

**UNAPPROVED
CITY OF BLAINE
PLANNING COMMISSION MEETING MINUTES
May 14, 2019**

The Blaine Planning Commission met in the City Hall Chambers on Tuesday, May 14, 2019. 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.

Adjunct Member: Drew Brown, Blaine High School Student

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

APPROVAL OF MINUTES

Motion by Commissioner Olson to approve the minutes of April 9, 2019, as presented. Motion seconded by Commissioner Goracke. The motion passed 6-0-1 (Commissioner York abstained).

OLD BUSINESS

None.

NEW BUSINESS

Item 4.1 – Case File No. 19-0013 – Public Hearing – The applicant is requesting a conditional use permit to operate an auto repair, detailing and tuning business in an I-1 (Light Industrial) zoning district.
MOH'S PERFORMANCE MOTORSPORT, 1550 91ST AVENUE NE #307.

Commissioner Goracke stated he would be recusing himself from taking action on this item.

The report to the Planning Commission was presented by Elizabeth Showalter, Planning and Economic Development Technician. The public hearing for Case File 19-0013 was opened at 7:05 p.m. As no one wished to appear, the public hearing was closed at 7:06 p.m.

Chair Ouellette asked what type of work would be conducted by this business.

Mohammed Alsowumil, Moh's Performance Motorsport, explained he would be completing mostly tune ups and detailing work.

Motion by Commissioner Ponds to recommend approval of Planning Case 19-0013 based on the following conditions:

Case 19-0013:

1. No work pertaining to the business can be conducted outside.
2. All serviced vehicles shall be stored indoors at all times.
3. No vehicles shall be stored outside at any time.
4. Work is limited to auto tuning, repair, detailing.
5. If this business expands to other units or the nature of the repair changes, a conditional use permit amendment is required.

Motion seconded by Commissioner Halpern. The motion passed 6-0-1 (Commissioner Goracke abstained).

Chair Ouellette noted this would be on the agenda of the June 3, 2019 City Council meeting.

Item 4.2 – Case File No. 19-0015 – Public Hearing – The applicant is requesting a conditional use permit amendment to allow the construction of a new grounds/storage building, ice arena addition and remodel, an addition to link the west and east high school, reconstruction of parking/bus drop lot, and additional parking stalls on north (central) parking lot in an R-1 (Single Family) zoning district. CENTENNIAL SCHOOL DISTRICT #12, 4707 NORTH ROAD.

The report to the Planning Commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 19-0015 was opened at 7:10 p.m.

Chair Ouellette reported the Commission had received a letter from Donna Stewart expressing concerns regarding traffic at the school.

Steve Watton, 4805 103rd Lane, stated the new school parking lot was to the south of his home. He explained the recent expansion has been a disaster for the neighborhood given the increased level of traffic at the school. He commented on how he would be impacted by the increased size of the parking lot and noted all traffic would now flow directly out of the parking lot onto 103rd past his home. He explained from 2:45 p.m. to 3:15 p.m. it was a drag race down 103rd. He indicated he had spoken to the school regarding this concern and requested the city require the school to address this concern.

Martin Hughes, 4867 North Road, discussed how the bus traffic to Centennial High School impacts him. He stated he is unable to leave his home at 8:00 a.m. He indicated the student traffic was also a concern to him given their high rate of speed and loud music. He requested the city investigate these concerns.

Arden Gerber, 4741 103rd Lane NE, expressed concerns with the additional parking at the high school. He explained the original request for additional parking was made to eliminate on-street parking on 103rd, especially during sporting events. He commented the neighborhood has not seen any relief from the on-street parking. He indicated his chief concern was for the children that walk along 103rd from the middle school to the high school. He requested a bike path or sidewalk be installed along 103rd for children to improve pedestrian safety.

The public hearing was closed at 7:16 p.m.

Chair Ouellette asked if the school district was willing to address some of the concerns that were raised by the neighbors.

Brian Dietz, Superintendent of Schools for the Centennial School District, explained the school district would be willing to address these concerns. He reported he would be willing to meet with these neighbors. He commented on the new addition noting it would be nice to eliminate the outdoor hallway. He apologized for the way students were driving and explained dismissal time was currently supervised by adults. He stated he would be more than happy to meet with the neighbors, the principal and the SRO in order to address this concern. He reported he was meeting with the Mayor on Monday to discuss the installation of a sidewalk along 103rd.

Commissioner Homan thanked the school district for being willing to meet with the neighbors.

Chair Ouellette recommended the Police Department visit with the school in order to assist with the traffic concerns at dismissal time.

Commissioner Olson asked if the parking along 103rd was restricted.

Project Coordinator, Tom Scott reported the parking along 103rd was restricted. He noted 103rd would be reconstructed by the city this summer.

Motion by Commissioner Olson to recommend approval of Planning Case 19-0015 based on the following conditions:

Case 19-0015:

1. Formal Site Plan Approval is required prior to start of construction with execution of SIPA and required financial guarantees.
2. Rice Creek Watershed approval and permit is required prior to start of site work.
3. The new expanded parking area (row of parking stalls) along the north side of site to meet the required property setbacks of 30-feet front and side.
4. A landscape plan to be submitted for the area north of the new grounds building. This area should include conifer trees.
5. All new parking light lights to be limited in height to 20-feet.
6. The address for the ice arena will change to 103rd Lane NE.

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

Chair Ouellette noted this would be on the agenda of the June 3, 2019 City Council meeting.

Item 4.3 – Case File No. 19-0016 – Public Hearing – The applicant is requesting preliminary plat approval to subdivide a 0.97-acre parcel into three single family lots to be known as Hennum Meadows 2nd Addition.
HENNUM MEADOWS 2ND ADDITION (DANIEL HENNUM), 10209 JACKSON STREET NE.

The report to the Planning Commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 19-0016 was opened at 7:25 p.m. As no one wished to appear, the public hearing was closed at 7:25 p.m.

Motion by Commissioner Goracke to recommend approval of Planning Case 19-0016 based on the following conditions:

Case 19-0016:

1. Park dedication will be required for the 2 new lots being proposed within the plat. The city's current park dedication rate for single family lots is \$4,449 per unit (2019 rate). A total park dedication fee of \$8,898 would become due prior to final plat mylars being released to the developer for recording at Anoka County.
2. Developer to obtain a permit from Coon Creek Watershed District prior to city plan approval.
3. Written permission to access property must be received from properties affected by construction prior to city plan approval.
4. Homeowners shall be required to maintain infiltration basins.
5. Standard WAC (Water Access) and SAC (Sewer Access) fees will be due with each home constructed.
6. Demolition permits must be obtained for the removal of the larger existing accessory structure.
7. The accessory buildings located on proposed Lots 2 and 3 will be required to be removed prior to the plat being recorded with Anoka County.
8. The existing circular drive (Lot 1) that accesses Jackson Street/102nd Lane that will be required to be removed and established with grass prior to any building permits being issued for the plat.
9. The existing driveway off of 102nd Lane that accesses the existing home's garage will need to be constructed on Lot 1 as shown on the grading plan prior to any building permits being issued for the plat.
10. Execution and recording of a Site Improvement Performance Agreement outlining the developer responsibilities for grading and development of the property.
11. The Mayor, City Clerk and City Manager are hereby authorized to execute any and all necessary documents, agreement and releases related to the approval, recording or administration of Hennum Meadows 2nd Addition.

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

Chair Ouellette noted this would be on the agenda of the June 3, 2019 City Council meeting.

Item 4.4 – Case File No. 19-0017 – Public Hearing – The applicant is requesting preliminary plat approval to subdivide a 3.61-acre parcel into seven single family lots to be known as Elizabeth Marie Estates.
ELIZABETH MARIE ESTATES (PAUL HENNUM), 2791 93RD AVENUE NE.

The report to the Planning Commission was presented by Elizabeth Showalter, Planning and Economic Development Technician. The public hearing for Case File 19-0017 was opened at 7:29 p.m.

Kristi Jacobson, 9339 Bataan Street NE, stated she lived directly across from this lot. She explained she moved into Blaine 15 years ago and fell in love with her neighborhood. She indicated she had a beautiful view from her home and was surrounded by nature and wildlife. She stated this was providing her a high quality of life. She feared that the proposed development would hinder her quality of life and questioned how the property across from her home could even be developed as it appeared to be mostly wetland. She reported she had spoken to city staff regarding concerns if the wetlands would be filled in and was told the wetlands would not be filled in.

Project Coordinator, Tom Scott explained some fill would be brought in on the northwest corner and for the house pads. He indicated that no fill would be brought into the wetlands. He provided further comment on the wetlands as delineated by the watershed district.

Ms. Jacobson commented she was extremely upset that three-fourths of the trees on this site would be lost. She noted these trees serve as a natural sound and pollution barrier between her neighborhood and the airport. She encouraged the city to reconsider this subdivision and what message would be sent to the residents of Blaine.

Chair Ouellette asked if the neighbors had considered purchasing this property.

Ms. Jacobson explained she had the understanding this property could not be developed because it was a wetland. She stated she feared for the houses that would be built on the wetland property and how this would impact her neighborhood. She anticipated these homes would have a swimming pool in their basement every spring.

Karen Ellingsworth, 9307 Bataan Street NE, stated she lived in the middle of the proposed plat on the opposite side of Bataan Street. She expressed concern with where the driveways would be located.

Project Coordinator, Tom Scott noted three driveways would be located on 93rd and four driveways would be located on Bataan Street.

Ms. Ellingsworth explained she agreed with many of the comments made by Ms. Jacobson. She stated she feared how pedestrian traffic would be impacted by the additional traffic that would be

generated by the new homes. She anticipated she would not be able to remain in her home given the increasing levels of traffic. She indicated she has a sump pump in her home that pumps every 15 seconds. She feared how new homes could be located on the wetland across the street from her. She commented she understood some people wanted to make money, but expressed concern with how the surrounding neighbors would be impacted.

Ehrin Rooney, 9278 Bataan Street, explained he has lived in his home for the past 27 years. He reported the lady slipper grows on subject property and noted he was told this property would never develop. He commented this was a beautiful piece of land and stated he would like it to remain in its current state. He indicated his sump pump runs every 15 seconds.

Chair Ouellette asked if the neighbors had approached the landowner to purchase the property.

Mr. Rooney stated he understood the property owner tried to build a garage in the past, but the project was shut down.

John Reichenbach, 9340 Bataan Street, asked what the value of the homes would be.

Chair Ouellette encouraged Mr. Reichenbach to speak with the developer regarding this matter.

Mr. Reichenbach expressed concern with the rising level of water in his neighborhood. He asked if the proposed development would have a holding pond.

Planning and Economic Development Technician, Elizabeth Showalter reported the development would have a holding pond that would be approximately seven feet deep.

Mr. Reichenbach questioned when construction on the development would begin.

Chair Ouellette deferred this question to the applicant.

The public hearing was closed at 7:45 p.m.

Commissioner Homan questioned how this tract of land went from being declared unbuildable to now being buildable.

Project Coordinator, Tom Scott explained when Bataan Street was built 20 years ago a generalized delineation was completed. He reported over the years the water table has gone down in this area and the wetland has shrunk. Therefore, the property owner had a new delineation completed and found that more lots could be created. He indicated this same action has been taken for other parcels in the city as well.

Commissioner Halpern asked if the presence of lady slippers would make the lot unbuildable.

Planning and Economic Development Technician, Elizabeth Showalter stated if a wetland impact were proposed, an additional level of review would be considered for threatened and endangered

species. However, because the developer is not proposing to impact the wetlands, rare, threatened and endangered species review is not triggered.

Commissioner York questioned if the proposed ponding would assist in alleviating some of the water concerns being expressed by the neighbors.

Project Coordinator, Tom Scott indicated staff anticipated this would be the case. He reported an engineer had designed the pond size and the request was reviewed by the watershed district. He reported the home elevations were set several feet above the ponds.

Commissioner Goracke expressed concern with the fact the neighbor's sump pumps were going off every 15 seconds. He asked if staff had received calls from citizens regarding this matter.

Project Coordinator, Tom Scott stated he did not recall receiving any calls regarding this concern.

Commissioner York inquired if the city had any right to tell the property owner, he could not develop his property.

Planning and Economic Development Technician, Elizabeth Showalter reported the applicant has met all city requirements within the Subdivision Ordinance.

Chair Ouellette anticipated the wildlife in this area would stick around due to the fact a ponding area would remain on the parcel. He asked how long the applicant has owned the land.

Paul Hennum, applicant, stated he has owned the land for one year, noting he purchased the land from the County.

Commissioner York questioned if any of the neighbors had contacted him.

Mr. Hennum indicated he had only spoken with one neighbor that would be purchasing the outlot to increase the size of their yard.

Chair Ouellette asked when work would begin on this development.

Mr. Hennum stated work would begin in the next 60 days. He commented further on the grading and street work that would have to be completed.

Motion by Commissioner York to recommend approval of Planning Case 19-0017 based on the following conditions:

Case 19-0017:

1. Park dedication will be required for the 7 new lots being proposed within the plat. The city's current park dedication rate for single family lots is \$4,449 per unit (2019 rate). A

total park dedication fee of \$31,143 would become due prior to final plat mylars being released to the developer for recording at Anoka County.

2. Outlot A, which is intended to be sold and deeded to the to the adjacent property owner, shall be combined with the adjacent property parcel through a lot combination request at Anoka County within 60 days after the plat is recorded at Anoka County.
3. Developer to obtain a permit from Rice Creek Watershed District prior to city plan approval.
4. Lots 1-2 and 4-7 shall contain three new trees with one boulevard overstory tree and two yard trees and lot 3 shall contain four trees with two boulevard overstory trees and two yard trees. At least one of the two yard trees must be placed in the front yard. Overstory trees shall be a minimum of 2.5 caliper inches and conifers shall be a minimum of 6 feet high.
5. Standard WAC (Water Access) and SAC (Sewer Access) fees will be due with each home constructed.
6. With the proposed plat additional sewer and water connection charges become due for five lots. The current Southeast Area rate is \$24,696 per lot. Credit will be given for the sewer and water services that need to be installed to serve the additional lots. The total amount due after the credit is \$117,729.
7. Execution and recording of a Development Agreement outlining the developer responsibilities for grading and development of the property.
8. The Mayor, City Clerk and City Manager are hereby authorized to execute any and all necessary documents, agreement and releases related to the approval, recording or administration of Elizabeth Marie Estates.

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

Chair Ouellette noted this would be on the agenda of the June 3, 2019 City Council meeting.

Item 4.5 – Case File No. 19-0019 – Public Hearing – The applicant is requesting the following:

- a.) A Rezoning from FR (Farm Residential) to DF (Development Flex).
- b.) Preliminary Plat approval to subdivide approximately 5.28 acres into 22 single family lots and 2 outlots to be known as Arroyo Villas.
- c.) Conditional use permit to allow for the construction of 22 single family homes (detached townhomes)

ARROYO VILLAS (RANGER DEVELOPMENT), 116TH AVENUE NE & ULYSSES STREET.

The report to the Planning Commission was presented by Lori Johnson, Associate Planner. The public hearing for Case File 19-0019 was opened at 8:00 p.m.

Denise Moreland, 11417 Pierce Street NE, thanked the Commission for their public service and for hearing the residents from Hidden Acres last year. She commented she opposed the tree loss that would occur within this development. She encouraged the Commission to not support the rezoning. She was of the opinion 22 single family homes was too many for the five-acre parcel.

The public hearing was closed at 8:03 p.m.

Chair Ouellette stated he supported the plan for 22 single family homes over the previous plan which was calling for 55 units.

Commissioner York agreed.

Motion by Commissioner Olson to recommend approval of Planning Case 19-0019A a rezoning for the plat of Arroyo Villas to DF (Development Flex) based on the following rationale:

Case 19-0019A:

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 19-0019B the preliminary plat to subdivide 5.28 acres into 22 single family detached lots to be known as Arroyo Villas based on the following conditions:

Case 19-0019B:

1. Park dedication is required for this plat in the amount of \$4,449 per unit for a total park dedication fee of \$97,878. This fee will be required prior to releasing the final plat mylars for recording at Anoka County.
2. A grading and sediment control plan must be submitted for city approval prior to work being performed on site.
3. The size of site being graded requires a National Pollutant Discharge Elimination System (NPDES) permit from Minnesota Pollution Control Agency.
4. 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.
5. Coon Creek Watershed District permit is required prior to city approval of any plans.
6. The developer shall process a Letter of Map Change with FEMA as needed prior to issuance of building permits. 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 low grading for each structure constructed.

8. The developer will be responsible for installation of sanitary sewer, water main, storm drainage improvements, streets with concrete curb and gutter, streetlights, mailboxes, sidewalks, traffic control signs, street signs, and all appurtenant items. Plans and specifications must be approved by the city prior to start of construction.
9. The private street shall be signed for no parking on one side. The street name shall be in accordance to the Anoka County grid system.
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. 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 landscape improvements. Utilities (sanitary sewer, water main, storm sewer, ponds, infiltration basins) sidewalks and streets are private and shall be maintained by a homeowner's association.
12. Developer to install a 6-foot concrete sidewalk on the south side of Lot 18, Block 1.
13. 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.
14. Execution of a Site Improvement Performance Agreement will be required, which includes the submission of a financial guarantee to cover the cost of all site improvements and a cash escrow to cover the city's cost of inspecting the improvements.
15. Soil boring information is required for determination of lowest floor elevations.
16. 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.
17. All development signage by separate review.
18. Landscaping for common areas and along the streets to be completed as shown on the approved Site Plan.
19. 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 Arroyo Villas.

Motion by Commissioner Olson to recommend approval of Planning Case 19-0019C the conditional use permit to allow for construction of 22 single family detached homes in a DF (Development Flex) zoning district based on the following conditions:

Case 19-0019C:

Arroyo Villa - Single Family - FR Development Standards

Permitted Uses

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

Accessory Uses

1. 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.
3. Corner side yard setback - 15 feet. West side yard setback for Lot 12, Block 1 is 18 feet.
4. Rear yard setback - 15 feet for house and garage, 5 feet for at grade patios.
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 are not permitted.
7. The minimum finished floor area above grade for all homes shall be 1,800 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. 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. The proposed homes to be consistent with the elevations attached to this report.
9. All windows on all units should include higher quality detail trim around the windows and patio doors.
10. All residential dwellings must be built in conformance with the current edition of the Minnesota State Building Code.
11. All homes, within the development to incorporate Airport Noise Abatement Standards with Central Air conditioning to mitigate noise impacts.
12. 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.
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) with full yard underground irrigation.
14. No side patio or entrance doors are permitted.
15. No yard fences permitted except for privacy fencing immediately adjacent to patios. Privacy fencing to be constructed of maintenance free materials and no more than six feet in height.
16. Swimming pools are not permitted.

17. The landscape plan to be approved through a site plan approval process. Developer to require homeowner's associations to be responsible for maintenance and upkeep of landscape improvements within the plat, and an affidavit indicating to homebuyers that the soils located in the rear and side yards of the single family lots have not been corrected to accommodate general building construction or pools and that additional effort may be required, by the homeowner, to stabilize those soils before additional construction could occur.
18. Conifer trees along Ulysses Street should be installed at a height of 8 feet.

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

Chair Ouellette noted this would be on the agenda of the June 3, 2019 City Council meeting.

ADJOURNMENT

Motion by Commissioner Goracke to adjourn the Regular Planning Commission meeting.

Motion seconded by Commissioner Ponds. The motion passed 7-0. Adjournment time was 8:06 p.m.

Respectfully submitted,

Heidi Guenther

TimeSaver Off Site Secretarial, Inc.