



Request for Action

To
City Council

Item Number
8.9

Meeting Date
May 20, 2024

Prepared By
Chris Leeseberg, Senior Planner

Item Description
Resolution: Orderly Annexation

Reviewed by:
Zack Carlton
Cal Portner
Tina Allard

Action Requested

Review the petition for the concurrent detachment of part of a property that is located in the City of Ramsey and the annexation of the detached parcel by the City of Elk River. If the Council accepts the proposal, adopt the joint resolution for orderly annexation as drafted.

Background/Discussion

As stated in the applicant's narrative, Northstar Trucking would like to operate its business entirely in the City of Elk River. To accomplish that goal, Northstar and their attorneys have prepared and signed a petition for the concurrent detachment of the part of the property which is in the City of Ramsey and the annexation of the detached parcel by the City of Elk River, pursuant to the authority of Minn. Stat. §414.061, Subd. 5. A copy of the signed petition is attached. Northstar has also prepared a proposed Joint Resolution for consideration by the City Councils of Elk River and Ramsey. A copy of the proposed Joint resolution is attached.

Northstar received a CUP to operate a trucking facility on the Elk River side of their property last fall. A condition of their approval required them to initiate this annexation or install a barrier along the Elk River corporate limit. If this resolution is not supported by the City Councils of both Ramsey and Elk River, the applicant will need to move forward with the installation of a barrier.

Financial Impact
Unkown

Mission/Policy/Goal
Responsibly grow

Attachments
I. Proposal with Exhibits

The Elk River Vision

A welcoming community with revolutionary and spirited resourcefulness, exceptional service, and community engagement that encourages and inspires prosperity



PROPOSAL FOR CONCURRENT DETACHMENT AND ANNEXATION

Current Situation

Northstar Truck & RV Parking LLC (“Northstar”) is a Minnesota company that is the sole owner of an approximately 11- acre parcel of land located at 15861 Jarvis Street NW (the “Property”). Access to the Property is via Jarvis St NW. The Property straddles the border between Sherburne and Anoka counties. Approximately 7.2 acres of the Property are in the city of Ramsey, Anoka County, identified as PIN 18-32-25-33-0002 (see aerial photo attached as **Exhibit A**) and approximately 3.83 acres of the Property are in Elk River, Sherburne County, identified as PIN 75-013-4405 (see aerial photo attached as **Exhibit B**). Northstar operates a truck and RV outdoor storage business upon the Property.

Applicant’s Request

Northstar would like to operate its business entirely in the city of Elk River. In order to accomplish that, Northstar has prepared and signed a Petition for the concurrent detachment of that part of the Property that is in the city of Ramsey and the annexation of the detached parcel by the city of Elk River, pursuant to the authority of Minn. Stat. §414.061, Subd. 5. A copy of the signed Petition is attached as **Exhibit C**. Northstar has also prepared a proposed Joint Resolution for consideration by the City Councils of Elk River and Ramsey. A copy of the proposed Joint Resolution is attached as **Exhibit D**.

Questions from Senior Planner Chris Leeseberg

1. Will the County boundary line be changed?

No, the county boundary line will remain as it is. Northstar's attorney spoke with Star Holman on March 1, 2024. Holman is the MBAU (Minnesota Boundary Adjustment Unit) Administrator in the Office of Administrative Hearings, which is the state agency with regulatory authority regarding detachments and annexations. Holman advised Northstar's attorney that the county boundary line will not be affected. She said it does not matter if, after the detachment of the parcel from Ramsey and annexation of the detached parcel by Elk River, the detached parcel remains in Anoka County. Holman pointed out that this situation is not unique, commenting that part of St. Cloud is in three different counties. Attached as **Exhibit E** is a copy of an email sent March 1 2024 from Northstar's attorney to Senior Planner Chris Leeseberg and to Stephanie Hanson, the Ramsey Community Development Director regarding this issue.

2. Will the Metropolitan Council acquire regulatory authority over the city of Elk River as a result of the requested detachment and annexation?

This question stems from the fact that pursuant to Minnesota Statutes, Chapter 473, the Metropolitan Council was established and granted specified regulatory jurisdiction, including land use planning, over the Metropolitan Area as that term is defined in Minn. Stat. § 473.121, Subd. 2. Anoka County is included in the definition of the Metropolitan Area. Sherburne County is not. Northstar's attorney discussed these issues on April 5 2024 with LisaBeth Barajas, who is the Executive Director/Community Development for the Met Council. Barajas stated that even though the detached/annexed parcel would remain in Anoka County, the Met Council would not have jurisdiction to impose comprehensive planning requirements on the city of Elk River.

3. Is Ramsey supportive of Northstar's requested detachment?

Northstar believes Ramsey will support its request, although Northstar has not yet brought the matter before the Ramsey City Council. As noted above, the Ramsey Community Development Director is aware of the request and has been copied in pertinent email communications. Northstar has on occasion also discussed the matter with Todd Larson, the Ramsey Planning Manager and has received no negative feedback. In fact, just recently Northstar discussed with a Ramsey staff person whether Northstar should apply to Ramsey for a permit to move dirt on the Ramsey parcel. The Ramsey staff person informed Northstar that it should wait until the annexation process was complete and then apply to Elk River for any required permit to proceed with bulldozer work on the annexed parcel.

Northstar hereby requests the Elk River City Council to adopt the Joint Resolution and will simultaneously also request the Ramsey City Council to adopt the Joint Resolution.

Northstar Truck & RV Parking LLC

By: Nikolay Babkin
Nikolay Babkin
Its: President

Anoka County Parcel Viewer

EXHIBIT

A

tabbles®



Parcel Information:

18-32-25-33-0002
15861 JARVIS ST NW
RAMSEY
MN 55330
Plat:

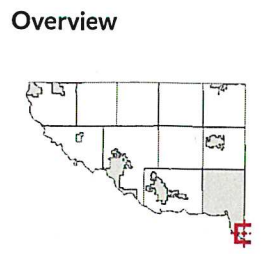
Approx. Acres: 7.22233247
Commissioner: MATT LOOK

Owner Information:

NORTHSTAR TRUCK AND RV PARKING LLC
9961 TROY LN N
MAPLE GROVE
MN
55311



tabbles[®] EXHIBIT **B**



- Legend**
- Public Water Inventory**
- Not Classified
 - General Development
 - Natural Environment
 - Recreational Development
 - Parcels
 - Streams

Parcel ID	75-013-4405	Alternate ID	n/a	Owner Address	9961 TROY LN N
Sec/Twp/Rng	13-32-26	Class	234-Industrial Preferred		MAPLE GROVE MN 55311
Property Address		Acreage	3.83		
District	ELK RIVER CITY				
Brief Tax Description	n/a				

(Note: Not to be used on legal documents)



**PROPERTY OWNER PETITION FOR CONCURRENT
DETACHMENT AND ANNEXATION**

IN THE MATTER OF THE PETITION BY THE SOLE PROPERTY OWNER FOR THE
DETACHMENT OF CERTAIN LAND FROM THE CITY OF RAMSEY, MINNESOTA AND
CONCURRENT ANNEXATION TO THE CITY OF ELK RIVER, MINNESOTA PURSUANT
TO MINNESOTA STATUTES §414.061, SUBD. 5.

To: Office of Administrative Hearings
Municipal Boundary Adjustment Unit
PO Box 64620
St. Paul, MN 55164-0620

The undersigned, being the sole owner of the following described land, hereby requests
the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings to detach said
property from the City of Ramsey, and annex it to the City of Elk River, pursuant to Minnesota
Statutes
§ 414.061, Subd. 5:

That part of the South 1155 feet of the West 297 feet of the Southwest Quarter of the
Southwest Quarter of Section 18, Township 32, Range 25, lying North of railroad right -
of - way, Anoka County, Minnesota.

In bringing forward this Petition, the Petitioner states that:

1. There is one property owner in the area proposed for detachment/annexation.
2. The property is presently within the City of Ramsey, Anoka County (PID 18-32-25-33-0002, hereafter the "Ramsey Parcel") and abuts the City of Elk River, County of Sherburne.
3. The property proposed for detachment/annexation is approximately 7.22 acres in size.
4. This boundary adjustment is being requested because: Petitioner also owns an adjoining parcel located in the City of Elk River, Sherburne County, Minnesota (PID 75-013-0110). Petitioner intends to start a business on the combined parcels. The only access is via public roads in the City of Elk River. Petitioner desires to have its business located on land that is located entirely in one city.

Date: January 16, 2024

Petitioner/Property Owner:

Northstar Truck & RV Parking LLC

By: Nikolay Babkin

Nikolay Babkin

Its: President



CITY OF ELK RIVER
RESOLUTION NO. _____

CITY OF RAMSEY
RESOLUTION NO. _____

A JOINT RESOLUTION REQUESTING CONCURRENT DETACHMENT FROM RAMSEY
AND ANNEXATION INTO ELK RIVER OF CERTAIN LANDS PURSUANT TO
MINNESTOA STATUTES SECTION 414.061.

WHEREAS, the property located at 15861 Jarvis St. NW (PIN 18-32-25-33-0002) is currently within the City of Ramsey and Anoka County and is legally described as:

That part of the South 1155 feet of the West 297 feet of the Southwest Quarter of the Southwest Quarter of Section 18, Township 32, Range 25, lying North of railroad right - of - way, Anoka County, Minnesota (the "Annexation Property"); and

WHEREAS, the Annexation Property is approximately 7.22 acres in size, and is depicted on the Exhibit attached hereto and incorporated herein; and

WHEREAS, the Annexation Property is located on the border of the City of Elk River; and

WHEREAS, a petition by the sole owner of the Annexation Property was received requesting that the Annexation Property be detached form the City of Ramsey and annexed by the City of Elk River; and

WHEREAS, the City of Ramsey and the City of Elk River want the entire Annexation Property to be located within the corporate limits of the City of Elk River; and

WHEREAS, The City of Ramsey and the City of Elk River want to modify their mutual municipal boundary to permit the Annexation Property to be located entirely within the City of Elk River; and

WHEREAS, to modify the boundary, the City of Ramsey desires to detach and the City of Elk River desires to annex the Annexation Property pursuant to Minnesota Statutes § 414.061.

NOW, THEREFORE, BE IT RESOLVED:

1. The Cities of Ramsey and Elk River jointly request that the Minnesota Office of Administrative Hearings, Municipal Boundary Adjustment Unit concurrently detach the Annexation Property from the City of Ramsey and annex the same to the City of Elk River at the earliest possible date.
2. The City Planner for the City of Elk River is authorized to submit this joint resolution along with all appropriate application materials to the Minnesota Office of Administrative Hearings, Municipal Boundary Adjustment Unit for the purpose set forth herein.

Adopted by the City Council of the City of Ramsey on _____, 2024.

Mark E. Kuzma, Mayor

Attest: _____
Katie Schmidt, City Clerk

Adopted by the City Council of the City of Elk River on _____, 2024.

John J. Dietz, Mayor

Attest: _____
Tina Allard, City Clerk

DRAFT

Exhibit E

From: David J. Lenhardt

Sent: Friday, March 1, 2024 11:48 AM

To: Leeseberg, Chris <CLEeseberg@ElkRiverMN.gov>; Nikolay Babkin <northstarparkingmn@gmail.com>

Cc: shanson@cityoframsey.com

Subject: RE: Annexation - Northstar Truck & RV Parking LLC

Hello Chris and Stephanie:

I discussed the issues raised by the Elk River City Attorney with Star Holman, who is the MBAU (Minnesota Boundary Adjustment Unit) Administrator. Star told me that the fact that my client's Ramsey parcel is in Anoka county, while Elk River is in Sherburne county does not matter and that no action is needed by the two County Boards. She added that this happens fairly often, that the county boundaries will not change, and that there is no need to change the county boundaries. She referenced the city of St. Cloud, which is in three different counties. Star also stated to me that once the detachment/annexation is completed, Anoka county will just change how it identifies the parcel (i.e., assign it a different Anoka county PIN than it now has).

My client would like to move forward with the Petition and proposed Joint Resolution, so I reiterate our request that this matter be brought before the two city councils for consideration. Attached is my revised Joint Resolution which incorporates the Elk River City Attorney's edits.

Star Holman said that she is available to discuss this with you or your city attorneys if that would be helpful. Her contact information is:

Star Holman
MBAU Administrator
star.holman@state.mn.us
651-361-7909

I appreciate your attention to this. Please contact me if you require any other information.

Regards,

David J. Lenhardt, Esq.

Partner

GRIES LENHARDT ALLEN, P.L.L.P.

(763) 497-3099 x213