



City of Blaine Anoka County, Minnesota Minutes

Blaine City Hall
10801 Town Sq Dr NE
Blaine MN 55449

Planning Commission

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

Tuesday, September 11, 2018

7:00 PM

Council Chambers

1. Call To Order

The Blaine Planning Commission met in the City Hall Chambers on Tuesday, September 11, 2018. Acting Chair York called the meeting to order at 7:00 p.m.

2. Roll Call

Staff Present: Lori Johnson, Associate Planner
Erik Thorvig, Economic Development Coordinator
Tom Scott, Project Coordinator
Dan Schluender, City Engineer

Present: 5 - Commissioner York, Commissioner Goracke, Commissioner Olson, Commissioner Ponds, and Commissioner Halpern

Absent: 2 - Chair Ouellette, and Commissioner Homan

3. Approval of Minutes

3.-1 August 15 and September 11, 2018 Planning Commission Minutes

Attachments: [August 15, 2018 Planning Commission Minutes](#)
[September 11, 2018 Planning Commission Minutes](#)

Acting Chair York requested this item be postponed to the October Planning Commission meeting.

4. Open Forum for Citizen Input

None.

None.

5. New Business

5.-1 Review of South Terrace Cove Tax Increment Financing District for Consistency with the 2030 Comprehensive Plan

- Attachments:** Map
 TIF Plan
 Site Sketch

The report to the Planning Commission was presented by Erik Thorvig, Economic Development Coordinator.

Commissioner Olson asked if appraisals were completed for the property.

Economic Development Coordinator, Erik Thorvig explained appraisals were not completed, but indicated a financial analysis was completed by a TIF Specialist. He reported the numbers were consistent with a market rate sale for the apartment buildings.

Acting Chair York questioned how long staff has been working on this project.

Economic Development Coordinator, Erik Thorvig stated staff has been working on this proposal for the past year and a half to two years.

Motion by Commissioner Goracke to recommend adoption of a Resolution Confirming that the proposed South Terrace Cove Tax Increment Financing District is consistent with the 2030 Comprehensive Plan. Motion seconded by Commissioner Halpern. The motion passed 5-0.

Aye: 5 - Commissioner York, Commissioner Goracke, Commissioner Olson, Commissioner Ponds, and Commissioner Halpern

Acting Chair York noted this would be on the agenda of the October 4, 2018 City Council meeting.

5.-2 Public Hearing Case 18-0058 // City of Blaine // 12260 Lexington Avenue NE

The City of Blaine is initiating a Rezoning from FR (Farm Residential) to PBD (Planned Business District)

- Attachments:** Attachments PC 091118

The report to the Planning Commission was presented by Lori Johnson, Associate Planner. The public hearing for Case File 18-0058 was opened at 7:13 p.m.

Dottie McKinley, 3900 125th Avenue NE, stated her property abuts the City property on the west side. She requested further information on how the water treatment plant would work.

City Engineer, Dan Schluender explained the water treatment plan would receive water from four wells in the area, treat it and then pump it into the water tower for distribution to the surrounding homes. He reported the water treatment plant was approximately 40,000 square feet in size. He invited Ms. McKinley to visit with staff to learn more about the water treatment plant.

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

Motion by Commissioner Olson to recommend approval of Planning Case 18-0058 based on the following conditions:

Case 18-0058:

1. This parcel, as well as other adjacent properties lying north and south, are guided in the City's Comprehensive Plan as PI (Planned Industrial)/PC (Planned Commercial). The proposed rezoning from FR to PBD is therefore consistent with the City's approved land use plans for this area.
2. This is an emerging commercial area for the City that requires that the construction of the water treatment plant to be guided by urban development controls rather than those contained in the existing FR zoning.

Motion seconded by Commissioner Ponds. The motion passed 5-0.

Aye: 5 - Commissioner York, Commissioner Goracke, Commissioner Olson, Commissioner Ponds, and Commissioner Halpern

Acting Chair York noted this would be on the agenda of the October 4, 2018 City Council meeting.

5.-3

Public Hearing Case File No. 18-0059//HC Development (Club Pilates)//10945,10961 and 10995 Club West Parkway

The applicant is requesting a Conditional Use Permit Amendment to Resolution 14-198 to allow for an amusement/recreation use (Club Pilates), one future restaurant of up to 2,500 square feet and general retail uses at the Cavern Commons development.

Attachments: Club Pilates Attachments

The report to the Planning Commission was presented by Lori Johnson, Associate Planner. The public hearing for Case File 18-0059 was opened at 7:22 p.m. As no one wished to appear, the public hearing was closed at 7:22 p.m.

Motion by Commissioner Ponds to recommend approval of Planning Case 18-0059 based on the following conditions:

Case 18-0059:

1. This CUP resolution, for Lot 2, Block 1; Cavner Commons, replaces previously approved Resolution No. 14-198.
2. No overnight storage of delivery vehicles unless approval is received from the Zoning Administrator.
3. The following uses are permitted, by this CUP, in all buildings within Cavner Commons:
 - Permitted uses outlined in Zoning Ordinance Section 30.32(a)
 - bank
 - medical product sales
 - dry cleaning
 - barber/beauty shop
 - jewelry store
 - book store
 - musical instrument store
 - card/flower shop
 - optical goods store
 - travel bureau
 - one 2,800 square foot restaurant (coffee shop or café without bar)
 - one 2,275 square foot amusement and recreation tenant
 - other general retail/commercial uses unless listed as Conditional Uses in Zoning Section 30.24 in which case they are not permitted.
4. Any modification to the uses listed in this resolution will require a specific CUP amendment, with Public Hearing, and subsequent City Council approval.

Motion seconded by Commissioner Goracke. The motion passed 5-0.

Aye: 5 - Commissioner York, Commissioner Goracke, Commissioner Olson, Commissioner Ponds, and Commissioner Halpern

Acting Chair York noted this would be on the agenda of the October 4, 2018 City Council meeting.

5.-4

Public Hearing Case File No. 18-0049//Hy-Vee//125th Avenue and Jefferson Street

The applicant is requesting the following:

1. A Rezoning from B-2 (Community Commercial), FR (Farm Residential) and DF (Development Flex) to PBD (Planned Business District) for 39.24 acres.
2. A Preliminary Plat to subdivide 39.24 acres into two (2) lots and three (3) outlots.
3. A Conditional Use Permit to allow for the construction of a 84,997 square foot Hy-Vee grocery store(including a liquor

store and restaurant/outdoor dining) associated convenience/gas store (10,500 square feet) car wash, coffee shop with outdoor patio, shared parking and drives and light poles exceeding 20 feet in height(36 feet).

Attachments: [Attachments CC 101818](#)

The report to the Planning Commission was presented by Lori Johnson, Associate Planner. The public hearing for Case File 18-0049 was opened at 7:37 p.m.

Acting Chair York noted receipt of several emails for the record and summarized the concerns raised within the emails.

Sara Severson, 525 122nd Avenue NE, reviewed several pictures with the Commission. She explained she was speaking on behalf of the Crescent Ponds neighborhood noting she had a petition with 172 signatures that opposed the completion of 125th/Jefferson connection. She stated she was concerned for the safety of the children on her street and feared how her neighborhood would be impacted by the proposed street connection. She commented on how the volume of traffic in her neighborhood would significantly increase if this connection were approved. She discussed the near misses and accidents that have occurred along her street. She suggested a cul-de-sac and walking path be considered by the City for safety purposes. She requested the landscape berm have a sound barrier wall be installed around the loading dock to provide a greater buffer for the adjacent homes. She recommended limitations be set for deliveries given the close proximity of the grocery store to adjacent homes. In addition, she asked that all lighting be downward facing and below the height of the building to ensure no light was flooding onto adjacent property.

Jenn Broeffle, 317 122nd Avenue NE, discussed how the proposed Hy-Vee would impact the neighborhood and property values. She believed that Hy-Vee was not the right use for this property. She encouraged the City to consider another use for this development for safety purposes. She commented on how this development would increase traffic and noted the City already had eight other grocery options less than five miles from this location. She encouraged the Planning Commission to consider a compromise for safety purposes. She reported it was not in the best interest of the City to have a neighborhood street connection serving a commercial use. She stated the proposed street connection would bring over 3,000 cars into her neighborhood when only 600 were there currently. She described the careless or obstructed driving that has occurred in her neighborhood and stated she feared for the safety of the children in the area if the road connection were pushed through. She anticipated the additional traffic would make her neighborhood more dangerous. She requested the City consider installing a cul-de-sac and sidewalk connection. She reported Blaine already had a large number of traffic concerns to

deal with in the City and encouraged the Commission to not create another situation that would have to be dealt with later. She requested further landscaping be considered to buffer Hy-Vee from the adjacent homes. She encouraged the City to reconsider this development. She commented many of the current homeowners would not have purchased their homes if this property had originally been zoned Commercial. She explained she and her neighbors purchased their homes with the understanding they were moving into a great community with good schools and sports organizations. She commented on how this would all change if the proposed development and roadway were pushed through. She discussed how this development would adversely impact her property value and encouraged the Planning Commission to not support the request.

Kari Shuster, 532 121st Avenue NE, stated her biggest concern was the completion of 121st and Jefferson to Main Street. She understood this connection was always envisioned by the City. However, the neighborhood would be even more impacted due to the fact the roadway would now be connected to a very large retailer. She was of the opinion the City needed to do better with its roadways and traffic concerns. She believed that her street would not be able to handle 3,000 cars a day. She feared for her children's safety when walking to school and encouraged the City to rethink the roadway connection in order to keep the residents of Blaine safe.

Laura Schue, 136 121st Avenue NE, noted the traffic study was completed by Hy-Vee in January and she believed the numbers were quite low. She stated she counted cars last night and from 5:00 p.m. to 6:00 p.m. she had 150 cars go past her house. She suggested a full four-way stop be considered at the intersection of 121st and 7th Street. She recommended the school district and Hy-Vee be required to align their driveways for traffic flow purposes. She discussed how dangerous it was for children to be walking to school in her neighborhood currently and anticipated this would only worsen after the development was complete. She recommended a three-way stop be considered at 122nd and Jefferson. She also suggested a school speed zone sign be placed on Jefferson Street to assist in slowing traffic in the area. She asked that signage be posted in the neighborhood to ensure no commercial through traffic. She requested that all lights be downlit. She discussed how students would be flooding to Hy-Vee after school was dismissed on a daily basis and encouraged the City to reconsider pedestrian safety to and from the proposed development.

Masech Mohammad, Crescent Ponds resident, explained he moved to his neighborhood a year ago with the thought he was moving to a safe and quiet neighborhood. He commented he was disappointed with the traffic that runs along 7th Street to 121st. He stated he feared for the safety of the children in his neighborhood. He explained he did not want to have to move from his home. He

requested the Commission consider the consequences of the proposed development and how it would adversely impact the surrounding neighborhood.

Mike Dahl, 512 121st Avenue NE, stated he lived on the last corner before the road would straighten and head to the proposed Hy-Vee store. He commented on the number of cars that fly into his yard during the winter months due to ice and snow. He stated he feared how his property would be impacted if there were suddenly five times the number of cars. He explained he reached out to a local appraiser and was told his property value would decrease 15-20% if this development were approved. He requested the Commission not proceed with the request as it would create traffic and property value concerns for the existing homeowners.

Mike Kellebrew explained he was speaking by proxy for his daughter who lived at 425 121st Avenue NE. He stated he agreed with all of the concerns mentioned this evening. He commented on the concerns his daughter has had with snow backing up on her property and how this impacted traffic safety. He reported he saw nothing but safety concerns if the City were to push this road through.

Darice Leru, 12306 Jefferson Street NE, explained she moved to her home to raise her family and to live in a safe neighborhood. She discussed how pushing a road through to a higher density development would adversely impact her property. She encouraged the Commission to not support the development or the road being pushed through.

Jill Stover, 12200 3rd Street NE, explained she lives in the neighborhood. She commented on how dangerous it was for pedestrians trying to cross the street to get to the neighborhood park. She stated she believed residents would go to Hy-Vee even if the cut-through her neighborhood were not approved.

Eric Leru, 12306 Jefferson Street NE, stated as the plans are proposed, Hy-Vee would have three entrances. He suggested two entrances be approved off of Main Street and that traffic not be pushed through the adjacent residential area. He explained this would be extremely unsafe for the residents and children in the neighborhood.

Deepak Gopalakrishnan, 517 122nd Avenue NE, reported his home would face the loading dock. He expressed concern with the height of the proposed lights. He stated he would like to be able to sleep at night and requested the City ensure that light from Hy-Vee would not spill onto adjacent properties. He encouraged the Commission to reconsider the options for this development and hear the concerns being voiced by the neighbors.

The public hearing was closed at 8:14 p.m.

Pete Husch, Hy-Vee representative, thanked the Commission for their consideration. He stated it was not his intent to cause any consternation with residents. He explained his goal was to be a part of the community. He reported he worked to develop sites that worked well with neighborhoods and believed this plan did just that. He stated he appreciated the traffic calming suggestions brought forward by the residents and indicated he supported stop signs along the connected roadway. He commented on the land guidance and noted Hy-Vee was trying to fit into the community. He explained all truck traffic would flow out onto Main Street and would not be coming through the neighborhood. He indicated he was working with the school district to align the driveways. He stated he could work with staff to have shorter light poles and explained the City of Blaine had strict lighting requirements. He reported the City of Blaine was requiring the most substantial berm that he has seen in the past 18 years. He reiterated that he was working to create a great development that both the City and neighborhood would be proud of. He stated he would like to have continued conversations with the City regarding the Jefferson Street improvements and the looped utility requirements given the expense of these improvements. He requested the sidewalk along 124th be completed upon full build and not at day one. He suggested that vegetation be used on the berm and not a sound wall for the buffer between Hy-Vee and the adjacent homes. He asked that the City consider allowing garden sales and sidewalks sales at this location.

Commissioner Olson questioned when deliveries would be made throughout the day.

Mr. Husch reported deliveries would be made typically early morning at 7:00 a.m. to 8:00 a.m.

Commissioner Halpern asked if the sign on the west side of the building would be illuminated during the evening hours.

Mr. Husch explained this sign would have subtle back lighting, but if this was not allowed by the City's Sign Code it would not be lit.

Associate Planner, Lori Johnson commented the Commission could add a condition for approval that the sign along the west elevation of the store could not be illuminated.

Commissioner Goracke questioned how many people would be hired to work at Hy-Vee.

Mr. Husch estimated he would have 500 employees, 120 would be full-time and the remainder are part-time.

Commissioner Goracke inquired if Hy-Vee would support having two entrances from only 125th Avenue.

Mr. Husch explained he supported the residential connection being pushed through as this would better serve Blaine residents and would reduce the traffic burden from other roadways.

Commissioner Goracke thanked all of the residents that came forward and voiced their comments and concerns. He requested further comment from City staff regarding the roadway connection.

City Engineer, Dan Schluender explained the City identified 121st and Jefferson Street as a collector street to support the neighborhood over 20 years ago. With that being said, he noted No Parking signs could be posted along the roadway to improve safety. He commented a school speed zone sign could be posted which would assist in reducing the speed of traffic in the area. He noted the school district was working to align their driveway with Hy-Vee. He discussed how bus traffic would be split on the school campus. He described how the school district was working to address pedestrian traffic to improve safety.

Acting Chair York questioned why the street had to connect.

City Engineer, Dan Schluender reported a street network was created by the City to provide residents with access to get to work, schools and to retail. He explained the connections were put in place and over time as development occurs connections are made. He reported this connection was not unique to the area. He stated it was the City's intent to complete the connection to best serve the neighborhood.

Acting Chair York asked if it was fair to say a high-volume Hy-Vee grocery store was not the original plan for this property.

City Engineer, Dan Schluender commented he could not speak to this.

Associate Planner, Lori Johnson stated she has been with the City for the past 21 years and explained high-density residential or senior housing was the original plan for this site with a retail component.

Acting Chair York questioned if the neighborhood street could be made a one-way street to ensure through traffic was not leaving Hy-Vee and flowing through the

neighborhood.

City Engineer, Dan Schluender commented this roadway connection was proposed 20 years ago and would have been made sooner had this parcel developed.

Commissioner Halpern requested further information regarding the 124th realignment.

City Engineer, Dan Schluender stated 124th was also proposed to be connected to Jefferson Street however, this was not part of the Hy-Vee development and City staff would recommend the stub be removed.

Clark Wicklund, Alliant Engineering, representing Hy-Vee, explained he participated in the initial residential meeting. He commented further on the traffic study that was completed and reported 3,000 trips were originally anticipated through the neighborhood. He noted that these numbers may be less given the fact the development would have senior housing and not an apartment complex. He reported his numbers were consistent with MnDOT and stated another count was done this summer, noting there was only a one car difference. He was of the opinion the traffic study was very conservative and reported the collector roadway would be able to serve the number of cars going to and from Hy-Vee.

Commissioner Olson asked how many visitors the Hy-Vee would have on a daily basis.

Mr. Husch estimated this Hy-Vee store would have around 3,000 customers per day.

Commissioner Ponds questioned how the traffic study information was used by staff.

City Engineer, Dan Schluender described how the traffic study was used by staff to make recommendations within the development.

Acting Chair York asked if four-way stops or other traffic calming measures could be considered by the City.

City Engineer, Dan Schluender stated the Commission could add conditions for approval such as No Parking signs or stop signs. He reported warrant studies were typically completed prior to installing stop signs. He noted the Commission could direct staff to complete a warrant analysis for the intersection 7th Street/121st and 122nd/Jefferson Street.

Commissioner Olson commented on the Wal-Mart at Ball Road. She stated she supported the site being accessed solely from 125th Avenue. She anticipated that even with stop signs, a great deal of traffic would use 121st, which would greatly impact the surrounding neighborhood.

City Engineer, Dan Schluender reported Hy-Vee was proposing to have a right-in from 125th Avenue. He explained access onto 125th Avenue was a County issue and noted he could not address any 125th Avenue access changes to the plan. He reiterated that 20 years ago a plan was put in place that called for this roadway to become a through street.

Commissioner Halpern asked if it would be a deal breaker if the street connection were not pushed through.

Mr. Husch stated he could not answer this question but believed it would be short-sided on the City's behalf to not approve the street connection. He discussed how collector streets operated in the community for the benefit of local traffic.

Acting Chair York questioned if there were any other traffic calming measures that could be considered for the neighborhood.

City Engineer, Dan Schluender commented a winding street with a narrow feel, which is in place, would assist in calming traffic, along with the introduction of stop signs.

Motion by Commissioner Halpern to recommend approval of Planning Case 18-0049A a rezoning from B-2 (Community Commercial), FR (Farm Residential) and DF (Development Flex) to PBD (Planned Business District) for 39.24 acres based on the following rationale:

Case 18-0049A:

- 1. The proposed rezoning would be consistent with the HDR (High Density Residential)/PC (Planned Commercial) land use of the property.**
- 2. The zoning being proposed is consistent with the type of development being considered.**

Motion by Commissioner Halpern to recommend approval of Planning Case 18-0049B a Preliminary Plat to subdivide 39.24 acres into two (2) lots and three (3) outlots based on the following conditions:

Case 18-0049B:

- 1. Park dedication will need to be paid on the two lots being platted at this time. The 2018 park dedication rate for commercial property is \$8,704 per acre. The total acreage for Lots 1 and 2 is 17.2 acres so the total fee would be \$149,709. This fee must be paid prior to release of the final plat mylars by the City for recording purposes at Anoka County. Park dedication will be required**

on the outlots when they are re-platted and developed. If the property is final platted in 2019, the park dedication rate could possibly increase.

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 plat.
3. The plat to dedicate necessary right-of-way for extension and modifications of Jefferson Street.
4. Developer to construct the extension and modifications to Jefferson Street as directed and approved by the City. All of the Jefferson Street improvements are to be completed by the developer at their sole cost and prior to seeking a Certificate of Occupancy for any building space within the plat.
5. Developer to obtain permit from Coon Creek Watershed prior to any site work.
6. Developer to obtain permit from Anoka County Highway Department for any work within county right-of-way and approval of the proposed access from 125th Avenue.
7. The existing 124th Lane in the Crescent Ponds addition will need to be properly abandoned and realigned, along with the walk extension into the proposed plat.
8. The walk extension from 124th Lane and connection thru the site to Jefferson Street will need to be incorporated into the first phase of site work.
9. The development will also be responsible to complete a water main loop with the connection from the stubbed water main on Jefferson Street (north end of Crescent Ponds) to the intersection of 125th Lane and Jefferson.
10. A development agreement which outlines all of the developer responsibilities for Developer Installed Public Improvements will be required prior to any work being performed on site.

Motion by Commissioner Halpern to recommend approval of Planning Case 18-0049C a Conditional Use Permit to allow for the construction of a 84,997 square foot Hy-Vee grocery store (including a liquor store and restaurant/outdoor dining) associated convenience store (10,500 square feet) car wash, shared parking and drives and light poles exceeding 20 feet in height (36 feet) based on the following conditions:

Case 18-0049C:

1. The site and building must be constructed according to the plans submitted for the conditional use permit review, and according to any required conditions approved by the City Council.
2. Site Plan approval is required prior to any work being performed on site. This includes the submittal of a signed Site Improvement Performance Agreement and associated financial guarantees.
3. Light pole heights (main parking area only) are allowed to be no greater

than 33 feet in height. A lighting plan must be submitted with the site plan approval process. All lighting to be down-lit and shielded as necessary to reduce off-site glare.

4. Signage to be issued under a separate permit.

5. The landscape plan that has been submitted does not meet the required number of plantings as required by ordinance, including the Highway 65 Overlay requirements (1.5 times the amount of required trees). The following number of trees are required over Lots 1 and 2:

- Overstory Trees - 92
- Conifer Trees - 79
- Ornamental Trees - 79

6. The landscape plan will need to be adjusted to show that 25% of the landscaping materials are oversized according to the Highway 65 Overlay District requirements. Overstory trees must be oversized to 3-inch caliper and conifer trees must be oversized to 8 feet in height. Oversizing is not recommended for ornamental trees. The landscape plan must be revised during as part of the site plan approval process. The plans must also state that underground irrigation will be provided on site.

7. A 6-foot vinyl maintenance free fence is required to be placed on top of the 12-foot berm in the rear of the grocery store.

8. An additional fence section (about 340-feet in length) should be added to run along the west side of the grocery store between the access drive and large pond area. The purpose of this extension is to provide a solid barrier to block headlights from cars and trucks that are circulating or parking on the west side of the store. This would be for the benefit of the homes on the across the ponds to the west and would be a continuation of the six-foot solid vinyl fence.

9. There shall be no outdoor storage or display of product at any time on site, and this includes the areas on the sidewalk in front of the building and on gas pump islands. Carts shall not be stored outside at any time other than in the cart corrals provided in the parking lot.

10. Hy-Vee shall direct all delivery vehicles to use 125th Avenue and Jefferson Street for ingress and egress and to not utilize local streets to the west or south of the site.

11. Use of semi-trailers for temporary or seasonal product storage is not permitted.

12. Separate building permits must be obtained prior to installation of any fencing on site.

13. When the outlots are developed in the future a shared access agreement will need to be put into place as the two outlots will use the main access to the site.

14. Applicant to install underground piping as part of the fueling stations for

future Stage I vapor recovery system.

15. The use of any speaker system at the gas pumps must be limited in volume so as to not create any off-site impacts.

16. The gas and diesel canopies must have columns, to a height of five (5) feet that are faced with brick that matches the building.

17. The carwash doors to be shut immediately after the vehicle has entered and exited the wash. Therefore, the carwash doors should be completely shut at all times except when vehicles are passing thru or exiting the wash.

18. The uses permitted by this Conditional Use Permit to be operated in accordance with all applicable City regulations and ordinance requirements. Violation of these standards or any conditions of the Conditional Use Permit shall be enforceable, by the City as a misdemeanor violation.

19. Outdoor dining areas will be subject to a SAC review and payment. The applicant must work with the City's Chief Building Official and Met Council to determine the amount required for this use.

20. Plans for amplified music or a public address system for any proposed outdoor dining areas to be reviewed by the City prior to installation. Noise level of the music in the outdoor dining area to not exceed normal conversation level.

21. No outdoor advertising on building or patio areas without obtaining a permit, including any signage on table umbrellas.

22. The outdoor dining areas limited to the patio areas identified on the site plan presented for approval or based on future site plan approvals. The outdoor patio for the Market Grill is limited to not more than 40 seats. Formal Site Plan Approval is required for any outdoor patio area.

23. The ability to operate outdoor dining is reliant upon the applicant's ability to adequately control litter and refuse as associated with the facility.

24. Exit doors in any railing or fence in the outdoor dining areas shall be openable from the inside without the use of a key or any special knowledge or effort, per the Uniform Building Code.

25. Provide manufacturing specifications and requirements for outside propane heater use and clearance to combustibles if they are to be used on site.

26. Applicant must obtain a permit for any fencing around the outdoor dining areas. Fencing to be constructed as shown on the plans submitted for this application.

27. Operation of an off-sale liquor store requires liquor sales license through City Clerk's office with approval by City Council.

28. No west or south facing illuminated signs will be allowed on the building.

- 29. All lighting shall be downlit, including the south side of the building.
- 30. Staff shall be directed to review stop sign additions throughout the neighborhood, especially along 121st Avenue NE to address current and future traffic impacts.
- 31. Staff shall be directed to designate the intersection of 121st and Jefferson Street alongside the school as a School Speed Zone.
- 32. A sidewalk shall be added to the east side of Jefferson Street with one additional crosswalk.
- 33. No Parking signs shall be posted on one side of 121st Avenue and a driver feedback sign shall be installed.

Motion seconded by Commissioner Olson. The motion passed 4-1 (Commissioner Ponds opposed).

Aye: 4 - Commissioner York, Commissioner Goracke, Commissioner Olson, and Commissioner Halpern

Nay: 1 - Commissioner Ponds

Acting Chair York noted this would be on the agenda of the October 4, 2018 City Council meeting.

5.-5

Public Hearing Case 18-0057 // City of Blaine

The City of Blaine is initiating a code amendment to the RR (Regional Recreation) zoning text to allow a building taller than 50-feet in height and to allow a building with a fabric supported dome roof.

The report to the Planning Commission was presented by Lori Johnson, Associate Planner. The public hearing for Case File 18-0057 was opened at 9:01 p.m.

Jill Rinus, 10840 Mankato Street, asked if the NSC would be disrupting the land by the buildings.

Associate Planner, Lori Johnson explained the Commission was considering a code amendment for the Planning Case and the development would be considered under the next Planning Case.

The public hearing was closed at 9:02 p.m.

Motion by Commissioner Goracke to recommend approval of Planning Case 18-0057 approving a code amendment to the RR (Regional Recreation) zoning text to allow a building taller than 50-feet in height and to allow a membrane supported dome roof. Motion seconded by Commissioner Olson. The motion passed 5-0.

Aye: 5 - Commissioner York, Commissioner Goracke, Commissioner Olson, Commissioner Ponds, and Commissioner Halpern

Acting Chair York noted this would be on the agenda of the October 4, 2018 City Council meeting.

5.-6

Public Hearing Case 18-0056 // National Sports Center // 1700
105th Avenue NE

The applicant is requesting a Conditional Use Permit to allow for a 135,480 square foot domed sports facility on the north side of 105th Avenue at Davenport Street.

Attachments: Attachments

The report to the Planning Commission was presented by Lori Johnson, Associate Planner. The public hearing for Case File 18-0056 was opened at 9:11 p.m.

Jim Rinus, 10840 Mankato Street, commented on the erosion occurring within the drainage pond and asked if the drainage pond would be altered.

City Engineer, Dan Schluender discussed the grading plan for the project and noted some fill would be brought in for the eastern edge of the property. He explained staff could visit the drainage pond to address the erosion concerns.

The public hearing was closed at 9:12 p.m.

Acting Chair York questioned if a soccer field needed more than 75 feet in height.

Todd Johnson, Executive Director of the National Sports Center, stated this was an interesting question and noted the uniqueness of the NSC was its scale. He explained the NSC was not seeking to be average but rather was proposing to have a 110-foot-high dome which would be the highest in the country. He explained a 110-foot-high dome could be used for soccer, baseball and golf. He commented further on the sand pit and noted this use would go away once the dome was constructed.

Acting Chair York asked if the NSC would want to pursue a dome if the height was limited to 75 feet.

Mr. Johnson indicated the rules for softball and baseball may have to be modified, but noted he would still want to pursue the dome.

Matt Mehea, representative of Fabric Domes, reported the dome would be opaque

in nature which meant there would be no light transfer. He listed the domes throughout the country that were 85 to 100 feet and explained baseball and softball games would have the best results with a 110-foot-high dome.

Commissioner Olson questioned what the City's main concern was with the dome being 110 feet in height.

Associate Planner, Lori Johnson explained the City's main concern was that the dome would be visible from all major surrounding roadways. In addition, there was concern with light transfer. She stated if the dome were constructed at 110 feet it would be as tall as Infinite Campus, but would be a membrane structure.

Neil Ladd, National Sports Center, reported the light towers in the stadium were 170 feet tall. He noted the NSC has always done things large in scale and big.

Motion by Commissioner Goracke to recommend approval of Planning Case 18-0056 based on the following conditions:

Case 18-0056:

- 1. Approval of this CUP is contingent upon the City adopting a code amendment to the RR Zoning text that would allow a building greater than 50 feet in height and an air supported membrane wall/roof system.**
- 2. Approval of this CUP does not constitute or guaranty formal Site Plan Approval or the issuance of a building permit.**
- 3. The facility is to be used as a multi-sport participation and training facility with minimal spectator accommodations consistent with the maximum occupancy that will be determined by the City.**
- 4. The City (Building and Fire) departments will review the building design for code compliance and determine a maximum occupancy within the facility. The maximum occupancy, once established, cannot be exceeded unless modifications to the building or mitigation measures are completed that with approval of the City would allow the maximum occupancy to be recalculated.**
- 5. The maximum height of the building not to exceed 75-feet in height.**
- 6. Increase the front yard setback along 105th Avenue to 60-feet.**
- 7. Formal Site Plan approval is required prior to any work associated with the sports dome.**
- 8. Coon Creek Watershed permit is required prior to any site work or building permits.**
- 9. Execution of a SIPA (Site Improvement Performance Agreement) and financial guarantee is required as part of Site Plan Approval.**
- 10. Fire hydrants are required, where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400**

feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building,

11. On-site fire hydrants and mains shall be provided where required by the fire code official. Due to the size of the structure on-site hydrants will be required on the fire apparatus road around the structure.

12. Structure must be protected with an approved fire protection system. Water supply for the fire protection system must be separate from the domestic water supply into the structure.

13. Payment of SAC and WAC as part of the building permit.

14. One of the NSC response letters discussed the possibility of reducing or shutting off the heat in the structure overnight. Due to the fire protection and plumbing in the structure the temperature must always be kept above 40 degrees.

15. Handicapped parking numbers and locations will need to be reviewed as part of the building permit process.

16. The building will need to meet the MN State Energy Code as determined by the City and MN Department of Labor and Industry.

17. The NSC and City continue to work towards an agreement (Development Agreement) over the next several months that would provide specifics of how and when the NSC will address the three site issues north of 105th Avenue to the satisfaction of the City. The Development Agreement to be executed between the NSC and City, with review and approval of the City Council, prior to the City issuing any building permits for the sports dome facility.

Motion seconded by Commissioner Ponds. The motion passed 4-1 (Commissioner Halpern opposed).

Aye: 4 - Commissioner York, Commissioner Goracke, Commissioner Olson, and Commissioner Ponds

Nay: 1 - Commissioner Halpern

Acting Chair York noted this would be on the agenda of the October 4, 2018 City Council meeting.

6. Old Business

None.

Adjournment

Motion by Commissioner Olson to adjourn the Regular Planning Commission meeting. Motion seconded by Commissioner Ponds. The motion passed 5-0. Adjournment time was 9:24 p.m.

Aye: 5 - Commissioner York, Commissioner Goracke, Commissioner Olson, Commissioner Ponds, and Commissioner Halpern