



City of Blaine Anoka County, Minnesota Minutes

Blaine City Hall
10801 Town Sq Dr NE
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, October 10, 2017

7:00 PM

Council Chambers

1. Roll Call

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

Staff Present: Shawn Kaye, Associate Planner
Lori Johnson, Associate Planner
Natasha Lukacs, Planning/Landscape Intern
Tom Scott, Project Coordinator
Dan Schluender, Assistant City Engineer

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

2. Approval of Minutes

Approval of September 12, 2017 Planning Commission Minutes

Attachments: [091217 Unapproved.pdf](#)

Motion by Commissioner Homan to approve the minutes of September 12, 2017, as presented. Motion seconded by Commissioner Olson. The motion passed 6-0-1 (York abstained).

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

Abstain: 1 - Commissioner York

3. Old Business

None.

None.

4. New Business

4.1 Public Hearing Case File No. 17-0038 // Pressed, Inc. // 12425 Ulysses Street NE

The applicant is requesting a Conditional Use Permit to allow for the operation of a yoga studio/juice bar in a multi-tenant retail building. The tenant space is 3,890 square feet in size. The use is considered amusement/recreation and the use requires a conditional use permit in the B-3 (Regional Commercial) zoning district.

Attachments: [Pressed Inc. - Attachments](#)

The report to the Planning Commission was presented by Natasha Lukacs, Planning/Landscape Intern. The public hearing for Case File 17-0038 was opened at 7:06 p.m. As no one wished to appear, the public hearing was closed at 7:06 p.m.

Commissioner Goracke asked how many employees or instructors the yoga studio would have.

Dawn Carlson, 3142 119th Court NE, explained she would have 10 to 15 yoga instructors teaching classes throughout the week.

Motion by Commissioner Olson to recommend approval of Planning Case 17-0038 based on the following conditions:

Case 17-0038:

- 1. The business is to operate as described in the attached narrative and preliminary schedule.**
- 2. The applicant will need to stripe the parking lot. For this, a plan must be submitted to our building department staff to ensure that the proposed parking is meeting all accessibility requirements and all city code requirements. A minimum of 45 parking stalls should be striped.**
- 3. The applicant will need to manage the parking demand by limiting class size and time slots if necessary so as to not create a parking issue on site.**
- 4. Parking on unpaved surfaces is not allowed.**

- 5. No activity/training can be conducted outside the building.
- 6. The interior tenant finish work is to be completed with review and separate permit meeting all Building and Fire Code requirements.
- 7. A Certificate of Occupancy is required prior to occupying the space.

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

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

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

4.2

Public Hearing Case File No. 17-0025 // Five Star Group, LLC // 12850 Dunkirk Street NE

The applicant is requesting:

- a) Preliminary Plat approval to subdivide 5.3 acres into eight (8) lots and one (1) outlot to be known as Deer Pond.
- b) Conditional Use Permit to allow for construction of eight (8) single family homes in a DF (Development Flex) zoning district.

Attachments: [Deer Pond - Attachments](#)
 [Comment and Photos](#)

The report to the Planning Commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 17-0025 was opened at 7:11 p.m.

Chair Ouellette noted a letter received from Reina Weir at 2871 128th Avenue NE, as part of the record. It was noted staff responded to the questions raised in the letter.

The public hearing was closed at 7:11 p.m.

Chair Ouellette commented on the grading that would take place in order to create the eight single family lots.

Motion by Commissioner Ponds to recommend approval of Planning Case 17-0025A a Preliminary Plat for Deer Pond based on the following conditions:

Case 17-0025A:

- 1. All streets will follow the Anoka County street name grid system.

2. The developer has responsibility for financial participation in 125th Avenue NE improvements associated with this development. This includes, but is not limited to, intersection improvements, traffic signal installations, and roadway widening improvements. Anoka County will specify required improvements as part of their review. The City has calculated the development potential of all of the developable property, lying north of 125th Avenue and within the current development schedule provided by the 2005 MUSA and has determined the per lot cost associated for the improvements. The 2017 rate is \$1,494 per lot. The total for the 8 lots is \$11,952, if platted in 2017.
3. Developer installed improvements shall include construction of 128th Lane and Coral Sea Street within the plat including lateral sanitary sewer and water main with services, storm drainage improvements, storm water management and water quality treatment infrastructure, bituminous streets with concrete curb and gutter, 6 foot concrete sidewalks along the west side of Coral Sea Street, south side of 128th Lane, streetlights, mailboxes, traffic control signs, street signs, and all appurtenant items.
4. Plans and specifications must be approved by the City prior to start of construction.
5. Trunk sanitary sewer area charges become due with platting for upland acreage. The 2017 rate for Sanitary Sewer District 6-5 is \$5,917 per upland acre. The total for the 4.69 upland acres is \$27,751 if platted in 2017.
6. Street and utility extensions are required to the edges of the plat for future connection to adjacent parcels.
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. CCWD approval is required prior to City Council consideration of preliminary plat and a CCWD permit is required prior to City approval of construction plans and specifications.

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

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

19. All structures on the parcel to be removed prior to the plat being released for recording with Anoka County.

20. Park dedication is required for each of the eight (8) lots at the rate in effect at time of Final Plat. The 2017 rate is \$4,114 per lot or \$32,912 if platted and paid in 2017.

21. The developer must meet the City's Tree Preservation requirements by planting 38 replacement trees for the lots that were preliminary platted (eight trees per acre x 4.8 disturbed acres). The Developer is required to plant three trees per lot for the overall preliminary plat which will account for 24 of the replacement trees. A landscape plan for the remaining 14 trees must be presented to the Planning Department prior to release of mylars for recording at Anoka County, or the Developer can make a cash payment of \$4,200 to the City's reforestation fund.

22. 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.

23. 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 Deer Pond.

Motion by Commissioner Ponds to recommend approval of Planning Case 17-0025B a Conditional Use Permit to allow for construction of eight (8) single family homes in a DF (Development Flex) zoning district based on the following conditions:

Case 17-0025B:

Single Family - DF Development Standards

Permitted Use

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

Accessory Uses

1. Private garages - one detached accessory structure, with area less than 120 square feet, will be permitted.
2. Private swimming pools/meeting the requirements of Blaine Municipal Code Chapter 18 Article IX Swimming Pools.
3. Keeping of not more than two (2) boarders and/or roomers per dwelling unit.

Conditional Uses

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

Standards

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

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

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

13. Each lot shall contain one front yard tree and one boulevard tree with a minimum of 2½-inch caliper. Corner lots shall each have one additional boulevard tree. All other lots (not corner lots) will require one additional yard tree placed either in the front or rear yard.

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

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

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

4.3

Public Hearing Case File No. 17-0019 // City of Blaine

The city is proposing a code amendment to the Performance Standards (Chapter 33) to add free standing solar energy panels as a use that is allowed by Conditional Use Permit and to establish general zoning standards for review and approval of such facilities.

Attachments: [Draft Code Amendment - Solar Panels.docx](#)

The report to the Planning Commission was presented by Lori Johnson, Associate Planner. The public hearing for Case File 17-0019 was opened at 7:17 p.m.

Chris Hildrum, 10507 Alamo Street NE, stated his property was located on the southeast corner of the proposed development. He explained his emotions were tough right now after seeing the fencing in place at the proposed solar farm. He indicated he did not support the proposed rezoning in order to allow a solar farm in his neighborhood. He believed a solar farm should be viewed as a light industrial use and after the code change was approved, would be allowed in a residential area. He had concerns with how his property value would be impacted if the hill behind his home was covered in a solar farm. He requested the City reconsider the location of the proposed solar farm that does not abut residential neighborhoods on three sides. He expressed concern with the safety of having a solar farm in his rear yard. He recommended another location be considered for a solar farm of this size. He discussed the setbacks that have been followed by other states. He stated he was not against solar farms, but suggested the location be reconsidered. He

recommended the City consider locating the solar farm on airport property, which would be further away from residential homes. He stated another option would be to only allow solar farms on rural properties with 650-foot setbacks and a buffer.

Paul Ostenson, 2819 105th Avenue NE, stated he lived on the south side of the plat. He questioned how far a solar farm had to be from the property line.

Associate Planner, Lori Johnson explained setbacks and distances were not included in the code amendment but rather would be dealt with through the conditional use permitting process.

Mr. Ostenson asked what an appropriate buffer would be.

Associate Planner, Lori Johnson clarified that the amendment would require a 20 foot setback.

Mr. Ostenson believed this distance was inadequate and encouraged the City to increase this distance, especially for solar farms that abut residential homes.

James Meyers, 10644 Sanctuary Drive NE, commented on the proposed zoning ordinance. He asked if the code addressed the size of a solar farm within a residential neighborhood.

Associate Planner, Lori Johnson indicated that the code amendment would not address size other than through setbacks.

Connie Magnuson, 2853 105th Avenue NE, requested clarification on the setbacks. She commented on Section D within the code amendment and stated she did not believe 20 feet was an adequate setback.

Associate Planner, Lori Johnson explained setbacks would be determined by each zoning district. She indicated solar panels would have to be located another 20 feet back from the setbacks already in place.

Mr. Hildrum agreed that 20 feet plus the setback was not adequate.

The public hearing was closed at 7:38 p.m.

Chair Ouellette questioned how many vehicles would be visiting the solar farm.

Brian Burandt, Connexus Energy, explained that after the solar farm was constructed, there would be a minimal number of vehicles visiting the solar farm. He stated the solar farm was extremely low maintenance.

Chair Ouellette asked if the solar farm would have overhead or underground power lines.

Mr. Burandt reported this had yet to be determined but noted the exit point would be to Flanders.

Commissioner Goracke questioned if the City was late in drafting a code amendment to address solar farms.

Mr. Burandt explained the City of Ramsey had a solar farm that was installed in 2014. He did not believe the City was late in drafting this Ordinance. He reported Connexus was proposing to build three solar farms in Anoka County. These cities were Ramsey, St. Francis and Blaine. He indicated Ramsey was the only city that had an Ordinance in place.

Chair Ouellette asked if the solar farm size could be reduced in order to increase the setback from the adjacent neighborhood.

Mr. Burandt stated he would have to work with the setback requirements if approved by the City.

Commissioner Olson questioned how staff drafted the proposed code amendment.

Associate Planner, Lori Johnson stated staff reviewed what other cities were doing across the country.

Commissioner Olson was of the opinion the code amendment was too vague.

Chair Ouellette asked if Connexus would consider enhancing the landscaping around the solar farm.

Mr. Burandt stated he was very open to suggestions from the City.

Commissioner York questioned why this parcel was attractive to Connexus Energy.

Mr. Burandt explained in 2016 Connexus surveyed their members and learned that there was great interest in expanding to carbon free, renewable energy, so long as rates were not increased. This led Connexus to pursue nearby parcels that would support and benefit from solar farms. He reported that Blaine would fully benefit from the proposed solar farm.

Commissioner Goracke inquired if Connexus had considered locating the Blaine

solar farm on airport property or other areas in the City.

Mr. Burandt reported Connexus Energy has a long-standing partnership with the National Sports Center (NSC). He explained the NSC has a mutual interest in exploring solar energy on their site, which led to the request.

Further discussion ensued regarding the scale of the solar farm and how this should be addressed within the proposed code amendment.

Commissioner Olson explained she would like to see larger setbacks for solar farms within residential zoning districts.

Commissioner Goracke questioned again how the amendment was drafted by staff. He stated he could not offer his support to the code amendment or proposed solar farm given the proposed setbacks for residential districts.

Associate Planner, Lori Johnson reported the Commission could amend the setbacks within the code amendment and noted Connexus Energy would have to amend their application.

Commissioner Olson supported the setbacks being changed as well. She feared how property values would be impacted if the proposed code amendment were approved as drafted.

Commissioner Goracke recommended the Commission pass this code amendment onto the City Council with no recommendation.

Associate Planner, Lori Johnson reiterated that the Commission could make changes to the code amendment prior to passing it along to the City Council.

Commissioner Ponds stated she would like to table action on the code amendment to allow staff more time to research residential neighborhood setbacks for solar farms.

Motion by Commissioner York to table action on Planning Case No. 17-0019, the code amendment to the Performance Standards section of the zoning ordinance to allow the use of Free Standing Solar Energy Panels, directing staff to research solar farms in residential neighborhood focusing on scope, size and setbacks, to the November 14, 2017 Planning Commission meeting. Motion seconded by Commissioner Goracke. The motion passed 7-0.

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

4.4

Public Hearing Case File No. 17-0028 // SoCore Energy // E. of Sanctuary Drive and W. of Flanders St. (10510 Flanders Street

NE)

The applicant is requesting a Conditional Use Permit to allow SoCore to build and operate a photovoltaic energy system (solar farm).

Attachments: SoCore - Attachments.pdf
SoCore - Attachments 2.pdf

The report to the Planning Commission was presented by Lori Johnson, Associate Planner. The public hearing for Case File 17-0028 was opened at 8:06 p.m.

Chris Hildrum, 10507 Alamo Street NE, encouraged City staff to research the City Code from Shelby, North Carolina. He explained that solar farms were being installed in Minnesota but not in residential neighborhoods, rather in rural areas.

Luke Dewey, 2784 107th Avenue, thanked the Commission for their time. He stated he concurred with the concerns raised by his neighbors. He discussed the fence that would be installed and feared vandals could target the solar farm given its value.

Chair Ouellette explained the fence would be put in place more for safety than to keep out vandals.

Mr. Dewey commented that sheds were not allowed in his residential neighborhood for aesthetic purposes. He discussed how a solar farm would impact the aesthetics and property values of his entire neighborhood.

William Odett, 10509 Alamo Street, stated he has been in his home since 2004. He understood the NSC originally wanted to put soccer fields on the land behind his home and brought in fill to make this possible. He described how this action flooded his property. He explained the NSC property was then regraded to direct the water away from his property. He indicated he had a lot to lose and would dramatically impact his home value. He stated he moved into Blaine and loves his home. He requested the solar farm not be located on the proposed site.

Brian Roach, 10535 Alamo Street, thanked the Commission for their time and for tabling action on the code amendment. He encouraged the Commission to request further information from the applicant on the solar farm and if it would have above ground or underground lines.

Kevin Waldron, 2824 107th Avenue NE, stated his biggest concern with the solar farm was how his property value would be impacted. He explained he was told the property behind his home was unbuildable. He indicated he purchased his lot

because of the view he had.

Amanda Hedin, 10505 Alamo Street, thanked the Commission for taking her comments and for tabling action on the code amendment. She agreed her home value would be negatively impacted if the solar farm was allowed in her backyard. She commented on how her backyard could flood due to the additional runoff that would be generated by the solar panels.

Sally Ostenson, 2819 105th Avenue NE, stated she has been a resident of Blaine for the past 18 years. She expressed concern that Connexus Energy had not pursued any other property in Blaine. She questioned if the St. Francis and Ramsey solar farm sites were located directly adjacent to residential homes.

Carol Rachac, 10692 Sanctuary Drive, reported this land was originally owned by the Capra family and was donated to the NSC. She believed Connexus had haphazardly selected their solar farm site due to their partnership with the NSC. She was of the opinion there were other opportunities for the NSC and for this land. She encouraged Connexus to pursue another parcel of land that was not surrounded by residential properties on three sides. She explained the Sanctuary neighborhood was very unique and active in Blaine and should be preserved. She stated each neighbor that abuts this property was in attendance this evening.

Dan Savaloja, 10762 Coral Sea Street NE, commented on the requested Conditional Use Permit. He understood solar panels required cleaning from time to time and how this would be completed. He feared the run off would impact the adjacent properties. He discussed how solar panels were disposed of and questioned how this would be managed in 20 to 25 years.

Christie Dewey, 2784 107th Avenue NE, understood Connexus received a great deal of its energy from the Great River Cooperative and questioned if the solar farm was worth the expense and cost to the neighborhood. She stated she concurred with the concerns of her neighbors and feared how the neighborhood children would be impacted. She encouraged the NSC to speak with the Sanctuary neighborhood about the future of this property. She stated she would like to see enhanced trail connections from her neighborhood to the rest of Blaine.

Connie Magnuson, 2853 105th Avenue NE, explained she came here tonight with an open mind. She stated she was shocked by the information that was provided downstairs and that City notification was only sent to one side of the street. She anticipated the Council Chambers would be even fuller if both sides of the street were sent notification. She believed the partnership between the NSC and Connexus was too convenient and that further information should be provided to the City regarding the site selection. She encouraged the City to investigate this

further in order to fully understand who would be benefiting from the proposed solar farm.

James Meyers, 10644 Sanctuary Drive NE, asked if this item were to move forward if there was a way for the Commission to add recommendations. If so, he encouraged the Commission to address water runoff.

Assistant City Engineer, Dan Schluender provided further comment on the drainage plan for the proposed solar farm.

Mr. Meyers expressed concern with how changes to the solar farm would be communicated to the public and Commission. He understood the solar panel height had already been changed from seven feet to nine feet. He commented on how detrimental these changes would be to the neighborhood and encouraged the City to keep the neighbors apprised on the situation. He indicated he recently visited the North Star installation and commented on how a micro-climate was created in the area surrounding this specific solar farm.

Kathryn Hoepker, 10584 Sanctuary Drive, stated she concurred with the comments brought to the Commission. She commented on how the children that use this hill to sled all winter would be impacted by the barb wired fence. She encouraged the City to post a sign for future public hearings in order to inform all neighbors of the proposed solar farm.

Associate Planner, Lori Johnson commented that public hearing signs are only posted for plats.

Mr. Hildrum reviewed the mailing he received from the City and noted the number of trees that were proposed to be planted. He explained this differed greatly from the plans that were discussed by Connexus this evening. He indicated the NSC has been a great neighbor and agreed the entire neighborhood should have been notified of this public hearing. He anticipated that well over 60% of his neighbors did not support the solar farm going onto this land.

Eric Nokken, 2805 105th Avenue NE, noted he agreed with the comments brought forward by his neighbors and stated he was very concerned with how his property value would be impacted by the proposed solar farm. He encouraged Connexus to consider another location for their solar farm that was not completely surrounded by a neighborhood.

Jessica Nguyen, 2816 107th Avenue NW, agreed with the comments brought forward by her neighbors. She stated while she supported solar energy, she wanted to see Connexus Energy pursuing other sites. She suggested the land be

used for trail connections instead of a solar farm.

Sam Villella, 10534 Alamo Street, believed Blaine has had trouble communicating with residents. He was of the opinion the entire neighborhood should have been notified of the public hearing. He feared how his home value would be impacted if a solar farm were installed as proposed. He anticipated this site was chosen because the land was useless. He indicated that Blaine was no longer rural and believed this project would move forward because to Connexus and NSC it made sense. He encouraged the City to work with the neighborhood in order to improve the aesthetics.

William Odett, 10509 Alamo Street, encouraged the City to not develop every square inch. He commented on the value of green and open space to the community. He reported Blaine was a tree city and suggested this land to be used as a park or green space. He stated money was not everything and recommended the best interests of the neighbors be considered.

Chair Ouellette summarized the comments received from the public and Connexus Energy.

The public hearing was closed at 8:48 p.m.

Commissioner York indicated the NSC was a private entity that owned the land in question. He commented that Blaine could not purchase every piece of land that neighbors did not want developed, as the City would go bankrupt.

Commissioner Goracke thanked the neighbors that were in attendance for bringing forward their concerns. He asked if this item should be tabled given the fact the code amendment was tabled.

Chair Ouellette recommended the item be tabled.

Motion by Commissioner Goracke to table action on Planning Case 17-0028, a Conditional Use Permit to allow SoCore to build and operate a photovoltaic energy system (solar farm), to the November 14, 2017 Planning Commission meeting. Motion seconded by Commissioner Olson. The motion passed 7-0.

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

4.5

Public Hearing Case File No. 17-0039 // Timber Valley Development, Inc. // 3rd Street NE and 101st Avenue NE

The applicant is requesting the following:

- a) Comprehensive Plan Amendment for the property east of 3rd

Street from CC (Community Commercial) to MDR (Medium Density Residential)

- b) Rezoning for the property east of 3rd Street from B-2 (Community Commercial) to DF (Development Flex)
- c) Preliminary Plat approval to subdivide 3.47 acres into 10 lots to be known as Cardinal Court (one lot for the church site that will remain and a common lot)
- d) A Conditional Use Permit to allow for the construction of eight (8) twinhome units and a private street in a DF (Development Flex) zoning district.

The report to the Planning Commission was presented by Lori Johnson, Associate Planner. The public hearing for Case File 17-0039 was opened at 8:58 p.m.

Chair Ouellette noted two letters for the record that he received from Tom Madden and Jenni Naselli, stating both were against the proposed development.

Erin Johnson, 174 101st Court NE, noted she lived adjacent to the subject property near the pond. She requested clarification on the proposed floor plan for the twinhomes, noting two plans were submitted. She asked what size the trees would be that would be planted within the development. She questioned who would be responsible for maintaining the storm pond.

Associate Planner, Lori Johnson explained the trees would be six foot conifers. She reported the twinhomes could be developed as either of the two submitted plans.

Assistant City Engineer, Dan Schluender commented on the easement and culvert and noted the City would be responsible for maintaining the storm pond. He encouraged Ms. Johnson to contact the City if she notices any erosion concerns within the pond.

Dana Burnes, 192 101st Court NE, asked if the trees along the pond would be removed and questioned if the area around the pipe would be reseeded.

Assistant City Engineer, Dan Schluender noted the only trees that would be impacted would be the trees that were 10 feet to each side of the pipe. He reported the area would be reseeded.

The public hearing was closed at 9:07 p.m.

Tim Lang, Timber Valley Development, introduced himself to the Commission and explained he was proposing to build both slab on grade and twinhomes with

basements, depending on the lot.

Motion by Commissioner Ponds to recommend approval of Planning Case 17-0039A a Comprehensive Plan Amendment for the property east of 3rd Street from CC (Community Commercial) to MDR (Medium Density Residential) based on the following rationale:

Case 17-0039A:

- 1. The proposed land use of MDR (Medium Density Residential) for this portion of the parcel is consistent with the immediately adjacent land use of the property to the north.**
- 2. The land use of CC (Community Commercial) is not an appropriate land use for this parcel given its location that is a block off a major arterial, University Avenue. Commercial development is unlikely on this parcel.**

Motion by Commissioner Ponds to recommend approval of Planning Case 17-0039B a Rezoning for the property east of 3rd Street from B-2 (Community Commercial) to DF (Development Flex) based on the following rationale:

Case 17-0039B:

- 1. The DF (Development Flex) zoning district is a widely used zoning district for new multi-family developments in Blaine and it provides the City and the developer flexibility to create the best product and site plan for the community.**

Motion by Commissioner Ponds to recommend approval of Planning Case 17-0039C a Preliminary Plat approval to subdivide 3/47 acres into 10 lots to be known as Cardinal Court based on the following conditions:

Case 17-0039C:

- 1. The applicant will be required to pay park dedication for the 8 new lots with this plat. If paid in 2017 the amount will be \$4,114 per lot, for total due of \$32,912. This fee must be paid prior to release of the final plat mylars for recording at Anoka County. The applicant should be aware that this fee may be increased in the future if the property is final platted in a different year.**
- 2. Developer will need to obtain a Coon Creek Watershed District permit prior to any site work. The Developer shall be responsible for the construction, maintenance, and repair of storm water features.**
- 3. Developer will need to provide a letter of acknowledgement from the adjacent property owner, as the proposed storm water outlet will be installed and discharged into the pond on the adjacent parcel.**
- 4. Site plan and grading approval is required prior to any construction activities occurring on site. This will include the submittal of a Site Improvement Performance Agreement and associated financial guarantee.**
- 5. As-built surveys shall be required to verify structure elevations, custom grading requirements, and final lot grading elevations.**
- 6. The developer will be responsible for installation of sanitary sewer, water**

main, storm drainage improvements, street with concrete curb and gutter, street lights, mailboxes, traffic control signs, street signs, and all appurtenant items. The City shall approve plans and specifications prior to start of construction.

7. Standard utility and drainage easements must be dedicated along all lot lines and over the existing storm sewer line on the north edge of the property. The Developer is to provide access for inspection and maintenance of this storm water infrastructure. Restrictions will be placed on the north lot line as needed to limit fences and landscaping to insure access.

8. 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 Cardinal Court.

Motion by Commissioner Ponds to recommend approval of Planning Case 17-0039D a Conditional Use Permit to allow for the construction of eight (8) twinhome units and a private street in a DF (Development Flex) zoning district based on the following conditions:

Case 17-0039D:

1. The construction of all twinhomes to be generally guided by the approved conditional use permit resolution and consistent with all the depictions, drawings and information on the attached plans.
2. All site plan and unit plans require approval from the Planning Department prior to any work being performed on site. All site work to meet all requirements of Section 33.00 (Performance Standards) of the Zoning Ordinance.
3. Developer to install grouped mailboxes with design and location approve by the City and the US Postal Service.
4. Minimum floor area above ground for each unit shall be 1,529 sq. feet.
5. The City has used the standard of one overstory tree, one conifer tree, and one ornamental tree per unit for multi-family developments. The landscape plan should be revised to include 8 ornamental trees. All other trees shown on the attached landscape plan shall remain on the plan to provide appropriate buffers for adjacent properties.
6. Underground irrigation must be used for all landscaped areas.
7. Sod shall be required on all disturbed areas and placed over 4 inches of black dirt that contains no more than 35% sand.
8. No detached accessory structures allowed except if needed to house underground irrigation controls.
9. Any entrance signage for the development requires a separate permit.
10. All units must contain an automated fire suppression system or an approved turn-around at the east end of the private street is required per Fire

Department standards.

11. All driveways and on site utilities are considered private and are the maintenance responsibility of the homeowners association for the eight (8) homes.

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

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

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

Adjournment

Motion by Commissioner Goracke to adjourn the Regular Planning Commission meeting. Motion seconded by Commissioner York. The motion passed 7-0.

Adjournment time was 9:11 p.m.

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