



## **CITY COUNCIL REGULAR MEETING**

St. Francis Area Schools District Office, 4115 Ambassador Blvd. NW

**Monday, January 03, 2022 at 6:00 PM**

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### **AGENDA**

- 1. CALL TO ORDER/PLEDGE OF ALLEGIANCE**
- 2. ROLL CALL**
- 3. APPROVAL OF AGENDA**
- 4. CONSENT AGENDA**
  - A. City Council Minutes 12-20-2021
  - B. Weber Inc-Pay Application #6
  - C. 2022 Appointments
  - D. Payment of Claims
- 5. MEETING OPEN TO THE PUBLIC**
- 6. SPECIAL BUSINESS**
- 7. PUBLIC HEARING**
- 8. OLD BUSINESS**
- 9. NEW BUSINESS**
  - A. Green Valley Preserve 2nd Addition - Rezoning, Preliminary Plat, Subdivision Variances
    1. Resolution 2022-02 Approving a zoning Request; Ordinance 287 Rezoning
    2. Resolution 2022-03 Approving Preliminary plat for Green Valley Preserves 2nd Addition
    3. Resolution 2022-04 Approving the subdivision variances
  - B. Platinum Land – Concept Plan
  - C. East Shop Site Rezoning – 1st Reading; Ordinance 288
  - D. 2021 Code Revisions – 1st Reading
    1. Ordinance 289 – Site Plan Review
    2. Ordinance 290 – Principal Uses
    3. Ordinance 291 – Accessory Uses
    4. Ordinance 292 – Chapter 8
    5. Ordinance 293 - Definitions
- 10. MEETING OPEN TO THE PUBLIC**
- 11. REPORTS**
- 12. COUNCIL MEMBER REPORTS**
- 13. UPCOMING EVENTS**

January 10, 2022- Work Session - 5:30 pm at City Hall  
January 17, 2022 - City Offices Closed in observance of Martin Luther King Day  
January 18, 2022 - City Council Meeting
- 14. ADJOURNMENT**

CITY OF ST. FRANCIS  
CITY COUNCIL AGENDA

St. Francis Area Schools District Office 4115 Ambassador Blvd. NW  
December 20, 2021  
6:00 p.m.

1. **CALL TO ORDER/PLEDGE OF ALLEGIANCE**

The regular City Council meeting was called to order at 6:00 p.m. by Mayor Steve Feldman.

2. **ROLL CALL**

Members Present: Mayor Steve Feldman, Councilmembers Joe Muehlbauer, Robert Bauer, Kevin Robinson, and Sarah Udvig

Also present: Assistant City Attorney Dave Schaps (Barna, Guzy & Steffen), City Engineer Craig Jochum (Hakanson Associates, Inc.), City Administrator Joe Kohlmann, Police Chief Todd Schwieger, Fire Chief Dave Schmidt, Community Development Director Kate Thunstrom, Finance Director Darcy Mulvihill, Public Works Water & Sewer Supervisor Parish Barten, and City Clerk Jenni Wida.

3. **APPROVAL OF AGENDA**

MOTION BY: MUEHLBAUER SECOND: ROBINSON APPROVING THE  
REGULAR CITY COUCIL AGENDA

Ayes: Udvig, Muehlbauer, Feldman, Bauer, Robinson

Nays: None

Motion carried 5-0

4. **CONSENT AGENDA**

A. City Council Minutes – December 6, 2021

B. Resignation of Firefighter Jared Belter

C. Rivers Edge 5<sup>th</sup> Addition Financial Security Reduction

~~D. 2020 Street Rehabilitation Project - Final Payment~~

E. Upper Rum River Watershed Management Organization Application

F. Payment of Claims

MOTION BY: UDVIG SECOND: BAUER APPROVING THE CONSENT AGENDA  
ITEMS A, B, C, E, F

Ayes: Bauer, Udvig, Muehlbauer, Robinson, and Feldman

Nays: None

Motion carried 5-0

D. 2020 Street Rehabilitation Project - Final Payment

Mayor Feldman commented on Item D for Council and public knowledge. He stated that the amount for the original projected cost for the 2020 rehab for this road project was \$522,325.92 but it came in at \$357,954.21 which is a savings of \$164,371.71 which he likes because it was a high bid but came in lower. Mayor Feldman wanted to bring it to the attention of the Council that the original amount was \$522,325.92 but ended up with a final to be \$357,954.21, again a savings of \$164,371.71. He gave credit to City Engineer Craig Jochum and the good work he did for the City on that project because he knows what happened on the Riverbank recently and he has seen the down side of it. He thanked City Engineer Jochum so much.

MOTION BY: BAUER SECOND: ROBINSON APPROVING THE CONSENT AGENDA ITEM D, 2020 STREET REHABILITATION PROJECT - FINAL PAYMENT

Ayes: Bauer, Udvig, Muehlbauer, Robinson, and Feldman

Nays: None

Motion carried 5-0

**5. MEETING OPEN TO THE PUBLIC**

Mayor Feldman asked if anyone wanted to speak. No one came forward.

**6. SPECIAL BUSINESS - NONE**

**7. PUBLIC HEARINGS - NONE**

**8. OLD BUSINESS - NONE**

**9. NEW BUSINESS**

**A. Ordinance 286 Amending City Code Section 2-9-1- Fee Schedule- Second Reading**

City Administrator Joe Kohlmann gave a presentation on the second reading of the fee schedule which had just been updated in August 2021. The only change was the unsubsidized Water Access Charge (WAC) and Sewer Access Charge (SAC) clause which is outside City boundaries. That is the only proposed fee change going into 2022.

Mayor Feldman commented that this has been discussed before so there is an understanding that this is for non-residents, non-tax payers who are hooked into the system. He asked Council if there were any questions.

Council had no questions.

MOTION BY: MUEHLBAUER SECOND: ROBINSON TO APPROVE SECOND READING AND ADOPT ORDINANCE 286 AMENDING CITY CODE SECTION 2-9-1- FEE SCHEDULE- SECOND READING

A roll call vote was performed:

Udvig	Aye
Bauer	Aye
Muehlbauer	Aye
Robinson	Aye
Mayor Feldman	Aye

Motion carried 5-0

**B. Summary Publication for Ordinance 286- Resolution 2021-64**

City Administrator Joe Kohlmann stated this is a summary of the changes just adopted by the Council to the fee schedule.

Mayor Feldman commented that once again the Council is pretty familiar with this item and asked if there were any comments from the Council.

There were no comments from the Council.

**MOTION BY: BAUER SECOND: MUEHLBAUER APPROVING SUMMARY PUBLICATION FOR ORDINANCE 286- RESOLUTION 2021-64**

Ayes: Bauer, Udvig, Muehlbauer, Robinson, and Feldman

Nays: None

Motion carried 5-0

**C. Request Work Session**

Community Development Director Kate Thunstrom stated that she would like to schedule a work session. She stated that in working with HKGi as to the park plan, they are ready to present some information to the Council and have some choices made. A proposal of January 10, 2022 at 5:30 p.m. was made by HKGi. She has worked with Public Works to book the large room with the smartboard. She asked for confirmation.

City Administrator Joe Kohlmann commented that since the staff report was produced the agenda for the work session has seemed to grow internally. He pointed out that this may be a longer work session.

Mayor Feldman agreed and confirmed 5:30 p.m. January 10, 2022 at Public Works. He asked Council if that would work for everyone.

Muehlbauer commented that work is up in the air for him but he thought that should work.

Mayor Feldman replied they would work around it if needed.



Consensus of the Council was to schedule a work session for Monday, January 10, 2022 at 5:30 p.m. at the Public Works building.

**D. 2022 COLA**

City Administrator Joe Kohlmann presented the proposed 2022 Cost of Living Allowance (COLA) of 3% for non-union employees. He added that there are two open union contracts still in negotiation. The COLA will address all non-union employees. He reviewed the staff report.

Mayor Feldman stated that he read something in the staff report about Governor's salary cap increasing to 6.2%. Kohlmann confirmed this.

Mayor Feldman stated he didn't have an issues with this and asked for Council feedback.

Muehlbauer commented he didn't have anything to add.

Udvig didn't have any comments.

Robinson commented that when looking at everything that is happening with inflation it makes sense so he didn't have a problem with it.

Bauer echoed what Robinson had said, that inflation is up 5.9%. He continued that the way he sees it, and his employer's viewpoint, is that it's not their fault that inflation is almost 6% so an increase of 3% meets in the middle. It's not the City's fault that inflation is that high and he doesn't think the City should eat the entire cost of inflation but 3% would be good.

Mayor Feldman asked what was needed.

Kohlmann replied a motion is needed because the salaries are fixed on the scale.

**MOTION BY: MUEHLBAUER SECOND: UDVIG TO APPROVE A 3% COST OF LIVING ADJUSTMENT FOR NON-UNION STAFF**

Ayes: Bauer, Udvig, Muehlbauer, Robinson, and Feldman

Nays: None

Motion carried 5-0

**10. MEETING OPEN TO THE PUBLIC – NONE**

**11. REPORTS**

**A. Public Works Monthly Report**

Public Works Water & Sewer Supervisor Parish Barten gave the monthly report for

Public Works for streets and parks, water and sewer. He stated on the streets and parks side the staff was busy subgrading roads in November. They were also salting roads in November. The staff kept busy with building maintenance. He was happy to report that the new plow that was installed on the grader work exceptionally well. He stated that as far as water and sewer over 600 tons of biosolids were applied. Typically late in the fall there is lift station maintenance which got done. High service three has been returned. Nothing out of the ordinary was reported on that.

Mayor Feldman referenced the grader, and stated that the benefit was the visibility so it's not obstructed.

Barten agreed, adding that the old cable system was pretty antiquated compared to the new one and how it works.

Mayor Feldmann commented that was in the way and now it's not and of course the hydraulics part of it too. He questioned how that is working out.

Barten replied, it worked out really well.

Mayor Feldman noticed Deer Creek lift station referenced in the staff report and commented that it seems like Deer Creek always has a problem with the lift station.

Barten replied it is one of the higher volume lifts in town so he couldn't say that it is out of the ordinary for that one. He stated that all in all the pulling of the pumps has gone down quite a bit in the last six to eight months.

Mayor Feldman questioned if that was at a higher volume.

Barten replied, yes that is essentially the whole west side of town.

Mayor Feldman commented that is understandable then. He also commented that the re-reads of meters were at 19.

Barten replied that is more clerical or work order related, not re-reads. The re-reads were only two that had to be done.

Mayor Feldman asked Finance Director Darcy Mulvihill if a good, positive direction was being seen for the meters that were switched out.

Finance Director Darcy Mulvihill replied that she thought it is working really well that there were only two that weren't reading. They try to get out there to fix the meters.

Mayor Feldman commented that all the meters have been changed out, we know that. He pointed out for the Council that it is a preventative and proactive thinking that they have on the Council and Staff, and he thought the meter change was a

good change.

Barten agreed and commented that one thing to point out was the gap between the fresh and the salt water and is the closest it has been in a number of years. If it trends into December, they will be at about 96.5% accounted for water and that is probably the closest gap he has seen in eight or nine years.

Mayor Feldman questioned what would be normal before.

Barten replied eight, nine. He added the agency, the Department of Health and the DNR, usually start to show concern around 10%, that it is time to start looking for that unaccounted for water. At 96 or 97% they are doing pretty well.

Mayor Feldman replied, really well. He questioned if it was due to the meters.

Barten replied they have essentially changed a lot of meters out. There were a lot of meters that were leaking and residents were slow to report. There were also a lot of meters in town that were old and weren't reading accurately anymore. Some of them were over 20 years old. Meters certainly don't speed up over time, they slow down.

Mayor Feldman added that when that is added to the treatment of the water that is being put through the waste water, actually it works beneficial. Barten agreed.

Mayor Feldman asked for Council input.

Muehlbauer commented it was a good report, as usual. He thanked Barten.

Robinson commented it was a good report, and very well written. He added that he had driven by the water tower the other day and asked if there was someone working on the antenna or on the top. There was a pickup truck and some lead lines going up.

Barten replied he believed work was being done on the cell tower.

Robinson referenced the biosolids, that it started out with 600 tons and questioned if that is more or less than what is typical.

Barten replied that is just a little more this year compared to years past simply because they cleaned out tank two so there was solids at the bottom that still hadn't been processed. There are a certain amount of solids that remain at the bottom of those tanks every year so this is the first year that the tank was cleaned. The additional amount of solids had to be added on. Typically, it is around 350 to 400 tons.

Robinson commented that there is pressure to start this year because everything is

clean.

Barten replied on that one tank yes, and then next year they will repeat it with another cell and the year after that another cell. This is the first time since the waste water plant went on line that the tanks were cleaned. They had to figure out the frequency that the tanks have to be cleaned out. They are beginning to get that dialed in after seeing how much solids were in the tank this year.

Mayor Feldman commented that not every tank is cleaned every year, there is a rotation.

Barten confirmed this adding that this year, next year and 2023 all three will probably be cleaned. After that there will probably be a few years of skipped time.

Robinson questioned if there are land service left over when the 600 tons is out there or does the whole area get a certain layer.

Barten replied there is a lot of mathematics that goes in as far as the nitrogen rates, "man rates" they call that. The license applicator has to calculate exactly how many tons, the value of those tons, per acre of soil.

Robinson commented there is more than enough property.

Barten confirmed this adding there is 127 acres which is plenty.

Robinson commented that previously the City was paying the hauler and someone else to take it somewhere else and disposal fees.

Barten replied it is the same hauler but the first year they had to go the landfill because they didn't have the permit. Now they have 200 acres, close to 270 acres permitted site. With the alternation, it will depend on the crop that is being grown.

Robinson asked if that was non consumable crops.

Barten that if it were class A biosolids then it wouldn't matter but class B biosolids that comes into play.

Mayor Feldman questioned if they could ever become class A.

Barten replied they could but it is really expensive to do so.

Mayor Feldman questioned if this was dumped on the 83-acre lot.

Barten replied yes, this is the first year that has been utilized. In the two previous years the other sites have been used. He commented that 600 wet tons sounds

like a lot when on 127 acres spreading it, it gets consumed up pretty quickly.

Robinson thanked Barten personally and his crew for filling in during the interim when things changed, that they did a good job with enthusiasm which is contagious.

Mayor Feldman stated for the record, that that land was bought in 2007 for a price they all know is exorbitant and it is nice to finally see that in 2021 some use is being made of it. The fact that it had to be done by having biosolid waste on it for fertilizer, at least it is a use. He stated the land shouldn't have been bought to begin with, the Council knows that, it is a mistake that was made but at least there is a benefit. He wanted to bring that up and make the public aware of that too. He continued that it is nice to see some use come of it that is positive.

Bauer commented it was great report.

Udvig echoed what Robinson said that Barten is doing a phenomenal job.

Mayor Feldman asked Bauer to thank his staff for keeping everything together.

B. Fire Department Monthly Comparison- November 2021

Fire Chief Dave Schmidt gave the November monthly report. He highlighted response times which increased a little but still remained under the goal of ten minutes for response time. November was a very busy month with 68 total runs. This is the second busiest month of the year, second to August where they had 75 responses. He also noted that as of today there have been 699 runs for the year so they will be going over 700 runs for the year which will be another record setting year for the fire department. The staffing for the month of November was stable which was a good thing considering deer hunting and Thanksgiving. The distribution was 22% of volume for fire and 78% EMS. They flagged another 14 runs as meeting COVID criteria. That hasn't changed for the month of December. Until last week about 20% of the volume has also been COVID calls. Unfortunately, that hasn't begun to decline as hoped as of yet. He noted on the positive side there was only one run with a response time for ambulance over 20 minutes for the month of November, which is encouraging. It was another successful month with fire inspections with 11 inspections and two re-inspections.

Mayor Feldman thanked Schmidt and questioned the COVID runs and wondering if he is finding out if it is more vaccinated versus unvaccinated or it is equal.

Schmidt replied the question has been asked and people have been answering voluntarily. The answer has been about 50/ 50.

Mayor Feldman commented that it doesn't seem like COVID is going away one way or the other. It's just out there.

Schmidt replied that it is anecdotal at best but people have been answering and it has been about 50/50.

Mayor Feldman commented that he brought it up because it is still something that people still should be cautious about and be completely aware of on all fronts. He continued that even though it is a year and a half or two years later, from the initial break out that it is still there, still something to be concerned about.

Schmidt confirmed this adding that the goal is to not only provide patients with better outcomes but ensure that the staff stays healthy as well.

Mayor Feldman commented on that the report that it is 50/50 vaccinated, unvaccinated, that says that it is out there and can affect anybody. He added that it is nice to see the inspections and that the LiquorMuni can now pass inspection because there is plenty of room to get out. He also commented on the EMS versus Fire runs and was glad that fire was lower but it goes to show, as he has mentioned before, the switching over of emergency fire to emergency medical services and the ability that they have. He says that because, for example, you have a heart attack in the City of St. Francis your odds of being alive are pretty high here because of the public safety department which can handle those services. He applauded the department for that, that they add a whole different depth of life saving ability to the City. He thinks that is great and applauds them.

Mayor Feldman wanted the public to know that ambulances are not stationary in cities, they roam all day. If you are in St. Francis and the ambulance is in Blaine, the amount of time it takes the ambulance to get from Blaine to St. Francis is a matter of life and death. He stated that Schmidt has proven that he can handle that change and that difference, that difference may be little but may be large in time frame. He thanked the Fire and Police department for doing that, he thinks it's exceptional.

Udvig commented that it was a great report, as always. She commented that it is amazing how the medical calls keep increasing. She thinks that shows that people are confident that the EMS, that they don't have to rush to an emergency room, the people trust that the police and fire are going to get there and give them help. She thought that is a huge compliment to both fire and police departments. The officers and firefighters are very dedicated to their jobs. People are willing to do this, this is a cold time of the year and it's a tough time of the year their willingness to go out there is appreciated. She thanked them.

Bauer commented it was a great report. The firefighters are doing a great job within the City. The community service the firefighters do at all the events that they volunteer for. He thanked them.

Muehlbauer questioned what the COVID criteria was.

Fire Chief Schmidt replied the symptom criteria are headache, fever, cough, chills. He stated that most of the cases seen toward the end of October to now the person is saying they are confirmed sick. The number of cases of people saying they have had a positive COVID test has gone up significantly in the last couple months. In December so far, the numbers of positive cases have really ramped up. If the patient is not a confirmed positive case but presents with the classic COVID symptoms, it is flagged in part so it can be back tracked if it ends up being a positive case. In the State of Minnesota, up until December 31, 2021, there is presumptive legislation for all responders that if they do become COVID positive, it is presumed that it happened during the course of duty. That helps with the backtracking. That has changed pretty drastically in the past few weeks, that they are coming back as confirmed by the person calling 911. It is less assumption, as it has been in the past.

Robinson thanked Schmidt for a great report. He referenced the Chief's comments regarding "COVID related" and asked who makes the decision if the person positive with COVID requires hospitalization.

Schmidt replied that in Minnesota no one can refuse someone's call for help through 911 and ambulance transportation. If someone determines they are not going to go to the hospital that has to be a unique decision made by the person who is requesting help, whether it is for COVID or anything else. The ambulance or the fire department can't refuse service. Decisions can be made through the taking of vitals and calming the patient to be able to make an informed decision but they are careful not to skew the patient one way or the other. It does happen that people decide not to go by ambulance after assessment. This is a low percentage, maybe 5-10% that call for EMS services end up staying home.

Robinson also commented that he was glad to see that inspections are up. He questioned if the people that are being inspected, whether residential or business, have there been surprises during the inspection.

Schmidt replied there hasn't been anything that has stood out as a surprise. It is looked at because there has been a historic gap in fire prevention and inspection within the City. The opportunity was taken to have the first round of inspections during the last two years to be an educational opportunity. It is not done to get anyone in trouble or make their lives more difficult. But they understand there are some shortcomings that have existed with the fire department getting out and doing these types of inspections. The focus is on laying the foundation, using it as an educational opportunity, and building trust when there are questions related to fire safety.

Robinson questioned if the reception has been favorable.

Schmidt replied it has been fantastic. One of the more sensitive businesses, because of the nature of their business, hadn't gotten much time and attention, is

getting a first time inspection after the holidays. It took some time to build trust and understand what their needs were and communicate what the Fire department's expectations are. That is one that he considers a success.

Robinson commented it's a success for both sides, because this is something new. He asked for an update on Nowthen.

Schmidt replied it continues to go well. He thanked the Mayor and Council for allowing them have Finance Director Mulvihill and City Administrator Kohlmann to help out during the interim period because it helped them understand some things, whether it was a financial piece, policy, or document sharing. It allowed them to streamline somethings and made it easier on the fire side. The staff is highly engaged and highly encouraged. The process of rebranding the fleet in Nowthen has just started. There was a firefighter who passed away from cancer. The opportunity was taken to change the number of the engine to reflect the badge number of this firefighter. A logo was also added on the door as a memorial. It was a very nice gesture. The widow was brought in to see. Engaging in that way has been really meaningful.

Robinson commented that Community outreach has been really helpful in that way. Schmidt confirmed this. Robinson continued that there has been turmoil in the sister city so they need help.

Schmidt confirmed this adding that thankfully it has nothing to do with the fire department and the Nowthen staff remains mission focused, which is all that matters.

Mayor Feldman referenced the comments about the COVID calls and the assistance in helping to diagnose patients. He commented that the fear of going to the hospital is real, no one really wants to go to the hospital. And then there is the question about if there is a plan to cover the costs, because then it becomes about money. He questioned if that is holding people from going in. The patient having to go to the emergency room or going to the doctor and thinking about how it is going to be paid for.

Schmidt replied people are encouraged to seek other avenues of healthcare when appropriate. A lot of challenges exist for people, whether it is transportation, cost factors for the underinsured and uninsured. The big picture is considered when steering people to get care other than the ER.

Mayor Feldman commented that the EMS points out options to the patient and it is their choice what route they take, if they take any. EMS is telling them there are other options they can utilize and giving them knowledge to do that, which is important. Schmidt confirmed this. Mayor Feldman thanked Schmidt.

## **12. COUNCIL MEMBER REPORTS**



Udvig reported that the Fill the School Bus event was very successful. She wasn't able to attend but they did successfully fill the bus to take to NACE. She thanked the Staff because they do a lot for the Council, which she doesn't take for granted. She recognized Vicky who sits out in the lobby for every meeting of the City Council and for Planning and Zoning. Udvig appreciated her greeting and friendly smile.

Bauer reported that his employer kept him out later than he wanted for Santa on the Firetruck but he was able to get out as he heard it coming through the neighborhood. He thought it looked like a huge success for the City. He thanked the Fire Department for hosting that and the community for providing a great opportunity to help St. Francis families in need.

Muehlbauer thanked the Staff in all departments, recognizing that it was a difficult year with staffing and everything else. He expressed appreciation.

Robinson reported it was nice seeing the community out seeing Santa. The youth club in town had 435 kids from the surrounding communities come on Sunday. He hoped some of the businesses got some residual traffic from the event. He continued that the different points that people come and go through are all viewpoints that visitor from other towns get to see so that is kept in mind. Community Development Director Thunstrom and the Council works to help St. Francis look its best. It was good to see a lot of commerce going on in the community.

Mayor Feldman commented that the Council knows he has been working hard at the LiquorMuni. They had a grand opening from December 13-18, 2021 which turned out pretty well. There were some nice prizes. He met one lady one day and she came back the next day because as many times as you came in was as many times that they could be entered into the drawing. Mayor Feldman did the drawing one day and Crystal posted on Facebook. The LiquorMuni generally saw a good response from the public. They liked what they saw in the change of the store completely. Right now, there are just three items left to go on it. The new countertops came in today, there is cabinet work yet to be done, and the spray fire retardant has yet to be done in the foam to meet the requirements. Duct cleaning will be done next Monday. EIFS is the stucco on the outside, that is about the only thing that will escrow, certain penetrations through the walls on the exterior. Line sets from the old coolers or condense units will have to be plugged, the foam walls, will be plugged permanently with EIFS. That can't be done until spring time when the weather warms up. Other than that, it turned out well and he is very satisfied with it. Mayor Feldman thanked Staff that helped him with that. John, Crystal, Corinne, Parish, Jeremy, Paul, and Joe who helped with the thermostat wire. What he is really happy about mostly that it was a hard amount of work. It was a four-and-a-half-month job that took seven months to do. No fault to this city, it was the contractor that was the bulk of it, which they got around by working with some really good subs. The point he wanted to make is that with all that hard work, in the end

was a store that really turned out well. The other side of that would have been all of the hard work and it didn't turn out that well, but it really did. It is a nice-looking store that will give the City a potential to buy in bulk purchasing, make the prices more competitive and increase the product line to meet the needs in community. He felt it was a smart move because even though it is the LiquorMuni, the only store in town, they should still be competitive. America is built on capitalism, true of everything in each market, with better price, better service, better quality of product, that actually works. Kind of like when cable companies do satellites, he is of the thought of having two satellites, two cable companies and it is better for the consumer. What is happening now is St. Francis is setting up to be a destination place with that will be beneficial as far as having product that the public likes and at a cost that they can afford. He thinks the Staff has done great, putting up with demo alone. He thanked staff for the help because he couldn't have done that by himself. It was a lot of work.

Mayor Feldman continued, pointing out that no one individual can do anything by themselves. Things get things done because they work as a team. The team mentality, as he has said before, has been a success here. The preventative, proactive thinking that has been put into effect here, looking at problems before they become big problems, solving them quicker and at a less expense is something that is a good way to govern. He thinks that is something that has been put into effect. As he has said before, there isn't a perfect government, there is no perfect government, but they have a system that works. It can always be tweaked and become better but we are bringing some good change. He thanked all staff in all the departments for all the work they do. Any time he has called anyone in the City to get something done, he has a response in a positive way that gets things done. He stated that leaders lead by example and hoped that they are leading by good examples because they do the same thing when they get calls. He has started to get a good feeling from the public over those last few years in gaining trust back in their government. The City is a customer service business and they work to serve the customers who are the residents and tax payers. They work for them, listen and respond to them. It may not be the answer that the resident wants to hear, but it will be an honest answer. Residents will never hear from the Council or Staff that they are too busy or they don't care. That is something that has never happened in the last five years and will not be the case in the future. They are working to make the City the best that it can be and they are doing that though there is still work to be done. He thanked everyone from the LiquorMuni and will be turning it over to the staff. He will try to catch up on the rest he needs. He encouraged the Council to go see it because it turned out really nice.

Mayor Feldman wished everyone a Merry Christmas and a good, healthy and safe Happy New Year. He encouraged them to drive safe to their destinations and not to take any risks while sharing this time with family. The little things in life are big things. You don't have to be rich with money if you are rich with the things in life that count. That means having someone to share life with having health and having a support from family. He wished that upon everyone out there. Merry Christmas

and Happy New Year!

**13. UPCOMING EVENTS**

January 3, 2022 – City Council Meeting – 6:00 p.m.

January 18, 2022 – City Council Meeting – 6:00 p.m.

**14. ADJOURNMENT**

There being no further business, Mayor Feldman adjourned the regular City Council at 6:43 p.m.

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Jennifer Wida, City Clerk

DRAFT



## CITY COUNCIL AGENDA REPORT

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**TO:** Joe Kohlmann, City Administrator  
**FROM:** Darcy Mulvihill, Finance Director  
**SUBJECT:** Weber Inc-Pay Application #6  
**DATE:** 12-28-2021

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### **OVERVIEW:**

Attached is pay estimate #6 to Weber Construction for the Liquor Store Remodeling. Amount to be paid is \$115,827.00. There is a retainage of \$35,517.78 at this time.

### **ACTION TO BE CONSIDERED:**

Approve attached pay application.

### **BUDGET IMPLICATION:**

This is being paid out of the Liquor Fund

### **Attachments:**

- Pay Application #6-Weber, Inc-Liquor Store Remodel

# APPLICATION AND CERTIFICATE FOR PAYMENT AIA DOCUMENT G702

PAGE ONE OF

Agenda Item # 4B.

TO OWNER: City of St. Francis  
23340 Cree Street NW  
St. Francis, MN 55070

PROJECT: St. Francis Bottle Shop Addition & A  
23307 St. Francis Boulevard  
St. Francis MN

APPLICATION NO: 00006  
PERIOD TO: 12/20/2021  
PROJECT NOS.: 2020.02

Distribution to:  
☐ OWNER  
☐ ARCHITECT  
☐ CONTRACTOR  
☐  
☐

FROM CONTRACTOR: Weber, Inc.  
2497 7th Avenue East  
North St. Paul, MN 55109

VIA ARCHITECT: Pearl Architecture, LLC.  
1158 6th Ave. South  
South St. Paul, MN 55075

CONTRACT DATE: 5/5/2021

CONTRACT FOR: General Contracting/Construction Manager

## CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the contract.  
Continuation Sheet, AIA Document G703, is attached.

1. ORIGINAL CONTRACT SUM ..... \$627,000.00
2. Net change by Change Orders ..... \$99,541.39
3. CONTRACT SUM TO DATE (Line 1 ± 2) ..... \$726,541.39
4. TOTAL COMPLETED & STORED TO DATE ..... \$710,355.69  
(Column G on G703)
5. RETAINAGE:
  - a. 5.000 % of Completed Work ..... \$35,517.78  
(Columns D + E on G703)
  - b. 5.000 % of Stored Material ..... \$0.00  
(Columns F on G703)

Total Retainage (Line 5a + 5b or  
Total in Columns I on G703) ..... \$35,517.78
6. TOTAL EARNED LESS RETAINAGE ..... \$674,837.91  
(Line 4 less Line 5 Total)
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT ..... \$559,010.91  
(Line 6 from prior Certificate)
8. CURRENT PAYMENT DUE ..... \$115,827.00
9. BALANCE TO FINISH, INCLUDING RETAINAGE ..... \$51,703.48  
(Line 3 less Line 6)

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$60,655.10	\$0.00
Total approved this Month	\$38,886.29	\$0.00
TOTALS	\$99,541.39	\$0.00
NET CHANGES by Change Order	\$99,541.39	

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: Weber, Inc.

By: [Signature] Date: 12/23/2021

State of: Minnesota

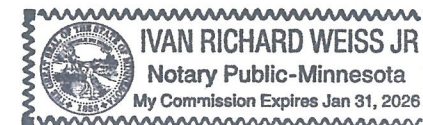
County of: Ramsey

Subscribed and sworn to before

me this 23<sup>rd</sup> day of December, 2021

Notary Public: [Signature]

My Commission expires: 01-31-2026



## ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED ..... \$115,827.00

(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

ARCHITECT: Pearl Architecture, LLC.

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

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.



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# CONTINUATION SHEET

AIA DOCUMENT G703

PAGE Agenda Item # 4B.

AIA Document G702, APPLICATION AND CERTIFICATE FOR PAYMENT, containing Contractor's signed Certification, is attached.  
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Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO.: 00006  
APPLICATION DATE:  
PERIOD TO: 12/20/2021  
ARCHITECT'S PROJECT NO.: 2020.02

A	B	C	D	E	F	G		H	I
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	%(G÷C)	BALANCE TO FINISH (C - G)	RETAINAGE (IF VARIABLE) RATE
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
010000	Mobilization	\$4,500.00	\$4,500.00	\$0.00	\$0.00	\$4,500.00	100.000	\$0.00	\$225.00
024119.13	Selective Demolition	\$19,723.00	\$16,723.00	\$3,000.00	\$0.00	\$19,723.00	100.000	\$0.00	\$986.15
033000 - L	Cast-In-Place Concrete - Labor	\$14,000.00	\$13,300.00	\$700.00	\$0.00	\$14,000.00	100.000	\$0.00	\$700.00
033000 - M	Cast-In-Place Concrete - Material	\$23,000.00	\$21,850.00	\$1,150.00	\$0.00	\$23,000.00	100.000	\$0.00	\$1,150.00
040000 - L	Masonry - Labor	\$5,000.00	\$4,250.00	\$750.00	\$0.00	\$5,000.00	100.000	\$0.00	\$250.00
040000 - M	Masonry - Material	\$10,000.00	\$7,400.00	\$2,600.00	\$0.00	\$10,000.00	100.000	\$0.00	\$500.00
051200 - L	Structural Steel Framing - Labor	\$4,779.00	\$4,779.00	\$0.00	\$0.00	\$4,779.00	100.000	\$0.00	\$238.95
051200 - M	Structural Steel Framing - Material	\$6,875.00	\$6,875.00	\$0.00	\$0.00	\$6,875.00	100.000	\$0.00	\$343.75
055000 - M	Metal Fabrications - Material	\$525.00	\$525.00	\$0.00	\$0.00	\$525.00	100.000	\$0.00	\$26.25
061000 - L	Rough Carpentry - Labor	\$38,200.00	\$35,214.54	\$2,985.46	\$0.00	\$38,200.00	100.000	\$0.00	\$1,910.00
061000 - M	Rough Carpentry - Materials	\$72,175.00	\$72,175.00	\$0.00	\$0.00	\$72,175.00	100.000	\$0.00	\$3,608.75
062000	Finish Carpentry	\$1,400.00	\$0.00	\$1,400.00	\$0.00	\$1,400.00	100.000	\$0.00	\$70.00
064023 - L	Interior Arch Woodwork - Labor	\$6,468.00	\$0.00	\$5,174.40	\$0.00	\$5,174.40	80.000	\$1,293.60	\$258.72
064023 - M	Interior Arch Woodwork - Material	\$12,991.00	\$0.00	\$10,392.80	\$0.00	\$10,392.80	80.000	\$2,598.20	\$519.64
071916 - L	Silane Water Repellent - Labor	\$1,400.00	\$0.00	\$1,400.00	\$0.00	\$1,400.00	100.000	\$0.00	\$70.00
071916 - M	Silane Water Repellent - Material	\$700.00	\$0.00	\$700.00	\$0.00	\$700.00	100.000	\$0.00	\$35.00
072100 - L	Building Insulation - Labor	\$1,280.00	\$1,280.00	\$0.00	\$0.00	\$1,280.00	100.000	\$0.00	\$64.00
072100 - M	Building Insulation - Material	\$2,070.00	\$2,070.00	\$0.00	\$0.00	\$2,070.00	100.000	\$0.00	\$103.50
072119 - L	Foamed-In-Place Insulation - Labor	\$4,773.90	\$4,773.90	\$0.00	\$0.00	\$4,773.90	100.000	\$0.00	\$238.70
072119 - M	Foamed In Place Insulation - Material	\$17,818.10	\$17,818.10	\$0.00	\$0.00	\$17,818.10	100.000	\$0.00	\$890.91
072419 - L	EFIS - Labor	\$13,200.00	\$13,200.00	\$0.00	\$0.00	\$13,200.00	100.000	\$0.00	\$660.00
072419 - M	EFIS - Material	\$4,800.00	\$4,800.00	\$0.00	\$0.00	\$4,800.00	100.000	\$0.00	\$240.00
072726 - L	Fluid Applied Air/Water Barrier - Labor	\$8,800.00	\$8,800.00	\$0.00	\$0.00	\$8,800.00	100.000	\$0.00	\$440.00
072726 - M	Fluid Applied Air/Water Barrier - Material	\$3,200.00	\$3,200.00	\$0.00	\$0.00	\$3,200.00	100.000	\$0.00	\$160.00
075323.15	EPDM Roofing	\$20,000.00	\$20,000.00	\$0.00	\$0.00	\$20,000.00	100.000	\$0.00	\$1,000.00
076200	Sheet Metal Flashing & Trim	\$3,920.00	\$3,920.00	\$0.00	\$0.00	\$3,920.00	100.000	\$0.00	\$196.00
077113	Pre-Manufactured Roof Coping	\$3,000.00	\$0.00	\$3,000.00	\$0.00	\$3,000.00	100.000	\$0.00	\$150.00
079200	Joint Sealants	\$2,080.00	\$0.00	\$2,080.00	\$0.00	\$2,080.00	100.000	\$0.00	\$104.00
081113.13	Hollow Metal Doors & Frames - Material	\$10,000.00	\$10,000.00	\$0.00	\$0.00	\$10,000.00	100.000	\$0.00	\$500.00
081113.13	Hollow Metal Doors & Frames - Labor	\$4,285.00	\$4,285.00	\$0.00	\$0.00	\$4,285.00	100.000	\$0.00	\$214.25
083819.16	Rigid Double-Acting Traffic Doors	\$1,700.00	\$1,700.00	\$0.00	\$0.00	\$1,700.00	100.000	\$0.00	\$85.00
085413	Fiberglass Windows	\$684.00	\$684.00	\$0.00	\$0.00	\$684.00	100.000	\$0.00	\$34.20
087100	Door Hardware	\$1,000.00	\$1,000.00	\$0.00	\$0.00	\$1,000.00	100.000	\$0.00	\$50.00
088000	Glazing	\$2,900.00	\$0.00	\$2,900.00	\$0.00	\$2,900.00	100.000	\$0.00	\$145.00



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# CONTINUATION SHEET

AIA DOCUMENT G703

Agenda Item # 4B.

PAGE 1 OF 1

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Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO.: 00006  
APPLICATION DATE:  
PERIOD TO: 12/20/2021  
ARCHITECT'S PROJECT NO.: 2020.02

A	B	C	D E		F	G		H	I
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	%(G÷C)	BALANCE TO FINISH (C - G)	RETAINAGE (IF VARIABLE) RATE
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
092116 - L	Gypsum Board Assemblies - Labo	\$15,600.00	\$15,600.00	\$0.00	\$0.00	\$15,600.00	100.000	\$0.00	\$780.00
092116 - M	Gypsum Board Assemblies - Mate	\$3,700.00	\$3,700.00	\$0.00	\$0.00	\$3,700.00	100.000	\$0.00	\$185.00
093000 - L	Tiling - Labor	\$23,750.00	\$17,812.50	\$5,937.50	\$0.00	\$23,750.00	100.000	\$0.00	\$1,187.50
093000 - M	Tiling - Material	\$7,850.00	\$7,850.00	\$0.00	\$0.00	\$7,850.00	100.000	\$0.00	\$392.50
095113 - L	Ceiling Grid & Tile - Labor	\$4,830.00	\$4,200.00	\$630.00	\$0.00	\$4,830.00	100.000	\$0.00	\$241.50
095113 - M	Ceiling Grid & Tile - Material	\$3,860.00	\$3,350.00	\$510.00	\$0.00	\$3,860.00	100.000	\$0.00	\$193.00
096519 - L	Resilient Tile Floor & Acc - Labor	\$900.00	\$0.00	\$900.00	\$0.00	\$900.00	100.000	\$0.00	\$45.00
096519 - M	Resilient Tile Floor & Acc - Mater	\$900.00	\$0.00	\$900.00	\$0.00	\$900.00	100.000	\$0.00	\$45.00
096813 - L	Tile Carpeting - Labor	\$500.00	\$0.00	\$500.00	\$0.00	\$500.00	100.000	\$0.00	\$25.00
096813 - M	Tile Carpeting - Material	\$700.00	\$0.00	\$700.00	\$0.00	\$700.00	100.000	\$0.00	\$35.00
097733 - L	FRP Wall Paneling - Labor	\$650.00	\$650.00	\$0.00	\$0.00	\$650.00	100.000	\$0.00	\$32.50
097733 - M	FRP Wall Paneling - Material	\$400.00	\$400.00	\$0.00	\$0.00	\$400.00	100.000	\$0.00	\$20.00
098116	Acoustic Blanket Insulation	\$1,000.00	\$1,000.00	\$0.00	\$0.00	\$1,000.00	100.000	\$0.00	\$50.00
099100 - L	Painting - Labor	\$6,868.00	\$5,494.40	\$0.00	\$0.00	\$5,494.40	80.000	\$1,373.60	\$274.72
099100 - M	Painting - Material	\$1,560.00	\$1,248.00	\$0.00	\$0.00	\$1,248.00	80.000	\$312.00	\$62.40
101423	Interior Panel Signage - Deisgn	\$375.81	\$0.00	\$375.81	\$0.00	\$375.81	100.000	\$0.00	\$18.79
101423 - L	Interior Panel Signage - Labor	\$1,059.79	\$0.00	\$1,059.79	\$0.00	\$1,059.79	100.000	\$0.00	\$52.99
101423 - M	Interior Panel Signage - Material	\$1,338.40	\$0.00	\$1,338.40	\$0.00	\$1,338.40	100.000	\$0.00	\$66.92
102613	Corner Guards	\$506.00	\$506.00	\$0.00	\$0.00	\$506.00	100.000	\$0.00	\$25.30
102800	Toilet Accessories	\$696.00	\$696.00	\$0.00	\$0.00	\$696.00	100.000	\$0.00	\$34.80
102815	Diaper Changing Accessories	\$597.00	\$597.00	\$0.00	\$0.00	\$597.00	100.000	\$0.00	\$29.85
104400	Fire Extinguishers, Cabinets	\$446.00	\$446.00	\$0.00	\$0.00	\$446.00	100.000	\$0.00	\$22.30
123661 - L	Countertops - Labor	\$2,539.00	\$0.00	\$2,539.00	\$0.00	\$2,539.00	100.000	\$0.00	\$126.95
123661 - M	Countertops - Material	\$8,275.00	\$0.00	\$8,275.00	\$0.00	\$8,275.00	100.000	\$0.00	\$413.75
124813	Entrance Floor Mats & Frames	\$1,161.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$1,161.00	\$0.00
220000 - L	Plumbing - Labor	\$12,444.06	\$12,225.00	\$219.06	\$0.00	\$12,444.06	100.000	\$0.00	\$622.20
220000 - M	Plumbing - Material	\$15,505.94	\$15,200.00	\$305.94	\$0.00	\$15,505.94	100.000	\$0.00	\$775.30
230000 - L	HVAC - Labor	\$9,550.00	\$8,000.00	\$1,550.00	\$0.00	\$9,550.00	100.000	\$0.00	\$477.50
230000 - M	HVAC - Material	\$16,550.00	\$13,150.00	\$3,400.00	\$0.00	\$16,550.00	100.000	\$0.00	\$827.50
260000 - L	Electrical - Labor	\$23,000.00	\$21,380.00	\$1,620.00	\$0.00	\$23,000.00	100.000	\$0.00	\$1,150.00
260000 - M	Electrical - Material	\$27,500.00	\$25,050.00	\$2,450.00	\$0.00	\$27,500.00	100.000	\$0.00	\$1,375.00
270000 - L	Communications - Labor	\$2,200.00	\$1,100.00	\$1,100.00	\$0.00	\$2,200.00	100.000	\$0.00	\$110.00
270000 - M	Communications - Material	\$1,300.00	\$530.00	\$770.00	\$0.00	\$1,300.00	100.000	\$0.00	\$65.00
311000	Site Clearing	\$13,000.00	\$13,000.00	\$0.00	\$0.00	\$13,000.00	100.000	\$0.00	\$650.00



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G703-1992



# CONTINUATION SHEET

AIA DOCUMENT G703

PAGE Agenda Item # 4B.

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APPLICATION DATE:  
PERIOD TO: 12/20/2021  
ARCHITECT'S PROJECT NO.: 2020.02

A	B	C	D	E	F	G		H	I
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	%(G÷C)	BALANCE TO FINISH (C - G)	RETAINAGE (IF VARIABLE) RATE
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
312000	Earth Moving	\$17,098.00	\$12,823.50	\$4,274.50	\$0.00	\$17,098.00	100.000	\$0.00	\$854.90
321216	Asphalt Paving	\$11,714.00	\$11,714.00	\$0.00	\$0.00	\$11,714.00	100.000	\$0.00	\$585.70
321613 - L	Concrete Curbs & Gutters - Labor	\$3,590.40	\$3,590.40	\$0.00	\$0.00	\$3,590.40	100.000	\$0.00	\$179.52
321613 - M	Concrete Curbs & Gutters - Mate	\$2,393.60	\$2,393.60	\$0.00	\$0.00	\$2,393.60	100.000	\$0.00	\$119.68
321723	Pavement Markings	\$500.00	\$0.00	\$500.00	\$0.00	\$500.00	100.000	\$0.00	\$25.00
323113	Chain Link Fences & Gates	\$3,875.00	\$3,875.00	\$0.00	\$0.00	\$3,875.00	100.000	\$0.00	\$193.75
329000	Landscaping	\$1,960.00	\$0.00	\$1,960.00	\$0.00	\$1,960.00	100.000	\$0.00	\$98.00
331417	Site Water Utility Service	\$8,700.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$8,700.00	\$0.00
340000	General Conditions	\$14,904.00	\$12,668.40	\$1,788.48	\$0.00	\$14,456.88	97.000	\$447.12	\$722.84
340001	Bond	\$7,100.00	\$7,100.00	\$0.00	\$0.00	\$7,100.00	100.000	\$0.00	\$355.00
340002	Insurance	\$6,800.00	\$6,800.00	\$0.00	\$0.00	\$6,800.00	100.000	\$0.00	\$340.00
340003	General Contractor Fee	\$10,006.00	\$8,505.10	\$1,200.72	\$0.00	\$9,705.82	97.000	\$300.18	\$485.29
C00001	CHANGE ORDER NO. 001	\$28,907.07	\$28,907.07	\$0.00	\$0.00	\$28,907.07	100.000	\$0.00	\$1,445.35
C00002	CHANGE ORDER NO. 002	\$31,748.03	\$31,748.03	\$0.00	\$0.00	\$31,748.03	100.000	\$0.00	\$1,587.40
C00003	CHANGE ORDER NO. 003	\$38,886.29	\$0.00	\$38,886.29	\$0.00	\$38,886.29	100.000	\$0.00	\$1,944.32
		\$726,541.39	\$588,432.54	\$121,923.15	\$0.00	\$710,355.69	97.77%	\$16,185.70	\$35,517.79







## CITY COUNCIL AGENDA REPORT

---

**TO:** Mayor & City Council  
**FROM:** Joe Kohlmann, City Administrator  
**SUBJECT:** 2022 Appointments  
**DATE:** January 3<sup>rd</sup>, 2022

---

**OVERVIEW:**

Attached is a Resolution for the 2022 Appointments. The appointments are substantially the same to 2021 with the exception of the new City Clerk and URRWMO.

**ACTION TO BE CONSIDERED:**

Motion to approve Resolution 2022-01.

**BUDGET IMPLICATION:**

None.

Attachments:

Resolution 2022-01

CITY OF ST. FRANCIS  
ST. FRANCIS, MN  
ANOKA COUNTY

RESOLUTION 2022-01

A RESOLUTION APPROVING THE APPOINTMENTS FOR 2021

Mayor Pro Tem	Joe Muehlbauer, Council Member
City Assessor	Erik A. Skogquist, SAMA Mary Wells, CMA
City Attorney	Barna, Guzy & Steffen, Ltd.
City Engineer	Hakanson and Anderson
Planning Consultants	HKGI
Health Officer	Allina Medical Clinic – Coon Rapids
Weed Inspector	Steve Feldman, Mayor
Assistant Weed Inspector	Jeremy Shook-Public Works
Emergency Management Director	Todd Schwieger, Police Chief
Joint Law Enforcement Council: Police Chief Council Representative	Todd Schwieger, Police Chief Steve Feldman, Mayor
Official Newspaper	Anoka County Union
Official Public Depository	Village Bank of St. Francis Anoka County Federal Credit Union Ehlers & Associates Morgan Stanley RBC Dain Rauscher US Bank 4 M Fund
Financial Consultant/Bond Underwriter	Ehlers & Associates
Official Signatures	Steven D. Feldman, Mayor Joseph Muehlbauer Mayor Pro Tem Joseph Kohlmann, City Administrator Jennifer Wida, City Clerk Darcy Mulvihill, Finance Director (2 signatures required)

**Council Representative to Boards/Commissions/Committees:**

Planning Commission	Kevin Robinson, Council member
Charter Commission	Steve Feldman, Mayor
School District #15	Sarah Udvig, Council member
Park Commission	Rob Bauer, Council member
Economic Development Authority: Council Representative Council Representative	Joe Muehlbauer, Council member Steve Feldman, Council Member
Upper Rum River Watershed: Resident Member/Consultant Rep. Resident Member	Resident-Vacant/City Engineer Andrew Wood
Metropolitan Council	Steve Feldman, Mayor
Heritage Preservation Commission	Ray Steinke, Resident
Pioneer Days: Council Representative Staff Representative	Joe Muehlbauer, Council Member Jenni Wida, City Clerk
Anoka County Joint Fire Powers Agreement Fire Chief Council Representative	David Schmidt, Fire Chief Steve Feldman, Council Member

The motion for the adoption of the foregoing resolution was made by Councilmember    and was duly seconded by Councilmember    and upon vote being taken thereon, the following voted in favor:

and the following voted against the same:

**ADOPTED BY THE CITY COUNCIL OF ST. FRANCIS THIS 3RD DAY OF JANUARY, 2022.**

**APPROVED:**

\_\_\_\_\_  
Steven D. Feldman, Mayor

**ATTEST:**

\_\_\_\_\_  
Jennifer Wida, City Clerk



CITY COUNCIL AGENDA  
REPORT

**TO:** Joe Kohlmann, City Administrator  
**FROM:** Darcy Mulvihill, Finance Director  
**SUBJECT:** Payment of Claims  
**DATE:** January 3, 2022

**OVERVIEW:**  
Attached are the bills received since the last council meeting. Total checks to be written are \$62,153.45 plus any additional bills that are handed out at council meeting. Please note the bill list includes payments that are coded to 2021.

Other Payments to be approved:  
Debt service payments –N/A  
Direct Transfers from Previous Month-N/A  
Credit Card Payment-N/A  
Manual Checks-\$852.50

**ACTION TO BE CONSIDERED:**  
Approved under consent agenda to allow the Finance Director to draft checks or ACH withdrawals for the attached bill list. Please note additional bills may be handed out at the council meeting.

**BUDGET IMPLICATION:**  
City bills

Attachments:  
01-03-2022 Packet List-\$62,153.45  
01-03-2022 December Manual Checks-\$852.50

## CITY OF ST FRANCIS

## \*Claim Register©

AP-2021 01-03-2022

January 2022

**Claim Type**

Claim#	13053	ANOKA COUNTY ATTORNEYS OFF				
Cash Payment	E 208-42110-441	Miscellaneous	ICR21-193376	CASH SEIZURE		\$245.00
		Invoice ICR21-193376				
Transaction Date	12/28/2021	Due 12/28/2021	CASH	10100	<b>Total</b>	\$245.00

**Claim Type**

Claim#	13052	ASPEN MILLS				
Cash Payment	E 101-42110-437	Uniform Allowance	UNIFORMS-BARCK			\$55.45
		Invoice 286157				
Transaction Date	12/28/2021	Due 12/28/2021	CASH	10100	<b>Total</b>	\$55.45

**Claim Type**

Claim#	13043	BAYCOM, INC				
Cash Payment	E 402-42110-554	Body Cameras	BODY CAMERAS			\$4,359.00
		Invoice EQUIPINV-035740				
Transaction Date	12/27/2021	Due 12/27/2021	CASH	10100	<b>Total</b>	\$4,359.00

**Claim Type**

Claim#	13069	BERNICK COMPANIES, THE				
Cash Payment	E 609-49751-252	Beer For Resale	BEER			\$316.70
		Invoice 287340				
Transaction Date	12/28/2021	Due 12/28/2021	CASH	10100	<b>Total</b>	\$316.70

**Claim Type**

Claim#	13068	BREAKTHRU BEVERAGE				
Cash Payment	E 609-49751-206	Freight and Fuel Charges	FREIGHT			\$37.33
		Invoice 342323046				
Cash Payment	E 609-49751-251	Liquor For Resale	LIQUOR			\$2,586.16
		Invoice 342323046				
Cash Payment	E 609-49751-253	Wine For Resale	WINE			\$440.00
		Invoice 342323046				
Cash Payment	E 609-49751-254	Miscellaneous Merchandis	MISC			\$36.90
		Invoice 342323046				
Transaction Date	12/28/2021	Due 12/28/2021	CASH	10100	<b>Total</b>	\$3,100.39

**Claim Type**

Claim#	13067	CRYSTAL SPRINGS ICE				
Cash Payment	E 609-49751-254	Miscellaneous Merchandis	MISC			\$47.46
		Invoice 4002162				
Transaction Date	12/28/2021	Due 12/28/2021	CASH	10100	<b>Total</b>	\$47.46

**Claim Type**

Claim#	13066	DAHLHEIMER DIST. CO. INC.				
Cash Payment	E 609-49751-252	Beer For Resale	BEER			\$3,658.25
		Invoice 1512188				
Cash Payment	E 609-49751-254	Miscellaneous Merchandis	MISC			\$276.00
		Invoice 1512188				
Transaction Date	12/28/2021	Due 12/28/2021	CASH	10100	<b>Total</b>	\$3,934.25

**Claim Type**

Claim#	13083	ECM PUBLISHERS, INC.				
Cash Payment	E 101-41400-351	Legal Notices Publishing	SIWEK PARK IMPROVEMENTS AD			\$155.88
		Invoice 869244				
Transaction Date	12/29/2021	Due 12/29/2021	CASH	10100	<b>Total</b>	\$155.88

## CITY OF ST FRANCIS

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January 2022

**Claim Type**

Claim#	13051	<i>ELECTRO WATCHMAN, INC.</i>			
Cash Payment	E 101-41940-441	Miscellaneous	CITY HALL LOCKDOWN BUTTON		\$242.37
Invoice	378668				
Cash Payment	E 101-41940-445	Security	CITY HALL SECURITY		\$391.48
Invoice	378632				
Transaction Date	12/28/2021	Due 12/28/2021	CASH	10100	<b>Total</b> \$633.85

**Claim Type**

Claim#	13050	<i>INNOVATIVE OFFICE SOLUTIONS,</i>			
Cash Payment	E 101-42110-200	Office Supplies	OFFICE SUPPLIES		\$107.11
Invoice	IN3592427				
Transaction Date	12/28/2021	Due 12/28/2021	CASH	10100	<b>Total</b> \$107.11

**Claim Type**

Claim#	13031	<i>J.P. COOKE COMPANY</i>			
Cash Payment	E 101-42110-200	Office Supplies	DOG TAGS		\$121.50
Invoice	706544				
Transaction Date	12/22/2021	Due 12/22/2021	CASH	10100	<b>Total</b> \$121.50

**Claim Type**

Claim#	13074	<i>JOHNSON BROS WHLSE LIQUOR</i>			
Cash Payment	E 609-49751-206	Freight and Fuel Charges	FREIGHT		\$40.41
Invoice	1958791				
Cash Payment	E 609-49751-206	Freight and Fuel Charges	FREIGHT		\$20.40
Invoice	1958792				
Cash Payment	E 609-49751-253	Wine For Resale	WINE		\$885.30
Invoice	1958792				
Cash Payment	E 609-49751-251	Liquor For Resale	LIQUOR		\$2,482.85
Invoice	1958791				
Transaction Date	12/28/2021	Due 12/28/2021	CASH	10100	<b>Total</b> \$3,428.96

**Claim Type**

Claim#	13060	<i>KIMS KLEANING</i>			
Cash Payment	E 101-42210-402	Janitorial Service	FIRE DEPT CLEANING		\$150.00
Invoice	8170				
Cash Payment	E 101-41940-402	Janitorial Service	CITY HALL CLEANING		\$240.00
Invoice	8173				
Cash Payment	E 101-45000-402	Janitorial Service	CLEANING-COMMUNITY CENTER		\$80.00
Invoice	8174				
Cash Payment	E 101-42110-402	Janitorial Service	POLICE DEPT CLEANING		\$900.00
Invoice	8176				
Cash Payment	E 602-49490-402	Janitorial Service	WWP CLEANING		\$220.00
Invoice	8171				
Cash Payment	E 601-49440-402	Janitorial Service	WTP CLEANING		\$160.00
Invoice	8172				
Cash Payment	E 101-43100-402	Janitorial Service	CLEANING		\$225.00
Invoice	8175				
Cash Payment	E 101-45200-402	Janitorial Service	CLEANING		\$225.00
Invoice	8175				
Cash Payment	E 601-49440-402	Janitorial Service	CLEANING		\$225.00
Invoice	8175				
Cash Payment	E 602-49490-402	Janitorial Service	CLEANING		\$225.00
Invoice	8175				

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January 2022

Transaction Date	12/28/2021	Due 12/28/2021	CASH	10100	<b>Total</b>	\$2,650.00
<b>Claim Type</b>						
Claim#	13071	MCDONALD DIST CO.				
Cash Payment	E 609-49751-252	Beer For Resale	BEER			-\$102.40
Invoice	611470					
Cash Payment	E 609-49751-251	Liquor For Resale	LIQUOR			\$117.00
Invoice	611454					
Cash Payment	E 609-49751-252	Beer For Resale	BEER			\$6,487.80
Invoice	611455					
Transaction Date	12/28/2021	Due 12/28/2021	CASH	10100	<b>Total</b>	\$6,502.40
<b>Claim Type</b>						
Claim#	13048	MED-COMPASS, INC.				
Cash Payment	E 601-49440-441	Miscellaneous	MAKI - EXAM			\$65.00
Invoice	40509					
Cash Payment	E 602-49490-441	Miscellaneous	MAKI - EXAM			\$65.00
Invoice	40509					
Transaction Date	12/28/2021	Due 12/28/2021	CASH	10100	<b>Total</b>	\$130.00
<b>Claim Type</b>						
Claim#	13029	PACE ANALYTICAL SERVICES				
Cash Payment	E 602-49490-313	Sample Testing	WASTEWATER			\$134.00
Invoice	21100359800					
Cash Payment	E 602-49490-313	Sample Testing	COOLER 1			\$164.00
Invoice	21100359615					
Transaction Date	12/22/2021	Due 12/22/2021	CASH	10100	<b>Total</b>	\$298.00
<b>Claim Type</b>						
Claim#	13078	PEPSI COLA				
Cash Payment	E 609-49751-254	Miscellaneous Merchandis	MISC			\$332.46
Invoice	18300552					
Transaction Date	12/28/2021	Due 12/28/2021	CASH	10100	<b>Total</b>	\$332.46
<b>Claim Type</b>						
Claim#	13075	PHILLIPS WINE & SPIRITS CO.				
Cash Payment	E 609-49751-206	Freight and Fuel Charges	FREIGHT			\$39.28
Invoice	6324208					
Cash Payment	E 609-49751-206	Freight and Fuel Charges	FREIGHT			\$55.68
Invoice	6324207					
Cash Payment	E 609-49751-206	Freight and Fuel Charges	FREIGHT			\$9.42
Invoice	6324206					
Cash Payment	E 609-49751-251	Liquor For Resale	LIQUOR			\$6,304.88
Invoice	6324207					
Cash Payment	E 609-49751-253	Wine For Resale	WINE			\$1,863.00
Invoice	6324208					
Transaction Date	12/28/2021	Due 12/28/2021	CASH	10100	<b>Total</b>	\$8,272.26
<b>Claim Type</b>						
Claim#	13037	PUSH PEDAL PULL				
Cash Payment	E 208-42110-210	Operating Supplies	EXERCISE EQUIPMENT			\$11,640.33
Invoice	148978					
Cash Payment	E 101-42110-237	Small Equipment	EXERCISE EQUIPMENT			\$963.32
Invoice	148976					
Transaction Date	12/27/2021	Due 12/27/2021	CASH	10100	<b>Total</b>	\$12,603.65

## CITY OF ST FRANCIS

## \*Claim Register©

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January 2022

**Claim Type**

Claim#	13081	SOUTHERN GLAZERS OF MN				
Cash Payment	E 609-49751-206	Freight and Fuel Charges	FREIGHT			\$1.28
Invoice	2160603					
Cash Payment	E 609-49751-206	Freight and Fuel Charges	FREIGHT			\$34.56
Invoice	2160602					
Cash Payment	E 609-49751-206	Freight and Fuel Charges	FREIGHT			\$11.52
Invoice	2160604					
Cash Payment	E 609-49751-251	Liquor For Resale	LIQUOR			\$3,499.39
Invoice	2160602					
Cash Payment	E 609-49751-253	Wine For Resale	WINE			\$408.00
Invoice	2160604					
Transaction Date	12/28/2021	Due 12/28/2021	CASH	10100	<b>Total</b>	\$3,954.75

**Claim Type**

Claim#	13062	STATE OF MN, DEPT OF FINANCE				
Cash Payment	E 208-42110-441	Miscellaneous	ICR#21-193376 SEIZURE			\$122.50
Invoice	ICR21-193376					
Transaction Date	12/28/2021	Due 12/28/2021	CASH	10100	<b>Total</b>	\$122.50

**Claim Type**

Claim#	13041	SYNOVIA SOLUTIONS				
Cash Payment	E 602-49490-311	Contract	LEASE - JUNE 2020			\$171.00
Invoice	028685					
Cash Payment	E 601-49440-311	Contract	LEASE - APRIL 2020			\$171.00
Invoice	129411					
Cash Payment	E 101-43100-311	Contract	LEASE- DECEMBER 2019			\$171.00
Invoice	125618					
Cash Payment	E 101-45200-311	Contract	LEASE - JANUARY 2020			\$171.00
Invoice	126717					
Transaction Date	12/27/2021	Due 12/27/2021	CASH	10100	<b>Total</b>	\$684.00

**Claim Type**

Claim#	13033	TJ ASSOCIATES				
Cash Payment	E 101-42110-200	Office Supplies	CHRISTMAS CARDS			\$101.75
Invoice	237397					
Transaction Date	12/22/2021	Due 12/22/2021	CASH	10100	<b>Total</b>	\$101.75

**Claim Type**

Claim#	13011	TRI COUNTY ASSOCIATION				
Cash Payment	E 101-42110-433	Dues and Subscriptions	ANNUAL DUES			\$75.00
Invoice	.12212021					
Transaction Date	12/21/2021	Due 12/21/2021	CASH	10100	<b>Total</b>	\$75.00

**Claim Type**

Claim#	13035	UTILITYLOGIC				
Cash Payment	E 601-49440-229	Project Repair & Maintena	UTILITY REPAIRS			\$317.30
Invoice	12846					
Transaction Date	12/27/2021	Due 12/27/2021	CASH	10100	<b>Total</b>	\$317.30

**Claim Type**

Claim#	13079	VINOCOPIA, INC.				
Cash Payment	E 609-49751-253	Wine For Resale	WINE			\$144.00
Invoice	0294383-IN					
Transaction Date	12/28/2021	Due 12/28/2021	CASH	10100	<b>Total</b>	\$144.00



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January 2022

### Claim Type

Claim#	13032	WSB & ASSOCIATES, INC			
Cash Payment	E 601-49440-303 Engineering Fees	RISK ASSESSMENT/EMERGENCY PLAN			\$1,079.50
Invoice R-017848-000-8					
Transaction Date	12/22/2021	Due 12/22/2021	CASH	10100	<b>Total</b> \$1,079.50

### Claim Type

Claim#	13009	ZIEGLER, INC.			
Cash Payment	E 101-43100-218 Equipment Repair & Maint	EQUIPMENT REPAIR			\$3,202.02
Invoice SI000112067					
Transaction Date	12/21/2021	Due 12/21/2021	CASH	10100	<b>Total</b> \$3,202.02

Pre-Written Checks	\$0.00
Checks to be Generated by the Compute	\$56,975.14
Total	\$56,975.14

## CITY OF ST FRANCIS

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**\*Claim Register©**

AP-2022 01-03-2022

January 2022

**Claim Type**

Claim# 13064 LAW ENFORCEMENT LABOR SVC

Cash Payment G 101-21707 Union Dues JAN 2022 DUES-SARGENTS \$65.00  
 Invoice .01012022

Cash Payment G 101-21707 Union Dues JAN 2022 UNION DUES-OFFICERS \$520.00  
 Invoice .010122

Transaction Date	12/28/2021	Due 12/28/2021	CASH	10100	<b>Total</b>	<b>\$585.00</b>
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**Claim Type**

Claim# 13012 MN CHIEFS OF POLICE ASSN.

Cash Payment E 101-42110-433 Dues and Subscriptions MEMBERSHIP RENEWAL \$320.00  
 Invoice 12570

Transaction Date	12/21/2021	Due 12/21/2021	CASH	10100	<b>Total</b>	<b>\$320.00</b>
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**Claim Type**

Claim# 13063 MN NCPERS LIFE INSURANCE

Cash Payment G 101-21713 MN Life JAN 2022 \$112.00  
 Invoice 733400012022

Transaction Date	12/28/2021	Due 12/28/2021	CASH	10100	<b>Total</b>	<b>\$112.00</b>
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**Claim Type**

Claim# 13034 UPPER RUM RIVER WATERSHED

Cash Payment E 101-49200-471 Watershed 2022 CONTRIBUTIONS \$4,161.31  
 Invoice .122221

Transaction Date	12/22/2021	Due 12/22/2021	CASH	10100	<b>Total</b>	<b>\$4,161.31</b>
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Pre-Written Checks	\$0.00
Checks to be Generated by the Compute	\$5,178.31
Total	\$5,178.31

Total -\$62,153.45

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## \*Claim Register©

AP MANUAL DEC 2021

December 2021

### Claim Type

Claim#	13008	ANDERSON, JAMES	Ck# 079958	12/21/2021		
Cash Payment	G 803-22182	Anderson IUP-Agriculture Use	ESCROW REFUND			\$852.50
Invoice	.12212021					
Transaction Date	12/21/2021	Due 12/21/2021	CASH	10100	<b>Total</b>	\$852.50

Pre-Written Checks	\$852.50
Checks to be Generated by the Compute	\$0.00
Total	\$852.50



## CITY COUNCIL AGENDA REPORT

**TO:** St. Francis City Council  
**FROM:** Beth Richmond, Planner  
**SUBJECT:** Green Valley Preserve 2<sup>nd</sup> Addition  
**DATE:** 12-29-2021 for 1-3-2022 meeting  
**APPLICANT:** Terry Buchanan  
**LOCATION:** South of Ambassador Blvd NW, east of Nacre St NW (PINs: 27-34-25-44-0004; 27-34-25-43-0002; 34-34-25-11-0001; 34-34-25-14-0001; 34-34-25-13-0001)  
**COMP PLAN:** Agriculture  
**ZONING:** A-2 Rural Estate Agriculture

### **OVERVIEW:**

The City has received land use and subdivision applications from Terry Buchanan to create a Planned Unit Development (PUD) on a 146-acre site in western St. Francis along Ambassador Blvd. The proposed development would include 14 single-unit detached lots and a roughly 60-acre conservation easement contained within an outlot. The proposed PUD would not increase the allowable density for the site.

### **PLANNING COMMISSION MEETINGS**

#### **September 15, 2021**

The project was brought before the Planning Commission in September. At that time, a number of neighbors and community members spoke about their concerns regarding the project, including traffic on Ambassador Blvd and detriments to farming and hunting practices in the area. Following the public hearing, Commissioners chose to table the item until the October meeting and requested additional information pertaining to the public street, landscaping, and lot buildability.

#### **October 20, 2021**

The project was brought before the Planning Commission in October. The applicant had provided additional information about the existing trees on site and the proposed landscaping conditions with the development. Staff had received public comment from Anoka County regarding access onto Ambassador and shared this at the meeting. Staff also discussed the proposed public street and suggested that the public street be built consistent with a “rural section” which allows for narrower roads with a ditch system for drainage.

The Planning Commission held another public hearing on the proposed development. Members of the public voiced concerns about safety on Ambassador Blvd and the continued existence of the existing snowmobile trail along the property. Members of the public also did not feel that the development provided a public benefit to the City.

Planning Commissioners clarified that the site would be fully accessible to emergency services, the snowmobile trail would continue to exist and would be located within public right-

of-way, and discussed the comments from Anoka County regarding access and safety on Ambassador Blvd. Following the public hearing and discussion, Planning Commissioners entertained a motion for denial of the project. The motion for denial failed on a vote of 3-3. Following the failed motion, Commissioners chose to move the item along to the Council for review.

### **ACTION TO BE CONSIDERED:**

Following the October Planning Commission meeting, Staff provided the applicant with a list of additional information that needed to be submitted prior to presenting this development request to the City Council including additional soil borings, revised street and grading plans, and an updated stormwater management plan. The applicant has gathered additional information requested by Staff and revised plans according to Staff's recommendations. The revised plans are attached to this memo. Staff recommends approval of the land use and subdivision requests related to the Green Valley Preserve 2<sup>nd</sup> Addition development. Draft approval documents are attached for your consideration.

### **Suggested Motions**

1. Move to approve Resolution 2022-\_\_ approving a rezoning request for roughly 146 acres south of Ambassador Blvd and east of Nacre St from A-2 to PUD A-2 with findings as presented by Staff.
2. Move to approve Resolution 2022-\_\_ approving the preliminary plat for Green Valley Preserve 2<sup>nd</sup> Addition with conditions and findings of fact as presented by Staff.
3. Move to approve Resolution 2022-\_\_ approving the subdivision variances for a temporary dead-end street narrower than 32 feet wide and longer than 1,500 feet with conditions and findings of fact as presented by Staff.

If the development is approved, the 2<sup>nd</sup> reading of the Ordinance would be brought before Council on January 17<sup>th</sup>. The next step would be for the applicant to prepare and apply for final plat approval.

### **Attachments:**

1. Draft Approval Documents
  - a. Resolution 2022-\_\_ – Rezoning
  - b. Ordinance \_\_ – 1<sup>st</sup> Reading
  - c. Resolution 2022-\_\_ – Preliminary Plat
  - d. Resolution 2022-\_\_ – Subdivision Variances
2. Applicant Submittals
  - a. Preliminary Plat
  - b. Grading Plan
  - c. Street Grading & Drainage
  - d. Landscaping Plan
3. City Engineer Memo dated December 24, 2021
4. Anoka County Highway Department Review Letter dated September 22, 2021
5. Snowmobile Club Letter of Support
6. Planning Commission Memo – September 15, 2021

7. Planning Commission Memo – October 20, 2021

**CITY OF ST. FRANCIS  
ANOKA COUNTY, MINNESOTA**

**RESOLUTION NO. 2022-02**

**RESOLUTION APPROVING AN ORDINANCE FOR REZONING A 146-ACRE SITE  
SOUTH OF AMBASSADOR BLVD AND EAST OF NACRE ST FROM A-2 TO PUD A-2**

**WHEREAS**, on August 18, 2021, Terry Buchanan submitted a complete application requesting to rezone the property legally described in Exhibit A; and

**WHEREAS**, the property is currently zoned A-2 Rural Estate-Agriculture; and

**WHEREAS**, the applicant is proposing to rezone this property from A-2 to a Planned Unit Development based on the A-2 district; and

**WHEREAS**, on September 15, 2021 and October 20, 2021, after published and mailed notice in accordance with Minnesota Statutes and the City Code, the Planning Commission held a public hearing, at which time all persons desiring to be heard concerning this application were given the opportunity to speak thereon; and

**WHEREAS**, on October 20, 2021, the Planning Commission considered the applicant's submission, the contents of the staff report, public testimony, and other evidence available to the Commission; and made recommendations for consideration by the City Council; and

**WHEREAS**, on the City Council has considered the proposed project as it might affect public health, safety, or welfare and found that the project will not negatively impact the public health, safety, or welfare; and

**WHEREAS**, the City Council studied the practicality of the request, taking into consideration the present and future development of the property and the requirements of the Zoning and Subdivision Ordinances, and other official controls.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of St. Francis, Minnesota hereby approves the 1<sup>st</sup> Reading of Ordinance 287 as described above based on the following findings.

1. The proposed rezoning to PUD A-2 is consistent with the Comprehensive Plan designation for the site.
2. The proposed development provides a clear and identified public benefit to the City in the form of preserved open space within a conservation easement, the preservation of the existing snowmobile trail within the public right-of-way, and a cluster development which decreases the impact of the development on the site's existing natural features.

3. The applicant is proposing to utilize the site in a manner consistent with the A-2 district with some flexibility from zoning standards.

Approved and adopted by the City Council of the City of St. Francis on the 3<sup>rd</sup> day of January, 2022.

BY: \_\_\_\_\_  
Steven D. Feldman, Mayor

\_\_\_\_\_  
Attest: Jennifer Wida, City Clerk



# EXHIBIT A

PID# 27-34-25-44-0004

That part of the Southeast Quarter of the Southeast Quarter of Section 27, Township 34, Range 25, Anoka County, Minnesota, lying westerly of the East 990.00 feet thereof.

PID# 27-34-25-43-0002

That part of the Southwest Quarter of the Southeast Quarter of Section 27, Township 34, Range 25, Anoka County, Minnesota, described as follows:

Beginning at the SE corner of said quarter-quarter; thence west 825.00 feet; thence north 1056.00 feet; thence east 165 feet; thence south 132.00 feet; thence east 660.00 feet; thence south 924.00 feet to the point of beginning.

PID#34-34-25-11-0001

The Northeast Quarter of the Northeast Quarter of Section 34, Township 34, Range 25, Anoka County, Minnesota.

PID #34-34-25-14-0001

The Southeast Quarter of the Northeast Quarter of Section 34, Township 34, Range 25, Anoka County, Minnesota.

PID #34-34-25-13-0001

The Southwest Quarter of the Northeast Quarter of Section 34, Township 34, Range 25, Anoka County, Minnesota.

**ORDINANCE NO. 287**

**CITY OF ST. FRANCIS  
ANOKA COUNTY**

**AN ORDINANCE APPROVING REZONING OF THE PROPERTY SOUTH OF  
AMBASSADOR BLVD AND EAST OF NACRE ST FROM A-2 TO PUD A-2 – 1<sup>ST</sup>  
READING**

THE CITY COUNCIL OF THE CITY OF ST. FRANCIS, ANOKA COUNTY,  
MINNESOTA, ORDAINS:

**Section 1.** The property legally described in Exhibit A is hereby rezoned from the A-2 Rural Estate-Agriculture District to a Planned Unit Development (PUD A-2).

**Section 2.** The following requirements shall apply to property rezoned PUD A-2 by this Ordinance:

1. Minimum dimensional requirements shall be as follows:
  - a. Minimum lot area shall be 1.78 acres.
  - b. Minimum lot width shall be 146 feet.
2. All other dimensional requirements of the A-2 district shall apply.
3. All general zoning standards in the St. Francis City Code, to the extent not inconsistent with the terms of this ordinance, shall apply.

**Section 3.** The Zoning Map of the City of St. Francis referred to and described in Section 10-14-03 of the St. Francis City Code shall not be republished to show the aforesaid rezoning, but the Zoning Administrator or designee shall appropriately mark the Zoning Map on file in the City Clerk's office for the purpose of indicating the rezoning provided for in this ordinance and all of the notations, references, and other information shown thereon are hereby incorporated by reference and made a part of this ordinance.

**Section 3.** This Ordinance shall take effect and be enforced from and after its passage and publication according to law.

Approved and adopted by the City Council this 3<sup>rd</sup> day of January, 2022.

---

By: Steven D. Feldman, Mayor

---

Attest: Jenni Wida, City Clerk

# EXHIBIT A

PID# 27-34-25-44-0004

That part of the Southeast Quarter of the Southeast Quarter of Section 27, Township 34, Range 25, Anoka County, Minnesota, lying westerly of the East 990.00 feet thereof.

PID# 27-34-25-43-0002

That part of the Southwest Quarter of the Southeast Quarter of Section 27, Township 34, Range 25, Anoka County, Minnesota, described as follows:

Beginning at the SE corner of said quarter-quarter; thence west 825.00 feet; thence north 1056.00 feet; thence east 165 feet; thence south 132.00 feet; thence east 660.00 feet; thence south 924.00 feet to the point of beginning.

PID#34-34-25-11-0001

The Northeast Quarter of the Northeast Quarter of Section 34, Township 34, Range 25, Anoka County, Minnesota.

PID #34-34-25-14-0001

The Southeast Quarter of the Northeast Quarter of Section 34, Township 34, Range 25, Anoka County, Minnesota.

PID #34-34-25-13-0001

The Southwest Quarter of the Northeast Quarter of Section 34, Township 34, Range 25, Anoka County, Minnesota.

CITY OF ST. FRANCIS  
ST. FRANCIS, MN  
ANOKA COUNTY

RESOLUTION 2022-03

**A RESOLUTION APPROVING THE PRELIMINARY PUD PLAN AND PRELIMINARY  
PLAT FOR GREEN VALLEY PRESERVE 2<sup>ND</sup> ADDITION**

**WHEREAS**, the applicant, Terry Buchanan applied for a preliminary PUD plan and preliminary plat on August 18, 2021 for the property legally described in Exhibit A; and

**WHEREAS**, the Planning Commission on September 15, 2021 and October 20, 2021, opened and closed a duly noticed public hearing and considered the applicant's submission, the contents of the staff report, public testimony, and other evidence available to the Commission; and made recommendations for consideration by the City Council; and

**WHEREAS**, the City Council on January 3, 2022, has considered the recommendations of Staff and the Planning Commission, the Applicant's submissions, the contents of the staff reports dated September 8, 2021 and October 13, 2021, public testimony, and other evidence available to the Council.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of St. Francis hereby approves the preliminary PUD plan, preliminary plat, and associated documents for the 2<sup>nd</sup> Addition of the Green Valley Preserve development based on the following findings of fact:

1. The proposed rezoning is consistent with the City's 2040 Comprehensive Plan and compatible with present and future land uses of the area.
2. Excluding the exceptions granted by the PUD, the development is consistent with the City's Zoning Ordinance.
3. The proposed development is not intended to be accommodated by public sewer and water and therefore will not overburden the City's service capacity.
4. Traffic generated by this development is within the capabilities of streets serving the property.

**BE IT FURTHER RESOLVED** that approval of the preliminary PUD plan and preliminary plat for the 2<sup>nd</sup> Addition of Green Valley Preserve shall be subject to the following conditions:

1. Approval is subject to the concurrent approval of the related land use and subdivision requests pertaining to the Green Valley Preserve 2nd Addition project.

2. Applicant shall provide the legal description and exhibit for the conservation easement access easement.
3. Applicant shall resolve all title issues for the property prior to recording of any final plat.
4. Applicant shall comply with all comments from the City Engineer as stated in his December 23, 2021 memo.
5. Applicant shall comply with all comments from Anoka County Transportation Division regarding roadways and access onto Ambassador Blvd NW as stated in their September 22, 2021 memo.
6. Applicant shall revise the preliminary plat:
  - a. List total acreage of the land to be subdivided and total upland area (land above the ordinary high-water mark of existing wetlands, lakes and rivers).
  - b. An additional 10' of ROW along Ambassador shall be dedicated to Anoka County. Block 2 Lot 1 shall be revised accordingly.
  - c. Provide updated gross and buildable areas for each lot.
7. Applicant shall revise the landscaping plan:
  - a. Identify sodded and seeded areas and label with respective areas in sq. ft.
  - b. Provide vegetative buffer along the northern side of Block 2, Lot 1.
8. A maintenance agreement for the conservation access easement and final wording of the conservation easement, park dedication, and a buffer establishment and signage plan shall be provided with the final plat.
9. The applicant shall be responsible for all costs associated with the subdivision application.

Approved and adopted by the City Council of the City of St. Francis on the 3<sup>rd</sup> day of January, 2022.

\_\_\_\_\_  
Approved: Steven D. Feldman, Mayor

\_\_\_\_\_  
Attest: Jennifer Wida, City Clerk

\_\_\_\_\_  
Dated

# EXHIBIT A

PID# 27-34-25-44-0004

That part of the Southeast Quarter of the Southeast Quarter of Section 27, Township 34, Range 25, Anoka County, Minnesota, lying westerly of the East 990.00 feet thereof.

PID# 27-34-25-43-0002

That part of the Southwest Quarter of the Southeast Quarter of Section 27, Township 34, Range 25, Anoka County, Minnesota, described as follows:

Beginning at the SE corner of said quarter-quarter; thence west 825.00 feet; thence north 1056.00 feet; thence east 165 feet; thence south 132.00 feet; thence east 660.00 feet; thence south 924.00 feet to the point of beginning.

PID#34-34-25-11-0001

The Northeast Quarter of the Northeast Quarter of Section 34, Township 34, Range 25, Anoka County, Minnesota.

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The Southeast Quarter of the Northeast Quarter of Section 34, Township 34, Range 25, Anoka County, Minnesota.

PID #34-34-25-13-0001

The Southwest Quarter of the Northeast Quarter of Section 34, Township 34, Range 25, Anoka County, Minnesota.

**CITY OF ST. FRANCIS  
ST. FRANCIS, MN  
ANOKA COUNTY**

**RESOLUTION 2022-04**

**A RESOLUTION APPROVING SUBDIVISION VARIANCES FOR A NARROW, LONG  
TEMPORARY DEAD-END STREET IN THE GREEN VALLEY PRESERVE 2<sup>ND</sup>  
ADDITION DEVELOPMENT**

**WHEREAS**, the applicant, Terry Buchanan applied for subdivision variances related to a public street plat on August 18, 2021 for the property legally described in Exhibit A; and

**WHEREAS** the street is proposed to be longer than the 1,500 foot length allowed for temporary dead-end streets; and

**WHEREAS** the street is proposed to have a narrower pavement width than 32 feet due to it being designed to meet the requirements of a rural section;

**WHEREAS**, the Planning Commission on September 15, 2021 and October 20, 2021, opened and closed a duly noticed public hearing and considered the applicant's submission, the contents of the staff report, public testimony, and other evidence available to the Commission; and made recommendations for consideration by the City Council; and

**WHEREAS**, the City Council on January 3, 2022, has considered the recommendations of Staff and the Planning Commission, the Applicant's submissions, the contents of the staff report, public testimony, and other evidence available to the Council.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of St. Francis hereby approves the subdivision variances for the public street within the 2<sup>nd</sup> Addition of the Green Valley Preserve development based on the following findings of fact:

1. The long, thin shape of the subject site and the location of wetlands negatively affect the applicant's ability to fully develop the land in a way that would allow for a shorter temporary dead-end street. The site's shape and location of physical features is a circumstance that was not created by the owner.
2. The site is located outside of the urban service area where an urban street section is unnecessary.
3. The variance will not be detrimental to the public health, safety and welfare or injurious to other property in the vicinity in which the development site is situated.
4. The variance will not increase the flood hazard or flood damage potential.
5. The variance will not result in a stage increase violating the requirements of Minnesota Statutes, Ch. 104 and Ch. 105, as may be amended, and any

applicable requirements imposed by the Federal Emergency Management Agency.

**BE IT FURTHER RESOLVED** that approval of the subdivision variances for the public street within the 2<sup>nd</sup> Addition of Green Valley Preserve shall be subject to the following conditions:

1. The public street shall be designed according to specifications provided by the City Engineer.
2. Approval is subject to the concurrent approval of the other related land use and subdivision requests pertaining to the Green Valley Preserve 2nd Addition project.
3. All fees and financial obligations shall be received by the City prior to the releasing of the approval document for recording.

Approved and adopted by the City Council of the City of St. Francis on the 3<sup>rd</sup> day of January, 2022.

---

Approved: Steven D. Feldman, Mayor

---

Attest: Jennifer Wida, City Clerk



# EXHIBIT A

PID# 27-34-25-44-0004

That part of the Southeast Quarter of the Southeast Quarter of Section 27, Township 34, Range 25, Anoka County, Minnesota, lying westerly of the East 990.00 feet thereof.

PID# 27-34-25-43-0002

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PID #34-34-25-13-0001

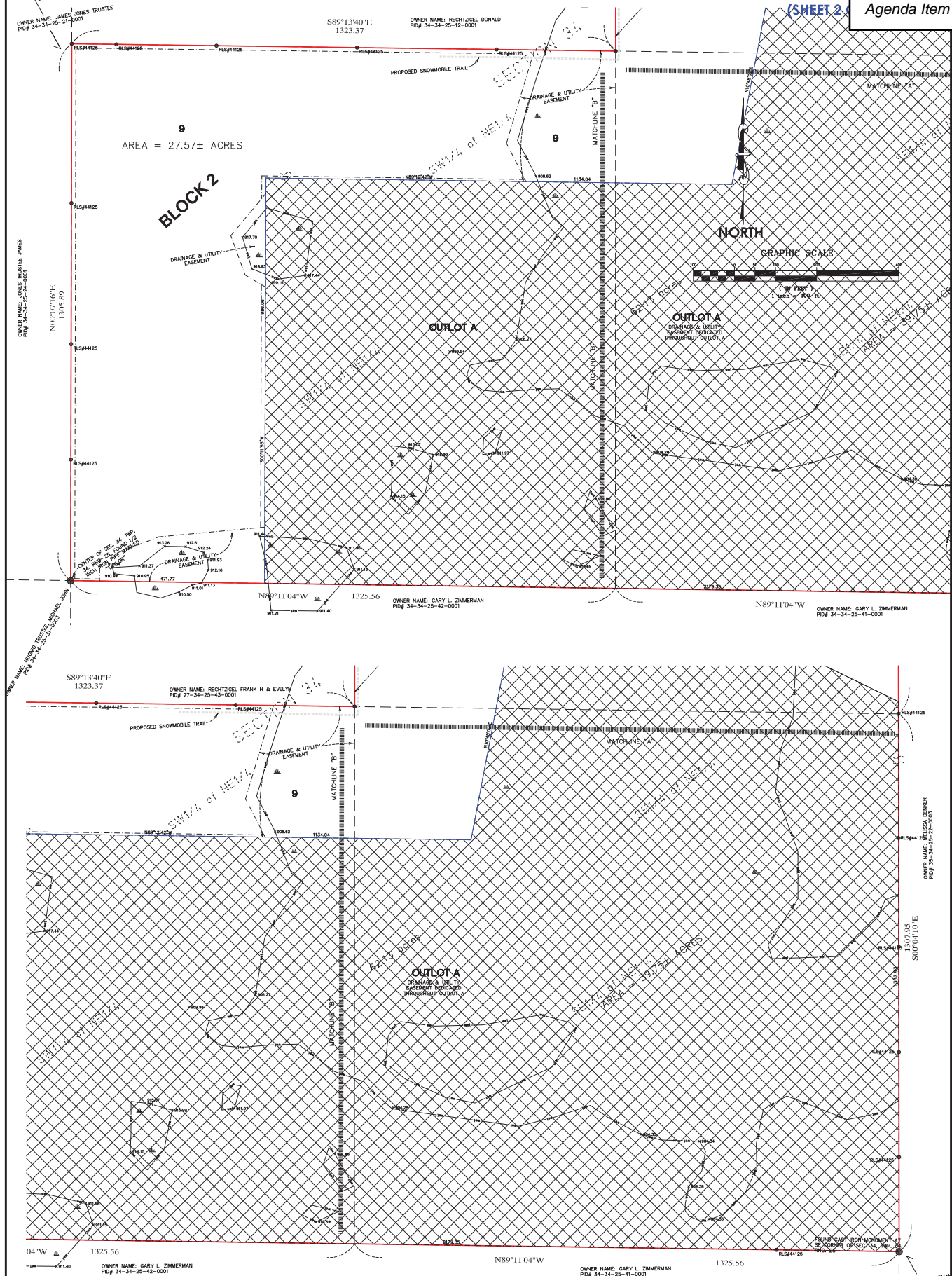
The Southwest Quarter of the Northeast Quarter of Section 34, Township 34, Range 25, Anoka County, Minnesota.



# PRELIMINARY PLAT ~OF~ GREEN VALLEY PRESERVE SECOND ADDITION

Agenda Item # 9A.

(SHEET 2)



## ZONING & NOTES

- PROPERTY PRESENTLY ZONED A-2 RURAL ESTATE, COMPREHENSIVE PLAN DESIGNATION IS AGRICULTURE.
- ALL ADJACENT PROPERTIES ZONED A-2 RURAL ESTATE.
- PROPOSED ZONING: RUD
- BUILDING SETBACKS:  
FRONT = 35'  
SIDE = 10'  
REAR = 35'
- TOTAL SITE AREA = 146.7± ACRES

## BENCHMARK

BASIS FOR ELEVATION: ANOKA COUNTY BM 42946, NVDAD 1985, ELEV = 490.018 (TOP OF MOST EASTERLY BOLT ON THE SE SIDE OF THE BRIDGE)

## LEGEND

- DENOTES CONSERVATION EASEMENT
- x101.2 DENOTES EXISTING ELEVATION
- DENOTES IRON MONUMENT FOUND

## NOTES:

- WETLANDS DELINEATED BY DELON HAYES IN APRIL, 2021.
- SOIL BORINGS BY LOGAN'S EXCAVATING, DATED APRIL, 2021.
- THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF RECORD. EASEMENT, APPURTENANCES AND ENCUMBRANCES MAY EXIST IN ADDITION TO THOSE SHOWN HEREON. THIS SURVEY IS SUBJECT TO MODIFICATION UPON RECEIPT OF A FIDELITY INSURANCE COMMITMENT TO ASSURE THE SURVEY.
- CONTAINERS SHOWN HEREON FROM <https://legis.house.state.mn.us/dms/mnmapinfo>. SPOT CHECKS WERE MADE AND TOPOGRAPHY WAS ADJUSTED TO BEST MATCH 9401 OBSERVED ELEVATIONS.

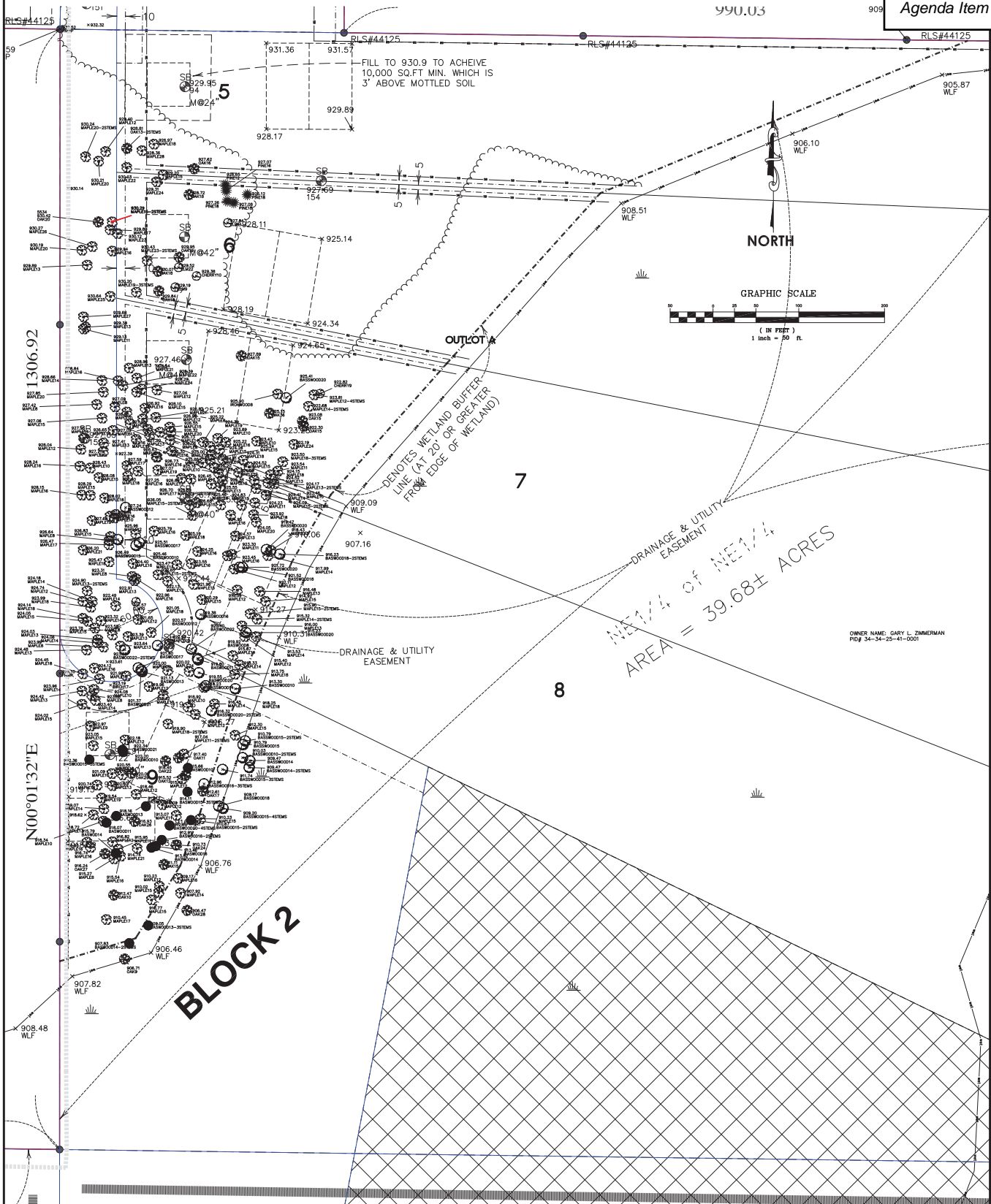
Rev. 12/15/21, city comments, 66' r/w, areas  
Rev. 10/13/21, add snowmobile trail

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

Eric R. Vickaryous  
Date: Sept. 9th, 2021, Reg. No. 44125

# TREE LOCATION SURVEY

Agenda Item # 9A.



## ZONING & NOTES

- PROPERTY PRESENTLY ZONED A-2 RURAL ESTATE, COMPREHENSIVE PLAN DESIGNATION IS AGRICULTURE.
- ALL ADJACENT PROPERTIES ZONED A-2 RURAL ESTATE.
- PROPOSED ZONING: RUD
- BUILDING SETBACKS:  
FRONT = 35'  
SIDE = 15'  
REAR = 35'
- TOTAL SITE AREA = 146.72± ACRES

## BENCHMARK

BASIS FOR ELEVATION: ANOKA COUNTY BM 2946, NVAD 1985, ELEV = 907.018 (TOP OF MOST EASTERLY BOLT ON THE SE SIDE OF THE BRIDGE)

## LEGEND

- DENOTES CONSERVATION EASEMENT
- x1011.2 DENOTES EXISTING ELEVATION.
- DENOTES IRON MONUMENT FOUND

## NOTES:

- WETLANDS DELINEATED BY DELLOH HAYES IN APRIL, 2021.
- SOIL BORINGS BY LOGAN'S EXCAVATING, DATED APRIL, 2021.
- THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF METEOR. EASEMENT, APPURTENANCES AND ENCUMBRANCES MAY EXIST IN ADDITION TO THOSE SHOWN HEREON. THIS SURVEY IS SUBJECT TO REVIEW UPON RECEIPT OF A TITLE INSURANCE COMMITMENT TO ATTORNEY FILE REVIEW.
- CONTAINERS SHOWN HEREON FROM <http://arcgis.boulder.state.mn.us/mnmap/mnmaptopo>. SPOT CHECKS WERE MADE AND TOPOGRAPHY WAS ADJUSTED TO BEST MATCH FIELD OBSERVED ELEVATIONS.
- SIGNIFICANT TREES SHOWN LOCATED IN FIELD IN OCTOBER, 2021. TREES WERE MEASURED AT DBH AND DIAMETERS ARE SHOWN IN INCHES.

Rev. 12/15/21, city comments, 66' r/w, areas  
I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.  
ERIC R. VICKARYOUS  
Date: Oct. 13th, 2021, Reg. No. 44125



**GREEN VALLEY LLP**  
ST. FRANCIS, MN

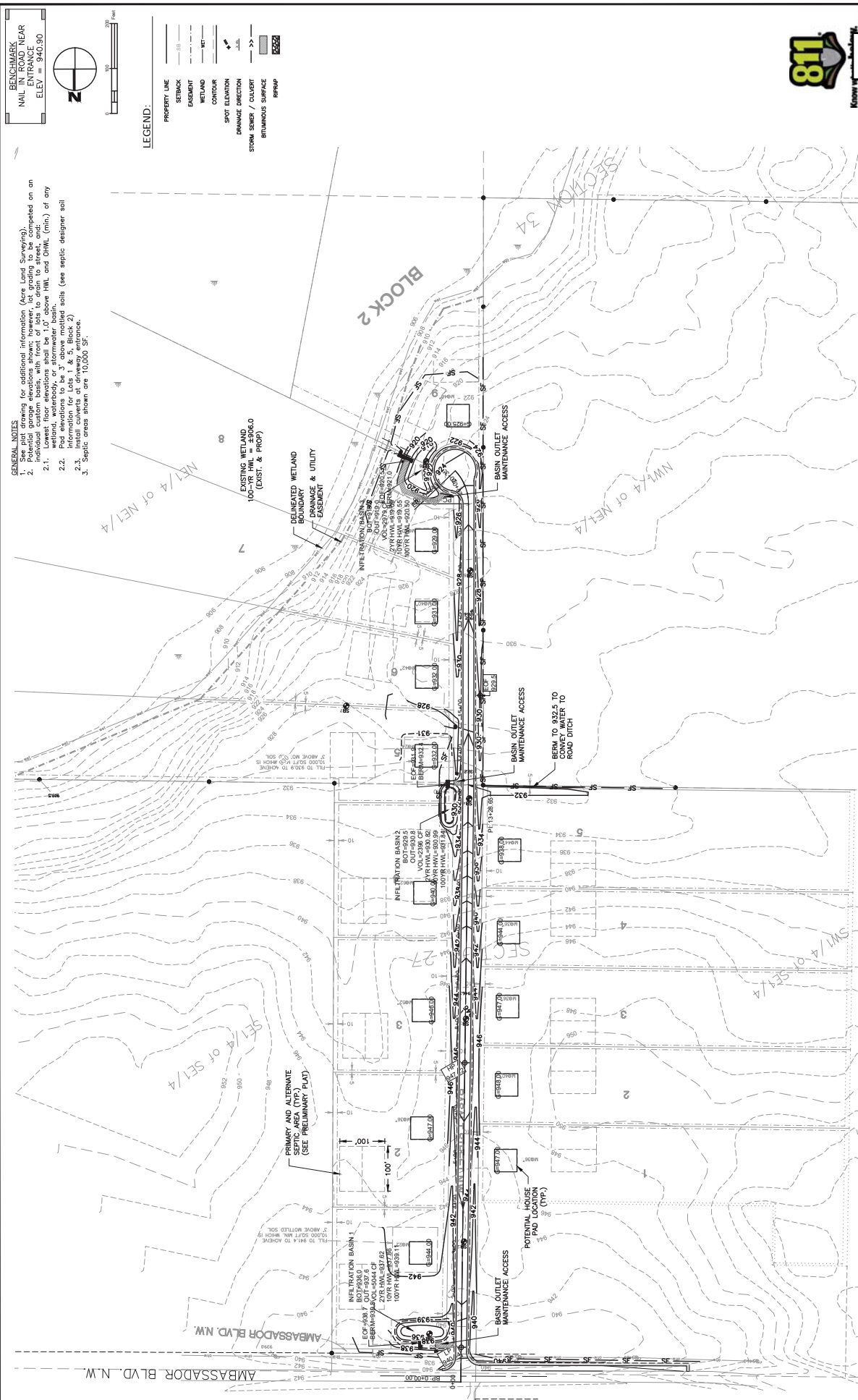
WINNER:

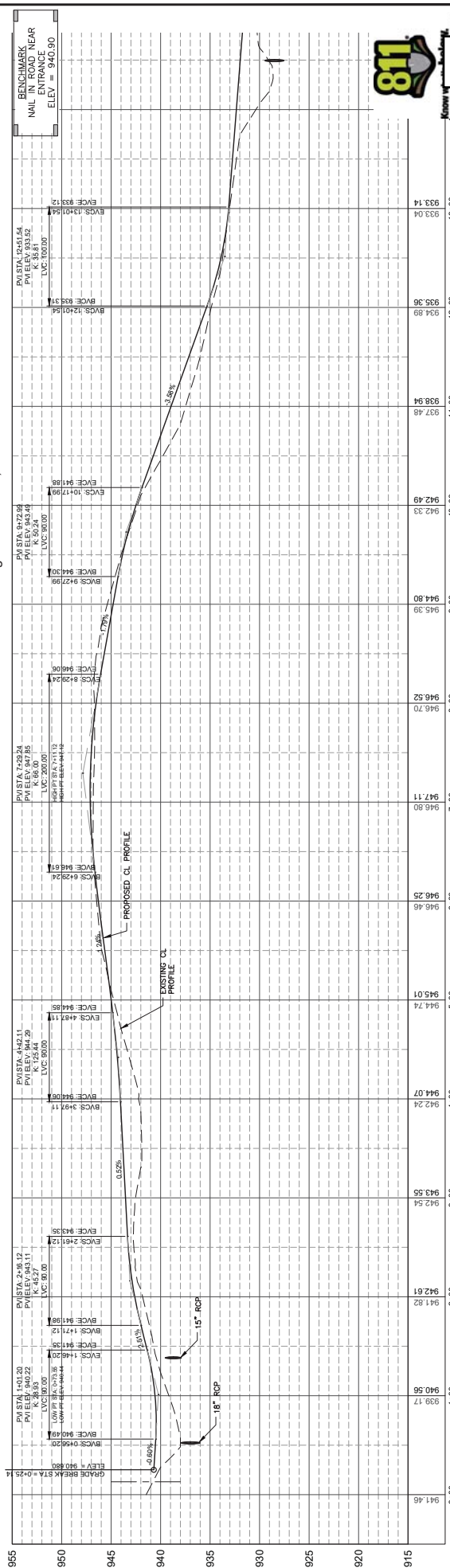
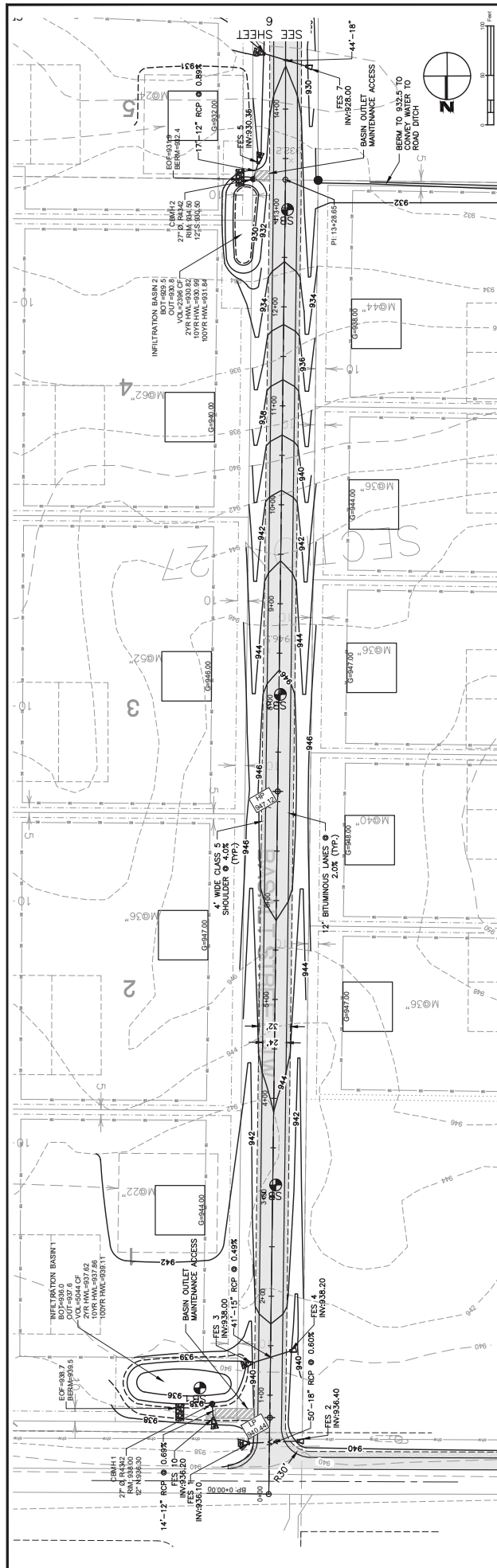
DATE / REVISION:

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED  
 BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A FULLY LICENSED  
 PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

DATE: 09-18-2021  
 DAVID M POGGI  
 DESIGNED: DMP  
 DRAWN: DMP  
 CHECKED: KEB  
 44579

CIVIL METHODS, INC.  
P.O. Box 28038  
St. Paul, MN 55128  
763.210.5713 | [www.civilmethods.com](http://www.civilmethods.com)






*Agenda Item # 9A.*

**FILE**  
**STREET GRADING & DRAINAGE PLAN**  
GREEN VALLEY PRESERVE SECOND ADDITION  
ST FRANCIS, MN

**GREEN VALLEY LLP**  
ST. FRANCIS, MN

WINNER:

DATE / REVISION:  
 08-18-2021 Preliminary Plat Review Set. NOT FOR CONSTRUCTION  
 09-02-2021 Revised to add septic locations. NOT FOR CONSTRUCTION  
 06-07-2021 Revised Landscaping Plan. NOT FOR CONSTRUCTION  
 02-15-2021 Revised Per City Comment. PRELIMINARY - NOT FOR CONSTRUCTION

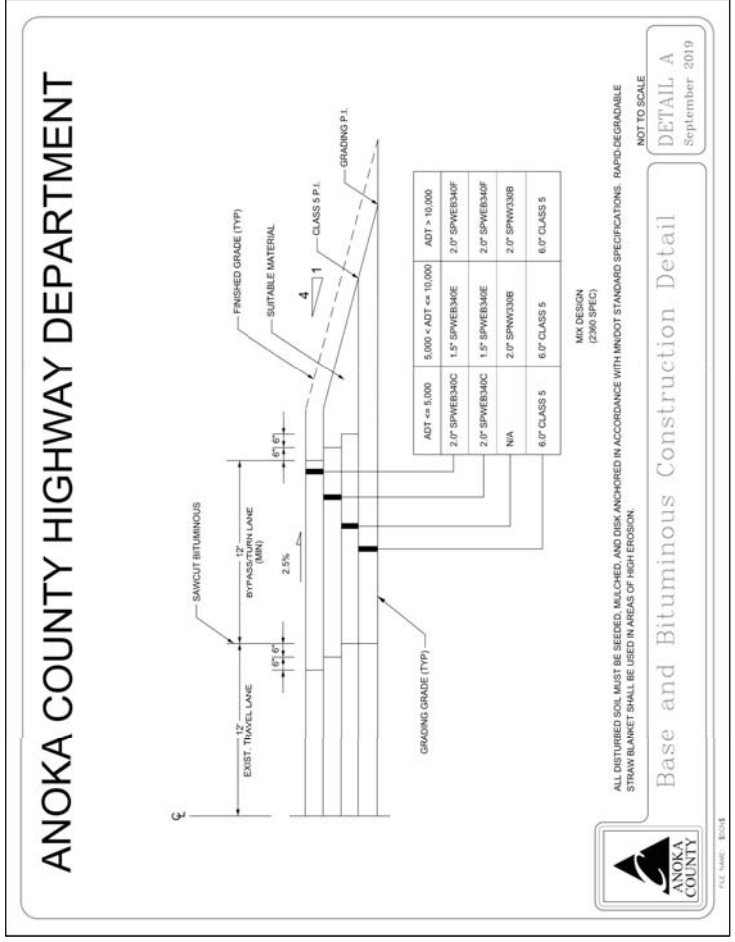
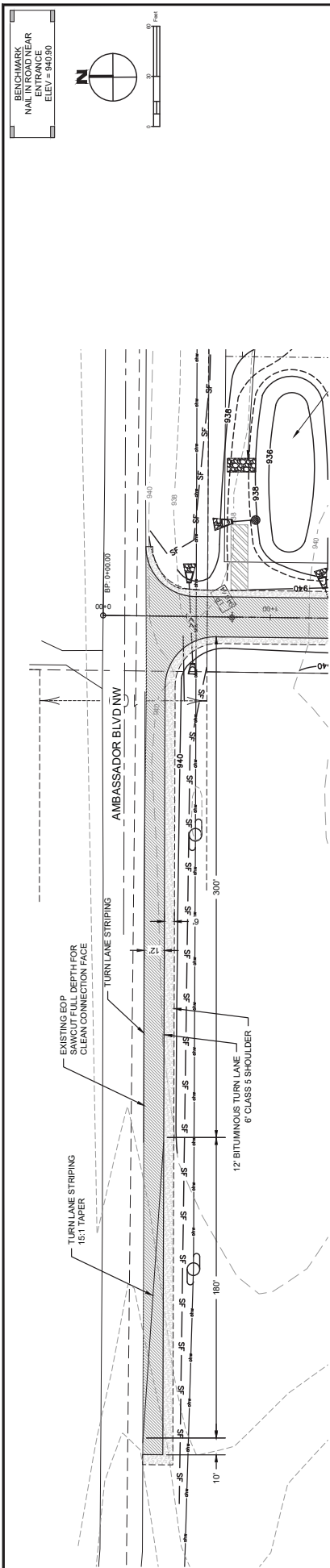

 DATE 08-18-2021  
 DAVID M POGGI

CIVIL METHODS, INC.  
P.O. Box 28038  
St. Paul, MN 55128  
763.210.5713 | [www.civilmethods.com](http://www.civilmethods.com)









Agenda Item # 9A.

**CIVIL METHODS, INC.**  
P.O. Box 28038  
St. Paul, MN 55128  
o: 763.210.5713 | www.civilmethods.com

**GREEN VALLEY LLP**  
ST. FRANCIS, MN

**AMBASSADOR BLVD TURN LANE**  
GREEN VALLEY PRESERVE SECOND ADDITION  
ST FRANCIS, MN

DATE: PRELIMINARY  
08-08-2021  
05-18-2021

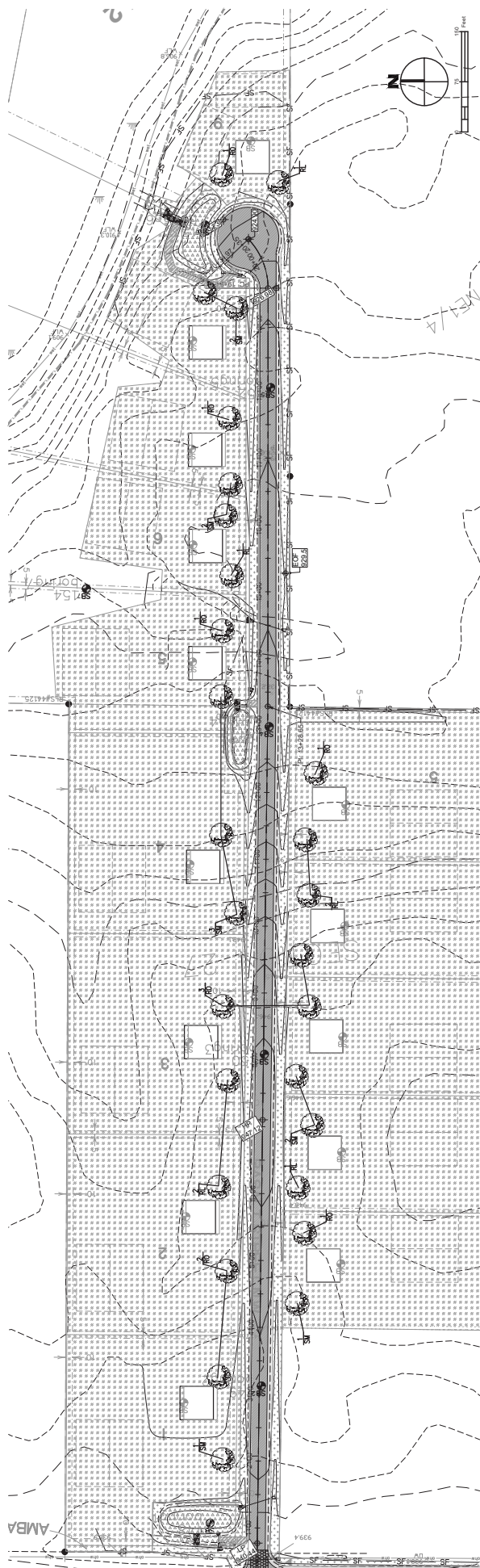
DESIGNED: DMP  
DRAWN: DMP  
CHECKED: RB

DATE: PRELIMINARY  
08-08-2021  
05-18-2021

DESIGNED: DMP  
DRAWN: DMP  
CHECKED: RB

DATE: PRELIMINARY  
08-08-2021  
05-18-2021

DESIGNED: DMP  
DRAWN: DMP  
CHECKED: RB

[illegible]

PLANT SCHEDULE					PLANT SIZE
REX	QTY	COMMON NAME	BOTANICAL NAME	ROOT	CAL SIZE
5W	11	Sugar Maple	Acer saccharum	B&B	2"
80	10	Northern Red Oak	Quercus rubra	B&B	2"
RL	7	Redmond Linden	Tilia americana 'Redmond'	B&B	2"

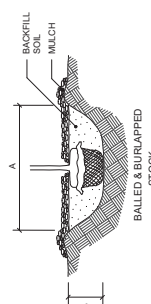
## LANDSCAPING SUMMARY:

RESIDENTIAL:  
2 DECIDUOUS TREES PER LOT; AT LEAST ONE IN FRONT YARD.  
REQUIRED: 28 TREES, PROVIDED: 28 TREES  
SEE NOTE #1 FOR APPROVED TREES; AT LEAST TWO  
TWO DIFFERENT SPECIES SHALL BE PLANTED.

- BALLED & BURLAPPED STOCK

- [illegible]

PLANTING HOLE DIMENSIONS			(MINIMUM WIDTH DOES NOT APPLY IN CASE PLANTING BEDS)	
PLANT TYPE	PLANT SIZE (UP TO AND INCLUDING)	HOLE PLANTING DEPTH (INCHES)	HOLE PLANTING WIDTH (INCHES)	
			A	B
CONIFEROUS TREES	3" DBL.	62	41	11
	5" DBL.	51	33	11
	5" B B.	60	13	13
AT LEAST OF ALL CONIFER	6" B B.	66	15	13
TERMINAL BUDS	7" B B.	72	16	16
	8" B B.	81	18	18
	9" B B.	90	20	20
	10" B B.	102	21	21
CONTAINER GROWN	#1 cont.	18	6	6
	#2 cont.	23	7.5	7.5
	#3 cont.	29	8.5	8.5
	#4 cont.	31	9	9
	#7 cont.	37	11	11
	#10 cont.	44	14	14
	#15 cont.	45	15	15
	#20 cont.	50	16	16
	#25 cont.	72	19	19



## ISOLATED PLANTINGS



**ENGINEERING REVIEW  
for the City of St. Francis  
by  
Hakanson Anderson**

---

**Submitted to:** City of St. Francis

**cc:** Joe Kohlmann, City Administrator  
Kate Thunstrom, Community Development Director  
Craig Jochum, City Engineer  
Beth Richmond, City Planner  
Dave Schaps, City Attorney  
Terry Buchanan, Developer  
David Poggi, Developer's Engineer  
Eric Vickaryous, Developer's Surveyor

**Reviewed by:** Shane Nelson, Assistant City Engineer

**Date:** December 23, 2021

**Proposed  
Project:** Green Valley Preserve Second Addition

**Street Location:** Unassigned

**Applicant:** Green Valley Development LLP

**Owners of Record:** Green Valley Development LLP

**Jurisdictional Agencies:** City of St. Francis, Anoka County, BWSR,  
(but not limited to) Army Corps of Engineers, MPCA, MDH, URRWMO

**Permits Required:** City Approval, NPDES Construction Permit,  
(but not limited to) Anoka County Access Permit

## **INFORMATION AVAILABLE**

Preliminary Plat of Green Valley Preserve Second Addition, dated 12/15/2021, prepared by Acre Land Surveying

Preliminary Plans for Green Valley Preserve Second Addition, dated 12/15/2021, prepared by Civil Methods, Inc.

Stormwater Management Plan, dated 12/15/21, prepared by Civil Methods, Inc.

Wetland Delineation Report for Green Valley Preserve Second Addition, dated 4/24/2021, prepared by Logan's Excavating

Soil Observation Logs, dated 5/1/2021, prepared by Logan's Excavating

Soil Observation Logs, dated 12/8/21, prepared by Tradewell Soil Testing

Report of Geotechnical Exploration, dated 11/30/2021, prepared by ITCO Allied Engineering Company

## **SITE ACCESS / VEHICULAR TRAFFIC**

1. The project is proposed to receive access from Ambassador Blvd (CSAH 28). Ambassador Blvd (CSAH 28) is a County Highway and is under the jurisdiction of the Anoka County Highway Department. The new street access must meet all design and safety criteria (including site distance) as per the Anoka County Highway Department requirements. The Applicant shall be responsible for providing a design that meets Anoka County Highway Department standards and shall be solely responsible for all costs associated with the construction of the turn lanes and new access, including right-of-way acquisition if necessary.
2. A new City Street that terminates in a cul-de-sac is proposed to be constructed to provide access to the new lots proposed with this development. The cul-de-sac street is approximately 2,000 feet in length.

## **PRELIMINARY PLAT**

1. All lots must contain a one (1) acre contiguous parcel of land at the proposed building site that meets the following physical characteristics:

Within the one-acre contiguous parcel there shall be a proposed building site with a minimum dimension of 100 feet by 100 feet. The proposed building site shall have at least a three (3) foot separation between the final surface elevation of the lot and the highest known ground water elevation. The highest known water table is to be determined by the presence of mottled soil in soil tests. The balance of the one-acre shall not include any Type 1-8 Wetlands. Lots requiring fill material in order to meet the three (3) foot

separation requirement shall provide the City with a grading plan. The grading plan shall note the location of the area to be filled, the location of the proposed individual sewage treatment system and alternate individual sewage treatment system locations and borrow sites if applicable.

Based on the additional soil observation logs, all of the proposed lots except for two meet the City Code requirements in the in-situ condition.

Grading is depicted on the Preliminary Grading Plans for Lot 1, Block 2 and Lot 5, Block 2 to meet the City's requirements, which is acceptable.

2. The Preliminary Plat indicates a "Gap or Overlap with the adjacent property" along the western and northerly border. We recommend that any consideration of the Preliminary Plat is contingent upon the title issues being resolved and confirmation that all lots continue to meet City zoning standards.
3. Wetland buffers are required adjacent to all delineated wetlands and shall be within a conservation easement or a drainage and utility easement. (10-83-04.C.8.e)
4. The area of stormwater ponds HWL plus one (1) foot of freeboard shall be contained within a drainage and utility easement. (10-82-06.8) Additional easement will be necessary to comply with the City's Stormwater Management requirements. See comments below.
5. As designed, Lot 6, Block 2 will have a considerable amount of cross drainage from the west side of the road, the east side of the road, and the discharge from Infiltration Basin 2. Please provide a drainage and utility easement, minimum 20' in width, over the flow path or alternatively relocate Infiltration Basin 2 and construct a swale along the north lot line of Lot 6.
6. Please provide a 20' wide drainage and utility easement along the rear lot lines of Lots 1 thru 5, Block 1 and along the south lot line of Lot 5, Block 1 to allow for cross drainage.
7. Please provide a 20' wide drainage and utility easement along the rear lot lines of Lots 1 thru 4, Block 2 and along the north lot line of Lot 5, Block 2 to allow for cross drainage.

## **GRADING, DRAINAGE AND EROSION CONTROL**

1. This project will disturb more than 1 acre of land, therefore, an NPDES Construction Permit from the MPCA will be necessary.
2. The lot layout depicted on the Preliminary Grading Plan does not agree with the Preliminary Plat for Block 2. Please submit a Preliminary Grading Plan with a lot layout and plat boundary that is in agreement with Preliminary Plat.

3. Redundant silt fence is required when grading activities are within 50 feet of a wetland. Please depict on the plans.
4. Impervious surfacing indicated on the SWPPP does not match the impervious surfacing in the SWMP. Please update the SWPPP to match the impervious surfacing amount in the SWMP.
5. Seelye Brook has a TMDL approved for E. Coli, please include this on the note on the SWPPP.
6. The proposed Infiltration Basin 2 on the east side of the road is proposed in a location in which does not treat the impervious surfaces from the west side of the road. The location of the infiltration basin shall be revised such that the runoff from the street and front yards of the proposed lots is treated prior to entering the natural drainage system. Consider relocating the infiltration basin to the rear yard of Lot 5, Block 2 with a drainage swale to convey the stormwater and a pipe outlet that discharges at or near the wetland elevation to prevent erosion.

## **STORMWATER MANAGEMENT**

1. In general, this project is adding impervious surface in the form of new roads, houses, driveways, patios, outbuildings, and stormwater ponds. However, the Stormwater Management report does not appear to account for the increase in impervious surface and the stormwater ponds depicted appear to be under-sized.

Impervious surfacing calculations account for 4,000 square feet per lot. Please revise the impervious surfacing per lot to account for typical home construction, driveway, patios, and accessory structures as allowed by City ordinance 10-68-02 & 10-43-04. Depending on site conditions, designers typically assume anywhere from 10,000 SF to 15,000 SF per lot of impervious surface, which would be acceptable to the City. Note that City ordinance allows for 35% impervious surface coverage.

2. The impervious surfacing from the road and from the front yards of Block 1 shall be treated prior to discharging to the natural drainage system. Please revise.
3. CBMH 1 rim elevation does not agree with the outlet elevation in the stormwater model. Please revise.
4. The outlet elevations in the stormwater model do not agree with the plans. Please revise the rim elevations and culvert inverts accordingly.
5. The outlet control structure elevations in the plans do not match the stormwater model. The invert for the orifice appears to be too high relative to the weir elevation. An alternative design may be required for this outlet.
6. Please revise the Outlet detail to specify a Haala pre-fabricated grate.

## **WETLANDS**

1. The Wetland Delineation Report has been received and approved. A Notice of Decision was issued on November 10, 2021.
2. A wetland management plan is required for this development consistent with Section 10-83-04 of the City Code. Please update the Preliminary Grading Plan to depict the applicable wetland buffers as per table 10-83-04.C.7.c.
3. The buffer establishment plan and signage plan may be provided at a later date (with the Final Plat application).
4. There are no wetland impacts depicted with the Preliminary Grading Plans.

## **SEPTIC SITES**

1. Suitability of septic sites to be reviewed by Building Official.

## **WATER SUPPLY**

1. Individual wells are proposed to provide water supply to the proposed lots. Wells must meet requirements of the Minnesota Department of Health and applicable state laws and regulations.

## **OTHER**

1. Zoning review to be completed by City Planner.
2. The final construction plans must be in accordance with City standards and include all applicable City standard details, which can be found here: <https://www.stfrancismn.org/commdev/page/private-development-standards>

## **SUMMARY AND/OR RECOMMENDATIONS**

We recommend approval of the Preliminary Pat subject to addressing the comments herein.





**Anoka County**  
**TRANSPORTATION DIVISION**  
Highway

Agenda Item # 9A.

Beth Richmond  
City of St. Francis  
23340 Cree St. NW  
St. Francis, MN 5507

September 22, 2021

RE: Preliminary Plat – Green Valley Preserve 2<sup>nd</sup> Addition

Dear Beth,

We have reviewed the Preliminary Plat for Green Valley Preserve 2<sup>nd</sup> Addition to be located south of CSAH 28 (Ambassador Boulevard NW) and east of CR 70 (Nacre Street NW) within the City of St. Francis, and I offer the following comments:

An additional 10 feet of right of way along CSAH 28 will be required for future reconstruction purposes (60 feet total right of way width south of CSAH 28). As proposed, the plat will introduce one new street access point onto CSAH 28, which will be permitted provided that construction of an EB CSAH 28 right turn lane and WB CSAH 28 bypass lane are completed in conjunction with this plat. The exact turn lane requirements and design details for construction will be determined through the ACHD Engineering Plan Review process. It appears that all intersection sight distance requirements can be met for the plat and the city/developer should ensure that sight distance requirements are met to the greatest extent possible. No other access points onto CSAH 28 will be permitted for this plat and the right of access along CSAH 28 should be dedicated to Anoka County with the exception for the proposed new city street. Please note that no plantings or private signs will be permitted within the county right of way and care must be exercised when locating private signs, building, structures, plantings, berms, etc. outside of the county right of way, so as not to create any new sight obstructions for this section of CSAH 28.

ACHD would like to work with local governments in promoting compatibility between land use and the county highway system. It should be recognized that residential land uses located adjacent to County highways often results in complaints about traffic noise. Existing and/or future traffic noise from CSAH 28 could exceed noise standards established by the Minnesota Pollution Control Agency (MPCA), the U.S. Department of Housing and Urban Development, and the U.S. Department of Transportation. Minnesota Rule 7030.0030 states that municipalities are responsible for taking all reasonable measures to prevent land use activities listed in the MPCA's Noise Area Classification (NAC) where establishment of the land use would result in violations of established noise standards. It is advised that the City and the Developer assess the noise situation for this development as it is proposed to be located directly adjacent to CSAH 28 and take the level of action deemed necessary to minimize the impact of any highway noise by incorporating the appropriate noise mitigation elements into the design and phasing of this plat as applicable.

Our Passion Is Your Safe Way Home

1440 Bunker Lake Boulevard N.W. ▲ Andover, MN 55304-4005  
Office: 763-324-3100 ▲ Fax: 763-324-3020 ▲ [www.anokacounty.us/highway](http://www.anokacounty.us/highway)

Affirmative Action / Equal Opportunity Employer



The ACHD Engineering Plan Review process will apply to this site. Construction plans for the EB CSAH 28 right turn lane and WB CSAH 28 bypass lane and drainage calculations must be submitted along with a grading and erosion control plan that delineates the drainage areas for this development. The post-developed rate/volume of runoff must not exceed the pre-developed rate/volume of runoff for the 10-year critical design storm. Contact Brandon Ulvenes, Engineer I, via phone at 763.324.3159 or via email at [Brandon.Ulvenes@co.anoka.mn.us](mailto:Brandon.Ulvenes@co.anoka.mn.us) for further information and to coordinate the ACHD Engineering Plan Review process. Please submit the drainage calculations, grading and erosion control plans, right and left turn lane construction plans, ACHD Design Requirements Checklist for County Highway Modifications (copy available via our website), and the applicable engineering plan review fee (estimated at \$850.00) to Mr. Ulvenes for his review and approval.

Following completion of the ACHD Engineering Plan Review process outlined above, the contractor(s) who will be completing any work within the county right of way must begin the ACHD Permit process. One permit for Work within the County Right of Way (\$150.00) and one Street Access permit (\$250.00) must be obtained prior to the commencement of any construction. License permit bonding, methods of construction, design details, work zone traffic control, restoration requirements and follow-up inspections are typical elements of the permitting process. Contact Sue Burgmeier via phone at 763.324.3142 or via email at [Susan.Burgmeier@co.anoka.mn.us](mailto:Susan.Burgmeier@co.anoka.mn.us) for further information and to coordinate the ACHD Permit process.

Thank you for the opportunity to comment. Feel free to contact me if you have any questions regarding this review.

Sincerely,



Logan Keehr  
Traffic Engineering Technician

xc: CSAH 28/Plats+Developments/2021  
Jerry Auge, Assistant County Engineer  
Jane Rose, Traffic Engineering Manager  
David Zieglmeier, County Surveyor  
Sean Thiel, Graduate Engineer  
Sue Burgmeier, Traffic Engineering Technician  
Brandon Ulvenes, Engineer I

## RUM RIVER SNOWMOBILE TRAIL

Sno-Ghosts Snowmobile Club d/b/a

Merwyn Larsen

17844 Xeon Street NW, Andover, MN 55304

Cell Phone: 612-759-1040

Email: [merwyn.larsen@comcast.net](mailto:merwyn.larsen@comcast.net)

October 26, 2021

Mr. Josh Savageau  
Green Valley Development  
Suite 200  
3495 Northdale Blvd.  
Coon Rapids, MN 55448

RE: Public use Snowmobile trail permission on  
Development of property in St. Francis, MN – Ambassador Ave  
Anoka County – Township/Section 34N/25S

Dear Mr. Savageau,

Please let me introduce myself. I am Merwyn Larsen, a member of the Sno-Ghosts Snowmobile Club which also does business as Rum River Snowmobile Trail. I have been involved with the trail since it was started back in the early 1970's.

The snowmobile trail is a public use snowmobile trail. The trail is approved by Minnesota Dept of Natural Resources however all work involved in obtaining permissions from landowners, clearing paths for trail, all maintenance including grooming, signing, cleaning etc. No work is completed by employees of the MN DNR – all labor & work is volunteered by members of various non-profit organizations such as the Sno-Ghosts Snowmobile Club. Our club maintains the Rum River Trail portion that starts at Rum River Conservation area in Oak Grove and continues north, NW & east joining trails in Isanti County and eastern Anoka County. It makes up a part of the entire MN Grant-In-Aid snowmobile trail program consisting of over 18,000 miles of trail in MN. Those entire 18,000 plus Grant-In-Aid trails are handled by non-profit organizations using volunteers.

When a part of the trail is lost due to development or change of property ownership, it can cause major disruption of the winter sport of snowmobiling in Minnesota. Many parts of the Rum River Trail are located in public right of ways on townships, county and state highways due to developments. All volunteers always try to locate the trail away of public roads where ever possible mainly for the safety of the public.

Our club has been involved since the trail was originated in 1972. We continue to work very closely with all our private landowners such as yourself. Our goal is always to maintain a very safe public use snowmobile route for the public to enjoy. We assist the property owners is doing what is necessary to keep the trail open. Many times, we have fenced property, built bridges, brushed new routes, signed extensively to keep the public where is suppose to be and many other options that the property owners desire to have completed to protect their property and still insure the safety of the public.

Through the MN Grant-In-Aid program, the funds available for maintenance of the snowmobile trail system throughout MN is funded by snowmobile license fees and by a 1/10 of 1% of the gas tax and by various private fund-raising events by the various snowmobile clubs in order to have enough fund to pay for equipment, supplies, material and other necessary items needed to maintain and groom the trails throughout Minnesota. The trail system is definitely a public system, funded only by the users of the system (snowmobile owners or users) and not by general tax funds.

Another very important item is that by MN State law, any property owner that grants permission for the snowmobile trail is held totally immune from legal action arising out of any incidents or injury as the result of the public use of the trail. Each organization that is a sponsor of a section of the trail such as our club, Sno-Ghosts Snowmobile Club, must carry a public liability insurance policy is an amount of now less than \$1,000,000 each occurrence/\$2,000,000 Annual Aggregate and such policy must include all land owners as additional insured's to further protect the property owner for any legal actions that may be brought by the public by their use of the trail system on private property.

Our club is very much appreciating your firm's permission for the trail to cross your property. I can assure you that we will do whatever we can to assist you completing your development that continues to allow the snowmobile trail to pass through parts you continue to own and those parts that may become public right of way such as new roads with right of ways which the trail can use the right of ways to cross into the right of ways of Ambassador Avenue. This link of the trail is very essential is safe passage for all parties – both public and private. Please let us know whatever we can do to assist and support your efforts to complete your development. We will be happy to meet with you or attend whatever meeting you would like us too. Please feel free to contact Chad Johnson also at 612-232-8808. He handles all necessary agreements etc. with all of the property owners where the trail crosses their property.

Look forward to hearing further from you.

Thank you.

Merwyn Larsen

Cc: Sno-Ghost Snowmobile Club (Officers & Board of Directors)



# PLANNING REPORT

TO: City of St. Francis Planning Commission  
FROM: Beth Richmond, Consulting Planner  
DATE: September 8, 2021  
APPLICANT: Terry Buchanan (Green Valley)  
SUBJECT: Rezoning Request; Preliminary Plat; Subdivision Variance  
LOCATION: South of Ambassador Blvd NW, east of Nacre St NW (PINs: 27-34-25-44-0004; 27-34-25-43-0002; 34-34-25-11-0001; 34-34-25-14-0001; 34-34-25-13-0001)  
MEETING DATE: September 15, 2021  
COMP PLAN: Agriculture  
ZONING: A-2 Rural Estate Agriculture

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## OVERVIEW

The City has received rezoning and preliminary plat applications from Terry Buchanan to create a Planned Unit Development (PUD) on a 146-acre site in western St. Francis along Ambassador Blvd. The proposed development would include 14 single-unit detached lots and a large conservation easement contained within an outlot. A public street is proposed to be created to serve the new lots and provide access onto Ambassador Blvd NW.

A concept plan was submitted and reviewed by the Planning Commission and City Council in March and April of 2021. At that time, the Planning Commission and City Council discussed the number and size of proposed lots, the conservation easement, and the proposed public street. The applicant has incorporated comments received during the concept plan review into the current submission.

This site is currently divided into 5 different properties. The northernmost two properties include roughly 27 acres and are actively used for farming. The remaining portion of the site is made up of woodland and wetland areas. Large lot single-family homes exist to the north and northeast. The remaining properties abutting this site are undeveloped open space or farmland.



**REVIEW PROCEDURE**

**60-Day Land Use Application Review Process**

Pursuant to Minnesota State Statutes Section 15.99, local government agencies are required to approve or deny land use requests within 60 days. Within the 60-day period, an automatic extension of no more than 60 days can be obtained by providing the applicant written notice containing the reason for the extension and specifying how much additional time is needed. The deadline for the land use request is October 17, 2021.

**120-Day Subdivision Review Process**

Pursuant to Minnesota State Statutes Section 462.358, local government agencies are required to approve or deny subdivision requests, such as the preliminary plat, within 120 days. The 120-day timeline for the review of the preliminary plat expires on December 16, 2021.

**Public Hearing**

City Code requires that a public hearing for review of the land use and subdivision requests be held by the Planning Commission. The public hearing notice was published in the Anoka County Union Herald on \_\_\_\_\_, 2021 and posted on the City Hall bulletin board on \_\_\_\_\_, 2021. The public hearing notice was mailed to all affected property owners located within 350 feet of the subject property on \_\_\_\_\_, 2021.



ANALYSIS  
*Comprehensive Plan*

The site is guided Agriculture by the Comprehensive Plan. This designation is intended to help protect the City’s natural resources and working agricultural lands and allows agricultural and single-family detached residential uses with a maximum residential of 1 unit per 10 acres. The proposed development would allow 14 single-unit lots on 146.5 acres, meeting the density requirement.

The applicant is also proposing a conservation easement across the southeastern 62 acres of the site. This land is proposed to be located within an outlot. This easement will preserve that portion of the site in perpetuity and protect the woodlands and wetlands in that area. The proposed density, use of land, and preservation of natural features within the site are all consistent with the Agricultural land use category in the 2040 Comprehensive Plan.

*Zoning*

The site is currently zoned A-2 Rural Estate Agriculture. Single-unit detached dwellings are permitted with standards in the A-2 district. The standards for single-unit detached dwellings include specific foundational, dimensional, and roof standards which the applicant will be required to adhere to at the time of construction.

The applicant is requesting to rezone the site to a Planned Unit Development (PUD) based off of A-2 standards. The PUD tool is used to allow for flexibility in developments in exchange for high-quality creative design, the preservation of unique or high quality natural features, the creation of a variety of life-cycle housing options, or other, similar public benefits. In this case, the applicant is proposing to create a 62-acre conservation easement encompassing large portions of the wetland and woodlands on site in return for constructing lots with smaller minimum areas and widths than would typically be allowed in the A-2 District. The site meets the requirements for a PUD outlined in the Zoning Code.

Flexibility with the PUD is being requested for the following standards:

	Required (A-2)	Proposed PUD
Min. Lot Area	10 acres	Range: 1.82 acres to 27.57 acres
Min. Lot Width	300 ft.	Range: 145.75 feet to 325.01 feet

Lots are proposed to be grouped on the northern end of the site in order to maintain open space to the south. The southernmost lot (Block 2, Lot 9), is larger than the rest. Due to the location of the wetland, the lot’s primary buildable area is located on the northern end of Lot 9, near the cul-de-sac. A full list of the areas and widths for each proposed lot is attached.

Setbacks

The applicant is proposing to match the existing A-2 setbacks for lots in the Green Valley Preserve 2<sup>nd</sup> PUD.

	A-2 Required Setbacks	PUD Required Setbacks	Proposed Setbacks
Street Setback	75 ft. from collector/arterial	15 ft.	75 ft. from collector/arterial

	35 ft. from local		35 ft. from local
Side Setback	10 ft.	Building separation of 12 ft. or more	10 ft.
Rear Setback	35 ft.		35 ft.

**Public Street**

The proposed development has frontage on Ambassador Blvd NW to the north. The applicant is proposing to construct a temporary dead-end public street to City specifications which would access Ambassador Blvd NW and then run south through the development to provide individual access to each lot. The proposed public street is planned to access Ambassador directly across from an area on the northern side of Ambassador which has been planned as a potential future public street. Staff supports the location of the proposed public street.

Temporary dead-end streets in the Rural Service Area are permitted to be up to 1,500 feet long, and may serve no more than 16 residential units. The public street is proposed to be roughly 1,900 feet long and serve 14 residential units, with a cul-de-sac at the southernmost point. This street is located on the western property line of the development, which would enable future street extension to the west in the event that any of those abutting properties develop. Because the proposed street is longer than the 1,500 feet allowed by the Subdivision Code, a subdivision variance is requested. After review, Staff supports the subdivision variance to allow a longer dead-end street within this subdivision. Because of the existing shape of the site and the presence of wetlands and environmental features, the feasibility of through street connections is limited for this project. In order to achieve an optimal density of development for the site, a street longer than 1,500 feet is warranted.

As the development abuts a County road, the application has been submitted to Anoka County for review and comment. The applicant is proposing a right turn lane for eastbound Ambassador Blvd which will be reviewed by the County to ensure it meets the required specifications.

**Sidewalk**

During the concept plan review for this development, Staff noted the requirement for a sidewalk along all public streets in the City. After further review, Staff does not feel that a sidewalk is necessary in this development due to the site’s lower density rural residential nature and low traffic expectations. Staff suggests that the City exercise its right to waive the sidewalk requirement in rural subdivisions for this particular development.

**Conservation Easement**

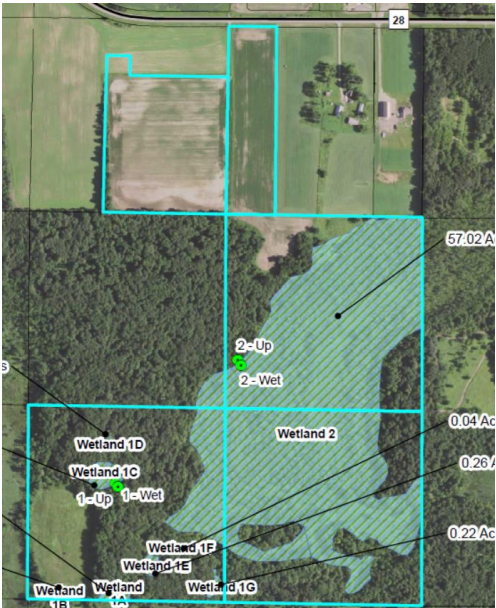
PUDs are a tool that allows for flexibility in developments in exchange for a public benefit. For this PUD, in exchange for smaller lot sizes, the developer is proposing to create Outlot A, which includes roughly 62 acres covered by a conservation easement to preserve the large wetland and woodland features on the site in perpetuity. This easement would be held by the City. The City Attorney has been working with the applicant on the exact wording for the easement. This will need to be finalized at the time of final plat.

The land within the proposed conservation easement is not intended for public use. Therefore, the public benefit of this easement is indirect and visual in nature.

The applicant has provided a 30 foot access easement from the public street to Outlot A for maintenance purposes. Legal descriptions for the land within the conservation easement as well as the access easement should be provided.

**Wetland**

A large wetland and wooded, open space area is located in the southern portion of the site, encompassing roughly 57 acres, or about 40% of the area included in the site.



Due to the wetland’s location, the PUD was proposed to allow smaller lots in the northern area of the site away from these natural features.

Structures will be required to meet all wetland setbacks at the time of construction.

**Landscaping**

Applicant has provided a landscaping plan which shows 2 trees per lot to be planted in the front yard. This meets Code landscaping requirements for single-family developments. The southern 5 lots (Lots 5-9) include large areas of woodland. Staff has asked the applicant to be selective in placing building pads in areas where clear cutting is kept to a minimum. All the trees in the conservation easement will remain.

A buffer yard is typically requested between residential lots and collector roadways. The buffer yard is intended to mitigate the noise and headlights that a property owner abutting a busier collector roadway may experience. For this development, this buffer would apply to the north side of Block 2 Lot 1 where an infiltration basin is planned. Staff suggests that the applicant revise the landscaping plan to include a vegetative buffer for Block 2 Lot 1.

**Homeowners Association (HOA)**

No common open spaces or facilities are proposed as part of this development. Therefore, a homeowner’s association is not required for this development.

**Utilities**



This development is proposed in an area outside of the City’s Urban Service Area. Therefore, public utilities are not available. Each lot in the Green Valley Preserve 2<sup>nd</sup> Addition development will be on its own individual well and septic system. The applicant has provided soil borings to demonstrate that each lot is capable of accommodating a primary and secondary septic site.

**Stormwater**

The applicant has provided a stormwater management plan for the development. Two infiltration basins are proposed – one on the eastern corner of the public street and Ambassador Blvd and one near the southern end of the public street. The City Engineer is reviewing this plan and will provide comments as necessary.

**RECOMMENDATIONS**

Staff recommends the following:

- 1) Planning Commission recommendation of approval of the rezoning of the subject site from A-2 to PUD A-2.
- 2) Planning Commission recommendation of approval of the preliminary plat for Green Valley Preserve 2<sup>nd</sup> Addition with conditions and findings of fact.
- 3) Planning Commission recommendation of approval of a subdivision variance to allow a temporary dead-end street longer than 1,500 feet with conditions and findings of fact.

Proposed Conditions – Preliminary Plat

- 1. Approval is subject to the concurrent approval of the related land use and subdivision requests pertaining to the Green Valley Preserve 2<sup>nd</sup> Addition project.
- 2. Any expansion of this PUD shall require a PUD amendment as specified by Code Section 10-37-05 Amendment of a PUD.
- 3. Applicant shall provide the legal description for the conservation easement and related access easement.
- 4. Final wording of the conservation easement shall be provided with the final plat.
- 5. Applicant shall revise the preliminary plat:
  - a. Add the site’s existing zoning district (A-2 Rural Estate Agriculture).
  - b. List total acreage of the land to be subdivided and total upland area (land above the ordinary high water mark of existing wetlands, lakes and rivers).
  - c. For each lot, show building pads.
  - d. On an aerial map, show existing features of the site and within 300’ of the site: wooded areas, wetlands, roads, snowmobile trail, driveways, etc.
- 6. Applicant shall revise the landscaping plan:
  - a. Provide a complete planting schedule
  - b. Show how the building pads could be placed in such a way as to minimize the environmental impact and/or removal of high quality and significant trees that will occur on those lots.

- c. Identify sodded and seeded areas and label with respective areas in sq. ft.
  - d. Provide vegetative buffer along the northern side of Block 2, Lot 1.
- 7. Applicant shall work with the Engineer to address any Engineering concerns or revisions to the plans.
- 8. Applicant shall comply with all comments from Anoka County Transportation Division regarding roadways and access onto Ambassador Blvd NW.
- 9. Park dedication shall be satisfied at the time of final plat.
- 10. Other conditions identified during the review process by Staff, the Planning Commission, or the City Council.

Proposed Findings of Fact – Preliminary Plat

- 1. The proposed rezoning is consistent with the City’s 2040 Comprehensive Plan and compatible with present and future land uses of the area.
- 2. Excluding the exceptions granted by the PUD, the development is consistent with the City’s Zoning Ordinance.
- 3. The proposed development is not intended to be accommodated by public sewer and water and therefore will not overburden the City’s service capacity.
- 4. Traffic generated by this development is within the capabilities of streets serving the property.

Proposed Conditions – Subdivision Variance

- 1. Approval is subject to the concurrent approval of the other related land use and subdivision requests pertaining to the Green Valley Preserve 2<sup>nd</sup> Addition project.
- 2. All fees and financial obligations shall be received by the City prior to the releasing of the approval document for recording.

Proposed Findings of Fact – Subdivision Variance

- 1. The long, thin shape of the subject site and the location of wetlands negatively affect the applicant’s ability to fully develop the land in a way that would allow a shorter temporary dead-end street. The site’s shape and physical features is a circumstance that was not created by the owner.
- 2. The variance will not be detrimental to the public health, safety and welfare or injurious to other property in the vicinity in which the development site is situated.
- 3. The variance will not increase the flood hazard or flood damage potential.
- 4. The variance will not result in a stage increase violating the requirements of Minnesota Statutes, Ch. 104 and Ch. 105, as may be amended, and any applicable requirements imposed by the Federal Emergency Management Agency.

**PLANNING COMMISSION ACTIONS**

After the public hearing and discussion, the Planning Commission could take one of the following actions:

Planning Report – Green Valley Preserve 2<sup>nd</sup> PUD – September 15, 2021

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- 1) Recommend approval with the conditions and findings of fact as presented by Staff.

Proposed Motions:

- A) Move to recommend approval of the rezoning of roughly 146 acres south of Ambassador Blvd and east of Nacre St from A-2 Rural Estate Agriculture to PUD A-2.
  - B) Move to recommend approval of the preliminary plat of Green Valley Preserve 2<sup>nd</sup> Addition with conditions and findings of fact as recommended by Staff.
  - C) Move to recommend approval of the subdivision variance to allow a temporary dead-end street to be longer than 1,500 feet with conditions and findings of fact as recommended by Staff.
- 2) Recommend denial with Planning Commissioners' findings of fact.
  - 3) Table the request to the next Planning Commission meeting and provide direction to Staff and the applicant as to the additional information needed.

**ATTACHMENTS**

- Lot Dimension Table
- Applicant Submittals



# PLANNING COMMISSION AGENDA REPORT

**TO:** St. Francis Planning Commission  
**FROM:** Beth Richmond, Planner  
**SUBJECT:** Green Valley Development – Rezoning, Preliminary Plat, Subdivision Variances  
**DATE:** 10-13-2021 for 10-20-2021 meeting  
**APPLICANT:** Terry Buchanan  
**LOCATION:** South of Ambassador Blvd NW, east of Nacre St NW (PINs: 27-34-25-44-0004; 27-34-25-43-0002; 34-34-25-11-0001; 34-34-25-14-0001; 34-34-25-13-0001)  
**COMP PLAN:** Agriculture  
**ZONING:** A-2 Rural Estate Agriculture

## OVERVIEW:

**\*\*Please review the Packet provided for the September 15, 2021 Planning Commission meeting.\*\***

The City has received rezoning and preliminary plat applications from Terry Buchanan to create a Planned Unit Development (PUD) on a 146-acre site in western St. Francis along Ambassador Blvd. The proposed development would include 14 single-unit detached lots and a large conservation easement contained within an outlot. The proposed PUD would not increase the allowable density for the site. A public street is proposed to be created to serve the new lots and provide access onto Ambassador Blvd NW.

A concept plan was submitted and reviewed by the Planning Commission and City Council in March and April of 2021. At that time, the Planning Commission and City Council discussed the number and size of proposed lots, the conservation easement, and the proposed public street and were generally supportive of the project. The applicant has incorporated comments received during the concept plan review into the current submission.

## SEPTEMBER PC MEETING:

This project was brought before the Planning Commission in September. At that time, a number of neighbors and community members spoke about the concerns they have regarding this project. These concerns include:

- Ambassador is a busy road and adding more traffic will make it more dangerous
- Residential lots would hurt neighboring farming practices
- Residential lots would hinder hunting in the area
- City should treat all lots the same – why should the lot size rules be changed for this area?
- Providing a conservation easement over land that is already protected (i.e. wetlands) that no one is allowed to access isn't a public benefit

Following the public hearing and discussion, the Planning Commission voted to table the request to the next meeting. Commissioners asked the applicant to provide additional information regarding the public street, landscaping, and lot buildability.

Since the meeting, the applicant has worked to address the Commission's request for additional information. Anoka County has also provided their comments on the project which are attached.

## **ANALYSIS:**

### ***Public Street***

The proposed development has frontage on Ambassador Blvd NW to the north. Anoka County reviewed the proposed development and provided the attached comment letter. The County is supportive of the proposed street and its location so long as an eastbound right turn lane and a westbound bypass lane are completed in conjunction with this development. The applicant has provided plans for the turn lane and bypass lane consistent with the County's request.

Two subdivision variances related to roads are requested as part of this development. The first is a variance for street length which was discussed in September. Please see the September packet for additional details about road length. The second is a variance to allow a narrower street width of 24' for the proposed public road.

Within the City's urban service area, public roadways are required to be created consistent with an "urban section." This means that these roads are wider and constructed with curb and gutter to handle stormwater runoff. Due to the proposed road's location outside of the City's urban service area, Staff does not believe that an "urban section" with curb and gutter is necessary. Rather, a "rural section" consisting of a narrower roadway and a ditch system to handle drainage is appropriate in this instance. Rural sections commonly allow a pavement width of 24', which is what is proposed. However, the City Code requires a width of 32'. Therefore, the subdivision variance is requested.

### ***Landscaping***

The applicant has provided a landscaping plan which shows 2 trees per lot to be planted in the front yard. This meets Code landscaping requirements for single-family developments. The southern 5 lots (Lots 5-9) include large areas of woodland. Staff has asked the applicant to be selective in placing building pads in areas where clear cutting is kept to a minimum. In order to do this, the applicant provided the attached tree survey noting the location of significant trees on the site. The applicant should show the potential building pads for each site in locations corresponding to less vegetated areas per the tree survey. All the trees in the conservation easement will remain.

A buffer yard is typically requested between residential lots and collector roadways. The buffer yard is intended to mitigate the noise and headlights that a property owner abutting a busier collector roadway may experience. For this development, this buffer would apply to the north side of Block 2 Lot 1 where an infiltration basin is planned. Staff suggests that the applicant revise the landscaping plan to include a vegetative buffer for Block 2 Lot 1. Anoka County did specify in their review letter that no vegetation should be planted so as to create a sight obstruction. Staff will review the revised landscaping plan to ensure that sight triangles remain intact.

### ***Snowmobile Trail***

During the September meeting, a number of comments were made about the snowmobile trail that runs through this site. This trail (Trail 85 – Rum River) is designated as a snowmobile trail by the DNR but must be agreed to by property owners. There are no permanent easements in favor of the DNR for the snowmobile trail on the property. Staff reached out to the DNR twice regarding the nature of this trail, but received no response.

The applicant has provided plans showing that the snowmobile trail will be allowed to remain as part of this development. It will travel south along the ditch of the public road before crossing Lot 9 and running through the land proposed to be part of the conservation easement. The preservation of the snowmobile trail and its location within the proposed conservation easement are considered by Staff to be an additional public benefit resulting from the nature of the proposed development as a PUD. The clustering of homes within the PUD provides a large area of open space on the south end of the site which would not be there if the lots were developed following regular A-2 standards. Within the public

road right-of-way and the conservation easement, it is much easier to ensure that the snowmobile trail will continue.

**Lot Buildability**

Over the last month, the applicant has continued to work to address lot buildability. Staff will provide an update on this at the meeting.

**Public Benefit**

A major component of any PUD is the idea that the development creates a public benefit for the City in exchange for some flexibility from existing zoning standards. There was some discussion at the meeting in September about the kind of public benefit provided by the proposed development. Staff sees several public benefits for the proposed development which are described below.

Firstly, this type of cluster provides an environmental benefit. The environmental impact is reduced when houses are located within a smaller area. The applicant has proposed a 62-acre conservation easement on the site to hold this land as open space in perpetuity. Not only is the preservation of this land important for nearby residents who may enjoy the view, but open space of this size provides habitat for animals in the area. As the City continues to grow and develop, having the forethought and ability to preserve open space becomes even more important.

Second, the design of this subdivision allows the existing public snowmobile trail to be located almost entirely on public land, protecting its existence into the future. Members of the public using the trail will be able to enjoy the preserved open space during the winter months.

Finally, cluster developments are more efficient for City Staff as well as residents. A shorter road reduces maintenance and plowing costs for the City. Code enforcement is much easier in areas of small to moderate lot sizes as fewer properties tend to have large amounts of cars and debris. Services such as broadband which are desired by residents are better able to locate in the area, since the clustered lots allow for providers to serve more households with a shorter line.

**RECOMMENDATIONS:**

Staff recommends the following:

- 1) Planning Commission recommendation of approval of the rezoning of the subject site from A-2 to PUD A-2.
- 2) Planning Commission recommendation of approval of the preliminary plat for Green Valley Preserve 2nd Addition with conditions and findings of fact.
- 3) Planning Commission recommendation of approval of subdivision variances to allow a temporary dead-end street less than 32 feet wide and longer than 1,500 feet with conditions and findings of fact.

**Proposed Findings – Rezoning**

- 1. The proposed rezoning is consistent with the Comprehensive Plan designation for the site.
- 2. Applicant is proposing to utilize the site in a manner consistent with the A-2 district with some flexibility from zoning standards.

**Proposed Conditions – Preliminary Plat**

- 1. Approval is subject to the concurrent approval of the related land use and subdivision requests pertaining to the Green Valley Preserve 2nd Addition project.
- 2. Any expansion of this PUD shall require a PUD amendment as specified by Code Section 10-37-05 Amendment of a PUD.
- 3. Applicant shall provide existing and proposed legal descriptions for the site.

4. Applicant shall provide the legal description for the conservation easement and related access easement.
5. Final wording of the conservation easement shall be provided with the final plat.
6. Applicant shall revise the preliminary plat:
  - a. Add the site's existing zoning district (A-2 Rural Estate Agriculture).
  - b. List total acreage of the land to be subdivided and total upland area (land above the ordinary high water mark of existing wetlands, lakes and rivers).
  - c. For each lot, show building pads.
  - d. On an aerial map, show existing features of the site and within 300' of the site: wooded areas, wetlands, roads, snowmobile trail, driveways, etc.
  - e. Show the existing and proposed snowmobile trail.
7. Applicant shall revise the landscaping plan:
  - a. Provide a complete planting schedule.
  - b. Show how the building pads could be placed in such a way as to minimize the environmental impact and/or removal of high quality and significant trees that will occur on those lots.
  - c. Identify sodded and seeded areas and label with respective areas in sq. ft.
  - d. Provide vegetative buffer along the northern side of Block 2, Lot 1.
8. Applicant shall comply with all comments from the City Engineer as stated in his September 8, 2021 memo.
9. Applicant shall comply with all comments from Anoka County Transportation Division regarding roadways and access onto Ambassador Blvd NW as stated in their September 22, 2021 memo.
10. Park dedication shall be satisfied at the time of final plat.
11. Other conditions identified during the review process by Staff, the Planning Commission, or the City Council.

#### Proposed Findings of Fact – Preliminary Plat

1. The proposed rezoning is consistent with the City's 2040 Comprehensive Plan and compatible with present and future land uses of the area.
2. Excluding the exceptions granted by the PUD, the development is consistent with the City's Zoning Ordinance.
3. The proposed development is not intended to be accommodated by public sewer and water and therefore will not overburden the City's service capacity.
4. Traffic generated by this development is within the capabilities of streets serving the property.

#### Proposed Conditions – Subdivision Variances

1. The public street shall be designed according to specifications provided by the City Engineer.
2. Approval is subject to the concurrent approval of the other related land use and subdivision requests pertaining to the Green Valley Preserve 2nd Addition project.
3. All fees and financial obligations shall be received by the City prior to the releasing of the approval document for recording.

#### Proposed Findings of Fact – Subdivision Variances

1. The long, thin shape of the subject site and the location of wetlands negatively affect the applicant's ability to fully develop the land in a way that would allow for a shorter temporary dead-end street. The site's shape and location of physical features is a circumstance that was not created by the owner.
2. The site is located outside of the urban service area where an urban street section is unnecessary.
3. The variance will not be detrimental to the public health, safety and welfare or injurious to other property in the vicinity in which the development site is situated.
4. The variance will not increase the flood hazard or flood damage potential.
5. The variance will not result in a stage increase violating the requirements of Minnesota Statutes, Ch. 104 and Ch. 105, as may be amended, and any applicable requirements imposed by the Federal Emergency Management Agency.

### **ACTION TO BE CONSIDERED:**

After the public hearing and discussion, the Planning Commission could take one of the following actions:

- 1) Recommend approval with the conditions and findings of fact as presented by Staff.

#### **Proposed Motions:**

- A) Move to recommend approval of the rezoning of roughly 146 acres south of Ambassador Blvd and east of Nacre St from A-2 Rural Estate Agriculture to PUD A-2.
- B) Move to recommend approval of the preliminary plat of Green Valley Preserve 2nd Addition with conditions and findings of fact as recommended by Staff.
- C) Move to recommend approval of the subdivision variances to allow a temporary dead-end street to be narrower than 32 feet wide and longer than 1,500 feet with conditions and findings of fact as recommended by Staff.

- 2) Recommend denial with Planning Commissioners' findings of fact.

Table the request to the next Planning Commission meeting and provide direction to Staff and the applicant as to the additional information needed.

### ***Attachments***

- Applicant Submittals
  - Updated Survey with Snowmobile Trail
  - Tree Survey
  - Snowmobile Trail Map
- Anoka County Highway Department Review Letter dated September 22, 2021
- City Engineer Memo dated September 8, 2021



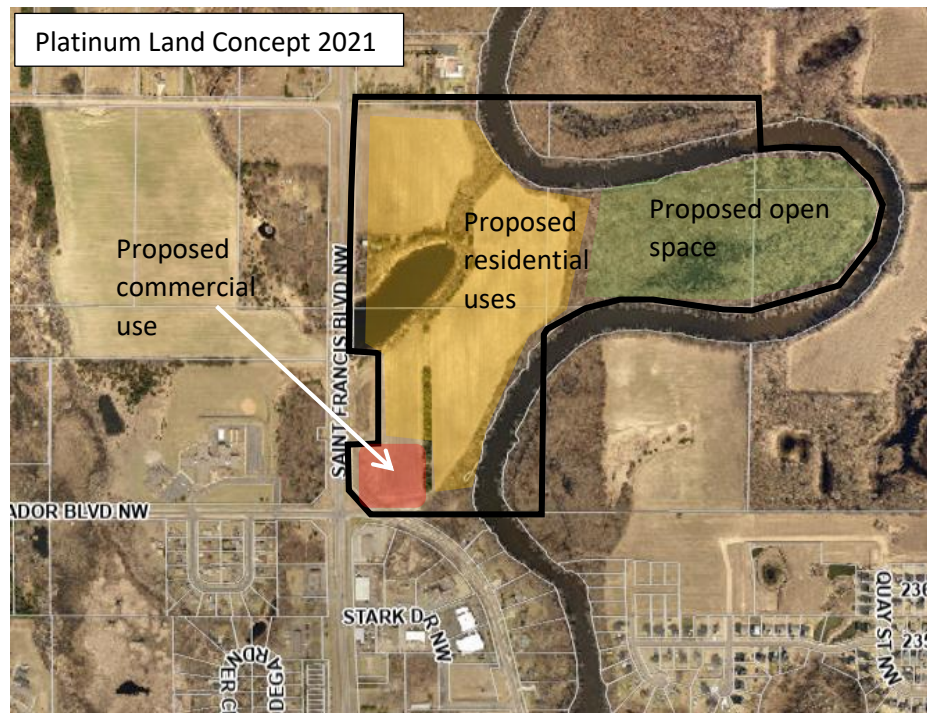


## CITY COUNCIL AGENDA REPORT

**TO:** St. Francis City Council  
**FROM:** Beth Richmond, Planner  
**SUBJECT:** Platinum Land – Concept Plan  
**DATE:** 12-29-2021 for 01-03-2022 meeting  
**LOCATION:** 23925 St. Francis Blvd (PINs: 29-34-24-31-0001; 29-34-24-32-0001; 29-34-24-33-0001; 29-34-24-34-0001; 29-34-24-42-0001; 29-34-24-42-0002)  
**COMP PLAN:** Medium/High Density Residential, High Density Residential, Commercial, River Preserve  
**ZONING:** R-3 High Density Residential and B-2 General Business

### OVERVIEW:

Landform Professional Services has submitted a concept plan on behalf of Platinum Land LLC for the 112-acre site east of St. Francis Blvd between 241<sup>st</sup> Ave NW and Ambassador Blvd NW. A previous sketch plan for residential and commercial uses on the site was reviewed by the Planning Commission and City Council in fall 2019.



### **Proposed Improvements**

The concept includes a 2.5-acre single commercial parcel and 295 residential units. The entire development would have access to City utilities. The residential units are broken down into 45 traditional single-family detached lots, 63 detached townhomes, 82 attached townhomes, and

a 105-unit apartment building. The higher density residential uses are located along Hwy 47, while the lower density uses abut the Rum River.

## **Existing Site Characteristics**

### Wild & Scenic River

The entire site is located within the urban Rum River Management overlay district. This district includes additional regulations to ensure that the scenic quality of the Rum River is preserved. A majority of these regulations pertain to lot size, setbacks, and vegetation management. In addition to City approvals, the DNR will need to review and approve the development plan for the site.

### Topography

There is steep terrain in the northern area of the site along the south bank of the Rum River. These steep grades also run northeast to southwest along the eastern portion of the site separating land within the floodplain from land outside the floodplain. Future submittals will need to evaluate if bluffs are located on the site.

### Wetlands

There are wetlands located on this site. A wetland delineation will be required with future submittals. Wetland buffers will be required adjacent to the existing wetlands based on the wetland class as stated in Section 10-83-00 of the City Code. Structures will be required to meet a 30' setback from the delineated edge of any wetland.

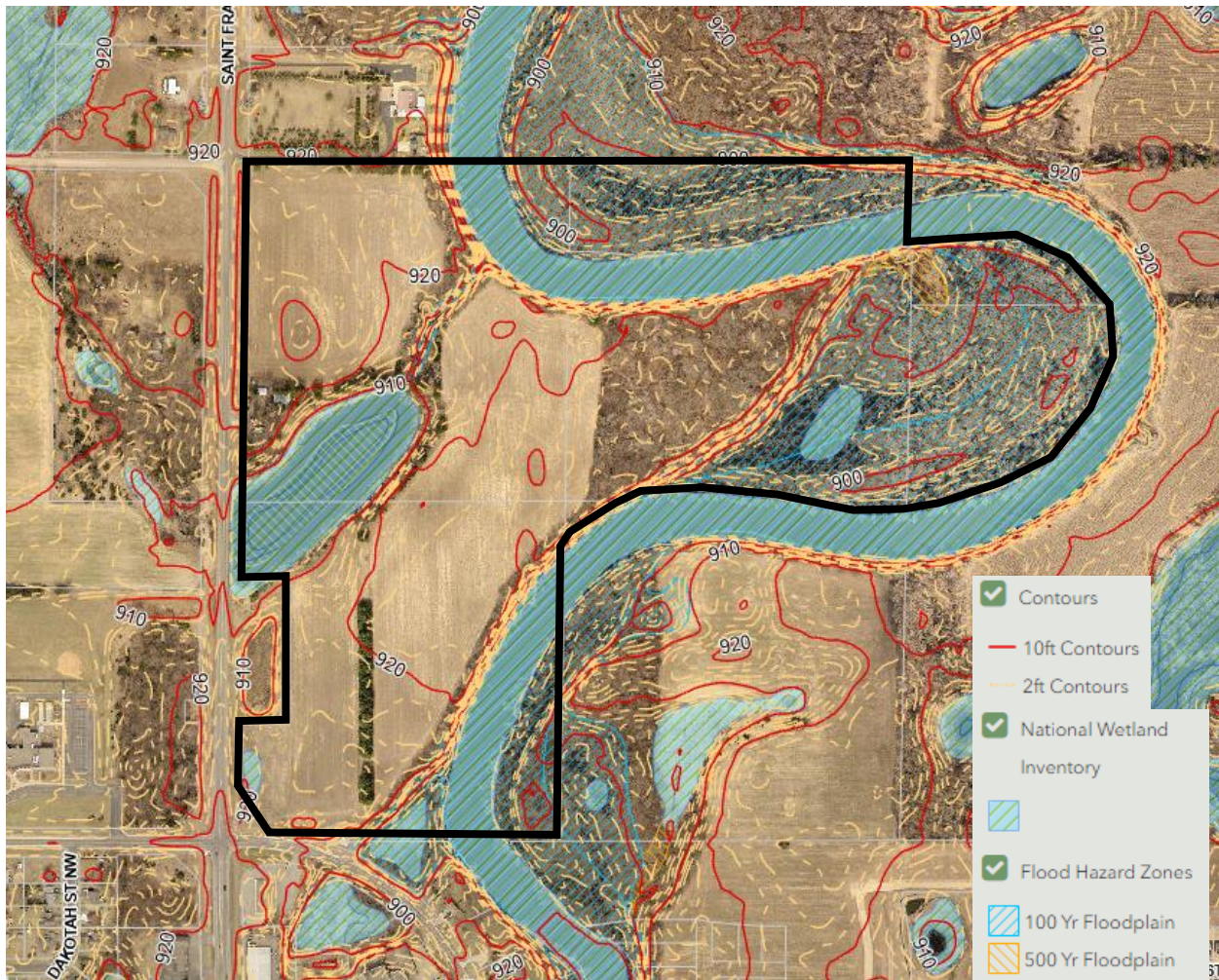
### Floodplain

The eastern third of the site along the Rum River is located within the 100-year floodplain (elevation 902 feet). No homes are proposed within this area. The entire floodplain is located within an open space/park area proposed as part of the concept.

### Remainder Parcels

The parcels involved in this development include remnant land on the east side of the Rum River. The 10 acres of land on the north side of the river is proposed to be platted as Outlot A, while the 3.5 acres of land on the east side of the river is proposed to be platted as Outlot B. All of the land within these outlots is located within the floodplain and would be considered undevelopable.





## **PLANNING COMMISSION**

The Planning Commission reviewed this concept plan at the December 15<sup>th</sup> meeting. Commissioners were generally supportive of the plan. They discussed the following items:

- Parking
  - Commissioners want to see adequate guest parking provided for the townhomes
- Open Space
  - Commissioners noted that they would like to see some clarity provided for the open space area of the site.
  - Commissioners discussed additional strategies to allow the public to enjoy the river, such as a trail along the river or public viewpoints.
- Land Use
  - Commissioners were generally comfortable with decreasing the residential density on the site and decreasing the amount of commercial land on site.
  - Commissioners noted that the concept felt “too busy” when it came to the number of townhome buildings and single-family lots proposed.

## **DISCUSSION ITEMS**

Staff will review the following items at the meeting for discussion purposes:

- Comprehensive Plan/Land Use

- A Comprehensive Plan Amendment would be required with this concept
  - Decreasing density from HDR and MHDR to MDR
  - Replacing commercial land along Hwy 47 with residential land
- A range of residential uses is proposed. Are these uses compatible with the area? Is the proposed use mix appropriate?
- Open Space/Park
  - Land is within the floodplain and undevelopable.
  - Conservation easement located over 11 acres – no public access or development is permitted
  - Council discussion is needed for the area shown as open space/park
    - Should there be public access to the open space?
    - If there should be public access, what programming should be considered: trails, lookout points, parking area, etc.
- 241<sup>st</sup> Access
  - Applicant had reached out to the property owner to the north to discuss a land swap where the applicant would obtain land along Hwy 47 to be used for ROW and the neighbor would receive usable land adjacent to their existing land.
  - The applicant informed Staff that the neighbor is no longer interested in the land swap.
  - If ROW cannot be obtained at the time of development, a phased development approach may be needed.

**ACTION TO BE CONSIDERED:**

The City Council is requested to provide feedback to the applicant on the proposed concept. Comments shared are not binding to the City nor do they constitute official assurances or representations of the City on future recommendations or approvals.

**Attachments:**

1. December 15, 2021 Planning Memo
2. Concept Plan
3. Concept Plan Narrative
4. Agency Comments
  - a. MnDOT
  - b. Anoka County
  - c. MnDNR





## PLANNING COMMISSION AGENDA REPORT

**TO:** St. Francis Planning Commission

**FROM:** Beth Richmond, Planner

**SUBJECT:** Platinum Land – Concept Plan

**DATE:** 12-8-2021 for 12-15-2021 meeting

**APPLICANT:** Landform Professional Services on behalf of Platinum Land, LLC,

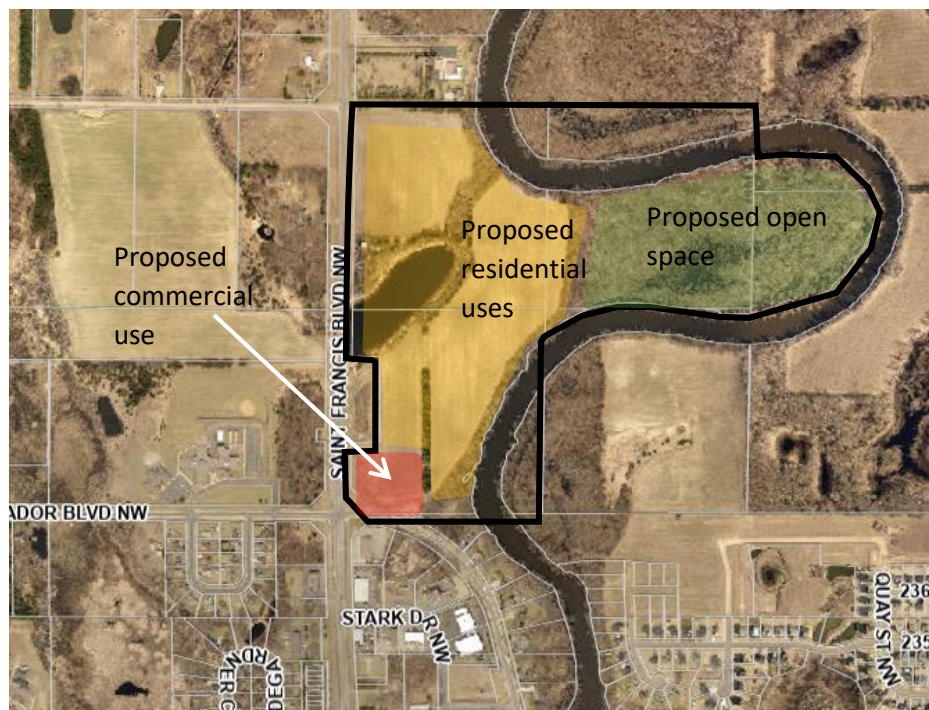
**LOCATION:** 23925 St. Francis Blvd (PINs: 29-34-24-31-0001; 29-34-24-32-0001; 29-34-24-33-0001; 29-34-24-34-0001; 29-34-24-42-0001; 29-34-24-42-0002)

**COMP PLAN:** Medium/High Density Residential, High Density Residential, Commercial, River Preserve

**ZONING:** R-3 High Density Residential and B-2 General Business

### OVERVIEW:

Landform Professional Services has submitted a concept plan on behalf of Platinum Land LLC for the 112-acre site east of St. Francis Blvd between 241<sup>st</sup> Ave NW and Ambassador Blvd NW. The concept includes a 2.5-acre single commercial parcel and 295 residential units. The units are broken down into 45 traditional single-family detached lots, 63 detached townhomes, 82 attached townhomes, and a 105-unit apartment building.

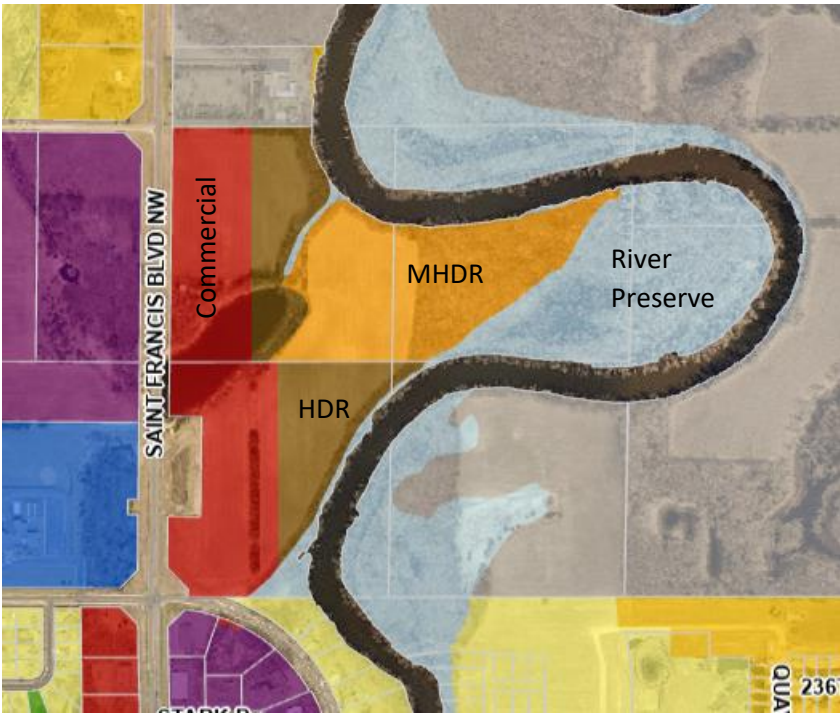


A sketch plan for this site, called “Swiss Landing” at the time, was reviewed by the Planning Commission and City Council in August and September 2019. This sketch plan also consisted of a variety of residential units and a commercial parcel. The Commission and Council were supportive of the concept at the time.

**ANALYSIS OF PROPOSED CONCEPT**

***Comprehensive Plan***

This site is guided for several different land uses in the 2040 Comprehensive Plan. The land along Hwy 47 is guided for Commercial use. To the east of the Commercial land is an area guided for High Density Residential (HDR) use. The HDR land use category is intended for denser residential uses such as townhomes and apartments and requires a net residential density of 12 to 60 acres. The land further to the east along the Rum River is guided for Medium/High Density Residential (MHDR) use which has a net density requirement of 7-12 units per acre. The remainder of the site is within the floodplain, and was therefore designated as “River Preserve” in the Comprehensive Plan.



The entirety of this site is located within the Urban Rum River Management Overlay District. This may hinder the site’s ability to reach the densities listed in the Comprehensive Plan. In the submittal materials, the applicant indicated that the gross density of the site is 4.3 units per acre. Staff is working with the applicant to determine net density of the site. If the net densities do not match the guidance for the Comprehensive Plan, a Comprehensive Plan amendment may be needed to lower the residential designation of the site as part of this development application.

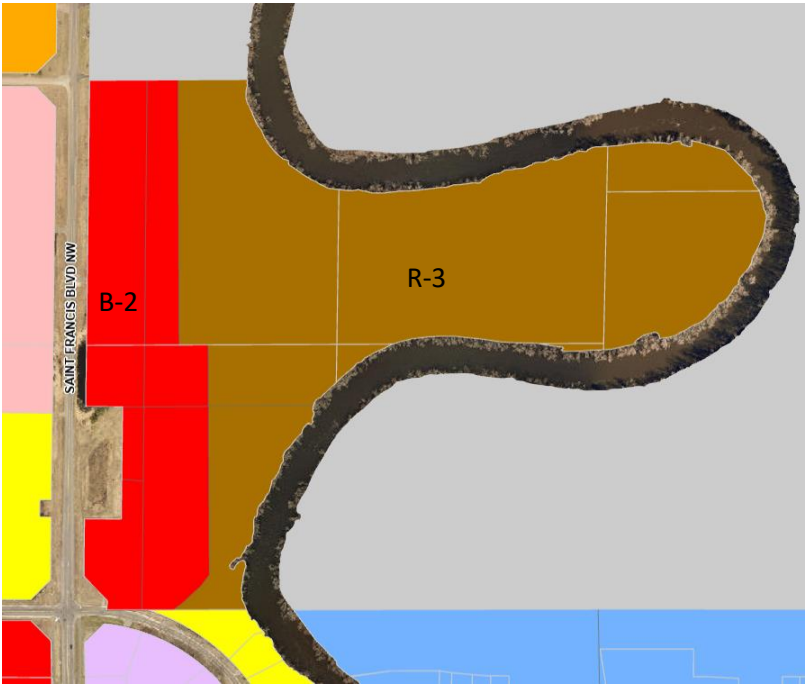
Regardless of the net residential density that is determined, a Comprehensive Plan amendment will be needed to adjust the Commercial land use guidance along Hwy 47. The

site is proposed to have one commercial site in the southwest corner, while the rest of the site will be used for residential. The Comprehensive Plan should be amended to reflect this.

Based on the number of units proposed, an in-depth environmental analysis such as an EAW, EIS, or AUAR is not needed.

**Zoning**

The site is zoned B-2 General Business along Hwy 47 and R-3 High Density Residential for the remainder of the site.



The applicant is requesting to rezone the entire site to a Planned Unit Development. The PUD tool is used to allow for flexibility in developments in exchange for high-quality, creative design, the preservation of unique or high quality natural features, the creation of a variety of life-cycle housing options, or other, similar public benefits. With the mix of uses proposed, this PUD would likely be classified as “PUD Mixed.” As part of the PUD, a Homeowners Association (HOA) would be required to maintain any common spaces within the development.

Wild & Scenic River

The entire development site is located with the Urban Rum River Management Overlay District. PUDs are permitted in this district with the DNR Commissioner’s approval. This concept has been submitted to the DNR for review and comment. Any comments received will be shared with the Planning Commission and Council as they are available. PUDs in this district must preserve open space through a variety of means such as restrictive covenants, public dedication, or the granting of scenic easements. The applicant is intended to preserve roughly 25 acres as open space/park. The applicant should specify how this space will be preserved in future submittals.

In addition to the PUD, all public roads and private and/or commercial recreation uses are considered conditional uses in this district. Therefore, the applicant will need to request

approval of a Conditional Use Permit for the roads as well as for the open space area if that is intended to be private.

### Dimensional Standards

There are a number of dimensional standards that the applicant would be requesting flexibility from as part of the PUD. A majority of these affect standards listed in the Urban Rum River Management Overlay District, including lot area, lot width, and front setbacks.

The maximum height allowed in this overlay district is 35'. The applicant should specify the proposed height of the apartment building to determine if variation is requested from this standard.

The maximum impervious surface allowed per lot in this overlay district is 30%. More detailed calculations will be requested as part of future submittals that will help staff evaluate consistency with this requirement.

PUDs within the City of St. Francis require a perimeter setback which matches the required setback on adjacent property. Staff will review future submittals to ensure that all proposed structures meet this requirement.

Minimum unit areas for each of the proposed residential types will be governed by Section 10-41-08 of the City Code Minimum Floor Area per Dwelling Unit. Efficiency apartments may make up no more than 10 percent of the total number of dwelling units in the building.

### ***Topography***

There is steep terrain in the northern area of the site along the south side of the Rum River. These steep grades also run northeast to southwest along the eastern portion of the site separating land within the floodplain from land outside the floodplain. This terrain runs along the rear of the proposed single-family houses. With future submittals, the site will need to be evaluated to determine if bluffs exist on the site. If so, applicable bluff setbacks would be required for any structures.

### ***Wetlands & Floodplain***

There are wetlands located on this site. A wetland delineation will be required with future submittals. Wetland buffers will be required adjacent to the existing wetlands based on the wetland class as stated in Section 10-83-00 of the City Code. Structures will be required to meet a 30' setback from the delineated edge of any wetland.

The eastern third of the site along the Rum River is located within the 100-year floodplain (elevation 902 feet). No homes are proposed within this area. The easternmost portion of the site is proposed as an open space/park with trails throughout.

### ***Remainder Parcels***

The parcels involved in this development include remnant land on the east side of the Rum River. The 10 acres of land on the north side of the river is proposed to be platted as Outlot A, while the 3.5 acres of land on the east side of the river is proposed to be platted as Outlot B. All of the land within these outlots is located within the floodplain and would be considered undevelopable. The applicant should identify how these outlots will be owned and maintained with future submittals.



**Access & Streets**

This site is located adjacent to a state highway (Hwy 47) and a County Road (Ambassador Blvd). Therefore, the concept was sent to MnDOT and Anoka County’s Highway Department for comment. Comments have not been received at this time. If comments are received before the meeting, they will be shared in-person at the Planning Commission meeting.

The 2019 concept plan for this site was also sent to MnDOT and Anoka County for review. MnDOT’s comments at that time included requiring right and left turn lanes at the 241<sup>st</sup>/Hwy47 intersection and recommending that the Ambassador access for the development be moved further to the east. MnDOT’s full comments from 2019 are attached and have been shared with the applicant.

Two access points are proposed for the site – one at the 241<sup>st</sup> Ave/Hwy 47 intersection and one onto Ambassador Blvd near the Ambassador/Hwy 47 intersection. The proposed Ambassador Blvd access point is closer than desirable to the existing Hwy 47 intersection. However, due to the site constraints it appears that it is depicted in the most appropriate location.

The proposed 241<sup>st</sup> street connection to Hwy 47 appears to directly oppose the existing portion of 241<sup>st</sup> Street on the west side of the highway and is supported by Staff. The applicant has been in conversation with the neighboring property owner to the north to discuss a land swap. With this swap, the applicant would gain enough land for an adequate ROW area for the northern access onto 241<sup>st</sup>, while the neighbor would receive additional land to the south of the existing property which may include access to the new road.

The Concept Plan depicts a road network which appears generally conducive to the subdivision of the property. Staff assumes that the outer (river side) through road from Ambassador Blvd to the cul-de-sac and 241<sup>st</sup> St from Hwy 47 to the cul-de-sac will be a public street and shall be designed in accordance with the City’s public street standards. Staff assumes the remaining roads serving the townhome lots will be privately maintained. These streets appear adequate to serve the development. The proposed project will not significantly increase traffic volumes beyond that which was already anticipated with the guided land use for the area. Additional review of the proposed streets will take place with further submittals.

**Parking**

There are different parking requirements for each residential use that is proposed. The table below shows the parking requirements for each use.

Use Type	Parking Requirement
Single-family detached	2 spaces per unit
Attached townhome	2 spaces per unit plus 0.5 space per unit for guest parking
Apartment	1.5 spaces per efficiency and 1-BR unit. 2.25 spaces per unit for 2 or more bedroom units. 1 space per unit enclosed.

Guest parking is required for attached townhomes at a rate of 0.5 spaces per unit. Future submittals should address this requirement. Parking requirements for the apartment building are based on the types of units proposed. The applicant is proposing to provide 105 enclosed

spaces, which meets the requirement for one enclosed space per unit. At this time, the proposed parking for the apartment seems sufficient, with a total of 245 spaces. Additional details on unit mix will be needed with future submittals to fully evaluate the proposed parking.

### ***Natural Areas/Open Space***

The applicant is proposing a larger open space/park with trails on the eastern third of the development. This area can be accessed off of the proposed internal public street network. This portion of the site is largely within the floodplain and would be considered undevelopable. With future submittals, the applicant should clarify the intended users of the park and the entity which will own/maintain it. Staff recommends that the Planning Commission discuss the proposed park at the meeting, and whether or not the City would accept land as park dedication in this location.

### ***Utilities***

The site is proposed to be served by City utilities. A development of this size is important in supporting the sustainable use of the City's built infrastructure, which is large enough to accommodate this project. Trunk Sewer and Water utilities are located near the south end of the proposed development. As part of this development, the Developer shall extend the trunk utilities through the development. In accordance with City policy, the Developer will receive credit for the extra depth and oversizing of the trunk utilities.

### **ANTICIPATED FUTURE REQUESTS**

After review, City Staff has determined that the following requests will be needed as part of this development:

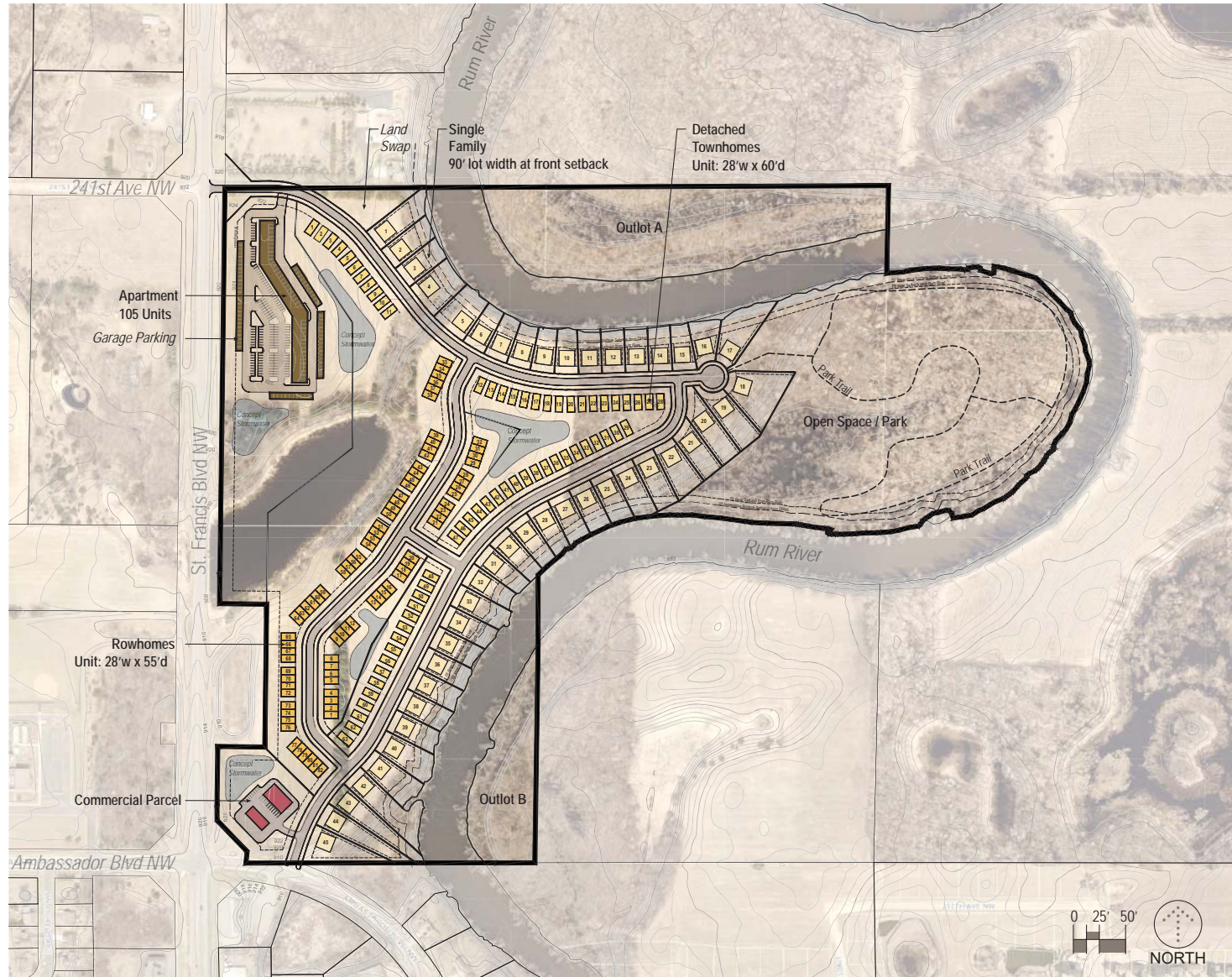
1. Rezoning to PUD
2. Preliminary & Final Plats
3. Conditional Use Permit for public roads, private recreation space

### **ACTION TO BE CONSIDERED:**

The Planning Commission is requested to provide feedback to the applicant on the proposed concept. Comments shared are not binding to the City nor do they constitute official assurances or representations of the City on future recommendations or approvals. The City Council will also review the concept and provide feedback at their January 3, 2022 meeting.

### ***Attachments:***

1. Concept Narrative
2. Concept Sketch
3. MnDOT 2019 Concept Comment Letter



#### Site Information

Existing Zoning	B-2 - General Business District R-3 - High Density Residential District
Zoning Overlay District	Rum River Scenic Overlay
Future Land Use	Commercial High Density Residential (12-60 un/ac) Medium Density Residential (7-12 un/ac) Park / Open Space
Site Area - Gross	112 acres
Proposed Zoning	PUD

#### Lot Regulations

	Required	Provided
Lot Area - Sewered Riparian	20,000 sf	13,800 sf to 36,700 sf
Lot Area - Non-Riparian Lots	12,500 sf	12,500 sf min
Minimum Lot Width (at setback line from streets and OWHL)	90'	90' at front setback for single family
Front Setbacks - local street / county highways	35' / 50'	25' for detached and attached townhomes 30' for single family 50' from highway
Rear Setback	75' from Rum River	75'
Side Setbacks - Interior / Garage / Street	10' / 5' / 20'	10' min interior / 20' min street

#### Unit Data

	# Units	Concept Unit Size
Apartment	105	1,100 sf / apt (average)
Apartment Parking Provided Garage / Surface	105 / 140	15' x 25' garage size
Attached Townhomes	82	28'w x 55'd
Detached Townhomes	63	28'w x 60'd
Single Family	45	60'w x 60'd bldg pad
<b>Total Units</b>	<b>295</b>	



LANDFORM  
From Site to Finish

Narrative  
Sketch Plan

Prepared for:  
Platinum Land, LLC

November 18, 2021



SUBMITTED TO  
City of St. Francis  
23340 Cree Street NW  
St. Francis, MN 55070



PREPARED BY  
Landform Professional Services, LLC  
105 5<sup>th</sup> Ave S, Suite 513  
Minneapolis, MN 55401

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## Introduction

On behalf of Platinum Land, LLC, Landform is pleased to submit this application for sketch plan review to receive informal feedback on the proposed project at 23925 Saint Francis Boulevard. The site includes six parcels (PID's 29-34-24-32-0001, 29-34-24-31-0001, 29-34-24-42-0002, 29-34-24-42-0001, 29-34-24-34-0001, 29-34-24-33-0001) that total 112 acres. Our sketch plan proposes to develop the land into a mix of uses including single family, detached townhomes, attached townhomes, an apartment building and a single commercial parcel.

## Sketch Plan

The proposed sketch plan attempts to find the right balance between the medium and high-density land uses the city has envisioned for this property and the design standards from the Wild and Scenic Urban Overlay District, which limits the amount of density that is possible on the site. To find that balance the proposed sketch includes a variety of uses including 45 single family homes, 63 detached townhomes, 82 attached townhomes, a 105-unit apartment building and a single commercial parcel, for a total of 295 units. The gross density of the project is approximately 4.3 units per acre.

The single-family homes are concentrated along the exterior of the site where it borders the Rum River, with the uses becoming denser as it moves away from the Rum River. The apartment building includes accessory garage parking structures to provide enclosed parking for the residents. The sketch plan also includes an open space park on the eastern peninsula with potential trail locations. The sketch plan includes various tables detailing the design standards used for each of the uses.

## Summary

We respectfully request feedback on the proposed sketch plan so we can incorporate the comments in the design as we prepare for future submittals.

## Contact Information

This document was prepared by:

Kevin Shay  
Landform  
105 South Fifth Avenue, Suite 513  
Minneapolis, MN 55401

Any additional questions regarding this application can be directed to Kevin Shay at [kshay@landform.net](mailto:kshay@landform.net) or 612.638.0228.

December 13, 2021

Kate Thunstrom, Community Development Director  
City of St. Francis  
23340 Cree St NW  
St. Francis, MN 55070

Beth Richmond, Planner  
HKGi  
123 North Third Street, Suite 100  
Minneapolis MN 55401

**SUBJECT:**

MnDOT Review #P21-070 Platinum Property  
NE quad MN 47 (St. Francis Blvd NE)/Ambassador Blvd NW  
Control Section: 0206  
City of St. Francis, Anoka County

Dear Kate Thunstrom and Beth Richmond,

The Minnesota Department of Transportation (MnDOT) has reviewed the plans dated 11/16/21 for the above referenced development and has the following comments.

***Plan scale***

The plan scale at lower right appears to be incorrect.

***Traffic***

MnDOT recommends that the City require a traffic impact study, consistent with Section 5.4 of the [MnDOT Access Management Manual](#).

Vehicle trip warrants for left turn and right turn lanes will be met at the intersection of MN 47 and 241st Ave NW. Therefore, left and right turn lanes will be required. See Section 3.4.9 of the [MnDOT Access Management Manual](#).

MnDOT recommends that to improve safety, the access driveway to the apartment building parking lot on the south side of 241<sup>st</sup> St NW should be relocated so it is at least 500 ft from MN 47.

Please contact Ashley Roup, Metro North Traffic Support Area Manager, at [Ashley.Roup@state.mn.us](mailto:Ashley.Roup@state.mn.us) or 651-234-7815 with related questions.

***Level 2 Layout Required***

The intersection of MN 47 and 241st Ave NW must be reviewed through the Level 2 Layout review process. The following website provides layout design guidance and identifies the applicable layout requirements: <http://www.dot.state.mn.us/design/geometric/index.html>. Please see the link labeled [Geometric layout development \(PDF\)](#) and the documents under the [Design Resources tab](#).



Please contact MnDOT Metro North Area Coordinator Jennifer Wiltgen at 651-234-7716 or [Jennifer.Wiltgen@state.mn.us](mailto:Jennifer.Wiltgen@state.mn.us), and she will be able to guide you through the layout review process.

### ***MN 47 Resurfacing Project***

MnDOT is currently planning to resurface MN 47 from Cree St north to the Anoka/Isanti County line in the 2025 fiscal year (July 2024 thru June 2025; State Project 0206-67). The project area encompasses the intersection of MN 47 and 241<sup>st</sup> Ave NW. Please be sure to coordinate any improvements at this intersection with the work for the resurfacing project.

Please contact MnDOT Metro North Area Coordinator Jennifer Wiltgen at 651-234-7716 or [Jennifer.Wiltgen@state.mn.us](mailto:Jennifer.Wiltgen@state.mn.us) with related questions.

### ***Drainage***

A MnDOT drainage permit subject to the standard conditions will be required to ensure that current drainage rates to MnDOT right-of-way will not be increased. The drainage permit application, including the information below, should be submitted online to: <https://dotapp7.dot.state.mn.us/OLPA>

The following information must be submitted with the drainage permit application:

- 1) A grading plan showing existing and proposed contours.
- 2) Drainage area maps for the proposed project showing existing and proposed drainage areas. Any off-site areas that drain to the project area should also be included in the drainage area maps. The direction of flow for each drainage area must be indicated by arrows.
- 3) Drainage computations for pre and post construction conditions during the 2-, 10-, 50- and 100-year rain events.
- 4) Time of concentration calculations.
- 5) An electronic copy of any computer modeling used for the drainage computations.
- 6) See also the attached Drainage Permits Checklist for more information.

Once a drainage permit application is submitted, a thorough review will be completed and additional information may be requested. Please direct questions concerning drainage issues to Jason Swenson (651-234-7539) or [Jason.Swenson@state.mn.us](mailto:Jason.Swenson@state.mn.us).

### ***Pedestrians and Bicyclists***

MnDOT recommends integrating pedestrian and bicycle facilities throughout the development and constructing a side path along the north side of Ambassador Blvd between MN 47 and the new street to allow to access the greater pedestrian and bicycle transportation network.

Please contact Jesse Thorsen, MnDOT Bicycle and Pedestrian Planning, at 651-234-7788 or [jesse.thorsen@state.mn.us](mailto:jesse.thorsen@state.mn.us) with related questions.

### ***Noise***

MnDOT's policy is to assist local governments in promoting compatibility between land use and highways. Residential uses located adjacent to highways often result in complaints about traffic noise. Traffic noise from this highway could exceed noise standards established by the Minnesota Pollution Control Agency (MPCA), the U.S. Department of Housing and Urban Development, and the U.S. Department of Transportation. Minnesota Rule 7030.0030 states that municipalities having the authority to regulate land use shall take all reasonable measures to prevent the establishment of land use activities,



listed in the MPCA's Noise Area Classification (NAC), anywhere that the establishment of the land use would result in immediate violations of established State noise standards.

MnDOT policy regarding development adjacent to existing highways prohibits the expenditure of highway funds for noise mitigation measures in such developed areas. The project proposer is required to assess the existing noise situation and take the action deemed necessary to minimize the impact to the proposed development from any highway noise.

If you have any questions regarding MnDOT's noise policy please contact Natalie Ries in MnDOT's Metro District Noise and Air Quality Unit at 651-234-7681 or [Natalie.Ries@state.mn.us](mailto:Natalie.Ries@state.mn.us).

### ***Permits***

Any work that affects MnDOT right-of-way will require an appropriate permit. All permits are available and should be submitted at: <https://olpa.dot.state.mn.us/OLPA/>. Please upload a copy of this letter when applying for any permits.

For questions regarding permit submittal requirements, please contact Buck Craig of MnDOT's Metro District Permits Section at 651-775-0405 (cell) or [buck.craig@state.mn.us](mailto:buck.craig@state.mn.us).

### ***Review Submittal Options***

MnDOT's goal is to complete reviews within 30 calendar days. Review materials received electronically can be processed more rapidly. Do not submit files via a cloud service or SharePoint link. In order of preference, review materials may be submitted as:

1. Email documents and plans in PDF format to [metrodevreviews.dot@state.mn.us](mailto:metrodevreviews.dot@state.mn.us). Attachments may not exceed 20 megabytes per email. Documents can be zipped as well. If multiple emails are necessary, number each message.
2. For files over 20 megabytes, upload the PDF file(s) to MnDOT's web transfer client site at: <https://mft.dot.state.mn.us>. Contact MnDOT Planning development review staff using the same email above for uploading instructions, and send an email listing the file name(s) after the document(s) has/have been uploaded.
3. A flash drive or hard copy can be sent to the address below. Please notify development review staff via the above email if this submittal method is used.

MnDOT  
Metro District Planning Section  
Development Reviews Coordinator  
1500 West County Road B-2  
Roseville, MN 55113

You are welcome to contact me at (651) 234-7795, or [David.Elvin@state.mn.us](mailto:David.Elvin@state.mn.us) with questions.

Sincerely,



Digitally signed by David Elvin  
Date: 2021.12.13 16:51:35 -06'00'

David Elvin, AICP  
Principal Planner

**Copy via email:**

Jason Swenson, Water Resources  
Buck Craig, Permits  
Mike Lynch, Right of Way  
Ashley Roup, Traffic  
Jason Junge, Transit  
Jennifer Wiltgen, Area Coordinator  
Melissa Barnes, Area Manager  
Mackenzie Turner Borgen, Ped/Bike  
Jesse Thorsen, Ped/Bike  
Lance Schowalter, Design  
David Kratz, Planning  
Cameron Muhic, Planning  
Tod Sherman, Planning  
Russell Owen, Metropolitan Council

Hi Beth,

Here are some comments that we have about this concept plan:

- We would want the WB RTL extended to accommodate for this new access.
- Based on our spacing guidelines, we need  $\frac{1}{4}$  mile between full movement intersections. Even a conditional secondary intersection (i.e. RI/RO) is supposed to be  $\frac{1}{8}$  mile from the nearest intersection (660 ft), but this one is around 240 ft.
- With that being said, a bypass or left turn lane would not fit here.
- Due to the potential WB queue and the safety issues associated with the access being close St. Francis Blvd, we would want that access to be a Right In/Right Out access.

If you have any questions let me know.

**Logan Keehr, E.I.T.**

**Traffic Engineering Technician**

Anoka County Highway Department

1440 Bunker Lake Boulevard NW

Andover, MN 55304

Direct: 763.324.3183

[Logan.Keehr@co.anoka.mn.us](mailto:Logan.Keehr@co.anoka.mn.us)



Ecological and Water Resources

1200 Warner Road  
St. Paul, MN 55106

December 14, 2021

Beth Richmond  
City of St. Francis Planner, HKGi  
800 Washington Avenue N.  
Minneapolis, MN 55401

**Re: Development sketch plan at 23925 Saint Francis Boulevard**

Dear Ms. Richmond:

We appreciate the opportunity to provide early feedback for a proposed project at 23925 Saint Francis Boulevard. Our comments below pertain to Landform's sketch plan dated November 18, 2021.

This 112-acre site is comprised of six parcels located within the city's urban Rum River Management district. Please know there is a DNR-held Wild and Scenic River easement entirely on parcel 29.34.24.42.0001. The plan shows that area as open space park. However, the development can't put in any new trails, structures, cut trees, or anything else that would violate the terms and conditions of the easement. The conservation easement is attached for your reference.

The development shows aggressive density around a sensitive resource. The existing site contains significant tree cover as well as steep slopes along the Rum River and within the project area. These critical resources are managed through river and bluff line setbacks and limits on vegetation clearing. However, the sketch plan does not show or speak to these important setbacks and protections.

Specifically, the sketch plan does not show a bluff line or the required 30-foot setbacks from bluff line, or the 150-foot OHWL structure setback. These setbacks control structure setbacks as well as landscape alterations and vegetation removal limits. Overall, there are significant questions about the compatibility of this dense development plan with the Rum River Scenic designation and the ability of the plan as shown to avoid substantial impacts.

We understand this sketch plan is to generate initial comments and look forward to continued dialogue as the development concept is refined. Please do not hesitate to contact me directly at (651) 259-5822,

or [wes.saunders-pearce@state.mn.us](mailto:wes.saunders-pearce@state.mn.us) if you would like to discuss this matter further.

Sincerely,

A handwritten signature in black ink, appearing to read 'Wes Saunders-Pearce', followed by a long horizontal line.

Wes Saunders-Pearce  
North Metro Area Hydrologist

Attachments:

Easement A02

c: Dan Petrik, DNR Shoreland and River Program Manager

A02

September 26, 1979

Wayne Burggraaff  
Commissioner of Finance  
309 Administration Bldg.  
St. Paul, Mn 55155

Attn: Mark Maurin

RE: Rum Wild and Scenic River  
Tract A-2, Anoka County  
SP 246 P

Your File No. 64520

Dear Sir:

In accordance with my letter to you dated September 10, 1979, we are transmitting for your files the originals of the following documents covering an easement granted to the State of Minnesota in connection with the above project:

Easement, Document No. 534306, running to  
the State of Minnesota;  
Title Opinion of Bruce A. Specktor; and  
Affidavit of Wendy Odegard.

The abstract of title is being returned to the landowners for their future use. Payment to the landowners has been previously requested. We have authorized the Bureau of Land to draw a warrant in the amount of \$40.60 to St. Paul Title Insurance Corporation for payment of abstracting fees.

Please sign and return the copy of this letter.

Very truly yours,

BRUCE A. SPECKTOR  
Special Assistant  
Attorney General

BAS:imb



SP 246 P

E A S E M E N T

534306

THIS INDENTURE, Made this 5 day of September 1979, between JOHN R. CROTEAU and DORIENE E. CROTEAU, husband and wife, of the County of Ramsey and State of Minnesota, parties of the first part, and STATE OF MINNESOTA, a sovereign body, party of the second part,

WITNESSETH:

WHEREAS, The Minnesota Wild and Scenic River Act, Minnesota Statutes 1978, Section 104.37, authorizes the Commissioner of Administration on behalf of the Commissioner of Natural Resources to acquire interests in land for the purpose of protecting the scenic, recreational or natural characteristics of a wild, scenic or recreational river area;

WHEREAS, By Reorganization Order No. 58 such authority to purchase has been transferred to the Commissioner of Natural Resources; and

WHEREAS, The Rum River has been duly designated under Minnesota Statutes 1978, Section 104.35 as a scenic river and lands hereinafter described are within the protected river area;

That the parties of the first part, in consideration of the sum of THREE THOUSAND THREE HUNDRED AND NO/100 (\$3,300.00) DOLLARS, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do hereby grant and convey unto the party of the second part, its successors and assigns, a perpetual easement to control and restrict, in accordance with the terms and conditions as hereinafter prescribed, the use and development of the parcels or tracts of land, hereinafter designated as the "Scenic Area", situated in the County of Anoka and State of Minnesota, described as follows, to-wit:

That part of the Southeast Quarter (SE 1/4) of Section Twenty-nine (29), Township Thirty-four (34) North, Range Twenty-four (24) West, lying West of the Rum River, EXCEPT the North 4 acres.

FOR THE PURPOSES INTENDED HEREIN:

The party of the second part, its successors, assigns, and agents thereof, shall have the right to enter upon the "Scenic Area" for the purposes of inspection and enforcement of the terms and covenants contained herein, together with such right to remove from the "Scenic Area" any unauthorized structure, material, object or thing.

NO RIGHTS HEREIN ARE GRANTED TO THE GENERAL PUBLIC FOR ACCESS TO OR ENTRY UPON THE "SCENIC AREA" FOR ANY PURPOSE.

The parties of the first part, for themselves, their heirs, executors and administrators, do covenant that there shall be:

ACQUISITION  
RECORD

DIVN. Parks  
NO. 8-814  
MAP  
ABST. 10-1-79  
CARDS  
F-44  
I.B.M.

Tract A2



1. No topographic changes or alteration of the natural landscape within or upon said "Scenic Area" by excavation, drainage, filling, dumping, or any other means without a written authorization from the Commissioner of Natural Resources.

2. No building, permanent or mobile, constructed or placed in the "Scenic Area". Buildings in place on the date hereof may be maintained or repaired, but may not be replaced or relocated within the "Scenic Area" or changed in size externally in any manner without a written authorization from the Commissioner of Natural Resources.

3. No other structures or devices, whether permanent or temporary, hereafter constructed or placed in the "Scenic Area" without a written authorization from the Commissioner of Natural Resources. Except that authorization from the Commissioner is not required for low fences of the kind normally used to control livestock; for no trespassing or for sale signs less than 4 square feet in area; if the property does not have a dwelling on it for camping and recreational equipment sufficient for one family which is removed from the area when not in use; if the property has a dwelling on it for the usual items associated with single family residential use.

4. No destruction, cutting, trimming, or removing of trees, shrubs, bushes or plants without a written authorization from the Commissioner of Natural Resources. This covenant shall not apply to the cutting of lawns or weeds or the harvesting of agricultural crops, or the removing of trees or shrubs which are dead, or are dying from insect infestation or disease.

5. No dumping of ashes, trash, junk, rubbish, sawdust, garbage, or offal upon the "Scenic Area".

6. No conveyance of any other easement for any purpose, including but not limited to road or utility, upon or within the "Scenic Area" without a written authorization from the Commissioner of Natural Resources.

7. No use made of the "Scenic Area" in violation of the restrictive covenants herein.

In the event the parties of the first part, their heirs and assigns, desire to cut timber from the subject premises, said parties shall first consult with the Area Department of Natural Resources Forestry Office with the purpose of establishing a timber management plan. Said plan shall be used in connection with all future cutting.

This easement and the covenants contained herein shall run with the land, shall be binding on all persons and entities who shall come into ownership or possession of the property which comprises the "Scenic Area" or any part thereof as described herein.

IN TESTIMONY WHEREOF, The parties of the first part have hereunto set their hands the day and year first above written.

John R. Croteau  
JOHN R. CROTEAU

Doriene E. Croteau  
DORIENE E. CROTEAU



STATE OF MINNESOTA

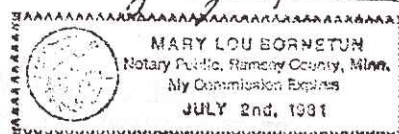
COUNTY OF Ramsey

) ss.

The foregoing instrument was acknowledged before me  
this 5<sup>th</sup> day of September, 1979,

By JOHN R. CROTEAU and DORIENE E.  
CROTEAU, husband and wife,

Mary Lou Bornetun  
Notary Public, Ramsey County, MN.  
My commission expires July 2, 1981.



EXEMPT FROM STATE DEED TAX, Laws 1971, Chapter 835.

ENTERED

Sept. 12 1979

Charles R. Lefebvre  
Auditor, Anoka County

by S. Kloss Deputy

This instrument was drafted by  
BRUCE A. SPECKTOR  
Special Assistant Attorney General  
Box 38 Centennial Office Building  
Saint Paul, Minnesota 55155

50A

A02

E-814

534306

534306

Numerical	<input checked="" type="checkbox"/>
Grantee	<input checked="" type="checkbox"/>
Grantee	<input checked="" type="checkbox"/>
Recorded	<input checked="" type="checkbox"/>
Checked	<input checked="" type="checkbox"/>
Margin	<input checked="" type="checkbox"/>
Tr. Index	<input checked="" type="checkbox"/>

OFFICE OF COUNTY RECORDER  
STATE OF MINNESOTA, COUNTY OF ANOKA

I hereby certify that the within instru-  
ment was filed in this office for record  
on the SEP 12 1979 A.D., 19\_\_\_\_  
4 o'clock P M., and was duly recorded  
in book \_\_\_\_\_ page \_\_\_\_\_

Neil J. Amundson  
County Recorder  
By V. L. Holderness  
Deputy

E-814  
From Wild's Service Station  
Anoka County

ENV

Bruce A. Specktor  
Special Ass't Attorney General  
Box 38 Centennial Office Bldg.  
658 Cedar Street  
St. Paul, Minn. 55155

County Recorder



# CITY COUNCIL AGENDA REPORT

**TO:** St. Francis City Council  
**FROM:** Beth Richmond, Planner  
**SUBJECT:** East Shop Site Rezoning – 1<sup>st</sup> Reading  
**DATE:** 01-03-2022  
**LOCATION:** East of Rum River and south of Bridge St (PINs 32-34-24-43-0040 and 32-34-24-43-0041)  
**COMP PLAN:** Commercial  
**ZONING:** R-3 High Density Residential

**OVERVIEW:**

Staff is proposing to rezone the site known as the “East Shop Site” along the east side of the Rum River south of Bridge Street from R-3 High Density Residential to B-1 Central Business District.



When the zoning map was updated in 2021, this site was zoned R-3 High Density Residential to reflect a proposal for senior housing in this location. The developer chose not to pursue the project further, and the site remains undeveloped.

The Comprehensive Plan guides this area for Commercial use as this site is located within the City’s downtown corridor. To bring the zoning map into compliance with the Comprehensive Plan, Staff recommends rezoning this site to the B-1 Central Business District.

**ACTION TO BE CONSIDERED:**

The Planning Commission reviewed this request at their December meeting and recommended approval of the rezoning. Given Planning Commission and Staff recommendation for approval of the rezoning, draft approval documents have been prepared for your consideration.

**Suggested Motion:** Move to approve the 1<sup>st</sup> reading of Ordinance 288 approving the rezoning of the East Shop Site from R-3 to B-1 as presented by Staff.

**Attachments:**

Draft Ordinance

**ORDINANCE NO. 288, SECOND SERIES**

**CITY OF ST. FRANCIS  
ST. FRANCIS, MN  
ANOKA COUNTY**

**AN ORDINANCE REZONING THE EAST SHOP SITE**

**WHEREAS**, the Planning Commission on December 15, 2021, opened and closed a duly noticed public hearing; and

**WHEREAS**, the Planning Commission on December 15, 2021 considered the contents of the staff report, public testimony, and other evidence available to the Commission and made recommendations for consideration by the City Council; and

**WHEREAS**, the City Council on January 3, 2022, has considered the recommendations of Staff and the Planning Commission, the ordinance, the contents of the staff report, public testimony, and other evidence available to the Council; and

**WHEREAS**, the City Council determined the rezoning to be consistent with the Comprehensive Plan's commercial land use designation for the site.

**THEREFORE, THE CITY COUNCIL OF THE CITY OF ST. FRANCIS ORDAINS:**

**Section 1.** The East Shop Site as legally described in Exhibit A is hereby rezoned from R-3 High Density Residential to B-1 Central Business District.

**Section 2.** The Zoning Map of the City of St. Francis referred to and described in Section 10-14-03 of the St. Francis City Code shall not be republished to show the aforesaid rezoning, but the Zoning Administrator or designee shall appropriately mark the Zoning Map on file in the City Clerk's office for the purpose of indicating the rezoning provided for in this ordinance and all of the notations, references, and other information shown thereon are hereby incorporated by reference and made a part of this ordinance.

**Section 3.** This Ordinance shall take effect and be enforced from and after its passage and publication according to law.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF ST. FRANCIS  
THIS 3<sup>RD</sup> DAY OF JANUARY, 2022.

APPROVED:

\_\_\_\_\_  
Steven D. Feldman, Mayor

ATTEST:

\_\_\_\_\_  
Jenni Wida, City Clerk

*Published in the Anoka County Union Herald*\_\_\_\_\_.

DRAFT

**EXHIBIT A**

Legal Description – to be inserted

DRAFT





## CITY COUNCIL AGENDA REPORT

**TO:** St. Francis City Council  
**FROM:** Beth Richmond, Planner  
**SUBJECT:** 2021 Code Revisions – 1<sup>st</sup> Reading  
**DATE:** 12-29-2021 for 1-3-2022 meeting

### **OVERVIEW:**

The City adopted an updated zoning code in April 2021. After working with the updated Code for roughly a year, Staff is proposing several housekeeping revisions for City Council consideration. These revisions include changes to the Definitions, Site Plan Review, Principal Uses, Accessory Uses, and Use-Specific Standards sections of the Code, as well as Chapter 8 Public Protection. Each requested revision is explained in more detail in the attached Planning Commission packet.

### **ACTION TO BE CONSIDERED:**

The Planning Commission reviewed the proposed Code amendments at their meeting on December 15, 2021 and held a public hearing. Following the public hearing and discussion, Commissioners moved to recommend approval of the Code amendments as presented by Staff. Given the Planning Commission's recommendation for approval, draft approval documents have been prepared for your consideration.

### **Suggested Motions:**

1. Move to approve the 1<sup>st</sup> reading of Ordinance 289 approving amendments to Division 3 Administration and Procedures of the Zoning Code as presented by Staff.
2. Move to approve the 1<sup>st</sup> reading of Ordinance 290 approving amendments pertaining to principal uses in Division 4 Base Zoning Districts of the Zoning Code as presented by Staff.
3. Move to approve the 1<sup>st</sup> reading of Ordinance 291 approving amendments pertaining to accessory uses in Divisions 4, 6, and 7 as presented by Staff.
4. Move to approve the 1<sup>st</sup> reading of Ordinance 292 approving amendments to Section 8-3 Animals of the City Code as presented by Staff.
5. Move to approve the 1<sup>st</sup> reading of Ordinance 293 approving amendments to Division 2 Definitions of the Zoning Code as presented by Staff.

### **Attachments:**

- Draft Ordinances
  - Ordinance 289 – Site Plan Review
  - Ordinance 290 – Principal Uses
  - Ordinance 291 – Accessory Uses
  - Ordinance 292 – Chapter 8



- Ordinance 293 – Definitions
- Planning Commission Memo for December 15, 2021 Meeting

# ORDINANCE NO. 289

## CITY OF ST. FRANCIS ANOKA COUNTY

### AN ORDINANCE MODIFYING THE ZONING CODE'S SITE PLAN REVIEW PROCEDURE - 1<sup>ST</sup> READING

THE CITY COUNCIL OF THE CITY OF ST. FRANCIS, ANOKA COUNTY,  
MINNESOTA, ORDAINS:

Changes in the following sections are denoted with an underline for new text or a strikethrough for ~~deleted language~~.

**Section 1.** Section 10-32-02 Review Required of the St. Francis Code of Ordinances is hereby amended to read as follows:

#### **10-32-02. - Review required.**

The following cases shall require a site plan review procedure, as described in this Section:

- A. New construction of multiple unit residential, commercial, industrial or institutional principal buildings;
- B. Modifications, additions, or enlargements to multiple unit residential, commercial, industrial, or institutional principal buildings which increase the gross floor area more than 25 percent;
- C. Modifications to multiple unit residential, commercial, industrial, or institutional buildings which alter the design or materials of any single exterior building wall more than 25 percent;
- D. Changes in use of leasable space in single or multi-tenant buildings where a change of tenant intensifies the use of the space or requires additional off-street parking; or
- E. Expansion of off-street parking related to modifications, additions, or enlargements to the gross floor area of an existing building.
- F. New construction or modifications of accessory buildings greater than 200 SF.

**Section 2.** Section 10-32-03 Procedure of the St. Francis Code of ordinances is hereby amended to read as follows:

#### **10-32-03.E Approving Authority:**

- 1. Site plan review applications that are described by Subsections 10-32-02.A and B shall be referred to the Planning and Zoning Commission and City Council for discussion, review, and formal comment.
  - a. The review shall follow the procedure established in Section 10-31-03 without the requirement for a public hearing.

- b. The City Council shall take action directing staff to issue the site plan approval or deny the application.
- 2. The Zoning Administrator shall have the authority to administer a decision for site plan review applications described by Subsections 10-32-02.C-~~E~~**F**, however, the Zoning Administrator shall also have the authority to refer the site plan request to the Planning and Zoning Commission and City Council, as described in Item 1, above.

**Section 3.** This Ordinance shall take effect and be enforced from and after its passage and publication according to law.

Approved and adopted by the City Council of the City of St. Francis this 3<sup>rd</sup> day of January, 2022.

\_\_\_\_\_  
Approved by: Steven D. Feldman, Mayor

\_\_\_\_\_  
Attest: Jennifer Wida, City Clerk

*Published in the Anoka County Union Herald* \_\_\_\_\_.

ORDINANCE NO. 290

CITY OF ST. FRANCIS  
ANOKA COUNTY

AN ORDINANCE MODIFYING THE PRINCIPAL USES IN THE AGRICULTURAL  
ZONING DISTRICTS - 1<sup>ST</sup> READING

THE CITY COUNCIL OF THE CITY OF ST. FRANCIS, ANOKA COUNTY,  
MINNESOTA, ORDAINS:

Changes in the following sections are denoted with an underline for new text or a  
strikethrough for ~~deleted language~~.

**Section 1.** Section 10-42-02 Agricultural Districts – Uses of the St. Francis Code of  
Ordinances is hereby amended to read as follows:

**Table 10-42-1 Principal Use Table – Agriculture Districts**

Use Type	Zoning District		
	A-1	A-2	UR
Residential			
Household Living			
Dwelling, single-unit detached	PS	PS	PS
Dwelling, farmstead	P	P	P
Group Living			
Residential care, licensed in-home (6 or fewer persons)	P	P	P
Lodging			
Bed and breakfast		PS	
Public, Social, or Health Care			
Cemetery		PS	
Child care center	PS	PS	PS
Municipal, county, state, or federal administrative or services building		P	
Commercial			
Animal boarding, shelter, or daycare center		<del>PPS</del>	I
Rural event center		<del>PSI</del>	
Industrial			

Mining, sand, and gravel extraction		I	I
Arts, Entertainment, or Recreation			
Gun club		C	
Public park, playground, open space, or recreation facility		P	P
Natural Resources or Agriculture			
Commercial animal feedlots		C	
Commercial horse stables		I	I
Forestry, nurseries, greenhouses, or tree farms, excluding retail sales	P	P	P
Forestry, nurseries, greenhouses, or tree farms, including retail sales		C	I
General agricultural uses	P	P	P
Hobby farm	P	P	
Nature preservation/conservation area	P	P	
Wildlife areas, sanctuaries, and game refuges		P	
Utilities			
Community solar energy system (CSES)/Solar garden	C	C	C
Essential services	PS	PS	PS
Personal wireless service facilities	PS	PS	PS
Solar farm	PS	PS	PS
Telecommunication structure or tower		PS	PS
<p>P = permitted use; PS = permitted with standards use; C = conditional use; I = interim use; blank cell = prohibited use</p> <p>For more information about the different types of uses, see Section 10-41-02.</p> <p>For use-specific standards, see Division 6.</p>			

**Section 9.** This Ordinance shall take effect and be enforced from and after its passage and publication according to law.

Approved and adopted by the City Council of the City of St. Francis this 3<sup>rd</sup> day of January, 2022.

\_\_\_\_\_  
Approved by: Steven D. Feldman, Mayor

\_\_\_\_\_  
Attest: Jennifer Wida, City Clerk

*Published in the Anoka County Union Herald* \_\_\_\_\_.

ORDINANCE NO. 291

CITY OF ST. FRANCIS  
ANOKA COUNTY

AN ORDINANCE MODIFYING ACCESSORY USES IN THE ZONING CODE - 1<sup>ST</sup>  
READING

THE CITY COUNCIL OF THE CITY OF ST. FRANCIS, ANOKA COUNTY, MINNESOTA,  
ORDAINS:

Changes in the following sections are denoted with an underline for new text or a strikethrough for ~~deleted language~~.

**Section 1.** The use tables in Sections 10-42-02 Uses – Agricultural Districts, 10-43-02 Uses – Residential Districts, and 10-44-02 Uses – Business and Industrial Districts of the St. Francis Code of Ordinances are hereby amended to read as follows:

**Table 10-42-2 Accessory Use Table – Agricultural Districts**

Use Type	Zoning District		
	A-1	A-2	UR
<u>Accessory agricultural building</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>
Accessory dwelling unit			PS
Accessory structure	PS	PS	PS
Antenna, accessory and secondary use	PS	PS	PS
Compost structure and firewood pile	PS	PS	PS
Day care, family	PS	PS	PS
Day care, group family	PS	PS	PS
Domestic animal enclosure	PS	PS	PS
Home extended business		I	I
Home occupation		PS	PS
Keeping of animals or fowl	PS	PS	PS
Keeping of bees	PS	PS	PS
<u>Keeping of chickens</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>
Off-street parking and loading facilities	PS	PS	PS
Outdoor wood-burning furnace	PS	PS	PS
Personal vehicle/equipment sales	PS	PS	PS

Recreational camping vehicle, utility trailer, boat, and unlicensed vehicle storage and parking		PS	PS
Short-term vacation rental		PS	PS
Solar energy system, accessory	PS	PS	PS
Swimming pools, tennis courts, and other individual recreational facilities	PS	PS	PS
Temporary/seasonal outdoor sales		PS	PS
Wind energy conversion system	C	C	C
<p>P = permitted use; PS = permitted with standards use; C = conditional use; I = interim use; blank cell = prohibited use</p> <p>For more information about the different types of uses, see Section 10-41-02.</p> <p>For use-specific standards, see Division 6.</p>			

**Table 10-43-2 Accessory Use Table – Residential Districts**

Use Type	Zoning District			
	RR	R-1	R-2	R-3
<u>Accessory agricultural building</u>	<u>PS</u>			
Accessory dwelling unit	PS	PS		
Accessory structure	PS	PS	PS	PS
Antenna, accessory and secondary use	PS	PS	PS	PS
Compost structures and firewood piles	PS	PS	PS	PS
Day care, family	PS	PS	PS	PS
Day care, group family	PS	PS	PS	PS
Domestic animal enclosures	PS	PS	PS	PS
Home extended business	I			
Home occupation	PS	PS	PS	
Keeping of animals or fowl	PS	PS	<u>PS</u>	
Keeping of bees	PS	PS	<u>PS</u>	
<u>Keeping of chickens</u>	<u>PS</u>	<u>PS</u>		
Off-street parking and loading facilities	PS	PS	PS	PS
Outdoor wood-burning furnace	PS			



Personal vehicle/equipment sales	PS	PS	PS	PS
Recreational camping vehicle, utility trailer, boat, and unlicensed vehicle storage and parking	PS	PS	PS	
Short-term vacation rental	PS	PS	PS	
Solar energy system, accessory	PS	PS	PS	PS
Swimming pools, tennis courts, and other individual recreational facilities	PS	PS	PS	PS
Wind energy conversion system	C			
<p>P = permitted use; PS = permitted with standards use; C = conditional use; I = interim use; blank cell = prohibited use</p> <p>For more information about the different types of uses, see <u>Section 10-41-02</u>.</p> <p>For use-specific standards, see Division 6.</p>				

**Table 10-44-2 Accessory Use Table – Business and Industrial Districts**

Use Type	Zoning District				
	B-1	B-2	BPK	I-1	I-2
Accessory structure	<del>PS</del>	<del>PS</del>	<del>PS</del>	<del>PS</del>	PS
Antenna, accessory and secondary use	PS	PS	PS	PS	PS
<del>Compost structures and firewood piles</del>	<del>PS</del>	<del>PS</del>	<del>PS</del>	<del>PS</del>	<del>PS</del>
Drive-thru establishment		PS			
Mobile food unit	PS	PS	PS		
Off-street parking and loading facilities	PS	PS	PS	PS	PS
Outdoor dining	PS	PS			
Solar energy system, accessory	PS	PS	PS	PS	PS
Taproom	P	P	P		
Temporary/seasonal outdoor sales		PS	PS	PS	
<u>Uses incidental to the principal use</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<p>P = permitted use; PS = permitted with standards use; C = conditional use; I = interim use; blank cell = prohibited use</p> <p>For more information about the different types of uses, see Section 10-41-02.</p> <p>For use-specific standards, see Division 6.</p>					

**Section 2.** The following section numbers of the St. Francis Code of Ordinances are hereby amended to read as follows:

Current Section Number	Amended Section Number	Section Name
	<u>10-68-01</u>	<u>Accessory agricultural building</u>
<del>10-68-01</del>	<u>10-68-02</u>	Accessory dwelling unit (ADU)
<del>10-68-02</del>	<u>10-68-03</u>	Accessory structure
<del>10-68-03</del>	<u>10-68-04</u>	Antenna, accessory and secondary use
<del>10-68-04</del>	<u>10-68-05</u>	Compost structures and firewood piles
<del>10-68-05</del>	<u>10-68-06</u>	Day care, family and day care, group family
<del>10-68-06</del>	<u>10-68-07</u>	Domestic animal enclosures
<del>10-68-07</del>	<u>10-68-08</u>	Drive-thru establishment
<del>10-68-08</del>	<u>10-68-09</u>	Home extended business
<del>10-68-09</del>	<u>10-68-10</u>	Home occupations
<del>10-68-10</del>	<u>10-68-11</u>	Keeping of animals or fowl
<del>10-68-11</del>	<u>10-68-12</u>	Keeping of bees
	<u>10-68-13</u>	<u>Keeping of chickens</u>
<del>10-68-12</del>	<u>10-68-14</u>	Mobile food unit (MFU)
<del>10-68-13</del>	<u>10-68-15</u>	Off-street parking and loading facilities
<del>10-68-14</del>	<u>10-68-16</u>	Outdoor dining
<del>10-68-15</del>	<u>10-68-17</u>	Outdoor wood-burning furnaces
<del>10-68-16</del>	<u>10-68-18</u>	Personal vehicle/equipment sales
<del>10-68-17</del>	<u>10-68-19</u>	Recreational camping vehicle, utility trailer, boat, unlicensed vehicle, storage, and parking
<del>10-68-18</del>	<u>10-68-20</u>	Short-term vacation rental
<del>10-68-19</del>	<u>10-68-21</u>	Solar energy system, accessory
<del>10-68-20</del>	<u>10-68-22</u>	Swimming pools
<del>10-68-21</del>	<u>10-68-23</u>	Temporary family health care dwellings
<del>10-68-22</del>	<u>10-68-24</u>	Temporary/seasonal outdoor sales
<del>10-68-23</del>	<u>10-68-25</u>	Wind energy conversion system (WECS)

**Section 3.** Section 10-68-01 Accessory Agricultural Building of the St. Francis Code of Ordinances is hereby amended to read as follows:

**10-68-01 Accessory agricultural building**

- A. Per Minn. Stat. 326B.103 subd. 3, agricultural accessory buildings are exempt from the State Building Code.

- B. Accessory agricultural buildings are exempt from the standards in Section 10-68-02 Accessory structure.
- C. In conjunction with the construction of an agricultural accessory building, the property owner shall execute an agricultural building awareness form. Said form shall certify that the accessory building and the premises shall only be used for agricultural purposes.
- D. A site plan must be submitted and approved from the City prior to commencing construction on any accessory building which qualifies as an agricultural building.
- E. Accessory agricultural buildings shall not be erected within 50 feet of a neighboring property.

**Section 4.** Section 10-68-03 Accessory Structure of the St. Francis Code of Ordinances is hereby amended to read as follows:

**10-68-023 Accessory structure.**

- A. *Application.* Any accessory structure which requires a building permit or which is 30 inches or more in height shall be subject to setback, floor area and other requirements of this OrdinanceSection.
- B. *Time of construction.* No detached accessory building or structure shall be constructed on any lot prior to the time of construction of the principal building to which it is accessory. ~~Agricultural buildings on farm properties are exempt from the requirements of this Section.~~
- C. *Building permits.*
  - 1. Detached accessory buildings not exceeding 200 square feet in floor area shall be allowed without issuance of a building permit, but shall comply with all other provisions of this Ordinance.
  - 2. Detached accessory buildings greater than 200 square feet in floor area shall require a building permit. The Building Official shall review the site plan and construction drawings to determine compliance with the Building Code and other applicable ordinances, laws, and regulations.
  - 3. In conjunction with the issuance of a building permit for a detached accessory structure in the Rural Service Area, the property owner shall execute a home occupation awareness form. Said form shall certify that the detached accessory structure and the premises on which it is located, will not be used for the purposes of a Home Occupation without first obtaining the required approvals.
  - 4. ~~In conjunction with the construction of an agricultural accessory building, the property owner shall execute an agricultural building awareness form. Said form shall certify that the accessory building and the premises shall only be used for agricultural purposes.~~
- D. *Exterior building standards.* Architectural details of accessory buildings are to be the same or similar to the principal building based upon (but not limited to) the following criteria:
  - 1. Scale and detailing.
  - 2. Roof pitch orientation and slope.

- 3. Overhang depth and details.
- 4. Window and exterior door proportion and types.
- 5. Building material. Detached accessory structures in the Rural Service Area may, however, be finished with baked enamel siding.
- 6. Exterior color.

E. *Area, number and height limitations.*

Accessory structures shall comply with the following area, number and height limitations:

- 1. *Rural Service Area.*
  - a. Attached accessory structures shall not exceed 840 square feet in size, except that the maximum square footage can be increased, provided that the accessory structure size does not exceed 80 percent of the above-ground square footage of the principal structure.
  - b. All new and relocated residential homes shall be constructed with an accessory structure or garage meeting the minimum standards required in Section 10-72-09 Parking Supply Requirements. Said accessory structure shall have a minimum floor area of at least 440 square feet.
  - c. Detached accessory structures shall be limited as follows:

Lot Size	Accessory Structure Limits	
Less than 1 acre	Total detached square footage	600
	Maximum number of detached buildings	1
	NO POLE BUILDINGS ALLOWED	
	Maximum sidewall height	10 feet
1 acre but less than 2½ acres	Total detached square footage	1,200
	Maximum number of detached buildings	1
	POLE BUILDINGS ALLOWED	
	Maximum sidewall height	12 feet
2½ but less than 5 acres	Total detached square footage	1,500
	Maximum number of detached buildings	2
	POLE BUILDINGS ALLOWED	
	Maximum sidewall height	14 feet
5 acres but less than 10 acres	Total detached square footage	4,000
	Maximum number of detached buildings	2
	POLE BUILDINGS ALLOWED	
	Maximum sidewall height	16 feet
10 acres and larger	Total detached square footage	5,000
	Maximum number of detached buildings	2
	POLE BUILDINGS ALLOWED	
	Maximum sidewall height	18 feet

- 2. *Urban Service Area.*
  - a. Attached and detached private residential garages shall not exceed 840 square feet in size, except that the minimum square footage can be increased to 1,200

- square feet, provided that the accessory structure does not exceed 80 percent of the above-ground square footage of the principal structure.
- b. All new and relocated residential homes shall be constructed with an accessory structure or garage meeting the minimum standards required in Section 10-72-09 Parking Supply Requirements. For one and two unit dwelling units, said accessory structure shall have a minimum floor area of at least 440 square feet.
  - c. Residential properties within the Urban Service Area may have one (1) detached accessory structure in addition to a private residential garage. The structure shall not to exceed 250 square feet in size. On properties that have no less than one half (1/2) acre of buildable land, the detached accessory structure, may be up to 500 square feet in size. This second detached accessory building shall not exceed 16 feet in height.
  - d. Residential properties with detached accessory structures that subsequently construct an attached accessory structure, shall deduct the square footage of the detached structure from the allowable square footage.
  - e. No accessory buildings shall be allowed on non-residential property in the urban service area.
  - f. Unless otherwise permitted, all detached accessory buildings shall not exceed 20 feet in height or the height of the principal structure, whichever is less.
3. *General Standards and Conditions, All Districts.*
- a. PUD Districts in rural areas: total accessory structure square footage shall not exceed 1,200 square feet per lot or as otherwise identified in the Development Agreement.
  - b. Temporary, hoop, carport, tarpaulin or similar types of non-permanent structures are not permitted.
  - c. Semi-trailers, truck boxes, rail boxes, box cars, and similar are prohibited.
  - d. Moving storage containers, Portable on demand storage (PODS) units or similar type units may be allowed with city approval for up to 30 days within an 18-month period.
  - e. No structures shall be located within a drainage, utility or any other publicly owned easement.
  - f. ~~Proposed accessory building(s) which meet the definition of the term "agricultural building" in Minnesota Statutes, Sec. 326B.103, Subd. 3 may be exempt from the requirement to obtain a building permit but are subject to all standards to this Section with exception of size restrictions and total square footage restrictions. A site plan must be submitted and approved from the City prior to commencing construction on any accessory building which qualifies as an agricultural building.~~

**F. Setbacks.**

- 1. *Attached Buildings/Garages:* An attached garage or accessory structure shall be considered an integral part of the principal building and shall conform to district setback requirements.
- 2. *Detached Buildings:*
  - a. *Rural Service Area:*
    - i. Lots Less Than One (1) Acre. 25 feet from the side and rear property lines.

- ii. Lots One (1) Acre and Larger. 25 feet from the side and rear property lines.
- iii. All detached accessory structures in the Rural Service Area shall be placed no closer to the front property line than the principal structure, except when the principal structure has a front yard setback of at least 150 feet. In that case, the detached accessory structure may be located closer to the front property line than the principal structure, but shall maintain at least a 75 foot front yard setback off a City street and a 100 foot front yard setback off of a County or State road.
- ~~iv. Accessory agricultural buildings shall not be erected within 50 feet of a neighboring property.~~
- b. *Urban Service Area:*
  - i. *All Lots.* No accessory building shall be located in front of the principal structure. Accessory buildings must maintain setbacks of five (5) feet from the side property line and 10 feet from the rear property line.
  - ii. *Street Side Yard.* Detached accessory structures shall be located no closer than 20 feet from a street side yard on corner lots, provided the structure does not have access to the public right-of-way on the side yard.
  - iii. Except in Commercial and Industrial Districts, all detached accessory buildings shall maintain a 10 foot setback to the principal structure and other detached accessory buildings on the parcel.

**Section 5.** Section 10-68-11 Keeping of Animals or Fowl of the St. Francis Code of Ordinances is hereby amended to read as follows:

### **10-68-~~101~~ Keeping of Animals or Fowl**

~~The keeping of animals and/or fowl shall meet the standards listed in Section 8-3-3 of the City Code, Animals and Fowl—Keeping, Transporting, Treatment, Housing.~~

- A. Farms as defined in the City Code are exempt from the provisions of this Section.
- B. It is unlawful for any person to keep, stable, board, or harbor horses, colts, ponies, mules, goats, sheep, cattle, pigs, and other farm-type animals, mink, ducks, pigeons, geese, and other fowl, whether owned or not, unless the person has sufficient contiguous real estate to house and enclose said animals or fowl.
- C. All points of housing and fence enclosures in which animals or fowl are kept must be at least 100 feet from any residential structure used for human habitation or well for supplying potable water.
- D. A sturdy wood, metal or electrical fence must keep the animals and/or fowl confined.
- E. No animals or fowl mentioned in Item B above may be kept on a parcel of real estate smaller in area than five (5) acres, except for the keeping of pigeons and doves as specified in Item F below. In determining such real estate parcel size and number of animals or fowl, one (1) acre thereof shall be considered as being used for residence,

lawns, etc., and shall be excluded. The area used for the on-site sewage treatment system, including the alternate drain field location, shall not be used to keep animals. In addition to the above minimum area requirements, at least one (1) acre of pasture must be available for one (1) animal other than fowl and at least one (1) acre for each additional animal other than fowl kept on the premises.

- F. No more than 20 fowl of any type may be kept on such five (5) acre parcels with one (1) acre additional required for each additional ten fowl. The keeping of racing and fancy pigeons/doves shall be permitted on parcels of land as small as two and one-half (2½) acres in size in the rural service area of the City. The keeping of pigeons and doves for competitive racing and sporting purposes shall be limited to a maximum of one hundred fifty (150) birds.
- G. Pasture fences or animal or fowl enclosures must be at least ten (10) feet inside the property lines unless fences on the line are agreed to in writing by adjoining property owner or owners. Such line fence agreement must be renewed in writing when a new adjoining owner takes over.
- H. Animal and fowl manure and other waste shall not be allowed to accumulate to create offensive odors. Accumulations of manure and other waste shall be removed at such periods as will insure that no objectionable aroma exists and the premises shall not be allowed to become unsightly or harbor rodents, flies, or insects.
- I. Properties that do not conform with this Section shall be considered as non-conforming uses. Non-conforming uses shall be brought into compliance with this Section within five (5) years from the effective date of this and the above Subdivisions; however, this provision shall only apply to real estate area, and number of animals, and location of fences and enclosures, and shall in no way allow any change or any increase in such prior use, and upon death or disposition of any animals or fowl so held under prior use, same shall not be replaced; and any discontinuance of such prior use for a period of one month longer shall be deemed a cessation of such use and a use thereafter shall be completely controlled by all of the provisions of this Section.
- J. It is unlawful for any person to treat any animal as herein defined, or any other animal, in a cruel or inhumane manner.
- K. It is unlawful for any person to keep any animal in any structure infested by rodents, vermin, flies or insects.
- L. It is unlawful for any person to allow any animal, as herein defined, or any other animal under his control, to run at large.

**Section 6.** Section 10-68-12 Keeping of Bees of the St. Francis Code of Ordinances is hereby amended to read as follows:



## **10-68-1~~2~~ Keeping of Bees**

~~The keeping of bees shall meet the standards listed in Section 8-3-6 of the City Code, Keeping of Bees.~~

- A. Bees shall not be kept on parcels smaller than two and a quarter (2.25) acres in size or within a PUD as identified by Code.
- B. No parcel shall have more than one (1) hive or colony housing structure not to exceed three (3) feet in size in any dimension unless it is an agricultural use.
- C. All hives shall be of the removable frame type.
- D. All hives shall be kept 100 feet from any property line.
- E. Hives shall be kept in a manner that does not create a nuisance to neighbors or general public. Hives found to be unattended, damaged, infected or abandoned shall be deemed a nuisance.
- F. Properties of all sizes are encouraged to register their hive with the City for the purpose of Emergency Management.

**Section 7.** Section 10-68-13 Keeping of Chickens of the St. Francis Code of Ordinances is hereby amended to read as follows:

## **10-68-13 Keeping of Chickens**

- A. Definitions listed in Section 8-3-2 pertaining to the keeping of chickens shall apply to the following standards.
- B. On parcels of five (5) acres or more, the use standards for the Keeping of Animal and Fowl within Section 10-68-10 shall apply.
- C. On parcels of less than five (5) acres, the following standards for raising, harboring, maintaining, and keeping of chickens shall apply:
  - 1. The keeping of roosters is prohibited.
  - 2. The butchering of chickens on-site is prohibited.
  - 3. On properties of less than 2.5 acres, no more than five (5) chickens shall be kept on the permitted premises.
  - 4. On properties of 2.5 acres or more, no more than 10 chickens shall be kept on the permitted premises.
  - 5. Chickens must be confined on the permitted premises at all times in a chicken coop or chicken run, and may not be kept in any part of the principal dwelling, garage, front yard, or side yard.
  - 6. All chicken grains and feed must be stored in a rodent proof container.
  - 7. The use of chickens for cockfighting is prohibited.
  - 8. Fowl manure and other waste shall not be allowed to accumulate to create offensive odors. Accumulations of manure and other waste shall be removed at

such periods as will insure that no objectionable aroma exists and the premises shall not be allowed to become unsightly or harbor rodents, flies, or insects.

9. It is unlawful for any person to treat a chicken in a cruel or inhumane manner.
10. It is unlawful for any person to keep a chicken in a coop or run infested by rodents, vermin, flies, or insects.

**D. Coop and Run**

1. All chickens shall be provided access to both a coop and run.
2. A coop and run is exempt from accessory structure maximums as may be established in Chapter 10 of City Code.
3. All fencing and electrical work associated with a chicken coop or run shall be consistent with applicable building and zoning codes, and all appropriate permits and/or licenses shall be obtained prior to construction.
4. Any chicken coop or run shall be set back at least 15 feet from the property line, and shall be located closer to the principal dwelling on the permitted property than to any principal dwelling on adjacent properties.
5. Any coop or run shall be set back at least 25 feet from the following features:
  - a. A delineated wetland edge;
  - b. The top of a bank of a pond, filtration basin, or infiltration basin.
2. Chicken coops shall have a maximum footprint area of 10 square feet per chicken, and a minimum footprint area of five (5) square feet per chicken.
3. Chicken runs shall have a maximum footprint area of 20 square feet per chicken, and a minimum footprint area of 10 square feet per chicken.
4. The coop shall be elevated a minimum of 12 inches off the ground, and may not exceed a height of six (6) feet as measured from the ground.
5. No coop or run shall be located in any form of easement or right-of-way.
6. Both the coop and run shall be completely enclosed and rodent proof.
7. The coop shall provide adequate protection from the elements and shall be winterized if chickens are being kept between November 1st and April 30th of any given year.
8. Once an owner is finished raising chickens or if a permit is revoked, the coop and run shall be removed from the property.

- E. No person shall own, harbor, or keep within the City a hen chicken unless a valid permit for such chicken has been obtained pursuant to the provisions in Section 8-3-2 of the City Code.

**Section 8.** Section 10-68-20 Short-Term Vacation Rental of the St. Francis Code of Ordinances is hereby amended to read as follows:

**10-68-1820 Short-term vacation rental.**

- A. All STVRs shall obtain a rental license in accordance with Chapter 4-6 Rental Housing Licensing of the City Code.

- B. *Number of guests.*** The maximum number of overnight guests will be limited to two (2) times the number of bedrooms rented plus one (1).
- C. *Events.*** Events are not allowed to be hosted by transient guests on the premises. An event means a gathering on the premises of more than three un-registered transient guests. Events hosted by the property owner are allowed, but must abide by all applicable City ordinances and polices.
- D. *Dwelling requirements.***

  - 1. The dwelling must be connected to city sewer and water or must be served by a compliant septic system capable of meeting the needs of the maximum allowable number of people staying on the property at one time
  - 2. Rooms used for sleeping shall have an egress windows and smoke detectors.
  - 3. The guest(s) must have access during their entire stay to a full bathroom, including sink, toilet, and tub or shower.
  - 4. Accommodation of guests is not allowed in recreational vehicles, tents, temporary structures, accessory structures, fish houses, or similar structures. Accommodation of guests in accessory dwelling units (ADUs) is permitted.
- E. *Parking.***

  - 1. All guest parking must be accommodated on improved surfaces on the premises. No on-street parking is allowed for guests.
  - 2. At a minimum, parking shall be provided at the following rate:
    - a. 1 space for each 1-2 bedroom rental
    - b. 2 spaces for each 3 bedroom rental
    - c. Spaces equal to the number of bedrooms minus one for each 4 and 4+ bedroom rental
- F.** In short term vacation rentals where the property owner resides on the premise, additional off-street parking for personal use must be provided at a rate of one parking space per two bedrooms not dedicated to the guest use.
- G. *Proximity of assistance.*** If not residing on the property, the property owner or a manager/representative must be located within 30 miles of the property. The property owner shall maintain with the City the name, address, phone number, and email for the local contact or managing agent for the property.
- H. *Guest records.*** A guest record must be maintained, including the name, address, phone number, and vehicle license plate information for all guests. This record must be provided to the City within 48 hours of a request for the guest record.
- I. *Guest disclosures.*** The property owner must disclose in writing to their transient guests the following rules and regulations. This disclosure shall be conspicuously displayed in the home:

  - 1. The name, phone number and address of the owner, operating lessee or managing agent/representative.
  - 2. The maximum number of guests allowed at the property.
  - 3. The maximum number of vehicles allowed at the property and where they are to be parked.
  - 4. City nuisance ordinances requirement that noise levels be reduced between 10 p.m. and 7 a.m. and that this will be enforced by the St. Francis Police Department.
  - 5. Property rules related to use of outdoor features, such as decks, patios, grills, recreational fires, saunas and other recreational facilities.

- 6. No events are allowed to be hosted on the premises.
- J. *Garbage*. All garbage must be kept in rubbish containers that are stored out of view of a public street.
- K. *Signage*. No signage pertaining to the short-term vacation rental is allowed on the property.

**Section 9.** Zoning Code references to the antenna, accessory and secondary use shall be hereby amended to read as follows:

**10-41-05 Building height**

- B. The building height limits established herein for districts shall not apply to the following:
  - 2. Antenna support structures as regulated by Section 10-67-05 and Section 10-68-0~~34~~ of this Ordinance.

**Section 10.** Zoning Code references to home extended businesses shall be hereby amended to read as follows:

**10-68-~~0910~~ Home occupations.**

- B. Prohibited home occupation uses. The following uses have a tendency to be too intense for or potentially disruptive for home occupations and thereby adversely affect residential areas. The following uses are specifically prohibited as home occupations:
  - 1. Repair services which produce objectionable light, glare, noise or vibration including, but not limited to, auto repair, appliance repair and small engine repair, except as provided for in Subsection 10-68-0~~89~~.I.

**Section 11.** Zoning Code references to home occupations shall be hereby amended to read as follows:

**10-68-0~~89~~ Home extended business.**

For all home extended businesses, the following provisions shall be satisfied:

- A. The conditions of Section 10-68-0~~910~~ of this Ordinance shall be satisfied.

**Section 12.** Zoning Code references to the recreational camping vehicle, utility trailer, boat, unlicensed vehicle, storage, and parking use shall be hereby amended to read as follows:

**10-64-06 Open and outdoor storage (principal use)**

- B. Exceptions.
  - 1. Clothes line pole and wires.
  - 2. Play equipment.
  - 3. Recreational vehicles and equipment may be parked or stored outdoors as regulated by Section 10-68-1~~79~~ of this Ordinance.
  - 4. Construction and landscaping material currently being used on the premises.

5. Off-street parking of operable motor vehicles as specified in the respective zoning districts.

**10-68-124 Mobile food unit (MFU)**

- Q. Out-of-service MFUs shall comply with all applicable zoning ordinance requirements, including Section 10-68-179 Recreational Camping Vehicle, Utility Trailer, Boat, Unlicensed Vehicle, Storage and Parking.

**10-71-07 Outdoor storage**

B. *Exceptions*

1. Clothes line pole and wires.
2. Play equipment.
3. Recreational vehicles and equipment may be parked or stored outdoors as regulated by Section 10-68-179 of this Ordinance.
4. Construction and landscaping material currently being used on the premises.
5. Off-street parking of operable motor vehicles as specified in the respective zoning districts.

**10-72-08 Design and maintenance of off-street parking**

- J. *Parking and Storage of Recreational Vehicles.* The parking and storage of recreational vehicles shall be regulated in accordance with Section 7-4-5 of the City Code and Section 10-68-178 of this Ordinance.

**Section 13.** Zoning Code references to short-term vacation rentals shall be hereby amended to read as follows:

**10-68-012 Accessory dwelling unit (ADU)**

- K. Short-term rental of ADUs is permitted following the standards listed in Section 10-68-1820.

**Section 14.** Zoning Code references to wind energy conversion systems (WECS) shall be hereby amended to read as follows:

**10-41-05 Building height**

- B. The building height limits established herein for districts shall not apply to the following:
  14. Wind energy conversion system towers as regulated by Section 10-68-235 of this Ordinance.

**Section 15.** This Ordinance shall take effect and be enforced from and after its passage and publication according to law.

Approved and adopted by the City Council of the City of St. Francis this 3<sup>rd</sup> day of January, 2022.

SEAL

CITY OF ST. FRANCIS

By: \_\_\_\_\_  
Steven D. Feldman, Mayor

\_\_\_\_\_  
Attest: Jenni Wida, City Clerk

*Published in the Anoka County Union Herald* \_\_\_\_\_.

DRAFTED BY:  
**Hoisington Kogler Group, Inc.**  
800 Washington Ave. N., Suite 103  
Minneapolis, MN 55401

ORDINANCE NO. 292

CITY OF ST. FRANCIS  
ANOKA COUNTY

AN ORDINANCE MODIFYING SECTION 8-3 OF THE CITY CODE OF  
ORDINANCES - 1<sup>ST</sup> READING

THE CITY COUNCIL OF THE CITY OF ST. FRANCIS, ANOKA COUNTY, MINNESOTA,  
ORDAINS:

Changes in the following sections are denoted with an underline for new text or a strikethrough for ~~deleted language~~.

**Section 1.** Section 8-3 Animals of the St. Francis Code of Ordinances is hereby amended to read as follows:

**8-3-1 Dog Licensing and Registration**

A. *Definition.* For the purpose of this Section:

1. **Owner** means the license holder or any other person or persons, firm, association, or organization or corporation owning, keeping, possessing, having an interest in, having care custody or control of or harboring a dog. Any person keeping or harboring a dog for five (5) consecutive days shall for the purposes of this Section be deemed an owner thereof.
2. **Own** means to have a property interest in, or to, harbor, feed, board, keep or possess.
3. **Dangerous Animal** means a dog which has caused damage to property or injury to a person, or which animal, by its actions, exhibits a propensity for causing imminent danger to persons.
  - a. Without provocation, inflicted substantial bodily harm on a human being on public or private property;
  - b. Killed a domestic animal without provocation while off the owner's property; or
  - c. Been found to be a potentially dangerous, and after the owner was noticed that the dog is potentially dangerous, the dog aggressively bites, attacks, or endangers the safety of humans or domestic animals.
4. **Dog** means both male and female and includes any animal of the dog kind.
5. **Potentially Dangerous Dog** shall mean any dog that:
  - a. When unprovoked, inflicts bites on a human or domestic animal on public or private property;



- b. When unprovoked, chases or approaches a person upon the streets, sidewalks, or any public property in an apparent attitude of attack; or,
  - c. Has a known propensity, tendency or disposition to attack unprovoked, causing injury, or otherwise threatening the safety of humans or domestic animals.
- 6. **Proper Enclosure** shall mean securely confined indoors or in a securely enclosed and locked pen or structure suitable to prevent the animal from escaping and providing protection from the elements for the dog. A proper enclosure does not include a porch, patio, or any part of a house, garage or other structure that would allow the dog to exit of its own violation, or any house or structure in which windows are open or in which doors or window screens are the only obstacles that prevent the dog from exiting.
- 7. **Substantial Bodily Harm** shall mean bodily injury which involves a temporary but substantial disfigurement, or which causes a temporary but substantial loss or impairment of the function of any bodily member or organ, or which causes a fracture of any bodily member.
- B. *Running at Large Prohibited.* It is unlawful for the owner of any dog to permit such animal to run at large. Any dog shall be deemed to be running at large with the permission of the owner if off the property of its owner and not under restraint. For the purposes of this Section, "under restraint" means the animal is controlled by a leash not exceeding six (6) feet in length, or at heel beside a person of suitable age and discretion, and obedient to that person's commands, or effectively confined within a motor vehicle, building or enclosure. A dog shall not be deemed to be running at large if engaged in wild game or animal hunting, or when engaged in obedience training, and under the control of its owner or a responsible person.
- C. *License Required and Number of Dogs Restricted.*
  - 1. *Licenses.* It is unlawful for the owner of any dog, six (6) months of age or more, to fail to obtain a license therefore from the City. All dogs kept, harbored, or maintained in the City of St. Francis shall be licensed and registered. Applications for licenses shall be made to the Police Department upon forms provided by the Police Department. Said application shall require the owner, among the other information required by the Police Department, to supply the name, age, predominant breed, sex, color and markings of each dog sought to be licensed. In addition, when the applicant or owner has been convicted of a violation to Section 8-3-1.L of this Code relative to the dog sought to be licensed, the application shall require proof of public liability insurance as set forth in Section 8-3-1.S of this Code. Upon submission of the application and a certificate of evidencing compliance with the terms and provisions of the license fee, the Police Department shall issue a license, which license shall be effective until the rabies vaccination has expired.

2. *Number of Dogs Allowed.*

- a. Three dogs over the age of three (3) months on properties less than 5 acres.
- b. Four dogs over the age of three (3) months on properties 5 acres or greater.
- c. Properties located within the Urban Service Area of the City shall be limited to a maximum of two dogs housed outside of the principle structure.
- d. Additional dogs with an approved Kennel License in accordance with standards in [Chapter 6](#) and [Chapter 10](#).

- D. *License Issuance, Term and Renewal.* Every owner or keeper of a dog shall cause the same to be vaccinated by a licensed veterinarian with anti-rabies vaccine at least once in every twenty-four (24) month period prior to the time such dog shall reach the age of six (6) months and at least once every twenty-four (24) months thereafter.
- E. *Adoption of Fees.* All fees for the impounding and maintenance of a dog, including penalties for the late application, may be fixed and determined by the Council, adopted by resolution, and uniformly enforced. Such fees may from time to time be amended by the Council by Resolution. A copy of the resolution setting forth currently effective fees shall be kept on file in the office of the City Clerk/Treasurer and open to investigation during regular business hours.
- F. *Tag Required.* All licensed dog owners shall provide proof of a tag thereto evidencing a current license. Upon application, a duplicate for a lost tag will be issued by the City. Tags shall not be transferable from one dog to another and no refunds shall be made on any dog license fee because of death of the dog or the owners leaving the City prior to expiration of the license period.
- G. *Dog Pound.* Any dog found in the City without a license tag, running at large, or otherwise in violation of this Section, shall be placed in the Dog Pound, and an accurate record of the time of such placement shall be kept on each dog. Every dog so placed in the Dog Pound shall be held for redemption under Section 8-3-1.I of this Code by the owner for at least five (5) regular business days. A "regular business day" is one during which the pound is open for business to the public for at least four (4) hours between 8:00 AM and 7:00 PM. Impoundment records shall be preserved for at least six (6) months and shall show: (1) the description of the dog by specie, breed, sex, approximate age, and other distinguishing traits; (2) the location at which the dog was seized; (3) the date of seizure; (4) the name and address of the person from whom any dog three (3) months of age or over was received; and (5) the name and address of the person to whom any dog three months of age or over was transferred. If unclaimed, such dog shall be humanely destroyed and the carcass disposed of, unless it is requested by a licensed educational or scientific institution under authority of Minnesota Statutes, Section 35.71. Provided, however, that if a tag affixed to the dog, or a statement by the dog's owner after seizure

specifies that the dog should not be used for research, such dog shall not be made available to any such institution but may be destroyed after the expiration of the five (5) day period.

- H. *Notice of Impounding.* Upon the impounding of any dog, the owner shall be notified by the most expedient means, or if the owner is unknown, written notice shall be posted for five (5) days at the City Hall describing the dog and place and time of taking.
- I. *Redemption of Dog Release from Dog Pound.* Dogs shall be released to their owners, as follows:
  - 1. If such dog is owned by a resident of the City, after a license is obtained, if unlicensed, and payment of the impounding fee, maintenance, and immunization fee and proof of ownership.
  - 2. If such dog is owned by a person not a resident of the City, after immunization of any such animal for rabies, and payment of the immunization fee, impounding fee and maintenance.
- J. *Seizure by a Citizen.* It is lawful for any person to seize and impound a dog so found running at large and shall within six (6) hours thereafter notify the Police Department of said seizure. It shall be the duty of the Police Department to place said dog in the City Pound. If the name of the owner of such dog so seized is known to the person who first takes such dog into custody, he or she shall inform the Police Department of the name of the owner, and the address if known.
- K. *Immobilization of Dogs.* For the purpose of enforcement of this Section any peace officer, or person whose duty is animal control, may use a so-called tranquilizer gun or other instrument for the purpose of immobilizing and catching a dog.
- L. *Disturbing the Peace/Other Unlawful Acts.* It is unlawful for the owner of any dog to:
  - 1. Fail to have the license tag issued by the City; or
  - 2. Own a dangerous dog, or
  - 3. Interfere with any police officer, or other City employee, in the performance of their duty to enforce this Section; or
  - 4. Own, keep, have in possession, or harbor any an animal that causes annoyance or disturbance to persons or the neighborhood by yapping, wailing, barking, howling, or crying for a continuous period of 30 minutes or longer. Such yapping, wailing, barking, howling, or crying must also be audible off of the owner's or caretaker's premises. Any person violating this subdivision, who upon first requested by a police officer or the animal control officer to stop or prevent the annoyance, and refuses to comply with the request maybe issued a citation or arrested in accordance with Minnesota Rules of Criminal Procedure.
- M. *Rabies Control—Generally.*
  - 1. Every Animal which bites a person shall be promptly reported to the Chief of Police and shall thereupon be securely quarantined at the direction of the Chief of Police for a period of fourteen (14) days, and shall not be released from such

quarantine except by written permission of the City. In the discretion of the Chief of Police, such quarantine may be on the premises of the owner or at the veterinary hospital of their choice. If the animal is quarantined on the premises of the owner, the City shall have access to the animal at any reasonable time of study and observation of rabies symptoms. In the case of the stray animal or in the case of an animal whose ownership is not known, such quarantine shall be at the animal pound, or at the discretion of the Chief of Police the animal may be confined in a veterinary hospital designated by him. The owner of the animal shall be responsible for all costs associated with the quarantine of the animal.

2. The owners, upon demand made by the Chief of Police or by any other City Employee empowered by the Council to enforce this Section, shall forthwith surrender any animal which has bitten a human, or which is suspected as having been exposed to rabies, for the purpose of supervised quarantine. The expenses of the quarantine shall be borne by the owner and the animal may be reclaimed by the owner if adjudged free of rabies upon payment of fees set forth in this Section and upon compliance with licensing provisions set forth in this Section.
  3. When an animal under quarantine and diagnosed as being rabid or suspected by a licensed veterinarian as being rabid dies or is killed, the City shall immediately send the head of such animal and rabies data report to the State Health Department for pathological examination and shall notify all persons concerned of the results of such examination.
  4. The City shall issue such proclamation and take such action when rabies is suspected or exists as is required by Minnesota Statutes.
- N. *Reports of Bite Cases.* It is the duty of every physician, or other practitioner, to report to the Chief of Police the names and addresses of persons treated for bites inflicted by animals, together with such other information as will be helpful in rabies control.
- O. *Animals in Heat.* Except for controlled breeding purposes, every female animal in heat shall be kept confined in a building or secure enclosure, or in a veterinary hospital or boarding kennel, in such manner that such female cannot come in contact with other animals.
- P. *Nuisances.* Keeping, maintaining, or harboring a dog that has been permitted to run loose or has caused damage to or loss of private property belonging to a person other than the thereof and members of the owners household on three (3) or more occasions within a period of twelve (12) consecutive months constitutes a nuisance. The following events shall be considered in determining whether or not there has been a violation of this Section which constitutes a nuisance:
1. Conviction under Section 8.05, Subd. 2, involving the permitting of a dog to run loose.
  2. Payment to a person by or on behalf of the owner for damages to or destruction of private property or for personal injury.

3. An acknowledgement by the owner or keeper of an animal that it has caused such damage or personal injury.
  4. Records of the City of St. Francis or any other City which show impoundment of the dog for the immediate preceding twelve (12) month period.
- Q. *Abatement.* Such nuisance shall be abated by the owner or keeper of such animal by the disposition of the animal within fourteen (14) days after receipt of notice to the owner or keeper thereof. "Disposition" shall mean the destruction of the animal or its permanent removal from the City. Said notice shall be sent by the Chief of Police or his designate by registered mail. If the owner or keeper of the animal fails to comply within the above-specified period, the animal control office is authorized and directed to capture and immediately dispose of such animal. The owner or keeper of the dog shall immediately make the animal available to the animal control officer.
- R. *Appeals.* Any owner who feels aggrieved by the order of the Chief of Police may request a hearing before the City Council by filing an appeal with the City Clerk within fourteen (14) days after receipt of the notice. The appeal shall be filed in such form as the City shall provide. On the filing of such appeal, no further action shall be taken until the matter has been heard. Upon receipt of the request, the City Clerk shall place the matter before the Council at its next regular meeting. The owner may appear, with counsel if he/she chooses, and present evidence in opposition to the order. Following such hearing the Council shall make a determination of facts and shall, based upon such determination, affirm, repeal, or modify the Chief's order. The Council shall also establish a date for compliance with the order as affirmed or modified, which date shall be not less than five (5) days thereafter. Upon expiration of the time limit, the animal control officer shall abate the nuisance.
- S. *Insurance Required.* Evidence of a surety bond issued by a surety company authorized to conduct business in the State of Minnesota in a form acceptable to the City in the sum of at least \$50,000.00, payable to any person injured by the dangerous dog, or a policy of liability insurance issued by an insurance company authorized to conduct business in the State of Minnesota in the amount of at least \$50,000.00, insuring the owner for any personal injuries inflicted by the dangerous dog must be filed with the City Clerk each year upon renewal of the dog license in the following instances:
1. Nuisance Abatement. For a period of two (2) years after having been ordered to abate any nuisance pursuant to this Section.
  2. Conviction of failure to restrain an attack by a dog pursuant to this Section, where the Court failed to order destruction of the dog.
  3. Where the dog has been declared dangerous pursuant to this chapter.
- T. *Failure to Restrain an Attack by an Animal.* It shall be unlawful for an owner to fail to restrain an animal from inflicting or attempting to inflict bodily injury to any person or other domestic animal. Violation of this Section shall be a misdemeanor. The Court upon a finding of the defendant's guilt hereunder, is authorized to order, as part of the

disposition of the case, that the animal be destroyed based on written order containing one or more of the following findings of fact:

1. The animal is dangerous as defined in the Subd. 1; or,
2. The owner of the animal has demonstrated an inability or unwillingness to control the animal in order to prevent unprovoked injury to persons or other domestic animals. If the Court does not order the destruction of the dog, the Court shall, as an alternative, order the defendant to provide, and show proof to the Court of insurance as set forth in the Subd.

- U. *Destruction of Dangerous Animals.* The Chief of Police or his designate shall have authority to order the destruction of dangerous dogs as defined in Section 8-3-1.A of this Code.
- V. *Appeals.* If an owner requests a hearing within five (5) days of the receipt of the Declaration of Dangerous Dog classification for determination as to the dangerous nature of the dog, the City Clerk shall place the matter before the City Council at its next meeting. Notice of the Declaration of Dangerous Dog classification shall be sent by certified mail or posting of such notice on owner's last known residence if the owner(s) cannot be found. The owner may appear with counsel if he/she chooses, and present evidence in opposition of the designation of the animal as dangerous. Following the hearing, the Council shall make a determination of facts and shall make such order as it deems proper. If such hearing cannot be held within the statutory fourteen (14) days, the owner must either comply with the terms of the Statute Section 347.50-347.54 or keep the dog at a licensed kennel in a confined pen until the hearing is held. If the Declaration of Dangerous Dog is upheld, the dog shall remain at a licensed kennel in a secured, confined pen until the dog is either destroyed or all of the dangerous dog requirements of the state statute and local ordinances are complied with and a license is issued by the Police Department. If the Council concludes that the dog is dangerous and the owner does not immediately comply with the requirements of the dangerous dog statute, the Council may order the animal control officer to take the dog into custody for destruction. If the dog is ordered into custody for destruction, the owner shall immediately make the dog available to the animal control officer and failure to do so shall be a misdemeanor.
- W. *Harboring a Dangerous Animal.* Any person who harbors an animal after it has been found to be dangerous and ordered into custody for destruction pursuant to this Subd. shall be guilty of a misdemeanor.
- X. *Stopping an Attack.* If any Police Officer or animal control officer is witness to an attack by an animal upon a person or another animal, the officer may take whatever means he/she deems appropriate to bring the attack to an end and prevent further injury to the victim.
- Y. *Removal of Excrement.* It is unlawful for any person who owns or had custody of a dog to cause or permit such animal to defecate on any private property without the consent of the property owner or on any public property unless such person immediately removed

the excrement and places it in a proper receptacle. The provisions of this Section shall not apply to seeing-eye dogs under control of a blind person or dogs while being used in City Police activity.

- Z. *Animal Control Officer.* There is hereby established the position of Animal Control Officer. He/She shall be appointed by the City Council. Nothing contained herein shall prevent the City Council from contracting with a person to provide such services.
- AA. *Duties of Animal Control Officer.* The Animal Control Officer shall perform the following duties:
  1. Capture, seize and deliver to any designated pound any dog found: running at large within the City; unlicensed; or not wearing the metal tag provided for in this chapter.
  2. Pick-up and dispose of the carcasses of every dead animal.
  3. Investigate all cases of animal bites reported to him/her and supervise the quarantine of any such animal to assure that it is kept under observation for a period of ten (10) days.
  4. Investigate all reports of dangerous or potentially dangerous dogs referred to him/her, complete the dangerous/potentially dangerous animal form and refer the same to the County Auditor, report to the Chief of Police weekly on the activities of the Animal Control Officer within the City.
- BB. *No Interference with Officer.* It shall be unlawful for any person to molest or in any way interfere with any peace officer, animal control officer, or any of their duly authorized assistants, or with any duly authorized agent while engaged in performing work under the provisions of this chapter.

### 8-3-2 Chickens

- A. *Findings.* The Council finds that the ability to cultivate one's own food is a sustainable activity that can also be a rewarding past time. Therefore, it is the purpose and intent of this Section to permit the limited keeping and maintenance of chicken hens for eggs and meat sources in a clean and sanitary manner that is not a nuisance to or detrimental to the public health, safety and welfare of the community.
- B. *Definitions.* For the purposes of this Section:
  1. **Chicken** means a domesticated bird that serves as a source of eggs or meat.
  2. **Coop** means a structure for the keeping or housing of chickens.
  3. **Hen** means a female chicken.
  4. **Rooster** means a male chicken.
  5. **Run** means a fully enclosed and covered area attached to a coop where the chicken(s) can roam unsupervised.
- ~~C. *Keeping of Chickens.* The raising, harboring, maintaining, and keeping of Chickens within the City of St. Francis shall be limited to properties within following zoning classifications: A-1, A-2, A-3, R-R, R-1, and R-2; as determined by Chapter 10 of City Code.~~



- ~~1. On parcels of less than five (5) acres, the provisions within Section 8-3-2 shall apply.~~
- ~~2. On parcels of five (5) acres or more, the Animal and Fowl provisions within Section 8-3-3 shall apply.~~

~~D. *In General.*~~

- ~~1. The keeping of roosters is prohibited.~~
- ~~2. The butchering of chickens on site is prohibited.~~
- ~~3. On properties of less than 2.5 acres, no more than five (5) chickens shall be kept on the permitted premises.~~
- ~~4. On properties of 2.5 acres or more, no more than ten (10) chickens shall be kept on the permitted premises.~~
- ~~5. Chickens must be confined on the permitted premises at all times in a chicken coop or chicken run, and may not be kept in any part of the principal dwelling, garage, front yard, or side yard.~~
- ~~6. All chicken grains and feed must be stored in a rodent proof container.~~
- ~~7. The use of chickens for cockfighting is prohibited.~~
- ~~8. Fowl manure and other waste shall not be allowed to accumulate to create offensive odors. Accumulations of manure and other waste shall be removed at such periods as will insure that no objectionable aroma exists and the premises shall not be allowed to become unsightly or harbor rodents, flies, or insects.~~
- ~~9. It is unlawful for any person to treat a chicken in a cruel or inhumane manner.~~
- ~~10. It is unlawful for any person to keep a chicken in a coop or run infested by rodents, vermin, flies, or insects.~~

~~E. *Coop and Run.*~~

- ~~1. All chickens shall be provided access to both a coop and run.~~
- ~~2. A coop and run is exempt from accessory structure maximums as may be established in Chapter 10 of City Code.~~
- ~~3. All fencing and electrical work associated with a chicken coop or run shall be consistent with applicable building and zoning codes, and all appropriate permits and/or licenses shall be obtained prior to construction.~~
- ~~4. Any chicken coop or run shall be set back at least fifteen (15) feet from the property line, and shall be located closer to the principal dwelling on the permitted property than to any principal dwelling on adjacent properties.~~
- ~~5. Any coop or run shall be set back at least twenty-five (25) feet from the following features:~~
  - ~~a. A delineated wetland edge;~~
  - ~~b. The top of a bank of a pond, filtration basin, or infiltration basin.~~
- ~~6. Chicken coops shall have a maximum footprint area of ten (10) square feet per chicken, and a minimum footprint area of five (5) square feet per chicken.~~

- ~~7. Chicken runs shall have a maximum footprint area of twenty (20) square feet per chicken, and a minimum footprint area of ten (10) square feet per chicken.~~
  - ~~8. The coop shall be elevated a minimum of twelve (12) inches off the ground, and may not exceed a height of six (6) feet as measured from the ground.~~
  - ~~9. No coop or run shall be located in any form of easement or right of way.~~
  - ~~10. Both the coop and run shall be completely enclosed and be rodent proof.~~
  - ~~11. The coop shall provide adequate protection from the elements and shall be winterized if chickens are being kept between November 1st and April 30th of any given year.~~
  - ~~12. Once an owner is finished raising chickens or if a permit is revoked, the coop and run shall be removed from the property.~~
- F. *Permit.* ~~No person shall own, harbor, or keep within the City a hen chicken unless a valid permit for such chicken has been obtained pursuant to the following provisions.~~
1. A permit shall be obtained prior to any chickens being introduced to a site. All permits will remain in effect until voluntarily cancelled or revoked. Valid permits may be revoked by the City if this section is repealed in its entirety or is modified. Permits are non-transferrable.
  2. Permit application fees are due upon submittal of the permit application. The fee will be established yearly by ordinance.
  3. No permit shall be issued to a rental property unless the property owner provides written consent to the application. For properties located within a managed community with a Home Ownership Association (HOA), the association management must provide written consent to the application.
  4. *Application.* Any person desiring a permit under this Section shall make written application on a form prescribed by the City which shall contain, at a minimum, the following information:
    - a. A scaled drawing (site plan) showing the location, size, and dimensions of the coop & run. The site plan shall include the proposed distances between the coop & run from neighboring homes and other structures on the subject property, neighboring property lines, and applicable required setbacks.
    - b. The maximum number of chickens to be kept on site.
    - c. A detailed feces and waste removal plan.
    - d. An agreement by the applicant that the premises may be inspected by the city at all reasonable times to ensure compliance with all applicable conditions.
    - e. Statements that the applicant will at all times keep their chickens in accordance with all of the conditions prescribed by the City (or modification thereof), and that failure to obey such conditions will

constitute a violation of the provisions of this Section and will be grounds for cancellation of the permit.

5. *Site Visit Required.* An inspection of the property, coop, and run is required prior to the initial issuance of a permit.
6. *Permit Allotment.* A maximum of twenty (20) permits will be issued citywide for properties that are less than 2.5 acres in size; there is no maximum on the number of permits for properties that are 2.5 acres or greater.
7. *Permit Conditions.* If granted, the permit shall be issued and shall state the conditions, if any, imposed upon the property for the keeping of chickens under the permit. The permit shall specify the restrictions, limitations, conditions and prohibitions which the City deems reasonably necessary to protect any person or neighboring use from unsanitary conditions, unreasonable noise or odors, or annoyance, or to protect the public health and safety.
8. *Denial or Revocation.* The City may deny or revoke any permit, permit application, or renewal application if it deems the applicant is:
  - a. Unable or unwilling to fulfill or comply with the provisions of [Section 8-3-2](#);
  - b. Submitting inaccurate or incomplete permit information;
  - c. Failing to meet the conditions of an issued permit;
  - d. Creating a nuisance; or
  - e. If the public health and safety would be unreasonably endangered by the granting or renewing of such a permit.
- a. Any person whose permit is revoked shall, within ten (10) days thereafter, humanely dispose of all chickens being owned, kept, or harbored by such person, and no part of the permit fee shall be refunded.
9. *Complaints.* If a complaint regarding a chicken permit is received, the permit holder shall consent to an inspection of the property to demonstrate that all minimum standards and conditions of the permit are being met. Refusal to consent to an inspection shall be grounds for revocation of the permit.

### **~~8-3-3 Animals and fowl—Keeping, transporting, treatment, housing~~**

- ~~A. Except for chickens which may be allowed on limited acreage in accordance with Section 8-3-2, it is unlawful for any person to keep, stable, board, or harbor horses, colts, ponies, mules, goats, sheep, cattle, pigs, and other farm-type animals, mink, chickens, ducks, pigeons, geese, and other fowl, whether owned or not, unless the person has sufficient contiguous real estate to house and enclose said animals or fowl.~~
- ~~B. All points of housing and fence enclosures in which animals or fowl are kept must be at least one hundred (100) feet from any residential structure used for human habitation or well.~~
- ~~C. A sturdy wood, metal or electrical fence must keep the animals and/or fowl confined.~~
- ~~D. No above mentioned animals or fowl may be kept on a parcel of real estate smaller in area than five (5) acres, except for the keeping of pigeons and doves as specified in~~

~~Section 8-3-1.E of this Code. In determining such real estate parcel size and number of animals or fowl, one (1) acre thereof shall be considered as being used for residence, lawns, etc., and shall be excluded. The area used for the on-site sewage treatment system, including the alternate drain field location, shall not be used to keep animals. In addition to the above minimum area requirements, at least one (1) acre of pasture must be available for one animal other than fowl and at least one (1) acre for each additional animal other than fowl kept on the premises.~~

- ~~E. No more than twenty fowl of any type may be kept on such five (5) acre parcels with one (1) acre additional required for each additional ten fowl. The keeping of racing and fancy pigeons/doves shall be permitted on parcels of land as small as two and one half (2½) acres in size in the rural service area of the City. The keeping of pigeons and doves for competitive racing and sporting purposes shall be limited to a maximum of one hundred fifty (150) birds.~~
- ~~F. Pasture fences or animal or fowl enclosures must be at least ten (10) feet inside the property lines unless fences on the line are agreed to in writing by adjoining property owner or owners. Such line fence agreement must be renewed in writing when a new adjoining owner takes over.~~
- ~~G. Animal and fowl manure and other waste shall not be allowed to accumulate to create offensive odors. Accumulations of manure and other waste shall be removed at such periods as will insure that no objectionable aroma exists and the premises shall not be allowed to become unsightly or harbor rodents, flies, or insects.~~
- ~~H. Farms as defined in the City Code are exempt from the provisions of this Section.~~
- ~~I. Properties that do not conform with this Section shall be considered as non-conforming uses. Non-conforming uses shall be brought into compliance with this Section within five (5) years from the effective date of this and the above Subdivisions; however, this provision shall only apply to real estate area, and number of animals, and location of fences and enclosures, and shall in no way allow any change or any increase in such prior use, and upon death or disposition of any animals or fowl so held under prior use, same shall not be replaced; and any discontinuance of such prior use for a period of one month longer shall be deemed a cessation of such use and a use thereafter shall be completely controlled by all of the provisions of this Section.~~
- ~~J. It is unlawful for any person to violate any provisions of this Section.~~
- ~~K. It is unlawful for any person to treat any animal as herein defined, or any other animal, in a cruel or inhumane manner.~~
- ~~L. It is unlawful for any person to keep any animal in any structure infested by rodents, vermin, flies or insects.~~
- ~~M. It is unlawful for any person to allow any animal, as herein defined, or any other animal under his control, to run at large.~~

### **8-3-43 Animal waste**

- A. Definitions. For the purpose of this Section:
  - 1. **Owner** means any person who harbors, feeds, boards, possesses, keeps or has custody of an animal.
  - 2. **Animal** means a dog, cat or other animal.
- B. Unlawful Acts. It is unlawful for any owner to:

1. Suffer or permit an animal to defecate upon public property, or the private property of another, without immediately removing the excrement and disposing of it in a sanitary manner.
2. Suffer or permit an animal to be upon public property, or the private property of another, unless such animal is in the custody of a person of suitable age and discretion having in his/her possession equipment and supplies for excrement removal.
3. Permit animal excrement to accumulate for a period in excess of seven (7) days on premises occupied by him/her without removal and sanitary disposal.

### **8-3-54 Non-domestic animals**

- A. Non-domestic animals shall mean those animals commonly considered to be naturally wild and not naturally trained or domesticated, or which are commonly considered to be inherently dangerous to the health, safety, and welfare of people. Unless otherwise defined, such animals shall include:
  1. Any member of the large cat family (family felidae) including but not limited to; lions, tigers, cougars, lynx, bobcats, leopards and jaguars, but excluding commonly accepted domesticated house cats.
  2. Any naturally wild member of the canine family (family canidae) including but not limited to; wolves, foxes, coyotes, dingoes, and jackals, but excluding commonly accepted domesticated dogs.
  3. Any cross breed such as the crossbreed between a wolf and a dog, unless the crossbreed is commonly accepted as a domesticated house pet.
  4. Any member or relative of the rodent family including but not limited to; any skunk (whether or not de-scented), raccoon, squirrel, or prairie dog, but excluding those members otherwise defined or commonly accepted as domesticated pets.
  5. Any poisonous, venomous, constricting, or inherently dangerous member of the reptile or amphibian families including but not limited to; rattlesnakes, boa constrictors, pit vipers, crocodiles and alligators.
  6. Any other animal which is not explicitly listed above but which can be reasonably defined by the terms of this subpart.
- B. Animals such as Bears, Elk, Caribou, and Buffalo may be permitted within the City upon the issuance of a Conditional Use Permit. A Conditional Use Permit for keeping the above described animals shall not be considered on properties of less than five (5) acres in size.
- C. It shall be illegal for any person to own, possess, harbor, or offer for sale, any non-domestic animal within the City limits. Any owner of such an animal at the time of adoption of this Code shall have thirty days in which to remove the animal from the City after which time the City may impound the animal as provided for in this Section.
- D. An exception shall be made to the prohibition for animals specifically trained for and actually providing assistance to the handicapped or disabled, and for those animals brought into the City as part of an operating zoo, veterinarian clinic, scientific laboratory, educational facilities, or a licensed show or exhibition.
- E. Impounding. Any unlicensed animal running at large is hereby declared a public nuisance. Any police officer may impound any dog or other animal found unlicensed or any animal found running at large and shall give notice of the impounding to the owner of such dog or other animal, if known. In the case the owner is unknown, the officer shall post notice at the City office that if the dog or other animal is not claimed within the time

specified, it will be sold or otherwise disposed of. Except as otherwise provided in this Section, it shall be unlawful to kill, destroy, or otherwise cause injury to any animal including dogs and cats running at large.

- F. Animals Presenting a Danger to Health and Safety of the City. If the reasonable belief of any person or police officer, an animal presents an immediate danger to the health and safety of any person, or the animal is threatening imminent harm to any person, or the animal is in the process of attacking any person, the officer may destroy the animal in a proper and humane manner. Otherwise the person or officer may apprehend the animal and deliver it to the pound for confinement under § 100.05. If the animal is destroyed, the City shall charge the animal owner for the actual cost of disposing of the animal. If the animal is found not to be a danger to the health and safety of the City, it may be released to the owner or keeper in accordance with § 100.05, Subd. 3.

**~~8-3-6 Keeping of bees~~**

- ~~A. Bees shall not be kept on parcels smaller than two and a quarter (2.25) acres in size or within a MLPUD/PUD as identified by Code.~~
- ~~B. No parcel shall have more than one hive or colony housing structure not to exceed three (3) feet in size in any dimension unless it is an agricultural use.~~
- ~~C. All hives shall be of the removable frame type.~~
- ~~D. All hives shall be kept one hundred (100) feet from any property line.~~
- ~~E. Hives shall be kept in a manner that does not create a nuisance to neighbors or general public. Hives found to be unattended, damaged, infected or abandoned shall be deemed a nuisance.~~
- ~~F. Properties of all sizes are encouraged to register their hive with the City for the purpose of Emergency Management.~~

**Section 2.** This Ordinance shall take effect and be enforced from and after its passage and publication according to law.

Approved and adopted by the City Council of the City of St. Francis this 3<sup>rd</sup> day of January, 2022.

SEAL

CITY OF ST. FRANCIS

By: \_\_\_\_\_  
Steven D. Feldman, Mayor

\_\_\_\_\_  
Attest: Jenni Wida, City Clerk

*Published in the Anoka County Union Herald* \_\_\_\_\_.

**ORDINANCE NO. 293**  
**CITY OF ST. FRANCIS**  
**ANOKA COUNTY**  
  
**AN ORDINANCE MODIFYING THE GENERAL AND USE DEFINITIONS OF THE**  
**ZONING CODE - 1<sup>ST</sup> READING**

THE CITY COUNCIL OF THE CITY OF ST. FRANCIS, ANOKA COUNTY,  
MINNESOTA, ORDAINS:

Changes in the following sections are denoted with an underline for new text or a strikethrough for ~~deleted language~~.

**Section 1.** Section 10-22-17 General Definitions “T” of the St. Francis Code of Ordinances is hereby amended to read as follows:

**Tree, significant:** A healthy tree which measures a minimum of eight (8) inches in diameter four and one-half (4.5) feet above the ground for hardwood deciduous trees, measures a minimum of 12 inches in diameter four and one-half (4.5) feet above the ground for softwood deciduous trees, or measures greater than eight (8) feet in height for coniferous trees. Invasive trees are not considered significant. Some examples of significant deciduous trees include but are not limited to:

Hardwood: elm, birch, oak, maple (hard); and  
Softwood: poplars/aspen, silver maple, willow.

**Section 2.** Section 10-23-01 Use Definitions “A” of the St. Francis Code of ordinances is hereby amended to read as follows:

**Accessory agricultural building:** An accessory structure meeting the definition in Minn. Statutes 326B.103, Subd. 3.

**Section 3.** Section 10-23-04 Use Definitions “D” of the St. Francis Code of ordinances is hereby amended to read as follows:

**Dwelling, attached townhouse or rowhouse:** A single residential unit which is located within a larger residential structure containing ~~no more than~~ between three and eight units and which is separated from the adjoining dwelling unit(s) by a common wall. Each dwelling unit may be located on its own individual lot or on a common lot containing all of the attached units, and each dwelling unit shall have separate and individual front and rear entrances.



**Section 4.** This Ordinance shall take effect and be enforced from and after its passage and publication according to law.

Approved and adopted by the City Council of the City of St. Francis this 3<sup>rd</sup> day of January, 2022.

\_\_\_\_\_  
By: Steven D. Feldman, Mayor

\_\_\_\_\_  
Attest: Jennifer Wida, City Clerk

*Published in the Anoka County Union Herald* \_\_\_\_\_.



PLANNING COMMISSION  
AGENDA REPORT

TO: St. Francis Planning Commission  
FROM: Beth Richmond, Planner  
SUBJECT: 2021 Code Revisions  
DATE: 12-15-2021

OVERVIEW:

The City adopted an updated zoning code in April 2021. After working with the updated Code for roughly a year, Staff is proposing several housekeeping revisions for Planning Commission and City Council consideration. These revisions include changes to the Definitions, Site Plan Review, Principal Uses, Accessory Uses, and Use-Specific Standards sections of the Code. Each requested revision is explained in more detail below. Proposed Code additions are underlined and in **red**. Proposed Code deletions are ~~struck through~~.

CODE REVISIONS

Definitions

Staff determined that the following definitions should be added or revised in the zoning code. The “significant tree” term is something that is used in the Code but was not defined. The suggested definition below was taken from model codes from around the area and provides an objective explanation for what a significant tree is as developers plan projects and develop landscaping plans.

Attached townhouse or rowhouse previously was defined as a single residential unit located within a larger residential structure containing no more than eight units. That definition was too broad, however, as it could also apply to twinhomes and duplexes. Staff is suggesting to clarify this definition that townhomes may include between 3 and 8 units.

**(10-22-17) Tree, significant:** A healthy tree which measures a minimum of eight (8) inches in diameter four and one-half (4.5) feet above the ground for hardwood deciduous trees, measures a minimum of 12 inches in diameter four and one-half (4.5) feet above the ground for softwood deciduous trees, or measures greater than eight (8) feet in height for coniferous trees. Invasive trees are not considered significant. Some examples of significant deciduous trees include but are not limited to:

Hardwood: elm, birch, oak, maple (hard); and

Softwood: poplars/aspen, silver maple, willow.

**(10-23-04) Dwelling, attached townhouse or rowhouse:** A single residential unit which is located within a larger residential structure containing ~~no more than~~ between three and eight units and which is separated from the adjoining dwelling unit(s) by a common wall. Each dwelling unit may be located on

its own individual lot or on a common lot containing all of the attached units, and each dwelling unit shall have separate and individual front and rear entrances.

Site Plan Review

The current procedure for site plan review does not distinguish between principal and accessory buildings, meaning that new industrial accessory buildings would need to go through a review process with the Planning Commission and City Council. Staff feels this is overly arduous, and recommends clarifying that new construction or significant changes to principal buildings is when review by the Planning Commission and Council would be required. Review of accessory structures should only require an administrative review to ensure that the accessory structure does not impact larger site requirements such as parking. See the proposed text changes below:

10-32-02. - Review required.

The following cases shall require a site plan review procedure, as described in this Section:

- A. New construction of multiple unit residential, commercial, industrial or institutional principal buildings;
- B. Modifications, additions, or enlargements to multiple unit residential, commercial, industrial, or institutional principal buildings which increase the gross floor area more than 25 percent;
- C. Modifications to multiple unit residential, commercial, industrial, or institutional buildings which alter the design or materials of any single exterior building wall more than 25 percent;
- D. Changes in use of leasable space in single or multi-tenant buildings where a change of tenant intensifies the use of the space or requires additional off-street parking; or
- E. Expansion of off-street parking related to modifications, additions, or enlargements to the gross floor area of an existing building.
- F. New construction or modifications of accessory buildings greater than 200 SF.

10-32-03.E Approving Authority:

- 1. Site plan review applications that are described by Subsections 10-32-02.A and B shall be referred to the Planning and Zoning Commission and City Council for discussion, review, and formal comment.
  - a. The review shall follow the procedure established in Section 10-31-03 without the requirement for a public hearing.
  - b. The City Council shall take action directing staff to issue the site plan approval or deny the application.
- 2. The Zoning Administrator shall have the authority to administer a decision for site plan review applications described by Subsections 10-32-02.C-~~EF~~, however, the Zoning Administrator shall also have the authority to refer the site plan request to the Planning and Zoning Commission and City Council, as described in Item 1, above.

Principal Uses

The principal uses listed in the following table are proposed to be changed. Rural event center is proposed to be changed to an interim use. The use-specific standards for this use in Section 10-63-05 discuss obtaining an interim use permit, and so the use table is proposed to be updated to reflect this.

Standards were created for the animal boarding, shelter, or daycare center use when the Code was adopted earlier this year. At the time, these standards only applied to this use when it was located in the Urban Reserve (UR) District. Staff is proposing to amend the Code to apply those standards to the A-2 district as well as the UR district.

Table 10-42-1 Principal Uses, Agriculture Districts

Use Type	Zoning District		
	A-1	A-2	UR
Animal boarding, shelter, or daycare center		P- <u>PS</u>	I
Rural event center		PS- <u>I</u>	

Accessory Uses

Keeping of Animals, Bees, and Chickens

Regulations for the accessory uses of animals, bees, and chickens are currently spread between Chapters 8 and 10 of the City Code. This can be challenging for property owners trying to navigate the requirements for these types of uses, and hard for Staff to administer. Staff is proposing to clean up these regulations by moving the use standards to the zoning code and leaving the licensing information in Chapter 8.

Staff is proposing to revise the accessory use table to allow the keeping of animals and bees in the R-2 district. While there are still lot size requirements to ensure that this use only occurs on larger lots, this allows the larger residential lots on the edges of the urban service area the ability to have these animals, which was what was intended when the regulations for bees and chickens were originally written.

The standards below only reflect the proposed changes to Chapter 10 Zoning. The proposed changes to Chapter 8 are provided in an attachment for your review.

Table 10-43-2 Accessory Use Table – Residential Districts

Use Type	Zoning District			
	RR	R-1	R-2	R-3
Keeping of animals or fowl	PS	PS	<u>PS</u>	
Keeping of bees	PS	PS	<u>PS</u>	
<u>Keeping of chickens</u>	<u>PS</u>	<u>PS</u>		

10-68-10 Keeping of Animals or Fowl

~~The keeping of animals and/or fowl shall meet the standards listed in Section 8-3-3 of the City Code, Animals and Fowl – Keeping, Transporting, Treatment, Housing.~~

- A. Farms as defined in the City Code are exempt from the provisions of this Section.

- B. It is unlawful for any person to keep, stable, board, or harbor horses, colts, ponies, mules, goats, sheep, cattle, pigs, and other farm-type animals, mink, ducks, pigeons, geese, and other fowl, whether owned or not, unless the person has sufficient contiguous real estate to house and enclose said animals or fowl.
- C. All points of housing and fence enclosures in which animals or fowl are kept must be at least 100 feet from any residential structure used for human habitation or well.
- D. A sturdy wood, metal or electrical fence must keep the animals and/or fowl confined.
- E. No animals or fowl mentioned in Item B above may be kept on a parcel of real estate smaller in area than five (5) acres, except for the keeping of pigeons and doves as specified in Item E below. In determining such real estate parcel size and number of animals or fowl, one (1) acre thereof shall be considered as being used for residence, lawns, etc., and shall be excluded. The area used for the on-site sewage treatment system, including the alternate drain field location, shall not be used to keep animals. In addition to the above minimum area requirements, at least one (1) acre of pasture must be available for one (1) animal other than fowl and at least one (1) acre for each additional animal other than fowl kept on the premises.
- F. No more than 20 fowl of any type may be kept on such five (5) acre parcels with one (1) acre additional required for each additional ten fowl. The keeping of racing and fancy pigeons/doves shall be permitted on parcels of land as small as two and one-half (2½) acres in size in the rural service area of the City. The keeping of pigeons and doves for competitive racing and sporting purposes shall be limited to a maximum of one hundred fifty (150) birds.
- G. Pasture fences or animal or fowl enclosures must be at least ten (10) feet inside the property lines unless fences on the line are agreed to in writing by adjoining property owner or owners. Such line fence agreement must be renewed in writing when a new adjoining owner takes over.
- H. Animal and fowl manure and other waste shall not be allowed to accumulate to create offensive odors. Accumulations of manure and other waste shall be removed at such periods as will insure that no objectionable aroma exists and the premises shall not be allowed to become unsightly or harbor rodents, flies, or insects.
- I. Properties that do not conform with this Section shall be considered as non-conforming uses. Non-conforming uses shall be brought into compliance with this Section within five (5) years from the effective date of this and the above Subdivisions; however, this provision shall only apply to real estate area, and number of animals, and location of fences and enclosures, and shall in no way allow any change or any increase in such prior use, and upon death or disposition of any animals or fowl so held under prior use, same shall not be replaced; and any discontinuance of such prior use for a period of one month longer shall be deemed a cessation of such use and a use thereafter shall be completely controlled by all of the provisions of this Section.
- J. It is unlawful for any person to treat any animal as herein defined, or any other animal, in a cruel or inhumane manner.

- K. It is unlawful for any person to keep any animal in any structure infested by rodents, vermin, flies or insects.
- L. It is unlawful for any person to allow any animal, as herein defined, or any other animal under his control, to run at large.

### **10-68-11 Keeping of Bees**

~~The keeping of bees shall meet the standards listed in Section 8-3-6 of the City Code, Keeping of Bees.~~

### **~~8-3-6. Keeping of bees.~~**

- A. Bees shall not be kept on parcels smaller than two and a quarter (2.25) acres in size or within a PUD as identified by Code.
- B. No parcel shall have more than one (1) hive or colony housing structure not to exceed three (3) feet in size in any dimension unless it is an agricultural use.
- C. All hives shall be of the removable frame type.
- D. All hives shall be kept 100 feet from any property line.
- E. Hives shall be kept in a manner that does not create a nuisance to neighbors or general public. Hives found to be unattended, damaged, infected or abandoned shall be deemed a nuisance.
- F. Properties of all sizes are encouraged to register their hive with the City for the purpose of Emergency Management.

### **10-68-12 Keeping of Chickens**

- A. Definitions listed in Section 8-3-2 pertaining to the keeping of chickens shall apply to the following standards.
- B. On parcels of five (5) acres or more, the use standards for the Keeping of Animal and Fowl within Section 10-68-10 shall apply.
- C. On parcels of less than five (5) acres, the following standards for raising, harboring, maintaining, and keeping of chickens shall apply:
  - 1. The keeping of roosters is prohibited.
  - 2. The butchering of chickens on-site is prohibited.
  - 3. On properties of less than 2.5 acres, no more than five (5) chickens shall be kept on the permitted premises.
  - 4. On properties of 2.5 acres or more, no more than 10 chickens shall be kept on the permitted premises.
  - 5. Chickens must be confined on the permitted premises at all times in a chicken coop or chicken run, and may not be kept in any part of the principal dwelling, garage, front yard, or side yard.
  - 6. All chicken grains and feed must be stored in a rodent proof container.
  - 7. The use of chickens for cockfighting is prohibited.

8. Fowl manure and other waste shall not be allowed to accumulate to create offensive odors. Accumulations of manure and other waste shall be removed at such periods as will insure that no objectionable aroma exists and the premises shall not be allowed to become unsightly or harbor rodents, flies, or insects.
  9. It is unlawful for any person to treat a chicken in a cruel or inhumane manner.
  10. It is unlawful for any person to keep a chicken in a coop or run infested by rodents, vermin, flies, or insects.
- D. Coop and Run
1. All chickens shall be provided access to both a coop and run.
  2. A coop and run is exempt from accessory structure maximums as may be established in Chapter 10 of City Code.
  3. All fencing and electrical work associated with a chicken coop or run shall be consistent with applicable building and zoning codes, and all appropriate permits and/or licenses shall be obtained prior to construction.
  4. Any chicken coop or run shall be set back at least 15 feet from the property line, and shall be located closer to the principal dwelling on the permitted property than to any principal dwelling on adjacent properties.
  5. Any coop or run shall be set back at least 25 feet from the following features:
    - a. A delineated wetland edge;
    - b. The top of a bank of a pond, filtration basin, or infiltration basin.
  2. Chicken coops shall have a maximum footprint area of 10 square feet per chicken, and a minimum footprint area of five (5) square feet per chicken.
  3. Chicken runs shall have a maximum footprint area of 20 square feet per chicken, and a minimum footprint area of 10 square feet per chicken.
  4. The coop shall be elevated a minimum of 12 inches off the ground, and may not exceed a height of six (6) feet as measured from the ground.
  5. No coop or run shall be located in any form of easement or right-of-way.
  6. Both the coop and run shall be completely enclosed and rodent proof.
  7. The coop shall provide adequate protection from the elements and shall be winterized if chickens are being kept between November 1st and April 30th of any given year.
  8. Once an owner is finished raising chickens or if a permit is revoked, the coop and run shall be removed from the property.
- E. No person shall own, harbor, or keep within the City a hen chicken unless a valid permit for such chicken has been obtained pursuant to the provisions in Section 8-3-2 of the City Code.

### **Accessory Uses – Business and Industrial Districts**

Staff is proposing some changes to the accessory use table for Business and Industrial Districts. First, Staff is proposing to remove accessory structures as a Permitted with Standards use in the B-1, B-2, BPK, and I-1 districts. These districts are all within the urban service area of the City. Accessory structures would still be permitted in the I-2 district.

Second, staff is proposing to remove compost structures and firewood piles as an allowable accessory use for these districts. These are not uses that would be expected in these districts.



Finally, a new use, “uses incidental to the principal use,” is proposed to be permitted in each of these districts. This would allow for supporting accessory uses to be placed on the same parcel as a principal commercial or industrial use. For example, indoor storage may be a use incidental to a principal retail use. Staff has received several inquiries about this type of accessory use in the last few months and thought it would be prudent to discuss an update to the Code.

**Table 10-44-2 Accessory Use Table – Business and Industrial Districts**

Use Type	Zoning District				
	B-1	B-2	BPK	I-1	I-2
Accessory structure	PS	PS	PS	PS	PS
Antenna, accessory and secondary use	PS	PS	PS	PS	PS
Compost structures and firewood piles	PS	PS	PS	PS	PS
Drive-thru establishment		PS			
Mobile food unit	PS	PS	PS		
Off-street parking and loading facilities	PS	PS	PS	PS	PS
Outdoor dining	PS	PS			
Solar energy system, accessory	PS	PS	PS	PS	PS
Taproom	P	P	P		
Temporary/seasonal outdoor sales		PS	PS	PS	
<u>Uses incidental to the principal use</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

### **Accessory Agricultural Buildings**

Staff would like to clarify the provisions in the Code relating to accessory agricultural buildings which are currently regulated as “accessory structures” in the Code. These buildings are protected by State Statute, and so Staff is proposing separate out these buildings as their own specific use with regulations and standards that are consistent with State Statute.

**Accessory Use Table (Tables 10-42-2 and 10-42-3)**

Use Type	Zoning District			
	A-1	A-2	UR	RR
Accessory agricultural buildings	<u>PS</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>

### **10-68-01 Accessory agricultural building**

As defined in Minn. Statutes 326.103, Subd. 3, accessory agricultural buildings on agricultural land are exempt from the all of the requirements of this Section except:

- A. Per Minn. Stat. 326B.103 subd. 3, agricultural accessory buildings are exempt from the State Building Code.
- B. In conjunction with the construction of an agricultural accessory building, the property owner shall execute an agricultural building awareness form. Said form shall certify that the accessory building and the premises shall only be used for agricultural purposes.
- C. ~~Proposed accessory building(s) which meet the definition of the term "agricultural building" in Minnesota Statutes, Sec. 326B.103, Subd. 3 may be exempt from the requirement to obtain a building permit but are subject to all standards to this Section with exception of size restrictions and total square footage restrictions.~~ A site plan must be submitted and approved from the City prior to commencing construction. on any accessory building which qualifies as an agricultural building.
- D. Accessory agricultural buildings shall not be erected within 50 feet of a neighboring property.

## Use-Specific Standards

Staff is recommending changes to the use-specific standards for accessory structures and short-term vacation rentals.

### 10-68-03 Accessory Structure

As Staff has utilized the Code throughout the year, several clarifications to the use-specific standards for accessory structures have been discussed. First, Staff is proposing to clarify that there shall be no accessory structures on non-residential property in the urban service area. This would still permit accessory structures on residential land and on land zoned I-2, since this district is entirely located outside of the urban service area.

Second, Staff is proposing to require all residential homes, regardless of their location in the rural or urban service area, to have a garage of no less than 440 square feet which is a standard two-car garage.

The proposed revisions are listed below.

- A. Application. Any accessory structure which requires a building permit or which is 30 inches or more in height shall be subject to setback, floor area and other requirements of this ~~Ordinance~~Section.
- B. Time of construction. No detached accessory building or structure shall be constructed on any lot prior to the time of construction of the principal building to which it is accessory. ~~Agricultural buildings on farm properties are exempt from the requirements of this Section.~~
- C. Building permits.
  - 1. Detached accessory buildings not exceeding 200 square feet in floor area shall be allowed without issuance of a building permit, but shall comply with all other provisions of this Ordinance.
  - 2. Detached accessory buildings greater than 200 square feet in floor area shall require a building permit. The Building Official shall review the site plan and construction drawings to

determine compliance with the Building Code and other applicable ordinances, laws, and regulations.

- 3. In conjunction with the issuance of a building permit for a detached accessory structure in the Rural Service Area, the property owner shall execute a home occupation awareness form. Said form shall certify that the detached accessory structure and the premises on which it is located, will not be used for the purposes of a Home Occupation without first obtaining the required approvals.
- ~~4. In conjunction with the construction of an agricultural accessory building, the property owner shall execute an agricultural building awareness form. Said form shall certify that the accessory building and the premises shall only be used for agricultural purposes.~~

D. Exterior building standards.

Architectural details for accessory buildings are to be the same or similar as for the principal building based upon (but not limited to) the following criteria:

- 1. Scale and detailing.
- 2. Roof pitch orientation and slope.
- 3. Overhang depth and details.
- 4. Window and exterior door proportion and types.
- 5. Building material. Detached accessory structures in the Rural Service Area may, however, be finished with baked enamel siding.
- 6. Exterior color.

E. Area, number and height limitations. Accessory structures shall comply with the following area, number and height limitations:

- 1. *Rural Service Area.*
  - a. Attached accessory structures shall not exceed 840 square feet in size, except that the maximum square footage can be increased, provided that the accessory structure size does not exceed 80 percent of the above-ground square footage of the principal structure.
  - b. All new and relocated residential homes shall be constructed with an accessory structure or garage meeting the minimum standards required in Section 10-72-09. Said accessory structure shall have a minimum floor area of at least 440 square feet.
  - c. Detached accessory structures shall be limited as follows:

Lot Size	Accessory Structure Limits	
Less than 1 acre	Total detached square footage	600
	Maximum number of detached buildings	1
	NO POLE BUILDINGS ALLOWED	
	Maximum sidewall height	10 feet

Lot Size	Accessory Structure Limits	
1 acre but less than 2½ acres	Total detached square footage	1,200
	Maximum number of detached buildings	1
	POLE BUILDINGS ALLOWED	
	Maximum sidewall height	12 feet
2½ but less than 5 acres	Total detached square footage	1,500
	Maximum number of detached buildings	2
	POLE BUILDINGS ALLOWED	
	Maximum sidewall height	14 feet
5 acres but less than 10 acres	Total detached square footage	4,000
	Maximum number of detached buildings	2
	POLE BUILDINGS ALLOWED	
	Maximum sidewall height	16 feet
10 acres and larger	Total detached square footage	5,000
	Maximum number of detached buildings	2
	POLE BUILDINGS ALLOWED	
	Maximum sidewall height	18 feet

## 2. Urban Service Area.

- a. Attached and detached private residential garages shall not exceed 840 square feet in size, except that the minimum square footage can be increased to 1,200 square feet, provided that the accessory structure does not exceed 80 percent of the above-ground square footage of the principal structure.
- b. All new and relocated residential homes shall be constructed with an accessory structure or garage meeting the minimum standards required in Section 10-72-09. For one and two unit dwelling units, said accessory structure shall have a minimum floor area of at least 440 square feet.
- c. Residential properties within the Urban Service Area may have one (1) detached accessory structure in addition to a private residential garage. The structure shall not to exceed 250 square feet in size. On properties that have no less than one half (1/2) acre of buildable land, the detached accessory structure, may be up to 500 square feet in size. This second detached accessory building shall not exceed 16 feet in height.
- d. Residential properties with detached accessory structures that subsequently construct an attached accessory structure, shall deduct the square footage of the detached structure from the allowable square footage.
- e. No accessory buildings shall be allowed on non-residential property in the urban service area.
- f. Unless otherwise permitted, all detached accessory buildings shall not exceed 20 feet in height or the height of the principal structure, whichever is less.

3. General Standards and Conditions, All Districts.

- a. PUD Districts in rural areas: total accessory structure square footage shall not exceed 1,200 square feet per lot or as otherwise identified in the Development Agreement.
- b. Temporary, hoop, carport, tarpaulin or similar types of non-permanent structures are not permitted.
- c. Semi-trailers, truck boxes, rail boxes, box cars, and similar are prohibited.
- d. Moving storage containers, Portable on demand storage (PODS) units or similar type units may be allowed with city approval for up to 30 days within an 18-month period.
- e. No structures shall be located within a drainage, utility or any other publicly owned easement.
- f. ~~Proposed accessory building(s) which meet the definition of the term "agricultural building" in Minnesota Statutes, Sec. 326B.103, Subd. 3 may be exempt from the requirement to obtain a building permit but are subject to all standards to this Section with exception of size restrictions and total square footage restrictions. A site plan must be submitted and approved from the City prior to commencing construction on any accessory building which qualifies as an agricultural building.~~

F. Setbacks.

- 1. *Attached Buildings/Garages:* An attached garage or accessory structure shall be considered an integral part of the principal building and shall conform to district setback requirements.
- 2. *Detached Buildings:*
  - a. *Rural Service Area:*
    - i. Lots Less Than One (1) Acre. 25 feet from the side and rear property lines.
    - ii. Lots One (1) Acre and Larger. 25 feet from the side and rear property lines.
    - iii. All detached accessory structures in the Rural Service Area shall be placed no closer to the front property line than the principal structure, except when the principal structure has a front yard setback of at least 150 feet. In that case, the detached accessory structure may be located closer to the front property line than the principal structure, but shall maintain at least a 75 foot front yard setback off a City street and a 100 foot front yard setback off of a County or State road.
    - iv. ~~Accessory agricultural buildings shall not be erected within 50 feet of a neighboring property.~~
  - b. *Urban Service Area:*

- i. *All Lots.* No accessory building shall be located in front of the principal structure. Accessory buildings must maintain setbacks of five (5) feet from the side property line and 10 feet from the rear property line.
- ii. *Street Side Yard.* Detached accessory structures shall be located no closer than 20 feet from a street side yard on corner lots, provided the structure does not have access to the public right-of-way on the side yard.
- iii. Except in Commercial and Industrial Districts, all detached accessory buildings shall maintain a 10 foot setback to the principal structure and other detached accessory buildings on the parcel.

### **10-68-18 Short-Term Vacation Rentals (STVR)**

Staff is proposing to require that all STVRs in the City obtain a rental license through Chapter 4 of the City Code. Requiring a rental license allows the City to know where these uses are in the City, and also provides a way for the City to stop the use if it becomes a nuisance by revoking the permit. The proposed use standards for STVRs are below:

- A. All STVRs shall obtain a rental license in accordance with Chapter 4-6 Rental Housing Licensing of the City Code.
- B. Number of guests. The maximum number of overnight guests will be limited to two (2) times the number of bedrooms rented plus one (1).
- C. Events. Events are not allowed to be hosted by transient guests on the premises. An event means a gathering on the premises of more than three un-registered transient guests. Events hosted by the property owner are allowed, but must abide by all applicable City ordinances and policies.
- D. Dwelling requirements.
  - 1. The dwelling must be connected to city sewer and water or must be served by a compliant septic system capable of meeting the needs of the maximum allowable number of people staying on the property at one time
  - 2. Rooms used for sleeping shall have an egress windows and smoke detectors.
  - 3. The guest(s) must have access during their entire stay to a full bathroom, including sink, toilet, and tub or shower.
  - 4. Accommodation of guests is not allowed in recreational vehicles, tents, temporary structures, accessory structures, fish houses, or similar structures. Accommodation of guests in accessory dwelling units (ADUs) is permitted.
- E. Parking.
  - 1. All guest parking must be accommodated on improved surfaces on the premises. No on-street parking is allowed for guests.

2. At a minimum, parking shall be provided at the following rate:
  - a. 1 space for each 1-2 bedroom rental
  - b. 2 spaces for each 3 bedroom rental
  - c. Spaces equal to the number of bedrooms minus one for each 4 and 4+ bedroom rental
- F. In short term vacation rentals where the property owner resides on the premise, additional off-street parking for personal use must be provided at a rate of one parking space per two bedrooms not dedicated to the guest use.
- G. Proximity of assistance. If not residing on the property, the property owner or a manager/representative must be located within 30 miles of the property. The property owner shall maintain with the City the name, address, phone number, and email for the local contact or managing agent for the property.
- H. Guest records. A guest record must be maintained, including the name, address, phone number, and vehicle license plate information for all guests. This record must be provided to the City within 48 hours of a request for the guest record.
- I. Guest disclosures. The property owner must disclose in writing to their transient guests the following rules and regulations. This disclosure shall be conspicuously displayed in the home:
  1. The name, phone number and address of the owner, operating lessee or managing agent/representative.
  2. The maximum number of guests allowed at the property.
  3. The maximum number of vehicles allowed at the property and where they are to be parked.
  4. City nuisance ordinances requirement that noise levels be reduced between 10 p.m. and 7 a.m. and that this will be enforced by the St. Francis Police Department.
  5. Property rules related to use of outdoor features, such as decks, patios, grills, recreational fires, saunas and other recreational facilities.
  6. No events are allowed to be hosted on the premises.
- J. Garbage. All garbage must be kept in rubbish containers that are stored out of view of a public street.
- K. Signage. No signage pertaining to the short-term vacation rental is allowed on the property.

### **ACTION TO BE CONSIDERED:**

Staff is requesting that the Planning Commission hold a public hearing and review the proposed changes to the Code. If the Planning Commission is supportive of the proposed changes, Commissioners may act to recommend approval of the changes to the City Council.



Suggested Motion:

Move to recommend approval of the revisions to the City Code as presented by Staff.

**Attachment:**

1. Proposed revisions to City Code Chapter 8 Section 3: Animals