



City of Blaine Anoka County, Minnesota Minutes - Final

Blaine City Hall
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, March 8, 2016

7:00 PM

Council Chambers

1. Roll Call

The Blaine Planning Commission met in the City Hall Chambers on Tuesday, March 8, 2016. Chair Ouellette called the meeting to order at 7:00 p.m.

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

Present: 7 - Chair Ouellette, Homan, York, Goracke, Bergstrom, Olson, and Ponds

2. Approval of Minutes

[TMP 16-0112](#) Approval of February 9, 2016 Planning Commission Minutes

Motion by Commissioner York to approve the minutes of February 9, 2016, as presented. Motion seconded by Commissioner Homan. The motion passed 6-0-1 (Bergstrom abstained).

Aye: 6 - Chair Ouellette, Homan, York, Goracke, Olson, and Ponds

Abstain: 1 - Bergstrom

3. Old Business

None.

4. New Business

4.1 [RES 16-048](#)

GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR A SHARED DRIVEWAY BETWEEN THE TWO SUBJECT PROPERTIES AT 1525 99TH LANE AND 10040 DAVENPORT STREET NE (GREEN LIGHTS RECYCLING). HIGH TIDES PROPERTIES, LLC. (CASE FILE NO. 16-0008/LSJ)

The report to the Planning Commission was presented by Lori Johnson, Associate Planner. The public hearing for Case File 16-0008 was opened at 7:03 p.m. As no one wished to appear, the public hearing was closed at 7:03 p.m.

Motion by Commissioner Goracke to recommend approval of Planning Case 16-0008 based on the following conditions:

Case 16-0008:

1. The driveway is required to be hard surfaced.
2. Lot 2 of the plat of Twin Tides Addition must be combined with the Green Lights Recycling property because Lot 2 does not meet minimum lot size requirements in the I-2 zoning district.
3. There is a small gravel driveway that extends into Lot 2 that needed to be removed and a setback established on Lot 1 of the plat.
4. Site plan approval is required prior to installation of the driveway. Site plan approval will include the required submission of a Site Improvement Performance Agreement and associated financial guarantee.
5. A shared access agreement will be required between the parcels.

Motion seconded by Commissioner Olson. The motion passed 7-0.

Aye: 7 - Chair Ouellette, Homan, York, Goracke, Bergstrom, Olson, and Ponds

Chair Ouellette noted this would be on the agenda of the April 7, 2016 City Council meeting.

4.2 [RES 16-049](#)

GRANTING A WAIVER OF PLATTING TO ADJUST THE PROPERTY LINE BETWEEN TWO (2) LOTS IN VICTORY VILLAGE LOCATED AT 1560 109TH AVENUE NE. CSRS, INC. AND RAISING CANE'S RESTAURANT, LLC. (CASE FILE NO. 16-0007/LSJ)

The report to the Planning Commission was presented by Lori Johnson, Associate Planner. The public hearing for Case File 16-0007 was opened at 7:08 p.m. As no one wished to appear, the public hearing was closed at 7:08 p.m.

Chair Ouellette was pleased that this corner of Blaine would have a new restaurant.

Commissioner York asked if this was a fast food restaurant.

Associate Planner, Lori Johnson reported this was the case and noted Raising Cane's Restaurant focused primarily on chicken.

Commissioner Goracke stated he Googled Raising Cane's restaurant and understood there were approximately 250 locations. He asked how the site in Shoreview was doing and questioned how many employees would be hired for the Blaine location.

Yanez Moree, Architect for CSRS, Inc., reported the Shoreview site was doing well. He estimated 14 employees would be hired. He indicated Raising Cane's prided itself on fresh ingredients and noted the site would be receiving deliveries Monday, Wednesday and Friday of each week.

Motion by Commissioner Olson to recommend approval of Planning Case 16-0007A a Waiver of Platting to adjust the property line between two (2) lots in Victory Village at 1560 109th Avenue NE based on the following conditions:

Case 16-0007A:

- 1. Parcel B to be combined with Lot 4, Block 1 Victory Village 4th Addition prior to issuance of building permits for Parcel A.**
- 2. Waiver of platting to be recorded at Anoka County.**
- 3. The Mayor, City Clerk and City Manager are hereby authorized to execute any and all necessary documents, agreements and releases related to the approval, recording or administration of this Waiver of Platting.**

Motion by Commissioner Olson to recommend approval of Planning Case 16-0007B a Conditional Use Permit to allow for the construction of a 4,352 square foot Raising Cane's Restaurant a shared access & parking and light pole heights up to 40 feet at 1560 109th Avenue NE based on the following conditions:

Case 16-0007B:

- 1. Site plan approval is required prior to issuance of a building permit.**
- 2. Site, building, and landscaping to be constructed consistent with submitted materials made part of this Conditional Use Permit application with the recommended changes in the conditions.**
- 3. A shared parking and access agreement is required for this site. A copy of this agreement must be provided to the Planning Department prior to issuance of site plan approval.**
- 4. The landscape plan must be consistent with the overall landscape plan for Victory Village that was approved with the Super Target conditional use permit and it must meet the requirements of the Highway 65 Overlay District.**
- 5. The buildings constructed to be consistent with the Highway 65 Overlay**

District.

6. Temporary signage regulated under Zoning Ordinance Section 34.13.
7. Permanent signage requires a separate permit approval process.
8. All lighting on site must meet requirements established by Section 33.02 of the Zoning Ordinance. Freestanding light structures limited in height to not more than 40 feet.
9. Developer shall explore use of created ponds, existing wells, or new wells as a source of water supply for landscaping systems with a moisture sensor. The developer must obtain City concurrence before connection to the public water system.
10. Coon Creek Watershed permit is required. Building permits will not be issued until a copy of the permit application is sent to the City.
11. National Pollutant Discharge Elimination System (NPDES) Phase II Permit is required from the MN Pollution Control Agency. Building permits will not be issued until a copy of the permit application is sent to the City.

Motion seconded by Commissioner Bergstrom. The motion passed 7-0.

Aye: 7 - Chair Ouellette, Homan, York, Goracke, Bergstrom, Olson, and Ponds

Chair Ouellette noted this would be on the agenda of the April 7, 2016 City Council meeting.

4.3 [RES 16-051](#)

GRANTING PRELIMINARY PLAT APPROVAL TO SUBDIVIDE 33.35 ACRES INTO 45 LOTS AND FIVE (5) OUTLOTS TO BE KNOWN AS PARKSIDE NORTH NW TOWNHOMES, LOCATED AT FRAIZER STREET & 124TH LANE. PARKSIDE NORTH, LLC. (CASE FILE NO. 16-0006)

The report to the Planning Commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 16-0006 was opened at 7:15 p.m.

Donald Jensen, PAXMAR, thanked staff for the thorough report and stated he was in attendance to answer questions or take comments from the public.

The public hearing was closed at 7:16 p.m.

Commissioner Goracke questioned who the detached townhomes would be marketed to.

Mr. Jensen reported the design of the single-story detached townhomes would be to empty nesters or those individuals wanting to downsize.

Commissioner Goracke asked if the neighborhood would have an association

to maintain the yards and snow.

Mr. Jensen commented there would be an association to maintain the snow and exterior grounds of the neighborhood.

Motion by Commissioner Ponds to recommend approval of Planning Case 16-0006A a Preliminary Plat approval to subdivide 33.35 acres into 45 lots and five (5) outlots to be known as Parkside North NW Townhomes at the proposed extension of Fraizer Street & 124th Lane based on the following conditions:

Case 16-0006A:

1. Park dedication will be due with the final platting of the forty five (45) lots at the 2011 rate of \$2,535 per lot. The total payment of \$114,075 will be applied as a credit against the original \$1.4 Million that was owed by the City for the purchase of the Lexington Athletic Complex property.
2. The size of site being graded requires a National Pollutant Discharge Elimination System (NPDES) permit from Minnesota Pollution Control Agency.
3. 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. 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 the approved master grading plan for the Parkside North development.
4. Rice Creek Watershed District permit is required prior to the approval of grading.
5. 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.
6. 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.
7. As-built surveys will be required to verify structure elevations and lot grading for each structure constructed.
8. 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. Plans and specifications must be approved by the City prior to start of construction.
9. All Private streets or alley can be constructed to a minimum of 22 feet in width if signed "No Parking". Private 24-foot wide streets can be parked on one side provided "NO PARKING FIRE LANE" signs are posted every 75 feet on the opposite side of the drive.

10. Standard utility and drainage easements must be dedicated along all lot lines and over drainage ditches, ponds, delineated wetlands, and storm water detention basins. Existing easements on underlying properties must be vacated before the plat is recorded. 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.

11. Developer to require homeowner's associations to be responsible for maintenance and upkeep of all utilities, streets, storm drainage improvements, infiltration basins, driveways and landscape improvements in the development. Developer shall provide documentation to the homeowner's association, with copies to the City, about maintenance procedures for the improvements.

12. Outlot C (landscaping outlot along 125th Avenue) to owned and maintained by homeowner's association. Association documents related to the association's maintenance and ownership of this outlot to be submitted to the City for review.

13. 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.

14. 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. WAC payments that are paid with each building permit will be reimbursed to the Developer as part of the original \$1.4M owed by the City for purchase of the land for the Lexington Athletic Complex.

15. All development signage by separate review.

16. Landscaping for Parkside North NW Townhomes common areas and along the streets to be completed as shown on the approved Site Plan.

17. The landscape plan to be approved through a site plan approval process. All site improvements should be covered by a Site Improvement Performance Agreement and financial guarantee.

Motion by Commissioner Ponds to recommend approval of Planning Case 16-0006B a Conditional Use Permit to allow for construction of 45 single family detached townhomes in a DF (Development Flex) zoning district at the proposed extension of Fraizer Street & 124th Lane based on the following conditions:

Case 16-0006B:

Parkside North NW Townhomes -Single Family - DF Development Standards

Permitted Uses

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

Accessory Uses

1. Private garages and one detached accessory structure, with area less than 120 square feet, will be permitted if allowed by the association regulations.
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 - 20 feet for house (from back of curb/sidewalk)
22 feet for garage (from back of curb/sidewalk)
2. Side yard setback - 6.5 feet (13 feet between structures)
3. Corner side yard setback - 18 feet (from back of curb/sidewalk or ROW line adjacent to Fraizer St./124th Lane)
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 1,450 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).

12. All yards to have full underground irrigation.

13. 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.

14. No side patio or entrance doors are permitted except on those lots that have additional side yard area.

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. Outlots A, B, and C to be maintained by the Homeowners Association.

17. The landscape plan to be approved through a site plan approval process.

Motion seconded by Commissioner Goracke. The motion passed 7-0.

Aye: 7 - Chair Ouellette, Homan, York, Goracke, Bergstrom, Olson, and Ponds

Chair Ouellette noted this would be on the agenda of the April 7, 2016 City Council meeting.

4.4 [ORD 16-2349](#)

SECOND READING

GRANTING A REZONING FROM FR (FARM RESIDENTIAL) TO R-1A (SINGLE FAMILY) FOR THE HIDEAWAY OF BLAINE AT 1749 118TH AVENUE NE. BALD EAGLE BUILDERS, INC. (CASE FILE NO. 16-0009/LSJ)

The report to the Planning Commission was presented by Lori Johnson, Associate Planner. The public hearing for Case File 16-0009 was opened at 7:22 p.m.

Lynn Mokita, 1714 119th Avenue NE, expressed concern with how the wetlands would be impacted on the proposed property.

Project Coordinator, Tom Scott reported wetland are protected to a certain size. He explained the developer was working with the watershed district on this issue.

Ms. Mokita was concerned that the new homes would not align with the values and quality of the homes presently in the neighborhood. She believed that four homes on each side of the street was too dense. She feared the new development would adversely impact her property value. She requested the developer provide high quality homes.

Maria Aranda, 1698 119th Avenue NE, opposed the proposed development as it did not keep with the look and feel of the surrounding homes. While she understood the area would develop at some point in the future, she feared the proposed homes would eliminate all existing wildlife due to the proposed density. She indicated she moved from an urban setting to Blaine to have a larger lot with trees and wildlife. She wanted to see the destruction of the wildlife and trees minimized. She requested the City require the developer to keep the same look and character in the new development, as was found in the surrounding neighborhood.

Steve Mokita, 1714 119th Avenue NE, thanked the City for inviting the public to the meeting, but felt that the City was telling the residents what was going to happen instead of asking for input. He expressed concern with the speed of traffic in his neighborhood and requesting calming measures be pursued.

Commissioner York reported he also lived in this neighborhood and had the same concerns with speeding traffic. He indicated he has had some of the same discussions with the City regarding additional traffic control measures. He commented the police has been increasing patrols.

Assistant City Engineer, Dan Schluender discussed how the City placed stop signs throughout the community. He explained that if proper warrants were not met, stop signs could not be installed. He stated unfortunately four out of five times, the individuals speeding through the neighborhood were the neighbors.

Stacy Gerrety, 11872 Isanti Street NE, stated the back of her property overlooked this wooded area. She did not believe the proposed development fit with the intent and character of the surrounding neighborhood. She indicated she moved to the Olympic Glen neighborhood in 1999. She understood this parcel would develop but was disheartened by the amount of trees that would be removed. She was disappointed that the developer was proposing eight lots when this did not fit with the surrounding properties. She feared how the wildlife and wetlands would be impacted by the proposed development. She reviewed the size of the lots surrounding this parcel. She recommended the developer reconsider his development and reduce the number of lots to four or six.

Associate Planner, Lori Johnson explained the developer would be custom grading the lots, this would greatly reduce the number of trees lost on the project.

Ms. Aranda asked if an environmental impact study had to be completed for this project.

Assistant City Engineer, Dan Schluender reported a project of this size does not require an environmental impact study.

Project Coordinator, Tom Scott explained residents could petition for a study, however, this project did not meet any of the minimum requirements.

Julian Aranda, 1698 119th Ave NE, understood a small area was being developed and because of this, he recommended that eight homes not be built. He stated one of the selling points when he purchased his home was the number of trees in his neighborhood. He indicated he would be greatly disappointed if eight homes were developed on the proposed property. He urged the City to reduce the number of homes within the development.

Shannon Gerrety, 11872 Isanti Street NE, encouraged the City to hear the concerns of the residents. He explained he moved to his neighborhood specifically because of the trees, wildlife and lot sizes. He discussed how quickly the homes around him were selling. He encouraged the City to keep the proposed development in closer alignment with the existing properties. He feared the integrity of his neighborhood would be negatively impacted if eight homes were to be dropped onto the proposed parcel. He understood the property would develop but requested the lot sizes more closely align with the surrounding properties.

Ann Hoemberg, property owner of 1749 118th Avenue NE, stated she was both sad and confused at this time. She indicated she was not just out to make money on the development. She explained she purchased this property in 2003 and also loves the trees and wildlife in the area. She reported her husband passed away four years ago and was no longer able to keep up with the property. She believed she had the right to sell and develop the property.

The public hearing was closed at 7:46 p.m.

Commissioner York asked if the area had always been zoned Farm Residential.

Associate Planner, Lori Johnson reported this was the case. It was noted that the new lots met all R-1A zoning requirements.

Commissioner York questioned if the City could require a developer to have

larger sized lots.

Associate Planner, Lori Johnson stated the City could not make this requirement based on the Zoning. She advised that the applicant submitted plans that met the City zoning code requirements.

Commissioner Goracke appreciated all of the comments provided by the residents. He explained he lived in this neighborhood for 22 years and just moved last May. He understood the tension in this neighborhood given the fact the area continued to develop and change. He also understood the desire of the applicant to develop her property.

Chair Ouellette discussed the proposed lot sizes and believed they were pretty close to the surrounding neighborhoods. He reiterated that all R-1A Single Family zoning requirements were being met.

Commissioner Ponds inquired what the price range would be for the new homes.

Grant Johnson, ReMax, estimated the homes would be sold for \$450,000 to \$700,000.

Commissioner York questioned how much smaller these lots were when compared to the adjacent neighborhood.

Mr. Johnson reported the new lots would be approximately five feet smaller in width and were over one-half acre per lot.

Commissioner York requested further information on how the lots would be graded.

Mr. Johnson explained that each lot would be custom graded to assist with tree preservation. He stated only trees on the actual building pad would be removed.

Associate Planner, Lori Johnson reported the proposed lots sizes were bigger than what was required within the R-1A zoning requirements. She stated originally the developer had proposed 12 lots on this parcel with a cul-de-sac. This proposal did not meet the character and intent of the neighborhood and was reduced to eight lots.

Commissioner Ponds asked if the developer had any predictions on how the wetlands would be impacted.

Mr. Johnson did not have anything final from the watershed district. However, he believed there was enough room to build a home in front of the

wetland.

Commissioner York understood the neighbor's wanted trees to be preserved and he was pleased the developer was offering custom grading for each lot.

Commissioner Bergstrom was pleased the developer did not pursue the cul-de-sac design for this neighborhood.

Commissioner Olson saw the value of having larger lots and believed this was a unique neighborhood in Blaine. For this reason, she supported there being only six lots on this parcel.

Commissioner Homan stated even if the Commission wanted to push for larger lot sizes, the City had no standing because the developer was already meeting all R-1A zoning requirements.

Associate Planner, Lori Johnson reported this was the case. She explained if the Planning Commission were to make pursue this further, the City could be opened up to a lawsuit.

Commissioner Olson questioned if the neighbors could provide feedback at the upcoming City Council meeting.

Associate Planner, Lori Johnson indicated there would be no public hearing at the Council meeting and comments would only be taken at the Mayor's discretion. She encouraged the neighbors to contact their City Council representative with their comments or concerns.

Chair Ouellette encouraged the neighbors to speak with the developer further regarding the high quality homes that would be constructed.

Motion by Commissioner York to recommend approval of Planning Case 16-0009A a Rezoning from FR (Farm Residential) to R-1A (Single Family) at 1749 118th Avenue NE based on the following rationale:

Case 16-0009A:

- 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-1A zoning district is consistent with surrounding properties to the north, east and west of this property so any proposed homes will be in character with the surrounding neighborhood.**
- 3. The R-1A zoning is consistent with the City's land use designation for this area of LDR (Low Density Residential).**

Motion by Commissioner York to recommend approval of Planning Case 16-0009B a Preliminary Plat to subdivide 4.6 acres into eight (8) single family

lots to be known as Hideaway of Blaine at 1749 118th Avenue NE based on the following conditions:

Case 16-0009B:

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 \$3,744 per unit. A total park dedication fee of \$29,952 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 analysis 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. Developer must install sanitary sewer and water services to Lots 3 and 7. Existing manholes must be used for the sanitary services.
7. Demolition permits must be obtained for the removal of the existing home and large accessory structures. The small accessory structures shown on Lot 5 of the plat must also be removed.
8. Execution and recording of a Development Agreement outlining the developer responsibilities for grading and development of the property.
9. 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 Hideaway of Blaine.

Motion seconded by Commissioner Ponds. The motion passed 6-0-1 (Olson opposed).

Aye: 6 - Chair Ouellette, Homan, York, Goracke, Bergstrom, and Ponds

Nay: 1 - Olson

Chair Ouellette noted this would be on the agenda of the April 7, 2016 City Council meeting.

Plaque Recognizing Commissioner Janice Bergstrom

Chair Ouellette presented Commissioner Janice Bergstrom with a plaque recognizing her for her service to the City of Blaine on the Planning Commission. A round of applause was provided by all in attendance.

Plaque Presentation

Adjournment

Motion by Commissioner Bergstrom to adjourn the Regular Planning Commission meeting. Motion seconded by Commissioner Homan. The motion passed 7-0. Adjournment time was 8:03 p.m.

Aye: 7 - Chair Ouellette, Homan, York, Goracke, Bergstrom, Olson, and Ponds