

**UNAPPROVED  
CITY OF BLAINE  
PLANNING COMMISSION MEETING MINUTES  
August 15, 2018**

The Blaine Planning Commission met in the City Hall Chambers on Wednesday, August 15, 2018. Chair Ouellette called the meeting to order at 7:00 p.m.

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

Members Absent: Commissioner Members Goracke, Halpern and Homan

Staff Present: Shawn Kaye, Associate Planner  
Lori Johnson, Associate Planner  
Natasha Lukacs, Planning and Economic Development Technician  
Stefan Higgins, Assistant City Engineer

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**APPROVAL OF MINUTES**

**Motion by Commissioner Olson to approve the minutes of July 10, 2018, as presented.  
Motion seconded by Commissioner York. The motion passed 4-0.**

**OLD BUSINESS**

None.

**NEW BUSINESS**

Item 4.1 – Case File No. 18-0051 – Public Hearing – The applicant is requesting a Conditional Use Permit to allow for a Veterinary Care Clinic in an I-2 (Heavy Industrial) zoning district.  
BLAINE CENTRAL VETERINARY CLINIC, 2181 108<sup>TH</sup> LANE NE.

The report to the Planning Commission was presented by Natasha Lukacs, Planning and Economic Development Technician. The public hearing for Case File 18-0051 was opened at 7:07 p.m. As no one wished to appear, the public hearing was closed at 7:07 p.m.

**Motion by Commissioner York to recommend approval of Planning Case 18-0051 based on the following conditions:**

Case 18-0051:

1. The business to operate as described in the attached narrative.

2. The business must adhere to the signage requirements, both permanent and temporary, of the Zoning Ordinance. This property must follow the signage requirements for the I-2 (Heavy Industrial) zoning district and obtain all necessary sign permits.
3. The interior tenant finish work to be completed with review and permit meeting all Building and Fire Code requirements.
4. No activity is to be conducted outside the building. A CUP Amendment will be required if in the future the business requests to have any fenced area outside for pets.
5. The dead pine tree along the east side of the building to be removed and replaced with a conifer tree that is a minimum of 6 feet in height.
6. The generator, in the front of the building on the west side, to be removed and replaced with additional parking.
7. The drive access isle between 2181 and 2161 108<sup>th</sup> Lane to be removed and replaced with approved curbing and landscaping.
8. A Certificate of Occupancy is required prior to occupying the space.
9. The applicant must deposit an escrow in the amount of \$3,000.00 with the Planning Department Prior to obtaining a Certificate of Occupancy. This escrow can be returned upon inspection and completion of conditions 5-7.

**Motion seconded by Commissioner Ponds. The motion passed 4-0.**

Chair Ouellette noted this would be on the agenda of the September 6, 2018 City Council meeting.

Item 4.2 – Case File No. 18-0054 – Public Hearing – The applicant is requesting a Conditional Use Permit to allow for the construction and operation of an 11,992 square foot daycare center to be located in a PBD (Planned Business District) zoning district. RAINBOW CHILD CARE, 12312 FRAIZER STREET NE.

The report to the Planning Commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 18-0054 was opened at 7:10 p.m. As no one wished to appear, the public hearing was closed at 7:10 p.m.

Chair Ouellette asked how many employees the new daycare center would have.

Mr. Reed Fenton, Rainbow Child Care representative, anticipated the center would have 12 to 15 full time employees. He asked if the play area had to be sod or if the surface could be turf.

Associate Planner, Shawn Kaye reported the play area could be turf.

**Motion by Commissioner Olson to recommend approval of Planning Case 18-0054 based on the following conditions:**

Case 18-0054:

1. All site and landscaping improvements must be constructed as shown on these plans with all required staff changes included on the plans.
2. The landscaping and building must meet the requirements of the Highway Overlay District. The landscape plan meets these requirements and the building does as well.
3. Sod must be placed over 4 inches of black dirt containing no more than 35% sand over the entire site. Underground irrigation system is also required for the entire site and boulevard. Seeding is not permitted.
4. The type of fencing around the play area will be reviewed during the site plan approval process.
5. Separate permits will need to be issued for the fences.
6. If any canopies will be used in the play yards, staff must approve the design and materials to be used.
7. Payment of SAC and WAC with building permit.
8. All signage will be issued under separate permits. The site is allowed one monument style sign that is no more than 14 feet in height and no greater than 140 square feet. Wall signage is allowed on two sides of the building. Temporary signage also requires a permit.
9. All lighting must be downlit and shielded to prevent glare or spill. A lighting plan must be submitted that meets the requirements of the zoning ordinance.
10. Applicant is required to obtain a Rice Creek Watershed District permit prior to any site work.
11. Applicant to obtain and adhere to all required County or State licensing requirements.
12. Site plan approval with execution of a Site Improvement Performance Agreement (SIPA) and acceptable financial guarantee is required prior to issuance of a building permit or commencement of any site work.

**Motion seconded by Commissioner Ponds. The motion passed 4-0.**

Chair Ouellette noted this would be on the agenda of the September 6, 2018 City Council meeting.

Item 4.3 – Case File No. 17-0043 – Public Hearing – The applicant is requesting the following:

- a.) Preliminary Plat to subdivide 3 parcels (7.5 acres) into 19 lots and 2 outlots to be known as Glen Cove.
  - b.) Conditional Use Permit to allow for the construction of 19 single family detached townhomes in an RF (Residential Flex) zoning district.
- GLEN COVE LLC, 111<sup>TH</sup> AVENUE ALIGNMENT/RADISSON ROAD.

The report to the Planning Commission was presented by Lori Johnson, Associate Planner. The public hearing for Case File 17-0043 was opened at 7:16 p.m.

Chair Ouellette noted for the record the Planning Commission received an email from Regina Crossley Harris noting she did not support the request.

Matt Larson, 3126 Rodeo, expressed concerns with the amount of traffic that would be generated by this development.

Ms. Karen Hand, 2598 Rodeo, stated her property abutted the proposed development. She was concern with the number of homes being proposed and how many trees would be lost. She commented on a culvert that was between her property and the proposed development and questioned what would happen to this culvert.

Assistant City Engineer, Stefan Higgins, reported the County ditch would not be impacted by this development.

Zack Chris Perkins, 2654 Rodeo Drive, asked how the wetlands would be impacted and restored. He questioned how the neighbors to the south would be impacted given the fact the rear yards would only be 7.5 feet.

Associate Planner, Lori Johnson reported there would be a row of conifers along this property line. She explained there was also an outlot that would buffer the homes from the adjacent property.

Mr. Perkins asked if sidewalks would be included in this development.

Associate Planner, Lori Johnson explained sidewalks would not be included because of concerns noted in staff report.

Kathy Roland, 11495 Meadow Lane NE, asked which of the North Oaks West lots were being impacted by this development.

Associate Planner, Lori Johnson reported the lots within North Oaks West would not be impacted.

Mike Bourke, 183 103<sup>rd</sup> Lane NE, asked if conifers would be planted along the east property line.

Associate Planner, Lori Johnson stated heavy tree cover was already in place and a line of conifers would not be required.

The public hearing was closed at 7:29 p.m.

**Motion by Commissioner Ponds to recommend approval of Planning Case 17-0043A a Preliminary Plat to subdivide 3 parcels (7.5 acres) into 19 lots and 2 outlots to be known as Glen Cove based on the following conditions:**

Case 17-0043A:

1. The applicant will be required to pay park dedication for this plat in the amount of \$ 4,320 (2018 rate) per lot, for total due of \$82,080. This fee must be paid prior to release of the final plat mylars for recording at Anoka County.
2. Coon Creek Watershed District permit is required prior to any site work. The Developer shall be responsible for the construction, maintenance, and repair of storm water features.
3. The roadway to be private and placed in a 50-foot wide outlot and shall be constructed to 28 feet back to back in width. Parking will be limited to one side of the road.
4. Anoka County Highway Department review and permit are required prior to any site work or work with in the highway right-of-way.
5. Developer to pay any and all special assessments on the existing parcel prior to recording the final plat at Anoka County.
6. A Site Improvement Performance Agreement and grading approval is required prior to any construction activities occurring on site.
7. As-built surveys shall be required to verify structure elevations, custom grading requirements, and final lot grading elevations.
8. 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, right hand turn lane on Radisson Road if required by ACHD, and all appurtenant items. The City shall approve plans and specifications prior to start of construction.
9. Private street will follow the Anoka County street name grid system.
10. Standard utility and drainage easements must be dedicated along all lot lines and over areas of infiltration trenches, drainage swales, and storm water management ponds. The

Developer is to provide access for inspection and maintenance of the storm water management infrastructure. Restrictions will be placed on lot lines as needed to limit fences and landscaping to insure access. Design of landlocked storm water features must be designed based on back-to-back 100-year events.

11. The developer to provide evidence of a shared access and maintenance agreement with the property owner to the south for the shared access associated with the private road.
12. The street within the plat, utilities, and storm water improvements are private and once completed turned over to the HOA (Homeowners Association) for perpetual maintenance.
13. 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 Meadow Place.

**Motion by Commissioner Ponds to recommend approval of Planning Case 17-0043B a Conditional Use Permit to allow for the construction of 19 single family detached townhomes in an RF (Residential Flex) zoning district based on the following conditions:**

Case 17-0043B:

Glen Cove - DF ZONING STANDARDS

Permitted Uses

- (a) Single-family detached dwellings.
- (b) Group family day care.

Accessory Uses

- (a) Private garages (attached). Detached sheds are not permitted.
- (b) Keeping of not more than two (2) boarders and/or roomers per dwelling unit.

Conditional Uses

- (a) Home occupations listed as Conditional Use Permit under 33.11.

Standards

- (a) Front yard setback - 11 feet.
- (b) Side yard setback -7.5 house and garage, minimum of 15 feet between structures.

- (c) Corner side yard setback - 20 feet.
- (d) Rear yard setback - 7.5 feet.
- (e) Maximum building height - 2 1/2 stories or 35 feet.
- (f) It shall be required for all homes 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 1,000 square feet.
- (g) The minimum finished floor area above grade for all homes shall be 2,026 square feet.
- (h) All homes to be constructed to utilize architectural style and elevations consistent with those shown on drawings presented for this approval. All house exteriors to utilize custom color Hardie (or similar fiber cement) siding with stone accents.
- (i) All residential dwellings must be built in conformance with the Minnesota State Building Code. All residential dwellings to utilize Airport Noise Reduction Standards.
- (j) All driveways and approaches shall be hard surfaced using concrete or asphalt.
- (k) It shall be required that all yards be sodded over a minimum of four (4) inches of topsoil (black dirt).
- (l) Developer installed mailboxes shall be grouped with design and location coordinated with the City and US Post Office.
- (m) The landscape plan that was presented for approval must be installed and the home owners association must be responsible for maintenance of all landscaping.
- (n) Landscape plan to incorporate foundation plantings with quantities and design details to be approved by the City.
- (o) All landscaping areas to have underground irrigation.

**Motion seconded by Commissioner Olson. The motion passed 4-0.**

Chair Ouellette noted this would be on the agenda of the September 6, 2018 City Council meeting.

Item 4.4 – Case File No. 18-0039 – Public Hearing – The applicant is requesting the following:

- a.) Comprehensive Plan Amendment from CC (Community Commercial) to HDR (High Density Residential).
- b.) Rezoning from B-4 (Office Park) to DF (Development Flex)

- c.) Preliminary Plat to subdivide a 3.21 acre parcel(s) into 43 lots (townhome lots) and one lot for common area to be known as South Terrace Cove
  - d.) Conditional Use Permit to allow for the construction of 43 townhome units and a private street in a DF (Development Flex) zoning district.
- SHADE TREE CONSTRUCTION, 10267/10299/10301 UNIVERSITY AVENUE NE.

The report to the Planning Commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 18-0039 was opened at 7:35 p.m.

George \_\_\_\_\_, explained he offices in one of the buildings being proposed for redevelopment into townhomes. She commented his main concern with this development was the fact that the developer was asking for \$1 million in TIF. He was of the opinion TIF should not be used given the fact this was a prime corner for commercial real estate. In addition, he believed there were already enough townhomes along University Avenue.

Associate Planner, Shawn Kaye reported the developer was requesting TIF but this item was not before the Commission this evening, but rather would be considered in September.

Walt Stelarzick, 44 Territorial Road, asked if the development would have only one entrance point. He feared that this would become a bottleneck and suggested an additional access point be considered. He discussed how difficult it was to travel University Avenue during peak traffic times and explained the proposed development would compound this issue. He asked where the dumpsters within the development would be located and expressed concern with residents dumpster diving.

Bruce Foley, 36 Territorial Road, stated he has lived in this area since 1960. He explained the proposed development was right in his backyard. He indicated he was concerned with the number of units being proposed.

Casey Grover, 10210 Sixth Street, expressed concern with the property line and the retaining wall that would be built. He encouraged the developer to save and maintain as many trees as possible. She noted she has a fence in her rear yard and asked that this remain in place.

Paul Ewert, 40 Territorial Road, expressed concerns with garbage and the dumping that has occurred on this property.

Associate Planner, Shawn Kaye indicated this development would not have dumpsters but rather the townhome units would be owned individually and would have their own private garbage service provider.

Mr. Ewert explained the proposed rezoning went against the surrounding property along University Avenue.

Mike Bourke, 183 103<sup>rd</sup> Lane NE, discussed how this property would be isolated from the surrounding property because it would have only one access point with commercial to one side. He feared that the City was proposing to spot zone this parcel. He stated he supported the



proposed buffering for this development. He was of the opinion the funding for this project should have been addressed prior to the Planning Commission considering the Rezoning, Comp Plan Amendment, Preliminary Plat and Conditional Use Permit. He stated he did not have a problem with the zoning changing if it was for the right development along University Avenue. He commented he did not want the land use to change, then have this development fall apart and a large apartment complex land on this property.

The public hearing was closed at 7:55 p.m.

Corey Loger, Project Manager for Shade Tree Construction, explained the proposed townhomes would vastly improve this property and noted all units would be owner occupied. He encouraged the neighboring residents to contact him with any comments or concerns they may have about the development.

Commissioner Ponds asked if this development was similar to the townhomes just north of Cub Foods.

Associate Planner, Shawn Kaye reported the units would be similar in appearance but noted the units by Cub Foods were rental and the proposed development would be owner occupied.

Commissioner Olson expressed concern with the fact this development would only have a single entrance point but believed this development would be a great improvement for the neighborhood.

Commissioner York stated he was concerned with taking a commercial property and turning it into residential. However, he understood this area was in need of redevelopment and believed the townhomes would be a nice fit.

Commissioner Olson asked if there was any way to make the approval of this request conditional to ensure a 60+ unit apartment complex does not land on this property.

Associate Planner, Shawn Kaye reported this could be made a recommendation to the City Council.

Chair Ouellette questioned if the City was setting a precedent with the spot zoning of this parcel.

Associate Planner, Shawn Kaye explained this was a land use change and was not considered spot zoning. She provided further comment on why the townhomes were a reasonable use for this property.

Chair Ouellette asked if a private street with a right-out only onto University Avenue had been considered by the developer.

Mr. Loger stated he could bring this up to the developer.

**Motion by Commissioner Olson to recommend approval of Planning Case 18-0039A a Comprehensive Plan Amendment from CC (Community Commercial) to HDR (High Density Residential) based on the following conditions:**

Case 18-0039A:

1. The proposed land use is consistent with the townhome use proposed for the site.
2. The proposed land use and associated development is in an appropriate location for a high-density project as it is close to commercial areas and major intersections, transit opportunities and roadway systems.
3. The higher density allows the site to be redeveloped removing older blighted buildings that are past their useful life.

**Motion by Commissioner Olson to recommend approval of Planning Case 18-0039B a Rezoning from B-4 (Office Park) to DF (Development Flex) based on the following conditions:**

Case 18-0039B:

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.
2. The rezoning shall be conditionally approved for the proposed townhome project and if this project were to not go forward, the zoning shall remain as is.

**Motion by Commissioner Olson to recommend approval of Planning Case 18-0039C a Preliminary Plat to subdivide a 3.21 acre parcel(s) into 43 lots (townhome lots) and one lot for common area to be known as South Terrace Cove based on the following conditions:**

Case 18-0039C:

1. The applicant will be required to pay park dedication for the 43 new lots within this plat. If paid in 2018 the amount will be \$4,320 per lot, for total due of \$185,760. 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. 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.
4. As-built surveys shall be required to verify structure elevations, custom grading requirements, and final lot grading elevations.
5. 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. The project will be required to connect to an existing water stub. Hydrant locations will need to be reviewed by the Fire Department.
6. A six-foot wide concrete sidewalk is required along the north side of 102<sup>nd</sup> Lane with a pedestrian ramp at the east end of the property.
7. Work in University Avenue right-of-way will require a permit from the Anoka County Transportation Department. This work includes the removal of driveways, catch basin, trail repair and boulevard regrading.
8. 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.
9. 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 South Terrace Cove.

**Motion by Commissioner Olson to recommend approval of Planning Case 18-0039D a Conditional Use Permit to allow for the construction of 43 townhome units and a private street in a DF (Development Flex) zoning district based on the following conditions:**

Case 18-0039D:

1. The construction of all townhomes 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 approved by the City and the US Postal Service.
4. Minimum floor area above ground for each unit shall be 1600 sq. feet.

5. The following trees are required on site: 43 overstory trees, 43 conifer trees, and 43 ornamental trees.
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.
11. WAC (Water Access Charge) and SAC (Sewer Access Charge) will be due on each permit but calculated giving a credit for what has been previously paid.
12. All driveways and on-site utilities are considered private and are the maintenance responsibility of the homeowner's association for the 43 units.
13. The developer shall consider a right-out only exit onto 102<sup>nd</sup> Lane NE from the site.
14. The developer shall consider eliminating the sixth townhome unit on the southeast corner of the site.

**Motion seconded by Commissioner York. The motion passed 4-0.**

Chair Ouellette noted this would be on the agenda of the September 6, 2018 City Council meeting.

### **ADJOURNMENT**

Motion by Commissioner York to adjourn the Regular Planning Commission meeting. Motion seconded by Commissioner Ponds. The motion passed 4-0. Adjournment time was 8:07 p.m.

Respectfully submitted,

Heidi Guenther  
*TimeSaver Off Site Secretarial, Inc.*