



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.

Tuesday, July 10, 2012

7:00 PM

Council Chambers

1. Roll Call

Chair Ouellette called the meeting to order at 7:00 p.m.

Staff Present: Shawn Kaye, Associate Planner
Lori Johnson, Planner III
Gina Gore, Planning Intern
Tom Scott, Project Coordinator
Dan Schluender, Assistant City Engineer

Present: 7 - Chair Ouellette, Vice Chair Lahti, Homan, Goracke, Edison, Bergstrom, and Radtke

2. Approval of Minutes

[TMP 12-371](#) MAY 8, 2012, PLANNING COMMISSION MINUTES

Attachments: [05-08-12.doc](#)

Moved by Edison, seconded by Homan, that the Minutes be Approved. The Motion was adopted unanimously.

3. Old Business

4. New Business

4.1 [RES 12-097](#) PUBLIC HEARING CASE FILE NO. 12-0017 // 12614

LEXINGTON AVENUE NE // ALBERT HUTCHINSON

THE APPLICANT IS REQUESTING A CONDITIONAL USE PERMIT TO ALLOW UP TO 3,000 SQUARE FEET OF ACCESSORY BUILDING SPACE IN A FR (FARM RESIDENTIAL) ZONING DISTRICT. SPECIFICALLY, THE CONDITIONAL USE PERMIT WILL ALLOW THE CONSTRUCTION OF A 24' X 24' DETACHED GARAGE.

Attachments: [Attachments.pdf](#)

The report to the Planning Commission was presented by Gina Gore, Planning Intern. The public hearing for Case File 120017 was opened at 7:07 p.m. As no one wished to appear, the public hearing was closed at 7:07 p.m.

Chair Ouellette commented he drove by the property.

Motion by Commissioner Goracke to recommend approval of Planning Case 12-0017 based on the following conditions:

Case 12-0017:

1. The applicants' existing and proposed garage space must be used for personal storage space only and it may not be used for home occupation with the exception of the ongoing agricultural use.
2. Exterior materials and color of the proposed garage to be compatible with the exterior of the existing home.
3. Garage to be generally located as shown on the sketch.
4. The garage space access drive will be required to be surfaced with a class 5 or improved surface if used on a regular basis. If occasional access is used and grass is maintained in this area the applicant is not required to provide a hard surface for the access drive.
5. The issuance of a conditional use permit for additional garage accessory space provides general zoning approval only. A separate building permit is required through the City's Building Department for construction of the garage.

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

Chair Ouellette noted this would be on the agenda of the August 2, 2012 City Council meeting.

4.2 [RES 12-098](#)

PUBLIC HEARING CASE FILE NO. 12-0018 // 508
NORTHTOWN DRIVE NE // PALADIN ACADEMY

THE APPLICANT IS REQUESTING A CONDITIONAL USE

PERMIT TO ALLOW FOR OPERATION AND EXPANSION
OF THE EXISTING CHARTER SCHOOL INSIDE
NORTHTOWN MALL

Sponsors: Johnson

Attachments: [Attachments.pdf](#)

The report to the Planning Commission was presented by Lori Johnson, Planner III. The public hearing for Case File 12-0018 was opened at 7:10 p.m.

Lisa Erwin, Executive Director of Paladin Academy, thanked staff for the report this evening and to the Commission for considering her request.

Chair Oullette asked if the school had a designated entrance and exit.

Ms. Erwin commented in the past students used Mall Entrance #4 to enter and exit the school. After the expansion, students would have their own private entrance into the academy.

Commissioner Goracke questioned what time the evening classes were offered.

Ms. Erwin commented in the past the classes were held from 5:00-8:00 p.m. but this has been changed to 3:30-6:30 p.m.

Commissioner Lahti requested further information regarding the “at risk” students at Paladin Academy.

Ms. Erwin invited all Commissioners to visit her school and meet the wonderful students. She commented that in the past year 30% were homeless. This led her staff to work with social services to provide basic needs for the students. She indicated that 50% of the students were directed to the school after a chemical dependency and nearly 100% of the students received free or reduced lunch.

Commissioner Lahti asked how the students were brought to school.

Ms. Erwin indicated eight vans were used to transfer students to and from school. After the expansion, 12 vans would be used.

Commissioner Lahti questioned how the conditional use permit was missed when the school began operation.

Planner III, Lori Johnson was uncertain how this was missed. She anticipated that the building department did not make the planning department aware of

the new use.

Commissioner Edison questioned the level of staff at the academy.

Ms. Erwin noted there were 24 members on staff at this time with 15 licensed teachers, four paras, and the remainder being administrative staff. She estimated that four additional teachers and one para would be added through the expansion.

The public hearing was closed at 7:17 p.m.

Commissioner Lahti was pleased with the work being done by the academy.

Motion by Commissioner Lahti to recommend approval of Planning Case 12-0018 based on the following conditions:

Case 12-0018:

1. Any changes or additions from the plans or narrative that has been submitted relative to the school's floor plans or the general nature/operation of the school itself requires a conditional use permit amendment.

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

Chair Ouellette noted this would be on the agenda of the August 2, 2012 City Council meeting.

4.3 [RES 12-099](#)

PUBLIC HEARING CASE FILE NO. 12-0019 // 10250 XYLITE STREET NE // UNITED TRAILER LEASING

THE APPLICANT IS REQUESTING A CONDITIONAL USE PERMIT TO ALLOW FOR A 2,016 SQUARE FOOT ADDITION ONTO THE EXISTING BUILDING.

Sponsors: Johnson

Attachments: [Attachments.pdf](#)
 [Unapproved Planning Commission Minutes.doc](#)

The report to the Planning Commission was presented by Lori Johnson, Planner III. The public hearing for Case File 12-0019 was opened at 7:23 p.m. As no one wished to appear, the public hearing was closed at 7:23 p.m.

Commissioner Goracke questioned how the financial guarantee was calculated by staff.

Planner III, Lori Johnson explained this was 100% of the cost of the site improvements, 10% was paid to the City in cash with the remainder left in a

letter of credit.

The following condition was removed:

- 4. ~~There appears to be no curb and gutter installed around the existing parking lot and this will need to be provided.~~

Motion by Commissioner Goracke to recommend approval of Planning Case 12-0019 based on the following conditions:

Case 12-0019:

- 1. **When the addition is constructed it will need to match the architecture/materials of the existing building.**
- 2. **With the improvements to the site, the building must be hooked up to City sewer and water.**
- 3. **The existing and new structures must have an automatic fire suppression system installed.**
- 4. **There appears to be no curb and gutter installed around the existing parking lot and this will need to be provided.**
- 5. **The landscape plan will need to be redrawn to include five overstory trees and three conifer trees for that frontage along the north property line.**
- 6. **The City will be requiring a Site Improvement Performance Agreement and a financial guarantee to ensure that the work is completed. The work must be completed no later than June 20, 2013. No building permits will be issued for the site until the City receives this documentation.**
- 7. **Applicant will need to obtain a Coon Creek Watershed District permit prior to start of site work.**

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

Chair Ouellette noted this would be on the agenda of the August 2, 2012 City Council meeting.

4.4 [RES 12-100](#)

PUBLIC HEARING CASE FILE NO. 12-0020 // 2665 101st AVENUE NE // WALTER’S RECYLCING AND REFUSE

THE APPLICANT IS REQUESTING A CONDITIONAL USE PERMIT FOR THE CONSTRUCTION AND OPERATION OF A NEW SOLID WASTE TRANSFER FACILITY

Sponsors: Kaye

Attachments: [Attachments.pdf](#)
 [Unapproved Planning Commission Minutes.doc](#)

The report to the Planning Commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 12-0020 was opened at 7:30 p.m.

George Walters, Walters Recycling and Refuse, thanked the Commission for considering his application.

The public hearing was closed at 7:31 p.m.

Commissioner Goracke inquired if the hours of operation would remain the same.

Mr. Walters noted the hours of operation would remain the same from 6:00 a.m. to 6:00 p.m. He further discussed his plans for the site stating in the future he hoped to convert to a compressed natural gas facility.

Commissioner Lahti questioned who purchased his product.

Mr. Walters explained his recycling products were sold to several different companies or are brought to a processing facility.

Motion by Commissioner Edison to recommend approval of Planning Case 12-0020 based on the following conditions:

Case 12-0020:

- 1. Site grading plan to be developed with every effort taken to preserve maximum number of existing trees at site perimeter. Construction limits to be detailed on final site plan. Submission of final site, building, grading, utility and landscape plans to be approved by the City prior to any site activity.**
- 2. Site improvement performance agreement and financial guarantee to cover the completion of site improvements is required prior to site plan approval.**
- 3. Grading plan must be modified to show additional detail for drainage ditch, storm water detention basin and driveway contours.**
- 4. Site plan must be modified to provide proper radii on the driveway for trucks to maneuver on site.**
- 5. The building and parking/storage area to meet the required setbacks as outlined in Section 62-157, including the 100 foot building side yard setback and the 50 foot front, rear, and side yard parking setbacks. Perimeter of outside storage to be fenced. No outside storage of transfer waste at any time.**
- 6. Provision for onsite hydrant(s) at necessary locations as directed by the Fire Marshal as part of site plan approval.**
- 7. All building construction to meet the I-2 (Heavy Industrial) zoning standards. The use of modern metal paneling materials or its equivalent shall**

not exceed 35 percent of any individual wall surface.

8. Applicant to provide City with copy of any written comments regarding site or operational issues received from any other regulatory agencies within five business days.

9. The solid waste transfer facility shall be operated in accordance with all applicable local, state and federal laws, rules and regulations regarding, but not limited to, groundwater pollution, water quality, air pollution, noise, odors, vibration or solid waste.

10. Applicant shall be responsible for litter control and clean-up along roadways leading to transfer facility site including 101st Avenue and County State Aid Highway 52 from I35W to 105th Avenue.

11. Landscape plan to be amended to meet the minimum criteria outlined by Section 62-157 with increased amounts and over-sizing of plant materials. Additional landscape plantings may be necessary along 101st Avenue to create the desired landscape buffer/screening intended by ordinance.

12. Payment of park dedication for the parcel at the 2012 rate of \$5,016 per upland acre. Calculation for acreage to include all upland areas including areas to be used for drainage ponds.

13. The outside storage to be limited to trucks and equipment that are actively used on the on-going business operations and the outside storage of dumpster containers in the location identified on the site plan.

14. The north 33 feet of this property is shown on the Anoka County half section as a recorded access easement. This easement must be kept free of improvements.

15. A separate domestic water service is required from the fire service line from the public right-of-way to the building. Indicate on the utility plan how the building will be served with sanitary sewer and water services.

16. Rice Creek Watershed District review of the site plan is required. If a RCWD permit is required, approval must be received prior to issuance of site plan approval.

17. The plan should indicate the removal of the gate, driveway, roadbed and culvert in the 101st Avenue right-of-way. A permit from the Anoka County Highway Department will be required for work in the right-of-way.

18. Site access to Xylite Street will need to be improved to urban standards with concrete curb and gutter and a minimum width of 24' face to face. Written permission to use this access and to construct improvements is required prior to site plan approval. The address for this site is 10199 Xylite Street NE.

19. A National Pollutant Discharge Elimination System (NPDES) permit is required from the Minnesota Pollution Control Agency (MPCA) when over five acres are graded.

20. Site Plan Approval is required prior to any work on the site.

21. The solid waste transfer facility shall be operated in accordance with the attached narrative.

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

Chair Ouellette noted this would be on the agenda of the August 2, 2012 City Council meeting.

4.5 [RES 12-101](#)

PUBLIC HEARING CASE FILE NO. 12-0021 // 123rd
LANE/NORTH LAKES BOULEVARD // HANS HAGEN
HOMES

THE APPLICANT IS REQUESTING THE FOLLOWING:

A) PRELIMINARY PLAT APPROVAL TO SUBDIVIDE 9.32
ACRES INTO 33 SINGLE FAMILY LOTS AND TWO (2)
OUTLOTS TO BE KNOWN AS THE LAKES OF
RADISSON 52nd ADDITION

B) CONDITIONAL USE PERMIT TO ALLOW FOR
CONSTRUCTION OF 33 SINGLE FAMILY HOMES IN A
DF (DEVELOPMENT FLEX) ZONING DISTRICT

Sponsors: Kaye

Attachments: [Attachments.pdf](#)

The report to the Planning Commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 12-0021 was opened at 7:39 p.m.

Linda Porter, _____, questioned how the existing pond would be affected through the proposed development.

Chair Oullette commented this pond would remain in place.

David Waters, _____, asked for the location of the two outlots.

Chair Oullette reviewed the location of the outlots stating one would be the gazebo area and the other would be the pond area.

The public hearing was closed at 7:42 p.m.

Commissioner Lahti requested further information on what led the developer to change the product being offered on the property.

John Rask, Vice President of Land Development for Hans Hagen Homes, commented the site was originally slated for townhome units. He indicated that Hans Hagen has had some success with the proposed product with empty nesters and young professionals. He explained it was a good fit with the surrounding properties.

Chair Oullette was pleased the density was reduced from 66 units to 33 units as this would ease the traffic in the area.

Motion by Commissioner Goracke to recommend approval of Planning Case 12-0021 a preliminary plat for The Lakes of Radisson 52nd Addition based on the following conditions:

Case 12-0021:

- 1. Park dedication for this plat has been previously addressed through the agreement for credit and payment as outlined in the approved Park Development Agreement and based on the platting of up to 3,300 housing units and 11 acres of commercial/retail.**
- 2. 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 Lakes Water Management Plan.**
- 3. The size of site being graded requires a National Pollutant Discharge Elimination System (NPDES) permit from Minnesota Pollution Control Agency.**
- 4. 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.**
- 5. Coon Creek Watershed District permit is required prior to the approval of grading**
- 6. 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. 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 City streets, exclusive of parkways, require dedication of 60 feet of**

right-of-way and shall be constructed to 29 feet back to back of width.

10. The street name shall be Midway Circle NE.

11. Standard utility and drainage easements must be dedicated along all lot lines and over drainage ditches, ponds, delineated wetlands, and storm water detention basins. 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.

12. Developer to require homeowner's associations to be responsible for maintenance and upkeep of landscape improvements along and within the right-of-way for all of the parkway style developed streets.

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. 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.

15. Soil boring information is required for determination of lowest floor elevations.

16. 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.

17. All development signage by separate review.

18. Landscaping for Lakes of Radisson North common areas, berms, and along the streets to be completed as shown on the approved Site Plan.

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

Motion by Commissioner Goracke to recommend approval of the conditional use permit to allow for construction of 33 single family homes (Village and Carriage series) in a DF (Development Flex) zoning district based on the following conditions:

Case 12-0021:

The Lakes Single Family - DF Development Standards

Permitted Uses

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 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 - 16 feet, 18 feet to garage door.

2. Side yard setback - 4 feet for house and garage. Minimum distance between homes - 8 feet.

3. Corner side yard setback - 20 feet.

4. Rear yard setback - 17.5 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 1,600 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). Yards may be seeded over 4 inches of black dirt if underground irrigation is installed with the home.

12. 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.

13. All homes, within the development to incorporate Airport Noise Abatement Standards with Central Air conditioning to mitigate noise impacts.

14. No side patio or entrance doors are permitted.

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. The gazebo area (Outlot A) to be maintained by the Homeowners association. The landscape plan to be approved through a site plan approval process.

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

Chair Ouellette noted this would be on the agenda of the August 2, 2012 City Council meeting.

Motion by Commissioner Homan to adjourn the Regular Planning Commission meeting. Motion seconded by Commissioner Edison. The motion passed 7-0. Adjournment time was 7:47 p.m.