



# City of Blaine Anoka County, Minnesota Minutes - Final

Blaine City Hall  
10801 Town Sq Dr NE  
Blaine, MN 55449

## Planning Commission

*The Planning Commission is an advisory body to the City Council. One of the Commission's functions is to hold public hearings and make recommendations to the City Council. The City Council makes all final decisions on these matters. Blaine City Ordinances require that certain documents and information be included in applications. The Planning Commission may postpone consideration of an application that is incomplete and may, for other reasons, postpone final action on an application. For each item the Commission will receive reports prepared by the City staff, open the hearing to the public, and discuss and act on the application.*

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Tuesday, September 12, 2017

7:00 PM

Council Chambers

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### 1. Roll Call

The Blaine Planning Commission met in the City Hall Chambers on Tuesday, September 12, 2017. Chair Ouellette called the meeting to order at 7:00 p.m.

Staff Present: Shawn Kaye, Associate Planner  
Dan Schluender, Assistant City Engineer

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

**Absent:** 1 - Commissioner York

### 2. Approval of Minutes

[TMP 17-0487](#)

Approval of August 8, 2017 Planning Commission Minutes

**Motion by Commissioner Homan to approve the minutes of August 8, 2017, as presented. Motion seconded by Commissioner Halpern. The motion passed 6-0.**

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

### 3. Old Business

None.

**None.**

### 4. New Business

**4.1**    [ORD 17-2384](#)    SECOND READING

REZONING FROM FR (FARM RESIDENTIAL) TO DF (DEVELOPMENT FLEX) AT THE NE QUADRANT OF LEVER STREET & 125TH AVE. EXCELSIOR GROUP. (CASE FILE NO. 17-0029/SLK)

The report to the Planning Commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 17-0029 was opened at 7:09 p.m.

John Caldwell, 4801 125th Avenue, stated he lived south and west of the proposed development. He commented on the large mitigation area that would be created for this project and feared how this would impact his property. He discussed the flooding that has occurred on a property to the south and believed this would occur on his property. He anticipated his property value would be adversely impacted if his property began to flood. He stated he was against the project and encouraged the Commission to not support the proposed development.

Chair Ouellette requested further information from staff on the storm drainage.

Assistant City Engineer, Dan Schluender commented on the storm drainage in this area noting a collection of ponds would be created for this project to account for the impervious surface that was being created within the development. Further discussion ensued regarding how this project would be engineered for storm sewer discharge. He commented on the maintenance that occurs within the ditch system. He noted the dark green area on the map was a designated floodplain area.

Chair Ouellette thanked Mr. Caldwell for bringing his concerns to the Planning Commission and encouraged him to be in touch with the Engineering Department.

Ron Tamblyn, 4601 125th Avenue, stated he owned a business directly across from the proposed development. He feared that the vehicles leaving this development would shine directly into his mother's property on Lever Street in the evening hours. He expressed frustration with the pending assessments that would be charged to property owners in this area of the City and anticipated there would be a pending litigation. He requested the developer be required to clean up all of the construction debris on the site.

Assistant City Engineer, Dan Schluender discussed the roadway alignment for the project and noted it would not align with the home on the west side of Lever Street.

The public hearing was closed at 7:30 p.m.

Chair Ouellette questioned where the final outlet was for this project.

Assistant City Engineer, Dan Schluender explained the final storm drainage outlet for the proposed project was the ditch system.

Chair Ouellette requested comment from the developer.

Ben Schmidt, Excelsior Group, discussed the proposed development and noted the existing concrete on the site would be removed. He did not anticipate there would be a huge headlight impact from the development as the new roadway would be between the two driveways on the west side of Lever Street. He commented on the ponding noting it would be oversized for the development so as not to impact adjacent properties.

Chair Ouellette encouraged the neighborhood to speak with the watershed district and request that the ditches in this area be cleaned out again.

Commissioner Olson believed the developer had adequately addressed the requirements of the City and stated she would be supporting the project.

**Motion by Commissioner Olson to recommend approval of Planning Case 17-0029A the Rezoning based the following conditions:**

**Case 17-0029A:**

- 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. The standards will create an attractive benchmark of quality multi-family homes with desired range in appearance, style, density, and construction value and market appeal.**
- 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 Olson to recommend approval of Planning Case 17-0029B the Preliminary Plat based on the following conditions:**

**Case 17-0029B:**

- 1. The developer has responsibility to construct 125th Avenue NE improvements associated with this development per Anoka County plat review comments.**
- 2. An Anoka County right-of-way permit is required prior to start of any site work.**
- 3. All local public streets require dedication of 60 feet of right-of-way and shall be constructed to 29 feet back to back of width.**
- 4. All streets will follow the Anoka County street name grid system.**

5. Plans and specifications must be approved by the City prior to start of construction.
6. Street and utility extensions are required to the edge of the plat for each future connection to the 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. 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.
9. Development requires a National Pollutant Discharge Elimination System (NPDES) Phase II General Storm Water Permit for Construction Activity 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.
10. Sidewalks are required on all streets and location will be determined in the plan review process.
11. Construction contract documents shall include a mass (rough) grading, erosion protection, sediment control, development, utilities, roadway, and storm drainage plan sheets. 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 grading plan shall provide greater detail on protecting existing trees and providing additional information on adjacent property.
13. The developer shall be responsible for assessments for trunk sanitary sewer and water main improvements for City Project No. 17-07.
14. Trunk Sanitary Sewer area charges become due with platting for upland acreage. The 2017 rate of \$6,300/acre for Sanitary Sewer District 7 will apply to all upland acreage if platted in 2017.
15. The development plan shall indicate all structures will be protected from flooding.
16. A twenty foot buffer strip shall be considered adjacent to wetland edges and shall be placed in an easement.
17. RCWD permit is required prior to City approval of construction plans and specifications.
18. The Developer shall process a Letter of Map Change with FEMA prior to issuance of building permits within the unnumbered A-Zone on the FEMA flood map. Developer shall provide all FEMA paperwork and structure as-built surveys to homeowners at time of lot closing. Developer is responsible for following through with FEMA as necessary to receive final FEMA documents

and to provide those documents to the homeowners, and to record the final documents on the certificate of title for each parcel in the development.

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

20. Park dedication to be paid for 211 housing units at the rate in effect at the time of final plat.

21. Developer to require homeowner’s associations to be responsible for maintenance and upkeep of landscape improvements along and within the right-of-way.

22. Developer to install grouped mailboxes with design and locations approved by City and US Postal Service.

23. Developer shall explore water source for landscape irrigation systems installed throughout the development including the possible use of created ponds or storm water reuse.

24. 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.

25. All development signage by separate review.

26. All existing structure removals will require demolition permits. All wells and septic systems to be properly abandoned per all local and state requirements.

27. The developer must meet the City’s Tree Preservation requirements by planting 735 replacement trees for the lots that were preliminary platted (105 disturbed acres). The Developer is required to plant three trees per lot for the overall preliminary plat which will account for 633 of the replacement trees. A landscape plan for the remaining 102 trees must be presented to the Planning Department prior to release of mylars for recording at Anoka County, or the Developer can make a cash payment of \$30,600 to the City’s reforestation fund.

28. 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.

Motion by Commissioner Olson to recommend approval of Planning Case 17-0029C the Conditional Use Permit based on the following conditions:

Case 17-0029C:

Single Family - DF Development Standards -80 foot wide lots (52 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 Section 6-121.
3. Keeping of not more than two (2) boarders and/or roomers per dwelling unit.

**Conditional Uses**

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

**Standards**

1. Front yard setback - 25 feet
2. Side yard setback - 10 feet for house and 5 feet for garage.
3. Corner side yard setback - 20 feet.
4. Rear yard setback - 30 feet
5. Maximum building height - 2 1/2 stories or 35 feet.
6. It shall be required for all single-family dwellings that there be an attached garage constructed of a minimum of four hundred (400) square feet, with no dimension less than 20 feet. Total garage space shall not exceed one thousand (1,000) square feet. Detached garages or accessory storage buildings above 120 square feet are not permitted. Accessory storage buildings below 120 square feet must meet 5-foot side and rear yard setbacks and be located within the rear yard.
7. The minimum finished floor area above grade for all homes shall be:
  - a. 1,800 square feet for a single level/split level home
  - b. 1,900 square feet for a two-story home.
 All homes shall have a minimum depth and width of 24 feet.
8. All homes to be constructed are to be consistent in architecture, materials and style with the drawings/elevations attached to this CUP. Use of premium materials such as brick, natural stone, stucco, cementious or engineered wood siding or shake shingle siding are to be used on all front elevations. Vinyl/metal siding can be utilized on the side and rear elevations. Care to be taken to utilize a variety of home styles, front elevations and colors to provide maximum housing variety within each neighborhood. Developer to establish criteria to ensure that adjacent single-family homes built within the development do not have the same exterior color or architectural elevations.
9. All residential dwellings must be built in conformance with the current edition of the Minnesota State Building Code.
10. Driveways shall not be constructed closer than 3 feet to the property line. All driveways and approaches shall be hard surfaced using concrete,

bituminous asphalt or other City approved material that is consistent in durability and quality.

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

12. Each lot shall contain one front yard tree and one boulevard tree with a minimum of 2½-inch caliper. All lots shall have one additional yard tree (deciduous or conifer) to meet the tree replacement plan.

13. Developer to execute and record, where deemed appropriate by the City Engineer, with the sale of single family lots, 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.

14. All parkway and development entrance signage by separate permit.

Single Family - DF Development Standards -65 foot wide lots (115 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 Section 6-121.
3. Keeping of not more than two (2) boarders and/or roomers per dwelling unit.

**Conditional Uses**

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

**Standards**

1. Front yard setback - 25 feet
2. Side yard setback - 7.5 feet for house and 7.5 feet for garage.
3. Corner side yard setback - 20 feet.
4. Rear yard setback - 30 feet
5. Maximum building height - 2 1/2 stories or 35 feet.

6. It shall be required for all single-family dwellings that there be an attached garage constructed of a minimum of four hundred (400) square feet, with no dimension less than 20 feet. Total garage space shall not exceed one thousand (1,000) square feet. Detached garages or accessory storage buildings above 120 square feet are not permitted. Accessory storage buildings below 120 square feet must meet 5-foot side and rear yard setbacks and be located within the rear yard.
7. The minimum finished floor area above grade for all homes shall be:
8. 1,600 square feet for a single level/split level home
9. 1,900 square feet for a two-story home.
10. All homes shall have a minimum depth and width of 24 feet.
11. All homes to be constructed are to be consistent in architecture, materials and style with the drawings/elevations attached to this CUP. Use of premium materials such as brick, natural stone, stucco, cementitious or engineered wood siding or shake shingle siding are to be used on all front elevations. Vinyl/metal siding can be utilized on the side and rear elevations. 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.
12. All residential dwellings must be built in conformance with the current edition of the Minnesota State Building Code.
13. 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.
14. 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.
15. Each lot shall contain one front yard tree and one boulevard tree with a minimum of 2½-inch caliper. All lots shall have one additional yard tree (deciduous or conifer) to meet the tree replacement plan.
16. All homes within 500 feet of Main Street, to incorporate the Noise Abatement Standards with Central Air conditioning to mitigate noise impacts. There are approximately 12 of the 211 homes that are within 500 feet of 125th Avenue. Those homes will be required to meet the intent of the Noise Abatement Standards in their construction. The lots included in this requirement are Preliminary Plat Lots 34-39 Block 5 and Lots 1-6 Block 7.
17. Developer to execute and record, where deemed appropriate by the City Engineer, with the sale of single family lots, 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.

- 18. All development entrance signage by separate permit.
- 19. A landscape plan to be submitted for the entrance from 125th Avenue NE.

**Single Family-Detached Townhomes-50 foot wide lots (Villas) - DF  
Development Standards (44 units)  
Permitted Uses**

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

**Accessory Uses**

- 1. Private garages - No detached structures permitted.
- 2. Private swimming pools/meeting the requirements of Blaine Municipal Code Section 6-121.
- 3. Keeping of not more than two (2) boarders and/or roomers per dwelling unit.

**Conditional Uses**

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

- 1. Construction of all detached townhomes to be generally guided by depictions, drawings and information submitted for review and approval for this conditional use permit. All site plans and unit plans require approval of the Planning Department prior to work beginning. All site work to meet the Performance Standards Section 33.00 of the Zoning Ordinance. A landscape plan to be submitted prior to Site Plan approval.

- 2. Minimum floor area above grade for detached townhomes must be 1,600 square feet.

- 3. All homes to be constructed are to be consistent in architecture, materials and style with the drawings/elevations attached to this CUP. Use of premium materials such as brick, natural stone, stucco, cementious or engineered wood siding or shake shingle siding are to be used on all front elevations. Vinyl/metal siding can be utilized on the side and rear elevations. 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.

- 4. All units to be placed according to the following minimum building setbacks:

- 25-foot front yard setback for houses and garages

- 5-foot side yard setback for garages
  - 5-foot side yard setback for houses
  - 20-foot rear yard setback for houses and garages
5. All garages to be minimum of 400 square feet with no dimension less than 20 feet. Maximum garage area limited to not more than 1,000 square feet.
6. No detached accessory structures except for those associated with or required for operation and maintenance of swimming pools.
7. Each lot shall contain one front yard tree and one boulevard tree with a minimum of 2 ½ inch caliper. One of the required trees may be an ornamental tree. Corner lots shall each have one additional boulevard tree. The landscape plan will also require additional trees as needed by the tree replacement plan.
8. All lots shall have underground irrigation.
9. All entrance monument signage to be approved by a separate permit.
10. The landscape plan must detail any landscaping associated with entrance monument signage.
11. Developer to execute and record, if deemed appropriate by the City Engineer, 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.
12. It shall be required that all yards of a new single-family dwelling be sodded over a minimum of 4 inches of topsoil (black dirt containing not more than 35 percent sand). Yards may be seeded over 4 inches of black dirt if underground irrigation is installed with the home.

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

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

Chair Ouellette noted this would be on the agenda of the October 5, 2017 City Council meeting.

## **ADJOURNMENT**

**Motion by Commissioner Goracke to adjourn the Regular Planning Commission meeting. Motion seconded by Commissioner Ponds. The motion passed 6-0. Adjournment time was 7:41 p.m.**

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