



City of Blaine Anoka County, Minnesota Minutes - Final

10801 Town Square Dr.
Blaine MN 55449

Planning Commission

The Planning Commission is an advisory body to the City Council. One of the Commission's functions is to hold public hearings and make recommendations to the City Council. The City Council makes all final decisions on these matters.

Blaine City Ordinances require that certain documents and information be included in applications. The Planning Commission may postpone consideration of an application that is incomplete and may, for other reasons, postpone final action on an application.

For each item the Commission will receive reports prepared by the City staff, open the hearing to the public, and discuss and act on the application.

Tuesday, February 12, 2013

7:00 PM

Council Chambers

1. Roll Call

The Blaine Planning Commission met in the City Hall Chambers on Tuesday, February 12, 2013. Chair Ouellette called the meeting to order at 7:00 p.m.

Staff Present: Shawn Kaye, Associate Planner
Lori Johnson, Planner III
Tom Scott, Project Coordinator
Dan Schluender, Assistant City Engineer

Present: 5 - Chair Ouellette, Vice Chair Lahti, Homan, Goracke, and Bergstrom

Absent: 1 - Radtke

2. Approval of Minutes

[TMP 13-765](#)

December 11, 2012 Unapproved Planning Commission Minutes.

Attachments: [Dec 11 Planning Commission Minutesdoc](#)

Commissioner Lahti requested a minor change on Page 3 changing the word "too" to "to."

Moved by Vice Chair Lahti, seconded by Homan, that this Minutes be Approved. The Motion was adopted unanimously.

3. Old Business

4. New Business

4.1 [RES 13-026](#)

**GRANTING A CONDITIONAL USE PERMIT TO ALLOW
FOR CONSTRUCTION OF 74 SINGLE FAMILY HOMES IN
A DF (DEVELOPMENT FLEX) ZONING DISTRICT AT
HARPERS STREET/NORTH OF 128th LANE NE.
CAPSTONE HOMES. (CASE FILE NO. 13-0002/SLK)**

Attachments: [Attachments.pdf](#)
 [Public Comment.pdf](#)

The report to the Planning Commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 13-0002 was opened at 7:09 p.m.

Chair Oullette noted a letter the Planning Commission received from Samuel Gubbi expressing his concern with the expansion of Harper's Street.

The public hearing was closed at 7:10 p.m.

Commissioner Lahti asked if Mr. Gubbi's concerns would be addressed by staff.

Assistant City Engineer Dan Schluender stated the trail and sidewalk improvements would be installed. However, the turn lane improvements required additional right-of-way and would not be made at this time.

Motion by Commissioner Homan to recommend approval of Planning Case 13-0002A the preliminary plat for Harpers Street Woods 2nd Addition based on the following conditions:

Case 13-0002A:

1. All streets will follow the Anoka County street name grid system.
2. The developer has responsibility for financial participation in 125th Avenue NE improvements associated with this development. This includes, but is not limited to, intersection improvements, traffic signal installations, and roadway widening improvements. Anoka County will specify required improvements as part of their review. The City has calculated the development potential of all of the developable property, lying north of 125th Avenue and within the current development schedule provided by the 2005 MUSA and has determined the per lot cost associated for the improvements to be \$1,307 per lot (2013 rate). The plat, if it ultimately contains 74 lots, would have a responsibility of \$96,718 if platted in 2013.

3. Developer installed improvements shall include construction of Harpers Street NE to State Aid urban standards from 150 feet north of 128th Lane NE to the north end of the plat, and all streets within the plat including sanitary sewer and trunk water main, lateral sanitary sewer and water main with services, storm drainage improvements, storm water management and water quality treatment infrastructure, streets with concrete curb and gutter, 6 foot concrete sidewalks along the west side of Jamestown Street, east side of Harpers Street, north side of 129th Avenue and Lane, south side of 130th Court, and north side of 129th Avenue, 10 foot bituminous trail along the west side of Harpers Street, streetlights, mailboxes, traffic control signs, street signs, and all appurtenant items.
4. Plans and specifications must be approved by the City prior to start of construction.
5. Right-of-way for Harpers Street will remain at 66 feet in width.
6. Trunk water main shall be installed in Harpers Street NE in accordance with the City's Water System Plan. The final alignment of the trunk water main may vary to best correspond with the concept plan for the area. The City and developer will work towards an acceptable alignment prior to construction plan approval. It is proposed that the City will pay for over sizing of trunk water main improvements constructed. The development contract for the plat will set forth details of payment.
7. Trunk sanitary sewer area charges become due with platting for upland acreage. The 2013 rate for Sanitary Sewer District 6-5 is \$5,179 per upland acre.
8. Street and utility extensions are required to the edges of the plat for future connections to adjacent parcels.
9. Standard utility and drainage easements must be dedicated along all lot lines and over areas of delineated wetlands, wetland mitigation, infiltration trenches, drainage swales, and storm water management ponds.
10. Each lot shall have a minimum rear yard area behind each structure of a minimum of 20 feet from the structure at a maximum grade of 5%.
11. The Developer is to provide access for inspection and maintenance of storm water management infrastructure. Restrictions will be placed on lot lines as needed to limit fences and landscaping to insure access.
12. The Developer will need follow the vacation process for a portion of the existing Harpers Street Right of Way to allow construction on proposed Lot 7, Block 1, prior to final plat.
13. Development requires a National Pollutant Discharge Elimination System (NPDES) Permit from Minnesota Pollution Control Agency (MPCA).
14. Construction contract documents shall include a rough grading, erosion protection, sediment control, development, utilities, roadway, and storm drainage plans. Supporting wetland delineation report, geotechnical investigation report, soil boring logs, and hydrology report shall be included in

the submittal for City review and approval.

15. The development plan shall indicate all structures will be protected from flooding.

16. CCWD approval is required prior to City Council consideration of preliminary plat and a CCWD permit is required prior to City approval of construction plans and specifications.

17. As-built surveys shall be required to verify structure elevations, custom grading requirements, and final lot grading elevations.

18. In exchange for deeding the park land to the City, the applicant will be receiving a 15 lot park credit (2013 value of \$2,813= \$42,195). Park dedication to be paid for 59 housing units at the 2013 rate. The proposed plat will pay park dedication rates at the 2013 value, assuming some of the land may be final platted at a later date. The park to be deeded, by Warranty Deed, to the City within 90 days of Final Plat approval.

19. Developer to install grouped mailboxes with design and locations approved by City and US Postal Service.

20. Water and sanitary sewer availability charges (WAC & SAC) become due with each building permit at the rate established at the time the building permit is issued.

21. All development signage by separate review.

22. All wells and septic systems to be properly abandoned per all local and state requirements.

23. Execution and recording of a Development Agreement, which sets forth in greater detail the plat conditions as well as other responsibilities for the development of this plat.

Motion by Commissioner Homan to recommend approval of Planning Case 13-0002B the conditional use permit to allow for construction of 74 single family homes in a DF (Development Flex) zoning district based on the following conditions:

Case 13-0002B:

Single Family - DF Development Standards

Permitted Uses

- 1. Single-family detached dwellings.
- 2. Group family daycare.

Accessory Uses

- 1. Private garages - one detached accessory structure, with area less than 120 square feet, will be permitted.
- 2. Private swimming pools/meeting the requirements of Blaine Municipal

Code Chapter 18 Article IX Swimming Pools.

3. Keeping of not more than two (2) boarders and/or roomers per dwelling unit.

Conditional Uses

1. Home occupations listed as Conditional Uses fewer than 33.11.

Standards

1. Front yard setback - 25 feet
2. Side yard setback - 10 feet for house and 5 feet for garage.
3. Corner side yard setback - 20 feet.
4. Rear yard setback - 30 feet
5. Maximum building height - 2 1/2 stories or 35 feet.
6. It shall be required for all single-family dwellings that there be an attached garage constructed of a minimum of four hundred (400) square feet, with no dimension less than 20 feet. Total garage space shall not exceed one thousand (1,000) square feet. Detached garages or accessory storage buildings above 120 square feet are not permitted. Accessory storage buildings below 120 square feet must meet 5-foot side and rear yard setbacks and be located within the rear yard.
7. The minimum finished floor area above grade for all homes shall be:
 - One story with basement: 1,400 square feet
 - Multi-level dwellings: 1,500 square feet.
8. All homes to be constructed utilizing pre-approved exterior materials, roof pitches and elevations. All house exteriors to utilize maintenance-free materials to the extent possible. All house exteriors to provide enhanced window fenestration. Care to be taken to utilize a variety of home styles, front elevations and colors to provide maximum housing variety within each neighborhood. Developer to establish criteria to ensure that adjacent single-family homes built within the development do not have the same exterior color or architectural elevations.
9. All homes shall have a minimum depth and width of 24 feet.
10. All residential dwellings must be built in conformance with the current edition of the Minnesota State Building Code.
11. Driveways shall not be constructed closer than 3 feet to the property line. All driveways and approaches shall be hard surfaced using concrete, bituminous asphalt or other City approved material that is consistent in durability and quality.
12. It shall be required that all yards of a new single-family dwelling be sodded over a minimum of 4 inches of topsoil (black dirt containing not more than 35

percent sand). Yards may be seeded over 4 inches of black dirt if underground irrigation is installed with the home.

13. Each lot shall contain one front yard tree and one boulevard tree with a minimum of 2½-inch caliper. Corner lots shall each have one additional boulevard tree.

Motion seconded by Commissioner Goracke. The motion passed 5-0.

Chair Ouellette noted this would be on the agenda of the March 7, 2013 City Council meeting.

4.2 [RES 13-028](#)

**PUBLIC HEARING CASE FILE NO. 13-0004 // HARPERS WEST, LLC
// 13050 DUNKIRK STREET NE**

THE APPLICANT IS REQUESTING PRELIMINARY PLAT APPROVAL TO SUBDIVIDE 40.21 ACRES INTO ONE SINGLE FAMILY FOR THE EXISTING HOME LOT AND SIX OUTLOTS FOR FUTURE DEVELOPMENT TO BE KNOWN AS HARPERS WEST

Attachments: [Attachments.pdf](#)

The report to the Planning Commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 13-0004 was opened at 7:17 p.m. As no one wished to appear, the public hearing was closed at 7:17 p.m.

Motion by Commissioner Goracke to recommend approval of Planning Case 13-0004 based on the following conditions:

Case 13-0004:

1. Re-platting of the outlots and Lot 1 into residential lots will be subject to further park dedication and other development related fees at the rate in effect at the time of platting.
2. The existing home located on Lot 1 will be required to relocate the drive access to the home once 129th Lane is constructed to the eastern property line of this parcel. The existing home will access Lot 1 from the newly platted right-of-way. The homeowner of Lot 1 will have 90 days from the completion date of 129th Lane to the east property line, to construct a new drive access from the 129th Lane right-of-way. At the same time, the "old" drive access located on the platted Outlots will need to be removed.
3. The developer at time of future development and re-platting will need to also submit a rezoning request as the site is currently zoned FR (Farm Residential). Lot dimensions, development density and product type will be reviewed and determined as part of the future zoning request and approval. While staff is generally supportive of the design concept being shown there has been no commitment to the narrower lot standards and proposed density.

Motion seconded by Commissioner Bergstrom. The motion passed 5-0.

Chair Ouellette noted this would be on the agenda of the March 7, 2013 City Council meeting.

4.3 [RES 13-029](#)

Public Hearing Case File No. 13-0011 // Yogurt Sundae // 12410 Aberdeen Street NE, Suite 500

The applicant is requesting a conditional use permit to allow for outdoor dining with seating for 12.

Attachments: [Attachments.pdf](#)

The report to the Planning Commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 13-0001 was opened at 7:20 p.m. As no one wished to appear, the public hearing was closed at 7:20 p.m.

John Rayas, Hans Hagan Homes, discussed the proposed carriage housing development in further detail with the Commission. He noted the homes would be marketed to empty nesters and young professionals.

Motion by Commissioner Goracke to recommend approval of Planning Case 13-0001A the preliminary plat for The Lakes of Radisson 54th Addition based on the following conditions:

Case 13-0001A:

- 1. Park dedication for this plat has been previously addressed through the agreement for credit and payment as outlined in the approved Park Development Agreement and based on the platting of up to 3,300 housing units and 11 acres of commercial/retail.**

- 2. A rough grading and sediment control plan must be submitted for City approval prior to work being performed on site. Erosion control and tree preservation details shall be included on the grading plan. Lot grading to be consistent with Lakes Water Management Plan.**

- 3. The size of site being graded requires a National Pollutant Discharge Elimination System (NPDES) permit from Minnesota Pollution Control Agency.**

- 4. A development plan must be submitted for City approval prior to issuance of the first building permit. The development plan must indicate that all structures will be protected from flooding.**

- 5. Coon Creek Watershed District permit is required prior to the approval of grading.**

- 6. The developer shall process a Letter of Map Change with FEMA prior to issuance of building permits within the unnumbered A-Zone on the FEMA flood map. Developer shall provide all FEMA paperwork and structure as-built surveys to homeowners at time of lot closing.**

7. Developer is responsible for following through with FEMA as necessary to receive final FEMA documents and to provide those documents to the homeowners, and to record the final documents on the certificate of title for each parcel in the development.
8. As-built surveys will be required to verify structure elevations and lo grading for each structure constructed.
9. The developer will be responsible for installation of sanitary sewer, trunk main, storm drainage improvements, streets with concrete curb and gutter, streetlights, mailboxes, sidewalks, traffic control signs, street signs, and all appurtenant items. A thicker street pavement section will be needed in the corners of the street to aid in construction. Plans and specifications must be approved by the City prior to start of construction.
10. All City streets, exclusive of parkways, require dedication of 60 feet of right-of-way and shall be constructed to 29 feet back to back of width.
11. The street name shall be Kiska Circle NE.
12. Standard utility and drainage easements must be dedicated along all lot lines and over drainage ditches, ponds, delineated wetlands, and storm water detention basins. Developer to provide access to existing power lines in plat. The Developer is to provide access for maintenance of storm water detention basins. Restrictions will be placed on lots as needed to limit fences and landscaping to insure access.
13. Developer to require homeowner's associations to be responsible for maintenance and upkeep of landscape improvements along and within the right-of-way for all of the parkway style developed streets.
14. Developer to install grouped mailboxes with design and locations approved by City and US Postal Service. Maintenance of the mailboxes to be the responsibility of the homeowner's association.
15. Execution and recording of a Development Agreement, which sets forth in greater detail the plat conditions as well as other responsibilities for the development of this plat.
16. Soil boring information is required for determination of lowest floor elevations.
17. Standard water and sanitary sewer access charges (WAC & SAC) become due with each building permit at the rate established at the time the building permit is issued.
18. All development signage by separate review.
19. Landscaping for Lakes of Radisson 54th Addition common areas and along the streets to be completed as shown on the approved Site Plan.
20. The parcels contained by this application (Outlots C and D Lakes 39th), are subject to several Development Agreements between Main Street 1000 and the City of Blaine. Main Street 1000 is currently in default of those agreements and

as previously indicated by our letter dated December 13, 2012 the City may withhold issuance of any building permits that are requested on those parcels until such time as the default is cured by Main Street 1000.

Motion by Commissioner Goracke to recommend approval of Planning Case 13-0001B the conditional use permit to allow for construction of 35 single family homes to be known as Lakes of Radisson 54th Addition in a DF (Development Flex) zoning district based on the following conditions:

Case 13-0001B:

The Lakes 54th Addition -Single Family - DF Development Standards

Permitted Uses

1. Single-family detached dwellings.
2. Group family daycare.

Accessory Uses

1. Private garages - one detached accessory structure, with area less than 120 square feet, will be permitted.
2. Private swimming pools/meeting the requirements of Blaine Municipal Code Section 6-121.
3. Keeping of not more than two (2) boarders and/or roomers per dwelling unit.

Conditional Uses

1. Home occupations listed as Conditional Uses fewer than 33.11.

Standards

1. Front yard setback - 16 feet, 18 feet to garage door.
2. Side yard setback - 4 feet for house and garage. Minimum distance between homes - 8 feet.
3. Corner side yard setback - 20 feet.
4. Rear yard setback - 17.5 feet
5. Maximum building height - 2 1/2 stories or 35 feet.
6. It shall be required for all single family dwellings that there be an attached garage constructed of a minimum of four hundred (400) square feet, with no dimension less than 20 feet. Total garage space shall not exceed one thousand (1,000) square feet. Detached garages or accessory storage buildings above 120 square feet are not permitted. Accessory storage buildings below 120 square feet must meet 5 foot side and rear yard setbacks and be located within the rear yard.
7. The minimum finished floor area above grade for all homes shall be 1,600

square feet. All homes shall have a minimum depth and width of 24 feet.

8. All homes to be constructed utilizing pre-approved exterior materials, roof pitches and elevations. All house exteriors to utilize maintenance-free materials to the extent possible. All house exteriors to provide enhanced window fenestration. Care to be taken to utilize a variety of home styles, front elevations and colors to provide maximum housing variety within each neighborhood. Developer to establish criteria to ensure that adjacent single family homes built within the development do not have the same exterior color or architectural elevations.

9. All residential dwellings must be built in conformance with the current edition of the Minnesota State Building Code.

10. Driveways shall not be constructed closer than 3 feet to the property line. All driveways and approaches shall be hard surfaced using concrete, bituminous asphalt or other City approved material that is consistent in durability and quality.

11. It shall be required that all yards of a new single-family dwelling be sodded over a minimum of 4 inches of topsoil (black dirt containing not more than 35 percent sand). Yards may be seeded over 4 inches of black dirt if underground irrigation is installed with the home.

12. Each lot shall contain one front yard tree and one boulevard tree with a minimum of 2½-inch caliper. One of the required trees may be an ornamental tree. Corner lots shall each have one additional boulevard tree.

13. All homes, within the development to incorporate Airport Noise Abatement Standards with Central Air conditioning to mitigate noise impacts.

14. No side patio or entrance doors are permitted.

15. Developer to execute and record, with the sale of each single family lot, an affidavit indicating to homebuyers that the soils located in the rear and side yards of the single family lots have not been corrected to accommodate general building construction or pools and that additional effort may be required, by the homeowner, to stabilize those soils before additional construction could occur.

16. Outlot A to be maintained by the Homeowners Association. The landscape plan to be approved through a site plan approval process.

Motion seconded by Commissioner Lahti. The motion passed 5-0.

Chair Ouellette noted this would be on the agenda of the March 7, 2013 City Council meeting.

4.4 [ORD 13-2262](#)

PUBLIC HEARING CASE FILE NO. 13-0006 // NORTHEAST METROPOLITAN SCHOOL DISTRICT #916 // 95th AVENUE/HAMLIN AVENUE NE

THE APPLICANT IS REQUESTING THE FOLLOWING:

- a) **REZONING FROM PBD (PLANNED BUSINESS DISTRICT) TO DF (DEVELOPMENT FLEX).**
- b) **PRELIMINARY PLAT TO SUBDIVIDE AN OUTLOT INTO ONE LOT TO BE KNOWN AS NORTHEAST METROPOLITAN SCHOOL DISTRICT 916 ADDITION.**
- c) **CONDITIONAL USE PERMIT TO ALLOW FOR CONSTRUCTION AND OPERATION OF A 70,000 SQUARE FOOT SCHOOL.**

Attachments: [Attachments](#)

The report to the Planning Commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 13-0006 was opened at 7:27 p.m. As no one wished to appear, the public hearing was closed at 7:27 p.m.

Christine Karr, Director of Services, School District #916, thanked the Commission for considering her request this evening.

Chair Oullette commended the applicant for proposing such an aesthetically pleasing and unique building. He asked if the applicant had similar special needs schools in the metro area.

Ms. Karr explained this was a unique facility being offered to serve the students. She indicated other schools in operation were square, renovated facilities.

Commissioner Goracke questioned how long it would take for the school to fill to capacity.

Ms. Karr anticipated having 93-94 students upon opening and the building could house 150 students. She commented the building would fill quickly as neighboring elementary schools were full.

Chair Oullette inquired which school districts this school would serve.

Ms. Karr stated the cities of Spring Lake Park, Blaine, Centennial, Mounds View, Roseville and Columbia Heights would be served.

Commissioner Lahti requested further information on the curriculum that would be offered.

Ms. Karr commented that each student would have an individual education plan that would involve nature and environmental based learning.

Motion by Commissioner Lahti to recommend approval of Planning Case 13-0006A it is recommended that the Planning Commission recommend

approval of the rezoning from PBD (Planned Business District) to DF (Development Flex) based on the site and proposed use being consistent with the general criteria established by DF Zoning Section 29.82.

Motion by Commissioner Lahti to recommend approval of Planning Case 13-0006B the preliminary plat for Northeast Metropolitan School District #916 Addition based on the following conditions:

Case 13-0006B:

1. Park dedication is due for the platted lot, of which 13.09 acres is being utilized, at the commercial rate of \$7,747 per acre for a total amount due of \$101,408. Payment would be required prior to release of final plat mylars for recording. Changes to the use or site plan that utilizes the most southerly portion of the property would be subject to payment of park dedication at that time and at the rate in effect at the time of the change.
2. A National Pollutant Discharge Elimination System (NPDES) Phase II permit is required from the MN Pollution Control Agency.
3. All internal utilities shall be maintained privately by the development association, including storm sewer piping, infiltration basins, and storm water sediment ponds.
4. Water Availability Charges (WAC) and Sewer Availability Charges (SAC) become due with building permit.
5. Dedication of utility and drainage easements along lot lines, over delineated wetlands and created wetlands, storm water sediment ponds, and a dedicated trail easement over the existing trail along 95th Avenue.
6. City Council approval of this development shall be contingent upon RCWD approval. No site work will be allowed until a RCWD permit has been obtained.
7. If a traffic control system is warranted at the intersection of 95th Avenue and the entrance to the school/business park the applicant should expect to be assessed a portion of that cost.

Motion by Commissioner Lahti to recommend approval of Planning Case 13-0006C the conditional use permit to allow for construction and operation of a 70,000 square foot K-8 school based on the following conditions:

Case 13-0006C:

1. All lighting on site must meet ordinance requirements and are limited to 20 feet in height.
2. A landscape plan has been submitted. The submitted plan will need to meet the Highway 65 Overlay District requirements related to the quantity and size of trees required. All disturbed areas to be sodded on 4 inches of black dirt.
3. All signage will require a separate sign permit.
4. The applicant executes a "Services Agreement" with the City that

establishes an annual payment to the City for Public Safety services.

- 5. The applicant to obtain site plan approval, meeting all grading, landscaping, building, and fire code requirements prior to any site work.
- 6. All property zoning setbacks and other development standards to meet the PBD (Section 31.35) Standards
- 7. A permit is needed from the Rice Creek Watershed District prior to a building permit being issued.

Motion seconded by Commissioner Homan. The motion passed 5-0.

Chair Ouellette noted this would be on the agenda of the March 7, 2013 City Council meeting.

4.5 [RES 13-032](#)

**PUBLIC HEARING CASE FILE NO. 12-0044 // BALDWIN PARTNERS
// ULYSSES STREET/NORTH OF CLOVERLEAF PKWY**

THE APPLICANT IS REQUESTING THE FOLLOWING:

- a) **COMPREHENSIVE PLAN AMENDMENT FROM PI/PC (PLANNED INDUSTRIAL/PLANNED COMMERCIAL) TO PI/PC/HDR (PLANNED INDUSTRIAL/PLANNED COMMERCIAL AND HIGH DENSITY RESIDENTIAL)**
- b) **CONDITIONAL USE PERMIT TO ALLOW FOR CONSTRUCTION OF A 182 UNIT MARKET RATE APARTMENT COMPLEX IN A PBD (PLANNED BUSINESS DISTRICT) ZONING DISTRICT AND SHARED ACCESS.**

Attachments: [Attachments.pdf](#)
[Feb PC Minutes.doc](#)

The report to the Planning Commission was presented by Lori Johnson, Planner III. The public hearing for Case File 12-0044 was opened at 7:39 p.m.

Katrina Joseph, Teamster’s Local #120, recommended the Commission and Council deny the request as it was her understanding the property was to remain a commercial/industrial property. She did not feel the residential apartments were conducive to the union’s business or with the surrounding businesses. She noted there would be parking issues on this site as several of the proposed parking lanes were on Teamster property and this would not be allowed. Ms. Joseph then discussed the shared access through the Teamster property and respectfully requested the Commission deny the application.

The public hearing was closed at 7:43 p.m.

Chair Oulette questioned if staff was aware of the parking concerns.

Assistant City Engineer Dan Schluender explained the site was proposing shared parking and he believed a shared parking agreement was in place.

Commissioner Goracke asked if the site would have enough parking on site without the shared parking lanes.

Planner III, Lori Johnson indicated the site has enough parking for the proposed use.

Chair Oullette asked how many people were accessing the Teamster property on a daily basis.

Ms. Joseph estimated this to be approximately 50 people on a daily basis with this number increasing to 400+ when meetings were scheduled.

Paul Tucci, property owner, discussed the property lines stating the shared parking agreement would allow for one or two rows of parking. He explained that at this time there was no demand for additional office space. He noted that a market study has shown the need for apartments in this area.

Chair Oullette stated that until the property line/parking issue could be resolved this item may need to be tabled.

Planner III, Lori Johnson stated the Commission could proceed in this manner, or a recommendation could be made directing staff to research the parking situation prior to approval by Council. She noted that the site currently met the parking requirements.

Commissioner Goracke was uncomfortable with forwarding the item to Council without all the necessary information. He supported the item being tabled.

Mr. Tucci commented the apartment complex had enough parking at this time with 2.2 stalls per unit and met the City's zoning requirements. He understood the Commission's concern but requested the item be allowed to proceed to the Council. He clarified that the only concern was with the two shared parking lanes and this issue could be resolved with the Teamsters through the shared parking agreement.

Commissioner Lahti was in favor of postponing action on this item until that document could be reviewed by staff and the Commission. She was not comfortable proceeding until this issue was clarified.

Commissioner Bergstrom asked if the shared parking agreement would be recorded with the City.

Planner III, Lori Johnson stated the document would be reviewed by the City but was agreed upon and signed by the two property owners.

Chair Oullette questioned if the Teamsters opposed the size of the building or the proposed use.

Ms. Joseph commented the original proposal for this property was a three story commercial building. She doubted that the Teamsters would have purchased and built in Blaine knowing that a five story apartment building would be located on the adjacent property.

Commissioner Homan asked if the shared parking lanes could be used by both properties.

Planner III, Lori Johnson commented this could be the practice if agreed upon by both parties. She discussed how shared parking was conducted in other commercial districts in the City. She stated another option would be for the applicant to reduce the number of units within the building to reduce the need for the number of parking spaces.

Chair Oullette still supported the item being tabled at this time.

Commissioner Lahti questioned how the shared parking agreement would be negotiated.

Planner III, Lori Johnson explained typically a shared parking agreement was not presented to the City until a building permit was requested. She indicated the Commission could recommend approval of the item requesting the parking issues be clarified prior to review by the Council. She questioned if the Commission supported the residential apartment concept on this site.

Chair Oullette stated he supported the overall concept. His only concern was with the parking requirements.

Commissioner Lahti expressed concern with the number of children that would be living in these apartments given the fact there was not a great deal of green space in the area.

Motion by Commissioner Goracke to recommend approval of Planning Case 12-0044A the comprehensive plan amendment from PI/PC (Planned Industrial/Planned Commercial) to PI/PC/HDR (Planned Industrial/Planned Commercial and High Density Residential) based on the following conditions:

Case 12-0044A:

- 1. The proposed land use is consistent with the allowed uses in the PBD**

(Planned Business District) zoning ordinance.

2. The proposed land use is consistent with residential uses to the north and west of the site.

Motion seconded by Commissioner Homan. The motion passed 5-0.

Chair Ouellette noted this would be on the agenda of the March 7, 2013 City Council meeting.

Planner III, Lori Johnson indicated additional language could be added to Condition #6 stating prior to going before City Council, there should be a clarification of what the previous shared access agreement states.

Chair Ouletette recommended the item be moved forward to the City Council without a recommendation.

Motion by Commissioner Goracke to move Planning Case 12-0044B to the City Council, a the conditional use permit to allow for construction of a 182 unit market rate apartment complex in a PBD (Planned Business District) zoning district and a shared access based on the following conditions:

Case 12-0044B:

1. This site needs to meet the Highway 65 Overlay District requirements for exterior materials, and the plans that have been submitted for this proposal meet this requirement.
2. The trail and paver system on the north side of the building must be maintained at 20-feet all year so snow plowing will be required.
3. The storm water basin in front of the building will need to be maintained and kept free of weeds so as not to create an eyesore.
4. The landscaping on site needs to meet the Highway 65 Overlay District requirements so the following trees must be provided on site:
 - Overstory Trees: 51
 - Conifer Trees: 51
 - Ornamental Trees: 51

In addition, 25% of the trees need to be oversized to meet the Highway 65 Overlay District standards. Oversized trees must be 3 inch caliper overstory trees, 8-foot conifer trees, and it is not recommended that ornamental trees be oversized. The current landscape plan meets all Zoning Ordinance requirements.

5. A lighting plan will need to be provided that illustrates that the lighting provided meets ordinance requirements. All lighting needs to be downlit and shielded to prevent glare or spill. Pole mounted lighting is limited to 20-feet in height. There shall be no lights installed on the rear of the building exterior (north side) except for individual patio lights and there shall be no free-standing lighting (other than bollard type lights along trails/features) on the rear of the building (north side), as it is immediately adjacent to an existing

residential area.

6. A copy of the shared access agreement that covers the shared access must be provided to the City prior to issuance of building permits.

7. Park dedication has been paid for the site with the recording of the plat. The amount paid, however, was based on the commercial park dedication rate at the time of recording. The developer paid for 9.16 acres in 2007, which has a 2013 credit value of \$70,963. The City's current residential rate for park dedication is \$2,813 per unit. The total park dedication amount that would be owed for the proposed 182 unit residential project is \$511,966. The City will credit the property owner for the \$70,963 that has already been paid, so the total amount of park dedication required before a permit is issued is \$441,003.

8. SAC and WAC payments will also become due prior to the issuance of building permits.

9. The applicant will need to obtain a Coon Creek Watershed District permit prior to City approval of construction plans and specifications.

10. This building will need to be licensed under the City's annual Rental License Program.

Motion seconded by Commissioner Lahti. The motion passed 5-0.

Chair Ouellette noted this would be on the agenda of the March 7, 2013 City Council meeting.

ADJOURN

Motion by Commissioner Lahti to adjourn the Regular Planning Commission meeting. Motion seconded by Commissioner Bergstrom. The motion passed 5-0. Adjournment time was 8:20 p.m.