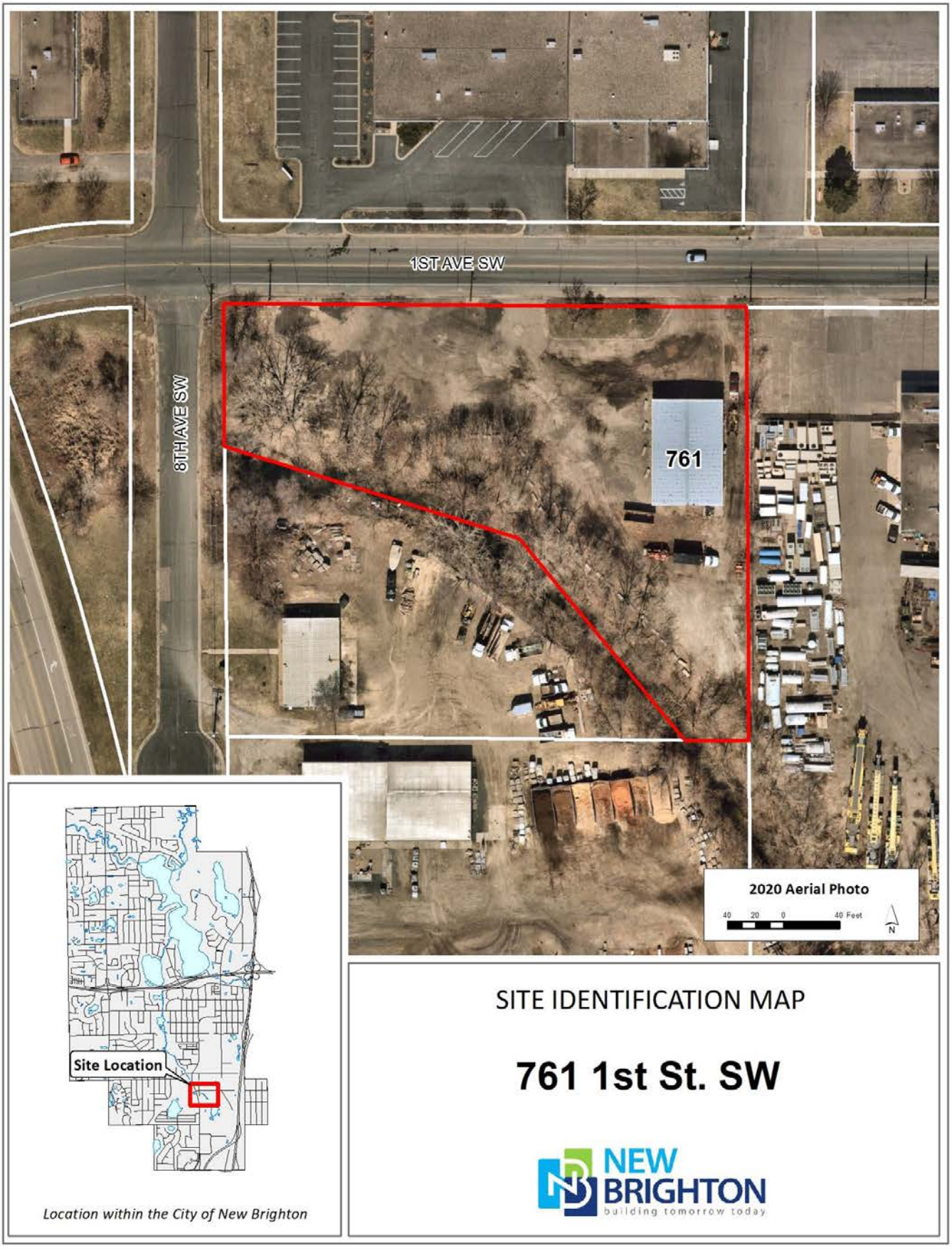
- A Tree Service would utilize the eastern portion of the site (including the building) for office use and for storage of wood materials and vehicles from their job sites. All wood materials would be chipped and cut off-site.
- Big Blue Box would retain a lease over the western portion of the site, and would utilize their portion of the land for container storage similar to the other existing Big Blue Box sites also on 1st Avenue SW.

History:

- Oct 18, 2019: Application received; deemed incomplete on October 24th, 2019.
- Revised application received on May 15, 2020.
- Planning Commission public hearing held on 6/16/20;
- Council review scheduled for 6/23/20.

Request(s):

- **SUP review for outdoor storage at 761 1st Street SW.**


1ST AVE SW
8TH AVE SW
761
2020 Aerial Photo
40 20 0 40 Feet
N
Site Location
Location within the City of New Brighton
SITE IDENTIFICATION MAP
761 1st St. SW
NEW BRIGHTON
building tomorrow today

General Findings

Site Data:

- Existing Lot Size ≈ 1.75 acres
- Existing/Previous Uses – Transportation Tire (1983), Universal Trucking (2006)
- Existing Zoning – I-2
- Property Identification Number (PID): 32-30-23-12-0020

Comp Plan Guidance:

- The 2040 Comprehensive Plan guides this property for Heavy Industrial (HI). The proposed outdoor storage for allowed uses under the I-2 zoning classification is therefore appropriate.

Notable Code Definitions:

- None

Applicable Codes:

- **Chapter 6, Article 2, I-2 District.**
  Identifies "outside storage" as a specially permitted use.
- **Chapter 8, Article 1, Section 8-010 Site Plan Approval.**
  Identifies the process by which site plans are to be reviewed and authorized.
- **Chapter 8, Article 2, Special Use Permit.**
  Identifies the process by which a special use requests are to be reviewed and decided.

Applicant's Narrative:

Business narrative for the proposed wood material storage for "A Tree Service" and "Big Blue Box" container/ chassis storage located at 761 1st St. S.W. New Brighton, MN

A Tree Service is currently in the process of purchasing the property from Big Blue Box.

ABOUT A-TREE SERVICE INCORPORATED

A Tree Service Inc. has proudly been serving the Minneapolis & St. Paul, MN metro area for over 40 years. We're dedicated to preserving and beautifying the urban forests through educating our customers with our trained, professional tree care services. We offer local residential, commercial & municipal tree care, trimming, removal, stump grinding, chipping, land clearing & much more. A Tree Service is family owned and operated. We are licensed, insured and bonded for everyone's safety. We are also DBE, SBE, WBE and Certified for Hennepin and Ramsey County.

(cont.)

Our History

Past – It started with Cleve and Denise back in 1979. Cleve was working for a family friend's tree & landscape company climbing trees. They decided that, with a baby on the way, they wanted to have more freedom, so they got a loan from a family member and bought their own saddle, spikes, and saw. He threw them in the back of his rusted pick-up truck and off they went…

Present – 40 Years later, A Tree Service has evolved from a young couple determined to provide for their young family, to a full-fledged operation that provides the very best in tree care & services to its customers. Our employees have evolved as well. Becoming the very best, while utilizing the very best in knowledge, tools, equipment and training to safely & correctly meet any customer's needs.

Future – The next 35 years and beyond… With a lot of hard work and persistence, A Tree Service, Inc. will be a company that can provide for what matters most, our customers and employees. The A Tree Service, Inc. family looks forward to continuing to work in the Twin Cities & surrounding area for generations to come.

Certified Tree Care Professionals Minnesota

When it comes to tree care needs in the Minneapolis area, we have you covered; from removing stumps to maintaining trees for years. When you dedicate your life into your work it shows and we are offering you a chance to benefit from it first-hand. We are proud to be a Licensed Minnesota Tree Care Company with over 40 years of experience!

Certified Arborists in Minnesota

Being certified means we have dedicated a lot of our past to the time it takes to become a certified Arborist. To others, it is piece of mind for anyone doing business with us that we have been through the education process and know what we are talking about. We know our tree care, we care about what we are doing and we are interested in learning more.

We are a dutiful, dedicated team in arboriculture. We provide a wide range of know-how when it comes to tree care in urban forests and beyond.

Daily operation

A Tree Service Inc. is a company that is into reusing all of its by-products of its tree removal from trimming and stump grinding operations. Instead of throwing away our logs, brush and grindings we reuse them to help offset our costs of doing business. By removing the dirt from the stump chips and reusing it in the next stump grinding hole and then bringing the left over wood chips to be further processed off site. The logs are collected and resold to various millwrights – Wood From The Hood Siewer Co., Siwek, Black Horse Inc., and other companies. Brush that is not chipped on a work site is stored outside until collected and chipped at another tree site or every other day in the morning for 20 min or on a Saturday for a limited amount of time.

(cont.)

In the proposed storage area will be setting erosion/runoff control logs down the length of the bank near the creek along with existing concrete jersey barriers as well for the larger logs to be set against.

We propose to set additional landscaping to the west to screen most of the container storage and an 8' tall screening fence with a gate in order to screen all materials from the public's view. We do not sell anything on site, all material are resold and delivered to clients.

ABOUT BIG BLUE BOX

Big Blue Box is proposing to rent exterior yard space from A Tree service. They are a moving storage container & cargo container business that rents, sells and stores high quality, customizable, new and used portable storage containers.

Big Blue Box has been in business in New Brighton since June 2001. This business is growing and needs to expand their storage area of these containers to the A Tree Services property to the west of their existing facility.

The proposed property A Tree Service would like to rent to Big Blue Box for storing containers and chassis is located in an existing industrial zoned property in the I-2 district. The location and type of this proposed use is essential for the growth of both companies.

There are 3 items that we are proposing:

1. *The existing property to be left as is being that it works for this type of use and does not require any remodeling or improvements. Except for adding a privacy fence to hide all wood materials from the public view, additional landscaping on the west of the property.*
2. *A Tree Service wood material storage in the rear lot not visible to the public.*
3. *Storage of containers and chassis trailers. The containers would be stacked at maximum 2 high. Each container is 8'-6" tall, this would bring them to approximately 17' tall. These containers are designed to be stack and will not cause any harm to the property or personal. Being that they will be stored in an industrial zone this would not affect neighboring properties. This is an ideal location for this use.*

Site Review

In General:

- No new buildings are proposed, so a formal site plan review is not required. However, examining the existing characteristics of the site is important to understand what (if any) conditions might be needed for the new uses should the SUP be approved.

Existing Conditions:

- Previous use of the site (per aerials) appear to have concentrated on the outdoor storage of large vehicles likely dating back to the 2006 approvals for Universal trucking. A nonconforming use permit was reviewed and approved at that time, so no further investigation of nonconformities was completed at this time. Available documentation on the former use was limited due to stay-at-home orders associated with COVID-19.

Proposed Site Plan Updates:

- Changes to the site are proposed to be minimal with the exception of an 8' tall fence (with a gate) to be added around the A Tree Service site as needed to hide all wood materials from the public view, and additional landscaping to be planted on the west side of the property to screen storage of containers.
- The proposed A-Tree Service storage area is proposed to "include erosion/runoff control logs down the length of the bank near the creek along with existing concrete jersey barriers as well for the larger logs to be set against."
- We do not sell anything on site, all material are resold and delivered to clients.

Building Materials:

- No changes are proposed to the building.
- A Tree Service is proposing to use chain link fencing with slats. Chain link should be black vinyl covered similar to the fencing recently erected at the former MICOM site along Old Hwy 8.

Building Height:

- The existing building currently conforms to the 40 foot height maximum in the I-2 zoning district. Containers, if/when stacked, will not exceed two-high (≈ 17') as a condition of approval.

Landscaping:

- Trees are proposed to be planted to the west of the container storage area to ultimately provide screening of the use from Old Highway 8. To protect said trees and allow them space to grow and be established, the City's arborist is requesting that a minimum of 15' to 20' be kept between these new plantings and the storage containers. Boulders, fencing, or some other barrier agreed upon with DCAD shall be placed at this minimum setback to ensure container storage does not encroach into this protective area.
- As Engineering has asked that all trees be planted outside of the right-of-way, the Planning Commission recommended that the applicant and City Forester work together on identifying the most appropriate species of tree(s) and placement of trees following approval of the SUP. Up to four trees are anticipated to be needed.

Lighting:

- Lighting on the site and building shall be directed downward and be installed so as to prevent direct light from being detectable at all lot lines. Lighting is also not to shine directly into the public right-of-way.
- While no new lighting is proposed for the site, any problems with existing lighting that are later identified shall be brought into compliance with code requirements.

Lot Access:

- The access points to the property will not change from existing conditions.

Water System(s):

- The site has access to Municipal water, and there are no engineering or public works concerns regarding the new use and water usage.

Sanitary System(s):

- The site has access to Municipal sewer, and there are no engineering or public works concerns regarding the new use and sewer usage.

Storm water / Grading / Erosion:

- The potential of outdoor storage to impact the adjacent County Ditch #2 is of primary concern in this review, and the use of "existing jersey barriers" may not sufficiently prevent future problems. The applicants should come to agreement with DCAD staff on a final solution that can/will be effective over the long-term. Additional perimeter control around all stockpiles will be required.
- Engineering has examined existing grades, and does not find any reason to require changes to the site to accommodate stormwater; however, the applicant shall address stormwater concerns if unforeseen issues arise (or become foreseeable) as a result of the on-site storage.
- Because the site is not paved, vehicle tracking of dirt into the ROW is evident with existing uses, and the problem is presumed to get worse should these new uses be approved. As a condition of approval, the applicant must either make improvements to the site to keep tracking from being a problem, or must agree to paying for street sweeping services whenever directed to do so by the City.

Signage

- Sign changes on the building and/or site will need to be reviewed and approved via a separate sign permitting process.

Fire/Safety:

- Engineering reviewed the plans and expressed concerns about storage containers and trailers will be accessed and moved. Additional information showing the access route was requested of the applicant, and should be agreed upon with DCAD staff prior to any container storage commencing.

Hours of Operations:

- Not applicable. Neither use will cater to daily customers coming on-site. Per the applicant's narrative, *"We do not sell anything on site, all material are resold and delivered to clients."*

Parking & Traffic:

- Because this is a fairly unique combination of uses, code is not entirely clear as to what specific standard should be used to determine a minimum number of parking stalls. Neither use involves customers coming to the site, so concerns about a lack of parking are nil.
- Looking at office and warehouse space within the existing building, it appears there is plenty of parking on the site.
  - 143 square feet of office space * 90% = 128 / 200 sq ft per parking space = 1 space minimum
  - ≈4000 sq ft garage/warehouse space / 1000 sq ft per parking space = 4 spaces minimum
- As there are far more than five available parking spaces on the site, staff finds that parking is sufficient for the proposed uses.

Sidewalks & Trails:

- There are no sidewalks in this area nor are any planned. Given the high-level of industrial uses in this portion of town, we are not recommending promotion of pedestrian or bicycle use unless located on off-road trails.

Development Phasing:

- The change over in uses will occur in a single phase if this special use permit is approved.

Nonconforming Use Permit:

- A nonconforming use permit was previously issued to this site in 2006. As no changes have occurred since that time, existing nonconformities were not re-examined.

Public Comment:

- The owner of 750 1st Street SW relayed the following concerns about the proposed development:
  - Over the years, the vehicles emanating from 761 1st Street have made a habit of utilizing the driveway at 750 1st Street for their own purposes (either to pull in and back out, or to fully go around the loop driveway). If anything were approved involving trucking or container storage at 761 1st Street, they would like to see a condition that vehicles from this site cannot utilize the private property across the street for any reason.

(cont.)



– Concerned was also expressed that container storage in this location would not be aesthetically appealing, and that stacked containers destroy site visibility on the neighboring property (i.e. raises concerns about what could be happening behind the trailers). This opinion is likely based on the "look" of the property while container storage was illegally occurring on the property in January (see below).



Special Use Permit Review

In General:

- The need for a Special Use Permit is triggered by the new outdoor storage uses and the need to ensure such storage not pose a danger to the public or the adjacent drainage ditch moving forward.

SUP Standards Review:

Issuance of an SUP requires an analysis of the proposed use against the specific review criteria established in code. Staff has reviewed the City's criteria for special use permits, and we offer the following analysis for consideration:

General review Criteria (Section 8-130):

1. ***That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.***

   Applicant Comment: The existing business A Tree Service has been renting and operating on this site for almost a year and has recently purchased the property. There intent is to conduct business in New Brighton far into the future. Previous and current operation has not been detrimental to the city or the public as it is located in an industrial zone.

   Staff Comment: To be clear, A Tree Service has been in operation on the site for almost a year as a permitted use. They have NOT been conducting the outdoor storage proposed by this SUP, so they've been in compliance with code and have been a model tenant of the site. Big Blue Box did attempt to utilize the site for storage without approval last January, but the City received a complaint and the use was required to be terminated in early February. No further use of the land for container storage has happened since that time.

   Given the plans now before the City and based on feedback received to date, staff's main concerns with this application are as follows:

   a) **(Public Safety)** Storage of all wood materials must be adequately contained to prevent any inadvertent deposit of materials into the adjacent drainage ditch. As noted in the site plan review, the applicants should come to agreement with DCAD staff on a final containment solution that can/will be effective over the long-term. Additional perimeter control around all stockpiles will be required.

   b) **(General Welfare)** Because the site is significantly more visible from a main public thoroughfare (Old Hwy 8) than other Big Blue Box sites, the applicant has agreed to plant trees along the property's western border to provide a more natural screening of the area from the highway (albeit screening that'll improve over time). To ensure the success of the trees and screening, the City

(cont.)

forester suggests that the trees be planted in a staggered configuration at least 15 to 20 feet apart, and that a buffer be kept between the new trees and the closest storage containers. Boulders, fencing, or some other barrier agreed upon with DCAD shall be placed at this minimum setback to ensure container storage does not encroach into this protective area. Likewise, the aesthetic of the A Tree Service site can be enhanced by utilizing black vinyl coated chain link with slats as their fencing material.

Provided the above conditions are followed, staff believes this criteria can be met.

2. ***That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.***

   Applicant Comment: *It is compatible with the adjacent properties. Wood material storage in the rear yard does not affect any of the above. Big Blue Box container and chassis storage will not interfere with the neighboring properties.*

   Staff Comment: Concerns have been raised that traffic from this site periodically uses adjacent entry points and driveways on other private property for completing turning movements. To avoid all issues between these sites, staff would suggest that encroachments from these uses onto nearby private property be strictly prohibited. As a condition of approval, the applicants are hereby put on notice that if either use is documented as trespassing onto adjacent lands for any purpose, such documentation may be grounds for repealing the outdoor storage SUP for that particular use. **Provided that condition is followed and previous landscaping & fence provisions are followed, staff believes this criteria is met.**

3. ***That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.***

   Applicant Comment: *All wood materials are chipped and cut off site then delivered to the storage area in the rear of the property. and does not effect neighboring businesses. All storage container circulation occurs only within the property so it does not effect neighboring businesses.*

   Staff Comment: The proposed new outdoor storage use on this property will not have any impact on the development or use of surrounding lands provided previously outlined conditions are followed. **Criteria met.**

(cont.)

4. That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.

Applicant Comment: The proposed project will not be impacting existing utilities, access roads or drainage. The proposed erosion control logs are an additional environmental safety measure that the business would install to protect any runoff from the site going into the creek below. There are no chemicals or liquids in this area, only wood materials that have some soil in them. Container and chassis do not conflict with existing conditions on the site.

Staff Comment: Provided the applicant's agree to work with City Engineers on containment on a final containment solution for wood materials that can/will be effective over the long-term, then staff finds this criteria is met. **Criteria met.**

5. That the special use shall in all other respects conform to the applicable regulations of the district in which it is located.

Applicant Comment: The proposed use of wood material storage and container/ chassis storage are compatible to all the neighboring properties in the I-2 district.

Staff Comment: Provided the previously listed conditions are adhered to, staff does believe the use will conform to other applicable regulations of the I-2 district. **Criteria met.**

Supplementary Review & Public Comment

Additional Information:

- None

Engineering Review:

- An engineering memo dated 5-26-20 is attached to this report. Main concerns noted in this report include how trailers and containers would be accessed, containing wood materials from eroding into the ditch, and tracking of materials into the roadway. Conditions to address each of these concerns have been outlined in this report.

Public Safety Review:

- No public safety concerns on this application.

Planning Commission & Staff Recs.:

- The Planning Commission held a public hearing and debated the requests at their June 16, 2020, meeting, and ultimately recommended (unanimously) to support the requests subject to amended conditions outlined in this report.
- Staff concurs with this recommendation.

Conclusion:

The application is requesting approval of a special use permit to authorize outdoor storage for two uses (landscaping materials and containers) on the property at 761 1st Street SW.

***Council Options**:* The City Council has the following options:

A) APPROVE THE REQUEST based on the applicant's submittals and findings of fact.

B) DENY THE REQUEST based on the applicant's submittals and findings of fact.

C) TABLE THE ITEM and request additional information.

Based on an application date of 5/14/20, the 60-day review period for this application expires on 7/13/20. This deadline can be extended an additional 60 days if more time is necessary.

Template Denial Motion:

(<u>not</u> recommended)

- "I move that we deny the requested SUP based on the following findings of fact:"
  - *(provide findings to support your conclusion)*

Template Approval Motion:

RECOMMENDED

- "Move approval of the resolution authorizing an SUP for outdoor storage at 761 1st St SW."

Resolution Findings of Fact:

1. The proposed outdoor storage will not be detrimental to the public health or general welfare provided all materials are stored per an approved plan and all conditions are met;
2. The proposed storage will not impact the use of surrounding properties, and will not impact surrounding property values provided all conditions are met;
3. The proposed storage will not have any impact on the normal and ordinary development of surrounding properties;
4. The subject site is adequately served by municipal utilities and infrastructure;
5. The proposed use can conform to all underlying zoning district requirements.

Resolution Conditions:

1. Containers, if/when stacked in the authorized area for such use, shall not be stacked more than two-high (≈ 17').
2. To address aesthetics from the west, the property owner shall plant four up to (4) white pine trees (or other appropriate screening species as agreed upon between the applicant and City Forester) along the western border of the property. The trees shall be planted in accordance with direction by the City Forester.
3. Chain link fencing for A Tree Service should be black vinyl covered fencing (with slats) similar to the fencing recently erected at the former MICOM site along Old Hwy 8.
4. A minimum buffer as agreed upon with the City Forester (at least 15') shall be maintained between the planned trees and any container storage. Boulders, fencing, or some other barrier agreed upon with DCAD staff shall be placed at this minimum setback to ensure container storage does not encroach into this protective area.
5. Lighting on the site and building shall be directed downward and be installed so as to prevent direct light from being detectable at all lot lines. Lighting is also not to shine directly into the public right-of-way. Any problems with existing lighting that are later identified shall be brought into compliance with code requirements.
6. The applicants shall come to an agreement with DCAD staff on a final containment solution for wood materials that will be effective over the long-term. Additional perimeter control around all stockpiles will be required.
7. The applicant shall address stormwater concerns if unforeseen issues arise (or become foreseeable) as a result of the on-site storage.
8. The applicants shall either make improvements to the site the eliminate tracking of dirt into the street, or shall pay for street sweeping services whenever directed to do so by the City.
9. The access route for container storage shall be agreed upon with DCAD staff prior to any container storage commencing. All loading and turning movements must be accommodated on-site.
10. If either use (A Tree Service or Big Blue Box) is documented as trespassing onto adjacent lands for any purpose, such documentation shall be considered as valid grounds for repealing the outdoor storage authorization for that particular use.
11. No chipping or cutting of wood shall occur outdoors on this site.

cc: *Denise Volk, Main Contact; Nickolaus Houwman, Site Designer; Bill Kirkpatrick, Big Blue Box*

interoffice
MEMORANDUM

to:	Ben Gozola, Assistant Director of Community Assets and Development/City Planner
from:	Dustin Lind, Engineering Supervisor
subject:	761 1st Street SW
date:	May 26, 2020

The Engineering Department has reviewed the site plan for the property at 761 1st Street SW and we offer the following comments:

Streets – Parking Lot

1) Provide additional information about anticipated daily traffic volumes to and from the site.

2) It is unclear from the site plan how the storage contains/trailer chasis will be accessed. Provide additional plan showing access route.

Storm Sewer

1) The site plan and business narrative specify that erosion control logs will be placed along the entire length of the creek (Ramsey County Ditch 2). This type of erosion control practice is not intended for permanent use. A more permanent erosion control barrier should be used in this location (i.e. additional jersey barrier or vegetative strip).

2) Additional perimeter control around all stockpiles will be required.

3) Vehicle tracking from the existing site is evident and should be addressed.

Watermain
N/A

Sanitary Sewer
N/A

RESOLUTION
CITY COUNCIL
CITY OF NEW BRIGHTON

RESOLUTION MAKING FINDINGS OF FACT AND APPROVING A SPECIAL USE PERMIT AUTHORIZING OUTDOOR STORAGE OF LANDSCAPING MATERIALS AND CARGO CONTAINERS AT 761 1ST STREET SW

WHEREAS, the City of New Brighton is a municipal corporation, organized and existing under the laws of the State of Minnesota; and,

WHEREAS, the City Council of the City of the New Brighton has adopted a comprehensive plan and corresponding zoning regulations to promote orderly development and utilization of land within the city; and,

WHEREAS, W A Kirkpatrick, LLC, owns the property located at 761 1st Street SW legally described as:

> *All that part of the West 410 feet of the Northwest quarter of the Northeast quarter of Section 32, Township 30, Range 23, except the North 690 feet and except the Southerly 316.25 feet thereof and except that part thereof lying Southerly and Westerly of a line described as beginning at a point in the West line of said Northwest quarter of the Northeast quarter, distant 538.75 feet North of the Southwest corner of said Northwest quarter of the Northeast quarter thence Southeasterly deflecting 72 degrees 05 minutes (measured from South to the East) from said West line a distance of 258.28 feet; thence Southeasterly to a point in the North line of the South 316.25 feet of said Northwest quarter of the Northeast quarter distant 363.7 feet East of said West line.*

WHEREAS, W A Kirkpatrick, LLC (the "Applicants") made application to the City on 5/14/19 for a Special Use Permit (SUP) to authorize outdoor storage for two businesses at 761 1st Street SW;

WHEREAS, A Tree Service is seeking authorization to store landscaping materials and business vehicles outdoors, and Big Blue Box is seeking authorization to store cargo containers outdoors; and

WHEREAS, staff fully reviewed the request and prepared a report for consideration by the Planning Commission at their meeting on June 16, 2020; and

WHEREAS, the Planning Commission held a public hearing on the request at the June 16th, 2020, meeting and considered input from residents; and

WHEREAS, the Planning Commission recommended approval of the request on June 16th, 2020, based on the applicant's submittals and findings of fact; and

WHEREAS, the City Council considered on June 23rd, 2020, the recommendations of the Planning Commission, Staff, the Applicant's submissions, the contents of the staff report, and other evidence available to the Council.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of New Brighton hereby approves the requested special use permit based on the following findings of fact:

1. The proposed outdoor storage will not be detrimental to the public health or general welfare provided all materials are stored per an approved plan and all conditions are met;
2. The proposed storage will not impact the use of surrounding properties, and will not impact surrounding property values provided all conditions are met;
3. The proposed storage will not have any impact on the normal and ordinary development of surrounding properties;
4. The subject site is adequately served by municipal utilities and infrastructure;
5. The proposed use can conform to all underlying zoning district requirements.

BE IT FURTHER RESOLVED, that approval of the special use permit amendment shall be subject to the following conditions:

1. Containers, if/when stacked in the authorized area for such use, shall not be stacked more than two-high (≈ 17').

2. To address aesthetics from the west, the property owner shall plant four up to (4) white pine trees (or other appropriate screening species as agreed upon between the applicant and City Forester) along the western border of the property. The trees shall be planted in accordance with direction by the City Forester.

3. Chain link fencing for A Tree Service should be black vinyl covered fencing (with slats) similar to the fencing recently erected at the former MICOM site along Old Hwy 8.

4. A minimum buffer as agreed upon with the City Forester (at least 15') shall be maintained between the planned trees and any container storage. Boulders, fencing, or some other barrier agreed upon with DCAD staff shall be placed at this minimum setback to ensure container storage does not encroach into this protective area.

5. Lighting on the site and building shall be directed downward and be installed so as to prevent direct light from being detectable at all lot lines. Lighting is also not to shine directly into the public right-of-way. Any problems with existing lighting that are later identified shall be brought into compliance with code requirements.

6. The applicants shall come to an agreement with DCAD staff on a final containment solution for wood materials that will be effective over the long-term. Additional perimeter control around all stockpiles will be required.

7. The applicant shall address stormwater concerns if unforeseen issues arise (or become foreseeable) as a result of the on-site storage.

8. The applicants shall either make improvements to the site the eliminate tracking of dirt into the street, or shall pay for street sweeping services whenever directed to do so by the City.

9. The access route for container storage shall be agreed upon with DCAD staff prior to any container storage commencing. All loading and turning movements must be accommodated on-site.

10. If either use (A Tree Service or Big Blue Box) is documented as trespassing onto adjacent lands for any purpose, such documentation shall be considered as valid grounds for repealing the outdoor storage authorization for that particular use.

11. No chipping or cutting of wood shall occur outdoors on this site.

ADOPTED this 23rd day of June, 2020 by the New Brighton City Council with a vote of __ ayes and __ nays.

_____
Valerie Johnson, Mayor

_____
Devin Massopust, City Manager

ATTEST:

_____
Terri Spangrud, City Clerk

The undersigned Applicants have read, understand and hereby agree to the terms of this resolution and on behalf of himself/herself, his/her heirs, successors and assigns, hereby agree to the conditions set forth above, and to the recording of this resolution and attachments in the chain of title of the property.

Dated _____ _____
<authorized representative of BBB>

Subscribed and sworn to before me this _____ day of _____, 2019.

_____
Notary Public

The undersigned Applicants have read, understand and hereby agree to the terms of this resolution and on behalf of himself/herself, his/her heirs, successors and assigns, hereby agree to the conditions set forth above, and to the recording of this resolution and attachments in the chain of title of the property.

Dated _____ _____

<authorized representative of A Tree Service>

Subscribed and sworn to before me this _____ day of _____, 2019.

_____

Notary Public

HOUWMAN Architects
31572 Snowball Road, Pengilly, MN 55775
Phone-651-631-0200
nickhouwman@gmail.com

City of New Brighton
803 Old Hwy 8 NW
New Brighton, MN 55112

Re: A Tree Service & Landscaping, Inc. – DBA - A Tree Service, Inc.
761 1st St. S.W.
New Brighton, MN 55112

Business narrative for the proposed wood material storage for "A Tree Service" and "Big Blue Box" container/ chassis storage located at 761 1st St. S.W. New Brighton, MN

A Tree Service is currently in the process of purchasing the property from Big Blue Box.

About A-Tree Service Incorporated

A Tree Service Inc. has proudly been serving the Minneapolis & St. Paul, MN metro area for over 40 years. We're dedicated to preserving and beautifying the urban forests through educating our customers with our trained, professional tree care services. We offer local residential, commercial & municipal tree care, trimming, removal, stump grinding, chipping, land clearing & much more. A Tree Service is family owned and operated. We are licensed, insured and bonded for everyone's safety. We are also DBE, SBE, WBE and Certified for Hennepin and Ramsey County.

Our History

Past – It started with Cleve and Denise back in 1979. Cleve was working for a family friend's tree & landscape company climbing trees. They decided that, with a baby on the way, they wanted to have more freedom, so they got a loan from a family member and bought their own saddle, spikes, and saw. He threw them in the back of his rusted pick-up truck and off they went…

Present – 40 Years later, A Tree Service has evolved from a young couple determined to provide for their young family, to a full-fledged operation that provides the very best in tree care & services to its customers. Our employees have evolved as well. Becoming the very best, while utilizing the very best in knowledge, tools, equipment and training to safely & correctly meet any customer's needs.

Future – The next 35 years and beyond… With a lot of hard work and persistence, A Tree Service, Inc. will be a company that can provide for what matters most, our customers and employees. The A Tree Service, Inc. family looks forward to continuing to work in the Twin Cities & surrounding area for generations to come.

Certified Tree Care Professionals Minnesota

When it comes to tree care needs in the Minneapolis area, we have you covered; from removing stumps to maintaining trees for years. When you dedicate your life into your work it shows and we are offering you a chance to benefit from it first-hand. We are proud to be a Licensed Minnesota Tree Care Company with over 40 years of experience!

Certified Arborists in Minnesota

Being certified means we have dedicated a lot of our past to the time it takes to become a certified Arborist. To others, it is piece of mind for anyone doing business with us that we have been through the education process and know what we are talking about. We know our tree care, we care about what we are doing and we are interested in learning more. We are a dutiful, dedicated team in arboriculture. We provide a wide range of know-how when it comes to tree care in urban forests and beyond.

Daily operation

A Tree Service Inc. is a company that is into reusing all of its by-products of its tree removal from trimming and stump grinding operations. Instead of throwing away our logs, brush and grindings we reuse them to help offset our costs of doing business. By removing the dirt from the stump chips and reusing it in the next stump grinding hole and then bringing the left over wood chips to be further processed off site. The logs are collected and resold to various millwrights – Wood From The Hood Siewer Co., Siwek, Black Horse Inc., and other companies. Brush that is not chipped on a work site is stored outside until collected and chipped at another tree site or every other day in the morning for 20 min or on a Saturday for a limited amount of time.

In the proposed storage area will be setting erosion/runoff control logs down the length of the bank near the creek along with existing concrete jersey barriers as well for the larger logs to be set against.

We propose to set additional landscaping to the west to screen most of the container storage and an 8' tall screening fence with a gate in order to screen all materials from the public's view. We do not sell anything on site, all material are resold and delivered to clients.

About Big Blue Box

Big Blue Box is proposing to rent exterior yard space from A Tree service. They are a moving storage container & cargo container business that rents, sells and stores high quality, customizable, new and used portable storage containers.

Big Blue Box has been in business in New Brighton since June 2001. This business is growing and needs to expand their storage area of these containers to the A Tree Services property to the west of their existing facility.

The proposed property A Tree Service would like to rent to Big Blue Box for storing containers and chassis is located in an existing industrial zoned property in the I-2 district. The location and type of this proposed use is essential for the growth of both companies.

There are 3 items that we are proposing:

1. The existing property to be left as is being that it works for this type of use and does not require any remodeling or improvements. Except for adding a privacy fence to hide all wood materials from the public view, additional landscaping on the west of the property.

2. A Tree Service wood material storage in the rear lot not visible to the public.

3. Storage of containers and chassis trailers. The containers would be stacked at maximum 2 high. Each container is 8'-6" tall, this would bring them to approximately 17' tall. These containers are designed to be stack and will not cause any harm to the property or personal. Being that they will be stored in an industrial zone this would not affect neighboring properties. This is an ideal location for this use.

A TREE SERVICE

SCOPE OF PROJECT:
APPLYING FOR SPECIAL USE PERMIT FOR OUTDOOR STORAGE

A TREE SERVICE - STORAGE OF MULCH & PREVIOUSLY CUT TREE'S

BIG BLUE BOX - YARD STORAGE FOR CONTAINERS & CHASSIS

EXISTING SITE TO BE KEPT AS-IS

OFF STREET PARKING REQUIREMENT:

OFFICE: 1 STALL PER 200 S.F.
WAREHOUSE: 1 STALL PER 1,000 S.F.
OR 2 STALLS FOR EVERY 3 EMPLOYEES (WHICH EVER IS GREATER)
PLUS 1 STALL PER COMPANY VEHICLE

TOTAL BUILDING = 3,785 S.F.

APPROX. 195 S.F. OF OFFICE
195 SF / 200 SF = 2 STALLS REQUIRED (AS PER THE CITY OF NEW BRIGHTON)

3,590 S.F. OF WAREHOUSE
3,590 SF / 1,000 SF = 4 STALLS REQUIRED (AS PER THE CITY OF NEW BRIGHTON)

8 TOTAL EMPLOYEES = 8 / 3 = 2.6 X 2 = 5 STALLS

6 COMPANY VEHICLES = 6 ADDITIONAL STALLS

TOTAL = 13 PARKING STALLS REQUIRED

PARKING MEETS ZONING CODE REQUIREMENTS

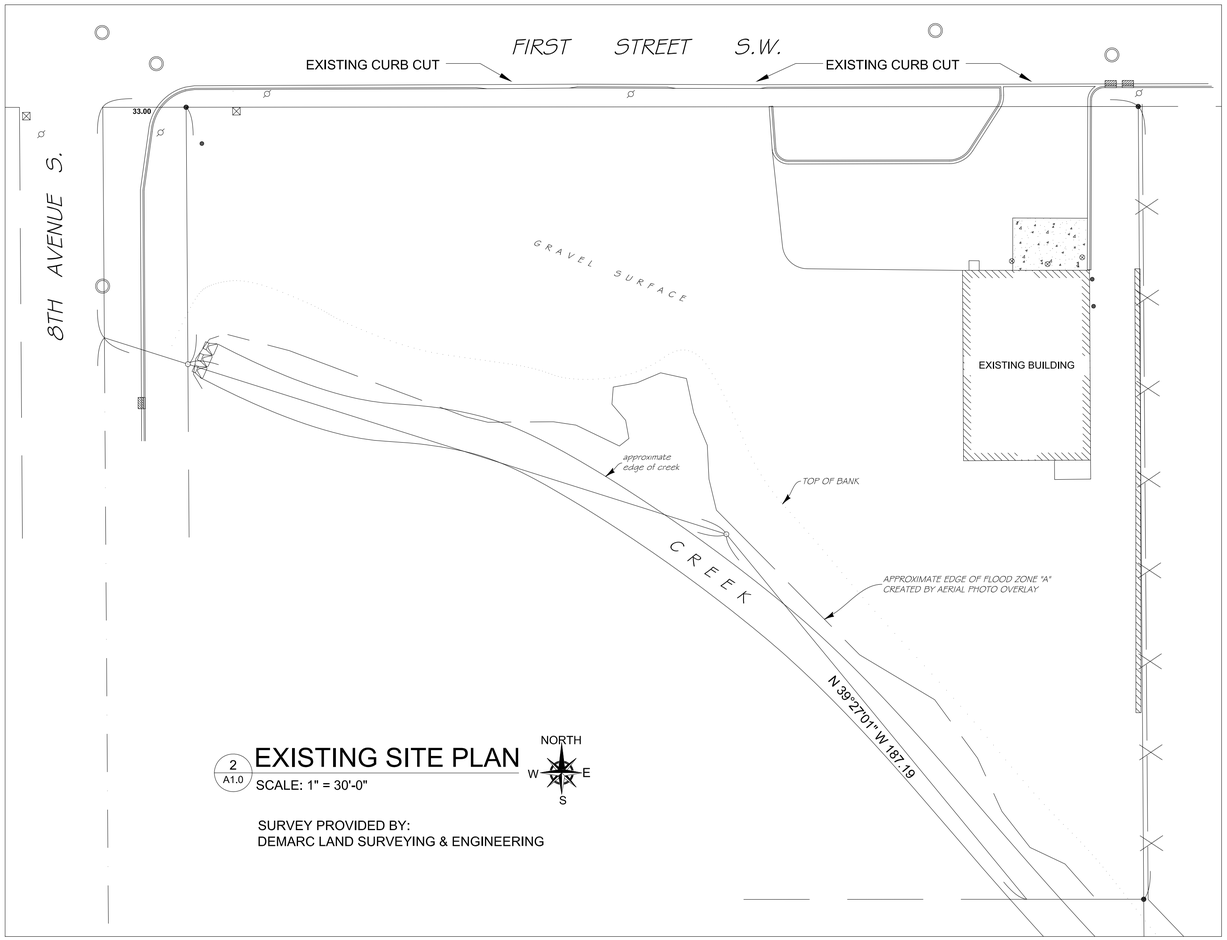
SHEET INDEX

SHEET #	HOUWMAN ARCHITECTS	S.U.P. SET 4-20-20
A1.0	EXISTING SITE PLAN	INCLUDED
A1.1	A TREE SERVICE PROPOSED STORAGE PLAN	INCLUDED
A1.2	BIG BLUE BOX PROPOSED STORAGE PLAN	INCLUDED
A1.3	TURNING RADIUS PLAN	INCLUDED



1 A1.0 PROJECT LOCATION
NO SCALE

NORTH W E S



2 A1.0 EXISTING SITE PLAN
SCALE: 1" = 30'-0"

NORTH W E S

SURVEY PROVIDED BY:
DEMARC LAND SURVEYING & ENGINEERING



3 A1.0 AERIAL VIEW
NO SCALE

NORTH W E S

ARCHITECT:

HOUWMAN
ARCHITECTS
31572 SNOWBALL ROAD
PENGILLY, MN 55775
651-631-0200
OFFICE 218-929-9171
BRIANWHOUWMAN@YAHOO.COM

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA

NAME BRIAN HOUWMAN

REGISTRATION NO. 22604 DATE 4/20/20

PROJECT LOCATION:

761 1ST ST. SW
NEW BRIGHTON, MN
55112

BUILDING OWNER:

A TREE SERVICE

NOTE:

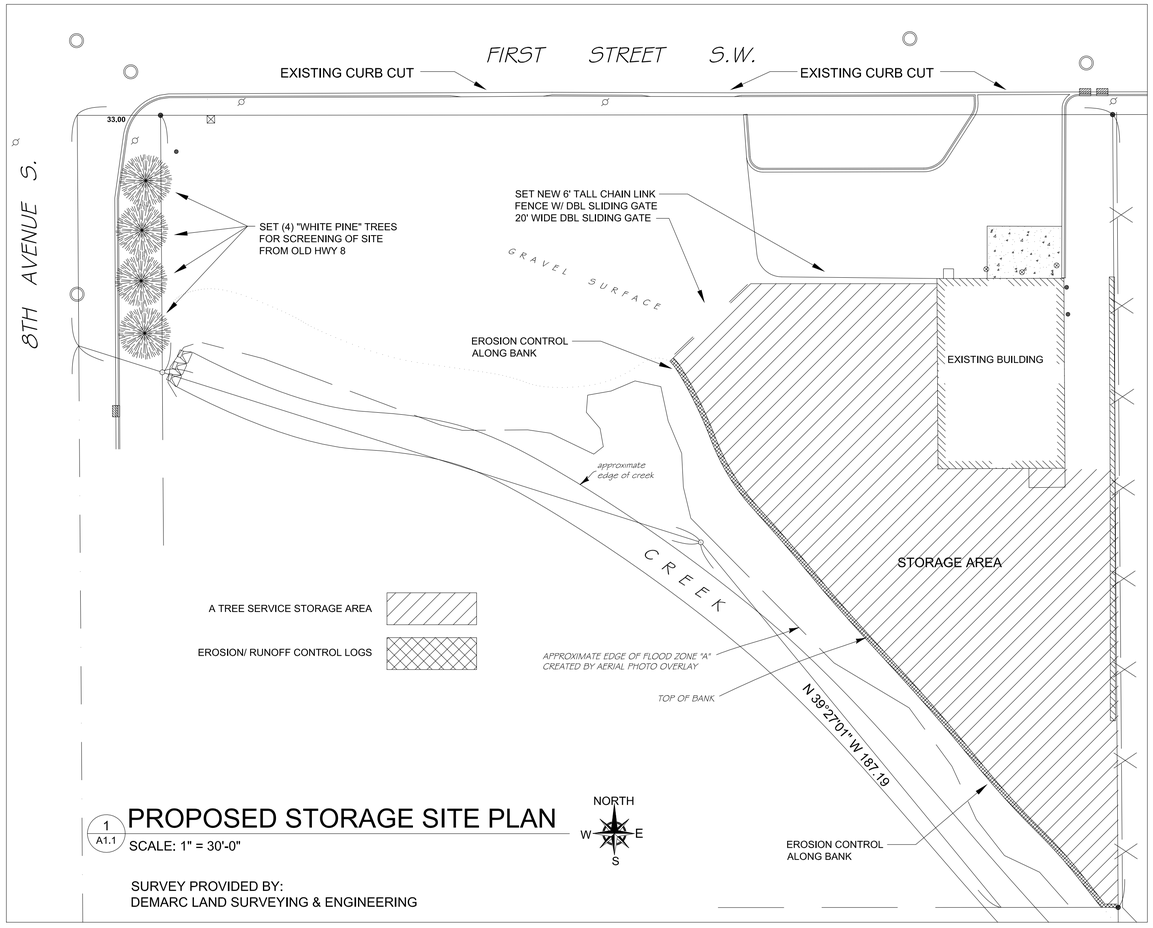
THIS SET OF PLANS IS FOR A DESIGN-BUILD PROJECT.
ANY INFORMATION NOT CLARIFIED BY MANUFACTURER, PERFORMANCE REQUIREMENTS OR DETAILS ON THIS PLAN SET ARE TO BE DETERMINED BY THE GENERAL CONTRACTOR AND THE OWNER.
ANY DISCREPANCIES BETWEEN PLANS AND FIELD CONDITIONS WHICH REQUIRE THE CONTRACTOR TO CHOOSE ONE METHOD, DIMENSION OR MATERIAL OVER ANOTHER ARE TO BE BROUGHT TO THE ATTENTION OF THE ARCHITECT BEFORE WORK IS STARTED, FOR CLARIFICATION.

FULL SIZE PLANS 22" X 34"

SPECIAL USE PERMIT SET 4/20/19

JOB#	19-113
DATE	4/20/20
DRAWN	NH
CHECKED	BH

EXISTING SITE PLAN
A1.0



1 A1.1 PROPOSED STORAGE SITE PLAN

SCALE: 1" = 30'-0"

SURVEY PROVIDED BY:
DEMARC LAND SURVEYING & ENGINEERING



2 A1.1 STREET VIEW FROM OLD HWY 8

NO SCALE

NORTH
W E
S



3 A1.1 PROPOSED STREET VIEW FROM OLD HWY 8

NO SCALE

NORTH
W E
S

ARCHITECT:

HOUWMAN
ARCHITECTS
31572 SNOWBALL ROAD
PENGILLY, MN 55775
651-631-0200
OFFICE 218-929-9171
BRIANWHOUWMAN@YAHOO.COM

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NAME BRIAN HOUWMAN

REGISTRATION NO. 22604 DATE 4/20/20

PROJECT LOCATION:

761 1ST ST. SW
NEW BRIGHTON, MN
55112

BUILDING OWNER:

A TREE SERVICE

NOTE:

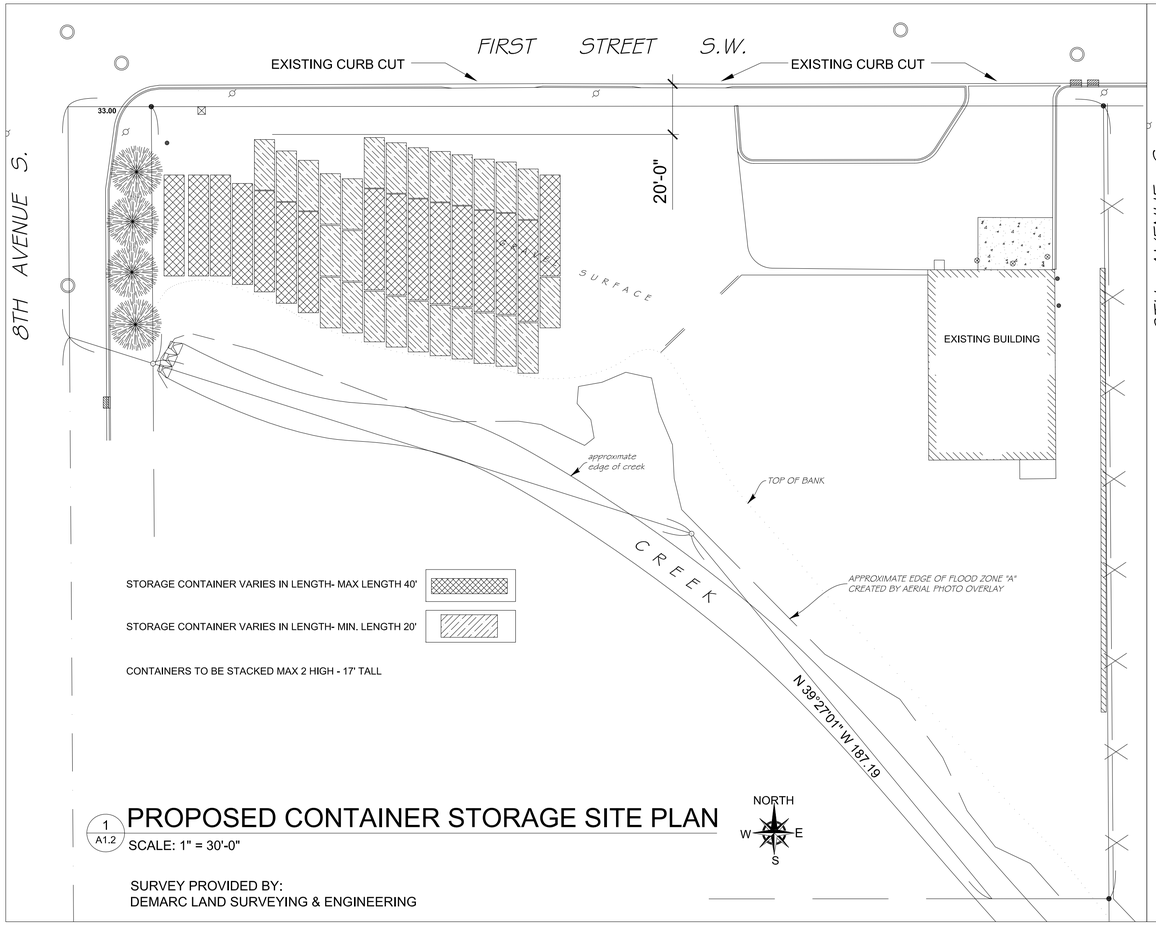
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FULL SIZE PLANS 22" X 34"

SPECIAL USE PERMIT SET	4/20/19
JOB#	19-113
DATE	4/20/20
DRAWN	NH
CHECKED	BH

A TREE SERVICE STORAGE PLAN

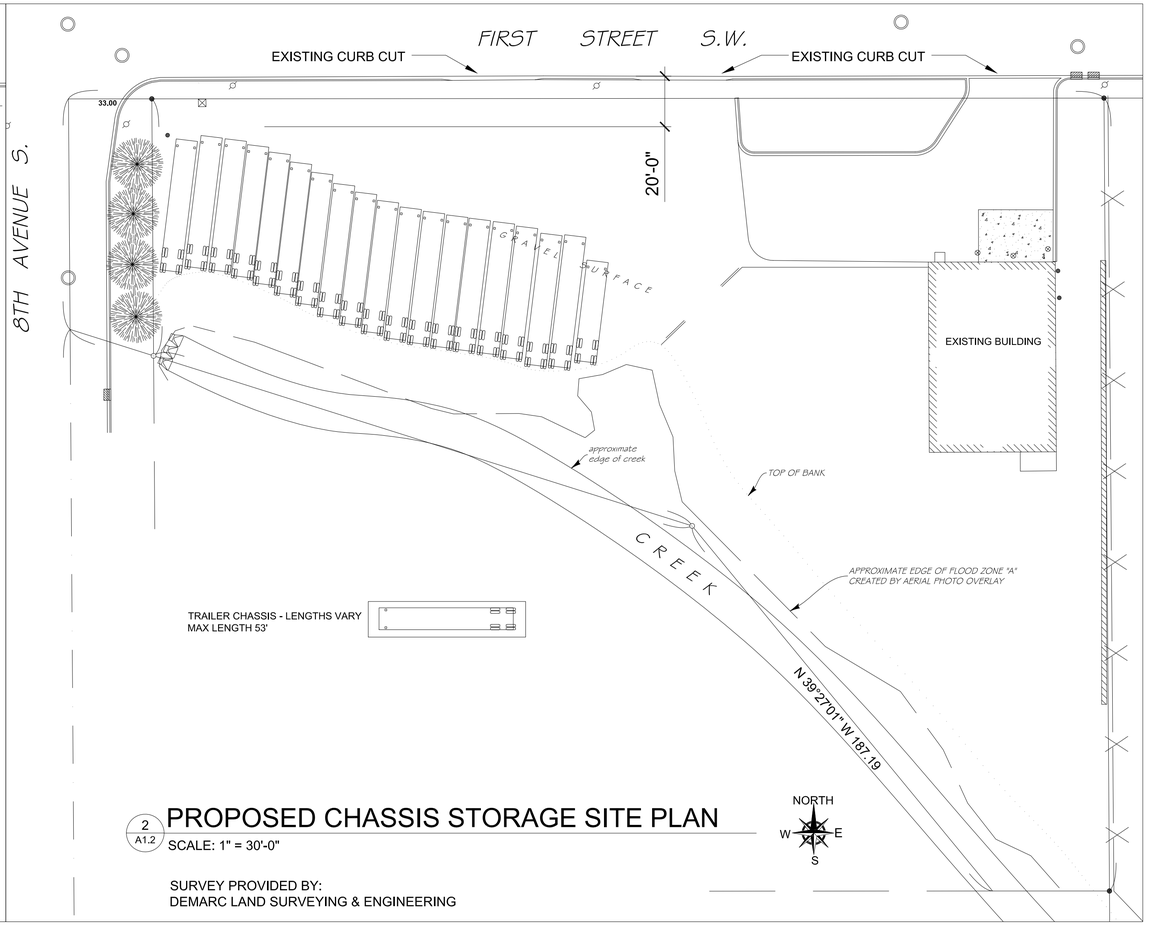
A1.1



1 A1.2 PROPOSED CONTAINER STORAGE SITE PLAN

SCALE: 1" = 30'-0"

SURVEY PROVIDED BY:
DEMARC LAND SURVEYING & ENGINEERING



2 A1.2 PROPOSED CHASSIS STORAGE SITE PLAN

SCALE: 1" = 30'-0"

SURVEY PROVIDED BY:
DEMARC LAND SURVEYING & ENGINEERING

ARCHITECT:

HOUWMAN
ARCHITECTS
31572 SNOWBALL ROAD
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NAME BRIAN HOUWMAN

REGISTRATION NO. 22604 DATE 4/20/20

PROJECT LOCATION:

761 1ST ST. SW
NEW BRIGHTON, MN
55112

BUILDING OWNER:

A TREE SERVICE

NOTE:

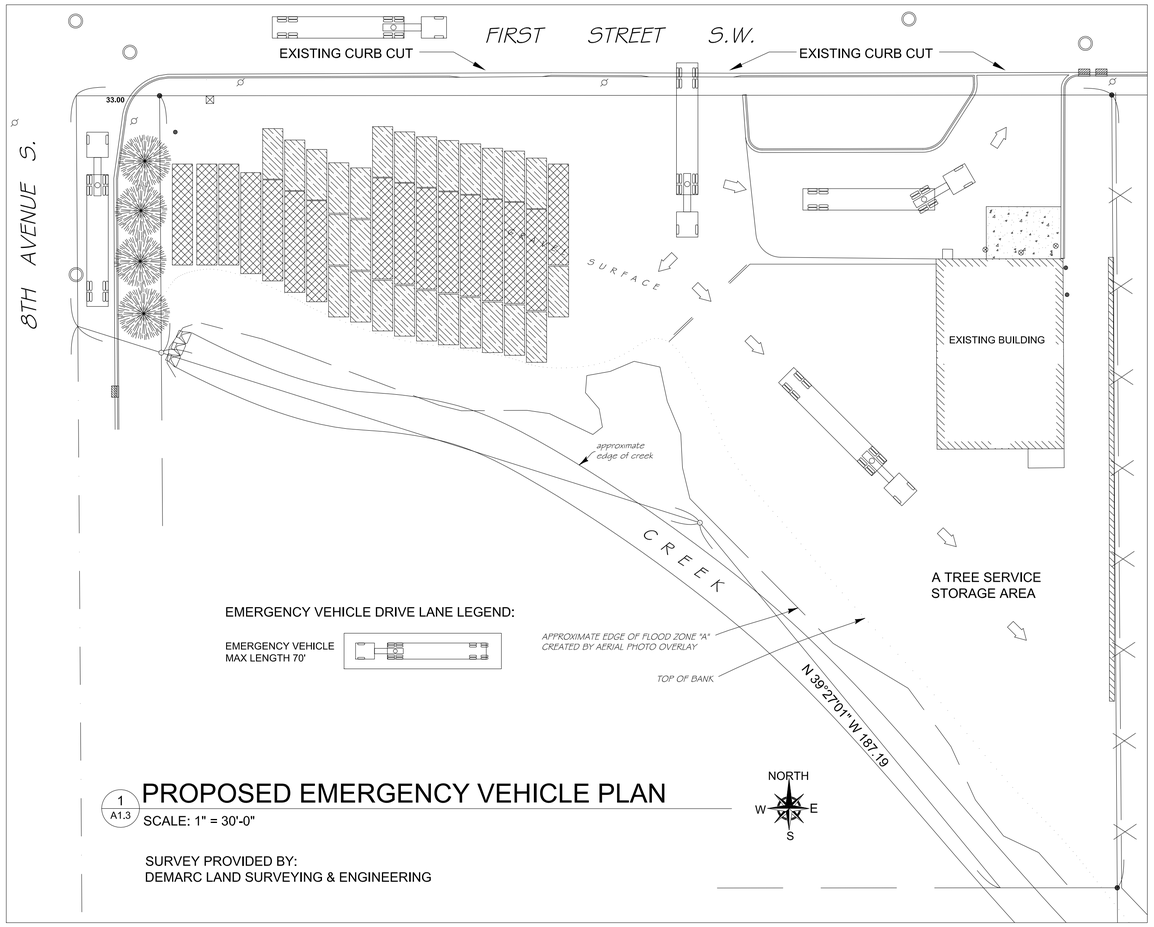
THIS SET OF PLANS IS FOR A DESIGN-BUILD PROJECT.
ANY INFORMATION NOT CLARIFIED BY MANUFACTURER, PERFORMANCE REQUIREMENTS OR DETAILS ON THIS PLAN SET ARE
TO BE DETERMINED
BY THE GENERAL CONTRACTOR
AND THE OWNER.
ANY DISCREPANCIES BETWEEN PLANS AND FIELD CONDITIONS WHICH REQUIRE THE CONTRACTOR TO CHOOSE
ONE METHOD, DIMENSION
OR MATERIAL OVER ANOTHER ARE TO BE BROUGHT TO THE
ATTENTION OF THE ARCHITECT
BEFORE WORK IS STARTED,
FOR CLARIFICATION.

FULL SIZE PLANS 22" X 34"

SPECIAL USE PERMIT SET	4/20/19
JOB#	19-113
DATE	4/20/20
DRAWN	NH
CHECKED	BH

BIG BLUE BOX
STORAGE PLAN

A1.2



1 A1.3 PROPOSED EMERGENCY VEHICLE PLAN

SCALE: 1" = 30'-0"

SURVEY PROVIDED BY:
DEMARC LAND SURVEYING & ENGINEERING

ARCHITECT:

HOUWMAN ARCHITECTS
31572 SNOWBALL ROAD
PENGILLY, MN 55775
651-631-0200
OFFICE 218-929-9171
BRIANWHOUWMAN@YAHOO.COM

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA

NAME BRIAN HOUWMAN

REGISTRATION NO. 22604 DATE 4/20/20

PROJECT LOCATION:

761 1ST ST. SW
NEW BRIGHTON, MN
55112

BUILDING OWNER:

A TREE SERVICE

NOTE:

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TO BE DETERMINED BY THE GENERAL CONTRACTOR AND THE OWNER.
ANY DISCREPANCIES BETWEEN PLANS AND FIELD CONDITIONS WHICH REQUIRE THE CONTRACTOR TO CHOOSE ONE METHOD, DIMENSION OR MATERIAL OVER ANOTHER ARE TO BE BROUGHT TO THE ATTENTION OF THE ARCHITECT BEFORE WORK IS STARTED, FOR CLARIFICATION.

FULL SIZE PLANS 22" X 34"

SPECIAL USE PERMIT SET	4/20/19
JOB#	19-113
DATE	4/20/20
DRAWN	NH
CHECKED	BH

TURNING RADIUS PLAN

A1.3

Special Use Permit Criteria Worksheet

A special use permit cannot be approved unless the Planning Commission and City Council find that the following criteria have been met. Please provide a response on how/why your project meets the below stated criteria. Use additional sheets if necessary and consult with the Planning Director at the time of your Pre-Application Meeting as some items may not be applicable for your project.

1) That the establishment, maintenance, or operations of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

The existing business A Tree Service has been renting and operating on this site for almost a year and has recently purchased the property. There intent is to conduct business in New Brighton far into the future. Previous and current operation has not been detrimental to the city or the public as it is located in an industrial zone.

2) That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.

It is compatible with the adjacent properties. Wood material storage in the rear yard does not affect any of the above. Big Blue Box container and chassis storage will not interfere with the neighboring properties.

3) That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

All wood materials are chipped and cut off site then delivered to the storage area in the rear of the property. and does not effect neighboring businesses. All storage container circulation occurs only within the property so it does not effect neighboring businesses.

4) That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.

The proposed project will not be impacting existing utilities, access roads or drainage. The proposed erosion control logs are an additional environmental safety measure that the business would install to protect any runoff from the site going into the creek below. There are no chemicals or liquids in this area, only wood materials that have some soil in them. Container and chassis do not conflict with existing conditions on the site.

5) That the special use shall in all other respects conform to the applicable regulations of the district in which it is located.

The proposed use of wood material storage and container/ chassis storage are compatible to all the neighboring properties in the I-2 district

Report Number:	**3**
Agenda Section:	**Business**
Report Date:	**06/18/2020**
Council Meeting Date:	**06/23/2020**

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION: Consider Resolution Delegating Authority to Adopt a COVID-19 Preparedness Plan
DEPARTMENT HEAD'S APPROVAL: Anthony S. Paetznick, Director of Public Safety
CITY MANAGER'S APPROVAL:
No comments to supplement this report DAM **Comments attached** ___

Recommendation: Approve Resolution delegating authority to the City Manager to adopt a COVID-19 Preparedness Plan for the City of New Brighton.

Legislative History: On March 13, 2020, Governor Tim Walz issued Emergency Executive Order 20-01 declaring a state of peacetime emergency to address the COVID-19 pandemic in Minnesota. Council declared the existence of a local emergency on March 24, 2020.

Financial Impact: The City of New Brighton has experienced financial impacts in the City budget for 2020 as a result of COVID-19**.**

Explanation: Under Executive Order 20-74, released by Governor Tim Walz on June 5, critical sector businesses — including government entities like cities — are now required to adopt a COVID-19 Preparedness Plan by June 29. Council can delegate this authority to the City Manager through a resolution. The City's Senior Leadership Team has already created several COVID-19 preparedness plans related to specific municipal business operations for New Brighton facilities that have reopened to the public for service, including the License Bureau/Passport Office, Brightwood Hills Golf Course, and Community Center.

Anthony S. Paetznick
Director of Public Safety

RESOLUTION NO. 20-

STATE OF MINNESOTA
COUNTY OF RAMSEY
CITY OF NEW BRIGHTON

RESOLUTION DELEGATING AUTHORITY TO THE CITY MANAGER TO ADOPT A COVID-19 PREPAREDNESS PLAN FOR THE CITY OF NEW BRIGHTON

WHEREAS, on March 13, 2020, Governor Tim Walz issued Emergency Executive Order 20-01 declaring a state of peacetime emergency to address the COVID-19 pandemic in Minnesota; and

WHEREAS, on March 24, 2020, the New Brighton City Council declared and extended the period of a state of local emergency for the City of New Brighton in response to COVID-19; and

WHEREAS, on June 5, 2020, Governor Tim Walz issued Emergency Executive Order 20-74 requiring critical sector businesses, including the City of New Brighton, to adopt a COVID-19 preparedness plan by June 29, 2020; and

WHEREAS, the City Manager, working with the City of New Brighton Senior Leadership Team, is best positioned to develop, disseminate, and update as appropriate such a plan;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of New Brighton, Minnesota, that the City Manager is authorized to adopt a COVID-19 preparedness plan for the City of New Brighton.

ADOPTED this 23rd day of June, 2020, by the New Brighton City Council with a vote of _____ ayes and _____ nays.

_____
Valerie Johnson, Mayor

_____
Devin Massopust, City Manager

ATTEST:

_____
Terri Spangrud, City Clerk

Agenda Section:	Business
Report Date:	6/19/2020
Council Meeting Date:	6/23/2020

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION: Consider Resolution Establishing and Combining Polling Places
DEPARTMENT HEAD'S APPROVAL:
CITY MANAGER'S APPROVAL:
No comments to supplement this report DAM **Comments attached** ___

Recommendation: Approve Resolution Establishing and Combining Polling Places

Legislative History: The City of New Brighton is divided into eight precincts. All of the residents who reside within the boundaries of each precinct are assigned to vote at a public or private facility that has been designated as a polling place for that precinct. (See Appendix A.)

The City was recently notified that a number of facilities that have served as long-time polling places are unable to participate in this year's elections due to the Covid-19 pandemic. As such, the City of New Brighton needs to designate new polling places for precincts. State law requires that this be done before July 1, 2020.

In order to be designated as a polling place, a facility must:

- Be fully accessible (see Appendix B))
- Be large enough to accommodate the election activities
- Be free of other, non-election, activities
- Be smoke free
- Be liquor free and not next to a liquor service area
- Be within the precinct or within one mile of the precinct boundary or be part of a combined polling place
- Not be a public or private school, preschool or post-secondary school (unless there are no other options)

State law also allows cities to combine polling places into a single, accessible location, with a single team of election judges. To do this, the precincts assigned to this polling place must be contiguous and there must be a separate ballot counter for voters of each precinct in the combined polling place.

Explanation: Staff contacted several churches and facilities regarding serving as a polling place for the August 11, 2020 State Primary Election and November 3, 2020 Presidential Election. Some did not respond. Some were unsuitable for elections use. Some could not participate this year but may be interested in the future. Others were bringing the request to their regulatory boards but could not give an answer before the state deadline of July 1, 2020.

In light of all of these factors, elections staff proposes the following:

Precinct 1

Precinct 1 normally votes at the New Brighton Community (NBCC) Center located at 400 10th St NW which is owned by the City of New Brighton. Voters in Precinct 1 would continue to vote at the NBCC.

Signage would direct voters to park near and enter through the Ramsey County Library entrance and take an immediate left into Community Room B where, if there is a line, there is room to keep voters six feet apart. (See Appendix C). While in this line, voters would be greeted by the greeter judge who would answer voter questions, and ensure people are in the correct location before they proceed through the remainder of the voting process – all of which would be appropriately spaced six (6) feet apart.

Additional health measures would include:

- All election judges will be required to wear a mask unless they are unable to. Ramsey County Elections is providing cloth facemasks for election judges at no charge to the City of New Brighton.
- Voter will be encouraged to wear a mask. That being said, Voters are not required to wear a facemask in order to exercise their right to vote.
- Ramsey County elections will provide a number of single-use facemasks for voters who wish to use them but do not have their own. We anticipate receiving enough for 10% of pre-registered voters in each precinct.
- There will be two 2-gallon hand sanitizer pump bottles. One will be placed at the entrance of the polling place, one at the exit.
- There will be five 10oz bottles of hand sanitizer for placement on Election Judge tables.
- There will be single-use pens for every voter. Ramsey County is providing enough pens for 100% of voters pre-registered in each precinct. These will be given to voters as they enter.
- Ramsey County is also providing disinfectant wipes for poll pads, voting equipment, voting stations, and other hard surfaces.
- There will be one box of gloves for election judge use.
- There will be two 3x3 shields (design to be determined). There will be provided by Ramsey County and can be used as an accommodation for judges who cannot wear a mask or voters who read lips.
- There will be a regular cleaning schedule (to be determined) throughout the day.

Voters who need to vote in person on Election Day but wish to vote in their car using statutory curbside voting procedures will be directed via signage around the outer edges of the parking lot (See

Appendix C). This will allow voters who wish to vote inside and other building users to utilize the closer, center parking spaces. Once voters finish voting in their car, they will be directed around the building to exit so as not to interfere with voters and other building users exiting the building.

Precinct 5

Voters who reside in Precinct 5 normally vote at Christ the King Lutheran Church. However, Christ the King is unable to serve as a polling place for the August 11th State Primary Election. As the New Brighton Community Center has sufficient space to accommodate a larger number of voters and as the Community Center lies within the boundaries of Precinct 5, staff proposes making the New Brighton Community Center a combined polling place for Precincts 1 and 5.

As of Thursday, June 18, 2020 there are 1804 registered voters in Precinct 1 and there are 1689 registered voters in Precinct 5.

While no one can accurately predict voter turnout, historically, state primary elections have had very low turnout resulting in less than 2,000 voters citywide. In addition, Ramsey County reports that as of Wednesday, June 17, 2020 more than 20,000 voters countywide have requested an absentee ballot be mailed to them for the State Primary Election. This number does not include voters who still plan to vote by mail, plan to cast an absentee ballot in person, plan to vote early or plan to vote on Election Day. For perspective, approximately 36,000 people cast a ballot in Ramsey County for the 2016 State Primary Election.

Staff anticipates that even with a combined precinct, Election Day lines at the August 11, 2020 State Primary Election will be unlikely.

Precinct 3

Precinct 3 normally votes at the St. John the Baptist Catholic Church located at 835 2nd Ave NW. Although this facility houses a private school, voters do not encounter students at any time. The church is willing and able to host and the City does not have other viable options. As such, voters in Precinct 3 would continue to vote at St. John the Baptist Catholic Church.

Voters who need to vote in person on Election Day but wish to vote in their car using statutory curbside voting procedures will be directed via signage around the outer edges of the parking lot (See Appendix D). Once voters finish voting in their car, they will be directed to exit the parking lot using the parking lot exit closest to the Curbside voting station.

Staff was unable to obtain a floor plan prior to assembling this report. However, voters who wish to vote inside the building can enter through the main door and proceed straight ahead. There is sufficient space for a line of voters spaced six feet apart should a line form. While in this line, voters would be greeted by the greeter judge who would answer voter questions and ensure people are in the correct location before they proceed through the remainder of the voting process – all of which would be appropriately spaced six (6) feet apart.

Additional health measures would include:

- All election judges will be required to wear a mask unless they are unable to. Ramsey County Elections is providing cloth facemasks for election judges at no charge to the City of New Brighton.
- Voter will be encouraged to wear a mask. That being said, Voters are not required to wear a facemask in order to exercise their right to vote.
- Ramsey County elections will provide a number of single-use face masks for voters who wish to use them but do not have their own. We anticipate receiving enough for 10% of pre-registered voters in each precinct.
- There will be two 2-gallon hand sanitizer pump bottles. One will be placed at the entrance of the polling place, one at the exit.
- There will be five 10oz bottles of hand sanitizer for placement on Election Judge tables.
- There will be single-use pens for every voter. Ramsey County is providing enough pens for 100% of voters pre-registered in each precinct. These will be given to voters as they enter.
- Ramsey County is also providing disinfectant wipes for poll pads, voting equipment, voting stations, and other hard surfaces.
- There will be one box of gloves for election judge use.
- There will be two 3x3 shields (design to be determined). There will be provided by Ramsey County and can be used as an accommodation for judges who cannot wear a mask or voters who read lips.
- There will be a regular cleaning schedule (to be determined) throughout the day.

Precinct 2

Voters who reside in Precinct 2 normally vote at the Church of Jesus Christ of Latter Day Saints. However, this church is unable to serve as a polling place during a pandemic. As St. John the Baptist Catholic Church has sufficient space to accommodate a larger number of voters and as Precinct 2 is contiguous with Precinct 3, staff proposes making St. John the Baptist Catholic Church a combined polling place for Precincts 2 and 3.

As of Thursday, June 18, 2020, there are 1904 registered voters in Precinct 3 and there are 1165 registered voters in Precinct 2.

While no one can accurately predict voter turnout, historically, state primary elections have had very low turnout resulting in less than 2,000 voters citywide. In addition, Ramsey County reports that as of Wednesday, June 17, 2020 more than 20,000 voters countywide have requested an absentee ballot be mailed to them for the State Primary Election. This number does not include voters who still plan to vote by mail, plan to cast an absentee ballot in person, plan to vote early or plan to vote on Election Day. For perspective, approximately 36,000 people cast a ballot in Ramsey County for the 2016 State Primary Election.

Staff anticipates that even with a combined precinct, Election Day lines at the August 11, 2020 State Primary Election will be unlikely.

Precinct 4

Precinct 4 normally votes at the Salem Covenant Church located at 2655 5th St NW. As such, voters in Precinct 4 would continue to vote at Salem Covenant Church.

Voters who need to vote in person on Election Day but wish to vote in their car using statutory curbside voting procedures will be directed via signage around the outer edges of the parking lot (See Appendix E). Once voters finish voting in their car, they will be directed to exit the parking lot following the one-way directional signage existing in the parking lot.

Staff was unable to obtain a floor plan prior to assembling this report. However, voters who wish to vote inside the building can enter through the main door and proceed directly to the voting room. There is sufficient space for a line of voters spaced six feet apart should a line form. While in this line, voters would be greeted by the greeter judge who would answer voter questions and ensure people are in the correct location before they proceed through the remainder of the voting process – all of which would be appropriately spaced six (6) feet apart.

Additional health measures would include:

- All election judges will be required to wear a mask unless they are unable to. Ramsey County Elections is providing cloth facemasks for election judges at no charge to the City of New Brighton.
- Voter will be encouraged to wear a mask. That being said, Voters are not required to wear a facemask in order to exercise their right to vote.
- Ramsey County elections will provide a number of single-use facemasks for voters who wish to use them but do not have their own. We anticipate receiving enough for 10% of pre-registered voters in each precinct.
- There will be two 2-gallon hand sanitizer pump bottles. One will be placed at the entrance of the polling place, one at the exit.
- There will be five 10oz bottles of hand sanitizer for placement on Election Judge tables.
- There will be single-use pens for every voter. Ramsey County is providing enough pens for 100% of voters pre-registered in each precinct. These will be given to voters as they enter.
- Ramsey County is also providing disinfectant wipes for poll pads, voting equipment, voting stations, and other hard surfaces.
- There will be one box of gloves for election judge use.
- There will be two 3x3 shields (design to be determined). There will be provided by Ramsey County and can be used as an accommodation for judges who cannot wear a mask or voters who read lips.
- There will be a regular cleaning schedule (to be determined) throughout the day.

Precinct 6

Voters who reside in Precinct 6 normally vote at New Brighton Christian Church. However, this church hosts a Montessori School and is unable to serve as a polling place during a pandemic. As Salem Covenant Church has sufficient space to accommodate a larger number of voters and as Precinct 6 is

contiguous with Precinct 4, staff proposes making Salem Covenant Church a combined polling place for Precincts 4 and 6.

As of Thursday, June 18, 2020, there are 2180 registered voters in Precinct 4 and there are 1769 registered voters in Precinct 6.

While no one can accurately predict voter turnout, historically, state primary elections have had very low turnout resulting in less than 2,000 voters citywide. In addition, Ramsey County reports that as of Wednesday, June 17, 2020 more than 20,000 voters countywide have requested an absentee ballot be mailed to them for the State Primary Election. This number does not include voters who still plan to vote by mail, plan to cast an absentee ballot in person, plan to vote early or plan to vote on Election Day. For perspective, approximately 36,000 people cast a ballot in Ramsey County for the 2016 State Primary Election.

Staff anticipates that even with a combined precinct, Election Day lines at the August 11, 2020 State Primary Election will be unlikely.

Precinct 7

Precinct 7 normally votes at GracePoint Church located at 2351 Rice Creek Rd NW. As the church is willing and able to host, voters in Precinct 7 would continue to vote at GracePoint Church.

Voters who need to vote in person on Election Day but wish to vote in their car using statutory curbside voting procedures will be directed via signage around the outer edges of either the rear parking lot (See Appendix F) or around the outer edges of the main parking lot in front depending on continued conversations with the church. While providing curbside in the rear of the building would be easiest for voters, it would take longer to vote as election judges need to walk from the voter's car to the voting room at least five times per voter. This will take a lot of time if election judges need to walk around the entire outside of the building each time. However, if the church is willing to grant the City access to a portion of the building typically not used for elections, election judges may be able to cut through the building making this a viable option. If we are not able to access the rear door and walk through the building, curbside voters would be directed around the outer edge of the main parking lot in front. Once voters finish voting in their car, they will be directed to exit the parking lot using the parking lot exit closest to the curbside voting station.

Voters who wish to vote inside the building can enter through the main door and proceed to the voting room. There is sufficient space for a line of voters spaced six feet apart should a line form. While in this line, voters would be greeted by the greeter judge who would answer voter questions and ensure people are in the correct location before they proceed through the remainder of the voting process – all of which would be appropriately spaced six (6) feet apart.

Additional health measures would include:

- All election judges will be required to wear a mask unless they are unable to. Ramsey County Elections is providing cloth facemasks for election judges at no charge to the City of New Brighton.

- Voter will be encouraged to wear a mask. That being said, Voters are not required to wear a facemask in order to exercise their right to vote.
- Ramsey County elections will provide a number of single-use facemasks for voters who wish to use them but do not have their own. We anticipate receiving enough for 10% of pre-registered voters in each precinct.
- There will be two 2-gallon hand sanitizer pump bottles. One will be placed at the entrance of the polling place, one at the exit.
- There will be five 10oz bottles of hand sanitizer for placement on Election Judge tables.
- There will be single-use pens for every voter. Ramsey County is providing enough pens for 100% of voters pre-registered in each precinct. These will be given to voters as they enter.
- Ramsey County is also providing disinfectant wipes for poll pads, voting equipment, voting stations, and other hard surfaces.
- There will be one box of gloves for election judge use.
- There will be two 3x3 shields (design to be determined). There will be provided by Ramsey County and can be used as an accommodation for judges who cannot wear a mask or voters who read lips.
- Although this polling place has sufficient space for there to be six feet between election judge stations and voting booths, it will be a tighter fit. As such, elections staff will be working to obtain tabletop Plexiglas dividers to use between election judges at their stations.
- There will be a regular cleaning schedule (to be determined) throughout the day.

Precinct 8

Precinct 8 normally votes at Sunny Square Neighborhood Center located at 2200 Sunnyside Terrace. Sunny Square Neighborhood Center is owned by the City of New Brighton; however, the facility is small. It would be difficult to conduct proper social distancing and would be difficult to conduct planned curbside voting. At their June 9, 2020 work session, the City Council also directed staff to avoid using neighborhood centers.

As Precinct 8 is contiguous with Precinct 7, staff proposes making GracePoint Church a combined polling place for Precincts 7 and 8. Although Precinct 7 and Precinct 8 are some of our more populated precincts with 2054 and 1968 registered voters respectively, elections staff feels there would be sufficient space at GracePoint Church to accommodate voting activities for both precincts for the August 11, 2020 State Primary Election.

While no one can accurately predict voter turnout, historically, state primary elections have had very low turnout resulting in less than 2,000 voters citywide. In addition, Ramsey County reports that as of Wednesday, June 17, 2020 more than 20,000 voters countywide have requested an absentee ballot be mailed to them for the State Primary Election. This number does not include voters who still plan to vote by mail, plan to cast an absentee ballot in person, plan to vote early or plan to vote on Election Day. For perspective, approximately 36,000 people cast a ballot in Ramsey County for the 2016 State Primary Election.

Staff anticipates that even with a combined precinct, Election Day lines at the August 11, 2020 State Primary Election will be unlikely.

Terri Spangrud
City Clerk

RESOLUTION NO. _____
STATE OF MINNESOTA
COUNTY OF RAMSEY
CITY OF NEW BRIGHTON

RESOLUTION ESTABLISHING POLLING PLACES FOR THE 2020 ELECTION SEASON

WHEREAS, Minnesota Session Law Chapter 77 (H.F. 3229) permit municipalities to make changes to polling places until July 1, 2020 in order to ensure the safe and secure conduct of the August 11, 2020 State Primary Election and the November 3, 2020 Presidential Election; and

WHEREAS, the City of New Brighton was notified by the Church of Jesus Christ of Latter Day Saints, Christ the King Lutheran Church and the New Brighton Christian Church that they would be unable to serve as polling places; and

WHEREAS, the layout of Sunny Square Neighborhood Center does not allowing for adequate social distancing and increased curbside voting;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of New Brighton that the following locations are designated as polling locations:

- New Brighton Community Center located at 400 10th St NW – Precinct 1 and Precinct 5
- St. John the Baptist Catholic Church located at 835 2nd Ave NW – Precinct 2 and Precinct 3
- Salem Covenant Church located at 2655 5th St NW – Precinct 4 and Precinct 6
- GracePoint Church located at 2351 Rice Creek Rd – Precinct 7 and Precinct 8

ADOPTED this 23rd day of August by the New Brighton City Council with a vote of _____ ayes and _____ nays.

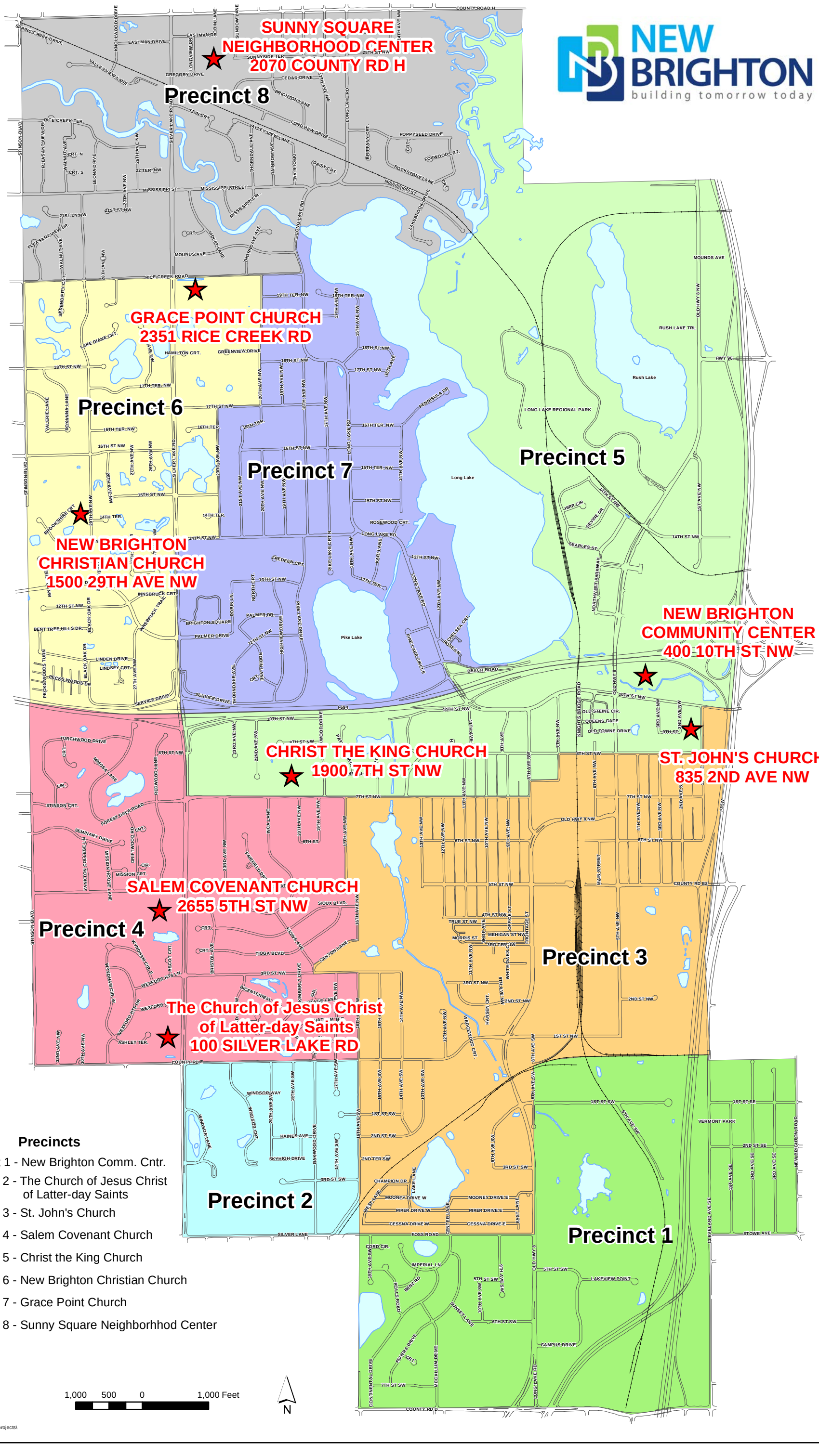
_____
Valerie Johnson, Mayor

ATTEST: _____
Devin Massopust, City Manager

_____
Terri Spangrud, City Clerk

Appendix A

New Brighton Precincts - Effective For The 2015 Election



Appendix B

Polling Place Accessibility Diagnostic Tool
For Informational Purposes Only

Note that the solution examples are not a comprehensive list. They are only a sample of possible solutions.

The authority under which each item is derived is listed with each question.

Polling places are, by their nature, temporary, but the standards for temporary facilities are the same as for other facilities, Minnesota Rules 1341.0401, Subp. 4.

This tool uses standards for complete accessibility under Chapter 1341 of the State Building Code and the ADAAG. It is designed to identify gaps in full accessibility and is not intended to be a test of whether a facility is acceptable under the law. If you believe that a polling place does not require alteration but it does not appear to meet the standards set forth in this tool, you may wish to consult a building code or accessibility specialist to confirm that belief. Changes made to a polling place facility as part of any grant under HAVA must fully comply with chapter 1341 of the State Building Code.

A. Parking

Complete this section if parking is available for voters at the polling site.

1. Required

Is disability parking the closest available parking to the accessible entrance? (*MR 1341.0428, Subp.2, ADAAG 4.6.2, MR 1341.0403(A), ADAAG 4.1.2(1))* **Yes** **No**

Solution Example:

- **Make disability parking space(s) closest to the accessible entrance. Move signs and paint space(s).**

Improvement Ideas/Solutions:

2. Required

Are there adequate numbers of disability parking spaces provided in a parking lot or on the side of the street? **Yes** **No**

(*MR 1341.0403(E), ADAAG 4.1.2(5)(a))*

Explanation or graphic: Disability parking spaces must be provided at a ratio of 1 per 25 or a fraction thereof; therefore, if the lot has a total of 37 parking spaces, two spaces must be accessible and identified as disability parking.

Solution Example:

Total Parking in Lot	Required Number of Accessible Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8

401 to 500	9
501 to 1,000	2 percent of total
1,001 and over	20 plus 1 for each 100 over 1,000

- Using the table, determine correct number of disability parking spaces. Obtain signs and paint space(s) and adjoining access aisle. Note: The State of MN does not provide signs. Contact local sign company to order signs.

Improvement Ideas/Solutions:

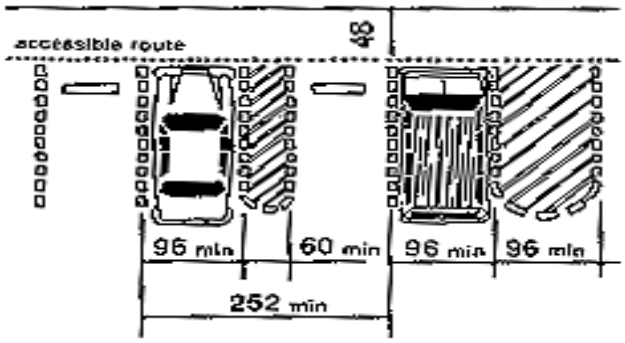
3. Required

Are disability-parking spaces the required width? (*MR 1341.0428, Subp.3, ADAAG 4.6.3, and Subp.6, ADAAG 4.6.6, MR 1341.0403(E), ADAAG 4.1.2(5) and (b))* **Yes** **No**

Explanation or graphic: The first disability parking space in every instance must be van accessible and at least 16 feet wide, consisting of an 8-foot parking space and an 8-foot access aisle. This space accommodates a van with a side lift.

If additional spaces are needed, they must be 13 feet wide, with an 8-foot parking space and a 5-foot access aisle.

Disability parking spaces can share the same access aisle.



Solution Example:

- Make disability parking space(s) proper width. Move signs and paint space(s).

Improvement Ideas/Solutions:

4. Required

Does each disability parking space have a permanently mounted disability parking sign? (*MS 169.346, MR 1341.0403(G), ADAAG 4.1.2.7(a), MR 1341.0476, ADAAG 4.30)* **Yes** **No**

Explanation or graphic: Each disability parking space must be identified with a disability parking sign. This sign must incorporate the international wheelchair symbol in white on blue and be visible from inside the parked vehicle.



Solution Example:

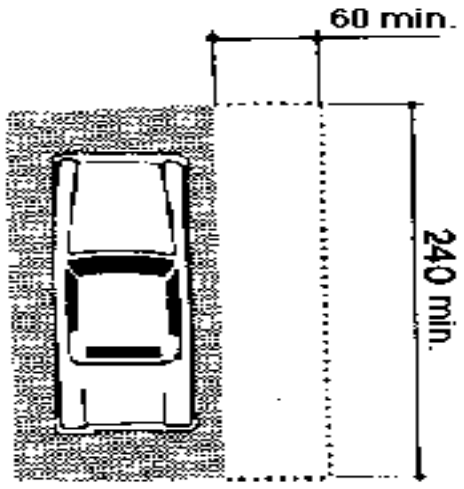
- Contact local sign company to order signs.

Improvement Ideas/Solutions

5. Recommended

Is a designated drop-off area available for individuals with disabilities? (*MR 1341.0428, Subp.6, ADAAG 4.6.6, MR 1341.0403(E)(3), ADAAG 4.1.2(5)(C))* **Yes** **No**

Explanation or graphic: A drop-off area otherwise known as a passenger loading zone, when provided, should have an access aisle at least 60 inches wide with a 20 foot long space adjacent and parallel to the vehicle pull-up space. A curb cut must be provided if there is a curb.



Solution Example:
Determine drop-off area and post proper signs.
Improvement Ideas/Solutions:

6. Recommended

Is there a designated parking area for motor voter/curbside voting? (*MS 204C.15, 1341.0403)* **Yes** **No**

Solution Example:

- Determine motor voter/curbside area, post proper signs, and notify election judges.
- If possible, determine a location that is visible from inside the polling place, or post a schedule of when the area will be checked.

Improvement Ideas/Solutions:

B. Exterior Access

7. Required

Is the accessible path of travel to the accessible building entrance from the parking area or bus stop a firm, stable, slip-resistant surface? (*MR 1341.0426, Subp.1, ADAAG 4.5.1, MR 1341.0444, Subp.1, ADAAG 4.14.1, MR 1341.0403(D), ADAAG 4.1.2(4), MR 1341.0422 Subp.6, ADAAG 4.3.6.)* **Yes** **No**

Solution Example:

- Provide a concrete surface. Keep it clear of ice and snow.

Improvement Ideas/Solutions:

8. Required

Is the accessible path of travel free of obstructions? (*MR 1341.0424, Subp.1, ADAAG 4.4.1, MR 1341.0403(C), ADAAG 4.1.2(3))* **Yes** **No**

Solution Example:

- Remove obstruction (e.g., signs, ashtrays) to a more suitable location.

Improvement Ideas/Solutions:

9. Required

Is the sidewalk slope leading to the accessible entrance **Yes** **No**

- **no steeper than 1:20 (or a 5% slope)?**

(*MR 1341.0430, ADAAG 6.4.7.2)*

- **at least 4 feet wide?**

(*MR 1341.0422, Subp.3, ADAAG 4.3.3)*

- **with no sudden change in grade?**

(*MR 1341.0426, Subp.2, ADAAG 4.5.2)*

Solution Example:

- Identify and move path of access to a more accessible entrance to the building.

Improvement Ideas/Solutions:

10. Required

Do inaccessible entrances have directional signs indicating where the accessible entrance is located? And, do accessible entries have signs indicating accessibility? (*MR 1341.0403(G)(3), ADAAG 4.1.2(7)(c), MR 1341.0405H(4), ADAAG 4.1.3(8)(d))*

Yes **No**

Explanation or graphic: It may be difficult to locate the accessible entrance without getting out of one's vehicle or walking/wheeling an extra distance. If all entrances are not accessible, then there must be directional signs posted indicating where the accessible entrance is located.

Solution Example:

- Post-temporary signs indicating accessible entrance. Ensure they are visible from common access points or parking area.

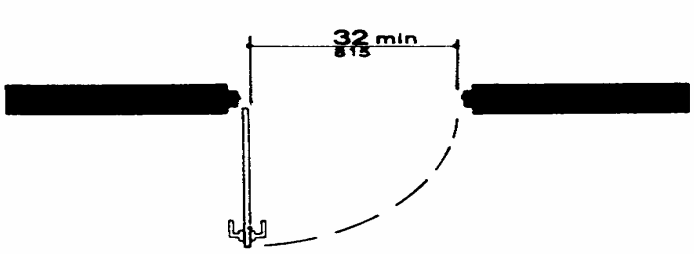
Improvement Ideas/Solutions:

11. Required

With the entrance door in a 90-degree open position, is there a minimum of 32 inches of clear space from the face of the door to the latch side doorstop? (*MR 1341.0442, Subp.5, ADAAG 4.13.5, MR 1341.0405(G), ADAAG 4.1.3(7), MS 204B.16)*

Yes **No**

Explanation or graphic:



Solution Example:

- Widen entrance and replace door.
- Install swing-away hinges to provide additional clearance**.**
- Enlist volunteer greeters to open doors.

Improvement Ideas/Solutions:

12. Required

Is the threshold no higher than ½ inch in height and beveled on both sides? (*MR 1341.0442, Subp.8, ADAAG 4.13.8, MR 1341.0426, Subp.2, ADAAG 4.5.2)* **Yes** **No**

Solution Example:

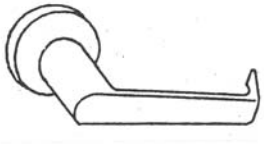
- Install wood or metal beveled edge to threshold.

Improvement Ideas/Solutions:

13. Required

Is the door hardware either a lever handle or loop style type? (*MR 1341.0442, Subp.9, ADAAG 4.13.9)* **Yes** **No**

Explanation or graphic:



Lever Handle

Solution Example:

- Replace door hardware with handle or loop style.
- Install door hardware adapters.
- If thumb latch door hardware, lock down latch with duct tape.

Improvement Ideas/Solutions:

14. Recommended

Yes **No**

Is there an automatic door opener? (*MR 1341.0442, Subp.11, ADAAG 4.13.11 and Subp.12, ADAAG 4.13.12)*

Explanation or graphic: Doors leading into buildings may be heavy and difficult to open. It has been determined that many people with disabilities and older individuals have difficulty with doors that have more then 5 pounds of pressure.

Solution Example:

- In some instances, the door closure can be adjusted to lessen the pressure.
- Install an automatic door opener.

Improvement Ideas/Solutions:

C. Interior

15. Required

Is there an uninterrupted path of travel

- **without steps?** ***(MR 1341.0422, Subp.2, ADAAG 4.3.2, MR 1341.0350, ADAAG 6.3.5)***
- **at least 3 feet wide (except for doorways) from the accessible entrance to the voting area?** ***(MR 1341.0422, Subp.3, ADAAG 4.3.3)***

Yes **No**

Solution Example:

- Relocate objects (e.g., furniture, plant stands) that block access to the voting area.

Improvement Ideas/Solutions:

If no interior ramp is needed, skip question #16.

16. Required

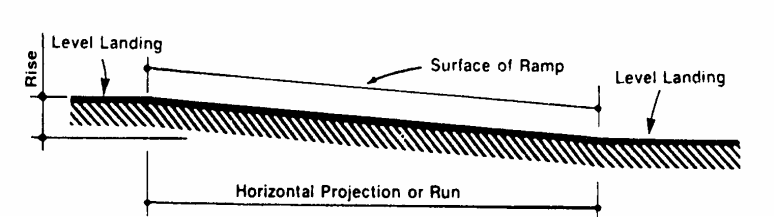
If there is an interior ramp,

- **is the slope of the ramp no greater than 1:12 (or an 8.3% slope)?** ***(MR 1341.0411, Subp.3, ADAAG 4.1.6(3), MR 1341.0432, Subp.2, ADAAG 4.8.2)***
- **does it have handrails on both sides?** ***(MR 1341.0432, Subp.5, ADAAG 4.8.5)***
- **is it at least 3 feet wide between handrails?** ***(MR 1341.0432, Subp.3, ADAAG 4.8.3)***
- **are the top and bottom landings at least 5 feet in length?** ***(MR 1341.0432, Subp.4, ADAAG 4.8.4)***

Yes **No**

Explanation or graphic:

Ramps must be no steeper than 1:12. So for every unit of vertical rise, there are 12 units of horizontal run. For example, a 4 inch vertical rise requires a 48 inch ramp with a landing at least 3 feet wide with handrails on both sides.



Solution Example:

- Install a temporary ramp for small changes in elevation that meet the 1:12 requirement and provide suitable landings.
- Install handrails 3 inches from wall and allow at least 3 feet between handrails.

Improvement Ideas/Solutions:

17. Required

With the door in a 90-degree open position, is there a minimum of 32 inches of clear space from the face of the door to the latch side doorstop? ***(MR 1341.0442, Subp.5, ADAAG 4.13.5)*** **Yes** **No**

Solution Example:

- Install swing-away hinges to provide additional clearance.
- Widen the door.

Improvement Ideas/Solutions:

If no interior doors exist, skip question #18.

18. Required

Do interior doors require no more than 5 pounds of pressure to open? ***(MR 1341.0442, Subp.11, ADAAG 4.13.11)*** **Yes** **No**

Explanation or graphic: Interior doors can impede access if they are too heavy or difficult to open. Many times, 2 or 3 pounds of pressure are adequate to close a door securely.

Solution Example:

- Adjust the door closures to less than 5 pounds of pressure.
- Replace door closures.

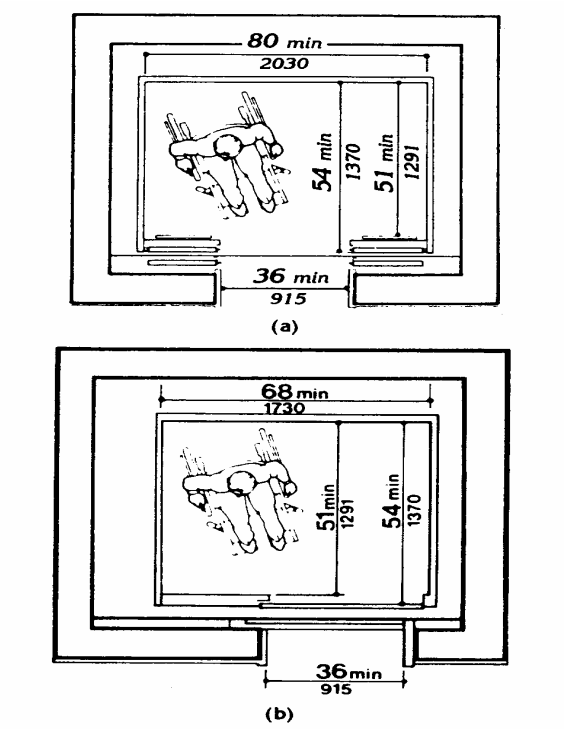
Improvement Ideas/Solutions:

If no elevators are needed, skip question #19.

19. Recommended

Regarding elevators:
1) Are the hall call buttons centered at 42 inches above the floor? ***(MR 1341.0436, Subp.3, ADAAG 4.10.3)*** **Yes** **No**
2) Are the floor buttons inside the elevator a maximum of 48 inches above the floor? ***(MR 1341.0436, Subp. 12(C), ADAAG 4.10.12(3)***
3) Do the minimum inside elevator dimensions comply with the diagrams?
4) Do you need a key to operate the elevator? If yes, do you know whom to contact, how to obtain the key and if the key will be made available to voters on Election Day? ***(MS 204C.15)***

Explanation or graphic: A minimum car dimension of 48” by 48” is allowed if it is not feasible to install a compliant car size.



Solution Example:

- If elevator access is needed and not accessible, consider if there is another site more accessible and available as a polling place that either has elevator access or does not involve use of an elevator.
- Enlist and assign a volunteer to help run the elevator during the time that the polling place is open.

Improvement Ideas/Solutions:

D. Polling Place Access

20. Required

Is there an accessible table (5 feet from other booths, lines, poll workers) or booth available where the writing surface is no higher than 34 inches & knee clearance no lower than 27 inches & at least 19 inches deep for voters to vote in a seated position or in a wheelchair? ***(MR 1341.0480, Subp.4, ADAAG 4.32.4 and Subp.3, ADAAG 4.32.3, MR 1341.0420, Subp. 4, ADAAG 4.2.4.1 and Subd.3, ADAAG 4.2.3)***

Yes **No**

Explanation or graphic:

The voting booth used by persons needing assistance to complete their ballots must be at least 5 feet from other booths, lines, or poll workers to allow for sufficient turnaround clearance for a wheelchair. This also allows voters who are unable to read or mark a ballot and persons assisting these individuals to converse in private. The writing surface in the voting booth should be at a standard table height with enough room for a person in a wheelchair to easily access the writing surface.

Solution Example:

- Acquire suitable tables to meet measurements to be positioned at least 5 feet from other booths, lines, or poll workers.
- Provide more space within the voting booth to make wheelchair maneuverability easier.

Improvement Ideas/Solutions:

21. Required

When voting in a seated position, is adequate privacy guaranteed? ***(MS 204B.18)***

Yes **No**

Explanation or graphic:

The voting booth should be positioned a suitable distance from other booths in order to allow voters who are unable to read or mark a ballot and persons assisting these individuals to converse in private. Also, the booth should have proper privacy guards to eliminate eavesdropping.

Solution Example:

- Provide privacy guards.

Improvement Ideas/Solutions:

22. Required

When voting in a standing position, is adequate privacy guaranteed? ***(MS 204B.18)***

Yes **No**

Solution Example:

- Provide privacy guards.

Improvement Ideas/Solutions:

23. Required

With advance notice, are voter registration instructions available in audiotape or grade 2 Braille? (MS 201.071, MS 203B.07, Subd.1) **Yes** **No**

Solution Example:
Provide requested document in audiotape or grade 2 Braille.
Improvement Ideas/Solutions:

24. Required

Are large-print Voting Instruction Signs, which are provided in the polling place materials, conspicuously displayed at each polling place? ***(MR 1341.0476, Subp.1, ADAAG 4.30.1, MR 1341.0401, Subp.4, ADAAG 4.1.1(4), MS 204B.17, MS 204B.18)*** **Yes** **No**

Solution Example:
- Post instructions at eye level in a location that individuals with low vision can approach and use the magnifier to read.

Improvement Ideas/Solutions:

25. Required

Are chairs available for voters who cannot stand for long periods of time? ***(MS 204B.18, Subd. 1)*** **Yes** **No**

Solution Example:
- Provide chairs.

Improvement Ideas/Solutions:

26. Recommended

Does the polling place provide adequate lighting near voting surfaces? **Yes** **No**

Solution Example:
- Provide lighting.

Improvement Ideas/Solutions:

27. Recommended	Is a magnifier of 2x or 3x power or greater available for individuals with low vision?	Yes	No

Solution Example:

- Obtain at least one magnifier of 2x or 3x power or greater.

Improvement Ideas/Solutions:

28. Recommended	Is a signature guide available?	Yes	No

Solution Example:

- **Obtain signature guide.**

Improvement Ideas/Solutions:

29. Recommended	Are there provisions for voters to vote in a standing position at a table approximately 42 inches high or at a voting booth accessible to someone with a back injury or unable to bend?	Yes	No

Solution Example:

- Acquire tables to meet measurements.

Improvement Ideas/Solutions:

30. Recommended	Is the ballot box accessible to persons both in a standing and seated position?	Yes	No

Explanation or graphic: If the ballot box is adjustable, feeder mouth (receptor) must be 36 inches in height.

Solution Example:

- Adjust height of ballot box.

Improvement Ideas/Solutions:

E. Restroom Access

Public buildings should have accessible public restrooms. If restrooms are provided, please complete the following section.

31. Required

Men's Room Yes No Women's Room Yes No

With the restroom door in a 90-degree open position, is there a minimum of 32 inches of clear space from the face of the door to the latch side doorstop? ***(MR 1341.0442, Subp.5, ADAAG 4.13.5)***

Solution Example:

- Install swing-away hinges to provide additional clearance.
- Replace doors.

Improvement Ideas/Solutions:

32. Required

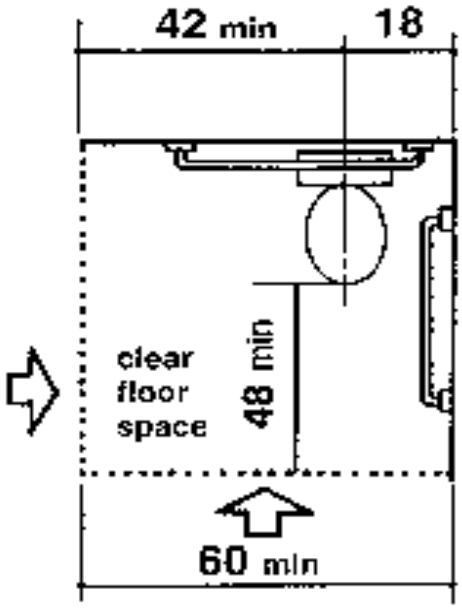
Men's Room Yes No Women's Room Yes No

Does the restroom provide access for individuals using wheelchairs? ***(MR 1341.0420, MR 1341.0448, MR 1341.0450))***

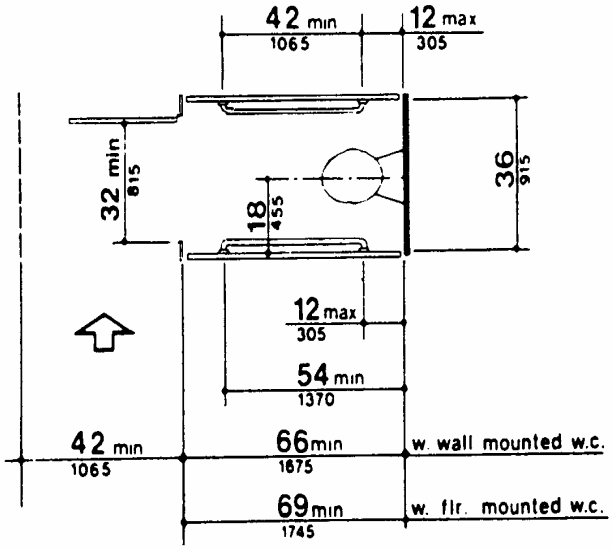
Explanation or graphic:

The restroom should provide basic access and clearances around the toilet area should be as shown.

Preference #1



Preference #2



Solution Example:

- Swing restroom or stall (compartment) door outward.
- Remove unnecessary partitions in single-use restrooms.
- Remove chairs, cots, planters, and other objects and furniture from restroom area.

Improvement Ideas/Solutions:

33. Required

Men's Room Yes No Women's Room Yes No

Is accessible bathroom easily located and on an accessible path of travel? ***(MR 1341.0460, Subp.1, ADAAG 4.22.1, MR 1341.0422)***

Solution Example:

- Provide signs for bathroom location.

Improvement Ideas/Solutions:

34. Required

Men's Room Yes No Women's Room Yes No

Is the height of the accessible toilet seat between 17 inches and 19 inches above the floor? ***(MR 1341.0448, Subp.3, ADAAG 4.16.3)***

Solution Example:

- Securely install plastic riser seat.
- Replace toilet.

Improvement Ideas/Solutions:

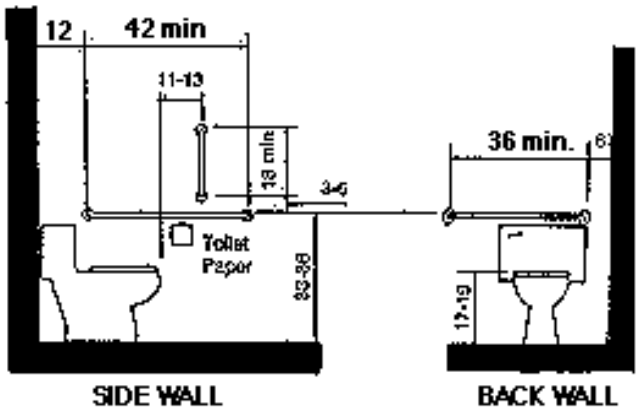
35. Required

Men's Room Yes No Women's Room Yes No

Are horizontal and vertical grab bars installed in the accessible restroom? ***(MR 1341.0448, Subp.4, ADAAG 4.16.4)***

Explanation or graphic: The grab bars should be installed as shown. Note: Back wall grab bar is not required.

Preference #1



Preference #2

Same as preference #1 but doesn't have a back wall grab bar configuration.

Solution Example:

- Install grab bars.

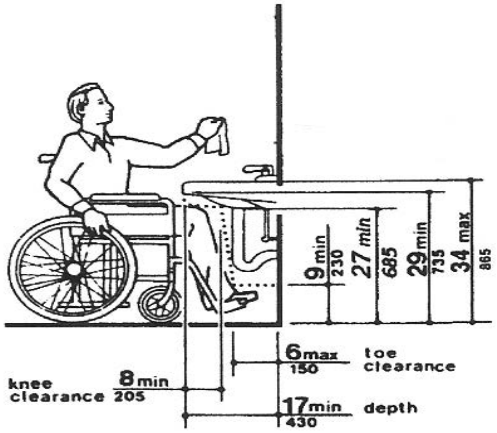
Improvement Ideas/Solutions:

36. Required

Men's Room Yes No Women's Room Yes No

Is there an accessible sink in the restroom? ***(MR 1341.0464, MR 1341.0454)***

Explanation or graphic: Access dimensions are as shown.



Solution Example:

- Adjust sink heights.
- Provide portable toilet facility with proper measurements.

Improvement Ideas/Solutions:

37. Required

Men's Room Yes No Women's Room Yes No

Are restroom accessories associated with the accessible lavatory mounted with the highest operating control no higher than 48 inches? Examples include:

- **Soap dispensers**
- **Towel dispensers**
- **Hand dryers** ***(MR 1341.0420, Subp.5, ADAAG 4.2.5, MR 1341.0448, MR 1341.0470)***

Solution Example:

- Relocate existing accessories so one of each type is mounted at a compliant height.
- Add accessories, as needed, so one of each type is mounted at a compliant height.
- Place loose towels at the accessible lavatory.
- Provide bar or liquid soap at the accessible lavatory.

Improvement Ideas/Solutions:

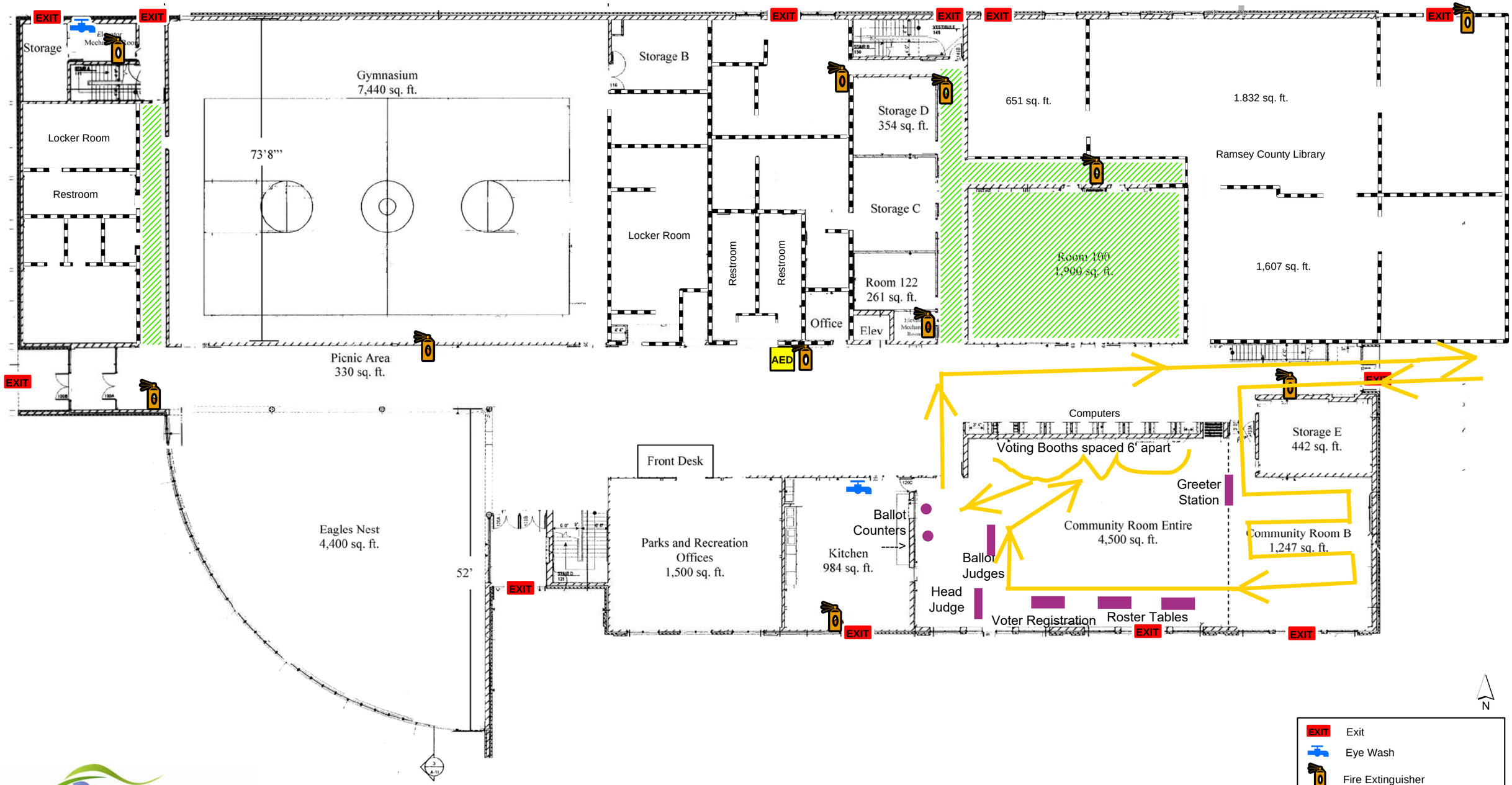
F. Alternate Location

If after completing this survey you find there are insurmountable access barriers, please answer the following question.

38. **Is there another building located within the designated boundaries that is more accessible and available as a polling place?** ***(MS 204B.16,Subds. 4 and 5)*** **Yes No**

Appendix C

Emergency Evacuation Plan
New Brighton Community Center, Lower Level



Community Center
New Brighton

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NBCC Curbside Voting Plan

Voter & Facility Use Parking

New Brighton Community Center and...
Temporarily closed

Eagles Nest Indoor Playground
Temporarily closed

41A

694

10th St NW

10th St NW

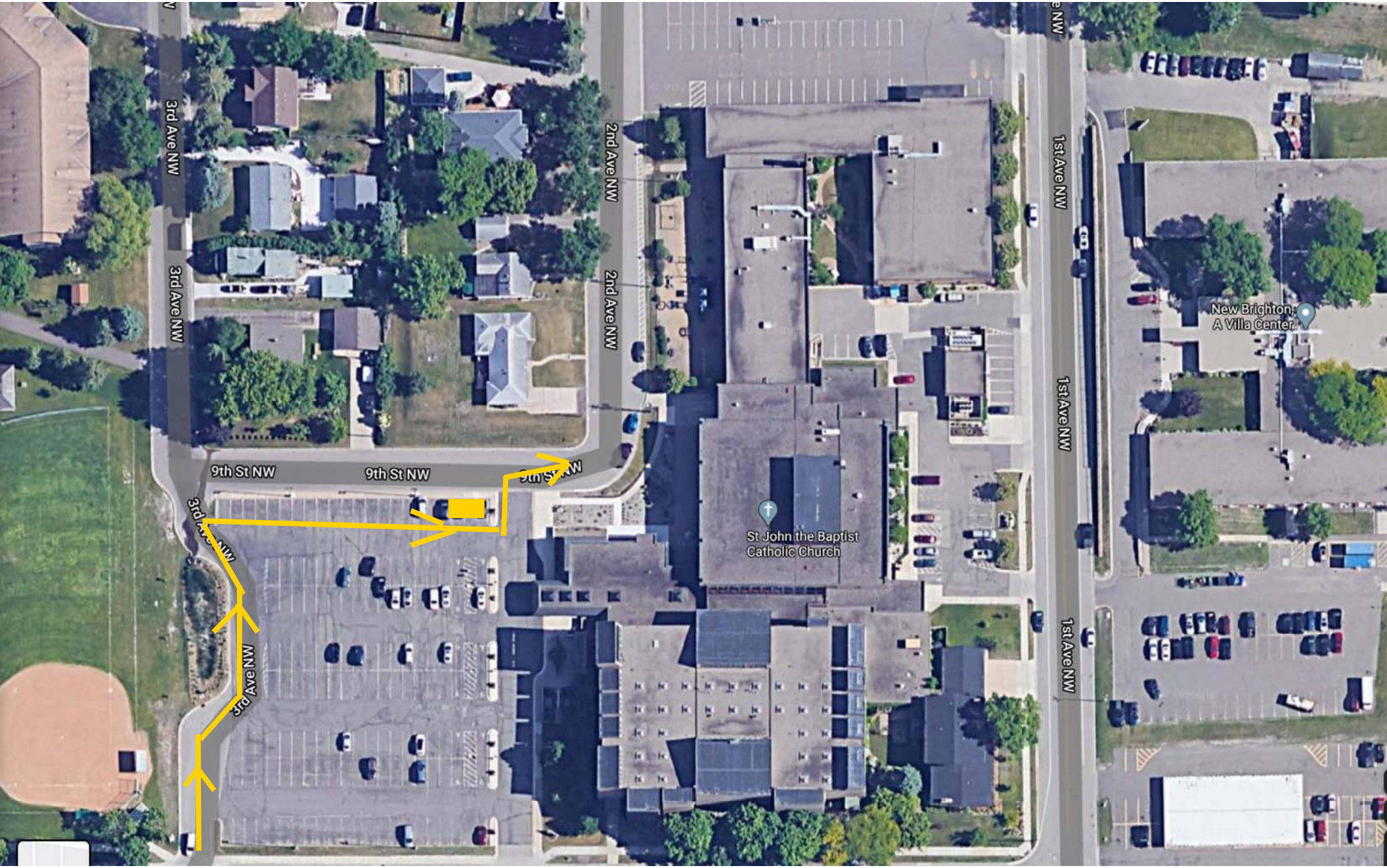
10th St NW

10th St NW

John Reamer - Ameriprise Financial...

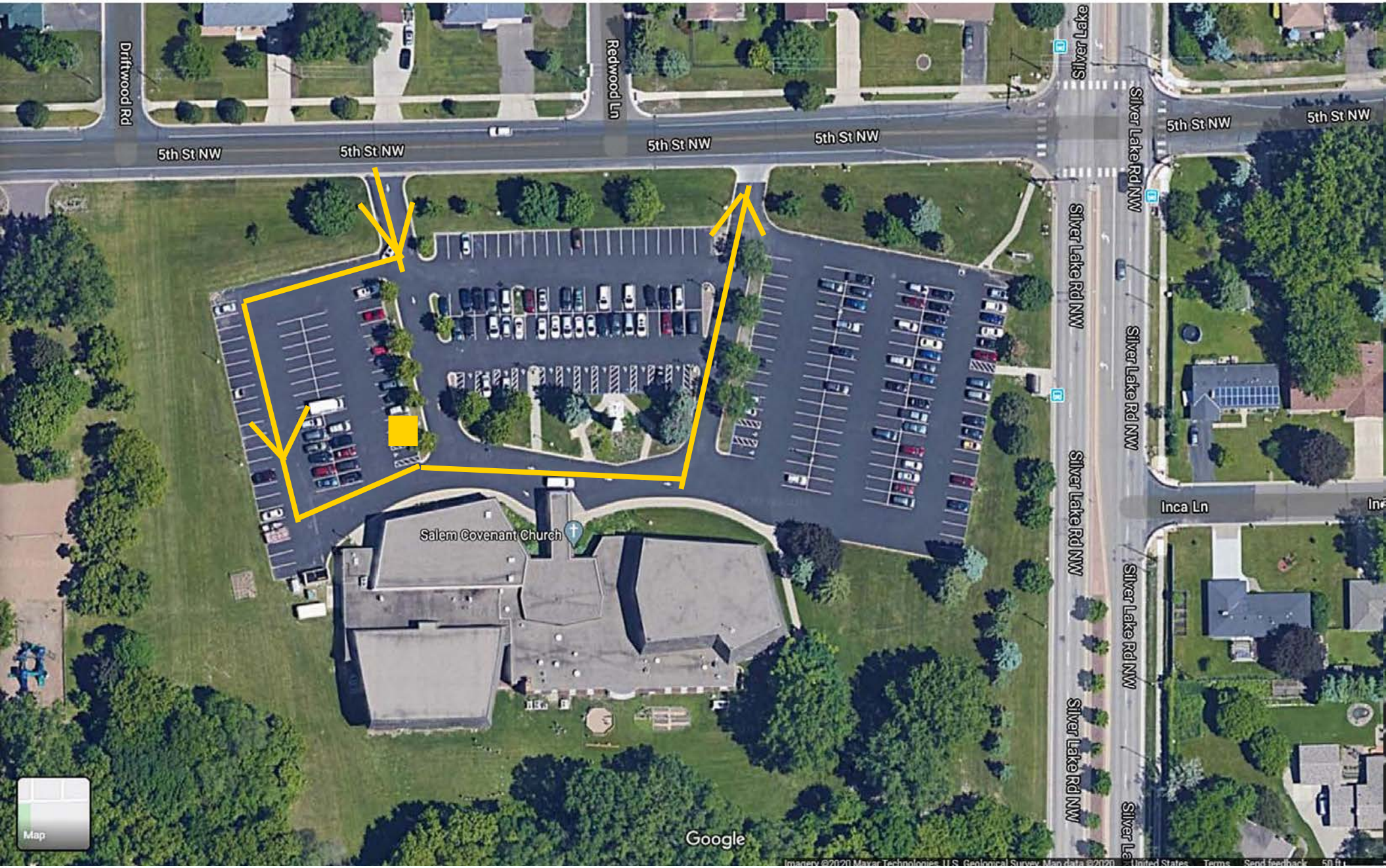
Appendix D

St. John the Baptist Curbside Voting Plan



Appendix E

Salem Covenant Church Curbside Voting Plan



Appendix F

GracePoint Church Curbside Voting Plan

Option B

Option A

Rice Creek Rd

Rice Creek Rd

Rice Creek Rd

Rice Creek Rd

Rice Creek Rd

Rice Creek Rd

Silver Lake Rd NW

Silver Lake Rd NW

Silver Lake Rd NW

Family Video

GracePoint Church

GracePoint Church
Fire Extinguisher Locations
Lower Level

