



CITY OF GRAND RAPIDS

Meeting Agenda Full Detail - Final City Council

Monday, April 27, 2020

5:00 PM

City Hall Council Chambers

BE ADVISED: Pursuant to Minnesota Statute 13D.021, Subdivision 1, some or all members may appear by telephone or other electronic means.

CALL TO ORDER: Pursuant to due notice and call thereof a Regular Meeting of the Grand Rapids City Council will be held on Monday, April 27, 2020 at 5:00 p.m. in City Hall Council Chambers, 420 North Pokegama Avenue, Grand Rapids, Minnesota.

CALL OF ROLL

MEETING PROTOCOL POLICY

Please be aware that the Council has adopted a Meeting Protocol Policy which informs attendees of the Council's desire to conduct meetings in an orderly manner which welcomes all civil input from citizens and interested parties. If you are unaware of the policy, copies (orange color) are available in the wall file by the Council entrance.

PUBLIC FORUM - PLEASE NOTE: If you wish to address the Council under public forum, please call 218-327-8833 during the meeting.

COUNCIL REPORTS

APPROVAL OF MINUTES

20-1050 Consider approving Council minutes for Monday, April 13, 2020 Regular meeting.

Attachments: [April 13, 2020 - Regular Meeting](#)

VERIFIED CLAIMS

20-1047 Consider approving the verified claims for the period April 7, 2020 to April 20, 2020 in the amount of \$505,325.18.

Attachments: [Council Bill List 04/27/2020](#)

CONSENT AGENDA

Any item on the consent agenda shall be removed for consideration by request of any one Councilmember, City staff, or the public and put on the regular agenda for discussion and consideration.

1. [20-1036](#) Consider removing inactive employees from payroll.
2. [20-1037](#) Consider terminating employees at the IRA Civic Center.
3. [20-1038](#) Consider voiding lost Accounts Payable check #139618, issue a new check, and waiving bond requirements for check issued to Toonstra Psychological Services, PC in the amount of \$700.00.
Attachments: [Toonstra Affidavit of Lost Check.pdf](#)
4. [20-1039](#) Consider authorizing the Mayor to sign a service agreement for annual renewal with SVL for maintenance program on the Library Chiller June 1, 2020- May 31, 2021.
Attachments: [2020 Library Chiller Maintenance](#)
5. [20-1040](#) Consider selling airport snow plow truck and accessories to ISD 318
Attachments: [20200421091611494](#)
6. [20-1041](#) Consider the Planning Commission's recommendation regarding approval of a request for a fifth amendment to the approved Conditional Use Permit granted to Wal-Mart Stores Inc., for the construction of a Wal-Mart Supercenter located on Lot 1, Block 1, Plat of Wal-Mart Grand Rapids.
Attachments: [Wal-Mart CUP 5th Amendment Req.: Resolution](#)
[CUP Amendment Req.: Attachments Building Elevations](#)
[Area Map & CUP Ordinance Sections](#)
[Previous CUP Resolutions: Wal-Mart Amendments](#)
[Wal-Mart Conditional Use Permit Application w/narrative](#)
[PowerPoint Presentation: Wal-Mart CUP Amendment CC Mtg.-4-27-2020](#)
7. [20-1042](#) Consider adopting a resolution authorizing the City to make application to the MN Dept. of IRRR Commercial Redevelopment grant program for the VFW Post and Rose Building demolition project.
Attachments: [VFW - Rose Building Commercial Redevelopment Grant Application Authorizati](#)
8. [20-1043](#) Consider approving an indemnification agreement with the State of MN for CP 2015-3
Attachments: [GR Indemnity](#)
9. [20-1048](#) Consider entering into a Purchase Agreement with Voran108 Prop, LLC and authorizing payment of the \$5,000 in earnest money.
Attachments: [City-Voran108 PA \(final\)](#)
[Voran 108 parcel map](#)

10. 20-1049 Consider approving 2020 Seasonal Golf Staff
Attachments: 2020 Seasonal Employees -Wages

11. 20-1052 Consider approving request by the Grand Rapids VFW for a prorated refund of On-Sale Club Liquor License for 2020.
Attachments: VFW Refund Request

SETTING OF REGULAR AGENDA

This is an opportunity to approve the regular agenda as presented or add/delete by a majority vote of the Council members present an agenda item.

ACKNOWLEDGE BOARDS & COMMISSIONS

12. 20-1051 Review and acknowledge minutes for Boards & Commissions.
Attachments: March 16, 2020 Golf Board minutes

5:30 PM PUBLIC HEARINGS - PLEASE NOTE A TELEPHONE NUMBER WILL BE PROVIDED IF YOU ARE WATCHING ICTV

13. 20-1044 Conduct a public hearing to consider the rezoning of 1.2 acres of land from R-1 (One-Family Residential) to I-1 (Industrial Park).
Attachments: North Homes Zoning Map Amendment Request: Maps 1 & 2
North Homes: Application w/attachments
PowerPoint North Homes: Public Hearing-CC Mtg.

COMMUNITY DEVELOPMENT

14. 20-1046 Consider the recommendation of the Planning Commission regarding adoption of an ordinance, amending the Official Zoning Map by rezoning 1.2 acres of land from R-1 (One-Family Residential) to I-1 (Industrial Park).
Attachments: Zoning Map Amendment: Ordinance w/exhibit A

ADJOURNMENT

NEXT REGULAR MEETING IS SCHEDULED FOR MAY 11, 2020, AT 5:00 P.M.

NOTE: These times are approximate only and are subject to change. If you are interested in a topic of discussion you should appear at least 10 minutes before its scheduled time.

Hearing Assistance Available: This facility is equipped with a hearing assistance system.

Attest: Kimberly Gibeau, City Clerk



CITY OF
GRAND RAPIDS
IT'S IN MINNESOTA'S NATURE

CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 20-1050 **Version:** 1 **Name:** Council minutes
Type: Agenda Item **Status:** Passed
File created: 4/22/2020 **In control:** City Council
On agenda: 4/27/2020 **Final action:** 4/27/2020
Title: Consider approving Council minutes for Monday, April 13, 2020 Regular meeting.

Sponsors:

Indexes:

Code sections:

Attachments: [April 13, 2020 - Regular Meeting](#)

Date	Ver.	Action By	Action	Result
4/27/2020	1	City Council		

Consider approving Council minutes for Monday, April 13, 2020 Regular meeting.



CITY OF GRAND RAPIDS

Minutes - Final - Draft City Council

Monday, April 13, 2020

5:00 PM

City Hall Council Chambers

BE ADVISED: Pursuant to Minnesota Statute 13D.021, Subdivision 1, some or all members may appear by telephone or other electronic means.

CALL TO ORDER: Pursuant to due notice and call thereof a Regular Meeting of the Grand Rapids City Council was held on Monday, April 13, 2020 at 5:00 p.m. in City Hall Council Chambers, 420 North Pokegama Avenue, Grand Rapids, Minnesota.

CALL OF ROLL

Present 5 - Councilor Dale Christy
Mayor Dale Adams
Councilor Rick Blake
Councilor Tasha Connelly
Councilor Michelle Toven

Staff present:

Tom Pagel, Chad Sterle, Lynn DeGrio

MEETING PROTOCOL POLICY

PUBLIC FORUM - PLEASE NOTE: If you wish to address the Council under public forum, please call 218-327-8833 during the meeting.

Attorney Sterle provided information regarding public address to Council via telephone. Administrator Tom Pagel encourages all residents to contact City Hall Administration with any questions throughout the week and noted that City services continue to be available.

COUNCIL REPORTS

Mayor Adams commented on Covid-19 practices at Grand Itasca Clinic and Hospital.

Councilor Christy noted that the Grand Rapids Economic Development Authority conducted a special meeting and has approved eight business loans with terms of five years at zero interest.

APPROVAL OF MINUTES

Consider approving Council minutes for Monday, March 23, 2020 Regular meeting.

A motion was made by Councilor Tasha Connelly, second by Councilor Michelle Toven, to approve Council minutes as presented. The motion carried

by the following vote.

Aye 5 - Councilor Dale Christy
Mayor Dale Adams
Councilor Rick Blake
Councilor Tasha Connelly
Councilor Michelle Toven

VERIFIED CLAIMS

Consider approving the verified claims for the period March 17, 2020 to April 6, 2020 in the total amount of \$432,934.28.

A motion was made by Councilor Rick Blake, second by Councilor Dale Christy, to approved the verified claims as presented. The motion carried by the following vote.

Aye 5 - Councilor Dale Christy
Mayor Dale Adams
Councilor Rick Blake
Councilor Tasha Connelly
Councilor Michelle Toven

CONSENT AGENDA

1. Consider approving a professional services agreement for IFE services with HDR Engineering for the 2021 Runway Reconstruction Project at the GPZ Airport.
Approved by consent roll call
2. Consider authorizing Building Maintenance to solicit quotes and accept low quote for asbestos removal at two previously approved hazardous building demolitions.
Approved by consent roll call
3. Consider voiding lost Accounts Payable check #142321, issue a new check, and waiving bond requirements for check issued to Clifton Sales - Clifton Skate, in the amount of \$980.00.
Approved by consent roll call
4. Consider entering into Phase 2 agreements with Duane Goodwin and Greg Mueller for public sculpture concepts.
Approved by consent roll call
5. Consider a letter to the MN Public Utilities Commission supporting local regulation of Northwest Gas.
Approved by consent roll call
6. Consider approving the plans and specifications and ordering the advertisement for bids for the 2021 Runway Reconstruction Project at the GPZ Airport.

Approved by consent roll call

Approval of the Consent Agenda

A motion was made by Councilor Michelle Toven, second by Councilor Dale Christy, to approve the Consent Agenda as presented. The motion carried by the following vote

- Aye 5 - Councilor Dale Christy
- Mayor Dale Adams
- Councilor Rick Blake
- Councilor Tasha Connelly
- Councilor Michelle Toven

SETTING OF REGULAR AGENDA

ADJOURNMENT

A motion was made by Councilor Rick Blake, second by Councilor Dale Christy, to adjourn the meeting at 5:10 PM. The motion carried by the following vote.

- Aye 5 - Councilor Dale Christy
- Mayor Dale Adams
- Councilor Rick Blake
- Councilor Tasha Connelly
- Councilor Michelle Toven

Respectfully submitted:


Lynn DeGrio, Director of Human Resources



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 20-1047 **Version:** 1 **Name:** Verified Claims
Type: Agenda Item **Status:** Passed
File created: 4/21/2020 **In control:** City Council
On agenda: 4/27/2020 **Final action:** 4/27/2020
Title: Consider approving the verified claims for the period April 7, 2020 to April 20, 2020 in the amount of \$505,325.18.

Sponsors:

Indexes:

Code sections:

Attachments: [Council Bill List 04/27/2020](#)

Date	Ver.	Action By	Action	Result
4/27/2020	1	City Council		

Consider approving the verified claims for the period April 7, 2020 to April 20, 2020 in the amount of \$505,325.18.

Requested City Council Action

Make a motion approving the verified claims for the period April 7, 2020 to April 20, 2020 in the amount of \$505,325.18.

DATE: 04/21/2020
 TIME: 12:31:44
 ID: AP443GR0.WOW

CITY OF GRAND RAPIDS
 DEPARTMENT SUMMARY REPORT

PAGE: 1

INVOICES DUE ON/BEFORE 04/27/2020

VENDOR #	NAME	AMOUNT DUE

GENERAL FUND		
0500050	E3 CONSULTING SERVICES	-93.75
1309335	MINNESOTA REVENUE	93.75
1920650	STRATEGIC INSIGHTS INC	625.00
TOTAL		625.00
CITY WIDE		
0401804	DAVIS OIL INC	1,189.82
1109510	KIND MIND COUNSELING CENTER	90.00
1920650	STRATEGIC INSIGHTS INC	875.00
TOTAL CITY WIDE		2,154.82
SPECIAL PROJECTS-NON BUDGETED		
0718060	GRAND RAPIDS HERALD REVIEW	87.13
2305718	WESTMAN CHAMPLIN & KOEHLER	51.00
TOTAL SPECIAL PROJECTS-NON BUDGETED		138.13
SPECIAL PROJECTS-BUDGETED		
0900060	ICTV	330.90
TOTAL SPECIAL PROJECTS-BUDGETED		330.90
BUILDING MAINTENANCE-CITY HALL		
0221650	BURGGRAF'S ACE HARDWARE	12.58
0315455	COLE HARDWARE INC	-1.49
0601346	FAIRVIEW HEALTH SERVICES	93.00
0920060	ITASCA COUNTY TREASURER	182.10
1901535	SANDSTROM'S INC	63.21
TOTAL BUILDING MAINTENANCE-CITY HALL		349.40
COMMUNITY DEVELOPMENT		
0718060	GRAND RAPIDS HERALD REVIEW	69.00
0920060	ITASCA COUNTY TREASURER	93.90
TOTAL COMMUNITY DEVELOPMENT		162.90
FIRE		

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CITY OF GRAND RAPIDS
 DEPARTMENT SUMMARY REPORT

PAGE: 2

INVOICES DUE ON/BEFORE 04/27/2020

VENDOR #	NAME	AMOUNT DUE

GENERAL FUND		
FIRE		
0118625	ARROW EMBROIDERY/PHOTO EXPRESS	20.00
0315455	COLE HARDWARE INC	19.46
0401804	DAVIS OIL INC	549.32
0421725	DUTCH ROOM INC	294.04
0513235	EMERGENCY RESPONSE SOLUTIONS	683.30
0920060	ITASCA COUNTY TREASURER	112.25
1200500	L&M SUPPLY	189.76
1315725	THE MOTOR SHOP LLC	31.49
	TOTAL FIRE	1,899.62
INFORMATION TECHNOLOGY		
0500050	E3 CONSULTING SERVICES	375.00
	TOTAL INFORMATION TECHNOLOGY	375.00
PUBLIC WORKS		
0301685	CARQUEST AUTO PARTS	12.80
0315455	COLE HARDWARE INC	12.06
0401804	DAVIS OIL INC	1,217.34
0601690	FASTENAL COMPANY	1,850.10
0920060	ITASCA COUNTY TREASURER	520.97
1105444	KELLER FENCE COMPANY	75.00
1301026	MAIN STREET DESIGN INC	641.55
1303039	MCCOY CONSTRUCTION & FORESTRY	35.11
1615427	POKEGAMA LAWN AND SPORT	190.03
1621125	PUBLIC UTILITIES COMMISSION	5,341.27
2018560	TROUT ENTERPRISES INC	550.00
	TOTAL PUBLIC WORKS	10,446.23
FLEET MAINTENANCE		
0301685	CARQUEST AUTO PARTS	23.88
0401420	DAKOTA FLUID POWER, INC	825.51
0601690	FASTENAL COMPANY	427.47
0920060	ITASCA COUNTY TREASURER	67.31
1500700	OSI ENVIRONMENTAL BR 50	100.00
1605740	PETROCHOICE HOLDINGS INC	588.12
	TOTAL FLEET MAINTENANCE	2,032.29
POLICE		

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CITY OF GRAND RAPIDS
 DEPARTMENT SUMMARY REPORT

PAGE: 3

INVOICES DUE ON/BEFORE 04/27/2020

VENDOR #	NAME	AMOUNT DUE

GENERAL FUND		
POLICE		
0121725	AUTOMOTIVE ELECTRIC LLC	309.50
0301685	CARQUEST AUTO PARTS	1,672.11
0421470	DSC COMMUNICATIONS	415.00
0920060	ITASCA COUNTY TREASURER	3,797.20
1200500	L&M SUPPLY	599.00
1301025	MAKI BODY & GLASS	970.03
1309167	MN BUREAU OF CRIMINAL	390.00
1909650	SIRCHIE FINGER PRINT INC	210.10
1920233	STREICHER'S INC	348.97
	TOTAL POLICE	8,711.91
CENTRAL SCHOOL		
0315455	COLE HARDWARE INC	33.98
	TOTAL	33.98
AIRPORT		
0504825	EDWARDS OIL INC	413.23
0800040	H & L MESABI	462.30
0920060	ITASCA COUNTY TREASURER	143.27
	TOTAL	1,018.80
CIVIC CENTER		
GENERAL ADMINISTRATION		
0920060	ITASCA COUNTY TREASURER	41.36
	TOTAL GENERAL ADMINISTRATION	41.36
STATE HAZ-MAT RESPONSE TEAM		
1200500	L&M SUPPLY	569.00
	TOTAL	569.00
CEMETERY		
0221650	BURGGRAF'S ACE HARDWARE	37.40

DATE: 04/21/2020
 TIME: 12:31:44
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CITY OF GRAND RAPIDS
 DEPARTMENT SUMMARY REPORT

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INVOICES DUE ON/BEFORE 04/27/2020

VENDOR #	NAME	AMOUNT DUE

CEMETERY		
0920060	ITASCA COUNTY TREASURER	110.99
	TOTAL	148.39
DOMESTIC ANIMAL CONTROL FAC		
0920060	ITASCA COUNTY TREASURER	62.03
	TOTAL	62.03
CAPITAL EQPT REPLACEMENT FUND		
CAPITAL OUTLAY-CIVIC CENTER		
0900055	ICS CONSULTING INC	1,250.00
	TOTAL CAPITAL OUTLAY-CIVIC CENTER	1,250.00
STORM WATER UTILITY		
0301685	CARQUEST AUTO PARTS	80.49
0401804	DAVIS OIL INC	363.36
0601690	FASTENAL COMPANY	38.26
0920060	ITASCA COUNTY TREASURER	219.45
1309495	MINUTEMAN PRESS	192.00
	TOTAL	893.56
	TOTAL UNPAID TO BE APPROVED IN THE SUM OF:	\$ 31,243.32
CHECKS ISSUED-PRIOR APPROVAL		
PRIOR APPROVAL		
0100053	AT&T MOBILITY	3,566.61
0201354	B. BAIRD-PETTY CASH FUND	30.36
0305530	CENTURYLINK QC	259.00
0315541	TASHA CONNELLY	100.51
0315543	CONSTELLATION NEWENERGY -GAS	2,805.62
0718015	GRAND RAPIDS CITY PAYROLL	261,420.19
0718070	GRAND RAPIDS STATE BANK	65.00
0815440	HOLIDAY STATIONSTORES LLC	214.50
0900060	ICTV	17,148.80
0920055	ITASCA COUNTY RECORDER	322.00
1209516	LINCOLN NATIONAL LIFE	1,509.23
1301146	MARCO TECHNOLOGIES, LLC	1,342.30
1305046	MEDIACOM LLC	22.05
1309098	MINNESOTA MN IT SERVICES	439.88

DATE: 04/21/2020
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CITY OF GRAND RAPIDS
 DEPARTMENT SUMMARY REPORT

PAGE: 5

INVOICES DUE ON/BEFORE 04/27/2020

VENDOR #	NAME	AMOUNT DUE

CHECKS ISSUED-PRIOR APPROVAL		
PRIOR APPROVAL		
1309199	MINNESOTA ENERGY RESOURCES	1,738.66
1309332	MN STATE RETIREMENT SYSTEM	3,406.00
1309335	MINNESOTA REVENUE	532.79
1309375	MINNESOTA UNEMPLOYMENT COMP FD	10,800.33
1405850	NEXTERA COMMUNICATIONS LLC	451.10
1516220	OPERATING ENGINEERS LOCAL #49	114,173.00
1601305	THOMAS J. PAGEL	60.00
1609561	PIONEER TELEPHONE	9.76
1621130	P.U.C.	26,918.23
2000490	TDS Metrocom	567.78
2114750	UNUM LIFE INSURANCE CO OF AMER	264.04
2209665	VISA	4,697.22
2209705	VISIT GRAND RAPIDS INC	19,757.67
2301700	WM CORPORATE SERVICES, INC	409.23
2305447	WELLS FARGO BANK NA	1,050.00
TOTAL PRIOR APPROVAL ALLOWED IN THE SUM OF:		\$474,081.86
TOTAL ALL DEPARTMENTS		505,325.18



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 20-1036 **Version:** 1 **Name:** Consider removing inactive employees from payroll.
Type: Agenda Item **Status:** Passed
File created: 4/16/2020 **In control:** City Council
On agenda: 4/27/2020 **Final action:** 4/27/2020
Title: Consider removing inactive employees from payroll.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
4/27/2020	1	City Council		

Consider removing inactive employees from payroll.

Background Information:

The following part-time employees are currently on the active list on the Police Department payroll; however they have indicated that they are no longer available to work:

Lindsey Carlson, part-time Hospital Security Officer, effective March 10, 2020

Brady Geving, part-time Hospital Security Officer, effective February 3, 2020

Kelly Ewens, part-time Animal Control Facility Attendant, effective March 17, 2020

Teagan Provinzino, part-time Animal Control Facility Attendant, effective July 16, 2019

Staff Recommendation:

Assistant Police Chief Steve Schaar is recommending changing the employee status of Lindsey Carlson, Brady Geving, Kelly Ewens and Teagan Provinzino from active to terminated on the effective date listed above.

Requested City Council Action

Make a motion to terminate Lindsey Carlson, Brady Geving, Kelly Ewens, and Teagan Provinzino from our active employee list.



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 20-1037 **Version:** 1 **Name:** Terminating Employees
Type: Agenda Item **Status:** Passed
File created: 4/17/2020 **In control:** City Council
On agenda: 4/27/2020 **Final action:** 4/27/2020
Title: Consider terminating employees at the IRA Civic Center.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
4/27/2020	1	City Council		

Consider terminating employees at the IRA Civic Center.

Background Information:

The following PT Maintenance employees need to have their employment with the city of Grand Rapids terminated.

- Skyler Bischoff, voluntarily resigned effective 11/16/19
- Ryan Cimino, terminated effective 1/25/2020
- Connor LaRoque, voluntarily resigned effective 7/27/19
- Bryan Lundquist, voluntarily resigned effective 12/14/19
- Megan Severson, never worked effective August 27, 2019

Staff Recommendation:

City staff recommends terminating employees at the IRA Civic Center.

Requested City Council Action

Make a motion to terminate employees at the IRA Civic Center.



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 20-1038 **Version:** 1 **Name:**
Type: Agenda Item **Status:** Passed
File created: 4/20/2020 **In control:** City Council
On agenda: 4/27/2020 **Final action:** 4/27/2020
Title: Consider voiding lost Accounts Payable check #139618, issue a new check, and waiving bond requirements for check issued to Toonstra Psychological Services, PC in the amount of \$700.00.

Sponsors:

Indexes:

Code sections:

Attachments: [Toonstra Affidavit of Lost Check.pdf](#)

Date	Ver.	Action By	Action	Result
4/27/2020	1	City Council		

Consider voiding lost Accounts Payable check #139618, issue a new check, and waiving bond requirements for check issued to Toonstra Psychological Services, PC in the amount of \$700.00.

Background Information:

Accounts Payable check #139618 issued to Toonstra Psychological Services, PC on June 25, 2019 is lost. Toonstra Psychological Services, PC has completed an Affidavit of Lost Check.

Requested City Council Action

Make a motion to void lost Accounts Payable check #139618, issue a new check and waiving bond requirements for check issued to Toonstra Psychological Services, PC in the amount of \$700.00.

AFFIDAVIT

STATE OF) Minnesota

) SS

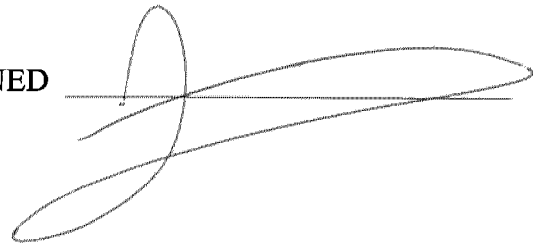
COUNTY OF) Itasca

Toonstra Psychological Service, being first duly sworn on oath, states that he/she resides at **102 SE 10th Street, PO Box 5187, Grand Rapids, MN, 55744** and that he/she is the payee named in a check number **139618**, issued to **Toonstra Psychological Service**, drawn by **City of Grand Rapids** dated **June 25, 2019**, for the sum of **\$700.00**; that to my knowledge this check was never endorsed by me, that I did not authorize anyone to endorse it for me, and that the circumstances of the loss or destruction of the check are as follows:

Accounts Payable lost check

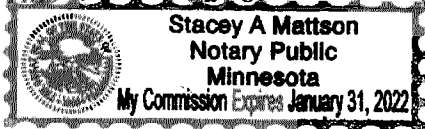
I am making this Affidavit in conjunction with my request that the **City of Grand Rapids** issue a duplicate check. I understand that I make this Affidavit under oath and that I may be subject to criminal penalty if my statements in this Affidavit are false.

SIGNED _____



Subscribed and sworn to before me

This 15th day of April, 2020



Notary Public



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 20-1039 **Version:** 1 **Name:** 2020 SVL Library Chiller Maintenance
Type: Agenda Item **Status:** Passed
File created: 4/20/2020 **In control:** City Council
On agenda: 4/27/2020 **Final action:** 4/27/2020
Title: Consider authorizing the Mayor to sign a service agreement for annual renewal with SVL for maintenance program on the Library Chiller June 1, 2020- May 31, 2021.

Sponsors:

Indexes:

Code sections:

Attachments: [2020 Library Chiller Maintenance](#)

Date	Ver.	Action By	Action	Result
4/27/2020	1	City Council		

Consider authorizing the Mayor to sign a service agreement for annual renewal with SVL for maintenance program on the Library Chiller June 1, 2020- May 31, 2021.

Background Information:

This is the annual renewal of a service agreement with SVL for preventative maintenance to the Library Chiller. The total annual cost for the service agreement is \$2656.

Staff Recommendation:

Staff recommends council authorize the mayor to sign annual service agreement with SVL for Library Chiller preventative maintenance at a cost of \$2656.

Requested City Council Action:

Make a motion authorizing the Mayor to sign annual service agreement with SVL for Library Chiller preventative maintenance at a cost of \$2656.



April 14, 2020

City of Grand Rapids
420 Pokegama Avenue North
Grand Rapids, MN 55744

Attn: Nathan Morlan

RE: Service Agreement Renewal

Dear Nathan,

Enclosed please find a quote for a service agreement on the new Daikin chiller that was installed at the library in 2014. SVL supplied, started, and serviced the new AGZ075 chiller since it was installed. We offer to continue these essential services for another year (June 1, 2020 through May 31, 2021) for the net price of \$2,656.00

Enclosed, please find two copies of our renewal documents for your records and approval. If these terms are acceptable to you please sign and return one copy to our office.

If you have any questions or need anything please feel free to give me a call or send me an email. My direct line is (651) 288-6682. You can also send me an email at alleng@svl.com. I'm looking forward to working with you.

Sincerely,

Allen Gramse

Allen Gramse
Service Manager
Schwab Vollhaber Lubratt Service Corp.

SERVICE AGREEMENT

We propose the following maintenance program on the equipment located at:

Grand Rapids Library
420 North Pokegama
Grand Rapids, MN 55744

Equipment Covered

(1) McQuay AGZ075 Chiller

PREDICTIVE MAINTENANCE

Spring Inspection:

- Tighten all electrical power wiring connections.
- Perform a meg ohm test on each of the compressors.
- Check the chiller for refrigerant loss.
- Perform an acid and moisture check on each refrigeration circuit if warranted.
- Perform a vibration check of each of the compressors.
- Check the operation of the chiller; this includes all pressures, temperatures and valve operations, etc.
- Review the error log and address any shutdown alarms
- Review the operation of the chiller with the owner representative.

Summer Inspection:

- Completely check the operation of the chiller and make any adjustments or minor repairs that are required to keep the equipment operating properly.
- Clean the condenser coils.
- Check for any shutdown codes that may have occurred.
- Discuss the operation with the owner's representative.

Fall Shutdown:

- Pump the refrigerant into the condenser and close all manual valves so that the refrigerant remains secure on the condenser for the winter months.
- Shut down the chiller so it cannot start.
- Drain the water from the chiller if required.

Comments:

All parts will be invoiced separately.

Hourly rates for services beyond the scope of this contact will receive a 10% discount on our standard service rates. Service rates are subject to change during the term of this agreement.

TOTAL ANNUAL COST OF CONTRACT \$2,656.00



TERMS OF SERVICE AGREEMENT

1. Contract automatically renewable annually at the end of the original term (price subject to revision) and may be cancelled by either party any time during the term by giving at least thirty (30) days **written** notice. Failure to keep your account current shall release Schwab-Vollhaber-Lubratt of performance of this contract.
2. We warrant that all work will be performed in a professional manner by competent technicians. There are no other warranties, express or implied, and we shall not be liable for consequential damages nor expenses incurred in removing, replacing, or refinishing any part of the building structure necessary to the execution of this agreement. We shall not be liable for loss or damages due to delays or inability to perform as a result of strikes, transportation delays, governmental intervention and/or regulations or other causes beyond our control. The sole remedies for any breach of our warranty are re-performing the work or refunding the price of the work at our option.
3. Repairs, replacements and emergency service occasioned by improper operation, negligence, and misuse of the equipment or due to any cause beyond our control shall be invoiced at prevailing service rates. Repairs, replacements, inspections or modifications required by insurance companies, government, state, municipal or other authority shall be invoiced at prevailing rates.
4. Schwab-Vollhaber-Lubratt shall not be responsible for air balance, ductwork, electrical disconnect switches, recording or portable instruments, gauges or thermometers, appearance of decorative cabinets or corrections to design or installation.

The specific labor and materials on the face of this contract will be furnished for the sum of **\$2,656.00** payable net 30 days after invoice

Respectfully submitted,

Schwab-Vollhaber-Lubratt Service Corp.

By: Allen Gramse
Allen Gramse, Service Manager

Date: April 14, 2020

Accepted by: _____

Title: _____

Date: _____

Contract For The Year: June 1, 2020– May 31, 2021



SERVICE AGREEMENT

We propose the following maintenance program on the equipment located at:

Grand Rapids Library
420 North Pokegama
Grand Rapids, MN 55744

Equipment Covered

(1) McQuay AGZ075 Chiller

PREDICTIVE MAINTENANCE

Spring Inspection:

- Tighten all electrical power wiring connections.
- Perform a meg ohm test on each of the compressors.
- Check the chiller for refrigerant loss.
- Perform an acid and moisture check on each refrigeration circuit if warranted.
- Perform a vibration check of each of the compressors.
- Check the operation of the chiller; this includes all pressures, temperatures and valve operations, etc.
- Review the error log and address any shutdown alarms
- Review the operation of the chiller with the owner representative.

Summer Inspection:

- Completely check the operation of the chiller and make any adjustments or minor repairs that are required to keep the equipment operating properly.
- Clean the condenser coils.
- Check for any shutdown codes that may have occurred.
- Discuss the operation with the owner's representative.

Fall Shutdown:

- Pump the refrigerant into the condenser and close all manual valves so that the refrigerant remains secure on the condenser for the winter months.
- Shut down the chiller so it cannot start.
- Drain the water from the chiller if required.

Comments:

All parts will be invoiced separately.

Hourly rates for services beyond the scope of this contact will receive a 10% discount on our standard service rates. Service rates are subject to change during the term of this agreement.

TOTAL ANNUAL COST OF CONTRACT \$2,656.00



TERMS OF SERVICE AGREEMENT

1. Contract automatically renewable annually at the end of the original term (price subject to revision) and may be cancelled by either party any time during the term by giving at least thirty (30) days **written** notice. Failure to keep your account current shall release Schwab-Vollhaber-Lubratt of performance of this contract.
2. We warrant that all work will be performed in a professional manner by competent technicians. There are no other warranties, express or implied, and we shall not be liable for consequential damages nor expenses incurred in removing, replacing, or refinishing any part of the building structure necessary to the execution of this agreement. We shall not be liable for loss or damages due to delays or inability to perform as a result of strikes, transportation delays, governmental intervention and/or regulations or other causes beyond our control. The sole remedies for any breach of our warranty are re-performing the work or refunding the price of the work at our option.
3. Repairs, replacements and emergency service occasioned by improper operation, negligence, and misuse of the equipment or due to any cause beyond our control shall be invoiced at prevailing service rates. Repairs, replacements, inspections or modifications required by insurance companies, government, state, municipal or other authority shall be invoiced at prevailing rates.
4. Schwab-Vollhaber-Lubratt shall not be responsible for air balance, ductwork, electrical disconnect switches, recording or portable instruments, gauges or thermometers, appearance of decorative cabinets or corrections to design or installation.

The specific labor and materials on the face of this contract will be furnished for the sum of **\$2,656.00** payable net 30 days after invoice

Respectfully submitted,

Schwab-Vollhaber-Lubratt Service Corp.

By: Allen Gramse
Allen Gramse, Service Manager

Date: April 14, 2020

Accepted by: _____

Title: _____

Date: _____

Contract For The Year: June 1, 2020– May 31, 2021



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 20-1040 **Version:** 1 **Name:** GPZ snow plow truck sale to ISD 318
Type: Agenda Item **Status:** Passed
File created: 4/20/2020 **In control:** City Council
On agenda: 4/27/2020 **Final action:** 4/27/2020
Title: Consider selling airport snow plow truck and accessories to ISD 318
Sponsors:
Indexes:
Code sections:
Attachments: [20200421091611494](#)

Date	Ver.	Action By	Action	Result
4/27/2020	1	City Council		

Consider selling airport snow plow truck and accessories to ISD 318

Background Information:

The Grand Rapids / Itasca County Airport recently purchased a new snow plow truck. Because of this purchase, the airport no longer needs the 1995 Ford L8000 snow plow truck, 9' wing and rear box sander. ISD 318 is willing to purchase this vehicle at the market rate of \$4,000. The price takes into account the repairs that will be needed to keep this equipment serviceable moving forward.

Staff Recommendation:

Public Works Director / City Engineer, Matt Wegwerth, recommends selling the 1995 Ford snow plow truck and accessories to ISD 318 for \$4,000

Requested City Council Action

A motion selling the 1995 Ford snow plow truck and accessories to ISD 318 for \$4,000.

INDEPENDENT SCHOOL DISTRICT 318
 BUSINESS OFFICE
 820 NW FIRST AVENUE
 GRAND RAPIDS MN 55744

Material on this order is exempted from Federal Excise and State Sales Tax. If applicable, send a MATERIAL SAFETY DATA SHEET (MSDS) for each item.

MN #A013680

Purchase Order

Number	Date	Page
62289	04/20/20	1 of 1

To: CITY OF GRAND RAPIDS
 420 N POKEGAMA AVE
 GRAND RAPIDS MN 55744-2658

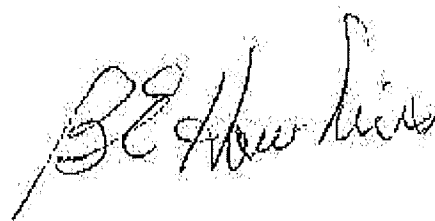
Ship To: Maintenance Department
 810 NE 8TH AVENUE
 GRAND RAPIDS MN 55744
 218-327-5834

Due Date	Terms	Ship Via	Vendor #	Category	Buyer	Ven Phone	Ven Fax
04/20/20	RECEIPT		1-28850		Buildings & Grounds		

Seq#	Item/Description/Comments	Required	Quantity	U/M	Rate	Discount	Cost
1	Purchase of used sanding Truck	4/20/20	1.00	EA	4,000.0000	0.00%	4,000.00

please email PO to tpagel@ci.grand-rapids.mn.us

* Represents a modified line



Grand Total \$4,000.00

Authorized Signature: _____

Date: 4/21/2020



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 20-1041 **Version:** 1 **Name:** Consider the Planning Commission's recommendation regarding approval of a request for a fifth amendment to the approved Conditional Use Permit granted to Wal-Mart Stores Inc., for the construction of a Wal-Mart Supercenter located on Lot 1, Block 1, Plat

Type: Agenda Item **Status:** Passed

File created: 4/20/2020 **In control:** City Council

On agenda: 4/27/2020 **Final action:** 4/27/2020

Title: Consider the Planning Commission's recommendation regarding approval of a request for a fifth amendment to the approved Conditional Use Permit granted to Wal-Mart Stores Inc., for the construction of a Wal-Mart Supercenter located on Lot 1, Block 1, Plat of Wal-Mart Grand Rapids.

Sponsors:

Indexes:

Code sections:

- Attachments:** [Wal-Mart CUP 5th Amendment Req.: Resolution](#)
[CUP Amendment Req.: Attachments Building Elevations](#)
[Area Map & CUP Ordinance Sections](#)
[Previous CUP Resolutions: Wal-Mart Amendments](#)
[Wal-Mart Conditional Use Permit Application w/narrative](#)
[PowerPoint Presentation: Wal-Mart CUP Amendment CC Mtg.-4-27-2020](#)

Date	Ver.	Action By	Action	Result
4/27/2020	1	City Council		

Consider the Planning Commission's recommendation regarding approval of a request for a fifth amendment to the approved Conditional Use Permit granted to Wal-Mart Stores Inc., for the construction of a Wal-Mart Supercenter located on Lot 1, Block 1, Plat of Wal-Mart Grand Rapids.

Background Information:

On December 4, 2006 the City Council adopted City Resolution #06-130 approving a conditional use permit (CUP) for the construction of a Wal-Mart Supercenter, with certain conditions, as provided for under Division 14 of the City Zoning Code (Large Scale Commercial Development Standards).

Amendment Request History:

In February of 2007, Wal-Mart Stores requested the City's consideration of an amendment to the approved CUP that incorporated a tire/lube/express (TLE) auto service element to the use. The requested addition enlarged the store from its originally approved footprint of 182,662 s.f. to a footprint of 187,443 s.f. This amendment request was approved through the adoption City Resolution #07-08. (these resolutions established the current footprint of the Wal-Mart Store).

In February of 2008, Wal-Mart requested the City's consideration of an amendment to the CUP. As part of a "rebranding" strategy undergone by Wal-Mart Stores, Wal-Mart proposed a reduction in building signage, and changes in color on both the exterior building façade and the monument sign. This second amendment request was approved through the adoption City Resolution #08-22. (this resolution established the current signage layout and color scheme of the Wal-Mart Store).

In October of 2017, Wal-Mart requested the City's consideration of a third amendment to the Conditional Use Permit. The requested amendment would allow for an 18' X 72' covered parking canopy structure (for their On-line Ordering Pick-up Program) to be added to the southeast corner of the property, and the addition of an orange accent color &

“Pickup” related signage, to a portion of the southwest corner of the Wal-Mart building. The third amendment request was approved through the adoption City Resolution #17-106. (this resolution allowed for the addition of the covered canopy pick-up, and orange accent color addition to the existing Wal-Mart Store).

In September of 2019 Wal-Mart requested the City’s consideration of a fourth amendment to its Conditional Use Permit. The 2019 amendment allowed for the updating of the building’s current exterior paint colors (project in progress), from the existing earth tone color scheme, to the current Wal-Mart brand standard of neutral grey with blue accent, and additionally, the updating of existing building signage. The fourth amendment request was approved through the adoption City Resolution #19-99.

Current Amendment Request:

LK Architecture, on behalf of Wal-Mart Real Estate Business Trust, has requested the Planning Commission’s recommendation for approval, of a fifth amendment to a Conditional Use Permit originally approved in December 2006, allowing for the construction of a Wal-Mart Supercenter, as provided for under Division 14 of the City Code (Large Scale Commercial Development Standards). The requested amendment, would allow for a minor alteration to the most recently approved CUP amendment (October 2019), which included changes to the building’s exterior paint colors, from the existing earth tone color scheme, to the current Wal-Mart brand standard of neutral grey with blue accent, and additionally, the updating of existing building signage. The current request would allow for the exterior dark gray accents on the liquor store component, to be replaced with dark blue, as well as updating the liquor store signage.

Past History of CUP process for large scale retail:

The City amended its Zoning Ordinance in 2005 establishing the General Sales and Service (building footprint over 70,000 s.f.) use, as a conditional use, in GB (General Business) zoning districts, and further established building and site design standards intent upon influencing the development of these uses in a manner that creates a smaller scale, feel and relationship to the small town atmosphere of Grand Rapids.

With the establishment of the CUP process set forth within Division 14, the review and approval of new projects, as well as modifications/amendments to approved facilities, is no longer administered by staff, but is issued through a Conditional Use Permit approved by the City Council, with recommendations received from the Planning Commission.

In review of the current CUP amendment request, the Planning Commission discussed the below portion of Division 14, addressing building materials and colors, to be sure the spirit and intent of the ordinance is maintained with the proposed changes: (attachment - Division 14)

- *Section 30-903(1)b. Materials and colors*

Staff has reviewed the application and the associated changes to the approved development plans and provides the following comment and potential condition:

- That all previously imposed conditions under City Council Resolution No.’s 06-130, 07-08, 08-22, 17-106, & 19-99 remain in effect.

On April 14, 2017, the Planning Commission reviewed the requested CUP amendment, conducted a public hearing, and recommended to the City Council approval of the amended Conditional Use Permit, based on certain findings of fact, as well as one condition for approval, which are incorporated into the draft resolution.

Requested City Council Action

Make a motion regarding the Planning Commission’s recommendation regarding approval of a request for a fifth amendment to the approved Conditional Use Permit granted to Wal-Mart Stores Inc., for the construction of a Wal-Mart Supercenter located on Lot 1, Block 1, Plat of Wal-Mart Grand Rapids.

Council member _____ introduced the following resolution and moved for its adoption:

RESOLUTION NO. 20-____

A RESOLUTION GRANTING A FIFTH AMENDMENT TO A CONDITIONAL USE PERMIT, PREVIOUSLY APPROVED UNDER CITY RESOLUTION 06-130 FOR A WAL-MART SUPERCENTER, A GENERAL SALES AND SERVICE (GREATER THAN 70,000 SQ. FT. BUILDING FOOTPRINT) USE, LOCATED ON LOT 1, BLOCK 1, PLAT OF WAL-MART GRAND RAPIDS

WHEREAS, a petition was received from LK Architecture, on behalf of Wal-Mart Real Estate Business Trust on March 13, 2020 requesting an amendment to a Conditional Use Permit (CUP) previously approved by the City Council under Resolution #06-130, and amended under City Resolutions #07-08, #08-22, #17-106 and #19-99; and

WHEREAS, the amendment requested by Wal-Mart Real Estate Business Trust would allow for the exterior dark gray accents on the liquor store component, to be replaced with dark blue, as well as updating the liquor store signage on the Wal-Mart building all on property legally described as:

Lot 1, Block 1, Plat of Wal-Mart Grand Rapids, Itasca County, Minnesota;

WHEREAS, the Planning Commission reviewed the request to amend the CUP and conducted a public hearing on this request on April 14, 2020, and all were heard who wished to speak on the matter; and

WHEREAS, the Planning Commission made certain findings that the requested amendment to the CUP would meet the requirements of Section 30-531(e) and the Large Scale Commercial Design Standards, Division 14, of the City Zoning Ordinance contingent on the following condition;

1. That all previously imposed conditions under City Resolution No.'s 06-130, 07-08, 08-22, 17-106, and 19-99 remain in effect.

WHEREAS, the City Council, upon review of the minutes, findings and conditions of the Planning Commission, accepts and specifically adopts the findings and recommendation of the Planning Commission; that the establishment, maintenance and operation of the use contemplated by the proposed amended CUP:

1. The amendment will not be detrimental to the public health, safety, morals or general welfare, as it is only changing the building color;
2. The amendment will not cause undue traffic congestion or hazards and will not result in a parking shortage;
3. The amendment will not be injurious to the use and enjoyment or result in a decrease in value of other property in the area, as the amendment is only related to building color;
4. The amendment will not impede the orderly development of other property in the area, but through Wal-Mart investing in their property/building, others may invest in their properties;
5. The amendment will not impose an excessive burden on parks and other public facilities and utilities;
6. Is consistent with the Comprehensive Plan.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRAND RAPIDS, MINNESOTA that an amended Conditional Use Permit is granted to Wal-Mart Real Estate Business Trust to allow the proposed Wal-Mart SuperCenter, on property legally described as; *Lot 1, Block 1, Plat of Wal-Mart Grand Rapids, Itasca County, Minnesota*, as described above and listed within the CUP application, and additionally, subject to the condition listed above.

Adopted by the Council this 27th day of April 2020.

Dale Adams, Mayor

ATTEST:

Kim Gibeau, City Clerk

Council member _____ seconded the foregoing resolution and the following voted in favor thereof _____ ;
and the following voted against same _____ ; whereby the resolution was declared duly passed and adopted.

This document was drafted by:
Eric Trast, Community Development Specialist
City of Grand Rapids
420 North Pokegama Avenue
Grand Rapids, MN 55744

DRAFT

INDICATES EIFS
RESURFACING, REF
EIFS SPECIFICATION

SIGN
IN

0' - 0"
TOS

127' - 4"
TOM

STONE VENEER
ETR, TYP.

P134E
CAP

EQ EQ

114' - 9"

BO SIGN

111' - 1"

BO SIGN

100' - 0"

FF EL

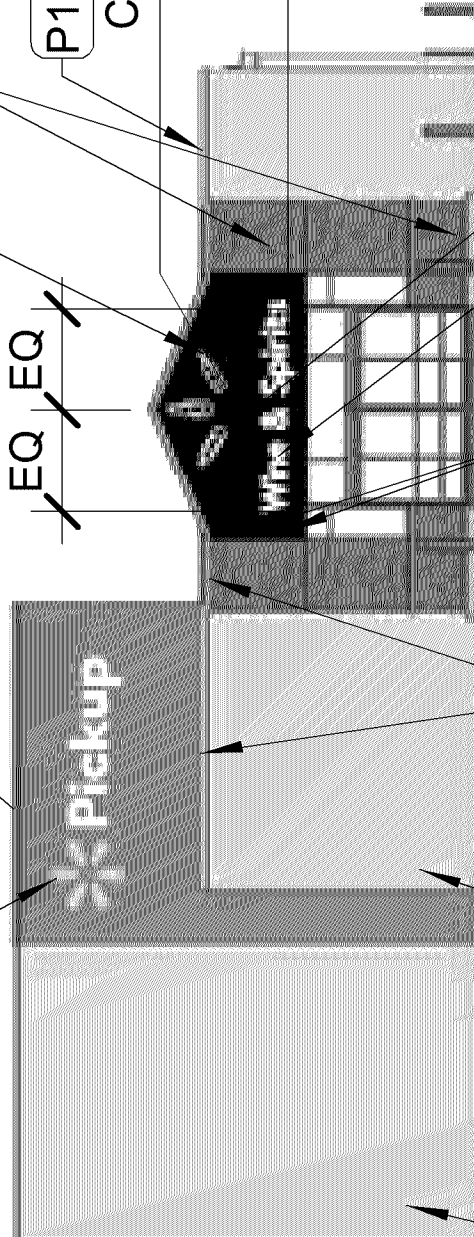
NEW SIGN, REF 16-A2.1

NEW SIGN, REF 17-A2.1

P134E

P134E
CAP

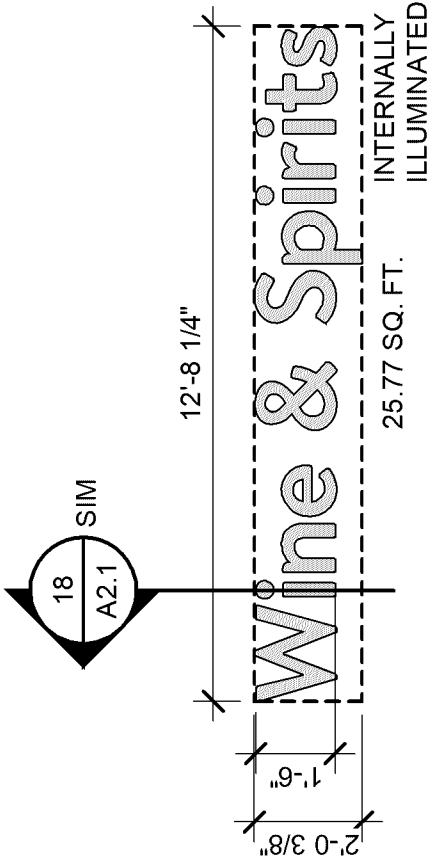
P205E



FRONT ELEVATION

1

1" = 20'-0"

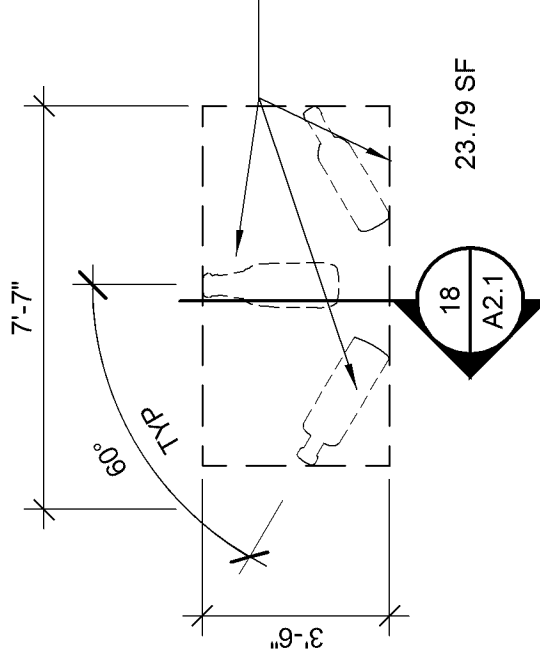


17 1'-6\" SIGNAGE

17
1/4\" = 1'-0\"

SPECIALTY BOTTLE
CHARACTERS BY
SIGN SHOP

INTERNALLY
ILLUMINATED
NEON SIGN



23.79 SF

16 BOTTLE SPARK SIGNAGE

16
1/4\" = 1'-0\"

ERIOR PLYWOOD

ING

ERIMETER AND
REMOTE POWER
OSURE BY SIGN

ER SUPPLY
ROVIDED AND
SIGN CONTRACTOR

PLYWOOD

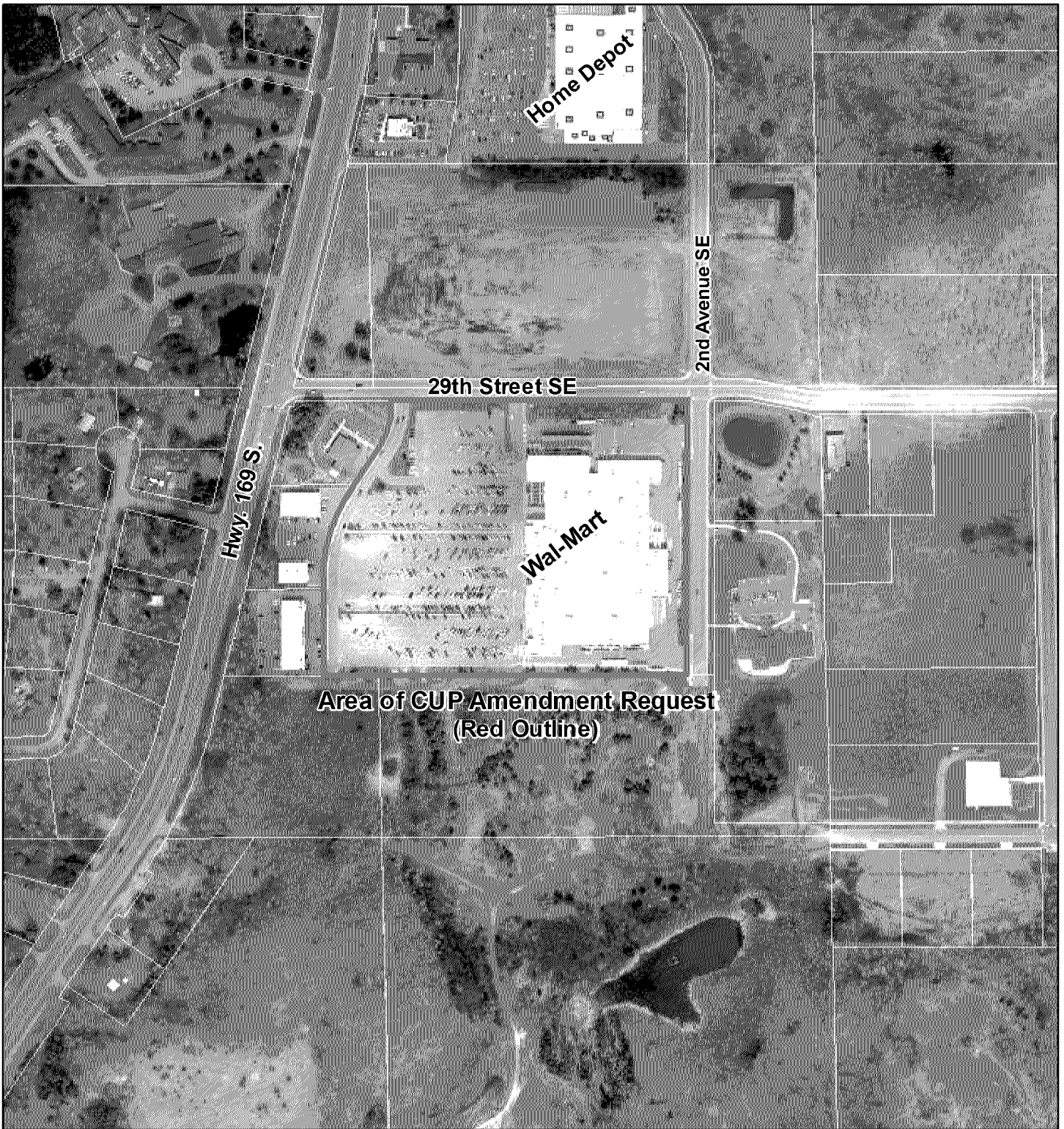
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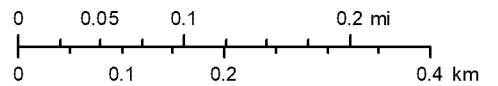
Wal-Mart CUP Amendment Request



1:7,339

- Tax Parcels (1) - Grand Rapids Tax Parcels
- Red: Band_1
- Green: Band_2
- Blue: Band_3
- Red: Red

- Green: Green
- Blue: Blue
- Grand Rapids Tax Parcels
- Surrounding Tax Parcels



City of Grand Rapids

Secs. 30-513—30-530. Reserved.

DIVISION 5. CONDITIONAL USES

Sec. 30-531. Conditional use permits (CUP).

(a) *Purpose and intent.* The development and execution of this division is based upon the division of the city into districts within which the regulations are specified. It is recognized, however, that there are special or conditional uses which, because of their unique characteristics, must be considered individually as to their impact upon neighboring land, and the public welfare and their compatibility at the particular location. To provide for these needs the city council may by resolution approve a conditional use permit for those uses and purposes listed and may impose conditions and safeguards in such permits to ensure that the purpose and intent of this division is carried out.

(b) *Application requirements.* An application signed by the landowner for a CUP shall be filed with the zoning administrator together with a filing fee as established by the city council. Such application shall be accompanied by the following information:

- (1) A site plan drawn to scale which shows all dimensions; the location of existing and proposed streets, buildings and parking; the existing and proposed building height and floor area; curb cuts and driveway locations; utilities; loading areas and lighting.
- (2) A drainage plan showing existing and proposed topography and slopes and how surface drainage will be handled.
- (3) A landscape plan as specified in section 30-456.
- (4) Building plans showing elevation drawings and floor plans.
- (5) A written description of the use to be made of the property and buildings including the number of employees, students, etc.
- (6) Any other information, which in the opinion of the zoning administrator, is required to evaluate the application and its consistency with the city comprehensive plan.

(c) *Waiver authority.* The zoning administrator shall have the authority to waive any of the information in subsection (b) of this section not deemed to be necessary and appropriate to evaluate the application.

(d) *Hearing and mailed notices.* The zoning administrator shall cause to be published a notice of the public hearing before the planning commission in the official newspaper at least ten days prior to the hearing date. Notices shall also be mailed to all owners of property within 350 feet of the parcel included in the request not less than ten days prior to the hearing. Failure to give such notice or defects or errors in the notice shall not invalidate the proceedings, provided a good faith attempt to comply with notice requirements was made.

(e) *Planning commission review and recommendation.* The planning commission shall conduct a public hearing on the application and make its recommendation with findings and conditions to the city council within 60 days of receipt of the planning commission's recommendation, to approve or deny the CUP. The council shall not approve a CUP unless it shall find that the establishment, maintenance and operation of the use:

- (1) Will not be detrimental to the public health, safety, morals or general welfare;
- (2) Will not cause undue traffic congestion or hazards and will not result in a parking shortage;
- (3) Will not be injurious to the use and enjoyment or result in a decrease in value of other property in the area;
- (4) Will not impede the orderly development of other property in the area;
- (5) Will not impose an excessive burden on parks and other public facilities and utilities;
- (6) Is consistent with the comprehensive plan.

Approval shall require a majority vote of the city council.

(f) *Conditions and restrictions.* The city council may impose such conditions and restrictions as it deems necessary on the establishment, location, construction, maintenance, operation and duration of the use to ensure compliance with the requirements of this division.

(g) *Resubmission.* No application which has been denied by the city council shall be resubmitted by the applicant for a period of one year following the date of denial by the city council.

(h) *Lapse and extension.* If within one year after the date of issuance the use for which the CUP was issued has not commenced, the CUP shall become null and void. If the applicant requests an extension in writing within one year after issuance, the city council shall conduct a public hearing and consider an extension utilizing the same notice procedures as required for the original application. The city council may extend the CUP for up to one year upon finding that:

- (1) A good faith effort has been made to use the permit;
- (2) There is reasonable expectation that there will be uses; and
- (3) The facts upon which the original permit was issued are essentially unchanged.

(i) *Periodic review.* If periodic review is imposed as a condition of a CUP, the CUP shall be reviewed at a public hearing prior to the expiration of the review period. It shall be the responsibility of the zoning administrator to schedule the public hearing and inform the owner of the review. A fee shall not be required to be paid.

(j) *Revocation.* If any person is found in violation of any condition or restriction imposed by the city council, the city may revoke such CUP utilizing the procedures established in this division.

(k) *Special considerations for shoreland areas.* The following additional evaluation criteria and conditions apply within shoreland areas:

- (1) *Evaluation criteria.* A thorough evaluation of the waterbody and the topographic, vegetation, and soils conditions on the site must be made to ensure:
 - a. The prevention of soil erosion or other possible pollution of public waters, both during and after construction;
 - b. The visibility of structures and other facilities as viewed from public waters is limited;
 - c. The site is adequate for water supply and on-site sewage treatment; and
 - d. The types, uses, and numbers of watercraft that the project will generate are compatible in relation to the suitability of public waters to safely accommodate these watercraft.
- (2) *Conditions attached to conditional use permits.* The city council, upon consideration of the criteria listed in subsection (k)(1) of this section and the purposes of this division, shall attach such conditions to the issuance of the conditional use permits as it deems necessary to fulfill the purposes of this division. Such conditions may include, but are not limited to, the following:
 - a. Increased setbacks from the ordinary high water level;
 - b. Limitations on the natural vegetation to be removed or the requirement that additional vegetation be planted; and
 - c. Special provisions for the location, design, and use of structures, sewage treatment systems, watercraft launching and docking areas, and vehicle parking areas.

(Code 1978, § 23.5(I); Ord. No. 07-03-06, § 2(Exh. A), 3-27-2007)

State law reference—Conditional use permits, Minn. Stat. § 462.3595.

Sec. 30-532. Uses permitted by conditional use permit (CUP).

The following uses or any expansion of an existing use requiring a CUP shall require the issuance by the city of a CUP. Each such use shall comply with these stated conditions.

- (1) *Manufactured home parks.* Manufactured home parks have special characteristics which require the full consideration of their location needs, layout and design, and their relationship to and effect upon surrounding land uses. Because of these characteristics, manufactured home parks are permitted within the R-2, SR-2, R-3, SR-3, R-4, SR-4, LB, SLB, MU and SMU districts subject to all of the following conditions:
 - a. *Site development requirements.*
 1. Location. The site shall have at least one property line abutting an arterial or collector street as defined by the city comprehensive plan.
 2. Minimum site area: Ten acres.

to limit impacts of high densities by requiring seasonal use, improving vegetative screening, centralizing shore recreation facilities, installing new sewage treatment systems, or other means.

(Code 1978, § 23.17(J); Ord. No. 07-03-06, § 2(Exh. A), 3-27-2007)

Secs. 30-810—30-899. Reserved.

DIVISION 14. LARGE SCALE COMMERCIAL DEVELOPMENT STANDARDS

Sec. 30-900. Purpose and intent.

(a) *Purpose.* The purpose of these standards are to ensure large scale commercial development is to provide compatible design, size and layout considerations to the unique built and natural environment of Grand Rapids.

(b) *Intent.* The intent of these development standards is to provide standards that influence building and site design of large scale development that creates a smaller scale, feel and relationship to the small town atmosphere of Grand Rapids. Large scale commercial development has the potential to distract, disrupt or adversely impact the natural and built environment of Grand Rapids and the surrounding area. When properly implemented, the standards contained in this section minimize impacts to better integrate these developments within the context of the community. This section establishes standards that regulate the location, appearance and function of buildings; off-street parking and circulation; vehicular and pedestrian access; loading areas; yard spaces; and preservation of natural site amenities. It is not the intent of the City of Grand Rapids to unnecessarily over-regulate large scale commercial development when these uses provide retail services and create market dynamics that are a benefit to the greater good of Grand Rapids and its market area.

(Ord. No. 05-05-08, 5-18-2005; Ord. No. 07-03-06, § 2(Exh. A), 3-27-2007)

Sec. 30-901. Applicability.

(a) *New large scale commercial development.* The standards contained in this section apply to commercial development that has a building footprint area exceeding 70,000 square feet.

(b) *Existing large scale commercial development.* When triggered by occupation; change in use; building enlargement, expansion, or modification; or site modifications to commercial development with building footprints exceeding 70,000 square feet, the provisions of Section 30-458 are applicable.

(c) *Procedure.* All commercial development meeting the applicability criteria of this section will be reviewed by the conditional use permit process contained in Section 30-531.

(Ord. No. 05-05-08, 5-18-2005; Ord. No. 07-03-06, § 2(Exh. A), 3-27-2007)

Sec. 30-902. Site design standards.

The following section outlines the guidelines and standards required for large scale commercial development within the City of Grand Rapids. The following site and building design standards present the objectives for development with regards to site planning and building design.

- (1) *Site planning.* Site planning as it relates to the commercial and community context shall be considered. Buildings shall be located to relate to adjacent streets, other adjacent commercial development, residential neighborhoods, and community features. Grand Rapids has a wealth of natural features which need proper attention and consideration during the site planning process. These features create intrinsic site value when properly integrated into development planning by providing opportunities to create outdoor spaces that convey community identity.
- (2) *Building setbacks.* Building setbacks are as required by applicable zoning districts.
- (3) *Parking and vehicular circulation.*
 - a. Standards for minimum and maximum parking space ratios, parking lot space sizes and design, and interior landscaping are applicable.
 - b. The distribution of parking spaces shall be arranged to provide convenient vehicular and pedestrian movement. Consideration for the distance from the furthest parking space to building entries shall be given as well as the route by which people walk from their car to the building entry.
 - c. Off-street parking spaces shall be located in two yard spaces. This standard may be relaxed if:
 1. The majority of parking area is screened by natural vegetation or outlot development sites.
 2. Parking in only one yard space will preserve features of the site that can be considered as site amenities.
 - d. A traffic study shall accompany the application showing the proposed amount of traffic generated by the development and its impact on surrounding roadways including existing and proposed levels of service at intersections. The developer shall consult with city staff to establish parameters of study and its scope.
 - e. Parking lots shall incorporate other natural features, design elements, or functional elements such as stormwater management systems internally within the parking lot to break up the parking lot into smaller areas to minimize negative visual impacts.
 - f. Driveways and isles shall be located in a manner to relate to surrounding roadway systems, driveways serving adjacent development, and other land uses that may be negatively impacted by high levels of traffic.
 - g. Differing pavement surfaces shall be used to define vehicle isles and pedestrian walkways and crossing areas.

- h. Pedestrian walkways shall be incorporated into the parking lot to minimize potential conflicts with vehicles.
- (4) *Pedestrian and bicycle circulation*
- a. Sidewalks and/trails shall be provided along the all sides of the site perimeter with street frontage. Trails shall be provided as needed to connect the site to community trail systems and/or link to natural site amenities. Widths and locations of the sidewalks and trails shall be determined by their intended use and guided by the city.
 - b. Bicycle racks shall be provided in close proximity to building entrances.
- (5) *Landscaping and screening*
- a. Minimum standards for tree preservation and landscaping shall apply as regulated in sections 30-594 and 30-595.
 - b. Special landscaping attention shall be given to loading areas. Buffering techniques that incorporate berming shall be used when adjacent to residential areas if a building entrance is not present.
 - c. Mature trees along the perimeter of the site shall be preserved to create development "rooms" that aid to minimize the scale of development.
 - d. Additional landscaping to minimize the impacts of large parking areas and building size shall be provided as determined necessary by the city.
- (6) *Community spaces.* Sites should provide attractive and inviting pedestrian scale features, spaces and amenities. Entrances and parking lots should be configured to be functional and inviting with walkways conveniently tied to logical destinations. Pedestrian ways should be anchored by special design features such as towers, arcades, porticoes, pedestrian light fixtures, bollards, planter walls, and other architectural elements that define circulation ways and outdoor spaces. The features and spaces should enhance the building as integral parts of the community fabric. Other features to be considered for site amenities include patio/seating area, pedestrian plaza with benches, transportation center, window shopping walkways, outdoor play area, kiosk area, water feature, clock tower, steeple, or other such deliberately shaped area and/or a focal feature or amenity that, in the judgment of the City, adequately enhances such community and public spaces.
- (7) *Walls and fences.* Walls and fencing may be used in cases where natural landscaping is not adequate for screening purposes. Fencing materials and design shall relate to the building design and character when used. Additional landscaping treatment may be required to soften the fence from public view.
- (8) *Outdoor storage, trash collection and loading.* Loading areas and outdoor storage areas exert visual and noise impacts on surrounding development and residential areas. These areas, when visible from adjoining properties and/or public streets, should be screened, recessed or enclosed. While screens and recesses can effectively mitigate

these impacts, the selection of inappropriate screening materials can exacerbate the problem. Appropriate locations for loading and outdoor storage areas include areas between buildings, where more than one building is located on a site and such buildings are not more than 40 feet apart, or on those sides of buildings that do not have customer entrances. In addition, the following standards apply:

- a. Areas for outdoor storage, truck parking, trash collection or compaction, loading, or other such uses shall not be visible from public or private rights-of-way or residential areas.
- b. All storage, collection, and compaction of trash shall occur within the principal building.
- c. Loading docks, truck parking, utility meters, HVAC equipment, and other service functions shall be incorporated into the overall design of the building and the landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets.
- d. Non-enclosed areas for the storage and sale of seasonal inventory shall be permanently defined and screened with walls and/or fences. Materials, colors, and designs of screening walls and/or fences and the cover shall conform to those used as predominant materials and colors of the building. If such areas are to be covered, then the covering shall conform to those used as predominant materials and colors on the buildings.

(9) *Shopping cart management.* Defined areas for the storage of shopping carts shall be provided. Overnight outdoor storage within parking lots shall not be permitted.

(Ord. No. 05-05-08, 5-18-2005; Ord. No. 07-03-06, § 2(Exh. A), 3-27-2007)

Sec. 30-903. Building design standards.

The size of large commercial buildings can have a positive or negative impact on community character. By identifying appropriate building design standards for large commercial development, these buildings can become community assets that help promote the image, identity and economy of Grand Rapids. By encouraging designs that play down size, relate to community character and provide a human scale, provide a higher probability of producing positive benefits to the community including their eventual reuse.

- (1) *Building width and facade.* The building width and facade treatment may be the most important design considerations as they convey first and lasting impressions of the development. Long building facades with no articulation can present a generic low quality image. Grand Rapids development character needs to reinforce smaller scale character elements that have a greater degree of human scale. The following standards shall apply to building facades and exterior walls.
 - a. For exterior walls that front on a public street, the facade shall be articulated so that there are projections and recesses every 100 feet. The minimum projection and recess shall be 5 feet.

- b. *Materials and colors.* Buildings shall incorporate high quality materials that provide long term durability and design appeal. Concrete cinder block and metal siding are prohibited on building facades that face public streets. Facade colors shall be low reflectance and subtle. High intensity colors are prohibited but complementary colors that accent primary colors are acceptable.
 - c. *Building height.* As prescribed by the zoning district.
 - d. *Rear facades.* Rear facades or facades not fronting public streets should be designed to compliment the front facade.
 - e. *Entries and window treatment*
 - 1. Buildings shall incorporate canopies, awnings, or porticos that clearly identify building entry locations. The size and design of these treatments shall integrate with the overall building architecture.
 - 2. Windows should be incorporated into street facing facades except for those facades that are loading areas. Windows shall have functional two-way glass.
 - f. *Roof treatment.* Variations in roof lines should be used to add interest to and reduce the massive scale of large buildings. Rooftop equipment shall be designed to blend into the building or be concealed through the use of features such as parapets, mansard roofs, gable roofs, hip roofs, or dormers.
 - g. *Signage.* Signage both wall and freestanding, shall be consistent with the over all building design character. Sign area and height shall be as prescribed in division 10, article VI.
 - h. *Lighting.* A comprehensive lighting plan shall be developed for building and site lighting. Lighting shall not produce unnecessary glare or light pollution.
- (Ord. No. 05-05-08, 5-18-2005; Ord. No. 07-03-06, § 2(Exh. A), 3-27-2007)

Sec. 30-904. Other requirements.

The following shall also be required:

- (1) *Adaptability for reuse plan.*
 - a. The building design for a retail use shall demonstrate how the building is designed for adaptation to a multi-tenant building in the event of the abandonment of the large scale commercial store. The design may include, but is not limited to, compartmentalized construction, including plumbing, electrical, service, heating, ventilation, air conditioning and wall placement. The plans shall also demonstrate how the exterior of the building can be divided into separate tenancies, facades can be adapted to separate entrances, parking can be shared, and the exterior can be maintained as a multi-tenant building.
 - b. When a business relocates to another building, the owner shall not place restrictions on the use or occupancy of the previously occupied property through the use of deed restrictions, covenants, or other means which would encumber the

property's reuse in the open market. Every attempt shall be made by the owner to sell or lease the building to a use(s) allowed under zoning district requirements without prohibition of similar uses that may pose competition.

- (2) *Environmental review.* Large scale commercial development with buildings over 125,000 square feet are required to prepare an Environmental Assessment Worksheet (EAW) as prescribed by Minnesota Rules Chapter 4410. The city will serve as the responsible governmental unit (RGU) for review of the EAW unless otherwise assigned.

(Ord. No. 05-05-08, 5-18-2005; Ord. No. 07-03-06, § 2(Exh. A), 3-27-2007)

Secs. 30-905—30-949. Reserved.

DIVISION 15. TELECOMMUNICATIONS TOWERS AND FACILITIES

Sec. 30-950. Purpose and intent.

(a) The Federal Communications Act of 1934 as amended by the Telecommunications Act of 1996 ("the Act") grants the Federal Communications Commission exclusive jurisdiction over the regulation of the environmental effects of radio frequency emissions from telecommunications facilities and the regulation of radio signal interference among users of the radio frequency spectrum.

(b) Consistent with the Act, the regulation of towers and telecommunications facilities in the city will not have the effect of prohibiting any person from providing wireless telecommunications services. The general purpose of this section is to regulate the placement, construction, and modification of telecommunication towers and facilities in order to protect the health, safety and welfare of the public, while not unreasonably interfering with the development of the competitive wireless telecommunications marketplace in the city. In addition, this section recognizes the contractual control for the purpose of preserving public health, safety, and welfare that can be exercised over telecommunications facilities when those facilities are located on property owned or controlled by governmental entities. Specifically, the purposes of this section are:

- (1) To regulate the location of telecommunication towers and facilities;
- (2) To protect residential areas and land uses from potential adverse impacts of telecommunication towers and facilities;
- (3) To minimize adverse visual impacts of telecommunication towers and facilities through design, site, landscaping, and innovative camouflaging techniques;
- (4) To promote and encourage shared use and collocation of telecommunication towers and antenna support structures;

Councilmember Erkkila introduced the following resolution and moved for its adoption:

RESOLUTION NO. 06-130

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT, APPLIED FOR BY WAL-MART STORES INC., FOR THE CONSTRUCTION OF A PROPOSED WAL-MART SUPERCENTER, A GENERAL SALES AND SERVICE (GREATER THAN 70,000 SQ. FT. BUILDING FOOTPRINT) USE, TO BE LOCATED AT THE SOUTHEAST QUADRANT OF THE INTERSECTION OF TRUNK HWY. 169 AND 29TH ST. SE.

WHEREAS, a petition was received for a Conditional Use Permit (CUP) for the purpose of allowing the establishment of a General Sales and Service (greater than 70,000 sq. ft. building footprint) use, on property legally described within an application submitted by Wal-Mart Stores Inc. on November 15, 2006 and generally located on vacant land located at the southeast quadrant of the intersection of Trunk Hwy. 169 and 29th St. SE.; and

WHEREAS, the Planning Commission reviewed the request for a CUP and conducted a public hearing on this request on November 28, 2006, and all were heard who wished to speak on the matter; and

WHEREAS, the Planning Commission made certain findings that the request for a CUP would meet the requirements of Section 30-531(e) and the Large Scale Commercial Design Standards, Division 14, of the City Code if certain conditions were applied; and

WHEREAS, the Planning Commission recommended approval of the CUP with the following conditions:

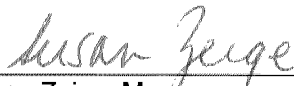
- (1) A requirement for City Council approval of the requested text amendments to the Zoning Ordinance revising parking requirements for the Retail Sales and Service (not listed) use.
- 1a) A requirement that the pedestrian walkway within the landscaped island extending the depth of the parking lot in front of the general merchandise vestibule from its proposed width of 5 feet to a width of 7 feet.
- (1b) A requirement that the crosswalk at the west end of the pedestrian walkway within the landscaped island extending the depth of the parking lot in front of the general merchandise vestibule be appropriately delineated with signage.
- (2) A requirement that the preserved trees and the proposed landscaping between these areas along Hwy 169 be permanently preserved by including those areas within a conservation easement
- (3) A requirement that the proposed pylon and monument signs incorporate architectural elements such as the cultured ledgerstone, as used on the building façade, in their construction

WHEREAS, the City Council, upon review of the minutes, findings and conditions of the Planning Commission, accepts and specifically adopts the findings and recommendation of the Planning Commission; that the establishment, maintenance and operation of the use contemplated by the proposed CUP:

1. Will not be detrimental to the public health, safety, morals or general welfare;
2. Will and will not cause undue traffic congestion or hazards and will not result in a parking shortage;
3. Will not be injurious to the use and enjoyment or result in a decrease in value of other property in the area;
4. Will not impede the orderly development of other property in the area;
5. Will not impose an excessive burden on parks and other public facilities and utilities;
6. Is consistent with the Comprehensive Plan


NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRAND RAPIDS, MINNESOTA that a Proposed Conditional Use Permit be granted to Wal-Mart Stores Inc. to allow the construction of a proposed Wal-Mart SuperCenter Store, on property legally described with the CUP application, as depicted within that application, subject to the conditions listed above.

Adopted by the Council this 4th day of December 2006.



Susan Zeige, Mayor

ATTEST:



Karen Alto, Interim City Clerk

Councilmember Schlauderaff seconded the foregoing resolution and the following voted in favor thereof Driscoll, Erkkila, Schlauderaff, Zeige, and the following voted against same; Drake, whereby the resolution was declared duly passed and adopted.

Councilmember Adams introduced the following resolution and moved for its adoption:

RESOLUTION NO. 07-08

A RESOLUTION GRANTING AN AMENDMENT TO A CONDITIONAL USE PERMIT, PREVIOUSLY APPROVED UNDER CITY COUNCIL RESOLUTION 06-130 FOR A PROPOSED WAL-MART SUPERCENTER, A GENERAL SALES AND SERVICE (GREATER THAN 70,000 SQ. FT. BUILDING FOOTPRINT) USE, TO BE LOCATED AT THE SOUTHEAST QUADRANT OF THE INTERSECTION OF TRUNK HWY. 169 AND 29TH ST. SE.

WHEREAS, a petition was received from Wal-Mart Stores Inc. on January 18th, 2007 for an amendment to a Conditional Use Permit (CUP) previously approved by the City Council under Resolution 06-130; and

WHEREAS, the requested amendment is necessary because the petitioner, Wal-Mart Stores Inc., wishes to change the building and site plans for the proposed Wal-Mart Supercenter already approved under said resolution; and

WHEREAS, the change to the building and site plans would increase the building size from the originally approved footprint of 182,662 s.f. to a proposed footprint of 187,443 in order to incorporate a tire/lube/auto service express component to the proposed retail; and

WHEREAS, the Planning Commission reviewed the request to amend the CUP and conducted a public hearing on this request on February 1st, 2007, and all were heard who wished to speak on the matter; and

WHEREAS, the Planning Commission made certain findings that the amended CUP would meet the requirements of Section 30-531(e) and the Large Scale Commercial Design Standards, Division 14, of the City Code if those same conditions, as applied to the original CUP under Resolution 06-130, remained in effect; and

WHEREAS, the Planning Commission recommended approval of the amended CUP with the following, previously approved conditions applying:

- (1) A requirement for City Council approval of the requested text amendments to the Zoning Ordinance revising parking requirements for the Retail Sales and Service (not listed) use.
- 1a) A requirement that the pedestrian walkway within the landscaped island extending the depth of the parking lot in front of the general merchandise vestibule from its proposed width of 5 feet to a width of 7 feet.
- (1b) A requirement that the crosswalk at the west end of the pedestrian walkway within the landscaped island extending the depth of the parking lot in front of the general merchandise vestibule be appropriately delineated with signage.
- (2) A requirement that the preserved trees and the proposed landscaping between these areas along Hwy 169 be permanently preserved by including those areas within a conservation easement
- (3) A requirement that the proposed pylon and monument signs incorporate architectural elements such as the cultured ledgerstone, as used on the building façade, in their construction

WHEREAS, the City Council, upon review of the minutes, findings and conditions of the Planning Commission, accepts and specifically adopts the findings and recommendation of the Planning Commission; that the establishment, maintenance and operation of the use contemplated by the proposed amended CUP:

1. Will not be detrimental to the public health, safety, morals or general welfare;
2. Will and will not cause undue traffic congestion or hazards and will not result in a parking shortage;
3. Will not be injurious to the use and enjoyment or result in a decrease in value of other property in the area;
4. Will not impede the orderly development of other property in the area;
5. Will not impose an excessive burden on parks and other public facilities and utilities;
6. Is consistent with the Comprehensive Plan

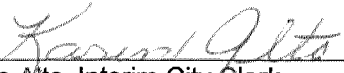
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRAND RAPIDS, MINNESOTA that an amended Conditional Use Permit be granted to Wal-Mart Stores Inc. to allow the construction of a proposed Wal-Mart SuperCenter Store, on property legally described within the CUP application, as depicted within that application, subject to the conditions listed above.

Adopted by the Council this 12th day of February 2007.



Dale Adams, Mayor Pro-Tem

ATTEST:



Karen Alto, Interim City Clerk

Councilmember Schlauderaff seconded the foregoing resolution and the following voted in favor thereof Adams, Erkkila, Schlauderaff, Adams, Millis; and the following voted against same: None; whereby the resolution was declared duly passed and adopted.

Councilmember Adams introduced the following resolution and moved for its adoption:

RESOLUTION NO. 08-22

A RESOLUTION GRANTING AN AMENDMENT TO A CONDITIONAL USE PERMIT, PREVIOUSLY APPROVED UNDER CITY COUNCIL RESOLUTION 06-130 AND AMENDED UNDER CITY COUNCIL RESOLUTION 07-08 FOR A WAL-MART SUPERCENTER, A GENERAL SALES AND SERVICE (GREATER THAN 70,000 SQ. FT. BUILDING FOOTPRINT) USE, LOCATED ON LOT 1, BLOCK 1, WAL-MART GRAND RAPIDS ADDITION

WHEREAS, a petition was received from Wal-Mart Stores Inc. on January 23rd, 2008 requesting an amendment to a Conditional Use Permit (CUP) previously approved by the City Council under Resolution 06-130, and amended under City Council Resolution 07-08; and

WHEREAS, the amendment requested by Wal-Mart Stores, Inc. seeks approval of changes in both the exterior building façade color scheme as well as the type, color, and amount of exterior building signage and monument signage; and

WHEREAS, the change to the color on both the exterior building façade and the monument sign as well a net reduction in building signage are requested in order to fulfill a corporate wide "rebranding" strategy recently undergone by Wal-Mart Stores; and

WHEREAS, the Planning Commission reviewed the request to amend the CUP and conducted a public hearing on this request on February 7th, 2008, and all were heard who wished to speak on the matter; and

WHEREAS, the Planning Commission made certain findings that the requested amendments to the CUP would meet the requirements of Section 30-531(e) and the Large Scale Commercial Design Standards, Division 14, of the City Code if those same conditions, as applied to the original CUP under Resolution 06-130 and amended under Resolution 07-08, remained in effect; and


WHEREAS, based upon their findings, the Planning Commission recommended approval of the amended CUP with a condition that all previously imposed conditions under City Council Resolution 06-130 & 07-08, remain in effect:

WHEREAS, the City Council, upon review of the minutes, findings and conditions of the Planning Commission, accepts and specifically adopts the findings and recommendation of the Planning Commission; that the establishment, maintenance and operation of the use contemplated by the proposed amended CUP:

1. Will not be detrimental to the public health, safety, morals or general welfare;
2. Will not cause undue traffic congestion or hazards and will not result in a parking shortage;
3. Will not be injurious to the use and enjoyment or result in a decrease in value of other property in the area;
4. Will not impede the orderly development of other property in the area;
5. Will not impose an excessive burden on parks and other public facilities and utilities;
6. Is consistent with the Comprehensive Plan.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRAND RAPIDS, MINNESOTA that an amended Conditional Use Permit is granted to Wal-Mart Stores, Inc. to allow the proposed Wal-Mart SuperCenter, on property legally described as Lot 1, Block 1, Wal-Mart Grand Rapids Addition, and as depicted within the application, subject to the conditions within City Council Resolutions 06-130 and 07-08.

Adopted by the Council this 11th day of February 2008.



Jim Millis, Mayor

ATTEST:



Karen Alto, Interim City Clerk

Councilmember Erkkila seconded the foregoing resolution and the following voted in favor thereof Adams, Erkkila, McInerney, Millis; and the following voted against same, None; whereby the resolution was declared duly passed and adopted.

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Councilor Zeige introduced the following resolution and moved for its adoption:

RESOLUTION NO. 17-106

A RESOLUTION GRANTING AN AMENDMENT TO A CONDITIONAL USE PERMIT, PREVIOUSLY APPROVED UNDER CITY RESOLUTION 06-130 FOR A WAL-MART SUPERCENTER, A GENERAL SALES AND SERVICE (GREATER THAN 70,000 SQ. FT. BUILDING FOOTPRINT) USE, LOCATED ON LOT 1, BLOCK 1, PLAT OF WAL-MART GRAND RAPIDS

WHEREAS, a petition was received from WD Partners, on behalf of Wal-Mart Real Estate Business Trust on October 5, 2017 requesting an amendment to a Conditional Use Permit (CUP) previously approved by the City Council under Resolution #06-130, and amended under City Resolutions #07-08 and #08-22; and

WHEREAS, the amendment requested by Wal-Mart Real Estate Business Trust would allow for an 18' X 72' covered parking canopy structure (for an On-line Ordering Pick-up Program) to be added to the southeast corner of the property, and the addition of an orange accent color & "Pickup" related signage, to a portion of the southwest corner of the Wal-Mart building all on property legally described as:

Lot 1, Block 1, Plat of Wal-Mart Grand Rapids, Itasca County, Minnesota;

WHEREAS, the Planning Commission reviewed the request to amend the CUP and conducted a public hearing on this request on November 2, 2017, and all were heard who wished to speak on the matter; and

WHEREAS, the Planning Commission made certain findings that the requested amendment to the CUP would meet the requirements of Section 30-531(e) and the Large Scale Commercial Design Standards, Division 14, of the City Zoning Ordinance contingent on the following conditions;

1. That in the event the City, or designated contractor, is not able to access the water line, for maintenance/replacement purposes, in the area around and/or under the proposed parking canopy, the canopy would be promptly removed and reinstalled at the property owners expense to permit access.
2. That all previously imposed conditions under City Resolution No.'s 06-130, 07-08 & 08-22 remain in effect.

WHEREAS, the City Council, upon review of the minutes, findings and conditions of the Planning Commission, accepts and specifically adopts the findings and recommendation of the Planning Commission; that the establishment, maintenance and operation of the use contemplated by the proposed amended CUP:

1. Will not be detrimental to the public health, safety, morals or general welfare;
2. Will not cause undue traffic congestion or hazards and will not result in a parking shortage;
3. Will not be injurious to the use and enjoyment or result in a decrease in value of other property in the area;
4. Will not impede the orderly development of other property in the area;
5. Will not impose an excessive burden on parks and other public facilities and utilities;
6. Is consistent with the Comprehensive Plan.

A/R - City GR

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NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRAND RAPIDS, MINNESOTA that an amended Conditional Use Permit is granted to Wal-Mart Real Estate Business Trust to allow the proposed Wal-Mart SuperCenter, on property legally described as; *Lot 1, Block 1, Plat of Wal-Mart Grand Rapids, Itasca County, Minnesota*, as depicted within the CUP application, subject to the conditions listed above.

Adopted this 13th day of November, 2017


Dale C. Adams, Mayor

Attest:


Kimberly Gibeau, City Clerk

Councilor Blake seconded the foregoing resolution and the following voted in favor thereof: Blake, Zeige, Adams; and the following voted against same: None, whereby the resolution was declared duly passed and adopted.

This document was drafted by:
Eric Trast, Community Development Specialist
City of Grand Rapids
420 North Pokegama Avenue
Grand Rapids, MN 55744

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ITASCA COUNTY, MINNESOTA

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CERTIFICATE #: 21985
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10/31/2019 11:16:19 AM

NICOLLE ZUEHLKE
REGISTRAR OF TITLES

BY NZ Dep



Councilor Connelly introduced the following resolution and moved for its adoption:

RESOLUTION NO. 19-99

A RESOLUTION GRANTING A FOURTH AMENDMENT TO A CONDITIONAL USE PERMIT, PREVIOUSLY APPROVED UNDER CITY RESOLUTION 06-130 FOR A WAL-MART SUPERCENTER, A GENERAL SALES AND SERVICE (GREATER THAN 70,000 SQ. FT. BUILDING FOOTPRINT) USE, LOCATED ON LOT 1, BLOCK 1, PLAT OF WAL-MART GRAND RAPIDS

WHEREAS, a petition was received from LK Architecture, on behalf of Wal-Mart Real Estate Business Trust on September 17, 2019 requesting an amendment to a Conditional Use Permit (CUP) previously approved by the City Council under Resolution #06-130, and amended under City Resolutions #07-08, #08-22 and #17-106; and

WHEREAS, the amendment requested by Wal-Mart Real Estate Business Trust would allow for the updating of the building's current exterior paint colors, from the existing earth tone color scheme, to the current Wal-Mart brand standard of neutral grey with blue accent, and additionally, the updating of existing building signage on the Wal-Mart building all on property legally described as:

Lot 1, Block 1, Plat of Wal-Mart Grand Rapids, Itasca County, Minnesota;

WHEREAS, the Planning Commission reviewed the request to amend the CUP and conducted a public hearing on this request on October 17, 2019, and all were heard who wished to speak on the matter; and

WHEREAS, the Planning Commission made certain findings that the requested amendment to the CUP would meet the requirements of Section 30-531(e) and the Large Scale Commercial Design Standards, Division 14, of the City Zoning Ordinance contingent on the following condition;

1. That all previously imposed conditions under City Resolution No.'s 06-130, 07-08, 08-22 and 17-106 remain in effect.

WHEREAS, the City Council, upon review of the minutes, findings and conditions of the Planning Commission, accepts and specifically adopts the findings and recommendation of the Planning Commission; that the establishment, maintenance and operation of the use contemplated by the proposed amended CUP:


1. The amendment will not be detrimental to the public health, safety, morals or general welfare, as it is only changing the building color;
2. The amendment will not cause undue traffic congestion or hazards and will not result in a parking shortage;
3. The amendment will not be injurious to the use and enjoyment or result in a decrease in value of other property in the area, as it will improve the appearance of the building, and add value to the area with the investment in the property;
4. The amendment will not impede the orderly development of other property in the area, but through Wal-Mart investing in their property/building, others may invest in their properties;
5. The amendment will not impose an excessive burden on parks and other public facilities and utilities;
6. Is consistent with the Comprehensive Plan, by promoting orderly development.

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AR City of Grand Rapids

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRAND RAPIDS, MINNESOTA that an amended Conditional Use Permit is granted to Wal-Mart Real Estate Business Trust to allow the proposed Wal-Mart SuperCenter, on property legally described as; *Lot 1, Block 1, Plat of Wal-Mart Grand Rapids, Itasca County, Minnesota*, as described above and listed within the CUP application, and additionally, subject to the condition listed above.

Adopted by the Council this 28th day of October 2019.


Dale Adams, Mayor

ATTEST:


Kimberly Gibeau, City Clerk

Councilor Christy seconded the foregoing resolution and the following voted in favor thereof Toven, Christy, Connelly, Blake; and the following voted against same: None; whereby the resolution was declared duly passed and adopted.

This document was drafted by:
Eric Trast, Community Development Specialist
City of Grand Rapids
420 North Pokegama Avenue
Grand Rapids, MN 55744





Conditional Use Permit Application
 Community Development Department
 420 North Pokegama Ave.
 Grand Rapids, MN 55744
 Tel. (218) 326-7601 Fax (218) 326-7621
 Web Site: www.cityofgrandrapidsmn.com

Community Development Office Use only	
Date Received	3/13/2020
Certified Complete	3/13/20
Fee Paid	1505

The undersigned do hereby respectfully request the following be granted by support of the following facts herein shown:

Sequius De la Torre - LK Architecture	Walmart R.E. Business Trust
Name of Applicant	Name of Owner
345 Riverview, Suite 200	702 SW Eighth Street
Address	Address
Wichita KS 67203	Bentville AR
City State Zip	City State Zip
(316) 268-0230 / sdela Torre@lk-architecture.com	jeramy.murphy@walmart.com
Business Telephone/e-mail address	Business Telephone/e-mail address

Parcel Information:

Tax Parcel # 91-718-0110	Existing Zoning: GB
Existing Use: M - Mercantile	Proposed Use: No Change
Property Size:	
Property Address / Legal Description: 100 SE 29th Street (attach additional sheet if necessary)	

Permit Type:

The following type of Conditional Use Permit is, hereby, requested:

- Mobile Home Parks
- Mining of Sand and Gravel (> 2year)
- Heavy Mining
- Interim Use of Buildings
- Group and Foster Homes (7-8 residents in R-1 and R-2)
- Bed and Breakfast Accommodations (up to 5 guest rooms/10 persons in R2)
- Essential Service Structure (within any residential zone or CBD)
- General Sales and Service (greater than 70,000 sq. ft. building footprint)
- Telecommunication Towers and Facilities
- Primary, Secondary, and Post High schools in R districts
- Junk and Salvage Operations
- Land Reclamation
- CUP Amendment

I (we) certify that, to the best of my (our) knowledge, information, and belief, all of the information presented in this application is accurate and complete and includes all required information and submittals, and that I consent to entry upon the subject property by public officers, employees, and agents of the City of Grand Rapids wishing to view the site for purposes of processing, evaluating and deciding upon this application.

Signature(s) of Applicant(s)	Date
	02/24/2020
Signature(s) of Owner(s) (If other than applicant)	Date
	2/24/20

Required Submittals: 1 Set (electronic copies required):

- Application Fee - \$505.00
- Site Plan (as per 30-531b1)
- Drainage Plan (as per 30-531b2)
- Landscape Plan (as per 30-531b3)
- Building Plans (as per 30-531b4)
- Written description of proposed use (as per 30-531b5)

Additional Required Submittals, if applicable:

If the proposed use is classified as General Sales and Service (greater than 70,000 sq. ft. building footprint), and is, thus, regulated by Division 14, Article IV, Chapter 30 of the Grand Rapids City Code, the following additional submittals are required:

- Application Fee – Total Actual Cost Incurred by the City (\$3,500.00 deposit required via escrow agreement)
- Traffic Study (as per 30-902c4)
- Written explanation of how the proposed development adheres to the individual elements of the Site Design Standards in 30-902, and the Building Design Standards in 30-903.
- The Landscaping Plan required under 30-531b3 shall include sufficient detail to demonstrate the proposed developments compliance with 30-902e.
- The Site Plan required under 30-531b4 shall include sufficient detail to demonstrate the proposed developments compliance with sections: 30-902a, 30-902b, 30-902c, 30-902d, 30-902f, 30-902g, 30-902h, and 30-902i.
- The Building Plans required under 30-531b4 shall include sufficient detail to demonstrate the proposed developments compliance with sections 30-903a through 30-903h.
- Adaptability for Reuse Plan (as per 30-904a1)
- Environmental Assessment Worksheet, if applicable, (as per 30-904b) and RGU Notice of Decision – Negative Declaration, or, if the RGU Notice of Decision on the EAW is a Positive Declaration, a copy of the Environmental Impact Statement and RGU Notice of Adequacy.

Findings for Approval:

In accordance with Section 30-531e of the Grand Rapids City Code, the City Council shall not approve a Conditional Use Permit unless it shall find that the establishment, maintenance and operation of the use:

- Will not be detrimental to the public health, safety, morals and general welfare;
- Will not cause undue traffic congestion, or hazards and will not result in a parking shortage;
- Will not be injurious to the use and enjoyment or result in a decrease in value of other property in the area;
- Will not impede the orderly development of other property in the area;
- Will not impose an excessive burden on parks and other public facilities and utilities;
- Is consistent with the Comprehensive Plan.

In addition to the general requirements for all Conditional Use Permit listed above, the City Council will also consider the requirements specific to each designated conditional use as contained within the Grand Rapids City Code.

The attached Section 30-531 of the Grand Rapids City Code provides additional detail with respect to Conditional Use Permit process.

Additional Instructions:

Prior to submitting your Conditional Use Permit Application, you will need to arrange for one or more preliminary meetings with the Director of Community Development. This meeting is intended to ensure that the proposed application is complete, to answer any questions the applicant may have, discuss meeting schedules and, if applicable, the scope of the required submittals.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Complete applications shall be submitted to the Community Development Department one month prior to the Planning Commission's review of the CUP. More information may be requested by the City of Grand Rapids Planning Commission or City Council, if deemed necessary to properly evaluate your request. The lack of information requested may be in itself sufficient cause to deny an application.



345 Riverview, Suite 200
Wichita, Kansas 67203
T 316.268.0230
F 316.268.0205
LK-Architecture.com

March 20, 2020

City of Grand Rapids
Community Development Department
420 North Pokegama Ave.
Grand Rapids, MN 55744

Attention: Eric Trast, Community Development Specialist

Dear Trast.

Our company, LK Architecture on behalf of the property owner, Walmart RE Business Trust. is submitting this letter to respectfully request the changes of the exterior colors and signage update of the liquor store adjacent to building located at 100 SE 29th Street, Parcel # 91-718-0110.

The request includes updating exterior paint color from a dark gray, to the current brand standard for the liquor store of dark blue and updating the existing signage to the current brand standard.

The new scheme color will provide a new design appeal, with high quality materials to the building; incorporating subtle complementary colors complying with city ordinance.

Please contact me at (316) 268-0230 or sdelatorre@lk-architecture.com should you have any questions.

Sincerely

A handwritten signature in black ink, appearing to read 'Sequius De la Torre'.

Sequius De la Torre
Project Manager

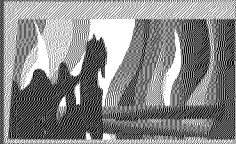


CITY OF
GRAND RAPIDS
ITS IN MINNESOTA'S NATURE

CUP Amendment Request: Wal-Mart

April 27, 2020

Grand Rapids City Council Meeting



CITY OF
GRAND RAPIDS
ITS IN MINNESOTA'S NATURE

CUP Amendment Request

- **Petitioner:** LK Architecture, on behalf of Wal-Mart Real Estate Business Trust.
- **Filing Date:** March 13, 2020
- **Requested 5th CUP Amendment:** Allow for the exterior dark gray accents on the liquor store component, to be replaced with dark blue, as well as updating the liquor store signage.
- **Subject Property:** 18.9 acres @ 100 SE 29th Street, Grand Rapids, MN
Lot 1, Block 1, Plat of Wal-Mart Grand Rapids, Itasca County, Minnesota
- **Present Use of Property:** 187,443 s.f. Wal-Mart Retail Center.



CITY OF
GRAND RAPIDS
 IT'S IN MINNESOTA'S NATURE

CUP Amendment Request

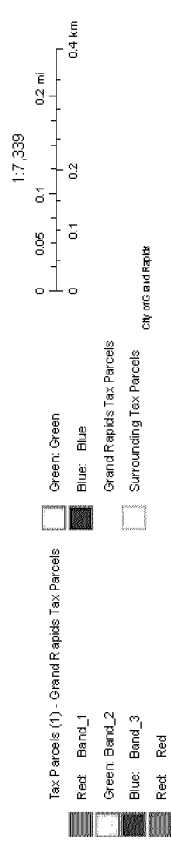
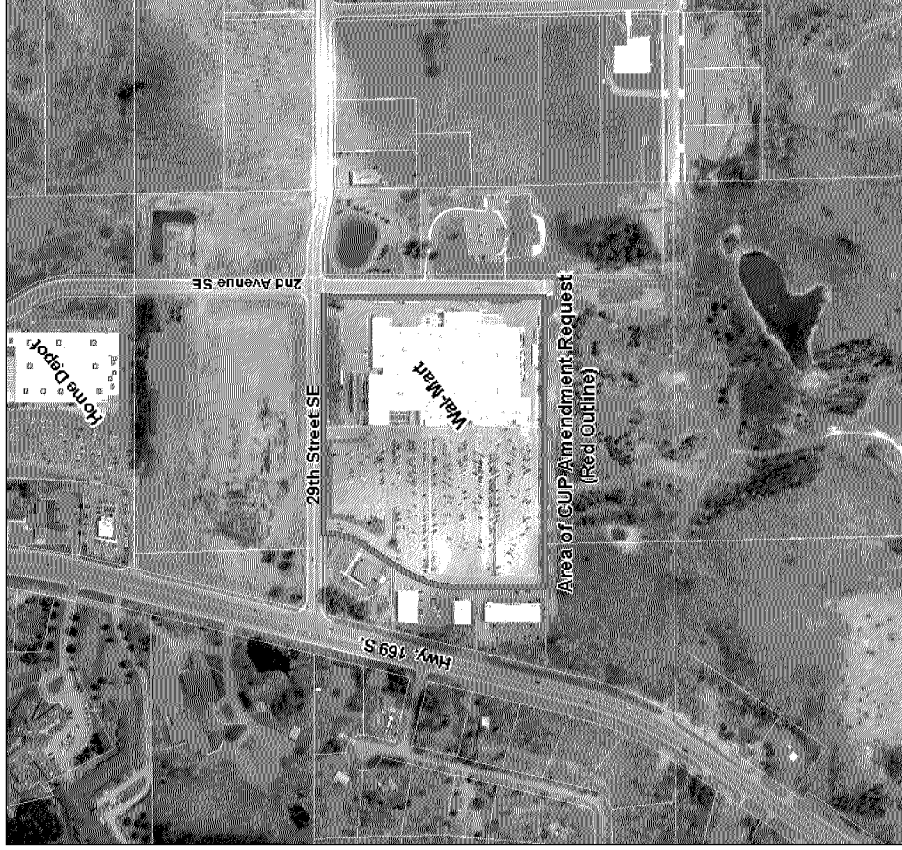
Subject Property:

- 100 SE 29th Street
- Store opened May 2008

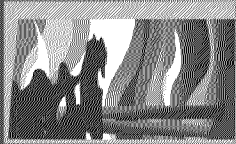
- Current Exterior Building



Wal-Mart CUP Amendment Request



City and County Engineering (Itasca County) City and County



CITY OF
GRAND RAPIDS
LET'S ENJOY MINNESOTA'S NATURE

CUP Amendment Request

History of Division 14 - Large Scale Commercial Development Standards:

In response to concern expressed during the 2004 Comprehensive Plan process, about their potential impact to the character of the community, the City developed design standards for the large scale retail general sales and service uses (buildings greater than 70,000 s.f.)

- The standards established this category of use as a conditional use in GB/SGB zoning districts, with specific architectural and site design standards geared toward ensuring that large scale commercial development is compatible with the unique built and natural environment of Grand Rapids.
- Generally, the proposed Large Scale Commercial Development Standards includes the following elements geared towards the integration of these types of developments within the context of the community:
 - Examination of the relationship of the proposed development with adjacent streets, businesses and neighborhoods and community features.
 - Parking and vehicle and pedestrian circulation.
 - Landscaping and Screening.
 - The incorporation of Community Spaces on the site.
 - Building Design Standards that play down size and provide a human scale.
 - Requires environmental review for building in excess of 125,000 s.f.
- The CUP Process allows for case specific public review/input into large scale retail projects.

Grand Rapids City Council Meeting



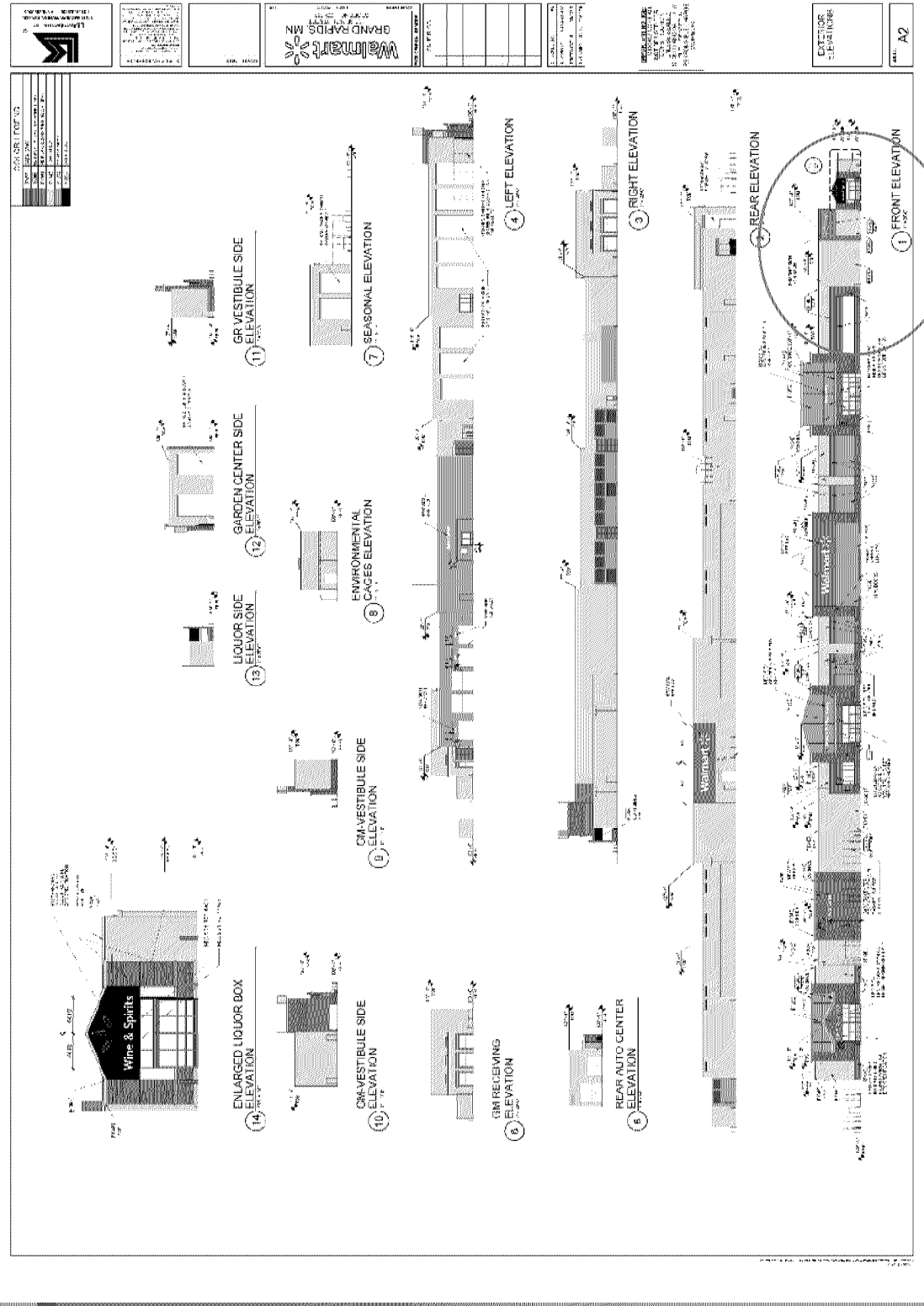
CITY OF
GRAND RAPIDS
 ITS IN MINNESOTA'S NATURE

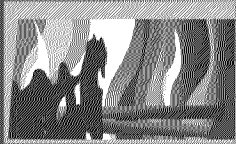
CUP Amendment Request

Proposed Exterior Building Color Changes

* Liquor Store Component only:

- exterior dark gray accents on the liquor store component, to be replaced with dark blue.

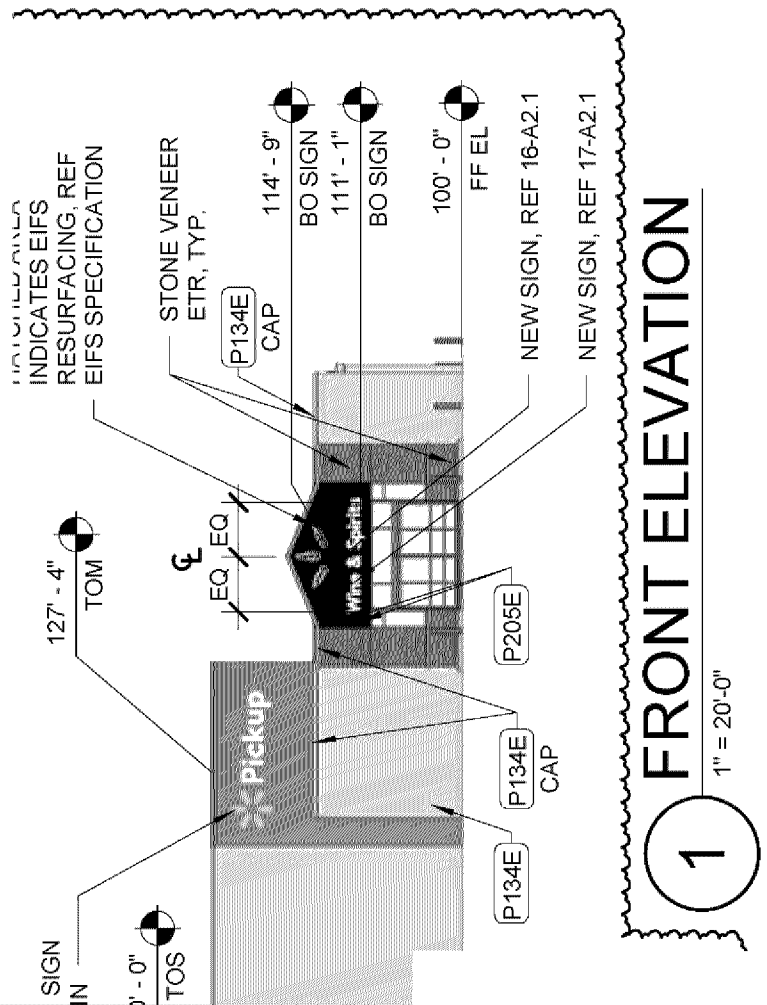




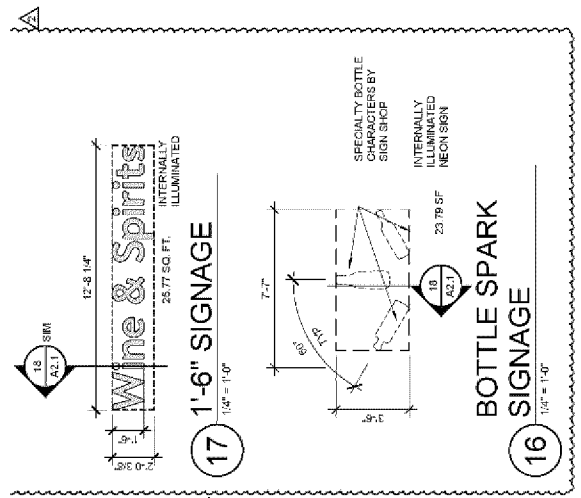
CITY OF
GRAND RAPIDS
 IT'S IN MINNESOTA'S NATURE

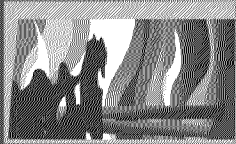
CUP Amendment Request

Proposed Exterior Signage Changes:
***Liquor Store Component only.**



1
FRONT ELEVATION
 1" = 20'-0"





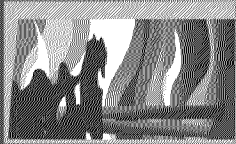
CITY OF
GRAND RAPIDS
ITS IN MINNESOTA'S NATURE

CUP Amendment Request

Relevant Sections of Division 14:

Section 30-903(1)b. Materials and colors

Materials and colors. Buildings shall incorporate high quality materials that provide long term durability and design appeal. Concrete cinder block and metal siding are prohibited on building facades that face public streets. Facade colors shall be low reflectance and subtle. High intensity colors are prohibited but complementary colors that accent primary colors are acceptable.



CITY OF
GRAND RAPIDS
 ITS IN MINNESOTA'S NATURE

CUP Amendment Request

Council member _____ introduced the following resolution and moved for its adoption:

RESOLUTION NO. 20-_____

A RESOLUTION GRANTING A FIFTH AMENDMENT TO A CONDITIONAL USE PERMIT, PREVIOUSLY APPROVED UNDER CITY RESOLUTION 06-130 FOR A WAL-MART SUPERCENTER, A GENERAL SALES AND SERVICE (GREATER THAN 70,000 SQ. FT. BUILDING FOOTPRINT) USE, LOCATED ON LOT 1, BLOCK 1, PLAT OF WAL-MART GRAND RAPIDS

WHEREAS, a petition was received from LK Architecture, on behalf of Wal-Mart Real Estate Business Trust on March 13, 2020 requesting an amendment to a Conditional Use Permit (CUP) previously approved by the City Council under Resolution #06-130, and amended under City Resolutions #07-08, #08-22, #17-106, and #19-99, and

WHEREAS, the amendment requested by Wal-Mart Real Estate Business Trust would allow for the exterior, dark gray accents on the liquor store component, to be replaced with dark blue, as well as updating the liquor store signage on the Wal-Mart building all on property legally described as:

Lot 1 Block 1, Plat of Wal-Mart Grand Rapids, Itasca County, Minnesota;

WHEREAS, the Planning Commission reviewed the request to amend the CUP and conducted a public hearing on this request on April 14, 2020, and all were heard who wished to speak on the matter; and

WHEREAS, the Planning Commission made certain findings, that the requested amendment to the CUP would meet the requirements of Section 30-531(e) and the Large Scale Commercial Design Standards, Division 14, of the City Zoning Ordinance contingent on the following condition:

1. That all previously imposed conditions under City Resolution No. s 06-130, 07-08, 08-22, 17-106, and 19-99 remain in effect.

WHEREAS, the City Council, upon review of the minutes, findings and conditions of the Planning Commission, accepts and specifically adopts the findings and recommendation of the Planning Commission; that the establishment, maintenance and operation of the use contemplated by the proposed amended CUP:

1. The amendment will not be detrimental to the public health, safety, morals or general welfare, as it is only changing the building color.
2. The amendment will not cause undue traffic congestion or hazards and will not result in a parking shortage;
3. The amendment will not be injurious to the use and enjoyment or result in a decrease in value of other property in the area, as the amendment is only related to building color.
4. The amendment will not impede the orderly development of other property in the area, but through Wal-Mart investing in their property/building, others may invest in their properties;
5. The amendment will not impose an excessive burden on parks and other public facilities and utilities;
6. ~~is consistent~~ with the Comprehensive Plan.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRAND RAPIDS, MINNESOTA that an amended Conditional Use Permit is granted to Wal-Mart Real Estate Business Trust to allow the proposed Wal-Mart SuperCenter, on property legally described as: Lot 1, Block 1, Plat of Wal-Mart Grand Rapids, Itasca County, Minnesota, as described above and listed within the CUP application, and additionally, subject to the condition listed above

Adopted by the Council this 27th day of April, 2020.

ATTEST:

 Date Adams, Mayor

Planning Commission Review:

- 4/14 - Public Hearing
- Recommended approval based on findings of fact; with the one condition that all previously imposed conditions under City Resolution No.'s 06-130, 07-08, 08-22, & 19-99 remain in effect.



CITY OF
GRAND RAPIDS
IT'S IN MINNESOTA'S NATURE

Questions?



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 20-1042 **Version:** 1 **Name:**
Type: Agenda Item **Status:** Passed
File created: 4/21/2020 **In control:** City Council
On agenda: 4/27/2020 **Final action:** 4/27/2020
Title: Consider adopting a resolution authorizing the City to make application to the MN Dept. of IRRR Commercial Redevelopment grant program for the VFW Post and Rose Building demolition project.

Sponsors:

Indexes:

Code sections:

Attachments: [VFW - Rose Building Commercial Redevelopment Grant Application Authorization Resolution](#)

Date	Ver.	Action By	Action	Result
4/27/2020	1	City Council		

Consider adopting a resolution authorizing the City to make application to the MN Dept. of IRRR Commercial Redevelopment grant program for the VFW Post and Rose Building demolition project.

Background Information:

On March 7, 2020, a structure fire began at 20 NE 3rd St. Grand Rapids, a multi-tenant downtown commercial building owned by Ms. Sherry Rose of Grand Rapids. The Grand Rapids Fire Department responded and called on multiple surrounding communities to provide aid. The fire spread to the neighboring building at 13 NE 3rd St., the VFW Ponti Peterson Post. Both buildings suffered irreparable damage before the fire was brought under control.

With all investigations complete, the demolition of the buildings are being expedited. The building owners have obtained quotes for the demolitions, which must occur concurrently due to their proximity. With the demolition costs exceeding insurance contributions that can be applied to those costs, a request from the MN IRRR Commercial Redevelopment grant program would request 50% of the quoted cost, or \$86,175.

Requested City Council Action:

Make a motion adopting a resolution authorizing the City to make application to the MN Dept. of IRRR Commercial Redevelopment grant program for the VFW Post and Rose Building demolition project.

CITY OF GRAND RAPIDS, MINNESOTA
RESOLUTION NO. 17-

STATE OF MINNESOTA)
COUNTY OF ITASCA)
CITY OF GRAND RAPIDS)

**RESOLUTION AUTHORIZING THE CITY TO MAKE APPLICATION TO THE
IRRRB COMMERCIAL REDEVELOPMENT GRANT PROGRAM FOR THE VFW
POST AND ROSE BUILDING EMERGENCY DEMOLITION PROJECT**

WHEREAS THE Grand Rapids City Council approves of the above application, because it supports community and economic development that is consistent with the Comprehensive Plan.

NOW THEREFORE BE IT RESOLVED that the City Council of Grand Rapids, Minnesota does hereby adopt this resolution.

Upon vote taken thereon, the following voted:

For:

Against:

Whereupon said Resolution No. _____ was declared duly passed and adopted this 27th day of April, 2020

Mayor

Attest: _____
City Clerk



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 20-1043 **Version:** 1 **Name:** CP 2015-3 State of MN indemnity agreement
Type: Agenda Item **Status:** Passed
File created: 4/21/2020 **In control:** City Council
On agenda: 4/27/2020 **Final action:** 4/27/2020
Title: Consider approving an indemnification agreement with the State of MN for CP 2015-3
Sponsors:
Indexes:
Code sections:
Attachments: [GR Indemnity](#)

Date	Ver.	Action By	Action	Result
4/27/2020	1	City Council		

Consider approving an indemnification agreement with the State of MN for CP 2015-3

Background Information:

CP 2015-3, Highway 2 West Trail, involves the construction of a multi-use trail partially within MnDOT right of way. The City Council previously approved a Limited Use Permit with the State of Minnesota, but before this permit can be finalized, and Indemnification Agreement must be approved. This agreement covers the liability of a City owned trail within the States right of way. Attached is said agreement.

Staff Recommendation:

Public Works Director/City Engineer, Matt Wegwerth, recommends approving an indemnification agreement with the State of MN for CP 2015-3

Requested City Council Action

A motion approving an indemnification agreement with the State of MN for CP 2015-3

**INDEMNIFICATION AGREEMENT
TO INDEMNIFY THE STATE OF MINNESOTA,
DEPARTMENT OF TRANSPORTATION**

THIS AGREEMENT is made by the City of Grand Rapids, Minnesota (“City”), to the Minnesota Department of Transportation.

WHEREAS, City has submitted to the Minnesota Department of Transportation (“DOT”) an application for a permit to occupy a portion of the DOT’s legal right-of-way for purposes of constructing and maintaining a bicycle and pedestrian trail along with a retaining wall, the location of which is attached hereto as Exhibit “A”; and

WHEREAS, to secure the permit, DOT has requested the City install a fence along the top of the retaining wall, or in the alternative, supply the DOT an indemnification agreement;

NOW, in consideration of the actions by City to secure a permit for construction and maintenance of the pedestrian/bike path and retaining wall, City enters into the following indemnification agreement:

1. Liability, Loss or Damage. City hereby undertakes to fully indemnify DOT, their officers, agents and employees, of and from any damages or injury to persons or property in any claim or suit seeking to impose liability on DOT, their officers, agents and employees, arising out of any and all claims, demands, costs or judgments of any type and any act of omission of City or City’s contractor, agent, servant, employee or other person engaged or employed in conjunction with the subject of the permit, or the condition of the land subject to the permit, or any actions taken by them pursuant to or in violation of the permit, with or without the approval or consent of DOT, including but not limited to a failure of City to comply with the permit or any and all pertinent statutes, ordinances, regulations or other requirements of any governmental authority in connection with the permit of the subject hereof, it being the intent of this provision to absolve and protect the State of Minnesota, their officers, agents, and employees from any and all loss by reason of this permit.

2. Requirement of Notice. City agrees to notify DOT, in writing, within ten days of any and all claims made against City which pertain to the subject of the permit.

3. Obligation to Defend Claims. City, upon request of the DOT, agrees to defend, or pay and provide for the reasonable cost of such defense, including attorney’s fees, the State of Minnesota, their officers, agents and employees, against any and all claims brought or actions filed against the State, either as an original or an additional defendant, with respect to the subject of the indemnity contained herein, whether such claim is rightfully or wrongfully brought or filed.

4. Reimbursement of Expenses. City agrees to reimburse the DOT for any necessary expenses, attorney’s fees or costs incurred in the enforcement of any part of this

indemnification agreement within ninety (90) days after receiving written notice that the State has incurred them.

5. Duration. The obligations of City under this Agreement to indemnify DOT will commence upon the date of execution and will continue throughout the term of the permit. This Indemnification Agreement must be renewed any time the permit is renewed or extended, and the terms and obligations of this agreement will survive termination, cancellation or termination of the same.

6. Severability. If any section of this agreement is found to be invalid by any court of competent jurisdiction, such finding will not render the rest of this agreement invalid.

IN WITNESS WHEREOF the undersigned have set their hands this ____ day of _____, 2020.

CITY OF GRAND RAPIDS

By: _____

Its: _____

By: _____

Its: _____



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 20-1048 **Version:** 1 **Name:**
Type: Agenda Item **Status:** Passed
File created: 4/21/2020 **In control:** City Council
On agenda: 4/27/2020 **Final action:** 4/27/2020
Title: Consider entering into a Purchase Agreement with Voran108 Prop, LLC and authorizing payment of the \$5,000 in earnest money.

Sponsors:

Indexes:

Code sections:

Attachments: [City-Voran108 PA \(final\)](#)
[Voran 108 parcel map](#)

Date	Ver.	Action By	Action	Result
4/27/2020	1	City Council		

Consider entering into a Purchase Agreement with Voran108 Prop, LLC and authorizing payment of the \$5,000 in earnest money.

Background Information:

In the recent months, the City has been planning for a possible decision by the Itasca County Board choosing a westward expansion of the Courthouse, across 1st Ave. NE, as the preferred location for the needed new jail facility. As you know, that location would require the relocation of the Grand Rapids Fire Hall.

In preparation for that possible action, the Fire Department and Administration have examined the present and future needs of a new fire hall site. Those considerations included, but were not limited to location, highway access, on-site parking needs, storage of apparatus and equipment, and circulation of apparatus on the site for a facility with drive-through bays.

Those criteria and a search of vacant properties lead to a negotiation with Voran108 Prop, LLC, owner of a vacant parcel on the south side of the 100 block of 11th St. SE. Voran108 is also the owner of the adjacent property that contains the Grand Square Shopping Center.

The proposed Purchase Agreement would have the City purchase a 2-acre portion of the Lot 2, Block 1 of the plat of One Sixty Nine Business Center for a fair market value price of \$220,000, with an earnest money deposit of \$5,000, applied to the purchase price at closing.

The Purchase Agreement stipulates that the City's purchase of the property is contingent upon the simultaneous sale and closing of the existing Grand Rapids Fire Hall to Itasca County.

Requested City Council Action

Make a motion entering into a Purchase Agreement with Voran108 Prop, LLC and authorizing payment of the \$5,000 in earnest money.

PURCHASE AGREEMENT

This Purchase Agreement is dated April 27, 2020 (“Effective Date”), by and between Voran108 Prop LLC, a Minnesota limited liability company (“Seller”), located at 3435 Labore Road, #150, Vadnais Heights, Minnesota, and the City of Grand Rapids (“City” or “Buyer”), a Minnesota municipal corporation located at 420 No. Pokegama Avenue, Grand Rapids, Minnesota.

- 1. Sale Price.** Seller agrees to sell to Buyer, for the sum of \$220,000 and other valuable consideration, the following property:

Lot 2 of Block 1 of the plat entitled One Sixty Nine Business Center, City of Grand Rapids, Itasca County, Minnesota, less that portion lying west of the following line: Commencing at the southwest corner of said Lot 2, thence N 89 degrees 59 minutes 46 seconds East along the south line of said Lot 2 a distance of 25.00 feet to the point of beginning; thence N 00 degrees 30 minutes 17 seconds East a distance of 137.07 feet more or less to intersect the boundary of said Lot 2 and there terminating.

Said purchase price shall include all improvements, fixtures and appurtenances on the property, which shall be transferred with no additional monetary value, free and clear of all liens and encumbrances. Buyer has negotiated this sale in lieu of using its condemnation authority.

- 2. Earnest Money.** Within three (3) days of the Effective Date, the Buyer shall deposit Five Thousand and no/100 dollars (\$5,000.00) with the Seller as consideration for Seller entering into this Purchase Agreement (“Earnest Money”). The Earnest Money shall be non-refundable except as specifically provided below. The Earnest Money shall be applied to the Sale Price on the Closing Date.
- 3. Personal Property.** There is no personal property to be transferred to Buyer as part of this transaction.
- 4. Deed/Title.** Subject to performance by Buyer, Seller hereby agrees to execute and deliver to Buyer a Warranty Deed conveying marketable title to the Property subject only to the following exceptions:
 - (1) Building and zoning laws, ordinance, state and federal regulations;
 - (2) Restrictions relating to use or improvement of the Property without effective forfeiture provision;
 - (3) Reservation of any minerals or mineral rights to the State of Minnesota;
 - (4) Utility and drainage easements which do not interfere with present improvements; and
 - (5) Covenants, conditions, restrictions and easements of record, if any.

- 5. Real Estate Taxes/Assessments.** Real estate taxes due and payable in the year of closing shall be prorated between Seller and Buyer on a calendar year basis to the actual date of closing unless otherwise provided in this Purchase Agreement. Real estate taxes, including penalties, interest, and any associated fees, payable in the years prior to closing shall be paid by Seller. Buyer and Seller shall prorate, as of the date of closing, all installments of special assessments certified for payment with the real estate taxes due and payable in the year of closing. As Buyer is a municipal corporation there will be no taxes or assessments levied following the sale of the property.
- 6. Expenses.** Except as stated below, all expenses related to the use, maintenance and occupancy of the Property prior to the closing shall be paid by Seller. It shall be assumed the Buyer will own the Property for the entire date of the closing.
- 7. Damage to the Property or Eminent Domain.** If there is any loss or damage to the Property between the date hereof and the date of closing, the risk of loss shall be on the Seller. If the Property is destroyed or substantially damaged before the closing, Buyer may, at Buyer's option, terminate this Purchase Agreement in accordance with paragraph 9 below. If eminent domain proceedings are commenced prior to the Closing against all or any part of the Property, Seller shall immediately give written notice to Buyer, and Buyer shall have the right, at its option, to terminate this Agreement in accordance with paragraph 9 below.
- 8. Examination of Title.** Seller shall, at Seller's cost, within a reasonable time after acceptance of this Agreement, furnish an Abstract of Title or a Registered Property Abstract, certified to date to include proper searches covering bankruptcies, state and federal judgments, liens and levied and pending special assessments or a title commitment for an ALTA 2006 Owner's Policy of Title Insurance, in the amount of the Sale Price, insuring Buyer's title to the Property. Seller shall use Seller's reasonable efforts to provide fee simple marketable title subject only to the exceptions identified in Paragraph 4 above by the Closing Date. If Seller has not provided marketable title by the Closing Date, (a) Seller shall have an additional 30 days to make title marketable; or (b) Buyer may waive title defects by written notice to Seller; and (c) in addition to the 30-day extension, Buyer and Seller may agree to further extend the Closing Date. Lacking an extension or waiver by Buyer, or upon the expiration of the extension, either party may declare this Purchase agreement canceled by written notice to the other party, in which case this Purchase Agreement is canceled.
- 9. Cancellation or Termination of the Purchase Agreement.** If the Buyer fails to cure the breach of a Buyer obligation in the manner provided in this Purchase Agreement, Seller may cancel this Purchase Agreement with notice required by Minn. Stat. 559.21. Buyer may, in its sole discretion, terminate this Purchase Agreement prior to closing for any reason by giving Seller written notice. If Buyer terminates the Purchase Agreement due to Seller's breach of a Seller obligation under the Purchase Agreement, then the Seller shall refund the Earnest Money to Buyer.
- 10. Closing Date/Possession.** Closing shall occur on or before June 30, 2020, or at such other date as may be agreed to by the parties in writing ("Closing Date"). Closing shall take place at the offices of a third-party closing company selected by Buyer, or at such other

location as may be mutually agreeable in writing to the parties. Seller shall deliver possession of the Property on the date of closing.

11. Contingency: Buyer's purchase of the Property is contingent upon the simultaneous sale and closing of the existing Grand Rapids Fire Hall to the County of Itasca.

12. Seller's Obligations at Closing. At the Closing, Seller shall deliver to Buyer a duly executed warranty deed in recordable form, conveying to Buyer fee simple marketable title to the Property and all rights appurtenant, free and clear of all mortgages, liens and encumbrances not listed in Paragraph 4 above, together with a seller's affidavit, FIRPTA affidavit, evidence as to the authority of the persons executing documents on behalf of Seller, well certificate and all other documents reasonably necessary to consummate the transaction contemplated by this Purchase Agreement.

13. Buyer's Obligations at Closing. At the Closing, Buyer shall pay to Seller the full amount of the Sale Price, as increased or decreased by prorations or adjustments set forth in this Agreement, and shall deliver to Seller all other documents reasonably necessary to consummate the transaction contemplated by this Agreement.

14. Closing Costs. Seller and Buyer agree to the payment of costs in connection with the Closing as follows: (a) Seller and Buyer each will pay one-half of any reasonable and customary closing fees or charges imposed by the third-party closing company for closing the transaction; (b) Seller shall pay all state deed tax for the recording of the deed; (c) Seller shall pay the cost of recording all documents necessary to place record title in the condition warranted by Seller in this Agreement and Buyer will pay the cost of recording the deed conveying the Property to Buyer; and (d) any other costs required to be paid by Buyer or Seller by Closing pursuant to this Agreement.

15. Representations and Warranties. There are no representations or warranties made with regard to the Property except as set out in this Purchase Agreement or any attached Addenda to the Agreement.

16. Time. Time is of the essence for all provisions of this contract.

17. Survival. All of the warranties, representation and covenants of this Agreement shall survive and be enforceable after the closing.

18. Successor and Assigns. All provisions of this Agreement shall be binding on the new Buyer's and Seller's successors and assigns.

19. Entire Agreement. This Purchase Agreement constitutes the complete agreement between the parties regarding the purchase and sale of the Property and supersedes any prior oral or written agreements between the parties regarding the purchase and sale of the Property. There are no verbal agreements that change this Purchase Agreement. No waiver of any term of this Agreement will be effective unless in writing executed by the parties. The signatories to this Agreement represent that they are authorized to execute this Agreement.

20. Seller's Warranties:

- (a) Seller does not know of a private sewer system on or serving the property.
- (b) This Purchase Agreement is not subject to a private sewer and well inspection addendum.
- (c) Seller does not know of any hazardous substances or underground storage tanks located on the property.
- (d) Seller represents that it is the fee owner of the Property.
- (e) Seller warrants that it has received no notice of any action, litigation, investigation or proceeding of any kind pending neither against Seller, nor to the best of Seller's knowledge is any action, litigation, investigation, or proceeding pending or threatened against the Subject Premises, or any part thereof.
- (f) All labor or material which has been or will be furnished to the Property have been fully paid for or will be fully paid for prior to the Closing so that no lien for labor or material rendered can be asserted against the Property.

21. 18. Brokerage Commissions. Seller and Buyer each represent and warrant that it has not been involved with any real estate brokers or agents on its behalf in connection with the transaction contemplated under this Purchase Agreement and that no commissions or costs are owed or being paid to any real estate broker or agent in connection with this transaction. Seller and Buyer agree to indemnify and hold harmless the other party from any loss, liability, cost, damage or expense resulting from, or relating to, the breach of its representation under this Paragraph and any claim for real estate commissions or costs resulting from the indemnifying party's actions in connection with this transaction not provided for above. These obligations of Seller and Buyer shall survive Closing or any termination of this Agreement.

22. Miscellaneous:

- (a) This Agreement represents the complete and final agreement of the parties regarding sale of the Property and supersedes any prior oral or written understanding. This Agreement may be amended only by a writing executed by both parties. This Agreement shall be binding on the parties hereto, their successors and assigns.
- (b) Buyer and Seller represent and warrant that the recitals contained herein are true and accurate as of the date of execution of this Agreement.
- (c) All notices required hereunder shall be given by depositing in the U.S. mail, postage prepaid, certified mail, return receipt requested, to the following addresses (or such other addresses as either party may notify the other)

To the Buyer: City of Grand Rapids
 Attn: Tom Pagel, City Administrator
 420 No. Pokegama Ave.
 Grand Rapids, MN 557644

To the Seller: Vorán 108 Prop LLC
 Attn: Mary Borndale, Manager
 3435 Labore Road, #150
 Vadnais Heights, MN 55110

23. Effective Date of Agreement. This Agreement shall become effective and shall be binding upon the parties hereto only after it has been executed by each of the parties hereto.

[Remainder of page intentionally blank; signature page follows]

SELLER:
VORAN 108 PROP LLC

BUYER:
CITY OF GRAND RAPIDS

Seller Date

Buyer Date

Seller Date

Buyer Date





CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 20-1049 **Version:** 1 **Name:** 2020 Seasonal Golf Staff Approval
Type: Agenda Item **Status:** Passed
File created: 4/22/2020 **In control:** City Council
On agenda: 4/27/2020 **Final action:** 4/27/2020
Title: Consider approving 2020 Seasonal Golf Staff

Sponsors:

Indexes:

Code sections:

Attachments: [2020 Seasonal Employees -Wages](#)

Date	Ver.	Action By	Action	Result
4/27/2020	1	City Council		

Consider approving 2020 Seasonal Golf Staff

Background Information:

Unexpectedly, Minnesota golf courses were allowed to open (with special restrictions), on April 18. The announcement came at 2:00 PM on April 17. This resulted in the immediate need for some of our golf staff to begin employment without council approval.

City Administrator Tom Pagel in consultation with City Attorney Chad Sterle authorized approval of non-council approved employees.

Each individual employees status change form will indicate their actual starting date. Today's request will indicate that the list of employees submitted

shall start employment no sooner than April 17, 2020 and end employment no later than October 31, 2020.

Staff Recommendation:

Approve seasonal employment at Pokegama Golf Course for those listed in the attached document. Employment to begin no sooner than April 17, 2020

and end no later than October 31, 2020.

Requested City Council Action

Make a motion to approve seasonal employment at Pokegama Golf Course for those listed in the attached document. Employment to begin no sooner than April 17, 2020

(see background information for explanation) and end no later than October 31, 2020. Funded by the 2020 Pokegama Golf Course approved budget.

EmpINum	EmpIFName	EmpILName	DeptCd	Column1	Column2
0345	KENT W	BARIL	030	14.75	Maintenance
0365	KIRK P	SKELLY	030	12.75	Cashier
0368	JUDITH M	TAYLOR	030	10.75	Cashier
0393	CLINTON A	DEANS	030	11.25	Maintenance
3334	SHARI L	HUSON	030	12.75	Cashier
3336	REED C	KOTTKE	030	11.5	Cashier
3337	EMMA J	PETERMEIER	030	11.5	Cashier
3348	MICHAEL F	KLABOUGH	030	12.75	Cashier
3349	PAUL R	JENSEN	030	10.25	Maintenance
3354	DREW D	KUSCHEL	030	10.25	Outdoor services
3355	HUNTER P	SELEDIC	030	10.36	Maintenance
3356	KATHLEEN B	PETERMEIER	030	10.5	Cashier
3357	DOMINIC J	PROVINZINO	030	10.25	Maintenance
3358	DAVID L	OLSEN	030	10.25	Maintenance
3359	FRANK T	GANGI	030	10.25	Maintenance
3360	NICOLAS J	LANGLOIS	030	10.25	Maintenance
3361	DENALI M	JOHNSON	030	10.25	Cashier
3362	ASHLEY M	BUELL	030	11	Maintenance
3363	BELLA C	CARLSTROM	030	10.25	Cashier
3364	ROBERT J	LEPAK	030	10.25	Outdoor services
3365	MACKENZIE R	HEBEISEN	030	10.25	Outdoor services
3366	KADA A	PUDDICOMBE	030	10.25	Outdoor services
3368	ZACHARY T	LAGERGREN	030	10.25	Outdoor services
3369	EMILY J	YEAGER	030	10.25	Outdoor services
	Richard	Dokken			Outdoor services
	Austin	Fowler		10.25	Outdoor services



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 20-1052 **Version:** 1 **Name:** On-Sale license refund
Type: Agenda Item **Status:** Passed
File created: 4/22/2020 **In control:** City Council
On agenda: 4/27/2020 **Final action:** 4/27/2020
Title: Consider approving request by the Grand Rapids VFW for a prorated refund of On-Sale Club Liquor License for 2020.

Sponsors:

Indexes:

Code sections:

Attachments: [VFW Refund Request](#)

Date	Ver.	Action By	Action	Result
4/27/2020	1	City Council		

Consider approving request by the Grand Rapids VFW for a prorated refund of On-Sale Club Liquor License for 2020.

Background Information:

On March 7, 2020, the Grand Rapids VFW suffered severe damage due to a structure fire, requiring the establishment to relocate and suspend alcohol services. Hugh Quinn, VFW Commander, has submitted a request to have the liquor license fees refunded at a prorated amount of \$487.50. Commander Quinn's letter is attached for your review.

Staff Recommendation:

Approve prorated refund for \$487.50.

Requested City Council Action

Make a motion authorizing a prorated refund to the Grand Rapids VFW in the amount of \$487.50.

To: City of Grand Rapids MN
Administration Licensing and Permits

From: VFW Post 1720
14 NW 3rd St
Grand Rapids, MN

Due to a fire on March 7, 2020, we will no longer have liquor sales at our location. We are requesting that our liquor license be suspended as of that date and any prorated funds from the license be sent to our temporary location at:

VFW Post 1720
10 NW 3rd St
Grand Rapids, MN 55744

We will not be selling any liquor at our temporary location. Thank you for consideration.

A handwritten signature in black ink, appearing to read "H.D. Quinn", with a horizontal line extending to the right.

HUGH D. QUINN, Commander
VFW Post 1720



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 20-1051 **Version:** 1 **Name:** Board & Commission minutes
Type: Minutes **Status:** Approved
File created: 4/22/2020 **In control:** City Council
On agenda: 4/27/2020 **Final action:** 4/27/2020
Title: Review and acknowledge minutes for Boards & Commissions.
Sponsors:
Indexes:
Code sections:
Attachments: [March 16, 2020 Golf Board minutes](#)

Date	Ver.	Action By	Action	Result
4/27/2020	1	City Council		

Review and acknowledge minutes for Boards & Commissions.

GRAND RAPIDS GOLF COURSE BOARD
REGULAR MONTHLY MEETING
March 16, 2020
Email Contacts for Bill Approval

Present: Rick McDonald, Larry O'Brien, John Bauer, Brad Gallop
Absent: Kelly Kirwin
Staff: Bob Cahill Director of Golf

- I. March 17, 2020 meeting cancelled due to precautions over CV19.
- II. Minutes of February meeting will be approved at a later date.
- III. Consideration of monthly bills: All members were requested to approve bills via email. Four of the five members responded with approval to pay the bills. One member did not respond. Bills approved.

AT&T MOBILITY	54.32
AMERICAN BANK	119.80
BURGGRAF'S ACE HARDWARE	136.74
CHAMBER OF COMMERCE	125.00
CITY OF COHASSET	349.75
DAVIS OIL INC	81.00
GOLFNOW G1 LLC	1,175.63
GRAND RAPIDS CITY PAYROLL	6,649.38
GROOMS YARD SERVICES	400.00
L&M SUPPLY	389.76
MIDWAY REPAIR	252.49
MINNESOTA REVENUE	96.73
MINNESOTA TORO 2	2,748.80
NEXTERA COMMUNICATIONS LLC	3.72
OPERATING ENGINEERS LOCAL #49	1,527.00
P.U.C.	1,198.11
ROSS GOLF COURSE	4,648.67
STOKES PRINTING & OFFICE	52.87
TDS Metrocom	182.95
214 PROPERTIES, LLC	1,800.00
UNUM LIFE INSURANCE CO OF AMER	2.05
VISA	332.00
TOTAL ALL VENDORS:	22,326.77

- IV. Visitors: No meeting.
- V. Grounds Superintendent: No meeting.
- VI. Concessions: No meeting.
- VII. Director of Golf: No meeting.

VIII. Old Business: No meeting.

IX. New Business: No meeting.

X. Correspondence and Open Discussion: No meeting.

XI. Adjourn: No meeting.

Respectfully Submitted,

Larry O'Brien
Recording Secretary



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #:	20-1044	Version:	1	Name:	A sample listing of the uses permitted by right in the requested I-1 zoning district are as follows:
					<ul style="list-style-type: none"> • auto-truck fleet storage, group homes/foster homes and residential treatment centers 7 + persons, general warehouse, mini-storage, motor freight te
Type:	Public Hearing	Status:			Passed
File created:	4/21/2020	In control:			City Council
On agenda:	4/27/2020	Final action:			4/27/2020
Title:	Conduct a public hearing to consider the rezoning of 1.2 acres of land from R-1 (One-Family Residential) to I-1 (Industrial Park).				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	North Homes Zoning Map Amendment Request: Maps 1 & 2 North Homes: Application w/attachments PowerPoint North Homes: Public Hearing-CC Mtg.				

Date	Ver.	Action By	Action	Result
4/27/2020	1	City Council		
4/27/2020	1	City Council		

Conduct a public hearing to consider the rezoning of 1.2 acres of land from R-1 (One-Family Residential) to I-1 (Industrial Park).

Background Information:

North Homes Inc. filed an application for a Zoning Map Amendment with the City on March 10, 2020. The application requests the City’s consideration of the rezoning of the following described property from its current R-1 (One-Family Residential) designation to that of I-1 (Industrial Park):

REV DESC NO 4 OF LOT 3, SECTION 27, TOWNSHIP 55N, RANGE 25W, ITASCA COUNTY, MINNESOTA

The petition submitted by North Homes Inc., involves 1.2 acres of land adjacent to/and east of their Residential Treatment Cottage at: 1920 River Road, and is generally located on the south side of River Road/CSAH 3, approximately 130’ west of 20th Avenue SE (*see map #1*). Map #1 illustrates the subject property in relation to the existing zoning in the area: I-1 (Industrial Park) adjacent to the west, R-1 to the north and east, and AP (Airport) zoning to the south.

The Zoning Map Amendment, if approved, would allow for a portion of North Homes proposed wellness center, and associated parking lot expansion, to take place on a portion of subject property, as part of a greater expansion of North Homes services at the subject site.

As described within Section 30-454 *Amendments/rezoning procedures*, of the Municipal Code (*see below*), review of a site plan, depicting a future use of the requested property to be rezoned from that of a residential district to that of a commercial district is required.

(e) Site plan review required for rezoning from residential to commercial districts when adjacent to existing R-1 or R-2 districts. *When property is rezoned from a residential district to a commercial district and is adjacent to existing*

R-1 and R-2 districts, the application shall be accompanied by a site plan as stipulated by Section 30-456. The site plan shall emphasize additional screening and buffering of conflicting land uses in the areas directly adjacent residential uses. The screening and buffering requirements are beyond what is required by section 30-512 and section 30-594.

Exhibit No. 1, provided with the rezoning petition, depicts a future layout of a portion of the subject property; parking lot (23 stalls) with access points from the north (River Road) and west parking area added, 6 ft. privacy fence along the eastern (200 ft.) side of the property, and bufferyard trees added to the eastern (200 ft.) side of the property. (the remaining 270 ft. +/- of the eastern property line is vegetated, and will remain undisturbed)

	Type "E"+ Bufferyard*	Proposed Site Plan
Canopy Trees	1	2
Understory/Evgreen Trees	6	12
Shrubs	10	24
Fence	Required**	6' privacy fence

*required plant material per 100 linear feet

**In addition to the parking lot fence requirements for a type E bufferyard, a fence shall be required only on the common lot line(s) or lot lines adjacent to an alley, but shall not extend into the required front yard. The fence shall have an opacity of not less than 90 percent, and shall be six feet high, unless otherwise required in this article.

+where I-1 zoned property abuts Residential zoned property Type "E" bufferyard is required for the minimum landscaping requirements

A sample listing of the uses permitted by right in the requested I-1 zoning district are as follows:

- auto-truck fleet storage, group homes/foster homes and residential treatment centers 7 + persons, general warehouse, mini-storage, motor freight terminal, water sewage treatment, treatment, power substations, neighborhood parks, industrial- monument work/sales, light manufacturing, heavy manufacturing, light and heavy industrial activities (not listed), recycling center, wholesale distribution facilities, and testing or research facilities.

A sampling of other uses permitted in I-1 with additional restrictions includes:

- daycare/nursery-14 or less persons and 15 or more persons, temporary buildings, contractor's yard, and materials storage.

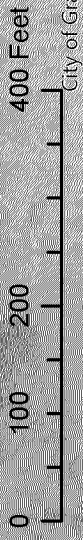
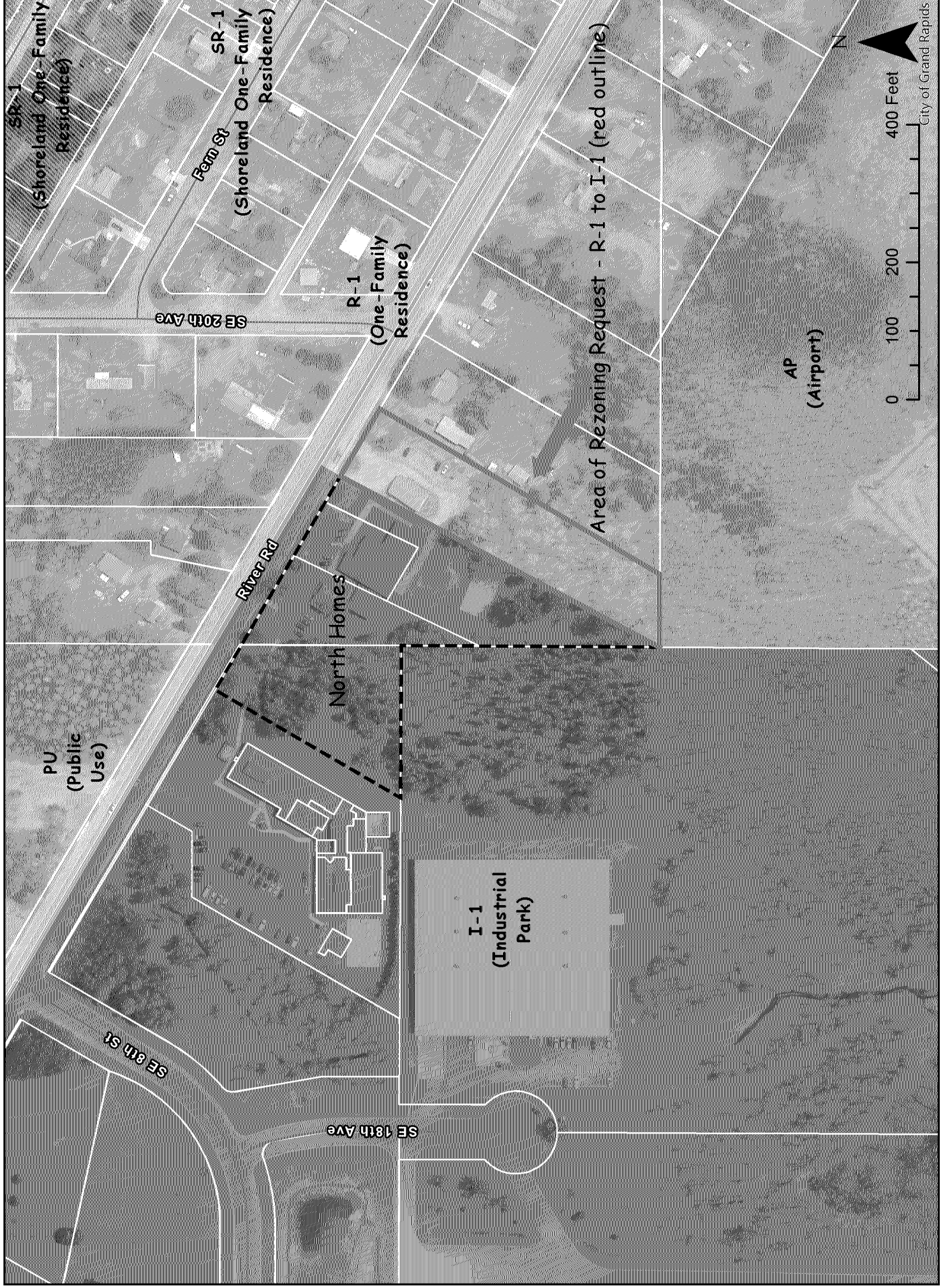
The Future Land Use map contained within the Comprehensive Plan (see map #2) shows the subject property located within a slightly larger area indicated as future "Institutional/Civic", which is described as having "larger public or semi-public campus- style institutions that provide a public service or need. Primary Land Uses: Religious, educational, and governmental institutions. Secondary Land Uses: Multi-family residential that is related to the institutional use.

The Planning Commission reviewed the Zoning Map Amendment petition at their April 14, 2020 regular meeting, and, based on their findings, which are incorporated into the draft ordinance, forwarded a recommendation for approval of the petitioned Zoning Map Amendment.

Requested City Council Action

Conduct a public hearing to consider the rezoning of 1.2 acres of land from R-1 (One-Family Residential) to I-1 (Industrial Park).

North Homes Zoning Map Amendment Request (R-1 to I-1) MAP #1



City of Grand Rapids

North Homes Zoning Map Amendment Request (Future Land Use)





Petition for Rezoning (Zoning Map Amendment)

Community Development Department
 420 North Pokegama Ave.
 Grand Rapids, MN 55744
 Tel. (218) 326-7601 Fax (218) 326-7621
 Web Site: www.cityofgrandrapidsmn.com

The undersigned do hereby respectfully request the following be granted by support of the following facts herein shown:

North Homes Inc (Laurie Meyer)
 Name of Applicant
303 SE First Street
 Address
Grand Rapids Mn 55744
 City State Zip
218-244-4552
 Business Telephone/e-mail
laurie.meyer@northhomes.org

North Homes Inc.
 Name of Owner (if other than applicant)
1880 River Road
 Address
Grand Rapids Mn 55744
 City State Zip
218-244-4552
 Business Telephone/e-mail

Parcel Information:

Tax Parcel # 91-027-1211 Property Size: 1.19 Acres
 Existing Zoning: R1 One Family Residential Requested Zoning: I-1 Industrial Park
 Existing Use: STORAGE GARAGE AND STAFF PARKING AREA
 Proposed Use: STORAGE GARAGE AND FORMAL PARKING LOT AREA
 Property Address/Location: 1926 River Road, Grand Rapids, Mn, 55744
 Legal Description: REV DESC NO 4 OF LOT 3 (Sec 27 Township 055 Range 25)
 (attach additional sheet if necessary)

I (we) certify that, to the best of my(our) knowledge, information, and belief, all of the information presented in this application is accurate and complete and includes all required information and submittals, and that I consent to entry upon the subject property by public officers, employees, and agents of the City of Grand Rapids wishing to view the site for purposes of processing, evaluating, and deciding upon this application.

Laurie Meyer
 Signature(s) of Applicant(s)
Corporate Secretary
North Homes, Inc.

2-27-20
 Date

Signature(s) of Owner(s)-(if other than applicant)

Date

Office Use Only

Date Received 3/10/2020 Certified Complete 3/13/2020 Fee Paid \$505-

Planning Commission Recommendation Approved _____ Denied _____ Meeting Date 4/1/20
 City Council Action Approved _____ Denied _____ Meeting Date _____

Summary of Special Conditions of Approval: _____

Required Submittals (5 copies of each & electronic versions of all pertinent information):

- Application Fee - \$505.00 *1 Location Map Map Showing Surrounding Zoning
 Proof of Ownership – (a copy of a property tax statement or deed will suffice)

*1The application fees charged are used for postage to mail the required notices to adjacent properties, publication of the public hearing notice in the Grand Rapids Herald Review, and for a small portion of staff time for case review and preparation of documents. It is the policy of the City of Grand Rapids to require applicants for land use approvals to reimburse the City for costs incurred by the City in reviewing and acting upon applications, so that these costs are not borne by the taxpayers of the City.

Justification of Proposed Rezoning: Please answer all of the following questions (attach additional pages if needed). The Planning Commission will consider these questions and responses, and other issues (see attached list) in making their findings of fact and recommendation on the proposed rezoning.

A. What are the Surrounding land uses? Describe the existing uses and zoning classifications in the area surrounding the subject property.

North Homes Residential Treatment Cottage parcel 91-027-1709 which is zoned "Ind". Neighboring other side of property is a residential home. Across street (River Road) is residential neighborhood entrance.

B. Would the uses permitted by the proposed zoning map change be appropriate for the surrounding area?

Yes. This property is currently used for a maintenance shop and staff overflow parking on sand ground. we would leave the garage as is but add blacktop parking spaces to accommodate staff and visitors parking.

C. Is the property adequately served by public infrastructure (streets, sidewalks, utilities, etc)?

Yes.

D. Demonstrate the need for additional property in the proposed zoning district.

North Homes will be building a new PRIF facility and Wellness Center on our current property coded "Ind". This would allow the parking spaces needed to accommodate the new expansion next door.

E. What effect will the proposed rezoning have on the growth and development of existing neighborhoods, other lands in the proposed district, commercial and industrial neighborhoods? _____

None. The adjoining neighbor currently has a fence between his property and the garage parking space. We would keep the fence in place so they would not realize any change in usage.

F. Demonstrate that the proposed rezoning is the minimum change needed to allow a reasonable use of the property. _____

This is mandatorily parking spaces needed per city guidelines for the expansion.

G. How does the proposed rezoning conform to the City's Comprehensive Plan? _____

It is adjacent to industrial zoning "Industrial Park" so it would not disrupt current zoning except for the addition of this one parcel already owned by North Homes, Inc.

H. Is the timing proper for the proposed rezoning? _____

I believe it is as we will be building a new facility and will need to make more formal parking area.

I. Any additional information that the Petitioner would like to supply. North Homes, Inc already owns several parcels of land that is connected to this parcel. It would be appropriate and in the best interest of serving the community needs to extend this final parcel to a 'Industrial' zone.

Additional Instructions:

Prior to submitting your Petition to Rezone, you will need to arrange for one or more preliminary meetings with the Director of Community Development. This meeting is intended to ensure that the proposed application is complete, to answer any questions the applicant may have, discuss meeting schedules and, if applicable, the scope of the required submittals. Completed applications required to be submitted to the Grand Rapids Community Development Department by the 15th of the month.

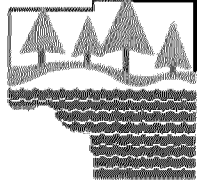
Findings for Approval:

The Planning Commission, in formulating its recommendation, and the City Council, in support of its action will make findings of fact based on their responses to the following list of considerations:

- Will the change affect the character of the neighborhoods?
- Would the change foster economic growth in the community?
- Would the proposed change be in keeping with the spirit and intent of the ordinance?
- Would the change be in the best interest of the general public?
- Would the change be consistent with the Comprehensive Plan?

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

More information may be requested by the City of Grand Rapids Planning Commission or City Council, if deemed necessary to properly evaluate your request. The lack of information requested may be in itself sufficient cause to deny an application.



[Parcel Information](#)

[CRV Information](#)

[Lake Finder](#)

[FAQ](#)

[Request Info](#)

2018 Assessor's Market Values For Taxes Payable In 2019

Record Details

Parcel Number: 91-027-1211

Taxpayer of Record
 NORTH HOMES INC
 1880 RIVER ROAD
 GRAND RAPIDS MN 55744

Physical Address:	1926 RIVER RD GRAND RAPIDS MN 55744
Plat Name:	
1st Line of Legal Desc:	REV DESC NO 4 OF LOT 3
Deeded Acres:	1.19
Sec-Twp-Rng:	27-55-25
Lake (# / Name):	
Emergency Number:	NOT AVAILABLE

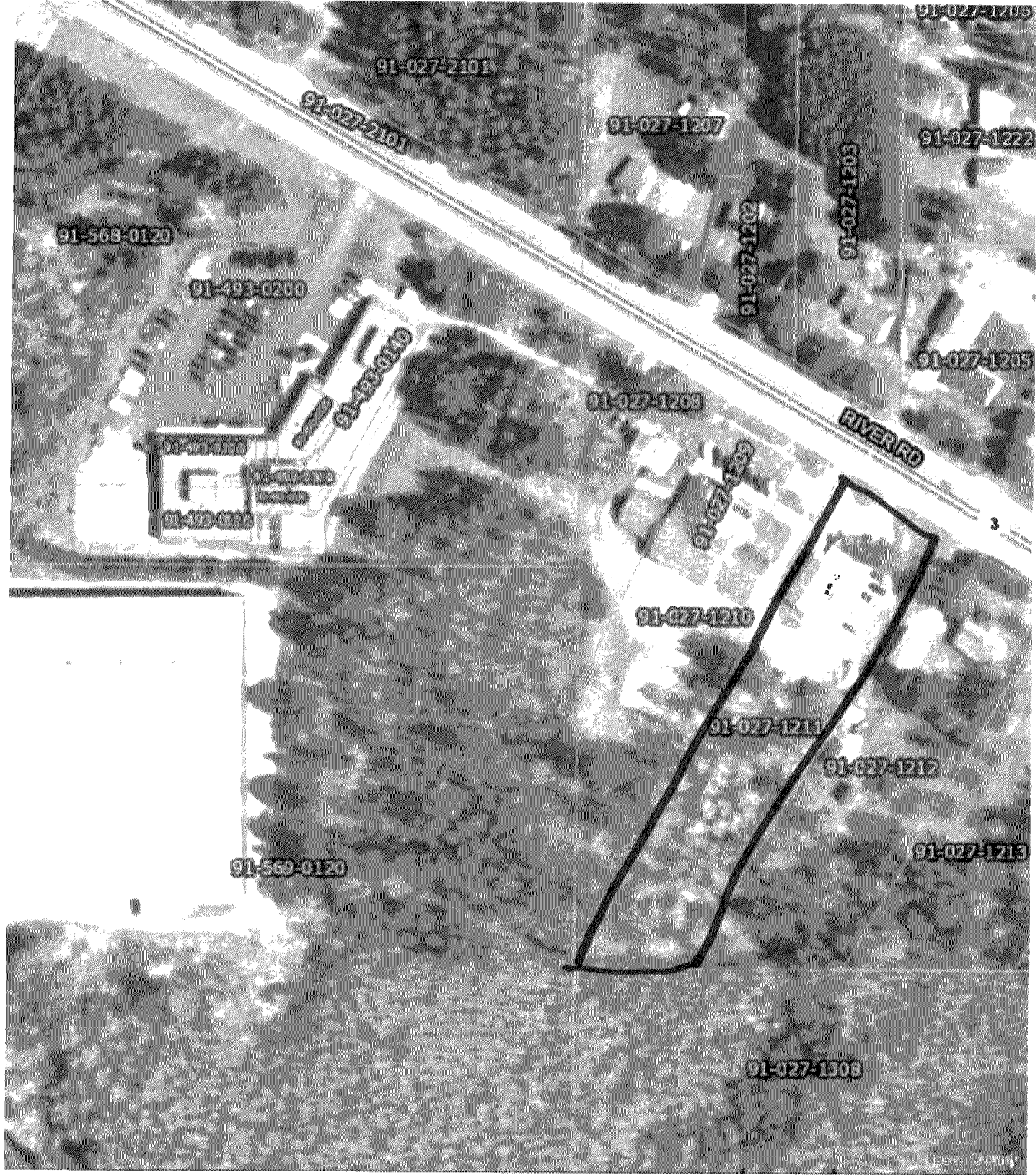


[View the Itasca County GIS map for this parcel in a NEW WINDOW.](#)

This parcel has 1 property tax classification(s). Valuations are provided below for each classification.

<table border="1"> <tr> <td>Class Code 73 - Commercial, Institutional</td> <td></td> </tr> <tr> <td>Land Value:</td> <td style="text-align: right;">\$78,000</td> </tr> <tr> <td>Building Value:</td> <td style="text-align: right;">\$19,200</td> </tr> <tr> <td>Total Class Value:</td> <td style="text-align: right;">\$97,200</td> </tr> </table>		Class Code 73 - Commercial, Institutional		Land Value:	\$78,000	Building Value:	\$19,200	Total Class Value:	\$97,200	<p>Total Land Value = \$78,000 Total Building Value = \$19,200 Grand Total Value = \$97,200</p>	<p>91-027-1211 Click Here To See The Current Year Tax Record For This Parcel</p> <p>Click Here To See Current Tax Information</p>
Class Code 73 - Commercial, Institutional											
Land Value:	\$78,000										
Building Value:	\$19,200										
Total Class Value:	\$97,200										

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91-027-1206

91-027-2101

91-027-2101

91-027-1207

91-027-1222

91-568-0120

91-493-0200

91-493-0110

91-027-1202

91-027-1203

91-027-1205

91-027-1208

RIVER RD

3

91-027-1209

91-027-1210

91-027-1211

91-027-1212

91-569-0120

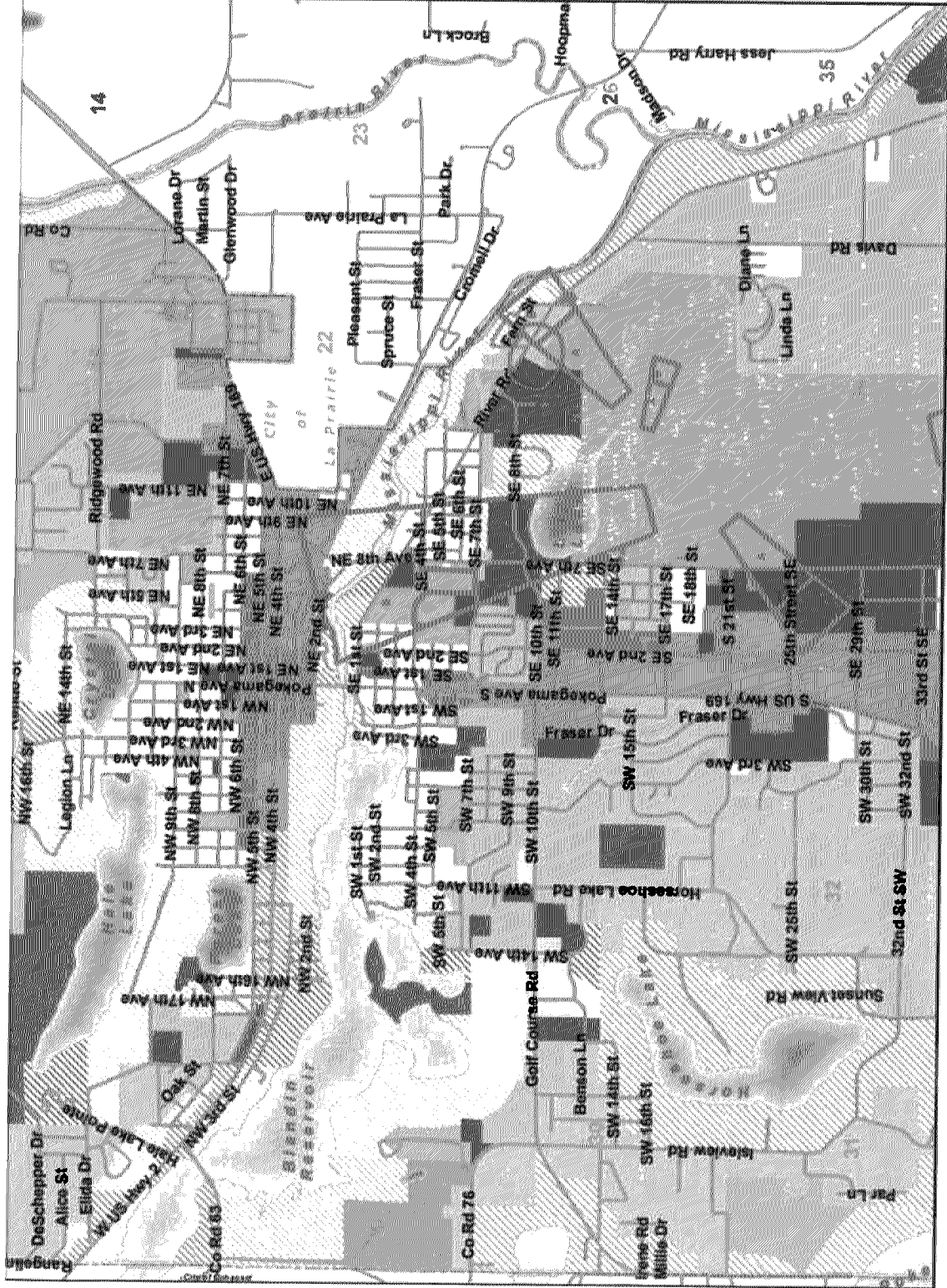
91-027-1213

91-027-1308

Map by [unclear]

Zonina District Legend

- W-1 - One-Family Residential
 - W-2 - One-Family Residential (Special Lot)
 - W-3 - Attached One-Family Residential
 - R-2 - One and Two-Family Residential
 - W-2 - Attached One and Two-Family Residential
 - W-3 - Multi-Family Residential (Medium Density)
 - W-4 - Attached Multi-Family Residential
 - W-5 - Multi-Family Residential (High Density)
 - RS - Rural Residential
 - SR - Short-Term Rental Residential
 - PC - Recreational Commercial
 - WC - Wholesale Commercial
 - LA - Limited Business
 - LS - Intermediate Limited Business
 - CO - Central Business
 - CB - General Business
 - SO - Showplace General Business
 - SI - Industrial
 - SI-1 - Showplace Industrial
 - SI-2 - Business Park
 - SI-3 - Showplace Business Park
 - SI-4 - Industrial Park
 - SI-5 - Showplace Industrial Park
 - SI-6 - General Industrial
 - SI-7 - Showplace General Industrial Park
 - PI - Public Use
 - SP-1 - Showplace Public Use
 - CO - Community
 - AG - Agricultural
 - AF - Airport
- Courtesy Zoning Districts**
- W-1 - One-Family Residential
 - W-2 - Attached One-Family Residential
 - W-3 - Multi-Family Residential (Medium Density)
 - W-4 - Attached Multi-Family Residential
 - W-5 - Multi-Family Residential (High Density)
 - RS - Rural Residential
 - SR - Short-Term Rental Residential
 - PC - Recreational Commercial
 - WC - Wholesale Commercial
 - LA - Limited Business
 - LS - Intermediate Limited Business
 - CO - Central Business
 - CB - General Business
 - SO - Showplace General Business
 - SI - Industrial
 - SI-1 - Showplace Industrial
 - SI-2 - Business Park
 - SI-3 - Showplace Business Park
 - SI-4 - Industrial Park
 - SI-5 - Showplace Industrial Park
 - SI-6 - General Industrial
 - SI-7 - Showplace General Industrial Park
 - PI - Public Use
 - SP-1 - Showplace Public Use
 - CO - Community
 - AG - Agricultural
 - AF - Airport



Legend

Zoning

- One-Family Residence
- One-Family Residence (Small Lot)
- Shoreland One-Family Residence
- One and Two-Family Residence
- Shoreland One and Two-Family Residence
- Multi-Family Residence (Medium Density)
- Shoreland Multi-Family Residence
- Multi-Family Residence (High Density)
- Shoreland Multi-Family Residence (High Density)
- Rural Residential
- Shoreland Rural Residential
- Recreational Commercial
- Shoreland Recreational Commercial
- Limited Business
- Shoreland Limited Business
- Central Business
- General Business
- Shoreland General Business
- Medical
- Shoreland Medical
- Business Park
- Shoreland Business Park
- Industrial Park
- Shoreland Industrial Park
- General Industrial
- Shoreland General Industrial Park
- Public Use
- Shoreland Public Use
- Conservancy
- Minning Overlay District
- Planned Unit Development
- Scenic By-Way Commercial Overlay District
- Urban Overlay
- Agricultural



Grand Rapids Tax Parcel: 91-027-1211

POLYCODE	0
PARENTPIN	91-027-1211
Acres	1.20
TWP_CITY	0*
PLAT_NBR	0
PARCEL_NBR	91-027-1211
TAX_DIST_NAME	GRAND RAPIDS CITY
MP_NBR	91-027-1211
STATE_DISTRICT	0
TAXP_NBR	105.094
TAXP_NAME	NORTH HAVES IRC
ADDR_1	1889 RIVER ROAD
ADDR_2	GRAND RAPIDS MI
ZIPCODE	55744



CITY OF
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Public Hearing

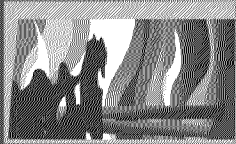
Zoning Map Amendment Request

R-1 (One-Family Residential)

to

I-1 (Industrial Park)

April 27, 2020



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Zoning Map Amendment

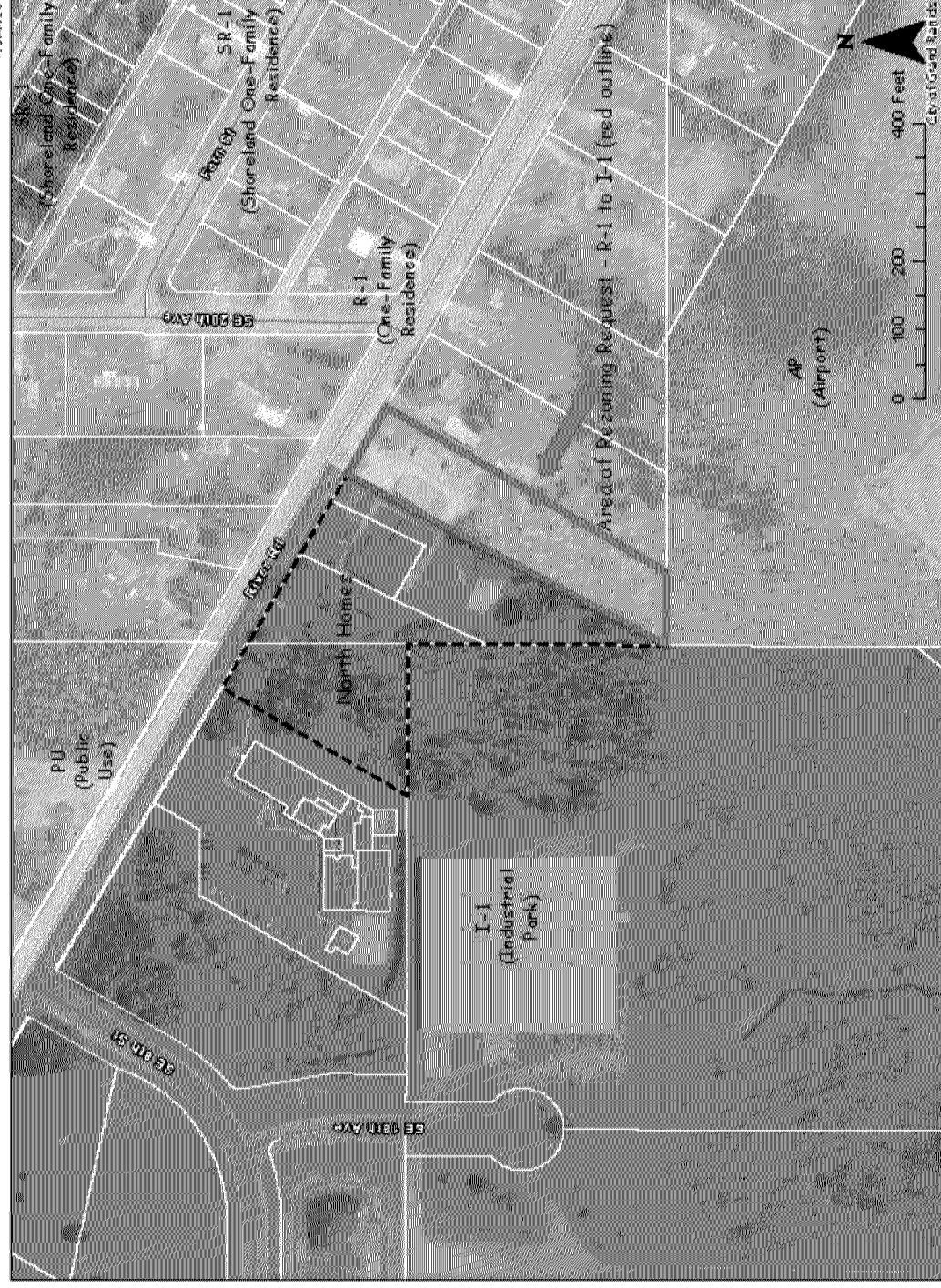
- **Petitioner:** North Homes Inc.
- **Filing Date:** March 10, 2020
- **Requested Zoning Map Amendment:** rezoning from current R-1 (One-Family Residential) designation to that of I-1 (Industrial Park).
- **Subject Property:** 1.2 acres – REV DESC NO 4 OF LOT 3, SECTION 27, TOWNSHIP 55N, RANGE 25W, ITASCA COUNTY, MINNESOTA.
- **Present Use:** Maintenance Shop and overflow parking for staff (gravel/sand lot) – property is east of their Residential Treatment Cottage at: 1920 River Road.
- **Intended Use:** Development of a portion of North Homes proposed wellness center, and associated parking lot expansion, to take place on a portion of subject property, as part of a greater expansion of North Homes services at the residential cottage site.



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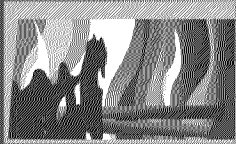
Zoning Map Amendment

North Homes Zoning Map Amendment Request (R-1 to I-1) MAP #1



Surrounding Zoning:

I-1 (Industrial Park)
 adjacent to the west, R-1 to the north and east, and AP (Airport) zoning to the south.



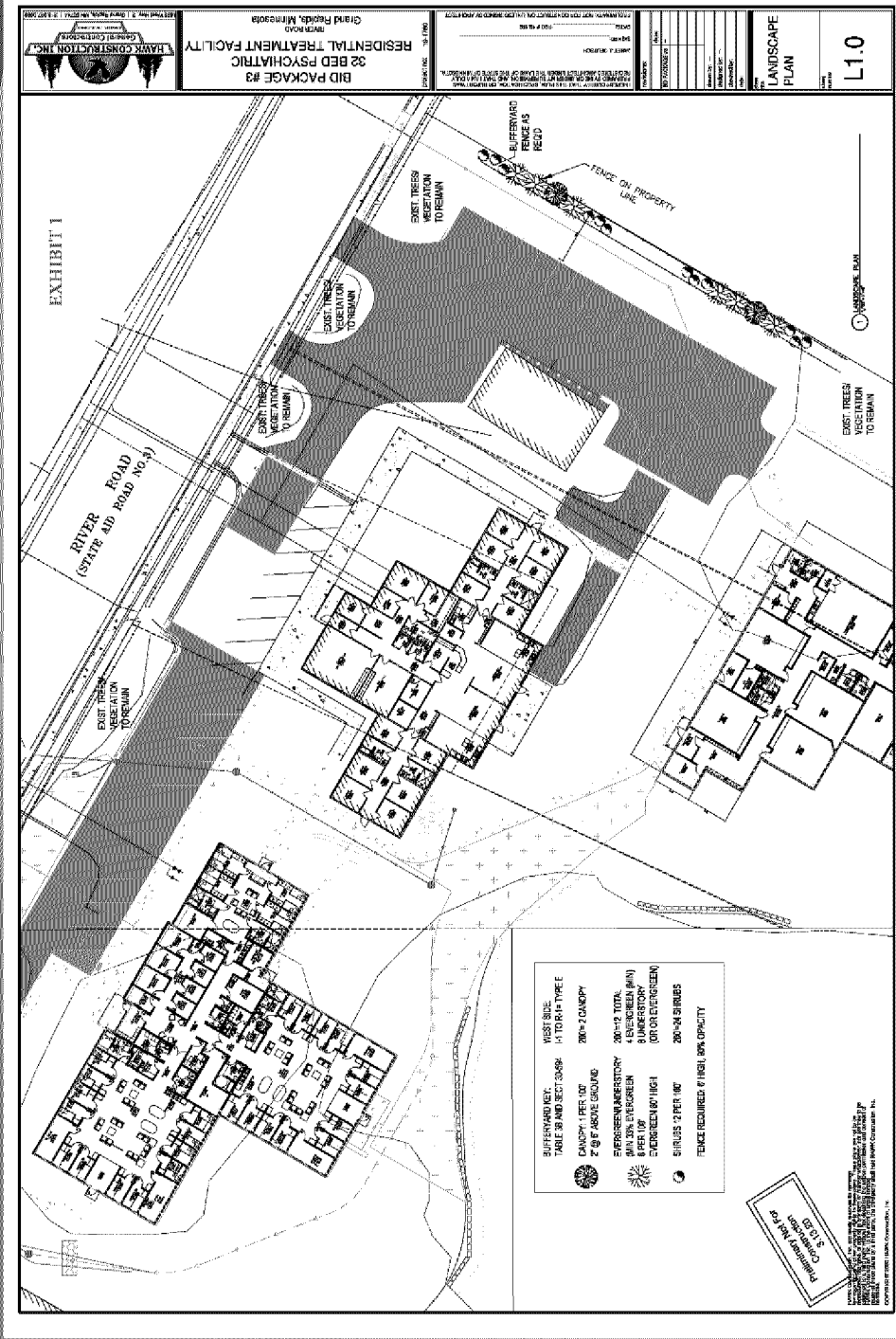
CITY OF
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 LET'S ENJOY MINNESOTA'S NATURE

Zoning Map Amendment

Site plan review required for rezoning from residential to commercial districts when adjacent to existing R-1 or R-2 districts:

When property is rezoned from a residential district to a commercial district and is adjacent to existing R-1 and R-2 districts, the application shall be accompanied by a site plan as stipulated by Section 30-456.

The site plan shall emphasize additional screening and buffering of conflicting land uses in the areas directly adjacent residential uses. The screening and buffering requirements are beyond what is required by section 30-512 and section 30-594.





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Zoning Map Amendment

	Type "E"+ Bufferyard*	Proposed Site Plan
Canopy Trees	1	2
Understory/Evergreen Trees	6	12
Shrubs	10	24
Fence	Required**	6' privacy fence

*required plant material per 100 linear feet

**In addition to the parking lot fence requirements for a type E bufferyard, a fence shall be required only on the common lot line(s) or lot lines adjacent to an alley, but shall not extend into the required front yard. The fence shall have an opacity of not less than 90 percent, and shall be six feet high, unless otherwise required in this article.

*where I-1 zoned property abuts Residential zoned property Type "E" bufferyard is required for the minimum landscaping requirements



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Zoning Map Amendment

North Homes Zoning Map Amendment Request (Future Land Use)



Comprehensive Plan Future Land Use Map:

Shows the subject property located within a slightly larger area indicated as future “Institutional/Civic”, which is described as having “larger public or semi-public campus-style institutions that provide a public service or need.”

Primary Land Uses: Religious, educational, and governmental institutions.

Secondary Land Uses: Multi-family residential that is related to the institutional use.



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Zoning Map Amendment

Section 30-512 Table-1 Permitted Uses

A sample listing of the uses permitted by right in the requested I-1 zoning district are as follows:

- auto-truck fleet storage, group homes/foster homes and residential treatment centers 7 + persons, general warehouse, mini-storage, motor freight terminal, water sewage treatment, treatment, power substations, neighborhood parks, industrial- monument work/sales, light manufacturing, heavy manufacturing, light and heavy industrial activities (not listed), recycling center, wholesale distribution facilities, and testing or research facilities.

A sampling of other uses permitted in I-1 with additional restrictions includes:

- **daycare/nursery-14 or less persons and 15 or more persons, temporary buildings, contractor's yard, and materials storage.**



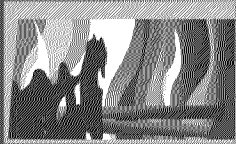
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Zoning Map Amendment

Section 30-512 Table 2-A District Development Regulations

Yard and Bulk Requirement comparison between requested zoning and existing:

	R-1 (existing)	I-1 (proposed)
Min. Lot Size	gross area-8,400 sq. ft., area (unit)-8,400 sq. ft., width-70 ft.	gross area-1 acre (unit)- N/A, width-150ft
Min. Yard Setbacks*	front-30 ft., int. side-6 ft./9 ft., street side-15 ft., rear- 30 ft.	front-50 ft., int. side-25 ft., street side-25 ft., rear- 25 ft.
Max. Lot Coverage	building-30%, total surface-N/A, GUOS (unit)- N/A	building-50%,total surface-90%, GUOS (unit)- N/A
Building Size	max. height- 30 ft., min. dimension- 24 ft.	max. height- 40 ft., min. dimension- 24 ft.



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Zoning Map Amendment

Planning Commission Review:

- 4/14 - Public Hearing
- Planning Commission's findings of fact, in support of the petitioned Zoning Map Amendment are incorporated into draft ordinance.

Council member _____ introduced the following Ordinance and moved for its adoption:

ORDINANCE NO. 20-_____

AN ORDINANCE OF THE CITY OF GRAND RAPIDS, MINNESOTA, APPROVING THE REZONING OF 1.2 ACRES OF LAND FROM A R-1 (ONE-FAMILY RESIDENTIAL) DESIGNATION TO THAT OF I-1 (INDUSTRIAL PARK)

WHEREAS, on April 14, 2020, the Planning Commission approved a motion forwarding a favorable recommendation to the City Council regarding the rezoning of property legally described as,

REV DESC NO 4 OF LOT 3, SECTION 27, TOWNSHIP 55N, RANGE 25W, ITASCA COUNTY, MINNESOTA;

from its current zoning designation of R-1 (One-Family Residential) to that of I-1 (Industrial Park), and WHEREAS, the City Council conducted a public hearing on that request at their regular meeting on April 27, 2020 and all were heard, and

WHEREAS, the City Council did concur with the recommendations of the Planning Commission, and determined that the Zoning Map Amendment would be in the best interest of the community.

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

That the property legally described above and as shown on the attached "Exhibit A", is rezoned from its current designation of R-1 (One-Family Residential) designation to that of I-1 (Industrial Park) based on the following findings of fact,

- The proposed rezoning would not have an adverse effect the character of neighboring area, as the use of a portion of the property will be consistent with the parking use in the past, but the property will be visually improved with the proposed expansion project.
- The change would foster economic growth by providing construction work and additional staff with the proposed expansion project.
- The change would be in keeping with the spirit and intent of the Zoning Ordinance.
- The change would be in the best interest of the general public as the expansion project will provide economic and sociological benefits to the community.
- That the change would be consistent with the Comprehensive Plan as the property is shown as Institutional/Civic future land use.

This Ordinance shall become effective after its passage and publication.

Adopted by the Council this 27th day of April, 2020.

ATTEST:

 Dale Adams, Mayor

 Kim Calteau, City Clerk



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Questions?



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 20-1046 **Version:** 1 **Name:** Consider the recommendation of the Planning Commission regarding adoption of an ordinance, amending the Official Zoning Map by rezoning 1.2 acres of land from R-1 (One-Family Residential) to I-1 (Industrial Park).

Type: Agenda Item **Status:** Passed

File created: 4/21/2020 **In control:** City Council

On agenda: 4/27/2020 **Final action:** 4/27/2020

Title: Consider the recommendation of the Planning Commission regarding adoption of an ordinance, amending the Official Zoning Map by rezoning 1.2 acres of land from R-1 (One-Family Residential) to I-1 (Industrial Park).

Sponsors:

Indexes:

Code sections:

Attachments: [Zoning Map Amendment: Ordinance w/exhibit A](#)

Date	Ver.	Action By	Action	Result
4/27/2020	1	City Council		

Consider the recommendation of the Planning Commission regarding adoption of an ordinance, amending the Official Zoning Map by rezoning 1.2 acres of land from R-1 (One-Family Residential) to I-1 (Industrial Park).

Background Information:

After the public hearing on this matter, the City Council will want to consider the public testimony received and review the recommendation put forward by the Planning Commission.

The Council can accept the recommendation of the Planning Commission, if they are in agreement with it, and adopt the ordinance as prepared, or the Council can make its own findings to support its reasons for approving or denying the proposed Zoning Map Amendment.

Requested City Council Action

Make a motion regarding the recommendation of the Planning Commission regarding adoption of an ordinance, amending the Official Zoning Map by rezoning 1.2 acres of land from R-1 (One-Family Residential) to I-1 (Industrial Park), and authorize its publication in summary form.

Council member _____ introduced the following Ordinance and moved for its adoption:

ORDINANCE NO. 20-_____

AN ORDINANCE OF THE CITY OF GRAND RAPIDS, MINNESOTA, APPROVING THE REZONING OF 1.2 ACRES OF LAND FROM A R-1 (ONE-FAMILY RESIDENTIAL) DESIGNATION TO THAT OF I-1 (INDUSTRIAL PARK)

WHEREAS, on April 14, 2020, the Planning Commission approved a motion forwarding a favorable recommendation to the City Council regarding the rezoning of property legally described as,

REV DESC NO 4 OF LOT 3, SECTION 27, TOWNSHIP 55N, RANGE 25W, ITASCA COUNTY, MINNESOTA;
from its current zoning designation of R-1 (One-Family Residential) to that of I-1 (Industrial Park), and

WHEREAS, the City Council conducted a public hearing on that request at their regular meeting on April 27, 2020 and all were heard, and

WHEREAS, the City Council did concur with the recommendations of the Planning Commission, and determined that the Zoning Map Amendment would be in the best interest of the community.

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

That the property legally described above and as shown on the attached "Exhibit A", is rezoned from its current designation of R-1 (One-Family Residential) designation to that of I-1 (Industrial Park) based on the following findings of fact;

- The proposed rezoning would not have an adverse effect the character of neighboring area, as the use of a portion of the property will be consistent with the parking use in the past, but the property will be visually improved with the proposed expansion project.
- The change would foster economic growth by providing construction work and additional staff with the proposed expansion project.
- The change would be in keeping with the spirit and intent of the Zoning Ordinance.
- The change would be in the best interest of the general public as the expansion project will provide economic and sociological benefits to the community.
- That the change would be consistent with the Comprehensive Plan as the property is shown as Institutional/Civic future land use.

This Ordinance shall become effective after its passage and publication.

Adopted by the Council this 27th day of April, 2020.

Dale Adams, Mayor

ATTEST:

Kim Gibeau, City Clerk

Council member _____seconded the foregoing Ordinance and the following voted in favor thereof _____; and the following voted against same _____; whereby the Ordinance was declared duly passed and adopted.

DRAFT

North Homes Zoning Map Amendment Request (R-1 to I-1)

