

**UNAPPROVED
CITY OF BLAINE
PLANNING COMMISSION MEETING MINUTES
January 9, 2018**

The Blaine Planning Commission met in the City Hall Chambers on Tuesday, January 9, 2018. Chair Ouellette called the meeting to order at 7:00 p.m.

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

Members Absent: None.

Staff Present: Shawn Kaye, Associate Planner
Lori Johnson, Associate Planner
Natasha Lukacs, Planning and Economic Development Technician
Tom Scott, Project Coordinator

APPROVAL OF MINUTES

Motion by Commissioner Goracke to approve the minutes of December 12, 2017, as presented. Motion seconded by Commissioner Halpern. The motion passed 5-0-2 (Homan and Chair Ouellette abstained).

OLD BUSINESS

None.

NEW BUSINESS

Item 4.1 – Case File No. 17-0055 – Public Hearing – The applicant is requesting a Conditional Use Permit Amendment to allow for 1,666 square feet of attached accessory garage space as part of a new home to be constructed in an RF (Residential Flex) zoning district. The CUP is required for accessory building space in excess of 1,200 square feet. ROBERT AND ELIZABETH CARLSON, 11016 FLANDERS COURT NE.

The report to the Planning Commission was presented by Natasha Lukacs, Planning and Economic Development Technician. The public hearing for Case File 17-0055 was opened at 7:04 p.m. As no one wished to appear, the public hearing was closed at 7:04 p.m.

Chair Ouellette noted the lots in this development were approximately one to three acres in size.

Motion by Commissioner Homan to recommend approval of Planning Case 17-0055 based on the following conditions:

Case 17-0055:

1. The proposed attached garage is limited to 1,666 square feet.
2. The proposed attached garage is to be constructed of materials and colors that will match the principal structure.
3. A building permit must be obtained prior to the start of any construction.
4. The proposed accessory garage space is to be used for personal storage only, and it may not be used for a home occupation.
5. All other items referenced in Resolution No. 92-85 remain unchanged.

Motion seconded by Commissioner Ponds. The motion passed 7-0.

Chair Ouellette noted this would be on the agenda of the February 1, 2018 City Council meeting.

Item 4.2 – Case File No. 17-0062 – Public Hearing – The applicant is requesting a Conditional Use Permit Amendment to allow for the construction of an approximately 22,000 square foot addition (1,492 seat auditorium), parking lot expansion to an existing church, and a zero lot line establishing a shared driveway access between sites in a PBD (Planned Business District) Zoning District.
EAGLE BROOK CHURCH, 3603 95TH AVENUE NE.

The report to the Planning Commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 17-0062 was opened at 7:11 p.m. As no one wished to appear, the public hearing was closed at 7:11 p.m.

Motion by Commissioner Olson to recommend approval of Planning Case 17-0062 based on the following conditions:

Case 17-0062:

1. The church is limited to the proposed use as shown in the attached site plan.
2. The sanctuary is limited to seating for up to 1,485 people and with a typical full-service schedule for Saturday and Sunday only. This would allow for religious holiday, wedding or funeral services to occur outside of the normal weekend schedule as well as lesser attended functions that might occur during the evenings of the normal work week.
3. The City will monitor traffic levels and patterns for the church and reserves the right to require the church to provide on-site traffic management and possible restrictions to and from the site.

4. Underground irrigation and sod must be provided for the entire site.
5. All site lighting shall be down lit and shielded. Pole-mounted lights are limited to 20 feet in height. A minimum of two additional overhead lights will be required at the main driveway intersection with 95th Avenue. These lights shall meet MnDOT specifications for LED Roadway Luminaires, 40' mounting height. Locations of the lights will be determined in the field working with City personnel.
6. Site plan approval is required. The applicant complete the site plan review process and meet all building and fire code requirements as part of the permit process.
7. Permanent signage requires a separate permit approval process.
8. Developer shall explore the use of created ponds, existing wells, or new wells as a source water supply for landscaping systems with a moisture sensor. The developer must obtain City concurrence before connection to the public water system.
9. RCWD permit is required prior to City approval of construction plans and specifications.
10. All internal utilities shall be maintained privately by the development association, including storm sewer piping, infiltration basins, and storm water sediment ponds.
11. Separate fire lines and domestic water services are required for each structure from the water lateral lines.
12. Water Availability Charges (WAC) and Sewer Availability Charges (SAC) become due with each building permit.
13. The site (one existing lot and two outlots) will be required to be final platted as one lot prior to any building permits/site plan approval being issued for the site.

Motion seconded by Commissioner York. The motion passed 7-0.

Chair Ouellette noted this would be on the agenda of the February 1, 2018 City Council meeting.

Item 4.3 – Case File No. 17-0052 – Public Hearing – The applicant is requesting the following:

- a) Rezoning of property from FR (Farm Residential) to DF (Development Flex).
- b) Conditional Use Permit to allow for the construction of a new K-5 elementary school in a DF (Development Flex) zoning district.

ANOKA-HENNEPIN SCHOOL DISTRICT/ANDERSON-JOHNSON ASSOCIATES, INC., 12576 LEVER STREET NE.

The report to the Planning Commission was presented by Lori Johnson, Associate Planner. The public hearing for Case File 17-0052 was opened at 7:19 p.m. As no one wished to appear, the public hearing was closed at 7:19 p.m.

Motion by Commissioner Goracke to recommend approval of Planning Case 17-0052A a rezoning of property from FR (Farm Residential) to DF (Development Flex) based on the following conditions:

Case 17-0052A:

1. The DF zoning provides flexibility in standards and it is consistent with current/future zoning designations for adjacent parcels.

Motion by Commissioner Goracke to recommend approval of Planning Case 17-0052B a Conditional Use Permit to allow for the construction of a K-5 elementary school in a DF (Development Flex) zoning district based on the following conditions:

Case 17-0052B:

1. Site plan approval is required prior to any work being performed on site. All plans submitted for site plan approval must be consistent with the plans submitted for the conditional use permit approval.
2. A Rice Creek Watershed District permit is required prior to issuance of site plan approval.
3. A NPDES permit is required prior to issuance of site plan approval.
4. A traffic study is conducted prior to issuance of site plan approval.
5. Trunk Sanitary Sewer Area charges become due with development of the parcel. 2018 sewer rate will be calculated the end of January and applied to this project.
6. A preliminary plat application must be submitted. The preliminary plat drawing must incorporate all of the required easements including but not limited to wetlands, storm water, street, trail, and right of access.
7. A Site Improvement Performance Agreement and the associated financial guarantees must be submitted prior to issuance of site plan approval.
8. Park dedication for this site has been calculated as such:
 - 12.5 acres used multiplied by 2.5 units per acre is 31 units.
 - 31 units multiplied by the 2018 residential rate of \$4,320 is \$133,920.

This payment would be required prior to issuance of any building permits for the school.

9. It is suggested that glass and metal accents be added to the building elevation that is noted as elevation #4 to break up the large brick wall and to make all four sides consistent with one another.
10. Prior to issuance of site plan approval the applicant will need to provide details on how trash will be handled on site and where any enclosures will be located and what they will look like.
11. All lighting must meet the requirements of the Zoning Ordinance. All lighting must be downlit and shielded to prevent glare or spill. Free standing light poles are limited to no more than 20 feet in height.
12. All signage to meet the requirements of the zoning ordinance Section 34.07 (c).
13. The landscape plan that has been provided meets the requirements of the zoning ordinance.
14. Underground irrigation must be provided for all landscaped areas.
15. Removal of existing buildings and the well and septic system require permits from the City's Building Inspection Department.

Motion seconded by Commissioner Halpern. The motion passed 7-0.

Chair Ouellette noted this would be on the agenda of the February 1, 2018 City Council meeting.

Item 4.4 – Case File No. 17-0047 – Public Hearing – The applicant is requesting the following:

- a) Rezoning 1.6 acres from R-1 (Single Family) to DF (Development Flex).
- b) Preliminary Plat approval to subdivide 3.13 acres into six (6) lots to be known as Talus Addition.
- c) Conditional Use Permit to allow for the construction of five (5) new single family homes within the plat.

JAMES TALUS, 11059 BUCHANAN ROAD NE.

The report to the Planning Commission was presented by Lori Johnson, Associate Planner. The public hearing for Case File 17-0047 was opened at 7:26 p.m.

Phillip Vaughn, 11038 Buchanan Road, explained he lived behind Lot 6. He stated he was happy to see Mr. Talus developing but requested further information on how Lot 6 would be provided water and sewer.

Project Coordinator, Tom Scott explained Lot 6 would receive water and sewer from Ulysses Street.

Mr. Vaughn asked if all construction traffic would be using Ulysses Street.

Project Coordinator, Tom Scott reported this would be a condition added to the construction plans.

Phil Archer, 11048 Buchanan Street, questioned if the sewer or water services would be changed along Buchanan Street.

Project Coordinator, Tom Scott explained the schedule for these services would not be changed.

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

Commissioner Olson asked if this development would be association maintained.

Associate Planner, Lori Johnson stated this would be the case.

Commissioner Halpern inquired if the developer had given any thought to how guest parking would be managed within the development. He noted the proposed lots were quite short.

Project Coordinator, Tom Scott discussed the proposed road width and noted parking could be allowed based on driveway width.

Motion by Commissioner Ponds to recommend approval of Planning Case 17-0047A a rezoning of 1.6 acres (Lots 1-5) from R-1 (Single Family) to DF (Development Flex) based on the following rationale:

Case 17-0047A:

1. This method of rezoning is consistent with other rezoning methods throughout the City and it is necessary for the smaller lot widths.

Motion by Commissioner Ponds to recommend approval of Planning Case 17-0047B a Preliminary Plat approval to subdivide 3.13 acres into 6 lots to be known Talus Addition based on the following conditions:

Case 17-0047B:

1. Park dedication will be required for all of the lots being platted because park dedication was never collected for the lot on which the existing home is located. The 2018 park dedication fee is \$4,320 per lot for a total of \$25,920. This fee must be paid prior to release of mylars for recording purposes at Anoka County. Applicant should keep in mind that if Lot 6 is subdivided further, the new lots will be subject to park dedication when those lots are created.
2. A development agreement will be required that outlines the Developer's responsibilities associated with the plat. Part of the development will include a requirement that the

Developer provide a maintenance agreement for the five new lots along the private drive to ensure that private road and utilities are maintained appropriately.

3. Connection charges become due for the existing house. The 2017 rates are \$4,615 for one lot unit of sanitary lateral and \$1,779 for one lot unit of sanitary trunk sewer. Updated rates will be in place prior to connection. When sanitary sewer lateral is constructed on Buchanan Road, the parcel will receive credit for the sewer connection charges paid with the current plat.
4. A Coon Creek Watershed District permit is required prior to City approval of any plans.

Motion by Commissioner Ponds to recommend approval of Planning Case 17-0047C a Conditional Use Permit to allow for the construction of 5 (Lots 1-5) new single family homes based on the following conditions:

Case 17-0047C:

Single Family - DF Development Standards (LOTS 1-5)

Permitted Use

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

Accessory Uses

1. Private garages - one detached accessory structure, with area less than 120 square feet, will be permitted.
2. Private swimming pools/meeting the requirements of Blaine Municipal Code Chapter 18 Article IX Swimming Pools.
3. Keeping of not more than two (2) boarders and/or roomers per dwelling unit.

Conditional Uses

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

Standards

1. Front yard setback - 25 feet to back of curb of private drive.
2. Side yard setback - 10 feet for house and 5 feet for garage.
3. Rear yard setback - 25 feet

4. Maximum building height - 2 1/2 stories or 35 feet.
5. 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.
6. The minimum finished floor area above grade for all homes shall be 1,000 square feet.
7. 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. Homes to be consistent with drawings submitted for conditional use permit approval and shall include the cultured stone and vinyl shakes on the front elevations.
8. All homes shall have a minimum depth and width of 24 feet.
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. Retaining walls will require a building permit. Retaining walls must be a minimum five feet off of property lines.
12. Grading plan must match house types proposed to be built, using City standards for lowest floor elevations.
13. It shall be required that all yards of a new single-family dwelling be sodded over a minimum of 4 inches of topsoil (black dirt containing not more than 35 percent sand). Yards may be seeded over 4 inches of black dirt if underground irrigation is installed with the home.
14. Each lot shall contain one front yard tree and one boulevard tree with a minimum of 2½-inch caliper. Each lot will also require one additional front yard tree as shown on the landscape plan submitted for conditional use permit approval.
15. Developer to submit a landscape plan for the area between the proposed private drive and Ulysses St. NE that includes 18 conifer trees that are a minimum of 6 feet in height. Trees to be placed so as not to be a sight distance issue for the two private drive locations. Landscape area to be covered by underground irrigation.

Motion seconded by Commissioner Goracke. The motion passed 7-0.

Chair Ouellette noted this would be on the agenda of the February 1, 2018 City Council meeting.

Item 4.5 – Case File No. 17-0046 – Public Hearing – The applicant is requesting the following:

- a) Comprehensive Land Use Plan Amendment from CC (Community Commercial) to LDR (Low Density Residential).
 - b) Rezoning from B-2 (Community Commercial) to DF (Development Flex).
 - c) Preliminary Plat to subdivide 21.76 acres into 50 single family lots, two commercial lots, and six (6) outlots to be known as Creekside Village.
 - d) Conditional Use Permit to allow for construction of 50 single family homes.
- N AND D MANAGEMENT, LLC, 1041 109TH AVENUE NE.

The report to the Planning Commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 17-0046 was opened at 7:39 p.m.

Kurt Carlson, 1045 111th Avenue NE, expressed concern with the proposed lot size (53 feet) for this development and explained his development had 80-foot lots. He stated he did not agree that the proposed development was consistent with adjacent lots. He was not excited to see 50 lots crammed into 21 acres. He feared how his home value would be impacted by this development. He questioned why there was no sidewalk north of this development along 109th Avenue. He stated this was a safety issue that should be reconsidered by the City.

Don Schuneman, 1032 109th Avenue NE, asked if the Hacienda area would be demolished.

Associate Planner, Shawn Kaye explained this was not the case and indicated the black line on the map he received showed the area of the City that was notified for this Planning Case.

George Hatcher 1034 111th Avenue NE, stated his home would abut the proposed project. He explained he agreed with his neighbor Kurt Carlson and expressed concern with how small the lots were within the proposed development. He questioned where Street A would go.

Associate Planner, Shawn Kaye reported this temporary cul-de-sac would be extended in the future to serve future development to the north.

Mr. Hatcher stated this meant the City could have two parallel dead-end roads.

Chair Ouellette commented that for some period of time this would be the case noting all traffic would be routed to 109th Avenue.

Mr. Hatcher provided further comment on how difficult the traffic situation was along 109th Avenue and encouraged the developer to have a plan to go north from the new development. In addition, he recommended the developer consider better trail connectivity for the surrounding neighborhoods.

Mr. Hatcher questioned if a traffic study had been completed for this project.

Project Coordinator, Tom Scott reported when 109th Avenue was redone by the County it was constructed with future development in mind and could handle the additional traffic that would be generated by the proposed 50 new homes. He noted Anoka County would review the plat and would make any necessary comments.

Mr. Hatcher requested further information regarding the pond on the former Bebop property.

Project Coordinator, Tom Scott reported this pond would be moved and additional storm sewer would be installed.

Mr. Hatcher asked if the trees and vegetation along the northeast corner of Street A would be lost.

Project Coordinator, Tom Scott stated this vegetation would be removed during grading.

Chair Ouellette reported the developer would be required to follow the City's tree replacement plan.

Mr. Hatcher stated he was not a fan of the proposed development as it would adversely impact traffic along 109th Avenue and the lot size was too small.

Marilyn Skaria, 10737 Tyler Court NE, stated she lived in a townhome development directly south of Bebop. She objected to the proposed zoning change to high density. She expressed concern with the proposed small lot sizes as it was not in keeping with the surrounding neighborhood. In addition, she was concerned with how the area would be impacted by additional traffic. She stated she was also concerned with the fact the new development would have only one point of entry and noted this may be a safety issue. She asked if the pond to the west of Bebop would be impacted.

Project Coordinator, Tom Scott reported this pond would be enlarged as part of the project. He explained the flood elevation would not be raised through the proposed changes to the ponds.

Chair Ouellette clarified for the record that this development was not high density, but in fact low density, and was zoned Development Flex.

Project Coordinator, Tom Scott added that the proposed project was still considered low density based on City's land use standards.

Chelsea Funfar, 10892 Tyler Court NE, stated she had concerns regarding traffic and questioned if future evaluation of traffic along 109th Avenue would be made by the City or County.

Chair Ouellette stated this would be a County issue.

Project Coordinator, Tom Scott reported this was the case and noted the City could request a speed study along 109th Avenue. He noted that the City's concern with conducting this type of study was that the speed limit could be raised, instead of lowered.

Larry Sluciak, 10874 Tyler Court NE, stated he lived directly across from the proposed development. He explained all of the points he was going to make have already been discussed. He indicated his main concern was traffic and pointed out traffic does reduce slightly to 35 miles per hour when approaching Cub Foods. He recommended consideration be made to placing a light at Tyler Court and a sidewalk on the north side of 109th Avenue.

John Sorensen, 1026 111th Avenue NE, stated he and his wife would abut four lots within the new development. He explained he had concerns with traffic and small lot sizes. He questioned if the new homes would be rental or owner-occupied.

Associate Planner, Shawn Kaye stated this was not something the City could control.

Mr. Sorensen asked who would have the final say if an additional traffic light was needed along 109th Avenue.

Chair Ouellette reported this would be determined by Anoka County.

Mr. Sorensen inquired what the low range would be for these houses.

Chair Ouellette stated the City did not have control over the prices of homes and noted the real estate market in Blaine has been really strong. He explained some residents were seeking smaller lots with low or no maintenance, which would make this an attractive development for some.

Jolene Sundlie, 1022 111th Avenue NE, explained she would abut Lots 10, 11, 12 and 13. She reported she purchased her lot because she had a softball diamond in her backyard. She stated she enjoyed the activity and noise from Bebop during the summer months. She expressed concern with how her property would be impacted by having four homes abutting her home. She stated she was not fond of the proposed development and the additional traffic that would be generated. She encouraged the developer to install more trees than was required within the City's landscaping plan to reduce the invasion of privacy that would be created on the existing homeowners.

Harrison George, 1014 111th Avenue NE, reported his home abutted lots 5, 6 and 7. He requested further information on the six-foot privacy fence that was being proposed and noted he already had a six-foot privacy fence along his rear property line. He reported Bebop currently had a chain link fence in place. He questioned if he would have access between the two fences.

Chair Ouellette explained this would be an issue Mr. George would have to take up with the homeowners' association.

Associate Planner, Shawn Kaye commented the chain link fence would be removed and this area would be graded by the developer. She reported the privacy fence was being proposed for the southern portion of the development to provide screening from adjacent commercial properties and there would be no privacy fence on the northern side of the proposed residential.

Stacy Carlson, 1045 111th Avenue NE, stated she was really emotional about this issue. She had major concerns with the traffic given the number of young children in her neighborhood. She discussed how difficult it was to get in and out of her development. She reported she had a son that would be a new driver and this area was already difficult. She encouraged the City to consider installing a light for safety purposes.

Kim Dupuis, 1014 111th Avenue NE, commented she has a privacy fence in her rear yard. She questioned who would maintain the trees between her fence and the chain link fence.

Chair Ouellette explained that this would have to be a future conversation between the developer and the property owner.

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

Chair Ouellette indicated he supported a sidewalk connection along the north side of 109th Avenue.

Commissioner Olson stated she did not want to see traffic speeds increasing along 109th Avenue but would like to see the City recommend a traffic signal at Tyler.

Project Coordinator, Tom Scott commented this would be a decision made by Anoka County that would involve a traffic count. He did not believe a signal would be warranted at this intersection.

Chair Ouellette noted the City Council would make the final decision on this matter.

Commissioner Olson questioned if the City would require the developer to plant trees in the rear yards of the lots on the north side of Street B or the west side of Street A.

Associate Planner, Shawn Kaye explained the developer would have to meet the City's tree preservation plan and noted each lot would have two trees, one of which could be placed in the rear yard, but this was not required.

Gary Gorham, N and D Management, stated he understood change was difficult. He clarified the Development Flex density for his project came in at low density. He explained the proposed slab on grade homes with smaller lots were quite desirable due to the aging population. He did not anticipate noise would be a concern for surrounding neighbors as the majority of the new homes would be occupied by empty nesters. It was his opinion the proposed development was a better fit with the surrounding neighborhood than additional commercial properties.

Chair Ouellette commented the lot size was not as important as the value of the properties. He requested further information regarding the proposed property value.

Mr. Gorham explained because the properties would be association maintained, all yards would be sprinkled, lawns would be mowed on the same day, and all shrubs would be pruned. In addition, snow plowing would be managed by the homeowners' association. He noted the front elevation would have a stone element to assist in creating an attractive housing community.

Commissioner York asked what would happen to the property to the north.

Mr. Gorham stated he did not own the property to the north and was uncertain how this land would develop.

Project Coordinator, Tom Scott indicated there were developers actively pursuing properties along 113th Avenue.

Chair Ouellette reviewed the process that would be followed if a traffic signal were requested from the County.

Associate Planner, Shawn Kaye reported this plat would be sent to Anoka County for their review and consideration.

Commissioner York questioned if there was a precedent that required sidewalk or trail connections to be installed.

Chair Ouellette supported a sidewalk being installed along the north side of 109th Avenue.

Project Coordinator, Tom Scott stated there was a precedent in place and noted the Commission could make a recommendation to have a sidewalk installed from Tyler to Fillmore to the City Council.

Commissioner York asked who would be responsible for installing this sidewalk.

Project Coordinator, Tom Scott commented the recommendation would be to include this sidewalk as part of the plat.

Commissioner Olson inquired if one of the two trees required from the developer could be placed in the rear yard.

Associate Planner, Shawn Kaye stated this recommendation could be made by the Commission.

Commissioner Homan questioned if the Commission should make a recommendation to the Council requesting a traffic study be completed.

Commissioner Olson supported a traffic study being completed.

Motion by Commissioner Olson to recommend approval of Planning Case 17-0046A a Comprehensive Land Use Plan Amendment from CC (Community Commercial) to LDR (Low Density Residential) based on the following conditions:

Case 17-0046A:

1. The change to LDR would allow for housing to be proposed that is consistent with other housing types in the area.
2. The recommendation is contingent upon the Met Council's approval of the minor land use amendment.

Motion by Commissioner Olson to recommend approval of Planning Case 17-0046B a Rezoning from B-2 (Community Commercial) to DF (Development Flex) based on the following conditions:

Case 17-0046B:

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

Motion by Commissioner Olson to recommend approval of Planning Case 17-0046C a Preliminary Plat to subdivide 21.76 acres into 50 single family lots, two commercial lots, and six (6) outlots to be known as Creekside Village based on the following conditions:

Case 17-0046C:

1. The developer has responsibility to construct any 109th 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. Private streets shall be constructed to 29 feet back to back to allow for parking on both sides of the street.
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. A six-foot concrete sidewalk is required on the west side of Street A (Tyler Street NE).
11. An eight-foot-wide bituminous trail connection is required along the north side of 109th Avenue from Street A to the City's existing trail to the west of the site.
12. A six-foot sidewalk is required on the south side of private Street B (109th Court NE).
13. 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.
14. The development plan shall indicate all structures will be protected from flooding.
15. A twenty-foot buffer strip shall be considered adjacent to wetland edges and shall be placed in an easement.
16. CCWD permit is required prior to City approval of construction plans and specifications.
17. 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.
18. Delays due to right-of-way acquisition with City Project 17-09, could cause delays with utility construction and building permits in the plat.
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 50 housing units at the rate in effect at the time of final plat. The 2018 rate is \$4,320 per lot.

21. Developer to require homeowner's associations to be responsible for maintenance and upkeep of landscape improvements along and within the right-of-way and along the private street.
22. All retaining walls, storm sewer piping, structures, storm water ponds, sanitary sewer, water main, sidewalk and street with curb and gutter located on private property shall be the responsibility of the Homeowners Association to maintain. This will include the outlet pipe from Outlot F.
23. Developer to install grouped mailboxes with design and locations approved by City and US Postal Service.
24. Developer shall explore water source for landscape irrigation systems installed throughout the development including the possible use of created ponds or storm water reuse.
25. 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.
26. All development signage by separate review.
27. All existing structure removals will require demolition permits. All wells and septic systems to be properly abandoned per all local and state requirements.
28. Half circle plaza area located on Outlot B will be required to be maintained by the Homeowners Association.
29. 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.
30. Requiring the developer to install a sidewalk from Fillmore to Tyler, parallel to 109th Avenue.
31. Requiring the developer to complete a traffic study.

Motion by Commissioner Olson to recommend approval of Planning Case 17-0046D a Conditional Use Permit to allow for construction of 50 single family homes based on the following conditions:

Case 17-0046D:

Single Family-Detached Townhomes-53-foot-wide lots - DF Development Standards (50 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

- a) 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.
- b) Minimum floor area above grade for a rambler detached townhomes must be 1,600 square feet. Minimum floor area above grade for a two story detached townhomes must be 1,900 square feet.
- c) 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.
- d) All units to be placed according to the following minimum building setbacks:
 - 25-foot front yard setback for houses and garages
 - 20-foot corner yard setback for garage and house
 - 6.5-foot side yard setback for garages
 - 6.5-foot side yard setback for houses
 - 30-foot rear yard setback for houses and garages

- e) All garages to be a minimum of 400 square feet with no dimension less than 20 feet. Maximum garage area limited to not more than 1,000 square feet.
- f) No detached accessory structures except for those associated with or required for operation and maintenance of swimming pools.
- g) Each lot shall contain two-yard trees with a minimum of 2 ½ inch caliper. Corner lots shall each have one additional boulevard tree. One tree shall be planted in the front yard and one tree shall be planted in the rear yard.
- h) All lots shall have underground irrigation.
- i) All entrance monument signage to be approved by a separate permit.
- j) The landscape plan must detail any landscaping associated with entrance monument signage.
- k) 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.
- l) 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.
- m) Noise Abatement Standards be incorporated into all housing constructed within 500 feet of 109th Avenue.
- n) Site Plan Approval is required prior to any construction on the existing commercial site including construction of the 6-foot maintenance free privacy fence as shown on the Site Landscape Plan.

Motion seconded by Commissioner Goracke. The motion passed 6-1 (York opposed).

Chair Ouellette noted this would be on the agenda of the February 1, 2018 City Council meeting.

ADJOURNMENT

Motion by Commissioner Ponds to adjourn the Regular Planning Commission meeting. Motion seconded by Commissioner Goracke. The motion passed 7-0. Adjournment time was 8:38 p.m.

Respectfully submitted,
Heidi Guenther
TimeSaver Off Site Secretarial, Inc.