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AGENDA
Maplewood City Council
7:00 P.M., Monday, August 22, 1983
Municipal Administration Building
Meeting 83-20

(A) CALL TO ORDER

(B) ROLL CALL

(C) APPROVAL OF MINUTES

1. Minutes 83-17, July 25, 1983
2. Minutes 83-18, August 8, 1983

(D) APPROVAL OF AGENDA

(E) CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion in the form listed below. There will be no separate discussion on these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

1. Accounts Payable
2. Conditional Use Permit Renewal: 2994 Winthrop
3. Conditional Use Permit Renewal: 2083 Arcade

(F) PUBLIC HEARINGS

1. SHARE: Industrial Revenue Bond (7:00) _____
2. Rezoning: 1690 English (4 Votes)(7:30) _____
3. Rezoning: John Glenn Jr. High (4 Votes)(7:45) _____
4. Liquor License: Beer & Wine, York Steak House (8:00) _____
5. Liquor License: On Sale - Le Bistro (8:15) _____
6. Variance: 1985 Howard (Lundquist) (8:15) _____
7. Variance: Farrell St. (Niezgocki) (8:30) _____

(G) AWARD OF BIDS

(H) UNFINISHED BUSINESS

1. Code Amendment: Minimum Floor Area (2nd Reading) _____
2. Large Assembly Ordinance (2nd Reading) _____
3. Off-Sale Liquor Sales - Friday Openings (2nd Reading) _____
4. Dog Ordinance - Private Owner (2nd Reading) _____
5. Dog Ordinance - Kennel (2nd Reading) _____

(I) NEW BUSINESS

1. Plan Review Appeal: CUB Food Store _____
2. Waiver of Moratorium on Rezoning to R-3 _____
3. Water Main Extension: Co. Rd. B _____

(J) VISITOR PRESENTATION

(K) COUNCIL PRESENTATIONS

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
- 10. _____

(M) ADJOURNMENT

MINUTES OF MAPLEWOOD CITY COUNCIL
7:00 P.M., Monday, July 25, 1983
Council Chambers, Municipal Building
Meeting No. 83-17

A. CALL TO ORDER

A regular meeting of the City Council of Maplewood, Minnesota, was held in the Council Chambers, Municipal Building and was called to order at 7:03 P.M. by Mayor Greavu.

B. ROLL CALL

John C. Greavu, Mayor	Present
Norman G. Anderson, Councilmember	Present
Gary W. Bastian, Councilmember	Present
Frances L. Juker, Councilmember	Present
Mary Lee Maida, Councilmember	Present

C. APPROVAL OF MINUTES

1. Minutes 83-16 (July 11, 1983)

Councilmember Anderson moved to approve the Minutes of Meeting No. 83-16 (July 11, 1983) as submitted.

Seconded by Councilmember Maida. Ayes - all.

D. APPROVAL OF AGENDA

Mayor Greavu moved to approve the agenda as amended:

1. Construction Signs
2. Garage Signs
3. Bike Ordinance
4. Signs
5. Storm Sewer
6. Sewer Billing
7. Add Liquor License - Fiddlers to Agenda F-5

Seconded by Councilmember Anderson. Ayes - all.

E. CONSENT AGENDA

Council removed items 3, 5, 6 and 7 from the Consent Agenda to become Item 3-EA-1, Items 4, 5, 6, 7 - Items I-5, 6, 7 and 8.

Mayor Greavu moved, seconded by Councilmember Juker, Ayes - all, to approve the Consent Agenda Items 1, 2 and 4 as recommended.

1. Accounts Payable

Approved the accounts (Part I, Fees, Services, Expenses - Check register dated July 13, 1983 and July 14, 1983 - \$426,140.03: Part II - Payroll dated July 8, 1983 \$66,054.66) in the amount of \$492,194.69.

2. Time Extension: Cave's Century Addition

- I. Approval of two-year time extension for the Cave's Century Addition planned unit development, on the basis that the applicant is making satisfactory progress in the phased development of the site.
- II. Approval of a two-year time extension for that part of the Cave's Century Addition preliminary plat which has not been final platted (Cave's Century Addition and Cave's Century 2nd Addition). Approval is subject to the June 14, 1982 conditions of preliminary plat approval.

E.A. 1. Time Extension - Beam Avenue to Highway 61 - Frattalone Excavation

- a. Manager Evans presented the staff report.
- b. Mayor Greavu introduced the following resolution and moved its adoption:

83 - 7 - 119

WHEREAS, F.M. Frattalone Excavating, Inc. initiated a conditional use permit for mineral excavation at the following described property:

Commencing at a point of the N line of Sec. 4 T. 29, R. 22, being 661.6 ft W of the NE corner of sd Sec. 4, thence W along sd sec line 661.6 ft to the NW cor of the NE 1/4 of the NE 1/4 of sd Sec. 4, S along the 1/4 1/4 line 1006 ft; thence E parallel with the N sec line NE 661 ft thence N 1006 ft to the place beg. 15.23 acres more or less, ex that part of said tracts taken by the State of Minn. Commencing on a point on the E line of Sec. 4, T. 29, R. 22W being 1006 ft S of the NE cor of sd Sec. 4, thence S along Sec. line 503 ft. to the SE cor of the NE cor 1/4 of the NE 1/4 of Sec. 4, thence W. along 1/4 1/4 sec line 1321 ft to SW cor of NE 1/4 of NE 1/4 of sd sec 4, thence N along 1/4 1/4 line 503 ft; thence E 1322 ft to pt of beg 15.23 acres more or less except the North 780 ft.

WHEREAS, the procedural history of this conditional use permit is as follows:

1. This conditional use permit was initiated by F.M. Frattalone Excavating, Inc., pursuant to the Maplewood Code of Ordinances.
2. This conditional use permit was approved by the Maplewood City Council on June 28, 1982, subject to the following conditions:
 - a. Adherence to the requirements and standards set forth in Chapter 36 Article IV (Mineral Extraction) of the City Code.
 - b. County Road D or Highway 61 be used exclusively for access to the subject site.
 - c. In accordance with Section 36-407(b), annual mineral extraction permits must be obtained from the Director of Public Works. A plan for each year's operation shall be approved by the City Engineer. Annual permits shall designate the area, total acreage to be excavated, quantity of material to be removed, and specific erosion control measures.
 - d. All excavation shall be in accordance with each year's approved plan. No deviations shall be allowed without prior approval from the Director of Public Works.

- e. There shall be no explosive detonations of any kind on the site.
- f. A suitable structure or method of operation must be employed to remove excess dirt from truck bodies and tires prior to exiting onto a public right of way.
- g. A variance be granted allowing operation beyond the 30 foot zone established in Section 36-414(b.4) of the City Code. If the variance is not granted, grading operations must comply with the above Code by easing 30 feet from property lines.
- h. The permit holder is responsible for acquiring any permits from other agencies.
- i. All grading shall be in accordance with the approved grading plan prepared by Harry S. Johnson Companies, Inc. received April 28, 1982.

NOW, THEREFORE, BE IT RESOLVED BY THE MAPLEWOOD CITY COUNCIL that the above described conditional use permit be renewed on the basis that all of the original conditions of approval are being met.

Approval is subject to:

- 1. Renewal of the conditional use permit by Council in five years.
- 2. Compliance with the original conditions of approval.

Seconded by Councilmember Maida. Ayes - all.

2. Establish Hearing Date - Industrial Revenue Note (SHARE)

- a. Manager Evans presented the staff report.
- b. Mayor Greavu introduced the following resolution and moved its adoption:

83 - 7 - 120

RESOLUTION CALLING FOR A PUBLIC HEARING
ON A PROPOSAL FOR A COMMERCIAL
FACILITIES DEVELOPMENT PROJECT
PURSUANT TO THE MINNESOTA MUNICIPAL
INDUSTRIAL DEVELOPMENT ACT AUTHORIZING
THE PUBLICATION OF A NOTICE OF THE HEARING

WHEREAS,

(a) Chapter 474, Minnesota Statutes, known as the Minnesota Municipal Industrial Development Act (the "Act") gives municipalities the power to issue revenue bonds for the purpose of the encouragement and development of economically sound industry and commerce to prevent so far as possible the emergence of blighted and marginal lands and areas of chronic unemployment;

(b) The City Council of the City of Maplewood (the "City") has received from a limited partnership to be formed under the laws of the State of

Minnesota with SHARE Development Corporation as the general partner to be known as Medical Property Partners I, (the "Company") a proposal that the City assist in financing a project hereinafter described, through the issuance of its industrial revenue bonds (which may be in the form of a single debt instrument) (the "Bonds") pursuant to the Act;

(c) Before proceeding with consideration of the request of the Company it is necessary for the City to hold a public hearing on the proposal pursuant to Section 474.01, Subdivision 7b, Minnesota Statutes;

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

1. A public hearing on the proposal of the Company will be held at the time and place set forth in the Notice of Hearing hereto attached.

2. The general nature of the proposal and an estimate of the principal amount of bonds to be issued to finance the proposal are described in the attached form of Notice of Hearing.

3. A draft copy of the proposed application to the Commissioner of Energy and Economic Development, State of Minnesota, for approval of the project, together with proposed forms of all attachments and exhibits thereto, is on file in the office of the City Clerk.

4. The City Clerk is hereby authorized and directed to cause notice of the hearing to be given one publication in the official newspaper and a newspaper of general circulation available in the City, not less than 15 days nor more than 30 days prior to the date fixed for the hearing, substantially in the form of the attached Notice of Public Hearing.

Adopted by the City Council of the City of Maplewood, Minnesota, this 25th day of July, 1983.

John C. Greavu /s/

ATTEST:

Lucille E. Aurelius /s/
City Clerk

Seconded by Councilmember Bastian.

Ayes - all.

F. PUBLIC HEARINGS

1. Variance - 1913 Howard St. - Carlson, 7:00 P.M.

a. Mayor Greavu convened the meeting for a public hearing regarding the request of Mr. James Carlson for a twelve (12) foot setback variance from the Holloway right-of-way for a proposed addition at 1913 Howard Street. The Clerk stated the hearing notice was in order and noted the dates of publication.

- b. Manager Evans presented the staff report.
- c. Director of Community Development Geoff Olson presented the following Planning Commission recommendation:

Commissioner Hejny moved the Planning Commission recommend to the City Council approval of the resolution, granting a twelve-foot side yard setback variance for 1913 Howard, on the basis that:

1. Strict enforcement would cause undue hardship since any alternate addition would conflict with the use of the driveway or result in an unsuitable floor plan.
2. The variance would be in keeping with the spirit and intent of the ordinance since the sight line along Holloway Avenue would not be affected.
3. From an aesthetic standpoint, the proposed addition would be attractive and compatible with the existing building.
4. The present setback of the building will not be decreased.

Commissioner Fischer seconded.

Ayes - Commissioners Barrett,
Fischer, Hejny, Pellish,
Prew, Robens, Sletten,
Whitcomb

- d. Mr. James Carlson, the applicant, spoke on behalf of the proposal.
- e. Mayor Greavu called for proponents. None were heard.
- f. Mayor Greavu called for opponents. None were heard.
- g. Mayor Greavu closed the public hearing.
- h. Councilmember Bastian introduced the following resolution and moved its adoption:

93 - 7 - 121

WHEREAS, James A. Carlson applied for a variance for the following-described property:

The east half of Lot 1, Block 4, Hillcrest Gardens

This property is also known as 1913 North Howard Street, Maplewood;

WHEREAS, section 36-71 of the Maplewood Code of Ordinances requires that the side yard setback on the street side of a corner lot be at least thirty feet;

WHEREAS, the applicant is proposing a side yard setback of eighteen feet, requiring a variance of twelve feet;

WHEREAS, the procedural history of this variance is as follows:

1. This variance was applied for on June 10, 1983.
2. This variance was reviewed by the Maplewood Planning Commission on July 18, 1983. The Planning Commission recommended to the City Council that said variance be affected.
3. The Maplewood City Council held a public hearing on July 25, 1983, to consider this variance. Notice thereof was published and mailed pursuant to law. All persons present at said hearing were given an opportunity to be heard and present written statements. The Council also considered reports and recommendations of the city staff and Planning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE MAPLEWOOD CITY COUNCIL that the above-described variance be approved on the basis of the following findings of fact:

1. Strict enforcement would cause undue hardship, since any alternate addition would conflict with the use of the driveway or result in an unsuitable floor plan.
2. The variance would be in keeping with the spirit and intent of the ordinance since the sight line along Holloway Avenue would not be affected.
3. From an aesthetic standpoint, the proposed addition would be attractive and compatible with the existing building.
4. The present setback of the building will not be decreased.

Adopted this 25th day of July, 1983.

Seconded by Councilmember Juker.

Ayes - all.

I. NEW BUSINESS

1. Community Design Review Board Resignation.
 - a. Manager Evans presented the staff report.
 - b. Councilmember Bastian introduced the following resolution and moved its adoption:

83 - 7 - 122

WHEREAS, Robert Folley became a member of the Community Design Review Board of Maplewood on January 22, 1981, and has served faithfully in that capacity.

WHEREAS, he has freely given of his time and energy, without compensation, for the betterment of the City of Maplewood; and

WHEREAS, he has shown sincere dedication to his duties and has consistently contributed his leadership and effort in many ways for the benefit of the City.

NOW, THEREFORE, IT IS HEREBY RESOLVED for and on behalf of the City of Maplewood, Minnesota, and the citizens of the City that Robert Folley is hereby extended our heartfelt gratitude and appreciation for this dedicated service and we wish his continued success in the future.

Seconded by Councilmember Anderson.

Ayes - all.

c. Councilmember Bastian introduced the following resolution and moved its adoption:

83 - 7 - 123

WHEREAS, Victor Lydon became a member of the Community Design Review Board of Maplewood in August, 1980 and has served faithfully in that capacity.

WHEREAS, he has freely given of his time and energy, without compensation, for the betterment of the City of Maplewood; and

WHEREAS, he has shown sincere dedication to his duties and has consistently contributed his leadership and effort in many ways for the benefit of the City,

NOW, THEREFORE, IT IS HEREBY RESOLVED for and on behalf of the City of Maplewood, Minnesota, and the citizens of the City that Victor Lydon is hereby extended our heartfelt gratitude and appreciation for his dedicated service and we wish his continued success in the future.

Seconded by Councilmember Anderson.

Ayes - all.

F. PUBLIC HEARINGS (Continued)

2. Street Vacation - Lakewood Drive (7:15 P.M.)

a. Mayor Greavu convened the meeting for a public hearing regarding the proposed vacation of Lakewood Drive between County Road D and Brenner Avenue. The Clerk stated the hearing notice is in order and noted the dates of publication.

b. Manager Evans presented the staff report.

c. Director of Community Development Geoff Olson presented the following Planning Commission recommendation:

Commissioner Hejny moved the Planning Commission recommend to the City Council approval of the resolution, to vacate the Lakewood Drive right-of-way from County Road D, south to Gall Avenue.

The following conditions must be satisfied before the resolution for vacation may be recorded with Ramsey County.

1. Removal of the existing asphalt and reseeding the right-of-way. In order to assure the satisfaction of this condition, a developer's agreement with a surety for 150 percent of the estimated cost, shall be submitted to the city engineer.

2. The first layer of asphalt must be laid for the extension of Gall Avenue to the east, as proposed in Robert Tilsen's Maplewood Heights #11 preliminary plat.

Commissioner Barrett seconded.

Ayes - Commissioners Barrett, Fischer, Hejny, Pellish, Prew, Robens, Sletten, Whitcomb

Commissioner Hejny moved the planning Commission recommend to the City Council approval of the resolution, vacating the Lakewood Drive right-of-way between Gall and Brenner Avenues, subject to retention of a utility and drainage easement over the entire right-of-way to be vacated.

The following conditions must be satisfied before the resolution may be recorded:

1. Enter into a developer's agreement and post a 150 percent surety for the removal of the temporary asphalt curb and gutter and to install a permanent concrete curb and gutter along the north line of the intersection of Lakewood Drive and Brenner Avenue.
2. Deeding the parcel, lying west of this right-of-way and north of the park in Robert Tilsen's Maplewood Heights #9, to the land owner to the north or to the city to be included with the park property to the south. A public utility and drainage easement shall be granted over the easterly twenty feet.

Commissioner Fisher seconded.

Ayes - Commissioners Barrett, Fischer, Hejny, Pellish, Prew, Robens, Sletten, Whitcomb.

d. Mr. James Tilsen, Tilsen Construction Co. spoke on behalf of the proposal.

e. Mayor Greavu called for persons who wished to be heard for or against the proposal. The following voiced their opinions:

Mr. Tony Bruno, 2370 Gall Avenue
Mr. Clyde Jones, 2360 Gall Avenue
Mr. Tom Morris, 2324 Gall Avenue

f. Councilmember Bastian moved to table Item F-2 until after Item F-3 had been discussed.

Seconded by Councilmember Juker.

Ayes - all.

3. P.U.D. Preliminary Plat - Tilsen's 11th Addition (7:15 P.M.)

a. Mayor Greavu convened the meeting for a public hearing regarding the request of Tilsen Homes, Inc. for approval of a planned unit development and preliminary plat for a development of 36 double dwelling units and a single dwelling located on the south side of County Road D between Lakewood Drive and Bellaire Avenue. The Clerk stated the hearing notice was in order and noted the dates of publication.

- b. Manager Evans presented the staff report.
- c. Director of Community Development Geoff Olson presented the following Planning Commission recommendation:

Commissioner Hejny moved the Planning Commission recommend to the City Council approval of the resolution, approving Robert Tilsen's Maplewood Heights #11 planned unit development, subject to:

1. Construction beginning within one year.
2. The northerly twenty feet of lots one through twelve, block one shall be landscaped, prior to issuance of any occupancy permit for the block. The landscaping shall provide a protective screen of at least eighty percent opaqueness, six feet in height.
3. The corners of each lot shall be identified by land survey monument prior to the issuance of any occupancy permit within block one, within lots one through thirteen of block two and within lots fourteen through twenty-five of block two.
4. The footings for each structure shall also be pinned and flagged for inspection, prior to the foundations being laid, to assure that the common walls are located exactly on the common lot lines.
5. Adherence to the preliminary plat received by the city on July 6, 1983, subject to changes approved by the City.

Commissioner Pellish seconded.

Ayes - Commissioners Barrett,
Fischer, Hejny, Pellish,
Prew, Robens, Sletten,
Whitcomb.

Commissioner Pellish moved the Planning Commission recommend to the City Council approval of Robert Tilsen's Maplewood Heights #11 preliminary plat received by the city on July 6, 1983, subject to the following conditions:

1. Approval of the planned unit development by the same name.
2. Council authorizing the vacation of Lakewood Drive from Brenner Avenue to County Road D. Final plat approval shall not be granted until a developer's agreement is submitted for the easterly extension of Gall Avenue and the removal and reseeding of Lakewood Drive north of Gall Avenue.
3. Council ordering the construction of a storm sewer, west along Gall Avenue prior to final plat approval. If the project is not ordered, approval must be obtained from the City Engineer for a drainage plan to enlarge the existing facilities, including the pond west of Lakewood Drive at Brenner Avenue.
4. City Engineer approval of final grading, utility and drainage plans.

5. Submittal of a developer's agreement for street and utility construction.
6. Submittal of an acceptable erosion control plan before any building permits are issued, which considers the recommendations of the Soil Conservation Service.
7. The easterly fifty feet of Lot 25, Block 2, shall be shown as Bellaire Avenue right-of-way on the final plat.
8. The park lying south of the proposed plat, shall be vacated prior to final plat approval.
9. The park property lying to the south shall be included in the subject plat. That part of the "park" property to be combined with the single dwellings to the south shall be platted as outlots. The remainder of the "park" property shall be included as part of the lots in the proposed plat.
10. Prior to final plat approval, deeds shall be submitted to the city for recording, for the combination of any of the "park" property with the abutting single-dwelling lots to the south. All costs associated with the land transfers and combination shall be borne by the developer and included in the developer's agreement for Robert Tilsen's Maplewood Heights #11. Each of the deeds shall include a deed restriction stating that "separation of the properties described in this instrument shall not be permitted unless authorized by the City of Maplewood."

Commissioner Barrett seconded.

Ayes - Commissioners Barrett, Fischer, Hejny, Pellish, Prew, Robens, Sletten, Whitcomb.

- d. Mr. James Tilson, Tilson Homes, Inc., spoke on behalf of the proposal.
- e. Mayor Greavu called for persons who wished to be heard for or against the proposal. The following were heard and voiced their opinions:
 - Mr. Clyde Jones, 2360 Gall Avenue
 - Mr. Jim Handrahan, 2300 Gall Avenue
 - Mr. Tony Bruno, 2370 Gall Avenue
 - Mr. Al Madson, 2373 Gall Avenue
 - Mr. Tom Morris, 2324 Gall Avenue
 - Mr. Bob Tilsen, Tilsen Construction Company, answered the area residents' questions.
- f. Mayor Greavu closed the public hearing.
- g. Councilmember Bastian introduced the following resolution and moved its adoption:

83 - 7 - 124

WHEREAS, Tilsen Homes, Inc. initiated a conditional use permit for a planned-unit development at the following-described property:

That part of the NE ¼ of Sec. 1, T. 29, R. 22, Ramsey County, Minnesota, lying North of the Plat of ROBERT TILSEN'S MAPLEWOOD HEIGHTS NO. 9, and lying Southerly of the southerly line of County Road "D", together with

that part of the Park as platted on ROBERT TILSEN'S MAPLEWOOD HEIGHTS NO. 9 lying North of Lot 15, Block 6 and lying East of the Northerly extension of the west line of said Lot 15.

WHEREAS, the procedural history of this conditional use permit is as follows:

1. The conditional use permit was initiated by Tilsen Homes, Inc., pursuant to the Maplewood Code of Ordinances.
2. This conditional use permit was reviewed by the Maplewood Planning Commission on July 18, 1983. The Planning Commission recommended to the City Council that said permit be approved.
3. The Maplewood City Council held a public hearing on July 25, 1983, to consider this request. Notice thereof was published and mailed pursuant to law. All persons present at said hearing were given an opportunity to be heard and present written statements. The Council also considered reports and recommendations of the city staff and Planning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE MAPLEWOOD CITY COUNCIL that the above-described conditional use permit be approved on the basis of the following findings of fact:

1. The use is in conformity with the City's Comprehensive Plan and with the purpose and standards of chapter 36-442 of the City Zoning Code.
2. The establishment or maintenance of the use would not be detrimental to the public health, safety or general welfare.
3. The use would be located, designed, maintained and operated to be compatible with the character of that zoning district.
4. The use would not depreciate property values.
5. The use would not be hazardous, detrimental or disturbing to present and potential surrounding land uses, due to noises, glare, smoke, dust, odor, fumes, water pollution, water runoff, vibration, general unsightliness, electrical interference or other nuisances.
6. The use would generate only minimal vehicular traffic on local streets and would not create traffic congestion, unsafe access or parking needs that would cause undue burden to the area properties.
7. The use would be served by essential public services, such as streets, police, fire protection, utilities, schools and parks.
8. The use would not create excessive additional requirements at public cost for public facilities and services; and would not be detrimental to the welfare of the city.
9. The use would preserve and incorporate the site's natural and scenic features into the development design.
10. The use would cause minimal adverse environmental effects.

Approval is subject to:

1. Construction starting within one year.
2. The northerly twenty feet of lots one through twelve, block one, shall be landscaped prior to issuance of any occupancy permit for the block, to provide a protective screen of at least eighty percent opaqueness and six feet in height.
3. The corners of each lot shall be identified by land survey monument prior to the issuance of any occupancy permit within block one, within lots one through thirteen of block two and within lots fourteen through twenty-five of block two.
4. The footings for each structure shall also be pinned and flagged for inspection, prior to the foundations being laid, to assure that the common walls are located exactly on the common lot lines.
5. Adherence to the preliminary plat received by the city on July 6, 1983, subject to changes approved by the city.

Seconded by Councilmember Anderson.

Ayes - all.

h. Councilmember Bastian moved approval of Robert Tilsen's Maplewood Height's #11 preliminary plat received by the city on July 6, 1983, subject to the following conditions:

1. Approval of the planned-unit development by the same name.
2. Council authorizing the vacation of Lakewood Drive from Brenner Avenue to County Road D. Final plat approval shall not be granted until a developer's agreement is submitted for the easterly extension of Gall Avenue and the removal and reseedling of Lakewood Drive north of Gall Avenue.
3. The storm sewer system plan shall make use of the existing detention pond on Lakewood Drive. The existing system shall be modified to accomodate the additional drainage as approved by the City Engineer.
4. City Engineer approval of final grading, utility and drainage plans.
5. Submittal of a developer's agreement for street and utility construction.
6. Submittal of an acceptable erosion control plan before any building permits are issued, which considers the recommendations of the Soil Conservation Service.
7. The easterly fifty feet of Lot 25, Block 2, shall be shown as Bellaire Avenue right-of-way on the final plat.
8. The park lying south of the proposed plat, shall be vacated prior to final plat approval.

9. The "park" property lying to the south shall be included in the subject plat. That part of the "park" property to be combined with the single dwelling lots to the south shall be platted as out lots. The remainder of the "park" property shall be included as part of the lots in the proposed plat.
10. Prior to final plat approval, deeds shall be submitted to the city for recording, for the combination of any of the "park" property with the abutting single-dwelling lots to the south. All costs associated with the land transfers and combination shall be borne by the developer and included in the developer's agreement for Robert Tilsen's Maplewood Height's #11. Each of the deeds shall include a deed restriction stating that "separation of the properties described in this instrument shall not be permitted unless authorized by the City of Maplewood."

Seconded by Councilmember Anderson.

Ayes - all

2. Street Vacation: Lakewood Drive (7:15 P.M.) Continued

g. Mayor Greavu closed the public hearing.

h. Mayor Greavu introduced the following resolution and moved its adoption:

83 - 7 - 125

WHEREAS, the City of Maplewood initiated proceedings to vacate the public interest in the following-described real property:

Lakewood Drive between the south right-of-way line of County Road D and the easterly extension of the south line of the following-described parcel: Except the south 30 feet, the south 152.5 feet of the north 330.45 feet of the east 164.2 feet of the NW 1/4 of the NW 1/4, subject to roads and easements in Section 1, Township 29, Range 22.

WHEREAS, the procedural history of this vacation is as follows:

1. This vacation was initiated by Tilsen Homes, Inc. June 1, 1983;
2. This vacation was reviewed by the Planning Commission on July 18, 1983. The Planning Commission recommended to the City Council that this vacation be approved;
3. The City Council held a public hearing on July 25, 1983, to consider this vacation. Notice thereof was published and mailed pursuant to law. All persons present at this hearing were given an opportunity to be heard and present written statements. The Council also considered reports and recommendations of the city staff and Planning Commission.

WHEREAS, upon vacation of the above-described street vacation, public interest in the property will accrue to the following described abutting properties:

1. The east 164.20 feet of the north 177.95 feet of the NW 1/4 of the NW 1/4, subject to roads and easements in Section 1, Township 29, Range 22. Also known as 2370 County Road D East.
2. Except the North 177.95 feet, the north 330.45 feet of the east 164.2 feet of the NW 1/4 of the NW 1/4, subject to roads and easements in Section 1, Township 29, Range 22, also known as 2373 Gall Avenue.

NOW, THEREFORE, BE IT RESOLVED by the Maplewood City Council that it is in the public interest to grant the above-described vacation on the basis of the following findings of fact:

1. It would not be in the public interest to retain this right-of-way because construction would be cost-prohibitive.
2. All abutting developable land can be accessed more cost-effectively through the easterly extension of Gall Avenue.
3. Vacation eliminates the potential for undesirable double-fronting lots.

This vacation is subject to the retention of a drainage and utility easement over the entire vacated right-of-way.

Seconded by Councilmember Maida.

Ayes - all.

- i. Mayor Greavu introduced the following resolution and moved its adoption:

83 - 7 - 126

WHEREAS, City of Maplewood initiated proceedings to vacate the public interest in the following-described real property:

1. Lakewood Drive, as dedicated in Robert Tilsen's Maplewood Height's #9 lying north of the northwesterly extension of the north right-of-way line of East Brenner Avenue, and
2. That portion of Lakewood Drive lying between the easterly extension of the north and south lines of the following-described property: except the north ten feet, the north 217 feet of the west 150 feet of the east 170 feet of the south 1103.69 feet of the NW 1/4 of the NW 1/4 in Section 1, Township 29, Range 22.

WHEREAS, the procedural history of this vacation is as follows:

1. This vacation was initiated by Tilsen Homes, Inc. June 1, 1983;
2. This vacation was reviewed by the Planning Commission on July 18, 1983. The Planning Commission recommended to the City Council that this vacation be approved;
3. The City Council held a public hearing on July 25, 1983, to consider this vacation. Notice thereof was published and mailed pursuant to

law. All persons present at this hearing were given an opportunity to be heard and present written statements. The Council also considered reports and recommendations of the city staff and Planning Commission.

WHEREAS, upon vacation of the above-described street vacation, public interest in the property will accrue to the following-described abutting properties:

1. The north 217 feet of the west 150 feet of the east 170 feet of the south 1103.69 feet of the NW 1/4 of the NW 1/4, subject to roads and easements in Section 1, Township 29, Range 22, also known as 2370 Gall Avenue.
2. Park property dedicated to the City of Maplewood with Robert Tilsen's Maplewood Heights #9, lying west of Lakewood Drive right-of-way.
3. Park property dedicated to the City of Maplewood with Robert Tilsen's Maplewood Heights #9, lying east of Lakewood Drive right-of-way and north of lots 1-15, Block 6, Section 1, Township 29, Range 22.
4. Lot 1, Block 6, Robert Tilsen's Maplewood Heights #9.

NOW, THEREFORE, BE IT RESOLVED by the Maplewood City Council that it is in the public interest to grant the above-described vacation on the basis of the following findings of fact:

1. It would not be in the public interest to retain this right-of-way because construction would be cost-prohibitive.
2. All abutting developable land can be accessed more cost-effectively through the easterly extension of Gall Avenue.
3. Vacation eliminates the potential for undesirable double-fronting lots.

This vacation is subject to the retention of a drainage and utility easement over the entire vacated right-of-way.

Seconded by Councilmember Maida.

Ayes - all.

4. Industrial Revenue Bonds - St. John's (7:30 P.M.)

- a. Mayor Greavu convened the meeting for a public hearing regarding a request of St. John's Hospital for a \$53,000,000 Industrial Revenue Bond for acquisition of land and the construction and equipping of an approximate 223,000 square foot acute care hospital and related health care facilities to be located at the north-east corner of Beam and Hazelwood and to advance refund the outstanding \$2,400,000 Housing and REdevelopment Authority Revenue Bonds. The Clerk stated the hearing notice was in order and noted the dates of publication.
- b. Manager Evans presented the staff report.
- c. Mr. Mike Monson, Mr. Gary French and Mrs. Mary Alice Lightte, Health Resources, spoke on behalf of the proposal.
- d. Mayor Greavu called for proponents. None were heard.

- e. Mayor Greavu called for opponents. None were heard.
- f. Mayor Greavu closed the public hearing.
- g. Councilmember Anderson introduced the following resolution and moved its adoption:

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RESOLUTION RECITING A PROPOSAL FOR A
MEDICAL FACILITIES DEVELOPMENT PROJECT
GIVING PRELIMINARY APPROVAL TO THE PROJECT
PURSUANT TO THE MINNESOTA
MUNICIPAL INDUSTRIAL DEVELOPMENT ACT
AUTHORIZING THE SUBMISSION OF AN APPLICATION
FOR APPROVAL OF SAID PROJECT TO THE
COMMISSIONER OF ENERGY, PLANNING AND
DEVELOPMENT OF THE STATE OF MINNESOTA
AND AUTHORIZING THE PREPARATION OF
NECESSARY DOCUMENTS AND MATERIALS
IN CONNECTION WITH SAID PROJECT

WHEREAS,

- (a) The purpose of Chapter 474, Minnesota Statutes, known as the Minnesota Municipal Industrial Development Act (the "Act") as found and determined by the legislature is to promote the welfare of the state by the active attraction and encouragement and development of economically sound industry and commerce to prevent so far as possible the emergence of blighted and marginal lands and areas of chronic unemployment;
- (b) The Act further states in Section 474.01, Subdivision a, that the welfare of the state requires the provision of necessary medical and health care facilities, to the end that adequate health care services be made available to residents of the state at reasonable costs;
- (c) Factors necessitating the active promotion and development of such medical and health care facilities are the increasing concentration of population in the metropolitan areas and the rapidly rising increase in the amount and cost of medical and health care services required to meet the needs of the increased population;
- (d) The City Council of the City of Maplewood, Minnesota ("the City") has received from Health Resources Hospital Corporation, a corporation organized under the laws of the State of Minnesota (the "Company") a proposal that the City undertake to finance a Project hereinafter described, through the issuance of a Revenue Bond or Bonds (the "Revenue Bonds") pursuant to the Act;
- (e) The City desires to facilitate the selective development of the community, retain and improve the tax base and help to provide the range of services and employment opportunities required by the population; and the Project will assist the City in achieving those objectives. The financing of the project will provide substantial inducement for the continuation of the medical operations of the Company in the City and surrounding areas and will help to increase assessed valuation of the City and surrounding areas and help maintain a positive relationship between assessed valuation and debt and enhance the image and reputation of the community;

(f) The Company is currently engaged in the business of providing medical and health care services in the community primarily in the operation of non-profit hospitals. The proposed project shall consist of the acquisition of land the the construction and equipping thereon of an approximate 112,000 square foot acute care hospital and related health care facilities to be located at the Northeast corner of Beam and Hazelwood in the City of Maplewood, to advance refund the outstanding \$2,400,000 Housing and Redevelopment Authority of the City of St. Paul, Minnesota Commercial Development Revenue Bonds, Series 1982 (St. John's Hospital Project) and to refinance certain existing debt of the Company to to renovate and provide equipment for the Company's Existing hospital (St. John's Hospital) located at 403 Maria Avenue, St. Paul, Minnesota;

(g) The City has been advised by representatives of Company that conventional, commercial financing to pay the capital cost of the Project is available only on a limited basis and at such high costs of borrowing that the economic feasibility of operating the Project would be significantly reduced, but Company has also advised this Council that with the aid of municipal financing, and its resulting low borrowing cost, the Project is economically more feasible;

(h) The City has been further advised by representatives of the Company that a reduction in debt service charges to patients and third party payors will occur as a result of such refinancing, and that reductions in debt service charges pursuant to the refinancing will be passed on to patients and third party payors;

(i) Pursuant to a resolution of the City Council adopted on June 27, 1983, a public hearing on the Project was held on July 25, 1983, after notice was published, and materials made available for public inspection at the office of the City Clerk, all as required by Minnesota Statutes, Section 474.01, Subdivision 7b at which public hearing all those appearing who so desired to speak were heard;

(j) No public official of the City has either a direct or indirect financial interest in the Project nor will any public official either directly or indirectly benefit financially from the Project.

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

1. The Council hereby gives preliminary approval to the proposal of Company that the City undertake the Project pursuant to the Minnesota Municipal Industrial Development Act (Chapter 474, Minnesota Statutes), consisting of the acquisition, construction and equipping of facilities within the City and renovation of a facility adjacent to the City pursuant to Company's specifications suitable for the operations described above, the refinancing of certain indebtedness of the Company and the advance refunding of the Company's Outstanding St. Johns Hospital Project Bonds and pursuant to a revenue agreement between the City and Company upon such terms and conditions with provisions for revision from time to time as necessary, so as to produce income and revenues sufficient to pay, when due, the principal of and interest on the Revenue Bonds in the maximum aggregate principal amount of \$53,000,000 to be issued pursuant to the Act for the above stated purposes; and said agreement may also provide for the entire interest of Company therein to be mortgaged to the purchases of the Revenue Bonds; and the City hereby undertakes preliminarily to issue its Revenue Bonds in accordance with such terms and conditions;

2. On the basis of information available to this Council it appears, and the Council hereby finds, that the Project constitutes properties, real and personal, used or useful in connection with one or more revenue producing enterprises engaged in providing health care services within the meaning of Subdivision 1c of Section 474.02 of the Act and is a hospital or nursing home facility of a non-profit hospital or nursing home as required by Section 474.03 (3) of the Act; that the Project furthers the purposes stated in Section 474.01 of the Act, that the availability of the financing under the Act and willingness of the City to furnish such financing will be a substantial inducement to Company to undertake the Project, and that the effect of the Project, if undertaken, will be to reduce debt service charges to patients and third party payors, to cause reduction in debt service charges pursuant to this program to be passed on to patients and third party payors, to help prevent chronic unemployment, to help the City retain and improve the tax base and to provide the range of service and employment opportunities required by the population, to help prevent the movement of talented and educated persons out of the state and to areas within the State where their services may not be as effectively used, to promote more intensive development and use of land within and adjacent to the City and eventually to increase the tax base of the community;

3. The Project is hereby given preliminary approval by the City subject to the approval of the Project by the Minnesota Commissioner of Energy, Planning and Development or such other state office having authority to grant approval and subject to final approval by this Council, the Company, and the purchaser of the Revenue Bonds as to the ultimate details of the financing of the Project;

4. In accordance with Subdivision 7a of Section 474.01 Minnesota Statutes, the Mayor of the City is hereby authorized and directed to submit the proposal for the Project to the Commissioner of Energy, Planning and Development, requesting his approval, and other officers, employees and agents of the City are hereby authorized to provide the Commissioner with such preliminary information as he may require;

5. Company has agreed and it is hereby determined that any and all costs incurred by the City in connection with the financing of the Project whether or not the Project is carried to completion and whether or not approved by the Commissioner will be paid by Company;

6. Briggs and Morgan, Professional Association, acting as bond counsel, are authorized to assist in the preparation and review of necessary documents relating to the Project, to consult with the City Attorney, Company and the purchaser of the Revenue Bonds as to the maturities, interest rates and other terms and provisions of the Revenue Bonds and as to the covenants and other provisions of the necessary documents and to submit such documents to the Council for final approval;

7. Nothing in this resolution or in the documents prepared pursuant hereto shall authorize the expenditure of any municipal funds on the Project other than the revenues derived from the Project or otherwise granted to the City for this purpose. The Revenue Bonds shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property or funds of the City except the revenue and proceeds pledged to the payment thereof, nor shall

the City be subject to any liability thereon. The holder of the Revenue Bonds shall never have the right to compel any exercise of the taxing power of the City to pay the outstanding principal on the Revenue Bonds or the interest thereon, or to enforce payment thereof against any property of the City. The Revenue Bonds shall recite in substance that the Revenue Bonds including interest thereon, are payable solely from the revenue and proceeds pledged to the payment thereof. The Revenue Bonds shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation;

8. In anticipation of the approval by the Commissioner of Planning, Energy and Development and the issuance of the Revenue Bonds to finance all or a portion of the Project, and in order that completion of the Project will not be unduly delayed when approved, Company is hereby authorized to make such expenditures and advances toward payment of that portion of the costs of the Project to be financed from the proceeds of the Revenue Bonds as Company considers necessary, including the use of interim, short-term financing, subject to reimbursement from the proceeds of the Revenue Bonds if and when delivered but otherwise without liability on the part of the City;

9. The actions of the City Clerk in causing public notice of the public hearing and in describing the general nature of the Project and estimating the principal amount of the Revenue Bonds to be issued to finance the Project and in preparing a draft of the proposed application to the Commissioner of Planning, Energy and Development, State of Minnesota, for approval of the Project, which has been available for inspection by the public at the City Hall from and after the publication of notice of the hearing, are in all respects ratified and confirmed.

Seconded by Councilmember Bastian.

Ayes - all.

5. Liquor License - Fiddler's 7:45 P.M.

- a. Mayor Greavu convened the meeting for a public hearing regarding the request of Mark Robert Hanson for approval of a On-Sale Liquor License to be known as The Fiddler's Deli, 3035 White Bear Avenue. The Clerk stated the hearing notice was in order and noted the dates of publication.
- b. Manager Evans presented the staff report.
- c. Mr. Mark Hanson, the applicant, spoke on behalf of his request.
- d. Mayor Greavu called for proponents. None were heard.
- e. Mayor Greavu called for opponents. None were heard.
- f. Mayor Greavu closed the public hearing.
- g. Councilmember Bastian introduced the following resolution and moved its adoption:

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Notice Is Hereby Given, that pursuant to action by the City Council of Maplewood on July 25, 1983 an On-Sale Intoxicating Liquor License was approved for Mark Robert Hanson dba Fiddler's Deli, 3035 White Bear Avenue.

The Council proceeded in this matter as outlined under the provisions of the City Ordinances.

Seconded by Councilmember Maida.

Ayes - All.

Councilmember Anderson moved to amend the Agenda to hear J - Visitor Presentation at this time.

Seconded by Councilmember Juker.

Ayes - All.

J. Visitor Presentation

1. Mr. Joseph Bloyer, 1467 Frost Avenue.

- a. Mr. Joseph Bloyer, 1467 Frost and Mr. Sampson, 1503 Frost, both commented on the fact that Frost Avenue has not been closed and they are not getting access to their property as promised. They would just as soon have the road closed completely.
- b. Mr. Wayne Leonard, Project Engineer for Ramsey County, explained the time schedule for Frost Avenue.
- c. Councilmember Juker moved that Frost Avenue be closed from White Bear Avenue to Birmingham Street to all traffic except emergency vehicles and construction crews.

Seconded by Councilmember Anderson.

Ayes - All.

2. Councilmember Juker commented on the construction of Holloway Avenue and questioned if those residents are experiencing the same problems as the residents on Frost Avenue.

Engineering Department will investigate.

H. Unfinished Business

1. Hazelwood Avenue Construction

- a. Director of Public Works Ken Haider presented the staff report.

Councilmember Juker moved to extend the meeting past the deadlines.

Seconded by Councilmember Anderson.

Ayes - All.

Councilmember Juker moved to amend the Agenda and discuss Item I-7 at this time.

Seconded by Mayor Greavu.

Ayes - All.

I. New Business

7. Assessment Hearing: Frost Avenue

- a. Manager Evans presented the staff report.
- b. Councilmember Anderson introduced the following resolution and moved its adoption.

WHEREAS, the City Clerk and City Engineer have present the final figures for Improvement No. 82-9, Frost Avenue Reconstruction from Birmingham Street to White Bear Avenue.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA that the City Clerk and City Engineer shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece or parcel of land abutting on the streets affected, without regard to cash valuation, as provided by law, and they shall file a copy of such proposed assessment in the City Office for inspection.

FURTHER, the Clerk shall, upon completion of such proposed assessment notify the Council thereof.

Seconded by Mayor Greavu.

Ayes - All.

- c. Councilmember Anderson introduced the following resolution and moved its adoption.

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WHEREAS, the Clerk and the Engineer have, at the direction of the Council, prepared an assessment roll for the construction of Frost Avenue Reconstruction from Birmingham Street to White Bear Avenue, Improvement 82-9, and the said assessment roll is on file in the office of the City Clerk;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA:

1. A hearing shall be held on the 11th day of August, 1983, at John Glenn Junior High School at 7:00 p.m. to pass upon such proposed assessment and at such time and place all persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
2. The City Clerk is hereby directed to cause a notice of the hearing on the proposed assessment to be published in the official newspaper, at least two weeks prior to the hearing and to mail notices to the owners of all property affected by said assessment.
3. The notice of hearing shall state the date, time and place of hearing, the general nature of the improvement, the area proposed to be assessed, that the proposed assessment roll is on file with the Clerk, and that written or oral objections will be considered.

Seconded by Mayor Greavu.

Ayes - All.

H. Unfinished Business (continued)

1. Hazelwood Avenue Reconstruction
 - a. Manager Evans presented supplemental information to the previously submitted

feasibility study as requested by the City Council.

The supplement is a result of future study regarding alternate street width designs and an expanded storm sewer systems consideration.

We request that the City Council accept this report and order a public hearing on August 11, 1983. Due to the number of affected property owners, we recommend that the hearing be held at John Glenn Junior High School.

- b. Mayor Greavu moved to cancel the hearing for the Hazelwood Avenue reconstruction scheduled for August 11, 1983.

Seconded by Councilmember Bastian.

Ayes - All.

2. Code Amendment: Minimum Floor Areas

a. Manager Evans presented the staff report.

- b. Mayor Greavu moved first reading of an ordinance amending the code regarding minimum floor areas.

Seconded by Councilmember Maida

Ayes - Mayor Greavu
Councilmembers Anderson, Maida
and Bastian

Nay - Councilmember Juker

- c. Councilmember Bastian moved to reconsider the vote on the code amendment for minimum floor areas.

Seconded by Mayor Greavu.

Ayes - Mayor Greavu, Councilmembers
Bastian and Maida

Nays - Councilmembers Anderson and
Juker

Motion failed.

I. New Business (continued)

2. Time Extension: English St. Townhouses

a. Manager Evans presented the staff report.

- b. Mayor Greavu moved cancellation of the planned unit development and preliminary plat approvals for the English Street Townhouse development, on the basis that:

1. Substantial physical activity and investment has not occurred in reasonable reliance on the approved application.
2. A good faith effort has not been made to comply with the conditions of approval.
3. Cancellation of the approvals will not cause the subdivider to suffer substantial financial damage.
4. The property owners have not requested a time extension. A letter was sent notifying them of the need for an extension. No reply was received.

Seconded by Councilmember Bastian.

Ayes - All.

3. Rock Concert Ordinance (First Reading)

- a. City Attorney Pat Kelly presented the staff report and,
- b. Mayor Greavu moved first reading of an ordinance establishing guidelines for Rock Concerts as amended.

Seconded by Councilmember Anderson.

Ayes - All.

4. Dog Ordinances (First Reading)

- a. Manager Evans presented the staff report.
- b. No action taken.

5. Water Main, Sanitary Sewer - County Road D

- a. Manager Evans stated the developer of the property on the north side of County Road D approximately 500' West of White Bear Avenue wishes to extend sewer and street for service connections. The construction would be done by and paid for by the developer.

Since there is no initial cost to the City it is recommended the City Council authorize staff to execute an agreement with the developer to allow construction of public sewer and water.

- b. Mayor Greavu moved to authorize the staff to execute an agreement with the developer to allow construction of public sewer and water.

Seconded by Councilmember Bastian.

Ayes - All.

6. Contract Amendment No. 3 - Project 78-10

- a. Manager Evans stated during the excavation of the storm water detention basin located on the Oxford property, an exceptionally high perched ground water table was experienced. The water table is above the design pond bottom which has a uniform flat bottom sloping from the inlets to the outlets at a constant grade. Due to the continuous saturated soils at the invert the contractor has been unable to finish grading the bottom. The bottom, therefore, has low areas that will continuously retain water thus prohibiting establishment of vegetation.

In order to provide a dry bottom basin, fill material is required to raise the finished grade above the ground water. Shallow swales will also be graded through the center of the pond between the inlet piping and outlet piping to provide for low flow channelization.

The recommended work results in an additional cost to the project of \$13,050.00.

- b. Mayor Greavu introduced the following resolution and moved its adoption.

ordered made Improvement Project No. 78-10 and has let a construction contract therefore pursuant to Minnesota Statutes, Chapter 429.

AND WHEREAS, it is now necessary and expedient that said contract be modified and designated as Improvement Project No. 78-10, Contract Amendment #3.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that the Mayor and City Clerk are hereby authorized and directed to modify the existing contract by executing said Contract Amendment #3.

Seconded by Councilmember Juker.

Ayes- All.

K. Council Presentation

1. Construction Times

- a. Councilmember Juker stated she has received calls regarding contractors working Montana Avenue starting at 6:00 A.M. She feels there should be time limits especially on weekends.

2. Garage Sale Signs

- a. Councilmember Juker stated people do not take their garage sales signs down after the sale is over. Directed staff to investigate.

3. Bike Ordinances

- a. Councilmember Juker requested that the Bike Ordinance be published on the Maplewood Review. Also requested that a meeting between the Council and the owners of the Maplewood Review be established.

4. Signs

- a. Councilmember Anderson questioned what good posted signs do. Frost is posted for no traffic and closed, and people still drive on it.

5. Storm Sewer

- a. Councilmember Anderson questioned the storm sewers being placed on Frost Avenue.

6. Sewer Billing

- a. Councilmember Anderson presented each Councilmember with a copy of a letter from Mr. Kaiser showing he only pays \$6.21 for water and \$30.10 for sewer rental. He just wished to inform Council.

L. Administration Presentation

None

M. Adjournment

11:35 P.M.

City Clerk

MINUTES OF MAPLEWOOD CITY COUNCIL
7:00 P.M., Monday, August 8, 1983
Council Chambers, Municipal Building
Meeting No. 83-19

A. CALL TO ORDER

A regular meeting of the City Council of Maplewood, Minnesota, was held in the Council Chambers, Municipal Building and was called to order at 7:03 P.M. by Mayor Greavu.

B. ROLL CALL

John C. Greavu, Mayor	Present
Norman G. Anderson, Councilmember	Present
Gary W. Bastian, Councilmember	Absent
Frances L. Juker, Councilmember	Present
MaryLee Maida, Councilmember	Present

C. APPROVAL OF MINUTES

None.

D. APPROVAL OF AGENDA

Mayor Greavu moved to approve the Agenda as amended:

1. Budget
2. Assessment
3. Frost Avenue
4. Meeting with Water Department
5. Condemnation
6. Overlay- Sealing Coat
7. Storm Sewers
8. Maple Hills Golf Center Property

Seconded by Councilmember Anderson.

Ayes - all.

E. CONSENT AGENDA

Councilmember Anderson moved, seconded by Councilmember Juker, Ayes - all, to approve the Consent Agenda, Items 1 through 3, as recommended.

1. Accounts Payable

Approved the accounts (Part I - Fees, Services, Expenses - Check Register dated July 26, 1983 through July 29, 1983 - \$285,408.95; Part II - Payroll Check dated July 29, 1983 - \$82,807.03) in the amount of \$368,215.98.

2. Conditional Use Permit Renewal - Circus

Resolution No. 83-8-132

WHEREAS, Advance-Carter Company initiated a conditional use permit for the Circus, an amusement facility at the following-described property:

Lot 4, Block 1, Maplewood Mall Addition

This property is also known as 3001 White Bear Avenue, Maplewood;

WHEREAS, the procedural history of this conditional use permit is as follows:

1. This conditional use permit was initiated by Advance-Carter Company, pursuant to the Maplewood Code of Ordinances.
2. This conditional use permit was initiated by the Maplewood City Council on November 5, 1981, subject to the following conditions:
 - a. Any exterior signage shall be approved by the Community Design Review Board.
 - b. The applicant shall provide written approval from Homart Development.
 - c. All required licenses for operation shall be obtained from the City.
 - d. This permit may be renewed after one year of operation provided there have been no problems caused by the facility.
 - e. The bumper cars must be equipped with safety devices to guard users from possible injury.
 - f. Adequate policing must be provided to assure order, as determined by the Public Safety Department.
 - g. Bike racks and exterior lighting to be installed as required by the Public Safety Department.
 - h. Applicant should be aware of and enforce Maplewood curfew regulations.
 - i. The owner and applicant shall agree to the above conditions in writing.

NOW, THEREFORE, BE IT RESOLVED BY THE MAPLEWOOD CITY COUNCIL that the above-described conditional use permit renewal be approved on the basis that the Circus has been a very orderly facility during its first year of operation.

Approval if subject to the following conditions:

1. This permit may be renewed after five years of operation provided there have been no problems caused by the facility.
2. Adequate policing must be continued to assure order, as determined by the Director of Public Safety.
3. Curfew regulations shall continue to be enforced.

Resolution No. 83-8-133

RESOLUTION RECITING A PROPOSAL FOR A
COMMERCIAL FACILITIES DEVELOPMENT PROJECT
GIVING PRELIMINARY APPROVAL TO THE PROJECT
PURSUANT TO THE MINNESOTA
MUNICIPAL INDUSTRIAL DEVELOPMENT ACT
AUTHORIZING THE SUBMISSION OF AN APPLICATION
FOR APPROVAL OF THE PROJECT TO THE
COMMISSIONER OF ENERGY AND ECONOMIC
DEVELOPMENT OF THE STATE OF MINNESOTA

AND AUTHORIZING THE PREPARATION OF
NECESSARY DOCUMENTS AND MATERIALS
IN CONNECTION WITH THE PROJECT

WHEREAS,

(a) The purpose of Chapter 474, Minnesota Statutes, known as the Minnesota Municipal Industrial Development Act (the "Act") as found and determined by the legislature is to promote the welfare of the state by the active attraction and encouragement and development of economically sound industry and commerce to prevent so far as possible the emergence of blighted and marginal lands and areas of chronic unemployment;

(b) Factors necessitating the active promotion and development of economically sound industry and commerce are the increasing concentration of population in the metropolitan areas and the rapidly rising increase in the amount and cost of governmental services required to meet the needs of the increased population and the need for development of land use which will provide an adequate tax base to finance these increased costs and access to employment opportunities for such population;

(c) The City Council of the City of Maplewood (the "City") has received from Maplewood Professional Associates, a general partnership organized under the laws of the State of Minnesota (the "Company") a proposal that the City assist in financing a Project hereinafter described, through the issuance of a Revenue Bond or Bonds or a Revenue Note or Notes hereinafter referred to in this resolution as "Revenue Bonds" pursuant to the Act;

(d) The City desires to facilitate the selective development of the community, retain and improve the tax base and help to provide the range of services and employment opportunities required by the population; and the Project will assist the City in achieving those objectives. The Project will help to increase assessed valuation of the City and help maintain a positive relationship between assessed valuation and debt and enhance the image and reputation of the community;

(e) The Company is currently engaged in the business of development of multi-purpose real estate to be used as office space for professionals. The Project to be financed by the Revenue Bonds is a 15,774 square foot multi-purpose office building to be located at the Southeast corner of the intersection of Beam Avenue and Hazelwood Avenue in Maplewood, Minnesota, to be owned and utilized by the partners as a professional office building and consists of the acquisition of land and the construction of buildings and improvements thereon and the installation of equipment therein to be initially owned and operated by the Company, and will result in the employment of additional persons to work within the new facilities;

(f) The City has been advised by representatives of Company that conventional, commercial financing to pay the capital cost of the Project is available only on a limited basis and at such high costs of borrowing that the economic feasibility of operating the Project would be significantly reduced, but Company has also advised this Council that with the aid of municipal financing, and its resulting low borrowing cost, the Project is economically more feasible;

(g) Pursuant to a resolution of the City Council adopted on _____; 1983, a public hearing on the Project was held on _____, 1983, after notice was published, and materials made available for public inspection at the City Hall, all as required by Minnesota Statutes, Section 474.01, Subdivision 7b at which public hearing all those appearing who so desired to speak were heard;

(h) No public official of the City has either a direct or indirect financial interest in the Project nor will any public official either directly or indirectly benefit financially from the Project.

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

1. The Council hereby gives preliminary approval to the proposal of Company that the City undertake the Project pursuant to the Minnesota Municipal Industrial Development Act (Chapter 474, Minnesota Statutes), consisting of the acquisition, construction and equipping of a 15,774 square foot multi-purpose professional office building within the City pursuant to Company's specifications suitable for the operations described above to be initially owned and operated by the Company and pursuant to a revenue agreement between the City and Company upon such terms and conditions with provisions for revision from time to time as necessary, so as to produce income and revenues sufficient to pay, when due, the principal of and interest on the Revenue Bonds in the maximum aggregate principal amount of \$1,660,000 to be issued pursuant to the Act to finance the acquisition, construction and equipping of the Project; and said agreement may also provide for the entire interest of Company therein to be mortgaged to the purchaser of the Revenue Bonds; and the City hereby undertakes preliminarily to issue its Revenue Bonds in accordance with such terms and conditions;

2. On the basis of information available to this Council it appears, and the Council hereby finds, that the Project constitutes properties, real and personal, used or useful in connection with one or more revenue producing enterprises engaged in any business within the meaning of Subdivision 1a of Section 474.02 of the Act; that the Project furthers the purposes stated in Section 474.01, Minnesota Statutes; that the availability of the financing under the Act and willingness of the City to furnish such financing will be a substantial inducement to Company to undertake the Project, and that the

effect of the Project, if undertaken, will be to encourage the development of economically sound industry and commerce, to assist in the prevention of the emergence of blighted and marginal land, to help prevent chronic unemployment, to help the City retain and improve the tax base and to provide the range of service and employment opportunities required by the population, to help prevent the movement of talented and educated persons out of the state and to areas within the State where their services may not be as effectively used, to promote more intensive development and use of land within the City and eventually to increase the tax base of the community;

3. The Project is hereby given preliminary approval by the City subject to the approval of the Project by the Minnesota Commissioner of Energy and Economic Development or such other state office having authority to grant approval (the "Commissioner"), and subject to final approval by this Council, Company, and the purchaser of the Revenue Bonds as to the ultimate details of the financing of the Project;

4. In accordance with Subdivision 7a of Section 474.01 Minnesota Statutes, the Mayor of the City is hereby authorized and directed to submit the proposal for the Project to the Commissioner requesting his approval, and other officers, employees and agents of the City are hereby authorized to provide the Commissioner with such preliminary information as he may require;

5. Company has agreed and it is hereby determined that any and all costs incurred by the City in connection with the financing of the Project whether or not the Project is carried to completion and whether or not approved by the Commissioner will be paid by Company;

6. Briggs and Morgan, Professional Association, acting as bond counsel, and Juran & Moody, Inc. are authorized to assist in the preparation and review of necessary documents relating to the Project, to consult with the City Attorney, Company and the purchaser of the Revenue Bonds as to the maturities, interest rates and other terms and provisions of the Revenue Bonds and as to the covenants and other provisions of the necessary documents and to submit such documents to the Council for final approval;

7. Nothing in this resolution or in the documents prepared pursuant hereto shall authorize the expenditure of any municipal funds on the Project other than the revenues derived from the Project or otherwise granted to the City for this purpose. The Revenue Bonds shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property or funds of the City except the revenue and proceeds pledged to the payment thereof, nor shall the City be subject to any liability thereon. The holder of the Revenue Bonds shall never have the right to compel any exercise of the taxing power of the City to pay the outstanding principal on the Revenue Bonds or the interest thereon, or to enforce payment thereof against any

property of the City. The Revenue Bonds shall recite in substance that the Revenue Bonds, including interest thereon, is payable solely from the revenue and proceeds pledged to the payment thereof. The Revenue Bonds shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation;

8. In anticipation of the approval by the Commissioner the issuance of the Revenue Bonds to finance all or a portion of the Project, and in order that completion of the Project will not be unduly delayed when approved, Company is hereby authorized to make such expenditures and advances toward payment of that portion of the costs of the Project to be financed from the proceeds of the Revenue Bonds as Company considers necessary, including the use of interim, short-term financing, subject to reimbursement from the proceeds of the Revenue Bonds if and when delivered but otherwise without liability on the part of the City.

F. PUBLIC HEARINGS

1. P.U.D. Amendment: 2696 Hazelwood H.R.I. 7:00 P.M.

a. Mayor Greavu convened the meeting for a public hearing regarding a request of Health Resources, Inc. for a Planned Unit Development amendment to amend the site plan for the Hazel Ridge PUD to eliminate the tunnel between the proposed cooperative residence and the existing community service center. Also, to amend a condition of the PUD to clarify the authority of the Director of Community Services pertaining to future development of Parcel A. The Clerk stated the hearing notice was in order and noted the dates of publication.

b. Manager Evans presented the staff report.

c. Commissioner Duane Prew presented the following Planning Commission recommendation:

"Commissioner Barrett moved the Planning Commission recommend to the City Council approval of the resolution amending the Hazel Ridge planned unit development as follows:

1. Eliminate the proposed tunnel between the planned seniors' cooperative residence and the existing community services center.

2. Revise condition #3 to read as follows: "Development of Parcel A shall require an amendment to the planned unit development. The Director of Community Services shall be notified of any proposed development of this parcel prior to scheduling use of the softball/tee-ball facilities for an upcoming season. If the redevelopment of Parcel A is to include recreational facilities, the Community Services Director shall be involved in the development process, to represent the City's and the neighborhood's interests and negotiate on their behalf. The Director of Community Services shall approve the location of the proposed foot trails.

Commissioner Robens seconded.
Prew, Robens, Sletten, Whitcomb.

Ayes - Commissioners Barrett, Fischer,

Abstain - Commissioners Hejny and Pellish."

d. Mr. Fred Hoisington, consultant to H.R.A., explained the proposal.

e. Mayor Greavu called for proponents. None were heard.

f. Mayor Greavu called for opponents. None were heard.

g. Mayor Greavu closed the public hearing.

h. Councilmember Anderson introduced the following resolution and moved its adoption:

83 - 8 - 134

WHEREAS, an amendment to the conditional use permit for the Hazel Ridge planned unit development has been initiated by Health Resources, Inc. for the following-described property:

the North 800 feet of the South 1310 feet of the West 578 feet of the SW1/4 of the SE 1/4 of Section 3, Township 29, Range 22

Such above property being also known and numbered as 2696 Hazelwood Avenue, Maplewood, Minnesota:

WHEREAS, the procedural history of this conditional use permit amendment request is as follows:

1. Said conditional use permit was conditionally granted by the Maplewood City Council on April 11, 1983;
2. That an amendment to said planned unit development has been initiated by Health Resources, Inc. pursuant to Section 36-438 (c) of the Maplewood City Code;
3. That said conditional use permit amendment request was referred to and reviewed by the Maplewood Planning Commission on the 18th day of July, 1983, at which time said Planning Commission recommended to the City Council that said amendment be approved.
4. That said conditional use permit amendment request was referred to and reviewed by the Maplewood Housing and Redevelopment Authority on the 14th day of June, 1983, at which time the said Housing and Redevelopment Authority recommended to the City Council that said amendment be approved;
5. That the Maplewood City Council held a public hearing to consider the amendment request, notice thereof having been published and mailed pursuant to law; and
6. That all persons present at said hearing were given an opportunity to be heard or present written statements, and the Council considered reports and recommendations of the City Staff, Planning Commission and Housing and Redevelopment Authority.

WHEREAS, the requested amendment to the Hazel Ridge planned unit development consists of:

1. Elimination of the tunnel that had been proposed on the site plan between the planned 75 unit seniors' cooperative residence and the existing community services center.
2. Amendment of condition "3" to clarify the authority of the Director of Community Services regarding the recreational usage of Parcel A.

NOW, THEREFORE BE IT RESOLVED BY THE MAPLEWOOD CITY COUNCIL that:

1. The tunnel proposed between the seniors' cooperative and community services structures may be removed from the planned unit development site plan on the basis that:
 - a. There are not essential services located in the community service building that are normally found in similar senior residences.
 - b. There are no ordinance provisions that require the physical connection between the existing and proposed structure.
 - c. The applicant's market studies show that the tunnel would be an impediment to the marketing of the units.
 - d. The amenities previously proposed for access by way of the tunnel will be incorporated in the proposed seniors' cooperative structure.
2. Condition "3" of the 4-11-83 approval is hereby revised to read as follows:
 - c. Development of Parcel A shall require an amendment to the planned development. The Director of Community Services shall be notified of any proposed development of this parcel prior to scheduling use of the softball/tee-ball facilities for an upcoming season. If the redevelopment of Parcel A is to include recreational uses, the Maplewood Community Services Director shall be involved in the development process, to represent the city's and the neighborhood's interests and to negotiate on their behalf. The Director of Community Services shall approve the location of the proposed foot trails.

Approval is on the basis that the original permit language could have been interpreted to mean that Parcel A must be used only for recreational purposes. This was not the intent of the City Council.

Seconded by Councilmember Juker.

Ayes - all.

H. UNFINISHED BUSINESS

1. Holloway Avenue: Beebe Road - McKnight Road
 - a. Manager Evans presented the staff report.
 - b. Councilmember Anderson moved that at this time a hearing date not be established for Holloway Avenue from Beebe Road to McKnight Road.

Seconded by Councilmember Juker.

Ayes - all.

2. Rock Ordinance - Second Reading
 - a. City Attorney Patrick Kelly presented the ordinance establishing guidelines for assemblies.
 - b. Councilmember Anderson moved to table this proposed ordinance until the meeting of August 22, 1983.

Seconded by Councilmember Juker.

Ayes - all.

F. PUBLIC HEARINGS (continued)

2. "Park" Vacation: Tilsen's 9th Addition 7:15 P.M.

a. Mayor Greavu convened the meeting for a public hearing regarding a proposal to vacate the portion of the park property in Robert Tilsen's Maplewood Heights No. 9 lying east of Lakewood Drive. The Clerk stated the hearing notice was in order and noted the dates of publication.

b. Manager Evans presented the staff report.

c. Commissioner Duane Prew presented the following Planning Commission recommendation:

"Commissioner Fischer moved the Planning Commission recommend that the City Council approve the resolution, with the amendment that this vacated property could be combined with the properties either to the south (Tilsens #9) or to the north (proposed Tilsen's #11), vacating the park property in Robert Tilsen's Maplewood Heights #9, lying east of Lakewood Drive, subject to granting of a public drainage easement for the pond designated in Robert Tilsen's Maplewood Heights #11 preliminary plat, which encroaches upon this park property.

Commissioner Hejny seconded Ayes - Commissioners Barrett, Fischer, Hejny, Pellish, Prew, Robens, Sletten, Whitcomb."

d. Mayor Greavu called for proponents. None were heard.

e. Mayor Greavu called for opponents. None were heard.

f. Mayor Greavu closed the public hearing.

g. Mayor Greavu introduced the following resolution and moved its adoption:

83 - 8 - 135

WHEREAS, Tilsen Homes, Inc. initiated proceedings to vacate the public interest in the following described real property:

That part of the "park" in Robert Tilsen's Maplewood Heights #9, lying east of Lakewood Drive

WHEREAS, the procedural history of this vacation is as follows:

1. This vacation was initiated by Tilsen Homes, Inc. on July 8, 1983;
2. This vacation was reviewed by the Planning Commission on July 18, 1983. The Planning Commission recommended to the City Council that this vacation be approved.
3. The City Council held a public hearing on August 8, 1983 to consider this vacation. Notice thereof was published and mailed pursuant to law. All persons present at this hearing were given an opportunity to be heard and present written statements. The Council also considered reports and recommendations of the city staff and Planning Commission.

WHEREAS, upon vacation of the public interest in said park, the property will accrue to the following described abutting properties:

Lots one through thirteen and lot fifteen, block six, Robert Tilsen's Maplewood Heights #9 or the unplatted property abutting to the north.

NOW, THEREFORE, BE IT RESOLVED by the Maplewood City Council that it is in the public interest to grant the above-described vacation and declare the subject property as surplus, on the basis of the following findings of fact:

1. The property is of a configuration that precludes its use as a park.
2. It is an unnecessary maintenance burden.
3. The donation of this property should not have been accepted by the city when the land was originally platted.
4. The Park Plan contains no proposals to utilize this property.
5. The property has never been used as a park, has not been improved and has been left vacant.

This vacation is subject to granting of a public drainage easement for the pond designated in Robert Tilsen's Maplewood Heights #11 preliminary plat which encroaches upon this "park" property.

Seconded by Councilmember Maida.

Ayes - all.

3. Industrial Revenue Bond: Super Valu 7:30 P.M.
 - a. Mayor Greavu convened the meeting for a public hearing regarding a request of Super Valu Stores, Inc. for approval of a \$6,200,000 Industrial Revenue Note to construct a Cub Food Store at the southeast corner of County Road B and Rice Street. The Clerk stated the hearing notice was in order and noted the dates of publication.
 - b. Manager Evans presented the staff report.
 - c. Mr. Don Pollard, Cub Foods, spoke on behalf of the proposal.
 - d. Ms. Carol Lenhart, Manager of Financial Services and Mr. Richard Johnson, Piper, Jaffrey and Hopwood, explained the specifics of the proposal.
 - e. Mayor Greavu called for proponents. None were heard.
 - f. Mayor Greavu called for opponents. None were heard.
 - g. Mayor Greavu closed the public hearing.
 - h. Councilmember Anderson introduced the following resolution and moved its adoption:

83 - 8 - 136

RESOLUTION RECITING A PROPOSAL FOR A
COMMERCIAL FACILITIES DEVELOPMENT PROJECT
GIVING PRELIMINARY APPROVAL TO THE PROJECT
PURSUANT TO THE MINNESOTA
MUNICIPAL INDUSTRIAL DEVELOPMENT ACT
AUTHORIZING THE SUBMISSION OF AN APPLICATION
FOR APPROVAL OF SAID PROJECT TO THE
COMMISSIONER OF ENERGY, PLANNING AND
DEVELOPMENT OF THE STATE OF MINNESOTA
AND AUTHORIZING THE PREPARATION OF

NECESSARY DOCUMENTS AND MATERIALS
IN CONNECTION WITH SAID PROJECT

WHEREAS,

(a) The purpose of Chapter 474, Minnesota Statutes, known as the Minnesota Municipal Industrial Development Act (the "Act") as found and determined by the legislature is to promote the welfare of the state by the active attraction and encouragement and development of economically sound industry and commerce to prevent so far as possible the emergence of blighted and marginal lands and areas of chronic unemployment;

(b) Factors necessitating the active promotion and development of economically sound industry and commerce are the increasing concentration of population in the metropolitan areas and the rapidly rising increase in the amount and cost of governmental services required to meet the needs of the increased population and the need for development of land use which will provide an adequate tax base to finance these increased costs and access to employment opportunities for such population;

(c) The City Council of the City of Maplewood (the "City") has received from Super Valu Stores, Inc., a corporation organized under the laws of the State of Delaware (the "Company") a proposal that the City assist in financing a Project hereinafter described, through the issuance of a Revenue Bond or Bonds or a Revenue Note or Notes hereinafter referred to in this resolution as "Revenue Bonds" pursuant to the Act;

(d) The City desires to facilitate the selective development of the community, retain and improve the tax base and help to provide the range of services and employment opportunities required by the population; and the Project will assist the City in achieving those objectives. The Project will help to increase assessed valuation of the City and help maintain a positive relationship between assessed valuation and debt and enhance the image and reputation of the community;

(e) The Company is currently engaged in the business of food wholesaling, the operation of grocery stores and other retail operations. The Project to be financed by the Revenue Bonds is a 77,000 sq. foot Cub supermarket and the construction of 619 on-site parking spaces to be located at the southwest corner of County Road B and Rice Street in Maplewood, Minnesota and consists of the acquisition of land and the construction of buildings and improvements thereon and the installation of equipment therein, and will result in the employment of additional persons to work within the new facilities;

(f) The City has been advised by representatives of Company that conventional, commercial financing to pay the capital cost of the Project is available only on a limited basis and at such high costs of borrowing that the economic feasibility of operating the Project would be significantly reduced, but Company has also advised this Council that with the aid of municipal financing, and its resulting low borrowing cost, the Project is economically more feasible;

(g) Pursuant to a resolution of the City Council adopted on July 11, 1983, a public hearing on the Project was held on August 8, 1983, after notice was published, and materials made available for public inspection at the City hall, all as required by Minnesota Statutes, Section 474.01, Subdivision 7b at which public hearing all those appearing who so desired to speak were heard;

(h) No public official of the City has either a direct or indirect financial interest in the Project nor will any public official either directly or indirectly benefit financially from the Project.

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

1. The Council hereby gives preliminary approval to the proposal of Company that the City undertake the Project pursuant to the Minnesota Municipal Industrial Development Act (Chapter 474, Minnesota Statutes), consisting of the acquisition, construction and equipping of facilities within the City pursuant to Company's specifications suitable for the operations described above and to a revenue agreement between the City and Company upon such terms and conditions with provisions for revision from time to time as necessary, so as to produce income and revenues sufficient to pay, when due, the principal of and interest on the Revenue Bonds in the total principal amount of approximately \$6,200,000 to be issued pursuant to the Act to finance the acquisition, construction and equipping of the Project; and said agreement may also provide for the entire interest of Company therein to be mortgaged to the purchaser of the Revenue Bonds; and the City hereby undertakes preliminarily to issue its Revenue Bonds in accordance with such terms and conditions;

2. On the basis of information available to this Council it appears, and the Council hereby finds, that the Project constitutes properties, real and personal, used or useful in connection with one or more revenue producing enterprises engaged in any business within the meaning of Subdivision 1a of Section 474.02 of the Act; that the Project furthers the purposes stated in Section 474.01, Minnesota Statutes; that the availability of the financing under the Act and willingness of the City to furnish such financing will be a substantial inducement to Company to undertake the Project, and that the effect of the Project, if undertaken, will be to encourage the development of economically sound industry and commerce, to assist in the prevention of the emergence of blighted and marginal land, to help prevent chronic unemployment, to help the City retain and improve the tax base and to provide the range of service and employment opportunities required by the population, to help prevent the movement of talented and educated persons out of the state and to areas within the State where their services may not be as effectively used, to promote more intensive development and use of land within the City and eventually to increase the tax base of the community;

3. The Project is hereby given preliminary approval by the City subject to the approval of the Project by the Commissioner of Energy, Planning and Development (the "Commissioner"), and subject to final approval by this Council, Company, and the purchaser of the Revenue Bonds as to the ultimate details of the financing of the Project;

4. In accordance with Subdivision 7a of the Section 474.01 Minnesota Statutes, the Mayor of the City is hereby authorized and directed to submit the proposal for the Project to the Commissioner requesting his approval, and other officers, employees and agents of the City are hereby authorized to provide the Commissioner with such preliminary information as he may require;

5. Company has agreed and it is hereby determined that any and all costs incurred by the City in connection with the financing of the Project whether or not the Project is carried to completion and whether or not approved by the Commissioner will be paid by Company;

6. Briggs and Morgan, Professional Association, acting as bond counsel is authorized to assist in the preparation and review of necessary documents relating to the Project, to consult with the City Attorney, Company and the purchaser of the Revenue Bonds as to the maturities, interest rates and other terms and provisions of the Revenue Bonds and as to the covenants and other provisions of the necessary documents and to submit such documents to the Council for final approval;

7. Nothing in this resolution or in the documents prepared pursuant hereto shall authorize the expenditure of any municipal funds on the Project other than the revenues derived from the Project or otherwise granted to the City for this purpose. The Revenue Bonds shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property or funds of the City except the revenue and proceeds pledged to the payment thereof, nor shall the City be subject to any liability thereon. The holder of the Revenue Bonds shall never have the right to compel any exercise of the taxing power of the City to pay the outstanding principal on the Revenue Bonds or the interest thereon, or to enforce payment thereof against any property of the City. The Revenue Bonds shall recite in substance that the Revenue Bonds, including interest thereon, is payable solely from the revenue and proceeds pledged to the payment thereof. The Revenue Bonds shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation;

8. In anticipation of the approval by the Commissioner the issuance of the Revenue Bonds to finance all or a portion of the Project, and in order that completion of the Project will not be unduly delayed when approved, Company is hereby authorized to make such expenditures and advances toward payment of that portion of the costs of the Project to be financed from the proceeds of the Revenue Bonds as Company considers necessary, including the use of interim, short-term financing, subject to reimbursement from the proceeds of the Revenue Bonds if and when delivered but otherwise without liability on the part of the City.

Seconded by Councilmember Juker.

Ayes - all.

H. UNFINISHED BUSINESS

3. Dog Ordinance - Private Owner - First Reading

a. Manager Evans presented the staff report.

b. Councilmember Juker moved first reading of an ordinance outlining the obligation and responsibility of dog owners.

Seconded by Mayor Greavu.

Ayes - all.

4. Dog Ordinance - Kennel - First Reading

a. Manager Evans presented the staff report.

b. Councilmember Juker moved first reading of an ordinance protecting residential property from disturbances caused by dog kennels.

Seconded by Mayor Greavu.

Ayes - all.

5. Battle Creek Park

a. Manager Evans presented the staff report.

b. Mr. Larry Holmgren, Ramsey County, explained the proposal.

c. The following area residents expressed their views:

Mr. Gary Sherburne, 137 Crestview Drive

Mr. Joseph Boland, 131 Crestview Drive

d. Councilmember Juker moved to table this item and refer to staff to investigate the possibility of a reciprocal agreement with the County for police, fire and paramedic services, street maintenance, etc.

Seconded by Mayor Greavu. Ayes - all.

I. NEW BUSINESS

1. Off-Sale Liquor Sales

a. Manager Evans presented the staff report.

b. Mayor Greavu moved first reading of an ordinance allowing off-sale liquor stores to remain open until 10:00 P.M. on Friday evenings.

Seconded by Councilmember Maida. Ayes - all.

J. VISITOR PRESENTATIONS

None.

COUNCIL PRESENTATIONS

1. Budget

a. Councilmember Juker requested to have copies of the budget as proposed by staff.

2. Assessments

a. Councilmember Juker asked questions regarding the way assessments are figured. She stated she has received calls regarding inconsistencies.

b. Staff will investigate.

3. Frost Avenue

a. Councilmember Anderson questioned how the Frost Avenue assessments were calculated.

b. Staff answered his questions.

4. Meeting with St. Paul Water Department

a. Councilmember Anderson commented on the possibility of having a City owned water system.

5. Condemnation Notice

a. Councilmember Anderson commented on the condemnation notice for County Ditch 7.

b. Staff stated this is for piping easements.

6. Overlay - Sealing Coat

- a. Councilmember Anderson questioned when the overlay and sealing coating is going to begin.
- b. Staff stated Wednesday the seal coating will start and one week from Thursday the overlay will begin.

7. Storm Sewer

- a. Councilmember Anderson questioned the possibility of establishing a standard storm sewer rate.
- b. Staff will investigate.

L. ADMINISTRATIVE PRESENTATIONS

1. Somerset Ridge

- a. Manager Evans stated there was a portion of land for Somerset Ridge Development that was not rezoned (formerly the Maple Hills Golf Center).
- b. Mayor Greavu moved to set a hearing date of September 26, 1983 to rezone a portion of the Somerset Ridge Development.

Seconded by Councilmember Juker.

Ayes - all.

M ADJOURNMENT

8:57 P.M.

City Clerk

ACCOUNTS PAYABLE AUGUST 22, 1983

Page: 1

1983 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
213015	08/10/83	314.05	AFSCME	UNION DUES
213015	08/10/83	5.32	AFSCME	UNION DUES
		319.37 *		

213100	08/10/83	203.00	BLUE CROSS	INSURANCE PBL
213100	08/10/83	419.24	BLUE CROSS	INSURANCE PBL
213100	08/10/83	27.72	BLUE CROSS	INSURANCE PBL
213100	08/10/83	55.43	BLUE CROSS	INSURANCE PBL
213100	08/10/83	33.26	BLUE CROSS	INSURANCE PBL
213100	08/10/83	27.71	BLUE CROSS	INSURANCE PBL
213100	08/10/83	376.53	BLUE CROSS	INSURANCE PBL
213100	08/10/83	110.86	BLUE CROSS	INSURANCE PBL
213100	08/10/83	133.03	BLUE CROSS	INSURANCE PBL
213100	08/10/83	173.42	BLUE CROSS	INSURANCE PBL
213100	08/10/83	16.63	BLUE CROSS	INSURANCE PBL
213100	08/10/83	155.48	BLUE CROSS	INSURANCE PBL
213100	08/10/83	219.66	BLUE CROSS	INSURANCE PBL
213100	08/10/83	551.97	BLUE CROSS	INSURANCE PBL
213100	08/10/83	175.44	BLUE CROSS	INSURANCE PBL
213100	08/10/83	191.94	BLUE CROSS	INSURANCE PBL
213100	08/10/83	191.94	BLUE CROSS	INSURANCE PBL
213100	08/10/83	83.14	BLUE CROSS	INSURANCE PBL
213100	08/10/83	55.43	BLUE CROSS	INSURANCE PBL
213100	08/10/83	175.44	BLUE CROSS	INSURANCE PBL
213100	08/10/83	240.02	BLUE CROSS	INSURANCE PBL
		3,617.29 *		

213330	08/10/83	924.50	ICMA RETIREMNT CORP	DEFERRED COMP
		924.50 *		

213453	08/10/83	13,806.17	MAPLEWOOD STATE BNK	FWT PBL
213453	08/10/83	187.50	MAPLEWOOD STATE BNK	SAVINGS BONDS
		13,993.67 *		

213470	08/10/83	24.00	AFSCME	UNION DUES
		24.00 *		

213502	08/10/83	8,912.35	MN STATE TREASURER	MOTOR VEH LIC PBL
213502	08/10/83	351.00	MN STATE TREASURER	DRIVERS LIC PBL
		9,263.35 *		

213540	08/10/83	279.42	MN MUTUAL LIFE INS	PREMIUM PBL
213540	08/10/83	1,364.44	MN MUTUAL LIFE INS	PREMIUM PBL

1983 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
2	213540	08/10/83	329.36	MN MUTUAL LIFE INS PREMIUM PBL
3	213540	08/10/83	310.00	MN MUTUAL LIFE INS DEFERRED COMP
4	213540	08/10/83	427.10	MN MUTUAL LIFE INS PREMIUM PBL
5	213540	08/10/83	129.18	MN MUTUAL LIFE INS PREMIUM PBL
6	213540	08/10/83	3.60	MN MUTUAL LIFE INS PREMIUM PBL
7	213540	08/10/83	2.16	MN MUTUAL LIFE INS PREMIUM PBL
8	213540	08/10/83	129.20	MN MUTUAL LIFE INS PREMIUM PBL
9	213540	08/10/83	10.82	MN MUTUAL LIFE INS PREMIUM PBL
10	213540	08/10/83	10.82	MN MUTUAL LIFE INS PREMIUM PBL
11	213540	08/10/83	45.86	MN MUTUAL LIFE INS PREMIUM PBL
12	213540	08/10/83	45.85	MN MUTUAL LIFE INS PREMIUM PBL
13	213540	08/10/83	507.02	MN MUTUAL LIFE INS PREMIUM PBL
14	213540	08/10/83	2,459.71	MN MUTUAL LIFE INS PREMIUM PBL
15	213540	08/10/83	179.43	MN MUTUAL LIFE INS PREMIUM PBL
16	213540	08/10/83	251.16	MN MUTUAL LIFE INS PREMIUM PBL
17	213540	08/10/83	203.69	MN MUTUAL LIFE INS PREMIUM PBL
18	213540	08/10/83	12.62	MN MUTUAL LIFE INS PREMIUM PBL
19	213540	08/10/83	400.34	MN MUTUAL LIFE INS PREMIUM PBL
20	213540	08/10/83	422.26	MN MUTUAL LIFE INS PREMIUM PBL
21	213540	08/10/83	123.61	MN MUTUAL LIFE INS PREMIUM PBL
22	213540	08/10/83	67.16	MN MUTUAL LIFE INS PREMIUM PBL
23	213540	08/10/83	434.40	MN MUTUAL LIFE INS PREMIUM PBL
24	213540	08/10/83	56.35	MN MUTUAL LIFE INS PREMIUM PBL
25	213540	08/10/83	54.85	MN MUTUAL LIFE INS PREMIUM PBL
26	213540	08/10/83	247.22	MN MUTUAL LIFE INS PREMIUM PBL
27	213540	08/10/83	3.60	MN MUTUAL LIFE INS PREMIUM PBL
28	213540	08/10/83	123.60	MN MUTUAL LIFE INS PREMIUM PBL
29	213540	08/10/83	131.98	MN MUTUAL LIFE INS PREMIUM PBL
30	213540	08/10/83	11.46	MN MUTUAL LIFE INS PREMIUM PBL
31	213540	08/10/83	445.88	MN MUTUAL LIFE INS PREMIUM PBL
32	213540	08/10/83	18.68	MN MUTUAL LIFE INS PREMIUM PBL
33			9,242.83 *	
34	*****			
35	213556	08/10/83	300.00	MN ST RETIREMNT SYST DEFERRED COMP
36			300.00 *	
37	*****			
38	213559	08/10/83	10,782.30	MN STATE TREAS S/S S/S DEDUCT
39	213559	08/10/83	10,782.30	MN STATE TREAS S/S S/S DEDUCT
40			21,564.60 *	
41	*****			
42	213669	08/10/83	254.36	L NUTESON TRAVEL TRAINING
43			254.36 *	
44	*****			
45	213870	08/10/83	8,349.27	MN ST COMM REVENUE SWT PBL
46			8,349.27 *	
47	*****			

1983 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
213973	08/10/83	305.01 305.01 *	WISC DEPT REVENUE	SWT FBL

213F77 *	08/10/83	155.00 155.00 *	STORYTALERS	JULY 4TH

214502	08/10/83	7,333.83	MN STATE TREASURER	MOTOR VEH LIC PBL
214502	08/10/83	310.00	MN STATE TREASURER	DRIVERS LIC PBL
214502	08/10/83	326.00	MN STATE TREASURER	DRIVERS LIC PBL
		7,969.83 *		

214H31	08/10/83	4,000.00	ROBERT KROISS	REFUND
214H31	08/10/83	241.27	ROBERT KROISS	REFUND
		4,241.27 *		

215015	08/10/83	5.32-	AFSCME	UNION DUES
215015	08/10/83	5.32	AFSCME	UNION DUES
		.00 *		

215502	08/10/83	4,850.58 4,850.58 *	MN STATE TREASURER	MOTOR VEH LIC PBL

216161	08/10/83	1,000.00 1,000.00 *	EMPLOYEE BENEFIT	DENTAL CLAIMS

216502	08/10/83	3,465.80	MN STATE TREASURER	MOTOR VEH LIC PBL
216502	08/10/83	188.00	MN STATE TREASURER	DRIVERS LIC PBL
		3,653.80 *		

216742	08/10/83	110.00 110.00 *	CLERK OF JISTR CRT	CNTY DRIVERS LIC

217167	08/10/83	9.05	CONN GEN LIFE INS	INSURANCE
217167	08/10/83	18.52	CONN GEN LIFE INS	INSURANCE
217167	08/10/83	9.88	CONN GEN LIFE INS	INSURANCE
217167	08/10/83	6.48	CONN GEN LIFE INS	INSURANCE

1983 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
217167	08/10/83	18.52	CONN GEN LIFE INS	INSURANCE
217167	08/10/83	28.46	CONN GEN LIFE INS	INSURANCE
217167	08/10/83	24.05	CONN GEN LIFE INS	INSURANCE
217167	08/10/83	8.60	CONN GEN LIFE INS	INSURANCE
217167	08/10/83	11.75	CONN GEN LIFE INS	INSURANCE
217167	08/10/83	60.82	CONA GEN LIFE INS	INSURANCE
217167	08/10/83	437.91	CONN GEN LIFE INS	INSURANCE
217167	08/10/83	38.17	CONN GEN LIFE INS	INSURANCE
217167	08/10/83	27.12	CONN GEN LIFE INS	INSURANCE
217167	08/10/83	46.76	CONN GEN LIFE INS	INSURANCE
217167	08/10/83	25.75	CONN GEN LIFE INS	INSURANCE
217167	08/10/83	90.89	CONN GEN LIFE INS	INSURANCE
217167	08/10/83	74.42	CONN GEN LIFE INS	INSURANCE
217167	08/10/83	41.13	CONN GEN LIFE INS	INSURANCE
217167	08/10/83	68.88	CONN GEN LIFE INS	INSURANCE
217167	08/10/83	9.05	CONA GEN LIFE INS	INSURANCE
217167	08/10/83	25.75	CONN GEN LIFE INS	INSURANCE
217167	08/10/83	20.76	CONN GEN LIFE INS	INSURANCE
217167	08/10/83	14.64	CONN GEN LIFE INS	INSURANCE
217167	08/10/83	11.33	CONN GEN LIFE INS	INSURANCE
217167	08/10/83	14.96	CONN GEN LIFE INS	INSURANCE
217167	08/10/83	3.66	CONN GEN LIFE INS	INSURANCE
217167	08/10/83	71.70	CONN GEN LIFE INS	INSURANCE
217167	08/10/83	27.30	CONN GEN LIFE INS	INSURANCE
		1,246.31 *		

217502	08/10/83	4,310.87	MN STATE TREASURER	MOTOR VEH LIC PI
217502	08/10/83	289.00	MN STATE TREASURER	DRIVERS LIC PBL
		4,599.87 *		

217H32	08/10/83	8.00	NW CHAPTER FBI	SUBSCRIPTION
		8.00 *		

220472	08/10/83	93,787.28	METRO WASTE CONTR	SEWER CHARGES
		93,787.28 *		

220502	08/10/83	4,653.37	MN STATE TREASURER	MOTOR VEH LIC PI
220502	08/10/83	177.00	MN STATE TREASURER	DNR LIC PBL
220502	08/10/83	52.00	MN STATE TREASURER	DNR LIC PBL
220502	08/10/83	249.00	MN STATE TREASURER	DRIVERS LIC PBL
		5,131.37 *		

220889	08/10/83	108,380.45	T A SCHIFSKY	CONTRACT PYM
		108,380.45 *		

1983 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
220931	08/10/83	52,779.82	U D CONTRACTING	CONTRACT PYM
		52,779.82 *		

221502	08/10/83	4,646.25	MN STATE TREASURER	MOTOR VEH LIC PE
221502	08/10/83	262.00	MN STATE TREASURER	DRIVERS LIC PBL
		4,908.25 *		

221H33	08/10/83	175.00	DOUGLAS WILLS	SGTS EXAMINATION
		175.00 *		
221H34	08/10/83	175.00	JOHN LAUX	SGTS EXAMINATION
		175.00 *		

234008	08/11/83	88.73	ACE HARDWARE	SUPPLIES
		88.73 *		

234012	08/11/83	16.45	ADVANCE STAMP CORP	SUPPLIES
		16.45 *		

234016	08/11/83	89.55	AFU SERVICE	REPAIR MAINT VEH
		89.55 *		

234037	08/11/83	65.09	AMERICAN TOOL SUPPLY	SUPPLIES
		65.09 *		

234046	08/11/83	272.00	AQUAZYME MIDWEST	CHEMICAL TOILETS
234046	08/11/83	68.00	AQUAZYME MIDWEST	CHEMICAL TOILETS
		340.00 *		

234052	08/11/83	30.30	ARNALS AUTO SERVICE	REPAIR MAINT VEH
234052	08/11/83	203.35	ARNALS AUTO SERVICE	REPAIR MAINT VEH
234052	08/11/83	72.85	ARNALS AUTO SERVICE	REPAIR MAINT VEH
234052	08/11/83	80.85	ARNALS AUTO SERVICE	REPAIR MAINT VEH
234052	08/11/83	30.15	ARNALS AUTO SERVICE	REPAIR MAINT VEH
234052	08/11/83	144.30	ARNALS AUTO SERVICE	REPAIR MAINT VEH
234052	08/11/83	80.60	ARNALS AUTO SERVICE	REPAIR MAINT VEH
234052	08/11/83	21.75	ARNALS AUTO SERVICE	REPAIR MAINT VEH
234052	08/11/83	79.80	ARNALS AUTO SERVICE	REPAIR MAINT VEH

1983 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
234052	08/11/83	183.20	ARNALS AUTO SERVICE	REPAIR MAINT VEH
234052	08/11/83	289.20	ARNALS AUTO SERVICE	REPAIR MAINT VEH
234052	08/11/83	54.00	ARNALS AUTO SERVICE	REPAIR MAINT VEH
234052	08/11/83	64.75	ARNALS AUTO SERVICE	REPAIR MAINT VEH
		1,335.10 *		

234059	08/11/83	13.67	ARTSIGN	SUPPLIES
		13.67 *		

234066	08/11/83	5.00	ASSN OF METROPOLITAN	TRAVEL TRAINING
		5.00 *		

234097	08/11/83	23.52	BILL BOYER FORD	REPAIR MAINT VEH
		23.52 *		

234103	08/11/83	31.08	BOARD OF WATER COMM	UTILITIES
234103	08/11/83	16.86	BOARD OF WATER COMM	UTILITIES
234103	08/11/83	140.89	BOARD OF WATER COMM	UTILITIES
234103	08/11/83	20.70	BOARD OF WATER COMM	UTILITIES
234103	08/11/83	12.12	BOARD OF WATER COMM	UTILITIES
234103	08/11/83	115.53	BOARD OF WATER COMM	CONTRACT PYM
234103	08/11/83	122.57	BOARD OF WATER COMM	CONTRACT PYM
234103	08/11/83	115.89	BOARD OF WATER COMM	CONTRACT PYM
234103	08/11/83	891.95	BOARD OF WATER COMM	CONTRACT PYM
234103	08/11/83	256.22	BOARD OF WATER COMM	CONTRACT PYM
234103	08/11/83	17.51	BOARD OF WATER COMM	CONTRACT PYM
		1,741.32 *		

234129	08/11/83	95.72	CALLAHAN STEEL SUPPL	SUPPLIES
234129	08/11/83	5.42-	CALLAHAN STEEL SUPPL	SUPPLIES
		90.30 *		
234130	08/11/83	5.05	CAPITCL RUBBER STAMP	SUPPLIES
		5.05 *		

234177	08/11/83	36.15	COPY EQUIPMENT	SUPPLIES
		36.15 *		

234192	08/11/83	90.80	DALCO CORP	SUPPLIES JANT
		90.80 *		
234193	08/11/83	480.00	DALEY PAT	PLUMB INSPECTOR

1983 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
		480.00 *		
234194	08/11/83	11.33	FAUST DANIEL F	TRAVEL TRAINING
		11.33 *		

234215	08/11/83	25.00	DIAMOND RADIATOR	SUPPLIES VEH
234215	08/11/83	245.00	DIAMOND RADIATOR	SUPPLIES VEH
		270.00 *		

234219	08/11/83	98.88	EAST CO LINE FIRE DE	FUEL OIL
		98.88 *		

234249	08/11/83	201.23	FOX VALLEY MARKING S	SIGNS
		201.23 *		

234255	08/11/83	35.60	G+K SERVICES	UNIFORMS
234255	08/11/83	27.10	G+K SERVICES	UNIFORMS
234255	08/11/83	27.10	G+K SERVICES	UNIFORMS
234255	08/11/83	27.10	G+K SERVICES	UNIFORMS
234255	08/11/83	16.00	G+K SERVICES	UNIFORMS
234255	08/11/83	16.00	G+K SERVICES	UNIFORMS
234255	08/11/83	16.00	G+K SERVICES	UNIFORMS
234255	08/11/83	16.00	G+K SERVICES	UNIFORMS
234255	08/11/83	19.10	G+K SERVICES	UNIFORMS
234255	08/11/83	19.10	G+K SERVICES	UNIFORMS
234255	08/11/83	19.10	G+K SERVICES	UNIFORMS
234255	08/11/83	19.10	G+K SERVICES	UNIFORMS
234255	08/11/83	18.00	G+K SERVICES	UNIFORMS
234255	08/11/83	18.00	G+K SERVICES	UNIFORMS
234255	08/11/83	18.00	G+K SERVICES	UNIFORMS
		329.30 *		

234269	08/11/83	27.73	GENUINE PARTS CO	SUPPLIES VEH
234269	08/11/83	8.80-	GENUINE PARTS CO	SUPPLIES VEH
234269	08/11/83	12.06	GENUINE PARTS CO	SUPPLIES VEH
		30.99 *		

234274	08/11/83	42.20	GLADSTONE LUMBER MAR	SUPPLIES
234274	08/11/83	33.56	GLADSTONE LUMBER MAR	SUPPLIES
		75.76 *		

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CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
234276	08/11/83	93.37 93.37 *	GOODYEAR SERVICE STO	SUPPLIES VEH

234287	08/11/83	8.06 8.06 *	GREW JANET	TRAVEL TRAINING
234288	08/11/83	24.00 24.00 *	GRUBERS HARDWARE HAN	SUPPLIES

234290	08/11/83	14.06 14.06 *	HALE COMPANY INC	SUPPLIES VEH

234298	08/11/83	7,500.00 7,500.00 *	HARDRIVES	GRADING

234301 *	08/11/83	88.00	HEJNY RENTALS INC	SUPPLIES PROG
234301	08/11/83	15.00	HEJNY RENTALS INC	SUPPLIES
234301	08/11/83	20.00	HEJNY RENTALS INC	SUPPLIES
		123.00 *		

234322	08/11/83	93.94 93.94 *	HOWIE LOCK & KEY	SUPPLIES

234384	08/11/83	87.74	KNOX LUMBER	SUPPLIES
234384	08/11/83	71.10	KNOX LUMBER	SUPPLIES
		158.84 *		

234396	08/11/83	42.00	LAKE SANITATION	RUBBISH REMOVAL
234396	08/11/83	127.50	LAKE SANITATION	RUBBISH REMOVAL
		169.50 *		

234412	08/11/83	7,020.00 7,020.00 *	LEAGUE OF MINN CITIE	MEMBERSHIP

234417	08/11/83	4.48	LEES AUTO SUPPLY	SUPPLIES
234417	08/11/83	29.26	LEES AUTO SUPPLY	SUPPLIES

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CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
		33.74 *		

234420 *	08/11/83	10.24	LES SUPERETTE	SUPPLIES PROG
		10.24 *		

234422	08/11/83	41.18	LESLIE PAPER	DUPLICATING
234422	08/11/83	9.38	LESLIE PAPER	DUPLICATING
234422	08/11/83	69.69	LESLIE PAPER	DUPLICATING
234422	08/11/83	3.81	LESLIE PAPER	DUPLICATING
234422	08/11/83	67.70	LESLIE PAPER	DUPLICATING
234422	08/11/83	257.19	LESLIE PAPER	DUPLICATING
		448.95 *		

234425	08/11/83	444.00	LOGIS	DATA PROCESSING
234425	08/11/83	1,486.62	LOGIS	DATA PROCESSING
234425	08/11/83	733.91-	LOGIS	DATA PROCESSING
234425	08/11/83	733.91	LOGIS	DATA PROCESSING
234425	08/11/83	733.91	LOGIS	DATA PROCESSING
		2,664.53 *		
234426	08/11/83	305.85	LONG LAKE FORD TRACT	REPAIR MAINT VE
		305.85 *		

234428	08/11/83	10.80	LUGER LUMBER	SUPPLIES
234428	08/11/83	43.50	LUGER LUMBER	SUPPLIES
		54.30 *		

234431	08/11/83	96.77	M P SUPPLY CO	SUPPLIES
		96.77 *		

234452	08/11/83	111.12	MAPLEWOOD REVIEW	PUBLISHING
234452	08/11/83	38.79	MAPLEWOOD REVIEW	PUBLISHING
234452	08/11/83	23.28	MAPLEWOOD REVIEW	PUBLISHING
234452	08/11/83	30.75	MAPLEWOOD REVIEW	PUBLISHING
		203.94 *		

234464	08/11/83	25,091.92	MERIT CHEVROLET CO	VEHICLES
234464	08/11/83	9,825.00	MERIT CHEVROLET CO	VEHICLES
		34,916.92 *		

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CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
234472	08/11/83	1,013.49	METRO WASTE CONTROL	RATES
		1,013.49 *		

234474	08/11/83	1,501.80	METRO INSP SERVICE	ELECTRICAL INSP
		1,501.80 *		

234488	08/11/83	21.15	MIDWEST SPECIALTIES	SUPPLIES
		21.15 *		

234526	08/11/83	10.00	MN CITY MANAGERS ASN	TRAVEL TRAINING
		10.00 *		

234530	08/11/83	165.00	MN DEPT PUBLIC SAFETY	REPAIR MAINT
234530	08/11/83	1,243.98	MN DEPT PUBLIC SAFETY	REPAIR MAINT
		1,408.98 *		

234563	08/11/83	142.22	MN UNEMPLOY COMP FUN	BENEFITS
234563	08/11/83	5.00	MN UNEMPLOY COMP FUN	BENEFITS
		147.22 *		

234586	08/11/83	839.50	MUNIC + PRIVATE SERV	ANIMAL CONTROL
		839.50 *		

234647	08/11/83	53.10	NORTH ST PAUL CITY	UTILITIES
234647	08/11/83	1,436.14	NORTH ST PAUL CITY	UTILITIES
		1,489.24 *		

234658	08/11/83	1,267.53	NORTHERN STATES POWE	UTILITIES
234658	08/11/83	8.87	NORTHERN STATES POWE	UTILITIES
234658	08/11/83	2.40	NORTHERN STATES POWE	UTILITIES
234658	08/11/83	2.40	NORTHERN STATES POWE	UTILITIES
234658	08/11/83	2.40	NORTHERN STATES POWE	UTILITIES
234658	08/11/83	3.53	NORTHERN STATES POWE	UTILITIES
234658	08/11/83	4.80	NORTHERN STATES POWE	UTILITIES
234658	08/11/83	2.40	NORTHERN STATES POWE	UTILITIES
234658	08/11/83	2.40	NORTHERN STATES POWE	UTILITIES
234658	08/11/83	2.40	NORTHERN STATES POWE	UTILITIES
234658	08/11/83	126.40	NORTHERN STATES POWE	UTILITIES
234658	08/11/83	112.61	NORTHERN STATES POWE	UTILITIES

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CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
234658	08/11/83	37.16	NORTHERN STATES POWE	UTILITIES
234658	08/11/83	5,858.20	NORTHERN STATES POWE	UTILITIES
234658	08/11/83	42.71	NORTHERN STATES POWE	UTILITIES
234658	08/11/83	412.08	NORTHERN STATES POWE	UTILITIES
234658	08/11/83	85.53	NORTHERN STATES POWE	UTILITIES
234658	08/11/83	146.21	NORTHERN STATES POWE	UTILITIES
234658	08/11/83	5.91	NORTHERN STATES POWE	UTILITIES
234658	08/11/83	28.52	NORTHERN STATES POWE	UTILITIES
234658	08/11/83	45.98	NORTHERN STATES POWE	UTILITIES
234658	08/11/83	12.33	NORTHERN STATES POWE	UTILITIES
234658	08/11/83	4.25	NORTHERN STATES POWE	UTILITIES
234658	08/11/83	47.09	NORTHERN STATES POWE	UTILITIES
234658	08/11/83	4.25	NORTHERN STATES POWE	UTILITIES
234658	08/11/83	89.70	NORTHERN STATES POWE	UTILITIES
234658	08/11/83	394.41	NORTHERN STATES POWE	UTILITIES
234658	08/11/83	260.24	NORTHERN STATES POWE	UTILITIES
234658	08/11/83	12.38	NORTHERN STATES POWE	UTILITIES
234658	08/11/83	8.26	NORTHERN STATES POWE	UTILITIES
234658	08/11/83	173.26	NORTHERN STATES POWE	UTILITIES
234658	08/11/83	269.39	NORTHERN STATES POWE	UTILITIES
234658	08/11/83	89.19	NORTHERN STATES POWE	UTILITIES
234658	08/11/83	178.54	NORTHERN STATES POWE	UTILITIES
234658	08/11/83	65.94	NORTHERN STATES POWE	UTILITIES
234658	08/11/83	20.79	NORTHERN STATES POWE	UTILITIES
		9,828.06 *		

234660	08/11/83	59.19	NORTHWESTERN BELL TE	TELEPHONE
234660	08/11/83	31.60	NORTHWESTERN BELL TE	TELEPHONE
234660	08/11/83	1,218.07	NORTHWESTERN BELL TE	TELEPHONE
234660	08/11/83	18.58	NORTHWESTERN BELL TE	TELEPHONE
234660	08/11/83	5.47	NORTHWESTERN BELL TE	TELEPHONE
234660	08/11/83	50.92	NORTHWESTERN BELL TE	TELEPHONE
234660	08/11/83	36.63	NORTHWESTERN BELL TE	TELEPHONE
234660	08/11/83	53.21	NORTHWESTERN BELL TE	TELEPHONE
234660	08/11/83	190.73	NORTHWESTERN BELL TE	TELEPHONE
234660	08/11/83	50.90	NORTHWESTERN BELL TE	TELEPHONE
234660	08/11/83	155.40	NORTHWESTERN BELL TE	TELEPHONE
234660	08/11/83	50.90	NORTHWESTERN BELL TE	TELEPHONE
234660	08/11/83	50.90	NORTHWESTERN BELL TE	TELEPHONE
234660	08/11/83	70.80	NORTHWESTERN BELL TE	TELEPHONE
234660	08/11/83	80.75	NORTHWESTERN BELL TE	TELEPHONE
234660	08/11/83	80.75	NORTHWESTERN BELL TE	TELEPHONE
234660	08/11/83	80.75	NORTHWESTERN BELL TE	TELEPHONE
234660	08/11/83	80.75	NORTHWESTERN BELL TE	TELEPHONE
234660	08/11/83	37.01	NORTHWESTERN BELL TE	TELEPHONE
234660	08/11/83	80.75	NORTHWESTERN BELL TE	TELEPHONE
234660	08/11/83	70.80	NORTHWESTERN BELL TE	TELEPHONE
234660	08/11/83	80.75	NORTHWESTERN BELL TE	TELEPHONE
234660	08/11/83	22.27	NORTHWESTERN BELL TE	TELEPHONE
234660	08/11/83	19.32	NORTHWESTERN BELL TE	TELEPHONE
234660	08/11/83	27.45	NORTHWESTERN BELL TE	TELEPHONE
234660	08/11/83	125.49	NORTHWESTERN BELL TE	TELEPHONE
234660	08/11/83	26.27	NORTHWESTERN BELL TE	TELEPHONE
234660	08/11/83	289.31	NORTHWESTERN BELL TE	TELEPHONE

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CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
234660	08/11/83	101.25	NORTHWESTERN BELL TE	TELEPHONE
234660	08/11/83	26.27	NORTHWESTERN BELL TE	TELEPHONE
234660	08/11/83	103.50	NORTHWESTERN BELL TE	TELEPHONE
234660	08/11/83	58.09	NORTHWESTERN BELL TE	TELEPHONE
234660	08/11/83	29.14	NORTHWESTERN BELL TE	TELEPHONE
234660	08/11/83	27.32	NORTHWESTERN BELL TE	TELEPHONE
234660	08/11/83	20.74	NORTHWESTERN BELL TE	TELEPHONE
234660	08/11/83	55.85	NORTHWESTERN BELL TE	TELEPHONE
234660	08/11/83	101.00	NORTHWESTERN BELL TE	TELEPHONE
234660	08/11/83	45.40	NORTHWESTERN BELL TE	TELEPHONE
234660	08/11/83	29.77	NORTHWESTERN BELL TE	TELEPHONE
234660	08/11/83	26.66	NORTHWESTERN BELL TE	TELEPHONE
		3,689.96 *		

234684	08/11/83	60.75	PALEN/KIMBALL CO	REPAIR MAINT
		60.75 *		

234694	08/11/83	2,075.00	PETERSON, BELL + CONV	RETAINER AUG
		2,075.00 *		

234726	08/11/83	10.95	RADIO SHACK	SUPPLIES VEH
234726	08/11/83	10.95	RADIO SHACK	SUPPLIES VEH
234726	08/11/83	22.14	RADIO SHACK	SUPPLIES VEH
		44.04 *		

234756	08/11/83	40.53	RAMSEY COUNTY TREASU	OFFICE SUPPLIES
234756	08/11/83	40.53	RAMSEY COUNTY TREASU	OFFICE SUPPLIES
234756	08/11/83	40.53	RAMSEY COUNTY TREASU	OFFICE SUPPLIES
234756	08/11/83	10.00	RAMSEY COUNTY TREASU	DELINQ TAXES
		131.59 *		

234762	08/11/83	271.90	REEDS SALES + SERVIC	SUPPLIES
		271.90 *		

234768	08/11/83	4.50	RICE STREET CAR WASH	SUPPLIES VEH
234768	08/11/83	4.50	RICE STREET CAR WASH	SUPPLIES VEH
234768	08/11/83	9.00	RICE STREET CAR WASH	SUPPLIES VEH
234768	08/11/83	13.50	RICE STREET CAR WASH	SUPPLIES VEH
234768	08/11/83	27.00	RICE STREET CAR WASH	SUPPLIES VEH
234768	08/11/83	22.50	RICE STREET CAR WASH	SUPPLIES VEH
234768	08/11/83	27.00	RICE STREET CAR WASH	SUPPLIES VEH
234768	08/11/83	18.00	RICE STREET CAR WASH	SUPPLIES VEH
234768	08/11/83	9.00	RICE STREET CAR WASH	SUPPLIES VEH

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CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
234768	08/11/83	4.50	RICE STREET CAR WASH	SUPPLIES VEH
234768	08/11/83	9.00	RICE STREET CAR WASH	SUPPLIES VEH
234768	08/11/83	49.50	RICE STREET CAR WASH	SUPPLIES VEH
234768	08/11/83	13.50	RICE STREET CAR WASH	SUPPLIES VEH
234768	08/11/83	13.50	RICE STREET CAR WASH	SUPPLIES VEH
234768	08/11/83	9.00	RICE STREET CAR WASH	SUPPLIES VEH
234768	08/11/83	4.50	RICE STREET CAR WASH	SUPPLIES VEH
234768	08/11/83	4.50	RICE STREET CAR WASH	SUPPLIES VEH
		243.00 *		

234770	* 08/11/83	12.92	RICHARDS MARKET	SUPPLIES
234770	08/11/83	3.58	RICHARDS MARKET	SUPPLIES
234770	08/11/83	49.99	RICHARDS MARKET	SUPPLIES
234770	08/11/83	35.50	RICHARDS MARKET	SUPPLIES
234770	08/11/83	35.50-	RICHARDS MARKET	SUPPLIES
234770	08/11/83	35.50	RICHARDS MARKET	SUPPLIES
		101.99 *		

234798	08/11/83	10.80	S + T OFFICE PRODUCT	OFFICE SUPPLIES
234798	08/11/83	14.83	S + T OFFICE PRODUCT	OFFICE SUPPLIES
234798	08/11/83	44.60	S + T OFFICE PRODUCT	OFFICE SUPPLIES
234798	08/11/83	9.41	S + T OFFICE PRODUCT	OFFICE SUPPLIES
234798	08/11/83	66.00	S + T OFFICE PRODUCT	OFFICE SUPPLIES
234798	08/11/83	53.02	S + T OFFICE PRODUCT	OFFICE SUPPLIES
234798	08/11/83	52.80-	S + T OFFICE PRODUCT	OFFICE SUPPLIES
234798	08/11/83	2.21	S + T OFFICE PRODUCT	OFFICE SUPPLIES
234798	08/11/83	12.76	S + T OFFICE PRODUCT	OFFICE SUPPLIES
234798	08/11/83	41.47	S + T OFFICE PRODUCT	OFFICE SUPPLIES
234798	08/11/83	19.99	S + T OFFICE PRODUCT	OFFICE SUPPLIES
		222.29 *		

234842	08/11/83	75.68	ST PAUL DISPATCH	PUBLISHING
		75.68 *		

234853	* 08/11/83	20.00	ST PAUL SUBURBAN BUS	LATE FEE
		20.00 *		

234875	08/11/83	9.60	STREICHER GUNS INC	SUPPLIES
		9.60 *		

234889	08/11/83	2,937.40	T A SCHIFSKY	REPAIR MAINT
234889	08/11/83	1,992.80	T A SCHIFSKY	REPAIR MAINT
		4,930.20 *		

1983 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
234890 *	08/11/83	4.37	TARGET STORES INC	OFFICE SUPPLIES
234890	08/11/83	5.54	TARGET STORES INC	PROG SUPPLIES
234890	08/11/83	9.51	TARGET STORES INC	PROG SUPPLIES
234890	08/11/83	30.67	TARGET STORES INC	OFFICE SUPPLIES
234890	08/11/83	24.47	TARGET STORES INC	PROG SUPPLIES
234890	08/11/83	95.88	TARGET STORES INC	SUPPLIES
		170.44 *		

234902	08/11/83	357.83	TOLZ KING DUVALL	CONTRACT PYM
		357.83 *		

234906	08/11/83	7,553.00	TRACY OIL	FUEL OIL
234906	08/11/83	7,763.00	TRACY OIL	FUEL OIL
		15,316.00 *		

234910	08/11/83	7.50	TRUCK UTILITIES + MF	SUPPLIES
234910	08/11/83	7.50	TRUCK UTILITIES + MF	SUPPLIES VEH
		15.00 *		

234928	08/11/83	224.60	TWIN CITY TESTING	PROJ TESTING
234928	08/11/83	800.00	TWIN CITY TESTING	PROJ TESTING
		1,024.60 *		

234932	08/11/83	90.00	UNIFORMS UNLIMITED	UNIFORMS
234932	08/11/83	44.05	UNIFORMS UNLIMITED	UNIFORMS
234932	08/11/83	44.95	UNIFORMS UNLIMITED	UNIFORMS
234932	08/11/83	35.95	UNIFORMS UNLIMITED	UNIFORMS
234932	08/11/83	135.25	UNIFORMS UNLIMITED	UNIFORMS
234932	08/11/83	27.85	UNIFORMS UNLIMITED	UNIFORMS
234932	08/11/83	2.10	UNIFORMS UNLIMITED	UNIFORMS
		380.15 *		

234957	08/11/83	15.30	WARNERS TRUEVALUE HD	SUPPLIES
234957	08/11/83	49.86	WARNERS TRUEVALUE HD	SUPPLIES
234957	08/11/83	4.50	WARNERS TRUEVALUE HD	SUPPLIES
234957	08/11/83	40.80	WARNERS TRUEVALUE HD	SUPPLIES
234957	08/11/83	7.80	WARNERS TRUEVALUE HD	SUPPLIES
234957	08/11/83	15.02	WARNERS TRUEVALUE HD	SUPPLIES
234957	08/11/83	28.22	WARNERS TRUEVALUE HD	SUPPLIES
234957	08/11/83	20.39	WARNERS TRUEVALUE HD	SUPPLIES
234957	08/11/83	5.18	WARNERS TRUEVALUE HD	SUPPLIES
234957	08/11/83	41.00	WARNERS TRUEVALUE HD	SUPPLIES

1983 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
234957	08/11/83	4.80	WARNERS TRUEVALUE HD	SUPPLIES
234957	08/11/83	10.79	WARNERS TRUEVALUE HD	SUPPLIES
234957	08/11/83	28.15	WARNERS TRUEVALUE HD	SUPPLIES
234957	08/11/83	4.88	WARNERS TRUEVALUE HD	SUPPLIES
234957	08/11/83	5.84	WARNERS TRUEVALUE HD	SUPPLIES
234957	08/11/83	5.44	WARNERS TRUEVALUE HD	SUPPLIES
234957	08/11/83	12.88	WARNERS TRUEVALUE HD	SUPPLIES
234957	08/11/83	10.71	WARNERS TRUEVALUE HD	SUPPLIES
		311.56 *		

234968	08/11/83	13.63	WHITE BEAR DODGE INC	REPAIR MAINT VEH
		13.63 *		

234978	08/11/83	137.46	XEROX CORPORATICN	DUPLICATING
234978	08/11/83	137.46	XEROX CORPORATICN	DUPLICATING
		274.92 *		

234C20	08/11/83	343.38	NUCO BUILDERS INC	REMOVE WALL
		343.38 *		
234C21	08/11/83	12.00	DISPATCH	PAPERS
		12.00 *		

234D62	08/11/83	81.60	CHAPIN PUBLISH	PUBLISHING
		81.60 *		

234E05	08/11/83	63.24	HARMON GLASS	SUPPLIES VEH
		63.24 *		

234E08	08/11/83	5.17	HORSNELL JUDITH A	SUPPLIES
		5.17 *		

234E23	08/11/83	190.00	SPECIALTY RADIO SERV	SUPPLIES
234E23	08/11/83	2,977.92	SPECIALTY RADIO SERV	SUPPLIES EQUIP
		3,167.92 *		

234F08	08/11/83	28.50	FORUM INS CO	CONTRACT PYM
		28.50 *		

1983 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
234F18 *	08/11/83	11.70	RASCMSKE ALBERT	OFFICE SUPPLIES
		11.70 *		

234F79	08/11/83	89.40	THOMPSON ENTERPRISES	SUPPLIES
234F79	08/11/83	94.83	THOMPSON ENTERPRISES	SUPPLIES
234F79	08/11/83	98.19	THOMPSON ENTERPRISES	SUPPLIES
		282.42 *		

234F81	08/11/83	13.00	DATA DISPATCHING INC	CONTRACT PYM
234F81	08/11/83	19.72	DATA DISPATCHING INC	CONTRACT PYM
		32.72 *		

234F90	08/11/83	4.80	JOLLYS	SUPPLIES
		4.80 *		

234G27	08/11/83	46.90	LEEF BROS	RUG CLEANING
234G27	08/11/83	46.90	LEEF BROS	RUG CLEANING
		93.80 *		
234G28	08/11/83	302.49	L.D.S.INC	VEHICLE REPAIR
234G28	08/11/83	163.90	L.D.S.INC	VEHICLE REPAIR
		466.39 *		

234G32 *	08/11/83	6.38	MILLER MEATS	SUPPLIES PROG
234G32	08/11/83	6.98	MILLER MEATS	SUPPLIES PROG
234G32	08/11/83	11.02	MILLER MEATS	SUPPLIES PROG
234G32	08/11/83	18.86	MILLER MEATS	SUPPLIES PROG
234G32	08/11/83	8.27	MILLER MEATS	SUPPLIES PROG
234G32	08/11/83	11.40	MILLER MEATS	SUPPLIES PROG
234G32	08/11/83	23.87	MILLER MEATS	SUPPLIES PROG
		86.78 *		

234G42	08/11/83	56.00	ST PAUL CITY OF	REPAIR MAINT
234G42	08/11/83	222.10	ST PAUL CITY OF	REPAIR MAINT
234G42	08/11/83	7.00	ST PAUL CITY OF	REPAIR MAINT
234G42	08/11/83	456.40	ST PAUL CITY OF	REPAIR MAINT
234G42	08/11/83	46.90	ST PAUL CITY OF	REPAIR MAINT
234G42	08/11/83	46.90-	ST PAUL CITY OF	REPAIR MAINT
		741.50 *		

234G65 *	08/11/83	43.29	JOHNSON TERESA L	TRAVEL TRAINING

1983 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
		43.29 *		

234H35 *	08/11/83	2.00	ANDERSON SHARON	REFUND
		2.00 *		
234H36	08/11/83	51.00	AUTOMATIC GARAGE	REPAIR MAINT BLD
		51.00 *		
234H37 *	08/11/83	15.00	BACKUS ALVIN	REFUND
		15.00 *		
234H38 *	08/11/83	9.00	BRENHOFER RANDALL	REFUND
		9.00 *		
234H39 *	08/11/83	25.00	BRIESE PAULETTE	REFUND
		25.00 *		
234H40	08/11/83	10.50	CAPITOL SALES CO	SUPPLIES
		10.50 *		
234H41 *	08/11/83	3.20	DOUGHTY LINDA	REFUND
		3.20 *		
234H42	08/11/83	2,728.00	ESS BROS	SUPPLIES
234H42	08/11/83	744.00	ESS BROS	SUPPLIES
234H42	08/11/83	744.00	ESS BROS	SUPPLIES
234H42	08/11/83	2,728.00	ESS BROS	SUPPLIES
234H42	08/11/83	2,728.00-	ESS BROS	SUPPLIES
234H42	08/11/83	744.00-	ESS BROS	SUPPLIES
		3,472.00 *		
234H43	08/11/83	78.69-	FARMERS CO-OP	SUPPLIES
234H43	08/11/83	78.69	FARMERS CO-OP	SUPPLIES
234H43	08/11/83	78.69	FARMERS CO-OP	SUPPLIES
234H43	08/11/83	78.69	FARMERS CO-OP	SUPPLIES
234H43	08/11/83	78.69	FARMERS CO-OP	SUPPLIES
234H43	08/11/83	78.69-	FARMERS CO-OP	SUPPLIES
		157.38 *		
234H44	08/11/83	17.94	GESSELE JAMES	TRAVEL TRAINING
234H44	08/11/83	17.94-	GESSELE JAMES	TRAVEL TRAINING
234H44	08/11/83	17.94	GESSELE JAMES	TRAVEL TRAINING
		17.94 *		
234H45 *	08/11/83	2.00	MCCARVER KAREN	REFUND
234H45	08/11/83	2.00	MCCARVER KAREN	REFUND
234H45	08/11/83	2.00-	MCCARVER KAREN	REFUND
		2.00 *		
234H46 *	08/11/83	18.38	MANN JULIE	TRAVEL TRAINING
234H46	08/11/83	36.76-	MANN JULIE	TRAVEL TRAINING
234H46	08/11/83	18.38	MANN JULIE	TRAVEL TRAINING
234H46	08/11/83	18.38	MANN JULIE	TRAVEL TRAINING

1983 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
		18.38 *		
234H47	08/11/83	20.00	OWEN GERALD	UNIFORMS
234H47	08/11/83	20.00	OWEN GERALD	UNIFORMS
234H47	08/11/83	20.00	OWEN GERALD	UNIFORMS
234H47	08/11/83	40.00-	OWEN GERALD	UNIFORMS
		20.00 *		
234H48	08/11/83	101.80	RACO OIL	REPAIR MAINT VEH
234H48	08/11/83	101.80	RACO OIL	REPAIR MAINT VEH
234H48	08/11/83	203.60-	RACO OIL	REPAIR MAINT VEH
234H48	08/11/83	101.80	RACO OIL	REPAIR MAINT VEH
		101.80 *		
234H49	08/11/83	33.66-	SPECTRUM IMAGE	SUPPLIES
234H49	08/11/83	33.66	SPECTRUM IMAGE	SUPPLIES
234H49	08/11/83	33.66	SPECTRUM IMAGE	SUPPLIES
		33.66 *		
234H50	08/11/83	17.64-	THE SKEP	SUPPLIES
234H50	08/11/83	17.64	THE SKEP	SUPPLIES
234H50	08/11/83	17.64	THE SKEP	SUPPLIES
		17.64 *		
234H51	08/11/83	45.00-	TRANS-MISSISSIPPI	SUPPLIES
234H51	08/11/83	45.00	TRANS-MISSISSIPPI	SUPPLIES
234H51	08/11/83	45.00	TRANS-MISSISSIPPI	SUPPLIES
		45.00 *		
234H52	08/11/83	8,150.46	VIKING PIPE SERV	SUPPLIES SEWER
		8,150.46 *		
234H53	08/11/83	10.00	OFF VOLUNTEER SERV	TRAVEL TRAINING
		10.00 *		
234H54	08/11/83	61.00	WOLFES	SUPPLIES
		61.00 *		

235658	08/11/83	85.53	NORTHERN STATES POWE	UTILITIES
235658	08/11/83	85.53-	NORTHERN STATES POWE	UTILITIES
		.00 *		

		150,135.98	FUND 01 TOTAL	
		884.40	FUND 03 TOTAL	
		7,500.00	FUND 11 TOTAL	
		3,472.00	FUND 12 TOTAL	
		115.53	FUND 47 TOTAL	
		122.57	FUND 55 TOTAL	
		53,004.42	FUND 58 TOTAL	
		357.83	FUND 61 TOTAL	
		109,180.45	FUND 65 TOTAL	
		115.89	FUND 66 TOTAL	

* INDICATES ITEMS FINANCED BY RECREATIONAL FEES

1983 CITY OF MAPLEWOOD

CHECK REGISTER

CHECK NO.	DATE	AMOUNT	VENDOR	ITEM DESCRIPTION
2		891.95	FUND 75	TOTAL
3		256.22	FUND 79	TOTAL
4		30.75	FUND 81	TOTAL
5		17.51	FUND 88	TOTAL
6		105,772.45	FUND 90	TOTAL
7		1,000.00	FUND 94	TOTAL
8		51,538.10	FUND 96	TOTAL
10		484,396.05	TOTAL	
11				
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DEPT-NO	EMPL-NO	EMPLOYEE NAME		CHECK-NO	AMOUNT	CLEARED
0002	484369671	BEHM	LOIS	N 0808-00001	462.62	()
0002	206242018	EVANS	BARRY	R 0808-00002	1,152.77	()
0002					1,615.39 *	
0010	473664474	JAHN	DAVID	J 0808-00003	127.15	()
0010	475143403	PELOQUIN	ALFRED	J 0808-00004	85.81	()
0010	469869481	SCHLEICHER	JOHN	F 0808-00005	0.00	(X)
0010					212.96 *	
0011	475500285	MCPHERSON	JOANNE	F 0808-00006	0.00	(X)
0011					*	
0012	357340166	CUDE	LARRY	J 0808-00007	153.21	()
0012	470520124	DOHERTY	KATHLEEN	M 0808-00008	371.70	()
0012	471400908	ZUERCHER	JOHN	L 0808-00009	119.48	()
0012					644.39 *	
0021	469501078	FAUST	DANIEL	F 0808-00010	1,014.68	()
0021					1,014.68 *	
0022	469200614	HAGEN	ARLINE	J 0808-00011	462.73	()
0022	390444446	MATHEYS	ALANA	K 0808-00012	505.94	()
0022	476704432	MOELLER	MARGARET	A 0808-00013	0.00	(X)
0022	473327550	VIGOREN	DELORES	A 0808-00014	391.63	()
0022					1,360.30 *	
0031	471322198	AURELIUS	LUCILLE	E 0808-00015	851.76	()
0031	474264816	SELVOG	BETTY	D 0808-00016	705.80	()
0031					1,557.56 *	
0032	476269815	SCHADT	JEANNE	L 0808-00017	191.40	()
0032					191.40 *	
0033	477288389	GREEN	PHYLLIS	C 0808-00018	554.10	()
0033	472244994	HENSLEY	PATRICIA	A 0808-00019	194.19	()
0033	476620547	KELSEY	CONNIE	L 0808-00020	117.42	()
0033	468364435	VIOTOR	LORRAINE	S 0808-00021	421.55	()
0033					1,287.26 *	
0034	037144969	FREDERICKSON	RITA	M 0808-00022	0.00	(X)
0034	474097528	STOTTLEMYER	EDITH	G 0808-00023	0.00	(X)
0034					*	

DEPT-NO	EMPL-NO	EMPLOYEE NAME	CHECK-NO	AMOUNT	CLEARED
0041	184440336	BASTYR	DEBORAH A 0808-00024	353.15	()
0041	468461717	COLLINS	KENNETH V 0808-00025	265.33	()
0041	392240565	HAGEN	THOMAS L 0808-00026	455.28	()
0041	477227636	OMATH	JOY E 0808-00027	391.58	()
0041	471502356	RICHIE	CAROLE L 0808-00028	356.21	()
0041	468602934	SVENDSEN	JOANNE M 0808-00029	504.01	()
0041				2,325.56 *	
0042	477481364	ARNOLD	DAVID L 0808-00030	379.77	()
0042	471402115	ATCHISON	JOHN H 0808-00031	694.79	()
0042	469689867	BOWMAN	RICK A 0808-00032	515.73	()
0042	468461930	CLAUSON	DALE K 0808-00033	233.08	()
0042	476446119	DREGER	RICHARD C 0808-00034	802.25	()
0042	470267887	GREEN	NORMAN L 0808-00035	672.62	()
0042	469568516	HALWEG	KEVIN R 0808-00036	559.08	()
0042	469820466	HEINZ	STEPHEN J 0808-00037	570.09	()
0042	473604916	HERBERT	MICHAEL J 0808-00038	560.28	()
0042	476528607	JAGUI TH	DANIEL R 0808-00039	0.00	(X)
0042	392760009	KARIS	FLINT D 0808-00040	473.62	()
0042	472222231	KORTUS	DONALD V 0808-00041	0.00	(XL)
0042	471563591	LANG	RICHARD J 0808-00042	552.92	()
0042	468181347	MCNULTY	JOHN J 0808-00043	258.48	()
0042	474607686	MEEHAN, JR	JAMES E 0808-00044	606.76	()
0042	471627417	METTLER	DANIEL B 0808-00045	697.81	()
0042	469442063	MOESCHTER	RICHARD M 0808-00046	176.76	()
0042	476340990	MORELLI	RAYMOND J 0808-00047	694.24	()
0042	475323183	NELSON	ROBERT D 0808-00048	729.41	()
0042	468462884	PELTIER	WILLIAM F 0808-00049	691.57	()
0042	470520457	SKALMAN	DONALD W 0808-00050	200.86	()
0042	473548226	STAFNE	GREGORY L 0808-00051	629.90	()
0042	471721204	STEFFEN	SCOTT L 0808-00052	297.13	()
0042	471500251	STILL	VERNON T 0808-00053	576.33	()
0042	471629204	STOCKTON	DARRELL T 0808-00054	683.17	()
0042	474260130	ZAPPA	JOSEPH A 0808-00055	664.41	()
0042				12,921.06 *	
0043	475548634	BECKER	RONALD D 0808-00056	244.75	()
0043	469441789	GRAF	DAVID M 0808-00057	560.73	()
0043	476401388	LEE	ROGER W 0808-00058	671.75	()
0043	473567791	MELANDER	JON A 0808-00059	43.18	()
0043	468360918	NELSON	CAROL M 0808-00060	815.96	()
0043	471504316	RAZSKAZOFF	DALE E 0808-00061	627.16	()
0043	471564801	RYAN	MICHAEL P 0808-00062	434.77	()
0043	474486071	VORWERK	ROBERT E 0808-00063	318.18	()
0043	469502201	YOUNGREN	JAMES G 0808-00064	742.20	()
0043				4,458.68 *	
0045	471401878	EMBERTSON	JAMES M 0808-00065	687.18	()

DEPT-NO	EMPL-NO	EMPLOYEE NAME	CHECK-NO	AMOUNT	CLEARED
0045	472242227	SCHADT ALFRED	C 0808-00066	744.62	()
0045				1,431.80 *	
0046	468401899	CAHANES ANTHONY	G 0808-00067	180.54	()
0046	477627236	FLAUGHER JAYME	L 0808-00068	481.95	()
0046	473807030	MARTIN SHAWN	M 0808-00069	408.14	()
0046	472365919	NELSON KAREN	A 0808-00070	445.16	()
0046	468600183	RABINE JANET	L 0808-00071	410.59	()
0046	475363333	WILLIAMS DUANE	J 0808-00072	503.79	()
0046				2,430.17 *	
0051	471440267	BARTA MARIE	L 0808-00073	242.62	() VOID
0051	473566872	HAIDER KENNETH	G 0808-00074	216.64	()
0051	504483174	WEGWERTH JUDITH	A 0808-00075	367.11	()
0051				826.37 *	
0052	496308314	CASS WILLIAM	C 0808-00076	628.97	()
0052	471526254	FREBERG RONALD	L 0808-00077	357.03	()
0052	474788580	GONTJES JOHN	A 0808-00078	267.78	()
0052	502544037	HELEY RONALD	J 0808-00079	571.66	()
0052	471501241	KANE MICHAEL	R 0808-00080	423.75	()
0052	468363473	KLAUS ING HENRY	F 0808-00081	451.83	()
0052	475601431	LUTZ DAVID	P 0808-00082	442.22	()
0052	471500547	MEYER GERALD	W 0808-00083	466.57	()
0052	475904500	OSWALD ERICK	D 0808-00084	306.43	()
0052	468166755	PRETTNER JOSEPH	B 0808-00085	773.11	()
0052	472241484	REINERT EDWARD	A 0808-00086	571.83	()
0052	470346224	TEVLIN, JR HARRY	J 0808-00087	567.73	()
0052				5,828.91 *	
0053	472481010	ELIAS JAMES	G 0808-00088	664.38	()
0053	167246109	GEISSLER WALTER	M 0808-00089	600.58	()
0053	501464671	GESSELE JAMES	T 0808-00090	687.42	()
0053	398527954	HOUSE MARY	P 0808-00091	364.23	()
0053	475441688	PECK DENNIS	L 0808-00092	511.08	()
0053	476622458	PILLATZKE DAVID	J 0808-00093	808.36	()
0053	472662522	PRIEBE WILLIAM	0808-00094	513.12	()
0053	476826763	THENE JOHN	R 0808-00095	376.96	()
0053				4,526.13 *	
0054	473683775	LOFGREN JOHN	R 0808-00096	417.31	()
0054				417.31 *	
0058	471562563	BREHE IM ROGER	W 0808-00097	530.51	()
0058	474927128	CAHANES JOSEPH	A 0808-00098	336.98	()
0058	477602582	EDSON DAVID	B 0808-00099	589.30	()

DEPT-NO	EMPL-NO	EMPLOYEE NAME		CHECK-NO	AMOUNT	CLEARED
0058	470541590	MULWEE	GEORGE	M 0808-00100	490.43	()
0058	471501014	NADEAU	EDWARD	A 0808-00101	0.00	(X)
0058	468361720	NUYES CN	LAVERNE	S 0808-00102	475.76	()
0058	471365993	OWEN	GERALD	C 0808-00103	555.22	()
0058					2,978.20 *	
0059	476249760	MACDONALD	JOHN	E 0808-00104	482.57	()
0059	475501000	MULVANEY	DENNIS	M 0808-00105	638.25	()
0059					1,120.82 *	
0061	477301066	BRENNER	LOIS	J 0808-00106	93.84	()
0061	468341993	KRUMMEL	BARBARA	A 0808-00107	144.37	()
0061	473260389	ODEGAR D	ROBERT	D 0808-00108	917.49	()
0061	468582618	STAPLES	PAULINE	0808-00109	724.74	()
0061					1,880.44 *	
0062	473709024	BAUER	ALAN	H 0808-00110	0.00	(X)
0062	471447219	BURKE	MYLES	R 0808-00111	83.17	()
0062	474608182	GERMAIN	DAVID	A 0808-00112	552.48	()
0062	472303411	GUSINDA	MELVIN	J 0808-00113	821.81	()
0062	474924209	HAAG	MATTHEW	J 0808-00114	275.89	()
0062	502544121	HELEY	ROLAND	B 0808-00115	580.78	()
0062	473969784	HUNTER	TONY	0808-00116	135.65	()
0062	471748313	LIBHARDT	THOMAS	D 0808-00117	0.00	(X)
0062	473565506	MARUSKA	MARK	A 0808-00118	577.05	()
0062	468941946	PETERSON	PAUL	G 0808-00119	0.00	(X)
0062	474078128	RASCHKE	ALBERT	F 0808-00120	205.44	()
0062	477646662	SANDQUIST	THOMAS	J 0808-00121	0.00	(X)
0062	476203439	SANTA	REED	E 0808-00122	133.23	()
0062	473660035	STARK	RICHARD	E 0808-00123	0.00	(X)
0062	475904189	TOWNLEY	MICHAEL	F 0808-00124	280.00	()
0062	477881931	TOWNLEY	PATRICK	J 0808-00125	306.43	()
0062	475745266	WARD	TROY	G 0808-00126	360.00	()
0062	469721242	WARZEKA	RICHARD	A 0808-00127	290.40	()
0062					4,602.33 *	
0063	469847253	ANFANG	ANDREA	M 0808-00128	239.20	()
0063	471801203	ASHTON	KATERI	D 0808-00129	0.00	(X)
0063	475783041	BARTZ	WENDY	L 0808-00130	405.32	()
0063	468988277	BESETH	RONALD	L 0808-00131	0.00	(X)
0063	273483797	BLACK	WILLIAM	J 0808-00132	0.00	(X)
0063	471901502	BOYD	JEFFREY	A 0808-00133	0.00	(X)
0063	474442474	BUNKE	RICHARD	H 0808-00134	0.00	(X)
0063	476924605	CASSEDAY	ELIZABETH	J 0808-00135	182.52	()
0063	473684976	CASSEDAY	MARY	K 0808-00136	0.00	(X)
0063	469987145	CASSEDAY	ROBERT	D 0808-00137	28.88	()
0063	468684857	CERNIUS	DAVID	G 0808-00138	0.00	(X)
0063	388569649	COLLIER	MICHAEL	W 0808-00139	346.29	()

DEPT-NO	EMPL-NO	EMPLOYEE NAME	CHECK-NO	AMOUNT	CLEARED
0063	472844611	DALLUGE	MATTHEW	D 0808-00140	0.00 (X)
0063	470880293	DELMONT	LISA	M 0808-00141	0.00 (X)
0063	474829219	DIEBEL	JERRY	D 0808-00142	235.22 ()
0063	476721245	DOUGHTY	LINDA	R 0808-00143	265.00 ()
0063	473925557	FOWLER	MARY	K 0808-00144	222.00 ()
0063	474177010	GALBRAITH	CHRIS	0808-00145	2,046.10 () VOID
0063	471884448	GALBRAITH	MICHAEL	D 0808-00146	0.00 (X)
0063	469983628	GRAF	MICHAEL	0808-00147	168.63 ()
0063	475921568	HAAG	PAUL	T 0808-00148	0.00 (X)
0063	476686996	HERBER	KARIN	J 0808-00149	231.00 ()
0063	477981805	HOKENSON	KARI	0808-00150	0.00 (X)
0063	469806100	JOHNSON	TERESA	L 0808-00151	192.39 ()
0063	470680548	KIELSA	KARI	J 0808-00152	270.00 ()
0063	473747101	KLASSEN	AMY	L 0808-00153	179.42 ()
0063	474743915	KORTUS	JAMES	M 0808-00154	0.00 (X)
0063	471928557	KRATZ KE	LORI	E 0808-00155	231.57 ()
0063	468984615	KRUMMEL	BECKY	J 0808-00156	0.00 (X)
0063	477829499	KRUMMEL	ROGER	C 0808-00157	0.00 (X)
0063	469929687	KYRK	JODI	A 0808-00158	0.00 (X)
0063	474889823	LANGELETT	STEVEN	E 0808-00159	90.00 ()
0063	469953553	LARKIN	MOLLY	A 0808-00160	0.00 (X)
0063	472484219	LE CLAIR	MARY	L 0808-00161	20.00 ()
0063	472880498	LOEFFLER	CAROL	J 0808-00162	0.00 (X)
0063	473700729	MAHLE	MICHELE	A 0808-00163	216.73 ()
0063	473869923	MCCOLLUM	JULIE	A 0808-00164	150.00 ()
0063	474966150	MIHELICH	CINDI	L 0808-00165	75.00 ()
0063	473903822	NIELSEN	RONALD	C 0808-00166	0.00 (X)
0063	474745123	NOESEN	CRISTIN	A 0808-00167	220.41 ()
0063	473565827	OLSON	ROBERTA	J 0808-00168	0.00 (X)
0063	476863802	PAULETTI	ANTHONY	A 0808-00169	0.00 (X)
0063	477629606	RASCHKE	JEFFERY	J 0808-00170	219.95 ()
0063	472986940	RICHIE	STACY	L 0808-00171	0.00 (X)
0063	469900639	ROBERTS	PAUL	J 0808-00172	0.00 (X)
0063	469927221	ROTH	VINCE	C 0808-00173	0.00 (X)
0063	468946400	RYDEN	DENISE	0808-00174	0.00 (X)
0063	473686517	SANDQUIST	KATHRYN	E 0808-00175	0.00 (X)
0063	469888185	SHERBURNE	GWEN	0808-00176	314.58 ()
0063	396604919	SINNINGER	SARAH	J 0808-00177	217.62 ()
0063	477869067	SPANNBAUER	DAWN	M 0808-00178	114.00 ()
0063	469742645	SPANNBAUER	KATHLEEN	G 0808-00179	171.06 ()
0063	474845176	SPANNBAUER	MARTIN	J 0808-00180	234.51 ()
0063	480641463	STOUT-MILLER	DEBORAH	0808-00181	0.00 (X)
0063	477920170	STRAUS	LAURA	J 0808-00182	0.00 (X)
0063	476861186	SULLIVAN	JULIE	0808-00183	189.00 ()
0063	472821395	SULLIVAN	NANCY	J 0808-00184	0.00 (X)
0063	471528238	TATE	PETER	M 0808-00185	0.00 (X)
0063	470626422	TAUBMAN	DOUGLAS	J 0808-00186	557.82 ()
0063	534382341	TEWINKEL	CHARLES	G 0808-00187	0.00 (X)
0063	477881708	THELL	THOMAS	L 0808-00188	176.03 ()
0063	470963203	WALLACE	JON	T 0808-00189	0.00 (X)
0063	475747042	WARD	KERI	L 0808-00190	0.00 (X)
0063	396324246	WARD	ROY	G 0808-00191	264.83 ()

DEPT-NO	EMPL-NO	EMPLOYEE NAME		CHECK-NO	AMOUNT	CLEARED
0063	476746732	WATERS	JOSEPH	D 0808-00192	0.00	(X)
0063					8,475.08 *	
0064	151440508	GREW	JANET	M 0808-00193	482.50	()
0064	471384624	HORSNELL	JUDITH	A 0808-00194	527.09	()
0064	476542163	SOUTTER	CHRISTINE	0808-00195	0.00	(X)
0064					1,009.59 *	
0071	389448993	CHLEBECK	JUDY	M 0808-00196	334.19	()
0071	470540551	OLSON	GEOFFREY	W 0808-00197	779.19	()
0071					1,113.38 *	
0072	477627178	EKSTRAND	THOMAS	G 0808-00198	562.09	()
0072	475608505	JOHNSON	RANDALL	L 0808-00199	531.99	()
0072					1,094.08 *	
0073	476090677	OSTROM	MARJORIE	0808-00200	764.19	()
0073					764.19 *	
0074	387520776	WENGER	ROBERT	J 0808-00201	531.72	()
0074					531.72 *	
COUNT 00201	GRAND TOTAL				66,619.76	

0042	472222231	Kortus	Donald	V 090900204	666.81
0051	471440267	Barta	Marie	L 090900202	321.65
0058	471501014	Nadeau	Edward	A 081200001A	485.83
0063	474177010	Galbraith	Chris	080800203	204.61

Grand Total:

66,009.94

MEMORANDUM

TO: City Manager
 FROM: Thomas Ekstrand--Associate Planner
 SUBJECT: Conditional Use Permit Renewal--Home Occupation
 LOCATION: 2994 Winthrop Drive
 OWNER/APPLICANT: Kenneth Mihelich
 DATE: August 9, 1983

Action by Council:

Endorsed _____
 Modified _____
 Rejected _____
 Date _____

SUMMARY

Request

Renewal of a conditional use permit for an archery supply business home occupation.

Description of Business

1. The applicant makes arrows and targets in his spare time as a hobby.
2. The arrows and targets, as well as a side line of bows, quivers, finger guards, etc., produced off-site are offered for sale three or four week-ends a year by garage sale.
3. The majority of the sales are while attending archery tournaments.
4. There are no permanent signs.
5. The archery business is a hobby. The applicant has no intentions of increased home use or sales.
6. The applicant, and occasionally his son and daughter, are involved.

CONCLUSION

Comments

There have been no complaints received regarding the applicant's home occupation in its first year of operation and all city code requirements are being met. The applicant has installed a fire extinguisher, however, it is not the five-pound ABC fire extinguisher required. The five-pound ABC extinguisher should be installed as required.

Recommendation

Adoption of the enclosed resolution renewing the conditional use permit for an archery supply business home occupation at 2994 Winthrop Drive, on the basis that:

1. There have not been any complaints received regarding this home occupation in the first year of operation.
2. All ordinance requirements are being met.

Approval is subject to:

- 1.- Approval is granted for five years, after which time the applicant may apply for a renewal if the business has been compatible with the neighborhood and all conditions are being met.
2. The applicant shall keep a smoke detector located on the main and basement levels of the dwelling.
3. A five-pound ABC fire extinguisher shall be wall mounted and readily available to the workshop area.

PAST ACTION

7-26-82: Council approved a conditional use permit for the archery supply business home occupation, subject to the following conditions:

1. Compliance with the criteria outlined in the Planning Commission sub-committee report, except guideline #5.
2. Approval is granted for one year, after which time the applicant may apply for a renewal if the business has been compatible with the neighborhood and all conditions are being met.
3. A smoke detector shall be located on the main and basement levels of the dwelling.
4. A five-pound ABC fire extinguisher shall be wall mounted and readily available to the workshop area.

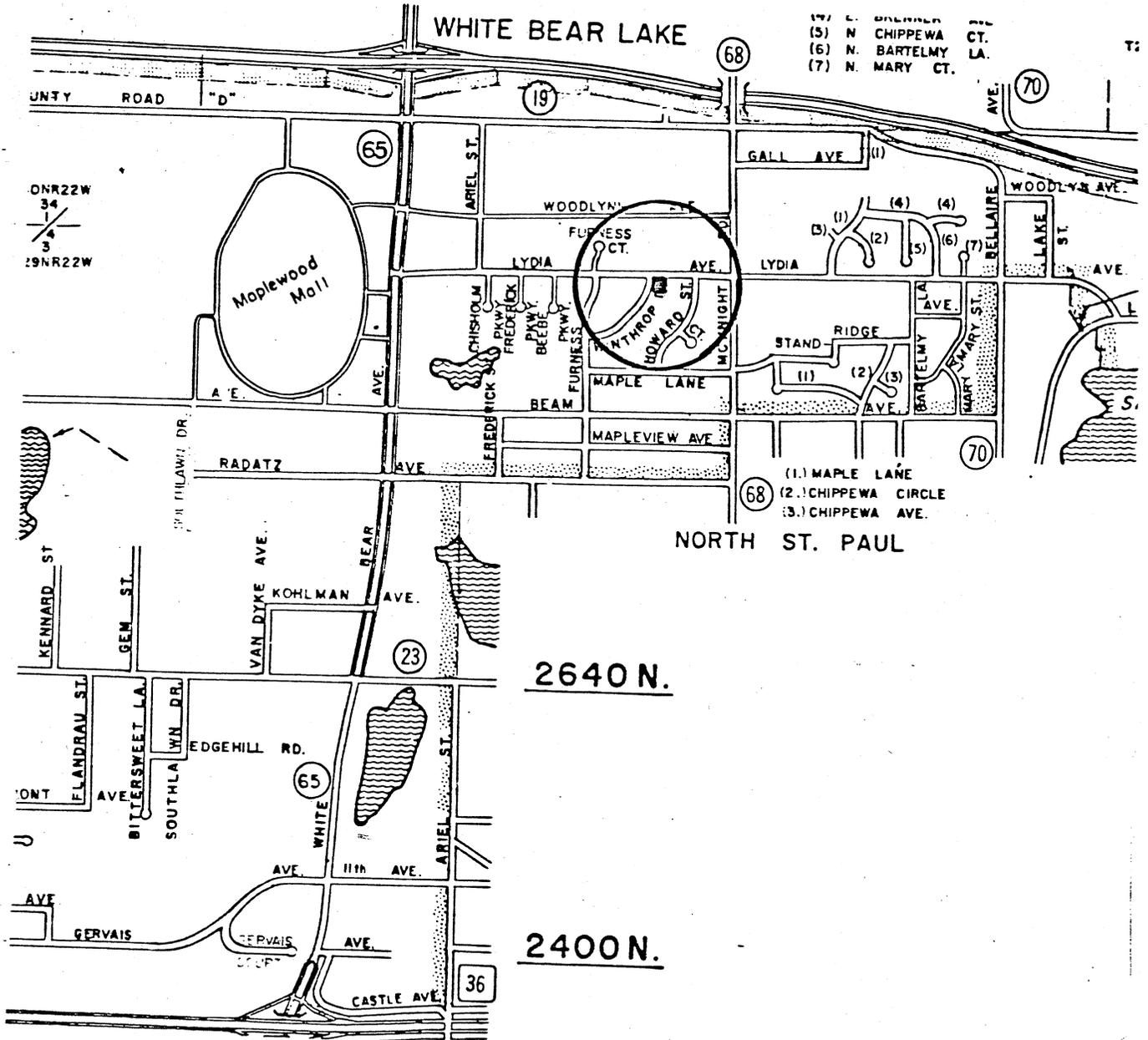
PLANNING CONSIDERATION

1. Land Use Plan designation: RL, residential lower density.
2. Zoning: R-1, residence district (single dwelling)
3. Code requirements:
 - a. All requirements of the city code relating to home occupations are being met.
 - b. Section 36-442 (e) provides that upon review of a home occupation renewal request, the council may specify an indefinite term or specific term not to exceed five years for subsequent reviews.
 - c. The city's licensing code requires that a license be secured from the City Clerk annually in the month of January to continue operation of a home occupation.
 - d. A license renewal was not applied for in January. The applicant was unaware of this requirement.

jc

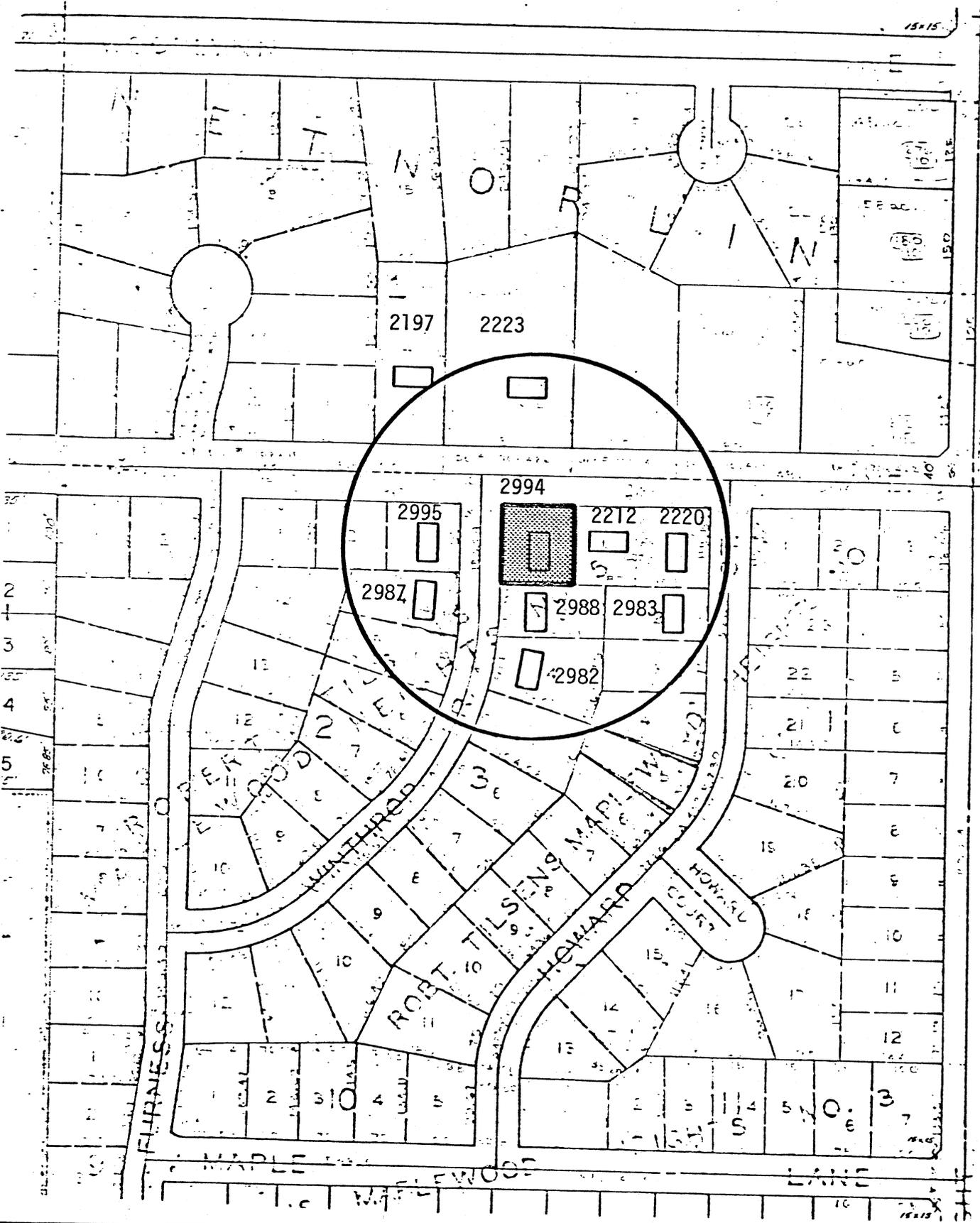
Attachments:

1. Location Map
2. Property Line Map
3. Resolution

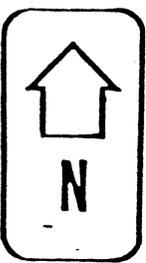


LOCATION MAP





PROPERTY LINE MAP



Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Maplewood, Minnesota was duly called and held in the Council Chambers in said City on the 22nd day of August, 1983 at 7:00 p.m.

The following members were present:

The following members were absent:

WHEREAS, Kenneth Mihelich initiated a conditional use permit for an archery supply business home occupation at the following-described property:

Lot 2, Block 3, Robert Tilsen's Maplewood Heights No. 5

This property is also known as 2994 Winthrop Drive, Maplewood;

WHEREAS, the procedural history of this conditional use permit is as follows:

1. This conditional use permit was initiated by Kenneth Mihelich pursuant to the Maplewood Code of Ordinances.
2. This conditional use permit was approved by the Maplewood City Council on July 26, 1982, subject to the following conditions:
 - a. Compliance with the criteria outlined in the Planning Commission Subcommittee report, except guideline #5.
 - b. Approval is granted for one year after which time the applicant may apply for a renewal if the business has been compatible with the neighborhood and all conditions are being met.
 - c. A smoke detector shall be located on the main and basement levels of the dwelling.
 - d. A five-pound ABC fire extinguisher shall be wall mounted and readily available to the workshop area.

NOW, THEREFORE, BE IT RESOLVED BY THE MAPLEWOOD CITY COUNCIL that the above-described conditional use permit be renewed on the basis of the following findings of fact:

1. There have not been any complaints received regarding the home occupation in the first year of operation.
2. All ordinance requirements are being met.

Approval is subject to the following conditions:

1. Approval is granted for five years, after which time the applicant may apply for a renewal if the business has been compatible with the neighborhood and all conditions are being met.

2. The applicant shall keep a smoke detector located on the main and basement levels of the dwelling.
3. A five-pound ABC fire extinguisher shall be wall mounted and readily available to the workshop area.

Adopted this 22nd day of August, 1983.

Seconded by

Ayes--

STATE OF MINNESOTA)
)
COUNTY OF RAMSEY) SS.
)
CITY OF MAPLEWOOD)

I, the undersigned, being the duly qualified and appointed Clerk of the City of Maplewood, Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of the City of Maplewood, held on the 22nd day of August, 1983, with the original on file in my office, and the same is a full, true and complete transcript therefrom insofar as the same relates to a conditional use permit renewal.

Witness my hand as such Clerk and the corporate seal of the City this day of _____, 1983.

City Clerk
City of Maplewood, Minnesota

MEMORANDUM

Action by Council:

TO: City Manager
 FROM: Thomas Ekstrand--Associate Planner
 SUBJECT: Conditional Use Permit Renewal
 LOCATION: 2083 Arcade Street
 APPLICANT/OWNER: Maria Silberbauer
 PROJECT: Beauty Parlor Home Occupation
 DATE: August 9, 1983

Endorsed _____
 Modified _____
 Rejected _____
 Date _____

SUMMARY

Request

Renewal of a conditional use permit for a beauty parlor home occupation at 2083 Arcade Street

Comments

There have not been any complaints received over the applicant's home occupation and all code requirements are being met.

Recommendation

Approval of the resolution on pages 6 and 7 renewing the beauty parlor home occupation permit for 2083 Arcade Street, since all code requirements are being met and there have not been any nuisance complaints received from the neighborhood.

Approval is subject to the following conditions:

1. The permit may be renewed in five years by the City Council.
2. A five-pound ABC fire extinguisher shall be installed in the beauty shop.
3. On-street parking by customers shall be discouraged.
4. No expansion of the permit in any way shall occur without the approval of the City Council.

PAST ACTION

6-1-72: Council approved the home occupation subject to the following conditions:

1. The permit shall be reviewed annually by the Village Council.
2. The permit shall become effective only after the Building Official certifies compliance with these conditions and building, fire, electric, health code requirements.
3. The permit shall not be transferable.
4. The permit shall be subject to revocation by the Village Council upon justified complaints.
5. No signs advertising the beauty parlor operation shall be allowed on the property.
6. No on-street parking by customers shall be encouraged, and an approved off-street parking area which is properly hard surfaced and landscaped shall be required on the property, and
7. No expansion of the permit in any way shall occur without the approval of the Village Council.
8. The applicant hereby agrees to the above listed conditions.

6-21-73: Council renewed the permit for one year.

7-20-78: Council renewed the permit subject to the following conditions:

1. The permit shall be reviewed every five years by the City Council.
2. Conditions 2, 3, 4, 6 and 7 shall remain in force from the original approval of June 1, 1972.

(original conditions:

2. The permit shall become effective only after the Building Official certifies compliance with these conditions and building, electric, health code requirements;
3. The permit shall not be transferable;
4. The permit shall be subject to revocation by the Village Council upon justified complaints;
6. No on-street parking by customers shall be encouraged, and an approved off-street parking area which is properly hard surfaced and landscaped shall be required on the property; and
7. No expansion of the permit in any way shall occur without the approval of the Village Council.)

3. Owner and applicant agree to the above conditions in writing.

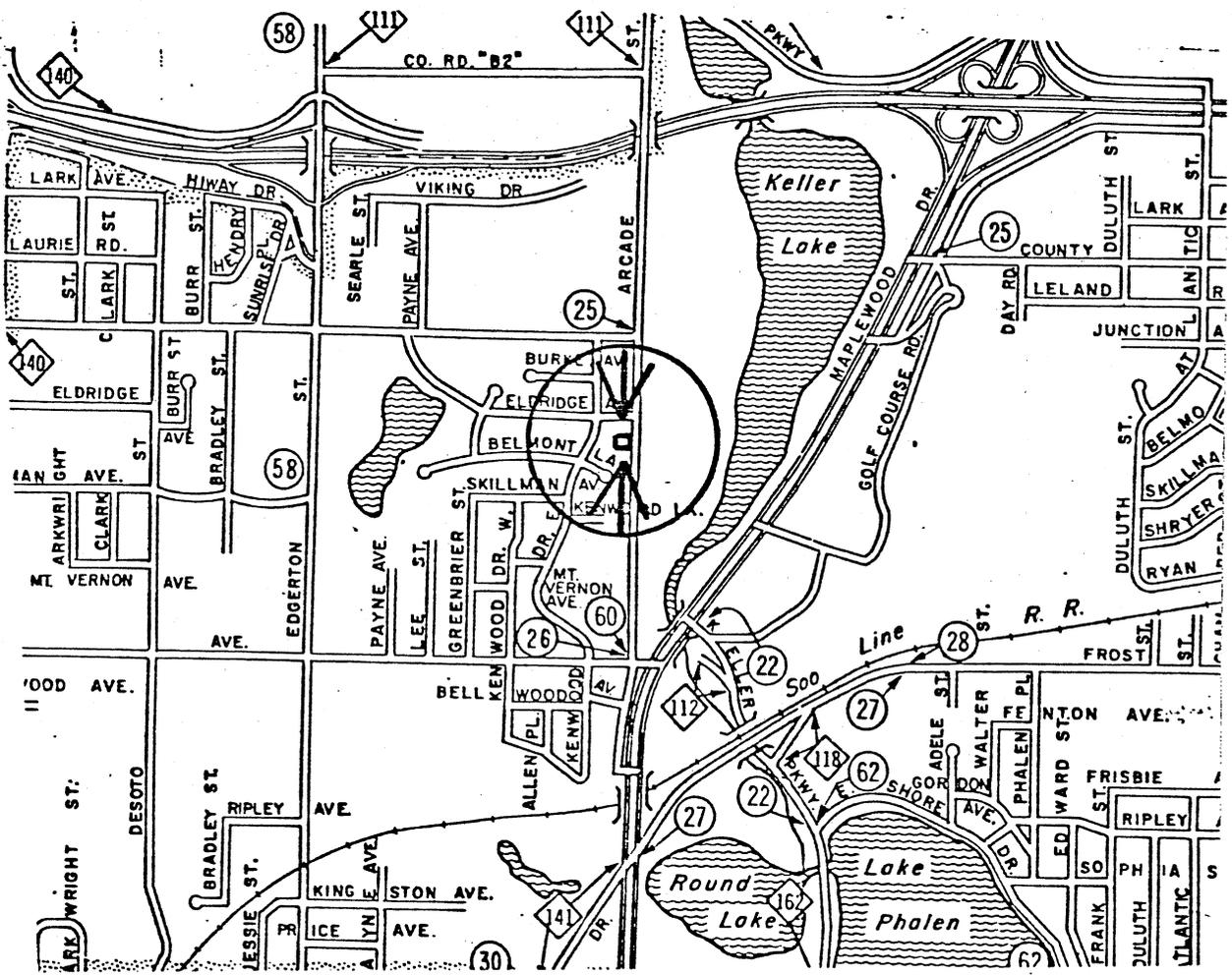
PLANNING CONSIDERATIONS

1. Land Use Plan designation: RL, low density residential.
2. Zoning: R-1, residence district (single dwelling)
3. Code requirements:
 - a. All requirements of the city code relating to home occupations are being met.
 - b. Section 36-442 (e) provides that upon review of a home occupation renewal request, the council may specify an indefinite term or specific term not to exceed five years for subsequent reviews.
 - c. The city's licensing code requires that a license be secured from the city clerk annually in the month of January to continue operation of a home occupation. This license has been obtained.

jc

Attachments:

1. Location Map
2. Property Line Map
3. Resolution



LOCATION MAP



Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Maplewood, Minnesota was duly called and held in the Council Chambers in said City on the 22nd day of August, 1983 at 7:00 p.m.

The following members were present:

The following members were absent:

WHEREAS, Maria Silberbauer initiated a conditional use permit for a beauty parlor home occupation at the following-described property:

Lot 2, Block 4, Littles 2nd Addition

This property is also known as 2083 Arcade Street, Maplewood;

WHEREAS, the procedural history of this conditional use permit is as follows:

1. This conditional use permit was approved by the City Council on June 1, 1972, pursuant to the Maplewood Code of Ordinances, and subject to the following conditions:
 - a. The permit shall be renewed annually by the Village Council;
 - b. The permit shall become effective only after the Building Official certifies compliance with these conditions and building, fire, electric, health code requirements;
 - c. The permit shall not be transferable;
 - d. The permit shall be subject to revocation by the Village Council upon justified complaints;
 - e. No signs advertising the beauty parlor operation shall be allowed on the property;
 - f. No on-street parking by customers shall be encouraged, and an approved off-street parking area which is properly hard surfaced and landscaped shall be required on the property; and
 - g. No expansion of the permit in any way shall occur without the approval of the Village Council;
 - h. The applicant hereby agrees to the above listed conditions.
2. This conditional use permit was renewed by the City Council on June 21, 1974 and July 20, 1978.

NOW, THEREFORE, BE IT RESOLVED BY THE MAPLEWOOD CITY COUNCIL that the above-described conditional use permit be renewed on the basis of the following findings of fact:

1. All code requirements are being met.
2. There have not been any nuisance complaints received from the neighborhood.

Approval is subject to the following conditions:

1. The permit may be renewed in five years by the City Council.
2. A five-pound ABC fire extinguisher shall be installed in the beauty shop.
3. On-street parking by customers shall be discouraged.
4. No expansion of the permit in any way shall occur without the approval of the City Council.

Adopted this day of , 1983.

Seconded by

Ayes--

STATE OF MINNESOTA)
)
COUNTY OF RAMSEY) SS.
)
CITY OF MAPLEWOOD)

I, the undersigned, being the duly qualified and appointed Clerk of the City of Maplewood, Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of the City of Maplewood, held on the 22nd day of August, 1983, with the original on file in my office, and the same is a full, true and complete transcript therefrom insofar as the same relates to a conditional use permit.

Witness my hand as such Clerk and the corporate seal of the City this day of , 1983.

City Clerk
City of Maplewood, Minnesota



A Full Service Health Plan

7920 Cedar Avenue South • Bloomington, Minnesota 55420 • (612) 854-2377

July 15, 1983

Mr. Barry Evans
City Manager
1380 First Avenue
Maplewood, Minnesota 55109

Dear Mr. Evans:

Enclosed you will find a set of prints for a proposed SHARE medical center to be built in west St. Paul. It is SHARE's intention to use this design as a prototype and construct the same size facility in Maplewood on Beam Avenue.

The clinic to be built in Maplewood will have one level. The space designed for the lower level in west St. Paul will be incorporated into the single level floor plan for Maplewood.

If you should have any questions about the enclosed, please do not hesitate to contact me at 830-3166.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to be "Roy E. Fredricksen". The signature is written in a cursive, looped style with a long horizontal stroke extending to the right.

Roy E. Fredricksen
Special Assistant to
the President

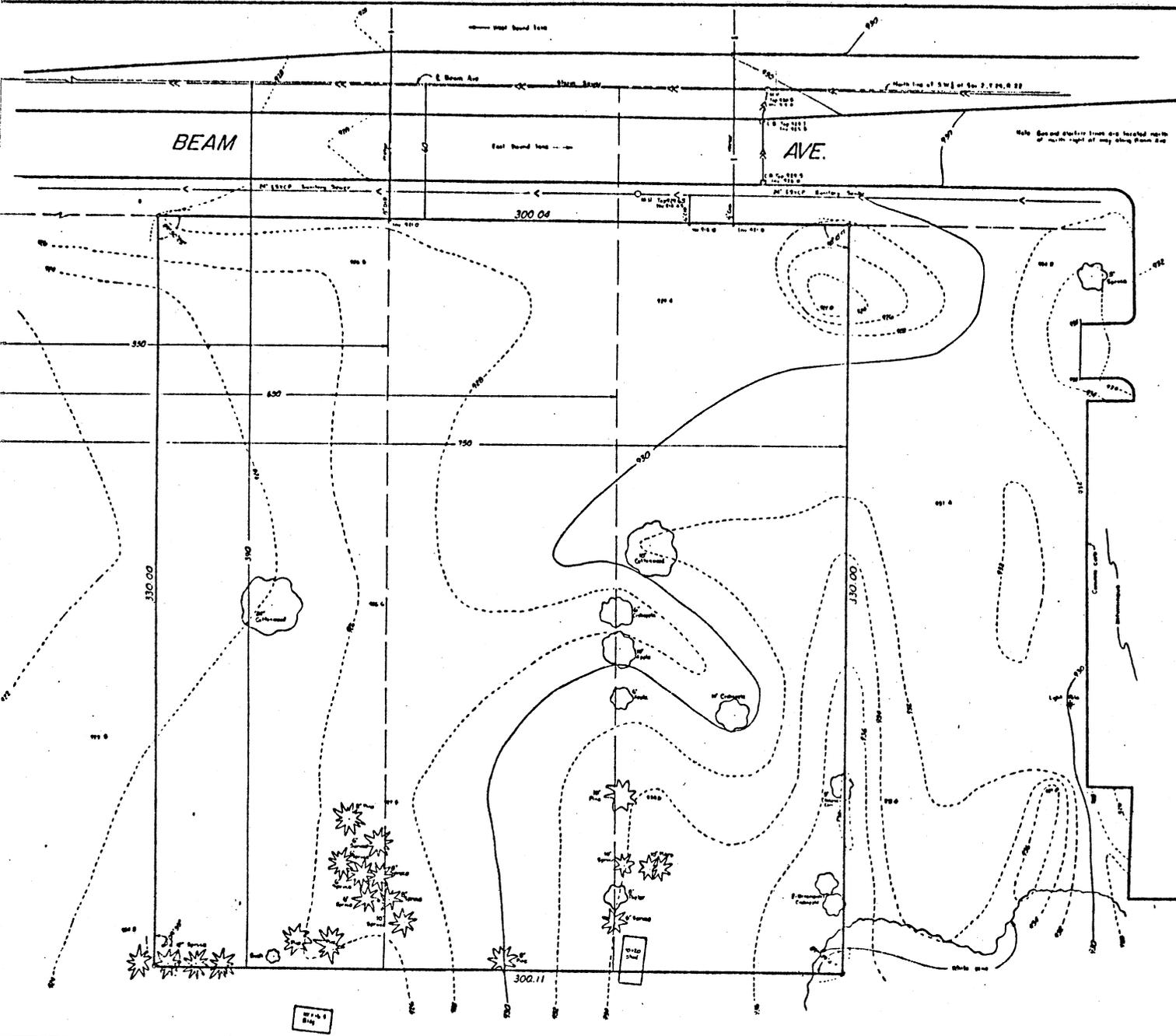
REF:pao

Enclosure

cc: Greg Bradbury
Jeff Molde

BOUNDARY & TOPOGRAPHIC SURVEY

FOR BENSON, MALKERSON, BRADBURY &
GABRIELSON, INC.
620 MENDELSSOHN AVE.
MPLS., MN 55427

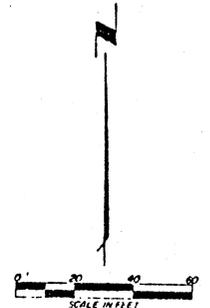


LEGAL DESCRIPTION

The North 300 feet of the East 100 feet of the West 550 feet of that part of the Southwest 1/4 of Section 2, Township 29, Range 22, lying North of Reddy Avenue, except the North 33 feet thereof.

The North 300 feet of the East 100 feet of the West 650 feet of that part of the Southwest 1/4 of Section 2, Township 29, Range 22, lying North of Reddy Avenue.

The South 357.00 feet of the North 330.00 feet of the East 100.00 feet of the West 750.00 feet of the Southwest 1/4 of Section 2, Township 29, Range 22, and entering the North 27.00 feet thereof for roadway purposes.



I hereby certify that this survey, prepared by me or under my direct supervision, is a true and correct representation of the boundaries of the above described land and of the location of all buildings, if any thereon, and all utility encroachments, if any from an old line and that I am a duly Registered Land Surveyor under State of Minnesota Statutes Section 324.06 to 324.16.

Ray J. Hansen Registration No. 6,373

Date: 7-2-59

Hansen Thorp & Pellinen, Inc. <small>Consulting Engineers • Land Surveyors • City Planners</small> <small>608 Marshall Road, Eden Prairie, MN 55116 877/916 6411</small>	<small>DATE</small> 7-2-59
	<small>BY</small> R. J. H.
	<small>CHECKED BY</small> J. W.
	<small>REGISTERED</small> 63-121

RESOLUTION RECITING A PROPOSAL FOR A
COMMERCIAL FACILITIES DEVELOPMENT PROJECT
GIVING PRELIMINARY APPROVAL TO THE PROJECT
PURSUANT TO THE MINNESOTA
MUNICIPAL INDUSTRIAL DEVELOPMENT ACT
AUTHORIZING THE SUBMISSION OF AN APPLICATION
FOR APPROVAL OF THE PROJECT TO THE
COMMISSIONER OF ENERGY AND ECONOMIC
DEVELOPMENT OF THE STATE OF MINNESOTA
AND AUTHORIZING THE PREPARATION OF
NECESSARY DOCUMENTS AND MATERIALS
IN CONNECTION WITH THE PROJECT

WHEREAS,

(a) The purpose of Chapter 474, Minnesota Statutes, known as the Minnesota Municipal Industrial Development Act (the "Act") as found and determined by the legislature is to promote the welfare of the state by the active attraction and encouragement and development of economically sound industry and commerce to prevent so far as possible the emergence of blighted and marginal lands and areas of chronic unemployment;

(b) Factors necessitating the active promotion and development of economically sound industry and commerce are the increasing concentration of population in the metropolitan areas and the rapidly rising increase in the amount and cost of governmental services required to meet the needs of the increased population and the need for development of land use which will provide an adequate tax base to finance these increased costs and access to employment opportunities for such population;

(c) The City Council of the City of Maplewood (the "City") has received from a limited partnership to be formed under the laws of the State of Minnesota with SHARE Development Corporation as the general partner, to be known as Medical Property Partners I, (the "Company") a proposal that the City assist in financing a Project hereinafter described, through the issuance of a Revenue Bond or Bonds or a Revenue Note or Notes hereinafter referred to in this resolution as "Revenue Bonds" pursuant to the Act;

(d) The City desires to facilitate the selective development of the community, retain and improve the tax base and help to provide the range of services and employment opportunities required by the population; and the Project will

assist the City in achieving those objectives. The Project will help to increase assessed valuation of the City and help maintain a positive relationship between assessed valuation and debt and enhance the image and reputation of the community;

(e) The Company is currently engaged in the business of development and operation of facilities to be used for medical clinic purposes. The Project to be financed by the Revenue Bonds is an approximately 15,000 square foot medical clinic facility to be located on the South side of Beam Avenue immediately across from the Maplewood Mall and approximately one (1) block West of White Bear Avenue in Maplewood and licensed as a Share Health Plan facility and consists of the acquisition of land and the construction of buildings and improvements thereon and the installation of equipment therein to be initially owned and operated by the Company, and will result in the employment of additional persons to work within the new facilities;

(f) The City has been advised by representatives of Company that conventional, commercial financing to pay the capital cost of the Project is available only on a limited basis and at such high costs of borrowing that the economic feasibility of operating the Project would be significantly reduced, but Company has also advised this Council that with the aid of municipal financing, and its resulting low borrowing cost, the Project is economically more feasible;

(g) Pursuant to a resolution of the City Council adopted on July 25, 1983, a public hearing on the Project was held on August 22, 1983, after notice was published, and materials made available for public inspection at the City Hall, all as required by Minnesota Statutes, Section 474.01, Subdivision 7b at which public hearing all those appearing who so desired to speak were heard;

(h) No public official of the City has either a direct or indirect financial interest in the Project nor will any public official either directly or indirectly benefit financially from the Project.

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

1. The Council hereby gives preliminary approval to the proposal of Company that the City undertake the Project pursuant to the Minnesota Municipal Industrial Development Act (Chapter 474, Minnesota Statutes), consisting of the acquisition, construction and equipping of approximately 15,000 square foot medical clinic facilities located on the South side of Beām Avenue immediately across from the Maplewood Mall and approximately one (1) block West of White Bear Avenue in Maplewood pursuant to Company's specifications suitable for the operations described above to be initially owned and operated by the Company and pursuant to a revenue agreement between the City and Company upon such terms and conditions with provisions for revision from time to time as necessary, so as to produce income and revenues sufficient to pay, when due, the principal of and interest on the Revenue Bonds in the maximum aggregate principal amount of \$3,485,000 to be issued pursuant to the Act to finance the acquisition, construction and equipping of the Project; and said agreement may also provide for the entire interest of Company therein to be mortgaged to the purchaser of the Revenue Bonds; and the City hereby undertakes preliminarily to issue its Revenue Bonds in accordance with such terms and conditions;

2. On the basis of information available to this Council it appears, and the Council hereby finds, that the Project constitutes properties, real and personal, used or useful in connection with one or more revenue producing enterprises engaged in any business within the meaning of Subdivision 1a of Section 474.02 of the Act; that the Project furthers the purposes stated in Section 474.01, Minnesota Statutes; that the availability of the financing under the Act and willingness of the City to furnish such financing will be a substantial inducement to Company to undertake the Project, and that the effect of the Project, if undertaken, will be to encourage the development of economically sound industry and commerce, to assist in the prevention of the emergence of blighted and marginal land, to help prevent chronic unemployment, to help the City retain and improve the tax base and to provide the range of service and employment opportunities required by the population, to help prevent the movement of talented and educated persons out of the state and to areas within the State where their services may not be as effectively used, to promote more intensive development and use of land within the City and eventually to increase the tax base of the community;

3. The Project is hereby given preliminary approval by the City subject to the approval of the Project by the Minnesota Commissioner of Energy and Economic Development or such other state office having authority to grant approval (the "Commissioner"), and subject to final approval by this Council, Company, and the purchaser of the Revenue Bonds as to the ultimate details of the financing of the Project;

4. In accordance with Subdivision 7a of Section 474.01 Minnesota Statutes, the Mayor of the City is hereby authorized and directed to submit the proposal for the Project to the Commissioner requesting his approval, and other officers, employees and agents of the City are hereby authorized to provide the Commissioner with such preliminary information as he may require;

5. Company has agreed and it is hereby determined that any and all costs incurred by the City in connection with the financing of the Project whether or not the Project is carried to completion and whether or not approved by the Commissioner will be paid by Company;

6. Briggs and Morgan, Professional Association, acting as bond counsel and Miller & Schroeder Municipals, Inc. investment bankers are authorized to assist in the preparation and review of necessary documents relating to the Project, to consult with the City Attorney, Company and the purchaser of the Revenue Bonds as to the maturities, interest rates and other terms and provisions of the Revenue Bonds and as to the covenants and other provisions of the necessary documents and to submit such documents to the Council for final approval;

7. Nothing in this resolution or in the documents prepared pursuant hereto shall authorize the expenditure of any municipal funds on the Project other than the revenues derived from the Project or otherwise granted to the City for this purpose. The Revenue Bonds shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property or funds of the City except the revenue and proceeds pledged to the payment thereof, nor shall the City be subject to any liability thereon. The holder of the Revenue Bonds shall never have the right to compel any exercise of the taxing power of the City to pay the outstanding principal on the Revenue Bonds or the interest thereon, or to enforce payment thereof against any

property of the City. The Revenue Bonds shall recite in substance that the Revenue Bonds, including interest thereon, is payable solely from the revenue and proceeds pledged to the payment thereof. The Revenue Bonds shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation;

8. In anticipation of the approval by the Commissioner the issuance of the Revenue Bonds to finance all or a portion of the Project, and in order that completion of the Project will not be unduly delayed when approved, Company is hereby authorized to make such expenditures and advances toward payment of that portion of the costs of the Project to be financed from the proceeds of the Revenue Bonds as Company considers necessary, including the use of interim, short-term financing, subject to reimbursement from the proceeds of the Revenue Bonds if and when delivered but otherwise without liability on the part of the City;

Adopted by the City Council of the City of Maplewood, Minnesota, this 22nd day of August, 1983.

Mayor

Attest:

City Clerk

STATE OF MINNESOTA
COUNTY OF RAMSEY
CITY OF MAPLEWOOD

I, the undersigned, being the duly qualified and acting Clerk of the City of Maplewood, Minnesota, DO HEREBY CERTIFY that I have compared the attached and foregoing extract of minutes with the original thereof on file in my office, and that the same is a full, true and complete transcript of the minutes of a meeting of the City Council of said City duly called and held on the date therein indicated, insofar as such minutes relate to a resolution giving preliminary approval to a commercial facilities development project.

WITNESS my hand and the seal of said City this _____
day of _____, 1983.

City Clerk

(SEAL)

This Application must be submitted in DUPLICATE

STATE OF MINNESOTA
MINNESOTA ENERGY AND ECONOMIC DEVELOPMENT AUTHORITY

Application
For Approval of Municipal Industrial Revenue Bond Project

To: Minnesota Energy and Economic
Development Authority
480 Cedar St., Rm. 100 Hanover Bldg.
St. Paul, Minnesota 55101

Date _____

The governing body of Maplewood, County of Ramsey, Minnesota, hereby applies to the Minnesota Energy and Economic Development Authority of the State of Minnesota for approval of this community's proposed Municipal Industrial Revenue Bond issue as required by Minn. Stat. §474.01, Subd. 7a.

We have entered into preliminary discussions with:

Firm A limited partnership to be formed with SHARE Development Corporation as the General Partner, to be known as Medical Property Partners I
Address 7920 Cedar Avenue South

City Bloomington State MN State of Incorporation MN

Attorney Bruce Hanson, Dougherty, Rumble & Butler

Address 15 East First National Bank Building, St. Paul, MN 55101

Name of Project Medical Property Partners I

This firm is engaged primarily in (nature of business): development and operation of facilities to be used for medical clinic purposes

The funds received from the sale of the Industrial Revenue Bonds will be used to (general nature of project): acquire land and construct thereon and equip an approximately 15,000 sq. ft. medical clinic facility

It will be located in Maplewood, Minnesota

The total bond issue will be approximately \$ 3,485,000, to be applied toward payment of costs now estimated as follows:

Acquisition, reconstruction, improvement, betterment, or extension of project	\$ 357,900
Construction Costs	<u>1,350,000</u>
Equipment Acquisition and Installation	<u>750,000</u>
Fees: Architectural, engineering, inspection, fiscal, legal, administration, or printing	<u>242,100</u>
Interest accrual during construction	<u>325,000</u>
Initial bond reserve	<u>210,000</u>
Contingencies	<u>130,000</u>
Bond discount	<u>120,000</u>
Other	<u> </u>

MEMORANDUM

F-2

TO: City Manager
 FROM: Associate Planner--Johnson
 SUBJECT: Rezoning (BC to NC)
 LOCATION: 1690 English Street (Maplewood Plumbing and Heating)
 APPLICANT: City of Maplewood
 OWNER: First Stevens Properties Corporation
 DATE: July 14, 1983

Action by Council:
 Endorsed _____
 Modified _____
 Rejected _____
 Date _____

SUMMARY

Request

Rezone this site from BC, business commercial to NC, neighborhood commercial

Reasons for the Request

1. The proposal is part of the city-wide down-zoning program. (The present BC, business commercial zoning is more intensive than the Land Use Plan.)
2. On November 8, 1982, Council approved a plan amendment for this site from RM, residential medium density to LSC, limited service commercial. State law requires that where an amendment to the Land Use Plan conflicts with the zoning, the zoning must be changed within nine months to be consistent with the Plan. (September 8, 1983, is the deadline to change the zoning on the site.)

Comments

Existing Zoning:

The present BC, business commercial zoning permits uses that are incompatible with the residential location of this site, (page 9). These permitted uses include gas stations, retail uses that rely on higher volumes of automobile traffic and businesses with outdoor storage, such as the present use.

Proposed zoning:

When deciding on zone change proposals, the guiding principle should be to select the district which permits the highest use of the property that is compatible with adjacent uses and the city's Land Use Plan. On the basis of this principal, this property should be down-zoned to NC, neighborhood commercial (page 10). A wide variety of uses, including convenience retail office and personal service uses, all of which would be compatible with the residential setting, would be permitted.

The existing business would become a nonconforming use. It could not be expanded without a conditional use permit. The business could be sold for the same use. Any change in use, however, would have to conform to the new zoning.

Rejected zoning alternatives:

Council in the past has considered zone changes to BC(M), business commercial (modified), and LBC, limited business commercial for areas designated in the Land Use Plan for LSC, limited service commercial, such as this site (page 12). BC(M) zoning is not recommended in this instance because the existing business (Maplewood Plumbing and Heating) classified as a craftsman's shop, would continue to be a permitted use. This use is not compatible with the site and should

be phased out over time. The LBC zone would be too restrictive, in light of the recently adopted NC district option now being available. The LBC district permits only professional office buildings, substantially less variety of uses than permitted by the NC district.

Recommendation

Approval of the enclosed resolution (pgs.5 & 6), rezoning 1690 English Street from BC, business commercial to NC, neighborhood commercial.

BACKGROUND

Site Description

Acreage: 14,000 square feet

Existing use: the Maplewood Plumbing and Heating business. The yard is fenced and used to store construction equipment and trucks. There is a wood screening fence along the north property line that needs repair. The building is 1750 square feet in area.

Surrounding Land Uses

Northerly and westerly: single dwellings

Southerly: an apartment house in St. Paul

Easterly: Railroad tracks

Past Actions

12-3-64: The site was rezoned from F, farm residence to BC, business commercial for the construction of an insurance office and apartment building.

1974: A 7-11 store opened on this site.

1978: Council denied a license for a tavern after much neighborhood opposition. Maplewood Plumbing and Heating moved in shortly thereafter.

11-8-82: Council amended the land use plan in the Gladstone neighborhood. One of the amendments was the Maplewood Plumbing site from RM, residential medium density to LSC, limited service commercial.

Planning

1. Land Use Plan designation: LSC, limited service commercial.
2. The limited commercial center classification refers to commercial facilities on a neighborhood scale. Heavy industrial uses, department stores, motels, auto accessory stores, etc. would be prohibited, while other land uses of a medium intensity nature would be permitted subject to meeting certain performance standards.
3. Zoning: a. Present--BC, business commercial (See page 9 for the permitted uses.)
b. Proposed--NC, neighborhood commercial (See page 10 for the permitted uses.)
4. Section 473.865 subdivision 3 of State law states that:

"If an official control conflicts with a comprehensive plan as the result of an amendment to the plan, the official control shall be amended by the unit within nine months following the amendment to the plan so as to not conflict with the amended comprehensive plan."

5. Section 36-485 of City Code states that:

In any instance where the city council or the planning commission is required to consider an exception or change in this chapter, including the zoning map, in accordance with the provisions of this chapter, the council or planning commission shall, among other things:

- (1) Assure itself that the proposed change is consistent with the spirit, purpose and intent of this chapter.
- (2) Determine that the proposed change will not substantially injure or detract from the use of neighboring property or from the character of the neighborhood, and that the use of the property adjacent to the area included in the proposed change or plan is adequately safeguarded.
- (3) Determine that the proposed change will serve the best interests and conveniences of the community, where applicable, and the public welfare.

Procedure

1. Planning Commission recommendation
2. City Council: public hearing and decision. Requires at least four votes for approval

mb

Enclosures

1. Resolution
2. Location Map
3. Property Line Map
4. BC Zone
5. NC Zone
6. LBC and BC(M) Zones

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Maplewood, Minnesota was duly called and held in the Council Chambers in said City on the _____ day of _____ at 7:00 p.m.

The following members were present:

The following members were absent:

WHEREAS, City of Maplewood initiated a rezoning from BC, business commercial to NC, neighborhood commercial for the following-described property:

Subject to Avenue over the South 52.5 feet and subject to street, the south 149.5 feet of that part of the SW 1/4 lying west of the Northern Pacific railroad right-of-way, in Section 15, Township 29, Range 22.

This property is also known as 1690 English Street, Maplewood;

WHEREAS, the procedural history of this rezoning is as follows:

1. This rezoning was initiated by the City of Maplewood, pursuant to chapter 36, article VII of the Maplewood Code of Ordinances.
2. This rezoning was reviewed by the Maplewood Planning Commission on July 18, 1983. The Planning Commission recommended to the City Council that said rezoning be _____.
3. The Maplewood City Council held a public hearing on _____ to consider this rezoning. Notice thereof was published and mailed pursuant to law. All persons present at said hearing were given an opportunity to be heard and present written statements. The Council also considered reports and recommendations of the city staff and Planning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE MAPLEWOOD CITY COUNCIL that the above-described rezoning be approved on the basis of the following findings of fact:

1. The proposed rezoning would be consistent with the spirit purpose and intent of the zoning code and Land Use Plan.
2. The proposed change would not substantially injure or detract from the use of neighboring property or from the character of the neighborhood.
3. The proposed change would serve the best interests and conveniences of the community.

Adopted this _____ day of _____, 1983.

Seconded by _____

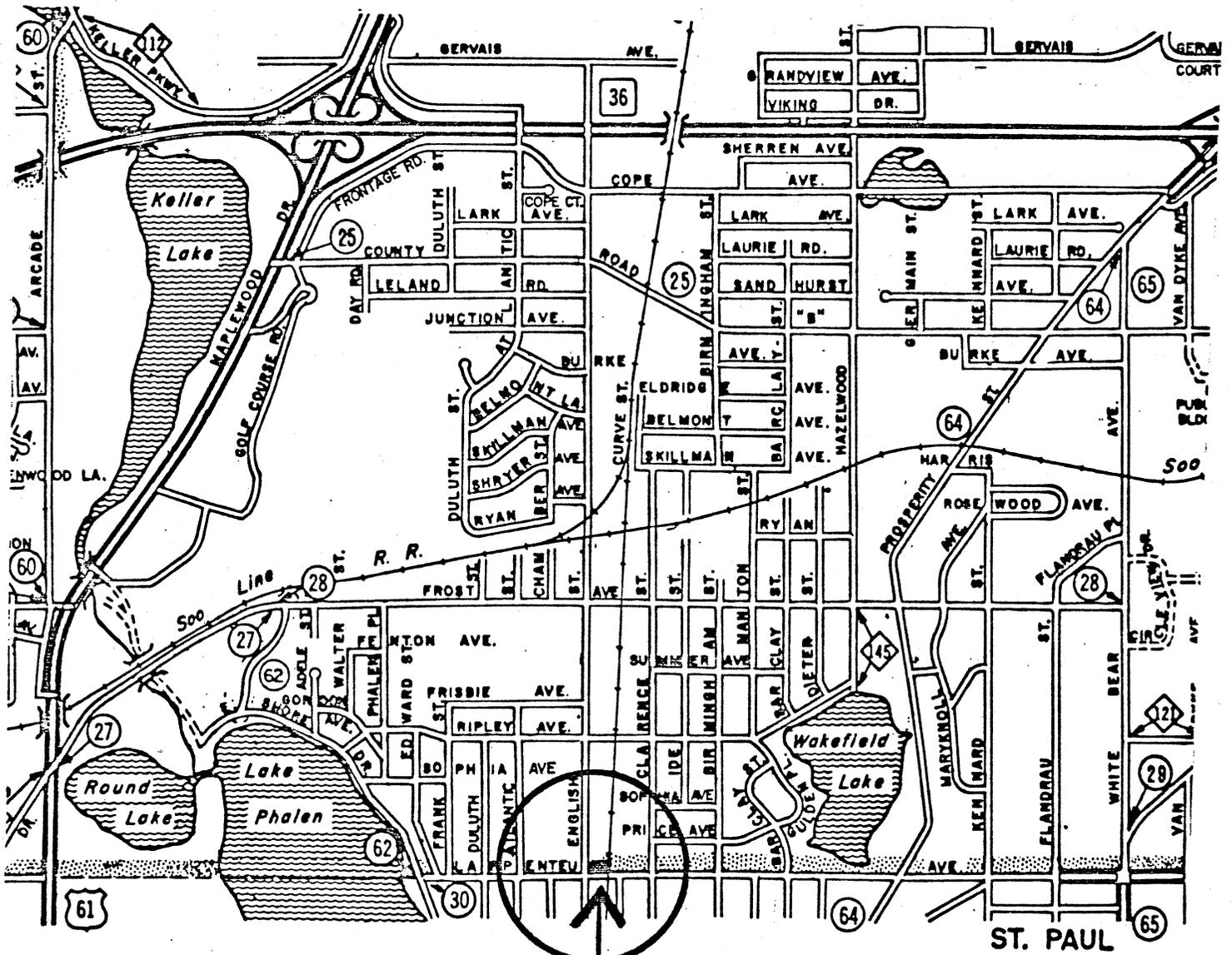
Ayes--

STATE OF MINNESOTA)
)
COUNTY OF RAMSEY) SS.
)
CITY OF MAPLEWOOD)

I, the undersigned, being the duly qualified and appointed Clerk of the City of Maplewood, Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of the City of Maplewood, held on the day of , 1983, with the original on file in my office, and the same is a full, true and complete transcript therefrom insofar as the same relates to this rezoning request.

Witness my hand as such Clerk and the corporate seal of the City this day of , 1983.

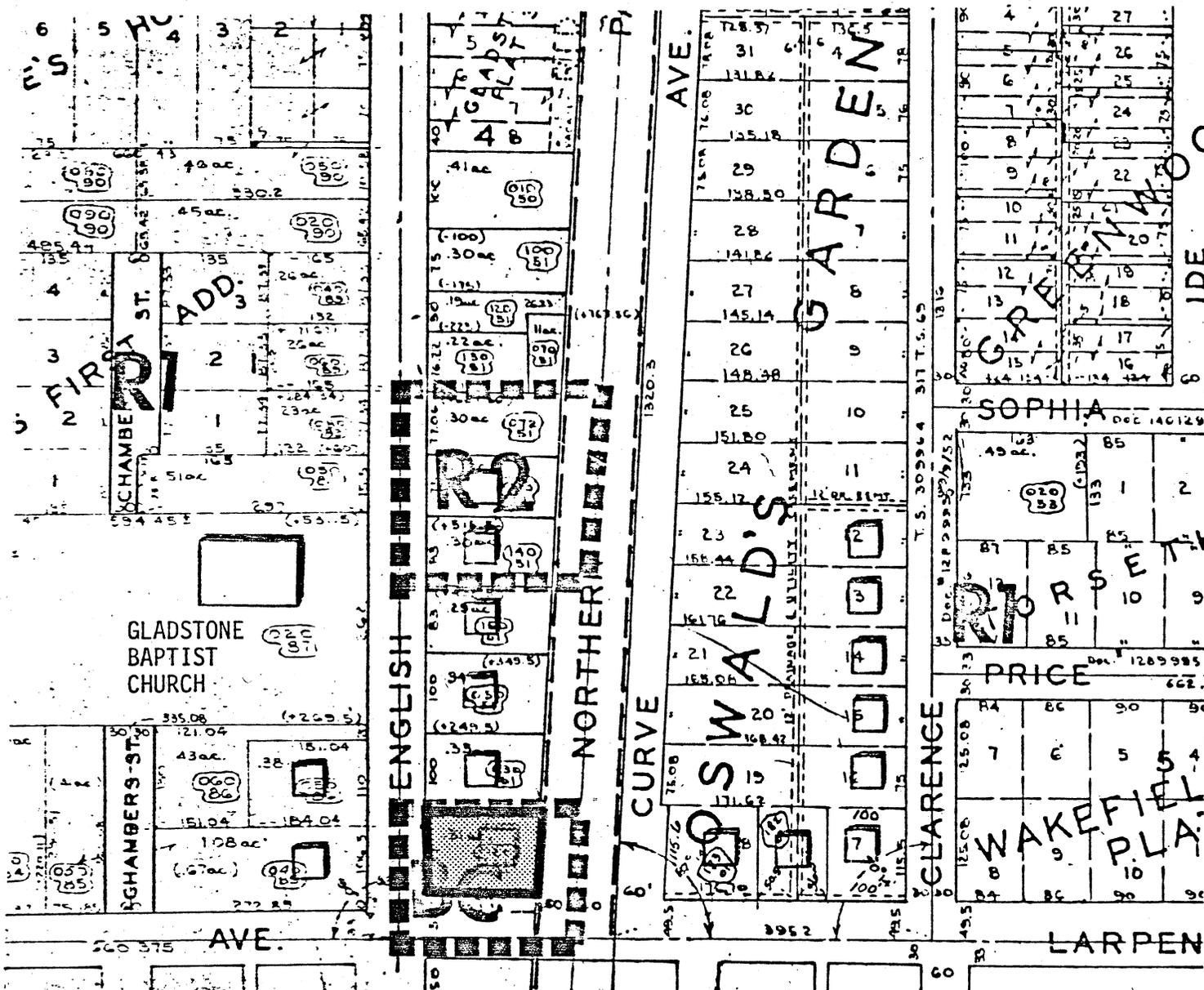
City Clerk
City of Maplewood, Minnesota



LOCATION MAP

Attachment Two

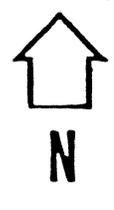




MAPLEWOOD PLUMBING

PROPERTY LINE MAP

Attachment Three



Sec. 36-153. Use regulations.

In a BC Business and Commercial District in the city, the following regulations shall apply:

- (1) *Permitted uses:* A building may be erected or used, and a lot may be used or occupied, for any of the following purposes, and no other:
 - (a) Apartment for one family in combination with business use.
 - (b) Hotel, motel, tourist home, rooming house or boarding-house.
 - (c) Retail store, restaurant, office, agency, studio, bank, personal service and craftsmen's shop, mortuary.
 - (d) Automobile sales agency, used car lot, parking garage or lot, provided all facilities are located and all services are conducted on the lot.
 - (e) Newspaper publishing, job printing establishment.
 - (f) Theater.
 - (g) Hand or automatic self-service laundry.
 - (h) Bakery or confectionery shop, for the production of articles to be sold only at retail on the premises.
 - (i) Public garage or motor fuel station; provided that a license to operate such business is first obtained from the city council pursuant to chapter 17 of this Code. All public garages and motor fuel stations must be so located on the site and the site shall be of the size as provided in section 36-156 of this division which defines kinds of operation, site area required and other data relating to such business.
 - (j) Any use of the same general character as any of the above permitted uses; provided that, no use which is noxious or hazardous shall be permitted.
- (2) *Special exceptions:* The following uses are allowed when authorized by the city council as a special exception:
 - (a) All uses permitted in R-3 Residence Districts, except the construction of dwelling houses permitted in divisions 3 and 4 of this article, R-1 and R-2 Residence Districts.
 - (b) Processing and distributing station for milk or other beverages, carting or hauling station.
 - (c) Place of amusement, recreation or assembly, other than a theater, when conducting indoors.
 - (d) Yard for storage, sale and distribution of ice, coal, fuel oil or building materials, when enclosed within a fence of not less than six (6) feet in height, but not including junkyard, salvage, automobile or other wrecking yard.

Sec. 36-126. Intent.

The intent of this district is to preserve land for the use of businesses that are compatible with adjacent residential land uses. Uses are limited to offices and smaller retail uses that cater to convenience shopping. Pedestrian and bicycle access are to be emphasized.

Sec. 36-127. Permitted uses.

Any of the following uses provided that the floor area of all buildings in any one NC zone shall not exceed 3000 square feet:

1. Bakery or candy shop for the production of goods sold on the premises
2. Beauty parlor or barber shop
3. Dry cleaner or laundromat. All odors must be controlled so as not to be noticeable to adjacent residents.
4. Office or medical and dental clinics
5. Repair shop, except for motorized vehicles. No work shall be performed outside of the building.
6. Drug, hardware or grocery store
7. Studio
8. Tailor or dressmaker shop

Sec. 36-128. Accessory uses.

1. Off-street parking
2. Signs, in accordance with the sign ordinance

Sec. 36-129. Conditional uses (requires council approval).

Any of the following uses provided that the floor area of all buildings in any one NC zone shall not exceed 8,000 square feet:

1. Any permitted use listed in section 36-127
2. Club, lodge or hall
3. Private school, daycare center or community service use
4. Restaurant where there are no drive-up order windows or serving of food to patrons in their automobiles. All cooking odors must be controlled so as not to be noticeable to adjacent residents.

5.8. Similar uses to those listed in this section

Sec. 36-130. District standards.

(a) Bike racks

Bike racks shall be provided in an area that is convenient to each major building entrance, but which will not disrupt pedestrian or vehicular traffic or fire lanes.

(b) Building design

Buildings in this district shall be designed to be compatible with their surrounding land uses. If more than one use on a site, they shall be planned and organized as a unit. Pedestrians should be able to walk between stores without crossing vehicular traffic lanes. There shall be no exterior storage, other than a trash receptacle which shall be screened as required by Section 36-26 of the zoning code.

(c) Lot coverage

At least 15% of the site shall be landscaped.

(d) Building setbacks

- (1) The minimum building setback from a right-of-way shall be thirty feet and twenty feet from side and rear property lines.
- (2) Where a setback is from residentially zoned property, the minimum required setbacks shall be increased, not to exceed 75 feet, subject to the most restrictive of the following requirements:
 - a. Building height: The building setbacks shall be increased two feet for each one foot the building exceeds 25 feet in height.
 - b. Exterior wall area: Where an exterior wall faces a residentially-zoned property, the wall setback shall be increased five feet for each 1,000 square feet, or part thereof, in excess of 2,000 square feet.

(e) Parking and loading areas

Paved areas shall be provided for loading and unloading of delivery trucks and other vehicles, servicing of shops by refuse collection, fuel, fire, and other service vehicles; automobile accessways; and pedestrian walks.

(f) Plan review

Plan approval is required from the Community Design Review Board. The city may require appropriate conditions to ensure compatibility with the surrounding uses to include, but not be limited to, building height, setbacks, orientation, parking lot location or location of building entrances or screening.

Sec. 36-154. LBC Limited Business Commercial District.

The LBC Limited Business Commercial District is hereby established and may be authorized by the council in those locations where a regular BC Business Commercial District abuts a residential district, the intent of this provision being to make possible a modified commercial area in the nature of a buffer zone wherein the uses, subject to prior council approval, will be limited to professional offices and such other similar uses as the council may determine. The proposed plan of use in any such LBC limited business commercial district shall be submitted to the council for final determination and approval. (Code 1965, § 907.010; Ord. No. 232, § 3, 10-19-67; Ord. No. 256, 11-20-69; Ord. No. 402, § 1, 8-12-76)

Sec. 36-155. BC(M) Commercial District (Modified).

1. **INTENT.** The BC (M), Business Commercial-Modified District is intended to provide for the orderly transition between more intensive commercial uses and low or medium density residential areas. Restrictions on, but not limited to, building height, setbacks, orientation, parking lot location, or location of building entrances may be required to ensure compatibility with abutting residential uses.
2. **USE REGULATIONS.** A building may be erected or used, and a lot may be used or occupied, for any of the following purposes, and no other:
 - a. Retail store; professional administrative offices; bank or savings and loan; personal service, craftsmen's shop, mortuary
 - b. Hotel or motel
 - c. Walk-in theatre
 - d. Job printing shop
 - e. Bakery or candy shop producing goods for on-premises retail sales.
 - f. Any use of the same general character as any of the above permitted uses, as determined by the City Council, provided that no use which is noxious or hazardous shall be permitted.
3. The following uses when authorized by the City Council by means of a special use permit:
 - a. All uses permitted in R-3 Multiple Dwelling Districts, except the construction of houses permitted in R-1 and R-2 districts.
 - b. Laundromat or similar automatic self-service laundry.
 - c. Restaurant, where there are no drive-up order windows or serving of food to patrons in their automobiles. All cooking odors must be controlled so as not to be noticeable to adjacent residences.
 - d. Place of amusement, recreation, or assembly, other than a theater, where there are no outdoor activities.

C. Rezoning: 1690 English (Maplewood Plumbing)

7-18-83

Secretary Olson said the proposal is to rezone this site from BC to NC.

Chairman Prew asked if there was anyone present who wished to comment.

Pat Daley, said he would like the zoning to stay as it is now. The change would limit the use of the property in the future.

The Commission questioned what type of change was proposed for the property.

Mr. Daley said the only thing they may request would be an addition to the Larpenteur Street side of the building to house some of the material they are presently storing outside.

Secretary Olson said under the NC zoning district, a special use permit would be required to expand the business.

Commissioner Fischer said in view of the fact there are procedures available to allow the present owner to expand on the site his present business if desired, moved that the Planning Commission recommend the City Council approve the resolution rezoning 1690 English Street from BC to NC.

Commissioner Whitcomb seconded
Fischer, Pellish, Sletten, Whitcomb

Robens, Prew.

Motion carries

Ayes--Commissioners Barrett,

Nays--Commissioners Hejny,

MEMORANDUM

F-3

TO: City Manager
FROM: Associate Planner--Johnson
SUBJECT: Rezoning (M-1 to R-1)
- LOCATION: John Glenn Junior High School
APPLICANT: City Council
OWNERS: School District 622
DATE: July 11, 1983

Action by Council:

Endorsed _____
- Modified _____
Rejected _____
Date _____

SUMMARY

Request

Downzoning a portion of the John Glenn School site from M-1, light manufacturing to R-1, residence district (single dwelling)

Reason for Change

This proposal was initiated by council as part of the city-wide downzoning program. The present zoning permits more intensive use of the land than anticipated by the land use plan.

Comments

The site is presently used for school and community sponsored athletic activities. This use is consistent with the Land Use Plan. There is no reason to retain the M-1 zoning designation. Downzoning to R-1 would prevent the possibility of the site being redeveloped in the future to a use(s) that could be incompatible with adjacent uses.

Recommendation

Approve the enclosed resolution (pgs. 4&5), rezoning John Glenn School property from M-1, light manufacturing to R-1 residence district (single dwelling).

BACKGROUND

Site Description

Size: approximately 11.8 acres.

Existing land use: John Glenn Junior High School athletic facilities.

Surrounding Land Uses

North: John Glenn Junior High

East: Two undeveloped parcels and Mo-Tech Corporation, zoned for M-1 Light Manufacturing use.

South: Abandoned railroad right-of-way. This right-of-way is proposed as a future trail for nonmotorized vehicles.

West: Hazelwood Avenue. Across the street single dwellings and a storm pond.

Past Actions

12-18-60: Council rezoned this site from M-1, light manufacturing to R-1, residence district (single dwelling). The change is not reflected on the current zoning maps.

Planning

1. Land Use Plan designation: S, school

2. Zoning: present--M-1, light manufacturing
proposed--R-1, residence district (single dwelling)

3. Policies from the plan:

Zoning maps should be updated as necessary to make both land use maps and zoning maps compatible.

4. Compliance with land use laws:

a. Section 36-485 of city code states that "In any instance where the city council or the planning commission is required to consider an exception or change in this chapter, including the zoning map, in accordance with the provisions of this chapter, the council or planning commission shall, among other things:

1) Assure itself that the proposed change is consistent with the spirit, purpose and intent of this chapter.

2) Determine that the proposed change will not substantially injure or detract from the use of neighboring property or from the character of the neighborhood, and that the use of the property adjacent to the area included in the proposed change or plan is adequately safeguarded.

- 3) Determine that the proposed change will serve the best interests and conveniences of the community, where applicable, and the public welfare."
- b. Section 36-66 (3) states that churches, public parochial and private schools are permitted uses in R-1 residence districts (single dwelling).

ADMINISTRATIVE

Procedure

1. Planning Commission recommendation
2. City Council holds a public hearing and makes a decision. At least four votes are required for approval

mb

Enclosures

1. Resolution
2. Sherwood Glen Neighborhood Land Use Plan
3. Property Line Map

Pursuant to due call and notice thereof a regular meeting of the City Council of the City of Maplewood, Minnesota was duly called and held in the Council Chambers in said City on the _____ day of _____ at 7:00 p.m.

The following members were present:

The following members were absent:

WHEREAS, the City of Maplewood initiated a rezoning from M-1, light manufacturing to R-1, residence district (single dwelling) for the following-described property:

Lots 1 and 2 and the west 139.9 feet of Lot 3, Block 7, Sabin Garden Lots including the south half of that part of vacated Eldridge Avenue accruing thereto,

WHEREAS, the procedure history of this rezoning is as follows:

1. This rezoning was initiated by the City of Maplewood, pursuant to chapter 36, article VII of the Maplewood Code of Ordinances.
2. This rezoning was reviewed by the Maplewood Planning Commission on July 18, 1983. The Planning Commission recommended to the City Council that said rezoning be
3. The Maplewood City Council held a public hearing on _____ 1983 to consider this rezoning. Notice thereof was published and mailed pursuant to law. All persons present at said hearing were given an opportunity to be heard and present written statements. The Council also considered reports and recommendations of the city staff and Planning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE MAPLEWOOD CITY COUNCIL that the above-described rezoning be approved on the basis of the following findings of fact.

1. The zone change would be consistent with the intent of the Land Use Plan.
2. The change would not substantially injure or detract from the use of the neighboring property.
3. The change would be in the best interest of the public by eliminating the potential for overly intensive manufacturing uses in a residential neighborhood.

Seconded by _____

Ayes--

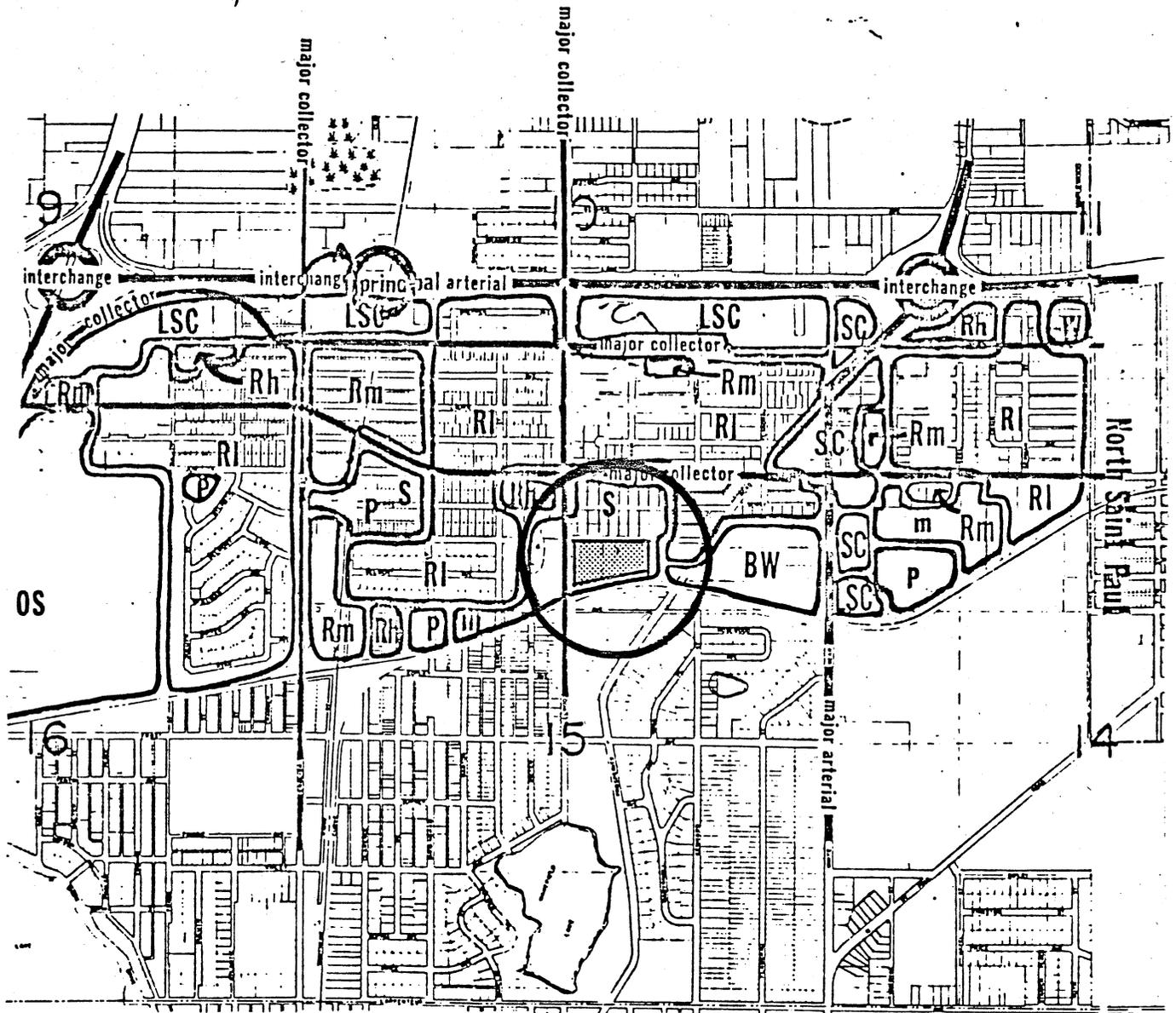
STATE OF MINNESOTA)
)
COUNTY OF RAMSEY)
)
CITY OF MAPLEWOOD)

SS.

I, the undersigned, being the duly qualified and appointed Clerk of the City of Maplewood, Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of the City of Maplewood, held on the day of , 1983, with the original on file in my office, and the same is a full, true and complete transcript therefrom insofar as the same relates to a zone change.

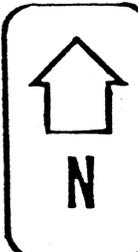
Witness my hand as such Clerk and the corporate seal of the City this day of , 1983.

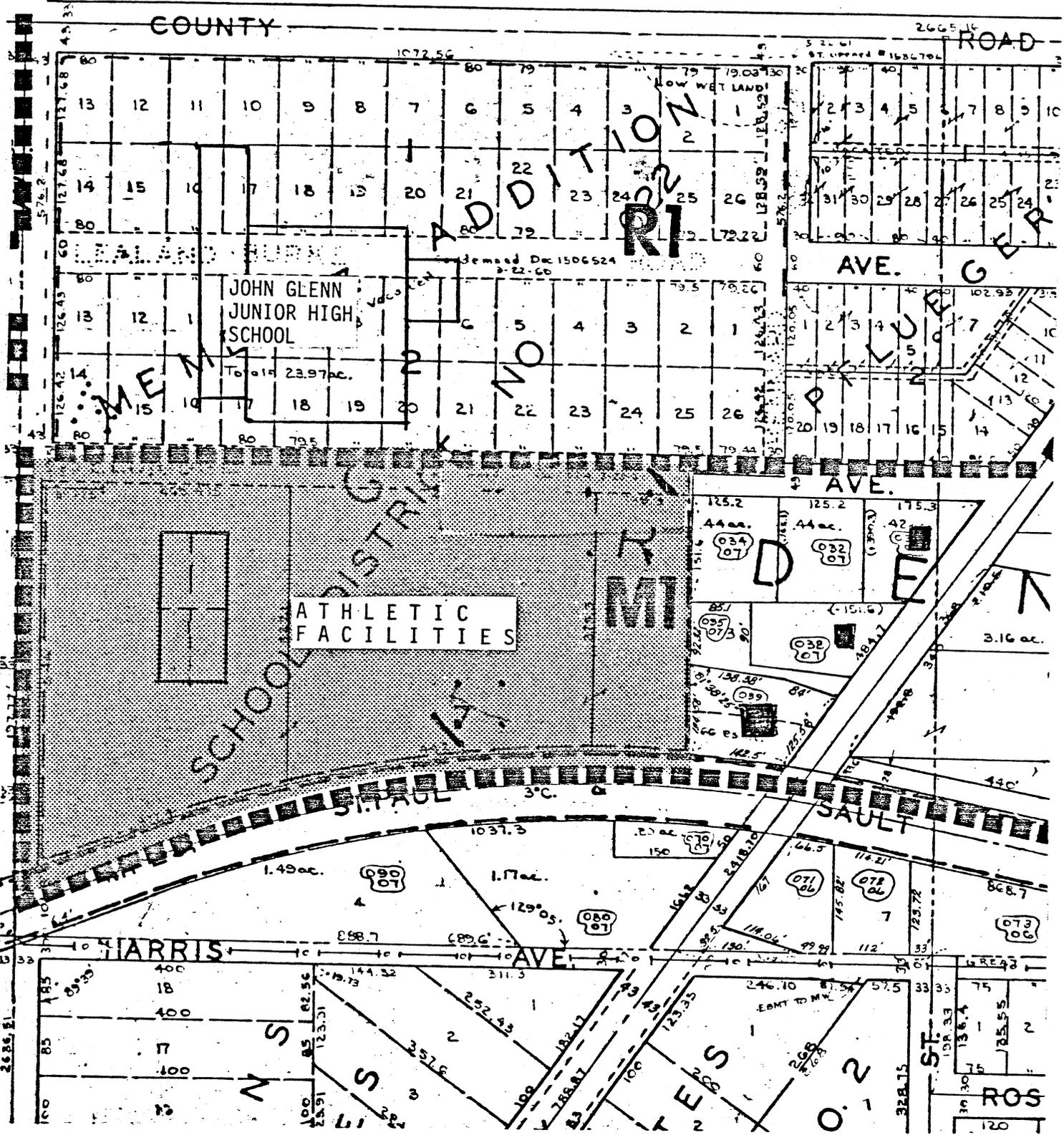
City Clerk
City of Maplewood, Minnesota



Attachment Two

LAND USE PLAN.
SHERWOOD GLEN NEIGHBORHOOD





Attachment Three

PROPERTY LINE MAP



Rezoning M-1 to R-1



N

F-4

August 16, 1983

Action by Council:

MEMORANDUM

Endorsed _____

Modified _____

Rejected _____

Date _____

To: City Manager Barry Evans
From: Chief of Police Kenneth V. Collins
Subject: Liquor License Application for Michael James Garin and Lori Ann Garin, dba York Steak House

As of this date, all of the background check letters have not been received on the above parties. Of all the information gathered to this point, we find nothing that would prevent Mr. and Mrs. Garin from holding a liquor license in the City of Maplewood.

For your information.

KVC:js

cc City Clerk
Liquor File
83-008522



NOTICE OF HEARING ON INTOXICATING LIQUOR LICENSE

NOTICE IS HEREBY GIVEN that pursuant to action by the City Council of the City of Maplewood, a public hearing will be held on the 22nd day of August, 1983, starting at 8:00 P.M. in the City Hall, 1380 Frost Avenue, to consider the application of the following individual for Intoxicating Liquor License:

Michael James Garin
5216 W. 111th Street
Bloomington, Minnesota 55437

such license to be located at York Steak House, 2109 Maplewood Mall.

The Council is proceeding in this matter as outlined under the provisions of City Ordinances. Such persons as desire to be heard in reference to this matter will be heard at the times and place as indicated.

Dated this 19th day of July, 1983.

City Clerk
City of Maplewood, Minnesota

PUBLISH: Maplewood Review - August 3, 1983.

[Handwritten signature]
L. J. ...
City Clerk

CITY OF MAPLEWOOD

APPLICATION FOR INTOXICATING LIQUOR LICENSE

THIS APPLICATION SHALL BE SUBMITTED IN DUPLICATE.

Whoever shall knowingly and wilfully falsify the answers to the following questionnaire shall be deemed guilty of perjury and shall be punished accordingly.

In answering the following questions "APPLICANTS" shall be governed as follows: For a Corporation one officer shall execute this application for all officers, directors and stockholders. For a partnership one of the "APPLICANTS" shall execute this application for all members of the partnership.

EVERY QUESTION MUST BE ANSWERED

884-4629

1. I, Michael J. ^{Jr} Garin as Individual Owner (Individual owner, officer or partner)

for and in behalf of

hereby apply for an On-Sale Intoxicating Liquor License to be located at York Steak House, 2109 Maplewood Mall, Maplewood, MN 55109

(Give address and legal description) in the City of

Maplewood, County of Ramsey, State of Minnesota, in accordance with the provisions of Ordinance No. 95 of Maplewood.

2. Give applicants' date of birth:

January 23 1956 (Day) (Month) (Year) At Minneapolis, MN

3. The residence for each of the applicants named herein for the past five years is as follows:

Two Years @ 5216 W. 111th St., Bloomington, MN 55437 (Also Present Address) Three Years @ 10417 Xerxes Avenue S., Bloomington, MN

4. Is the applicant a citizen of the United States? Yes

If naturalized state date and place of naturalization N/A

If a corporation or partnership, state citizenship including naturalization of each officer or partner.

N/A

5. The person who executes this application shall give wife's or husband's full name and address.

Lori Ann Amerson Garin, 5216 W. 111th St., Bloomington, MN 55437 9-19-56

6. What occupations have applicant and associates in this application followed for the past five years?

York Steak House Systems, Inc. - Restaurant Management Present Occupation: York Steak House Systems, Inc. - Regional Director

7. If partnership, state name and address of each partner.

N/A

If a corporation, date of incorporation N/A, state in which incorporated _____, amount of authorized capitalization _____ amount of paid in capital _____

if a subsidiary of any other corporation, so state _____

give purpose of corporation _____

name and address of all officers, directors and stockholders and the number of shares held by each:

(Name)

(Address)

(City)

If incorporated under the laws of another state, is corporation authorized to do business in this State? _____. Number of certificate of authority _____

If this application is for a new Corporation, include a certified copy of Articles of Incorporation and By-Laws.

8. On what floor is the establishment located, or to be located? First or Ground Floor

9. If operating under a zoning ordinance, how is the location of the building classified? _____

Business-Commercial. Is the building located within the prescribed area for such license?

Yes

10. Is the establishment located near an academy, college, university, church, grade or high school?

No. State the approximate distance of the establishment from such school or church _____

Over 500 feet

11. State name and address of owner of building Homart Development Company, Xerox Centre,

55 W. Monroe, Chicago, IL ; has owner of building any connection, directly or in-

directly, with applicant? No

12. Are the taxes on the above property delinquent? No

13. State whether applicant, or any of his associates in this application, have ever had an application for a Liquor License rejected by any municipality or State authority; if so, give date and details

No

14. Has the applicant, or any of his associates in this application, during the five years immediately preceding this application ever had a license under the Minnesota Liquor Control Act revoked for any violation of such laws or local ordinances; if so, give date and details No

15. State whether applicant, or any of his associates in this application, during that past five years were ever convicted of any Liquor Law violations or any crime in this state, or any other state, or under Federal Laws, and if so, give date and details. No

16. Is applicant, or any of his associates in this application, a member of the governing body of the municipality in which this license is to be issued? No. If so, in what capacity? _____

17. State whether any person other than applicants has any right, title or interest in the furniture, fixtures, or equipment in the premises for which license is applied, and if so, give names and details Yes; York Steak House Systems, Inc. has the right, title and interest in the furniture, fixtures and equipment in the premises.

18. Have applicants any interest whatsoever, directly or indirectly, in any other liquor establishment in the State of Minnesota? No. Give name and address of such establishment _____

19. Furnish the names and addresses of at least three business references, including one bank reference Gary Anderson c/o York Steak House, 111 West Port Plaza, St. Louis, MO
Dean Seedorff, c/o York Steak House, same address
Community State Bank, 9600 Lyndale Ave., Bloomington, MN 55420

20. Do you possess a retail dealer's identification card issued by the Liquor Control Commissioner which will expire December 31st of this year? Give number of same No

21. Does applicant intend to sell intoxicating liquor to other than the consumer? No

22. State whether applicant intends to possess, operate or permit the possession or operation of, on the licensed premises or in any room adjoining the licensed premises, any slot machine, dice, gambling device and apparatus, or permit any gambling therein No

23. Are the premises now occupied, or to be occupied, by the applicant entirely separate and exclusive from any other business establishment? Premises are occupied by York Steak House Systems, Inc. d/b/a York Steak House.

24. State trade name to be used York Steak House

25. State name of person that will operate store Richard Rice, General Manager

26. Give Federal Retail Liquor Dealer's Tax Stamp Number Applied for

FINANCIAL STATEMENT

Michael James Garin
Employer: York Steak House Systems, Inc.
2255 Kimberly Parkway East
Columbus, OH 43227

Residence: 5216 W. 111th Street
Bloomington, MN

Assets:

Real Property - Residence - 5216 W. 111th Street, Bloomington, MN
Appraised Value (5/83) - \$106,000.00

Automobile - 1981 Chevrolet Monza (estimated value - \$4,000.00)

No cash value in insurance policies.

Outstanding Obligations:

Mortgage on Real Property - \$84,000.00

Car Note - \$ 1,400.00

TOTAL \$85,400.00

June 28, 1983

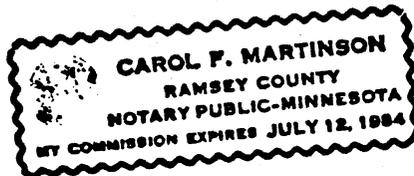
I Michael J. Darin do not
hold any other interest in
any other liquor license

Michael J. Darin

Ramsey County,
Minnesota

6-28-83

Carol J. Martinson



F-5

August 16, 1983

Action by Council:

MEMORANDUM

Endorsed _____

Modified _____

Rejected _____

Date _____

To: City Manager Barry Evans
From: Chief of Police Kenneth V. Collins
Subject: Liquor License Application for Steven Edward Enselein and Nancy Ann Enselein, dba Le Bistro Cafe

As of this date, all of the background check letters have not been received on the above parties. Of all the information gathered to this point, we find nothing that would prevent Mr. and Mrs. Enselein from holding a liquor license in the City of Maplewood.

For your information.

KVC:js

cc City Clerk
Liquor File
83-008564



CITY OF MAPLEWOOD

APPLICATION FOR INTOXICATING LIQUOR LICENSE

THIS APPLICATION SHALL BE SUBMITTED IN DUPLICATE.

Whoever shall knowingly and wilfully falsify the answers to the following questionnaire shall be deemed guilty of perjury and shall be punished accordingly.

In answering the following questions "APPLICANTS" shall be governed as follows: For a Corporation one officer shall execute this application for all officers, directors and stockholders. For a partnership one of the "APPLICANTS" shall execute this application for all members of the partnership.

Edward

EVERY QUESTION MUST BE ANSWERED

1. I, Steven Enselein as Manager
(Individual owner, officer or partner)

for and in behalf of Myself

hereby apply for an on Sale Intoxicating Liquor License to be located at

Space # 1146 - 1148 Maplewood Mall, Maplewood, MN. 55109

(Give address and legal description) _____, in the City of

Maplewood, County of Ramsey, State of Minnesota, in accordance with the provisions of Ordinance No. 95 of Maplewood.

2. Give applicants' date of birth:

_____ 12 10 56
(Day) (Month) (Year)

3. The residence for each of the applicants named herein for the past five years is as follows:

821 E. 145th St. Burnsville, MN 55337

14354 Hemlock Court S. Applevalley, Mn 55124

4408 14th Ave. N.W. Rochester, MN 55109

3342 Girard Ave. N. Minneapolis, MN 55412

4. Is the applicant a citizen of the United States? yes

If naturalized state date and place of naturalization N/A

If a corporation or partnership, state citizenship including naturalization of each officer or partner.

N/A

5. The person who executes this application shall give wife's or husband's full name and address.

Nancy Ann Enselein 821 E. 145th st. Burnsville, Mn 55337

6. What occupations have applicant and associates in this application followed for the past five years?

Restaurant Manager

#1
Signature

7. If partnership, state name and address of each partner. N/A

If a corporation, date of incorporation N/A, state in which incorporated _____, amount of authorized capitalization _____ amount of paid in capital _____

if a subsidiary of any other corporation, so state _____

give purpose of corporation _____

name and address of all officers, directors and stockholders and the number of shares held by each:

(Name)

(Address)

(City)

If incorporated under the laws of another state, is corporation authorized to do business in this State? _____. Number of certificate of authority _____

If this application is for a new Corporation, include a certified copy of Articles of Incorporation and By-Laws.

8. On what floor is the establishment located, or to be located? 1st floor

9. If operating under a zoning ordinance, how is the location of the building classified? _____
_____. Is the building located within the prescribed area for such license?
yes

10. Is the establishment located near an academy, college, university, church, grade or high school?
no. State the approximate distance of the establishment from such school or church _____

11. State name and address of owner of building Homart Development Co., 55 West Monroe, Chicago, Ill. 60603; has owner of building any connection, directly or indirectly, with applicant? no

12. Are the taxes on the above property delinquent? no

13. State whether applicant, or any of his associates in this application, have ever had an application for a Liquor License rejected by any municipality or State authority; if so, give date and details
no

14. Has the applicant, or any of his associates in this application, during the five years immediately preceding this application ever had a license under the Minnesota Liquor Control Act revoked for any violation of such laws or local ordinances; if so, give date and details. no

15. State whether applicant, or any of his associates in this application, during that past five years were ever convicted of any Liquor Law violations or any crime in this state, or any other state, or under Federal Laws, and if so, give date and details no

16. Is applicant, or any of his associates in this application, a member of the governing body of the municipality in which this license is to be issued? No. If so, in what capacity? _____

17. State whether any person other than applicants has any right, title or interest in the furniture, fixtures, or equipment in the premises for which license is applied, and if so, give names and details
Town and Country Bank holds a Mortgage on equipment in place
approximately \$50,000. Wasserman/Berman, Inc. own Restaurant
fixtures

18. Have applicants any interest whatsoever, directly or indirectly, in any other liquor establishment in the State of Minnesota? no. Give name and address of such establishment _____

19. Furnish the names and addresses of at least three business references, including one bank reference Mr. Gary Scholl, American Fruit and Produce, 2864 Eagandale Blvd.
Eagan, MN. / Ms. Tomi Winters, Midwest Wines, 1340 University Ave.
St. Paul, Mn. / Mr. Jim Mueller, National City Bank, Ridgedale,
Minnetonka, MN.

20. Do you possess a retail dealer's identification card issued by the Liquor Control Commissioner which will expire December 31st of this year? Give number of same no

21. Does applicant intend to sell intoxicating liquor to other than the consumer? no

22. State whether applicant intends to possess, operate or permit the possession or operation of, on the licensed premises or in any room adjoining the licensed premises, any slot machine, dice, gambling device and apparatus, or permit any gambling therein no

23. Are the premises now occupied, or to be occupied, by the applicant entirely separate and exclusive from any other business establishment? yes

24. State trade name to be used AS

25. State name of person that will operate Steven Erselein

27. If off sale license is being applied for, do you intend to deliver liquor by vehicle? no If so, state number of motor vehicle permits issued by Liquor Control Commissioner for current year _____

28. If you are building a new building for the purposes for which this application is being made, please submit plans and specifications with this application. N/A

29. Financing of the construction of this building will be as follows:

Construction allowance of \$100,000 to be provided by landlord

30. Furnish a personal financial statement with this application. If a partnership, furnish financial statement of each partner. See attached

31. Give description of type of operation if this is an on-sale license application (i.e. whether cocktail lounge, nite club, restaurant, etc., specifying capacity by number of customers and any other pertinent data). Full Service, Sit-down French Restaurant, seating 150 people and adjoining Cocktail lounge seating 40 persons

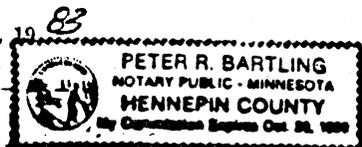
32. What previous experience have you had in the operation of the type of business described in the answer to No. 31 above See attached resume

33. Applicant, and his associates in this application, will strictly comply with all the laws of the State of Minnesota governing the taxation and the sale of intoxicating liquor; rules and regulations promulgated by the Liquor Control Commissioner; and all ordinances of the municipality; and I hereby certify that I have read the foregoing questions and that the answers to said questions are true of my own knowledge.

John E. Fisher
(Signature of Applicant)

Subscribed and sworn to before me this

3RD day of August
1983
Arthur B. [Signature]



THIS APPLICATION MUST BE ACCOMPANIED WITH YOUR CHECK FOR THE FIRST LICENSE PERIOD.

83008564

NOTICE OF HEARING ON INTOXICATING LIQUOR LICENSE

NOTICE IS HEREBY GIVEN that pursuant to action by the City Council of the City of Maplewood, a public hearing will be held on the 22nd day of August, 1983, starting at 8:15 P.M. in the City Hall, 1380 Frost Avenue, to consider the application of the following individual for an Intoxicating Liquor License:

Steven Edward Enselein
821 E. 145th St.
Burnsville, Minnesota 55337

such license to be located at Space #1146 - 1148 Maplewood Mall, 3001 White Bear Avenue.

The Council is proceeding in this matter as outlined under the provisions of City Ordinances. Such persons as desire to be heard in reference to this matter will be heard at the times and place as indicated.

Dated this 4th day of August, 1983.

City Clerk
City of Maplewood, Minnesota

PUBLISH: Maplewood Review - August 10, 1983.

2/10/83
Keecks

Steven E. Ennslein
14354 Hemlock Court So.
Apple Valley, MN 55124
(612) 432-0861

Employment History: Le Bistro Cafe, Minneapolis, Minnesota

February, 1978 - Present POSITION: Regional Manager

Responsible for all corporate and franchise restaurant store operations to include:

- 1 - New Store Openings
- 2 - Selection and Training of Unit Management
- 3 - Revenue Expansion and Cost Control Programming
- 4 - Vendor Analysis and Auditing
- 5 - Initial and Continuation Training for Hourly Personnel
- 6 - Food and Beverage Menu Development
- 7 - Systems Development for Cash, Food, Liquor and Bakery Operations.

Accomplishments:

- 1 - Opened four Corporate Restaurants: Bonaventure, Burnsville, St. Paul and Rochester.
- 2 - Developed New Store Opening Package.
- 3 - Developed Training Manuals for Bartenders, Waitrons, Cooks and Hostesses.
- 4 - Developed Recipe Manual.
- 5 - Developed Food Cost Control Program to include proper inventory and purchasing procedures.
- 6 - Developed Computerized Point of Sale Cash Register Program.
- 7 - Designed Kitchen Plan for all Corporate Restaurants.

The Brothers, Minneapolis, Minnesota

October, 1972 - POSITION: Production and Service Staff
January, 1978

Responsible for food production and service enhancement.

Education: University of Minnesota - 1976 - 1978
2½ years - Liberal Arts

Personal: Married, One Child

STEVEN ENSELEIN
PERSONAL FINANCIAL STATEMENT
AUGUST 3, 1983

ASSETS

Cash in savings	\$ 4,138
Furniture & Fixtures	24,500
Transportation equipment	<u>12,000</u>
Total Assets	<u>\$ 40,638</u>

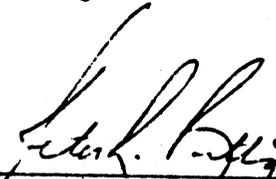
LIABILITY AND NET WORTH

Car loan	<u>\$ 1,000</u>
Net worth	<u>39,638</u>
Total Liability and Net Worth	<u>\$ 40,638</u>

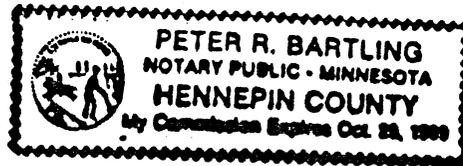
August 3, 1983

I, Steve Enselein, hereby swear that I hold no other Liquor License interests in any food or beverage establishment. Acquiring the Liquor License for the Maplewood Mall Le Bistro Cafe will be my first and only Liquor License.

X 
Steve Enselein


Notary Public

August 3, 1983
Date



MEMORANDUM

Action by Council:
Endorsed _____
Modified _____
Rejected _____
Date _____

TO: City Manager
FROM: Associate Planner - Randy Johnson
SUBJECT: Lot Width Variance
LOCATION: 1895 Howard
- APPLICANT
AND OWNER: Robert Lundquist
DATE: July 26, 1983

SUMMARY

Request

A lot width variance to divide a parcel into two single dwelling parcels.

Proposal

1. Subdivide a 130.83 x 250 foot parcel into two parcels measuring 60 x 250 feet and 70.83 x 250 feet (Page 8), each requiring lot width variances. Code requires 75 feet of width.
2. The north lot would be sold for development. The south lot would continue to be homesteaded by the applicant.

Comments

This request should be denied because it does not meet the two findings required by State law for approving a variance (Page 3):

1. There is no undue hardship because of circumstances unique to the property. This request is based upon convenience, not uniqueness of the property and is, therefore, unjustified. Approval would set precedent for six similar splits on this block.

Council denied a similar request from a property owner in the neighborhood in 1981 (Page 3).

2. The variance would not be in keeping with the spirit and intent of the zoning ordinance. The proposed lot widths of 60 and 71 feet would be out-of-character with the long-time established neighborhood, where lot widths average in excess of 125 feet. The City should respect the wishes of those who desire to retain the large lot character of this neighborhood - - a characteristic for which they originally purchased the property. This type of splitting has already caused a problem in the Farrell Street neighborhood, north of Conway Avenue.

The fact that these lots would have large areas does not override the concern that spacing of the resulting dwellings would be out-of-character with the neighborhood. Approval of this request on the basis of excessive lot area would be inconsistent with City policy to preserve existing neighborhood character.

Recommendation

Approval of the enclosed resolution (Page 5), -denying a lot width variance at 1895 Howard Street, to create two substandard width single dwelling lots, on the basis that:

1. The request is not based upon circumstances unique to the property, therefore, strict enforcement of the Code would not constitute an undue hardship.
2. Sixty and 71-foot wide lots are uncharacteristic of this block. Approval would be inconsistent with the intent of the Zoning Code to preserve the character of established neighborhoods.
3. Approval would set a precedent for additional lots with substandard widths on this block.
4. Approval would be inconsistent with Council's recent denial of a similar request in this neighborhood.

If Council wishes to approve this request, approval should be subject to proof by land survey that the existing garage will be at least five feet from the proposed split line.

BACKGROUND

Site Description

Size: 130.83 x 250 feet
Existing Land Use: Single dwelling

Surrounding Land Uses

North: Single dwellings with 125 feet of frontage
East: Howard Street. Across the street, single dwellings on lots with 125 feet of frontage.
South &
West: Single dwellings with frontages in excess of 130 feet.

Past Actions

10-1-81: Council denied a similar lot width variance request for George Lepsche, 1821 Howard Street (the same neighborhood) on the basis that:

1. The request is not based upon circumstances unique to the property, therefore, strict enforcement of the Code would not constitute an undue hardship.
2. A 65 foot wide lot is uncharacteristic of this block. Approval would be inconsistent with the intent of the Zoning Code to preserve the character of existing neighborhoods.
3. Approval would set a precedent for additional lots with substandard widths on this block.

Planning

1. Land Use Plan Designation: RL, lower density residential
2. Zoning: R1, Residence district (Single dwelling)
3. Density: The existing density on this block (Page 8) is five people/net acre. Fourteen people/net acre are permitted. Approval of the proposal would set a precedent for possibly six additional lot divisions on this block, increasing the density to seven people/net acre.
4. Compliance with Land Use Laws:
 - a. Statutory:

Section 462.357 of State Statutes states that "variances from the literal provisions of the zoning code can be granted if:

- (1) Strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration. 'Undue hardship' means the property in question cannot be put to

a reasonable use if used under conditions allowed by the official controls, the plight of the landowner is due to circumstances unique to his property not created by the landowner, and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.

- (2) When it is demonstrated that such actions will be in keeping with the spirit and intent of the ordinance."

b. Ordinance:

- (1) Sections 36-69 and 30-8(f)(1) state that a single-dwelling lot must be no less than 75 feet wide at the building setback line.
- (2) Section 36-71 states that each single dwelling or accessory structure shall have a side yard of not less than five feet. The setback between the proposed split line and the applicant's garage appears to be five feet or less.

Citizen Comments

The owners of nine of thirteen properties within 150 feet of this site responded to a survey. One was opposed. Four of the nine live on Howard Street. In addition, three of the six owners opposed to the 1981 request (1821 Howard Street) and still living on Howard Street, were able to be contacted. Each of the three remains opposed to splitting the lots in this neighborhood. They fear a precedent would be set to permit additional splits which would eventually diminish the character of the neighborhood.

Procedure

1. Planning Commission recommendation
2. City Council decision following a public hearing

Enclosures

1. Resolution
2. Location Map
3. Property Line/Zoning Map

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Maplewood, Minnesota was duly called and held in the Council Chambers in said City on the day of , 1983 at 7:00 p.m.

The following members were present:

The following members were absent:

WHEREAS, Robert Lundquist applied for a variance for the following-described property:

Lot 2, Block 4, Hillcrest Gardens, Section 14, Township 29, Range 22

This property is also known as 1895 Howard Street, Maplewood;

WHEREAS, sections 36-69 and 30-8(f)(1) of the Maplewood Code of Ordinances required no less than 75 feet of lot width at the building setback line;

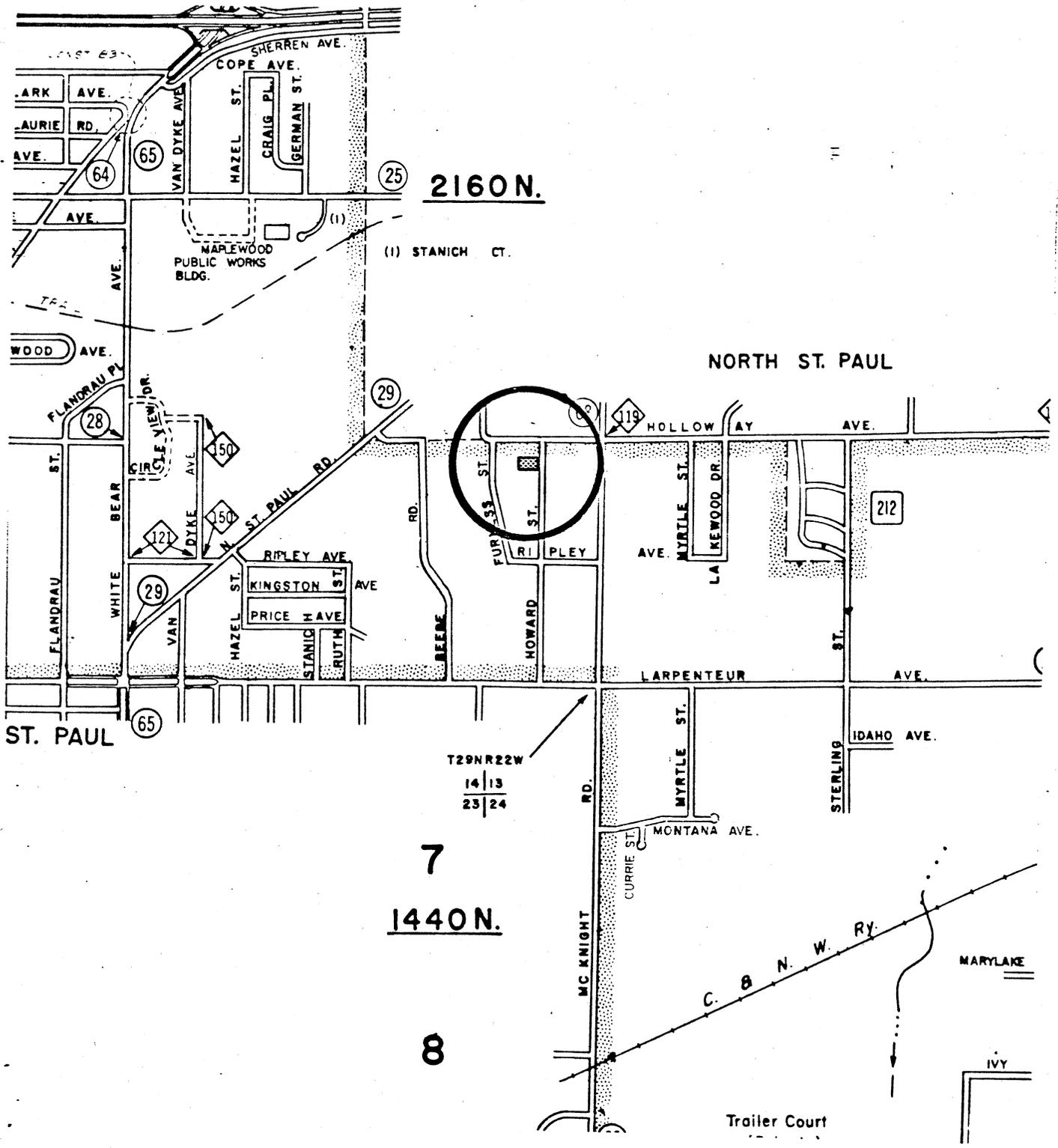
WHEREAS, the applicant is proposing lots with 60 and 71 feet, requiring variances of fifteen and four feet;

WHEREAS, the procedural history of this variance is as follows:

1. This variance was applied for on June 16, 1983.
2. This variance was reviewed by the Maplewood Planning Commission on August 1, 1983. The Planning Commission recommended to the City Council that said variance be
3. The Maplewood City Council held a public hearing on to consider this variance. Notice thereof was published and mailed pursuant to law. All persons present at said hearing were given an opportunity to be heard and present written statements. The Council also considered reports and recommendations of the city staff and Planning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE MAPLEWOOD CITY COUNCIL that the above-described variance be denied on the basis of the following findings of fact:

1. The request is not based upon circumstances unique to the property, therefore, strict enforcement of the Code would not constitute an undue hardship.
2. Sixty and 71-foot wide lots are uncharacteristic of this block. Approval would be inconsistent with the intent of the Zoning Code to preserve the character of established neighborhoods.
3. Approval would set a precedent for additional lots with substandard widths on this block.
4. Approval would be inconsistent with Council's recent denial of a similar



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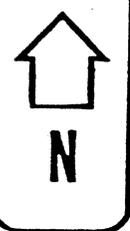
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23 | 24

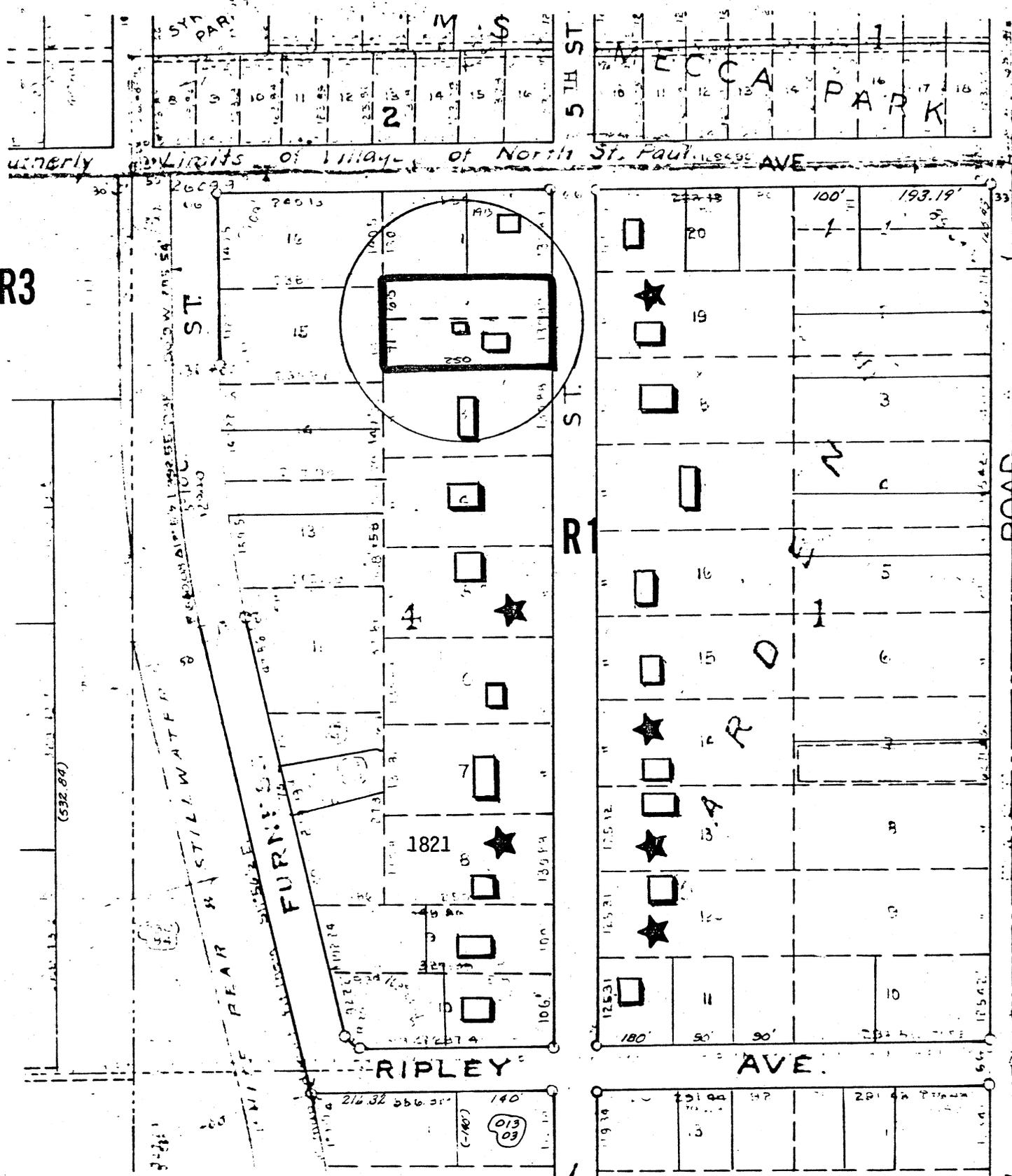
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1440N.

8

LOCATION MAP





PROPERTY LINE / ZONING MAP

★ Potential for additional Lot Division Requests

Attachment Three



D. Variance--1895 Howard (Lundquist)

Secretary Olson said the request is for a lot width variance to divide a parcel into two single-dwelling parcels. Staff is recommending denial. He presented a letter of opposition to the Commission received from some of the neighborhood residence.

Mr. Lundquist said the lot is difficult to maintain, therefore, he thought he would sell a portion of it for development. He thought it was a large enough lot for a large home and would not hurt the area in any way.

Mildred Lundquist, 1895 N. Howard, the only opposition are from residents approximately 500 feet away from the site. Their immediate neighbors were in favor of it.

Cleo Lundquist, said there are many lots on the market that are 40 foot lots and less depth than this particular property. With the availability of public utilities this lot could be developed. There are many floor plans that could be used to built to suit the property. She is in favor of the request.

Mr. Stottlemeyer, 1831 N. Howard, said he is against the proposal. Only a few months ago, Mr. Lepsche had a variance denied. His property is 3 lots north of Ripley. There is also another lot in the area that was denied a variance. They moved out to the neighborhood because of the larger lots. He requested the variance be denied.

Russ Johnson, 1811 N. Howard, said he moved in the neighborhood because of the large lots. They are not in favor of splitting any lot in the neighborhood.

Jerry Sorenson, 1848 Howard, against the splitting of the lot. This could happen to other lots in the neighborhood also.

Mrs. Russel Johnson, 1811 N. Howard, requested the denial of the request They like the larger lots.

Fred Frederickson, 1849 Howard Street, agrees with the neighbors as to the larger lots. He requested the lot division be denied.

Burt Blevens, 1838 Howard, opposed to the request. Increasing the density in this area would be a mistake.

Rebecca LaClune, 1821 Howard, said she likes the larger lots. Does not want the division approved.

Mrs. Lundquist said all of the people that opposed this are at least 500 feet away from their property.

Commissioner Pellish moved the Planning Commission recommend to the City Council approval of the resolution denying a lot width variance 1895 Howard Street, to create two substandard width single-dwelling lots, on the basis that:

1. The request is not based upon circumstances unique to the property, therefore, strict enforcement of the Code would not constitute an undue hardship.
2. Sixty and 71-foot wide lots are uncharacteristic of this block. Approval would be inconsistent with the intent of the zoning code to preserve the character of established neighborhoods.
3. Approval would set a precedent for additional lots with substandard widths on this block.
4. Approval would be inconsistent with Council's recent denial of a similar request in this neighborhood.

Commissioner Whitcomb seconded Ayes--Commissioners Axdahl,
Ellefson, Pellish, Prew, Sigmundik, Sletten, Whitcomb

MEMORANDUM

TO: City Manager
 FROM: Director of Community Development
 SUBJECT: Lot Width Variances
 LOCATION: Farrell St., south of Margaret Ave.
 APPLICANT: Russell Niezgocki
 OWNERS: Russell and Mary Niezgocki
 DATE: July 25, 1983

Action by Council:

Endorsed _____
 Modified _____
 Rejected _____
 Date _____

SUMMARY

Request

The applicant is requesting lot width variances to split a 120-foot wide lot into two sixty-foot wide lots. The applicant plans to construct two single dwellings.

Comments

This case does not meet the two findings required by state law for approving a variance (page two).

1. There is no undue hardship because of circumstances unique to the property. The property can be built on with 120 feet of frontage, as are most of the other lots in the area.
2. The variance would not be in keeping with the spirit and intent of the ordinance. The purpose of the ordinance is to control the number and spacing of homes along a street. The fact that the lots have large areas is not justification for the variance. Deep lots with narrow frontages will still look crowded from the street. The lots on this block are all 120 feet. Granting the variance would alter the character of this block.

Recommendation

Approval of the enclosed resolution denying the variance on the basis that:

1. Strict enforcement would not cause undue hardship because of circumstances unique to this property.
2. The variance would not be in keeping with the spirit and intent of the ordinance.
3. The property can be put to a reasonable use without the variance.
4. Sixty-foot lots would not be consistent with the predominate lot width of 120 feet in the area.

BACKGROUND

Site Description

Area: 120' x 298' = 35,834 square feet

Existing use: vacant

Surrounding Land Uses

North, east and south: single dwellings

Westerly: Lion's Playground

Past Actions

This area was originally platted into 120' x 297.5' lots. Many of these lots have been split. Lot widths range from sixty to 120 feet, with most of the lots being over minimum widths. While most of the sixty-foot wide lots were split in the 1930's, the last one was approved on March 6, 1980 at 501 Farrell Street (two blocks south of the applicant's lot).

Planning

1. Land use plan designation: RL, residential low density
2. Maximum allowed density: 14 people for each net acre. This area has a lower density because of lot areas being larger than the minimum requirements. The proposed lot division would not cause a density problem.
3. Zoning: R-1, residence district (single dwelling)
4. Section 30-8 (f) (1) of city code requires a minimum lot width of 75 feet. The proposed lot widths are sixty feet. A variance of fifteen feet for each lot is required.
5. State law requires that the following findings be made before a variance may be granted:
 - a. Strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration.
 - b. The variance would be in keeping with the spirit and intent of the ordinance.

"Undue hardship" as used in connection with the granting of a variance means the property in question cannot be put to a reasonable use if used under conditions allowed by the official controls. The plight of the landowner is due to circumstances unique to his property, not created by the landowner, and the variance, if granted, will not alter the essential character of the locality.

Citizen Comments

Staff surveyed the twelve property owners within 350 feet of the site. Of the six who responded, one was in favor, three had no opinion and two objected as follows:

1. "The neighborhood is made up of lots approximately 120 feet wide. This makes for a very nice neighborhood. Sixty feet wide is too narrow and packs houses too close together. It would be the same as changing zoning for duplexes. One house would be fine. Two houses would cause a negative effect on the area for those of us who have already invested in the area."

- Richard Radman (2674 Margaret)

2. "There is no reason to allow every speculator who comes along to bend the ordinances in order to make money for himself. He must have bought that property knowing the ordinances and if you allow this variance it will look very suspicious. We moved to the suburbs to get elbow room and this action would be a large slap in the face for the surrounding property owners and in fact for all Maplewood residents."

- Robert and Dorothy Haag (2654 Margaret)

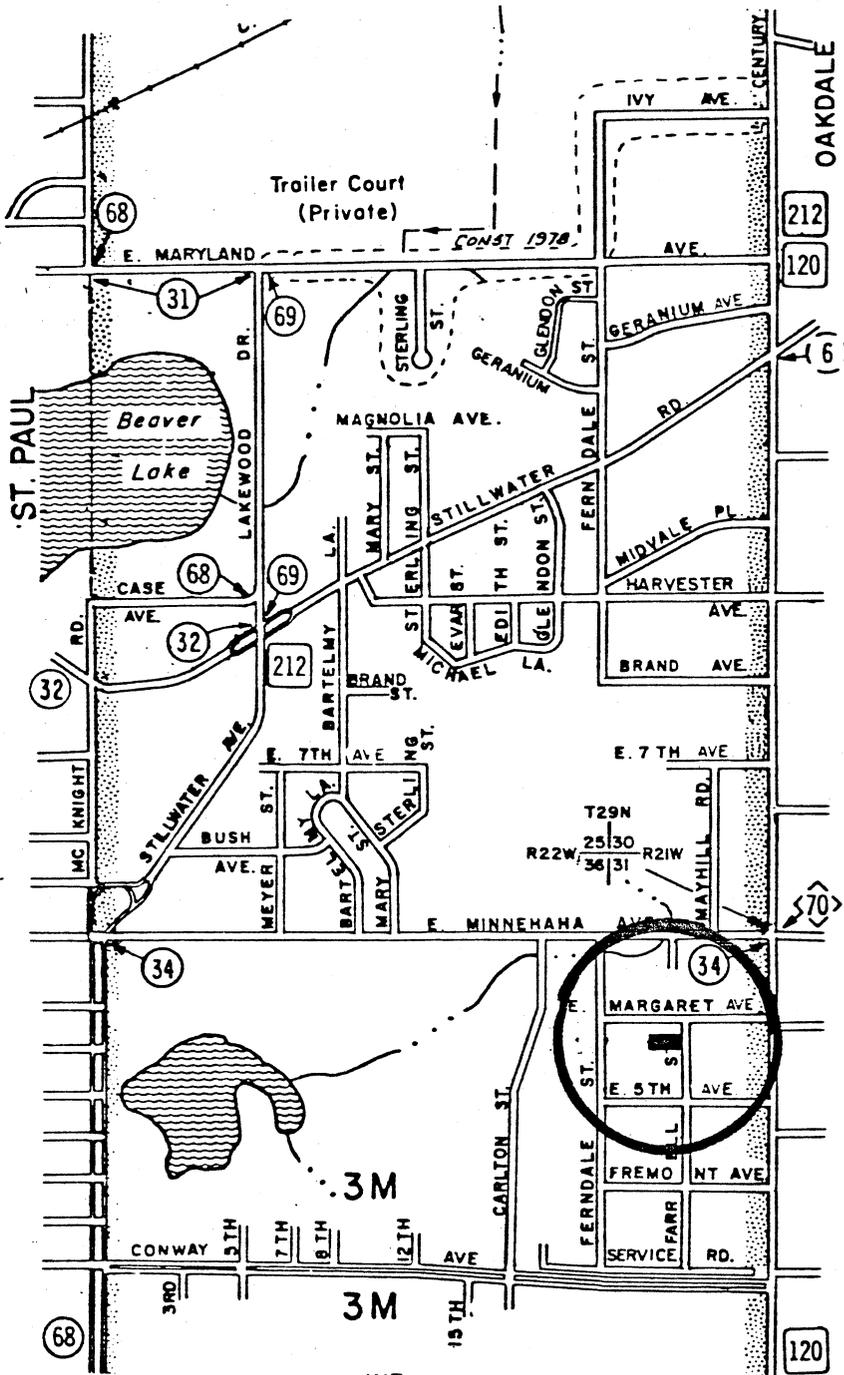
Procedure

1. Planning commission recommendation
2. City council holds a public hearing and makes a decision

mb

Enclosures

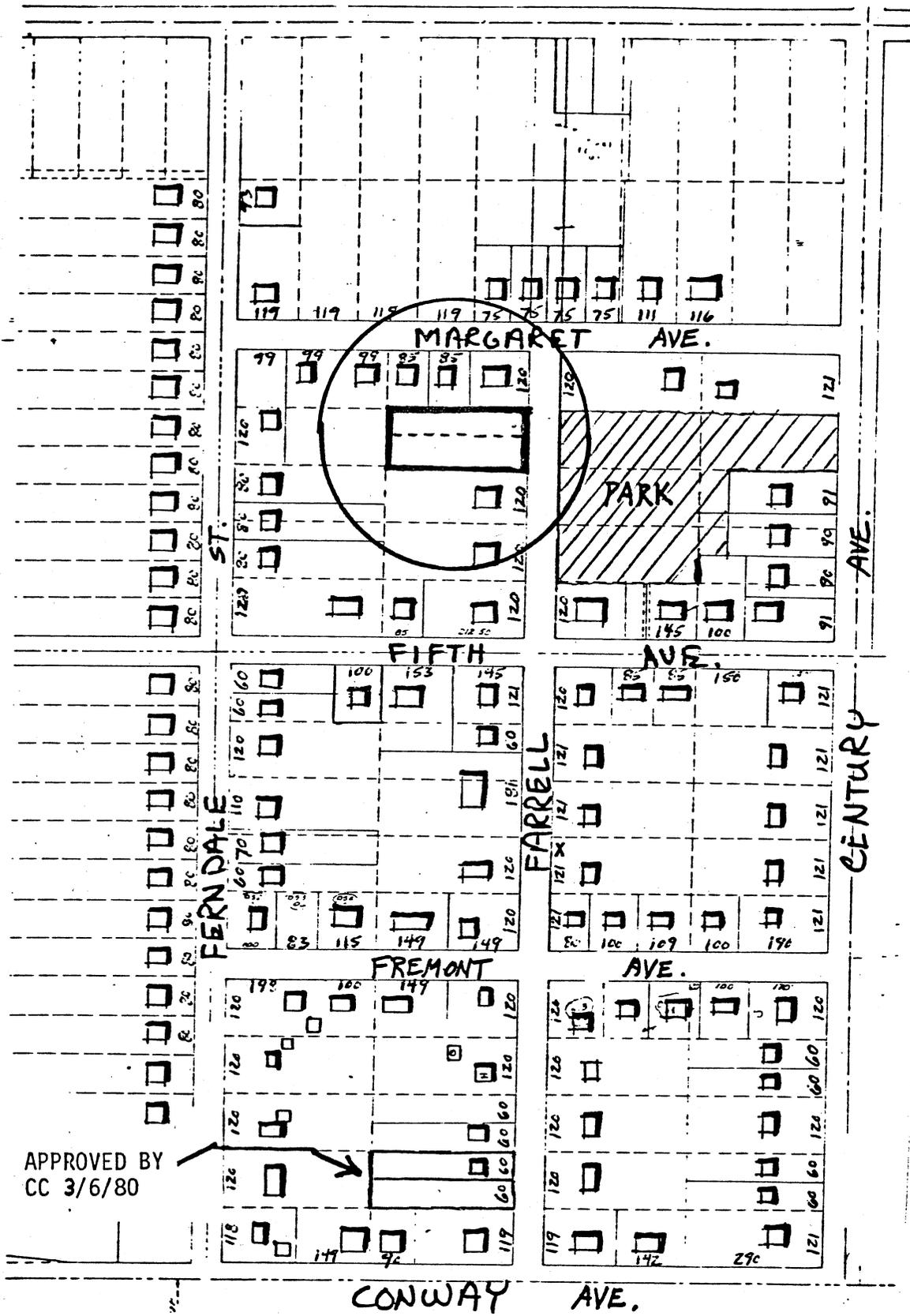
1. Location Map
2. Property Line Map
3. Applicant's Letter
4. Resolution



LOCATION MAP

Attachment One





PROPERTY LINE MAP

Attachment Two



June 15, 1983

By splitting the property, and building two homes on it, I can keep costs down, and make good housing available for two families.

By using the depth of the lot, and putting the houses narrow side to the front, it will have a spacious appearance from the front, keeping with the neighborhood.

Property Owner

Russell Niezgorcki

11/11

Attachment Three

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Maplewood, Minnesota was duly called and held in the Council Chambers in said City on the _____ day of _____, 1983, at 7:00 p.m.

The following members were present:

The following members were absent:

WHEREAS Russell Niezgocki applied for a variance for the following-described property:

Lot 9, Block 3, Farrell's Addition

WHEREAS, Section 30-8 (f)(1) of the Maplewood Code of Ordinances requires a minimum lot width of 75 feet;

WHEREAS, the applicant is proposing to divide a lot into two 60-foot lots requiring a variance of fifteen feet for each lot;

WHEREAS, the procedural history of this variance is as follows:

1. This variance was applied for on June 15, 1983.
2. This variance was reviewed by the Maplewood Planning Commission on August 1, 1983. The Planning Commission recommended to the City Council that said variance be
3. The Maplewood City Council held a public hearing on to consider this variance. Notice thereof was published and mailed pursuant to law. All persons present at said hearing were given an opportunity to be heard and present written statements. The Council also considered reports and recommendations of the city staff and Planning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE MAPLEWOOD CITY COUNCIL that the above-described variance be denied on the basis of the following findings of fact:

1. Strict enforcement would not cause undue hardship because of circumstances unique to this property.
2. The variance would not be in keeping with the spirit and intent of the ordinance.
3. The property can be put to a reasonable use without the variance.
4. Sixty-foot lots would not be consistent with the predominant lot width of 120 feet in the area.

Adopted this _____ day of _____, 1983.

Seconded by _____

Ayes--

E. Variance--Farrell St (Niezgocki)

Secretary Olson said the request is for lot width variances to split a 120-foot wide lot into two sixty-foot wide lots. Staff is recommending denial of the request.

Russell Niezgocki, 1505 Ryan, said he had proposed to construct ramblers on the lot, they would not be too large for the lots. He said his neighborhood, Ryan and Dieter, has 60 foot lots and a 70 and 50 foot lot. There is also a double home. They do not detract from the neighborhood. He thought if the lots were properly utilized they would not detract from the neighborhood.

Commissioner Pellish moved the Planning Commission recommend to the City Council approval of the resolution denying the variance on the basis that:

1. Strict enforcement would not cause undue hardship because of circumstances unique to this property.
2. The variance would not be in keeping with the spirit and intent of the ordinance.
3. The property can be put to a reasonable use without the variance.
4. Sixty-foot lots would not be consistent with the predominant lot width of 120 feet in the area.

Commissioner Sletten seconded Ayes--Commissioners Axdahl,
Ellefson, Pellish, Prew, Sigmundik, Sletten, Whitcomb

MEMORANDUM

4-1

TO: City Manager
 FROM: Associate Planner--Johnson
 SUBJECT: Code Amendment--Minimum Floor Area Requirements
 DATE: July 15, 1983

Action by Council:

Endorsed _____
 Modified _____
 Rejected _____
 Date _____

SUMMARY

Request

Reduce the minimum floor area requirements for single, double and multiple dwellings.

Comments

On July 6, 1983, Council met with the HRA to discuss the HRA's proposed minimum floor area requirements for single, double and multiple dwellings.

Single Dwellings:

Three of the four councilmembers in attendance accepted the HRA's proposed minimums for single dwellings. These minimums are:

Dwelling Type	HRA's Proposed Code	Present Code
1½ story	720 sq. ft. of foundation area	960 sq. ft. of foundation area
bi-level	816 sq. ft. of foundation area	960 sq. ft. of foundation area
tri-level	765 sq. ft. of foundation area	--
two-story	528 sq. ft. of foundation area	720 sq. ft. of foundation area

Multiple Dwellings:

A compromise among the four council members and the HRA yielded the following set of minimum requirements. The proposed requirements would apply to double and multiple dwellings:

Number of Bedrooms	Proposed Code		Present Code	
	Minimum Total Floor Area	Townhouse	Apartment/Condominium	Double Dwelling
1	580 sq. ft.	1000 sq. ft.	650 sq. ft.	600 sq. ft.
2	740 sq. ft.	1150 sq. ft.	880 sq. ft.	600 sq. ft.
3	860 sq. ft.	1300 sq. ft.	1030 sq. ft.	600 sq. ft.
4	1040 sq. ft.	1450 sq. ft.	1180 sq. ft.	600 sq. ft.

Recommendation

- I. Approval of the enclosed ordinance (page 5) amending Sections 36-67 of the Maplewood code to reduce the minimum floor area requirements for single dwellings.
- II. Approval of the enclosed ordinance (page 7) amending Sections 36-86(2), 36-119(b), 36-122(b), 36-124(3) and 36-6 of the Maplewood Code to establish one set of minimum floor area requirements to be applied uniformly to double and multiple dwellings.

BACKGROUND

Past Actions

1. Single Dwellings:

6-9-81: The HRA recommended that the Uniform Building Code should be established as the minimum floor area for all single dwellings and as a second choice it was recommended that 800 square feet should be established for all single dwellings.

10-5-81: The Planning Commission recommended the following minimum floor areas for single dwellings (total habitable space):

1. One-story dwelling: 800 square feet
2. Tri-level dwelling: 765 foundation area
3. Bi-level and 1½-story dwelling: 672 foundation area
4. Two-story dwellings: 528 foundation area

Definitions for each style of single dwelling were also recommended.

November 19, 1981:

- a. Council gave first reading to reducing the minimum floor area requirement for one-story single dwellings from 1,040 to 950 square feet.
- b. Recommendations regarding the reducing a minimum floor area requirements for other types of single dwelling residences were tabled for further information.

December 16, 1981: Council gave final approval to reducing the one-story single dwelling minimum from 1,040 to 950 square feet.

January 21, 1982: Council unanimously moved first reading of an ordinance amending the code to establish a minimum floor area of 765 square feet for levels at and above grade for tri-level dwellings and to retain the current requirements (960 square feet for bi-level and 1½-story and 720 square feet for two-story dwelling) for other single-dwelling residence types.

February 18, 1982: The amendment given first reading on January 21, failed for lack of support with three votes in favor. (Four votes were required for approval.) No reasons were stated in the minutes for two dissenting votes.

June 23, 1982: Council authorized the HRA at the HRA/Council annual meeting to reconsider the possibility of reducing the minimum floor area requirements for all forms of residential construction. There was some confusion among the Council members as to the results of the 2-18-82 action. Council also requested a work session to discuss the issues and recommendations prior to formal Council hearing.

2. Double and Multiple Dwellings:

6-13-83: Council tabled first reading of the HRA's recommendation until the issues could be discussed at a joint meeting with the HRA. The HRA's recommendation was to reduce the floor area minimums for double and multiple dwellings as follows: 475 square feet, 650 square feet, 785 square feet and 940 square feet for one through four bedroom units, respectively.

ADMINISTRATIVE

Procedure

1. First reading at a public hearing
2. Second reading and Council decision (At least four votes in favor for approval.)

mb

Enclosures

1. Single Dwelling Ordinance Amendment
2. Double and Multiple Dwelling Ordinance Amendment
3. Letters of Support from Area Builders
4. Minutes of Joint HRA & City Council Meeting

AN ORDINANCE AMENDING THE ZONING CODE RELATING TO
MINIMUM FLOOR AREA REQUIREMENTS

THE COUNCIL OF THE CITY OF MAPLEWOOD DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Section 36-67 (6) is amended to read as follows (language to be added is underlined):

Sec: 36-67. Dwelling-houses;-room-requirements;-first-floor-area;-ete.
Minimum floor area requirements.

~~(a)-In every dwelling house erected in an R-1 Residence District, there shall be at least three (3) livable rooms.~~

~~(b)-The overall first floor dimensions of any dwelling house erected in an R-1 Residence District shall not be less in area than the following:~~

a. The foundation area for any R-1 single dwelling shall not be less than the following:

(1) A one floor, rambler-type home story dwelling:
950 square feet

(2) One-and-one-half 1½-story dwelling: Nine-hundred-sixty (960)-square-feet 720 square feet

(3) A bi-level dwelling: 816 square feet

(4) A tri-level dwelling: 765 square feet

(5) {3} A two {2}-story dwelling: seven-hundred-twenty-{720}
528 square feet

~~(b)-No livable room in such dwelling, except the kitchen, shall be less in area than ninety (90) square feet.~~

b. Room size and number shall be consistent with Uniform Building Code standards.

SECTION 2. Section 36-6 Definitions is amended to add the following new subsections:

Dwelling, single: A detached building on a lot, designed and occupied exclusively as a residence for one family

a. One-story dwelling: single floor level; usually at grade level

b. 1½-story dwelling: two floor levels; one at grade and one above grade, which does not have full ceiling height for the entire above-grade level

c. Bi-level dwelling: two floor levels; usually one four feet below grade, one four feet above grade, both with full ceiling height. May be on sloping lot with lower level partially exposed.

d. Tri-level dwelling: three floor levels; usually one four feet below grade, one at grade, and one four feet above grade, all with full ceiling height.

e. Two-story dwelling: two floor levels; one at grade and one above grade, both with full ceiling height.

Foundation area: The gross horizontal area of the building foundation, including a tuckunder garage, measured from the exterior side of a frost wall or basement wall.

Grade: as defined by the Uniform Building Code.

SECTION 3. This ordinance shall take effect upon passage and publication.

Passed by the Maplewood City Council
on _____, 1983.

Mayor

Attest:

Clerk

Ayes -
Nays -

ORDINANCE NO.

AN ORDINANCE AMENDING THE ZONING ORDINANCE
RELATING TO MINIMUM FLOOR AREA REQUIREMENTS

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MAPLEWOOD AS FOLLOWS (crossed out language to be deleted, proposed language is underlined):

- Section 1. Section 36-86(2) is amended to read as follows:

- (2) ~~Double-dwellings, either one or two (2) stories, double bungalows with court or patio, each living quarter having a minimum of six hundred (600) square feet of floor area. Duplexes must have a minimum of twelve hundred (1200) square feet of floor area.~~

The minimum habitable floor area for each R-2, Residence District dwelling unit shall be at least:

580 square feet per efficiency or one-bedroom unit
740 square feet per two-bedroom unit
860 square feet per three-bedroom unit
1040 square feet per four-bedroom unit

Section 2. Section 36-119(b) is amended to read as follows:

- (b) Floor area. The minimum habitable floor area for each R-3A multiple dwelling shall be at least:

580 500 square feet per efficiency or one-bedroom unit
650 square feet per one-bedroom unit
740 880 square feet per two-bedroom unit
860 square feet per three-bedroom unit
1040 square feet per four-bedroom unit

~~For each additional bedroom, the floor space shall be increased by 150 square feet per unit.~~

Section 3. Section 36-122(b) is amended to read as follows:

- (b) Minimum habitable floor area. The minimum floor area for each R-3B multiple dwelling shall be at least:

580 500 square feet per efficiency or one-bedroom unit
650 square feet per one-bedroom unit
740 880 square feet per two-bedroom unit
860 square feet per three-bedroom unit
1040 square feet per four-bedroom unit

~~For each additional bedroom, the floor space shall be increased by 150 square feet per unit.~~

Section 4. Section 36-124(3) is amended to read as follows:

(3) Floor area. ~~No townhouse multiple dwelling structure constructed in the city shall have less than one thousand one hundred fifty (1,150) square feet per dwelling unit for a two-bedroom unit, plus one hundred fifty (150) square feet for each additional bedroom. The minimum habitable floor area for each R-3C multiple dwelling shall be at least;~~

~~580~~ 500 square feet per efficiency or one-bedroom unit

~~650~~ square feet per one-bedroom unit

~~740~~ 880 square feet per two-bedroom unit

~~860~~ square feet per three-bedroom unit

~~940~~ square feet per four-bedroom unit

~~For each additional bedroom, the floor space shall be increased by 150 square feet per unit.~~

Section 5. Section 36-6 Definitions is amended to add the following new subsection:

Habitable floor Area: Residential floor area which meets the Uniform Building Code requirements for ceiling height, light and ventilation.

Section 6. This ordinance shall take effect upon passage and publication.

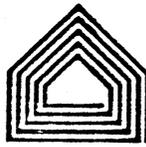
Passed by the Maplewood City Council
this day of , 1983.

Mayor

ATTEST:

Clerk

Ayes--
Nays--



File when done *Blair*
Le...

TILSEN HOMES INC.

12/14/83

Suburban Developments

Residential Construction

Land Developers

June 10, 1983

Mayor John Graveau
City of Maplewood
1380 Frost Avenue
Maplewood, Minnesota 55109

Dear Mayor;

As a long time builder and developer in this community, we would like to lend our support to the changes in the minimum size requirements for attached dwellings. This will provide a chance for a greater variety of housing options in Maplewood, which will give more people a chance to live in the city, and can help improve the city tax base. There are any number of excellent buildings and subdivisions across the country of these smaller sized homes that are both a credit to their community and a good living environment. We commend the city for considering this change.

Yours truly,

James A. Tilsen
Vice President

JAT:jh

Builders of
tilsen HOMES



Gaughan Land Inc.

1068 So. Lake - Suite 210

Forest Lake, Mn. 55025

~~464-7400~~
~~786-6320~~

February 8, 1983

Randall Johnson
City Planner
City of Maplewood
1902 East Cty. Rd. B
Maplewood, Mn. 55109

RE: City of Maplewood Floor Area Requirements for Multiple Family Units

Dear Mr. Johnson:

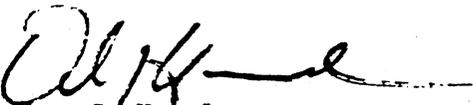
Currently, the City has minimum floor area requirements that greatly exceed those of many other twin city communities. For example, the one bedroom minimum square footage at 650 square feet is considerably larger than the U.S. Department of Housing and Urban Development suggests as a minimum for one bedroom units.

I recommend that the City of Maplewood review its minimum floor area requirements to determine if a reduction in size is warranted. Our firm is constructing for sale condominium units where the minimum floor area is less than the City's required square footage. A desirable alternative may be to review the standards established by the U.S. Department of Housing and Urban Development, or, review the square footage requirements found in the uniform building code.

If I can be of any additional assistance to you, please feel free to contact me at 464-7400.

Sincerely yours,

GAUGHAN LAND, INC.


Alan J. Hamel
Director of Planning & Development

AJH:jb



ED CAVE & SONS, INC.
GENERAL CONTRACTORS
2499 N. RICE STREET
ROSEVILLE, MINNESOTA 55113



New Homes
Land Development
Renovation
Commercial

482-9667

SAM CAVE, PRESIDENT
DANIEL M. O'BRIEN - VICE PRESIDENT
February 3, 1983

FEB 07 1983

Mr. Randy Johnson
City of Maplewood
1380 Frost Avenue
Maplewood, MN 55109

Dear Sir:

I understand that you may consider replacement of the present new home minimum floor area standards with U.B.C. requirements. This letter is intended to support such a change.

Today's home buyer often seeks a compact-sized home rather than a larger model.

Family sizes are smaller. Often consisting of only a single person.

Homes that are larger than the buyer needs are wasteful.

Larger units need more energy to heat and cool.

The greater cost forces some buyers to go elsewhere or pay for space they don't need.

These requirements tend to discriminate against home buyers who have small space requirements. These are single people, couples without children or empty nesters.

Some home models that are successful in other cities cannot be built in Maplewood.

With interest rates so high it seems burdensome to ask people to purchase a home larger than they really need.

Most new homes will still be larger than the minimums but, then, at least the change would allow for more variation.

Sincerely,

Ed Cave & Sons, Inc.

Samuel S. Cave
President

SSC/kgh

29 MAR 83

City of Maplewood
Randy Johnson

Dear Mr. Johnson,

I understand that the city of Maplewood is considering reduction of the size of the minimum floor square footage for multiple housing. In view of the excessive cost of housing, I feel this reduction is in the best interest of the city.

Sincerely

Richard Schaefer
2125 DeSoto
Maplewood
55117

MINUTES
JOINT MEETING
MAPLEWOOD HOUSING AND REDEVELOPMENT AUTHORITY
AND
CITY COUNCIL

-1. Call to Order

Chairman Fischer called the meeting to order at 7:05 p.m.

2. Roll Call

HRA

Commissioner Bryant - Absent
Commissioner Fischer - Present
Commissioner Larson - Present
Commissioner Schmit - Present
Commissioner Zugschwert - Absent

CITY COUNCIL

Mayor Greavu - Present
Councilmember Anderson - Present
Councilmember Bastian - Present
Councilmember Juker - Present
Councilmember Maida - Absent

3. Approval of Minutes

The June 14, 1983 minutes were accepted as submitted.

4. Approval of the Agenda

The agenda was approved as submitted.

5. Communications

None

6. Unfinished Business

A. Reduction of Minimum Floor Area Requirements

1. Double and Multiple Dwellings

Mayor Greavu and Councilmember Bastian were receptive to the HRA's recommendation of 475 sq. ft., 650 sq. ft., 785 sq. ft. and 940 sq. ft. for one through four-bedroom units. Councilmembers Anderson and Juker felt the requirements should be higher. A compromise was arrived at: 580 sq. ft., 740 sq. ft., 860 sq. ft. and 1040 sq. ft. for one through four-bedroom units. This set of requirements would also apply to all double and multiple dwelling units, unlike in the past where individual requirements existed for townhouse, apartment/condominium and double dwellings.

It was acknowledged that the present code provision requiring 120 sq. ft. of storage area in addition to the minimum required area should be retained. Councilmember Bastian expressed concern that the suggested requirements were too large.

2. Single Dwellings

Mayor Greavu and Councilmembers Anderson and Bastian accepted the HRA's proposed minimum foundation area requirements of 720 sq. feet--1½ story; 816 sq. ft.--bi level; 765 sq. ft.--tri level and 520 sq. ft.--two-story. Councilmember Juker thought these requirements, excluding the tri-level proposal--were too small. No revised foundation areas were proposed.

7.- Council Presentations

None

8. New Business

A. Tax Exempt Mortgage Revenue Bonding Authority:

It was explained that this bonding authority should be relinquished, since the first-time home buyer/senior citizen program will not be pursued. A local contribution of 15.8 percent would require a tax-increment district. The entire \$7.25 million authorized would also most likely have to be issued. With an improved housing market, it was suggested that council take a "wait and see" attitude until December 1984 before considering a tax-increment district for family housing. A letter was authorized to be sent to the Minnesota Housing Finance Agency to relinquish Maplewood's 1983 allocation of tax-exempt bonding authority.

B. Election of Officers:

Tabled until all five members are present

9. Next Meeting Date

The body decided not to meet in August unless absolutely necessary. The next regular meeting was set for Tuesday, September 13, 1983.

10. Ajournment

Commissioner Larson moved and Commissioner Schmit seconded to adjourn at 9:05 p.m.

ORDINANCE NO.

Action by Council:

AN ORDINANCE REGULATING LARGE ASSEMBLIES

Endorsed _____

Modified _____

Rejected _____

Date _____

THE CITY COUNCIL OF THE CITY OF MAPLEWOOD ORDAINS:

Section 20-15

LARGE ASSEMBLIES

Purpose. In order to regulate the assembly of large numbers of persons whose presence in the City can reasonably be anticipated to exceed the capability of the health, sanitary, fire, police, transportation and utility services provided by the City of Maplewood and in order to establish regulations which protect the health, safety and welfare of all persons within the City, the City Council of the City of Maplewood establishes the following regulations.

Section 20-16

DEFINITIONS

(a) Large assembly means a gathering numbering more than 500 persons; or actions by one or more persons the intention of which is to attract and assemble a gathering of persons in excess of 500 at a single time and place for any purpose.

Section 20-17

LICENSE REQUIRED

No person shall permit, maintain, promote, conduct, advertise, manage, sell, barter or give tickets to an actual or reasonably anticipated assembly of 500 or more people which continues or which can reasonably be expected to continue for 6 or more consecutive hours, whether on public or private property, unless a license to hold the assembly has been first issued by the City Council as provided herein. In addition to the license required herein, the applicant must possess and submit to the City any other necessary Minnesota State licenses and/or permits necessary to carry on the assembly.

Section 20-18

EXCLUSIONS

The following large assemblies do not require a license:

- (a) Large assemblies sponsored by the City of Maplewood.
- (b) This ordinance shall not apply to any regularly established, permanent place of worship, stadium, athletic fields, arena, auditorium, colliseum or other similar permanently established place of assembly or assemblies which do not exceed one hundred fifty (150%) percent of the maximum occupancy of said building.

Section 20-19

LARGE ASSEMBLIES PROHIBITED IN CERTAIN AREAS

Large assemblies may be prohibited and a license denied upon a finding by the City Council that the proposed assembly is incompatible with existing residential land uses. Factors considered in determining incompatibility including without limitation, noise, lighting, traffic, sanitation, congestion of persons, communications, water supply, waste disposal, enforcement of laws against contraband of all types, physical damage to adjoining properties, parking areas, fire hazard, containment on the site, obedience to other ordinances of the City and State and Federal Statutes, and other factors affecting the public health, safety and welfare of the public.

Section 20-20

APPLICATION FOR LICENSE

The application for a large assembly license shall be made in writing and filed with the City Clerk no less than 45 days in advance of the proposed date for the large assembly, upon forms supplied by the City Clerk. The application shall contain, without limitation, the following information:

- (a) The name, age, residence, social security number and mailing address of the applicant, if an individual, all partners if a partnership, and all officers of the corporation if the applicant is a corporation.
- (b) The address and legal description of all property which will be in any way used or occupied by the large assembly.
- (c) The names and addresses of all persons holding an equitable or legal interest in land, except mortgagees, where the proposed large assembly is to be conducted together with a written statement of their approval of such use.
- (d) The names and addresses of all persons with a legal or equitable interest in the land which abuts the subject property.
- (e) A full description of the nature, purpose and extent of the proposed large assembly.
- (f) The maximum number of persons which the proposed large assembly will attract at any given time, together with the dates and hours during which the proposed large assembly will be conducted, said assembly shall not be held past 7 p.m. any given day.
- (g) The names, addresses, social security number, credentials, hours of availability, and deployment of security officers, and other general plans for security to be utilized at the proposed large assembly by the applicant.
- (h) A full description of plans for sound amplification and sound control to be utilized by the applicant.

(i) Plans for any food or other concession which will be provided, together with the name, address and licensing information of all concessionaires.

(j) All other information which would be required by the provisions of Section 20-22.

(k) Any other information required or requested by the City Clerk or the City Council of the City of Maplewood.

(l) All advertising literature, signs, and posters shall be removed within 36 hours from the termination of the large assembly.

(m) The nonrefundable investigation fee Section 20-21.

Section 20-21

ADMINISTRATIVE FEES

The applicant for large assembly license shall pay an investigation fee of \$100 which will be nonrefundable. As a condition of granting a license the City may require establishing of a cash escrow to be deposited with the City Clerk. The cash escrow shall be used to guarantee payment by the applicant of the City's costs for legal, engineering, planning, sanitation, health, traffic control, and other law enforcement services which are directly attributable to the large assembly.

Section 20-22

CONDITIONS OF APPROVAL IN GRANTING A LARGE ASSEMBLY LICENSE

The City Council may impose any condition reasonably required to protect the health, safety and welfare of the general public and the persons assembled, including without limitation the following elements:

(a) A fence, barrier or other enclosure which controls and regulates ingress and egress to and from the assembly with reasonable safety and speed.

(b) A potable water supply, meeting all local, state and federal standards for sanitation, quality and quantity at the rate of one gallon per person per day.

(c) Separate enclosed toilets for males and females which meet state specifications, conveniently located throughout the grounds, in sufficient numbers to meet the Minnesota State Board of Health Regulations and Standards.

(d) An efficient and sanitary method of disposing of solid waste at the rate of at least 2.5 pounds per person per day together with provisions for restoration of the site to its original condition.

(e) A lighting plan for safe illumination during the hours of darkness.

(f) Security officers, private, off-duty or on duty Minnesota Law Enforcement Peace Officers in sufficient numbers to provide for adequate safety and security of the proposed assembly. Security and traffic control must meet the requirements of all state authorities and approval of the Maplewood Chief of Police.

(g) An administrative Communications Control Center of communication with City Officials either by messenger or telephone while the Large Assembly is being operated.

(h) Sufficient physicians, nurses, or other medical personnel licensed to practice in the State of Minnesota sufficient to provide emergency medical care together with an enclosed, covered structure where treatment may be rendered, together with at least two emergency ambulances with attendants for each 5,000 people anticipated in the proposed assembly.

(i) A parking area off the public right-of-way and inside the proposed large assembly area sufficient to provide parking space for one vehicle per each four persons anticipated. Permission for parking from all affected property owners must be obtained.

(j) A fire protection plan to be provided by the applicant, including without limitation, an alarm system, fire extinguishing devices, fire lanes, together with sufficient personnel supplied by the applicant to efficiently operate the required equipment.

(k) Copies of descriptions of all proposed advertising to insure that the proposed advertising confirms with the plans as presented to the City Council.

(l) Any reasonable restrictions on sound and sound reproduction and amplification as are necessary to contain unreasonable noise within the enclosed boundaries of the location of the large assembly.

(m) A Surety Bond or other financial guarantee approved as to form by the City Attorney and established by the City Council in an amount not less than Five Thousand (\$5,000) Dollars to guarantee performance by the applicant of the conditions imposed by the City Council in granting the large assembly license.

(n) A comprehensive general liability insurance policy covering any and all damages, claims or other liabilities arising out of the operation of the large assembly whether incurred by the City of Maplewood or by any other association or person.

Section 20-23

MAXIMUM SIZE

The City Council may limit the size of the large assembly after considering without limitation, those matters set forth in Section 20-19.

Section 20-24

OVERNIGHT CAMPING

No person holding a large assembly license shall permit, and no participant in a large assembly shall remain overnight at the location of a large assembly, except for a reasonable number of persons required for security purposes.

Section 20-25

ENFORCEMENT

The large assembly license shall be issued by the City Clerk after approval thereof by the City Council. The license shall contain a statement of all conditions attached by the City Council in issuing the license. Enforcement of this ordinance and of any large assembly license may take any of the following forms within the discretion of the City:

- (a) Enforcement by declaring such large assembly to be a public nuisance followed by abatement procedures provided by statute or ordinance.
- (b) Enforcement by injunction, declaratory judgment, or any other civil remedy by any court of competent jurisdiction.
- (c) Enforcement by issuing a citation or criminal complaint against persons parking automobiles in violation of the ordinance or any condition of the large assembly license and the towing of such automobiles at the expense of such persons.
- (d) Enforcement by disbursing all persons gathered at such large assembly.
- (e) Enforcement by revoking the large assembly license, ordering removal of all large assembly paraphernalia and the disbursing of persons gathered at the large assembly.

Section 20-26

PENALTY

Any person who obtains a large assembly license, and any employee or agents thereof who violates this ordinance or any condition of any large assembly license issued upon conviction thereof by lawful authority, shall be punished by a fine not to exceed Seven Hundred Fifty (\$750) Dollars or by imprisonment not to exceed ninety (90) days or both.

Section 20-27

PENALTY FOR VIOLATION BY PARTICIPANTS

The applicant shall be required to post copies of the large assembly license at several locations in and about the premises, including the automobile parking area. Any participant in the large assembly, other than the applicant and its employees, who violates any provision of such posted conditions which is specifically applicable to participants, upon conviction thereof by lawful authority, shall be punished by a fine not to exceed Seven Hundred Fifty (\$750) Dollars and by imprisonment not to exceed ninety (90) days, or both.

Section 20-28

EFFECTIVE DATE

This ordinance shall be in full force and effect from and after its passage and publication in accordance with law.

Mayor

Passed by the City Council of the City
of Maplewood this _____ day of
_____, 1983.

ATTEST:

City Clerk

AYES -

NAYS -

H-3

Action by Council:

Endorsed _____
Modified _____
Rejected _____
Date _____

ORDINANCE NO.

AN ORDINANCE AMENDING SECTION 5-71 (b)

OF THE MAPLEWOOD CODE

THE CITY COUNCIL OF THE CITY OF MAPLEWOOD DOES HEREBY ORDAIN AS FOLLOWS:

Section 1.

The section 5-71(b) of the Maplewood Code of Ordinances is hereby amended to read as follows:

(b) No "off-sale" sale of such liquor shall be made before 8:00 a.m. or after 8:00 p.m. on Monday, Tuesday, Wednesday, Thursday ~~or~~ Friday, and before the hour of 8:00 a.m. or after the hours of 10:00 p.m. on Friday and Saturday, and no such "off-sale" sale liquor shall be made at any time on Sunday. No "off-sale" shall be made on New Year's Day, January 1; the last Monday in May; Independence Day, July 4; Thanksgiving Day; or Christmas Day, December 25; but on the evenings preceding such days, notwithstanding the above provisions "off-sales" may be made until 10:00 p.m.; except that no "off-sale" shall be made on December 24 after 8:00 p.m.

Section 2.

This ordinance shall take effect to be in force from and after its passage and publication, as provided by law.

Mayor

Passed by the City Council of the
City of Maplewood this _____
day of _____, 1983.

ATTEST:

City Clerk

AYES:

NAYS:

ORDINANCE NO.

H-4
Action by Council:

AN ORDINANCE AMENDING SECTION 7-52
OF THE MAPLEWOOD CITY CODE

Endorsed _____
Modified _____
Rejected _____
FOLLOWS: _____

THE CITY COUNCIL OF THE CITY OF MAPLEWOOD DOES HEREBY ORDAIN AS FOLLOWS:
Section 1. That the City of Maplewood Code of Ordinances hereby amended by deleting therefrom in its present form and entirety Section 7-52 thereof and by substituting a lieu of the same of the following:

Section 7-52. Duty of Dog Owners. It shall be the obligation and responsibility of the owner or custodian of any dog in the City, whether permanently or temporarily therein, to prevent any such dog at any time to be on any street public park, school grounds, or public place without being effectively restrained by a chain or leash not exceeding eight (8) feet in length.

Any person having custody or control of any dog ^{shall} ~~should~~ have the responsibility for cleaning up any feces of the animal and dispose of such feces in a sanitary manner. It shall furthermore be the duty of each person having the custody and control of any dog to have on such person possession of a device or equipment for picking up and removal of animal feces. The provisions of this paragraph shall not apply to a guide dog accompanying a blind person or to a dog when used in police or rescue activities.

It shall be unlawful for any person to own, keep, have in his possession, or harbor any dog which, by frequent and habitual howling, yelping, barking or otherwise shall cause serious annoyance to persons or to the neighborhood; Failure on the part of the owner or custodian to prevent a dog from committing said acts shall be subject to penalty provided in Section 7-20 of this article.

Section 2. This ordinance shall take effect and be in force from and after the date of its publication.

Passed by the City Council of
the City of Maplewood this
_____ day of _____ 1983.

Mayor

ATTEST:

City Clerk

Ayes -

Nays -

Sec. 7-41. Exemptions from division.

The provisions of this division requiring a permit shall not apply to nonresidents of the city who are keeping only domestic pets; provided that, animals of such owners shall not be kept in the city longer than thirty (30) days and the animals are kept under restraint. (Code 1965, § 1101.160)

Secs. 7-42—7-50. Reserved.

**DIVISION 3. RUNNING AT LARGE;
CONSTITUTING A NUISANCE****Sec. 7-51. Generally.**

All dogs shall be kept under restraint at all times in the city. (Code 1965, § 1101.080; Ord. No. 368, § 2, 7-18-74)

Sec. 7-52. Duty of owner, etc., to prevent dog from constituting a nuisance; "nuisance" defined; etc.

It shall be the obligation and responsibility of the owner or custodian of any dog in the city, whether permanently or temporarily therein, to prevent any such dog from committing any act which constitutes a nuisance as defined herein. It shall be considered a nuisance for any dog to bark at night, to frequent school grounds or public beaches, to chase vehicles, to molest or annoy any person, if such person is not on the property of the owner or custodian of such dog, or to molest, defile or destroy any property, public or private. Failure on the part of the owner or custodian to prevent a dog from committing a nuisance shall be subject to the penalty provided in section 7-20 of this article. (Code 1965, § 1101.080; Ord. No. 368, § 2, 7-18-74)

Sec. 7-53. Female dogs in heat.

Every female dog in heat in the city shall be confined in a building or secure enclosure in such manner that such female dog cannot come into contact with another animal, except for planned breeding. (Code 1965, § 1101.120)

H-5

ORDINANCE NO.

AN ORDINANCE AMENDING SECTION 7-100
OF THE MAPLEWOOD CITY CODE

Action by Council:

LICENSE PREMISES TO PROTECT NEARBY
RESIDENTIAL PROPERTY FROM DISTURBANCES
LICENSES SUBJECT TO CANCELLATION FOR
VIOLATION.

Endorsed _____
Modified _____
Rejected _____
Date _____

THE CITY COUNCIL OF THE CITY OF MAPLEWOOD DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Section 7-100 of the Maplewood Code is amended to read as follows: Any person obtaining a small kennel license under this division shall be required to house such dogs in a manner and under such conditions which will guarantee that said dogs will not cause a disturbance by barking, howling or otherwise causing noise. Such facilities shall be so located as to protect nearby residential properties from any disturbances whatsoever emanating from the licensed kennel. If the intent and purposes of this section cannot be achieved, no license to maintain such kennel shall be granted. If after a license has been granted any violation of this section occurs, the council may cancel such license.

Section 2. This ordinance shall take effect upon adoption and publication.

Passed by the City Council of the
City of Maplewood this _____ day
of _____ 1983.

ATTEST:

Mayor

City Clerk

Ayes -

Nays -

Sec. 7-100. Licensed premises to protect nearby residential properties from disturbances; licenses subject to cancellation for violation of section.

Any person obtaining a small kennel license under this division shall be required to house such dogs in a manner and under such conditions which will guarantee that said dogs will not cause a disturbance at night by barking, howling or otherwise causing noise. Such facilities shall be so located as to protect nearby residential properties from any disturbances whatsoever emanating from the licensed kennel. If the intent and purposes of this section cannot be achieved, no license to maintain such kennel shall be granted. If after a license has been granted any violation of this section occurs, the council may cancel such license. (Code 1965, § 1103.060)

Sec. 7-101. Limitation on number of dogs over three months of age that may be kept on licensed premises.

The maximum number of dogs over three (3) months of age which may be kept under a small kennel license issued under this division shall be six (6). (Code 1965, § 1103.050)

Secs. 7-102—7-115. Reserved.

ARTICLE III. CATS

DIVISION 1. GENERALLY

Sec. 7-116. Definitions.

For the purpose of this article, the following words, terms and phrases shall have the following respective meanings ascribed to them:

Animal shelter: Any premises designated by the city manager for the purpose of impounding and caring for animals held under authority of this article.

Cat: Any animal that is a member of the feline species.

Clerk: The city clerk.

I-1

MEMORANDUM

Action by Council:

TO: City Manager
FROM: Director of Community Development
SUBJECT: Plan Review Appeal
LOCATION: County Road B and Rice Street
APPLICANT: Super Value Stores
OWNERS: Dr. Howard Taylor, Marlen T. Chrysler and Dart Transit Co.
PROJECT: CUB Foods
DATE: August 16, 1983

Endorsed _____
Modified _____
Rejected _____
Date _____

SUMMARY

Request

Approval of plans for CUB Foods. Plans were approved by the Community Design Review Board, but their decision was appealed by the two property owners to the south, (Mr. Schroeder and Mr. Dean).

Project Description

1. Building area: 77,000 square feet
2. The dentist's office building would be relocated and a new one built on the southwest corner of this site.
3. Truck Utilities building would be removed.
4. Parking: 619 parking spaces are proposed. 385 are required. The spaces would measure 10 by 20 feet. All parking requirements would be met. There are enough spaces proposed to provide for the future dental office.
5. Exterior materials: Flat concrete block painted beige and precast concrete panels with a raked finish painted dark brown.
6. Building aesthetics: The proposed building would be compatible with the surrounding development--Sinclair service station and Schroeder Milk.
7. Trash receptacle enclosure: Two closed-system trash container/compactors are proposed. Refuse would be placed in the containers from inside the store. The containers would not have openings to the outside. City Code requires that these units be screened on three sides with a masonry material compatible to the building and have a 100% opaque gate.
8. Site lighting: Parking lot lighting would be provided.

Comments

The enclosed letter from John Shardlow (page 14) summarizes the objection of the southerly property owners. The following comments respond to the issues raised on the second and third pages of this letter.

1. Land Use

The city land use plan shows a concept and not a specific division line between residential and commercial. The steepest grade occurs along the east property line of Mr. Schroeder. This is the logical division between residential and commercial use, since access between the two areas is not practical. The construction of a CUB Food Store would make the property to the south more valuable for commercial use.

2. Access

Both the Schroeder and Dean properties have access from Rice Street. Access from County Road B does not seem necessary. While there are steep grades on the Schroeder property, this site can be graded and served with interior streets from Rice Street.

3. Traffic

CUB has agreed to pay for signalization and traffic improvements at County Road B and Rice Street.

4. Grading

There will be no grading on the Schroeder property.

5. Utilities

CUB will pay for extension of water from Little Canada. Staff is recommending that this line be extended to Mr. Schroeder's north property line. There will be adequate capacity to serve the property to the south.

6. Clearing of vegetation, filling

Conditions for approval require grading, drainage and erosion control plans to be approved by the city engineer, taking into account the recommendations of the Soil Conservation Service.

Also, note that the staff recommendation has added several conditions to the Community Design Review Board report. These conditions are a result of meetings held after the Board meeting.

Recommendation

Approval of the plans dated 6-1-83, with the following conditions:

1. The developer obtaining city water. The costs shall be paid for by the developer. The water line shall be extended to the south property line with a public easement.
2. Approval of the plans by the Board does not constitute approval of a building permit.
3. A concrete screening wall shall be built to the south of the southern most dumpster typical of the western dumpsters concrete screening wall. The wall shall be constructed higher than the dumpsters.

4. Any exterior building or roof-top equipment shall be decoratively screened and hidden from view. The screening material is subject to staff approval.
5. An erosion control plan for construction shall be submitted and approved by the city engineer in light of the RSWCD recommendations prior to the issuance of a building permit.
6. Parking areas shall be striped and all bituminous areas shall have continuous concrete curbing. Handicap stalls shall be clearly marked.
7. The landscaping plan shall be submitted for Board approval.
8. If construction has not begun within two years of approval, Board review would have to be repeated.
9. Site security lighting shall be provided and shall be directed or shielded so not to cause any undue glare onto adjacent properties or roadways.
10. If any adjacent property is disturbed or property irons removed due to construction of the site, that property shall be restored and irons replaced by the applicant.
11. Grading, drainage and utility plans shall be subject to the city engineer's approval as well as the approval of any other applicable state or county office.
12. Driveway and drainage permits shall be obtained from MnDOT and Ramsey County.
13. A lot split to create this site shall be approved, and the deed recorded, prior to the issuance of a building permit.
14. All applicable requirements of the Environmental Protection Ordinance shall be complied with.
15. The easterly driveway radius, which encroaches into the adjacent lot, shall be revised for the city engineer's and Ramsey County's approval to eliminate the encroachment.
16. Any street grade problems shall be worked out with the city engineer and the appropriate state or county office.
17. An agreement to pay for traffic signal and street improvements at County Road B and Rice Street must be accepted and approved by the city engineer. Such agreement shall include a letter of credit for the improvements.
18. Reflectorized stop signs shall be provided at exits to public streets.
19. Dedicating a drainage easement to the city for the retention pond in the south-east corner of the site.

BACKGROUND

Site Description

1. Gross acreage: 13.03 acres
2. Cub Foods site: 12.44 acres
3. Outlot (future dental office site): .59 acres
4. Existing land use: a dental office in the old Schroeder mansion and Truck Engineering

Surrounding Land Uses

Northerly: County Road B

Southerly: Schroeder Milk

E₂sterly: undeveloped land planned as RH, high density residential and zoned BC, business commercial

Westerly: Rice Street and single dwellings in the City of Roseville

Past Action

3-9-82: The Review Board approved plans to remodel the old Schroeder mansion for use as a dental office, subject to eleven conditions.

5-15-80: Council denied a request to rezone the southerly half of the proposed site from BC to M-1, light manufacturing.

DEPARTMENT CONSIDERATIONS

Planning

1. Land Use Plan designation: SC, service commercial and RH, residential high density.
2. Zoning: BC, business commercial
3. Section 25-70 of the City Code states that to recommend approval of an application, the Community Design Review Board shall make the following findings:
 - a. That the design and location of the proposed development and its relationship to neighboring, existing or proposed developments and traffic is such that it will not impair the desirability of investment or occupation in the neighborhood; that it will not unreasonably interfere with the use and enjoyment of the neighboring, existing or proposed developments; and that it will not create traffic hazards or congestion.

- b. That the design and location of the proposed development is in keeping with the character of the surrounding neighborhood and is not detrimental to the harmonious, orderly and attractive development contemplated by this article and the city comprehensive municipal plan.
- c. That the design and location of the proposed development would provide a desirable environment for its occupants, as well as for its neighbors, and that it is aesthetically of good composition, materials, textures and colors.

The Board, in its recommended actions for approval, may:

- a. Recommend any conditions that it deems reasonable to its action of approval.
 - b. Recommend that the applicant, as a condition, provide guarantees that the conditions of approval will be complied with.
4. Section 36-26 of the landscaping/screening ordinance requires that trash storage containers shall be constructed on three sides with break-off block, face brick, or masonry. A gate that provides 100 percent opaqueness shall be provided where a dumpster would be visible to the public or from an adjoining property.

Public Works

- 1. Sanitary sewer is available.
- 2. Water would have to be extended from Little Canada. Cub has agreed to pay for this extension. This line should be extended to the south property line of Cub with a public easement to provide service to the south.
- 3. The pond on the east side of the property is needed as part of the City's drainage plan.

Public Safety

There is a Council imposed moratorium in effect which prohibits commercial, industrial and multi-family housing construction where adequate water supply for fire protection is not available.

Other Agencies

Minnesota Department of Transportation: The traffic engineer at MnDOT is very concerned about the impact this proposal would have on traffic along Rice Street at County Road B. Cub has agreed to pay for traffic light and turn lane improvements.

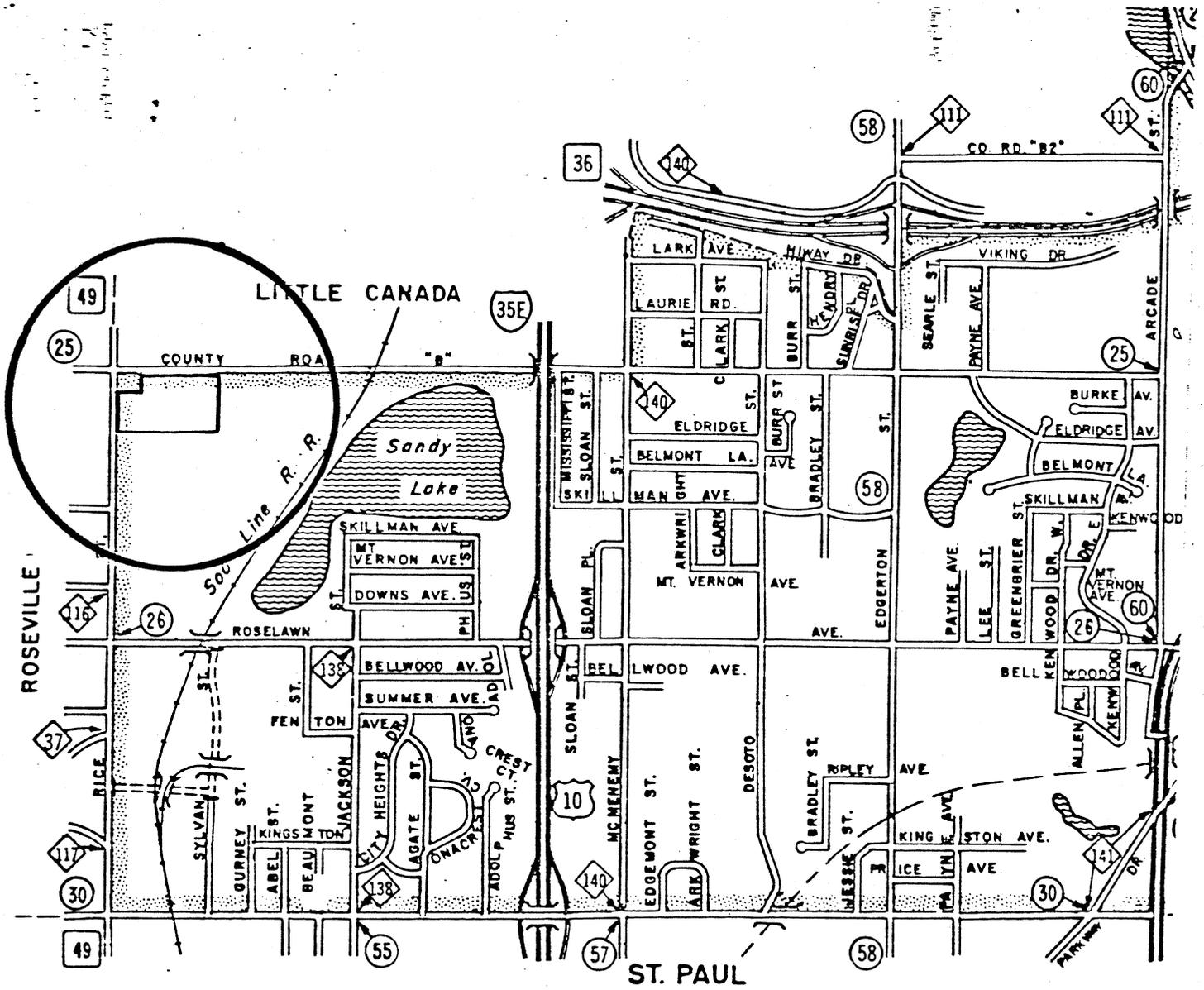
Ramsey County Public Works Department has preliminarily expressed concerns over drainage and driveway locations. The following comments were given:

1. Driveways should be designed so run-off won't go onto roads.
2. The pond shown on the east side of the site extends onto the adjacent lot.
3. The easterly driveway radius extends into the adjacent lot to the east.
4. There is a street grade problem on County Road B east of Rice Street.
5. There is an internal parking lot circulation problem at the northwest corner of the building.

jc

Attachments:

1. Location Map
2. Property Line Map
3. Site Plan 6-1-83
4. Community Design Review Board Minutes
5. Letter and site plan from Howard Dahlgren Associates
6. Cub Food letter
7. Howard Dahlgren's Concept Plan for Cub (separate plan)



LOCATION MAP

Attachment one



12

J. F. EISEN M E N G E F S

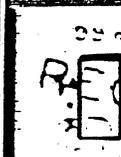
2

COUNTY

SERVICE STATION



A



DENTAL OFFICE

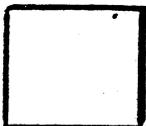
IND

B

TRUCK ENGINEERING



SURVEY C No 10



SCHROEDER MILK



080 30

MEMPHIS

AVE

KENNA ST

IRENE ST

A

D

D

PROPERTY LINE MAP

Attachment two



N

SUBDIVISION SEC. 13

STH 49

400

The Board discussed with the applicant the landscaping required with previous additions and questioned when this work would be completed. They further reviewed the additions that were approved for the company.

Secretary Ekstrand indicated that code does require the trash be enclosed, however, it is not visible from Rice Street.

Chairman Moe asked if there was anyone else present who wished to comment.

Board Member Hedlund moved the Board recommend approval of plans dated 6-14-83 for the 26 by 68 foot freezer addition to Schroeder Milk, subject to:

1. Council waiving the construction moratorium for the applicant.
2. Prior to the issuance of a building permit conditions 4 and 5 shall be complied with.
3. Approval of plans by the Board does not constitute approval of a building permit.
4. The existing paved parking lot shall be striped.
5. Directional arrows shall be provided at entrances as shown on the site plan date stamped 7-17-81.
6. The weeds on the street at the north side of the parking lot shall be cut and continually cut as needed.
7. If construction has not begun within two years of approval, Board review would have to be repeated.
8. The drainage plan shall be subject to the approval of the City Engineer.

Board Member Deans seconded

Ayes--all.

B. Super Value Store, Inc.--Cub Supermarket

Don Pollard, Cub Foods, said they are requesting approval of the request, subject to meeting the requirements outlined in recommendation #2.

The Board discussed whether there should be discussion by the Board at this time until the water situation has been solved.

Mr. Pollard said there is extensive site work to be done on the site, and they are anxious to get started.

Secretary Ekstrand indicated that staff would like to amend the conditions, they are not recommending the water moratorium be waived for this proposal. They would rather state that approval be contingent upon water being made available to the site.

Mr. Pollard indicated it has been arranged to use water from Little Canada.

Dave Pillatzke, Assistant City Engineer, indicated they have been investigating the options available to the City to provide municipal water to this portion of Maplewood. The City has its own system, Roseville has its own system and also Little Canada also has a system near this site. The Little Canada system would provide the pressures required for this type of facility. He further explained the timing involved in a water improvement, the procedures that could be followed to permit the applicant to begin construction. The Council would have to order the improvement before any building construction could be considered.

Chairman Moe asked if there was anyone present who wished to comment on the proposal.

The applicant indicated they will be working with the Soil Conservation District and complying with their regulations.

The Board requested the applicant comment on the traffic situation.

Mr. VanWarmer said when they initially contacted MnDOT concerning the intersection of B and Rice they did say there were concerns with this intersection, but they are considered low priority. Traffic counts were done on cars exiting from the Little Canada store. From this traffic count, it was determine that the majority of the traffic will leave the new store, turn right on Rice and then proceed to Highway 36. There is a proposal to install a signal light at County Road B and Rice and coordinate that light with the lights at Highway 36 and Rice Street. They will be willing to work with the State.

The applicant indicated the new facility will provide approximately twice as many parking spaces, along with a larger store, and provide better services.

The Board questioned what type of landscaping was proposed for the site.

Mr. Wilson said they had planned on working with the City on the landscaping plan once the site plan has been approved. They propose to do landscaping similar to the Brooklyn Park store. There is a lot of ground cover.

Secretary Ekstrand presented pictures to the Board of the landscaping at the Brooklyn Park store.

The Board questioned what the exterior of the building would look like.

The applicant presented a color rendition of the proposed building, it will be similar to the structure constructed at Blaine. The color scheme will be the same.

The Board questioned if a lot of grading was proposed for the site.

The applicant indicated the site would be somewhat lower than the intersection of Rice and B. The retaining wall be removed from the service station. The applicant indicated there is a slew at the east end of the property. There is grading being done in this area. They will retain as many of the trees as possible. The grading will put the building approximately 12 feet above Rice Street and about level with County Road B.

An attorney representing Ken Swanlenbach, 2129 Rice Street, said there is no DOT report, no Ramsey County Soil Water Department Report, and does the proposal comply with the Environmental Protection Ordinance. County Road B and Rice is a high accident area, this facility will produce added traffic at this intersection. There is a substantial number of single family homes across Rice street from where this store is proposed. He thought the Board should wait to act until all reports are received from the various governmental agencies. He commented on where lights will have to be installed to control traffic for this facility. These lights will have to be coordinated to have a smooth traffic flow. He is concerned that the lights from the cars leaving the proposed Cub site, will shine into the homes on the west side of Rice Street.

The Board discussed whether they should make a recommendation at this time or wait until all reports are received.

The attorney indicated there is a problem with residents trying to back onto Rice to leave their property. A traffic light will further back up traffic on Rice.

Board Member Deans moved the Board table the proposed Cub Foods Store until:

1. It has been determined if and how public water would be provided.
2. MnDOT and Ramsey County have completed their review.
3. Environmental effects have been determined.

Motion fails for lack of second.

Board Member Hedlund moved the Board recommend approval of the plans for Cub Foods date stamped 6-1-83, with the following conditions:

1. Approval shall be contingent upon the developer obtaining City water.
2. Approval of the plans by the Board does not constitute approval of a building permit.
3. A concrete screening wall shall be built to the south of the southern most dumpster typical of the western dumpsters concrete screening wall. The wall to be constructed higher than the dumpsters.
4. Any exterior building or roof-top equipment shall be decoratively screened and hidden from view. The screening material is subject to staff approval.

5. An erosion control plan for construction shall be submitted and approved by the City Engineer in light of the RSWCD recommendations prior to the issuance of a building permit.
6. Parking areas shall be striped and all bituminous areas shall have continuous concrete curbing. Handicap stalls shall be clearly marked.
7. The landscaping plan shall be submitted for Board approval.
8. If construction has not begun within two years of approval, Board review would have to be repeated.
9. Site security lighting shall be provided and shall be directed or shielded so not to cause any undue glare onto adjacent properties or roadways.
10. If any adjacent property is disturbed or property irons removed due to construction of the site, that property shall be restored and irons replaced by the applicant.
11. Grading, drainage and utility plans shall be subject to the City Engineer's approval as well as the approval of any other applicable state or county office.
12. Driveway and drainage permits shall be obtained from MnDOT and Ramsey County.
13. A lot split to create this site shall be approved, and the deed recorded, prior to the issuance of a building permit.
14. All applicable requirements of the Environmental Protection Ordinance shall be complied with.
15. The easterly driveway radius, which encroaches into the adjacent lot, shall be revised for the City Engineer's and Ramsey County's approval to eliminate the encorachment.
16. Any street grade problems shall be worked out with the City Engineer and the appropriate state or county office.

Board Member Rossbach seconded

Ayes--Members Hedlund, Rovie, Rossbach
Nays--Members Deans, Moe

Motion carries

C. Howard Taylor--Dental Office

Tom Dunwell, Beutow and Associates, said he read the staff report said they would like to get approval of the design and landscaping of the project contingent upon getting City water to the site. He said they are not proposing any outside storage of trash. There will be a garage on the site where this can be stored along with the maintenance equipment. Also, there will be no roof-top equipment. Cub Foods will be doing all of the site work for the building. They will coordinate with Cub Foods on the landscaping.

AUG 10 1983

Consulting Planners

One Groveland Terrace

(612)377-3536

Minneapolis

Minnesota 55403

Howard Dahlgren Associates / Incorporated

10 August 1983

Mayor John C. Greavu
Members of the City Council
c/o Thomas Ekstrand, Associate Planner
Maplewood Planning Department
1902 County Road B
Maplewood, Minnesota 55109

RE: Summary and Statement of Objection to Super Valu Stores Current Proposal to Build a Cub Foods Supermarket in the Southeast Quadrant of County Road B and Rice Street; Presentation and Discussion of Alternative Plan

Honorable Mayor and Members of the Council:

We are consultants to the owners of the Schroeder and Dean properties which front on Rice Street just south of the above-noted proposal (see Figure 1). Since the middle of June we have been engaged in a planning study to assess the future development potential of the Schroeder and Dean parcels.

Although we have completed our basic analysis of the development opportunities and constraints which face these properties, our study is not complete. We became aware of the Super Valu proposal when the Schroeders received notice of the Design Review Board's recent meeting. We were obviously interested in reviewing the plans for the Cub proposal because of its significant implications for the future development of our clients' properties.

We requested copies of the Cub plans in hopes of finding a way to work with them. However, these plans did not arrive until the final day of the appeal period and the problems which we observed on these plans were substantial. Consequently, we were left with no alternative but to file an objection to the Cub proposal.

SUMMARY OF CONCERNS

In the interest of both clarity and brevity, this letter is presented in a summary format. We understand from discussion with City staff that your procedure calls for us to present our objections at the 22 August Council meeting. We will be happy to answer any questions and/or elaborate on any of the findings which have led to the development of the Schroeder and Dean position in this matter at that time.

Attachment five

to it is, consequently, one of the most important design considerations which the City will make in this approval process.

d. Grading

As you know, grading onto an adjacent property requires an easement. To date, the applicants haven't even contacted the Schroeders to explain that this is an integral part of their plan.

e. Utilities

There are no problems anticipated with serving the entire area with sanitary sewer. However, the provision of water to the area is more complicated. The areas which front on Rice Street are currently served by the City of Roseville and we understand that the Cub proponents plan to extend water from the Little Canada water line along the railroad tracks to gain water services (see Figure 4). However the final solutions are determined, both the Schrodgers and the Deans would appreciate your assurance that Maplewood's utility plans will provide appropriate service to this entire portion of the Western Hills neighborhood and that the cost of the improvements will be fairly spread according to the benefits afforded each property.

f. Clearing of Vegetation, Filling

All of the vegetation which exists along the ridge on the east side of the Super Valu property would be cleared by this development. Furthermore, the construction limits shown on the grading plan which we reviewed would also require the destruction of considerable numbers of mature oak trees on the adjacent Schroeder parcel. If this property were to develop multiple residential, these trees would be very important site amenities. The proposed plan also illustrates considerable encroachment on the adjacent low designated wetland area.

To date, there have been absolutely no plans prepared to demonstrate how the environmental impact of this extensive grading operation would be mitigated. There is, for instance, no erosion control plan, no landscape plan, no drainage plan, etc.

2. ALTERNATIVE PLAN

Neither the Schroeders nor the Deans are opposed to the concept of a Cub Foods store on this site. They have only objected to the current

1. PLANNING ISSUES

a. Land Use

The Land Use Guide Plan and Zoning Map are illustrated on Figures 1 and 2 respectively. As you will note, this entire portion of the Western Hills neighborhood is zoned B-C, Business-Commercial. However, the Comprehensive Plan guides the eastern half of all three of these properties, along with the area between these properties and the railroad tracks, for high density residential.

There are two principal reasons why the Comprehensive Plan-suggested land use change at approximately the middle of these three properties makes very good sense. First, these portions of these parcels do not front on Rice Street and don't enjoy the level of visibility which would make it marketable for high valued commercial uses. Secondly, as Figure 3 illustrates, there is up to 80 feet of elevation difference between the front and back halves of these parcels, a characteristic which lends itself to a successful transition between land uses.

Although the Cub Foods proposal is consistent with the property zoning, it does constitute an amendment to the Land Use Plan. If it is the City's intention that the eastern half of the Schroeder and Dean properties develop residential, the proposed building and parking setbacks of the Cub development are inadequate.

b. Access

Because of the land form illustrated on Figure 3, the best location for the principal access to the eastern halves of these properties is from County Road B. The Cub proposal precludes this access, effectively land-locking these back, higher areas, unless they were to experience very substantial grading. Even if the City wishes to see the entire Schroeder and Dean properties develop commercial, access to these back areas should be provided from County Road B.

c. Traffic

The Minnesota Department of Transportation (Mn/DOT) has expressed concern about the traffic which will be generated by this use. Traffic on Rice Street is already very heavy and the intersection at County Road B is unsignalized. Although Mn/DOT hasn't completed its review, they have suggested some solutions including a service road along County Road B. The specific nature of this solution and the manner in which the Cub Foods site plan is adopted to relate

10 August 1983

Page 4

proposal because of the seriousness of the concerns outlined above.

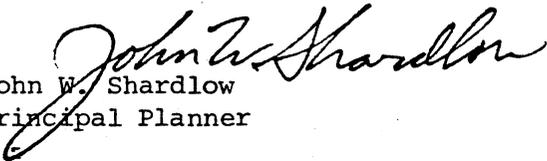
In an attempt to cooperate with Super Valu, our clients have asked us to try to develop an alternative plan. We have developed an alternative which allows the Cub Foods store to be developed on this site in a manner which solves the Schoreder's access and future development problems. It also improves the circulation design and provides 100 additional parking spaces on the Cub Foods site. This alternative also places more parking in closer proximity to the store entrance than the current proposal.

A copy of the Alternative Plan is attached for your review and consideration. The basic changes represented on the Alternative Plan include the reorientation of the proposed building toward Rice Street and the inclusion of a shared access road between the Schroeder and Super Valu parcels. To facilitate this plan, the Schroeders would be willing to agree to dedicate half of the right-of-way and would further agree to allow the back of their property to be graded to provide fill for the Cub Food Store site.

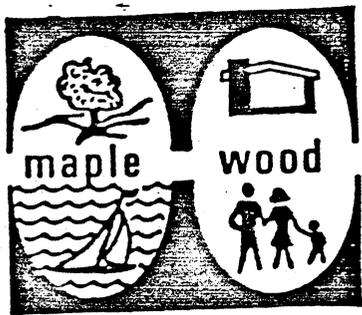
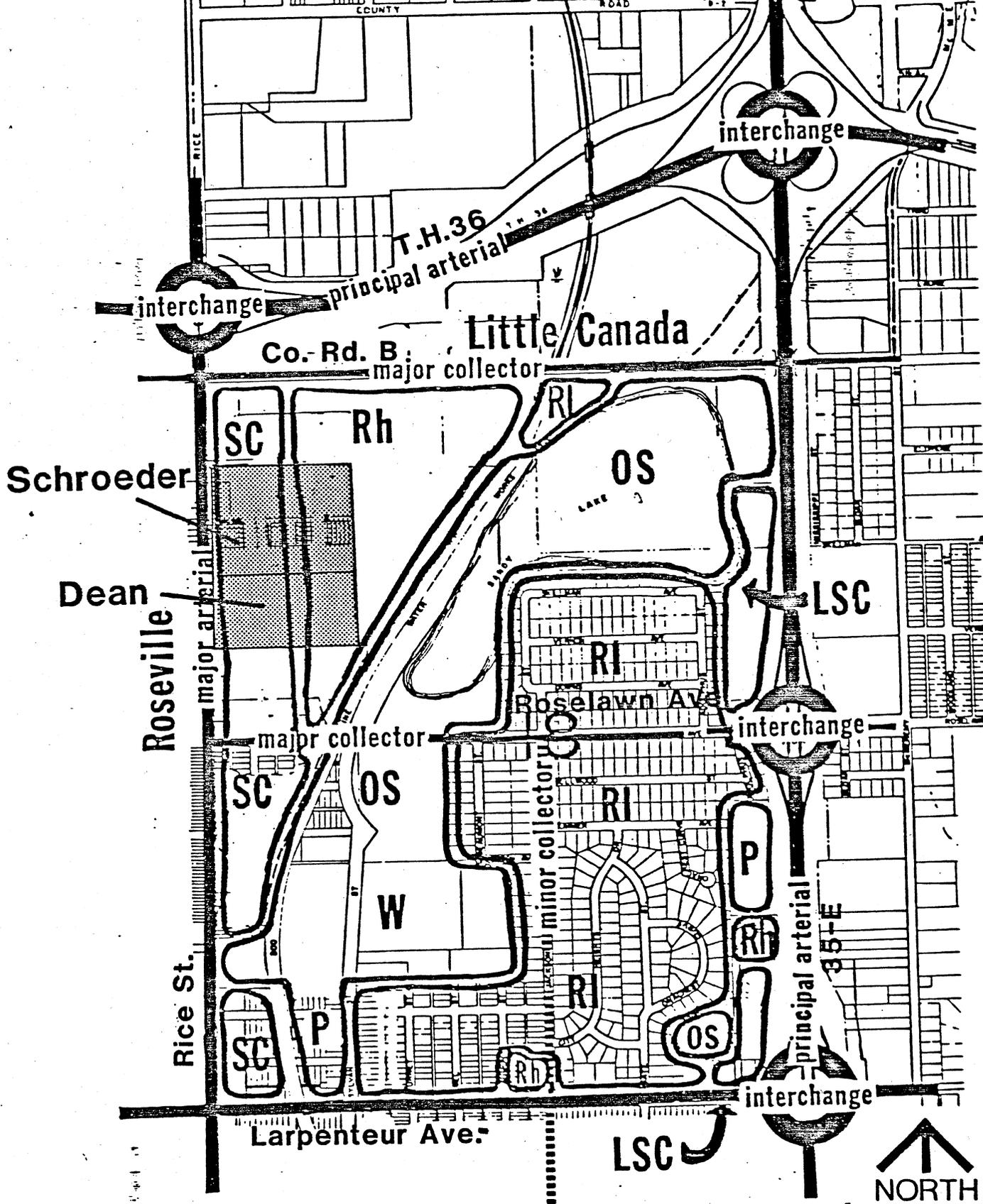
3. SUMMARY AND CONCLUSION

In summary, we have reviewed the Super Valu plans which have been approved by the Design Review Board and find that they would have a serious adverse impact on the future development of the adjacent properties. We have prepared an alternative plan which addresses these concerns while allowing an enhanced Cub program to be developed on the proposed site. We look forward to meeting with you on the 22nd and to working cooperatively with the City and the Super Valu representatives in the development of a plan which is compatible with the interests of all concerned.

Sincerely yours,


John W. Shardlow
Principal Planner

enclosures



Western Hills NEIGHBORHOOD LAND USE PLAN

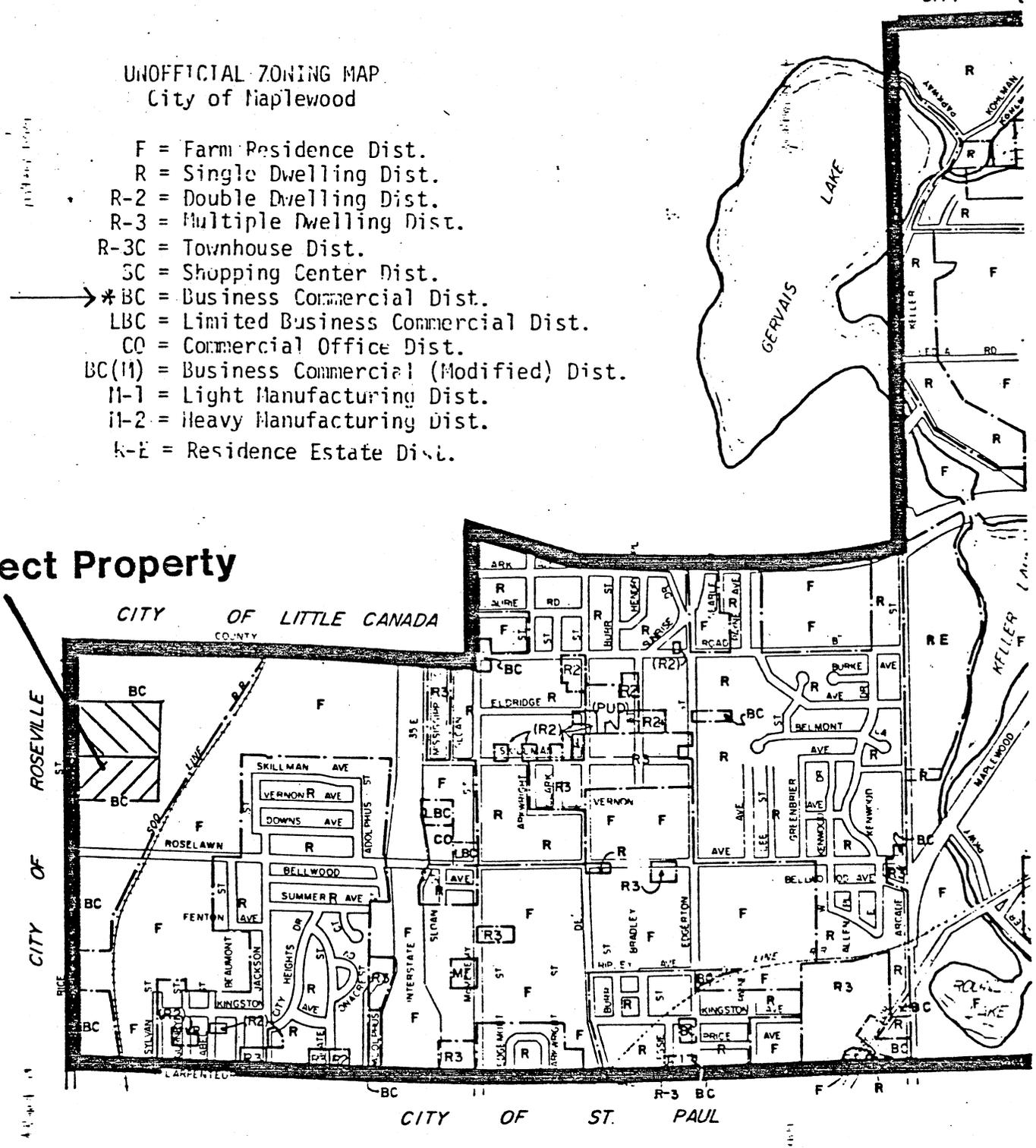
Comprehensive Guide Plan

FIGURE 1

UNOFFICIAL ZONING MAP
City of Maplewood

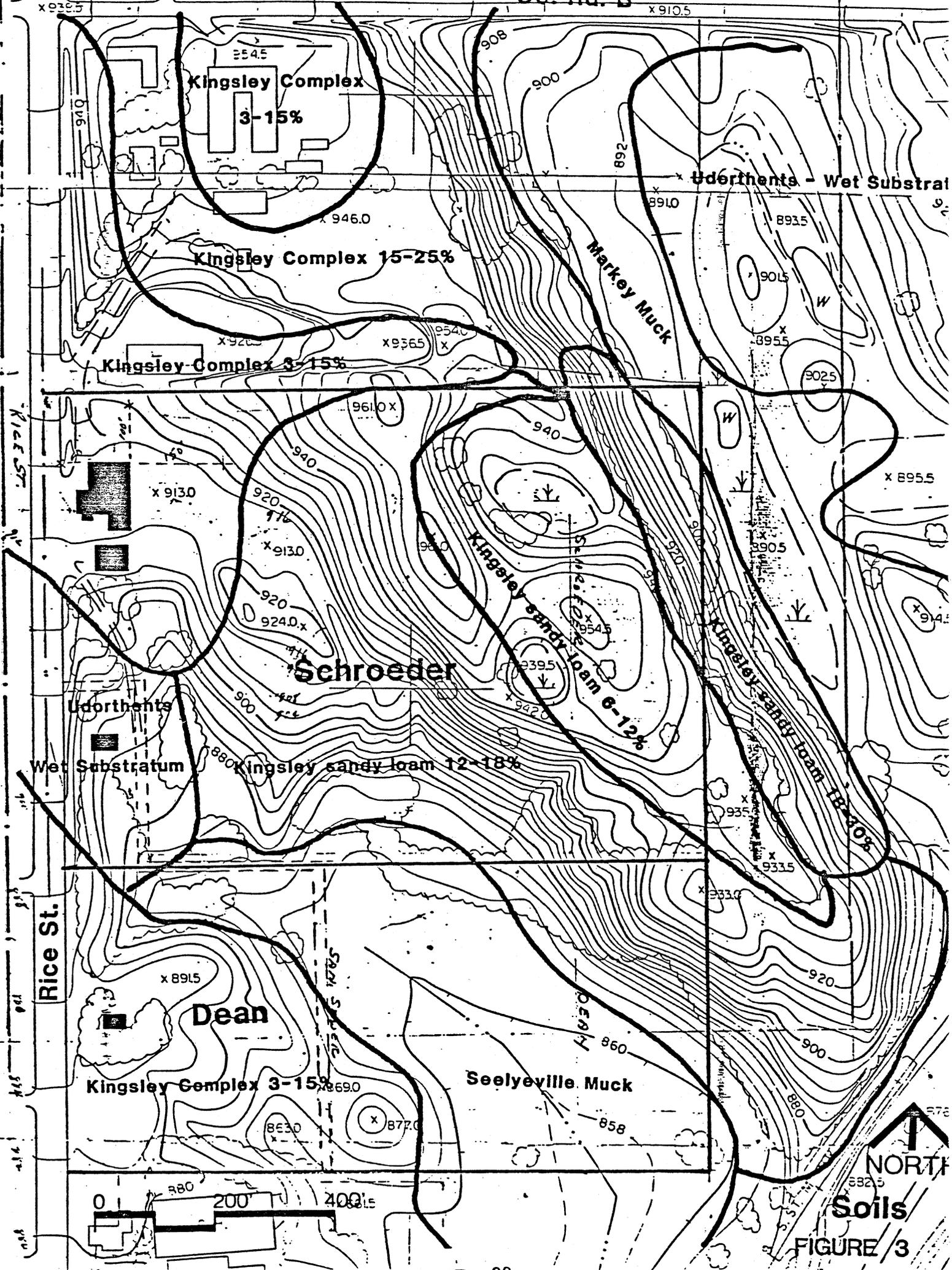
- F = Farm Residence Dist.
- R = Single Dwelling Dist.
- R-2 = Double Dwelling Dist.
- R-3 = Multiple Dwelling Dist.
- R-3C = Townhouse Dist.
- SC = Shopping Center Dist.
- *BC = Business Commercial Dist.
- LBC = Limited Business Commercial Dist.
- CO = Commercial Office Dist.
- BC(M) = Business Commercial (Modified) Dist.
- M-1 = Light Manufacturing Dist.
- M-2 = Heavy Manufacturing Dist.
- R-E = Residence Estate Dist.

Subject Property

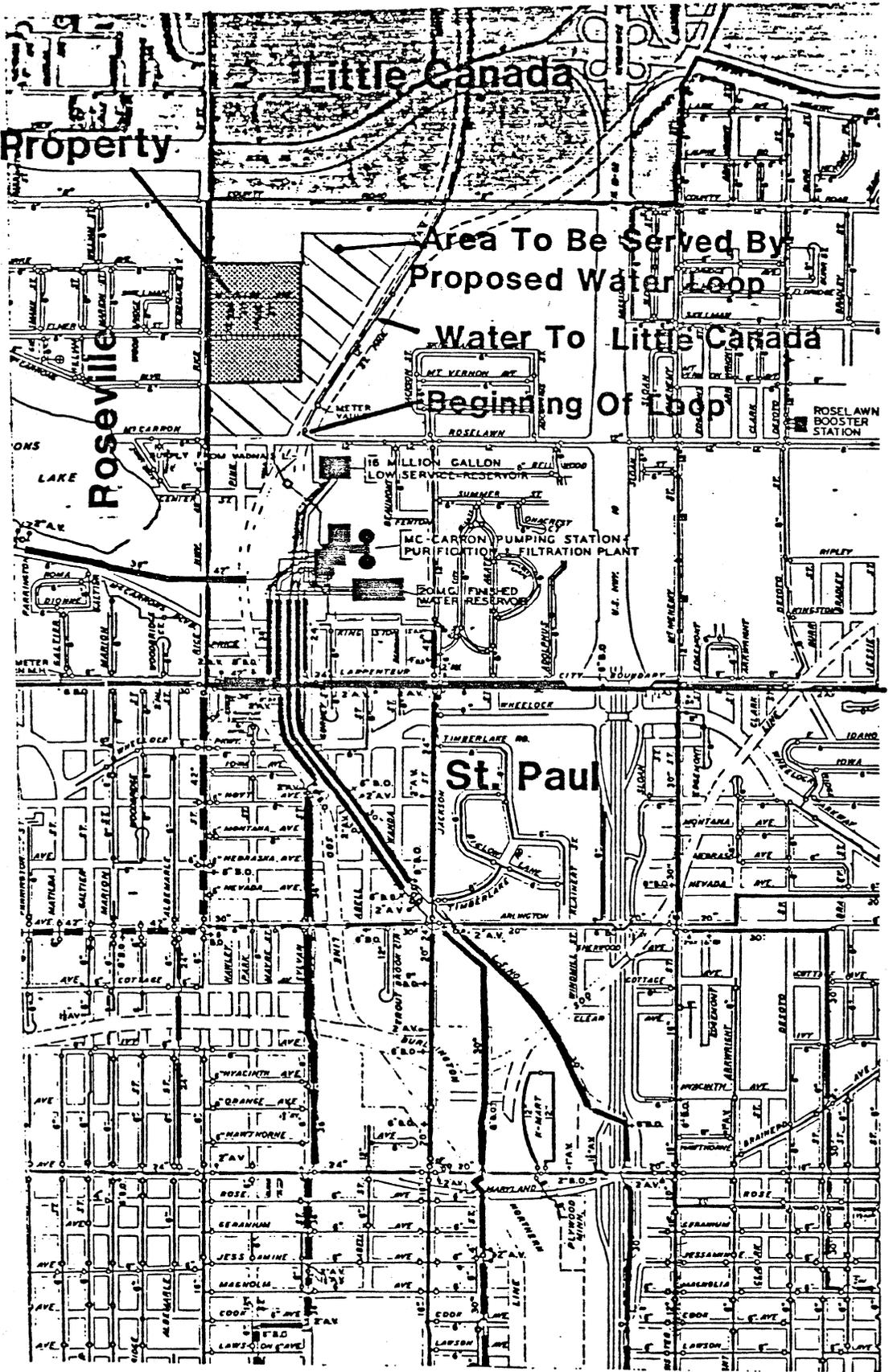


Zoning Map

FIGURE 2

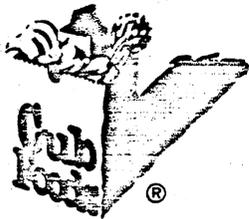


Subject Property



Water Distribution Plan

FIGURE 4



Cub Foods

127 Water Street Lumberman's Exchange Bldg. Stillwater, Minnesota 55082
(612) 779-2000

August 12, 1983

Mayor John C. Greavu
Members of the City Council
c/o Thomas Ekstrand, Associate Planner
Maplewood Planning Department
1902 County Road B
Maplewood, MN 55109

Honorable Mayor and Members of the Council,

The purpose of this letter is to formally request the Maplewood City Council's approval of our plans to connect to Little Canada's water supply and service this portion of Maplewood with water as required in our approval from the Maplewood Design Review Board.

We are requesting this matter be heard at your September 22nd council meeting.

Sincerely,

Don Pollard

Don Pollard
Real Estate Development

DP/jo

cc: Charles Hooley, Cub Foods
David Anderson, Planmark
Bill Hunt, S.V. Legal Dept.

Attachment six

MEMORANDUM

I-2

TO: City Manager
FROM: Director of Community Development
SUBJECT: Waiver of Moratorium on Rezoning to R-3
DATE: August 12, 1983

Action by Council:

Endorsed _____
Modified _____
Rejected _____
Date _____

Request

Waive the moratorium on rezonings to R-3, multiple dwellings for the following properties, (See enclosed maps):

1. Beebe Road and Holloway Avenue
2. Lower Afton, McKnight Road and Londin Lane

Reason for the Request

Council established this moratorium to review the land use plan designations for properties planned for multiple-dwelling use adjacent to single dwellings. Both of the above sites are surrounded by park land or multiple dwellings. They would have no effect on single dwellings.

By the time of the August 22 council meeting, the planning commission will have held a public hearing on plan amendments for these sites. State law requires that these properties be rezoned to R-3 within nine months of council approval of the amendments. It would be preferable to hold the hearing for the rezoning at the same time council considers the plan amendments so the residents do not have to come to any more meetings than necessary.

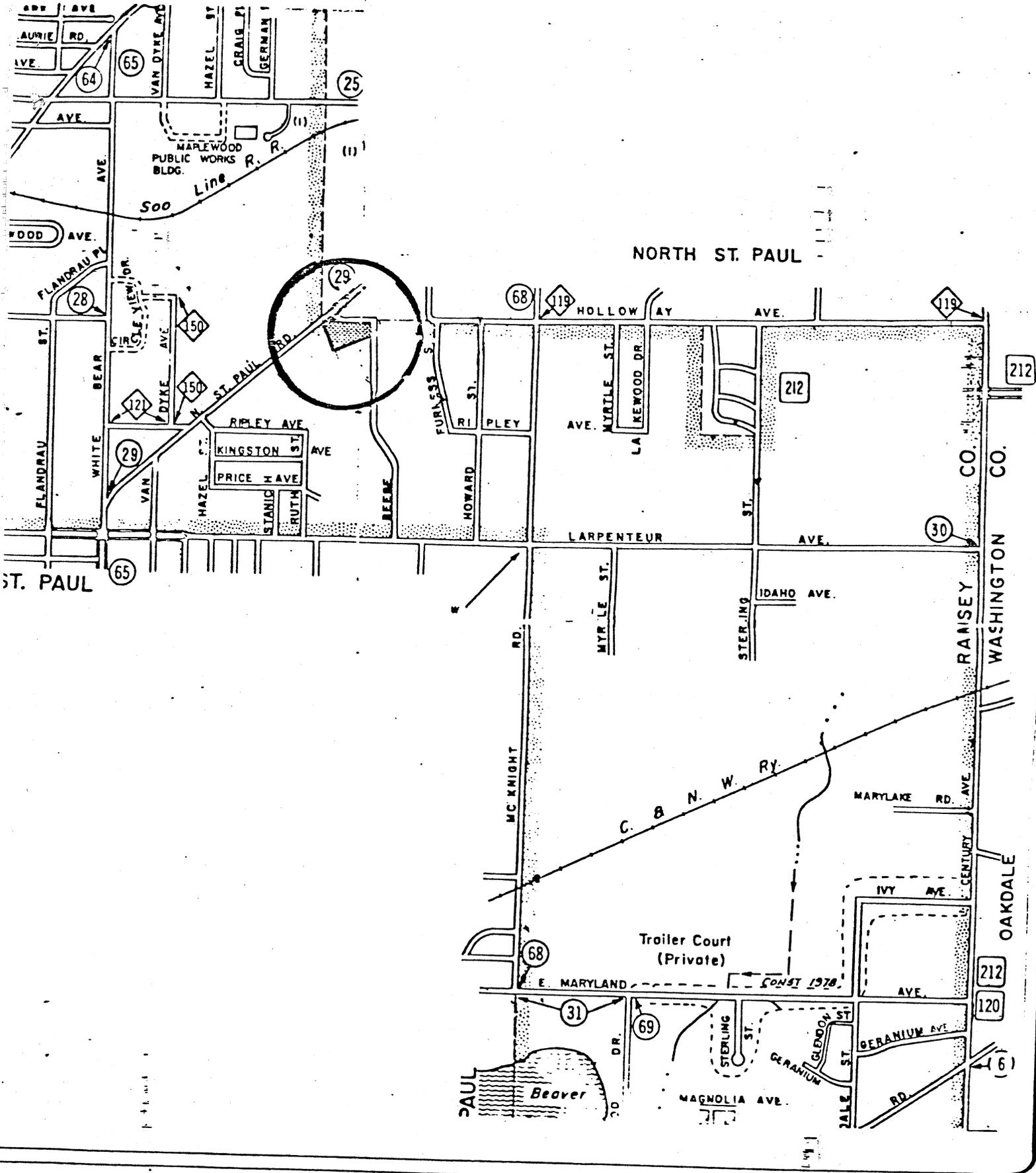
Recommendation

Waive the moratorium on R-3 rezonings for:

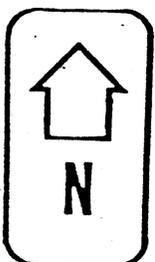
1. Beebe Road and Holloway Avenue
2. Lower Afton, McKnight Road and Londin Lane

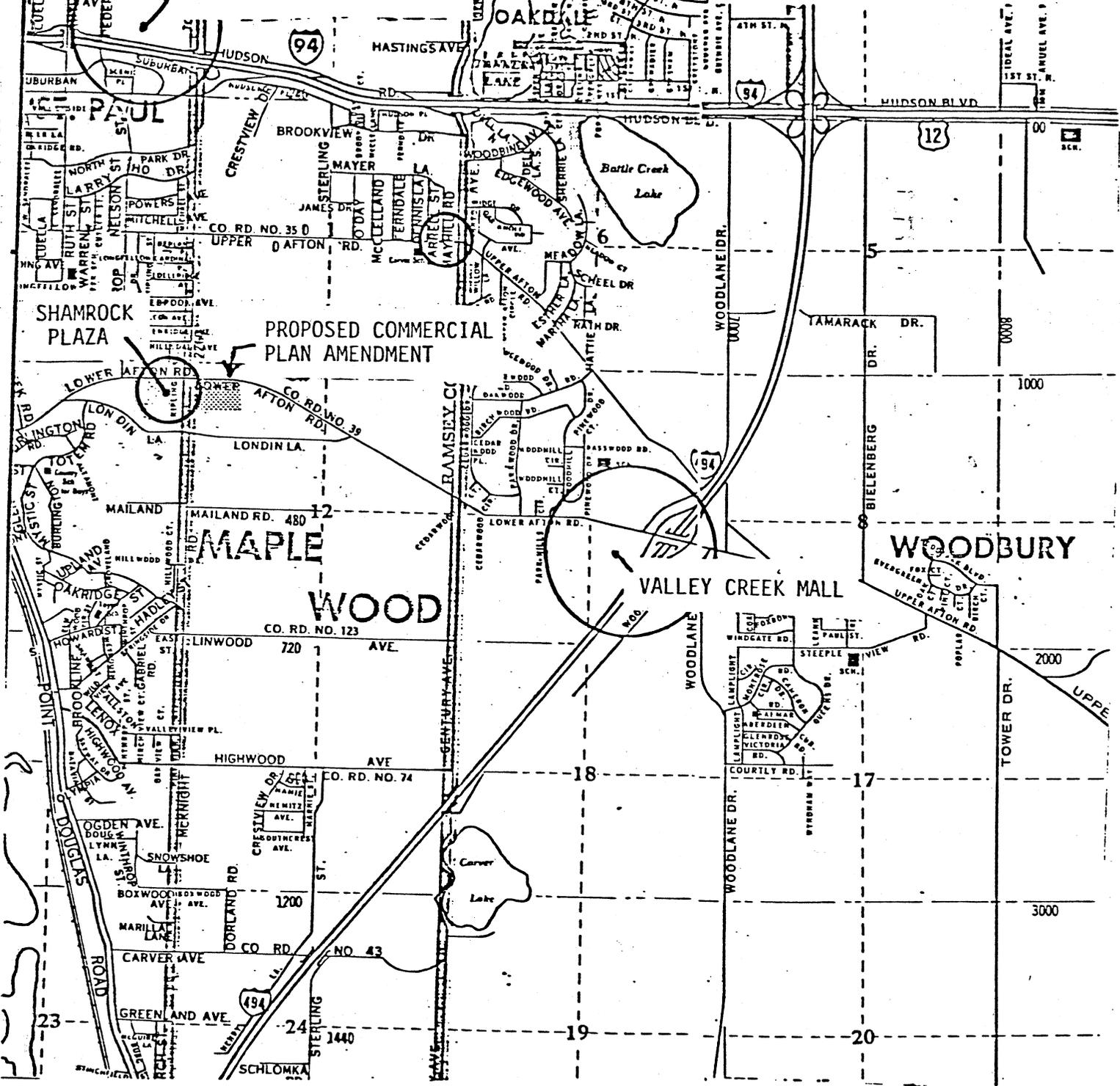
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Attachments

11/11/83

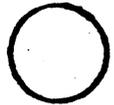


LOCATION MAP

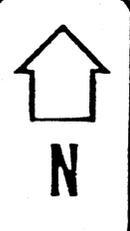




LOCATION MAP



Existing Commercial Centers



Attachment One

RESERVED

FOR

Total Area

(7.91 ac.)

030
26

SC

R-3

100-03
100-03
100-03
117-03

CARDINAL
1 328

HEIGHTS
2 338

BLK
3 346

4 358

8599 2271 2299

LONDON

ROAD 2624 (11)

ROAD

PROPERTY LINE / ZONING MAP

PROPOSED ZONING



F3

MEMORANDUM

Action by Council:

Endorsed _____
Modified _____
Rejected _____
Date _____

TO: City Manager
FROM: Public Works Director
SUBJECT: Water Main Extnesion, Co. Rd. B
DATE: August 15, 1983

One of the Community Design Review Board conditions approving the proposed CUB store is an adequate city water supply. An extension along Co. Rd. B from the Little Canada Pump Station to the south property line of the CUB site is required. CUB has agreed to pay the initial cost for the improvements. The agreement will have a provision to reimburse CUB if connection charges are collected over the next 10 years from other properties using the water main.

It is recommended the City Council authorize the extension of water main along Co. Rd. B and the staff to contact Little Canada to negotiate an agreement to provide water supply for this project.

mb



Cub Foods

127 Water Street Lumberman's Exchange Bldg. Stillwater, Minnesota 55082
(612) 779-2000

August 12, 1983

Mayor John C. Greavu
Members of the City Council
c/o Thomas Ekstrand, Associate Planner
Maplewood Planning Department
1902 County Road B
Maplewood, MN 55109

Honorable Mayor and Members of the Council,

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We are requesting this matter be heard at your September 22nd council meeting.

Sincerely,

Don Pollard

Don Pollard
Real Estate Development

DP/jo

cc: Charles Hooley, Cub Foods
David Anderson, Planmark
Bill Hunt, S.V. Legal Dept.

AUG 15 1983

RESOLUTION

WHEREAS, the proposed CUB store at Rice Street and County Road B is required to have adequate city water for fire protection;

WHEREAS, Maplewood does not have water mains in the area to satisfy the requirements;

WHEREAS, the City of Little Canada does have water supply at adequate quantity and pressure;

WHEREAS, CUB has agreed to pay the initial cost for installing the required water main extension;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF MAPLEWOOD COUNCIL that the extension of water main along County Road B from the Little Canada Pump station to the south property line of the CUB site is approved;

BE IT FURTHER RESOLVED, that the staff is to negotiate an agreement with the City of Little Canada to provide water supply for the project.