



# 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.*

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Tuesday, January 14, 2014

7:00 PM

Council Chambers

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### 1 Roll Call

The Blaine Planning Commission met in the City Hall Chambers on Tuesday, January 14, 2014. Chair Ouellette called the meeting to order at 7:00 p.m.

Staff Present: Shawn Kaye, Associate Planner  
Dan Schluender, Assistant City Engineer

**Present:** 6 - Chair Ouellette, Vice Chair Lahti, Goracke, Bergstrom, York, and King

**Absent:** 1 - Radtke

### 2 Approval of Minutes

[TMP 14-1425](#)

December 10, 2013 Planning Commission Minutes

**Attachments:** [Dec 10 PC Minutes](#)

**Motion by Commissioner York to approve the minutes of December 10, 2013, as presented. Motion seconded by Commissioner King. The motion passed 6-0.**

### 3 Old Business

None.

### 4 New Business

#### 4.1 [RES 14-027](#)

**Public Hearing Case File No. 14-0001 // 1617 93rd Lane NE //**

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**Yong Ping Jiang**

**The applicant is requesting a conditional use permit to operate a massage business in an I-1 (Light Industrial) zoning district.**

**Attachments:**     [Massage CUP - Attachments](#)  
                              [Massage CUP - Public Comment](#)

The report to the Planning Commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 14-0001 was opened at 7:05 p.m. As no one wished to appear, the public hearing was closed at 7:05 p.m.

Commissioner York asked how the City can be assured that this won't become a problem similar to that being observed in Bloomington with sex trade.

Associate Planner, Shawn Kaye explained the applicant was required to get a massage license through the City Clerk's office. She added that this was an existing business in the City of Blaine that was simply changing locations.

**Motion by Commissioner Bergstrom to recommend approval of Planning Case 14-0001 based on the following conditions:**

**Case 14-0001:**

- 1. The business to operate in terms of hours and building size as described in the attached narrative and site plan.**
- 2. Parking is limited generally to 3-6 vehicles. The applicant and property owner will need to manage the parking demand of the building so as to not create parking issues for other building tenants.**
- 3. The interior tenant finish work to be completed with review and permit meeting all Building and Fire Code requirements.**
- 4. A Certificate of Occupancy is required prior to occupying the space.**
- 5. All business signage by separate review and permit.**

**Motion seconded by Commissioner Goracke. The motion passed 6-0.**

**Chair Ouellette noted this would be on the agenda of the February 6, 2014 City Council meeting.**

**4.2**     [ORD 14-2279](#)

Public Hearing Case File No. 13-0066 // Mark of Excellence Homes // 8791 Lexington Avenue NE (Former Kate Haven Golf Course)

The applicant is requesting the following:

- a) Rezoning from R-1 (Single Family) to DF (Development

Flex)

- b) Preliminary plat approval to subdivide 37.18 acres into 70 lots, 2 common lots, and 3 outlots to be known as Weston Woods on Rice Creek.
- c) Conditional use permit to allow for construction of 70 twinhome units and 1,618 s.f. of accessory building space for an existing home located at 4398 Flowerfield Rd. in a DF (Development Flex) zoning district.

**Attachments:**     [Weston Woods - Attachments](#)  
                                 [Weston Woods - Public Comments](#)  
                                 [Weston Woods - Jan 14 PC Minutes](#)

The report to the Planning Commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 13-0066 was opened at 7:14 p.m.

Chair Ouellette included for the record a letter received from Gary and Margaret Blahaski noting they expressed concern with congestion on Flowerfield and Lexington Avenue. Lillian Schmidt had concern with the proposed price points on the homes. Tom and Barbara Lee wanted to see the zoning remain single family. Barb Nathy did not want to see the picturesque landscape changed. Andre Franco was worried about the loss of the wooded area on the west property line and requested a five to eight foot buffer remain. Jerry Walter was concerned with how the proposed development would affect the traffic flow on Lexington Avenue.

Ken Partyka, 4414 87th Avenue, expressed concern with the traffic levels at the intersection of 87th and Lexington. He stated this intersection was currently difficult and the additional traffic from the proposed development would compound these concerns. He anticipated that the heavy construction vehicles would use Flowerfield during construction and this would greatly damage the roadway. He questioned who would be responsible for fixing this roadway. He requested the developer work to keep the dirt and sand levels down during construction.

Assistant City Engineer, Dan Schluender explained he has had conversations with the Anoka County Highway Department regarding the traffic levels on Lexington Avenue. The City requested information on the two intersections adjacent to this development and the County had no records that would raise concern. The County issued a letter to the developer noting these intersections would be monitored once the development was complete to see if the intersections meet warrants for a signalized intersection. At that time, the City would have another meeting if the intersection meets the warrant requirements. He reported 87th Avenue would be used for heavy construction

vehicles and street sweeping would be completed to keep the dirt and sand off the existing streets.

Steve Winje, 129 Canterbury Road, a Circle Pines resident, questioned the price range for homes built within the proposed development.

Chair Ouellette deferred this question to the developer.

Pam Strunz, 203 Marian Court, a Circle Pines resident, commented she lives on Marian Court. She has lived in her home for the past 35 years and was disappointed that the golf course was being rezoned. She expressed concern with drainage from the new homes flowing down to her neighborhood, as her home sat lower than the golf course. She requested further information on the landscaping planned for the site.

Associate Planner, Shawn Kaye reviewed the landscaping plan with the Commission noting trees would be removed in the southeast corner, while landscaping would be added on the east property line. She reported that 30 conifers would be added to the east property line.

Assistant City Engineer, Dan Schluender explained that all drainage from the residential lots would be managed and contained onsite.

Paul Peterson, 209 Marian Court, stated he moved into his home a year ago. He was disappointed to hear the golf course was struggling and was looking to sell. He explained he was an avid biker and enjoyed riding his bike in the trails along Lexington Avenue. His main concern was with the development flex zoning and if the plans could be amended in the future if the proposed twinhomes did not sell.

Chair Ouellette stated the development plans would not likely be altered in the future as there was a large amount of lowland in the middle of the property that could not be developed.

Tom Brown, 343 Forest Drive, expressed concern with Flowerfield Drive due to the fact it is a small, narrow road. He questioned if the City of Blaine would be reconstructing this road to meet the increased density that would be created from this development.

Assistant City Engineer, Dan Schluender commented the City rates its streets every three years. Once the road starts failing, it would be placed in the City's queue for a project.

Steve Gerlach, 341 Forest Drive, also had concerns with Flowerfield Drive and how it would be affected with increased traffic. He questioned why the current home was requesting another garage, as it already had a 3-car attached

garage.

Associate Planner, Shawn Kaye reported the new garage would match the existing structure and was being requested under the DF zoning. She indicated this was not inconsistent with other development flex projects.

Trina Sandlie, 114 Canterbury Road, resident of Circle Pines, thanked the Commission for their time. She questioned if the proposed price range was the price per unit or the price for each building. She discussed the traffic issues on Lexington Avenue commenting that another 140 cars would only make matters worse. She wanted to be assured that only single-family homes were being built and did not want to see high density residential in Weston Woods. She encouraged Blaine to pass a rental minimum standard to ensure that a large portion of these units did not become rental units.

Chair Ouellette anticipated that at the proposed price range, he did not anticipate the units would be rented.

Sue Gerval, Marion Court, questioned what would happen to the units that did not sell and if they would be subsidized. She asked why some of the trees in her rear yard were tagged. She inquired how close the twinhomes would be built to the property line.

Chair Ouellette commented the units would not be subsidized. He reported the tagged trees may be trees that would be removed, but the City had a tree replacement plan in place and 30 conifers would be placed on the east property line.

Associate Planner, Shawn Kaye reported the closest twinhome unit appeared to be more than 50 feet from the property line.

Laura Currier, 355 Forest Drive, commented Flowerfield was already failing. She explained she was against the proposed twinhomes and wanted to see single-family homes instead. She indicated she had researched the developer and found a large number of negative comments regarding him as a builder.

Jerry Walter, 296 Little John Drive in Circle Pines, discussed the traffic concerns with Flowerfield, especially in the winter months. He explained the proposed twinhomes would compound these matters. He recommended a right turn lane be considered at Flowerfield and Lexington Avenue.

Kelly Fisher, 114 Canterbury Road, asked if the units were \$400,000 per unit or per building.

Associate Planner, Shawn Kaye stated the developer has indicated the units will be \$375,000-475,000 each. She commented the price range was not

regulated by the City.

Mr. Fisher discussed how the additional traffic from the twinhomes would impact the entire neighborhood. He recommended the high price point be reconsidered as it could adversely impact the surrounding properties.

John Carlson, 204 Marian Court in Circle Pines, stated he and his wife have lived in their home for 27 years. He asked if the twinhomes would have an association. He then discussed the traffic concerns along Flowerfield. He was not against the area developing, but wanted to see single-family homes versus the twinhome units.

Associate Planner, Shawn Kaye reported the twinhome development would have an association.

Cindy Angerhofer, 245 Cobbler Court, discussed the level of wildlife in the area and suggested a wildlife access be created under Flowerfield. She questioned if there was a demand for 70 new twinhomes in this price range. She feared the new units would devalue the homes in the neighborhood. She discussed the traffic concerns along Lexington noting she did not want to see Robin Hood extended.

Paula Henneberg, 8898 Lexington Avenue, understood the traffic concerns along Flowerfield. She was sad that the golf course would be going away as the surrounding homeowners would be adversely impact. She then discussed the speed of traffic along Lexington Avenue.

Assistant City Engineer, Dan Schluender stated Flowerfield would be evaluated this spring and as the development continued, cars would be counted to see if the roadway warranted improvement.

The public hearing was closed at 8:02 p.m.

Commissioner York stated Flowerfield had a problem with water. He asked if the new development would actually improve the water runoff situation.

Assistant City Engineer, Dan Schluender explained a culvert project that was planned for the area noting the curb would be extended to direct water runoff to the new culvert.

Jill Schmidt, 269 Tanner Court, asked if the developer was aware this property was zoned for single family. She questioned why it was being changed to development flex.

Associate Planner, Shawn Kaye explained the golf course has been zoned R-1 single family for many years, with a low-density residential and medium

density residential land use. These land uses allow for six to ten units per acre. She reported that more units could be placed on the site under the current land use designations. She indicated the developer was proposing to have 4.6 units per acre with the twinhomes. She then reviewed the numerous benefits of the development flex zoning district stating the City was able to negotiate on behalf of the City. This negotiation process led to additional landscape buffers.

Chair Ouellette added that over half of the parcel would remain open space due to the twinhome arrangement and design of the development.

Commissioner York indicated he lives in a neighborhood with two twinhomes and understood the concerns raised by the public this evening. He asked if the rezoning were denied if the development would halt.

Associate Planner, Shawn Kaye commented the developer would have to reconsider their request if the rezoning were denied.

Commissioner Bergstrom asked if the developer was present.

Mark Smith, 4728 Greenhaven Drive, stated he has been building these twinhomes for over 23 years. He explained if the market were to slow down, he would slow down on the construction. He reported the lawns would be maintained by a professional. He discussed the success of a similar twinhome neighborhood in White Bear Lake stating only one unit out of 150 had been foreclosed during the economic downturn. He stated his major market would be empty nesters, and anticipated that 30-50% would be snowbirds. This would keep the neighborhood quiet and calm in the winter months. He commented that besides the golf course, he was proposing the best neighbor-type situation for the adjacent homeowners.

Commissioner Bergstrom requested further information on the proposed twinhome association and asked if rental units would be allowed.

Mr. Smith stated he did not have the right to make the units non-rental. However, it was his experience that the value of the twinhome units was not conducive to rentals.

Commissioner Lahti thanked Mr. Smith for his remarks.

Commissioner King asked if there were other development flex (DF) zoning districts in this area of Blaine.

Associate Planner, Shawn Kaye reported The Lakes was zoned DF.

Commissioner Bergstrom questioned the age of the homes surrounding the

golf course.

Chair Ouellette estimated that the majority of the homes were built in the late 70's and early 80's.

Commissioner Bergstrom preferred to see detached homes on the golf course property versus the proposed twinhomes.

Commissioner Lahti inquired if the existing home would be rezoned to development flex.

Associate Planner, Shawn Kaye reported this was the case and the rezoning would allow for the larger garage.

Commissioner York questioned how many single family homes could be placed on the golf course.

Associate Planner, Shawn Kaye anticipated the number of units would be similar to the proposed development, but was not completely sure.

**Motion by Commissioner King to recommend approval of Planning Case 13-0066A the rezoning from R-1 (Single Family) to DF (Development Flex) for Weston Woods on Rice Creek based on the following rationale:**

**Case 13-0066A:**

1. The DF zoning standards to be incorporated are consistent with and will compliment homes and housing options that have been constructed within recent master planned developments. The standards will create an attractive benchmark of quality townhomes 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.
3. The DF zoning district allows narrower lot widths to provide the plat limited density transfer not provided by standard zoning requirements. This allows the opportunity to preserve higher quality areas that provide internal open space and amenities to the neighborhood.
4. The DF zoning and proposed development of 70 housing units is consistent with the density allowed by the site's LDR/MDR (Low/Medium Density Residential) land use category.

**Motion by Commissioner King to recommend approval of Planning Case 13-0066B the preliminary plat to subdivide 37.18 acres into 70 lots, 2 common lots, and 3 outlots to be known as Weston Woods on Rice Creek based on the following conditions:**

**Case 13-0066B:**

1. All streets will follow the Anoka County street name grid system. Outlot B shall be named Fraizer Street and Outlot C shall be named Ghia Street.
2. Plans and specifications must be approved by the City prior to start of construction.
3. 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.
4. 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.
5. Development requires a National Pollutant Discharge Elimination System (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.
6. 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.
7. The grading plan shall provide greater detail on protecting existing trees and providing additional information on adjacent property. The development plan shall indicate all structures will be protected from flooding.
8. A twenty foot buffer strip shall be considered adjacent to wetland edges and shall be placed in an easement.
9. Rice Creek Watershed District permit is required prior to City approval of construction plans and specifications.
10. Metropolitan Council Environmental Services permit is required prior to City approval of construction plans and specifications.
11. The Developer shall process a Letter of Map Amendment with FEMA and shall provide all FEMA paperwork and structure as-built surveys to homeowners at time of lot closing. 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.
12. As-built surveys shall be required to verify structure elevations, custom grading requirements, and final lot grading elevations.
13. Development roadways and utilities (sanitary, water main, storm water management) outside of the public right-of-way shall be considered private

and future inspections, operations, and maintenance shall be the responsibility of the homeowner's association.

14. Park dedication to be paid for 70 housing units at the rate in effect at the time of final plat.

15. Developer to require homeowner's associations to be responsible for maintenance and upkeep of landscape improvements along and within the outlots.

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

17. Private streets can be constructed to a minimum of 24 feet in width to allow parking one side if signed "NO PARKING FIRE LANE" signs are posted every 75 feet on the opposite side of the drive.

18. Developer shall explore water source for landscape irrigation systems installed throughout the development including the possible use of created ponds, existing wells, or new wells as source of water supply with a moisture sensor installed.

19. 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.

20. All development signage by separate review.

21. The approximately 22 stalls located on the northeast corner of the street labeled Outlot C to be removed.

22. A sidewalk to be constructed along Outlot B, C, and the north side of 87th Avenue from Lexington Avenue to the east edge of the plat.

23. The driveway for the four units on Flowerfield Road will be limited to a maximum driveway width of 30 feet.

24. Combine Outlot A with Outlot B to form one Outlot.

Motion by Commissioner King to recommend approval of Planning Case 13-0066C a Conditional Use Permit to allow for construction of 70 townhome units in a DF (Development Flex) zoning district based on the following conditions:

Case 13-0066C:

1. Construction of all attached housing units to be generally guided by the City Council's Resolution and by depictions, drawings and information on the attached plans. All site plans, unit plans, and landscape plans require approval of the Planning Department prior to work beginning. All site work to meet the Performance Standards Section 33.00 of the Zoning Ordinance.

2. All site plans to be reviewed, by the City, for how the site plans deal with setbacks between units and paved surfaces, provision for adequate and

convenient off-street parking, landscape treatments along project edges and between project types, emergency vehicle access, fire hydrant spacing.

3. A minimum of 20 feet is required between structures.
4. A minimum front yard setback of 20 feet is required, to be measured from back of curb on a private street. The exception is to the four units on Flowerfield Road, which will have a minimum front yard setback of 30 feet.
5. No detached accessory structures permitted.
6. All housing units to incorporate Noise Abatement Standards with Central Air conditioning.
7. Developer to install grouped mailboxes with design and locations approved by City and US Postal Service.
8. All garages to be a minimum of 400 square feet with no dimension less than 20 feet.
9. Minimum finished floor area above grade for detached townhomes of 1,500 square feet.
10. Model home sales area with one temporary office trailer to be set-up based on location, site and landscape plans to be approved by the City prior to installation. Sales trailer to be removed within one year from 1st phase final plat approval by the City Council.
11. Two trees per unit (overstory and conifers) are required to be planted, for each residential unit, as yard trees within the townhome development. These trees are to be located in the front yard or in close proximity to the proposed units. These trees are in addition to the perimeter landscaping along Lexington Avenue and eastern property line.
12. A landscape plan be prepared for the 1,300 feet of frontage on Lexington Avenue that contains a minimum of 30 overstory deciduous trees and 60 conifer trees. Also, the eastern property line on the south side of the site, and east of the grading area for drainage will need to include the planting of 30 conifer trees to provide a buffer for the property owners to the east.
13. All landscape turf areas to be sod with underground irrigation.
14. Private swimming pools are not permitted.
15. Standard WAC and SAC payments will be required with each building permit.
16. All site improvements to be covered by an executed SIPA (Site Improvement Performance Agreement) and acceptable financial guarantee.
17. Site Plan Approval is required prior to commencement of any improvements.
18. Section 33.11 (d) (3) of the Zoning Code shall apply to this development

for purposes of regulating home occupations.

19. The existing home located at 4398 Flowerfield Road on the northeast corner of the proposed plat (labeled exception) will be required to meet R-1 (Single Family) Zoning Standards, with the exception that the accessory building space on this parcel is allowed up to 1,618 s.f. The proposed detached structure will be constructed of materials that match the existing home. Storage within this building is limited to vehicles, lawn and yard maintenance equipment and household storage.

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

Chair Ouellette noted this would be on the agenda of the February 6, 2014 City Council meeting.

## **ADJOURNMENT**

Motion by Commissioner Goracke to adjourn the Regular Planning Commission meeting. Motion seconded by Commissioner York. The motion passed 6-0. Adjournment time was 8:26 p.m.

**Aye:** 6 - Chair Ouellette, Vice Chair Lahti, Goracke, Bergstrom, York, and King