

**UNAPPROVED
CITY OF BLAINE
PLANNING COMMISSION MEETING MINUTES
June 9, 2020**

The Blaine Planning Commission met in the City Hall Chambers on Tuesday, June 9, 2020. Chair Ouellette called the meeting to order at 7PM. Due to the COVID-19 pandemic this meeting was held virtually.

Members Present: Commission Members: Deonath, Goracke, Homan, Olson, Villella, and Chair Ouellette. Also present was Adjunct Member Drew Brown.

Members Absent: Commission Member Halpern.

Staff Present: Shawn Kaye, Associate Planner
Lori Johnson, City Planner
Elizabeth Showalter, Planning/Economic Development Technician
Teresa Barnes, Project Engineer
Ben Hayle, Communications Coordinator

APPROVAL OF MINUTES

Motion by Commissioner Homan to approve the minutes of May 12, 2020, as presented. Motion seconded by Commissioner Villella. A roll call vote was taken. The motion passed 6-0.

OLD BUSINESS

None.

NEW BUSINESS

Item 4.1 – Case File No. 20-0009 – Public Hearing – The applicant is requesting preliminary plat approval to subdivide two existing parcels (9.23 acres) into nine single family lots to be known as Boulder Estates 2nd Addition.
BOULDER ESTATES 2ND ADDITION (BOULDER CONTRACTING, 9850
HAMLIN AVENUE NE.

The report to the Planning Commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 20-0009 was opened at 7:07PM.

Commissioner Goracke asked if the developer supported the 20 conditions being proposed by staff.

Jim Cormier, Boulder Contracting, reported he supported the staff recommended conditions.

Dave Zbikowski, 9837 Hamline Avenue North commented this was Boulder Estate 2nd Addition. He questioned where Boulder Estate 1st Addition was located.

Mr. Cormier reported the Boulder Estate 1st Addition was located off Dunkirk and was completed four years ago.

The public hearing was closed at 7:10PM.

Chair Ouellette asked if this project would begin in the summer of 2020.

Mr. Cormier indicated this was the case.

Motion by Commissioner Goracke to recommend approval of Planning Case 20-0009 based on the following conditions:

Case 20-0009:

1. Park dedication will be required for the 8 new lots being proposed within the plat. The city's current park dedication rate for single family lots is \$4,449 per unit (2020 rate). A total park dedication fee of \$35,592 would become due prior to final plat mylars being released to the developer for recording at Anoka County.
2. The city's tree replacement requirements would require 24 trees (eight trees per disturbed acre) to be replaced. Therefore, tree replacement requirements will require four additional trees from the regular R-1 requirements to be planted on site. A landscape plan has been provided to meet this requirement.
3. Developer to obtain a permit from Rice Creek Watershed District prior to city plan approval.
4. Homeowners shall be required to maintain infiltration basins.
5. Standard WAC (Water Access) and SAC (Sewer Access) fees will be due with each home constructed.
6. Plans and specifications must be approved by the city prior to start of construction.
7. 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.
8. 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%.

9. 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.
10. Development requires a National Pollutant Discharge Elimination System (NPDES) Permit from Minnesota Pollution Control Agency (MPCA).
11. 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.
12. The development plan shall indicate all structures will be protected from flooding.
13. As-built surveys shall be required to verify structure elevations, custom grading requirements, and final lot grading elevations.
14. Developer to install grouped mailboxes with design and locations approved by city and US Postal Service.
15. All development signage by separate review.
16. All wells and septic systems to be properly abandoned per all local and state requirements.
17. Demolition permits must be obtained for the removal of the structures on site.
18. The existing structures, including the home will be required to be removed prior to the plat being recorded with Anoka County.
19. 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.
20. The Mayor, City Clerk and City Manager are hereby authorized to execute any and all necessary documents, agreement and releases related to the approval, recording or administration of Boulder Estates 2nd Addition.

Motion seconded by Commissioner Homan. A roll call vote was taken. The motion passed 6-0.

Chair Ouellette noted this would be on the agenda of the July 6, 2020 City Council meeting.

Item 4.2 – Case File No. 20-0018 – Public Hearing – The applicant is requesting a conditional use permit to construct an 11,000 square foot multi-tenant retail building in a PBD (Planned Business District) zoning district.

LEXINGTON MARKET RETAIL SHOPS – STARBUCKS, 108TH AVENUE AND
LEXINGTON AVENUE NE – LEXINGTON MEADOWS LLC/WELLINGTON
MANAGEMENT.

The report to the Planning Commission was presented by Lori Johnson, City Planner. The public hearing for Case File 20-0018 was opened at 7:16PM

Chair Ouellette stated he was happy to see this project moving forward.

Commissioner Villella questioned what other tenants would be located in this building.

City Planner, Lori Johnson stated the developer does not have these tenants in place at this time.

Todd Kaufman, Wellington Management, thanked the Commission for their consideration. He explained he has been discussing this retail space with several different tenants but had nothing set in stone. He commented he was excited to have Starbuck's as a tenant as this would be well received by the neighbors in this part of Blaine.

Commissioner Olson commended the developer for bringing forward such an attractive building. She questioned how traffic would flow through this site.

City Planner, Lori Johnson reviewed the site plan and discussed how traffic would flow in and out of the site.

Commissioner Villella stated he was pleased this Starbuck's would have a drive-thru.

The public hearing was closed at 7:22PM

Motion by Commissioner Villella to recommend approval of Planning Case 20-0018 based on the following conditions:

Case 20-0018:

1. The exterior building materials to match those on the submitted plans.
2. Site plan approval is required prior to issuance of building permits. All site improvements to be included in site improvement performance agreement and covered by an acceptable financial guarantee.
3. The site must meet the Highway 65 Overlay District requirements with regard to landscaping and building materials.
4. All site lighting to be down lit-style lamps to reduce glare and to meet the requirements of the Zoning Ordinance. Final site plan to include detailed lighting plan. Pole mounted lighting is limited to 20 feet in height.

5. Storage or display of retail items not permitted in the parking area. All display items must meet the outside display section of the Zoning Ordinance (Section 30.181).
6. All signage requires a separate permit meeting the requirements of the Zoning Ordinance. This lot will be allowed two elevations of wall signage meeting the requirements of the Sign Ordinance. The lot is also allowed one monument sign not to exceed 140 square feet in size and 14 feet in height.
7. The landscape plan must meet the Highway 65 Overlay District requirements and must include 25% of the landscaping in the front yard adjacent to 108th Avenue and Lexington Avenue and those trees must be oversized. The following plantings will be required on site:
 - Overstory trees: 17 (2 ½ " caliper) and 5 (3" caliper)
 - Conifer trees: 9 (6' in height) and 3 (8' in height)
 - Ornamental trees: 9 (2" caliper)
8. Temporary signage to be regulated under Zoning Ordinance Section 34.13.
9. No exterior overnight storage of pallets or delivered products.
10. No overnight storage of semi-trailers or delivery vehicles.
11. The outdoor dining area will be subject to a SAC review and payment. The applicant must work with the city's chief building official and Metropolitan Council to determine the amount required for this use.
12. Plans for amplified music or a public address system for the outdoor dining area to be reviewed by the city and approved by the management company prior to installation. Noise level of the music in the outdoor dining area to not exceed normal conversation level.
13. No outdoor advertising on building or patio area without obtaining a permit, including any signage on table umbrellas.
14. The outdoor dining area limited to the patio area identified on the site plan, and there can be no more than 16 seats in the outdoor dining area.
15. The ability to operate outdoor dining is reliant upon the applicant's ability to adequately control litter and refuse as associated with the facility.
16. Exit doors in any railing or fence in the outdoor dining area shall be openable from the inside without the use of a key or any special knowledge or effort, per the Minnesota Building Code.

17. Provide manufacturing specifications and requirements for propane heater use and clearance to combustibles if they are to be used on site.
18. Provide a detailed plan of fencing to surround patio and acquire a permit for construction of said fencing. The fencing to match the colored elevation submitted for conditional use permit approval.
19. A copy of the shared access/parking agreement with the property to the west of this site must be submitted to the Planning Department prior to any work being allowed on site.
20. A National Pollutant Discharge Elimination System Phase II permit required from the MN Pollution Control Agency. Building permits will not be issued until a copy of the permit is sent to the city.
21. A Rice Creek Watershed District permit is required. Building permits will not be issued until a copy of the permit is sent to the city.
22. Staff will continue to monitor tenants that are proposed for this building to ensure enough parking is provided on site, or on adjacent sites with the appropriate shared parking agreement in place.
23. The uses permitted by this conditional use permit to be operated in accordance with all applicable city regulations and ordinance requirements. Violation of these standards or any conditions of the conditional use permit shall be enforceable, by the city as a misdemeanor violation.

Motion seconded by Commissioner Olson. A roll call vote was taken. The motion passed 6-0.

Chair Ouellette noted this would be on the agenda of the July 6, 2020 City Council meeting.

Item 4.3 – Case File No. 20-0006 – Public Hearing – The applicant is requesting the following:

- a.) Rezoning from FR (Farm Residential) to DF (Development Flex) to allow for the construction of 45 villas and 39 single family homes on 30 acres.
- b.) Preliminary Plat approval to subdivide approximately 30 acres into 87 lots and 2 outlots.
- c.) Conditional Use Permit to allow for the construction of 45 villa homes with shared lawn maintenance and snow removal and 39 single family homes in a DF (Development Flex) zoning district.

ALEXANDER WOODS (CAPITAL TRUST DEVELOPMENT LLC), 113TH AVENUE NE AND POLK STREET.

The report to the Planning Commission was presented by Elizabeth Showalter, Planning/Economic Development Technician. The public hearing for Case File 20-0006 was opened at 7:29PM. Staff entered one public comment received by phone from James Sotanski, 1057 113th

Ave NE into the public record. Mr. Sotanski's comments were also included in the written staff report.

Chair Ouellette stated he supported the proposed development and how it was accommodating future development.

Commissioner Deonauth indicated she supported the development and encouraged the developer to save as many trees as possible.

The public hearing was closed at 7:31PM

Motion by Commissioner Olson to recommend approval of Planning Case 20-0006A a rezoning from FR (Farm Residential) to DF (Development Flex) to allow for the construction of 45 single level villas and 39 single family homes on 30 acres based on the following rationale:

Case 20-0006A:

1. The DF zoning standards to be incorporated are consistent with and will complement homes and housing options that have been constructed within recent master planned developments. The standards will create an attractive benchmark of quality multi-family homes with desired range in appearance, style, density, and construction value and market appeal.
2. The DF zoning district allows the city the opportunity to have some flexibility when approving developments that warrant higher standards than what is allowed with the traditional zoning districts. It affords the city the opportunity to provide input on items that would benefit the surrounding neighborhoods and the city as a whole.

Motion by Commissioner Olson to recommend approval of Planning Case 20-0006B a preliminary plat to subdivide approximately 30 acres into 87 lots and 2 outlots based on the following conditions:

Case 20-0006B:

1. All local public streets require dedication of 60 feet of right-of-way and shall be constructed to 29 feet back to back of width.
2. All streets will follow the Anoka County street name grid system.
3. Plans and specifications must be approved by the city prior to start of construction.
4. 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.

5. 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.
6. Development requires a National Pollutant Discharge Elimination System
7. (NPDES) Phase II General Storm Water Permit for Construction Activity from Minnesota Pollution Control Agency (MPCA). A prerequisite to the MPCA permit application includes preparation of a site Storm Water Pollution Prevention Plan (SWPPP) for the development site.
8. A 6-foot concrete sidewalk must be located on the east side of Fillmore Street, the west side of Polk Street, the south side of 112th Lane NE and along one side of 11th Lane NE. A 6-foot concrete sidewalk must also be constructed along the south side of 113th Avenue.
9. Construction contract documents shall include a mass (rough) grading, erosion protection, sediment control, development, utilities, roadway, and storm drainage plan sheets. Supporting wetland delineation report, geotechnical investigation report, soil boring logs, and hydrology report shall be included in the submittal for city review and approval.
10. The development plan shall indicate all structures will be protected from flooding.
11. CCWD permits are required prior to city approval of construction plans and specifications.
12. As-built surveys shall be required to verify structure elevations, custom grading requirements, and final lot grading elevations.
13. Park dedication will be required for the 84 new lots being constructed at the rate of \$4,449 per unit, for a total park dedication fee of \$373,716 if paid in 2020. This amount must be paid prior to releasing the plat mylars for recording at Anoka County.
14. Developer will be required to pay the sanitary sewer connection charges for each of the existing lots that are part of the proposed development. This charge must be paid prior to releasing the plat mylars for recording at Anoka County.
15. Developer to install grouped mailboxes with design and locations approved by city and US Postal Service.
16. 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.
17. All development signage by separate review.

18. Each lot in this development shall have three trees, two of which must be overstory trees with a minimum size of 2.5 caliper inches. The third tree may be overstory or ornamental. Ornamental trees may be 2 caliper inches. Two of the required trees must be located in the front yard. The third tree may be located in any yard.
19. 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.
20. Existing septic systems on lots 19 and 20 are exceptionally close to the proposed lot lines. Connection to utilities is required for those two lots. Lot 21 may hook up to utilities or remain on well and septic. Financial guarantees for the plat will not be released until this occurs.

Motion by Commissioner Olson to recommend approval of Planning Case 20-0006C a conditional use permit to allow for the construction of 45 single level villa homes with shared lawn maintenance and snow removal, and 39 single family homes in a DF (Development Flex) zoning district based on the following conditions:

Case 20-0006C:

Single Family - DF Development Standards

Permitted Uses

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

Accessory Uses

1. Private attached 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 - 25 feet

2. Side yard setback
 - a. Single Family - 7.5 feet for house and 7.5 feet for garage.
 - b. Villas - 6.5 feet for house and 6.5 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. One detached accessory storage building below 120 square feet is permitted provided it meets 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 1,300 square feet for a single level.
8. All homes shall have a minimum depth and width of 24 feet.
9. All homes to be constructed are to be consistent in architecture, materials and style with the drawings/elevations attached to this CUP. An element of brick or stone must be included on all front building elevations of the villas. 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.
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 two front yard trees and one tree in any yard. One of the required trees may be a 2 caliper inch ornamental tree while the two other trees must be 2.5 caliper inch overstory trees.

14. Developer to execute and record, where deemed appropriate by the city engineer, with the sale of single family lots, 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.
15. All development entrance signage by separate permit.
16. The three existing homes proposed to remain shall be brought into compliance with R-1 standards including replacement of gravel driveways with concrete or asphalt and removal of accessory buildings in excess of the two allowed on R-1 parcels.

Motion seconded by Commissioner Goracke. A roll call vote was taken. The motion passed 6-0.

Chair Ouellette noted this would be on the agenda of the July 6, 2020 City Council meeting.

Item 4.4 – Case File No. 20-0019 – Public Hearing – The City is requesting Amendments to Revise and Update Sections of the Entire Blaine Zoning Ordinance.
CITY OF BLAINE.

The report to the Planning Commission was presented by Lori Johnson, City Planner. The public hearing for Case File 20-0019 was opened at 7:43PM

Commissioner Goracke asked how many hours staff spent revising the Blaine Zoning Ordinance.

Lori Johnson, City Planner stated staff had not tracked their time but she estimated 30 plus hours were spent on revisions.

The public hearing was closed at 7:45 PM

Motion by Commissioner Goracke to recommend approval of Planning Case 20-0019 based on the following conditions:

Case 20-0019:

1. The existing zoning ordinance was substantially outdated given its inception in the 1970's and lack of total review has not been completed since that time.
2. The changes being proposed have the intent of bettering the livability of the city from both an aesthetic and welcoming nature.
3. The changes continue to promote the health, safety and welfare of the residents, property owners and businesses within the City of Blaine.

Motion seconded by Commissioner Deonatuh. A roll call vote was taken. The motion passed 6-0.

Chair Ouellette noted this would be on the agenda of the July 6, 2020 City Council meeting.

ADJOURNMENT

Motion by Commissioner Olson to adjourn the Regular Planning Commission meeting. Motion seconded by Commissioner Homan. A roll call vote was taken. The motion passed 6-0. Adjournment time was 7:47PM

Respectfully submitted,

Heidi Guenther
Minute Maker Secretarial