



# City of Blaine Anoka County, Minnesota Minutes - Final

10801 Town Square Dr.  
Blaine MN 55449

## Planning Commission

*The Planning Commission is an advisory body to the City Council. One of the Commission's functions is to hold public hearings and make recommendations to the City Council. The City Council makes all final decisions on these matters.*

*Blaine City Ordinances require that certain documents and information be included in applications. The Planning Commission may postpone consideration of an application that is incomplete and may, for other reasons, postpone final action on an application.*

*For each item the Commission will receive reports prepared by the City staff, open the hearing to the public, and discuss and act on the application.*

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Tuesday, April 9, 2013

7:00 PM

Council Chambers

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### 1.0 Roll Call

The Blaine Planning Commission met in the City Hall Chambers on Tuesday, April 9, 2013. Chair Ouellette called the meeting to order at 7:00 p.m.

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

**Present:** 4 - Chair Ouellette, Vice Chair Lahti, Bergstrom, and Radtke

**Absent:** 2 - Goracke, and King

### 2.0 Approval of Minutes

[TMP 13-915](#)

March 12, 2013 Unapproved Planning Commission Minutes

**Attachments:** [March 12 Planning Commission Minutes.doc](#)

**Moved by Vice Chair Lahti, seconded by Bergstrom, that the Minutes be Approved. The Motion was adopted unanimously.**

### 3.0 Old Business

None.

### 4.0 New Business

**4.1** [ORD 13-2266](#)**Public Hearing Case File No. 13-0024 // City of Blaine**

The City is proposing a code amendment to the Section 31.14 of the I-2 (Heavy Industrial) zoning ordinance that would add, under the conditional use category; personal care, health care, recreation or education related commercial services uses.

The report to the Planning Commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 13-0024 was opened at 7:07 p.m. As no one wished to appear, the public hearing was closed at 7:07 p.m.

Commissioner Lahti requested examples of proposed uses that would be added to the I-2 Heavy Industrial zoning district.

Associate Planner, Shawn Kaye explained recreation uses such as fitness and massage would be allowed, along with tutoring/educational uses.

**Motion by Commissioner Lahti to recommend approval of Planning Case 13-0024 approving the code amendment. Motion seconded by Commissioner Radtke. The motion passed 4-0.**

Chair Ouellette noted this would be on the agenda of the May 2, 2013 City Council meeting.

**4.2** [RES 13-079](#)**Public Hearing Case File No. 13-0020 // Kukkiwon Taekwondo Academy  
// 1630 101st Avenue NE, Suite 110**

The applicant is requesting a conditional use permit to operate a martial arts academy in a I-2 (Heavy Industrial) zoning district.

**Attachments:** [Kukkiwon Taekwondo Attachments.pdf](#)

The report to the Planning Commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 13-0020 was opened at 7:11 p.m.

Chair Oullette indicated a letter was received from Twin Cities Gear expressing support for the application.

The public hearing was closed at 7:12 p.m.

**Motion by Commissioner Lahti to recommend approval of Planning Case 13-0020 based on the following conditions:**

**Case 13-0020:**

1. The business to operate in terms of hours and class size as described in the attached narrative.
2. Parking is limited generally to 12-18 vehicles. The applicant will need to manage his parking demand by limiting class size and time slots as necessary so as to not create a parking issue for other building tenants.
3. No activity/training is to be conducted outside the building.
4. The interior tenant finish work to be completed with review and permit meeting all Building and Fire Code requirements.
5. A Certificate of Occupancy is required prior to occupying the space.
6. All business signage by separate review and permit.
7. Approval of the CUP is contingent upon the City Council adopting a code amendment to the I-2 zoning section (Case File 13-0024).

Motion seconded by Commissioner Bergstrom. The motion passed 4-0.

Chair Ouellette noted this would be on the agenda of the May 16, 2013 City Council meeting.

#### 4.3 [RES 13-080](#)

#### Public Hearing Case File No. 13-0022 // Crossfit Blaine // 1630 101st Avenue NE, Suite 190

The applicant is requesting a conditional use permit to allow for a fitness facility in an I-2 (Heavy Industrial) zoning district.

**Attachments:** [Crossfit Blaine - Attachments.pdf](#)

The report to the Planning Commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 13-0022 was opened at 7:14 p.m.

Chair Ouellette explained a letter was received from Twin Cities Gear expressing support for the application.

The public hearing was closed at 7:14 p.m.

**Motion by Commissioner Bergstrom to recommend approval of Planning Case 13-0022 based on the following conditions:**

**Case 13-0022:**

1. The business to operate in terms of hours and class size as described in the attached narrative.
2. Parking is limited generally to 10-12 vehicles. The applicant will need to manage his parking demand by limiting class size and time slots as necessary so as to not create a parking issue for other building tenants.

3. No activity/training is to be conducted outside the building.
4. The interior tenant finish work to be completed with review and permit meeting all Building and Fire Code requirements.
5. A Certificate of Occupancy is required prior to occupying the space.
6. All business signage by separate review and permit.
7. Approval of the CUP is contingent upon the City Council adopting a code amendment to the I-2 zoning section (Case File 13-0024).

Motion seconded by Commissioner Lahti. The motion passed 4-0.

Chair Ouellette noted this would be on the agenda of the May 16, 2013 City Council meeting.

#### 4.4 [RES 13-065](#)

#### Public Hearing Case File No. 13-0021 // Kyle Roggenbuck // 4432 St. Andrews Drive

The applicant is requesting a conditional use permit to operate a micro winery inside his home. The City is processing a conditional use permit for this operation due to the requirements of the State law governing such use.

**Attachments:** [Roggenbuck 4432 St. Andrews - Attachments.pdf](#)

The report to the Planning Commission was presented by Lori Johnson, Planner III. The public hearing for Case File 13-0021 was opened at 7:18 p.m.

Chair Oullette indicated that Tom Budzynski sent a letter to the City on behalf of the St. Andrew's Development fully supporting the request.

The public hearing was closed at 7:19 p.m.

Commissioner Lahti questioned if local produce would be used for the wines.

Kyle Roggenbuck, 4432 St. Andrews Drive, indicated he would be importing produce from California, Germany and France. He explained he would be approaching local apple orchards and vineyards at some point in the future.

**Motion by Commissioner Lahti to recommend approval of Planning Case 13-0021 based on the following conditions:**

**Case 13-0021:**

1. If any changes are made to this use that involve home tastings, individual home sales, customer traffic or additional space requirements in the home, further review of the conditional use permit may be necessary.

- 2. If signage is to be installed, ordinance requirements for signage must be met.
- 3. Micro-winery to meet all state license/permit requirements.
- 4. A walk-thru review is required with the City Building Official to review operation set-up and compliance with any building code requirements.

Motion seconded by Commissioner Bergstrom. The motion passed 4-0.

Chair Ouellette noted this would be on the agenda of the May 2, 2013 City Council meeting.

**4.5**     [RES 13-066](#)

**Public Hearing Case File No. 13-0015 // Dollar Tree // 11763 Ulysses Lane NE**

The applicant is requesting a conditional use permit to allow for construction of an 8,960 square foot Dollar Tree store in a PBD (Planned Business District) zoning district and a shared access.

Attachments:     [Dollar Tree - Attachments.pdf](#)

The report to the Planning Commission was presented by Lori Johnson, Planner III. The public hearing for Case File 13-0015 was opened at 7:23 p.m. As no one wished to appear, the public hearing was closed at 7:23 p.m.

**Motion by Commissioner Radtke to recommend approval of Planning Case 13-0015 based on the following conditions:**

**Case 13-0015:**

1. At least 50% of all wall finishes must be comprised of at least three of the following: brick, natural stone, glass, stucco. Currently, the building only uses stucco and glass on the building elevations. The canvas on the canopies does not count towards the Highway 65 Overlay District requirements for materials used on the building. Integral color rock face block would count towards the overlay requirements, but it is not clear that this is what is being proposed. In addition, all four sides of the building must be treated equally with regards to the materials used.

2. The landscaping plan that has been proposed meets the Highway 65 Overlay District standards. The following landscaping is being proposed and is required on site:

- Overstory Trees     15
- Conifer Trees     8
- Ornamental Trees     8

In addition, at least 25% of the trees must be oversized and this is indicated on the plan. Overstory trees must be oversized to 3-inch caliper and conifer trees must be oversized to 8 feet in height.

3. All signage is issued under a separate permit.

4. All pole mounted lighting is limited to 20-feet in height. The applicant must supply a lighting plan and fixture cut-sheets prior to issuance of building permits.
5. A copy of the shared access agreement for the private road must be provided prior to issuance of site plan approval.
6. No exterior overnight storage of pallets or delivered products.
7. No overnight storage of semi trailers or delivery vehicles.
8. Applicant should be aware of future MNDot improvements at the intersection of TH 65 and 117th Avenue NE. As part of MNDot's Access Management Plan, there is a proposed improvement that is directly adjacent to the proposed site. The proposed improvement will include a full interchange at this intersection. This MNDot improvement currently does not have a scheduled timeframe or allocated funding. Applicant to recognize that future changes made to Highway 65 could impact how the site is accessed in the future.
9. Storage or display of retail items not permitted in the parking area, driveway surface, or front sidewalk area. All display items to be inside the building
10. Site plan and grading plan approval is required prior to any work being performed on site and issuance of building permits.
11. Applicant to obtain Coon Creek Watershed District permit prior to start of site work.

Motion seconded by Commissioner Bergstrom. The motion passed 4-0.

Chair Ouellette noted this would be on the agenda of the May 2, 2013 City Council meeting.

4.6 [RES 13-067](#)

**Public Hearing Case File No. 12-0030 // Majestic Financial, LLC // Legacy Creek Parkway/North of 127th Avenue NE**

The applicant is requesting the following:

- a) Preliminary plat approval to subdivide 87.5 acres into a maximum of 177 single family lots and 6 outlots to be known as the Preserve at Legacy Creek.
- b) Conditional use permit to allow for construction of a maximum of 177 single family homes in a DF (Development Flex) zoning district.

**Attachments:** [Legacy Creek Attachments - Map, Plat, Landscape, Phasing.pdf](#)  
[Legacy Creek Attachments - Narrative, Elevations, Floor Plans.pdf](#)

The report to the Planning Commission was presented by Lori Johnson, Planner III. The public hearing for Case File 13-0030 was opened at 7:28 p.m.

Dave Matthews, 3650 131st Avenue, questioned how this development would affect 131st Avenue.

Assistant City Engineer, Dan Schluender explained 131st Avenue was gravel at this time and would have a connection made in Phase V of this development. The parkway would be improved to the end of their plat at that time.

Jetta Bastyr, 12751 Tippecanoe Street NE, expressed concern with the heavy amounts of dust that has been traveling through her neighborhood over the past two years. She recommended that dust control measures be taken throughout the proposed development phases.

Assistant City Engineer, Dan Schluender indicated these concerns would be passed along to the developer.

Chair Oullette noted two letters were received from Eric and Maria Walkwist and John Floren expressing concerns with traffic along 131st Avenue and dust during construction.

Don Larson, 3465 131st Avenue, questioned how traffic would flow down 131st Avenue during construction. He indicated the gravel road could not take a great deal of traffic given its current condition.

Chair Oullette noted 131st Avenue would not be connected to the development until Phase V.

Connie Larson, 3465 131st Avenue, indicated traffic would increase along 131st Avenue during the construction period. She asked how this would be addressed by the City, given its poor condition.

Assistant City Engineer, Dan Schluender commented that after the 131st Avenue was connected traffic patterns would change and traffic counts would be monitored by the City. He noted the upgrade of this street was unknown at this time but would be evaluated by Staff in the coming years.

Mr. Matthews inquired if another type of aggregate material could be placed on top of 131st Avenue to improve the condition of this roadway. He recommended a recycled bituminous be added after the connection was made in Phase V.

Assistant City Engineer, Dan Schluender stated upgrades for this road were not proposed or budgeted at this time. He commented that any improvements would have to be assessed to the homeowners. He stated a cost share could be proposed between the homeowners and the developer after Phase V was

started.

Dennis Johnson, 3541 127th Avenue NE, requested further information on the proposed ponding. He commented that the dust in the neighborhood has been a concern and he requested the City require the developer to take action.

Assistant City Engineer, Dan Schluender explained the pond constructed in Phase I would be left in place as it was part of the storm sewer system. He noted the only alterations would be that a new outlet structure would be added.

Chair Oullette encouraged all homeowners to contact the City when the dust in the neighborhood was unreasonable during the construction period.

The public hearing was closed at 7:48 p.m.

Chair Oullette reported the main concerns addressed this evening by the public was dust control and the condition of/traffic along 131st Avenue-. He thanked the residents for voicing their concerns this evening.

Commissioner Lahti questioned if the soil conditions of this site had been tested.

Fran Hagen, Westwood Professional Services representing the developer and Ryland Homes, commented that extensive soil borings have been taken as the site previously served as a sod field. He commented that ponds would be constructed in the development to assist with controlling water in the development. He noted that after all grading work was completed the homes constructed would have full basements. He explained that all development plans have been approved by the Coon Creek Watershed District.

**Motion by Commissioner Lahti to recommend approval of Planning Case 13-0030A the preliminary plat for 177 lots in The Preserve at Legacy Creek based on the following conditions:**

**Case 13-0030A:**

**1. The developer has responsibility for financial participation in 125th Avenue NE improvements associated with this development. This includes, but is not limited to, intersection improvements, traffic signal installations, and roadway widening improvements. The City has calculated the development potential of all of the developable property, lying north of 125th Avenue and within the current development schedule provided by the 2005 MUSA and has determined the per lot cost associated for the improvements to be \$1,307 per lot (2013 rate). A total of 177 units will be constructed with this development so the total charge required would be \$231,339 (future phases will be calculated at the unit rate in effect at time of platting).**



2. All streets will follow the Anoka County street name grid system.
3. Developer will be required to participate in dust control measures on 131st Avenue at the time when Legacy Creek Parkway is constructed and connected to 131st Avenue.
4. Developer installed improvements shall include construction of trunk water main extension from the plat of Savanna Grove, 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, streetlights, mailboxes, traffic control signs, street signs, and all appurtenant items. 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 2013 rate for Sanitary Sewer District 6-5 is \$ 5,179 per upland acre.
6. 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.
7. Hydrant locations must be reviewed and approved by the Fire Department.
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 (MN R100001) 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. Construction contract documents shall include a mass (rough) grading, erosion protection, sediment control, development, utilities, roadway, and storm drainage plan sheet(s). Supporting wetland delineation report, geotechnical investigation report, soil boring logs, and hydrology report shall be included in the submittal for City Engineer review and approval.
11. Sidewalks and trail improvements must be soil corrected to full depth. Driveway subgrades must be fully corrected or provide a geotechnical report designing an alternate section. Driveways not having fully corrected subgrades shall have an extended warranty to protect future property owners. The development contract shall set forth the length and details of the warranty.
12. The development plan shall indicate all structures will be protected from flooding.
13. A twenty foot buffer strip shall be considered adjacent to wetland edges and shall be placed in an easement.
14. CCWD permit is required prior to City approval of construction plans and

specifications.

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

16. Home construction prior to the installation and acceptance of developer installed improvements will be subject to longer response times from public safety responders. Certificates of Occupancy will not be issued until the developer installed improvements are accepted and private utility service available.

17. A total of 177 units will be constructed with this development. Outlot A in Legacy Creek 2nd Addition was deeded to the City for the purpose of a City park and the developer was to be given credit towards the park dedication fee for the various phases of the development for the value of the outlot. It had been previously determined that the value of the outlot, as it was configured, is \$270,970. The park dedication due for the recent 2nd Addition was \$60,875 leaving a remaining credit of \$210,095 (rounded to 75 lots) towards the park dedication fee for the final phase of the development. Therefore, a park dedication fee will be due for the final 102 lots within Preserve at Legacy Creek. If platted in 2013 that amount would be \$286,926. Actual amounts to be paid will be calculated at the park dedication rate in effect at time of platting.

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

19. 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.

20. Sidewalks to be constructed as shown on the plat presented for approval. A Six-foot concrete sidewalk will also be required on the east end of 128th Avenue from Quemoy Street to the east plat line.

21. All development signage issued under a separate permit.

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. With final platting, Outlots D and A should be deeded to the City of Blaine along with dedicating an additional 33 feet of right of way along the northern property line.

Motion by Commissioner Lahti to recommend approval of Planning Case 13-0030B the conditional use permit to allow for construction of 177 single family homes in a DF (Development Flex) zoning district based on the following conditions:

Case 13-0030B:

Single Family - DF Development Standards

Permitted Uses

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

**Accessory Uses**

1. Private garages - one detached accessory structure, with area less than 120 square feet, will be permitted.
2. Private swimming pools/meeting the requirements of Blaine Municipal Code Section 6-121.
3. Keeping of not more than two (2) boarders and/or roomers per dwelling unit.

**Conditional Uses**

1. Home occupations regulated under 33.11.

**Standards**

1. Setbacks:

Front Yard 25 Feet  
 Rear Yard 30 Feet  
 Side Yard - House and Garage 7.5 Feet  
 Side Yard for Corner Lots 20 Feet

2. Maximum building height - 2 1/2 stories or 35 feet.
3. 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.
4. The minimum finished floor area above grade for all homes shall be 2,100 square feet.
5. All homes to be constructed utilizing pre-approved exterior materials, roof pitches and elevations and should be consistent with the architecture provided by Ryland Homes. All house exteriors in Blocks 8-15 (123 larger lots) to utilize engineered wood siding for the front elevations. At least 50% of the homes on Blocks 8-15 must have brick or natural stone as an element on the front elevations. All house exteriors to provide enhanced window fenestration.
6. 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.
7. All residential dwellings must be built in conformance with the current edition of the Minnesota State Building Code.

8. 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.

9. 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.

10. Each 65-foot lot (54 smaller lot neighborhood) shall contain one front yard tree and one boulevard tree with a minimum of 2½-inch caliper. Corner lots shall each have one additional boulevard tree.

11. Each 72-75+ foot lot shall contain three trees consisting of one overstory boulevard, one overstory front yard and one rear yard tree (conifer or overstory). Overstory trees must be 2 ½ inch caliper. Conifer trees must be 6-feet in height. Corner lots to have a 2nd boulevard tree.

12. 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.

Motions seconded by Commissioner Bergstrom. The motions passed 4-0.

Chair Ouellette noted this would be on the agenda of the May 2, 2013 City Council meeting.

#### 4.7 [RES 13-076](#)

Attachments: [Quail Creek 9th - Attachments.pdf](#)

The report to the Planning Commission was presented by Lori Johnson, Planner III. The public hearing for Case File 13-0023 was opened at 8:00 p.m.

Justin Nielsen, 2433 132nd Avenue NE, questioned if the City had a builder selected for this development. He also asked if the City had an estimated timeline on when construction would begin in this development.

Planner III, Lori Johnson explained each lot would be sold individually and the purchaser would be able to select their own builder. She anticipated that construction would begin this spring.

Kelly Befus, 2413 132nd Avenue NE, stated this past year she was involved with the Coon Creek Watershed as she had flooding issues in her rear yard. She explained she had constant standing water in her back yard as the water was not properly draining due to problems downstream. Ms. Befus indicated

this has created mosquito issues as well. She questioned if the proposed development would address these concerns.

Assistant City Engineer, Dan Schluender indicated this parcel would drain in the same manner as it currently does after the homes are added. The grading plans were then reviewed with the Commission and residents present.

Ms. Befus expressed concern with the number of trees that would be lost through grading of the parcel, as well as the number of lots proposed for the parcel.

Mr. Nielsen inquired if the City would be connecting 133rd Lane NE through this development.

Assistant City Engineer, Dan Schluender stated there were no plans to connect 133rd Lane NE to the north into Ham Lake.

The public hearing was closed at 8:09 p.m.

Commissioner Lahti questioned why a cul-de-sac was proposed for this development.

Planner III, Lori Johnson stated the City has tried to reduce the use of cul-de-sacs but this was not always possible.

Commissioner Lahti asked if the City had been in contact with Coon Creek Watershed regarding the ditch situation.

Assistant City Engineer, Dan Schluender reported he would speak with the Coon Creek Watershed regarding this matter after hearing the concerns voiced this evening to see how they were going to maintain this ditch.

**Motion by Commissioner Lahti to recommend approval of Planning Case 13-0023 based on the following conditions:**

**Case 13-0023:**

- 1. Park dedication for this plat is required prior to release of the plat for recording at Anoka County. The park dedication fee is \$2,813 per lot or \$39,382 for 14 new lots. Future platting of Outlot A will be subject to park dedication requirements at that time.**
- 2. A NPDES and Coon Creek Watershed District permits are required prior to any grading work on site.**
- 3. An approved street and utility plan will required prior to any construction activity on site. Plan will need to include a six-foot wide concrete sidewalk along the south side of 132nd Avenue.**

4. Execution of a Development Agreement that outlines developer responsibility for construction of improvements as well as other development requirements related to the plat.

5. Developer to continue to work with the City on future plats to provide a desired road connection (outlet) to and through development areas to the east.

Motion seconded by Commissioner Bergstrom. The motion passed 4-0.

Chair Ouellette noted this would be on the agenda of the May 2, 2013 City Council meeting.

4.8 [RES 13-069](#)

**Public Hearing Case File No. 13-0012 // Centra Homes, LLC // Edison Street/Alamo Street**

The applicant is requesting the following:

- A) Preliminary plat approval to subdivide 9.67 acres into 48 detached single family lots and five outlots to be known as The Lakes of Radisson 55th Addition.
- B) A conditional use permit to allow for construction of 48 detached single family townhomes in a DF (Development Flex) zoning district.

**Attachments:** [Lakes 55th Addition - Attachments.pdf](#)

The report to the Planning Commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 13-0012 was opened at 8:19 p.m. As no one wished to appear, the public hearing was closed at 8:19 p.m.

Commissioner Lahti asked how many townhome units were originally proposed.

Associate Planner, Shawn Kaye explained that originally, 68 townhome units were proposed.

Chair Ouellette was pleased with the reduction in density for this development.

**Motion by Commissioner Lahti to recommend approval of Planning Case 13-0012A the preliminary plat for 48 detached single family lots to be known as The Lakes of Radisson 55th Addition based on the following conditions:**

**Case 13-0012A:**

- 1. Park dedication for this plat has been previously addressed through the agreement for credit and payment as outlined in the approved Park Development Agreement and based on the platting of up to 3,300 housing units and 11 acres of commercial/retail.
- 2. The size of site being graded requires a National Pollutant Discharge

Elimination System (NPDES) permit from Minnesota Pollution Control Agency.

3. A development plan must be submitted for City approval prior to issuance of the first building permit. The development plan must indicate that all structures will be protected from flooding. A rough grading and sediment control plan must be submitted for City approval prior to work being performed on site. Erosion control and tree preservation details shall be included on the grading plan. Lot grading to be consistent with Lakes Water Management Plan.

4. Coon Creek Watershed District permit is required prior to the approval of grading.

5. 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.

6. Developer is responsible for following through with FEMA as necessary to receive final FEMA documents and to provide those documents to the homeowners, and to record the final documents on the certificate of title for each parcel in the development.

7. As-built surveys will be required to verify structure elevations and lo grading for each structure constructed.

8. The developer will be responsible for installation of sanitary sewer, trunk main, storm drainage improvements, streets with concrete curb and gutter, streetlights, mailboxes, sidewalks, traffic control signs, street signs, and all appurtenant items. The Developer will be responsible for the maintenance of the infiltration basins for a period of three (3) years after they are constructed. Plans and specifications must be approved by the City prior to start of construction.

9. All Private streets or alley can be constructed to a minimum of 22 feet in width if signed "No Parking." Private 24-foot wide streets can be parked on one side provided "NO PARKING FIRE LANE" signs are posted every 75 feet on the opposite side of the drive.

10. Standard utility and drainage easements must be dedicated along all lot lines and over drainage ditches, ponds, delineated wetlands, and storm water detention basins. Existing easements on underlying properties must be vacated before the plat is recorded. Developer to provide access to existing power lines in plat. The Developer is to provide access for maintenance of storm water detention basins. Restrictions will be placed on lots as needed to limit fences and landscaping to insure access.

11. Developer to require homeowner's associations to be responsible for maintenance and upkeep of all utilities, streets, storm drainage improvements, driveways and landscape improvements in the development. Developer shall provide documentation to the homeowner's association, with copies to the City, about maintenance procedures for the improvements.

12. Developer to install grouped mailboxes with design and locations approved by City and US Postal Service. Maintenance of the mailboxes to be

the responsibility of the homeowner's association.

13. Standard water and sanitary sewer access charges (WAC & SAC) become due with each building permit at the rate established at the time the building permit is issued.

14. All development signage by separate review.

15. Landscaping for Lakes of Radisson 55th Addition common areas and along the streets to be completed as shown on the approved Site Plan.

16. The landscape plan to be approved through a site plan approval process. A landscape plan to be submitted for the rear yards of the units located on the west side of the development, this plan should be consistent with the planting plan on the south side of the plat.

Motion by Commissioner Lahti to recommend approval of Planning Case 13-0012B the conditional use permit to allow for construction of 48 detached single family townhomes in a DF (Development Flex) zoning district based on the following conditions:

Case 13-0012B:

The Lakes 55th Addition -Single Family - DF Development Standards

**Permitted Uses**

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

**Accessory Uses**

1. Private garages - one detached accessory structure, with area less than 120 square feet, will be permitted.
2. Private swimming pools/meeting the requirements of Blaine Municipal Code Section 6-121.
3. Keeping of not more than two (2) boarders and/or roomers per dwelling unit.

**Conditional Uses**

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

**Standards**

1. Front yard setback - 20 feet
2. Side yard setback - 6.5 feet for house and garage. Minimum distance between homes - 13 feet.
3. Corner side yard setback - 20 feet.
4. Rear yard setback - 18 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 2,000 square feet. All homes shall have a minimum depth and width of 24 feet.

8. All homes to be constructed utilizing pre-approved exterior materials, roof pitches and elevations. All house exteriors to utilize maintenance-free materials to the extent possible. All house exteriors to provide enhanced window fenestration. Care to be taken to utilize a variety of home styles, front elevations and colors to provide maximum housing variety within each neighborhood. Developer to establish criteria to ensure that adjacent single family homes built within the development do not have the same exterior color or architectural elevations.

9. All residential dwellings must be built in conformance with the current edition of the Minnesota State Building Code.

10. Driveways shall not be constructed closer than 3 feet to the property line. All driveways and approaches shall be hard surfaced using concrete, bituminous asphalt or other City approved material that is consistent in durability and quality.

11. It shall be required that all yards of a new single-family dwelling be sodded over a minimum of 4 inches of topsoil (black dirt containing not more than 35 percent sand).

12. All yards to have full underground irrigation.

13. Each lot shall contain one front yard tree and one boulevard tree with a minimum of 2½-inch caliper. One of the required trees may be an ornamental tree. Corner lots shall each have one additional boulevard tree.

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

15. No side patio or entrance doors are permitted.

16. 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.

17. All outlots to be maintained by the Homeowners Association.

18. The landscape plan to be approved through a site plan approval process. A

landscape plan to be submitted for the rear yards of the units located on the west side of the development, this plan should be consistent with the planting plan on the south side of the plat.

Motion seconded by Commissioner Radtke. The motion passed 4-0.

Chair Ouellette noted this would be on the agenda of the May 2, 2013 City Council meeting.

**ADJOURN**

Motion by Commissioner Bergstrom to adjourn the Regular Planning Commission meeting. Motion seconded by Commissioner Lahti. The motion passed 4-0. Adjournment time was 8:22 p.m.