

**UNAPPROVED
CITY OF BLAINE
PLANNING COMMISSION MEETING MINUTES
January 10, 2017**

The Blaine Planning Commission met in the City Hall Chambers on Tuesday, January 10, 2017. Chair Ouellette called the meeting to order at 7:00 p.m.

Members Present: Commission Members: Goracke, Halpern, Olson, Ponds, York and Chair Ouellette

Members Absent: Commission Member Homan

Staff Present: Shawn Kaye, Associate Planner
Lori Johnson, Associate Planner
Tom Scott, Project Coordinator

APPROVAL OF MINUTES

Motion by Commissioner York to approve the minutes of December 13, 2016, as presented. Motion seconded by Commissioner Goracke. The motion passed 5-0-1 (Ponds abstained).

OLD BUSINESS

None.

NEW BUSINESS

Item 4.1 – Case File No. 16-0055 – Public Hearing – The City is proposing a code amendment to the PBD (Planned Business District) Zoning District to add Motorcycle Sales and Maintenance as a use allowed by Conditional Use Permit.
CITY OF BLAINE.

The report to the Planning Commission was presented by Lori Johnson, Associate Planner. The public hearing for Case File 16-0055 was opened at 7:06 p.m. As no one wished to appear, the public hearing was closed at 7:06 p.m.

Motion by Commissioner York to recommend approval of Planning Case 16-0055 based on the following rationale:

Case 16-0055:

1. The added use of *Motorcycle Sales and Maintenance* given the development standards of the PBD will allow a new use consistent with many other retail and service uses that are also permitted by the district.
2. The amendment will allow development of a new larger dealership which will not only retain current jobs (from the current facility) but add a much larger job base along Highway 65.

Motion seconded by Commissioner Ponds. The motion passed 6-0.

Chair Ouellette noted this would be on the agenda of the January 19, 2017 City Council meeting.

Item 4.2 – Case File No. 16-0056 – Public Hearing – The City is proposing a code amendment to the R-1 (Single Family) Zoning District to establish a 75-foot building setback from the Ordinary Highway Water of Public Water.
CITY OF BLAINE.

The report to the Planning Commission was presented by Tom Scott, Project Coordinator. The public hearing for Case File 16-0056 was opened at 7:09 p.m. As no one wished to appear, the public hearing was closed at 7:09 p.m.

Commissioner York asked if the DNR rules would supersede the City's rules.

Project Coordinator, Tom Scott explained the City was responsible for enforcing the rules and not the DNR. This led the City staff to draft the proposed code amendment.

Motion by Commissioner Goracke to recommend approval of Planning Case 16-0056 approving a code amendment to the R-1 (Single Family) Zoning District to establish a 75-foot building setback from the Ordinary High Water mark of Public Water. Motion seconded by Commissioner Halpern. The motion passed 6-0.

Chair Ouellette noted this would be on the agenda of the January 19, 2017 City Council meeting.

Item 4.3 – Case File No. 16-0053 – Public Hearing – The applicant is requesting a Conditional Use Permit to allow for the construction of a 63,664 square foot retail store for the purpose of motorcycle sales and maintenance.
HARLEY DAVIDSON, 9751 ULYSSES STREET NE.

The report to the Planning Commission was presented by Lori Johnson, Associate Planner. The public hearing for Case File 16-0053 was opened at 7:14 p.m.

Chair Ouellette noted the Commission received a letter from Caralee Kruger, 9816 Pierce Street, who expressed concern with the proposed use, the noise that would be created and was therefore not in favor of the Conditional Use Permit.

Mitch Ficocello, 9791 Pierce Street NE, supported expansion and growth in the City. However, he feared how noise from the proposed facility would impact his neighborhood. He questioned how the misuse of Buchanan Street by motorcycles would be addressed by the City.

Katie Vazquez, 9810 Pierce Street NE, stated she lived directly adjacent to the proposed property. She opposed the development of this business and feared how motorcycle test driving along Buchanan Street would impact the safety of her children. She believed the proposed use would be a noise concern and she feared her property value would be adversely impacted.

Ron Gustafson, 9810 Pierce Street NE, understood Harley Davidson was a great company to have in the City of Blaine. He expressed concern with how traffic would flow to the proposed site as there was no direct access from Highway 65. He feared that all traffic would have to flow past his home along Buchanan Street, which would be extremely disruptive to the residential neighborhood. He believed there should be some sort of buffer between this proposed business and the residential neighborhood.

The public hearing was closed at 7:22 p.m.

Andy Brandel, ISG, stated he was in attendance on behalf of DWR Holdings. He thanked staff for their assistance with his request and stated he would be happy to field questions from the Commission.

Commissioner Goracke questioned the hours of operation.

Mr. Brandel was uncertain of the desired hours of operation for this store location.

Commissioner Goracke asked how many customers were serviced on a daily basis at the current location.

Mr. Brandel did not have traffic counts for the existing facility.

Commissioner Goracke inquired how much larger the new facility would be compared to the existing facility.

Project Coordinator, Tom Scott reported the existing building was approximately 21,000 square feet and the new facility was over 40,000 square feet.

Commissioner Goracke questioned how many new employees would be brought to the new location.

Mr. Brandel estimated 35 employees would be hired for the new facility.

Commissioner York reviewed the current hours of operation, noting Harley Davidson was open Monday through Saturday 8:30 a.m. to 7:00 p.m. with the site closed on Sundays. He asked how often the site would be used to host events.

Associate Planner, Lori Johnson stated the current Harley Davidson facility has had one or two events during the summer months. She noted the City received no complaints from the outdoor event held during the summer of 2016. She explained the zoning on the site was not being changed, rather motorcycle sales was being allowed as a Conditional Use. She reported the street had been constructed to handle the proposed traffic given the fact the property was zoned Commercial.

Commissioner Ponds inquired if any noise reduction measures were being pursued by Harley Davidson.

Mr. Brandel indicated the facility would have a specially designed precast maintenance area with special exhaust to allow for a soundproof area to test motorcycles.

Commissioner Halpern questioned if sound abatement berms could also be considered by Harley Davidson.

Mr. Brandel stated this could be investigated further for the west side of the property. He reported the property had a large wetland area that would remain untouched.

Chair Ouellette recommended that all test drives be required to be on Highway 65 and not through the neighborhood. He supported signage being placed on the Harley Davidson site to direct motorcycle traffic away from the residential neighborhood.

Commissioner York believed the majority of Harley Davidson riders were aware of their impact on residential neighborhoods.

Motion by Commissioner Olson to recommend approval of Planning Case 16-0053 based on the following conditions:

Case 16-0053:

1. Site plan approval is required along with the associated Site Improvement Performance Agreement and financial guarantee.
2. The development of the site must meet the Highway 65 Overlay District requirements for the building and landscaping.
3. The landscape plan that has been provided does not meet zoning ordinance requirements. The following number of trees are required on site:

| | |
|-------------------|-----------------------|
| Overstory Trees: | 54 (2 ½ inch caliper) |
| Conifer Trees: | 48 (6 feet in height) |
| Ornamental Trees: | 48 (2 inch caliper) |

Shrubs are also required. These numbers are based on the required Highway 65 Overlay Standards for landscaping for this site. In addition, 25% of the plantings must be

- increased in size (3 inch caliper for overstory trees, 8 feet for conifer trees, oversizing not recommended for ornamental trees) and located within the front yard.
4. The applicant will need to obtain a permit for site development and wetland replacement from the Coon Creek Watershed District prior to issuance of site plan approval and building permits.
 5. The applicant will need to obtain a permit from the Minnesota Department of Transportation prior to issuance of site plan approval and building permits.
 6. All lighting on site must meet the requirements of the zoning ordinance. Pole mounted lighting is limited to 20 feet in height.
 7. All signage is issued under a separate permit.
 8. A lot combination of the two underlying parcels must be initiated at Anoka County prior to issuance of site plan approval.
 9. The applicant shall record the vacation of the existing drainage and utility easement for the sanitary sewer, following the relocation of the sanitary sewer.
 10. A detail of the proposed dumpster enclosure must be submitted during the site plan approval process to ensure the enclosure matches the proposed building.
 11. The applicant has proposed a small motorcycle display and event area on the southeast corner of the building. This would be allowed through this conditional use permit, but the applicant is reminded that outside storage of motorcycles is limited to the area shown on the site plan for this use. All event permits will need to be obtained through the City Clerk.

Motion seconded by Commissioner York. The motion passed 6-0.

Chair Ouellette noted this would be on the agenda of the February 2, 2017 City Council meeting.

Item 4.4 – Case File No. 16-0046 – Public Hearing – The applicant is requesting a Conditional Use Permit to construct an 18,483 square foot church building on a 4.84 acre parcel in an R-1AA (Single Family) zoning district.
GREAT GRACE ASSEMBLY OF GOD CHURCH, 9240 WEST I-35W SERVICE DRIVE.

The report to the Planning Commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 16-0046 was opened at 7:41 p.m.

Chris Heinze, 9189 Harpers Court NE, stated he lived behind the proposed church. He explained he opposed any development on this site, other than residential. He understood a great deal of trees would be lost, which would increase the freeway noise at his home. He expressed concern

with how he would be impacted by lighting on the church property. He was surprised that the City was only requiring 10 additional trees be replaced on the west property line. He feared the wildlife he enjoys on his property would be lost if a church were to locate behind his home. He discussed the traffic along Radisson Road, 93rd Avenue and the frontage road. He believed a church on this property would only increase the traffic concerns. He asked why the church was moving to the City of Blaine from Minneapolis.

Chair Ouellette stated this question was immaterial.

Pat Flaherty, 9219 Harpers Court NE, shared many of the same concerns as Mr. Heinze. He commented he has DNR endangered plants in his neighborhood. He feared the freeway noise and lights from the church would negatively impact his property. He stated he moved to this neighborhood for the nature and woods. He questioned if a noise wall was being considered for the freeway. He believed this would greatly benefit his neighborhood. He discussed how traffic flowed through his neighborhood and feared cars would be overflowing onto the residential streets. He anticipated his property value would be adversely impacted if a church were constructed on the proposed lot. He was concerned that not more properties had been notified and feared the proposed church would destroy his peaceful, quiet, nature-filled neighborhood. He recommended the Commission not support the request.

Chair Ouellette noted for the record the Planning Commission received a letter from Janet and Larry Mickelson at 3107 93rd stating they had concerns with traffic, light pollution and layout of the proposed development. In addition, he commented on a letter received from Dan and Andrea Zweer at 3120 93rd stating they opposed the tree removal and overall project.

Katie Ziebol, 9314 Harpers Court NE, commented there was a public trail directly behind the proposed church. She stated in order to reach the trail her family had to walk along 93rd. She requested a sidewalk be installed for safety reasons. She commented on the peaceful nature of her neighborhood and believed the large church parking lot would take away from this.

Polly Teslaa, 9169 Harpers Court NE, expressed concern with the location of the church. She feared how the additional traffic for the church would impact her neighborhood. She was surprised that more of her neighbors were not invited to this meeting. She recommended the property remain zoned residential and that the church not be allowed.

Gaye Christofersen, 9231 Harpers Court NE, agreed with the comments made by her neighbors and recommended the Planning Commission not support the church's proposal. She wanted to keep the nature and wildlife in her neighborhood.

Lynn Voss, 9197 Harpers Court NE, agreed with her neighbors and stated she has lived in this neighborhood since 1996.

Matt Ziebol, 9314 Harpers Court NE, stated if this church was approved, the aesthetics and appeal of his neighborhood would be adversely impacted. He feared how pedestrian safety along 93rd would be impacted if the church were approved.

The public hearing was closed at 8:01 p.m.

Commissioner Halpern believed the residents in this area were using the proposed lot as a recreational area. He suggested the Commission keep this in mind when considering this request.

Commissioner Ponds asked how many lights would be installed on the proposed church property.

Associate Planner, Shawn Kaye explained the church would have to meet the City's lighting ordinance requirements through the site plan process. She indicated the lighting on the site would be for security purposes.

Chair Ouellette questioned if this property had access to 93rd Avenue.

Associate Planner, Shawn Kaye reported the property would not have access to 93rd Avenue but traffic could turn onto 93rd Avenue.

Commissioner Goracke inquired if a sidewalk connection could be considered.

Project Coordinator, Tom Scott stated the sidewalk connection would be taken to the Traffic Commission for a recommendation to the City Council. He was uncertain who would be responsible for paying for the sidewalk segments.

Dennis Batty, architect for Great Grace Assembly of God Church, commented he had been working with staff on the project and noted he had received approval from the Rice Creek Watershed group. He reviewed the site plan in further detail with the Commission and noted only half of the site would be cleared for the church building and parking lot. He described how he had worked to preserve the trees on the site and stated the church would be replanting more trees than was required by the City. He noted the parking lot would be over 50 feet from the property line. It was his opinion the church building was well designed to fit into the residential neighborhood.

Commissioner Goracke questioned how many members attended the church on an average Sunday.

Mr. Batty stated the church had 175 members in attendance.

Louis Oppong-Kyekyeku, Pastor of Great Grace Assembly of God Church, believed the church building would live peacefully with the neighborhood. He stated the church would work to live in harmony with the neighborhood.

Commissioner Goracke understood the neighborhood was not against the church per se, but questioned the pastor to why the neighbors would want the church.

Pastor Oppong-Kyekyeku believed the church had the responsibility to help with uplifting each other. He indicated the church would be willing to have a library open to the neighboring children. He stated the church would be a good neighbor to the community.

Commissioner Ponds asked how many people would be on staff during the day and wondered what the weekday hours of the church would be.

Pastor Oppong-Kyekyeku stated he and his wife (church secretary) would be available Monday through Friday.

Chair Ouellette questioned when construction would begin on the new church.

Mr. Batty explained the sale of the property was conditional, based on the church receiving approval from the City. He estimated the project would take 18 months to complete.

Commissioner Olson asked if the property was signed industrial. She inquired if churches were allowed in the residential zoning district.

Associate Planner, Shawn Kaye reported the land may have been signed industrial by the property owner, but the property is not zoned Industrial. She explained churches were an allowed use in the residential zoning district.

Commissioner Olson questioned if the trail was owned and maintained by the City.

Project Coordinator, Tom Scott indicated the City does own the trail and would continue to maintain it after the project was complete.

Commissioner York asked who would be in charge of a sound barrier along I-35W.

Project Coordinator, Tom Scott stated MnDOT was the entity that would determine if this portion of the freeway was in need of a sound barrier. He anticipated that if the intersection on I-35W were improved, a sound wall would be put in place for both sides of the freeway.

Chair Ouellette understood the neighborhood was concerned about the loss of trees and wildlife. However, the problem was the City could not deny a land owner or developer the right to develop a property if their request meets all City requirements.

Motion by Commissioner Goracke to recommend approval of Planning Case 16-0046 based on the following conditions:

Case 16-0046:

1. The applicant to submit detailed site, grading, landscape, and building plans meeting the requirements of the Zoning Ordinance. Building and site plans to meet all building and fire code requirements with site plan approval required prior to any site work.

2. Park Dedication will be required as a part of site development. The fee will be calculated as: 4 upland acres x 2.5 units per acre (low end of LDR land use) = 10 buildable units - 1 previously paid residential lot = 9 residential lots. Total fee based on the 2017 rate- 9 lots x \$4,114 (2017 rate) = \$37,026.
3. A Site Improvement Performance Agreement and financial guarantee to be submitted to ensure completion of site improvements.
4. Completion of Rice Creek Watershed District (RCWD) permit application requirements. A permit must be received prior to City approval of site plan.
5. Submit a copy of all RCWD permit application documents for City review.
6. The church is limited to the proposed use as shown in the attached site plan.
7. The sanctuary is limited to seating for 400 people.
8. The City will monitor traffic levels and patterns for the church and reserves the right to require the church to provide on-site traffic management should the need arise at some point in the future.
9. The church is limited to the proposed use as a church and as shown in the attached site plan. Other uses such as child care, pre-school or school, exclusive of religious education classes, are not permitted by the CUP and would require subsequent CUP review and approval.
10. Temporary uses, such as outdoor events, are not permitted without a specific CUP amendment or Special Events License.
11. Underground irrigation and sod must be provided for the entire site except where a natural/low maintenance landscape area(s) is approved through the site plan process.
12. All site lighting shall be down lit and shielded. Pole-mounted lights are limited to 20 feet in height.
13. Permanent signage requires a separate sign permit approval process.
14. Southbound and northbound turn lanes may be required in the future if traffic studies indicate that they would be necessary. The property owner would be required to construct the improvements. The City shall review traffic issues on a periodic basis to determine the need for improvements.
15. A separate domestic water service will be required to the site from the water main, and not connected to the fire suppression service pipe.

16. The applicant/owner will need to make an application for a Letter of Map Change to FEMA for flood plain revisions. Final approval Letter must be received prior to release of site escrow.
17. As a part of the CUP approval process and consistent with other church approvals the following number of trees will be required to be planted on site:
- | | |
|------------------|---|
| Overstory Trees: | 27 trees |
| Conifers: | 10 trees plus 10 additional conifers on the west side of the site for a total of 20 trees |
| Ornamental: | 10 trees |

Motion seconded by Commissioner York. The motion passed 6-0.

Chair Ouellette noted this would be on the agenda of the February 2, 2017 City Council meeting.

Item 4.5 – Case File No. 16-0054 – Public Hearing – The applicant is requesting the following:

- a.) Rezoning from RF (Farm Residential) to R-1AA (Single Family)
- b.) Preliminary Plat approval to subdivide 3.7 acres into nine (9) single family lots to be known as Woodland Cove.

WOODLAND DEVELOPMENT CO., 11983 LONDON STREET NE.

The report to the Planning Commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 16-0054 was opened at 8:28 p.m.

Gail Brown, 1931 Cloud Drive NE, stated she co-owns the property that abuts the proposed development. She requested the developer allow the driveway to remain where it is and that the boundaries of Lot 1 be readjusted. She reported she uses her land for farm residential and feared how neighbors would impact her property. She did not believe it was reasonable to install a sidewalk along Cloud Drive. She indicated she would like to meet the developer with a City representative.

Commissioner York reported he lives near Ms. Brown and advised her property was preexisting and she would not have to remove her animals because of the proposed development.

Luther Gerlach, 1879 Cloud Drive NE, provided the Commission with a handout on his ideas and explained he has lived at his property since 1964. He stated he and his wife were tree planters. While he did not object to the development, he feared the new residents would have an impact on his property. He requested the City and the developer meet in order to mitigate these impacts. He described the impact previous developments have had on his property and noted Cloud Drive was not designed for heavy truck traffic. He encouraged the City to consider how destructive the deer are to residential trees and wildflowers given the fact their habitat was continually being reduced in size.

Commissioner York agreed the deer in the neighborhood were destructive.

Byron Westlund, President of Woodland Development, introduced himself to the Commission and noted he had a history of development in Blaine. He explained Woodland Development has been in business for the past 42 years. He understood this was a beautiful piece of property and stated he was proposing larger lots to more closely align with the surrounding properties.

The public hearing was closed at 8:46 p.m.

Chair Ouellette asked if the developer could work with Ms. Brown regarding the property line situation.

Mr. Westlund stated he would work with the utility companies in order to relocate the utilities and explained he would address the driveway situation when the property was being closed on.

Commissioner Halpern questioned how much of the vegetation would be removed.

Mr. Westlund reported he would be working to save as many trees as possible. He understood the City was willing to work with him on the sidewalk in order to have it meander to assist in saving more trees.

Commissioner York inquired if all nine lots would be constructed at once.

Mr. Westlund indicated the lots would be sold to a builder and the entire development would be constructed within two years. He commented on the conditions as proposed by staff and requested the property owner not be responsible for the maintenance of the infiltration basins. He believed this was a recipe for disaster given the fact a future homeowner would have no knowledge on how to properly maintain an infiltration basin.

Commissioner Olson understood this concern and believed this should be addressed by the City.

Project Coordinator Tom Scott explained the City drafted this policy several years ago for infiltration basins that only serve private property. This would keep the City out of private backyards. He stated infiltration basins do not require a great deal of maintenance. He proposed an HOA be formed by the nine lots to address the maintenance of the basins.

Commissioner York questioned how long the proposed sidewalk would be.

Associate Planner, Shawn Kaye reported the sidewalk would only run along the two lots on Cloud Drive.

Commissioner York addressed some comments and concerns from his neighbors, stating traffic was a concern along 119th.

Chair Ouellette encouraged Mr. Westlund to meet with the neighbors in attendance after the meeting.

Motion by Commissioner Halpern to recommend approval of Planning Case 16-0054A a Rezoning from FR (Farm Residential) to R-1AA (Single Family) at 11983 London Street NE based on the following rationale:

Case 16-0054A:

1. A rezoning is required because the current zoning of FR (Farm Residential) does not allow for smaller lot sizes when sewer and water will serve the property.
2. The R-1AA zoning district is consistent with surrounding properties to the west and south of this property so any proposed homes will be in character with the surrounding neighborhood.
3. The R-1AA zoning is consistent with the City's land use designation for this area of LDR (Low Density Residential).

Motion by Commissioner Halpern to recommend approval of Planning Case 16-0054B a Preliminary Plat to approval to subdivide 3.7 acres into nine (9) single family lots to be known as Woodland Cove at 11983 London Street NE based on the following conditions:

Case 16-0054B:

1. Park dedication will be required for the 9 new lots being proposed within the plat. The City's current park dedication rate for single family lots is \$4,114 per unit (2017 rate). A total park dedication fee of \$37,026 would become due prior to final plat mylars being released to the developer for recording at Anoka County.
2. Developer to obtain a permit from Coon Creek Watershed District prior to any site work. Developer to provide analysis for location and sizes of infiltration basins.
3. Homeowners shall be required to maintain infiltration basins.
4. Additional information is required to determine lowest floor elevations.
5. Standard WAC (Water Access) and SAC (Sewer Access) fees will be due with each home constructed.
6. Demolition permits must be obtained for the removal of the existing home and two accessory structures.
7. A six foot concrete sidewalk will need to be constructed along the east side of London Street and the south side of Cloud Drive for the entire length of the proposed plat.

8. The driveway will need to be reconstructed with a proper setback of 3 feet onto the adjacent property or the lot line for Lot 1 be adjusted to provide a 3 foot setback for the existing driveway prior to the plat being recorded with Anoka County.
9. Execution and recording of a Development Agreement outlining the developer responsibilities for grading and development of the property.
10. 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 Woodland Cove.

Motion seconded by Commissioner Olson. The motion passed 6-0.

Chair Ouellette noted this would be on the agenda of the February 2, 2017 City Council meeting.

Item 4.6 – Case File No. 16-0057 – Public Hearing – The City is requesting a Comprehensive Plan Amendment to the City’s 2030 Sanitary Sewer Service Area Map. CITY OF BLAINE.

The report to the Planning Commission was presented by Tom Scott, Project Coordinator. The public hearing for Case File 16-0057 was opened at 8:59 p.m. As no one wished to appear, the public hearing was closed at 8:59 p.m.

Motion by Commissioner Olson to recommend approval of Planning Case 16-0057 approving a Comprehensive Plan Amendment to the City’s 2030 Sanitary Sewer Service Area Map. Motion seconded by Commissioner Goracke. The motion passed 6-0.

Chair Ouellette noted this would be on the agenda of the February 2, 2017 City Council meeting.

ADJOURNMENT

Motion by Commissioner Goracke to adjourn the Regular Planning Commission meeting. Motion seconded by Commissioner Ponds. The motion passed 6-0. Adjournment time was 9:00 p.m.

Respectfully submitted,

Heidi Guenther
TimeSaver Off Site Secretarial, Inc.