

**UNAPPROVED  
CITY OF BLAINE  
PLANNING COMMISSION MEETING MINUTES  
April 10, 2018**

The Blaine Planning Commission met in the City Hall Chambers on Tuesday, April 10, 2018. Chair Ouellette called the meeting to order at 7:00 p.m.

**ROLL CALL – 2017/2018 PLANNING COMMISSION**

Members Present: Commission Members: Goracke, Halpern, Homan, Ponds, York and Chair Ouellette

Members Absent: Commission Member Olson

Staff Present: Shawn Kaye, Associate Planner  
Lori Johnson, Associate Planner  
Natasha Lukacs, Planning and Economic Development Technician  
Tom Scott, Project Coordinator  
Dan Schluender, Assistant City Engineer  
Deputy City Clerk, Stacy Dellich

\*\*\*\*\*

**APPROVAL OF MINUTES**

**Motion by Commissioner York to approve the minutes of March 13, 2018, as presented.  
Motion seconded by Commissioner Goracke. The motion passed 5-0-1 (Homan abstained).**

**OLD BUSINESS**

**2017/2018 PLANNING COMMISSION ADJOURNS SINE DIE**

**Motion by Commissioner York to adjourn the 2017/2018 Planning Commission Sine Die.  
Motion seconded by Commissioner Homan. The motion passed 6-0.**

Chair Ouellette adjourned the 2017/2018 Planning Commission Sine Die to complete the Oath of Office at 7:02 p.m.

**ADMINISTRATION OF OATH OF OFFICE**

The Oath of Office was administered by the Deputy City Clerk to Commissioners Joe Ouellette, Terri Homan, Jason Halpern and Alan Goracke.

**RESUMPTION OF ADJOURNED MEETING**

Chair Ouellette reconvened the meeting at 7:04 p.m.

### **ROLL CALL OF THE 2018/2019 PLANNING COMMISSION**

Members Present: Commission Members: Goracke, Halpern, Homan, Ponds, York and Chair Ouellette

Members Absent: Commission Member Olson

### **NEW BUSINESS**

Item 4.1 – Case File No. 18-0014 – Public Hearing – The applicant is requesting a Conditional Use Permit to allow for three (3) accessory structures in an R-1 (Single Family) zoning district.  
DAVID SPALDING, 12017 WASHINGTON STREET NE.

The report to the Planning Commission was presented by Natasha Lukacs, Planning and Economic Development Technician. The public hearing for Case File 18-0014 was opened at 7:08 p.m.

Chair Ouellette noted for the record the Commission received letters from Kelly Oberlander and Lucy Carlson, noting both individuals were not against the requested accessory structure.

The public hearing was closed at 7:09 p.m.

**Motion by Commissioner York to recommend approval of Planning Case 18-0014 based on the following conditions:**

Case 18-0014:

1. A building permit must be obtained prior to the start of any construction. The construction of the shed will need to meet the requirements of the Uniform Building Code.
2. The proposed shed is to be generally located as shown on the proposed sketch and will need to meet the 5-foot side and rear yard setbacks.
3. The total number of accessory structures is not to exceed three (3) and the total accessory garage space on the property is not to exceed 728 square feet.
4. The existing garage and proposed shed must only be used for personal storage. It may not be used for a home occupation.
5. The materials and colors used on the proposed building will need to match those used on the principal building.

6. The height of the proposed building may not exceed the height of the principal building.

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

Chair Ouellette noted this would be on the agenda of the May 3, 2018 City Council meeting.

Item 4.2 – Case File No. 18-0017 – Public Hearing – The applicant is requesting a Conditional Use Permit to allow for a 2,000 square foot detached garage, with a total 2,950 square feet of accessory garage space, and to allow an accessory building to be located in the front yard in an FR (Farm Residential) zoning district. JOSEPH AND AMANDA PROSEK, 4851 114<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 18-0017 was opened at 7:12 p.m.

Chair Ouellette noted for the record the Commission received a letter from Katie and John Laing stating they did not oppose the request.

The public hearing was closed at 7:13 p.m.

**Motion by Commissioner Homan to recommend approval of Planning Case 18-0017 based on the following conditions:**

Case 18-0017:

1. A building permit must be obtained prior to the start of any construction. The construction of the building will need to meet the requirements of the Uniform Building Code.
2. The proposed building is to be generally located as shown on the proposed sketch and will need to meet the minimum 100-foot front yard setback.
3. The total accessory building space on the property is not to exceed 2,950 square feet. The newly proposed building is not to exceed 2,000 square feet.
4. The existing and proposed accessory building space must only be used for personal storage. It may not be used for a home occupation.
5. The materials and colors used on the proposed building will need to match those used on the principal building.
6. The height of the proposed building may not exceed the height of the principal building. All driveways must meet the minimum 5-foot setback requirement.

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

Chair Ouellette noted this would be on the agenda of the May 3, 2018 City Council meeting.

Item 4.3 – Case File No. 16-0035 – Public Hearing – The applicant is requesting the approval of a RLS (Registered Land Survey) to create a new lot in Baltimore 2<sup>nd</sup> Addition.  
ELEVAGE DEVELOPMENT GROUP, 10611 & 10673 BALTIMORE STREET NE.

The report to the Planning Commission was presented by Lori Johnson, Associate Planner. The public hearing for Case File 16-0035 was opened at 7:15 p.m.

Mike Mergens, Elevage Development Group, thanked the Commission for their consideration and stated he was available for questions.

The public hearing was closed at 7:15 p.m.

**Motion by Commissioner Goracke to recommend approval of Planning Case 16-0035 based on the following conditions:**

Case 16-0035:

1. The Registered Land Survey must be recorded at Anoka County.
2. 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 the registered land survey to create a new lot in Baltimore 2<sup>nd</sup> Addition.

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

Chair Ouellette noted this would be on the agenda of the May 3, 2018 City Council meeting.

Item 4.4 – Case File No. 18-0019 – Public Hearing – The City is proposing a Preliminary Plat to subdivide 7.4 acres into one (1) lot and one (1) outlot in order to construct a multi-tenant office building on Lot 1 to be known as Town Square Village 2<sup>nd</sup> Addition.  
CITY OF BLAINE, 10729 TOWN SQUARE DRIVE NE.

The report to the Planning Commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 18-0019 was opened at 7:17 p.m.

Scott Mower, architect for the project introduced himself to the Commission and stated he was available for questions.

The public hearing was closed at 7:18 p.m.

**Motion by Commissioner Ponds to recommend approval of Planning Case 18-0019 based on the following conditions:**

Case 18-0019:

1. Appropriate permits will be necessary from Coon Creek Watershed District prior to site development.
2. Park dedication to be paid at the commercial rate of \$8,704 per acre for the one lot (1.73 acres) for a total of \$15,057. Outlot A is subject to park dedication at the time of development.
3. Dedication of standard utility and drainage easements along all lot lines.

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

Chair Ouellette noted this would be on the agenda of the May 3, 2018 City Council meeting.

Item 4.5 – Case File No. 18-0020 – Public Hearing – The applicant is requesting a Conditional Use Permit to allow for construction of a 17,577 square foot office/medical building in a DF (Development Flex) Zoning District. GREENSPACES, LLC, 10729 TOWN SQUARE DRIVE NE.

The report to the Planning Commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 18-0020 was opened at 7:19 p.m.

Scott Mower, Progressive Architecture, introduced himself to the Commission and stated he was available for questions. He reported he supported all of the conditions as recommended by staff. He noted he would work with staff to improve the stone that would be used on the building exterior.

Mr. Mower reported the building would be constructed all at once. He explained construction would begin as soon as possible.

The public hearing was closed at 7:22 p.m.

**Motion by Commissioner Goracke to recommend approval of Planning Case 18-0020 based on the following conditions:**Case 18-0020:

1. The developer shall install all site improvements in accordance with City performance standards and zoning code Section 27.09, including the financial guarantee and site improvement agreement.
2. Site, buildings, and landscaping to be constructed consistent with submitted materials made part of this Conditional Use Permit application. However, the site plan will be subject to further site plan review related to landscaping and all site improvements.

3. Site plan and grading approval required prior to site work and building permits.
4. Temporary signage regulated under Zoning Ordinance Section 34.13.
5. Permanent signage requires a separate permit approval process.
6. 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 20 feet. The lighting should be coordinated with the Town Square Development, as all lighting will be the same/similar throughout the Town Square Development.
7. The building must be designed and maintained in accordance with the MN Uniform Fire Code.
8. A Coon Creek Watershed District permit is required prior to City plan approval.
9. The trash enclosure must be constructed to match the building.
10. The following landscaping and sizes will need to be shown on the landscape plan to meet the requirements of the Zoning Ordinance and Highway 65 Overlay:

Overstory Trees	12 (2 ½" caliper) and 4 (3" caliper)=16
Conifer Trees	10 (6' in height) and 3 (8' in height)=13
Ornamental Trees	10 (2" caliper) and 3 (2 ½" caliper)=13

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

Chair Ouellette noted this would be on the agenda of the May 3, 2018 City Council meeting.

Item 4.6 – Case File No. 17-0026 – Public Hearing – The applicant is requesting a Preliminary Plat to subdivide 80 acres into 10 lots and one (1) outlot to be known as Lexington Meadows.  
WELLINGTON MANAGEMENT, INC., 10840 LEXINGTON AVENUE NE.

The report to the Planning Commission was presented by Lori Johnson, Associate Planner. The public hearing for Case File 17-0026 was opened at 7:26 p.m. As no one wished to appear, the public hearing was closed at 7:26 p.m.

Chair Ouellette asked if the new road installation would require tree plantings and sod.

Associate Planner, Lori Johnson reported all landscaping within the right-of-way would be installed within the first phase of the project.

**Motion by Commissioner Homan to recommend approval of Planning Case 17-0026 based on the following conditions:**

Case 17-0026:

1. Park dedication will be required for each lot as it is final platted. The park dedication fee will be based on the rate in effect at the time of final platting and will be required prior to release of mylars for recording at Anoka County.
2. Connection charges from City Project No. 14-14 will become due as each lot within the plat is developed. The connection charge is based on the area of the lot being platted and will be indexed each year. The developer will be required to pay these charges prior to the release of the mylars for recording at Anoka County.
3. Rice Creek Watershed District permit is required prior to start of site work.
4. Anoka County Highway Department permit for work in the county right-of-way is required prior to the start of site work.
5. A development agreement is required prior to any site work being performed.
6. Developer to install landscaping within the right-of-way as shown on the plans presented for approval. Developer is responsible for planting and maintenance of this landscaping and underground irrigation must be provided to the landscaping.
7. Each lot/use in the plat will be required to obtain a conditional use permit per the Zoning Ordinance requirements of the PBD (Planned Business District).

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

Chair Ouellette noted this would be on the agenda of the May 3, 2018 City Council meeting.

Item 4.7 – Case File No. 18-0011 – Public Hearing – The applicant is requesting a Conditional Use Permit to allow for the construction of a 192 unit senior, independent living, affordable housing project in PBD (Planned Business District). DOMINIUM, 10840 LEXINGTON AVENUE NE.

The report to the Planning Commission was presented by Lori Johnson, Associate Planner. The public hearing for Case File 18-0011 was opened at 7:31 p.m. As no one wished to appear, the public hearing was closed at 7:31 p.m.

Chair Ouellette stated he was pleased to see this parcel being developed.

**Motion by Commissioner Ponds to recommend approval of Planning Case 18-0011 based on the following conditions:**Case 18-0011:

1. This site needs to meet the Highway 65 Overlay District requirements for exterior materials, and the plans that have been submitted for this proposal meet this requirement.
2. The landscaping on site needs to meet the Highway 65 Overlay District requirements and the plan provided meets those requirements with one exception. At least 25% of the trees need to be oversized to meet the Highway 65 Overlay District standards. Oversized trees must be 3-inch caliper overstory trees, 8-foot conifer trees, and it is not recommended that ornamental trees be oversized. A landscape plan must be provided that meets these requirements.
3. A pier or dock will not be allowed on the water feature adjacent to the site.
4. A lighting plan will need to be provided that illustrates that the lighting provided meets ordinance requirements. All lighting needs to be downlit and shielded to prevent glare or spill. Pole mounted lighting is limited to 20-feet in height.
5. SAC and WAC payments will also become due prior to the issuance of building permits.
6. The applicant will need to obtain a Rice Creek Watershed District permit prior to City approval of construction plans and specifications.
7. The applicant will need to provide a retaining wall design including a fence on the top of the wall.
8. A fence permit must be obtained for the dog run area.
9. This building will need to be licensed under the City's annual Rental License Program.
10. All signage is issued under a separate permit.
11. The applicant will need to obtain administrative site plan approval that will include the submittal of a Site Improvement Performance Agreement and the associated financial guarantee.

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

Chair Ouellette noted this would be on the agenda of the May 3, 2018 City Council meeting.

Item 4.8 – Case File No. 17-0058 – Public Hearing – The applicant is requesting the following:

- a.) A Preliminary Plat to subdivide an 18.5-acre outlot into one (1) lot to be known as Park Place.
- b.) A Conditional Use Permit to allow for multiple buildings on one lot, contractor yard with outside storage of materials and equipment, periodic crushing of concrete demolition materials, parking lot lighting up to 25-feet in height and special purpose fencing along the site's border.

PARK CONSTRUCTION COMPANY, 10201 XYLITE STREET NE.



The report to the Planning Commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 17-0058 was opened at 7:41 p.m.

Morgan Wells, 2772 103<sup>rd</sup> Court NE, explained he lived adjacent to the proposed business expansion. He expressed concern with how his property value would be impacted and anticipated he would have a hard time selling his home with an industrial use in the backyard. He requested the Planning Commission not approve the request.

Bob Glamm, 10314 Xylite Street, commented he was concerned with how increased noise and traffic would adversely impact his neighborhood. He reported the proposed fencing would not stop the noise. He feared that additional truck traffic coming and going from this area would create accidents.

Jay Onstad, 2716 103<sup>rd</sup> Court, stated he lived directly behind the subject property. He questioned how this property was even zoned I-2 (Heavy Industrial).

Chair Ouellette explained the zoning of this property was not up for discussion this evening. He encouraged Mr. Onstad to take this issue up with the City Council.

Mr. Onstad commented the industrial use would be detrimental to his property value and did not belong adjacent to this neighborhood.

Trevor Samaroo, 10304 Xylite Street, explained his main concerns were light pollution, increased noise and traffic. He stated the intersection at Xylite was already dangerous and he feared how his neighborhood would be impacted by additional truck traffic.

Chair Ouellette asked if the City was already studying the traffic at this intersection.

Assistant City Engineer, Dan Schluender reported the City had hired a consultant to begin a traffic study for this intersection. He explained the traffic study would be completed by the end of May and would be presented to the City Council at that point.

Mark Rohrer, 10325 Xylite Street, explained he lives on Xylite Street and owns the last vacant lot at 2660 103<sup>rd</sup> Court. He reported the vacant lot proposed for an industrial use was platted as the Sanctuary 9<sup>th</sup> Addition as an outlot. He reported this lot was a part of his neighborhood and the proposal on the table required a Conditional Use Permit in order to be allowed in a residential neighborhood. He stated he understood Gary Larson had the right to sell this land and develop this land. However, he encouraged the Commission to do their due diligence and consider if the proposed project would promote the health, safety, morals, comfort and convenience of the inhabitants of the City of Blaine. He was of the opinion this project would not protect the inhabitants of Blaine. He commented on the requirements for a Conditional Use Permit and noted each request was to be compatible with the Comprehensive Plan as well as the adjacent land uses. He explained there was to be no deterrence to adjacent properties, nor were property values to be impacted. He stated he worked with Bryan Schafer when Gary Larson brought a previous request before the City suggesting an asphalt plant be located on this property. He

indicated he was told by Mr. Schafer that (I-2A) Heavy Industrial (that supported an asphalt plant) was not a compatible use to be directly adjacent to a residential neighborhood. He requested that the City bring in four or five independent realtors to appraise his home before and after a heavy industrial use was located in his back yard. He anticipated that there would be a violation of City Code. He encouraged the City to not make the traffic situation worse at Xylite Street but rather to work through this issue with the County. He discussed Blaine's 2030 and 2040 Comprehensive Plan and appreciated the fact that the City was forward thinking. He discussed the future plans for Area 9 in the Comprehensive Plan noting the City was proposing to move away from industrial and move towards residential. He commented on how the proposed industrial project was going against this vision. He encouraged the Commission to uphold the City's regulations along with the Conditional Use Permit standards.

Chris Hildrum, 10507 Alamo Street, commented on the City's 2030 and 2040 Comprehensive Plan, noting the proposed property was an outlot for the Sanctuary neighborhood. He shared some pictures with the Commission regarding the traffic concerns at Xylite Street noting his wife was almost killed at this intersection. He reported he was told by Bryan Schafer last year that maybe Sanctuary neighborhood should not have been placed in this area of the City. He explained he and his neighbors were fighting for their neighborhood and for the value of their homes. He reiterated that Heavy Industrial was not compatible with a residential neighborhood. He stated he did not trust the City and feared that concrete crushing would be allowed in the future, even though it was not being recommended at this time. He discussed the amount of dust and debris that would be created by a concrete crushing use.

Chair Ouellette stated he understood this was a concern and noted staff was not recommending concrete crushing at this property.

Mr. Hildrum encouraged the City to reconsider their notification radius. He commented on how the entire Sanctuary neighborhood would be impacted by the proposed heavy industrial use and not just those located within 350 feet of the property. He questioned why Park Construction was even considering locating their business adjacent to a residential neighborhood considering how families and children could be impacted. He stated resident's health and safety should be foremost on the City's mind when considering this request.

Tim McDonnell, 2642 104<sup>th</sup> Court NE, asked if the vision for the City was to be "industrial". He stated he understood the City respected land owner rights, but encouraged the City to also keep in mind the rights of homeowners. He discussed how his property value would decrease if this request were approved. He commented on the gems within the City, such as the soccer fields and ice rinks. He encouraged the City to build up the perception of Blaine. He explained his neighborhood was paying some of the highest property taxes in the City. He encouraged the Commission to consider if it was their responsibility to try and make a difference in the City and to make a plan on how land will be used. He stated this location just did not make sense for a Heavy Industrial use. He implored the Commission to not offer their support to the request and questioned what power the Planning Commission had.

Chair Ouellette reported the Planning Commission was a listening body that held Public Hearings and made recommendations to the City Council.

Associate Planner, Lori Johnson reported the Planning Commission was a recommending body to the City Council.

Mr. McDonnell expressed concern that it appears the Planning Commission's hands are tied and that they would have to make a recommendation to the City Council regarding this request, even if it wasn't in the best interest of the community. He encouraged the Commission to consider the safety of this neighborhood and how it would be impacted by additional truck traffic.

Jason Smith, 2788 103<sup>rd</sup> Court, discussed how he would be adversely impacted by the proposed industrial use. He explained the outlot currently had a large number of oak trees and stated he feared that all of these would be lost. He suggested another proposal be considered for this site that offers a larger buffer between the industrial use and the adjacent residential neighborhood. He indicated it would be 15 to 20 years before the proposed trees and fencing would offer him a buffer to the proposed use.

Denise Onstad, 2716 103<sup>rd</sup> Court, stated her home would have a direct view of the proposed heavy industrial use. She commented on how the beeping of the industrial trucks would impact her quality of life. She explained she paid a premium for her lot when she moved to the Sanctuary and she feared if this request were approved, she would not be able to sell her home. She encouraged the Commission to consider what the rear of the building looks like and not just the front façade. She stated she anticipated the 25-foot lights on the site would also be shining into her home. She believed that the proposed request was not the right thing to do and she encouraged the Commission to deny the project.

William Wackman, 10315 Xylite Street, expressed concerns with the ponding that occurred on the north side of the subject property. He explained flooding issues happened twice during recent storms.

Chair Ouellette asked if these concerns would be addressed through this application.

Assistant City Engineer, Dan Schluender reported the City has cleared the downstream storm drains in order to keep water flowing in this area of the City during large rain events.

Mr. Wackman questioned if the fence would be placed on top of the berm.

Assistant City Engineer, Dan Schluender commented on the proposed location of the fence and noted a berm would not be added to the property line.

Mr. Wackman stated he was concerned about the noise that would be generated by the proposed industrial use and asked who he should contact if trucks were running at 6:00 a.m.

Chair Ouellette explained residents should contact the Police Department or the Code Enforcement Department.

Mr. Wackman commented he was a government teacher at Spring Lake Park. He stated he encourages his students to participate in government and to use their voice. He expressed frustration that the Planning Commission could not make their own recommendation without feeling their hands are tied.

William Odett, 10509 Alamo Street, stated he shared the concerns expressed by the residents of the Sanctuary. He commented he was also concerned about how this neighborhood would be impacted by light pollution. He feared his neighborhood would be adversely impacted by oil, gas and other fluids flowing into the adjacent wetlands. He discussed how dangerous traffic was at Xylite Street and encouraged the City to address this intersection.

Chadd Larson, 2692 103<sup>rd</sup> Court, indicated the hours of operation were proposed to be 7:00 a.m. to 10:00 p.m. He asked if this included truck traffic.

Associate Planner, Shawn Kaye reported no material could be moved around on the site prior to 7:00 a.m. or after 10:00 p.m.

Assistant City Engineer, Dan Schluender commented further on the construction material that would be located on the heavy industrial site.

Mr. Larson stated he colored a map highlighting all of the wetlands in his neighborhood. He read a quote to the Commission from a set of minutes in 1992 stating a reasonable and extensive boundary of wetlands or ditch was to be created to buffer between these two areas. He encouraged the Commission to consider how this request would impact the residents in this neighborhood and understand they were sensitive to further eliminating a portion of the wetlands. He also encouraged the Commission to consider the wishes of the previous City Council, noting a buffer should be in place between the residential neighborhood and the proposed Heavy Industrial use.

James DePoint, 2793 103<sup>rd</sup> Court, thanked all of his Sanctuary neighbors for attending this meeting. He stated he and his neighbors were very passionate and love their community. He explained they believed the proposed use would corrupt everything they love about their community. He strongly encouraged the Commission to fight for his neighborhood and deny the request.

Mike Person, 2732 103<sup>rd</sup> Court, stated he purchased his lot in the Sanctuary last year and noted his home abuts the wetland. He commented in order to pass inspection he had to ensure that no topsoil had run into the wetlands during construction. He reported it was determined six inches of topsoil had slid into the wetland area, which required him to shovel this material out. He discussed how the large rain events last year caused additional problems for him and noted he had to hire a backhoe to come in and correct the soil problems. He stated he was willing to pay for the expense because this was the type of neighborhood he wanted his daughter to grow up in. He indicated he was so surprised that the City could so quickly approve the filling in of wetlands. He expressed concern with how the vegetation and wildlife in his neighborhood would be impacted by the proposed industrial use. He asked if an environmental impact study had been completed for this project.

Chair Ouellette stated the environmental impacts would be considered by the watershed district.

Assistant City Engineer, Dan Schluender reported this project would not trigger an environmental analysis because the project was not large enough. He commented further on the wetland mitigation work that would have to be completed by the applicant.

Mike Lockman, 2647 103<sup>rd</sup> Court, explained he has been standing in the back of the room listening to the concerns voiced this evening. He was of the opinion this request did not meet the criteria for approving a Conditional Use Permit. He stated he feared the Commission was leaning towards approving this request without taking into consideration the concerns of the neighborhood. He indicated the neighborhood was not saying this property should not be developed, but rather, another use should be considered. He reported he worked in construction and commented on how the dust and debris from this site would adversely impact the adjacent neighbors. He encouraged the Commission to not support this request.

Dick Haluptzok, 11773 Van Buren Street, stated he has been an architect for the past 45 years. He understood there was a visual problem with the request before the Commission. He commented on how the neighborhood would be impacted visually by the proposed industrial use. He stated there are ways to block views by planting three rows of trees instead of one. He discussed the OSHA standards for backup beepers and noted the volume could be lowered. He encouraged the City to consider requiring the volumes be lowered if this met the organizations safety standards. He suggested a 16-foot-high highway acoustic wall be considered between the residential neighborhood and the proposed use. He noted this wall would deflect sound while also creating a dopler effect.

Chris Grazulis, 3790 131<sup>st</sup> Avenue, commended the residents of Blaine for voicing their concerns. He encouraged the Commission to take a stand and investigate this request further.

Commissioner Ponds stated the Commission fully participates in the City's planning process and noted each of the Planning Commission members was a resident of the City of Blaine. She reported the Commissioners were volunteers working on behalf of the City and was invested in the community.

Commissioner York commented the Commission could only make a recommendation on the issues on the table and could not make recommendations on matters that were not in front of the Commission, such as the zoning of this property.

Jeff Carlson, Park Construction, stated he understood the concerns being raised by the residents. He commented traffic within this neighborhood was an issue being addressed by the City. He reported his organization worked diligently to address safety and noted he could turn the backup alarms down. He explained the proposed lighting would be directed straight down and not out into the adjacent neighborhood.

Chair Ouellette encouraged Mr. Carlson to take questions from the neighbors after the meeting.

Mr. Carlson stated he would be available to field questions from the neighbors.

Chair Ouellette questioned if additional trees could be planted to assist in screening this use from the neighborhood.

Mr. Carlson explained he was directed by staff to have a small berm and a large fence with trees being planted along the property line. He stated he has worked with the City in order to create a buffer as much as possible.

Commissioner Halpern asked what percentage of the business would have been concrete crushing.

Mr. Carlson estimated this only equated to about 5% of his business. He stated he was a contractor that worked from Minnesota to Texas. He reported the majority of the time his equipment was not in the yard, but rather was on work sites. He indicated the equipment would only be returned to the site for maintenance and repair, or overnight hours.

Commissioner Halpern questioned what the appeal was to this location, given the fact it abutted a residential neighborhood.

Mr. Carlson stated that Park Construction was a family owned business that has been in operation for the past 100 years. He explained the business was currently located in Fridley, but has outgrown its space. He reported Blaine would be a great location for his business and his employees.

Commissioner Ponds inquired what the hours of operation would be for Park Construction.

Mr. Carlson commented his hours of operation would be 7:00 a.m. to 10:00 p.m. but noted the trucks would be leaving the site in the morning prior to 7:00 a.m.

Commissioner Homan questioned if Mr. Carlson would consider installing sound proof walls.

Mr. Carlson indicated he could look at this but stated he was uncertain of the cost and noted he had to work within a budget for this project.

Commissioner Goracke asked how many employees would be working at this location.

Mr. Carlson stated he would have 75 employees.

Mark Rohrer implored the Commission to postpone action on this request in order for the concerns expressed this evening to be further considered by the Planning Commission or until a better plan could be put forward by City staff.

Chris Hildrum asked if Park Construction would be hauling heavy silica.

Mr. Carlson reported he was involved in heavy civil construction and not the hauling of silica.

Susalyne Truckenbrod, 2655 103<sup>rd</sup> Court, stated she was in agreement with her neighbors and recommended the Planning Commission deny this request. She asked how the neighbors could request a rezoning of the subject property.

Associate Planner, Shawn Kaye explained this would require action from the City Council and agreement from the property owner.

Eugene Valley, 10503 Yancy Court, commented on a recycling facility on Old Highway 8 and encouraged the Commission to visit this facility prior to making a decision to support this request.

Mr. Odett asked why the City would allow this proposal to go through next to a residential neighborhood.

Chair Ouellette encouraged Mr. Odett to take this concern to the City Council.

Mr. McDonnell questioned why the Commission would consider allowing this industrial use when staff was already recommending the site not have concrete crushing. He believed there were enough questions that have been raised that the matter should be denied. He implored Mr. Carlson to find another location in Blaine. He feared that the neighbors would not be friendly and believed this was not the right thing to do.

The public hearing was closed at 8:46 p.m.

Commissioner Ponds asked if the proposed traffic study included the traffic from Park Construction.

Assistant City Engineer, Dan Schluender reported this information would be included in the study.

Commissioner York questioned if this property was zoned Heavy Industrial prior to the Sanctuary neighborhood being built.

Associate Planner, Shawn Kaye reported this was the case.

Commissioner Ponds inquired if the applicant had received approval from the watershed district for their request.

Assistant City Engineer, Dan Schluender stated the applicant had received approval from the watershed district.

**Motion by Commissioner York to table action on Planning Case 17-0058A and 17-0058B until the Planning Commission receives further information from City staff on the traffic study. Commissioner Halpern seconded the motion.**

Commissioner Goracke commended Park Construction for being in business for the last 100 years. He stated he felt for the neighbors and understood the concerns they had regarding the proposed heavy industrial use. He commented at this time he would vote against the request.

Chair Ouellette stated another option for the Commission would be to move the item forward noting the concerns the Commission had with the berming, fencing and traffic.

Commissioner York withdrew his motion to table. Commissioner Halpern withdrew his second to this motion.

**Motion by Commissioner York to recommend denial of Planning Case 17-0058A a Preliminary Plat to subdivide 18.5 acres into one lot to be known as Park Place and the Conditional Use Permit to allow for multiple buildings on one parcel, contractor yard with outside storage of equipment and materials, yard lighting with pole heights up to 25-feet and special purpose fencing which would permit the taller privacy fence of 8 and 10-feet at certain locations along the borders at 10201 Xylite Street NE. Commissioner Goracke seconded the motion. The motion passed 6-0.**

Chair Ouellette noted this would be on the agenda of the May 3, 2018 City Council meeting.

Chair Ouellette recessed the Planning Commission meeting at 8:53 p.m.

Chair Ouellette reconvened the Planning Commission meeting at 8:57 p.m.

Item 4.9 – Case File No. 18-0018 – Public Hearing – The applicant is requesting the following:

- a.) Rezoning from FR (Farm Residential) to DF (Development Flex).
- b.) Preliminary Plat to subdivide 10.07 acres into sixteen (16) single-family lots and two (2) outlots to be known as Cottagewood Cove.
- c.) A Conditional Use Permit to allow for construction of sixteen (16) single family homes in a DF (Development Flex) zoning district.  
EXIT REALTY NEXUS, 3500 131<sup>ST</sup> AVENUE NE.

The report to the Planning Commission was presented by Natasha Lukacs, Planning and Economic Development Technician. The public hearing for Case File 18-0018 was opened at 9:02 p.m.

Chair Ouellette noted for the record a letter that was received from Patrick and Molly Vesperman noting they were concerned about the loss of trees.

Dave Mathews, 3650 131<sup>st</sup> Avenue NE, stated he was not trying to keep the developer from developing his property. However, he was opposed to the proposed rezoning noting he would like to see the wildlife in the area protected.

Lauren Prom, 12931 Legacy Creek Parkway, stated she was for the development, but noted she was concerned the proposed neighborhood would have only one entrance. She encouraged the



developer to consider replanting more than 80 trees given the number of trees that would be lost on the site.

The public hearing was closed at 9:05 p.m.

**Motion by Commissioner Homan to recommend approval of Planning Case 18-0018A a Rezoning from FR (Farm Residential) to DF (Development Flex) at 3500 131<sup>st</sup> Avenue NE based on the following conditions:**

Case 18-0018A:

1. The DF zoning standards to be incorporated are consistent with and will complement homes and housing options that have been constructed within recent master planned developments.
2. The DF zoning district allows the City the opportunity to have some flexibility when approving developments that warrant higher standards than what is allowed with the traditional zoning districts. It affords the City the opportunity to provide input on items that would benefit the surrounding neighborhoods and the City as a whole.

**Motion by Commissioner Homan to recommend approval of Planning Case 18-0018B a Preliminary Plat to subdivide 10.07 acres into 16 single-family lots and 2 outlots to be known as Cottagewood Cove based on the following conditions:**

Case 18-0018B:

1. All streets will follow the Anoka County street name grid system.
2. Developer installed improvements shall include construction of 129<sup>th</sup> Avenue and the cul-de-sac within the plat including lateral sanitary sewer and water main with services, storm drainage improvements, storm water management and water quality treatment infrastructure, streets with concrete curb and gutter, 6 foot concrete sidewalks and 8 foot bituminous trail extended to the existing trail in the City's open space, streetlights, mailboxes, traffic control signs, street signs, and all appurtenant items.
3. The developer has the responsibility for financial participation in 131<sup>st</sup> Avenue NE improvements associated with this development. The improvements include but are not limited to, one half of the cost to construct 131<sup>st</sup> Avenue across the entire northern property line of the Cottagewood Cove plat, approximately 330 feet. These improvements will include construction of 131<sup>st</sup> Avenue to a State Aid street standard, a 10-foot bituminous trail and a six-foot concrete sidewalk. The dollar amount of the participation will be outlined and required as a payment with the Development Agreement.
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 2018 rate for Sanitary Sewer District 6-5 is \$6,229 per upland acre.
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). A prerequisite to the MPCA permit application includes preparation of a site Storm Water Pollution Prevention Plan (SWPPP) for the development site.
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. Coon Creek Watershed concurrence is required prior to City Council consideration of preliminary plat and a Coon Creek Watershed District permit is required prior to any site construction.
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 16 lots at the rate in effect at time of Final Plat. The 2018 rate is \$4,320 per lot or \$69,120 if platted and paid in 2018.
21. Prior to the release of the final plat Mylar's the developer will need to present an overall landscape plan that includes 80 trees on site or the developer has the option to pay \$9,600 (\$300 per tree) to the reforestation account if they choose not to plant the 32 additional trees.
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 Cottagewood Cove.

**Motion by Commissioner Homan to recommend approval of Planning Case 18-0018C a Conditional Use Permit to allow for 16 single-family homes based on the following conditions:**

Case 18-0018C:

Single Family - Single Family-70-foot-wide lots - DF Development Standards (16 Units)

**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 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 regulated under 33.11.

**Standards**

1. Front Yard Setback - 25 Feet
2. Rear Yard Setback - 30 Feet
3. Side Yard - 7.5 Feet for House and 7.5 Feet for Garage
4. Corner Side Yard Setback - 20 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. Total garage space includes all accessory structures, attached and detached. 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 1,250 square feet.
8. All homes to be constructed utilizing pre-approved exterior materials, roof pitches and elevations. Exterior materials should be consistent with the proposals that are attached to this CUP. 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. All single-family dwellings and additions to single-family dwellings shall have at least a 4/12 roof pitch and shall have a shingled roof.

13. 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.
14. Each lot shall contain one front yard overstory tree and one boulevard overstory tree with a minimum of 2 1/2-inch caliper. All 16 lots are to receive one additional yard tree. The third tree must meet the standard sizing requirements and may be located in either the front or rear yard. Corner lots shall each have one additional boulevard tree.
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.

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

Commissioner Halpern recommended the Planning Commission address the value of the City's trees and wildlife within the 2040 Comprehensive Plan.

Chair Ouellette noted this would be on the agenda of the May 3, 2018 City Council meeting.

Item 4.10 – Case File No. 18-0006 – Public Hearing – The applicant is requesting the following:

- a.) Comprehensive Land Use Amendment from MDR (Medium Density Residential)/LDR (Low Density Residential) to HDR (High Density Residential).
  - b.) Rezoning from FR (Farm Residential) to DF (Development Flex).
  - c.) Preliminary Plat to subdivide 12.86 acres into 2 (two) lots to be known as Cedar Point Apartments.
  - d.) Conditional Use Permit to allow for the construction of two (2) apartment buildings with a total of 200 units on two (2) adjacent lots in a DF (Development Flex) zoning district. The apartment building on the north lot of this plat will have 150 units while the south building will have 5 units.
- TYR DEVELOPMENT, LLC, 117<sup>TH</sup> AVENUE/ULYSSES STREET NE.

The report to the Planning Commission was presented by Lori Johnson, Associate Planner. The public hearing for Case File 18-0006 was opened at 9:16 p.m.

Chair Ouellette noted for the record the Planning Commission had received a number of comments regarding this request from the public. He discussed the comments received from Jane Schneider, Jennifer Branchaw, Linda Miskowiec, Jana Benolkin, Lisa Derr and Jeff Regel.

Ron Pochman, 210 109<sup>th</sup> Avenue NE, stated he was pleased to see something being proposed for this piece of property. He indicated these would be nice apartments that would be close to

shopping. He believed this would be a great area for people to live and encouraged the Commission to offer their support to the proposed apartments.

Denise Moreland, 11417 Pierce Street, stated she recently moved to Blaine. She explained as a new resident she loves living in Blaine. She commented her only concern was with the traffic along Highway 65. She feared how the proposed development would increase traffic in an already congested area of the City. She reported the intersection at Highway 65 and 109<sup>th</sup> Avenue was deemed the third busiest intersection in the State of Minnesota. She stated she did not want to see additional fatal accidents occurring in her neighborhood. She explained she was not against development in this area, but encouraged the developer to keep the density as is.

Todd Westphal, 1060 118<sup>th</sup> Lane, stated he had attended workshop meetings at the City back in 2006 and 2007 where the alignment of Ulysses Street was discussed. He commented the future plans for this road were discussed and noted high density apartments were not in consideration. He reported this roadway was not designed for this type of development. He indicated he did not oppose the development of this property but rather the proposed density of the project. He stated he believed the proposed development went against everything that was discussed in 2006 and encouraged the Commission to deny the request.

Anne Howard, 11423 Pierce Street, thanked the Commission for their service to the City of Blaine. She questioned the justification on why the City was proposing to change the density of this parcel from Low Density to High Density Residential. She commented on the high level of traffic in her neighborhood and along Highway 65. She believed it would be irresponsible for the City to approve this development until a traffic study on Highway 65 was completed and the traffic issues could be further addressed. She stated she did not oppose development of this property, but rather the high level of density that was being proposed. She feared how the safety of her neighborhood would be compromised if an additional 400 cars were introduced when this was already the third busiest intersection in the State.

Diane Bisila, 11740 Taylor Street NE, explained she was a registered pediatric nurse. She reported her main concern was with the safety of adults and children. She commented on the huge amount of traffic in her neighborhood and questioned if emergency personnel would be able to get through her streets. She anticipated a large number of children would be living in the rental apartments and she feared for their safety along this busy roadway. She suggested a large amount of security be placed around the building to protect these children. She recommended low density housing be developed on this property.

Steve Finton, 931 118<sup>th</sup> Lane, explained he was the pastor of a church on 117<sup>th</sup> Avenue. He asked if the City was proposing any changes to 117<sup>th</sup> Avenue.

Assistant City Engineer, Dan Schluender reported the City was proposing no changes to 117<sup>th</sup> Avenue.

Mr. Finton expressed concern with the safety of pedestrians and vehicular traffic in his neighborhood. He recommended a crosswalk be considered for the intersection of 117<sup>th</sup> Avenue and Ulysses Street to improve pedestrian safety.

Assistant City Engineer, Dan Schluender explained the City has been monitoring this intersection and noted a signal will be placed at 117<sup>th</sup> Avenue and Ulysses Street once it meets warrants.

Jim Kirberger, 11835 Fillmore Street, stated his biggest concern was with the traffic on 117<sup>th</sup> Avenue and Ulysses Street.

Sonam Dhondup, 1060 117<sup>th</sup> Avenue, stated he has lived in his home for the past 10 years. He explained he understood the traffic concerns along 117<sup>th</sup> Avenue. He anticipated 117<sup>th</sup> Avenue had the most traffic stops and tickets in the City of Blaine. He explained he was friends with the land owner and wanted this land to sell, however, he recommended the parcel remain low density. He cautioned the City from allowing a five-story building in this residential area. He suggested the City pursue a low-density development for this parcel of land.

Andy Kuempel, 2485 123<sup>rd</sup> Court NE, stated his parents recently purchased a detached townhome on Polk Street. He discussed the concerns he had with traffic in the City and explained he saw his neighbor killed in front of him on 119<sup>th</sup>. He indicated he brought his concerns regarding traffic to the City years ago and no action has been taken. He reported he chose to take a loss on his home in order to move into a safer neighborhood in Blaine. He stated he feared how his parents' property value would now be impacted due to the increased traffic being proposed for this neighborhood. He questioned why the City was considering a five-story apartment building and encouraged the Commission to not support the proposed density change.

Claire Walter-Marchetti, 11761 Able Street, stated she has lived in Blaine for a long time. She expressed concerns with traffic and safety. She encouraged the City to consider a low or medium density development for this parcel. She commented on some research she conducted on the developer and asked if City staff was investigating the type of developers that were coming into Blaine. She reported there were a lot of good reasons for people to stay in Blaine, such as the schools and commercial amenities. She recommended the Commission deny the proposed request as proposed in order for a lower density option to be pursued.

Jan Bergstrom, 11691 Polk Street NE, Coon Creek Meadows Townhomes President, stated she has nine properties within her association that would be located across the pond from the proposed apartment complex. She expressed concern with how her neighborhood would be impacted by an additional 800 traffic trips on a daily basis. She recommended a traffic study be completed prior to this item being approved. She was of the opinion a buffer needed to be placed between the commercial and residential neighborhoods, but did not believe a five-story apartment complex was the answer. She questioned if the City had any other five-story buildings in Blaine.

Associate Planner, Lori Johnson noted the City had one other apartment building that was five stories and two that were four stories. She indicated each of these buildings abutted a residential neighborhood.

Ms. Bergstrom commented on how noise would travel across the pond from the apartment building to her townhouse association. She stated there was nothing in place to buffer her association from the new development. She believed that the proposed building was too big and did not belong on this property. She suggested townhomes be considered for these parcels and encouraged the Commission to deny the request.

Charlotte Depew, 11343 Pierce Street, stated Ulysses Street was not ready for 200 more residents. She commented on the potholes and deterioration along this roadway. She suggested Ulysses be widened if this development were approved. She asked if any barriers were being considered to address the noise and light that would be created from the proposed five story building. She expressed concern with the fact children living in this apartment building would have direct access to the path and the pond.

David Kjonaas, 11304 Pierce Street, expressed concern with traffic in his neighborhood. He noted he moved to Blaine from Centerville several months ago. He stated he enjoys walking around the pond with his one year old. He commented he feared his property value would be adversely impacted by the proposed development.

Nicole Cegla, 1182 118<sup>th</sup> Lane, asked how many kids would be added to the schools from the proposed development and questioned if the school district supported the proposed zoning change. She noted she had the same concerns with traffic and property values.

Associate Planner, Lori Johnson commented the City was in constant communication with the school district and noted they had reviewed these plans along with the City's population estimates.

Assistant City Engineer, Dan Schluender reported the proposed Comprehensive Land Use Amendment would have to be reviewed and approved by the Met Council. He stated this meant the schools would have an opportunity to further review the request and make comments.

Mary Hengemuhle, 11437 Pierce Street, stated she moved to her home last November. She commented on the traffic study that was being completed by MnDOT on Highway 65. She anticipated that traffic in this area would only increase due to the new medical building and surrounding commercial developments. She indicated her main concerns were with traffic and safety, along with the loss of nature. She stated she supported the development of the vacant land, however, she recommended it remain low density.

Paul Hengemuhle, stated he felt like he has been lied to by the City of Blaine. He explained he asked the City about the subject property noting he was told the parcel was zoned low density residential. He commented he no longer trusts the City.

The public hearing was closed at 10:05 p.m.

Commissioner Homan asked if there were any plans to improve Ulysses Street. She questioned if MnDOT would make any housing density recommendations through their traffic study.



Assistant City Engineer, Dan Schluender explained MnDOT did not have land use authority and would not be making any density recommendations to the City of Blaine. He stated Ulysses was serving as a frontage road for the commercial and residential properties in this area. He explained because Highway 65 was so congested some of this traffic was spilling over onto the local system.

Commissioner Halpern requested further information on differences between low, medium and high density residential.

Associate Planner, Lori Johnson stated low density numbers were 2 to 6 units per acre, medium density residential was 6 to 12 units per acre and anything higher than that was high density residential. She commented the proposed 50-unit building met the City's medium density residential standards given the size of the lot it would be located on.

Commissioner Halpern commented on the landscaping plan and noted there would be a large number of trees surrounding the 50-unit building. He was of the opinion landscaping was lacking surrounding the larger apartment building. He asked if this could be addressed with the builder.

Associate Planner, Lori Johnson stated there was not room on the site plan for additional landscaping given the location of the street right-of-way on the west side of the cul-de-sac.

Commissioner York questioned why property values and safety concerns were not being taken into consideration with this request, as was done for the Sanctuary neighborhood. He believed the developer was proposing to put too many people and cars into this area. He stated he had a really hard time justifying why the Commission should be approving this item.

Chair Ouellette indicated he supported medium density residential on this property but not high density residential.

Commissioner York explained he used to live on 119<sup>th</sup> Avenue but moved after a resident was killed. He stated he was pleased stop signs were installed but understood traffic was still moving too quickly through this area of the City.

Commissioner Ponds questioned if additional barriers or fences have been required in other apartment developments.

Associate Planner, Lori Johnson indicated fencing was required next to Emberwood. She stated she did not believe a fence would do any good on the south border noting the City was trying to preserve trees.

Commissioner Goracke stated everyone in Blaine understands there is a traffic problem in this area of the community yet staff was proposing to change the land use from LDR to HDR. He indicated this made no sense to him and for this reason he would not be offering his support to the proposed apartment development.

Commissioner Ponds asked if the City had restrictions in place that would set a distance between high density developments in Blaine.

Associate Planner, Lori Johnson commented the City had no spacing restrictions in place.

**Motion by Commissioner Goracke to recommend denial approval of Planning Case 18-0006A the comprehensive plan amendment from MDR (Medium Density Residential)/LDR (Low Density Residential) to HDR (High Density Residential); the Rezoning from FR (Farm Residential) to DF (Development Flex); the Preliminary Plat to subdivide 12.86 acres into 2 (two) lots to be known as Cedar Point Apartments; and the conditional use permit to allow for the construction of 2 (two) apartment buildings with a total of 200 units on two adjacent lots in a DF (Development Flex) zoning district. Commissioner York seconded the motion. The motion passed 6-0.**

Chair Ouellette noted this would be on the agenda of the May 3, 2018 City Council meeting.

Chair Ouellette recessed the Planning Commission meeting at 10:15 p.m.

Chair Ouellette reconvened the Planning Commission meeting at 10:19 p.m.

Item 4.11 – Case File No. 18-0024 – Public Hearing – The City is requesting a Comprehensive Plan Amendment that will allow for the City’s sewer boundary to change in the area of 131<sup>st</sup> Avenue and Legacy Creek Parkway. The boundary will be adjusted to include approximately 140 acres in Sewer District 6.  
CITY OF BLAINE.

The report to the Planning Commission was presented by Lori Johnson, Associate Planner. The public hearing for Case File 18-0024 was opened at 10:22 p.m.

Chair Ouellette noted for the record the Planning Commission received a letter from Glen Karnes.

Mark Delich, 133<sup>rd</sup> Lane, Ham Lake, asked if any development was being proposed at this point.

Assistant City Engineer, Dan Schluender commented the City had one request called Cottagewood Cove. He noted this request was simply a line change. He reported the incentive to move the line was to better serve the area.

Dave Mathews questioned if the sewer line would be pushed through the entire area or if it would be piece-mealed.

Assistant City Engineer, Dan Schluender explained this would depend on which parcels came in for development first.

Chris Grazulis, 3790 131<sup>st</sup> Avenue NE, understood the 30-acre parcel would be a prime area to develop. He asked if all adjacent parcels had to hook up to the City services if this line were pushed through.

Assistant City Engineer, Dan Schluender reported residents would not be forced to hook up to City services.

The public hearing was closed at 10:27 p.m.

**Motion by Commissioner Ponds to recommend approval of Planning Case 18-0024 based on the following rationale:**

Case 18-0024:

1. The 2018 Sanitary Sewer Comprehensive Plan update models that sewer capacity is available in District 6 to serve an additional 140 Acres of LDR.
2. Moving 140 acres from District 7 to District 6 sanitary sewer area helps create better capacity balance between these two sewer districts.

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

Chair Ouellette noted this would be on the agenda of the May 3, 2018 City Council meeting.

Item 4.12 – Case File No. 18-0025 – Public Hearing – The City is requesting a Comprehensive Land Use Plan Amendment to change the current land use of 40 acres from HDR (High Density Residential)/MDR (Medium Density Residential)/CC (Community Commercial) to HDR (High Density Residential)/PC (Planned Commercial) on the southwest corner of 125<sup>th</sup> Avenue NE and Jefferson Street.  
CITY OF BLAINE.

The report to the Planning Commission was presented by Lori Johnson, Associate Planner. The public hearing for Case File 18-0025 was opened at 10:31 p.m.

Marcus Severson, 525 122<sup>nd</sup> Avenue, explained he was concerned with Jefferson Street becoming a through street if this were approved. He discussed how this would impact his neighborhood. He commented he was concerned with the fact there would be no buffer between the HDR and LDR.

Deepak Gopalakrishnan, 517 122<sup>nd</sup> Avenue NE, stated he was one of Mark's neighbor. He commented on the traffic that flows through his neighborhood and feared how he would be impacted if Jefferson Street were made a through street. He noted he had three schools in close proximity to his home and he did not want high speed traffic going down his street.

Kari Schuster, 532 121<sup>st</sup> Avenue NE, commented she worked from home and lived on a corner lot. She explained she had a kindergartner getting on and off the bus at her corner, along with 40

other students. She stated she feared how these children and their safety would be impacted if Jefferson Street were pushed through. She encouraged the Commission to not support the proposed request. She commented if the item were going to be approved she suggested Jefferson Street be made into a cul-de-sac. She discussed how her property value would be adversely impacted if a large amount of additional traffic were passing by her home.

Jen Broeffle, 317 122<sup>nd</sup> Avenue, stated she spoke to the City about the 40 acres behind her house when she built six years ago. She commented she was quite upset to hear that a grocer was being proposed and noted this would greatly impact her property by having additional traffic in the area. She indicated this was a residential area and believed it did not make sense to throw commercial and HDR into the mix.

Troy Deonnei, 309 122<sup>nd</sup> Avenue, commented how opening up Jefferson Street would impact his home. He feared that having a grocer in his neighborhood would increase traffic in an area that was already busy given the number of schools. He explained he was already in close proximity to four Cub Foods, two Walmarts, two Aldi's and one Target in the City of Blaine. He questioned why the City was proposing another grocer.

Brad Olson, 12371 5<sup>th</sup> Street NE, stated he agreed with his neighbors. He asked if this property was currently zoned as CC or PC.

Associate Planner, Lori Johnson commented the current zoning was FR (Farm Residential) and the land use was HDR, CC and MDR.

Mr. Severson suggested a grocer be located on the CC portion of the site and that MDR be considered for the remainder of the site. He stated he did not support the entire site being changed to CC.

Mark Guy, 425 122<sup>nd</sup> Avenue, thanked the Commission for their service to the community. He stated he agreed with the comments made by his neighbors. He questioned why the City was proposing to change the land use, which would increase traffic in an already busy area. He understood the City was pursuing high end retailers such as Hy-Vee. However, he wondered why this grocer was not being proposed to locate in the vacant Gander Mountain, Kmart, or Best Buy buildings. He reported these properties were already zoned CC and could manage the additional traffic and were away from school speed zones.

The public hearing was closed at 10:43 p.m.

Commissioner Goracke requested further information on the proposed land use change.

Associate Planner, Lori Johnson explained there would be no changes to the property until a conditional use permit and a rezoning was approved by the City Council. She indicated the amendment was being proposed due to the timing of the overall 2040 Comprehensive Plan Amendment.

Commissioner Goracke asked if the same neighborhood would be notified when a conditional use permit and rezoning were requested.

Associate Planner, Lori Johnson reported this was the case. She noted City staff has directed the grocer to all of the vacant buildings in the City and these do not fit their needs.

Commissioner Homan questioned if the proposed Comprehensive Land Use Plan Amendment had anything to do with the connecting of Jefferson Street.

Associate Planner, Lori Johnson stated this was not under consideration at this time. She explained, however, that this has always been the City's plan to connect Jefferson Street to 125<sup>th</sup> Avenue.

**Motion by Commissioner York to recommend approval of Planning Case 18-0025 based on the following rationale:**

Case 18-0025:

1. The proposed land use change is generally consistent with the current land use of the property, which would not substantially change the future development of the property.
2. The proposed land use is consistent with the type of development always planned for this property in recent years.
3. The blanket HDR/PC provides the property owner and City more flexibility in the positioning of buildings and uses.

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

Chair Ouellette noted this would be on the agenda of the May 3, 2018 City Council meeting.

**ADJOURNMENT**

Motion by Commissioner Goracke to adjourn the Regular Planning Commission meeting.  
Motion seconded by Commissioner Halpern. The motion passed 6-0. Adjournment time was 10:49 p.m.

Respectfully submitted,

Heidi Guenther  
*TimeSaver Off Site Secretarial, Inc.*