



[Crystal \(Minn.\).](#)  
[City Council Minutes and Agenda Packets.](#)

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*Darlene*

# COUNCIL AGENDA

April 18, 1989

Pursuant to due call and notice thereof, the Regular meeting of the Crystal City Council was held on April 18, 1989, at 7:00 P.M., at 4141 Douglas Drive, Crystal, Minnesota.

The Secretary of the Council called the roll and the following were present:

## Councilmembers

P Moravec  
P Grimes  
P Rygg  
P Carlson  
P Herbes  
P Smothers  
P Langsdorf

## Staff

P Dulgar  
P Olson  
P Kennedy  
P Monk  
P Peterson *Barber*  
P George  
P Brandeen  
P Jones

The Mayor led the Council and the audience in the Pledge of Allegiance to the Flag.

The Mayor acknowledged the donation of a \$2500 check from the Crystal Lions Club to the Crystal Fire Department for the purchase of chain saws for opening roofs.

The Mayor acknowledged a donation of a \$500 check from the Knights of Columbus and a \$200 check from the Kiwanis Club of North Hennepin both of which will be used to offset the cost of materials purchased for Project DARE.

1. The City Council considered the minutes of the regular meeting of April 4, 1989.

Moved by Councilmember S and seconded by Councilmember L to (approve), (approve, making the following exceptions:

\_\_\_\_\_ to) the minutes of the regular meeting of April 4, 1989.

Motion Carried.



CONSENT AGENDA

1. Set public hearing for May 2, 1989 to consider variance applications for density, parking and unit size at Calibre Chase, 6315 - 55th Avenue North.
2. Set public hearing for May 2, 1989 to consider easement vacation at 6619 - 31st Avenue North.
3. Set public hearing for May 2, 1989 to consider variance applications to vary the lot area requirements, to encroach in the required 40' rear yard setback, to encroach in the required 30' front yard setback, to encroach in the required 50' setback from the intersection for a curb cut for a single family dwelling at 4500 Adair Avenue North and to waive the \$300 fee as requested by the Crystal HRA.
4. Set public hearing for May 2, 1989 to consider a request to grant a variance of 1.5' in the required 5' side yard setback to build a 20' x 28' attached garage on the existing house at 4313 Florida Avenue North as requested by Kimberly and Philip Meinert.
5. Set public hearing for May 2, 1989 to consider a request to grant a variance of 22' in the required 40' rear yard setback for a 10' x 26' addition on the existing house at 6712 Valley Place as requested by Achievements in Design for Roger and Constance Grumdahl.
6. Set public hearing for May 2, 1989 to consider a request to grant a variance of 5' in the required 40' rear yard setback for a 11' x 24' addition on the existing house at 4702 Douglas Drive as requested by Achievements in Design for Steven and Bonnie Pechtcl.
7. Consideration of a one-day off-site gambling application from Knights of Columbus, 4947 West Broadway, for July 30, 1989 at Becker Park for the Crystal Frolics.
8. Consideration of a gambling license renewal application for Cystic Fibrosis Foundation at Nicklows, 3516 North Lilac Drive.
9. Consideration of application for itinerant food establishment license at Paddock Bar, 5540 Lakeland Avenue North, on April 15, 1989.
10. Consideration of a license for Lions Club of Crystal to sell 3.2 beer at the Fireman's Open House on May 20, 1989 at the John T. Irving Fire Station and request for waiver of fee.

11. Consideration of approval of three temporary signs with waiver of fee for Crystal Bicycle Auction to be held on April 22. Signs to be located at City Hall, 6129 - 31 42nd Avenue North, and 4100 Douglas Drive, on April 19, 1989 and will be taken down after the auction on April 22, 1989.

Moved by Councilmember R and seconded by Councilmember S to remove items 1, 2, 3, and 3 from the Consent Agenda *for discussion.*  
Motion Carried.

Moved by Councilmember S and seconded by Councilmember R to approve the Consent Agenda *with removal of items 1 and 3.*  
Motion Carried.

*C/S to amend the motion to include removal of item #8 for discussion.*  
*Motion Carried*

*Items #1 and #3 were discussed.*

*M/C to approve items 1 and 3 on the Consent Agenda.*  
*Motion Carried*

*Item #8 was discussed.*

*C/L to approve item #8 on the Consent Agenda.*  
*Motion Carried*

PUBLIC HEARINGS

1. It being 7:00 p.m., or as soon thereafter as the matter may be heard, Mayor Herbes declared this was the date and time as advertised for a public hearing at which time the City Council will consider curb and gutter improvements on Vera Cruz, 57th, Welcome, and Xenia Avenues north of Bass Lake Road. The Mayor asked those present to voice their opinions or to ask questions concerning the improvements. Those present and heard were:

Mark Luby, 5656 Xenia Ave. No. - oppose  
Mary Doensing, 5514-57<sup>th</sup> Ave. No. - in favor  
Betty Linne, 5502-57<sup>th</sup> Ave. No. - oppose  
Lloyd Schreiner, 5608-57<sup>th</sup> Ave. No. - oppose  
Dale Nix, 5602, 57<sup>th</sup> Ave. No. - oppose  
Mary Fort, 5637 Vera Cruz - oppose

M/L to direct staff to come back to the Council with a recommendation and a smaller scale proposal.

Councilmember Marauer removed his motion and directed staff to investigate the possibility of another option.

The Mayor closed the Public Hearing.

Moved by Councilmember S and seconded by Councilmember C to (approve) (deny) (continue until \_\_\_\_\_ the discussion of) Curb and Gutter Improvement Project #89-4.

Motion Carried.

REGULAR AGENDA

1. The City Council considered authorization to issue building permit #1705 to Michael R. Finn to build a 45' x 48' airplane hangar on Lot 9B, Crystal Airport.

Moved by Councilmember S and seconded by Councilmember R to (approve) (deny) (continue until \_\_\_\_\_ the discussion of) authorization to issue building permit #1705 to Michael R. Finn to build a 45' x 48' airplane hangar on Lot 9B, Crystal Airport, subject to standard procedure.

Motion Carried.

2. The City Council considered authorization to issue building permit #1711 to Ray Johnson of Kurt Mfg. Co. to build a 14' x 60' addition to the existing airplane hangar on Lot 21A-2, Crystal Airport.

*Ray Johnson appeared and was heard.*

Moved by Councilmember S and seconded by Councilmember G to (approve) (deny) (continue until \_\_\_\_\_ the discussion of) authorization to issue building permit #1711 to Ray Johnson of Kurt Mfg. Co. to build a 14' x 60' addition to the existing airplane hangar on Lot 21A-2, Crystal Airport, subject to standard procedure.

Motion Carried.

3. The City Council considered authorization to issue building permit #1658 to Kentucky Fried Chicken to remodel at 6817 - 56th Avenue North. *Don Dege, Architect for Kentucky Fried Chicken appeared and was heard.*

Moved by Councilmember S and seconded by Councilmember C to (approve) (deny) (continue until \_\_\_\_\_ the discussion of) authorization to issue building permit #1658 to Kentucky Fried Chicken to remodel and make a small addition at 6817 - 56th Avenue North, subject to standard procedure.

Motion Carried.

4. The City Council considered a recommendation from the Park & Recreation Advisory Commission to include the architect's fee for the addition of a third gym to the community center construction budget and add the construction of the third gym as a deduct alternate. *Mark Hoffman and Marilyn Thiesin of the Park & Recreation Advisory Commission appeared and were heard. Also Lorraine Bedman, 7025-46<sup>th</sup> Avenue North was heard.*

Moved by Councilmember R and seconded by Councilmember S to (approve) (deny) (continue until \_\_\_\_\_ the discussion of) the inclusion of the architect's fee for the addition of a third gym to the community center construction budget and add the construction of the third gym as a deduct alternate, so if the construction bids come within the \$3,500,000 budget, the third gym could be constructed.

Motion Carried.

5. The City Council considered a waiver of plat requirement to approve a lot split as requested at 4166 Hampshire Avenue North by Victor Hanks.

Moved by Councilmember L and seconded by Councilmember R to (grant) (deny) (continue until \_\_\_\_\_ the discussion of) a waiver of plat requirement to allow a lot split of property located at 4166 Hampshire Avenue North as requested by Victor Hanks.

Motion Carried.



6. The City Council considered a conditional use permit to allow a landscape contractor's storage and retail in an I-2 (Heavy Industrial) District at 5612 Corvallis Avenue North as requested by Ron Graves Contracting.

Moved by Councilmember R and seconded by Councilmember S to (approve) (deny) (continue until \_\_\_\_\_ the discussion of) application #89-7, as submitted by Ron Graves, for a conditional use permit to allow a landscape contractor's storage and retail in an I-2 (Heavy Industrial) District at 5612 Corvallis Avenue North.

Motion Carried.

7. The City Council considered an Amendment to the Zoning Ordinance concerning lot area requirements for R-1 (Single Family Residential) District as requested by Lorraine Bedman, 7025-46<sup>th</sup> Ave. No. Lorraine Bedman appeared and was heard.

*Sm to table the item.*  
*Motion failed for lack of a second.*

Moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ to adopt the following ordinance:

ORDINANCE NO. 89-

AN ORDINANCE RELATING TO ZONING: CHANGING THE  
USE CLASSIFICATION OF CERTAIN LANDS

and further, that the second and final reading be held on May 2, 1989.

Motion Carried.

Moved by Councilmember L and seconded by Councilmember S to (deny) (continue until \_\_\_\_\_ the discussion of) an Amendment to the Zoning Ordinance to reduce lot area requirements for R-1 (Single Family Residential) District to 6000 square feet (Section 515.15, Subdivision 2 d) 1) i)).

Motion Carried.

*Recess 8:45<sup>PM</sup> Reconvened 8:58 PM.*

8. The City Council considered the Second Reading of an Ordinance Amendment Related to Elderly Housing.

*Al Schenpp, 6326-36<sup>th</sup> Ave. No.*

*Greg Lundeen, 6125-36<sup>th</sup> Ave. No.*

*Dave Laughlin, 6115-36<sup>th</sup> Ave. No.*

*John Paulson, 320 Edgewood Ave No., Golden Valley*

- ① R/S to deny second reading of the ordinance amendment.  
Aye: R, C, H, S No: M, G, L Motion Carried
- ② R/S to table the item.  
Aye: R, H, S No: M, G, C, L Motion failed
- ③ C/S to move the previous question.  
Aye: G, C, H, S, L No: M, R Motion Carried
- ④ Moved by Councilmember M and seconded by Councilmember L to adopt the following ordinance:

#### ORDINANCE NO. 89-

#### AN ORDINANCE RELATING TO ZONING REGULATIONS:

AMENDING CRYSTAL CITY CODE, SUBSECTION 515.27, SUBDIVISION 4 d):  
REPEALING CRYSTAL CITY CODE, SUBSECTIONS 515.03, SUBDIVISION 71;  
515.09, SUBDIVISION 8 o); 515.15, SUBDIVISION 2 d) 4) iii);  
515.15, SUBDIVISION 5 c); AND 515.27, SUBDIVISION 4 c)

and further that this be the second and final reading. Aye: M, G, L  
Motion Carried. No: R, C, H, S  
Motion failed.

9. The City Council considered a resolution of findings for Light Rail Transit preliminary design on Northwest Corridor.

Moved by Councilmember C and seconded by Councilmember R to adopt the following resolution, the reading of which was dispensed with by unanimous consent:

#### RESOLUTION NO. 89-17

#### RESOLUTION APPROVING THE PRELIMINARY DESIGN PLANS FOR THE NORTHWEST CORRIDOR OF LIGHT RAIL TRANSIT

By roll call and voting aye: ALL, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_; voting no: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_; absent, not voting: \_\_\_\_\_

Motion carried, resolution declared adopted.

- ⑤ M/L to send the ordinance amendment back to the Planning Commission.  
Aye: M, G, H, L  
No: R, C, S  
Motion Carried.

10. The City Council considered a request for reconsideration of Proffessors Addition preliminary plat.

Moved by Councilmember S and seconded by Councilmember C to reconsider Proffessors Addition preliminary plat.

Aye: M, G, R, C, H, S

No: L

Motion Carried.

11. The City Council considered project authorization for slope stabilization on Bassett Creek at Brunswick Avenue crossing.

Moved by Councilmember L and seconded by Councilmember G to (approve) (deny) (continue until \_\_\_\_\_ the discussion of) authorization for slope stabilization on Bassett Creek at Brunswick Avenue crossing as recommended by the City Engineer.

Motion Carried.

12. The City Council considered acceptance of feasibility report for curb and gutter improvements on Brunswick Avenue between 46th and 47th Avenues.

Moved by Councilmember G and seconded by Councilmember S to accept the feasibility report for Curb and Gutter Improvement\*, Project #89-5.

Motion Carried.



13. The City Council considered the acceptance of the feasibility report for alley improvements west of Welcome Avenue between 38th and 39th Avenues.

Moved by Councilmember R and seconded by Councilmember S to accept the feasibility report for Alley Improvements Project #89-6.  
Motion Carried.

14. The City Council considered the First Reading of an Amendment to the Ordinance to include garage sales as an accessory use in residential districts.

Moved by Councilmember R and seconded by Councilmember C to adopt the following ordinance:

ORDINANCE NO. 89-

AN ORDINANCE RELATING TO GARAGE SALES;  
AMENDING CRYSTAL CITY CODE, SUBSECTION 515.19,  
SUBDIVISION 3 BY ADDING A SUBDIVISION

and further, that the second and final reading be held on May 2, 1989.

Motion Carried.

15. The City Council considered the Second Reading of an Ordinance relating to Park Dedication.

Moved by Councilmember C and seconded by Councilmember G to adopt the following ordinance:

ORDINANCE NO. 89-5

AN ORDINANCE RELATING TO PARK  
DEDICATION: AMENDING CRYSTAL CITY CODE  
BY ADDING SECTION 510

and further that this be the second and final reading.

Motion Carried.

16. The City Council considered the Second Reading of an Ordinance regarding refuse hauling districts.

Moved by Councilmember L and seconded by Councilmember G to adopt the following ordinance:

ORDINANCE NO. 89-6

AN ORDINANCE RELATING TO RECYCLING

and further that this be the second and final reading.

Motion Carried.

17. The City Council considered the City's membership in the Municipal Amicus Program (MAP) through the League of Minnesota Cities.

Moved by Councilmember R and seconded by Councilmember L to (approve) (deny) (continue until \_\_\_\_\_ the discussion of) the City's membership in the Municipal Amicus Program (MAP) through the League of Minnesota Cities.

Motion Carried.

18. The City Council discussed the property owned by the City at 4836 Douglas Drive.

*Council consensus was to direct staff to obtain quotes for ~~remove the house from the property~~ demolition of the house.*

19. The City Council discussed Fiscal Disparities legislation.

*Councilmember Carlson read a resolution prepared for approval by the Council.*

*C/S to adopt the following resolution:*

*Resolution No. 89-18*

*A Resolution Regarding Fiscal Disparities  
1989*

*Roll call: all ayes.*

*Motion Carried, resolution declared adapted.*

20. The City Council considered award of bid for the 1989 maintenance materials.

Moved by Councilmember S and seconded by Councilmember M to adopt the following resolution, the reading of which was dispensed with by unanimous consent:

RESOLUTION NO. 89-19

RESOLUTION AWARDING A BID

By roll call and voting aye: ALL, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_; voting no: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_; absent, not voting: \_\_\_\_\_

Motion carried, resolution declared adopted.

21. The City Council discussed its regular meeting of May 16, ~~1989~~ June 6, ~~(School Board Election)~~. and July 4, 1989. Meetings were set as follows:
- S/C May 16, 1989: meeting will convene at 8pm rather than 7pm due to Dist 281 School Board Election. *Motion carried*
- M/S June 6, 1989: meeting will be changed to June 5, 1989 at 7pm. *Motion carried*
- S/C July 4, 1989: Meeting will be held July 5, 1989 at 7pm. *Motion carried.*

OPEN FORUM

22. The City Council Considered the Auctioneer license for the Crystal Bicycle Auction to be held April 22, 1989.
- S/M to approve the auctioneer license of DeMay Johnson, Harrison, Mn. for the Crystal Bicycle Auction and ~~the~~ a waiver of the license. *Motion Carried*

INFORMAL DISCUSSION AND ANNOUNCEMENTS

Consideration of 1989 Annual LMC Conference to be held June 6 thru June 9, 1989.

Stop sign petition received on 4-18-89 for 47<sup>th</sup> + Welcome Avenues.  
Watermain breakdown - Douglas Drive

23. The <sup>city</sup>Council discussed an easement vacation at 5003 Angeline Ave.  
L/G to set a public hearing for May 2, 1989 to discuss  
easement vacation at 5003 Angeline Ave.  
Motion Carried.

Council Liaison reports were given as follows:

Councilmember Moravec - Crystal HRA  
" Grunis - Human Relations Commission  
" Smother - Park & Rec. Advisory Commission

Discussion re: recycling letter to be sent to residents of Crystal

Mrs. Bedman, 7025- 46<sup>th</sup> Ave. No. was heard regarding a  
complaint of air pollution in her neighborhood at  
night. Staff will check same.

Moved by Councilmember S and seconded by Councilmember M to approve the list of license applications.

Motion Carried.

Moved by Councilmember S and seconded by Councilmember R to adjourn the meeting.

Motion Carried.

Meeting adjourned at 10:50 p.m.



APPLICATIONS FOR LICENSE

April 18, 1989

FOOD ESTABLISHMENT - Nursery (Exempt)

Brunswick United Methodist Nursery, 6122 42nd Ave. No.

FOOD ESTABLISHMENT - Concession Stand (Exempt)

Babe Ruth Baseball League at 60th & Regent Ave. No.  
April 22 through August 1, 1989.

FOOD ESTABLISHMENT - Itinerant (Exempt)

Brunswick United Methodist Church, Boy Scout Troup #530  
6122 42nd Ave. No., One Day Only, April 21, 1989, Chili  
feed.

PLUMBER'S LICENSE - \$30.25

Aqua City Plumbing, 5428 Nicollet Ave. South, Minneapolis, MN  
55423

Andresen Plumbing Co., 5600 Wilshire Blvd., Crystal, MN 55429

SIGN HANGER'S LICENSE - \$66.00

Suburban Lighting, Inc., 6077 Lake Elmo Ave. N., Stillwater,  
MN 55082

TREE TRIMMERS - \$55.00

Crystal Tree Service, 3417 Yates Ave. No., Crystal, MN 55422

Auctioneer - \$18.25

Gregory J. Christian, 139 Hillplace Drive, Rogers, Mn. 55374

Harvey Hazeman, 3411 St. Francis Blvd., Anoka, Mn. 55303

Lemay Johnson, Lorrison, Mn.

Item # 8

Moravec N  
Grimes N  
Rygg A  
Carlson A  
Herbes A  
Smothers A  
Langsdorf N

1

Moravec N  
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Herbes A  
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Item

10



Sent with preliminary agenda on April 14, 1989:

Copy of check from Crystal Lions for \$2500.00 for purchase of Fire Dept. chain saws to open roofs.  
Letter from Police Chief dated 4-11-89 re: K of C donation of \$500 to offset cost of materials purchased for Project DARE.

Letter from Police Chief dated 4-11-89 re: Kiwanis Club of North Hennepin's donation of \$200 to offset cost of materials for Project DARE.

Minutes of the Council mtg. of 4-4-89.

Planning Comm. minutes of 4-10-89.

One day off-site gambling application for K of C for July 30, 1989 at Becker Park.

Charitable Gambling License renewal application from Cystic Fibrosis at Nicklows; copy of rental agreement.

Application for License for Paddock Bar for an itinerant food license for April 15, 1989.

Application for License for Lions Club to sell 3.2 beer at Firemen's Open House May 20, 1989, and request for waiver of fee.

Memo from Admin. Asst. dated 4-12-89 re: temporary signs for bike auction on April 22, 1989.

Letter from Lloyd L. Schreiner, 5608 - 57th Ave. No. re: Curb & Gutter improvement project.

Memo from Wm. Monk dated 4-14-89 re: Public hearing for Curb & Gutter installation on 57th, Vera Cruz, Welcome and Xenia Avenues north of Bass Lake Rd. and copy of petition in opposition.

Memo from Bldg. Inspector dated 4-13-89 re: Bldg. Permit #1705 on Lot 9B Crystal Airport.

Memo from Bldg. Inspector dated 4-6-89 re: Bldg. Permit #1711 at Lot 21A-2 Crystal Airport.

Memo from Bldg. Inspector dated 4-13-89 re: 6817 - 56th Ave. No. (Kentucky Fried Chicken).

Excerpt from Park & Rec. Advisory Comm. minutes of 4-5-89 re: third gym at Community Center.

Memo from Park & Rec. Director dated 4-13-89 re: Add. of 3rd gym at Crystal Community Center.

Memo from City Engr. dated 4-6-89 re: Lot Split Involving Lots 1 and 2, Hiller's Addition.

Memo from City Engr. dated 4-6-89 re: Conditional Use Permit for Outside Storage & Sale at 5612 Corvallis Avenue.

Memo from City Engr. dated 4-4-89 re: Petition to Amend Minimum Lot Area.

Letter from City Attorney dated 4-11-89 and copy of ordinance relating to elderly housing.

Resolution approving the preliminary design plans for the Northwest Corridor of Light Rail Transit.

Memo from City Engr. dated 4-11-89 re: Reconsideration of Proffesor's Addition.

Memo from City Engr. dated 4-12-89 re: Slope Stabilization on Bassett Creek South of Brunswick Avenue.

Memo from City Engr. dated 4-12-89 re: Feasibility Study for Curb & Gutter Construction on Brunswick Ave. between 46th and 47th Avenues.

Memo from City Engr. dated 4-13-89 re: Feasibility Study for Alley Improvements E. of Welcome Ave. between 38th & 39th Avenues.

Memo from City Engr. dated 4-4-89 re: Garage Sale Code Amendment.

Excerpt from Park & Rec. Advisory Comm. minutes of 4-5-89 re: Park Dedication Ordinance; letter from City Attorney dated 3-17-89; memo from City Engr. dated 3-20-89 and copy of ordinance.

Ordinance regarding recycling. Memo from City Clerk dated 4-6-89 re: Municipal Amicus Program through LMC; letter from LMC dated 3-30-89; Municipal Amicus Program Review (6/1/86 to 3/1/89).

Memo from Community Development Coordinator dated 4-11-89 re: Cost of moving City Owned House located at the Municipal Pool.

Letter from Larkin, Hoffman, Daly & Lindgren, Attorneys dated 4-7-89 re: Fiscal Disparities.

Memo from City Engr. dated 4-11-89 re: 1989 Street Maintenance Materials.

Brochure regarding 1989 Annual Conference for League of Minnesota Cities, June 6-9, 1989.

Memo from City Clerk dated 4-18-89 re: Regular City Council Mtgs. of 5-16, 6-6, and 7-4-89.

Memo from City Clerk dated 4-18-89 re: Auctioneer licenses for Gregory J. Christian on April 20, 1989 and Harvey Hazeman on April 23, 1989.

City of Crystal 1989 Expenditure Report for March. Property Tax Impact article, (AMM)

Letter from Central Scotland Police dated 4-5-89 re: visit to Crystal.

Fire Dept. Annual Report for 1988.

Letter from Twin West Chamber of Commerce dated 4-3-89 thanking for support.

Memo from City Manager dated 4-12-89 re: Advisory Commissions.

Letter from Rosenthal, Rondoni, MacMillan & Joyner, Attorneys re: Prosecution Statistics.

Letter from Mayor to Rep. Rest dated 4-11-89 re: Tax Increment Financing.

Letter from City Attorney dated 4-11-89 re: City's payments made to the firm for legal services in 1988; attachment regarding fees for certain projects.

MnDOT News dated 4-4-89.

Notice of public hearing from Robbinsdale Planning Commission re: 3730 Toledo Ave. No. (Robbinsdale Senior High School).

Letter to residents from City Manager dated 5-1-89 re: curbside recycling.

Action Needed Memo from 4-4-89 Council meeting (Put in official packet only - Council to get its copy with Newsbrief on April 21, 1989).

Memorandum

DATE: April 14, 1989  
TO: City of Crystal Councilmembers  
FROM: Jerry Dulgar, City Manager  
SUBJECT: Preliminary Agenda for the April 18, 1989 Council Meeting

Public Hearings:

1. Public hearing to consider curb and gutter improvements on Vera Cruz, 57th, Welcome, and Xenia Avenues north of Bass Lake Road.

I would advise that you study the information on this carefully as I think we'll have a large number of people in attendance both pro and con on this project and wanting to change what Bill is recommending to great extent.

Regular Agenda Items:

3. Consideration of authorization to issue building permit #1658 to Kentucky Fried Chicken to remodel at 6817 - 56th Avenue North.

Apparently Kentucky Fried Chicken has finally worked out a lease arrangement with Pastor Enterprises and they will be moving from their present location and remodeling the Rax building for a new location.

4. Consideration of a recommendation from the Park & Recreation Advisory Commission to include the architect's fee for the addition of a third gym to the community center construction budget and add the construction of the third gym as a deduct alternate.

Since our last meeting the Park and Recreation Commission has met and looked at the question of the third gym again. We could do as they recommend although we would be out approximately \$10,000 for architects fees for the design work if we do that.

10. Consideration of a request for reconsideration of Professors Addition preliminary plat.

I would recommend that the Council ask City Attorney Kennedy for an opinion relative to the Council's jurisdiction and action necessary whether it's a

discretionary policy making action or if it's more of an administrative action. I'm not so certain that the action we took last time would stand up in court and you might want the City Attorney to advise you closely on this before you go ahead take additional action on it.

13. Consideration of accepting feasibility study for alley improvements west of Welcome Avenue between 38th and 39th Avenues.

The only comment to make on this is this would be a cooperative project with Robbinsdale and that the alley is serving both cities.

14. Consideration of First Reading of an Amendment to Ordinance to include garage sales as an accessory use in residential districts.

Some of you have contacted us about different residents in your district having on-going garage sales. This amendment change Bill and Dave Kennedy prepared is an attempt to get at that problem.

15. Consideration of the Second Reading of an Ordinance relating to Park Dedication.

Some weeks ago staff indicated that we felt there was some problem with interpretation and enforcement of the Park Dedication Ordinance. We revised the old and sent it back to the Park Board. It is now back to you with their recommendation which is along the lines we recommended to them.

17. Consideration of the City's membership in the Municipal Amicus Program (MAP) through the League of Minnesota Cities.

Please notice in the information they sent us that they've requested that we join the Amicus Program. Also notice in the cases that they've been involved in one of those involve Crystal, the Crystal Greens case which we won. I think for the \$475 it's a very good buy for the City to have somebody that is looking at cases and interceding on behalf of the cities at least in the appeal stage of the cases to make sure that there's not bad case law developed relative to matters concerning cities.



18. Discussion of the City owned property at 4836 Douglas Drive.

I believe I informed all of you that the lady who lived at that address, Mrs. Burak, passed away a few weeks ago. The City had owned the property for a number of years. Mrs. Burak had a life estate. The City now takes possession of the property effective May 1. We've had house movers etc look at the house and they indicate to us that they wouldn't take the house even if we gave it to them because of the age and condition of it. It'd be my recommendation that we demolish the house as soon as possible so we don't get into costly repairs, maintenance, boarding up, etc. We'll maybe look at having the contractor who's doing 4500 Adair look at it and see if he would do it for the same price or something. It'd be my recommendation that we get rid of it as soon as possible.

JD/kg

COUNCIL AGENDA - SUMMARY

COUNCIL MEETING OF  
APRIL 18, 1989

Call to order

Roll call

Pledge of Allegiance to the Flag

Acknowledgment of a \$2500 check from Crystal Lions to the Crystal Fire Department for purchase of chain saws for opening roofs.

Acknowledgment of a \$500 check from Knights of Columbus and a \$200 check from Kiwanis Club of North Hennepin both of which will be used to offset the cost of materials purchased for Project DARE.

Approval of the minutes of the regular meeting of April 4, 1989.

**Consent Agenda**

1. Set public hearing for May 2, 1989 to consider variance applications for density, parking and unit size at Calibre Chase, 6315 - 55th Avenue North.
2. Set public hearing for May 2, 1989 to consider easement vacation at 6619 - 31st Avenue North.
3. Set public hearing for May 2, 1989 to consider variance applications to vary the lot area requirements, to encroach in the required 40' rear yard setback, to encroach in the required 30' front yard setback, to encroach in the required 50' setback from the intersection for a curb cut for a single family dwelling at 4500 Adair Avenue North and to waive the \$300 fee as requested by HRA.
4. Set public hearing for May 2, 1989 to consider a request to grant a variance of 1.5' in the required 5' side yard setback to build a 20' x 28' attached garage on the existing house at 4313 Florida Avenue North as requested by Kimberly and Philip Meinert.
5. Set public hearing for May 2, 1989 to consider a request to grant a variance of 22' in the required 40' rear yard setback for a 10' x 26' addition on the existing house at 6712 Valley Place as

requested by Achievements in Design for Roger and Constance Grumdahl.

6. Set public hearing for May 2, 1989 to consider a request to grant a variance of 5' in the required 40' rear yard setback for a 11' x 24' addition on the existing house at 4702 Douglas Drive as requested by Achievements in Design for Steven and Bonnie Pechtel.
7. Consideration of a one-day off-site gambling application from Knights of Columbus, 4947 West Broadway, for July 30, 1989 at Becker Park for the Crystal Frolics.
8. Consideration of a gambling license renewal application for Cystic Fibrosis Foundation at Nicklows, 3516 North Lilac Drive.
9. Consideration of application for itinerant food establishment license at Paddock Bar, 5540 Lakeland Avenue North, on April 15, 1989.
10. Consideration of a license for Lions Club of Crystal to sell 3.2 beer at the Fireman's Open House on May 20, 1989 at the John T. Irving Fire Station and request for waiver of fee.
11. Consideration of approval of three temporary signs with waiver of fee for Crystal Bicycle Auction to be held on April 22. Signs to be located at City Hall, 6129 - 31 42nd Avenue North, and 4100 Douglas Drive, on April 19, 1989 and will be taken down after the auction on April 22, 1989.

#### Public Hearings

1. Public hearing to consider curb and gutter improvements on Vera Cruz, 57th, Welcome, and Xenia Avenues north of Bass Lake Road. *Project #89-4*

#### Regular Agenda Items

1. Consideration of authorization to issue building permit #1705 to Michael R. Finn to build a 45' x 48' airplane hangar at Lot 9B, Crystal Airport.
2. Consideration of authorization to issue building permit #1711 to Ray Johnson of Kurt Mfg. Co. to build a 14' x 60' addition to the existing airplane hangar on Lot 21A-2, Crystal Airport.



3. Consideration of authorization to issue building permit #1658 to Kentucky Fried Chicken to remodel at 6817 - 56th Avenue North.
4. Consideration of a recommendation from the Park & Recreation Advisory Commission to include the architect's fee for the addition of a third gym to the community center construction budget and add the construction of the third gym as a deduct alternate.
5. Consideration of a waiver of plat requirement to approve a lot split as requested at 4166 Hampshire Avenue by Victor Hanks.
6. Consideration of conditional use permit to allow a landscape contractor's storage and retail in an I-2 (Heavy Industrial) District at 5612 Corvallis Avenue as requested by Ron Graves Contracting.
7. Consideration of an Amendment to Ordinance concerning lot area requirements for R-1 (Single Family Residential) District as requested by Lorraine Bedman.
8. Consideration of Second Reading of an Ordinance Amendment Related to Elderly Housing.
9. Consideration of a resolution of findings for Light Rail Transit preliminary design on Northwest Corridor.
10. Consideration of a request for reconsideration of Professors Addition preliminary plat.
11. Consideration of project authorization for slope stabilization on Bassett Creek at Brunswick Avenue crossing.
12. Consideration of accepting feasibility study for curb and gutter improvements on Brunswick Avenue between 46th and 47th Avenues. *Proj. #89-5*
13. Consideration of accepting feasibility study for alley improvements west of Welcome Avenue between 38th and 39th Avenues. *Proj. #89-6*
14. Consideration of First Reading of an Amendment to Ordinance to include garage sales as an accessory use in residential districts.
15. Consideration of the Second Reading of an Ordinance relating to Park Dedication.

16. Consideration of Second Reading of an Ordinance regarding refuse hauling districts.
17. Consideration of the City's membership in the Municipal Amicus Program (MAP) through the League of Minnesota Cities.
18. Discussion of the City owned property at 4836 Douglas Drive.
19. Discussion of Fiscal Disparities legislation.
20. Consideration of award of bid for 1989 maintenance materials.

#### **Open Forum**

#### **Informal Discussion and Announcements**

Consideration of 1989 Annual Conference LMC to be held June 6 thru June 9, 1989.

#### **Licenses**

#### **Adjournment**

APPLICATIONS FOR LICENSE

April 18, 1989

FOOD ESTABLISHMENT - Nursery (Exempt)

Brunswick United Methodist Nursery, 6122 42nd Ave. No.

FOOD ESTABLISHMENT - Concession Stand (Exempt)

Babe Ruth Baseball League at 60th & Regent Ave. No.  
April 22 through August 1, 1989.

FOOD ESTABLISHMENT - Itinerant (Exempt)

Brunswick United Methodist Church, Boy Scout Troup #530  
6122 42nd Ave. No., One Day Only, April 21, 1989, Chili  
feed.

PLUMBER'S LICENSE - \$30.25

Aqua City Plumbing, 5428 Nicollet Ave. South, Minneapolis, MN  
55423

Andresen Plumbing Co., 5600 Wilshire Blvd., Crystal, MN 55429

SIGN HANGER'S LICENSE - \$66.00

Suburban Lighting, Inc., 6077 Lake Elmo Ave. N., Stillwater,  
MN 55082

TREE TRIMMERS - \$55.00

Crystal Tree Service, 3417 Yates Ave. No., Crystal, MN 55422

CRYSTAL LIONS CLUB  
CHARITABLE GAMBLING  
PALACE INN

2627

75-1662/910

April 6, 1989

PAY TO THE  
ORDER OF

Crystal Fire Dept.  
Two thousand five hundred and no/100

\$ 2,500.00

DOLLARS

**The Bank**  
EASY PLACE North

Crystal Offices  
7000 Bass Lake Road  
42nd & Douglas  
Crystal, MN 55428

MEMO

Anthony P. Kastoras

For purchase of Fire Dept.  
chain saws for opening roofs.





CITY of CRYSTAL

4141 Douglas Drive North • Crystal, MN 55422-1696 • 537-8421

POLICE DEPARTMENT

April 11, 1989

Knights of Columbus  
Father Wm. Blum, Council No 3656  
4947 West Broadway  
Minneapolis, MN 55429

Dear Friends:

I am writing to express the gratitude of the Crystal Police Department to the Knights of Columbus for their generous donation of \$500.

This money will be used to offset the cost of the materials purchased for Project DARE, which is being presented to several hundred fifth and sixth graders from our community.

This program has been very beneficial to the children and officers involved, as well as the community which we proudly serve.

Thank you again for your continual support and your donation.

Sincerely,

James F. Mossey  
Chief of Police

JFM/ee



**CITY of CRYSTAL**

4141 Douglas Drive North • Crystal, MN 55422-1696 • 537-8421

POLICE DEPARTMENT

April 11, 1989

Kiwanis Club of North Hennepin  
Marvin Carlson  
3850 Idaho North  
Crystal, MN 55427

Dear Friends:

I am writing to express the gratitude of the Crystal Police Department to the Kiwanis Club of North Hennepin for their generous donation of \$200.

This money will be used to offset the cost of the materials purchased for Project DARE, which is being presented to several hundred fifth and sixth graders from our community. This program has been very beneficial to the children and officers involved, as well as the community which we proudly serve.

Thank you again for your continual support and your donation.

Sincerely,

James F. Mossey  
Chief of Police

JFM/ee

April 4, 1989

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Pursuant to due call and notice thereof, the Regular meeting of the Crystal City Council was held on April 4, 1989 at 7:00 P.M., at 4141 Douglas Drive, Crystal, Minnesota.

The Secretary of the Council called the roll and the following were present: Moravec, Grimes, Carlson, Herbes, Smothers, Langsdorf. Absent: Rygg. Also in attendance were the following staff members: Jerry Dulgar, City Manager; John Olson, Assistant City Manager; David Kennedy, City Attorney; William Monk, Public Works Director; Darlene George, City Clerk; Julie Jones, Redevelopment Coordinator.

The Mayor led the Council and the audience in the Pledge of Allegiance to the Flag.

The Mayor acknowledged a donation of \$500 to the Crystal Fire Department from the Elk's Lodge to be used toward a purchase of rechargeable flashlights.

The Mayor issued a proclamation in appreciation for volunteers for the week of April 9-15, 1989 which has been designated as National Volunteer Recognition Week.

The City Council considered the minutes of the regular meeting of the City Council of March 21, 1989.

Moved by Councilmember Carlson and seconded by Councilmember Smothers to approve the minutes of the regular meeting of the City Council of March 21, 1989.

Motion Carried.

The City Council considered the following Consent Agenda:

1. Consideration of a request for waiver of fee on a temporary sign permit for an open house at the John T. Irving Fire Station on May 20, 1989, as submitted by Crystal Fire Fighters Relief Association.
2. Consideration of a charitable gambling application to hold a raffle at the John T. Irving Fire Station on May 20, 1989, as submitted by Crystal Fire Fighters Relief Association.
3. Consideration of a request from the Crystal Police Department to hold its Annual Bicycle Auction on Saturday, April 22, 1989, at the Crystal City Garage.
4. Consideration of a solicitor's permit from NE/NW Y.M.C.A. to collect non-perishable food items door-to-door on April 28, 1989, from 7 to 9 p.m. to be given to PRISM food shelf.
5. Consideration of a request for waiver of fee for Crystal Little League Food Establishment to operate a concession stand

April 4, 1989

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at Moore Field, 48th and Douglas Drive, on April 1 thru August 20, 1989.

6. Consideration of a solicitor's permit from Greenpeace Action to solicit donations door-to-door April 5 thru 30, 1989.
7. Consideration of a one-day off-site lawful gambling application from the Lions Club of Crystal to be held at Becker Park on Saturday, July 29, 1989 (Crystal Frolics).
8. Consideration of a charitable gambling license renewal for V.F.W. Post #494, 5222-56th Avenue North.
9. Set public hearing for May 2, 1989 for Improvement Project for curb and gutter construction on Brunswick Avenue between 46th and 47th Avenues.
10. Set public hearing for May 2, 1989 for Improvement Project to pave alley east of Welcome Avenue between 38th and 39th Avenues.

Moved by Councilmember Langsdorf and seconded by Councilmember Moravec to approve the Consent Agenda.

Motion Carried.

The City Council considered the following Public Hearing:

1. It being 7:00 p.m., or as soon thereafter as the matter may be heard, Mayor Herbes declared this was the date and time as advertised for a public hearing at which time the City Council will consider preliminary design of Northwest Corridor of Light Rail Transit as submitted by Hennepin County Regional Railroad Authority. The Mayor asked those present to voice their opinions or to ask questions concerning the proposed plat. A presentation was made by representatives of Hennepin County and BRW, Inc. Also present and heard were: Lois Degendorfer, 6309 Brentwood, Tim Hagan, 5612 Corvallis Avenue North, and Ms. Braves, Regional Transit Board.

The Mayor closed the Public Hearing.

Moved by Councilmember Moravec and seconded by Councilmember Smothers to accept the City Engineer's report and direct staff to prepare findings of fact consistent with discussion for the April 18, 1989 Council meeting.

Motion Carried.

The Mayor called a recess at 8:22 p.m. and the meeting was reconvened at 8:35 p.m.

The City Council considered the following items on the Regular Agenda:



April 4, 1989

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1. The City Council considered an application for appointment to the Human Relations Commission from John C. Luzaich, 5724 Nevada Avenue North, for an unexpired term, expiring 12-31-89.

Moved by Councilmember Smothers and seconded by Councilmember Carlson to appoint John C. Luzaich to the Human Relations Commission for an unexpired term, expiring 12-31-89.

Motion Carried.

2. The City Council considered a request from the Environmental Quality Commission to appoint Diane Christopher as their representative to the Long-Range Planning Commission.

Moved by Councilmember Moravec and seconded by Councilmember Langsdorf to appoint Diane Christopher of the Environmental Quality Commission as their representative on the Long-Range Planning Commission, for an unexpired term expiring 12-31-89.

Motion Carried.

3. Jim Richter of the Crystal Little League appeared before the Council regarding delay in construction of the Community Center so that Little League can finish the season. Also appearing and heard were: Mark Tsatsos, 3127 Georgia Avenue North, and Daniel Rea, 6256 Rhode Island Avenue North.

Moved by Councilmember Carlson to keep west field open until July 15, 1989.

Motion Failed for lack of a second.

Staff was directed to consult with the architects to see what they could do to make development of west field as late as they can, investigate possibility of using Welcome Park rather than Forest School as an alternate field, and consult with proper parties to see if cemetery property could be used for an alternate field.

4. The City Council considered First Reading of an Ordinance Amendment to delete public involvement requirements and increase the minimum density for elderly housing.

Moved by Councilmember Smothers and seconded by Councilmember Grimes to remove this item from the table.

Motion Carried.

Greg Lundeen, 6125 - 36th Avenue North, appeared and was heard.

Moved by Councilmember Moravec and seconded by Councilmember Smothers to adopt the following ordinance:

ORDINANCE NO. 89-

AN ORDINANCE RELATING TO ZONING REGULATIONS:  
AMENDING CRYSTAL CITY CODE  
BY MODIFYING SECTION 515.27 AND REPEALING PARTS

April 4, 1989

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OF SECTIONS 515.03, 515.09, 515.15 AND 515.27

and further, that the second and final reading be held on April 18, 1989.

By roll call and voting aye: Moravec, Grimes, Herbes, Smothers, Langsdorf; voting no: Carlson; absent and not voting: Rygg.

Motion Carried.

5. The City Council considered the Second Reading of an Ordinance concerning recycling. Shirlie Lundgren, 6307 - 34th Avenue North, appeared and was heard.

Moved by Councilmember Carlson and seconded by Councilmember Langsdorf to adopt the following ordinance:

ORDINANCE NO. 89-4

AN ORDINANCE RELATING TO RECYCLING

and further, that this be the second and final reading.

Motion Carried.

6. The City Council considered the First Reading of an Ordinance Amendment to the City Code regarding refuse hauling districts.

Moved by Councilmember Langsdorf and seconded by Councilmember Smothers to adopt the following ordinance:

ORDINANCE NO. 89-

AN ORDINANCE AMENDING CRYSTAL CITY CODE  
SECTION 605 REGARDING REFUSE COLLECTION DISTRICTS

and further, that the second and final reading be held on April 18, 1989.

Motion Carried.

7. The City Council considered a recommendation from the Human Relations Commission for removal of James Darmer and Judy Rice from the commission due to poor attendance at regular meetings.

Moved by Councilmember Grimes and seconded by Councilmember Smothers to remove James Darmer and Judy Rice from the Human Relations Commission due to poor attendance at regular meetings.

Motion Carried.

8. The City Council considered selection of a local committee to promote the 1990 census. It was the consensus of the Council to eliminate the selection of a committee but to promote the 1990 census in the City Newsletter and the Post News.

April 4, 1989

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9. The City Council considered Advisory Commissioner recruitment for the N.W. Hennepin Human Services Council. Staff was advised to promote recruitment in City Newsletter. Council liaison to the Human Relations Commission will also work on recruitment of Commissioners.
10. The City Council discussed the 1990 City of Crystal Budget Preparation Schedule.
11. The City Council discussed an Economic Development Authority for the City of Crystal. Shirly Lundgren, 6307 - 34th Avenue North, appeared and was heard.

Moved by Councilmember Smothers and seconded by Councilmember Langsdorf to call a Special Meeting on April 27, 1989 at 7:30 p.m. to discuss an Economic Development Authority for the City of Crystal.

Motion Carried.

Staff was directed to invite City Commissions to the meeting.

OPEN FORUM:

Dennis Buck, 7109 Valley Place, appeared concerning a police call to his home. Staff was directed to investigate complaint.

INFORMAL DISCUSSION AND ANNOUNCEMENTS:

12. The City Council discussed the violation of Richard Marsolais of Crystal Liquors, 5924 West Broadway, regarding sale of liquor to a minor.

Moved by Councilmember Langsdorf and seconded by Councilmember Smothers to approve the recommendation of City staff to suspend the off-sale liquor license for Crystal Liquors, 5924 West Broadway, for one day from 8 a.m. on April 10, 1989 until 1 a.m. on April 11, 1989.

Motion Carried.

13. The City Council considered a request of the Paddock Bar, 5540 Lakeland, to extend their liquor license to include their parking lot for a softball benefit on April 15, 1989.

Moved by Councilmember Smothers and seconded by Councilmember Carlson to approve a request from the Paddock Bar, 5540 Lakeland Avenue North, to extend their liquor license to include the parking lot for a softball benefit on April 15, 1989 from 2 to 4 p.m.

Motion Carried.

Moved by Councilmember Smothers and seconded by Councilmember Carlson to approve the list of license applications as submitted by the City Clerk to the City Council, a list of

April 4, 1989

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which is on file in the office of the City Clerk, and further, that such list be incorporated into and made a part of this motion as though set forth in full herein.

Motion Carried.

Moved by Councilmember Smothers and seconded by Councilmember Langsdorf to adjourn the meeting.

Motion Carried.

Meeting adjourned at 10:20 p.m.

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Mayor

ATTEST:

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City Clerk



## CRYSTAL PLANNING COMMISSION MINUTES

April 10, 1989

The meeting of the Crystal Planning Commission convened at 7:30 p.m. with the following present: Anderson, Barden, Christopher, Elsen, Feyereisen, Guertin, Kamp and Magnuson; the following was absent: Nystrom; also present were Building Inspector Peterson, City Engineer Monk and Recording Secretary Scofield.

Moved by Commissioner Magnuson and seconded by Commissioner Christopher to approve the minutes of the March 13, 1989, meeting.

Motion carried.

1. Chairperson Feyereisen turned over the gavel to Vice Chairperson Magnuson and removed himself from consideration of this item because his children worked or work for Pizza Hut. Chairperson Magnuson declared this was the time and the place as advertised for a public hearing to consider Application #89-5 of Pizza Hut of America, Inc. for rezoning property from B-2 (Limited Commercial) District to B-4 (Community Commercial) District and #89-6 for a conditional use permit to allow a convenience food establishment in a B-4 District at 3600 Douglas Drive. The proponents presented the following: Allan Broholm of Pizza Hut of America, Inc. stated they would upgrade the property formerly occupied by a real estate firm; would be a carry-out (10%) and delivery (90%) operation; hours 11 a.m. to 12 midnight Sun. through Thurs. and 11 a.m. to 1 a.m. Fri. and Sat.; during peak hours would have 5 employees at location and 10 drivers; would not affect traffic because busy hours are from 7 to 9 p.m.; and property is commercially zoned so existing permitted uses would allow an all-night grocery, drug store, etc. and at one time was a Shell Gasoline Station. Mark Feyereisen, 3409 Zane Ave. N., of Pizza Hut of America, Inc. stated that hours would be cut back if not profitable; drivers use their own vehicles and must be at least 18 years old and are given 5 hours safety training and 3 hours riding with another driver.

The following were heard in opposition:

Marilyn Knudson, 3609 Colorado Ave. N.  
Joe Rozman, 3624 Douglas Drive  
Hazel Remme, 3609 Douglas Drive.

Their concerns were as follows: too much traffic already, worse in the summer; car door slamming is disturbing with late hours of operation; and lower valuation of surrounding residential properties.



April 10, 1989 - Continued

Moved by Commissioner Elsen and seconded by Commissioner Kamp to close the public hearing.

Motion carried.

Moved by Commissioner Elsen and seconded by Commissioner Guertin to recommend to the City Council to approve Application #89-5, as submitted by Pizza Hut of America, Inc., to rezone from B-2 (Limited Commercial) District to B-4 (Community Commercial) District and #89-6 for a conditional use permit to allow a convenience food establishment (pizza take-out) in a B-4 District at 3600 Douglas Drive, Lot 7, Block 1, Schwartz Addition.

The findings of fact are: the building currently becoming more deteriorated, owner's right to utilize building, minimal traffic increase, best use of property, help City of Crystal, commercially zoned and probably will never have a house built on the site.

The following voted aye: Barden, Elsen, Guertin, Kamp and Magnuson. The following voted no: Anderson and Christopher.

Motion carried 5-2.

2. Vice Chairperson Magnuson turned the meeting back to Chairperson Feyereisen. Chairperson Feyereisen declared this was the time and the place as advertised for a public hearing to consider Application #89-7 of Ron Graves for a conditional use permit to allow a landscape contractor's storage and retail in an I-2 (Heavy Industrial) District at 5612 Corvallis Ave. N. The proponent presented the following: Ron Graves stated they own a water truck which they will use for dust control.

No one appeared in opposition.

Moved by Commissioner Magnuson and seconded by Commissioner Christopher to close the public hearing.

Motion carried.

Moved by Commissioner Barden and seconded by Commissioner Magnuson to recommend to the City Council to approve Application #89-7, as submitted by Ron Graves, for a conditional use permit to allow a landscape contractor's storage and retail in an I-2 (Heavy Industrial) District at 5612 Corvallis Ave. N., P.I.D. #09-118-21-24-0003.

The findings of fact are: Currently site is under used, temporary use until October 15, 1989, applicant shall be responsible for dust control and property surrounded by other industrial properties.

Motion carried.

April 10, 1989 - Continued

3. Chairperson Feyereisen declared this was the time and the place as advertised for a public hearing to consider an amendment to the Zoning Ordinance to reduce lot area requirements for R-1 (Single Family Residential) District to 6,000 sq. ft. The City Engineer stated the lot area requirements in the surrounding cities were as follows: Brooklyn Center 9,500 sq. ft. with 75' front footage, Robbinsdale 6,000 sq. ft. with 50' front footage, New Hope 9,500 sq. ft. with 75' front footage, Golden Valley 10,000 sq. ft. with 80' front footage, and Brooklyn Park 8,500 sq. ft. with 70' front footage. The proponent, Lorraine Bedman, 7025 - 46th Ave. N., cited the original charter, presented her petition to revert to 6,000 sq. ft. for lot area requirements for R-1 District and cited approval of St. James Plat as a property that did not have 7,500 sq. ft.

Moved by Commissioner Anderson and seconded by Commissioner Elsen to close the public hearing.

Motion carried.

Moved by Commissioner Magnuson and seconded by Commissioner Christopher to recommend to the City Council to deny an amendment to the Zoning Ordinance to reduce lot area requirements for R-1 (Single Family Residential) District to 6,000 sq. ft. (Sec. 515.15, Subd. 2 d) 1) i).

The findings of fact are: 99% of Crystal is developed, we have had an ordinance of 7,500 sq. ft. for 25 years, City should not be going backwards and 7,500 sq. ft. seems reasonable for City consistent with neighboring cities.

Motion carried.

4. Moved by Commissioner Magnuson and seconded by Commissioner Elsen to move the public hearing to consider an amendment regarding garage sales to the end of the agenda as no one had come for this item.
5. Consideration of a waiver of plat requirement to approve a lot split as requested by Victor Hanks, property located at 4166 Hampshire Ave. N.

Moved by Commissioner Kamp and seconded by Commissioner Barden to recommend to the City Council to grant a waiver of plat requirement to allow a lot split of property located at 4166 Hampshire Ave. N., P.I.D. #17-118-21-14-0045, as requested by Victor Hanks.

Motion carried.

6. Consideration of Variance Applications #89-8, #89-9, #89-10 and #89-11 to vary the lot area requirements, to encroach in the required 40' rear yard setback, to encroach in the required 30' front yard setback, to encroach in the required 50' setback from the intersection

April 10, 1989 - Continued

for a curb cut for a single family dwelling at 4500 Adair Ave. N. and to waive the \$300 fee as requested by HRA. Julie Jones, HRA coordinator, stated this was a way of providing low income housing for a first home buyer with a limited income.

Moved by Commissioner Magnuson and seconded by Commissioner Guertin that pursuant to Section 515.55 of the Crystal City Code to recommend to the City Council to deny:

- 1) Application #89-9 to vary or modify the strict application of Section 515.13, Subd. 4 a) to grant a variance of 20' in the required 40' rear yard setback;
- 2) Application #89-10 to vary or modify the strict application of Section 515.13, Subd. 2 a) to grant a variance of 9' in the required 30' front yard setback; and
- 3) Application #89-11 to vary or modify the strict application of Section 515.09, Subd. 4 h) 4) to grant a variance of 14' in the required 50' setback from the intersection for a curb cut

for a single family dwelling at 4500 Adair Ave. N., P.I.D. #09-118-21-33-0092, and to waive the \$300 fee as requested by HRA.

The findings of fact are: Too many variances being requested, HRA should have had the building looked at by the Building Inspector and Engineer before purchase and would be setting a precedent as no hardship is involved.  
Motion carried.

No action was taken on Variance Application #89-8 to vary or modify the strict application of Section 515.15, Subd. 2 d) 1) i), to grant a variance of 923 sq. ft. of the required 7,500 sq. ft. lot area.

7. Consideration of a building permit for remodeling and a small addition at 6817 - 56th Ave. N., as requested by Kentucky Fried Chicken. (Vacating other location at 6624 - 56th Ave. N.)

Moved by Commissioner Christopher and seconded by Commissioner Kamp to recommend to the City Council to approve authorization to issue building permit #1658 to Kentucky Fried Chicken to remodel and make a small addition at 6817 - 56th Ave. N., subject to standard procedure.  
Motion carried.

8. Consideration of Variance Applications #89-12, #89-13 and #89-14 to vary the minimum floor area per unit, to vary the lot area per unit and to vary the number of off-street



April 10, 1989 - Continued

parking spaces required for development of two elderly (senior citizen) efficiency apartments at 6315 - 55th Ave. N., as requested by Brutger Companies.

Moved by Commissioner Barden and seconded by Commissioner Elsen that pursuant to Section 515.55 of the Crystal City Code to recommend to the City Council to deny:

- 1) Application #89-12 to vary or modify the strict application of Section 515.15, Subd. 5 c) 1), to grant a variance of 20 sq. ft. of the required 440 sq. ft. of floor area per unit;
- 2) Application #89-13 to vary or modify the strict application of Section 515.15, Subd. 2 d) 4) iii), to grant a variance of an additional 23 sq. ft. to the required 1,250 sq. ft. lot area per unit; and
- 3) Application #89-14 to vary or modify the strict application of Section 515.09, Subd. 8 o) to grant a variance of an additional 4 parking spaces (previously requested variance of 44)

for development of two elderly (senior citizen) efficiency apartments at 6315 - 55th Ave. N., P.I.D. #05-118-21-44-0048, as requested by Brutger Companies.

The findings of fact are: Too dense, other viable, practical uses for space and no hardship demonstrated.

Motion carried.

9. Consideration of Variance Application #89-15 for an attached garage which will encroach in the 5' side yard setback at 4313 Florida Ave. N. as requested by Kimberly and Philip Meinert.

Moved by Commissioner Magnuson and seconded by Commissioner Christopher that pursuant to Section 515.55 of the Crystal City Code to recommend to the City Council to vary or modify the strict application of Section 515.13, Subd. 3 a) 1), to grant a variance of 1.5' in the required 5' side yard setback for a 20' x 28' attached garage on the existing house at 4313 Florida Ave. N., P.I.D. #17-118-21-11-0106, as requested in Application #89-15 of Kimberly and Philip Meinert.

The findings of fact are: Reasonable request for a garage, variance minimal and a fire wall is required.

Motion carried.

10. Consideration of Variance Application #89-17 for an addition and detached double garage which will encroach in the required 40' rear yard setback at 4702 Douglas Drive as

April 10, 1989 - Continued

requested by Achievements in Design for Steven and Bonnie Pechtel.

Moved by Commissioner Magnuson and seconded by Commissioner Barden that pursuant to Section 515.55 of the Crystal City Code to recommend to the City Council to vary or modify the strict application of Section 515.13, Subd. 4 a), to grant a variance of 5' in the required 40' rear yard setback for an 11' x 24' addition on the existing house and a 24' x 24' detached double garage, at 4702 Douglas Drive, P.I.D. #09-118-21-32-0011, as requested in Application #89-17 of Achievements in Design for Steven and Bonnie Pechtel.

The findings of fact are: Nominal variance in the rear yard setback and will improve property.

Motion carried.

11. Consideration of Variance Application #89-16 for an addition which will encroach in the required 40' rear yard setback at 6712 Valley Place as requested by Achievements in Design for Roger and Constance Grumdahl.

Moved by Commissioner Elsen and seconded by Commissioner Barden that pursuant to Section 515.55 of the Crystal City Code to recommend to the City Council to vary or modify the strict application of Section 515.13, Subd. 4 a), to grant a variance of 22' in the required 40' rear yard setback for a 10' x 26' addition on the existing house, at 6712 Valley Place, P.I.D. #20-118-21-13-0051, as requested in Application #89-16 of Achievements in Design for Roger and Constance Grumdahl.

The findings of fact are: Unusual shaped lot that moves into a hill, retaining walls in place, no adverse effect on neighborhood and an improvement to the property.

Motion carried.

12. Consideration of a building permit for an airplane hangar at Lot 9B, Crystal Airport, as requested by Michael R. Finn.

Moved by Commissioner Magnuson and seconded by Commissioner Kamp to recommend to the City Council to approve authorization to issue building permit #1705 to Michael R. Finn to build a 45' x 48' airplane hangar at Lot 9B, Crystal Airport, subject to standard procedure.

Motion carried.

13. Consideration of a building permit for an addition to an airplane hangar at Lot 21A-2, Crystal Airport, as requested by Ray Johnson of Kurt Mfg. Co.



April 10, 1989 - Continued

Moved by Commissioner Kamp and seconded by Commissioner Christopher to recommend to the City Council to approve authorization to issue building permit #1711 to Ray Johnson of Kurt Mfg. Co. to build a 14' x 60' addition to an airplane hangar at Lot 21A-2, Crystal Airport, subject to standard procedure.

Motion carried.

4. Chairperson Feyereisen declared this was the time and the place as advertised for a public hearing to consider an amendment to the Zoning Ordinance which would include garage sales as an accessory use in residential districts.

Moved by Commissioner Anderson and seconded by Commissioner Magnuson to close the public hearing.

Motion carried.

Moved by Commissioner Magnuson and seconded by Commissioner Christopher to recommend to the City Council to approve adding an amendment to the Zoning Ordinance which would include garage sales as an accessory use in residential districts (Section 515.19, Subd. 3 i).

The findings of fact are: Believe needed amendment to the Zoning Ordinance and will assist in eliminating public nuisance and regulating garage sales.

Motion carried.

14. Discussion items:

- A. Joint Meeting with City Council on Economic Development Authority will be April 27, 7:30 p.m.
- B. First reading of an Amendment to Code regarding Elderly Housing was April 4 which deleted public involvement requirements and increased minimum density to one per 1,800 sq. ft. for elderly housing.
- C. Proposed Planning Seminar as suggested by City Attorney continued to next meeting.
- D. Commissioner Anderson asked if Planning Commission would be seeing a building permit for the Community Center. Building Inspector Peterson said yes.
- E. Commissioner Anderson requested funds in the 1990 budget for an outside consultant for the Comprehensive Plan Update.

Moved by Commissioner Magnuson and seconded by Commissioner Barden to adjourn.

Motion carried.

April 10, 1989 - Continued

The meeting adjourned at 10:50 p.m.

---

Chairperson Feyereisen

---

Secretary Barden

Return to: Charitable Gambling Control Board  
1821 University Avenue - Rm. N475  
St. Paul, MN 55104-3383  
Phone: 612/642-0555

**LAWFUL GAMBLING APPLICATION**

*Duplicate*

- A licensed organization may, upon approval of this application, conduct gambling on a premises other than a licensed site one day per calendar year for not more than 12 hours
- If there are fewer than 60 days between the date that the city/county signs the application and the date of the off-site gambling, include a waiver from the city/county waiving its 60-day disapproval period.
- Print clearly or type. Attach a copy of the lease for the off-site premises.
- After review, the application will be returned to the organization with approval or denial indicated below.

Organization KNIGHTS OF COLUMBUS - Council #3656		License No. A - 00200 - 1	
Address (street or P.O. box number) 4947 West Broadway			
City Crystal	State MN	Zip Code 55429	Phone No. (612) 537-1492

**OFF-SITE INFORMATION**

1. Name of premises where off-site lawful gambling will be conducted Becker Park			
2. Address of off-site premises Bass Lake Rd. & State Hwy #81		City or township Crystal	State MN
3. Date of one-day event July 30, 1989		Zip Code 55428	
4. Has your organization conducted off-site gambling this year? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			If YES, give date of event
5. Attach a lease for the one day off-site lawful gambling. No lease required -- site is Crystal park land.			
6. Name of chief executive officer (please print) Russell Horbal		Signature X <i>Russell Horbal</i>	

**ACKNOWLEDGEMENT OF NOTICE BY LOCAL GOVERNING BODY**

I hereby acknowledge having been served with notice that this application will be reviewed by the Charitable Gambling Control Board and, if approved, will become effective 60 days from the date of receipt (noted below) unless a resolution of the local governing body is passed that specifically disallows such activity and a copy of that resolution is received by the Charitable Gambling Control Board within 60 days of the below noted date. The city or county may choose to waive the 60-day acknowledgement period by resolution. Attach the written waiver to this request.

7. Name of city or county (local governing body) CRYSTAL		
8. Signature of person receiving application <i>Darlene George</i>	Title <i>City Clerk</i>	Date received <i>April 4, 1989</i>
If site is located within a township, items 9 and 10 must be completed in addition to the county signature.		
9. Name of township		
10. Signature of person receiving application	Title	

**FOR BOARD USE ONLY**

Approved ☐ Denied ☐

Executive Secretary  
Charitable Gambling Control Board

Date





Charitable Gambling Control Board  
Rm N-475 Griggs-Midway Bldg.  
1821 University Ave.  
St. Paul, MN 55104-3383  
(612) 642-0555

For Board Use Only

Paid Amt: \_\_\_\_\_

Check No. \_\_\_\_\_

Date: \_\_\_\_\_

### GAMBLING LICENSE RENEWAL APPLICATION

LICENSE NUMBER: 8-00397-002		/ EFF. DATE: 06/01/88		/ AMOUNT OF FEE: \$50.00	
1. Applicant—Legal Name of Organization CYSTIC FIBROSIS FOUNDATION MINNESOTA CHAPTER			2. Street Address 430 Oak Grove Suite B10		
3. City, State, Zip Minneapolis, MN 55403-			4. County Hennepin		5. Business Phone (612) 871-0462
6. Name of Chief Executive Officer Sharon Chausse					7. Business Phone (612) 871-0462
8. Name of Treasurer or Person Who Accounts for Revenues Brent Blackey					9. Business Phone (612) 334-4511
10. Name of Gambling Manager Brian Flynn			11. Bond Number 80351275F		12. Business Phone (612) 871-0462
13. Name of Establishment Where Gambling Will Take Place Nicklows Crystal			14. County Hennepin		15. No. of Active Members 3600
16. Lessor Name Nicklows					17. Monthly Rent: <del>\$944</del> 600.00
18. If Bingo will be conducted with this license, please specify days and times of Bingo.					
Days		Times		Days Times	
19. Has license ever been: <input type="checkbox"/> Revoked Date: _____ <input type="checkbox"/> Suspended Date: _____ <input type="checkbox"/> Denied Date: _____					
20. Have internal controls been submitted previously? <input type="checkbox"/> Yes <input type="checkbox"/> No (If "No," attach copy)					
21. Has current lease been filed with the board? <input type="checkbox"/> Yes <input type="checkbox"/> No (If "No," attach copy)					
22. Has current sketch been filed with the board? <input type="checkbox"/> Yes <input type="checkbox"/> No (If "No," attach copy)					

### GAMBLING SITE AUTHORIZATION

By my signature below, local law enforcement officers or agents of the Board are hereby authorized to enter upon the site, at any time, gambling is being conducted, to observe the gambling and to enforce the law for any unauthorized game or practice.

### BANK RECORDS AUTHORIZATION

By my signature below, the Board is hereby authorized to inspect the bank records of the General Gambling Bank Account whenever necessary to fulfill requirements of current gambling rules and law.

### OATH

I hereby declare that:

1. I have read this application and all information submitted to the Board;
2. All information submitted is true, accurate and complete;
3. All other required information has been fully disclosed;
4. I am the chief executive officer of the organization;
5. I assume full responsibility for the fair and lawful operation of all activities to be conducted;
6. I will familiarize myself with the laws of the State of Minnesota respecting gambling and rules of the board and agree, if licensed, to abide by those laws and rules, including amendments thereto.

23. Official Legal Name of Organization	Signature (Chief Executive Officer)	Date	Title
Cystic Fibrosis Foundation	<i>Sharon Chausse</i>		Executive Director

### ACKNOWLEDGEMENT OF NOTICE BY LOCAL GOVERNING BODY

I hereby acknowledge receipt of a copy of this application. By acknowledging receipt, I admit having been served with notice that this application will be reviewed by the Charitable Gambling Control Board and if approved by the Board, will become effective 30 days from the date of receipt (noted below), unless a resolution of the local governing body is passed which specifically disallows such activity and a copy of that resolution is received by the Charitable Gambling Control Board within 30 days of the below noted date.

24. City/County Name (Local Governing Body) <i>City of Crystal</i>	Township: If site is located within a township, please complete items 24 and 25:
Signature of Person Receiving Application: <i>Norlene George</i>	25. Signature of Person Receiving Application
Title: <i>City Clerk</i> Date Received (this date begins 30 day period): <i>3-30-89</i>	Title:
Name of Person Delivering Application to Local Governing Body: <i>Ray C. Ekin</i>	Township Name

## CHARITABLE GAMBLING LEASE AGREEMENT

This agreement between Nicklow's d/b/a  
located at 3516 N. Lilac Dr., Crystal, MN 55422  
hereinafter called Lessor, and MINNESOTA CHAPTER, CYSTIC FIBROSIS  
FOUNDATION, hereinafter called Lessee. If the local governing  
body having jurisdiction pursuant to Minnesota Charitable  
Gambling laws and relevant rules exercises the right to prevent  
the MCGC Board from issuing the Lessee a license to operate  
charitable gambling on the premises specified by this lease, the  
Lessor agrees to grant the organization herein known as Lessee,  
an extension on the effective starting date of this lease until  
such time as the organization does become licensed to operate  
charitable gambling under Minnesota Charitable Gambling Control  
Board licensure on the premises specified by this lease. If an  
extension under this clause becomes necessary, the lease as  
written herein shall be granted under the same terms herein  
stated for a period of twelve months following the new effective  
date of the lease as determined by this clause.

The specific leased area is depicted on the accompanying diagram.

1. Lessor does hereby rent to the Lessee for the sum of \$600 per  
month                     , and grant the right to locate on the premises indicated,  
games of chance legal in the state of Minnesota. Charitable gambling  
is to be conducted during legal lounge hours only.

Lessor agrees that he will not advertise games of chance without a  
statement identifying the licensed organization conducting the games  
of chance. Lessor agrees that on-duty employees shall not purchase  
pull-tabs.

2. This agreement may be terminated by either party upon giving  
thirty (30) days written notice, and is nullified if rules  
enacted by the state of Minnesota prevent the continued operation  
of charitable gambling. This agreement may be immediately  
terminated by Lessee if there are violations of the Minnesota  
statutes governing charitable gambling or if there is theft by  
negligence.

*Local*



CHARITABLE GAMBLING LEASE AGREEMENT  
Page 2

3. The signing of this agreement nullifies any and all previous agreements made by and between Lessor and Lessee.

Entered into this 1 day of April, 1989.

Lessor: [Signature]  
Owner or Authorized Representative

Owner  
Position in Business

Lessee: Sharon Chausse

Exec. Vice Director  
Office in organization

# APPLICATION FOR LICENSE

4141 Douglas Drive, Crystal, Minnesota 55422

7-4-07  
#45079  
rec. given

HONORABLE CITY COUNCIL  
CRYSTAL, MINNESOTA

COUNCILMEMBERS:

I ~~THE~~ Paddock Bar  
WE 5540 Lakeland Ave No  
Crystal, Minn 55428

Fee, \$ 30<sup>00</sup> / 1<sup>ST</sup> DAY  
New Itinerant Renewal  
Telephone 533 7935

enclose the sum of \_\_\_\_\_ DOLLARS  
to the City of Crystal as required by the Ordinances of said City and have complied with all the  
requirements of said Ordinances necessary for obtaining this License:

NOW, THEREFORE, I

Paddock hereby make application to  
ITINERANT FOOD LICENSE at 5540 Lakeland No.  
for the period April 15<sup>th</sup> noon till 6 PM through One Day Only subject to all  
conditions and provisions of said Ordinance.

City Use Only

#45079 744

Jane A Smith  
Print Name of Applicant

JANE A Smith  
Signature of Applicant

# APPLICATION FOR LICENSE

4141 Douglas Drive, Crystal, Minnesota 55422

HONORABLE CITY COUNCIL  
CRYSTAL, MINNESOTA

GENTLEMEN:

I WE LIONS CLUB OF CRYSTAL  
6315-55<sup>th</sup> Ave. No. #215  
Crystal, Minn. 55428

Fee, \$ Waive

New X Renewal

Telephone 537-5064

enclose the sum of Waiver of fee DOLLARS  
to the City of Crystal as required by the Ordinances of said City and have complied with all the  
requirements of said Ordinances necessary for obtaining this License:

NOW, THEREFORE, I

LIONS CLUB OF CRYSTAL hereby make application to  
Sell 3-2 Beer AT THE Firemen's open House  
for the period 5:00 P.M. TILL 12:30 P.M. through 01X May 20<sup>th</sup> 1989 subject to all  
conditions and provisions of said Ordinance.

City Use Only

R. S. Smith

Signature of Applicant



# Certificate of Insurance

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER.  
THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES LISTED BELOW.

**NAME AND ADDRESS OF AGENCY**

J. A. PRICE AGENCY, INC.  
7100 SHADY OAK ROAD  
EDEN PRAIRIE  
MINNESOTA 55344  
(612)944-8790

**COMPANIES AFFORDING COVERAGES**

COMPANY LETTER **A** TRANSCONTINENTAL CO.

COMPANY LETTER **B**

COMPANY LETTER **C**

COMPANY LETTER **D**

COMPANY LETTER **E**

**NAME AND ADDRESS OF INSURED**

LION'S CLUB OF MINNESOTA  
C/O CORPORATE RISK MGRS.  
7525 MITCHELL ROAD  
EDEN PRAIRIE, MINNESOTA 55344

This is to certify that policies of insurance listed below have been issued to the insured named above and are in force at this time. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, exclusions and conditions of such policies.

COMPANY LETTER	TYPE OF INSURANCE	POLICY NUMBER	POLICY EXPIRATION DATE	Limits of Liability in Thousands (000)		
					EACH OCCURRENCE	AGGREGATE
	<b>GENERAL LIABILITY</b>			BODILY INJURY	\$	\$
	<input type="checkbox"/> COMPREHENSIVE FORM			PROPERTY DAMAGE	\$	\$
	<input type="checkbox"/> PREMISES—OPERATIONS					
	<input type="checkbox"/> EXPLOSION AND COLLAPSE HAZARD			BODILY INJURY AND PROPERTY DAMAGE COMBINED	\$	\$
	<input type="checkbox"/> UNDERGROUND HAZARD			PERSONAL INJURY		\$
	<b>AUTOMOBILE LIABILITY</b>			BODILY INJURY (EACH PERSON)	\$	
	<input type="checkbox"/> COMPREHENSIVE FORM			BODILY INJURY (EACH ACCIDENT)	\$	
	<input type="checkbox"/> OWNED			PROPERTY DAMAGE	\$	
	<input type="checkbox"/> HIRED			BODILY INJURY AND PROPERTY DAMAGE COMBINED	\$	
	<input type="checkbox"/> NON-OWNED					
	<b>EXCESS LIABILITY</b>			BODILY INJURY AND PROPERTY DAMAGE COMBINED	\$	\$
	<input type="checkbox"/> UMBRELLA FORM					
	<b>WORKERS' COMPENSATION and EMPLOYERS' LIABILITY</b>			STATUTORY		
					\$	(EACH ACCIDENT)
A	<b>OTHER LIQUOR LIABILITY</b>	CCP 278 75 11	10/01/89	*SEE BELOW		

**DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES**

\*\$500,000 BI EACH PERSON; \$500,000 BI EACH COMMON CAUSE; \$500,000 PD EACH COMMON CAUSE; \$500,000 LOSS OF MEANS OF SUPPORT EACH COMMON CAUSE; \$500,000 AGGREGATE.  
ADDITIONAL INSURED: CITY OF CRYSTAL

**Cancellation:** Should any of the above described policies be cancelled before the expiration date thereof, the issuing company will endeavor to mail 10 days written notice to the below named certificate holder, but failure to mail such notice shall impose no obligation or liability of any kind upon the company.

**NAME AND ADDRESS OF CERTIFICATE HOLDER:**

CRYSTAL LIONS CLUB

DATE ISSUED: 10/26/88

*Donald R. Subertick*  
AUTHORIZED REPRESENTATIVE



Memorandum

DATE: April 12, 1989  
TO: Jerry Dulgar, City Manager  
FROM: Nancy Gohman, Administrative Assistant  
SUBJECT: Approval of Temporary Signs - Police Bicycle  
Auction/Surplus Items Sale

I request the City Council approve a temporary sign permit and waive the fee for three signs for the Crystal Auction.

We plan to place the signs at City Hall, 6129 - 31 42nd Avenue North, and 4100 Douglas Drive, on April 19, 1989 and will be taken down after the auction on April 22, 1989.

NG/js



April 12, 1989

Crystal City Council  
4141 Douglas Drive  
Crystal, Minn. 55422-1696

Dear Council Members & Mayor:

RE: Curb & Gutter Improvement - 57th Ave. No. Area  
Water Drainage Problem or Crubs for other REASONS?

Please be informed that two of the original five owners (Petitioners )  
may have allready reconsidered their original idea for the curb.

Yes, we've had some water problems over the year's and we've survived.

Major rain storms seem to create part of the problem, other's call  
for better maintenance of existing storm sewer lines, as regular  
cleaning of sewer lines and catch basin's as the City crews NOW  
have done in resen years, this has helped reduce some stress on  
drainage problem.

This is an opinion of a 25 year resident living with it.

To correct the existing problem is far MORE than curb and gutter,  
thats like a cosmetic band-aid only. This problem could require  
all new/larger storm sewer lines plus Raising and/or lowering  
street elevations in some areas for that three times a year heavy  
rain storm of three inches or more at once...

The costs of the above construction could become much more than a  
anyone may want to know, as we've just completed a regular seal-  
coat project, many of our bank accounts can't be stretched much  
more for some of these luxuries...

For those who like the luxuries of curbs, sidewalks and cement,  
maybe they should have purchased homes where these are allready  
in or relocate to those fine taxable areas..

Thankyou for your time,. & Meeting of April 18, 7pm to be HEARD..

Sincerely,

*Lloyd L. Schreiner*  
Lloyd L. Schreiner  
5608-57th Ave No.  
Crystal, Minn. 55429

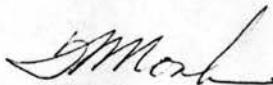
537-7939

CC: Mayor Betty Herbes; Council-member Rollie Strothers;  
/ City Clerk Darlene George

TO: Jerry Dulgar  
FROM: William Monk  
DATE: April 14, 1989  
SUBJECT: Public Hearing for Curb & Gutter Installation on  
57th, Vera Cruz, Welcome and Xenia Avenues  
North of Bass Lake Road

The City Council was provided a brief presentation of this item on March 21. As noted at that time, the project as described is significantly expanded beyond the limits of the resident petition. This project expansion does not represent an aggressive position by staff regarding curb & gutter installation, but instead, a position that either all or none of this project should be approved given the specifics of the local situation.

A petition from impacted residents in opposition to the project is attached for your review. Should you need another copy of the feasibility study for the meeting, please let me know.



WM/mb

Encl.

PETITION 10 APR. 89

We, the undersigned, being owners of property within the area in the City of Crystal, do hereby petition the Honorable City Council of said City NOT to improve the said property with cement curbing and gutter, AT THIS TIME.

Location:  
Signature of Husband  
and wife individually

address

Mary K. Scott	5637 Vera Cruz Ave
Sandra D. Muen	5643 Vera Cruz Ave. N.
John D. Fort	5637 Vera Cruz Ave
Lafayette Martell	5631 Vera Cruz Ave No
Vera Delo	5644 Vera Cruz Ave. No
Mr & Mrs	3643 Vera Cruz. Av N.
Richard Stenck	5640 Vera Cruz Ave No.
Jeanne Hudak	5613 Vera Cruz No
Delores Bishop	5600 Vera Cruz Ave No
Unita E. Jenkins	5638 Vera Cruz Ave No.
Chris Martell	5631 Vera Cruz No.
Betty Jo Linne	5502 - 57th Ave
Mary Jo Grance La	5502 - 57th Ave
James K. Doff	5526 57th Ave N.
Diane Doff	5526 57th Ave. N.
Lucille Bogen	5648 Welcome ave. No.
Nancy Sampkins	5638 Vera Cruz No.
Dale Dix	5602 57 AVE N
Lea H.	5602 57 AVE N
(John) Wendt O'Connell	5449 Xenia Ave No

Petition

page 2.

Location:  
Signature of Husband  
and wife individually

address

Floyd A. Schreiner	5608-57 <sup>th</sup> Ave No
Marilyn A. Schreiner	5608 57 <sup>th</sup> Ave No.
Ernest Wing	5655 Welcome Ave No
Edward Wing	5655 Welcome Ave No
George & Lora Guyon	5636 57 <sup>th</sup> Ave No.
Lynn Tomczyk	5708 57 <sup>th</sup> Ave. N.
Margaret Larson	5643 Xenia Ave N.
Paul A. Larson	5643 Xenia Ave N.
Glaucus E. Morris	5637 Xenia Ave. N.
Joe Morris	5637- Xenia Ave N.
Ann Mango	5631 Xenia Ave No
Russ Mene	5631 Xenia Ave N.
Allan B. Oak	5644 Xenia Ave
Patty Campion	5630 Xenia Ave No
Janice Benel	5649 Welcome Ave N.
Thomas Benel	5649 Welcome Ave N.
Debbie Brown	5637 Welcome Ave N.
Jim Tiedler	5631 Welcome N.
Dan Arthur	5636 Welcome N.
Mary Arthur	5636 Welcome N.
Kim M. Carlson	5642 Welcome Ave N.
Mad Carlson	5642 Welcome Ave N.

DATE: April 13, 1989

TO: Jerry Dulgar, City Manager

FROM: Don Peterson, Chief Building Inspector

RE: Building permit #1705 on Lot 9B Crystal Airport

Some of the older "T" hangars are being removed in the SW corner of the Crystal Airport.

The application is to build a 45'x48' hangar on Lot 9B.

I will have a transparency of the location and the applicant hopes to be present at the meeting.

kk



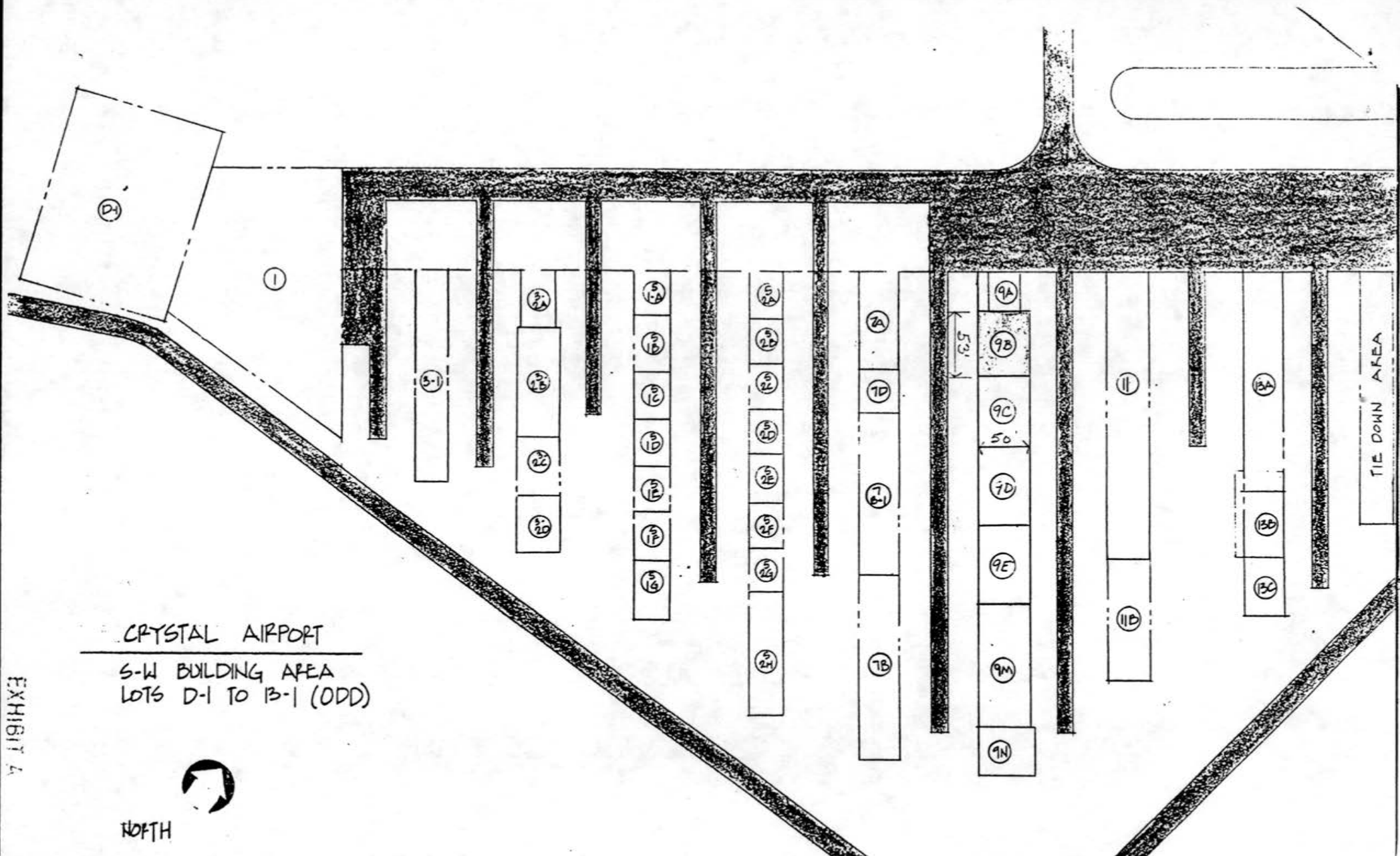
EXHIBIT A

CRYSTAL AIRPORT

S-W BUILDING AREA  
LOTS D-1 TO B-1 (ODD)



NORTH



DATE: April 6, 1989

TO: Planning Commission

FROM: Don Peterson, Chief Building Inspector

RE: Building Permit #1711 at Lot 21A-2 Crystal Airport

The application for building permit #1711 is to build a 14'x60' addition to the existing 60'x60' hangar on Lot 21A-2.

I have enclosed a letter form M.A.C. with their formal approval.

The applicant was informed of the meeting and will be present to answer any questions you may have.

kk



# Minneapolis • Saint Paul

METROPOLITAN AIRPORTS COMMISSION

P. O. BOX 11700

TWIN CITY AIRPORT

MINNESOTA 55111

PHONE (612) 726-1892

March 30, 1989

Mr. Ray Johnson  
Kurt Manufacturing Co.  
Route 3, Box C-41  
Buffalo, MN 55313

Re: Hangar Addition  
Lot 21A-2  
Crystal Airport

Dear Mr. Johnson:

This letter shall serve as formal approval for the construction of a 14' x 60' addition onto the existing hangar located on the above-referenced property.

The City of Crystal requires a building permit for any building being accomplished within their area of jurisdiction. We, therefore, require that you comply with their building code and any other local requirements prior to starting construction.

If you have any questions regarding this matter, feel free to contact this office.

Sincerely,

Tim McNaughton  
Technician - Airport Development

TM/111

Johnson/TM

cc: Building Inspector - City of Crystal

DATE: April 13, 1989

TO: Jerry Dulgar, City Manager

FROM: Don Peterson, Chief Building Inspector

RE: 6817 56th Ave. N., (Kentucky Fried Chicken)

Kentucky Fried Chicken has finally resolved the lease difficulties and are requesting approval of building permit #1658.

They will be doing extensive remodeling to the Rax Restaurant and adding a small (108 square feet) addition adjoining the drive in pick up window.

A representative of Finn Daniels Inc. (Architects) will be present to answer any questions you may have.

kk

CRYSTAL PARK AND RECREATION ADVISORY COMMISSION

MINUTES EXCERPTS

April 5, 1989

Members present: Mr. Hoffmann, Mr. Gentry, Mr. O'Reilly,  
Mr. Theisen, Ms. Saunders, Ms. Pitts,  
Ms. Reid, and Ms. Moucha.  
Also present: Mr. Smothers, Mr. Brandeen and Ms.  
Hackett.

1. Moved by Ms. Reid and seconded by Mr. Theisen to recommend to the Council that during Community Center construction the Little League B Minor field should be relocated to the cemetery property at 47th and Zane providing the cemetery gives its consent. If this is not an option, the Commission will examine alternative plans at the May meeting.

Motion carried-unanimous.

2. Moved by Ms. Reid and seconded by Ms. Moucha to recommend to the Council that the proposed Park Dedication ordinance with changes as well as setting a maximum of \$400.00 for each dwelling in residential subdivisions and \$400 per acre in commercial and industrial subdivisions be adopted.

Motion carried-unanimous.

3. Moved by Mr. O'Reilly and seconded by Mr. Gentry to recommend to the Council to include the architect's fee for the addition of the third gym to the Community Center construction budget; and, to add the construction of the third gym as a deduct alternate so, if the construction bids come within the 3.5 million dollar budget, then construct the third gym.

Motion carried-unanimous.



DATE: April 13, 1989

MEMO TO: Jerry Dulgar and Crystal City Council

FROM: Edward C. Brandeen, Park & Recreation Director *E.C.B.*

SUBJ.: Addition of the Third Gymnasium to the Crystal Community Center

At the April 5 meeting of the Crystal Park and Recreation Advisory Commission, they recommended that the City Council include the architects' fee for the addition of a third gym to the Community Center budget; and, to add the construction of the third gym as a deduct alternate, so if the construction bids come within the \$3,500,000 budget, then construct the third gym.

As you are aware, Crystal voters approved a bond issue for \$2,000,000 for the construction of a \$3,500,000 community center. The remaining amount, \$1,500,000, would be earmarked for construction from reserve funds. The building proposed to the voters was a 35,000 sq. ft. building encompassing 2 gyms, senior center, meeting rooms, etc.

The following is a list of advantages proposed by the Commission and Park and Recreation staff to the building of the additional gymnasium at this time:

- \*Cost of the addition to be approximately \$146,000 (including architectural fees of \$10,808.00) or \$34.33 per sq. ft. for 4,250 sq. ft. - a tremendous value at today's construction costs.
- \*This compares to a \$95 per sq. ft. cost for the present construction of the center.
- \*The amount of expenditures over \$2,000,000 is not tax money, but interest earned on the prepayment of older city bonds. Because the additional construction money over the \$2,000,000 is a reserve fund, the Council could allocate these funds as they see fit.
- \*If you include the architects' fee for the construction of the 3rd gym in the current budget, then most of the architectural fee is prepaid if the 3rd gym is constructed at a later date.

\*As the building is presently designed, the mechanical system is sized for the addition of the 3rd gymnasium.  
- no further mechanical costs except for the extension of duct work and temperature controls is needed.

\*If the Council decides to add the third gymnasium at a later date, contractors will then have to tear down the south outside wall at an approximate cost of \$10,000-15,000.

\*With three gymnasiums, we have greater program room with more flexibility. They could all be rented to a large gathering or separately to a smaller group. For example, we could have a dance recital in one gym and a volleyball or basketball tournament in the other two gyms simultaneously, resulting in greater rental income.

\*The two gyms allow the department to maintain present adult athletic programming by not using the elementary schools. Three gyms would allow us to expand these leagues. Adult teams have been turned away because we are at our maximum capacity.

\*Our state association as well as other associations would target the community center for state and regional tournament use because of the three-gym size.

During the space-needs assessment for a community center, it was determined that an additional gymnasium would be needed in approximately 2-4 years. With the cost of adding the third gym, estimated to be an additional \$200,000 if added in the future, now would seem to be a more appropriate time to build this addition.

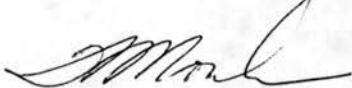
DATE: April 6, 1989  
TO: Planning Commission  
FROM: Bill Monk, City Engineer  
SUBJECT: Lot Split Involving Lots 1 and 2, Hiller's Addition

A request has been made to relocate the common lot line between Lots 1 and 2 of Hiller's Addition 38 feet to the east. The owner's intent is to provide more yard space for Lot 2. Existing conditions are shown quite clearly on the attached maps.

The request to relocate the lot line is being made in the form of a lot split whereas City Code requires replatting provisions be followed. Since the proposal does not include formation of a new lot and is being proposed to improve a current situation where homes already exist, this office has no problem with a parallel line lot split.

To process such a request the Commission and Council must waive the platting conditions and approve a lot split (division and combination) which would result in the following legal descriptions:

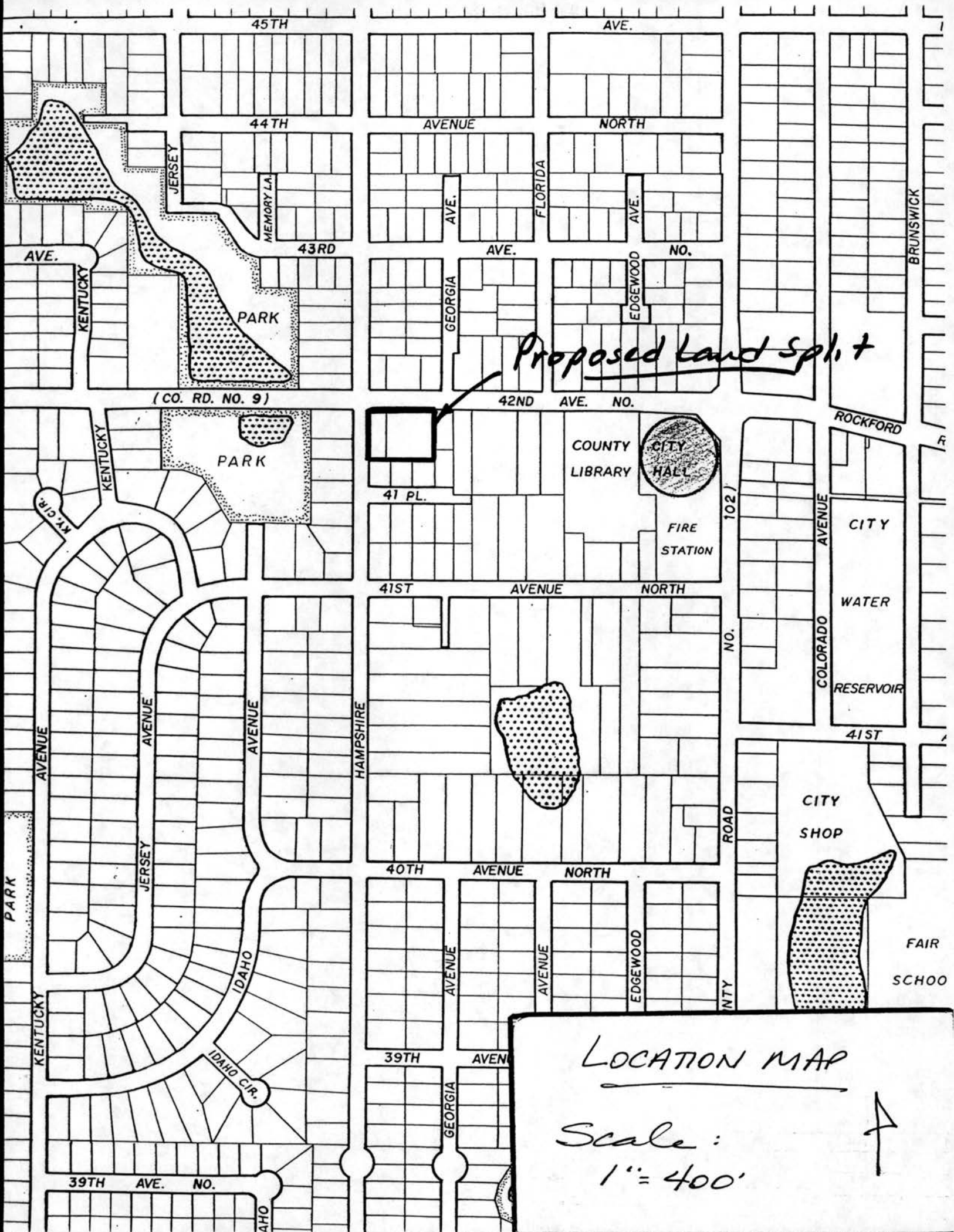
- 1) All of Lot 1 except the west 38 feet, Hiller's Addition
- 2) All of Lot 2 and the west 38 feet of Lot 1, Hiller's Addition.

  
WM:jrs

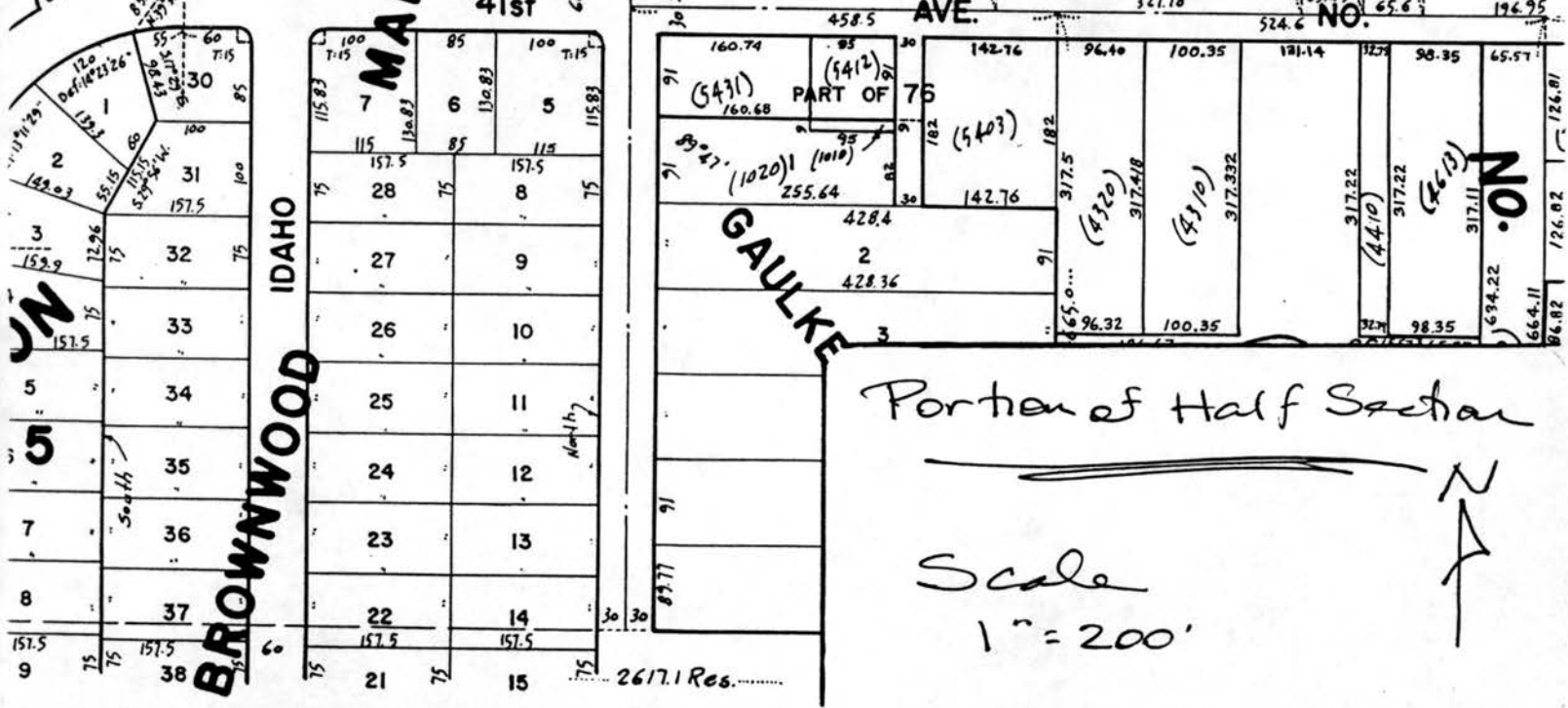
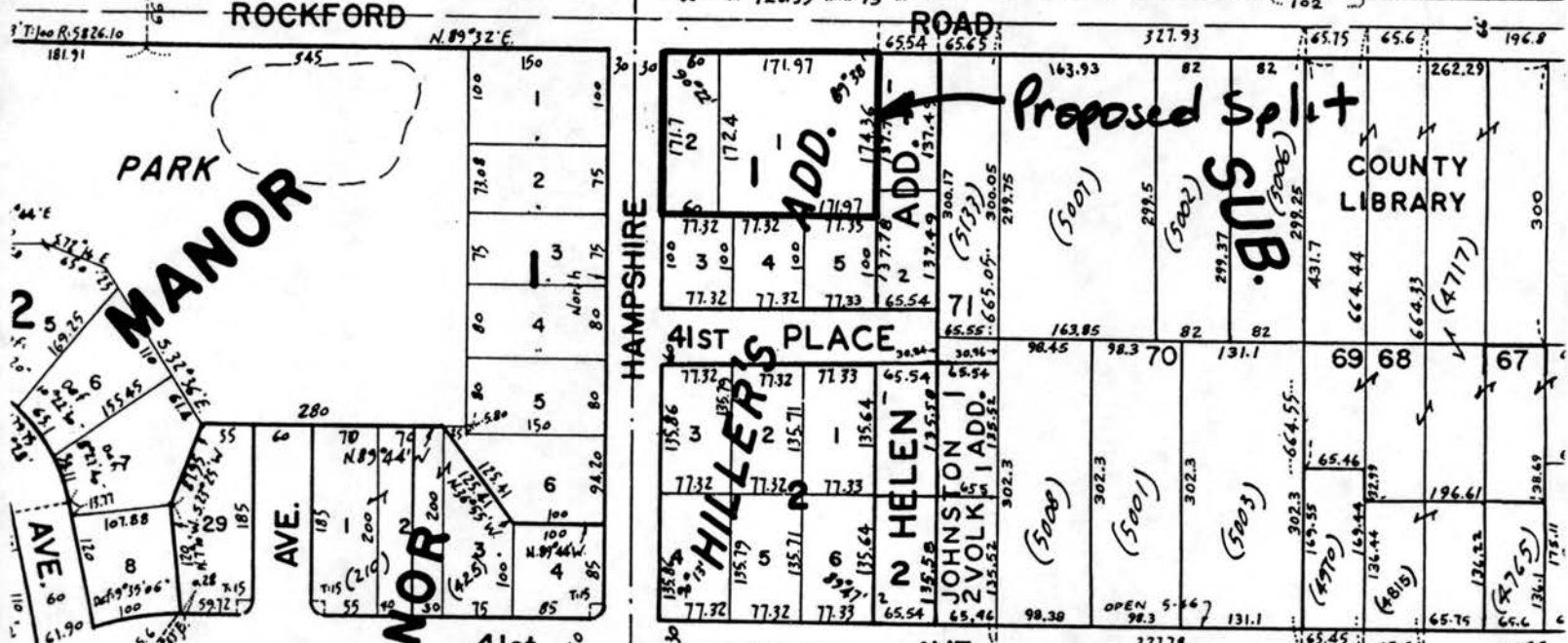
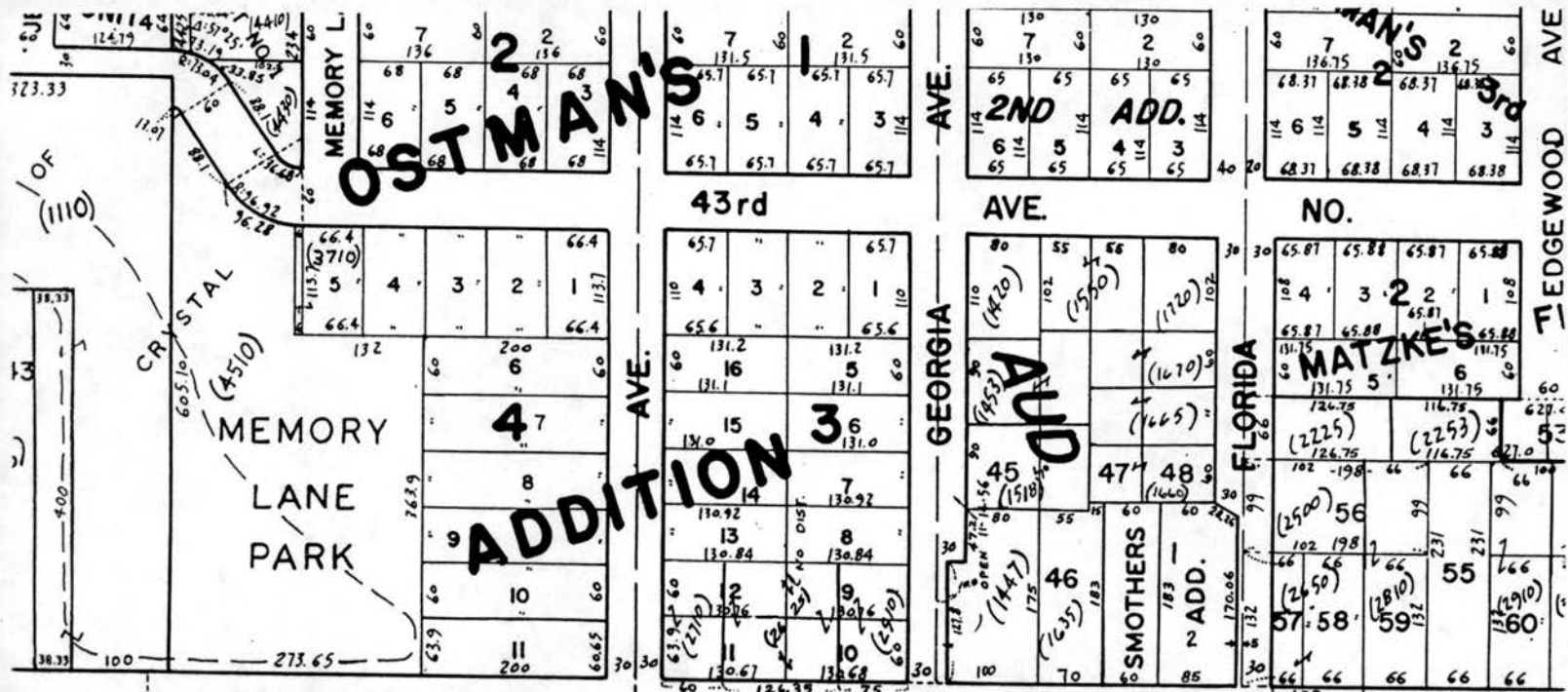
Encls

4/11/89 UPDATE

On April 10 the Planning Commission recommended approval of the waiver of plat and lot split described above.



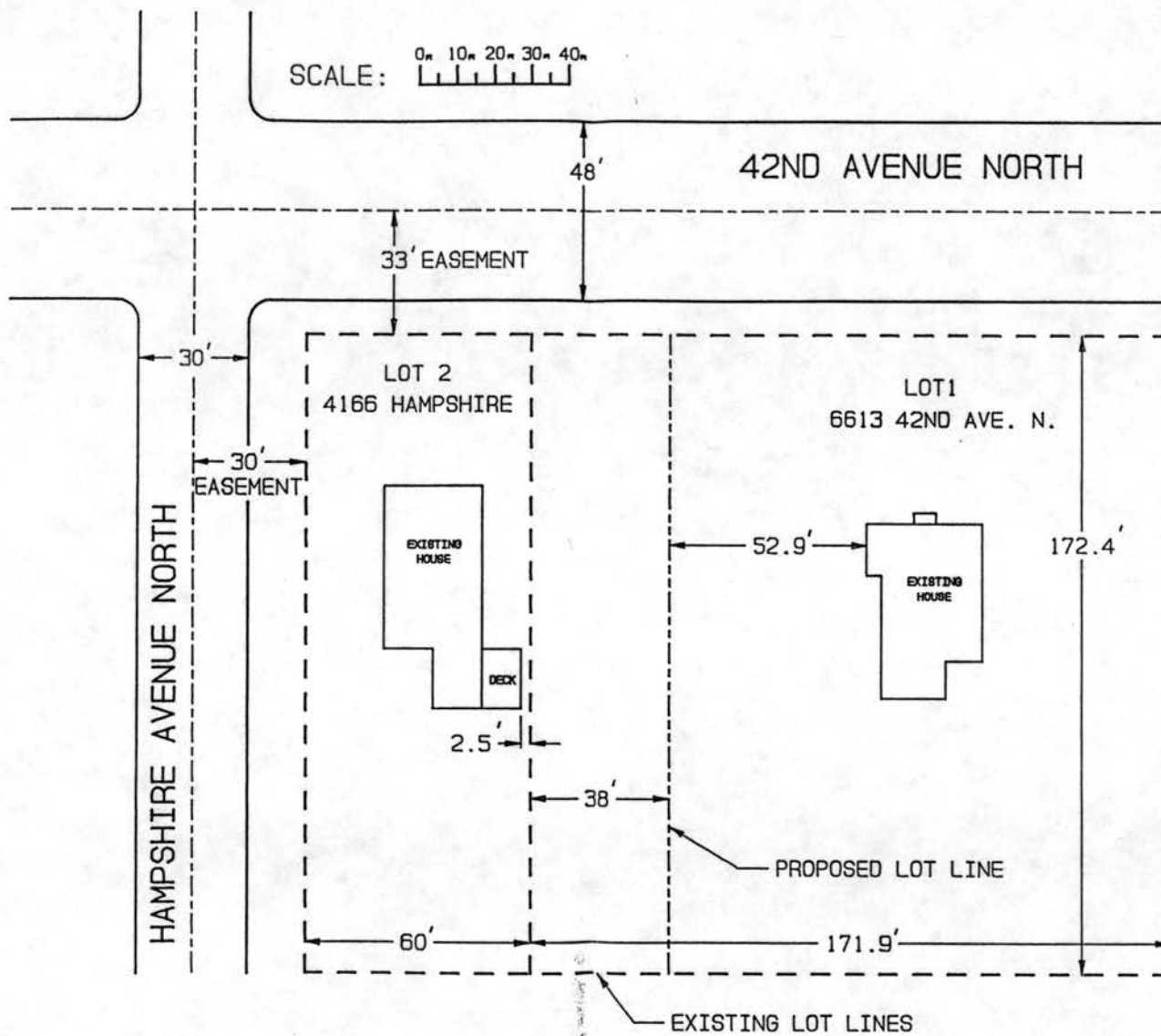




Portion of Half Section

Scale  
1" = 200'

N





VICTOR HANKS  
General Manager  
Industrial Products Division  
Direct Dial: (612) 572-4478

Home 533-5002

O F C R Y S T A L

DOUGLAS DRIVE NORTH  
Crystal, MN 55422  
Phone: 537-8421

**Kurt Manufacturing Company**

1325 Quincy Street N.E.  
Minneapolis, Minnesota 55413  
Office (612) 572-1500

NO. \_\_\_\_\_

Date: 3-6-89

TYPE OF REQUEST: ( ) Rezoning ( ) Conditional Use Permit  
( ) ( ) Plat Approval  
( ) Sign Variance (X) Other

Street Location of Property: 4166 Hampshire + 6613 42<sup>nd</sup> Ave N.

Legal Description of Property: Lot 1+2 Hiller, Addition

Property Identification Number: \_\_\_\_\_

Owner: Victor + Judith A. Hanks  
(Print Name)

4166 Hampshire Ave N. 533 5002  
(Address) (Phone No.)

Applicant: VICTOR HANKS  
(Print Name)

4166 Hampshire Ave N 533-5002  
(Address) (Phone No.)

DESCRIPTION OF REQUEST: add 38' from lot 1 to lot 2

APPLICANT'S STATEMENT WHY THIS REQUEST SHOULD BE APPROVED:  
(attach additional sheets if necessary)

Since we own both properties and our deck is very close to  
lot 1 property line we would like to change the lot line. Lot 2  
is a double lot and has sufficient width to allow the transfer  
without detracting from lot 2

NOTE: Attach plan or survey of proposal.

THIS PROPERTY IS:

TORRENS / ABSTRACT  
(Circle one)

Victor Hanks  
(Applicant's Signature)

Victor Hanks  
(Owner's Signature)

(Office Use Only)

FEE: \$ 75.00 DATE RECEIVED: 3/6/89 RECEIPT # 44724

(Approved) (Denied) - Planning Commission \_\_\_\_\_  
(Date)

(Approved) (Denied) - City Council \_\_\_\_\_  
(Date)

DATE: April 6, 1989  
TO: Planning Commission  
FROM: Bill Monk, City Engineer  
SUBJECT: Conditional Use Permit for Outside Storage and Sale at 5612 Corvallis Avenue

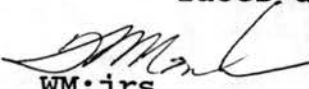
An application has been received from Tim's Tree Service to allow a landscape contractor to use a portion of the property at 5612 Corvallis Avenue for outside storage and sale on a temporary basis. With the property's current I-2, Heavy Industrial, zoning, the proposal is being processed as a conditional use consistent with Section 515.41, Subd. 4 a) with conditions as listed in Section 515.39, Subd. 4 b).

This request is somewhat unusual in that two businesses are proposed to operate from one site at the same time. However, the application is for a set time period and is intended as a temporary arrangement while the landscape business completes a new site already in progress.

The west half of the site is proposed to house the landscaping contractor's yard from which sales of materials would be permitted. The site is well separated and screened from other area businesses. Additionally an adequate access is already available.

This office has no problems with approval of a conditional use permit for a landscape contractor's yard in a joint setup with the following conditions:

- 1) The conditional use permit is for a 6-month period and shall expire on October 15, 1989.
- 2) The owner/applicant shall be responsible for dust control and shall apply a dust retardant to gravel surfaces upon the City's request.

  
WM:jrs

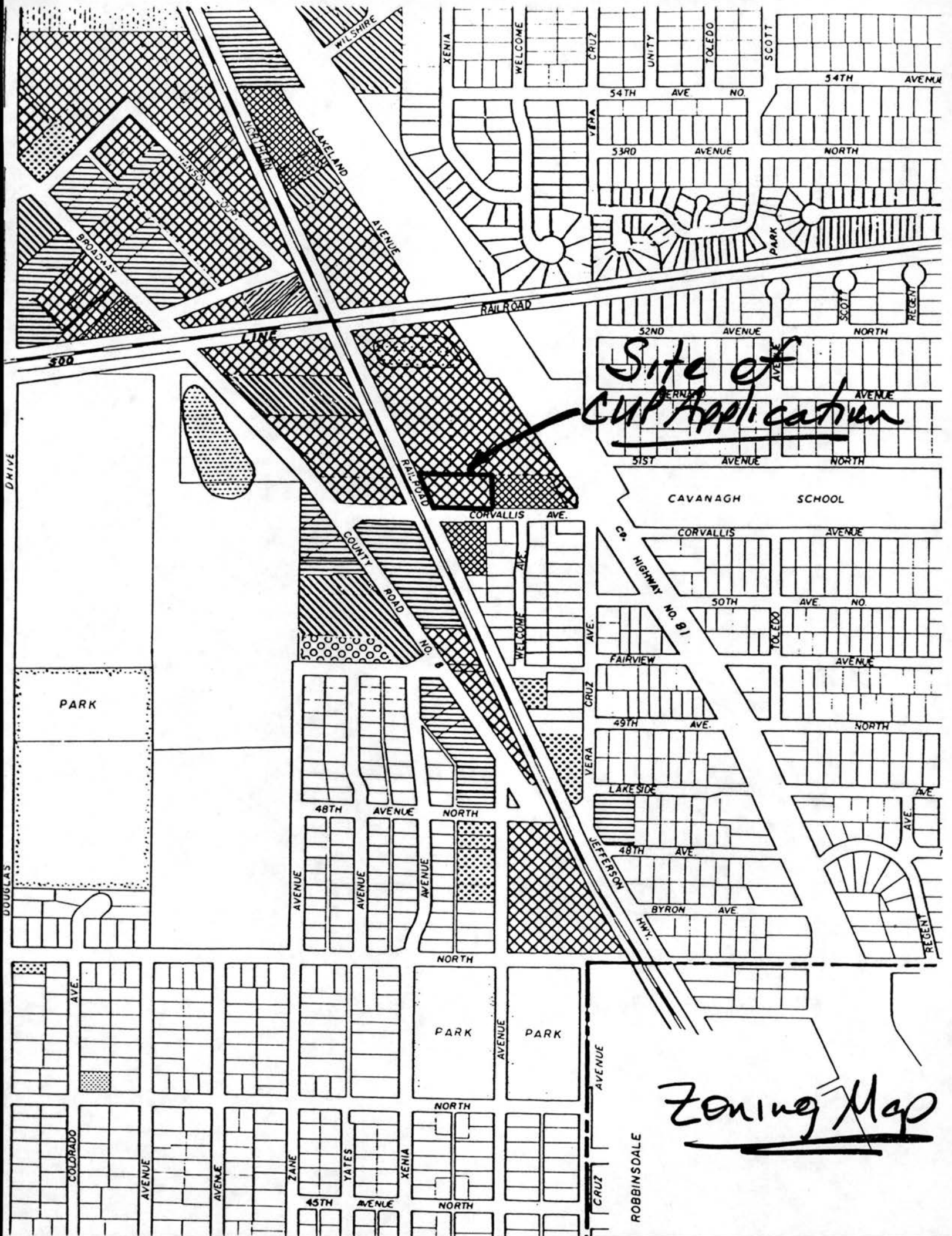
Encls

4/11/89 UPDATE

On April 10 the Planning Commission acted to recommend approval of the conditional use permit with the conditions noted above.







Site of  
CUP Application

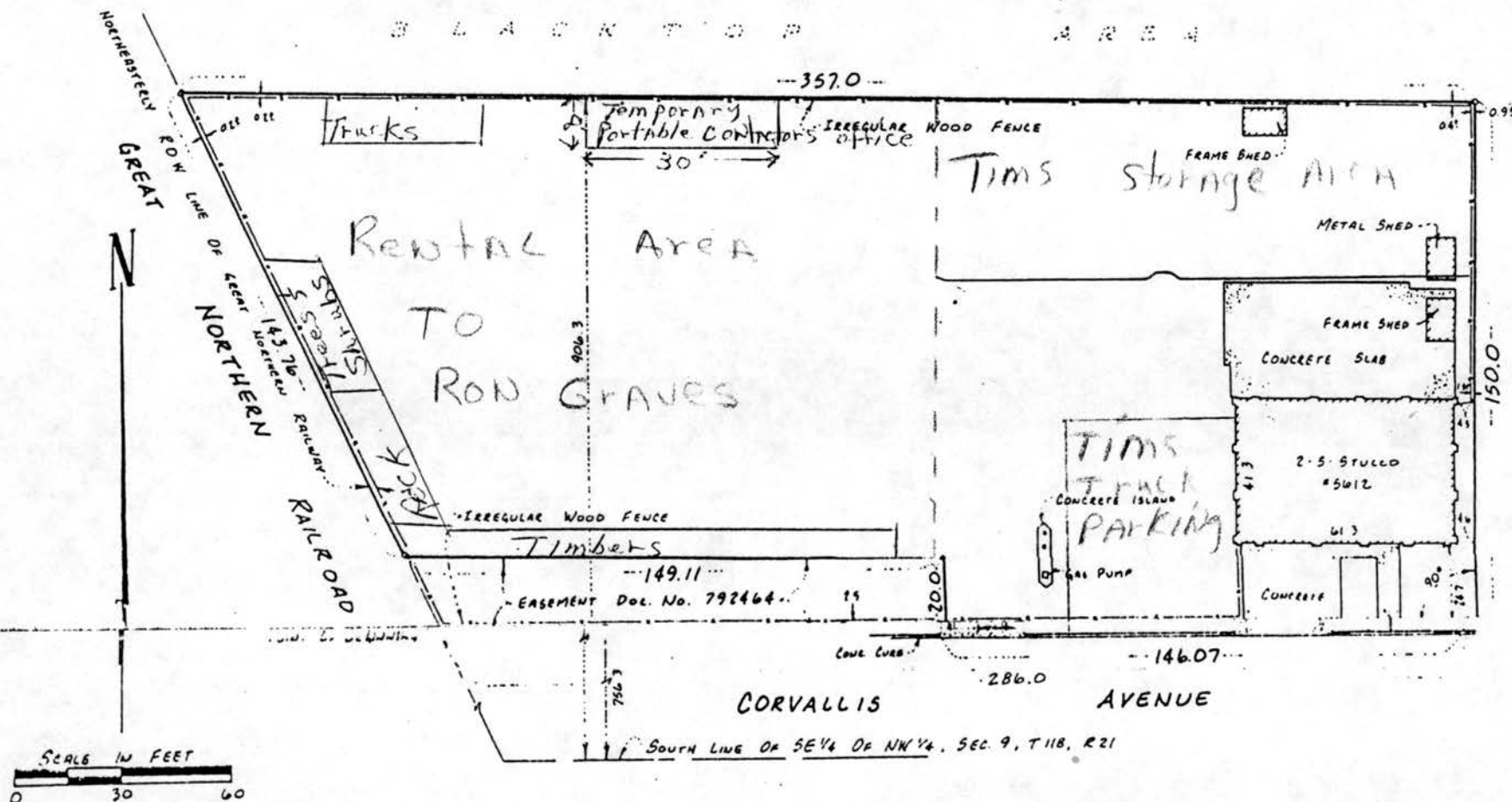
Zoning Map

REGISTERED UNDER LAWS OF STATE OF MINNESOTA  
LICENSED BY ORDINANCE OF CITY OF MINNEAPOLIS

Minneapolis, Minnesota 55428

BALCH, BINGHAM, BAKER, HAWTHORNE, WILLIAMS & WARD

Invoice No. 10549  
F.B. No. 215-11  
Scale: 1"=30'  
o Denotes Iron Monument





## CITY OF CRYSTAL

4141 DOUGLAS DRIVE NORTH  
Crystal, MN 55422  
Phone: 537-8421

Date: 3-2-89

TYPE OF REQUEST: ( ) Rezoning ☒ Conditional Use Permit (515.39)  
( ) ( ) Plat Approval (Sub. 4 b)  
( ) Sign Variance ( ) Other 515.41 Subd. 4a)

Street Location of Property: 5612 CORVALLIS AVE NO, I-2Legal Description of Property: South Line of NW 1/4 Sec 9 T118, R21Property Identification Number: 09-118-21 24 003Owner: Timothy J. Hagan  
(Print Name)

5612 CORVALLIS AVE. NO. 535-5839  
(Address) (Phone No.)

Applicant: RON GRAVES  
(Print Name)

10400 BASS LAKE Rd. Plymouth mn. 559-0311  
(Address) (Phone No.)

DESCRIPTION OF REQUEST: Requesting permission to use  
as LANDSCAPE Contractors storage & Retail Temporary  
Lot.

APPLICANT'S STATEMENT WHY THIS REQUEST SHOULD BE APPROVED:  
(attach additional sheets if necessary)

New Facility Being Build & Temporary  
Storage & Contractors Lot is needed to continue 1989  
Spring & Fall operations Central Location needed  
for our Business operations.

NOTE: Attach plan or survey of proposal.

THIS PROPERTY IS:

TORRENS / ABSTRACT  
(Circle one)

Ron Graves  
(Applicant's Signature)

Timothy J. Hagan  
(Owner's Signature)

(Office Use Only)

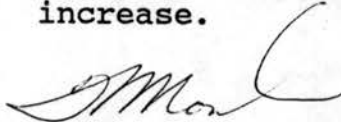
FEE: \$ 75.00 DATE RECEIVED: 3/2/89 RECEIPT # 44696(Approved) (Denied) - Planning Commission \_\_\_\_\_  
(Date)(Approved) (Denied) - City Council \_\_\_\_\_  
(Date)



DATE: April 4, 1989  
TO: Planning Commission  
FROM: Bill Monk, City Engineer  
SUBJECT: Petition to Amend Minimum Lot Area

For many years Crystal permitted development of 6,000 square-foot lots measuring 60 feet by 100 feet. In the early 1960's, however, house sizes and layout designs changed to the point that slightly larger lots were mandated. Since 1964 Crystal's Code has required 7,500 square-foot lots and the constant stream of setback variance applications is evidence that even that size is oftentimes not large enough.

With 99% of Crystal developed this office cannot recommend amendment of a lot area requirement that has been in effect for 25 years. Documentation approving the 7,500 square-foot area requirement (Section 515.15, Subd. 2 d) 1) i) in the latest Code update in 1976 is attached to answer statements that the City never officially approved the lot area increase.



WM:jrs

Encls

4/11/89 UPDATE

On April 10 the Planning Commission recommended denial of the proposed ordinance amendment based on the findings noted above. The property owner requesting the lot area revision continued to relate the amendment to specific situations related to a recently denied preliminary plat application.

NOTICE OF PUBLIC HEARING  
TO CONSIDER AN AMENDMENT  
TO THE ZONING CODE

City of Crystal, MN

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Crystal, Minnesota, will meet on Monday, April 10, 1989, at 7:30 p.m., or as soon thereafter as the matter may be heard, at the Crystal Municipal Building, 4141 Douglas Drive, in said City, to consider an amendment to the Zoning Code which would reduce lot area requirements for R-1 (Single Family Residential).

Persons desiring to be heard on this matter may do so at this time.

This notice is given pursuant to the zoning regulations of the City Code, City of Crystal. Applicant--Lorraine Bedman.

JAMES J. BARDEN  
SECRETARY  
PLANNING COMMISSION

(Published in the Crystal-Robbinsdale Post News 3/29/89)

*Sent Post 3/20/89*

February 27, 1989

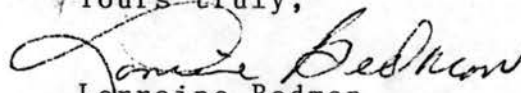
Mr. Bill Monk  
Zoning Ordinances  
City of Crystal, Minn. 55422

Dear Mr. Monk:

Enclosed is a zoning ordinance requirement as represented in the original charter.

Please present this to be voted on by the City Council on March 7, to recind the 7,500 sq. ft. and keep in compliance of the original 60 X 100 ft., which equals 6,000 sq. ft.

Yours truly,

  
Lorraine Bedman

Proposal to repeal any ordinance enacted upon by the City of Crystal or inadvertently placed into the records to read: Lot area, R-1 minimum requirement of lot is 60' Width by 100' Depth to equal 7,500 sq. ft., (although no minutes could be found as to the adoption).

Proposal to adopt the original version filed in 1955, which specifies Lot area, R-1, requirement to be 60' Width by 100' Depth. Doc. No. 2950686 Filed June 30, 1955, Book 725 page 239. Subdivision of land. This is equal to 6,000 sq. ft.

See Crystal City Code 515.15 p.27.

Petition giving approval for a plat 60'X 100' Bedman Addition.

Glenn E. Johnson	Claudia Berglund
Donna Rosen	
Laverne Herlofsky	W. R. H. H.
Donald Herlofsky	Susan New
Harold Tran	James W. James
Elsa L. Hoguet	Susan H. H. H.
Heather H. H.	
Mike H. H.	
Lori D. Weyrauch	
Richard Weyrauch	
Ann Eger	
Don H. H.	
Rosa H. H.	
Theresa W. H.	
Glenn Hawkins	
Edna Hawkins	

Village Council of  
the Village of Crystal,  
Hennepin County, Minnesota

49.

To  
Whom It Concerns  
Doc. No. 2950686

Certified Copy of Ordinance

Passed March 26, 1942

Filed June 30, 1955, 2:30 p.m.

Book 7 of Misc., page 239

Ordained as follows:

Section 1. That Section 1 of "An Ordinance regulating and governing the subdivision of land in the Village of Crystal, Hennepin County, Minnesota" passed February 13, 1940, be and the same is the end thereof, the following:

hereby amended by adding thereto, at  
(6) All lots shall be not less than 60 feet in width nor less than 100 feet in depth unless approved by the Council.  
Section 2. This ordinance shall take effect and be in force from and after its publication.



# City Council Minutes

18 NOVEMBER 1975

20 building at 3401 Vera Cruz Avenue North, that part of Lot 12 lying East of the West 80 feet, Block 1, Rosedale Acres, subject to standard procedure, as recommended by the Planning Commission; also subject to receipt of bond and signed agreement. Motion Carried.

21 The City Manager presented to the Council a request for an excavation permit from Mr. Ed Kauffmann for Lots 3 and 10, Robbinsdale Gardens. Dick Kauffmann appeared on this matter.

After discussion was held concerning length of time needed for excavation, the Council concluded that the City Manager could extend the length of the permit if mitigating circumstances, such as, weather or machinery breakdown, caused delays.

22 Moved by Councilman McLaughlin and seconded by Councilman Rosenthal to rescind previous action taken October 21 and to approve the authorization to issue an excavation permit to Village Builders, Inc., for Lots 3 and 10, Robbinsdale Gardens, subject to conditions set forth by the City Engineer as stated in a letter dated November 14, 1975, as amended, and upon receipt of a cash deposit in the amount of \$3,000 and signed agreement, by the City of Crystal, as a guarantee that the conditions set forth are met. Motion Carried.

23 The City Manager presented to the Council the Second Reading of the proposed Zoning Ordinance. After discussion on the Code, the following motion was made:

Moved by Councilman Langsdorf and seconded by Councilman McLaughlin to delete from Section 515.19, Subdivision 3C, the following phrase: "no stock and trade shall be kept or sold".

By roll call and voting aye: Langsdorf, Rygg, Meintsma, McLaughlin, Rosenthal; voting no: Bertrand, Buchholz. Motion Carried.

Moved by Councilman McLaughlin and seconded by Councilman Langsdorf to adopt the following ordinance, as amended:

## CHAPTER 515.01

### ORDINANCE 75-5

AN ORDINANCE RELATING TO ZONING: ADOPTION OF A COMPREHENSIVE ZONING CODE FOR THE CITY OF CRYSTAL: REPEALING CHAPTER 42 OF THE CRYSTAL CITY CODE OF 1973 DESIGNATED AS APPENDIX I THERETO

and further, that this be the second and final reading.

Motion Carried.

24 The City Manager presented to the Council the Second Reading of the ordinance providing for appointments of HRA Commissioners. After discussion, the following motion was made:

THURSDAY, JANUARY 15, 1976

11

# City of Crystal, Minnesota

## Zoning Ordinance

see page 3  
for lot areas

ORDINANCE NO. 75.3  
AN ORDINANCE RELATING TO PLANNING AND LAND USE REGULATION;  
ADOPTING A COMPREHENSIVE ZONING CODE FOR THE CITY OF  
CRYSTAL; REPEALING CHAPTER 43 OF THE CRYSTAL CODE OF 1973  
DESIGNATED AS APPENDIX I THERETO  
THE CITY OF CRYSTAL DOES ORDAIN:

Section 1. The Crystal City Code is amended by adding a new Section 315,  
hereby designated as Appendix I to the Crystal City Code of 1973, to read as  
follows:

### TITLE AND APPLICATION

- Subd. 1 Title. This ordinance shall be known as the "Crystal Zoning Code" except as referred to herein, where it shall be known as "this Code."
- Subd. 2 Intent and Purpose. The intent of this Code is to protect the public health, safety and general welfare of the community and people through the establishment of minimum regulations governing development and use. This Code shall divide the City into use districts and establish regulations in regard to location, erection, construction, reconstruction, alteration and use of structures and land. Such regulations are established to protect such use areas; to promote orderly development and redevelopment; to provide adequate light, air and convenience of access to property; to prevent congestion in the public right-of-way; to prevent overcrowding of land and undue concentration of structures by regulating land, buildings, yards and density of population; to provide for compatibility of different land uses; to provide for administration of this Code; to provide for amendments; to prescribe penalties for violation of such regulations; and to define powers and duties of the City staff, the Board of Adjustment and Appeals, the Planning Commission, and the City Council in relation to the Zoning Code.
- Subd. 3 Relation to Comprehensive Municipal Plan. It is the policy of the City of Crystal that the enactment, amendment, and administration of this Code be accomplished with due consideration of the recommendations contained in the Comprehensive Municipal Plan as developed and amended from time to time by the Planning Commission of the City. The Council recognizes the Comprehensive Municipal Plan as the Planning Commission's recommendations for responsible use of land, use and development in accordance with the Comprehensive Municipal Plan.
- Subd. 4 Structure. Requirements of this Code are either more or less restrictive than comparable conditions imposed by any other code, rule or regulation of the City, the code, rule or regulation which imposes the more restrictive condition, standard, or requirements shall prevail.
- Subd. 5 In their interpretation and application, the provisions of this Code shall be held to the minimum requirements for the promotion of the public health, safety and welfare.
- Subd. 6 No structure shall be erected, converted, enlarged, reconstructed or altered, and no structure or land shall be used for any purpose nor in any manner which is not conforming with the provisions of this Code.
- Subd. 7 Except as herein provided, no building, structure or premises shall hereafter be used or occupied and no building permit shall be granted that does not conform to the requirements of this Code.
- Subd. 8 Uses Not Permitted For Within Zoning Districts. Whenever in any zoning district a use is neither specifically permitted nor denied, the use shall be considered prohibited. In such case the City Council or the Planning Commission, on their own initiative or upon request, may conduct a study to determine if the use is acceptable and if so what zoning district would be most appropriate and the determination as to conditions and standards related to development of the use. The City Council or the Planning Commission, upon receipt of the staff study shall, if appropriate, initiate an amendment to the Zoning Code to provide for the particular use under consideration or state that the use is not compatible for development within the City.
- Subd. 9 Authority. This Code is enacted pursuant to the authority granted by the Municipal Planning Act, Minnesota Statutes, Sections 423.31 to 423.35.
- Subd. 10 Amendment. Comprehensive. The Council intends this Code to be a comprehensive amendment to Chapter 43 of the City, as amended. Except as otherwise provided herein, the provisions of this Code are not intended to alter, diminish, or increase or otherwise modify any rights or liabilities existing on its effective date. Any act done, offense committed or right created or accrued, or liability, penalty incurred or imposed prior to the effective date of this Code is not affected by its enactment.
- Subd. 11 Repeal. Chapter 43 of the Crystal City Code, embodied in Appendix I of the Crystal City Code of 1973, is repealed.
- 515.03 DEFINITIONS
- Subd. 1 The terms used in this Code have the meanings given them by this subsection and, Sections 105 and 405 of the City Code, and other provisions of the City Code.
- Subd. 2 The terms "Council," "Commission," "board" and "city" mean the "City Council," the "City Planning Commission," the "Board of Adjustment and Appeals," and the "City of Crystal," respectively, unless a different meaning clearly is indicated by the context in which the term appears.
- Subd. 3 Accessory Building or Use. A subordinate building or use which is located on the same lot or within the main building or use is situated in which is reasonably necessary and incidental to the conduct of the primary use of such building or main use.
- Subd. 4 Alley. A public or private way less than 14 feet, not less than 14 feet in width affording secondary means of access to abutting property.
- Subd. 5 Automobile Camp. See Section 1153 of the City Code.
- Subd. 6 Automobile Repair — Major. General repair, rebuilding or reconstruction of engine or motor vehicles or trailers; collision service, including body, frame or fender straightening or repair; overall painting or paint job; vehicle stem cleaning.
- Subd. 7 Automobile Repair — Minor. Minor repairs, incidental body and fender work, painting and upholstery, replacement of parts and motor services to passenger automobiles and trucks not exceeding three thousand ten capacity, but not including any operation specified under "Automobile Repair — Major."
- Subd. 8 Automobile Wrecking or Junk Yard. Any place where two or more motor vehicles not in running condition and/or not licensed, or parts thereof, are stored in the open and are not being restored to operation or any land, building or structure used for wrecking or storing of such motor vehicles or parts thereof or for any other commercial salvaging and scavenging of any other goods, articles or merchandise.
- Subd. 9 Basement. That portion of a building between floor and ceiling, which is partly below and partly above grade, but so located that the vertical distance from grade to the floor below is less than the vertical distance from grade to the floor above.
- Subd. 10 Board (House) — Foster Children. A family dwelling where children under 18 years of age are cared for.
- Subd. 11 Boarding House. A building other than a hotel where, for compensation and for transient guests, meals or lodging and meals are provided to three or more persons, not of the principal family, for transient guests, but not including a building providing these services for more than ten persons.
- Subd. 12 Beleivable Area. The portion of a lot remaining after required yards have been provided.
- Subd. 13 Building. Any structure used or intended for supporting or sheltering any use or occupancy.

- Subd. 37 Building Height. The vertical distance from the average elevation of the finished lot grade at the front of the building to the highest point of the coping of a flat roof, or to the deck line of a mansard roof or to the average height between the plate and ridge of a gable, hip or gambrel roof.
- Subd. 38 Business. Any occupation, employment or enterprise wherein merchandise is exhibited, rented or sold, or which occupies time, attention, labor and/or materials or where services or goods are offered for compensation.
- Subd. 39 Ceiling. That portion of a building between floor and ceiling which is wholly or partly below grade (as defined in this Chapter) and so located that the vertical distance from grade to the floor below is equal to or greater than the vertical distance from grade to ceiling. (See "Story")
- Subd. 40 Club or Lodge. A club or lodge is a non-profit association of persons, who are bona fide members paying annual dues.
- Subd. 41 Channel. A natural or artificial depression of perceptible extent, with definite bed and banks to confine and conduct flowing water either continuously or periodically.
- Subd. 42 Conditional Use. A use, which because of special problems of control the use presents, requires reasonable but special, unusual and extraordinary limitations peculiar to the use for the protection of the public welfare and the integrity of the municipal land use plan.
- Subd. 43 Conditional Use Permit. A permit, issued by the Council in accordance with procedures specified in this Code, as a flexibility device to enable the Council to action dimensions to a proposed use or conditions surrounding it after consideration of adjacent uses and their functions and the special problems which the proposed use presents.
- Subd. 44 Condominium. A multiple family dwelling, individually owned, consisting of two or more units, each having its own entrance, and each having a share in the common areas and facilities, which dwelling is subject to the provisions of the Minnesota Condominium Law, Minnesota Statutes, Sections 555.01 to 555.19.
- Subd. 45 Convenience Food Establishment. An establishment which serves food in or on disposable or edible containers in individual servings for consumption on or off the premises.
- Subd. 46 Cooperative (House). A multiple family dwelling owned and maintained by the residents. The entire structure and real property is owned jointly by the residents, and each resident owns an undivided share in the structure and real property.
- Subd. 47 Court. An unoccupied open space other than a yard which is bounded on two or more sides by the walls of the buildings.
- Subd. 48 Day Care — Home. A family dwelling in which foster care, supervision and training for children of school or pre-school age out of their own home is provided.
- Subd. 49 Day Care — Group Nursery. A service provided to the public, in which children of school or pre-school age are cared for during established business hours.
- Subd. 50 Department Store. A business which is conducted under a single owner's name where a variety of unrelated merchandise and services are housed enclosed and are exhibited and sold directly to the customer for whom the goods or services are furnished.
- Subd. 51 District. A section or sections of the City for which the regulations and provisions governing the use of buildings and lands are uniform for each class of use permitted therein.
- Subd. 52 Dog Kennel. See Section 1153 of the City Code.
- Subd. 53 Drive-In Establishment. An establishment which accommodates the patron's automobile from which the occupants may receive a service or in which products purchased from the establishment may be consumed.
- Subd. 54 Dwelling. A building or portion thereof, designed exclusively for residential occupancy, including one-family, two-family and multiple family dwellings, but not including hotels, motels and boarding houses.
- Subd. 55 Dwelling, Mobile Home. A detached residential dwelling unit designed for transportation after fabrication on streets or highways on its own wheels or on a flatbed or other trailer, and arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy except for minor and incidental unpacking and assembly operations, location on lots or other temporary or permanent foundations, connections to utilities, and the like. A travel trailer is not to be considered as a mobile home.
- Subd. 56 Dwelling, Multiple. A building designed for three or more family living independently of each other but sharing hallways and main entrances and exits.
- Subd. 57 Dwelling, Single-Family. A detached dwelling unit designed exclusively for occupancy by one family.
- Subd. 58 Dwelling, Two-Family. A dwelling designed exclusively for occupancy by two families, each having its own entrance and exit.
- Subd. 59 Double Duplex. A two-family dwelling with two units side by side.
- Subd. 60 Duplex. A two-family dwelling with one unit above the other.
- Subd. 61 Elderly (Senior Citizen) Housing. A public agency owned or controlled multiple dwelling building with open occupancy limited to persons over 60 years of age.
- Subd. 62 Efficiency Apartment. A dwelling unit consisting of one principal room exclusive of bathroom, hallway, closets, or dining alcove.
- Subd. 63 Essential Services. The erection, construction, alteration, or maintenance of underground or overhead gas, electrical, steam, or water transmission or distribution systems, collection, communication, supply or disposal systems by public utilities, municipal or other governmental agencies, but not including buildings.
- Subd. 64 Equal Degree of Encroachment. A method of determining the degree of encroachment on a flood plain plan along both sides of a stream is capable of conveying a proportionate share of flood flows. This is determined by considering the effect of encroachment on the hydraulic efficiency of the flood plain along both sides of a stream for a significant reach.
- Subd. 65 Family. One or more persons each related to the other by blood, marriage, adoption, or foster care, or a group of not more than three persons not so related maintaining a common household and using common cooking and kitchen facilities.
- Subd. 66 Flood. A temporary rise in stream flow or stage which results in inundation of the areas adjacent to the channel.
- Subd. 67 Flood Frequency. The average frequency, statistically determined, for which it is expected that a specific flood stage or discharge may be equaled or exceeded. By strict definition, such estimates are designated "exceedance frequency," but in practice the term "frequency" is used. The frequency of a particular stage or discharge is usually expressed as having a probability of occurring once in a specific number of years.
- Subd. 68 Flood Fringe. That portion of the flood plain outside of the floodway.
- Subd. 69 Flood Plain. The areas adjoining a watercourse which has been or hereafter may be covered by the regional flood.
- Subd. 70 Flood Profile. A graph or a longitudinal plot of water surface elevations of a flood event along a reach of a stream or river.
- Subd. 71 Floodway. The channel of the watercourse and those portions of the adjoining flood plains which are reasonably required to carry and discharge the regional flood.
- Subd. 72 Floor Area, Gross. The sum of the gross horizontal areas of the several floors of such building or buildings measured from the exterior faces and exterior or from the center line of party walls separating two buildings. Basements, devoted to storage, and space devoted to off-street parking shall not be included.
- Subd. 73 Garage, Private. An accessory building or accessory portion of the

- principal buildings which is intended for use to store the private passenger vehicles of the family or families resident upon the premises, and in which no business service or industry is carried on.
- Subd. 97 Garage, Public. A building portion of a building, except any portion defined as a private garage or a repair garage, used for the storage of motor vehicles, or where any such vehicles are kept for remittance or hire and in which any sale of gasoline, oil and accessories is only incidental to the principal use.
- Subd. 99 Grade. (Adjacent Ground Elevation) The lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the property line, or when the property line is more than five feet from the building, between the building and a line five feet from the building.
- Subd. 100 Guest Room. A room occupied by one or more guests for compensation and in which no provision is made for cooking, but not including rooms in a dormitory for sleeping purposes primarily.
- Subd. 102 Home Occupation. Any gainful occupation engaged by the occupants of a dwelling and not a business.
- Subd. 105 Hotel. Any building or portion thereof occupied as the more or less temporary abiding place of individuals and containing six or more guest rooms, used, designated or intended to be used, let or hired out to be occupied, or which are occupied by six or more individuals for compensation, whether the compensation be paid directly or indirectly.
- Subd. 107 Junk Yards. See Sections 1115 and 1140 of the City Code.
- Subd. 109 Lodging House. A building other than a hotel, where for compensation for definite period of lodging is provided for three or more persons not of the principal family, but not including a building providing this service for more than ten persons.
- Subd. 111 Lot. Land occupied by a building or its accessory buildings, together with such open spaces as are required under the provisions of these zoning regulations, having not less than the minimum area required by these Zoning Codes for a building site in the district in which such lot is situated and having its principal frontage on a street, or a proposed street approved by the Council.
- Subd. 112 Lot Area. The area of a horizontal plane within the lot lines.
- Subd. 113 Lot Corner. A lot situated at the junction of and abutting on two or more intersecting streets; or a lot at the point of deflection in a street.
- Subd. 117 Lot Depth. The shortest horizontal distance between the front lot line and the rear lot line measured from a 90 degree angle from the street right-of-way within the lot boundaries.
- Subd. 119 Lot, Frontage. The front of a lot shall be, for purposes of complying with this Code, that boundary abutting a public right-of-way having the least width.
- Subd. 121 Lot, Interior. A lot, other than a corner lot, including through lots.
- Subd. 123 Lot, Line. A property boundary line of any lot held in single or divided ownership, including any portion of the lot extending into the abutting street or alley, the lot line shall be deemed to be the street or alley right-of-way.
- Subd. 125 Lot, Width. The shortest horizontal distance between the side lot lines measured at right angles to the lot depth.
- Subd. 129 Medical and Dental Examination. A service available to the public. This service is provided without overnight care available.
- Subd. 131 Motel-Motel Hotel. A building or group of detached, or attached buildings containing guest rooms or units, each of which has a separate entrance directly from the outside of the building, or corridor, with garage or parking space conveniently located to each room or unit, and which is designed, used or intended to be used primarily for the accommodation of transient guests traveling by automobile.
- Subd. 132 Motor Fuel Station. A place where gasoline is stored only in unapproved tanks, and where motor oil and lubricants are sold, for operation of automobiles, are retailed directly to the public on premises, and including minor accessories and services for automobiles, but not including automobile major repairs and rebuilding.
- Subd. 135 Non-Conforming Building, Structure or Use. A building, structure or use which does not conform with the district regulations in which it is situated.
- Subd. 137 Nursing Home (Rest Home). A building having accommodations where care is provided for two or more invalid, infirm, aged, feeble-minded, or physically disabled persons that are not of the immediate family; but not including hospitals, clinics, sanitariums, or similar institutions.
- Subd. 139 Obstruction (Flood Plain). Any storage of material, or equipment, any dam, wall, wharf, embankment, levee, road, dike, pile, abutment, projection, excavation, channel rectification, culvert, building, levee, fence, structure, fill, or any other structure, or any other vegetation, structure or matter in, along, across, or projecting in, whole or in part, into any flood plain.
- Subd. 141 Off-Street Loading Space. A space accessible from the street, alley or way, in a building or on the lot, for the use of trucks while loading or unloading merchandise or materials. Such space shall be of such size as to accommodate one truck of the type typically used in the particular business.
- Subd. 143 Open Sales Lot. Any open land used or occupied for the purpose of buying, selling or renting merchandise and for the storing of same prior to sale.
- Subd. 145 Owner or Property Owner. The fee owner of land, or the beneficial owner of land who has not been declared incompetent or placed under a conservatorship in contemplation of ultimate ownership. The term includes, but is not limited to, vendee under a contract for deed and mortgagor.
- Subd. 147 Parking Space. An area, enclosed in the main building, in an accessory building, or unenclosed, sufficient in size to store one automobile, which is adequate access to a public street or alley and permitting satisfactory ingress or egress of an automobile.
- Subd. 149 Permitted Use. A use which may be lawfully established in a particular district or districts, provided that such use meets the requirements, regulations, and performance standards (if any) of such districts.
- Subd. 151 Principal Use. The main use of land or buildings as distinguished from subordinate or accessory uses. A "principal use" may be either permitted or conditional.
- Subd. 153 Recreation, Field or Building. An area of land, water, or any building in which amateur, recreational or athletic sports are provided for public or semi-public use, whether temporary or permanent, except a theatre, whether provision is made for the accommodation of all night or day, or any other use, based on the probability of occurring in a recreation field or building for the purpose of this Code.
- Subd. 155 Regional Flood. A flood which is representative of large floods known to have occurred generally in Minnesota and reasonably characteristic of what can be expected to occur on an average frequency interval of a 100 year recurrence interval of a stream or river.
- Subd. 157 Regulatory Flood Protection Elevation. A point not less than one foot above the elevation of the flood plain, plus any increases in flood heights attributable to encroachments on the flood plain. It is the elevation to which uses regulated by this Code are required to be elevated or floodproofed.
- Subd. 159 Restaurant. An establishment which serves food in or on non-disposable dishes to be consumed primarily while seated at tables or booths within the building.
- Subd. 161 Set Back. The minimum horizontal distance between a building and



street or lot line.  
Subd. 163. Sign. That portion of a building located beneath the upper surface of a floor and upper surface of floor next above, except that the top-most story shall be that portion of a building located between the upper surface of the top-most floor and the ceiling or roof above.  
Subd. 164. If the finished floor level directly above a basement or cellar, or unvented underfloor space is more than six feet above grade as defined herein, or more than 30 percent of the total perimeter or is more than 12 feet above grade as defined herein at any point, such basement, cellar, or unvented underfloor space shall be considered as a story.  
Subd. 165. Street, Center Line. The center line of street shall be considered as a line equal distance between the longitudinal boundaries of the right-of-way dedicated to the City for use as a public street, except where only a portion of the proposed street has been dedicated, which shall be presumed to have a width of 40 feet unless otherwise determined by the Council.  
Subd. 166. Structure. Anything which is built, constructed or erected; an edifice or building of any kind; or any piece of work artificially built up and composed of parts joined together in some definite manner whether temporary or permanent in character.  
Subd. 167. Townhouse. Single family attached units in structures having three or more dwelling units, contiguous to each other, by the share of one common wall, and each dwelling unit shall have separate and individual front and rear entrances. Such structures to be of the row house type as contrasted to multiple dwelling apartment type structures.  
Subd. 168. Use. The purpose or activity for which the land or building thereon is designated, arranged, or intended, or for which it is occupied, utilized or maintained, and shall include the performance of such activity as defined by the performance standards of the City.  
Subd. 169. Usable Open Space. A required ground area or terrace area on a lot which is graded, developed, landscaped and equipped and intended and maintained for either active or passive recreation, or both, available and accessible to and useable by all persons occupying a dwelling unit or rooming unit on the lot and their guests. Such areas shall be graded and landscaped or covered by a recreation purpose. Roofs, driveways and parking areas shall not constitute usable open space.  
Subd. 170. Variance. The waiving by Board action of the literal provisions of the zoning code in instances where their strict enforcement would cause undue hardship because of physical circumstances unique to the individual property.  
Subd. 171. Yard. An open space on the lot which is unoccupied and unobstructed from its lowest level to the sky. A yard extends along a lot line at right angles to such lot line to a depth or width as is required in the regulations for the zoning district in which the lot is located.  
Subd. 172. Yard, Front. A yard extending across the front of the lot between the side lot lines and lying between the front line of the lot and the nearest line of the building.  
Subd. 173. Yard, Rear. A yard extending across the full width of the lot and lying between the rear line of the lot and the nearest line of the building.  
Subd. 174. Yard, Side. A yard extending along the side line of the lot and the nearest line of the building and extending from the front line of the lot to the rear yard.  
Subd. 175. NON-CONFORMING BUILDINGS, STRUCTURES AND USES  
Subd. 1. Purpose. It is the purpose of this Sub-Section to provide for the regulation of non-conforming buildings, structures and uses and to specify these requirements. Circumstances may arise in which non-conforming buildings, structures and uses shall be operated and maintained. The zoning code establishes separate districts, each of which is an appropriate area for the location of uses which are permitted in that district. It is necessary and consistent with the establishment of these districts that non-conforming buildings, structures and uses not be permitted to continue without restriction. Furthermore, it is the intent of this Sub-Section that all non-conforming uses shall be eventually brought into conformity.  
Subd. 2. Any structure or use located existing upon the effective date of this Code shall not be enlarged but may be continued at the size and in the manner of operation existing upon such date except as hereinafter specified.  
Subd. 3. Nothing in this Code shall prevent the placing of a structure in safe condition when said structure is declared unsafe by the Building Inspector providing the necessary repairs shall not constitute more than 50 percent of fair market value of such structures. Said value shall be determined by the City Assessor.  
Subd. 4. No non-conforming building, structure or use shall be moved to another lot or to any other part of the parcel on land upon which the same was constructed or was conducted at the time of this Code adoption unless such movement shall bring the non-conformity into compliance with the requirements of this Code.  
Subd. 5. When any lawful non-conforming use of any structure or land in any district has been changed to a conforming use, it shall not thereafter be changed to any non-conforming use.  
Subd. 6. A lawful non-conforming use of a structure or parcel of land may be changed to lessen the non-conformity of use. Once a non-conforming structure or parcel of land has been changed it shall not thereafter be altered to increase the non-conformity.  
Subd. 7. If at any time a non-conforming building, structure or use shall be destroyed to the extent of more than 50 percent of its fair market value, said value to be determined by the City Assessor, then without further action by the Council, the building and the land on which such building was located or upon which the structure was located shall be subject to the same action by the Council as the regulations specified by these zoning regulations for the district in which such land and buildings are located. Any building which has been destroyed to the extent of 50 percent of its value may be restored to its former extent. Estimate of the extent of damage or destruction shall be made by the Building Inspector.  
Subd. 8. Whenever a lawful non-conforming use of a structure or land is discontinued for a period of six months, any future use of said structure or lands shall be made to conform with the provisions of this Code.  
Subd. 9. Normal maintenance of a building or other structure containing or related to a lawful non-conforming use is permitted, including necessary non-structural repairs and improvements which do not physically extend or intensify the non-conforming use.  
Subd. 10. Alterations may be made to a building containing lawful non-conforming residential units when they improve the livability thereof, provided they will not increase the number of dwelling units or size of volume of the building.  
Subd. 11. Any proposed structure which will, under this Code, become non-conforming but for which a building permit has been lawfully granted prior to the effective date of this Code, may be completed in accordance with the plans and specifications of the permit and shall be completed within 60 days of the effective date of this Code. It is not abandoned for a period of more than 120 days, and continues to completion within two years. Such structure and use shall thereafter be a legally non-conforming structure and use.  
Subd. 12. GENERAL BUILDING REQUIREMENTS  
Subd. 1. Purpose. The purpose of this Section of the zoning code is to establish general development performance standards for buildings and structures intended and designed to assure compatibility of uses; to prevent urban blight, deterioration and decay; and to enhance the health, safety and general welfare of the residents of the community.  
Subd. 2. Dwelling Unit Restriction.  
a. No cellar, garage, tent or accessory building shall at anytime be used as an independent residence or dwelling unit, temporarily or permanently.  
b. Basements or cellars may be used as living quarters and rooms as a portion of residential dwellings.  
c. Tents, play houses or similar structures may be used for play or recreational purposes.  
Subd. 3. Lots. Except in the case of a planned unit development, not more than one principal building may be located on a lot. In the case of a through lot, both lot lines are front lines for purposes of the yard and parking requirements of this Code.  
Subd. 4. Platted and Unplatted Property.  
a. Any person desiring to improve property shall submit to the Building Inspector a survey of said premises and information on the location and dimensions of existing and proposed buildings, location of easements crossing the property, encroachments, and any other information which may be necessary to insure conformance to City Code.  
b. All buildings shall be so placed so that they will not obstruct future streets which may be constructed by the City in conformity with existing streets and according to the system and standards employed by the City.  
c. The Building Inspector shall review the lot survey to determine if the division and creation of the property was in compliance with the statutes and regulations applicable at the time of the division. If the Building Inspector finds that the division of the property was in compliance with legal requirements applicable at the time of the division, the lot shall be recognized and development of the property shall be allowed in conformance to the building and zoning regulations of the City. If the Building Inspector finds that the division of the property was not in compliance with legal requirements applicable at the time of the division, the lot shall not be recognized and current standards and procedures for platting shall be imposed.  
Subd. 5. Accessory Building, Structures, Uses and Equipment.  
a. An accessory building shall be considered an integral part of the principal building if it is connected to the principal buildings by a covered passageway.  
b. No detached accessory building or structure shall be erected or located within any required yard other than a rear yard, such accessory building or structure shall not exceed one story over 15 feet in height nor occupy more than 30 percent of the area of any rear yard. The maximum rear yard lot coverage shall be computed on the basis of the required rear yard as defined in Sub-Section 515.12, Subd. 4 of this Code.  
c. Detached accessory buildings, structures and permanent equipment in the residential districts shall conform to the following additional regulations as to their location upon the lots:

- In the case of an interior lot abutting upon one street, no detached accessory building, structure or permanent equipment shall be erected or altered so as to encroach upon the front half of the lot.
- In the case of any interior lot abutting upon two or more streets, no detached accessory building, structure or permanent equipment shall be erected or altered so as to encroach upon the one-fourth of the lot nearest either street and shall also be in conformance with Sub-Section 515.87, Subd. 2 of this Code.
- In the case of a corner lot abutting upon two streets, no detached accessory building, structure or permanent equipment shall be erected or altered so as to encroach upon the front half of the lot. Nor shall any accessory building, structure or permanent equipment be erected or altered so as to encroach upon the lot line nearest to the side street lot line than the distance equal to the width of the required side street yard.
- In the case of a through corner lot fronting on two parallel streets and bordering a side street, no accessory building, structure or permanent equipment shall be erected or altered so as to encroach upon the one-fourth of the lot nearest to either of the parallel streets and shall also be in compliance with Sub-Section 515.87, Subd. 3 of this Code. Nor shall any accessory building, structure or permanent equipment be erected or altered so as to encroach upon the side street lot line than the distance equal to the width of the required side street yard.
- No portion of detached accessory building, structure or permanent equipment shall be within three feet of any lot line.
- In no case shall accessory buildings, structures or permanent equipment be required to be more than 75 feet from the front lot line.
- All garages in residential districts shall, if the vehicle entrance falls upon a public alley or side street, be set back at least 35 feet from the center line of the side street and not less than 25 feet from the public right-of-way. (See also Sub-Section 515.12, Subd. 4.)
- A one story driveway for a detached single family or duplex dwelling may extend into the front yard set back not exceeding four feet.
- No accessory uses or equipment such as air-conditioning cooling structures or condensers which generate noise shall be located in a side yard of a residential district.
- In no case shall the door of any building or improvement be erected, constructed, or maintained so as to extend beyond the lot line.
- Drainage Plans. In the event of any building or improvement, the drainage plans, the drainage plans shall be submitted to the City Engineer for his review and the final drainage plan shall have his approval.
- General Fencing, Screening and Landscaping.  
a. No fence shall exceed eight feet in height and in the case of grade separation such as the division of properties by a retaining wall the height shall be determined on the basis of measurement from the average point between the highest and lowest grade.  
b. No fence, other than the chain link fence with openings to be 1 1/2" x 2" and not to exceed a maximum height of 48" and further, to allow chain link fencing to follow the property line on corner lots, and no structures or plantings of trees or shrubs shall be permitted within 25 feet of any corner formed by the intersection of street property lines or the right-of-way of a highway intersecting a street. The 25 feet referred to above shall be in the form of a triangle with two sides formed by the property lines and the third side formed by a straight line connecting the two 25 foot points on both sides of the corner.  
c. Except as provided in "b" above, fences less than four feet in height may be located on any part of a lot.  
d. Except as provided in "b" above, fences may be erected on any part of a lot which is to be the front line of the lot.  
e. In all zoning districts the lot area remaining after providing for off-street parking, off-street loading, slowways, driveways, building site and/or other structures shall be landscaped and maintained in grass, sod, shrubs or other acceptable vegetation or treatment generally used in landscaping.  
Subd. 9. Required Fencing, Screening and Landscaping. The fencing, screening or landscaping required by this Code shall be subject to Sub-Section 515.87, Subd. 8 and shall consist of either fencing or landscaping material as described below:  
a. Where planting material is utilized for screening and landscaping, the applicant shall provide the City with an acceptable performance bond which shall be in force for at least two complete growing seasons subsequent to the completion of the landscaping to insure proper amount, as outlined in Sub-Section 515.13, Subd. 1, c. In addition, the applicant shall supply the City with a complete and detailed landscape plan showing the type and location of planting materials, etc. Planting materials, for purposes of this section, shall include shrubs, hedges, bushes or trees.  
b. The screening required herein shall consist of a solid fence or wall not less than six feet nor more than eight feet in height. A lowered fence shall be considered solid if it blocks direct view of the lot and materials used in constructing a fence or wall shall be subject to the approval of the Planning Commission based upon a recommendation by the City Engineer and the Planning Commission. Earth mounds, compact evergreen or dense deciduous hedge six to eight feet in height together with over and under-story trees or other plantings as approved by the Planning Commission may be required in addition to or in lieu of a solid fence or wall.  
c. Planting materials required for screening shall be of sufficient height, width and density to provide an effective screen. Earth mounding may be used, but shall not exceed a 1:1.5 slope. The minimum size of and suggested types for planting material are as follows:  

	Potted	Balled and Bared Root	Barterpotted
Shade Trees	1 1/2 in. dia.	2 in. dia.	
Hill Trees (Flowering Crab, Russian Olive, Hawthorn, etc.)	4-7 in. dia.	4-7 in. dia.	
Evergreen Trees	1 1/2 in. dia.	2 in. dia.	
Tall Shrubs and Hedge Material (evergreen or deciduous)	4-7 in. dia.	4-7 in. dia.	
Low Shrubs (evergreen or deciduous)	16-24 in.		

  
+Note: Minimum depends upon time of planting season, availability, and site conditions.  
d. Parking areas that accommodate more than 20 cars shall be landscaped and planted on the perimeter and throughout the lot to the extent of at least 5 percent of the actual surfaced area.  
Subd. 10. Glare. Any lighting used in illuminating an off-street parking area, sign or other structure, shall be arranged so as to deflect light away from any adjoining residential zone or from the public streets. Direct or reflected glare, where it results from high temperature or processes such as combustion or welding shall not be directed into any adjoining property. The source of lights shall be hooded or shielded in some manner so as not to light adjacent property. Incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights which cast light on a public street or from high temperature (near reading) as measured from the center line of said street. Any light or combination of lights which cast light on residential property shall not exceed 8.4 foot candles (meter reading) as measured from said property.  
Subd. 11. Smoke. The emission of smoke by any use shall be in compliance with and regulated by The State of Minnesota Pollution Control Standards, Minnesota Regulation APC 1-15.  
Subd. 12. Dust and Other Particulate Matter. The emission of dust, fly ash or other particulate matter by any use shall be in compliance with and regulated by The State of Minnesota Pollution Control Standards, Minnesota Regulation APC 1-15.  
Subd. 13. Odors. The emission of odor by any use shall be in compliance with and regulated by The State of Minnesota Pollution Control Standards, Minnesota Regulation APC 1-15.  
Subd. 14. Noise.  
a. Any noise shall be muted so as not to be objectionable due to interference, bass frequency or sharpness and as measured at any property line, shall not exceed the following intensity in relation to sound frequency:  

	Sound Levels in Decibels
Octave Band	
Herz	
32-50	75
50-63	65
63-80	55
80-100	45
100-125	35
125-160	25
160-200	15
200-250	10
250-315	5
315-400	0
Over 400	20

  
b. The standards as established in Sub-Section 515.87, Subd. 14a of this Code shall be superceded upon enactment of noise control standards by the State of Minnesota.  
c. Exceptions to standards established in Sub-Section 515.87, Subd. 14a.  
1. Noises not directly under the control of the property owner.  
2. Noises emanating from construction and maintenance activities between 7:00 am and 7:00 pm.  
3. The noise of safety signals, warning devices, and emergency pressure relief valves.  
4. Transient noises of moving sources such as automobiles, trucks, airplanes and railroads.  
5. The noise of aircraft.  
6. The noises specified in Sub-Section "b" above may be exceeded by ten decibels for a single period, no longer than 15 minutes in length, in any one day.  
7. Noise. Passenger automobiles, station wagons and trucks not currently licensed by the state, or which are because of mechanical deficiency incapable of movement under their own power, parked or stored outside for a period of more than 24 hours, and all materials stored outside in violation of the City Code are

- considered refuse and shall be disposed of in accordance with pertinent provisions of the City Code.  
Subd. 14. Exterior Storage. All materials and equipment except as provided for in Sub-Sections 515.19 through 515.47 of this Code shall be stored within a building or fully screened so as not to be visible from adjoining properties, except for the following:  
b. Recreational equipment and vehicles as permitted by Section 1320 of the City Code.  
c. Construction and landscaping material currently being used on the premises.  
d. Off-street parking of passenger vehicles and trucks not exceeding a gross weight of 9,000 pounds.  
Subd. 15. OFF-STREET PARKING REQUIREMENTS  
Subd. 1. Purpose. The regulation of off-street parking spaces in this Zoning Code is to alleviate or prevent congestion of the public right-of-way and to promote the safety and general welfare of the public, by establishing minimum requirements for off-street parking of motor vehicles in accordance with the utilization of various parcels of land or structures.  
Subd. 2. Application of Off-Street Parking Regulations. The regulations and requirements set forth herein shall apply to all off-street parking facilities in all of the zoning districts of the City.  
Subd. 3. Site Plan Drawing Necessary. All applications for a building or an occupancy permit in all zoning districts shall be accompanied by a site plan drawn to scale and dimensioned indicating the location of off-street parking and loading spaces in compliance with the requirements set forth in this section.  
Subd. 4. General Provisions.  
a. Floor Area. The term "floor area" for the purpose of calculating the number of off-street parking spaces required shall be determined on the basis of the exterior floor area of the building (the (1) buildings, (2) structure, or (3) use times the number of floors, minus ten percent.  
b. Reduction of Existing Off-Street Parking Spaces or Lot Area. Off-street parking spaces and loading spaces or lot area existing upon the effective date of this Code shall not be reduced in number or size unless said number or size exceeds the requirements set forth herein for a similar new use.  
c. Non-Conforming Structures. Should a non-conforming structure or use be damaged or destroyed by fire, it may be re-established if it conforms to the requirements of this Code, except that, in doing so, any off-street parking or loading space which existed before shall be retained.  
d. Change of Use or Occupancy of Land. No change of use or occupancy of land already dedicated to a parking area, parking spaces, or loading spaces shall be made, nor shall any sale of land, structure, or use of land be made which would result in a change of use or occupancy of the land, except that, in doing so, any off-street parking or loading space which existed before shall be retained.  
e. Off-street parking facilities necessary to residential use shall be utilized solely for the parking of licensed and operable passenger automobiles, no more than six feet wide and no more than 12 feet high, and recreational vehicles and equipment as provided in Section 1320 of the City Code. Under no circumstances shall required parking facilities be restricted to residential use. Structures used for the storage of commercial vehicles or equipment or for the parking of automobiles belonging to the employees, owners, tenants, or customers of business or manufacturing establishments.  
f. Calculating Space.  
1. When determining the number of off-street parking spaces results in a fraction, such fraction of one-half or more shall constitute another space.  
2. In stadiums, sports arenas, churches and other places of public assembly in which patrons or spectators occupy benches, pews or other similar seating facilities, each 22 inches of such seating facilities shall be counted as one seat for the purpose of determining requirements.  
3. In hospitals, businesses shall not be counted as beds for the purpose of calculating the number of off-street parking spaces required.  
4. Should a structure contain two or more types of use, each use shall be calculated separately for determining the total off-street parking spaces required.  
h. Stall, Aisle and Driveway Design.  
1. Parking Space Size. Each parking space shall be not less than nine and one-half feet wide and 20 feet in length exclusive of access aisles, and each space shall be served adequately by access aisles.  
2. Within Structures. The off-street parking requirements may be satisfied by providing a space to be designed within the principal building or an attached structure; however, unless provisions are made, no building permit shall be issued to convert said space into a dwelling unit or living area unless other adequate provisions are made to comply with the required off-street parking provisions of this Code.  
3. Access to the Building. In the case of single family townhouse dwellings, parking areas shall be designed so that circulation between parking bays or aisles occurs within the designated parking lot and may be used, but shall not exceed a 1:1.5 slope. Except in the case of single, two family and townhouse dwellings, parking area design which requires backing into the public street is prohibited.  
4. No curb cut access shall be located less than 20 feet from the intersection of two or more street right-of-ways. This distance shall be measured from the intersection of lot lines.  
5. Access in the case of single family, two family and townhouse dwellings, parking areas and their aisles shall be developed in compliance with the following standards:  

	Wall	Wall to Wall	Interlock
Angle	Minimum	Minimum	Minimum
30	48"	48"	48"
45	48"	48"	48"
60	48"	48"	48"
75	48"	48"	48"

  
6. Parallel parking: 22 feet in length.  
7. No curb cut access shall exceed 22 feet in width.  
8. Curb cut openings shall be at minimum three feet from the side yard property line in residential districts and five feet from the side yard property line in business or industrial districts.  
9. Driveway access curb opening on a public street except for single, two family and townhouse dwellings shall not be located less than four feet from another.  
10. The grade elevation of any parking area shall not exceed five percent.  
11. Each parcel of land shall be allowed one curb cut access for each 125 feet of street frontage. Each parcel of land shall be entitled to at least one curb cut. Single family uses shall be limited to one curb cut access per lot.  
12. Surfacing. All areas intended to be utilized for parking space and driveways shall be surfaced with materials suitable to control dust and drainage. Except in the case of single family and two family dwellings, driveways and stalls shall be surfaced with a six inch class five base and two inch bituminous topping. Plans for surfacing and drainage of driveways and stalls for five or more vehicles shall be submitted to the City Engineer for his review and the final drainage plan must receive his written approval.  
13. Striping. Except for single, two family and townhouses, all parking stalls shall be marked with white painted lines not less than four inches wide.  
14. Lighting. Any lighting used to illuminate an off-street parking area shall be so arranged as to reflect the light away from adjoining property, reflecting residential use and shall be limited to four foot candles (meter reading) as measured from the center line of the street.  
15. Signs. No sign shall be so located as to restrict the sight lines and orderly operation and traffic movement within any parking lot. All signing must conform to Section 406 of the City Code.  
16. Curbing and Landscaping. Except for single, two family and townhouses, all open off-street parking shall have a perimeter curb or place concrete curb barrier around the entire parking lot, said curb barrier shall not be closer than five feet to any lot line or street, plantings or surfacing material shall be provided in all areas bordering the parking area.  
17. Required Screening. All open, non-residential, off-street parking areas of five or more spaces shall be screened and landscaped from adjoining or surrounding residential districts in compliance with Sub-Section 515.87, Subd. 9 of this Code.  
Subd. 5. Maintenance. If under the control of the property owner, the owner or the principal use, use or building to maintain, in a neat and adequate manner, the parking space, accessways, striping, landscaping, and required fences.  
Subd. 6. Localities. All accessory off-street parking facilities required by this Code shall be located and restricted as follows:  
a. Except in the case of the use of the P-1 and P-2 Districts, required accessory off-street parking shall be on the same lot under the same ownership as the principal use being served.  
b. Except for single, two family and townhouse dwellings, head-in parking, directly off and adjacent to a public street, with each stall having its own direct access to the public street, shall be prohibited.  
c. Except in the case of the P-1 and P-2 Districts, there shall be no off-street parking within 15 feet of any street surface.  
d. The boulevard portion of the street right-of-way shall not be used for parking for more than 24 hours.  
e. Set Back Area. Accessory off-street parking required by this Code

shall not be provided in front yards or in side yards in the case of a corner lot, in R-1, R-2, R-3, R-4, R-O, B-1a, and B-1 Districts.

1. In the case of single family, two family, and townhouse dwellings parking shall be prohibited in any portion of the front yard except designated driveways leading directly into a garage or one open, surfaced space located on the side of a driveway, away from the principal use. Said extra space shall be surfaced with concrete or bituminous material.

Subd. 7 Use of Required Area. Required accessory off-street parking spaces in any district shall not be utilized for open storage, sale or rental of goods, storage of motor vehicles as regulated by Sub-Section 515.07, Subd. 15 of this Code, and/or storage of snow.

Subd. 8 Number of Spaces Required. The following minimum number of off-street parking spaces shall be provided and maintained by owner, lessee, assignee and/or lease for during the life of the respective uses hereinafter set forth:

a. Single family, two family and townhouse units. Two spaces per unit.

b. Boarding house, fraternity house, sorority house. At least two parking spaces for each three persons for whom accommodations are provided for sleeping.

c. Multiple family dwellings. At least two free spaces per unit. One of the required spaces is to be enclosed within a garage and any fee charged for such space shall be made part of the rent for the unit and not a separate rent charge.

d. Public parks, playgrounds and play field. At least five parking spaces for each acre of park over one acre; two parking spaces per acre for playgrounds, and ten spaces for each acre of play field. When a public recreation site has more than one use, the designation, the areas must be divided for determining the required parking spaces.

e. Hotels, motor hotels, resorts. One space per each rental unit, plus one space for each ten units and one space for each employee on any shift.

f. School, elementary and junior high. At least one parking space for each classroom plus one additional space for each 30 student capacity.

g. School, high school through college and private day or church schools. At least one parking space for each seven students based on design capacity plus one for each three classrooms.

h. Church, theatre, auditorium. At least one parking space for each four seats based on the design capacity of the building. Facilities as may be provided in conjunction with such buildings or uses shall be subject to additional requirements which are imposed by this Code.

i. Baseball fields, stadiums. At least one parking space for each eight seats of design capacity.

j. Community centers, physical culture studios, libraries, private clubs, lodges, museums, art galleries. Ten spaces plus one for each 150 square feet in excess of 1,000 square feet of floor area in the principal structure.

k. Golf courses, country club, tennis club, public swimming pool. 20 spaces plus one for each 150 square feet in excess of 1,000 square feet of floor area in the principal structure.

l. Hospitals. Two spaces per each bed.

m. Medical, dental or hospital out-patient clinics. One space for each 150 square feet of floor area or seven and one-half spaces per doctor whichever number of parking spaces is greater.

n. Sanitariums, convalescent homes, rest homes, nursing homes or day nurseries. Four spaces plus one for each three beds for which accommodations are offered.

o. Elderly (senior citizen) housing. Reservation of area equal to two parking spaces per unit. Initial development, however, required only one space per unit and said number of spaces can continue until such time as the City Council considers a need for additional parking spaces has been demonstrated.

p. Drive-in establishments and restaurants. At least one parking space for each 15 square feet of gross floor area but not less than 15 spaces.

q. Office buildings, animal hospitals and professional offices. Three spaces plus at least one space for each 200 square feet of floor area.

r. Bowling alley. At least five parking spaces for each alley, plus additional space as may be required for related uses contained within the principal structure.

s. Motor fuel stations. At least four off-street parking spaces plus two off-street parking spaces for each service stall. Those off-street parking spaces shall be required to provide additional parking in compliance with other applicable sections of this Code.

t. Retail store and service establishment. At least one off-street parking space for each 140 square feet of floor area.

u. Retail sales and service business with 35 percent or more of gross floor area devoted to storage, warehouses and/or industry. At least eight spaces, plus one space for each 140 square feet devoted to retail sales or service plus one space for each 100 square feet of gross floor area.

v. Wholesale and retail stores. At least one parking space for each 140 square feet of gross floor area of dining and bar area and one space for each 80 square feet of kitchen area.

w. Undertaking establishments. At least 30 parking spaces for each chapel or parlor, plus one parking space for each funeral vehicle maintained on the premises. Adequate space shall be provided off the street for making up a funeral procession.

x. Auto repair, major bus terminal, taxi terminal, boats and marine sales and repair, bottling company, shop for a trade employing six or less people, garden supply store, building material sales structures. Eight off-street parking spaces, plus one additional space for each 100 square feet of floor area over 1,000 square feet.

y. Shouting room, dance hall, or public recreation building. 20 off-street parking spaces, plus one additional off-street parking space for each 200 square feet of floor space over 7,000 square feet.

z. Shall driving ranges, miniature golf, archery, and other off-street parking spaces plus one for each 100 square feet of floor area.

aa. Manufacturing, fabricating or processing of a product or material; warehouses, storage, handling of bulk goods, and offices. At least eight spaces plus one space for each two employees on each shift based on maximum planned employment or at a minimum of least eight spaces plus one space for each 500 square feet of floor area.

bb. Car wash. (In addition to required repainting or stacking space.)

1. Automatic drive through services. A minimum of ten spaces, or one space for each employee on the maximum shift, whichever is greater.

2. Self-service. A minimum of two spaces.

3. Motor fuel stations car wash. Zero in addition to that required for the station.

515.11 OFF-STREET LOADING

Subd. 1 Purpose. The regulation of loading spaces in these zoning regulations is to alleviate or prevent congestion of the public right-of-way and to promote the safety and general welfare of the public by establishing minimum requirements for off-street loading and unloading from motor vehicles in accordance with the utilization of various parcels of land or structures.

Subd. 2 Location.

a. All required loading berths shall be off-street and located on the same lot as the building or use to be served.

b. All loading berth curbs shall be located at minimum 30 feet from the intersection of two or more street right-of-ways. This distance shall be measured from the property line.

c. No loading berth shall be located closer than 50 feet from a residential district unless within a structure.

d. Loading berths shall not occupy the front yard set backs.

e. Loading berths located at the front or at the side of buildings on a corner lot shall require a conditional use permit.

1. Loading berths shall not conflict with pedestrian movement.

2. Loading berths shall not obstruct the view of the public right-of-way from off-street parking access.

3. Loading berths shall comply with all other requirements of this Code.

f. Each loading berth shall be located with appropriate means of vehicular access to a street or public alley in a manner which will cause the least interference with traffic.

Subd. 3 Structure.

a. All loading berths and accessories shall be improved with not less than six inch class five base and two inch blumchum surface to control the dust and drainage according to a plan submitted to and subject to the approval of the City Engineer.

Subd. 4 Accessory Use, Parking and Storage. Any space allocated as a required loading berth or access drive so as to comply with the terms of these zoning regulations shall not be used for the storage of goods, inoperable vehicles or snow and shall not be included as part of the space requirements necessary to meet the off-street area.

Subd. 5 Screening. Except in the case of multiple dwellings all loading areas shall be screened and landscaped from abutting and surrounding residential uses in compliance with Sub-Section 515.07, Subd. 9 of this Code.

Subd. 6 Size. Unless otherwise specified in these zoning regulations the first loading berth shall be not less than 55 feet in length and additional berths required shall be not less than 30 feet in length and all loading berths shall be not less than ten feet in width and 14 feet in height, exclusive of aisle and maneuvering space.

Subd. 7 Number of Loading Berths Required. The number of required off-street loading berths shall be as follows:

a. Manufacturing, Fabrication, Processing, Warehousing, Storing, Retail Sales, Hospitals, Schools and Hotels. For each a building, 1,000 to 100,000 square feet of floor area, one loading berth 55 feet in length and one additional berth for each additional 100,000 square feet or fraction thereof, plus one berth 30 feet in length for each 35,000 square feet of floor area or fraction thereof.

b. Auditorium, Convention Hall, Exhibition Hall, Sports Arena, or Stadium. 10,000 to 100,000 square feet of floor area, one loading berth, for each additional 100,000 square feet of floor area or fraction thereof, one additional loading berth.

515.12 YARD REQUIREMENTS

Subd. 1 Purpose. This Sub-Section identifies minimum yard spaces and areas to be provided for in each zoning district.

Subd. 2 Front Yards as defined by Sub-Section 515.02, Subd. 181 of this Code.

a. R-1, R-2, R-3, R-4, R-O, B-1a, and B-1 Districts. A front yard set-back of 40 feet from the center line of the street, but not less than 30 feet from the front lot line.

b. B-2, B-3, B-4, B-1, and I-1 Districts.

1. Shall not be closer than 55 feet from the center line of the street but not less than 30 feet from the front lot line.

2. Buildings shall be so arranged on their ground so as to permit compliance with the off-street parking and off-street loading requirements as outlined in Sub-Sections 515.09 and 515.11 of this Code.

c. P-1 District. No parking space shall be closer than five feet from the front lot line.

d. P-2 District. No parking space shall be located closer than 40 feet from the center line of the street, but not less than 30 feet from the front lot line.

Subd. 3 Side Yards as defined by Sub-Section 515.02, Subd. 185 of this Code.

a. R-1, R-2, R-3, R-4, R-O, B-1a and B-1 Districts.

1. Interior Side Yards. At least two side yards, one on each side of the principal building or use. The side yard in the case of one and two family dwellings, two stories or smaller shall have a width of not less than five feet, including eaves and in the case of larger buildings and other uses, the side yard shall not be less than 15 feet in width.

2. Side Street Side Yard. In R-1 and R-2 Districts.

i. In the case of a corner lot in the R-1 District having a frontage of 40 feet and having the longest dimension of the principal building paralleling the 40 foot frontage, the side street side yard shall be not less than 10 feet from the side street side yard line in such cases shall not have to exceed 30 feet.

ii. In the case of a corner lot in the R-1 Districts and having the longest dimension of the principal building paralleling the shortest dimension of the lot, the side street side yard shall have a width of not less than 10 feet from the side street side yard line.

iii. In the case of a corner lot in R-2 Districts, the side yard setback adjacent to a side street for the principal use shall be not less than 30 feet from the side street side yard line nor less than 40 feet from the center line of the street.

iv. In the case of a corner lot in R-1 or R-2 Districts, a garage or accessory use building or structure erected on the rear one-half of such lot may be located not less than 20 feet from the side street side yard line as it abuts such street (See also Sub-Section 515.07, Subd. 5.C.7).

b. Side Street Side Yard—R-3, R-4, R-O, B-1a and B-1 Districts. A side street setback for principal use adjacent to the side street shall be not less than 30 feet from the side street side yard line nor less than 40 feet from the center line of the street.

c. B-2, B-3, B-4, B-1, and I-1 Districts.

1. Interior Side Yards. Zero feet side yard lot line.

2. Side Street Side Yard. Shall not be closer than 55 feet from the center line of the street but not less than 22 feet from the side street lot line.

3. Buildings shall be so arranged on their grounds so as to permit compliance with the off-street parking and off-street loading requirements as outlined in Sub-Section 515.09 and 515.11 of this Code.

c. P-1 District.

1. Interior Side Yard. No parking space shall be located within five feet from an interior side yard lot line.

2. Corner Lot. No parking space shall be located closer than five feet from the side street side yard lot line.

c. P-2 District.

1. Interior Side Yard. No parking space shall be located within five feet from an interior side yard lot line.

2. Corner Lot. No parking space shall be located less than 40 feet from the center line of the street or 30 feet from the side street side yard lot line.

Subd. 4 Rear Yards as defined by Sub-Section 515.02, Subd. 181 of this Code.

a. R-1, R-2, R-3, R-4, R-O, B-1a and B-1 Districts. A rear yard set-back of not less than 40 feet except for accessory buildings, structures or uses as regulated by Sub-Section 515.07, Subd. 5 of this Code.

b. B-2, B-3, B-4, B-1, and I-1 Districts. Buildings shall be so arranged on their grounds so as to permit compliance with the off-street parking and off-street loading requirements as outlined in Sub-Sections 515.09 and 515.11 of this Code.

c. P-1 District. No parking space shall be located less than five feet from a rear lot line.

d. P-2 District. No parking space shall be located less than five feet from a rear lot line.

Subd. 5 Structures to be Unsubstituted. Every part of a required yard shall be open and unsubstituted by any building or structure, from its lowest point upward, except as follows:

a. In rear yard setbacks, the following are excluded: porches, terraces, awnings, canopies, steps, chimneys, flags or eaves.

b. In side or rear yards: off-street open parking spaces as regulated by Sub-Section 515.09 and 515.11 of this Code; structures, detached from the principal use and as regulated by Sub-Section 515.07, Subd. 8 of this Code.

c. In rear yards: recreational equipment, clothes line poles, arbor and trellises, balconies, breezeways, air conditioning or heating equipment.

d. Side yards: decks, steps and awnings which may be folded flat against the building.

515.13 AREA AND BUILDING SIZE REGULATIONS

Subd. 1 Purpose. This Sub-Section identifies minimum area and building size requirements to be provided for in each zoning district.

Subd. 2 Lot Area. Lot dimensions and area shall not be less than the following:

a. Width

1. R-1 40 feet

2. R-2 100 feet

3. R-3, R-4, R-O, B-1a, B-1 75 feet

b. Depth

1. R-1, R-2, R-3, R-4, R-O, B-1a, B-1 100 feet

c. Square Feet Minimum for lot area shall not include land beyond a depth of 150 feet on lots having less than 100 foot frontage.

1. Lots greater than 100 foot frontage may use depths not exceeding height and one-half times the frontage in computing lot area.

d. Lot Size Requirement

i. R-1, B-1a, B-1 7,500 square feet

ii. R-2 14,800 square feet

iii. R-3, R-4, R-O 12,500 square feet

e. Lot area per unit. (The lot area per unit requirement for townhouses, condominiums and planned unit developments shall be calculated on the basis of the total area in the project and as controlled by single or joint ownership.)

1. R-1

i. Single family 7,500 square feet

ii. Single family 7,500 square feet

iii. Two family 4,250 square feet

2. R-2

i. Single family 7,500 square feet

ii. Single family 7,500 square feet

iii. Two family 4,250 square feet

3. R-3

i. Single family 7,500 square feet

ii. Two family 4,250 square feet

4. All other districts

i. Townhouse 5,000 square feet

ii. Multiple family—4,900 square feet for the first two units and 1,200 square feet for each unit over two.

5. Elderly (senior citizen) housing 1,750 square feet

Subd. 3 Usable Open Space. Except for elderly housing, each multiple family dwelling site shall contain at least 400 square feet of usable open space as defined by Sub-Section 515.03, Subd. 175 of this Code for each dwelling unit contained therein.

Subd. 4 Height Limitations.

a. R-1, B-1a and B-1 Districts. No building or structure shall have a height greater than two stories.

b. R-2, R-3, R-4, R-O, B-2, B-3, B-4, B-1, and I-1 Districts. Except as allowed by Sub-Section 515.03, Subd. 175 of this Code, no building or structure shall exceed three stories.

c. Exceptions. The building height limits established herein for districts shall not apply to the following:

1. Bettries.

2. Chimneys or flues.

3. Church spires.

4. Cooling towers.

5. Cupolas and domes which do not contain useable space.

6. Elevator penthouses.

7. Flag poles.

8. Monuments.

9. Parapet walls extending not more than three feet above the finished height of the building.

10. Water towers.

11. Poles, towers and other structures for essential services.

12. Necessary mechanical and electrical appurtenances.

13. Television and radio antennas not exceeding 20 feet above roof.

d. No excluded roof equipment or structural element extending beyond the limited height of a building may occupy more than 25 percent of the area of such roof nor exceed ten feet unless otherwise noted.

Subd. 5 Minimum Floor Area Per Dwelling Unit.

a. One, two family dwellings and townhouses. The minimum first floor area for such type buildings shall be as follows:

1. One story dwelling 700 square feet

2. Two story dwelling 900 square feet

b. Multiple dwelling units. Except for elderly housing, living units classified as multiple dwellings shall have the following minimum floor areas per unit:

1. Efficiency units 300 square feet

2. One bedroom units 450 square feet

3. Two bedroom units 720 square feet

4. More than two bedroom units—an additional 100 square feet for each additional bedroom.

c. Elderly (senior citizen) housing. Living units classified as elderly (senior citizen) housing units shall have the following minimum floor areas per unit:

1. Efficiency units 440 square feet

2. One bedroom 520 square feet

Subd. 6 Efficiency Apartments. Except for elderly (senior citizen) housing, the number of efficiency apartments in a multiple dwelling shall not exceed five percent of the total number of apartments. In the case of elderly (senior citizen) housing, efficiency apartments shall not exceed 20 percent of the total number of apartments.

Subd. 7 Maximum Floor Area.

a. B-1a. All uses, a maximum of 2,300 square feet of floor area in building on the basement level and all other levels.

515.17 GENERAL DISTRICT PROVISIONS

Subd. 1 Establishment of Districts. The following zoning classifications and districts are hereby established within the City of Crystal.

a. Residential District.

1. R-1. Single family residential district.

2. R-2. Single and two family residential district.

3. R-3. Medium density residential district.

4. R-4. High density residential district.

5. R-O. Residential—office district.

b. Business District.

1. B-1a. Professional office district.

2. B-1. Neighborhood commercial district.

3. B-2. Limited commercial district.

4. B-3. Auto-oriented commercial district.

5. B-4. Community commercial district.

c. Industrial District.

1. I-1. Warehouse and light industrial district.

2. I-2. Heavy industrial district.

d. Special District.

1. P-1. Off-street parking district—commercial-industrial.

2. P-2. Off-street parking district—residential.

3. P-3. Flood Plain district.

4. P-4. Planned unit development district.

Subd. 2 Zoning District Application. The boundary lines of the districts listed in Sub-Sections 515.17 through 515.19 are hereby established as shown on the map entitled "Zoning District Map of Crystal, Minnesota," which map is hereby approved and ordered filed with the City Clerk, and as described in Sub-Section 515.01 (Zoning District Map—Legal Descriptions). The Zoning District Map and all regulations, references and other information shown thereon shall have the same force and effect as if fully set forth herein and is hereby incorporated in and made part of this Code by reference and incorporated fully as set forth herein.

Subd. 3 Zoning District Boundaries. Zoning district boundary lines as described in Sub-Section 515.17 through 515.19 shall be subject to change by the City Council by reference and incorporated fully as set forth herein.

a. Appeals from the Planning Commission's determination concerning the exact location of a zoning district boundary line shall be heard by the City Council serving as the Board of Adjustment and Appeals.

b. When any street, alley or other public right-of-way is vacated by official action of the City, the zoning classification of land abutting the center line of said alley or other public right-of-way shall not be affected by such proceedings, nor shall the district boundary line be affected thereby.

515.19 R-1, SINGLE FAMILY RESIDENTIAL DISTRICT

Subd. 1 Purpose. The purpose of the R-1, Single family district is to provide for single family detached residential dwelling units and directly related, complementary uses.

Subd. 2 The following are permitted uses in an R-1 District:

a. Single family detached residential dwelling units.

b. Boarding (house) home—foster children: restricted to children out of their own homes, age 15 years or under, or in the case of children 16 years of age or older, are cared for 24 hours a day for a period of 30 days. The number to be cared for in one foster child boarding (house) home shall not exceed five, including the family's own children.

c. Day Care Home. Restricted to a family dwelling in which foster care, supervision and training for children of school or pre-school age out of their own homes is provided during part of a day (less than 24 hours) with no overnight accommodations or facilities and children are delivered and removed daily. The number to be cared for in a day care home shall not exceed five including the family's own children.

d. Public parks and playgrounds.

e. Essential services.

Subd. 3 The following are permitted accessory uses in an R-1 District:

a. Private garages, parking spaces and car ports for licensed and operable passenger cars and trucks not to exceed a gross weight of 2,000 pounds, as regulated by Sub-Section 515.09 (Off-Street Parking) of this Code. Private garages are intended for use to store the private passenger vehicles of the family or families residing upon the premises, and in which no business service or industry is carried on. Such space can be rented to non-residents of the property for private passenger vehicles and non-commercial vehicles. The building, structure or equipment is sufficient off-street parking in full compliance with this Code is provided elsewhere on the property. Such garage shall not be used for the storage of more than one commercial vehicle owned or operated by a resident per dwelling unit.

b. Recreational vehicles and equipment as regulated by Section 1320 of the City Code.

c. Home occupations. Such activity shall be clearly incidental and secondary to the residential use of the premises. Permissible home occupations shall not include the conducting of a retail business (other than by mail), manufacturing business, or a repair shop of any kind on the premises. No other persons residing on the premises shall be employed, and no mechanical equipment shall be employed that is not customarily found in the home and no more than one room may be devoted to home occupation. Such home occupation shall not require internal or external alterations or disruptive construction features nor require living rooms, garages, and air conditioning or heating equipment.

d. Non-commercial greenhouses and conservatories.

e. Swimming pools, tennis courts and other recreational facilities which are operated for the enjoyment and convenience of the residents of the principal use and their guests.

f. Tool sheds, sheds and similar buildings for storage of domestic supplies and non-commercial recreational equipment.

g. Boarding or renting of rooms to not more than one person.

h. Signs and bulletin boards as regulated by Section 404 of the City Code.

Subd. 4 The following are conditional uses in an R-1 District. (Requires conditional use permit based upon procedures set forth in and regulated by Sub-Section 515.13 of this Code.)

a. Governmental and public utility buildings and structures necessary for the health, safety and general welfare of the community provided that:

1. Conformity with the surrounding neighborhood is maintained and required set backs and side yard requirements are met.

2. Equipment is completely enclosed in a permanent structure with no outside storage.

3. Adequate screening from neighboring uses and landscaping is provided in compliance with Sub-Section 515.07, Subd. 9 of this Code.

4. The provisions of Sub-Section 515.13, Subd. 16 of this Code are considered and satisfied.

b. Residential planned unit development as regulated by Sub-Section 515.11 of this Code.

c. Public or semi-public recreational buildings and neighborhood or community centers; public and private educational institutions limited to elementary, junior high and senior high schools; and religious institutions such as churches, chapels, temples and synagogues providing:

1. Side yards shall be double that required for the district.

2. Adequate screening from abutting residential uses and land



scaping is provided in compliance with Sub-Section 515.07, Subd. 9 of this Code.

3. Adequate off-street parking and access is provided on the site or on lots directly abutting directly across a public street or alley to the principal use in compliance with Sub-Section 515.09 of this Code and that such parking is adequately screened and landscaped from surrounding and abutting residential uses in compliance with Sub-Section 515.07, Subd. 9 of this Code.

4. Adequate off-street loading and service entrances are provided and regulated where applicable by Sub-Section 515.11 of this Code.

5. The site of the principal use and related parking is served by an arterial or collector street of sufficient capacity to accommodate the traffic which will be generated.

6. All signing and informational or visual communication devices are in compliance with Section 404 of the City Code.

7. The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

6. Airports (public only) provided that:

1. Effective buffering is provided to reduce ground and landing noise.
2. Adequate fencing, control and protection is provided to prevent unauthorized access into landing field areas.
3. All landing fields and operating facilities are designed, operated and maintained within and according to Federal and State laws and regulations.
4. The addition of a new accessory commercial use or the change in an existing commercial use shall require a conditional use permit and conform to the conditions of the Sub-Section 515.53, Subd. 3 of this Code.
5. Commercial uses are accessory as defined by Sub-Section 515.53, Subd. 3 of this Code.
6. Accessory commercial uses are totally enclosed within a structure.

7. Accessory commercial uses are intended to serve and support the airport facilities and operations and do not attract customers from the general public or community.

8. Any accessory commercial use or storage is at minimum 200 feet from abutting residential districts or uses in compliance with Sub-Section 515.07, Subd. 9 of this Code.

9. Open storage is screened and landscaped from view of abutting residential districts and/or uses in compliance with Sub-Section 515.07, Subd. 9 of this Code.

10. Upon termination of airport activities all accessory commercial facilities shall cease and use and development of the site shall conform to the applicable district regulations.

11. The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

#### 515.21 R-2, SINGLE AND TWO FAMILY RESIDENTIAL DISTRICT

Purpose. The purpose of the R-2 Single and Two Family Residential District is to provide for low to moderate density one and two unit dwellings and directly related, complimentary uses.

Subd. 2 The following are permitted uses in a R-2 District:

- a. All permitted uses allowed in an R-1 District.
- b. Two family dwelling units.
- c. The following are permitted accessory uses in a R-2 District:

Subd. 3 The following are permitted accessory uses in a R-2 District:

- a. All accessory uses as allowed in an R-1 District.
- b. The following are conditional uses in a R-2 District: (Requires a conditional use permit based upon procedures set forth in and regulated by Sub-Section 515.53 of this Code.)

Subd. 4 All conditional uses, subject to the same conditions, as allowed in an R-1 District, except:

#### 515.23 R-3, MEDIUM DENSITY RESIDENTIAL DISTRICT

Purpose. The purpose of the R-3, Medium Density Residential District is to provide for medium density housing in townhouse and multiple family structures ranging up to and including four units and directly related, complimentary uses.

Subd. 2 The following are permitted uses in a R-3 District:

- a. Three and four unit multiple family dwellings.
- b. Boarding houses as defined by Sub-Section 515.03, Subd. 21 and limited to not more than ten persons.
- c. Lodging houses as defined by Sub-Section 515.03, Subd. 109 and limited to not more than ten persons.
- d. Boarding (house) home - foster children: restricted to children out of their own homes, age 14 years or under, or in the case of mental retardation age 21 or under, are cared for 24 hours a day for a period of 30 days. The number to be cared for in one foster child boarding (house) home shall not exceed five, including the foster family's own children.

Subd. 3 The following are permitted accessory uses in a R-3 District:

- a. All permitted accessory uses as allowed in an R-1 District.
- b. Off-street loading.

Subd. 4 The following are conditional uses in a R-3 District: (Requires a conditional use permit based upon procedures set forth in and regulated by Sub-Section 515.53 of this Code.)

- a. All conditional uses as allowed in an R-1 District.
- b. Day care - group nursery provided that:

1. No overnight facilities are provided for the children served.
2. The front yard depth shall be a minimum of 35 feet.
3. Adequate off-street parking and access is provided in compliance with Sub-Section 515.09 of this Code.

Subd. 5 Adequate off-street loading and service entrances are provided in compliance with Sub-Section 515.11 of this Code.

Subd. 6 The site and related parking and service shall be served by an arterial or collector street of sufficient capacity to accommodate the traffic which will be generated.

Subd. 7 All signing and informational or visual communication devices shall be in compliance with Section 404 of the City Code.

Subd. 8 The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

Subd. 9 Townhouses as defined by Sub-Section 515.03, Subd. 171 of this Code provided that the regulations and requirements of Sub-Section 515.51 are satisfactorily completed and met.

#### 515.25 R-4, HIGH DENSITY RESIDENTIAL DISTRICT

Purpose. The purpose of the R-4, High Density Residential District is to provide for high density residential uses and directly related complimentary uses.

Subd. 2 The following are permitted uses in a R-4 District:

- a. Multiple family dwellings.
- b. Public parks and recreational areas.
- c. Boarding houses as defined by Sub-Section 515.03, Subd. 21 and limited to not more than ten persons.
- d. Lodging houses as defined by Sub-Section 515.03, Subd. 109 and limited to not more than ten persons.
- e. Boarding (house) home - foster children: restricted to children out of their own homes, age 14 years or under, or in the case of mental retardation age 21 or under, are cared for 24 hours a day for a period of 30 days. The number to be cared for in one foster child boarding (house) home shall not exceed five, including the foster family's own children.

Subd. 3 Day Care Home: Restricted to a family dwelling in which foster care, supervision and training for children of school or pre-school age out of their own home is provided during part of a day (less than 24 hours) with no overnight accommodations or facilities and children are delivered and removed daily. The number to be cared for in one day care home shall not exceed five including the family's own children.

Subd. 4 The following are permitted accessory uses in a R-4 District:

- a. All permitted accessory uses as allowed in an R-1 District.
- b. The following are conditional uses in a R-4 District: (Requires a conditional use permit based upon procedures set forth in and regulated by Sub-Section 515.53 of this Code.)

- a. All conditional uses, subject to the same conditions as allowed in an R-1 District.
- b. Nursing homes and similar group housing, but not including hospitals, sanitariums or similar institutions, provided that:

1. Side yards are double the minimum requirements established for this District and are screened in compliance with Sub-Section 515.07, Subd. 9 of this Code.
2. Only the rear yard shall be used for play or recreational areas. Said area shall be fenced and controlled and screened in compliance with Sub-Section 515.07, Subd. 9 of this Code.
3. The site shall be served by an arterial or collector street of sufficient capacity to accommodate traffic which will be generated.

Subd. 5 All signing and informational or visual communication devices shall be in compliance with Section 404 of the City Code.

Subd. 6 All State laws and statutes governing such uses are strictly adhered to and all required operating permits are secured.

Subd. 7 One off-street loading space in compliance with Sub-Section 515.11 of this Code is provided.

Subd. 8 The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

Subd. 9 Parking facilities for adjacent commercial or multiple dwelling establishments provided that:

1. Such parking is in excess of that required on the lot upon which the principal use is located.
2. Applicable conditions of Sub-Section 515.09 of this Code are satisfactorily met and fully complied with.
3. When parking is the principal use adequate screening from abutting residential uses and landscaping is provided in compliance with Sub-Section 515.07, Subd. 9 of this Code.
4. The site of the principal use and its related parking is served by an arterial or collector street of sufficient capacity to accommodate the traffic which will be generated.

Subd. 10 The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

Subd. 11 The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

Subd. 12 The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

Subd. 13 The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

Subd. 14 The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

Subd. 15 The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

Subd. 16 The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

Subd. 17 The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

Subd. 18 The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

Subd. 19 The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

Subd. 20 The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

Subd. 21 The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

Subd. 22 The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

Subd. 23 The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

Subd. 24 The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

Subd. 25 The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

Subd. 26 The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

Subd. 27 The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

Subd. 28 The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

Subd. 29 The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

Subd. 30 The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

commodate the traffic which will be generated.

5. The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

#### 515.27 R-5, RESIDENTIAL OFFICE DISTRICT

Purpose. The purpose of the R-5, Residential Office District is to provide for high density residential use and for the transition in land use from residential to low intensity business allowing for the intensification of such uses.

Subd. 2 The following are permitted uses in a R-5 District:

- a. All permitted uses allowed in an R-4 District.
- b. Club or lodge without the serving of food or beverage.

Subd. 3 The following are permitted accessory uses in a R-5 District:

- a. All permitted accessory uses as allowed in an R-4 District.
- b. The following are conditional uses in a R-5 District: (Requires a conditional use permit based upon procedures set forth in and regulated by Sub-Section 515.53 of this Code.)

- a. All conditional uses, subject to the same conditions, as allowed in an R-4 District.
- b. The site is capable of accommodating the increased intensity of use.

Subd. 4 The increased intensity of use does not cause an increase in traffic volumes beyond the capacity of the surrounding streets.

Subd. 5 Public utilities and services are adequate.

Subd. 6 For each additional story over three stories or for each additional ten feet above 40 feet, front and side yard setback requirements shall be increased by five feet.

Subd. 7 The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

Subd. 8 Elderly (senior citizens) housing provided that:

1. Not more than ten percent of the occupants may be persons 40 years of age or under (spouse of a person over 40 years of age or caretakers, etc.).
2. To continue to qualify for the elderly housing classification the owner or agency shall annually file with the City Clerk a certified copy of a monthly resume of occupancy of such a multiple dwelling, listing the number of tenants by age and clearly identifying and setting forth the relationship of all occupants 40 years of age or under to qualified tenants, or to the building.
3. There is adequate off-street parking in compliance with Sub-Section 515.09 of this Code.
4. Adequate off-street parking space in compliance with Sub-Section 515.11 of this Code.
5. Parking areas are screened and landscaped from view of surrounding residential uses in compliance with Sub-Section 515.07, Subd. 9 of this Code.
6. The site of the principal use and its related parking is served by an arterial or collector street.
7. All signing and informational or visual communication devices shall be in compliance with Section 404 of the City Code.
8. The principal use structure is of a type one construction and is in compliance with Section 400 of the City Code.
9. Elevator service is provided to each floor level.
10. Usable open space as defined in Sub-Section 515.03, Subd. 175 of this Code at a minimum is equal to 30 percent of the gross lot area.
11. The site of the main entrance of the principal use is served or is located within 400 feet of regular transit service.
12. The site of the main entrance of the principal use is within 400 feet of commercial shopping developments or adequate provision for access to such facilities is provided.
13. The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

Subd. 9 Apartment Density Bonus. Except for elderly housing, a maximum of ten percent reduction in square feet of lot area per unit for multiple family dwellings of ten units or more as required in Sub-Section 515.15 of this Code based upon the following bonus features and square foot reduction factors:

Bonus Feature	Square Feet Reduction Per Unit
1. Type two construction	100 square feet
2. Elevator serving each floor	50 square feet
3. Transit service available within 300 feet of entrance	50 square feet
4. Two-thirds of the required free parking underground or in the principal structure (not including attached or detached garages)	150 square feet
5. Indoor recreation and social rooms equal to 25 square feet per unit or 750 square feet total, whichever is greater	50 square feet
6. Major outdoor recreational facilities such as swimming pools, tennis courts or similar facilities requiring a substantial investment equaling at minimum five percent of the construction cost of the principal structure	20 square feet

Subd. 10 Hospitals, medical offices and clinics, dental offices and clinics, professional offices, commercial (leased) offices, real estate agencies, and funeral homes and mortuaries are permitted.

Subd. 11 The site and related parking and service entrances are served by an arterial or collector street of sufficient capacity to accommodate the traffic which will be generated.

Subd. 12 Adequate off-street parking is provided in compliance with Sub-Section 515.09 of this Code.

Subd. 13 Adequate off-street loading is provided in compliance with Sub-Section 515.11 of this Code.

Subd. 14 Vehicular entrances to parking or service areas shall create a minimum of conflict with through traffic movement.

Subd. 15 When abutting an R-1, R-2, or R-3 District, a buffer area with screening and landscaping in compliance with Sub-Section 515.07, Subd. 9 of this Code shall be provided.

Subd. 16 All signing and informational or visual communication devices shall be in compliance with Section 404 of the City Code.

Subd. 17 The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

Subd. 18 Retail commercial activities provided that:

1. Merchandise is sold at retail.
2. The retail activity is located within a structure whose principal use is not commercial sales.
3. The retail activity shall not occupy more than 15 percent of the gross floor area of the building.
4. The retail activity is not located within a structure whose principal use is residential.
5. No direct or indirect illuminated sign or sign in excess of ten square feet identifying the name of the business shall be visible from the outside of the building.
6. No signs or posters of any type advertising products for sale shall be visible from the outside of the building.
7. The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

Subd. 19 Parking ramps provided that:

1. Access is from and onto a collector or arterial street.
2. Entrances and exits create a minimum of conflict with through traffic movement.
3. Sufficient magazing or stacking space is provided in the structure or on the site to minimize or eliminate the blocking of traffic in the public right-of-way.
4. Parking spaces and aisle and driveways shall be developed in compliance with Sub-Section 515.09 of this Code and are subject to the review and approval of the City Engineer.
5. The location is at least 40 feet from the boundary of an R-1, R-2, or R-3 residential district.
6. When abutting an R-1, R-2, R-3, or R-4 District a buffer area with screening and landscaping in compliance with Sub-Section 515.07, Subd. 9 of this Code shall be provided.
7. When abutting an R-4 District or R-5 use which is not related to the parking ramp a set back of at least 30 feet shall be provided from the property line as open space and screening and landscaping shall be provided in compliance with Sub-Section 515.07, Subd. 9 of this Code.
8. All signing and informational or visual communication devices shall be in compliance with Section 404 of the City Code.
9. The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

#### 515.29 B-1a, PROFESSIONAL OFFICE DISTRICT

Purpose. The purpose of the B-1a, Professional Office District is to provide for the development of professional and low intensity office use a character in transition compatible with low and medium density residential districts.

Subd. 2 The following are permitted uses in a B-1a District:

- a. Offices (leased);
- b. Appraisers;
- c. Architects;
- d. Attorneys;
- e. Certified public accountants;
- f. Clergymen;
- g. Physicians;
- h. Engineers;
- i. Manufacturers' representatives;
- j. Public relations;
- k. Real estate agents;
- l. Other similar uses which require no delivery of goods, have no storage of merchandise, and are service oriented with no retail sale of goods on the premises.

Subd. 3 The following are permitted accessory uses in a B-1a District:

- a. Unleased buildings and structures for a use accessory to the principal use but such use or structure shall not exceed 20 percent of the gross floor space of the principal use.
- b. Off-street parking as regulated by Sub-Section 515.09 of this Code.
- c. Off-street loading as regulated by Sub-Section 515.11 of this Code.
- d. Signs are regulated by Section 404 of the City Code.

Subd. 4 The following are conditional uses in a B-1a District: (Requires a conditional use permit based upon procedures set forth in and regulated by Sub-Section 515.53 of this Code.)

#### 515.31 B-1, NEIGHBORHOOD COMMERCIAL DISTRICT

Purpose. The purpose of the B-1, Neighborhood Commercial District is to provide for the establishment of local centers for convenient, limited office, retail or service outlets which deal directly with the customer for whom the goods or services are furnished. These centers are to provide services and goods only for the surrounding neighborhoods and are not intended to draw customers from the entire community.

Subd. 2 The following are permitted uses in a B-1 District:

- a. Barber shops.
- b. Beauty parlors.
- c. Dairy and ice cream stores.
- d. Essential services.
- e. Convenience grocery stores (not supermarket type).
- f. Laundromats, self-service washing and drying.

Subd. 3 The following are permitted accessory uses in a B-1 District:

- a. Commercial or business buildings and structures for a use accessory to the principal use but such use shall not exceed 30 percent of the gross floor space of the principal use.
- b. Off-street parking as regulated by Sub-Section 515.09 of this Code but not including semi-trailer trucks.
- c. Off-street loading as regulated by Sub-Section 515.11 of this Code.
- d. Signs as regulated by Section 404 of the City Code.

Subd. 4 The following are conditional uses in a B-1 District: (Requires a conditional use permit based upon procedures set forth in and regulated by Sub-Section 515.53 of this Code.)

- a. Governmental and public utility buildings and structures necessary for the health, safety and general welfare of the community provided that:

1. Conformity with the surrounding neighborhood is maintained and required set backs and side yard requirements are met.
2. Equipment is completely enclosed in a permanent structure with no outside storage.
3. Adequate screening and landscaping from neighboring residential districts is provided in accordance with Sub-Section 515.07, Subd. 9 of this Code.
4. The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

Subd. 5 Professional and commercial (leased) offices provided that:

1. The services which are provided are for the local area rather than the community or region.
2. The traffic generated will not raise traffic volumes beyond the capacity of the surrounding streets.
3. The architectural appearance of the building housing the office use shall reflect the building character of the area and shall not be so dissimilar as to cause impairment of property values or constitute a blighting influence within the neighborhood.
4. The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

#### 515.33 B-2, LIMITED COMMERCIAL DISTRICT

Purpose. The purpose of the B-2, Limited Commercial District is to provide for low intensity, retail or service outlets which deal directly with the customer for whom the goods or services are furnished. These outlets in this district are to provide goods and services on a limited community market scale and located in areas which are well served by collector or arterial street facilities at the edge of residential districts.

Subd. 2 The following are permitted uses in a B-2 District:

- a. All permitted uses as allowed in the B-1 Neighborhood Commercial District.
- b. Art and school supplies.
- c. Bakery goods and baking of goods for retail sales on the premises.
- d. Banks, savings and loan, savings credit unions and other financial institutions.
- e. Bicycle sales and repair.
- f. Candy, ice cream, popcorn, nuts, frozen desserts and soft drinks.
- g. Camera and photographic supplies.
- h. Commercial (leased) and professional offices.
- i. Detergents.
- j. Dry cleaning pick-up and laundry pick-up stations including in-closet repair and assembly but not including processing.
- k. Drugstore.
- l. Floral shop.
- m. Frozen food store but not including a locker plant.
- n. Gift or novelty store.
- o. Grocery, fruit or vegetable store but not including sales from movable, motorized vehicles.
- p. Grocery, supermarket.
- q. Hardware store, including handcraft classes but not to exceed 15 students.
- r. Hobby store, including storage not to exceed five tons.
- s. Insurance sales.
- t. Liquor, off-sale.
- u. Sales with storage not to exceed five tons.
- v. Meal market but not including processing for a locker plant.
- w. Medical and dental offices and clinics.
- x. Paint and wallpaper sales.
- y. Plumbing, television, radio, electrical sales and such repair as are accessory use to the retail establishments permitted within this district.
- aa. Public utility collection offices.
- bb. Public garage.
- cc. Real estate sales.
- dd. Restaurant.

Subd. 3 The following are permitted accessory uses in a B-2 District:

- a. All permitted accessory uses as allowed in a B-1 District.
- b. The following are conditional uses in a B-2 District: (Requires a conditional use permit based upon procedures set forth in and regulated by Sub-Section 515.53 of this Code.)

- a. Multiple family dwellings provided that:

1. Development is compatible with existing and planned use of the area and conflicts are not created between commercial and residential use and set backs outlined in Sub-Section 515.13 of this Code and building requirements outlined in Sub-Section 515.15 of this Code are complied with.
2. At least 200 feet of set back from the boundary of the Sub-Section 515.03, Subd. 175 of this Code is provided for each dwelling unit.
3. Adequate off-street parking and off-street loading is provided in compliance with Sub-Sections 515.09 and 515.11 of this Code.
4. The development is adequately served by a collector or arterial street.
5. The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

Subd. 4 The following are conditional uses in a B-2 District: (Requires a conditional use permit based upon procedures set forth in and regulated by Sub-Section 515.53 of this Code.)

- a. All conditional uses, subject to the same conditions as allowed in a B-1 District.
- b. Development is compatible with existing and planned use of the area and conflicts are not created between commercial and residential use and set backs outlined in Sub-Section 515.13 of this Code and building requirements outlined in Sub-Section 515.15 of this Code are complied with.
3. At least 200 feet of set back from the boundary of the Sub-Section 515.03, Subd. 175 of this Code is provided for each dwelling unit.
4. Adequate off-street parking and off-street loading is provided in compliance with Sub-Sections 515.09 and 515.11 of this Code.
5. The development is adequately served by a collector or arterial street.
6. The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

Subd. 5 Governmental and public utility buildings and structures necessary for the health, safety and general welfare of the community provided that:

1. Conformity with the surrounding neighborhood is maintained and required set backs and side yard requirements are met.
2. Equipment is completely enclosed in a permanent structure with no outside storage.
3. Adequate screening from neighboring uses and landscaping is provided in accordance with Section 515.07, Subd. 9 of this Code.
4. The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

#### 515.35 B-3, AUTO-ORIENTED COMMERCIAL DISTRICT

Purpose. The purpose of the B-3, Auto-Oriented Commercial District is to provide for and limit the establishment of high volume motor vehicle oriented individual trip generation uses, dependent commercial and service activities.

Subd. 2 The following are permitted uses in a B-3 District:

- a. Auto accessory store.
- b. Motor vehicle and recreation equipment sales and garages accessory thereto.
- c. Commercial recreational uses.
- d. Motels, motor hotels and hotels provided that the lot area contains not less than 500 square feet of lot area per unit.
- e. Restaurants, cafes, tea rooms, taverns, off-sale liquor and off-sale liquor.
- f. Private clubs or lodges serving food and beverages with use being restricted to members and their guests. Adequate dining room, kitchen and bar space must be provided according to standards imposed upon similar unrestricted customer operations. The serving of alcoholic beverages to members and their guest shall be allowed, providing that such service is in compliance with applicable federal, state and municipal regulations. Offices of such use shall be limited to no more than 20 percent of the gross floor area of the building.
- g. Taxi terminals, stand and offices.
- h. Semi-trailer truck parking.

Subd. 3 The following are permitted accessory uses in a B-3 District:

- a. All permitted accessory uses as allowed in a B-2 Limited Commercial District.
- b. The following are conditional uses in a B-3 District: (Requires a conditional use permit based upon procedures set forth in and regulated by Sub-Section 515.53 of this Code.)

- a. Drive in and drive through establishments provided that:

1. The architectural appearance and functional plan of the building and site shall not be so dissimilar to the existing principal use or structure as to cause impairment in property values or constitute a blighting influence within a reasonable distance of the lot.
2. Not less than the boundaries of a residential district, a strip of not less than five feet shall be landscaped and screened in compliance

with Sub-Section 515.07, Subd. 9 of this Code.

3. Each light standard island and all islands in the parking lot landscaped or covered.

4. Parking areas shall be screened from view of abutting residential districts in compliance with Sub-Section 515.07, Subd. 9 of this Code.

5. Parking areas and driveways shall be curbed with continuous curbs not less than six inches high above the parking lot or driveway grade.

6. Vehicular access points shall be limited, shall create a minimum of conflict with through traffic movement, shall comply with Sub-Section 515.09 of this Code and shall be subject to the approval of the City Engineer.

7. All lighting shall be hooded and so directed that the light source is not visible from the public right-of-way or from an abutting residence and shall be in compliance with Sub-Section 515.07, Subd. 10 of this Code.

8. The entire area shall have a drainage system which is subject to the approval of the City Engineer.

9. The entire area other than occupied by buildings or structures or plantings shall be surfaced with a material which will control dust and drainage and which is subject to the approval of the City Engineer.

10. All signing and informational or visual communication devices shall be in compliance with Section 404 of the City Code.

11. The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

b. Car washes (drive through, mechanical and self-service) provided that:

1. The architectural appearance and functional plan of the building and site shall not be so dissimilar to the existing buildings or areas as to cause impairment in property values or constitute a blighting influence within a reasonable distance of the lot.
2. Hauling or stacking space is constructed to accommodate that number of vehicles which can be washed during a maximum 20 minute period and shall be subject to the approval of the City Engineer.
3. At the boundaries of a residential district, a strip of not less than five feet shall be landscaped and screened in compliance with Sub-Section 515.07, Subd. 9 of this Code.
4. Each light standard island and all islands in the parking lot landscaped or covered.
5. Parking or car magazine storage space shall be screened from view of abutting residential districts in compliance with Sub-Section 515.07, Subd. 9 of this Code.
6. The entire area other than occupied by the building or plantings shall be surfaced with material which will control dust and drainage which is subject to the approval of the City Engineer.
7. The entire area shall have a drainage system which is subject to the approval of the City Engineer.
8. All lighting shall be hooded and so directed that the light source is not visible from the public right-of-way or from an abutting residence and shall be in compliance with Sub-Section 515.07, Subd. 10 of this Code.
9. Vehicular access points shall be limited, shall create a minimum of conflict with through traffic movement and shall be subject to the approval of the City Engineer.
10. All signing and informational or visual communication devices shall be in compliance with Section 404 of the City Code.
11. Provisions are made to control and reduce noise.
12. The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

c. Motor fuel station, auto repair-maintenance and fire and battery stores and service provided that:

1. Regardless of whether the dispensing, sale or offering for sale of motor fuels and/or oil is incidental to the conduct of the use or business, the standards and requirements imposed by this Code for motor fuel stations shall apply. These standards and requirements are, however, in addition to other requirements which are imposed for other uses of the property.
2. The architectural appearance and functional plan of the building and site shall not be so dissimilar to the existing buildings or areas as to cause impairment in property values or constitute a blighting influence within a reasonable distance of the lot.
3. The entire site other than that taken up by a building, structure or plantings shall be surfaced with a material which will control dust and drainage which is subject to the approval of the City Engineer.
4. A minimum lot area of 25,000 square feet and minimum lot dimensions of 150 feet by 130 feet.
5. A drainage system subject to the approval of the City Engineer shall be installed.
6. A curb not less than six inches above grade shall separate the public sidewalk from motor vehicle service areas.
7. The lighting shall be accomplished in such a way as to have no direct source of light visible from an adjacent lot in residential use or from the public right-of-way and shall be in compliance with Sub-Section 515.07, Subd. 10 of this Code.
8. Wherever fuel pumps are to be installed, pump islands shall be installed.
9. At the boundaries of a residential district, a strip of not less than five feet shall be landscaped and screened in compliance with Sub-Section 515.07, Subd. 9 of this Code.
10. Each light standard landscaped.
11. Parking or car magazine storage space shall be screened from view of abutting residential districts in compliance with Sub-Section 515.07, Subd. 9 of this Code.
12. Vehicular access points shall create a minimum of conflict with through traffic movement, shall comply with Sub-Section 515.09 of this Code and shall be subject to the approval of the City Engineer.
13. All signing and informational or visual communication devices shall be minimized and shall be in compliance with Section 404 of the City Code.
14. Provisions are made to control and reduce noise.
15. No outside storage except as allowed in compliance with Sub-Section 515.53, Subd. 4d of this Code.
16. No outside sale or service except as allowed in compliance with Sub-Section 515.53, Subd. 4e of this Code.
17. Sale of products other than those specifically mentioned in this subdivision is subject to a conditional use permit and be in compliance with Sub-Section 515.53, Subd. 4f of this Code.
18. The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

d. Open and outdoor storage as a principal or accessory use provided that:

1. The area is fenced and screened from view of neighboring residential uses or an abutting R-1 District in compliance with Sub-Section 515.07, Subd. 9 of this Code.
2. Storage is screened from view of the public right-of-way in compliance with Sub-Section 515.07, Subd. 9 of this Code.
3. Storage area is grassed or surfaced to control dust.
4. All lighting shall be hooded and so directed that the light source shall not be visible from the public right-of-way or from neighboring residences and shall be in compliance with Sub-Section 515.07, Subd. 10 of this Code.
5. Does not take up parking space as required for conformity to this Code.
6. The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

e. Open or outdoor service, sale and rental as a principal or accessory use and including sales in or from motorized vehicles, trailers or wagons provided that:

1. Outside services, sales and equipment rental connected with the principal use is limited to 30 percent of the gross floor area of the principal use.
2. Outside sales areas are fenced or screened from view of neighboring residential uses or an abutting R-1 District in compliance with Sub-Section 515.07, Subd. 9 of this Code.
3. All lighting shall be hooded and so directed that the light source shall not be visible from the public right-of-way or from neighboring residences and shall be in compliance with Sub-Section 515.07, Subd. 10 of this Code.
4. Sales area is grassed or surfaced to control dust.
5. Does not take up parking space as required for conformity to this Code.
6. The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

f. Accessory, enclosed retail, rental or service activity other than that allowed as a permitted use or conditional use within this Sub-Section provided that:

1. Such use is allowed as a permitted use in a B-1 or B-2 District.
2. Such use does not constitute more than 30 percent of the lot area and not more than 30 percent of the gross floor area of the principal use.
3. Adequate off-street parking and off-street loading in compliance with the requirements of Sub-Section 515.09 and 515.11 of this Code is provided.
4. All signing and informational or visual communication devices shall be in compliance with Section 404 of the City Code.
5. The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

515.37 Subd. 1

8.4. COMMUNITY COMMERCIAL DISTRICT

Purpose. The purpose of the B-4, Community Commercial District is to provide for the establishment of community commercial services to draw draw from and serve customers from the entire community or region.

Subd. 2 The following are permitted uses in a B-4 District:

- a. All permitted uses as allowed in a B-1 and B-2 District.
- b. Antique or gift shop.
- c. Amusement places (such as dance halls or roller rinks).

4. Auto accessory stores.

5. Enclosed boat and marine sales.

- f. Books, office supplies or stationery stores.
- g. Bowling alleys.
- h. Carpet, rug and tile.
- i. Coin and philatelic stores.
- j. Copy service but not including printing press or newspaper.
- k. Costume, clothes rental.
- l. Department and discount stores.
- m. Dry cleaning including plant accessory hereto for pressing and repairing.
- n. Dry goods store.
- o. Electrical appliance stores including incidental repair and assembly but not fabricating or manufacturing.
- p. Employment agencies.
- q. Finance companies.
- r. Furniture stores.
- s. Furriers when conducted only for retail trade on premises.
- t. Garden supply stores.
- u. Hairdressing and ladies ready-to-wear.
- v. Insurance sales, claims and branch offices.
- w. Jewelry stores and watch repair.
- x. Leather goods and luggage stores.
- y. Record music shops.
- z. Restaurants, tea rooms, cafes, taverns and off-sale liquor stores.
- aa. Schools (Commercial) music, dance, business, etc.
- ab. Sewing machine sales and service.
- ac. Shoe stores.
- ad. Tailor shops.
- ae. Theaters, not of the outdoor drive-in type.
- af. Toy stores.
- ag. Travel bureau, transportation ticket offices.
- ah. Travel stores, 5 and 10 cent stores, and stores of similar nature.
- ai. Veterinarian-animal clinic.
- aj. Wearing apparel.
- ak. Pet stores.

Subd. 3 The following are permitted accessory uses in a B-4 District:

- a. All permitted accessory uses as allowed in a B-3 District.

Subd. 4 The following are conditional uses in a B-4 District. (Requires a conditional use permit based upon procedures set forth in and regulated by Sub-Section 515.53 of this Code.)

a. Parking spaces provided that:

1. Access is from and onto a collector or arterial street.
2. Entrances and exits create a minimum of conflict with through traffic movement.
3. Sufficient magazine or stacking space is provided within the structure or on the site to minimize or eliminate the blocking of traffic in the public right-of-way.
4. Parking spaces and/or driveways shall be developed in compliance with Sub-Section 515.09 of this Code and are subject to the review and approval of the City Engineer.
5. The location is at least 40 feet from the boundary of an R-1 or R-2 residential district.
6. When abutting an R-1 or R-2 District a buffer area with screening and landscaping in compliance with Sub-Section 515.07, Subd. 9 of this Code.
7. When abutting an R-4 or R-5 District which is not related to the parking ramp a set back of at least 30 feet shall be provided from the property line and this area shall be maintained as open space and screening and landscaping shall be provided in compliance with Sub-Section 515.07, Subd. 9 of this Code.
8. All signing and informational or visual communication devices shall be in compliance with Section 404 of the City Code.
9. The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

b. Open and outdoor storage as an accessory use provided that:

1. The area is fenced and screened from view of neighboring residential uses or an abutting residential district in compliance with Sub-Section 515.07, Subd. 9 of this Code.
2. Storage is screened from view from the public right-of-way in compliance with Sub-Section 515.07, Subd. 9 of this Code.
3. Storage area is grassed or surfaced to control dust.
4. All lighting shall be hooded and so directed that the light source shall not be visible from the public right-of-way or from neighboring residences and shall be in compliance with Sub-Section 515.07, Subd. 10 of this Code.
5. The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

c. Open or outdoor service, sale and rental as an accessory use and including sales in or from motorized vehicles, trailers or wagons provided that:

1. Outside service, sales and equipment rental connected with the principal use is limited to 30 percent of the gross floor area of the principal use.
2. Outside sales areas are fenced or screened from view of neighboring residential uses or an abutting residential district in compliance with Sub-Section 515.07, Subd. 9 of this Code.
3. All lighting shall be hooded and so directed that the light source shall not be visible from the public right-of-way or from neighboring residences and shall be in compliance with Sub-Section 515.07, Subd. 10 of this Code.
4. Sales area is grassed or surfaced to control dust.
5. The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

d. Custom manufacturing, restricted production and repair limited to the following: art, needlework, jewelry from precious metals, watches, dentures, saddle leather provided that:

1. Such use is accessory as defined by Sub-Section 515.03, Subd. 3 of this Code to the principal use of the property.
2. Does not constitute the character of development intended for this zoning district.
3. The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

515.39 Subd. 1

e. Commercial planned unit development as regulated by Sub-Section 515.51 of this Code.

515.39 Subd. 1

1. WAREHOUSING AND LIGHT INDUSTRIAL DISTRICT

Purpose. The purpose of the I-1, Warehousing and Light Industrial District is to provide for the establishment of warehousing and light industrial development and use and to provide a transition to retail and service type of commercial activity and heavy industrial use.

Subd. 2 The following are permitted uses in an I-1 District:

- a. Wholesale and retail showrooms and offices provided that at least 30 percent of the principal building is devoted to storage or warehousing of merchandise.
- b. Laboratories - experimental, film and testing.
- c. Building materials sales yards, retail lumber yard, contractors equipment sales and rentals, storage and sale of food, and fuel not for resale.
- d. Inflammable liquids, underground bulk storage only, not to exceed 25,000 gallons if located not less than 30 feet from any residential district.
- e. Motorized vehicle or recreational equipment sales and service and rental.
- f. Newspaper and general printings.
- g. Greenhouses and nurseries.
- h. Warehouses.
- i. Essential services.
- j. Governmental and public utility buildings and structures.
- k. Other light industry processing, or repair which meets the intent of this District as stated in Sub-Section 515.39, Subd. 1.

Subd. 3 The following are permitted accessory uses in an I-1 District:

- a. Buildings and structures for a use accessory to the principal use.
- b. Offices accessory to the principal use.
- c. Off-street parking as regulated by Sub-Section 515.09 of this Code.
- d. Off-street loading as regulated by Sub-Section 515.11 of this Code.
- e. Signs as regulated by Section 404 of the City Code.

Subd. 4 The following are conditional uses in an I-1 District. (Requires a conditional use permit based upon procedures set forth in and regulated by Sub-Section 515.53 of this Code.)

a. Open and outdoor storage as an accessory use provided that:

1. The area is fenced and screened from view of neighboring residential uses or an abutting residential district in compliance with Sub-Section 515.07, Subd. 9 of this Code.
2. Storage is screened from view of the public right-of-way in compliance with Sub-Section 515.07, Subd. 9 of this Code.
3. Storage area is grassed or surfaced to control dust.
4. All lighting shall be hooded and so directed that the light source shall not be visible from the public right-of-way or from neighboring residences and shall be in compliance with Sub-Section 515.07, Subd. 10 of this Code.
5. The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

b. Open or outdoor service, sale and rental as a principal or an accessory use and including sales in or from motorized vehicles, trailers or wagons provided that:

1. Accessory outdoor service, sales and equipment rental connected with a principal use is limited to 30 percent of the gross floor area of the principal use.
2. Outside sales areas are fenced or screened from view of neighboring residential uses or an abutting residential district in compliance with Sub-Section 515.07, Subd. 9 of this Code.
3. All lighting shall be hooded and so directed that the light source shall not be visible from the public right-of-way or from neighboring residences and shall be in compliance with Sub-Section 515.07, Subd. 10 of this Code.
4. Sales area is grassed or surfaced to control dust.
5. The provisions of Sub-Section 515.53, Subd. 1e of this Code are considered and satisfactorily met.

515.41 Subd. 1

c.2. HEAVY INDUSTRIAL DISTRICT

Purpose. The purpose of the I-2 Heavy Industrial District is to provide for the establishment of heavy industrial and manufacturing

development and use which because of the nature of the product or character of activity requires isolation from residential or commercial uses.

Subd. 2 The following are permitted uses in an I-2 District:

- a. Warehouses.
- b. Laboratories.
- c. Flammable or inflammable liquids.
- d. Essential services.
- e. Governmental and public utility buildings and structures.
- f. Automobile assembly and/or major repair.
- g. Creamery, bottling plant, ice cream manufacture, ice manufacture, cold storage and/or meat processing.
- h. Manufacturing, compounding, processing, packaging or treatment of cosmetics, pharmaceuticals and food products and the rendering or refining of fish and oils.
- i. Manufacturing, compounding, assembly or treatment of articles or merchandise from previously prepared materials such as bond cloth, cork, fiber, leather, paper, plastic, metals, stones, tobacco, wax, yarns, animal products.
- j. Manufacture of musical instruments, novelties and molded rubber products.
- k. Manufacture or assembly of electrical appliances, instruments and devices.
- l. Manufacture of pottery or other similar ceramic products, using only previously pulverized clay and kilns fired only by electricity or natural gas.
- m. Manufacture and repair of electrical signs, advertising structures, light sheet metal products, including heating and ventilating equipment.
- n. Blacksmith, welding or other metal shop.
- o. Laundries, bag, carpet and rug cleaning.
- p. Foundry casting lightweight non-ferrous metals or electric laundry not causing noxious fumes or odors.

Subd. 3 The following are permitted accessory uses in an I-2 Warehouse and Light Industrial District.

- a. All permitted accessory uses as allowed in an I-1 Warehouse and Light Industrial District.

Subd. 4 The following are conditional uses in an I-2 District. (Requires a conditional use permit based upon procedures set forth in and regulated by Sub-Section 515.53 of this Code.)

- a. All conditional uses as allowed in an I-1 Warehouse and Light Industrial District.

515.43 Subd. 1

P. OFF-STREET PARKING DISTRICT - COMMERCIAL INDUSTRIAL

Subd. 1 Purpose. The purpose of the P-1, Off-Street Parking District is to provide for the open, surface off-street parking in commercial or industrial areas, but not including long term storage of motor vehicles or other materials and equipment.

Subd. 2 The following are permitted uses in a P-1 District:

- a. Open, surface off-street parking as regulated by Sub-Section 515.09 of this Code.
- b. The following are permitted accessory uses in a P-1 District:

- a. Signs as regulated by Section 404 of the City Code.
- b. Signs as regulated by Section 404 of the City Code. (Requires a conditional use permit based upon procedures set forth in and regulated by Sub-Section 515.53 of this Code.)
- c. None.

515.45 Subd. 1

P.2 OFF-STREET PARKING DISTRICT - RESIDENTIAL

Subd. 1 Purpose. The purpose of the P-2, Off-Street Parking District is to provide for the open, surface off-street parking in residential areas, but not including long term storage of motor vehicles or other materials and equipment.

Subd. 2 The following are permitted uses in a P-2 District:

- a. Open, surface off-street parking as regulated by Sub-Section 515.09 of this Code.
- b. The following are permitted accessory uses in a P-2 District:

- a. Signs as regulated by Section 404 of the City Code.
- b. The following are conditional uses in a P-2 District. (Requires a conditional use permit based upon procedures set forth in and regulated by Sub-Section 515.53 of this Code.)
- c. None.

515.47 Subd. 1

F.P. FLOOD PLAIN DISTRICT

Subd. 1 Purpose. The purpose of the F.P. Flood Plain District is to provide for the protection and preservation of water channels and those portions of the adjoining flood plains which are reasonably required to carry floodwaters and to provide for the protection and preservation of regional flood plains. (Regional flood shall be defined according to standards established by the Minnesota Department of Natural Resources.) It is the intent of this district to be applied to those areas which if left unrestricted could result in loss of life and property, health and safety hazards, disruption of commerce, utilities and governmental services, extraordinary public expenditures for flood protection and relief and impairment of the tax base, all of which adversely affect the public health, safety and general welfare. This district is furthermore created and imposed by a transition of the Minnesota Department of Natural Resources, Chapter 104, in addition, Minnesota Regulations N.R. 84, as may be amended, shall be consulted in administering and applying this district.

Subd. 2 Warning and Disclaimers of Liability. This section does not imply that areas outside the "F.P. Flood Plain District boundaries or land uses allowed within this district will be free from flooding or flood damages. This section shall create liability on the part of the City, its officers or employees thereof for any flood damages which result from reliance on this or any administrative decision lawfully made thereunder.

Subd. 3 District Application.

- a. The "F.P. Flood Plain District shall be applied to and superimposed upon residential, commercial or industrial districts as existing or amended by the text and map of this Code. The regulations and requirements imposed by the "F.P. Flood Plain District shall be in addition to those established by the residential, commercial, and industrial districts of this Code. Additional areas shall be added to the "F.P. Flood Plain District as technical data become available.
- b. This section shall apply to all lands within the City which are subject to flooding and which lie below the elevations shown on the official flood plain profile.

Subd. 4 Establishment of Flood Plain. The flood plain consists of all lands which lie below the elevations shown on the official flood zone profile on file in the Engineering Department in the City Hall. The flood plain of districts hereby established are part of the official zoning of the City.

Subd. 5 Official Flood Zone Profile. The profile on file in the City Engineering Department, together with actual field conditions, shall constitute the official flood zone profile. The official flood zone profile is hereby adopted by reference and made a part of this Code. The profile is on file for inspection by the public during normal business hours of the City.

Subd. 6 Rules for Interpretation of District Boundaries. The boundaries of the Flood Plain District shall be determined by scaling distances on the Official Zoning Map. Where interpretation is needed as to the exact location of boundaries of the district as shown on the Official Zoning Map, as for example where there appears to be a conflict between mapped boundary and actual field conditions, the City Engineer shall make the necessary interpretation. The person contesting the location of the district boundary shall be given a reasonable opportunity to present his case and to submit his own technical evidence if he so desires.

Subd. 7 Flood Hazard Areas. The flood hazard areas are hereby designated as those lands lying below the elevation shown on the official Flood Zone Profile.

Subd. 8 Methods Used to Analyze Flood Hazard. Information consistent with standards established by the Minnesota Department of Natural Resources shall be used to determine the General Flood Plain District. The City Engineer in cooperation with other governmental bodies and commissions having joint jurisdiction shall, where applicable, determine regional flood elevation from the regional flood profiles prepared for streams subject to this Code. It is in the general order of a flood which could be expected to occur on the average of one every 100 years.

Subd. 9 Compute the floodway required to convey the regional flood without increasing flood heights to an extent which would cause substantial upstream or downstream damage to existing or reasonably anticipated future development. Computation of increases in flood heights caused by an encroachment on the flood plain shall be based on the assumption that there will be an equal degree of encroachment on both sides of the stream within that reach. Generally, any increase in flood stage attributable to encroachments on the flood plain of any stream or river shall not exceed 0.5 feet in any one reach or for the cumulative effect of several reaches.

Subd. 10 Evaluate the effects of the proposed use upon the public health, safety and general welfare to minimize those losses described in Subd. 1 of this Sub-Section.

Subd. 11 Use Permits.

- a. Permit Required - A use permit shall be required in the "F.P. Flood Plain District prior to the erection, addition, or alteration of any building, structure, use of land or prior to the change, modification, or extension of a non-conforming building structure or use.
- b. Application and Fee - A use permit shall be applied for from the City Engineer. Said application shall be accompanied by a detailed written statement and plans describing the proposed change, modification, or alteration. An application fee of ten cents, modification, or extension of a non-conforming building structure shall be charged for each use permit and the fee shall not be refunded.
- c. Determination - Within ten days after the application for a use permit, the City Engineer shall determine whether the change, modification, or alteration conforms to the requirements of all applicable City and State regulations and Codes. This time limit for determination of acceptability shall be automatically extended should a referral to another governmental jurisdiction be required. The applicant shall be advised in writing of the City Engineer's determination and findings and if acceptable, a use permit shall be granted.



6. Certificate of Occupancy - All cases requiring a use permit shall also require a certificate of occupancy and shall be subject to the provisions of Sub-Section 515.37 of this Code.

7. Performance Bond:

- Upon approval of a use permit, the City shall be provided with a surety bond, cash or other, certificate of deposit, securities or cash deposit prior to the issuance of building permits or initiation of work on the proposed improvements or development. Said securities shall guarantee conformance and compliance with the conditions of the use permit and the codes of the City.
- The securities shall be in the amount of the City Engineer's or materials for the proposed improvement or development.
- The City shall hold the security until completion of the proposed improvement or development and a certificate of occupancy indicating compliance with the use permit and codes of the City has been issued by the City Building Inspector.
- Failure to comply with the conditions of the use permit or the codes of the City shall result in forfeiture of the security.

Subd. 10. Variances and amendments to the use permit or the codes of the City shall result in forfeiture of the security.

- In addition to the procedures and requirements for variances and amendments as established in Sub-Section 515.33 and 515.35 of this Code, the Commissioner of Natural Resources and any other governmental body or commission having jurisdiction for such areas shall be given at least a ten day notice of any public hearing, and a review and written report may be obtained from the Minnesota Department of Natural Resources and any other governmental body or commission having jurisdiction for such changes, additions or modifications affecting a "P" Flood Plain District. All amendments to this Code that relate to the "P" Flood Plain District shall be approved by the Commissioner of Natural Resources prior to adoption. The Commissioner of Natural Resources shall be advised in writing of all decisions made regarding variances and amendments.
- No variance amendment shall have the effect of allowing a prohibited use to be at an elevation at or below the design flood protection than the established flood protection elevation, or permit standards lower than those required under applicable state law.
- No land shall be removed from the "P" Flood Plain District unless it can be shown that the designation is in error or that the areas are filled, developed or otherwise altered so that the elevation and are contiguous to other lands having flood protection District. Special exceptions to the rule may be permitted by the Commissioner of Natural Resources if it is determined that through other measures lands are adequately protected for the intended uses.

Subd. 11. The following are permitted uses:

- Uses having a low flood damage potential and not obstructing flood flows shall be permitted within the "P" Flood Plain District to the extent that they are not prohibited by any other Code and are allowed within the residential, commercial or industrial district which jointly applies, and provided they do not require structures, fill, or storage of materials or equipment. In addition, no use shall adversely affect the capacity of the ditch or any other drainage facility or system. Permitted uses are limited to the following:
1. Residential: lawns, gardens, parking areas, and play areas.
2. Industrial - Commercial: loading areas and parking areas.
3. Public and private recreational uses.

Subd. 12. The following are permitted accessory uses in a "P" District:

- None.

Subd. 13. The following are conditional uses in a "P" District: (Requires a permit based upon procedures set forth in and regulated by Sub-Section 515.33 of this Code.) In addition, the Commissioner of Natural Resources shall be given a minimum ten days notice of the required hearing and shall be advised in writing of all decisions made concerning any conditional use.

- Standards for Conditional Uses - All uses, no structure (temporary or permanent), fill (including fill for roads and levees), deposit, construction, storage of materials or equipment, or other uses may be allowed as conditional uses, acting alone or in combination with existing or anticipated structures, within the "P" Flood Plain District. Consideration of the effects of a proposed use shall be based upon the reasonable assumption that there will be an equal degree of encroachment extending for a significant reach on both sides of the stream. All conditional use applications shall be accompanied by a flood plain impact statement drafted by a registered engineer. The City Engineer shall be responsible for a review and recommendation on the application and shall be responsible for submitting the proposal and application to the Commissioner of Natural Resources and any other governmental unit having jurisdiction over the area for review and written comment.
- Fill:

  - Filling may be permitted by the City upon approval and with the provision for compensating storage and channel improvement so that the flood level shall not be increased at any point above the channel.
  - Any fill proposed to be deposited in the floodway must be shown to have some beneficial purpose and the amount thereof shall not exceed that necessary to achieve the intended purpose, as demonstrated by a plan submitted by the owner showing the uses to which the filled land will be put and the final dimensions of the proposed fill or other materials.
  - Such fill or other materials shall be protected against erosion by rip-rap, vegetative cover, or both.
  - Structural Works for Flood Control. Structural works for flood control such as dams, levees, dikes and floodwalls may be erected. The maximum height and design of any such structural works shall be based upon the flood profile provided:

    - For urban areas the maximum height and design of such works shall be at least three feet above the elevation of the regional flood or at the elevation of the standard project flood, whichever is greater.
    - Modification and additions to such works shall assure that the work will provide a means of decreasing flood damage potential in the area.

- Utilities, Railroads, Streets and Bridges. Public utilities, railroad tracks, streets and bridges provided they are designed to minimize increases in flood elevation. Protection of the regional flood protection level shall be provided where failure of such works or interruption of these public facilities are essential to the orderly functioning of the area. Where failure or interruption of service would not endanger life or health, a lesser degree of protection may be provided for minor or auxiliary roads, railroads or utilities.
- Required Information. Applications for conditional use permits shall be accompanied by the following information if determined necessary by the City Engineer:

  - Plans, including a survey by a Minnesota registered land surveyor, in duplicate, drawn to scale, showing the nature, location, dimensions, and elevation of the lot or plot, existing and proposed structures, the relationship of the lot or plot channel, surface water drainage plans and floodproofing measures.
  - A valley cross-section showing the channel of the stream, elevation of land areas adjoining each side of the channel, cross-sectional areas to be occupied by the proposed development, high water information, all drainage areas, all land forms and adjacent marshes and wet areas.
  - Plans (surface view) including a survey by a Minnesota registered land surveyor, showing elevations, size, location and spatial arrangement of all proposed and existing structures on the site, location and elevations of streets, water bodies and public facilities, photographs showing existing land uses and vegetation upstream and downstream, and soil types.
  - Profile showing the slope of the bottom of the channel or flow line of the stream.
  - Specifications for building construction and materials, flood proofing, filling, dredging, grading, channel improvement, storage of materials, water supply (including withdrawal and discharge of ground and surface water), and sanitary facilities.
  - Description of the water quality if other than a municipal water system is to be used, and the impact on the receiving creek of discharged surface and ground water.
  - Statement of the private and public benefits anticipated from the proposed activity, the alternatives to the proposed activity, the effect of the proposed activity on the capacity of the flood plain and the creek, marshes and wet areas of the flood plain, which cannot be avoided if the special permit or variance be granted.

Subd. 14. Right of Passage. It is unlawful for any person, without a use permit or conditional use permit obtained pursuant to this Code, to place any obstruction in a Flood Plain District, to obstruct the passage of water, or to obstruct the passage of water by the public of the beds, banks, water or channels of said creek, except obstructions placed by which case adequate provision shall be made for portaging and passage of watercraft.

Subd. 15. Removal of Obstructions. The City shall have the right of reasonable entry upon lands in the flood plain for the purpose of ingress and

egress to the flood plain, and the beds, banks and waters of the creek, to remove any natural obstructions such as, but not limited to, trees, debris, litter and silt.

b. Obstructions. Any artificial obstruction of the beds, banks, waters or channels in the flood plain made subsequent to the effective date of this Code and not made pursuant to a conditional use permit or variance granted pursuant hereto shall be removed by the owner of the adjacent land within ten days after mailing to such owner of a demand to do so by the City. If the owner shall fail to remove the obstruction within said time limit, or the owner is found or determined, the City may remove such obstruction and the cost thereof shall be paid by the owner on demand, or may be assessed against the land, and collecting special assessments for municipal improvements.

515.37 Subd. 1. PUD, PLANNED UNIT DEVELOPMENT DISTRICT

1. Purpose. The purpose of the PUD, Planned Unit Development District is to provide for the integration and coordination of land parcels as well as the combination of varying types of residential, commercial and industrial uses.

2. The following are permitted uses in a PUD District:

- All uses allowed in Sub-Sections 515.19 through 515.42 of this Code.
- The following are permitted accessory uses in a PUD District:

  - All accessory uses allowed in Sub-Sections 515.19 through 515.42 of this Code.

3. The following are conditional uses in a PUD District: (Requires a conditional use permit based upon procedures set forth in and regulated by Sub-Section 515.33 of this Code.)

- All conditional uses as allowed in Sub-Sections 515.19 through 515.42 of this Code.

4. Special Procedures. The establishment of a PUD, Planned Unit Development District shall be subject to the amendment requirements as outlined in Sub-Section 515.33 of this Code, plus the procedures and requirements of Sub-Section 515.31 of this Code.

515.31 PLANNED UNIT DEVELOPMENT

1. Purpose and Intent. The purpose of this Section of the Zoning Code is to provide for the integration and coordination of land parcels as well as the combination of varying types of residential, commercial and industrial uses. The purpose of this Section is to provide for the integration and coordination of land parcels as well as the combination of varying types of residential, commercial and industrial uses. The purpose of this Section is to provide for the integration and coordination of land parcels as well as the combination of varying types of residential, commercial and industrial uses.

2. Procedures for Establishing a Planned Unit Development and Special Review.

- An application for a conditional use permit shall be filed and processed based upon procedures established by Sub-Section 515.33 of this Code.
- An application for subdivision shall be filed and processed simultaneously with the conditional use permit and shall be subject to the requirements of Section 505 of the City Code.
- Conditional Development Plan (general outline of the site and surrounding area):

  - General area wide development plan (general outline of the site and surrounding area):

    - Use.
    - Zoning.
    - Streets.
    - Grades or topography.
    - Densities.

- Specific site plan.

  - The entire outline, overall dimensions and area of the tract described in the application.
  - The use, zoning and ownership of all adjacent properties within 100 feet of the tract boundaries including the location of all structures thereon and the right-of-way width of all adjacent public roadways.
  - The existing and proposed topography of the tract with contour intervals not greater than two feet.
  - The location, position, arrangement and approximate area of all proposed buildings and structures.
  - The type of each use proposed to occupy each building and the approximate amount of building floor area devoted to each separate use.
  - The proposed location, arrangement and number of automobile parking stalls.
  - The proposed location, arrangement and general dimensions of all truck loading facilities.
  - The location and design of all vehicular entrances, exits and driveways and their relationship to all existing or proposed public streets.
  - The location and dimensions of all walls, fences and plantings designed to screen the proposed district from adjacent uses.
  - The general site system, including the location and dimensions of all structures, parking areas and plantings designed to screen the proposed district from adjacent uses.
  - The types of all ground covers.
  - Standards for exterior signs, architectural style, and other variables which will be controlled in the design of buildings in the development area.

- Development Schedule. The applicant shall submit a proposed schedule of construction if the construction of the proposed Planned Unit Development is to be in stages. The components contained in each stage must be clearly delineated. The development schedule shall indicate the starting date and the completion date of the complete development project.

3. Review and Evaluation Criteria. The evaluation of the proposed plan shall include but not be limited to the following criteria:

- Adequate property control is provided to protect the individual owner's rights and property values and the public responsibility.
- The interior circulation plan plus access from and onto public right-of-ways does not create congestion or dangers and is adequate for the safety of the project residents and the general public.
- A sufficient amount of useable open space is provided.
- The arrangement of buildings, structures and accessory uses does not unreasonably obstruct privacy or property values of the surrounding residential uses.
- Acoustical controls for interior areas and facilities are at minimum in compliance with the current standards of Section 406 of the City Code.
- The architectural design of the project is compatible with the surrounding area.
- The drainage and utility system plans are submitted to the City Engineer and the final drainage and utility plans shall be subject to his approval.
- The development schedule assures a logical development of the site which will protect the public interest and conserve land.
- The development is in compliance with the requirements of Section 305 of the City Code.
- Dwelling unit and accessory use requirements are in compliance with the district provisions in which the development is planned.
- The provisions of Sub-Section 515.33, Subd. 1e of this Code are considered and satisfactorily met.

Subd. 4. Council Action.

- If the Council after the required review as regulated by Sub-Section 515.33 of this Code finds that the preliminary development plan meets all of the requirements of a conditional use permit, the Council shall approve the same as the Final Development Plan and the applicant shall then be entitled to meet application and building permits.
- If the Council after the required review as regulated by Sub-Section 515.33 of this Code finds that the preliminary development plan contains conditions that must be amended in order to meet the requirements of a conditional use permit, the Council shall return the application together with a statement of the changes and upon receipt of an amended, altered and changed plan meeting the requirements of a conditional use permit, the Council shall review and report to the Planning Commission and the City Engineer and thereupon the development shall be eligible to obtain the necessary building permits.
- The Final Development Plan, together with such covenants, deed restrictions, reservations or variances as are a part thereof, shall become a part of the official record of the City.

Subd. 5. General Implementation Provisions.

- Compliance with the final development plan and changes.

  - The development of the Planned Unit Development shall be in compliance with the final development plan.
  - Differences between the actual development and proposed development shown in the final development plan not permitted under the foregoing provisions of this Section shall be reviewed by the City Council. Proposed changes shall be approved by the Planning Commission and recommended to the Council by the City Engineer.

- Building Permits. Applications for building permits shall be reviewed and approved by the Building Inspector after such applications shall be examined to determine if they are in compliance with this Code and the final development plan. If they are, the Building Inspector shall issue the building permit. If they are not, the Building Inspector shall return the application to the applicant for correction.
- Preliminary plans, elevations, sections and specifications of materials and structural systems for the proposed building or buildings, approved by a registered architect or engineer.
- A site plan for traffic engineering analysis, showing location

and design of the buildings, driveways, driveway intersections with streets, parking areas, loading areas, maneuvering areas and sidewalks.

- A site grading plan and a planting plan, including screen walls and fences, for analysis of adequacy of surface drainage, erosion control, visual screening and landscaping, including lighting.
- A site plan showing utilities and utility easements.
- Plans for all signs to be erected including details of sign locations, design, size, color and lighting.
- A description of the proposed operations in sufficient detail to enable the Building Inspector to determine if the proposed land use is within the use permitted in the established district.

c. The Building Inspector Department shall process the permit in compliance with the codes of the City of Crystal. The application submitted to the Building Inspector shall include complete and final plans, elevations, sections, and specifications of materials and structural systems for the proposed building or buildings, prepared by a registered architect.

Subd. 6. General Development Requirements.

- Property Control.

  - In order that the purposes of this subdivision may be achieved, the property shall be in whole ownership or under the management and supervision of a central authority or otherwise subject to such supervisory lease or ownership control as may be necessary to carry out the provisions of this Code.
  - Prior to the use or occupancy or sale or the association of contracts for the use of individual building unit, parcel, tract, townhouse, apartment, or common area, a declaration of covenants, conditions and restrictions or an equivalent document such as specified by Laws 1963, Chapter 427, Section 11 of the Minnesota Statutes, as amended by Laws 1963, Chapter 427, Section 13 shall be filed with the City of Crystal said filing with the City to be made prior to the filings of said declaration of covenants, conditions and restrictions or equivalent document such as specified by Laws 1963, Chapter 427, Section 13 shall be filed with the recording officers of Hennepin County, Minnesota.
  - Approval of the City of Crystal shall be secured as to the documents described in paragraph 1 above.
  - The declaration of covenants, conditions and restrictions or equivalent document shall specify that deeds, leases or contracts of conveyance affecting buildings, units, parcels, tracts, townhouses, or other shall be subject to said declaration.
  - The declaration of covenants, conditions and restrictions shall provide that an owners' association or corporation shall be formed and that all owners shall be members of said association or corporation which shall maintain all properties and common areas and repair and which shall assess in common. This declaration shall be subject to the review and approval of the City of Crystal.
  - The declaration shall additionally, amongst other things, provide that in the event the association or corporation fails to maintain properties in accordance with the applicable rules and regulations of the City of Crystal or fails to pay taxes or assessments on properties as they become due and in the event the City of Crystal incurs any expenses in enforcing its rules and regulations which said expenses are not immediately reimbursed by the association or corporation, then the City of Crystal shall have the right to assess each property owner's share of said expenses. Such assessments, together with interest thereon and costs of collection, shall be a lien on each property against which such assessments are levied.
  - It is the intent of the Code to require subdivision of property into lots and lots shall be subject to the requirements for approval and recording with the Hennepin County Recording Office as have been established by the City of Crystal.

- Public Services. The proposed project shall be served by the City water and sewer system and fire hydrants shall be installed at such locations as necessary to provide fire protection and utility connections.
- Water Connections. Where more than one property is served from the same service line, a shut-off valve must be located in such a way that each unit's service may be shut off by the City. In addition to the normally supplied shut-off at the street.
- Sanitary Sewer. Where more than one unit is served by a sanitary sewer lateral which exceeds 300 feet in length, provision must be made for a manhole to allow adequate cleaning and maintenance of the line. The design, construction and cleaning shall be the responsibility of the property owners association or corporation.

Height limitations shall be the same as those established in the respective districts.

- Right-of-Way.

  - Private roadways within the project shall have an improved surface to 30 feet or more in width and shall be so designed as to permit the City Engineer to provide protection to each building.
  - No portion of the required 30 foot road system may be used in including required off-street parking space or be used for parking.

- Planned Unit Development-Townhouses, Cooperatives, Condominiums, Multiple Family Structures-Requirements.

  - No single townhouse structure shall contain more than eight dwelling units.
  - Minimum unit for townhouse shall be not less than 26 feet.
  - Dwelling unit and accessory use requirements are in compliance with the district provisions in which the development is planned.
  - The building within the project shall be nearer to another building than one-half the sum of the building heights of the two buildings.

Subd. 7. Planned Unit Development-General Residential.

  - Purpose. It is the intent of this Section of the Code to establish provisions for the granting of a conditional use permit for Planned Unit Development-General Residential projects which are in compliance with the permitted and conditional uses allowed in a specific district including dwellings, offices and institutional uses of one or more buildings in relation to an overall design, and a physical plan and in accordance with the provisions and procedures as prescribed in this Code.
  - Minimum Project Size. The tract of land for which a Planned Unit Development-General Residential project is proposed and permit requested shall contain not less than two and one-half acres of land.
  - Required Frontage. The tract of land for which a project is proposed and permit requested shall not have less than 300 feet of frontage on the public right-of-way.
  - Yards.

    - The front and side yard restrictions at the periphery of the Planned Unit Development site shall be the same as those in the respective districts.
    - The building shall be set back from its building height to the rear or side property line when such line shall be 30 feet or R-3 use district.
    - No building shall be located less than 15 feet from the back of the curb line along these roadways which are part of the internal street pattern.
    - The building within the project shall be nearer to another building than one-half the sum of the building heights of the two buildings.

  - Design. As a consequence of a Planned Unit Development project, the design and construction of the project shall be in compliance with the provisions of the Code and shall be subject to the review and approval of the City Engineer and the Planning Commission.
  - Purpose. The intent of this Section of the Code is to establish provisions for the granting of a conditional use permit for Planned Unit Development-Commercial and Industrial projects which are in compliance with the permitted and conditional uses allowed in a specific district in one or more buildings in relation to an overall design, an integrated physical plan and in accordance with the provisions and procedures as prescribed in this Code.
  - Minimum Project Size. The tract of land for which a Planned Unit Development-Commercial or Industrial project is proposed and permit requested shall contain not less than two and one-half acres for commercial projects and not less than five acres for industrial projects.
  - Frontage. The tract of land for which a project is proposed and permit requested shall not have less than 300 feet of frontage on a public right-of-way.
  - Yards. No building shall be nearer than 30 feet to the side or rear property line when such line shall be 30 feet or R-3 use district.
  - Landscaping, Screening and Setabacks.

    - The entire site other than that taken up by structures or landscaping shall be surfaced with a material to control dust and drainage.
    - A landscape system subject to the approval of the City Engineer shall be installed.
    - Developments abutting an R-1, R-2, R-3 or R-3 district shall be screened and landscaped in compliance with Sub-Section 515.37, Subd. 1 of this Code.

515.33 ADMINISTRATION-AMENDMENTS AND CONDITIONAL USE PERMITS

Subd. 1. Purpose. The purpose of this Section of the Code is to provide for the integration and coordination of land parcels as well as the combination of varying types of residential, commercial and industrial uses.

  - Request for amendments or conditional use permits, as provided within this Code, shall be filed with the City Clerk on an official





of U.S. Highway 52.  
That part of Lot 52 and north 42 feet of Lot 53 lying west of the east 140 feet thereof.  
That part of Lot 54 lying within 342 feet of the NEly line of U.S. Highway 52.  
Becker's Addition  
Lot 4 and that part of Lot 1 lying north of the south 140 feet, Block 1.  
L. B. Berglund Addition  
South 57 feet of Lot 10, Block 2  
Boulevard Acres Addition  
Lots 3 & 4, Block 3  
Cardinal Court  
Outlot 1  
Clark Oil Addition  
Lot 2, Block 1  
Crystal Industrial Park Addition  
Lot 3  
Crystal State Bank Addition  
Lot 2, Block 1  
1st Federal-Res Depp Addition  
Outlot A  
Garwood 1st Addition  
Lot 1, Block 1  
General Mills Crystal Addition  
Lots 1, 2, 3 & 4, Block 1  
Glenwood Manor Addition  
That part of Lot 15 lying within 150 feet of the Sly line of 42nd Ave.  
The west 40 feet of the east 150 feet of that part of Lot 23, Block 1 lying north of south 120 feet thereof except road.  
That part of Lot 23 lying north of south 120 feet thereof and west of east 150 feet thereof, except road, Block 1.  
The east 127.5 feet of that part of Lot 23 lying south of the north 75 feet.  
B. P. Goodrich Addition  
Lot 1, Block 1  
Ken's 1st Addition  
Lot 2, Block 1  
Kenney Manor Addition  
Lot 23 and east 1/2 of Lot 34, Block 5  
Lafayette Place Addition  
Lots 1 & 2, Block 1  
Lampighter Square 9th Addition  
Lot 1, Block 1  
Pettick Addition  
Lot 4, Block 1  
Phillips Petroleum Addition  
Lot 1, Block 1  
Pures Crystal Addition  
Lot 2, Block 1  
Registered Land Survey No. 514  
Tract B  
Registered Land Survey No. 763  
Tracts A & B  
Registered Land Survey No. 774  
Tracts A & B  
Registered Land Survey No. 804  
Tract A  
Robin View Addition  
Lot 1, Block 1  
Rosendale Acres Addition  
North 120 feet of Lot 4, Block 4  
St. Denis Acres Addition  
The south 100.1 feet of the north 402.1 feet of Lots 2 & 3; also the west 25 feet of Lot 3 lying south of the north 402.1 feet thereof; also that part of Lot 4 lying south of the north 222 feet thereof lying NEly of U.S. Highway 52.  
North 222 feet of Lot 2.  
Ely 60 feet of north 222 feet of Lot 3.  
Schwartz Addition  
Lot 7, Block 1  
Storms 1st Addition  
Lot 1, Block 1  
Wilshire Terrace Addition  
That part of Lot 5, Block 2, lying within 342 feet of the NEly line of U.S. Highway 52.  
That part of Lot 4, Block 2 lying within 342 feet of the NEly line of U.S. Highway 52.  
Winnetka Village Addition  
Lot 1, Block 1  
Subd. 10 "B-4" DISTRICT  
The "B-4" district shall consist of the following described lands:  
a. Section 4, T-118, R-21  
The south 100 feet of the north 100 feet of the NE 1/4 of the SW 1/4 lying within 150 feet of the north line of 54th Ave. North.  
b. Section 5, T-118, R-21  
The north 82.5 feet of NE 1/4 of NE 1/4 lying east of West Broadway, except road.  
That part of the NE 1/4 of the NE 1/4 lying south of 52nd Ave. and north of the railroad right-of-way and within 196.3 feet of the center line of Douglas Drive.  
That part of the NE 1/4 of the NE 1/4 lying south of Lot 4, Block 1, Whitefield Addition and north of 52nd Ave. and within 142.32 feet of the center line of Douglas Drive.  
c. Section 9, T-118, R-21  
That part of the SE 1/4 of the NW 1/4 lying north of south 354.5 feet thereof and SWly of West Broadway, and lying within 150 feet of the SWly line of West Broadway.  
d. Section 11, T-118, R-21  
The north 100 feet of the west 330 feet of the south 1/2 of the SW 1/4 of the SW 1/4.  
e. Abene Addition  
Lots 1, 2, 3, 4 & 5  
Auditor's Subdivision No. 144  
Lots 11, 12 and the south 10 feet of Lot 13.  
Auditor's Subdivision No. 224  
North 100 feet of Lot 10.  
That part of Lot 10 lying north of the south 14 feet thereof.  
Lots 14 & 15  
West 1/2 of Lot 20 and Ely 29.95 feet of Lot 21.  
That part of Lot 18 lying east and north of Lot 1, Block 1, Brisky Addition and south of Lot 1, Block 1, General Mills Crystal Addition.  
h. Auditor's Subdivision No. 238  
That part of Lot 34 lying Sly of a line running SWly at right angles from a point in Ely line of Lot 34, distance 258 feet NWly from SE corner thereof.  
Commencing at the NW corner of Lot 38 thence east along the north line thereof to the NEly line of said lot thence SEly 105 feet along said NEly line thence SWly 48.45 feet to a point in the SWly line of said lot distance 122.8 feet SEly from beginning thence NWly to beginning.  
Lot 40  
That part of Lot 40 lying within 342 feet of the NEly right-of-way line of U.S. Highway 52.  
The south 35 feet lying west of east 297.2 feet of Lot 47, except highway.  
i. Sections Addition  
Lot 7 and north 48 feet of south 140 feet of Lot 1, Block 1.  
Lots 3, 4, 5 & 6, Block 2  
j. L. B. Berglund Addition  
Lots 8 & 9, Block 2  
That part of Lot 10, Block 2, lying north of south 57 feet.  
k. Blateborough Addition  
Lot 2, Block 1  
l. Wayne C. Blad Addition  
Lot 1, Block 1  
m. Brisky Addition  
Lot 1, Block 1  
n. Brewstedt Addition  
Lots 1 & 2, Block 1  
o. Les Brown Addition  
Lot 2, Block 1  
p. Cardinal Court  
Lot 1, Block 1  
q. Crystal Dockers Park  
Lots 1 & 2, Block 1  
r. Crystal Securities Addition  
Lot 1, Block 1  
s. Crystal Shopping Center Addition  
Lot 1, Block 1  
t. Crystal State Bank Addition  
Lot 1, Block 1  
u. Embers 2nd Addition  
Lots 1 & 2, Block 1  
v. Engstrom Addition  
Lot 2, Block 1  
w. Clayton H. Ericson Addition  
Lot 2, Block 1  
x. First Federal-Res Depp 2nd Addition  
Lots 1, 2 & 3, Block 1  
y. Gardendale Acres  
Lot 1, 2, 3 & 4, Block 1  
The west 25 feet of east 150 feet of Lot 1, Block 4  
z. Glenwood Manor  
Lots 19 & 20, Block 1  
That part of the east 110 feet of Lot 23, Block 1 lying north of south 120 feet except road.  
Lot 27, Block 1, except the east 127.5 feet lying south of the north 75 feet.  
aa. Graceview Addition  
East 150 feet of Lot 1, Block 1

bb. Griffin Addition  
East 150 feet of Lot 2, Block 1  
cc. Hansen's Addition  
Lots 3, 12 and NWly 8.3 feet of Lot 11, 15, 16 & 17, Block 2.  
That part of Block 4 lying within 290.4 feet of the center line of West Broadway.  
dd. Hansen's Addition  
Lot 1 and that part of Lot 3 lying within 150 feet of the Sly line of 42nd Ave. Block 1.  
ee. East Miller Addition  
Lot 1, Block 1  
ff. Heikmanns Addition  
East 150 feet of Lots 1, 2 & 3, Block 1  
gg. Heikmanns Addition  
Lot 1, Block 2  
hh. Kenney's Addition  
Lots 8 & 9 and that part of Lot 7 lying within 150 feet of the north line of 54th Ave. Block 2.  
Kenney's 2nd Addition  
Lot 10, Block 2  
ii. Ken's 1st Addition  
Lots 1 & 2, Block 1  
jj. Kenney Manor Addition  
Lots 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, and the west 1/2 of Lot 34, Block 5  
kk. Kohns & Palmer Addition  
Lot 1, Block 1  
ll. Lamplighter Square 9th Addition  
Lot 2, Block 1  
mm. Lala 3rd Addition  
That part of Lot 1, Block 1 lying within 150 feet of the north line of 54th Ave.  
nn. Pargus J. McAnnes Crystal Manor Addition  
Lots 1, 2, 3, 4, 5, 10, 11 & 12, Block 1  
McDonald's Addition  
Lot 1, Block 1  
oo. McLoughlin Addition  
East 120 feet of Lot 1, Block 1  
pp. Kenneth Nelson Addition  
Lot 1, Block 1  
qq. Noble Drug Complex  
That part of Lot 1, Block 1, lying north of south 75 feet and east of west 80 feet.  
rr. Oelmann's 8th Addition  
Lots 3 & 4, Block 1  
ss. Lot 3 & 4, Block 2  
tt. P.D.G. Addition  
Ely 150 feet of Lot 1, Block 1  
uu. Pettick Addition  
Lots 1 & 5, Block 1  
vv. Registered Land Survey No. 228  
Tracts A & F  
xx. Registered Land Survey No. 469  
Tracts A, B, C, D, E and F  
yy. Registered Land Survey No. 732  
Tracts A and B and that part of Tract D lying within 150 feet of the south line of 54th Ave. North.  
zz. Registered Land Survey No. 774  
Tract C  
aaa. Registered Land Survey No. 804  
Tracts B, C and E  
bbb. Reaney's Addition  
Lots 1, 2, 3, 4 & 5, Block 2  
Lots 1, 2, 3, 4, 5 & 6, Block 3  
Lots 1, 2 & 3, Block 4  
ccc. Rosendale Acres Addition  
East 150 feet of Lot 12, Block 1  
East 150 feet of Lot 14, Block 1  
East 150 feet of Lot 16, Block 1  
That part of Lot 4 lying south of north 120 feet and north of south 100 feet, Block 4  
West 150 feet of Lot 12, Block 4  
West 150 feet of the south 23.36 feet of Lot 12, Block 4  
East 192 feet of the north 1/2 of Lot 1, Block 4  
Lots 3, 4, 7, 8 & 9, Block 6  
ddd. St. Denis Acres Addition  
That part of Lot 2 lying south of the north 402.1 feet; that part of Lot 3 lying south of the north 402.1 feet and east of the west 25 feet.  
Lots 6, 9, 10, 11 & 12  
e. Salsberg 3rd Addition  
Lot 1, Block 1  
fff. Scher's Lakeside Grove Addition  
West 219.17 feet of Lot 18  
gg. Al Schrader Addition  
Lot 1, Block 1  
hhh. Spilane Addition  
Lot 1, Block 1  
i. Sweeney Acres  
The East 150 feet of the north 71.9 feet of the south 77.12 feet of Lot 13  
The north 144.45 feet of the west 136.38 feet of Lot 25.  
j. Sweeney Acres 2nd  
The west 130 feet of the north 38 feet of Lot 14, Block 2.  
The west 50 feet of Lot 17, Block 2.  
k. Sweeney Acres 3rd  
Lot 2, Block 1  
ll. Seven Addition  
Ely 74.4 feet of Lot 1, Block 1  
mmm. Tachy Addition  
Lot 1, Block 2  
nn. Twin Oaks Addition  
Lot 1, Block 1  
ooo. West Llac Terrace Fourth Unit  
Lots 1, 2, 3, 4, 5, 6, 7 & 8, Block 1  
ppp. Whinnery Terrace  
Lot 1 & 2, Block 1  
qqq. Whitefield Addition  
East 1/2 of Lot 1, Block 1  
rrr. Lot 2, 3 & 4, Block 1  
Winnetka Village Addition  
Lot 2, Block 1  
sss. Woodland Homes  
Lots 29 & 30, Block 4  
t. Seward Addition  
Lot 1, Block 1  
Subd. 11 "I-1" DISTRICT  
The "I-1" district shall consist of the following described lands:  
a. Section 9, T-118, R-21  
That part of the NE 1/4 of NW 1/4 lying Ely of State Highway No. 1 and Ely of the Soo Line Railroad right-of-way.  
b. Crystal Industrial Park  
Lot 1  
c. Fleming Addition  
Lot 1  
d. Schroeder's 2nd Addition  
Lot 2, Block 1  
Subd. 12 "I-2" DISTRICT  
The "I-2" district shall consist of the following described lands:  
a. Section 8, T-118, R-21  
Ely 100 feet of the Soo Line Railroad right-of-way lying in the NE 1/4 and lying Easterly of Jaylio Addition.  
b. Section 9, T-118, R-21  
That part of the SE 1/4 of the NW 1/4 lying north of Corvallis Ave. and NEly of the Great Northern Railroad and SEly of Highway 52, except Fleming Addition.  
That part of the NE 1/4 of the NW 1/4 lying south of the Soo Line Railroad, NEly of the Great Northern Railroad and SWly of Highway 52.  
That part of the NW 1/4 of the NW 1/4 lying SEly of Crystal Dockers Park Addition, north of the Soo Line Railroad and SWly of West Broadway.  
That part of the SE 1/4 of the NW 1/4 lying south of Crystal Securities 2nd Addition and NEly of West Broadway and SWly of the Great Northern Railroad.  
That part of the NE 1/4 of the SW 1/4 lying NEly of West Broadway and SWly of the Great Northern Railroad and north of 48th Ave.  
Auditor's Subdivision No. 238  
That part of Lot 25 lying in Section 4, T-118, R-21, except road.  
c. Carlson-Strom Addition  
Lot 1 & 2, Block 1  
d. Communication Addition  
Lot 1, Block 1  
e. Crystal Industrial Park  
Lots 2, 7, 8 & 9  
f. Crystal Securities 2nd Addition  
Lot 1 & 2, Block 1  
g. Dean Casting & Manufacturing Addition  
Lot 1, Block 1  
h. Hansen's Addition  
Lots 3, 4, 5, 6, 7, 8, 9, 10, 11 & 12, Block 2  
That part of Lot 4 lying further than 290.4' from the center line of West Broadway.  
i. Jaylio Addition  
Lot 4  
j. Mars 2nd Addition  
Lot 1, 2 & 3, Block 1  
k. Rosendale Gardens Addition  
Lots 4, 7, 8, 9, 10 & 11  
l. Rosendale Gardens 2nd Addition  
Lot 1, 2 & 3

n. Tescote Addition  
Lot 1, Block 1  
o. Timesavers 2nd Addition  
Lots 1, 2, & 3, Block 1  
p. Timesavers 3rd Addition  
Lots 1 & 2, Block 1  
q. Winnetka Industrial Park  
Lot 1, Block 3  
Subd. 13 "P-1" DISTRICT  
The "P-1" district shall consist of the following described lands:  
a. Auditor's Subdivision No. 144  
That part of Lot 13 lying north of the south 10 feet.  
b. Gardendale Acres  
The east 140 feet of Lot 4, Block 1.  
c. Noble Drug Complex  
That part of the west 80 feet of Lot 1, Block 1 lying north of the south 75 feet.  
d. Rosendale Acres  
The south 100 feet of Lot 4, Block 4.  
Subd. 14 "P-2" DISTRICT  
The "P-2" district shall consist of the following described lands:  
a. Douglas Plaza Addition  
The east 80 feet of Lots 2 & 3, Block 1.  
Subd. 15 "PUD, PLANNED UNIT DEVELOPMENT" DISTRICT  
The "PUD" district shall consist of the following described lands:  
515.43 EFFECTIVE DATE  
This ordinance is effective on February 15, 1976 in accordance with Sub-Section 110.11 of the City Code.  
Peter E. Meintsma  
Mayor  
ATTEST:  
Hester Trust  
City Clerk  
Published in The North Hennepin Post: January 15, 1976

LeFevere  
Lefler  
Kennedy  
O'Brien &  
Drawz

a Professional  
Association

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David C. Roland  
Karen A. Chamerlik  
Paul D. Baertschi  
Arden Fritz

Clayton L. LeFevere, Retired  
Herbert P. Lefler, Retired

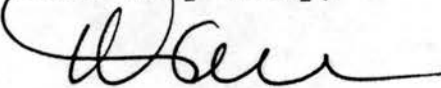
April 11, 1989

Mr. Bill Monk  
City Engineer  
City of Crystal  
4141 Douglas Drive North  
Crystal, Minnesota 55422

Dear Bill:

Enclosed is the ordinance relating to elderly housing  
for second reading. I made only a few technical  
changes.

Yours very truly,



David J. Kennedy

DJK:caw

Enclosure

cc: Jerry Dulgar

ORDINANCE NO. 89-\_\_\_\_\_

AN ORDINANCE RELATING TO ZONING  
REGULATIONS: AMENDING CRYSTAL CITY  
CODE, SUBSECTION 515.27, SUBDIVISION 4 d):  
REPEALING CRYSTAL CITY CODE,  
SUBSECTIONS 515.03, SUBDIVISION 71;  
515.09, SUBDIVISION 8 o); 515.15,  
SUBDIVISION 2 d) 4) iii); 515.15  
SUBDIVISION 5 c); AND 515.27,  
SUBDIVISION 4 c)

THE CITY OF CRYSTAL DOES ORDAIN:

Section 1. Crystal City Code, Subsection 515.27, Subdivision 4 d) is amended to read:

"515.27, Subd. 4 d). Apartment Density Bonus. ~~Except for elderly-housing,~~ A ~~maximum-of-10-percent~~ reduction in square feet of lot area per unit for multiple family dwellings of ~~10~~ ten units or more as required in Subsection 515.15 of this Code based upon the following bonus features and square foot reduction factors:

Bonus Feature	Square Foot Reduction Per Unit
1) Type two construction	100 square feet
2) Elevator serving each floor	50 square feet
3) Transit service available within 300 feet of entrance	50 square feet
4) Two-thirds of the required fee free parking underground or within the principal structure (not including attached or detached garages)	150 square feet
5) Indoor recreation and social rooms equal to 25 square feet per unit or 750 square feet total, whichever is greater	50 square feet
6) Major outdoor recreational facilities such as swimming pools, tennis courts or similar facilities requiring a sub- stantial investment equaling at minimum five percent of the construction cost of the principal structure	20 square feet

- 7) The site of the principal use and its related parking is served by an arterial or collector street 75 square feet
- 8) Useable open space as defined in Subsection 515.03, Subd. 175 of this Code is equal to at least 20 percent of the gross lot area 150 square feet
- 9) The site of the main entrance of the principal use is within 400 feet of commercial shopping development or adequate provision for access to such facilities is provided." 75 square feet

Sec. 2. Crystal City Code, Subsections 515.03, Subd. 71; 515.09, Subd. 8 o); 515.15, Subd. 2 d), 4 iii); 515.15, Subd. 5 c); and 515.27, Subd. 4 c) are repealed. Nothing in this ordinance is to be construed to (i) affect the right, title or interest of a person in real property or (ii) modify, abrogate or impair the rights and obligations of the City or a person arising from the prior exercise of the City of its powers under the sections of the City Code repealed by this ordinance.

Sec. 3. This ordinance is effective in accordance with Crystal City Code, Subsection 110.11 and applies to proceedings initiated after its effective date. A proceeding enacted prior to the effective date of this ordinance may be concluded in the manner prescribed by the sections of the code repealed by this ordinance.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

3:00110D02.F16



RESOLUTION NO. 89-

RESOLUTION APPROVING THE PRELIMINARY  
DESIGN PLANS FOR THE NORTHWEST  
CORRIDOR OF LIGHT RAIL TRANSIT

WHEREAS, in June of 1988 the Hennepin County Regional Railroad Authority (HCRRA) adopted a Comprehensive Light Rail Transit (LRT) System Plan identifying general system characteristics and establishing a 20-year and Stage I lay-out plan, and

WHEREAS, on March 14 the HCRRA held a public hearing on the Preliminary Design Plans for Stage I of the Northwest Corridor which further define the specifics of the LRT proposal, and

WHEREAS, impacted municipalities have 45 days from the date of the HCRRA hearing in which to approve or disapprove said Preliminary Design Plans, and

WHEREAS, on April 4 Crystal held a public hearing on the Preliminary Design Plans to solicit public input.

NOW, THEREFORE, BE IT RESOLVED that the Crystal City Council hereby approves the Preliminary Design Plans for Stage I of the Northwest Corridor of Light Rail Transit as prepared for the Hennepin County Regional Railroad Authority by BRW, Inc. and dated January 31, 1989. Crystal conditions this approval with the understanding that the following issues will be fully addressed during the design process as final plans are developed for City approval:

- 1) Mitigation of noise and sight impacts of LRT on adjacent residential property to protect the current use and value of said property.
- 2) Given proposed vehicle speeds and headways, protection of pedestrian movements along the entire length of the LRT system and not just at street crossings.
- 3) Preference accorded to the Bass Lake Road Station to determine if traffic concerns and conflicts with the adjacent residential neighborhood can be resolved. The Corvallis Avenue Station should be maintained as a back-up site.
- 4) Reconsideration of the extension of the Northwest Corridor terminus further into Brooklyn Park as a part of Stage I to enlarge the service area and provide improved connection with major vehicular corri-

dors to the north. Also, potential relocation of the 63rd Avenue Station to increase station spacing.

- 5) Design of the bridge over the Soo Line Railroad to protect the storm water quality and quantity features of the wetland area directly to the east of the proposed LRT route.
- 6) Deletion of the 36th Avenue Station from Stage I based on the limited size and access restrictions.
- 7) Formulation of a recommended financing package outlining the economic impacts on Hennepin County property owners and municipalities.

Adopted this 18th day of April, 1989.

\_\_\_\_\_  
Mayor

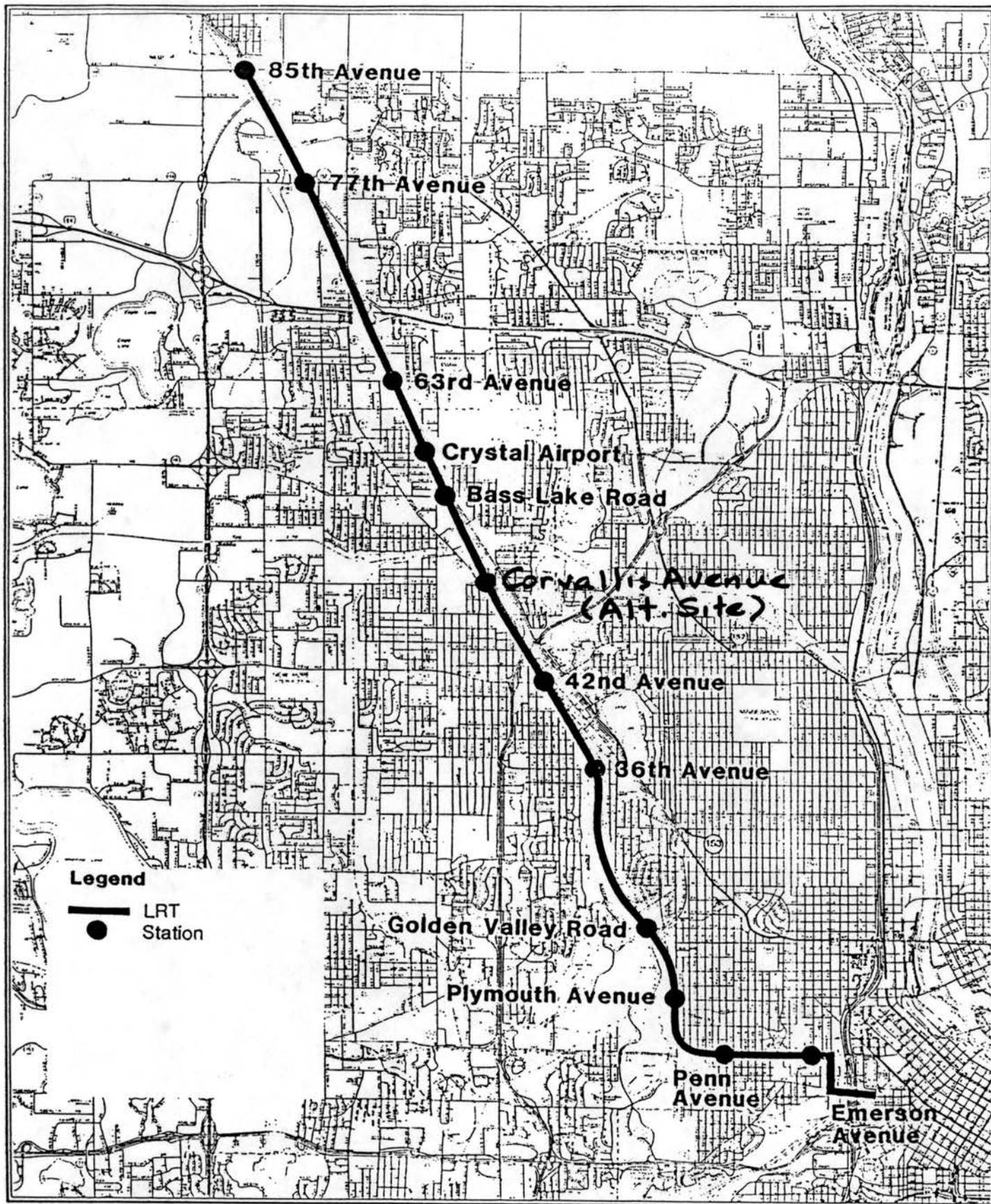
ATTEST:

\_\_\_\_\_  
City Clerk

INFORMAL MINUTES OF CRYSTAL PUBLIC HEARING  
OF LRT PRELIMINARY DESIGN PLANS  
April 4, 1989

- General presentation of LRT and specifics of preliminary design plans by representatives of HCRRA and BRW.
- Based on question from City staff, County representative outlined EIS process with anticipated completion this fall. The coordination process between the County and City in terms of station design and site acquisition was described with the City in the lead on zoning and land use issues while the County handled initial design and acquisition issues.
- Local resident questioned noise and traffic issues related to Bass Lake Road Station. County representatives noted the noise aspects of LRT in comparison with a standard railroad locomotive in terms of the engine type and continuous weld tracks.
- Property owner along Corvallis (Tim's Tree) questioned the station site's impact on his business. In response, it was noted more detail work was necessary to assess the impacts, but acquisition might well be required.
- Local RTB representative noted importance of addressing high cost of parking lot construction and maintenance during early planning stages.
- City Engineer reviewed staff position and noted seven conditions of preliminary design plan approval. Conditions included noise and sight mitigation, pedestrian safety, station site preference, northward extension of Stage I system, deletion of 36th Avenue Station, recommended financing package and wetland protection.
- Tax increment financing involvement in relation to station sites was noted by the County representative in answer to City Attorney's question. However, the importance or scope of the issue was not discussed in detail.
- Motion by Councilmember Moravec and seconded by Councilmember Smothers to accept the Public Works Director's Report of March 29, 1989, and direct staff to prepare a resolution of approval consistent with the issues noted.





**HCRRA**  
Harris County Regional Rail Authority

Comprehensive  
LRT System Plan

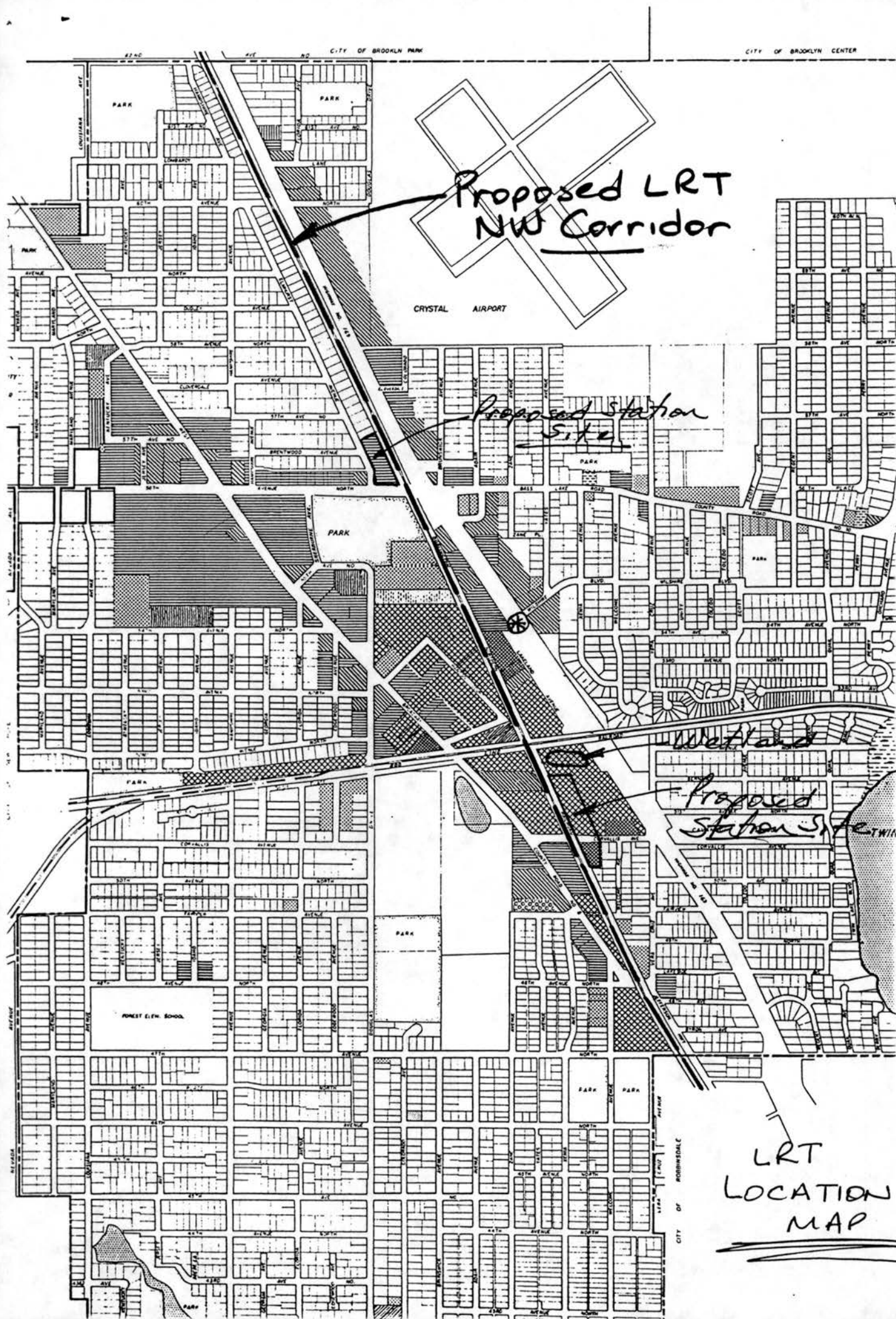
Northwest  
Corridor

Recommended LRT  
Route

Figure 1





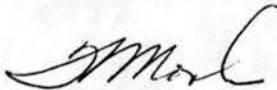


LRT  
LOCATION  
MAP

DATE: April 11, 1989  
TO: Jerry Dulgar, City Manager  
FROM: Bill Monk, City Engineer  
SUBJECT: Reconsideration of Proffesor's Addition

As noted in the attached letter, a request has been made for reconsideration of the Proffesor's Addition preliminary plat which was previously denied by the Council on March 21. If after hearing the input of the applicant's representatives the Council moves to reconsider, this office recommends action on the preliminary plat be continued to May 2; so notifications can be mailed to nearby property owners.

A copy of the staff report on the plat request is attached to assist in review of the reconsideration.



WM:jrs

Encls

**ROBERT J. MILLER LAW OFFICES, P.A.**

9405 - 36th Avenue North  
New Hope, MN 55427  
(612) 542-3030  
FAX: 542-3161

ROBERT J. MILLER  
GEOFFREY A. MILLER

LEGAL ASSISTANT  
HOLLY V. TROMBLEY

April 6, 1989  
File No. 14164.10

Mr. Gerry Dulgar, City Manager  
City of Crystal  
4141 Douglas Drive North  
Crystal, MN 55422

Re: Plat of Professors Addition

Dear Mr. Dulgar:

Our office represents Scott Kevitt. As you know, recently the City Council denied his request for plat approval of Professors Addition.

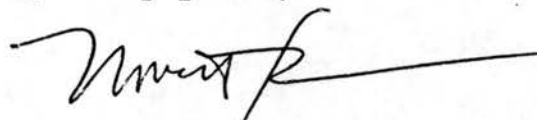
We would like to have the matter placed on the Council agenda for reconsideration by the City Council. When the matter was initially heard before the Council, Mr. Kevitt appeared personally but did not bring with an Engineer or others to address the concerns of the neighbors.

We believe that at the Reconsideration Hearing we will be able to present facts sufficient to warrant the Council to reconsider, and hopefully, upon reconsideration, approve the final plat. We assume that if the Council reconsiders the matter, new mailed notice would be given to the neighbors so that they have a chance to appear and discuss the matter fully with both the City and Mr. Kevitt's representatives.

We hope this matter can be placed on the agenda promptly. Would you please notify us as to when that will be done. It would be the intention of Mr. Kevitt to have Grady Boeck, an engineer, and myself be present at both the hearing where the reconsideration is discussed and also at the later hearing. We believe that we can address the issues of soils, drainage, streets and other matters satisfactory to the City and the neighbors.

We thank you in advance for your cooperation in this matter.

Very truly yours,



Robert J. Miller

RJM:hvt  
CC Mr. Scott Kevitt  
Mr. Grady Boeck



DATE: February 3, 1989  
TO: Planning Commission  
FROM: Bill Monk, City Engineer  
SUBJECT: Proffesors Addition Preliminary Plat

A preliminary plat application proposes to subdivide Lots 8 and 10 of Gardendale Acres into six buildable lots and one outlot. Last year the owner secured a grading permit from Crystal in order to perform soil correction for house pads along Florida Avenue. To offset changes in the drainage patterns caused by the grading operation, the owner installed a 27-inch diameter storm sewer from 32nd Avenue to the south property line of Lot 10. It should be noted that Lot 9 is not included in this proposal due to the extreme depth of poor soils discovered during test borings on the site.

The present zoning is R-1, Single Family Residential, and all lots as proposed on the preliminary plat meet ordinance requirements for area and dimension. However, Lot 2 of Block 1 does not have any frontage along an improved public road as Georgia Avenue has not yet been constructed. With no plans pending for the construction of Georgia Ave., the owner proposes to access the lot by means of a driveway extended from 32nd Avenue in the platted Georgia Ave. right-of-way. This driveway would be used for temporary access until the street is constructed and a more conventional driveway arrangement is available.

The creation of Outlot A is proposed so the owner can retain control as the lots along Florida Avenue are developed and sold. Outlot A would then have the potential of future subdivision as Georgia Avenue is constructed. In this way the access and utility service questions can be deferred until the proper facilities are in place.

Area-wide drainage has been addressed with the installation of the storm sewer extension last year as a part of the grading operation. Phased extension of this storm sewer as development occurs will adequately collect run-off in this tributary area.

Approval of the Proffesors Addition preliminary plat is recommended with the incorporation of the following conditions in the final plat development agreement:



Re: Proffesors Addition Preliminary Plat  
February 3, 1989  
Page 2

- 1) Lot 2, Block 1, be platted as an outlot so that the problems of access and utility service can be more fully addressed as the proper facilities are in place.
- 2) The existing 27-inch storm sewer be extended to the north line of Block 1 so that development of yards for Lots 1, 3 and 4 can be completed without obstructing drainage.
- 3) A drainage easement be provided over and across all of Outlot A.
- 4) Drainage and utility easements be dedicated along the perimeter of all lots.
- 5) Concrete curb and gutter be extended along 32nd Avenue in front of Lot 1, Block 1.

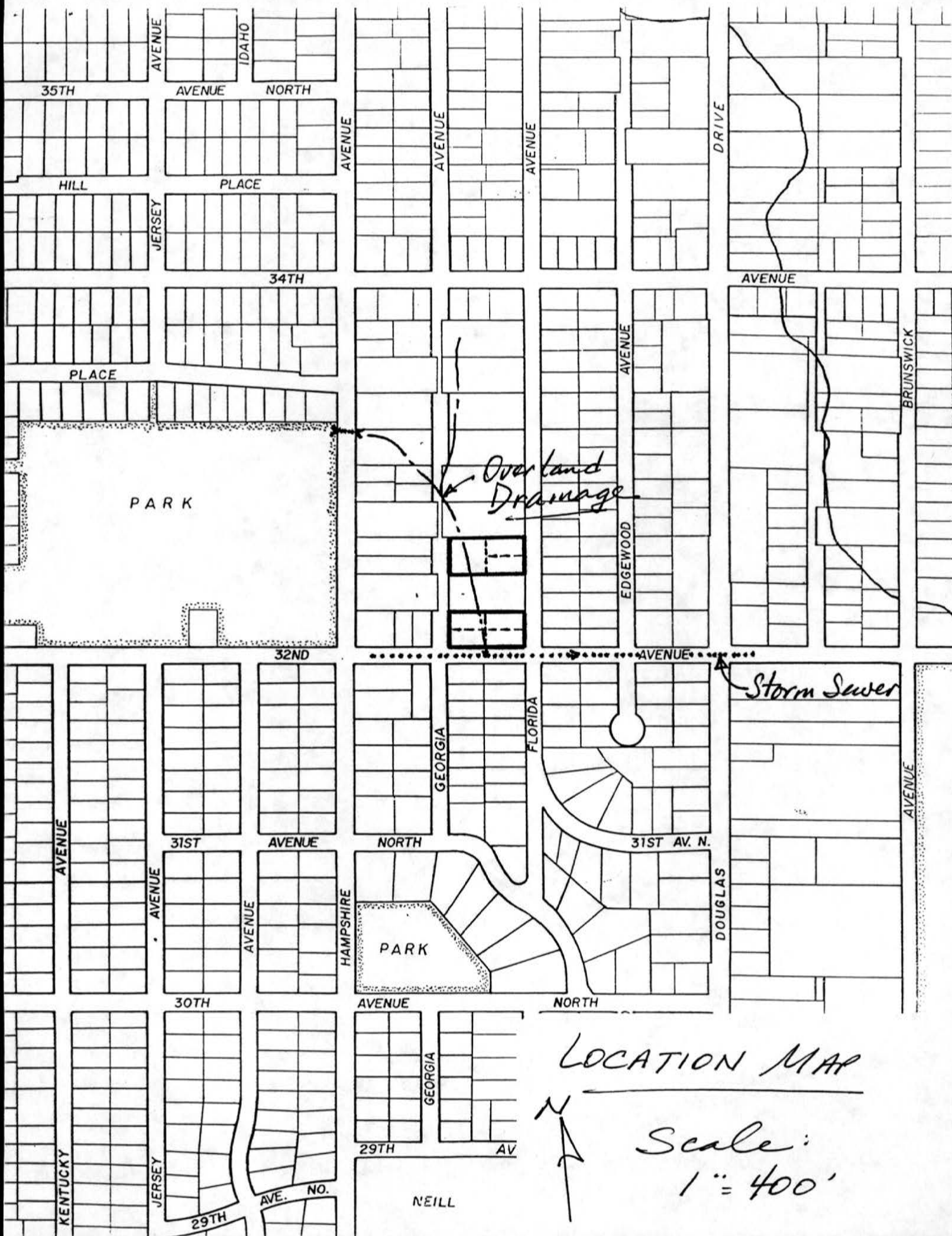


WM:jrs

Encls

3/15/89 UPDATE

On February 13 the Planning Commission recommended approval of the Proffesors Addition preliminary plat with the conditions noted above. These conditions will be handled as a part of the final plat and related development agreement process.



GEORGIA

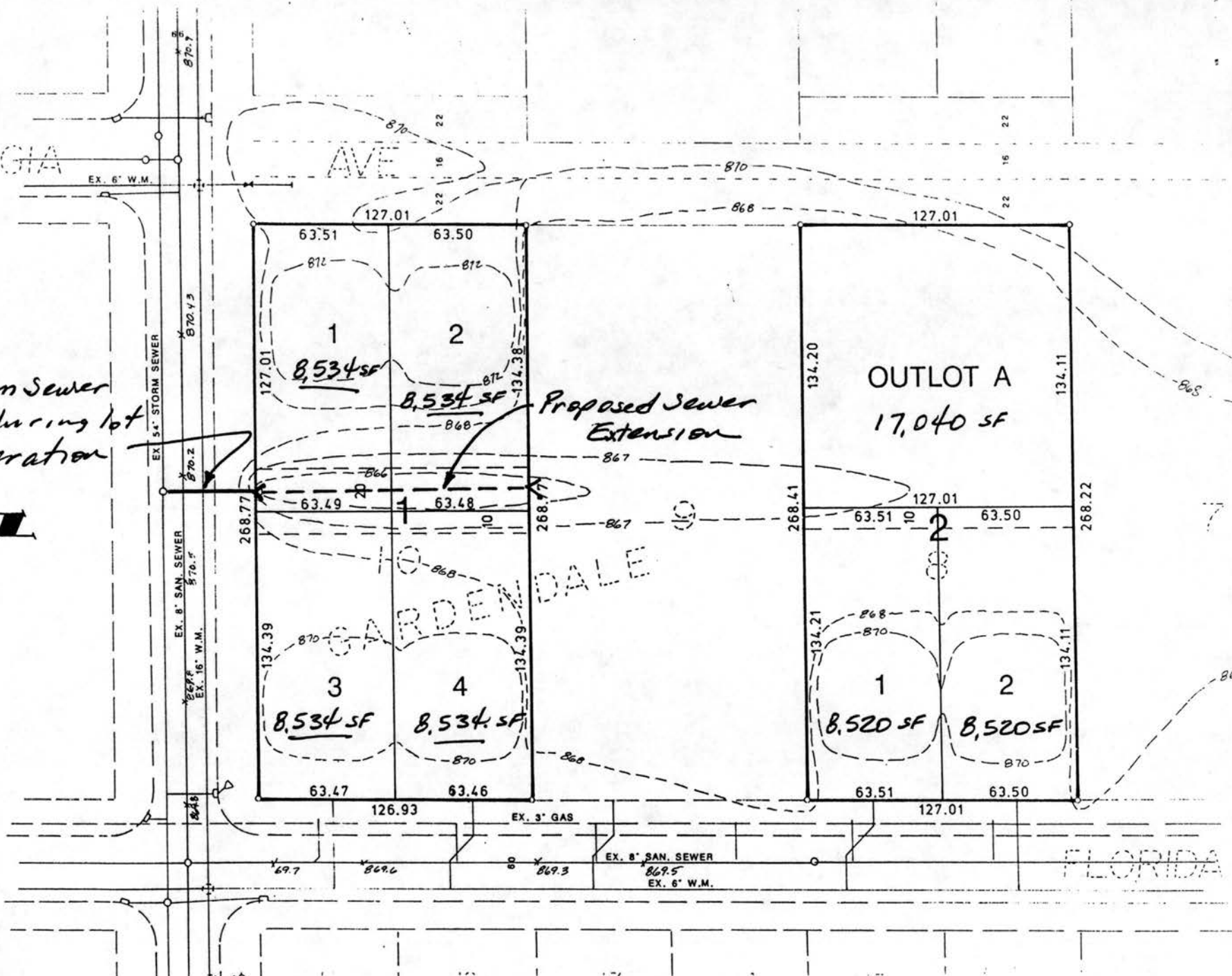
AVE

27" RCP Storm Sewer  
Installed during lot  
grading operation

Scale 1" = 40'

0 20 40 80

Denotes Iron Monument

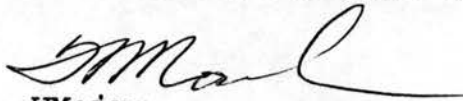


Professors Addition  
Preliminary Plat

DATE: April 12, 1989  
TO: Jerry Dulgar, City Manager  
FROM: Bill Monk, City Engineer  
SUBJECT: Slope Stabilization on Bassett Creek South of  
Brunswick Avenue

Following the July super storm in 1987, Crystal received \$18,964 in federal and state emergency funds to cover costs associated with a number of work functions including debris removal, emergency pumping, retaining wall reconstruction and erosion correction. At this time only a slope erosion problem on the downstream side of the Brunswick Avenue culvert crossing of Bassett Creek (just north of 32nd Avenue) remains to be corrected. While this office anticipated correction of this situation as Bassett Creek Park Pond was dredged this winter, erosion of the northern slope has worsened this spring to the point that immediate attention is required.

It is recommended that Barr Engineering (Watershed Engineer) be retained to design a slope stabilization project for this area in an amount not to exceed \$2,500 as noted in the attached correspondence. Monies to pay for this design work are still available in the City's emergency relief fund as established with federal funds in 1987. Funds to cover actual construction costs have already been provided within the Utility Fund (24-4387) of the 1989 Budget.



WM:jrs

Encls



# **Barr**

Engineering Company

7803 Glenroy Road  
Minneapolis, MN 55435  
612/830-0555

March 24, 1989

Mr. William Monk  
City of Crystal  
4141 Douglas Drive North  
Crystal, MN 55422-1696

Dear Mr. Monk:

I have reviewed the site plan and cross sections you provided regarding the erosion on the North Branch of Bassett Creek between 32nd Avenue and Brunswick Avenue. In addition, I discussed the area with our staff who were involved with the construction in the immediate vicinity.

The velocities in the area are felt to be low enough that once the slopes are stabilized by flattening them and establishing vegetative cover, the stream will be stable. This assumption will need to be verified by an in-depth review of previous computations.

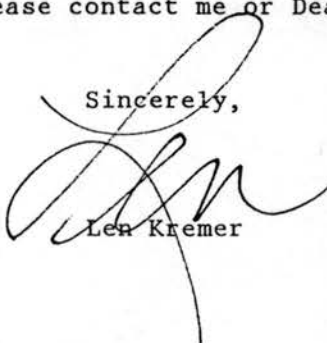
The proposed scope of work for this project would include a meeting with you at the site to discuss the probable stabilization method of the banks. Following this, we would review our records to verify the feasibility. After confirmation from you, we would proceed with the preparation of plans and specifications. It is anticipated a single plan sheet will be adequate, and the specifications will be principally a listing of the applicable MinnDOT specifications.

The estimated cost to complete this project is \$2,500. We propose to do this on a time and expenses basis with the cost not to exceed without written authorization.

It is anticipated the city will perform any necessary field work and periodic inspections. If it should be necessary for Barr to make site visits, these would be performed on a cost basis and would be expected to cost approximately \$200 including required documentation and correspondence.

If you have any questions, please contact me or Dean Skallman.

Sincerely,



Len Kremer

LK/jlj  
0000001/WM.WP



4141 Douglas Drive North • Crystal, MN 55422-1696 • 537-8421

ADMINISTRATIVE OFFICE

March 13, 1989

Mr. Len Kremer  
Barr Engineering Co.  
7803 Glenroy Road  
Edina, MN 55435

Dear Mr. Kremer:

The City of Crystal is interested in restoring the seriously eroded banks of the North Arm of Bassett Creek immediately downstream of the Brunswick Avenue culvert. Due to your firm's lengthy association with Bassett Creek projects, Crystal is requesting Barr submit a proposal for design and periodic inspection of this slope stabilization project. Crystal would handle surveying, bidding and routine inspection services in-house.

I am trying to get this project started as soon as possible; so your prompt attention to this matter is appreciated. To assist in your review, a general site plan along with recent survey data is attached.

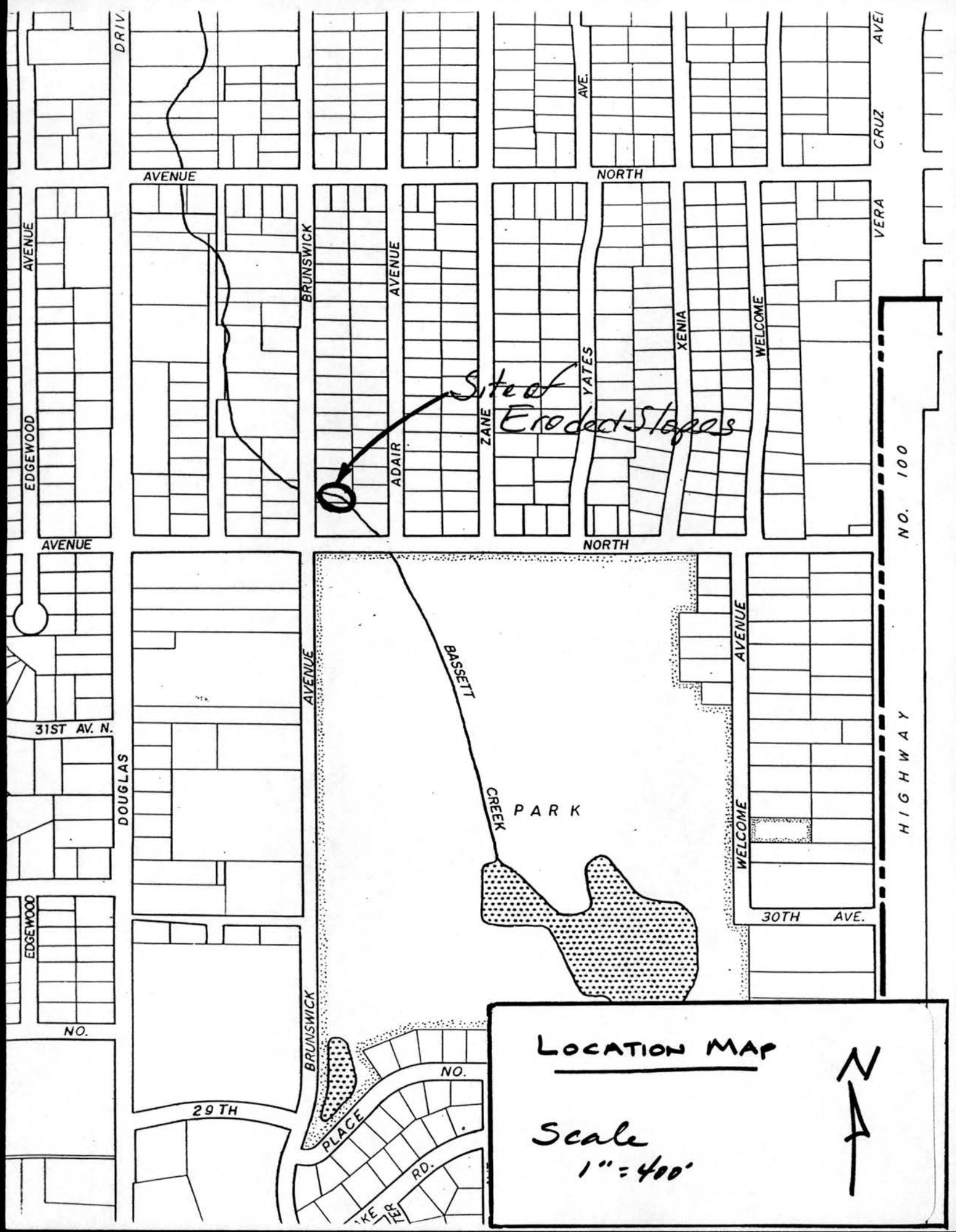
Should you wish to discuss the project in further detail or review the site, please let me know.

Sincerely,

William Monk  
City Engineer

WM:jrs

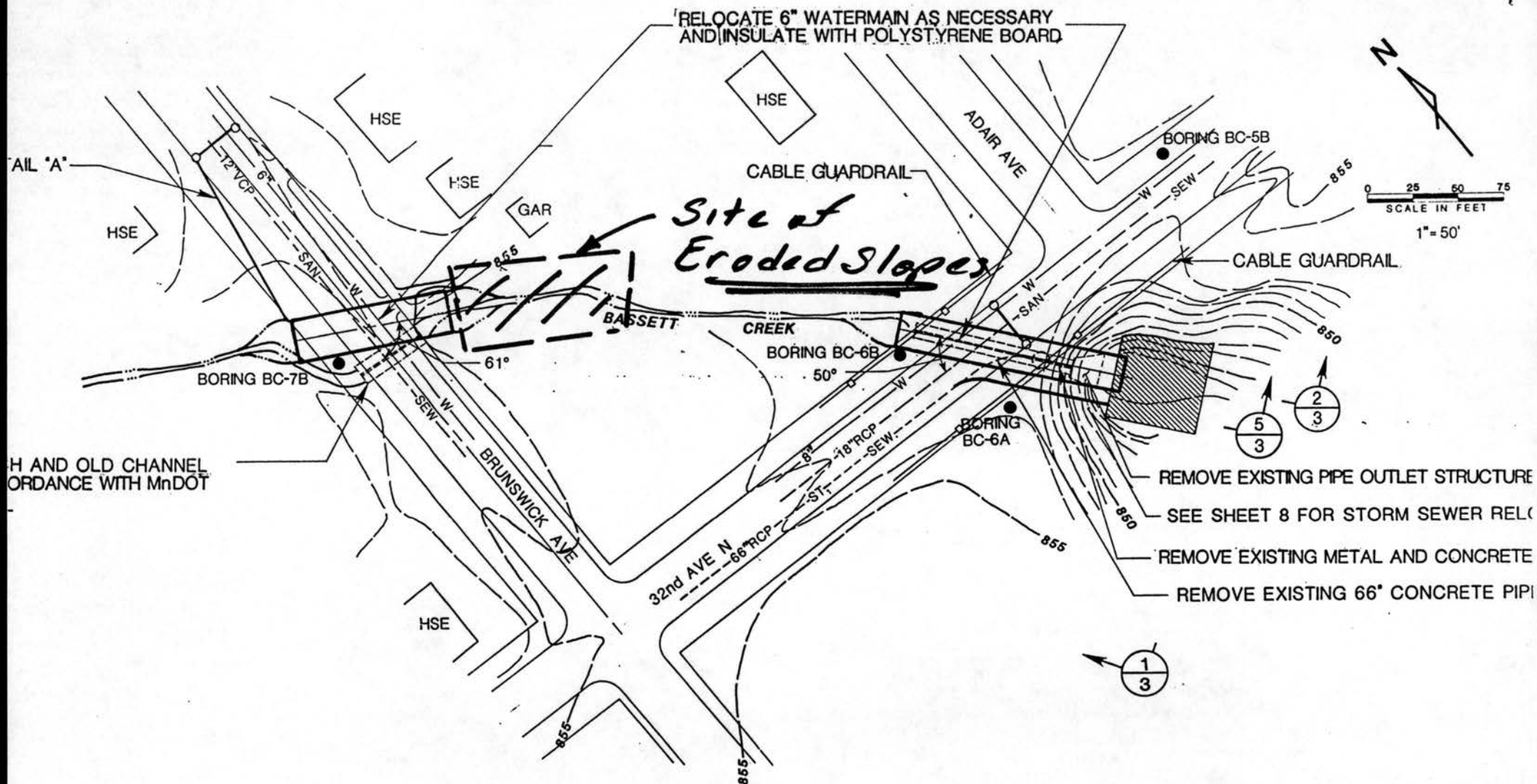
Enclosures



LOCATION MAP

Scale  
1" = 400'





# PROJECT MAP

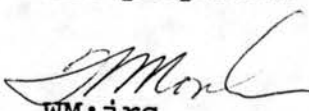
Scale  
1" = 50





DATE: April 12, 1989  
TO: Jerry Dulgar, City Manager  
FROM: Bill Monk, City Engineer  
SUBJECT: Feasibility Study for Curb & Gutter Construction  
on Brunswick Avenue Between 46th and 47th Avenues

The Council has already scheduled a public hearing for May 2 to consider the above-noted improvement study. Normal practice dictates the Council receive the report prior to the hearing for review and comment. It is recommended the study be accepted at this time unless major revisions are proposed.



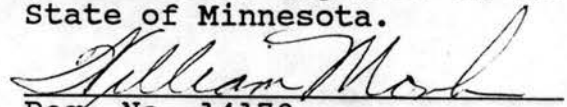
WM:jrs

Encl

FEASIBILITY STUDY  
FOR CURB AND GUTTER CONSTRUCTION  
ON BRUNSWICK AVENUE BETWEEN  
46TH AND 47TH AVENUES

Prepared by Crystal Engineering Department  
April, 1989

I certify that this report  
was prepared by me or under  
my direct supervision and  
that I am a duly registered  
professional engineer in the  
State of Minnesota.

  
Reg. No. 14170

### BACKGROUND

A petition (copy attached) has been received requesting municipal installation of concrete curb and gutter on Brunswick Avenue between 46th and 47th Avenues. Approximately 58 percent of the abutting property owners signed the petition. After receipt of the petition, personal contact was made with the three home owners on 46th and 47th Avenues affected by the mid-block extensions and found general acceptance to the proposal.

At present, the street has a blacktop surface that measures 30 feet in width. There is no identifiable curb section on either side of the street.

### IMPROVEMENTS

The actual installation of B-618 concrete curb and gutter is relatively simple construction. The associated work items that make the operation somewhat costly include removal of bituminous surface to provide the work area, matching into existing driveway entrances and area restoration.

On this project a positive grade exists to facilitate drainage. Adjustment of catch basins in the 47th Ave./Brunswick Ave. intersection are the only storm sewer items required.

Total project costs to complete these work items are estimated at \$33,640.

### PROPOSED ASSESSMENTS

As per City policy, the \$33,640 in total project costs will be spread evenly across the 1,434.32 linear feet of assessable frontage using the following criteria:

Curb and gutter improvements for residential properties are assessed on the basis of their actual front footage abutting the improvement. For corner lots the full frontage along the short side is always assessed while the long side is assessed for one-third of the first 135 feet and full length on the balance.

Application of this criteria results in proposed improvement assessments as listed in the following table. Additionally, it is proposed to extend the curb and gutter onto 46th and 47th Avenues, as noted in the attached detail map, to complete the assessment of all affected properties.

It is also important to note that the cost and assessment cost figures are based on estimates. Final costs will not be available until construction contracts are actually awarded and the work completed. For this reason the estimated assessments have been rounded to the nearest whole dollar.

<u>P.I.D./Owner/Address</u>	<u>Frontage (Ft.)</u>	<u>Assessment (\$23.46 Per Ft.)</u>
09-118-21-33-0025 James & Lea Bourassa 6020 - 46th Ave. N.	67.26	\$1,578
09-118-21-33-0026 Paul & Cynthia Olson 6024 - 46th Ave. N.	101.99	2,393
09-118-21-33-0027 James & Janice Rathbun 4608 Brunswick Ave. N.	66.39	1,558
09-118-21-33-0028 Dennis & Deborah Nieman 4622 Brunswick Ave. N.	66.39	1,558
09-118-21-33-0029 Roni Marie Hillier 4628 Brunswick Ave. N.	66.34	1,556
09-118-21-33-0030 Joan C. Fearon 4634 Brunswick Ave. N.	66.39	1,558
09-118-21-33-0069 Steven & Janine Neverman 4640 Brunswick Ave. N.	60.0	1,408
09-118-21-33-0066 Wm. & Donna Moore 4646 Brunswick Ave. N.	60.0	1,408
09-118-21-33-0065 Roger & Joanne Peterson 4652 Brunswick Ave. N.	113.40	2,660



09-118-21-33-0064 Richard M. Soldat 6013 - 47th Ave. N.	60.0	1,408
09-118-21-33-0053 Donna McCue 6107 - 47th Ave. N.	67.24	1,577
09-118-21-33-0052 Allen & Terri Evenson 6101 - 47th Ave. N.	105.79	2,482
09-118-21-33-0058 Evelyn Frahn 4641 Brunswick Ave. N.	60.0	1,408
09-118-21-33-0059 Chris Madonna 4635 Brunswick Ave. N.	60.0	1,408
09-118-21-33-0072 Steven Schleif 4629 Brunswick Ave. N.	60.0	1,408
09-118-21-33-0073 N. Mlinar & R. Hanson 4623 Brunswick Ave. N.	74.3	1,743
09-118-21-33-0031 Frank & Diane Warpeha 4619 Brunswick Ave. N.	66.0	1,548
09-118-21-33-0032 Raymond & Elaine Neuberger 4613 Brunswick Ave. N.	66.0	1,548
09-118-21-33-0060 Edwin & Marie Carlson 4601 Brunswick Ave. N.	146.83	3,445

Although the term and interest rate for this project will not be established until the assessment hearing is held, past practices would indicate a 10-year term is the normal practice for curb and gutter construction. Given the per lot costs estimated, a 5 to 10-year term with a 7-1/2% interest rate would appear in order.

### CONCLUSION

There is no question that the installation of curb and gutter described in this report will benefit the abutting property by providing a structural barrier between the street and front yard areas as well as handle drainage in a more positive manner. The improvements are indeed feasible from a construction and cost viewpoint.

DOUGLAS

# PROJECT MAP



EXISTING CONCRETE  
CURB & GUTTER - - - - -

PROPOSED CONCRETE  
CURB & GUTTER ———

PETITION SIGNERS X

AVENUE

47TH

AVENUE

AVE.

6107 6101

X

X 41

X 35

29

23

19

X 13

4601

6013

4652 X

46 X

40 X

34 X

28 X

22 X

4608

X 6024 6020

46TH

AVENUE

COLORADO

AVENUE

AVENUE

ZANE

VATEC

45TH

AVENUE

NO.

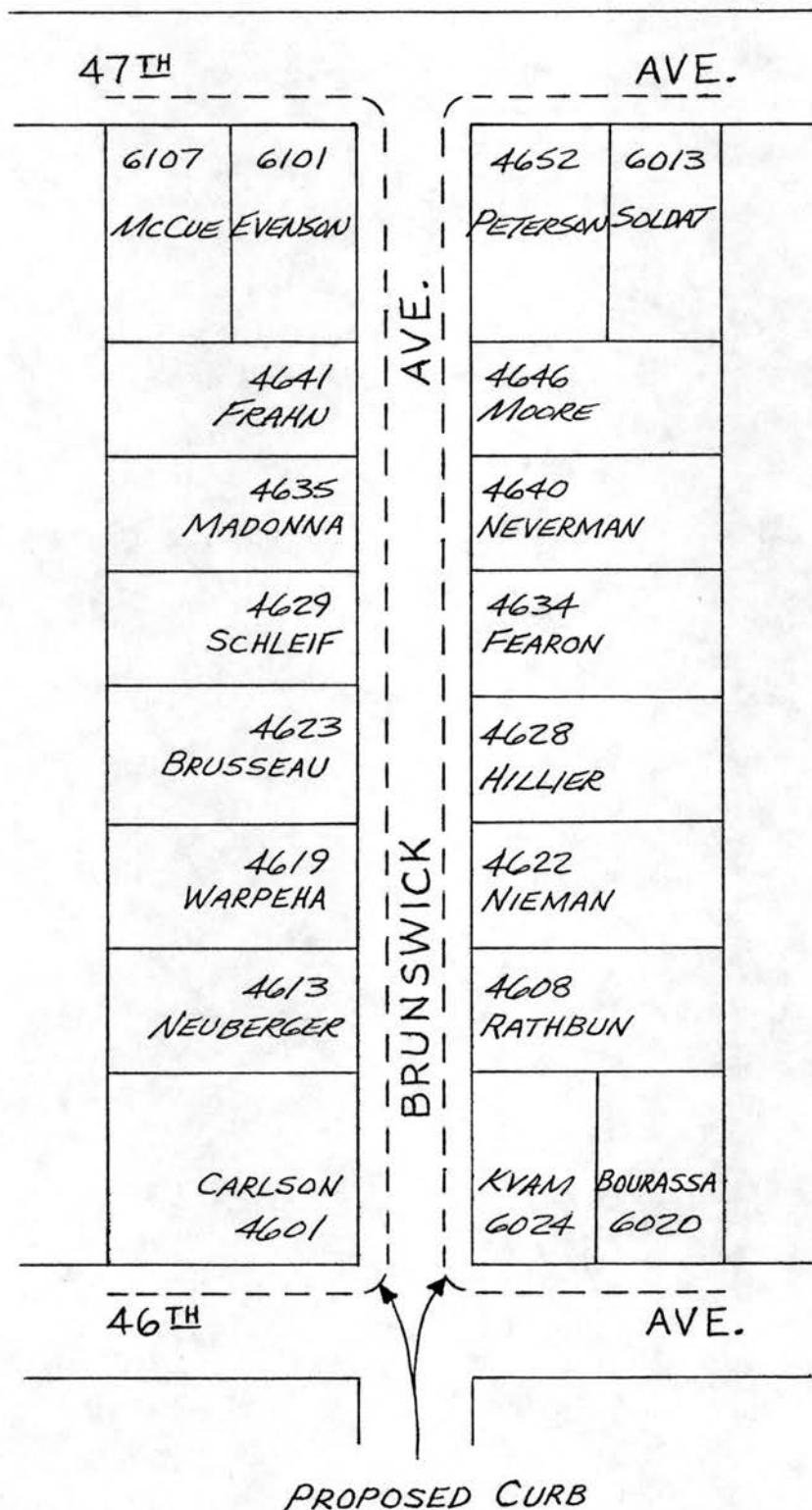
BRUNSWICK

ADAIR

45TH

44TH

AVI





BE SURE TO READ BEFORE SIGNING

P E T I T I O N

We, the undersigned, being owners of property within the area in the City of Crystal, hereinafter mentioned, do hereby petition the Honorable City Council of said City to improve the said property with Concrete Curb & Gutter and that the cost thereof be assessed against the abutting property benefited thereby. We also agree that in the event it is necessary to obtain easements for public access to the properties in order to proceed with the improvements herein requested, that such easements will be freely given when requested.

Location: Brunswick Ave. N. from 46th to 47th Ave.

SIGNATURE OF HUSBAND  
AND WIFE INDIVIDUALLY

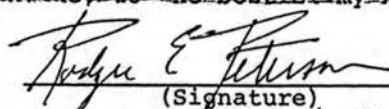
ADDRESS

LEAVE BLANK

Rodger E. Peterson	4652 BRUNSWICK No Crystal	75
John H. Peterson	4652 Brunswick No Crystal	38.40
Wm Moore	4646 Brunswick No Crystal	60
Janne Moore	4646 Brunswick No Crystal	
Alex Jensen	4640 Brunswick No Crystal	60
Janine Jervan	4640 Brunswick No Crystal	
Debbie Rasmussen	4622 Brunswick N. Crystal	66.39
Bob Kvam	6024 46TH AV. N. CRYSTAL	67.74 34.25
Emelyn Frahn	4641-Brunswick No. crystal	60
Roni M. Hillier	4628 BRUNSWICK AVE N.	66.34
Ray Neuburger	4613 Brunswick Ave. No	66
Elaine Neuburger	4613 Brunswick Ave. No.	
Ann Ferguson	4634 Brunswick, Av. No.	66.39
Allen S. Evensen	6101 47th Ave No	67.26
Ann Ferguson	6101 - 47th Ave. North	38.53
Wm H. Kvam	4635 BRUNSWICK No	60
Paula S. Kvam	6024 46th ave No.	

I, the undersigned, having circulated the above petition hereby attest that the signatures thereto are genuine, to the best of my knowledge and belief.

826.30  
SIGNERS =  $\frac{826.30}{1434.32} = 57.6\%$   
TOTAL = 1434.32

  
(Signature)

Phone No. 537-4382 Date 7-8-88

DATE: April 13, 1989  
TO: Jerry Dulgar, City Manager  
FROM: Bill Monk, City Engineer  
SUBJECT: Feasibility Study for Alley Improvements East of  
Welcome Avenue Between 38th and 39th Avenues

The Council has scheduled a public hearing to consider the alley improvement project described above. In the past the Council has reviewed and commented on the feasibility study prior to the hearing. It is recommended the attached study be accepted at this time unless major revisions are required.



WM:jrs

Encls

FEASIBILITY STUDY  
FOR CONCRETE ALLEY PAVING BETWEEN  
VERA CRUZ AND WELCOME AVENUES  
38TH TO 39TH AVENUES

Prepared by Crystal Engineering Department  
April, 1989

I certify that this report  
was prepared by me or under  
my direct supervision and  
that I am a duly registered  
professional engineer in the  
State of Minnesota.

---

Reg. No. 14170

#### BACKGROUND

A petition (copy attached) has been received requesting municipal installation of concrete paving on the alley between Vera Cruz and Welcome Avenues 38th to 39th Avenues. Approximately 68 percent of the abutting property owners signed the petition.

The northerly one-third of the alley lies within the City of Robbinsdale. The Robbinsdale residents also submitted a separate petition for this improvement.

At present the alley has a dirt surface.

As you will note, the petitioners have requested concrete paving in lieu of blacktop as we have placed in the past. This is very likely due to a portion of the alley being in Robbinsdale and all adjacent alleys in Robbinsdale are paved with concrete.

#### IMPROVEMENTS

The actual installation of concrete pavement is relatively simple construction. Advantages of concrete versus blacktop are enhanced drainage capabilities and longer life with less maintenance. There will be increased initial cost, however, compared to blacktop.

A positive grade exists on this project to facilitate drainage. A revision of the existing storm sewer located at the 38th Avenue end of the alley is included as a part of this project.

We are recommending the City of Robbinsdale include this alley paving in its construction program for this year which includes at least four additional alleys in Robbinsdale.

Total project cost to complete the alley paving and storm sewer revision is estimated at \$13,735.

#### PROPOSED ASSESSMENTS

As per City policy, the \$13,735 in total project costs will be spread evenly across the 832.8 linear feet of assessable frontage abutting the alley improvement.



Application of this criteria results in proposed improvement assessments as listed in the following table.

It is also important to note that the cost and assessment cost figures are based on estimates. Final costs will not be available until construction contracts are actually awarded and the work completed. For this reason the estimated assessments have been rounded to the nearest whole dollar.

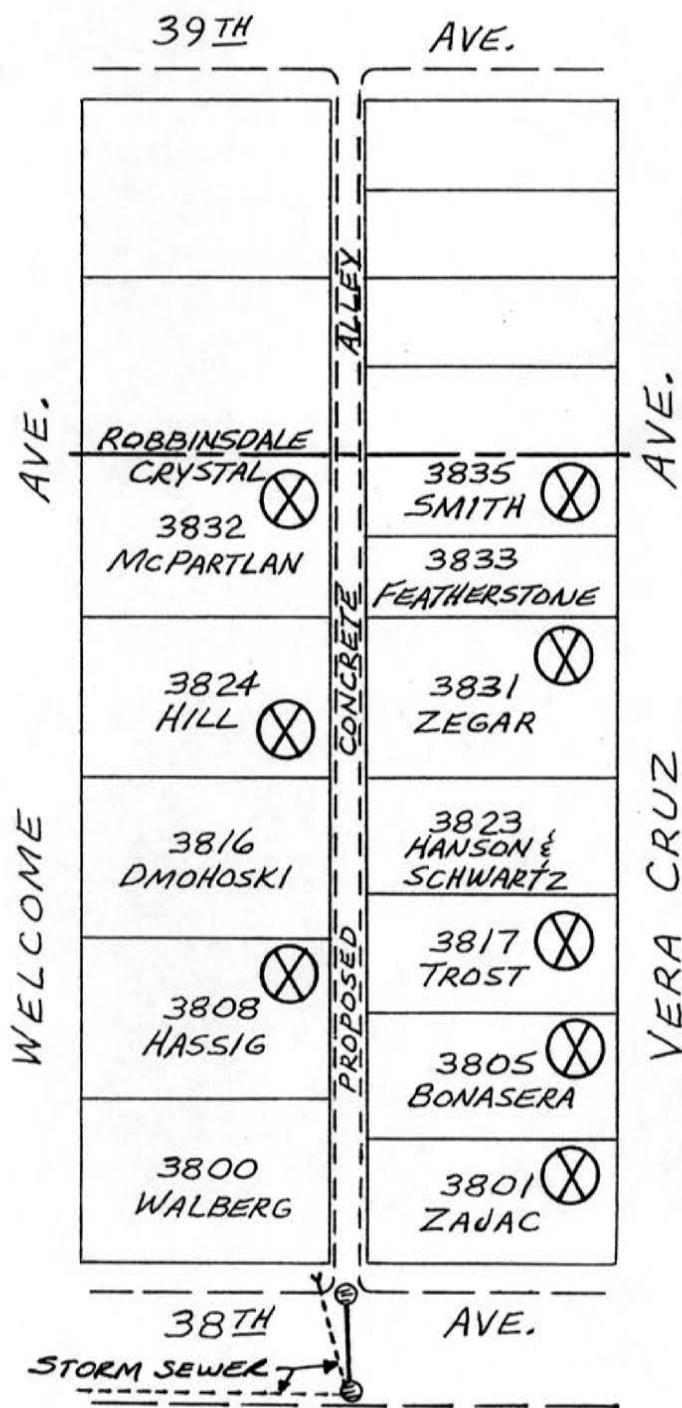
<u>P.I.D./Owner/Address</u>	<u>Frontage (Ft.)</u>	<u>Assessment (\$16.50 Per Ft.)</u>
16-118-21-34-0060 Gregory Smith 3835 Vera Cruz Ave. N.	41.5	\$ 685
16-118-21-34-0061 Ruth Featherstone 3833 Vera Cruz Ave. N.	41.5	685
16-118-21-34-0062 George Zegar 3831 Vera Cruz Ave. N.	83.0	1,370
16-118-21-34-0063 Kimberly Hanson & Kathleen Schwartz 3823 Vera Cruz Ave. N.	60.0	990
16-118-21-34-0064 Gregory Trost 3817 Vera Cruz Ave. N.	60.4	997
16-118-21-34-0065 Frank Bonasera 3805 Vera Cruz Ave. N.	65.0	1,073
16-118-21-34-0066 Janet Zajac 3801 Vera Cruz Ave. N.	65.0	1,073
16-118-21-34-0067 Harold Walberg 3800 Welcome Ave. N.	84.4	1,393
16-118-21-34-0068 Frank Hassig 3808 Welcome Ave. N.	83.0	1,370

16-118-21-34-0069 Chester Dmohoski 3816 Welcome Ave. N.	83.0	1,370
16-118-21-34-0070 Norman Hill 3824 Welcome Ave. N.	83.0	1,370
16-118-21-34-0071 John McPartlan 3832 Welcome Ave. N.	83.0	1,370

Although the term and interest rate for this project will not be established until the assessment hearing is held, past practices would indicate a 5 to 10-year term is normal for alley construction. Given the per lot costs estimated, a 5 to 10-year term with a 7-1/2% interest rate would appear in order.

#### CONCLUSION

There is no question that the alley paving described in this report will benefit the abutting property. The improvement is feasible from a construction and cost viewpoint.



⊗ PETITIONER

BE SURE TO READ BEFORE SIGNING

P E T I T I O N

We, the undersigned, being owners of property within the area in the City of Crystal, hereinafter mentioned, do hereby petition the Honorable City Council of said City to improve the said property with concrete alley

and that the cost thereof be assessed against the abutting property benefited thereby. We also agree that in the event it is necessary to obtain easements for public access to the properties in order to proceed with the improvements herein requested, that such easements will be freely given when requested.

Location: Between Vera Cruz & Welcome Ave., from 38th Ave. North to border line of Robbinsdale

SIGNATURE OF HUSBAND  
AND WIFE INDIVIDUALLY

ADDRESS

LEAVE BLANK

Gregory P. Smith	3835 VERA CRUZ AVE. N. CRYSTAL	41.5
Cheryl T. Smith	3835 Vera Cruz Ave No Crystal	
John P. McParthie	3832 Welcome Ave No Crystal	83.0
Julia T. McParthie	3832 Welcome Ave No Crystal	
Shirley M. Host	3817 Vera Cruz Ave No. Crystal	60.4
Frank U. Hapac	3801 Vera Cruz Ave No Crystal	65.0
Shirley Host	3817 Vera Cruz Ave No Crystal	
Becile Hill	3824 Welcome Avenue "	83.0
Norman S. Hill	3824 Welcome Ave No "	
Frank Hassig	3808 Welcome Ave No -	83.0
Kathryn Hassig	3808 Welcome Ave. No.	
Frank Bonasera	3805 Vera Cruz No.	65.0
Maya Bonasera	3805 Vera Cruz No.	
Leslie Zegar	3831 Vera Cruz No.	83.0
Florance Zegar	3831 Vera Cruz av. no.	
		563.9

I, the undersigned, having circulated the above petition hereby attest that the signatures thereto are genuine, to the best of my knowledge and belief.

SIGNERS - 563.9  
TOTAL - 832.8 = 67.7 %

Cheryl T. Smith  
(Signature)

Phone No. 533-7489 Date 10-11-88



DATE: April 4, 1989  
TO: Planning Commission  
FROM: Bill Monk, City Engineer  
SUBJECT: Garage Sale Code Amendment

At present Crystal is hard pressed to handle complaints regarding garage sales as City ordinances are essentially silent on any type of governing provisions. The intent of the proposed amendment is to define a garage sale as an accessory use in residential districts while describing the venture as an occasional short-term sale of household goods and not a recurring retail operation.



WM:jrs

Encls

4/14/89 UPDATE

On April 10 the Planning Commission recommended approval of the ordinance amendment.

ORDINANCE NO. 89-\_\_\_\_\_

AN ORDINANCE RELATING TO GARAGE SALES;  
AMENDING CRYSTAL CITY CODE  
SUBSECTION 515.19, SUBDIVISION 3  
BY ADDING A SUBDIVISION

THE CITY OF CRYSTAL DOES ORDAIN:

Section 1. Crystal City Code, Subsection 515.19, Subdivision 3, is amended by adding a subdivision to read:

Subd. 3 i). Garage Sales. The infrequent temporary display and sale of general household goods, used clothing, appliances, and other personal property, provided the exchange or sale of merchandise is conducted within the principal structure or an accessory structure. Items for sale may not include personal property purchased for the purpose of resale. The number of garage sales on an individual premises may not exceed four per year, and each sale is limited to a three day duration, with hours of operation between 8:00 a.m. and 10:00 p.m. Garage sale signs are permitted consistent with provisions of Section 406.17, Subdivision 12 of the City Code.

Sec. 2. This ordinance is effective in accordance with Crystal City Code, Subsection 110.11.

First Reading:

Adopted:

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

ORD3:00110D01.F16

CRYSTAL PARK AND RECREATION ADVISORY COMMISSION  
MINUTES EXCERPTS  
April 5, 1989

Members present: Mr. Hoffmann, Mr. Gentry, Mr. O'Reilly,  
Mr. Theisen, Ms. Saunders, Ms. Pitts,  
Ms. Reid, and Ms. Moucha.  
Also present: Mr. Smothers, Mr. Brandeen and Ms.  
Hackett.

1. Moved by Ms. Reid and seconded by Mr. Theisen to recommend to the Council that during Community Center construction the Little League B Minor field should be relocated to the cemetery property at 47th and Zane providing the cemetery gives its consent. If this is not an option, the Commission will examine alternative plans at the May meeting.

Motion carried-unanimous.

2. Moved by Ms. Reid and seconded by Ms. Moucha to recommend to the Council that the proposed Park Dedication ordinance with changes as well as setting a maximum of \$400.00 for each dwelling in residential subdivisions and \$400 per acre in commercial and industrial subdivisions be adopted.

Motion carried-unanimous.

3. Moved by Mr. O'Reilly and seconded by Mr. Gentry to recommend to the Council to include the architect's fee for the addition of the third gym to the Community Center construction budget; and, to add the construction of the third gym as a deduct alternate so, if the construction bids come within the 3.5 million dollar budget, then construct the third gym.

Motion carried-unanimous.

LeFevere  
Lefler  
Kennedy  
O'Brien &  
Drawz

a Professional  
Association

2000 First Bank Place West  
Minneapolis  
Minnesota 55402

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J. Dennis O'Brien  
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David J. Kennedy  
Joseph E. Hamilton  
John B. Dean  
Glenn E. Purdue  
Richard J. Schieffer  
Charles L. LeFevere  
James J. Thomson, Jr.  
Thomas R. Galt  
Steven B. Schmidt  
John G. Kressel  
James M. Strommen  
Donald H. Batty  
William P. Jordan  
William R. Skallerud  
Corrine A. Heine  
David D. Beaudoin  
Steven M. Tallen  
Mary Frances Skala  
Leslie M. Altman  
Timothy J. Pawlenty  
Rolf A. Sponheim  
Julie A. Bergh  
Darcy L. Hitesman  
David C. Roland  
Karen A. Chamerlik  
Paul D. Baertschi  
Arden Fritz

Clayton L. LeFevere, Retired  
Herbert P. Lefler, Retired

March 17, 1989

Mr. Bill Monk  
City Engineer  
City of Crystal  
4141 Douglas Drive North  
Crystal, Minnesota 55422

Re: Park Dedication Ordinance

Dear Bill:

Enclosed is the park dedication ordinance as revised.

Yours very truly,

  
David J. Kennedy

DJK:caw

Enclosure



DATE: March 20, 1989  
TO: Jerry Dulgar, City Manager  
FROM: Bill Monk, City Engineer  
SUBJECT: Park Dedication Ordinance

The attached ordinance amendment related to park dedication has been revised consistent with the input provided at the recent staff meeting. The revisions relate specifically to defining 1) the types of development/redevelopment affected, 2) who sets the fair market value for a cash payment and 3) the maximum cash value if the percentage approach is unreasonable.

The original copy of the revised amendment as prepared by the attorney is attached along with a copy on which the changes are highlighted.

  
WM:jrs

Encls

ORDINANCE NO. 89-\_\_\_\_\_

AN ORDINANCE RELATING TO PARK  
DEDICATION: AMENDING CRYSTAL CITY  
CODE BY ADDING SECTION 510.

THE CITY OF CRYSTAL DOES ORDAIN:

Section 1. Crystal City Code is amended by adding a section to read as follows:

Section 510 - Park Dedication

510.01. Dedication Required. As a condition of approval of any plat, replat, subdivision, or lot division allowing development of land for residential, commercial, industrial or other uses or combination thereof, a reasonable portion of the land to be divided must be dedicated to the public or preserved for public use as parks, playgrounds, trails, or open space. This requirement applies to plats, replats, subdivisions, or lot divisions that (i) create at least one additional lot or provide for at least one additional dwelling unit, or (ii) combine lots for the purpose of development involving changed or mixed land uses or the intensification of uses, or (iii) consist of a planned unit development as defined and regulated by the zoning code. The dedication requirement are not satisfied if the City reasonably determines that the land proposed for dedication is unsuitable for public recreational use. The dedication required by this section is in addition to dedication required for streets, roads, utilities, storm water ponding areas, or similar utilities and improvements.

510.03. Amount Required. The amount of land required for dedication is based upon the gross land area to be subdivided and equals the land the City reasonably finds it will need to acquire for park or other recreational purposes as a result of approval of the land division. Generally, ten percent of the gross land area to be subdivided must be dedicated for residential subdivisions and five percent for commercial and industrial subdivisions.

510.05. Cash Payment in Lieu of Dedication. The City may require a cash payment in lieu of land dedication. In determining to require payment or dedication, the Council will consider such factors as whether the land is needed in the proposed location, whether the proposed dedication is suitable for the intended use, and whether a cash payment would be more beneficial to development of the entire park system.

510.07. Amount of Cash Payment. The cash payment in lieu of dedication is determined by the fair market value of the undivided land as determined by the City Assessor at the time of final plat approval, including the value added by existing

utilities, streets and other public improvements serving the property but excluding the value added by all other existing improvements to the land. The cash payment is determined by applying the appropriate percentage stated in Subsection 510.03 to the fair market value as determined by the assessor. The maximum cash payment is \$ 400.00 for each dwelling unit in residential subdivisions and \$ 400.00 per acre in commercial and industrial subdivisions.

510.09. Park and Open Space Fund. Cash payments in lieu of dedication are payable at the time of final subdivision approval. The payments must be placed in a special fund established by the City to be used solely for the purposes of acquisition or development of parks, playgrounds, trails, or open space.

510.11. Partial Dedication. The City may accept a dedication of land in an amount less than that specified in subsection 510.03 and require a cash payment equivalent to the balance of the dedication requirement. The partial cash payment is determined by subtracting the percentage of land actually dedicated from the percentage of land required to be dedicated under subsection 510.03, and applying the resulting percentage to the fair market value of the proposed subdivision.

510.13. Credit for Private Land. A credit of up to 25 percent of the dedication requirement may be awarded for park and open space that is to be privately owned and maintained by the future residents of the subdivision. A credit will not be awarded unless the following conditions are met:

(a) private open space may not be occupied by nonrecreational buildings and must be available for the use of all the residents of the proposed subdivision;

(b) required building setbacks will not be included in computation of private open spaces;

(c) use of the private open space must be restricted for park, playground, trail, or open space purposes by recorded covenants that (i) run with the land in favor of future owners of property within the subdivision and (ii) cannot be defeated or eliminated without the consent of the City Council;

(d) the private open space shall be of a size, shape, location, topography, and useability for park or recreational purposes, or contain unique features which are important to be preserved; and

(e) the private open space must reduce the demand for public recreational facilities or public open space occasioned by development of the subdivision.

Sec. 2. This ordinance is effective in accordance with Crystal City Code, Subsection 110.11 and applies to proceedings initiated after its effective date. A proceeding enacted prior to the effective date of this ordinance may be concluded in the manner prescribed by the sections of the code repealed by this ordinance.

Dated: \_\_\_\_\_, 1989.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

CRYS4:00110D02.F16



ORDINANCE NO. 89-\_\_\_\_\_

The City of Crystal does ordain:

Section 1. Section 605 of Crystal City Code is amended by adding a new subsection to read as follows:

605.15. Collection Districts. Subdivision 1. Establishing Districts. At the direction of the Council by resolution, the city manager designee may establish geographic districts in part or all of the City for refuse or recycling collection and may designate specific days on which refuse or recycling collection may occur in each district. The city manager may establish different days of collection for residential, commercial, and industrial premises located in the same district. The authorizing resolution must set forth standards for the city manager to use in establishing collection district boundaries. By second resolution the Council may approve the collection districts and days of collection as established by the city manager.

Subd. 2. Collection within Districts. Where an approved collection district has been established, licensed refuse haulers must establish their regular collection routes and days of collection in a manner consistent with the approved collection district and specified days of collection. Violation of this subsection is grounds for revocation of the hauler's license. It is not a violation of this subsection to collect refuse or recyclable materials on a day other than the specified collection day, if the collection is for a missed pick up or is in a week in which a legal holiday occurs.

Sec. 2. This ordinance is effective in accordance with  
Crystal Code, subsection 110.11.

\_\_\_\_\_  
Betty Herbes, Mayor

ATTEST:

\_\_\_\_\_  
Darlene George, City Clerk

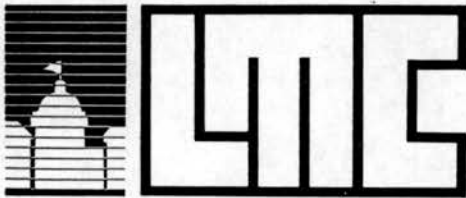
This ordinance was published in the \_\_\_\_\_ on  
the \_\_\_\_\_ day of \_\_\_\_\_, 1989.

a:001lor02.cah

DATE: April 6, 1989  
TO: Jerry Dulgar, City Manager *J.D.*  
FROM: Darlene George, City Clerk  
SUBJECT: Municipal Amicus Program (MAP)

Dues for the above referenced program through the League of Minnesota Cities is estimated to be \$474.25 per year for the City of Crystal. This figure is based on 5 percent of the 1988 dues for membership to the League which were \$9,485. The City will not be billed for 1989 dues until July or August, payable September 1, 1989, so figures may change.

In checking with the League I was informed that dues for MAP are normally 10 percent of yearly dues for membership to the League but because our City Attorney's firm is also a member, our dues would be 5 percent.



**League of Minnesota Cities**

183 University Ave. East  
St. Paul, MN 55101-2526  
(612) 227-5600 (FAX: 221-0986)

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March 30, 1989

Jerry Dulgar  
City Manager  
C. Hall: 4141 Douglas Drive N.  
Crystal, MN 55422

RE: Municipal Amicus Program (MAP)

Dear Jerry:

In 1983 the Minnesota Court of Appeals was created with the goal of reducing the significant case load facing the Minnesota Supreme Court. The creation of the Court of Appeals had an immediate and direct effect on cities by dramatically increasing the number of reported judicial decisions affecting them. What were previously unreported decisions of three-judge district court panels became reported pronouncements from the State Court of Appeals.

In reaction to the increased volume of appellate decisions affecting cities, the League considered and eventually created the Municipal Amicus Program (MAP). MAP's creation enabled the League to develop a systematic method of influencing the development of judge made law in Minnesota. Prior to the creation of MAP the League only had the resources to file amicus curiae briefs in about two or three cases a year. Since the creation of MAP in March of 1986 the League has filed briefs in 24 appellate court cases. Of the 16 cases with final dispositions the Courts have decided 14 in keeping with some or all of the arguments made in the League's briefs (See enclosed summary of cases.). Of particular significance is the fact that we have been a factor in getting the Supreme Court to overturn eight unfavorable Court of Appeals decisions. The Supreme Court has quoted us on several occasions. We believe MAP is meeting its objective of influencing the development of judge made law affecting Minnesota cities.

As most of you are aware, MAP is funded by separate dues from cities voluntarily becoming members. Currently, 153 of the 854 cities in Minnesota pay dues to support the efforts of MAP. Of the state's 50 largest cities, 26 are members.

We encourage your city to seriously consider supporting MAP. Its achievements attest to its value, and we believe it is worthy of

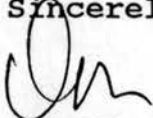


your city's support. We believe larger cities are particularly benefitted due to the level of their municipal activity and the consequent increased potential of litigation.

If you would like to discuss the program or have someone from the League further describe its benefits to you or the city council, please contact me, Stan Peskar or Tom Grundhoefer at the League offices.

We look forward to hearing from you.

Sincerely,

A handwritten signature in dark ink, appearing to be 'D. Slater', written over the typed name.

Donald A. Slater  
Executive Director

MUNICIPAL AMICUS PROGRAM  
REVIEW  
(6/1/86 to 3/1/89)

Since June of 1986 the Municipal Amicus Program (M.A.P.) has filed 24 amicus briefs. The program has allowed the League to have greater impact on the increasing volume of appellate court cases affecting Minnesota municipalities. On a number of occasions the Supreme Court specifically cited from the League's brief as a basis for deciding in the cities' favor.

Of the cases in which the League has filed a brief, we have received 14 favorable decisions, 2 unfavorable decisions and 2 no decisions. There are currently 6 cases waiting final disposition. Of particular significance is the fact that we have been a factor in getting the Supreme Court to overturn 8 unfavorable Court of Appeals decisions. No favorable decision of the Court of Appeals has yet been reversed by the Supreme Court.

The program has filed briefs or memoranda in the following cases:

1. Lund v. Hennepin County: a case challenging the constitutionality of the state's property tax system.

Disposition: Case was decided in the County's favor by the Minnesota Supreme Court. The United States Supreme Court dismissed an appeal.

2. Anderson v. City of Hopkins: a case challenging the right of a city and its employees to immediately appeal to the Court of Appeals, from a trial court's wrongful denial of a summary judgment motion on the issue of qualified immunity.

Disposition: Case was decided in City's favor establishing an immediate right to appeal. The case allows cities to potentially avoid burdensome litigation in otherwise frivolous lawsuits.

3. Wesala v. City of Virginia: a case challenging the Court of Appeals decision holding that a city waives its various statutory immunities by belonging to the League of Minnesota Cities Insurance Trust (LMCIT).

Disposition: After accepting the case for review, the Minnesota Supreme Court reversed itself and decided not to hear the appeal.

4. Swanson v. City of Bloomington: a case involving the scope of judicial review of municipal zoning decisions.

Disposition: The Minnesota Supreme Court reversed the Minnesota Court of Appeals and held that the scope of judicial review of a municipal land-use decisions is limited to a review of the record before the council, if there is a verbatim transcript of that record and if the public hearing was fair and adequate.

5. City of Eden Prairie v. Leipke: a case involving the extent to which a city may be estopped from enforcing its zoning ordinance because of alleged actions of the city's zoning and building officials.

Disposition: Court of Appeals ruled against the City and returned the matter to the trial court for further testimony.

6. Chabot v. City of Sauk Rapids: a case reviewing the issue of the whether a city council's decision to undertake a storm sewer improvement after it has knowledge of the storm-sewer's inadequate capacity, is a discretionary decision immune from liability.

Disposition: The Minnesota Supreme Court reversed the Minnesota Court of Appeals and held that such decisions are discretionary, and there is no duty to correct the inadequacy.

7. Anderson v. City of Willmar et al: a case addressing the issue of whether a police civil service commission may lawfully use independent examiners to conduct examinations and make recommendations concerning prospective job applicants.

Disposition: The Minnesota Supreme Court reversed the Minnesota Court of Appeals and found that use of independent examiners was not an unlawful delegation of authority.

8. Shortridge v. City of Maplewood et al: a special assessment matter raising the issue of whether a property owner may challenge a special assessment 4 years after it has been imposed, on the ground that the notice of hearing contained a defect. The Court of Appeals held that the property owner could bring the challenge.

Disposition: The Minnesota Supreme Court reversed the decision of the Court of Appeals and held that the property owner could not challenge the assessment 4 years after it had been adopted.

9. Independent School District #254 v. City of Kenyon: a special assessment case challenging the City's method of apportioning assessments for storm trunk sewer projects.

Disposition: The Court of Appeals found against the City.

10. Bahr v. City of Litchfield: a case challenging a civil service promotion decision. Plaintiffs claimed defects in the process, but waited approximately 18 months before bringing their lawsuit.

Disposition: The Minnesota Supreme Court reversed the Court of Appeals and found that posting of written notice of the promotion decision was sufficient to commence the running of the 60 day period in which to challenge the decision. The Court of Appeals had required personal service of the notice.

11. City of Minneapolis v. Krawsky,: a case challenging the constitutionality of the State's Obstructing Legal Process statute (M.S. 609.50). The trial court and the Court of Appeals ruled the statute unconstitutional vague on the basis of City of Houston v. Hill.

Disposition: The Minnesota Supreme Court reversed the Court of Appeals and upheld the State's Obstructing Legal Process statute.

12. Minnesota Teamsters v. Washington County: a case addressing the issue of whether health insurance for retirees is a mandatory subject of bargaining under the Minnesota Public Employees Labor Relations Act (MPELRA).

Disposition: The Court of Appeals found in favor of the County. Review was accepted by the Minnesota Supreme Court. The matter was eventually dismissed when the 1988 Legislature passed a law on the question.

13. State v. Holmquist: a case involving the doctrine of discretionary immunity and whether the doctrine applies in instances of alleged failure to place a no shoulder sign on our road.

Disposition: The Court of Appeals found against the State. The Minnesota Supreme Court reversed the Court of Appeals and held that the State was not liable. However, it did not decide the discretionary immunity issue but ruled for the State on the basis of causation.

14. Crystal Green v. City of Crystal: a case involving a challenge to a road dedication requirement. The challenge was brought after the plat had been approved and recorded. In order to secure plat approval the developer agreed to the dedication requirement "under protest." The City argued that the challenge was brought too late.

Disposition: The Court of Appeals held that the challenge to the dedication requirement had to have been made prior to plat approval and recording. The Minnesota Supreme Court denied further review. The decision assures the finality of the platting process.

15. Parranto Brothers, Inc. v. City of New Brighton, et al.: a case addressing the issue of whether a downzoning of property results in a taking of property. The city down-zoned an area of property from B-3 to B-1. The downzoning precluded plaintiff's desired use of the property but permitted other commercial uses. Plaintiff alleges that the rezoning does not substantially advance legitimate state interests or afford the owner economically viable use of its land.



Disposition: The Minnesota Court of Appeals ruled in favor of the city, finding that the downzoning was supported by sound planning rationale and that the regulation did not deny the landowner all economically viable use of its property. The Minnesota Supreme Court turned down the landowner's petition for further review. Consequently, the Court of Appeals decision stands as good law.

- P 16. Snyder v. City of Minneapolis: A case raising the issue of the constitutionality of the Municipal Tort Liability Limits.

Disposition: The Court of Appeals applied the limits but did not specifically rule on their constitutionality. The Supreme Court has granted further review. The League filed an amicus brief in support of the tort liability limits.

17. Annandale Advocate v. City of Annandale, et al.: a case addressing the applicability of the open meeting law and the data practices act to proceedings involving the termination of a police chief. The Court of Appeals generally affirmed its previous decision in Itasca County Board of Commissioners v. Olson, 372 N.W.2d 804 (Minn. App. 1985), that private data on high level employees changes when it is reasonably necessary to discuss it at an open meeting. In effect, declaring that the Open Meeting Law overrides the Data Practices Act.

Disposition: The Minnesota Supreme Court reversed the Court of Appeals and found that a council must close that portion of a meeting during which it discussed private data under the data practices act. The Supreme Court adopted reasoning from the League's brief.

18. Lienhard v. State of Minnesota: a case involving a challenge to the State tort liability limits. The Court of Appeals upheld the limits against a constitutional challenge.

Disposition: The Minnesota Supreme Court upheld the constitutionality of the state tort liability limits. Thus implicitly recognizing the validity of the municipal limits.

- P 19. Gorecki v. Ramsey County: a case addressing the issue of whether a comparable worth job reclassification triggers the need for a veteran's preference hearing. The employee argued that the reclassification constituted a demotion.

Disposition: The Court of Appeals held that there was no need for a veteran's preference hearing. The matter is pending before the Minnesota Supreme Court.

- P 20. Countryside Village v. City of North Branch: a case raising P the question of whether the special assessment appeal rights contained in Minn. Stat. chap 429, apply to an ad valorem tax levied in a storm sewer improvement district. The trial court

held that such rights exist and that failure to notify the landowner of the rights invalidates the tax.

Disposition: The Court of Appeals made clear that a tax in a storm sewer district is not a special assessment. Therefore there is no requirement to show special benefit. The case is currently before the Minnesota Supreme Court on the issue of the proper notice procedures that must be used in establishing a storm sewer improvement district.

21. Frank's Livestock and Poultry v. City of Wells: a case alleging negligent firefighting.

Disposition: The Court of Appeals held that the City owed no duty to take extraordinary measures to put out the fire.

P 22. Dahlheimer v. City of Dayton: a case alleging negligent firefighting.

Disposition: The case is pending before the Court of Appeals.

P 23. Lovrien v. City of Shorewood: a case alleging that city shoreland zoning regulation work an unconstitutional taking of plaintiffs' property.

Disposition: Matter is pending before the Minnesota Court of Appeals.

P 24. Anders et al. v. Washington County: a case raising the issue of whether the County could change the amount it contributed as its portion of employee health insurance premiums. The employees alleged that changing the employer contribution with regard to existing employees resulted in breach of an implied employment contract.

Disposition: Matter is pending before the Minnesota Court of Appeals.

P = Pending matter.

MEMORANDUM

DATE: April 11, 1989  
TO: Jerry Dulgar, City Manager  
FROM: Julie Jones, Community Development Coordinator 49.  
SUBJECT: Cost of Moving the City Owned House Located at the  
Municipal Pool

I have contacted Ken Ernst of Ernst Movers regarding the possibility of moving the house recently willed to the City of Crystal. I also asked Mr. Ernst if he would be interested in taking the house off the City's hands.

He traveled to the property and inspected both the house and the garage. His report back to me was that he would not be interested in taking the home off the City's hands due to the age of the house. He indicated that the cost for him to move the home to 3432 Welcome Avenue North would be approximately \$6,800 plus the cost of moving wires (approximately \$1,000). Wires would have to be moved overhead due to the height of the building. He stated that the garage would not be salvageable. The possibility of moving the home also depends on the interior structural condition.

I informed Mr. Ernst that I would be in contact with him after the City Inspector had a chance to inspect the interior condition of the home.

kg

JAMES P. LARKIN  
ROBERT L. HOFFMAN  
JACK F. DALY  
D. KENNETH LINDGREN  
WENDELL R. ANDERSON  
GERALD H. FRIEDEL  
ALLAN E. MULLIGAN  
ROBERT J. KENNESSEY  
JAMES C. ERICKSON  
EDWARD J. DRISCOLL  
JAMES P. MILEY  
GENE N. FULLER  
DAVID C. SELLERGREN  
RICHARD J. KEEMAN  
JOHN D. FULLMER  
ROBERT E. BOYLE  
FRANK I. HARVEY  
CHARLES S. MODELL  
CHRISTOPHER J. DIETZEN  
JOHN R. BEATTIE  
LINDA H. FISHER  
THOMAS P. STOLTMAN  
STEVEN G. LEVIN  
FORREST D. NOWLIN  
MICHAEL C. JACKMAN  
JOHN E. DIEHL  
JON S. SWIERZEWSKI  
THOMAS J. FLYNN  
JAMES P. QUINN  
TODD I. FREEMAN  
STEPHEN B. SOLOMON  
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JEROME H. KAHNKE  
SHERRILL OMAN KURETICH  
GERALD L. SECK  
JOHN B. LUNDQUIST  
DAYLE NOLAN  
THOMAS B. HUMPHREY, JR.

# LARKIN, HOFFMAN, DALY & LINDGREN, LTD.

ATTORNEYS AT LAW

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NORTH SUBURBAN OFFICE  
8990 SPRINGBROOK DRIVE, SUITE 250  
COON RAPIDS, MINNESOTA 55433  
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FAX (612) 786-6711

Reply to Minneapolis

DAVID J. PEAT  
MICHAEL T. MCKIM  
CHARLES R. WEAVER  
HERMAN L. TALLE  
VINCENT G. ELLA  
ANDREW J. MITCHELL  
JOHN A. COTTER  
BEATRICE A. ROTHWEILER  
PAUL B. PLUNKETT  
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KATHLEEN M. PICOTTE NEWMAN  
MICHAEL B. LE BARON  
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TRACY R. EICHORN-HICKS  
AMY DARR GRADY  
CATHERINE BARNETT WILSON  
JEFFREY C. ANDERSON  
DANIEL L. BOWLES  
TODD M. VLATKOVICH  
TIMOTHY J. McMANUS  
GREGORY E. KORSTAD  
LISA A. GRAY  
GARY A. RENNEKE  
THOMAS H. WEAVER  
SHANNON K. MCCAMBRIDGE  
MICHAEL S. COHEN  
DENISE M. NORTON  
GARY A. VAN CLEVE  
MICHAEL B. BRAMAN  
JOSEPH W. DICKER  
JACQUELINE F. DIETZ  
GAYLEN L. KNACK  
RODNEY D. IVES  
JULIE A. WRASE  
CHRISTOPHER J. HARRISTHAL  
SHARON L. BRENNAN  
MARIKAY CANAGA LITZAU  
TIMOTHY J. KEANE  
JON R. NORBERG  
WILLIAM C. GRIFFITH  
THEODORE A. MONDALE  
JOHN J. STEFFENHAGEN  
DANIEL W. VOSS

OF COUNSEL  
JOSEPH GITIS  
RICHARD A. NORDBYE

ALSO ADMITTED IN  
WISCONSIN

April 7, 1989

Mayor Betty Herbes  
City of Crystal  
City Hall  
4141 Douglas Drive North  
Crystal, Minnesota 55422

Dear Mayor Herbes:

A bill has been recently introduced in the Minnesota Senate which proposes to change the Fiscal Disparities Formula Senate File 891, which awaits action in the Senate Tax Committee, would have a significant negative impact on the tax base in your community.

Enclosed for your review is a booklet containing, among other materials, background information on Fiscal Disparities and a table illustrating the "loss" in tax base your community would face should the bill become law.

On Saturday, April 15, 1989, a meeting has been scheduled for 8:30 a.m. at the Normandy Hotel, Minneapolis for mayors and city council members whose communities are adversely affected by the proposed legislation. The purpose of this meeting is to discuss a legislative action plan to defeat S.F. 891. Please confirm your attendance at this important meeting with Jill at 366-9541.



LARKIN, HOFFMAN, DALY & LINDGREN, LTD.

Mayor Betty Herbes

April 7, 1989

Page 2

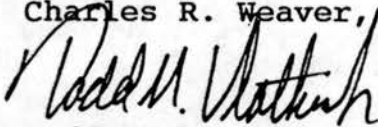
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We look forward to seeing you on April 15.

Sincerely,



Charles R. Weaver,



Todd M. Vlatkovich, and



Theodore A. Mondale, for  
LARKIN, HOFFMAN, DALY & LINDGREN, Ltd.

Enclosure

# Background/Commentary

Star Tribune/Saturday/March 25/1989

Once again Minnesota's fiscal-disparities law, which provides for the sharing of 40 percent of the commercial and industrial tax base in the metropolitan area between rich and poor counties, cities and school districts, has become an issue in the legislative session. Hennepin County lists elimination or reform of the fiscal-disparities law as its top legislative priority.

The fiscal-disparities bill was passed in 1971 as a response to the tremendous differences in tax base between the various cities, counties and school districts in the metropolitan area. It was obvious at that time that the difference in the ability of these jurisdictions to raise money to support their local services from the property tax was simply not acceptable.

The disparities had become a deterrent to good planning because of the struggle to accumulate tax base. Even the most basic planning decisions were influenced by the necessity to attract commercial and industrial development that provided high property valuation. On the other hand, public facilities such as parks and open space were resisted because they didn't provide tax revenues. Compounding the problem, tax havens were being created resulting in most of the new commercial and industrial growth taking place in communities with large valuations and lower taxes.

Since the bill became law in 1971, the disparity in tax base per capita from the richest community to the poorest community has been reduced from 10 to 1 to approximately 4 to 1.

To illustrate, with tax-base sharing the valuation per capita in Anoka County is \$2,062, while in Hennepin County the valuation per capita is \$3,323, a 50 percent difference. Without tax-base sharing the Anoka County valuation per capita would be \$1,490, while Hennepin County would be \$3,685; a difference of almost 150 percent.

While the bill has substantially closed the gap, in a report to the 1988 Legislature, Karen Baker and Steve Hines of House Research wrote that, "Fiscal disparities will close up more of the equality gap each year, but not as fast as the gap is increasing." It is also interesting to note that of the 10 largest gainers, St. Paul has the highest net valuation per capita of \$2,835. Among the 10 largest losers, Plymouth has the lowest valuation per capita of \$3,149. This simply means that even though a community may be a loser in the distribution formula, the losers still have more net resources to draw from than any of the winners.

In Hennepin County, 28 of the 46 municipalities are helped substantially by the tax-base sharing bill while 18 communities contribute more to the pool than they receive back. However, all of these 18 communities have been the recipients of substantial commercial-industrial growth and, despite being contributors, have considerably more resources to draw from than any of the 28 "winners."

If the bill were repealed in 1989, Richfield would lose approximately \$23 million in tax base; Brooklyn Park would lose \$29 million; Champlin would lose approximately \$12 million. On the other hand, Minneapolis, the largest gainer the year the bill became operational and a substantial winner for the next 10 years, is now a loser because of the tremendous increases in tax base over the last five years. It is quite possible that many of the current communities that gain will go into the losing column as their tax base develops, but at that point their tax base will be competitive with communities with strong commercial and industrial development.

The fundamental goal of any tax policy should be to achieve equality between people who are similarly situated. In the case of income tax and sales tax, people who earn and spend the same amount with similar deductions pay the same amount of tax. However, since real-estate taxes are a function of valuation and spending in each taxing jurisdiction, we have always had tremendous disparities in real-estate taxes on properties of equal value in different communities even when local spending is the same in the communities. This is the problem that the fiscal-disparities law addresses, and it is working well.

The 1988 Tax Reform Act did address many of the inequities between communities statewide. However, we still must rely substantially on the local property tax to meet local spending requirements. In fact, unless changes are made in the '88 tax bill, there will be an even greater reliance on the amount of commercial and industrial property in a taxing jurisdiction's property value. As long as this condition exists, the fiscal-disparities law is vital to equal economic opportunity in the metropolitan area.

**Charles R. Weaver, Coon Rapids. Attorney, former chairman of the Metropolitan Council and former state legislator who was chief author of the fiscal-disparities law.**

## How not to 'save' fiscal disparities

**The Twin Cities area's controversial fiscal-disparities law has done exactly what it was supposed to do — make tax bases more nearly equal and thereby allow "have-not" communities unable to attract economic growth to join in the region's overall prosperity. It's a good program. The Legislature should reject proposals that would weaken the law's tax-base sharing and would thus encourage those who want to scrap it altogether.**

The fiscal-disparities law requires that 40 percent of commercial-industrial tax-base growth since 1971 be contributed to a pool, from which it is redistributed to all metropolitan area communities according to population and overall tax base. Now, however, the law faces a two-pronged attack. From one flank come the "have" communities, eager to scrap fiscal disparities and keep the benefits of growth to themselves. This charge is currently led by Hennepin County, the only one of seven metro-area counties that loses more tax base to fiscal disparities than it gets back.

From the other flank come fiscal disparities' would-be protectors — the Association of Metropolitan Municipalities and others who would save the concept from destruction by weakening it instead. A bill to that effect now awaits action in the Senate Tax Committee. It should be allowed to

die there or be radically amended.

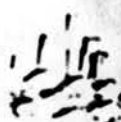
The bill would correct some nagging inequities in the present law, such as exempting tax-increment districts from the 40 percent sharing requirement and allowing a few wealthy "bedroom" communities to participate even though they prohibit commercial-industrial development. It would also — over a 20-year period — expand the sharing system to include all commercial-industrial tax base, including development that occurred before 1971.

But those gains could be more than offset, especially in the early years, by another proposed change — to reduce tax-base sharing from the present 40 percent to 30 percent. The reduction, phased in over five years, would be a setback for tax equity in the metropolitan area and could harm communities that now depend on fiscal disparities for a substantial part of their revenues.

In its present form the bill is unacceptable. The provision to reduce tax-base sharing from 40 percent to 30 percent is a misguided effort to appease fiscal-disparities opponents. Instead, it is more likely to encourage attempts to eliminate tax-base sharing. Fiscal disparities works. Its supporters should refuse to participate in its destruction.

# Citizens League

## Fiscal Disparities



Our tax base sharing law, known as "fiscal disparities," continues to be a successful tool for reducing the otherwise vast disparities that would exist between the wealthiest and least wealthy communities in the metro area. The tax base sharing law continues to work and is one of the few laws on fiscal matters that has not required annual legislative readjustments. But in the interests of fairness the law could be refined without losing its essential characteristics.



The Citizens League recommends:

■ Retaining the contribution level at 10 percent. That level ensures more uniformity in commercial-industrial tax rates across the metropolitan area; it keeps the fiscal disparities pool larger, and it preserves the integrity of tax-base sharing. Consider modifying the distribution formula if the Legislature believes the differences between "gainers" and "losers" are too great.

■ Modifying the fiscal disparities law by:

- Eliminating the exemptions, such as those granted to South Saint Paul and pre-1979 tax-increment districts.
- Not allowing cities to escape making contributions by undervaluing property.
- Not allowing cities to share in the pooled tax base if they prohibit commercial-industrial development within their borders.
- Removing special treatment given to cities with a high percentage of mobile homes in their borders, and to cities with unusually high levels of market value per capita.
- Considering phasing in the pre-1971 commercial-industrial value. Cities that have experienced most of their growth since 1971 are required to contribute more of their tax base than cities who had considerable growth before 1971 and aren't required to share it.



SENATE DISTRICT 46

EMBER REICHGOTT

<u>Cities</u>	1990			1992			1994		
	Amount Received or			Amount Received or			Amount Received or		
	<u>Contributed Under</u>			<u>Contributed Under</u>			<u>Contributed Under</u>		
	<u>Current Law</u>	<u>AMM Proposal</u>	<u>Loss/Gain</u>	<u>Current Law</u>	<u>AMM Proposal</u>	<u>Loss/Gain</u>	<u>Current Law</u>	<u>AMM Proposal</u>	<u>Loss/Gain</u>
Crystal	22,685,252	22,128,367	(556,885)	28,062,023	25,242,169	(2,819,854)	36,385,119	29,358,022	(7,027,097)
New Hope	2,628,536	3,423,289	794,753	9,692,557	9,883,393	190,836	19,426,886	16,872,340	(2,554,546)
Robbinsdale	12,969,883	12,433,650	<u>(536,233)</u>	16,946,513	15,045,723	<u>(1,900,790)</u>	22,953,792	18,326,386	<u>(4,626,406)</u>
TOTAL:			(298,365)			(4,529,808)			(14,208,049)

In 1990 one city gains and two cities  
lose as a result of the AMM proposal.

In 1992 one city gains and two cities  
lose as a result of the AMM proposal.

In 1994 three cities lose as a result  
of the AMM proposal

\* Parentheses denote a loss

Senator Ember Reichgott: 296-2889

A) Representative Ann Rest: 296-4176

B) Representative Lyndon Carlson: 296-4255

RESOLUTION NO. \_\_\_\_\_-FISCAL DISPARITIES-89

The following resolution was offered by \_\_\_\_\_,  
seconded by \_\_\_\_\_:

WHEREAS, Legislation has been introduced in the 1989  
Minnesota Legislature which changes the Fiscal Disparity law;  
and

WHEREAS, This proposed legislation has a projected negative  
economic impact on the tax base in Crystal;

BE IT RESOLVED, That the City of Crystal encourage its  
elected legislative officials to oppose the proposed change in  
the Fiscal Disparities Formula.

DATE: April 11, 1989  
TO: Jerry Dulgar, City Manager  
FROM: Dan Smith, Asst. City Engineer  
SUBJECT: 1989 Street Maintenance Materials

Bids were recently received for street maintenance materials to be used in 1989 and are tabulated on the attached sheet. The prices listed compare favorably to those bid last year and work well in terms of projections included in the approved 1989 Budget.

Based on the prices as tabulated, it is recommended the contracts be awarded to the low bidders as follows:

Tack Oil to Koch Materials Co. @ \$1.25/Gal. delivered

Bituminous Mixture (Sand w/5.0% Oil) to Bury and Carlson, Inc. @ \$17.90/Ton at Plant

Bituminous Mixture (Sand w/5.5% Oil) to Bury and Carlson, Inc. @ \$18.52/Ton at Plant

Bituminous Mixture (3/8" w/5.0% Oil) to Bury and Carlson, Inc. @ \$16.90/Ton at Plant

Bituminous Mixture (3/4" w/5.0% Oil) to Bury and Carlson, Inc. @ \$16.90/Ton at Plant

Sand to Barton Sand and Gravel Co. @ \$2.25/Ton at Pit and \$4.25/Ton Delivered

Class 2 to R. F. Dongoske Sales, Inc. @ \$3.70/Ton at Pit and \$6.20/Ton Delivered

Class 5 Gravel to R. F. Dongoske Sales, Inc. @ \$2.95/Ton at Pit and \$5.45/Ton Delivered

Class 5 Crushed Concrete to Barton Sand & Gravel Co. @ \$3.50/Ton at Pit and \$5.75/Ton Delivered

CA-3 Rock to J. L. Shiely Co. @ \$6.82/Ton at Pit and \$8.82/Ton Delivered.

It should be noted that both gravel and crushed concrete are almost always picked up by City personnel at the pit and rarely, if ever, delivered. For that reason the "at pit" bid is used to determine the supplier.

Jerry Dulgar  
Subject: 1989 Street Maintenance Materials  
April 13, 1989  
Page 2

The customary bid bond (5% of bid) was inadvertently left out of the envelope enclosing the bid from Barton Sand & Gravel Co. and has since been received. On the advice of our City Attorney their bid was then accepted.

DLS:jrs



BID TABULATION

1989 Street Maintenance Materials  
Bid Opening April 11, 1989

	<u>AT PLANT</u>	<u>DELIVERED</u>
<u>TACK OIL</u>		
Koch Materials Co.		\$1.25/Gal.
<u>BITUMINOUS PATCHING MIXTURE (Sand) (5.0% Oil)</u>		
Bury & Carlson, Inc.	\$17.90/ton	
Bituminous Roadways, Inc.	18.25	
Midwest Asphalt Corp.	20.05	
<u>BITUMINOUS PATCHING MIXTURE (Sand) (5.5% Oil)</u>		
Bury & Carlson, Inc.	\$18.52/ton	
Bituminous Roadways, Inc.	19.00	
Midwest Asphalt Corp.	20.70	
<u>BITUMINOUS PATCHING MIXTURE (3/8") (5.0% Oil)</u>		
Bury & Carlson, Inc.,	\$16.90/ton	
Commercial Asphalt Co. (1/2")	18.00	
Bituminous Roadways, Inc.	20.00	
Midwest Asphalt Corp.	20.05	
<u>BITUMINOUS PATCHING MIXTURE (3/4") (5.0% Oil)</u>		
Bury & Carlson, Inc.	\$16.90/ton	
Commercial Asphalt Co.	17.50	
Bituminous Roadways, Inc.	19.75	
Midwest Asphalt Corp.	20.05	
<u>SAND</u>		
Barton Sand & Gravel Co.	\$ 2.25/ton	\$4.25/ton
J. L. Shiely Co.	2.42	4.41
<u>CLASS 2</u>		
R. F. Dongoske Sales, Inc.	\$ 3.70/ton	\$6.20/ton
J. L. Shiely Co.	4.37	6.63
Barton Sand & Gravel Co.	8.00	10.25
<u>CLASS 5 GRAVEL</u>		
R. F. Dongoske Sales, Inc.	\$ 2.95/ton	\$5.45/ton
Barton Sand & Gravel Co.	3.00	5.25
Bury & Carlson, Inc.	3.10	5.00
<u>CLASS 5 CRUSHED CONCRETE</u>		
Barton Sand & Gravel Co.	3.50	5.75
J. L. Shiely Co.	3.65	5.45
Bury & Carlson, Inc.	3.85	5.45
R. F. Dongoske Sales, Inc.	4.10	6.60
<u>CA-3 ROCK</u>		
J. L. Shiely Co.	6.82	8.82
Barton Sand & Gravel Co.	7.30	9.55

CITY OF CRYSTAL, MN. PROPOSAL SCHEDULE  
STREET MAINTENANCE MATERIALS

Gentlemen: The undersigned proposes to furnish materials at the unit prices stipulated in the following schedule, in accordance with the specifications:

UNIT	ITEM	HAUL (Miles)	U N I T P R I C E			
			AT PLANT OR PIT		DELIVERED	
			QUANTITY	UNIT PRICE	QUANTITY	UNIT PRICE
Gal.	Tack or Prime Oil				2,000	
Ton	Bituminous Patching Mixture (Sand) 5.0% Oil		300			
Ton	Bituminous Patching Mixture (Sand) 5.5% Oil		100			
Ton	Bituminous Patching Mixture (3/8") 5.0% Oil		600			
Ton	Bituminous Patching Mixture (3/4") 5.0% Oil		1,000			
Ton	Sand		1,300		200	
Ton	Class 2		50		50	
Ton	Class 5 Gravel		150		50	
Ton	Class 5 Crushed Concrete		150		50	
Ton	CA-3 Rock		50		50	

Enclosed is a certified check/bid bond in the amount of \$\_\_\_\_\_.

FIRM NAME \_\_\_\_\_ ADDRESS \_\_\_\_\_

SIGNED \_\_\_\_\_ DATE \_\_\_\_\_

TITLE \_\_\_\_\_ PHONE NO. \_\_\_\_\_

LOCATION OF PLANT OR PIT \_\_\_\_\_

April 18, 1989

TO: Jerry Dulgar, City Manager  
FROM: Darlene George, City Clerk *D.G.*  
RE: Regular City Council Meetings  
May 16, June 6, and July 4, 1989

The City Council needs to discuss the above referenced meetings for reasons described below:

May 16, 1989: This meeting falls on the evening of the District #281 School Board Election. State Law prohibits the conduct of public meetings between the hours of 6:00 p.m. and 8:00 p.m. on election day. Council needs to decide whether to change the meeting date or convene the meeting at 8:00 p.m.

June 6, 1989: This meeting falls on the opening evening of the 1989 Annual Conference for the League of Minnesota Cities. Council may want to look at changing its meeting date.

July 4, 1989: This meeting falls on the holiday. The practice in the past has been to hold the Council meeting the following evening (Wednesday), but Council should decide this also

The agenda only indicates discussion of the May 16 meeting but it would be well to discuss all three and set dates and times for each of them.

cc: Crystal City Council

**Sign up now...**

**The 1990s  
and beyond  
the future of Minnesota cities**



**1989  
Annual Conference  
League of Minnesota Cities**

**June 6-9  
Minneapolis**

**Registration forms-preliminary schedule**



# 1989 LMC Annual Conference Housing

## Housing information

	SINGLE	DOUBLE
Hyatt Regency Minneapolis, 1300 Nicollet.....	\$69.00	\$69.00
Holiday Inn Minneapolis, 1313 Nicollet Mall.....	\$58.00	\$67.00

**NOTE:** Hyatt Regency is the headquarters hotel. The Holiday Inn is located directly across the street from the Hyatt Regency.

## Early Bird Special

For member city officials only. The Hyatt Regency and the Holiday Inn will each provide one complimentary weekend for two at their facilities, excluding meals, as an early bird special prize. Only delegates sending in their housing registration form by May 1, 1989 will be eligible. The winner must pay the room tax and all incidental charges.

## Important Instructions

Rooms will be reserved on a first-come, first-served basis. The earlier you make your reservations, the better the chance you will have of getting your first choice hotel. The hotels will hold the room block until May 16, 1989, after which regular room rates will be in effect if available.

A deposit equal to one night's lodging per room must accompany this housing form. Credit card preferred. **MAKE CHECKS PAYABLE TO HOTEL OF YOUR CHOICE.** You will receive an acknowledgement of your reservation from the assigned hotel. **All changes in reservations or cancellations must be made through the Housing Bureau in writing.**

## Housing Reservation

(please print or type)

Name: \_\_\_\_\_ Title \_\_\_\_\_  
City or Organization: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Arrival Date: \_\_\_\_\_ Arrival Time: \_\_\_\_\_ Departure Date: \_\_\_\_\_  
Hotel Preference  
First: \_\_\_\_\_ Second: \_\_\_\_\_  
Special Requirements: \_\_\_\_\_

Do you wish to guarantee payment for arrival after 6:00 p.m?  
Yes \_\_\_\_\_ No \_\_\_\_\_  
\_\_\_\_\_ Enclosed is a deposit equal to one night's lodging per room.

## MAKE CHECKS PAYABLE TO HOTEL OF YOUR CHOICE

League of Minnesota Cities  
Housing Bureau  
Hyatt Regency Minneapolis  
1300 Nicollet Mall  
Minneapolis, MN 55403  
Attn: Peggy Honkomp

## Credit Card Preferred

Credit Card Company \_\_\_\_\_  
Card Number \_\_\_\_\_  
Expiration Date \_\_\_\_\_

The LMC Housing Bureau is authorized to use the above card to guarantee my hotel reservations reserved by me. I understand that one night's room will be billed through this card if I fail to show up for my assigned housing on the confirmed date unless I have cancelled my reservations with the hotel prior to 6:00 p.m. on the day of arrival.

\_\_\_\_\_  
Cardholder signature Date

Retain a copy of this form for your records. If you do not receive a confirmation from the hotel within two weeks, contact Peggy Honkomp at 612-370-1234.

# 1989 Annual Conference Registration

Please type or print

Name \_\_\_\_\_ Sex F M  
Nickname for badge \_\_\_\_\_  
Title \_\_\_\_\_  
City or organization \_\_\_\_\_  
Mailing address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Telephone ( ) \_\_\_\_\_

Family members attending (No registration fee BUT DOES NOT INCLUDE MEAL TICKETS. ORDER BELOW)

Spouse full name \_\_\_\_\_ Sex F M  
Child \_\_\_\_\_ Age \_\_\_\_\_  
Child \_\_\_\_\_ Age \_\_\_\_\_

☐ This is my first League of Minnesota Cities Annual Conference.

## FULL CONFERENCE

June 6-9, 1989

Registration includes admission to all sessions and tickets for Wednesday exhibitor's luncheon, Thursday luncheon, Thursday banquet, and Friday coffee and rolls.

## MINI-CONFERENCE

June 8, 1989

Registration includes admission to all Thursday sessions, Mayor's luncheon and coffee. (DOES NOT include the Thursday banquet. Order tickets for the banquet below.

### Early Registration (Postmarked by May 15, 1989)

\$150 Full Conference \$ \_\_\_\_\_  
\$65 Mini-Conference \$ \_\_\_\_\_

### Advance Registration (Postmarked by May 30, 1989)

\$175 Full Conference \$ \_\_\_\_\_  
\$75 Mini-Conference \$ \_\_\_\_\_

### On-Site Registration (at Conference)

\$195 Full Conference \$ \_\_\_\_\_  
\$85 Mini-Conference \$ \_\_\_\_\_

### Extra Meal Tickets

\$15 Wednesday Exhibitor's Lunch \$ \_\_\_\_\_  
\$17 Thursday Mayor's Luncheon \$ \_\_\_\_\_  
\$25 Thursday Banquet \$ \_\_\_\_\_

City contact \_\_\_\_\_ Daytime phone # \_\_\_\_\_  
a.c.

Feel free to duplicate for multiple registrations.

## I. General Information

Every delegate, guest, speaker, media representative, and other attendees MUST REGISTER with this form.

Complete the form in full and return it along with full payment of all appropriate conference registration fee to address indicated.

NOTE: No registration will be processed without payment in full, or without an accompanying city voucher or purchase order.

## II. Conference Registration Deadlines

May 15, 1989: Final postmark deadline for Early Registration.

May 30, 1989: Final postmark deadline for Advance Registration.

## III. Conference Registration Cancellation Policies

Your letter of registration cancellation must be postmarked no later than May 30, 1989 to qualify for a refund of registration fees.

A registration cancellation is subject to a \$10 cancellation fee.

## IV. Special Needs

If you are disabled and require special services, or if you have special dietary needs, please attach a written description.

## V. Registration Confirmation

Pre-registrants will receive a postcard acknowledgement to be presented at the ADVANCE REGISTRATION desk for quick registration.

## VI. For more information

For more information contact: Cathy Dovidio (612) 227-5600.

Make check payable and return with form to League of Minnesota Cities, 183 University Avenue East, St. Paul, MN 55101.

## Preliminary program schedule

### Tuesday, June 6





**Special Kick-Off Program: Opening Night Evening on the Town:**  
Dinner and Entertainment  
6:30 p.m.

### Wednesday, June 7

Welcome/Opening Session: Discovering the Future of Minnesota  
9:00 a.m.-10:15 a.m.

#### Concurrent Sessions I (choose one)

10:30 a.m.-11:45 a.m.

-  Roles/communication--council, commissions and staff
-  Comp worth--how to maintain job evaluation and job salary programs
-  Truth in taxation
-  Development strategies policy committee

#### Exhibitors' lunch





11:45 a.m.-1:15 p.m.

#### General Session

1:15 p.m.-2:15 p.m.





#### Concurrent Sessions II (choose one)

2:30 p.m.-3:30 p.m.

-  Ethics in city government
-  Employee benefits part I trends, responses, legal requirements, cafeteria plans
-  Regional facilities--benefits and problems for host communities
-  General legislation policy committee

#### Concurrent Sessions III (choose one)

3:45 p.m.-4:40 p.m.

-  City management--past, present, and future (sponsored by Minnesota City Management Association)
-  Employee benefits part II city case studies
-  Tax increment financing: uses and abuses
-  Election and ethics policy committee

#### "Wine Down" reception in exhibit area

4:40 p.m.





#### City night renaissance festival

6:30 p.m.

### Thursday, June 8





#### Concurrent Sessions IV (choose one)

9:00 a.m.-10:30 a.m.

-  Strategic or long-range planning
-  Sexual and racial harassment
-  Solid waste (including recycling and household hazardous waste)
-  Revenue sources policy committee

#### Concurrent Sessions V (choose one)

10:45 a.m.-12:15 p.m.

-  Collaborative planning/partnerships
-  Changing values and employee motivation
-  Providing police protection for small cities
-  Legislative update





#### Mayors Association/Mini Conference Luncheon

12:30 p.m.-2:00 p.m.

Terry Goddard, NLC president, mayor, Phoenix, Arizona

#### Concurrent Sessions VI (choose one)

2:15 p.m.-3:30 p.m.

-  Taking leadership to avoid liability (LMCIT)
-  Employee discipline and termination
-  Financial health for small cities
-  Land use, energy, environment, and transportation

#### League Annual Meeting

3:45 p.m.

#### LMC Reception and Banquet

6:30 p.m.

### Friday, June 9





Beverages and Rolls

8:30 a.m.

#### Finale general session

9:30 a.m.

#### Keys

-  Leadership for the future
-  Managing the employee of the future
-  Challenges for the future
-  LMC Legislative track

April 18, 1989

TO: Crystal City Councilmembers  
FROM: Darlene George, City Clerk *D.G.*  
RE: Auctioneer Licenses  
Gregory J. Christian  
Harvey Hazeman

Two auctioneers applied for licenses for auctions to be held before the May 2 Council meeting, both of which came to apply after your preliminary agendas were sent out. I have added them to the list of licenses for your approval this evening. If you have any problem with either of them please indicate so at the time the licenses are approved.

Gregory J. Christian  
139 Hillplace Drive  
Rogers, MN 55374  
Location of Auction: 6800 Bass Lake Rd. *furnishings + equipment*  
(Chee Peng Restaurant)  
Date: April 20, 1989

Harvey Hazeman  
3411 St. Francis Blvd.  
Anoka, MN 55303  
Location of Auction: 6714 Lombardy Lane  
(residence)  
Date: April 23, 1989

In each case the license fee is \$18.25 per day.

cc: Jerry Dulgar, City Manager



17-Apr-89

CITY OF CRYSTAL  
1989 EXPENDITURE REPORT MARCH 1989  
C.ROBBE

NORMAL % =

25.00%

DEPARTMENT	#	BUDGET AMOUNT	PRIOR MONTH YTD EXPENSES	ENCUMBERANCES	CURRENT EXPENDITURES	TOTAL EXPENSES	RATIO	UNENCUMBERED BALANCE
Mayor & Council	10	\$101,800.00	\$40,958.33		\$4,183.33	\$45,141.66	44.3%	\$56,658.34
Administration	11	\$336,977.00	\$48,762.45	\$1,221.43	\$36,156.06	\$84,918.51	25.6%	\$250,837.06
Assessing	12	\$119,640.00	\$11,590.02		\$13,723.24	\$25,313.26	21.2%	\$94,326.74
Finance	13	\$127,050.00	\$11,820.66	\$127.82	\$15,835.84	\$27,656.50	21.9%	\$99,265.68
City Buildings	14	\$156,565.00	\$24,560.99	\$1,076.75	\$16,570.98	\$41,131.97	27.0%	\$114,356.28
Police	15	\$1,708,419.00	\$205,874.69	\$55,568.29	\$194,279.29	\$400,153.98	26.7%	\$1,252,696.73
Fire	16	\$238,277.00	\$14,606.59	\$5,774.69	\$8,973.22	\$23,579.81	12.3%	\$208,922.50
Planning & Inspection	17	\$99,975.00	\$11,183.27	\$20.97	\$12,730.79	\$23,914.06	23.9%	\$76,039.97
Civil Defense	18	\$39,672.00	\$3,381.07		\$3,505.84	\$6,886.91	17.4%	\$32,785.09
Engineering	19	\$222,249.00	\$24,555.62		\$24,228.47	\$48,784.09	22.0%	\$173,464.91
Street	20	\$475,296.00	\$60,405.52	\$4,610.16	\$55,358.48	\$115,764.00	25.3%	\$354,921.84
Park Maintenance	21	\$484,270.00	\$33,031.95	\$7,006.72	\$59,163.66	\$92,195.61	20.5%	\$385,067.67
Recycling	22	\$83,923.00	\$0.00			\$0.00	0.0%	\$83,923.00
Recreation	25	\$477,877.00	\$53,194.19	\$20,771.27	\$37,636.34	\$90,830.53	23.4%	\$366,275.20
Health	26	\$131,697.00	\$15,206.65	\$192.14	\$17,142.48	\$32,349.13	24.7%	\$99,155.73
Civil Service	27	\$10,750.00	\$4,698.04		\$1,598.76	\$6,296.80	58.6%	\$4,453.20
Legal	28	\$110,000.00	\$35,012.86		\$15,322.09	\$50,334.95	45.8%	\$59,665.05
Elections	29	\$19,150.00	\$267.18	\$370.49	\$51.15	\$318.33	3.6%	\$18,461.18
Misc Commissions	30	\$1,925.00	\$0.00		\$320.00	\$320.00	16.6%	\$1,605.00
Swimming Pool	31	\$76,505.00	\$356.43	\$3,105.95	\$507.99	\$864.42	5.2%	\$72,534.63
Non-Departmental	32	\$912,750.00	\$49,506.27		\$86,996.41	\$136,502.68	15.0%	\$776,247.32
Tree Disease	34	\$52,160.00	\$21.15		\$50.00	\$71.15	0.1%	\$52,088.85
TOTALS		\$5,986,927.00	\$648,993.93	\$99,846.68	\$604,334.42	\$1,253,328.35	22.6%	\$4,633,751.97
Recycling Fund #80		\$1,180,725.00	\$12,543.67		\$1,998.80	\$14,542.47	1.2%	\$1,166,182.53
Utility Fund-#81								
Water	23	\$848,955.00	\$26,411.48	\$10,486.55	\$62,145.78	\$88,557.26	11.7%	\$749,911.19
Sewer	24	\$1,120,505.00	\$223,366.76	\$4,484.01	\$89,365.00	\$312,731.76	28.3%	\$803,289.23
TOTALS		\$1,969,460.00	\$0.00	\$14,970.56	\$151,510.78	\$401,289.02	21.1%	\$1,553,200.42

17-Apr-89

CITY OF CRYSTAL  
C.ROBBESUMMARY OF REVENUES AS OF MARCH 31, 1989  
NORMAL PERCENT=

25.00%

GENERAL FUND 01	ESTIMATED REVENUE	PRIOR MONTH YEAR TO DATE	RECEIPTS CURRENT MO	RECEIPTS YEAR TO DATE	PERCENTAGE RECEIVED
ACCT # TAXES					
3011 Current Ad Valorem Taxes	\$2,096,538.00	\$0.00	\$0.00	\$0.00	0.0%
3012 Delinq Ad Valorem Taxes	\$0.00	\$0.00	\$0.00	\$0.00	
3013 Penalties & Interest	\$10,000.00	\$0.00	\$0.00	\$0.00	0.0%
3014 Forfeited Tax Sale	\$0.00	\$0.00	\$0.00	\$0.00	
3015 Prepaid Special Assessments	\$0.00	\$0.00	\$0.00	\$0.00	
Sub Total	\$2,106,538.00	\$0.00	\$0.00	\$0.00	0.0%
LICENSES & PERMITS					
3111 Liquor License On Sale 06/30	\$49,500.00	\$0.00	\$0.00	\$0.00	0.0%
3112 Liquor Licenses Off Sale 06/30	\$1,600.00	(\$16.67)	\$0.00	(\$16.67)	-1.0%
3113 Beer & Tavern Licenses 06/30	\$5,000.00	\$2,792.00	\$0.00	\$2,792.00	55.8%
3114 Club Licenses 06/30	\$2,000.00	\$0.00	\$50.01	\$50.01	2.5%
3115 Garbage & Refuse License 06/30	\$1,600.00	\$0.00	\$0.00	\$0.00	0.0%
3116 Taxi Cab Licenses	\$75.00	\$0.00	\$0.00	\$0.00	0.0%
3117 Music Box-Misc Amusements	\$9,000.00	\$3,822.00	\$0.00	\$3,822.00	42.5%
3118 Food Handling Licenses	\$19,000.00	\$3,972.13	\$130.00	\$4,102.13	21.6%
3119 Gas Pump & Station Licenses	\$1,700.00	\$322.26	\$0.00	\$322.26	19.0%
3121 Bowling Alley Licenses	\$600.00	\$336.00	\$0.00	\$336.00	56.0%
3123 Cigarette Licenses	\$850.00	\$135.00	\$0.00	\$135.00	15.9%
3124 Misc Licenses	\$1,500.00	\$279.82	\$145.00	\$424.82	28.3%
3125 Billboard-Sign Hangers License	\$1,000.00	\$132.00	\$0.00	\$132.00	13.2%
3126 Plumbing-Gas Licenses & Cards	\$5,000.00	\$1,314.00	\$246.75	\$1,560.75	31.2%
3127 Sign Licenses 05/15	\$9,500.00	\$6,777.38	\$442.65	\$7,220.03	76.0%
3128 Tree Trim Licenses	\$600.00	\$55.00	\$165.00	\$220.00	36.7%
3150 Dog Licenses & Impound Fees	\$6,300.00	\$449.00	\$329.50	\$778.50	12.4%
3151 Building Permits	\$60,000.00	\$1,603.10	\$3,592.63	\$5,195.73	8.7%
3153 Plumbing Permits	\$4,000.00	\$448.00	\$233.00	\$681.00	17.0%
3154 Sewer Permits	\$500.00	\$35.00	\$0.00	\$35.00	7.0%
3155 Water Permits	\$700.00	\$72.50	\$0.00	\$72.50	10.4%
3157 Driveway Permits	\$450.00	\$0.00	\$0.00	\$0.00	0.0%
3158 Street Excavation Permits	\$600.00	\$0.00	\$0.00	\$0.00	0.0%
3159 Misc Permits	\$0.00	\$0.00	\$0.00	\$0.00	
3161 Gas Permits	\$3,000.00	\$706.50	\$214.50	\$921.00	30.7%
3162 Burglar Alarm Permits 05/15	\$1,000.00	\$0.00	\$0.00	\$0.00	0.0%
3163 Mechanical Permits	\$10,000.00	\$949.02	\$605.62	\$1,554.64	15.5%
3164 Sign Permits	\$2,800.00	\$472.20	\$112.00	\$584.20	20.9%
3165 Parking Permits	\$0.00	\$0.00	\$0.00	\$0.00	
3166 Restaurant Hoods	\$1,300.00	\$250.00	\$75.00	\$325.00	25.0%
Sub Total	\$199,175.00	\$24,906.24	\$6,341.66	\$31,247.90	15.7%

17-Apr-89

	ESTIMATED REVENUE	PRIOR MONTH YEAR TO DATE	RECEIPTS CURRENT MO	RECEIPTS YEAR TO DATE	PERCENTAGE RECEIVED
STATE SHARED TAXES					
3350 Local Government Aid	\$2,232,614.00	\$0.00	\$0.00	\$0.00	0.0%
3351 State Aid Streets	\$9,206.00	\$113,141.50	\$0.00	\$113,141.50	1229.0%
3352 Machinery Tax Replacements	\$0.00	\$0.00	\$0.00	\$0.00	
Sub Total	\$2,241,820.00	\$113,141.50	\$0.00	\$113,141.50	5.0%
OTHER SERVICES					
3500 Misc Receipts	\$5,000.00	\$279.03	\$423.36	\$702.39	14.0%
3501 NWSCC and CAC	\$3,000.00	\$602.13	(\$472.32)	\$129.81	4.3%
3503 Bicycle License	\$0.00	\$4.00	\$23.00	\$27.00	
3504 Northern Mayors Assn	\$0.00		(\$610.91)		
3511 Spec Rezoning App Charge	\$4,500.00	\$1,024.47	\$450.00	\$413.56	9.2%
3512 Sale of Maps-Documents etc	\$200.00	\$450.00	\$41.60	\$900.00	450.0%
3513 Engineering & Clerical Fees	\$55,000.00	\$56.80	\$0.00	\$98.40	0.2%
3514 Weed Cutting Charges	\$1,500.00	\$0.00	\$0.00	\$0.00	0.0%
3515 Filing Fees	\$0.00	\$0.00	\$0.00	\$0.00	
3516 License Investigations	\$500.00	\$0.00	\$1,755.68	\$0.00	0.0%
3517 Jail & Breathalyzer Tests	\$4,000.00	\$0.00	\$100.00	\$0.00	0.0%
3568 Accident Reports	\$1,500.00	\$276.50	\$164.00	\$440.50	29.4%
3569 Special Assessment Searches	\$6,000.00	\$320.00	\$220.00	\$540.00	9.0%
3570 Sanitarian Costs & Reimburse	\$83,097.00	(\$21,617.77)	\$12,482.77	(\$9,135.00)	-11.0%
3571 Confiscated Funds	\$0.00	\$0.00	\$0.00	\$0.00	
3580 Recreation Program Receipts	\$137,407.00	\$9,922.05	\$9,841.52	\$19,763.57	14.4%
3581 Crystal Facilities Used	\$200.00	\$0.00	\$0.00	\$0.00	0.0%
3582 Non-Budget Account	\$0.00	\$333.00	(\$368.15)	(\$35.15)	
3586 Water Tests	\$500.00	\$0.00	\$0.00	\$0.00	
3587 Swimming Pool Receipts	\$42,490.00	\$0.00	\$0.00	\$0.00	0.0%
3590 Refunds & Reimbursements	\$73,000.00	\$0.00	\$0.00	\$0.00	0.0%
3591 Insurance Refunds	\$25,000.00	\$0.00	\$0.00	\$0.00	
3592 Misc Land & Equip Sales	\$25,000.00	\$0.00	\$0.00	\$0.00	0.0%
3593 Misc Transfers	\$0.00	\$0.00	\$0.00	\$0.00	
3594 Building Sub-Rental	\$0.00	\$0.00	\$0.00	\$0.00	
3595 Waste Oil Revenues	\$1,500.00	\$98.80	\$140.28	\$239.08	15.9%
3596 Leased Properties	\$0.00	\$5,500.00	\$0.00	\$5,500.00	
3599 Interest Earned	\$140,000.00	\$0.00	\$0.00	\$0.00	0.0%
3610 Court Fines	\$230,000.00	\$14,829.50	\$16,169.33	\$30,998.83	13.5%
3611 Alarm Charges	\$0.00	\$65.66	\$0.00	\$65.66	
3612 Alarm Penalties	\$0.00	\$0.50	\$0.00	\$0.50	
3630 Forfeited Bail	\$0.00	\$0.00	\$100.00	\$100.00	
3772 Donations		\$203.60	\$317.49	\$521.09	
Previous Yr Fund Balance	\$600,000.00	\$600,000.00		\$600,000.00	100.0%
Sub Total	\$1,439,394.00	\$612,348.27	\$40,777.65	\$651,270.24	45.2%
TOTAL	\$5,986,927.00	\$1,929,693.14	\$47,119.31	\$795,659.64	13.3%

17-Apr-89

	FUND #80 RECYCLING	ESTIMATED REVENUE	PRIOR MONTH YEAR TO DATE	RECEIPTS CURRENT MO	RECEIPTS YEAR TO DATE	PERCENTAGE RECEIVED
3330	County Grants		\$0.00	\$17,028.01	\$17,028.01	
			\$0.00		\$0.00	
			\$0.00		\$0.00	
			\$0.00		\$0.00	
			\$0.00		\$0.00	
			\$0.00		\$0.00	
			\$0.00		\$0.00	
			\$0.00		\$0.00	
	TOTAL	\$0.00	\$0.00	\$17,028.01	\$17,028.01	
FUND #81 UTILITY FUND						
3500	Miscellaneous Receipts			\$0.00		
3599	Interest Earned			\$0.00		
3739	Misc Income-Water		\$124.30	\$0.00	\$124.30	
3740	Water Sales		\$106,270.14	\$57,320.40	\$163,590.54	
3741	Penalties Earned-Water		\$2,094.81	\$923.20	\$3,018.01	
3742	Sales of Meters-Horns		\$12.30	\$4.77	\$17.07	
3743	Joint Water Comm Reimb		\$2,305.10	\$0.00	\$2,305.10	
3744	Metro Waste Reimburse		\$0.00	\$0.00	\$0.00	
3759	Misc Income-Sewer		(\$628.10)	\$12.00	(\$616.10)	
3760	Sewer Service Revenue		\$157,991.53	\$87,229.81	\$245,221.34	
3761	Penalties Earned-Sewer		\$3,077.77	\$1,447.86	\$4,525.63	
	TOTAL	\$0.00	\$271,247.85	\$146,938.04	\$418,185.89	
FUND #82 STREET LIGHTING						
3764	Street Lighting Revenue	\$102,560.00	\$83,616.59	\$8,222.72	\$91,839.31	89.5%
3765	Penalties Earned	\$2,000.00	\$334.13	\$151.34	\$485.47	24.3%
	TOTAL	\$104,560.00	\$83,950.72	\$8,374.06	\$92,324.78	88.3%



# Property Tax Impact Made Understandable

City, county, and school officials are increasingly concerned about legislative changes in the property tax system. For many years local governments have relied upon property tax to fund a significant portion of the services they provide for their constituents. Recent changes in the tax and aid programs provided to local governments, are placing greater tax burdens on metro area homeowners. Ultimately, these taxpayers must decide whether this trend is acceptable or not. City, county, and school officials are concerned that if this trend continues many taxpayers will be unable to pay these higher taxes.

The following are common questions about the tax dilemma and responses to clarify the situation.

**Q** The Legislature has made a number of changes over the past two years to the state's property tax system. I also understand the Legislature has also changed the formula for aid to schools and cities. What impact will these changes have on the average household?

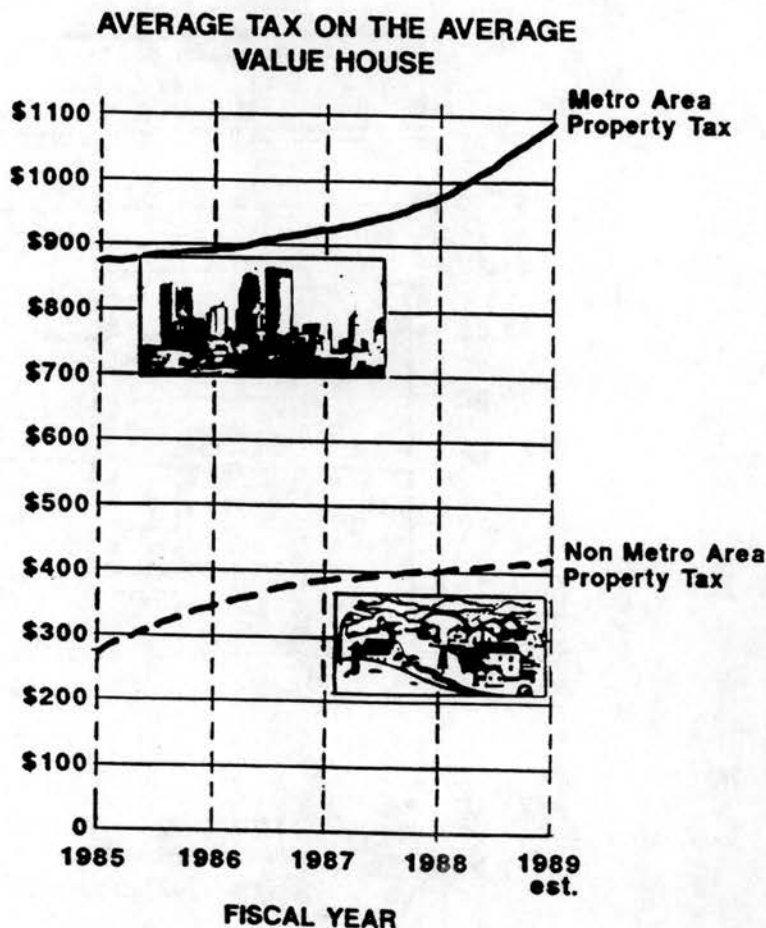
**A** Unfortunately, the combined effect of all the changes made by the Legislature will increase property taxes for most homeowners in the metropolitan area.

**Q** If the state does not spend our local property tax dollars then how can these changes end up costing us more money?

**A** Local governments get most of their money from property taxes and state aid. State aid is a partial return of money generated through state sales and income tax. Sales taxes were initially approved to reduce local property taxes. Most cities and schools in the metro area are receiving less, or at best, only slightly more aids than they have received in past years. Therefore, in order to maintain the same level of services and education, they must raise property taxes to make up for the loss in state aid.

**Q** Let me get this straight. Even though we will be paying more property taxes, we will not necessarily receive proportionally more in services by our city and school district?

**A** No, not if you live in the metro area.



**Q** So, are you saying that if my property taxes increase 10% that my city and school will not receive 10% more in revenue to spend on services?

**A** That's right. Cities and schools frequently must increase taxes to balance the loss of state aids.

**Q** I know I am paying more in income tax, and the cost of goods I am buying is going up, so sales tax revenues must also be increasing. If cities and schools are not receiving this money, where is it going?

**A** A larger percentage of state aid is being sent to non-metro communities, which leaves a smaller percentage within the metropolitan area. In 1986, 64% of state sales and income tax revenue was generated within the metro area, yet we received only 46% back in aid, creating an 18% aid gap. In 1987, this disparity increased about 20%, and 1988 is projected to be even more.

**Q** Why is so much more money going to non-metro communities?

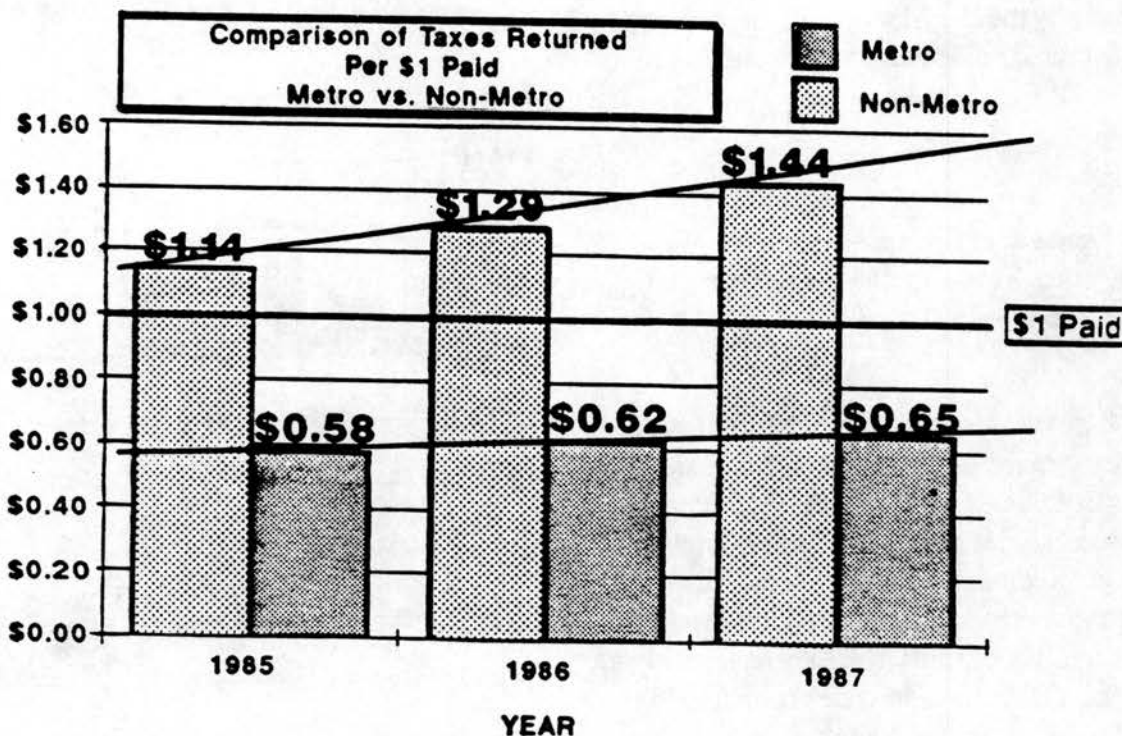
**A** The formula for aid to cities and school districts is largely dependent upon property values. The lower property values in non-metro triggers more aid to cities and school districts there.

**Q** How much of my sales and income tax dollar stays within our metropolitan area?

**A** In 1987, only 65 cents of every dollar stayed within the metro area.

**Q** What can be done to correct this problem?

**A** The Legislature must recognize the need to develop a more equitable tax system. Call or write your legislators.



Prepared by the Association of Metropolitan Municipalities  
183 University Avenue East,  
St. Paul, Minnesota 55101 (612) 227-4008



# Central Scotland Police

Chief Constable's Office,  
Randolphfield,  
Stirling, FK8 2HD.

Ian Oliver, Q.P.M., LL.B., M.Phil, Ph.D.,  
Chief Constable.

Telephone: 0786 73161  
Telex: 777735

5 April 1989

Mrs Betty Herbes  
Mayor of City of Crystal  
4141 Douglas Drive North  
CRYSTAL  
Minnesota 55422  
USA

Dear Betty

Thank you for your letter of 23 March. It was a pleasure for us to meet you and we are grateful to you for your part in making our visit to Minnesota so memorable.

It would be difficult to describe the extent of the friendship, generosity and hospitality that my wife and I and Inspector Lindsay received from so many people and we appreciated that very much.

From a professional point of view, participation in the ELATE programme has been enormously beneficial to us and I hope that you and your colleagues will think that the continuation of the initiative is important to you. As I said on several occasions during the week that we were with you, the value of these exchanges is not readily measured in terms of dollars and cents but rather in the establishment of professional and personal "networks" which should endure.

Our best wishes to you and I hope that we may welcome some visitors from Crystal to Central Scotland.

Yours sincerely

Chief Constable



April 5, 1989

FIRE DEPARTMENT  
ANNUAL REPORT  
1988

In 1988, the Fire Department responded to 367 emergency alarms. This is a decrease of 12 alarms from 1987.

The estimated fire loss for 1988 totaled \$556,100.00 compared to \$246,505.00 in 1987. This is an increase of \$309,595 equaling 44%.

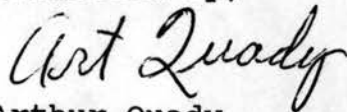
Largest commercial loss: \$70,000 - Dry cleaning plant

Largest single fire loss: \$105,000 - a single family dwelling

Greatest number of responses: 97 - medical emergencies

No deaths from fire in 1988

Submitted by,



Arthur Quady  
Fire Chief/Marshal

jg



April 5, 1989

MONTHLY FIRE LOSS  
1988

MONTH	BUILDINGS	CONTENTS	VEHICLES	MISC.	TOTAL
January			\$1,775		\$1,775
February	\$5,200	\$950			\$6,150
March	\$8,150		\$1,100		\$9,250
April	\$31,350	\$2,850	\$300		\$34,500
May	\$10,500	\$5,000	\$1,300		\$16,800
June	\$60,700	\$18,100	\$3,400		\$82,200
July	\$72,000	\$44,500	\$10,600	\$300	\$127,400
August	\$600		\$225		\$825
September	\$70,600	\$900	\$100		\$71,600
October	\$100,400	\$85,300	\$8,000		\$193,700
November	\$2,600	\$1,500			\$4,100
December	\$5,000		\$2,800		\$7,800
	<u>\$367,100</u>	<u>\$159,100</u>	<u>\$29,600</u>	<u>\$300</u>	<u>\$556,100</u>

jg

April 5, 1989

BREAKDOWN OF FIRE LOSSES  
1988

COMMERCIAL		
a. Buildings	\$44,550	
b. Contents	\$78,650	
	-----	\$123,200
RESIDENTIAL		
a. Buildings	\$252,550	
b. Contents	\$150,450	
	-----	\$403,000
VEHICLES	\$29,600	\$29,600
MISCELLANEOUS	\$300	\$300
		-----
	TOTAL	\$556,100
		=====

jg

April 5, 1989

FIRE CAUSE & LOSS  
1988

RESIDENTIAL	COMMERCIAL	MISC.	CAUSE	LOSS
House			Light Fixture	\$5,500
	Apartment		Smoker	\$650
	Apartment		Water Heater	\$7,500
	Apartment		Clothes Dryer	\$650
Garage			Electrical	\$5,250
House			Arson	\$6,000
Garage			Fireplace Ashes	\$350
	Apartment		Dryer Fire	\$13,600
House			T.V. Set	\$9,000
	Plane Hanger		Wiring	\$15,500
House			Incendiary	\$18,200
House			Grease on Stove	\$10,600
House			Child	\$50,000
	Manufacturing		Vent System	\$5,000
		Satellite	Arson	\$300
House			Electrical	\$105,000
Garage			Elect. Auto	\$4,500
House			Grease on Stove	\$600
	Dry Cleaning		Elect. Motor	\$70,000
House			Children with Light	\$1,500
Garage			Gasoline Leak	\$400
	Apartment		Child with Lighter	\$5,300
House			Plumber Torch	\$80,000
House			Undetermined	\$100,000
House			Fireplace	\$4,000
House			Torch	\$100
	Apartment		Incendiary	\$5,000
Garage			Undetermined	\$2,000
				-----
				\$526,500
Twenty Four (24) Autos and Trucks				\$29,600
Total				-----
				\$556,100
				=====

Yearly Arson Loss

-----  
 1981 - \$46,000  
 1982 - \$638,000  
 1983 - \$68,850  
 1984 - \$400  
 1985 - \$4,250  
 1986 - \$11,450  
 1987 - \$300  
 1988 - \$29,500

Arson Fires

-----  
 1 Satellite  
 2 Houses  
 1 Apt. Building

April 5, 1989

FIRE PREVENTION BUREAU  
ANNUAL REPORT  
1988

The Fire Prevention Bureau is charged with the responsibility of reducing hazards which contribute to the occurrence and spread of fire. The Bureau also administers and enforces the Minnesota Uniform Fire Code and the Crystal City Code. The Fire Marshal supervises one Fire Prevention Bureau Inspector.

While Fire Prevention seeks to reduce fire hazards, Fire Safety seeks to inform and educate citizens of the Community to help guard their own safety from fire--recognizing human failure as a contributing and significant factor in the cause and spread of fire.

This report is broken down into the following two parts:  
Fire Prevention - covering inspections, codes, and enforcement  
Fire Safety - covering public education and special programs

**FIRE PREVENTION**

The following summary details the inspections made of commercial, industrial, and multiple unit occupancies within the City:

Summary of Inspection

Initial Building Inspections . . . . .	215
Re-Inspections . . . . .	75
Other Inspections . . . . .	35
Complaints Requiring Inspections . . .	38
Consultations . . . . .	25



### Inspections by Occupancies

Government . . . . .	3
Day Care Centers . . . . .	5
Institutions . . . . .	2
Churches . . . . .	33
Apartment Buildings . . . . .	14
Office Occupancies . . . . .	56
Retail Stores . . . . .	5
Airport Buildings . . . . .	17
Manufacturing . . . . .	20
Garages and Service Stations . . . . .	36
Restaurants and Bars . . . . .	3
Motels . . . . .	5
Dry Cleaners . . . . .	42
Others . . . . .	56
Consultations . . . . .	

Since 1984, the Fire Prevention Bureau has implemented a hood and vent cleaning inspection in restaurants. These inspections are done at all hours of the day and night and are done after the cleaning is complete. There is a permit fee of \$25.00. In 1988, there were 160 such inspections made.

### Fire Prevention and Inspection

A good working relationship with all units of local Government has been stressed throughout the year. The Building Department and Health Department have continually provided assistance in resolving problems of overlapping jurisdiction and addressing technical problems encountered during Fire Inspections.

Correction orders written during the year were complied with by building owners/managers.

### FIRE SAFETY

Our Fire Safety program is aimed toward reducing the loss of life and property through public awareness of fire hazards within the community. This program is composed of 100% public contact.

During the year, projects were done on apartments to upgrade Fire and Life Safety.

Our yearly Fire Safety Program in 1988 consisted of a display to the schools of a fire truck and its equipment as well as complete Firefighters' turnout gear.

A program by the Fire Cadets was put on for the students. There was a display of equipment, handouts, and a demonstration of "stop, drop, and roll" at McDonalds and the Crystal Shopping Center.

The Fire Cadets attended the day long "Fire Prevention Day" at North Memorial, displaying equipment and helping in demonstrations of "stop, drop, and roll" with Robbinsdale Fire Department.

Fire Station tours are conducted year-round for groups of all ages. This year 175 children and adults were given a short Fire Safety program and an explanation of the Fire Department's services, followed by a guided tour of the Fire Station.

Four fire extinguisher and Safety Seminars were held at Dakota Inc. which supervises handicapped people. Thirteen Crystal employees attended the first seminar. About seventy employees from the Crystal Care Center attended the second seminar. Fifteen employees from U.S. West Communications attended the third seminar. And thirty one Crystal employees attended the fourth seminar..

An awareness program was conducted for our handicapped in Crystal to keep the Fire Department aware of their situation. Handicapped stickers are installed on windows and doors of their homes.

April 5, 1989

ANNUAL FIRE TRAINING REPORT  
1988

The Crystal Fire Department Training Division is charged with the responsibility of outlining, directing, evaluating, and supervising the training activities of the Department.

The training division is staffed with two training officers. One is Deputy Chief Terrence Anderson, who is state licensed, and the other is Captain Bruce Decker. On necessary occasions, other officers are assigned to the training division to assist.

Two apprentice firefighters attended and completed "Firefighter I" training put on by North Hennepin Vo-Tech. The apprentice firefighters attended one day or evening class a week for twenty-four weeks. The apprentice firefighters' training is based on NFPA 1001, professional qualification for firefighters. NFPA 1001 categorizes skills and knowledge of firefighting and lists them in the form of performance objectives. All apprentice firefighters are on a continued training program throughout their one year probationary period.

First Responder and CPR training were given to renew member cards.

There were a total of 2029.9 manhours of training in the Crystal Fire Department in 1988. Subjects covered this past year were the following: Hazardous Material Awareness, Ice Rescue, First Responder and Rescue Tool Operations, Breathing Apparatus, Aerial, Pumping, and Driving. There was a total drop of 376.6 manhours of training from 1987. This was a result of the Fire Department going from a 3-hour training to a 2-hour training session.

Five members took classes in outside training. Two of them took training on Air Crash Fire Rescue. Another took training on Fire Ground Safety. Another took training on Fire Ground Operations, and the last member finished a three year program in Executive Fire Management. They were as follows:

Asst. Chief Greg Antrim	- Air Crash Fire Rescue - State Fire School
Firefighter Len Sodd	- Air Crash Fire Rescue - State Fire School
Captain Bruce Decker	- Fire Ground Safety - State Fire School
Captain Mark Gaulke	- Fire Ground Operations- Vo-Tech School
Deputy Chief Terry Anderson	- Executive Fire Mgmt. - U.S. Fire Academy

The training officers also gave training to 72 firefighters from other departments for a total of 216 manhours.

April 5, 1989

CRYSTAL FIRE CADET PROGRAM  
EXPLORER POST #71  
4141 DOUGLAS DRIVE NORTH  
CRYSTAL, MN 55422

ANNUAL TRAINING REPORT-1988

THE CRYSTAL FIRE CADETS ELECTED OFFICERS FOR 1988 AT THEIR ANNUAL MEETING. FOLLOWING IS A LIST OF OFFICERS ELECTED:

CADET CHIEF	NATE ANTRIM
ASSISTANT CADET CHIEF	BRIAN EBERLING
CAPTAIN/SECRETARY	SHELBY OSBORNE
CAPTAIN/TREASURER	HANS ERICKSON

THE FIRE CADETS ASSISTED IN SEVERAL FIRE PREVENTION PROGRAMS IN 1988, INCLUDING THE FIRE DEPARTMENT OPEN HOUSE AND THE NORTH MEMORIAL OPEN HOUSE. CADETS ALSO PARTICIPATED IN THE CRYSTAL FROLICS, AND IN FIRE PREVENTION AT THE LOCAL SCHOOLS DURING FIRE PREVENTION WEEK. CADETS ANSWERED -- FIRE CALLS DURING 1988 ASSISTING FIRE FIGHTERS IN THE CLEANING OF EQUIPMENT, AND GENERAL "GOPHER" WORK AT WORKING FIRE SCENES.

THE FOLLOWING IS A RECORD OF CADET TRAINING FOR 1988:

MEETINGS	40 HOURS
FIRE PREVENTION	28 HOURS
COMMUNITY SERVICES	14 HOURS
LADDERS	18 HOURS
SEARCH & RESCUE	29 HOURS
SMALL TOOLS	16 HOURS
HOSE LOADS	08 HOURS
FIRE STREAMS	14 HOURS
S.C.B.A.	20 HOURS
FIRE SCIENCE	04 HOURS
FIRE BEHAVIOR	04 HOURS
FIRE EXTINGUISHERS	08 HOURS
CPR	07 HOURS

TOTAL TRAINING HOURS	210 HOURS
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FIRE FIGHTERS SERVING AS ADVISORS FOR THE POST ARE:

GREG ANTRIM	ASSISTANT CHIEF-NORTH STATION
TERRY ANDERSON	DEPUTY CHIEF
RAY HARRISON	NORTH STATION
MIKE DURAND	SOUTH STATION
PAT O'MALLY	SOUTH STATION



April 5, 1989

STAFF OF OFFICERS  
1988

Chief/Fire Marshal . . . . . Art Quady

Assistant Chief

    North Station . . . . . Greg Antrim

    South Station . . . . . Steve Longaecker

Captains

    North Station

        Days . . . . . Randy Eberling

        Nights . . . . . Steve Matis

    South Station

        Days . . . . . Scott Crandall

        Nights . . . . . Mark Gaulke

Deputy Chief Training Officer . . . . . Terry Anderson

Assistant Training Officer . . . . . Bruce Decker

jg

April 5, 1989

ANNUAL REPORT - 1988  
FIRE DEPARTMENT

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL
APARTMENT ALARMS-NON FIRE	3	2	2	3	2	2	3		1	2		2	22
SCHOOL ALARMS-NON FIRE			1					6			2		9
NURSG HOME ALARMS-NON FIRE					1		1	1					3
HOUSES	1	4		3		4	2	2	2	4	2	2	26
SCHOOLS													0
COMMERCIAL BLDGS., NURSG HOMES, APARTMENTS	2	8	2	2	2	4	2	2	4	1		2	31
GRASS, RUBBISH	1	1	2	2	2	13	8	1	1	1	1		33
MUTUAL AID	2	2	2	2		1	10	4	3	1	1	1	29
GARAGES AND SHEDS				2			2			2			6
AUTOS & TRUCKS	3	1	3	1	3	4	2	1	2		1	3	24
FALSE ALARMS					1	1	1	1	2		1	1	8
SMOKE SCARE	1		1	2	2	3	1	4	1	4	2	5	26
MISC: DRYER, GAS SPILL, FURNACE MOTOR, STORM	1	1	2	1	5	2	2	1	1	2		5	23
ASSIST POLICE DEPT.			2	2				2	2	2	1		11
BOMB SCARE		1		1									2
MEDICAL EMERGENCY	2	5	12	10	9	6	13	6	9	5	10	10	97
AIRPORT EMERGENCY				2	1	2	1				1		7
STAND-BY EMERGENCY													0
NORTH MEMORIAL	1	1				2	1					1	6
TOTALS	17	26	29	33	28	44	49	31	28	24	22	32	363
TOTAL LOSS	\$ 1,775	6,150	9,250	34,500	16,800	82,200	127,400	825	71,600	193,700	4,100	7,800	=====

jg

YEARLY TOTAL LOSS \$556,100

# Twin West\*

## CHAMBER OF COMMERCE

Woodside Office Park 10550 Wayzata Boulevard  
Minnetonka, Minnesota 55343 (612) 540-0234

April 3, 1989

Mr. Jerry Dulgar  
City of Crystal  
4141 Douglas Drive  
Crystal, MN 55422

Dear Jerry,

Thank you for your payment of your Chamber investment. As a member of TwinWest, you are not only a part of the third largest local chamber in Minnesota, but more importantly, you are involved in one of the most innovative and exciting chambers in the state.

TwinWest's Office Showcase, Women's Network Seminar, Legislative Breakfast Series and record-setting membership blitz are just a few examples of programs that make TwinWest stand out above the rest. As we grow, we continue to show leadership in transportation, education, small business and city government issues.

TwinWest would not be successful without you. Innovative programs would not be possible without volunteer involvement and financial support. Thanks to you, TwinWest is continuing to grow---we have exceeded 1400 member businesses and continue to expand our programming (including two new committees this year, Hospitality and Leadership).

On behalf of the Board of Directors and staff, I thank you for your support. We are working hard to ensure that your TwinWest Chamber membership continues to be a sound business investment.

Sincerely,

David C. Olson  
President

DCO:ma

*Thanks for your support Jerry*



DATE: April 12, 1989  
TO: City of Crystal Councilmembers  
FROM: Jerry Dulgar, City Manager  
RE: Advisory Commissions

*JD*

*Council -  
Info*

Staff has reviewed advisory commission procedures for the City as directed by Council at a previous work session.

Attendance at regular meetings is covered in the bylaws of each commission and in each case addresses a recommendation of the commission be given to the City Council for dismissal of a member if 3 or more consecutive meetings are missed in a 12 month period. The Planning Commission will be reviewing its belaws in the next few weeks.

Notification of openings on various commissions will be accomplished consistent with City Code. This has not been done in its entirety in previous years. Each commission member wishing to be reappointed for another term will be required to submit an application, the positions available will be advertised, and all applications submitted will be considered by the City Council when filling vacancies.

A copy of the City Code, Sections 305.01 through 305.51 is attached for your information.

cc: All staff liaisons  
to Advisory Commissions



Section 305 - Administrative Code; Boards and Commissions

305.01. Charter Authority. Section 2.02 of the Charter of the City of Crystal authorizes the City Council to create such advisory boards and commissions as it deems necessary. The boards and commissions set forth in this Section are created pursuant to that authority and pursuant to applicable state law. (Amended Ord. No. 76.2, Sec. 1)

305.03. Advisory Nature. Except as otherwise provided by law or charter, the boards and commissions created by this Section are advisory to the Council, and to the City Manager, in all matters pertinent to the duties of the Council and the Manager, but the boards and commissions have no other official status or independent authority. All such boards and commissions are referred to in this Section as "Advisory Commissions." (Amended Ord. No. 76.2, Sec. 2)

305.05. Compensation. Unless otherwise provided by law or charter, members of advisory commissions serve without compensation, but they may be reimbursed for actual and necessary expenses if funds for that purpose are identified in the adopted City budget. (Amended Ord. No. 76.2, Sec. 3)

305.06-.43. (Repealed, Ord. No. 76.2, Sec. 3)

305.45. Membership and Terms of Office. Subdivision 1. Eligibility. Members of Advisory Commissions must be residents of the City. Except as otherwise expressly provided in this Section, a person serving on an advisory commission may apply for and be appointed to another advisory commission, but on the effective date of the appointment to the second commission, the office of the member on the first commission is vacant. (Amended, Ord. No. 76.4, Sec. 1; Ord. No. 86-17, Sec. 1)

Subd. 2. Terms. Members of the advisory commissions are appointed for a term of three years. (Amended, Ord. No. 86-17, Sec. 1)

Terms of members commence on January 1 of the year in which they are appointed and continue until a successor is appointed and qualified. (Amended, Ord. No. 77-1, Sec. 1; Ord. No. 85-17, Sec. 1; Ord. No. 86-17, Sec. 1)

Subd. 3. (Repealed, Ord. No. 77-1, Sec. 3)

305.47. Appointment, Application, Reappointment, Notification. Subdivision 1. Appointment. Members of advisory commissions are appointed by the City Council.

Subd. 2. Applications. Applications for appointment to an advisory commission shall be submitted in writing to the City Manager, who shall arrange for the applicant's appearance before the City Council if a vacancy on that particular commission is to be filled. The City Manager shall forward a copy of all applications to the Chairperson of the respective commission.

Subd. 3. Reappointment. A member of an advisory commission desiring reappointment upon expiration of his or her term shall notify the City Council of such intention at least 30 days prior to the expiration date of such term.

Subd. 4. Notification. The City Council shall cause to be publicized in the official newspaper and by posting in the City Hall lobby a verification of all vacancies and impending expiration of terms of members of various advisory commissions together with an invitation to interested citizens to apply for appointment. The notice shall be published no less than once each month as long as a vacancy on any advisory commission exists. The Council shall not make such appointments until at least one week has elapsed from the date of the initial publication and posting. (Ord. No. 76.2, Sec. 4)

305.49. Terms; Limitations. Subdivision 1. Basic Rule. A person may not be appointed to an advisory commission for more than four full consecutive terms. (Amended, Ord. No. 86-17, Sec. 2)

Subd. 2. Exception; Reappointment. When the terms of two or more advisory commission members expire on the same date, and those members may not be reappointed because of the provision of subdivision 1, the member with the longest continuous service on the commission may not be reappointed, but the other member or members may be reappointed once notwithstanding the provisions of Subdivision 1.

Subd. 3. Chairperson. A person may not serve as chairperson of an advisory commission for a period of more than six consecutive years. (Added, Ord. 86-17, Sec. 2)

305.50. Meetings. Subdivision 1. Regular Meetings. Meetings of advisory commissions shall be held at such date, time and places as are set forth in their respective by-laws, and they shall meet as necessary to fulfill the objectives of the board or commission. The procedure at meetings shall be governed by the by-laws of the board or commission and Robert's Rules of Order, Revised.

Subd. 2. Open Meetings. All meetings of advisory commissions are open to the public. Dates, time and place of meetings shall be published quarterly each calendar year in the official newspaper and in such other publications as the board or commission may direct. Notice of regular and special meetings of advisory commissions shall be posted in a prominent place at the Crystal City Hall. (Ord. No. 76.2, Sec. 4)

305.51. Attendance, Vacancies, Resignations, Removal from Office. Subdivision 1. Attendance. Members of the advisory commissions are expected to faithfully participate in the meetings or other activities of the commission to which they have been appointed.

Subd. 2. Vacancies. Vacancies in the advisory commissions are filled by the City Council for the remainder of the unexpired term.

Subd. 3. Removal from Office. Commission members may be removed from office by a majority vote of the City Council. (Ord. No. 76.2, Sec. 4)

305.53. Organization, By-Laws. Subdivision 1. Organization. Within 30 days after the effective date of this Section or within 30 days after the first appointment of its members, such advisory commission shall meet for the purpose of adopting by-laws for the conduct of its affairs.

Subd. 2. By-Laws. Commission by-laws shall provide for the election from its membership of a Chairperson, Vice-Chairperson, Secretary, Recorder, and such other officers as it shall deem necessary. The by-laws shall specify the month of the election of officers, term of office, duties of the officers, composition of task forces and committees, date and time of meetings, number of members to constitute a quorum, the order of business, attendance requirements, and other matters necessary for the conduct of the business of the advisory commissions. The by-laws of each commission shall not be effective until approved by the City Council. The advisory commissions shall endeavor to adopt uniform by-laws.

Subd. 3. Recorder. The commission recorder shall be appointed by the Chairperson; provided however, that the City Manager may assign members of the City administrative staff to serve as recorder to a commission as deemed necessary. The recorder shall perform the clerical duties of the commission. (Ord. No. 76.2, Sec. 4)

305.55. Minutes, Reports, Liaison. Subdivision 1. Minutes. The proceedings of advisory commission meetings shall be recorded in minute form and shall be transmitted to the City Clerk, who shall furnish copies to each member of the Commission, the Mayor and City Council members. A commission may make copies of its minutes available to other advisory commissions and individuals as it deems necessary. The commission shall keep a record of all resolutions, transactions, and findings. These records and minutes shall be public records.

ROSENTHAL, RONDONI, MACMILLAN & JOYNER, LTD.

ATTORNEYS AT LAW

SUITE 120

7600 BASS LAKE ROAD

MINNEAPOLIS, MINNESOTA 55428-3891

April 7, 1989

TELEPHONE

533-4938

AREA CODE 612

PAUL W. ROSENTHAL  
FRANCIS J. RONDONI  
PETER A. MACMILLAN  
JAY A. H. JOYNER  
LISA A. SKOOG

Chief James Mossey  
Crystal Police Department  
4141 Douglas Drive  
Crystal, Minnesota 55422

Re: Prosecution Statistics

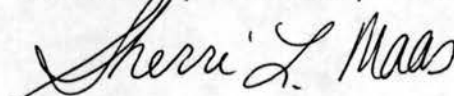
Dear Chief Mossey:

Enclosed is the quarterly report for January 1, 1989 - March 31, 1989 which gives a statistical breakdown of those arrests which have been processed to final dispositions during this period.

We hope this information may be of interest and use to you.

Sincerely,

ROSENTHAL, RONDONI, MacMILLAN & JOYNER, LTD.



Sherri L. Maas  
Crystal Prosecution Secretary

SLM

Enclosure

cc: Jerry Dulgar - City Manager



CITY OF CRYSTAL  
VIOLATION STATISTICS  
OF FINAL DISPOSITIONS

Drinking and Driving

1.	<u>19</u>	Gross Misdemeanor driving while intoxicated
2.	<u>14</u>	Aggravated driving violation - Gross Misdemeanor
3.	<u>31</u>	Driving while intoxicated
4.	<u>41</u>	Blood alcohol content over .10
5.	<u>2</u>	Open Bottle

Other Driving Violations

6.	<u>      </u>	Failure to Display Plates
7.	<u>      </u>	Unreasonable acceleration
8.	<u>1</u>	Reckless driving
9.	<u>1</u>	Careless driving
10.	<u>16</u>	Speeding
11.	<u>6</u>	Semaphore, stop sign and signals
12.	<u>1</u>	Leaving the scene of a property damage accident
13.	<u>5</u>	No insurance
14.	<u>1</u>	Leaving the scene of a personal injury accident
15.	<u>2</u>	Miscellaneous

Driver's License and License Plates

16.	<u>12</u>	Driving after revocation
17.	<u>9</u>	Driving after suspension
18.	<u>      </u>	Driving after cancellation
19.	<u>4</u>	No valid license (and no Minnesota license)
20.	<u>1</u>	Use of another's license
21.	<u>3</u>	False identification
22.	<u>      </u>	Expired Plates
23.	<u>2</u>	Failure to display registration
24.	<u>1</u>	Miscellaneous

Crimes Against a Person

25.	<u>      </u>	Sexual Assault
26.	<u>      </u>	Robbery
27.	<u>6</u>	Disorderly Conduct
28.	<u>15</u>	Assault (Misdemeanor)
29.	<u>6</u>	Domestic Abuse
30.	<u>2</u>	Violating restraining order
31.	<u>1</u>	Harrassing phone calls
32.	<u>      </u>	Interference with privacy
33.	<u>      </u>	Noise ordinance
34.	<u>      </u>	Obstruct legal process
35.	<u>      </u>	Falsely reporting a crime
36.	<u>      </u>	Indecent Exposure
37.	<u>1</u>	Child Abuse
38.	<u>1</u>	Assault (Gross Misdemeanor)
39.	<u>      </u>	Miscellaneous

### Crime Against Property

40.	<u>16</u>	Issuance of worthless check
41.	<u>9</u>	Shoplifting
42.	<u>12</u>	Theft
43.	<u>1</u>	Trespassing
44.	<u>      </u>	Aid and abet a theft
45.	<u>3</u>	Damage to property
46.	<u>      </u>	Forgery
47.	<u>      </u>	Burglary
48.	<u>1</u>	Miscellaneous

### Dogs

49.	<u>      </u>	No dog license
50.	<u>      </u>	Dog at large (and loose dog)
51.	<u>1</u>	Barking dog
52.	<u>      </u>	No Kennel license

### Parking

53.	<u>1</u>	No handicap permit
54.	<u>1</u>	No parking from 3-6 a.m.
55.	<u>2</u>	Other parking violations

### Prohibited Substances (Drugs)

56.	<u>3</u>	P.C. Narcotics
57.	<u>3</u>	Possession of drugs/marijuana
58.	<u>1</u>	Possession of drug paraphernalia

### Property Maintenance

59.	<u>1</u>	Storage of inoperable vehicle
60.	<u>1</u>	Failure to remove refuse
61.	<u>      </u>	Truck storage in residential area
62.	<u>      </u>	Failure to obey fire department orders
63.	<u>      </u>	Miscellaneous

### Other Miscellaneous Offenses

64.	<u>      </u>	Failure to stop and give information
65.	<u>      </u>	Drinking beer in park
66.	<u>      </u>	Possession of Gambling paraphernalia
67.	<u>      </u>	Defrauding an innkeeper
68.	<u>1</u>	Prostitution
69.	<u>2</u>	Working without license and permit
70.	<u>1</u>	Resisting Arrest
71.	<u>2</u>	Fail to maintain property food temperature
72.	<u>1</u>	Minor attempt to purchase liquor
73.	<u>1</u>	Sale of alcohol to minor

TOTAL     268

In creating this summary we have, in those arrests involving more than one charge, counted only the most, or one of the most, serious charges.



4141 Douglas Drive North • Crystal, MN 55422-1696 • 537-8421

April 11, 1989

Ann Rest  
429 State Office Building  
St. Paul, Minnesota 55155

Dear Representative Rest:

As Mayor of Crystal I wish to convey my opposition to HF 1335 and 1341 dealing with changing the current Tax Increment Financing (TIF) Law.

It is the City officials and professional staff who have taken the leadership role in redevelopment and encouraging economic development in our community. We depend upon a stable environment in terms of laws and regulations in order to carry out this responsibility.

Redevelopment and economic development does not just happen! Nor does it occur in a vacuum! It's the result of hard, competitive work.

It seems every year the issue of TIF is brought up as a "straw horse" at the legislature. This gets to be a bit disconcerting and makes our effort more difficult.

The City of Crystal is absolutely committed to carry out "legislative intent" when using TIF as an economic development or redevelopment tool.

I have written to you in the past asking you for support in not changing the current TIF Law. Once again I ask that you reconsider your position. We look to your leadership and ask for your thoughtful support in retaining the current TIF Law.

If you cannot agree with our point of view -- that is, that HF 1335 and 1341 are in conflict with our City's best interest for redevelopment and economic development -- at least give us the opportunity to deal with the issue during the calm of an interim session.

Sincerely,

*Betty Herbes*

Betty Herbes

cc: Northern Mayors' Association  
City Councilmembers  
City Mayors

Betty Herbes  
Mayor

John G. Moravec  
Councilmember  
Section I

Pauline Langsdorf  
Councilmember  
Ward 1

Adrian Rygg  
Councilmember  
Ward 2

R. L. Smothers  
Councilmember  
Section II

Elmer Q. Carlson  
Councilmember  
Ward 3

Garry A. Grimes  
Councilmember  
Ward 4

Jerry Dulgar  
City Manager

LeFevere  
Lefler  
Kennedy  
O'Brien &  
Drawz

a Professional  
Association

2000 First Bank Place West  
Minneapolis  
Minnesota 55402

Telephone (612) 333-0543  
Telecopier (612) 333-0540

J. Dennis O'Brien  
John E. Drawz  
David J. Kennedy  
Joseph E. Hamilton  
John B. Dean  
Glenn E. Purdue  
Richard J. Schieffer  
Charles L. LeFevere  
James J. Thomson, Jr.  
Thomas R. Galt  
Steven B. Schmidt  
John G. Kressel  
James M. Strommen  
Ronald H. Batty  
William P. Jordan  
William R. Skallerud  
Corrine A. Heine  
David D. Beaudoin  
Steven M. Tallen  
Mary Frances Skala  
Leslie M. Altman  
Timothy J. Pawlenty  
Rolf A. Sponheim  
Julie A. Bergh  
Darcy L. Hitesman  
David C. Roland  
Karen A. Chamerlik  
Paul D. Baertschi  
Arden Fritz

Clayton L. LeFevere, Retired  
Herbert P. Lefler, Retired

April 11, 1989

Mr. Jerry Dulgar  
City Manager  
City of Crystal  
4141 Douglas Drive North  
Crystal, Minnesota 55422

Dear Jerry:

In the packet for the Council's April 4, 1989 meeting there was a listing of payments made to our firm for legal services in 1988. Based on our billings the gross figure is about right (except that our retainer payments of \$12,000 seem not to be included), but the categories presented (City, HRA, other) are not correct. Also, there is no indication of the various purposes for the fees, no identification of the extraordinary costs of the Tradewell matter, nor any indication as to which portion of the fees are reimbursable to the City and the HRA from other sources.

I'm enclosing a tabulation from our billing department showing total fees and fees classified by the various matters for which they were charged. I think that the following additional information is important.

1. The costs of the Tradewell litigation were \$36,069.52, an extraordinary and (hopefully) non-recurring expense.
2. At least 50% and as much as 80% of the \$3,351.50 Recycling Project costs are reimbursable from Hennepin County.
3. The Ashland Oil matter (\$760) and the Norling Lease matter (\$1,234) are reimbursable from those companies.
4. The Woodlake Sanitary Sewer case (\$705) costs are paid by the Hennepin Recycling Group. Crystal's share is one-third.
5. 4500 Adair costs are paid from Community Development Block Grant (CDBG) funds.



Mr. Jerry Dulgar.  
April 11, 1989  
Page 2

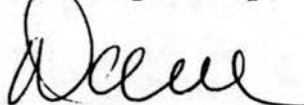
6. Matters 5844, 1440, 6162, and 5462 under the HRA section are paid from CDBG funds.
7. The actual costs for retainer services (RRR) for 1988 was \$10,618.50. This is determined from time recorded for those services (Council meetings, routine staff matters, ordinance drafting, etc.). Thus, the compensation to us under that item in 1988 is slightly higher than our hourly \$75 rate for 1988. In other years the reverse has some times been the case, and thus far in 1989, our hourly rate under the retainer has been somewhat below the present \$85/hour rate.

I should note, too, that our fees for services on the Calibre Chase Housing Bonds (\$2,641.80) were billed directly to the Developer.

If the reimbursable items and the Tradewell matter are deducted from the grand total our total 1988 fees payable by the City, the HRA and the Charter Commission were approximately \$62,000. The comparable total for the 1987 fiscal year was \$69,000.

I hope this information is useful to you and the Council, and I ask you to share it with the Council. It may sound a bit self-serving, but I must say that I believe the City receives comprehensive legal services of the highest quality from our firm at relatively low rates that are comparable to those paid by other municipalities. I sense, too, that you and your staff are pleased with the quality of our work and our responsiveness to your needs, and I hope the Council feels the same. For my part I want you and the Council to know how personally and professionally rewarding it has been for me to serve as Crystal City Attorney for the past fifteen years, and I look forward to working with the City in the years to come.

Yours very truly,



David J. Kennedy

DJK:caw

0011LT02.F16

To: DJK  
From: Billing Department  
Date: April 7, 1989

RE: City of Crystal

Matter Number	Matter Name	Total Invoiced for 1988
------------------	----------------	----------------------------

4227	169 and 10	\$8,700.40
6046	Ashland Oil-Sale of Land	\$760.00
1609	Civil Service Commission	\$337.50
2815	Code Enforcement - Gen.	\$29.50
A506	Codification	\$1,321.00
5946	Douglas Drive Subdivision (3836)	\$687.70
5735	Downtown Rezoning	\$15.00
5650	Forest School Lease	\$682.50
5574	Fraser Water Damage Claim	\$30.00
A3X1	General	\$2,148.22
5949	General Labor	\$187.50
3477	Green vs.	\$3,453.38
4608	Hickey vs.	\$75.00
5734	Homedale Development	\$2,502.69
5901	Kettner, Michael-Unemploy. Comp.	\$1,521.65
1331	Knaeble Discharge	\$84.00
5437	K-C Lease	\$532.50
6132	Labor Grievance Arbitration	\$241.25
6013	Lester vs.	\$2,259.00
5698	Lock-up Problem	\$950.40
6077	Norling Motors Lease	\$1,234.30
5688	Park Dedication Ordinance	\$1,028.55
6083	Planning Study	\$799.05
5321	Pletan vs.	\$337.50
5377	Promotion and Testing Procedure	\$227.50
5845	Property Purchase 29th Ave. N.	\$966.60
5378	Recycling Project	\$3,351.50
RRR	Retainer	\$12,000.00
4725	Sexual Discrimination Policy	\$52.50
4494	Streetscape and Condemnation	\$540.23
5441	Thorsen School	\$166.80
5283	Title Regis. - 4500 Adair Ave.	\$180.00
3819	Tradewell Pregnancy	\$36,069.52
5866	Woodlake Sanitary Service vs.	\$705.00

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Total \$84,178.24

Crystal Charter Commission General Services	\$7,116.64
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Crystal HRA

2651 Center Project HRA Redevelop.	\$9.00
1386 Downtown Redevelop. Gen.	\$93.55
2707 Elderly Housing Proposal	\$4,594.54
A3X17 HRA General	\$2,346.18
5381 Kraus-Anderson TIF Project	\$835.75
2765 Multi-Family Project	\$912.00
5844 Property Sale 3541 Lee Ave.	\$1,389.65
1440 Purchase of 3432 Lee Ave.	\$75.00
6162 Purchase of 4500 Adair	\$371.25
6091 Redevelopment Expansion	\$437.50
5462 Scattered Site Acquis. Program	\$713.75

Total	\$11,778.17
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Total of City and HRA	\$103,073.05
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# Mn/DOT News



Date: April 4, 1989

To be Released: Immediately

## RAMP FROM EAST RIVER ROAD TO EASTBOUND I-694 TO CLOSE APRIL 10

On April 10 the Minnesota Department of Transportation will close the ramp from East River Road to eastbound I-694. The ramp provides access to eastbound I-694 from northbound and southbound East River Road.

A signed alternate route will direct traffic north on East River Road to Mississippi Street and then east on Mississippi Street to Central Avenue. Motorists should travel south on Central Avenue to I-694, where eastbound access is possible.

The ramp will be closed for 8 to 10 weeks to pave the eastbound lanes of I-694 and to repair the ramp. The loop from eastbound I-694 to East River Road will remain open for the duration of the project. About 97,000 motorists travel on I-694 in this area each day, while East River Road carries 29,000.

I-694 has the second highest accident rate for Twin Cities highways. The Department of Transportation would like to remind motorists to use extra caution while driving through construction zones. Careful observation of cones, posted speed limits and other signs will help keep both construction workers and motorists safe.

# # #

For more information contact:

Marsha Storck  
Public Affairs  
593-8432

Dave Miller  
Resident Engineer  
493-5166

Tom Ravn  
Project Manager  
493-5166



NOTICE is hereby given that there will be a Public Hearing of the Planning Commission of the City of Robbinsdale in the Council Chambers, Robbinsdale City Hall, 4221 Lake Road, on Thursday, April 20, 1989, at 7:00 p.m. for the purpose of: Consideration of Conditional Use Permit (C89-3) per Section 31-404.4.E.3 of the Robbinsdale Zoning Ordinance requested by Dr. Carroll Vomhoff of I.S.D. #281 to allow leasing part of the senior high building to "for profit" organizations of up to 4,000 sq. ft. per organization on part of the west 165' of the east 825' of SW 1/4 SW 1/4 Section 6-29-24 the same being 3730 Toledo Avenue No. (Senior High) [This item was tabled at the March 16th meeting.]

Any and all persons desiring to be heard shall be given an opportunity at the above stated time and place. If you have any questions, contact Bill Deblon or Marcia Glick at 537-4534.

JEAN HOSTERMAN, CHAIR  
PLANNING COMMISSION



4141 Douglas Drive North • Crystal, MN 55422-1696 • 537-8421

ADMINISTRATIVE OFFICE

May 1, 1989

Dear Resident:

The Crystal City Council and staff are happy to announce that a new weekly curbside recycling service will begin June 5 to make recycling more convenient. We would also like to thank you for helping the City recycle 3% of its residential waste stream in 1988 by participating in our many drop-off programs.

The City is confident that the new curbside service will encourage more recycling so that we can meet the Hennepin County Mandate to recycle 10% of the residential waste stream this year. The County will reimburse up to 80% of program costs, depending on how much we recycle. With everyone participating, local costs to operate the program can be kept to a minimum.

As you may be aware, the City planned to organize a combined garbage/recycling collection system last fall. However, on June 30, 1988 the City was sued by one of the garbage haulers, and placed under a Temporary Restraining Order. This case is still in the courts, so the City is unable to offer comprehensive, organized refuse/recycling collection at this time. We will continue to pursue this option when the lawsuit is settled with the intent of providing same day collection of recyclables and garbage. We will also then be able to give residents who recycle a discount on their garbage fees.

In order to keep costs as low as possible, the City has joined forces with two other neighboring cities, New Hope and Brooklyn Center, to form the Hennepin Recycling Group (HRG). The cost of the weekly collection service will be \$1.05 per month per household. This charge will appear as a line item on your regular City water/sewer bill. A one time charge of \$3.60 for the recycling container will be billed over a 10-month period (\$.36 per month). You will be receiving additional information regarding the details of the program in about two weeks. Also keep watch for the recycling container which will be delivered to your curb in approximately three weeks.

We are excited about this new service and look forward to seeing your recycling container at the curb for pickup the first week in June. Until then, we encourage all residents to continue using our recycling drop-offs.

Sincerely,

Jerry Dulgar  
City Manager

*Darlene*

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DUE DATE: NOON, WEDNESDAY, April 12, 1989

MEMO TO: Jerry Dulgar, City Manager

MEMO FROM: John A. Olson, Assistant City Manager

ACTION NEEDED MEMO: From the April 4, 1989 Council Meeting

The items listed below are the actions requested by the City Council at their regular Council meeting of April 4, 1989. These items should be taken care of by noon, Wednesday, preceding the next regularly scheduled Council meeting and returned to the Assistant City Manager for his review.

DEPARTMENT      ITEM

CONSENT AGENDA

BUILDING  
DEPARTMENT

1. Consideration of waiver of fee on a temporary sign permit for an open house for the Crystal Fire Fighters Relief Association on May 20.

ACTION NEEDED: Issue temporary sign permit and waive fee.

ACTION TAKEN: Permit issued.

CITY CLERK

2. Consideration of a charitable gambling application to hold a raffle at the John T. Irving Fire Station on May 20, 1989, as submitted by Crystal Fire Fighters Relief Association.

ACTION NEEDED: Issue license.

ACTION TAKEN: Crystal Fire Fighter's Relief Association notified of Council approval. We do not issue a license. State to be notified if Council denies.

POLICE  
DEPARTMENT

3. Consideration of a request to hold its Annual Bicycle Auction on April 22 at the Crystal City Garage.

ACTION NEEDED: Proceed as authorized by Council.

ACTION TAKEN: Proceeding with Bicycle Auction.

## CITY CLERK

4. Consideration of a solicitor's permit from NE/NW Y.M.C.A. to collect non-perishable food items door-to-door on April 28.  
ACTION NEEDED: Notify Y.M.C.A. of Council approval of permit.  
ACTION TAKEN: Y.M.C.A. notified 4-6-89 by telephone.

HEALTH  
DEPARTMENT

5. Consideration of a request for food establishment license for concession stand from the Crystal Little League.  
ACTION NEEDED: Notify applicant of Council approval and waiver of fee.  
ACTION TAKEN: License typed and mailed 4-5-89. Inspection to be made on day stand opens.

## CITY CLERK

6. Consideration of a solicitor's permit from Greenpeace Action to solicit donations door-to-door April 5 thru 30.  
ACTION NEEDED: Notify applicant of Council approval.  
ACTION TAKEN: Applicant notified 4-6-89 (on recorder).

## CITY CLERK

7. Consideration of a one-day off-site lawful gambling application from the Lions Club on July 29.  
ACTION NEEDED: Notify applicant of Council approval.  
ACTION TAKEN: Notified; application forwarded to the State Gaming Division on 4-5-89.



## CITY CLERK

8. Consideration of a charitable gambling license renewal for V.F.W. Post #494.  
ACTION NEEDED: Notify applicant of Council approval.  
ACTION TAKEN: Applicant need not be notified unless Council objects to the renewal. The City has 60 days to notify the State Gaming Division if Council denies the license.

PUBLIC WORKS  
DIRECTOR

9. Consideration of curb and gutter improvement project on Brunswick Avenue between 46th and 47th Avenues.  
ACTION NEEDED: Send notices of public hearing for May 2.  
ACTION TAKEN: Advertisement and mailing in process.

PUBLIC WORKS  
DIRECTOR

10. Consideration of setting a public hearing for an improvement to pave an alley east of Welcome between 38th and 39th.  
ACTION NEEDED: Publicize public hearing.  
ACTION TAKEN: Advertisement and mailing in process.

PUBLIC HEARINGSPUBLIC WORKS  
DIRECTOR

1. Public hearing to consider the preliminary design of the Northwest Corridor of Light Rail Transit.  
ACTION NEEDED: Prepare resolution for approval with conditions.  
ACTION TAKEN: Resolution being prepared.

REGULAR AGENDA

## CITY MANAGER

1. Consideration of the application of John C. Luzaich, 5724 Nevada Avenue North, for an appointment to the Human Relations Commission.  
ACTION NEEDED: Notify applicant of Council appointment.  
ACTION TAKEN: Letter sent 4-6-89.

## CITY CLERK

2. Consideration of an appointment from the Environmental Quality Commission to the Long-Range Planning Commission.  
ACTION NEEDED: Notify Diane Christopher of appointment and note appointment on Commission roster.  
ACTION TAKEN: Noted on roster and letter sent to appointee 4-6-89.

CITY MANAGER &  
PARK & RECREATION  
DIRECTOR

3. Consideration of the request from Crystal Little League for change in construction schedule of Community Center.  
ACTION NEEDED: Discuss any changes in construction schedule and the possible use of Welcome Park fields.  
ACTION TAKEN: Discussion held at Park Commission meeting; looking into use of Welcome Park.

ADMINISTRATIVE  
SECRETARY

4. Consideration of the First Reading of an Ordinance Amendment deleting public involvement requirements and increasing the minimum density for elderly housing.  
ACTION NEEDED: Place Second Reading on April 18 Council Agenda.  
ACTION TAKEN: Second Reading placed on April 18 Council Agenda.

RECYCLING  
COORDINATOR

5. Consideration of Second Reading of an Ordinance concerning recycling.  
ACTION NEEDED: Ordinance approved, proceed as authorized for curbside recycling.  
ACTION TAKEN: Proceeding to implement recycling.

CITY CLERK

ACTION NEEDED: Publish Ordinance  
ACTION TAKEN: Sent for publishing 4-5-89.

ADMINISTRATIVE  
SECRETARY

6. Consideration of First Reading of an Ordinance regarding refuse hauling districts.  
ACTION NEEDED: Place Second Reading on April 18 Council Agenda.  
ACTION TAKEN: Second Reading placed on April 18 Council Agenda.

CITY MANAGER

7. Consideration of removal of James Darmer and Judy Rice from the Human Relations Commission due to poor attendance.  
ACTION NEEDED: Notify members of removal.  
ACTION TAKEN: Letters sent 4-6-89.

CITY CLERK

ACTION NEEDED: Advertise new positions on commission.  
ACTION TAKEN: Advertised in Post News, City Newsletter and posted on bulletin board in City Hall.

ASSISTANT  
CITY MANAGER

8. Consideration of selection of a local committee to promote the 1990 census.  
ACTION NEEDED: Publicize in other ways including newsletter.  
ACTION TAKEN: Item will be publicized in newspaper and future newsletter.

9. Consideration of Advisory Commission appointment to the N.W. Hennepin Human Services Council.  
ACTION NEEDED: Applicant still being solicited from Human Relations Commission.

10. Consideration of the 1990 City of Crystal Budget Preparation Schedule.  
ACTION NEEDED: No action needed.

CITY CLERK

11. Consideration of an Economic Development Authority for the City of Crystal.  
ACTION NEEDED: Special meeting set for April 27; publicize meeting and send information to other commissions.  
ACTION TAKEN: Legal notice sent to Post News, posted on bulletin board and Commission notified 4-6-89.

CITY MANAGER

12. Consideration of the liquor license suspension for Crystal Liquor.  
ACTION NEEDED: Notify Crystal Liquor owner of the one day suspension approved by Council.  
ACTION TAKEN: Letter sent certified mail 4-6-89.

CITY CLERK

13. Consideration of a request from the Paddock to extend their liquor license to the parking area for April 15.  
ACTION NEEDED: Notify Paddock of Council approval.  
ACTION TAKEN: Notified by phone 4-6-89.

CITY CLERK

14. Licenses.  
ACTION NEEDED: Issue licenses.  
ACTION TAKEN: Licenses issued.



# CITY OF CRYSTAL

## Memorandum

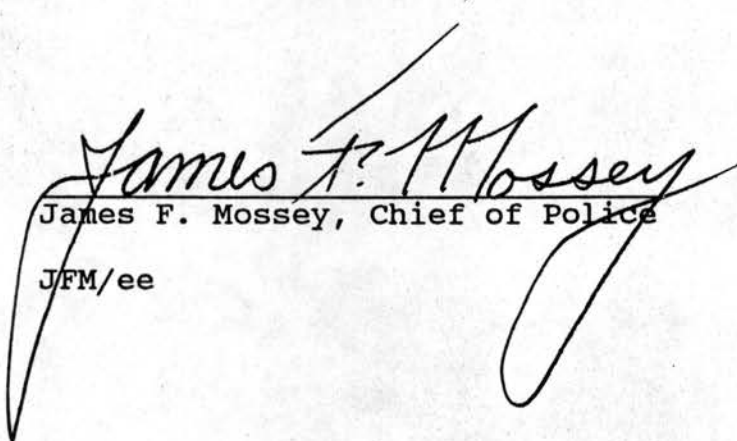
DATE: April 18, 1989  
TO: Jerry Dulgar, City Manager  
FROM: James Mossey, Chief of Police  
SUBJECT: Citizen's Complaint Resolution

Attached please find the results of actions taken by Sgt. Varnold in an attempt to resolve the dispute which exists between Mr. Dennis Buck of 7109 Valley Place and the Olivet Baptist Church, which is located across the street from Mr. Buck's residence.

In checking the dispatch tapes I found that the officers were correct in their assessment of this being a civil matter and would require us witnessing these balls hitting Mr. Buck's home for us to be able to make an arrest in the incident.

We hope we have resolved the problem and will proceed based on the solutions presented by Sgt. Varnold.

If you have any questions, please let me know.



James F. Mossey, Chief of Police

JFM/ee

## City of Crystal

### Memorandum

DATE: April 14, 1989  
TO: Chief Mossey  
FROM: Sgt. Varnold  
SUBJECT: Citizen complaint-i.e. Dennis Buck, 7109 Valley Pl.

While following up on Mr. Buck's most recent complaint (the golf balls in his yard on 4-2-89), I spoke with two representatives of Olivet Baptist Church- Jon Duncan and Scott Schoolmaster. Between the two, they informed me of their numerous efforts to be conciliatory toward Mr. Buck. This latest situation occurred when no church members were around, and by Mr. Buck's own admission, were people from some nearby apartments.

I resolved this by first asking the church to write us a letter authorizing us to remove trespassers from their property. They sent that out, and it accompanied this memo. Secondly, I informed Mr. Buck of this, and advised him to call us rather than try to act on his own if future incidents occur.

For the present, there seems to be little else to do in this matter. As I said earlier, the church has gone to great length and some expense to prevent future conflicts.

  
\_\_\_\_\_  
Sgt. Kenneth Varnold

lsh





## Olivet Baptist Church

April 11, 1989

Police Chief James F. Mossey  
City of Crystal  
4141 Douglas Drive  
Crystal, Minnesota 55422

Dear Chief Mossey:

We, the congregation of Olivet Baptist Church, hereby authorize you and all officers of the Crystal Police Department to evict from the property of the Olivet Baptist Church (between Louisiana and Nevada Avenues on the east and west and between Valley Place and 35th Avenue on the south and north) any trespassers not involved in Olivet Baptist Church activities or business. This authorization would especially include anyone golfing on our property.

We have regularly scheduled softball games as part of our North Area Christian Softball League on Monday, Tuesday, and Thursday evenings and regularly scheduled practices for our softball teams on Saturday mornings and Saturday afternoons. Other church activities do take place on our property also, and our church people will be very willing to identify themselves to your police officers attempting to enforce no trespassing by unauthorized individuals on Olivet Baptist Church property.

Thank you so much for your assistance in this matter.

Sincerely,

Rev. Robert P. Jonsson, Senior Pastor

Rev. Robert P. Jonsson • Pastor  
3420 Nevada Avenue North • Crystal, Minnesota 55427 • 612-535-8765

**If you wish to speak at the City Council meeting  
please put your name and address below:**

[illegible]