

**UNAPPROVED
CITY OF BLAINE
PLANNING COMMISSION MEETING MINUTES
August 13, 2019**

The Blaine Planning Commission met in the City Hall Chambers on Tuesday, August 13, 2019. Chair Ouellette called the meeting to order at 7:00 p.m.

Members Present: Commission Members: Goracke, Homan, Olson, Ponds, and Chair Ouellette. Also present was Adjunct Member Drew Brown.

Members Absent: Commissioner Members: Halpern and York.

Staff Present: Shawn Kaye, Associate Planner
Elizabeth Showalter, Planning/Economic Development Technician
Stefan Higgins, Assistant City Engineer

APPROVAL OF MINUTES

**Motion by Commissioner Olson to approve the minutes of July 9, 2019, as presented.
Motion seconded by Commissioner Homan. The motion passed 5-0.**

OLD BUSINESS

None.

NEW BUSINESS

Item 4.1 – Case File No. 19-0032 – Public Hearing – The applicant is requesting the following:

- a) A rezoning from B-1 (Neighborhood Business) and DF (Development Flex) to PBD (Planned Business District).
- b) Preliminary Plat approval to replat two existing parcels into one parcel.
- c) Conditional Use Permit to construct an 11,284 square foot multi-tenant retail building that would permit approximately 7,000 square feet of restaurant space and 4,200 square feet of general retail space.

ROYAL LAKES RETAIL CENTER (CLASSIC CONSTRUCTION), 12475
LEXINGTON AVENUE NE.

The report to the Planning Commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 19-0032 was opened at 7:08 p.m.

Rachelle Springer, 4257 124th Avenue NE, stated she lives directly behind the proposed development. She expressed concern with how drastically different the proposed zoning was from the current zoning. She indicated she moved to Blaine a year ago because of her neighborhood. She explained her plan was never to live behind a mini strip mall. She discussed the amount of traffic in her neighborhood and feared how this would be impacted by the proposed development. She commented she was also concerned with how her property value would be adversely impacted. She requested the commission investigate this further before moving forward with the proposed development.

John Lero, 4282 124th Lane, explained he had concerns with the high speed of traffic driving towards Fraizer Street. He feared how his grandkids may be impacted by increased amounts of traffic that was generated by the proposed development. He recommended all access from this development run onto Lexington Avenue or Main Street and not onto Fraizer Street. He stated he did not support the rezoning as this did not fit in with the neighborhood. He was concerned with alcohol being served in this location. He recommended the Commission not support the proposed request.

Jackie Lero, 4282 124th Lane, asked who owned the two parcels.

Associate Planner, Shawn Kaye explained the parcels were not owned by the homeowner's association, but rather were owned by the current owners of the existing gas station.

Ms. Lero expressed concern with the fact she would now be living behind a strip mall. She recommended the proposed development be accessed from Lexington Avenue. She questioned if the request had already been approved.

Chair Ouellette reported the request had not been approved, but was being considered by the commission this evening.

Lonny Martin, 4256 124th Avenue NE, stated he agreed with the comments that have been made. He explained he did not approve of the proposed strip mall. He feared lights from the development would be shining into his home. He indicated he did not want this development accessing Fraizer Street. He recommended the strip mall be pushed closer to Main Street and Lexington Avenue.

Mary Stephens, 4745 123rd Lane NE, explained she had over 50 children living on her dead end. She indicated she was not happy with the amount of traffic the proposed development would generate. She noted there were no other large commercial buildings in the area. She stated the city has numerous vacancies throughout the city in its strip malls and questioned why another strip mall was being considered. She indicated brick and mortar retail was dying. For this reason, she stated she did not want to see a strip mall in her neighborhood and recommended the strip mall not be approved. She explained she would like to see her neighborhood remain residential. She feared how adding the commercial development to her neighborhood would impact her home value.

Bill Paxton, 12318 Ghia Street, commented on the traffic counters in his neighborhood. He discussed how his neighborhood was changing given the new school and proposed strip mall. He asked if the traffic counting numbers would be available to the public.

Stefan Higgins, Assistant City Engineer explained traffic counts were being collected at this time to form a baseline for this area of the city. He reported this information would be available to the public.

Ms. Springer thanked the commission for allowing the public to speak. She hoped the commission would hear the concerns that have been voiced and that the commission would take into consideration the safety of this neighborhood. She stated if the strip mall is approved, she would like to see the city put the necessary safety measures in place to keep the neighborhood safe, which includes traffic lights at Kwik Trip and other stop signs for the area.

Ms. Stephens indicated the traffic counts would not be accurate given the fact the new school has not opened.

The public hearing was closed at 7:29 p.m.

Commissioner Goracke thanked the neighbors for voicing their concerns. He noted the city council would have the final say regarding the proposed development. He requested further information from staff regarding the zoning of this property.

Associate Planner, Shawn Kaye reviewed the zoning for this property and the properties to the south. She reported the land use for this property was Community Commercial.

Commissioner Ponds inquired if the developer had an idea of who would occupy the proposed strip mall.

Lenny Leezer, owner of the property, explained he has been at this gas station for the past 18 years. He indicated a coffee shop, chiropractor or dental use was being considered along with a high-end restaurant. He stated he would not approve of a tobacco shop or adult entertainment shop.

Diane Leverentz, Classic Construction, introduced herself to the Commission stating she would serve as the general contractor. She reported the applicant has spent a lot of time and energy working to keep the proposed development upscale and professional.

Commissioner Ponds questioned what the plans were for creating a buffer between the strip mall and the adjacent neighborhood.

Associate Planner, Shawn Kaye reviewed the landscaping plan and noted the proposed pond would create a nice buffer between the development and the adjacent homes. She explained the city had code requirements in place to ensure all lighting was downlit, shielded and not spill off of the property.

Ms. Leverentz reported the developer had added extra landscaping to the site in order to address the concerns of the neighbors. She explained the developer would prefer to have access onto Lexington Avenue but noted Anoka County would not allow this to happen.

Commissioner Olson asked if there was any talk of installing a traffic signal at Lexington Avenue and 122nd.

Stefan Higgins, Assistant City Engineer stated in 2022 the County would be installing a signal at this intersection.

Commissioner Olson believed that the proposed strip mall would be a benefit to the neighborhood. She requested further information regarding the proposed sidewalks.

Associate Planner, Shawn Kaye noted a sidewalk is located along the west side of Fraizer Street.

Commissioner Olson recommended a driver feedback sign be installed on Fraizer Street to assist with addressing the speed concerns in this area.

Stefan Higgins, Assistant City Engineer commented on the formal process that would have to be followed in order to address the speed of traffic in the area.

Commissioner Olson stated she supported the Commission making this recommendation.

Commissioner Goracke questioned how many houses could fit on this property.

Associate Planner, Shawn Kaye estimated approximately four or five houses would fit in the acreage size of this property.

Commissioner Goracke discussed how four or five additional homes would impact the neighborhood. He commented each home would generate at least eight trips a day. He stated he supported Commissioner Olson's recommendation regarding the driver feedback sign.

Motion by Commissioner Olson to recommend approval of Planning Case 19-0032A a rezoning from B-1 (Neighborhood Business) and DF (Development Flex) to PBD (Planned Business District) at 12475 Lexington Avenue NE based on the following conditions:

Case 19-0032A:

1. The proposed rezoning would be consistent with the CC (Community Commercial)/ PC (Planned Commercial) land use of the property.
2. The zoning being proposed is consistent with the type of development being proposed.
3. The zoning being proposed is consistent with the zoning adjacent to the south.

Motion by Commissioner Olson to recommend approval of Planning Case 19-0032B a preliminary plat to re-plat two existing parcels into one parcel to be known as Lot 1Block 1Royal Lakes based on the following conditions:

Case 19-0032B:

1. Park dedication to be paid for .93 acres at the commercial rate of \$8,704 per acre (2019 rate) for a total of \$8,094.00.
2. Water and sewer availability charges (WAC and SAC) become due with building permit.
3. Trunk sanitary sewer charges become due with developing in the amount of \$6,621 per acre (2019 rate) for the original site parcel only. There are 1.39 acres on this parcel for a charge of \$9,203.
4. Applicant to submit copy of Rice Creek Watershed permit to city prior to city plan approval.
5. Applicant will need dedicate additional easements and adhere to review comments and permitting received from Anoka County Highway Department.
6. 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 Royal Lakes.

Motion by Commissioner Olson to recommend approval of Planning Case 19-0032C a conditional use permit to construct an 11,284 square foot multi-tenant retail building that would permit 7,000 square feet of restaurant space and 4,200 square feet of general retail space at 12475 Lexington Avenue NE based on the following conditions:

Case 19-0032C:

1. The exterior building materials to match those on the submitted plans.
2. Site plan approval is required prior to issuance of building permits. All site improvements to be included in site improvement agreement and covered by an acceptable financial guarantee.
3. All site lighting to be down lit-style lamps to reduce glare and to meet the requirements of the Zoning Ordinance. Final site plan to include detailed lighting plan. Pole mounted lighting is limited to 20 feet in height.
4. All signage requires a separate permit meeting the requirements of the Zoning Ordinance. Wall signage will not be permitted on the east elevation (facing residential). One monument sign will be permitted with a maximum height of 14 feet and 140 square feet of signage on Lexington Avenue or 125th Avenue.

5. Temporary signage to be regulated under Zoning Ordinance Section 34.13.
6. Obtain all necessary permits from Anoka County Highway Department for proposed construction in their respective Right-of-Way.
7. A National Pollutant Discharge Elimination System Phase II permit required from the MN Pollution Control Agency. Building permits will not be issued until a copy of the permit is sent to the city.
8. A Rice Creek Watershed District permit is required. Building permits will not be issued until a copy of the permit is sent to the city.
9. The uses permitted by this conditional use permit to be operated in accordance with all applicable city regulations and ordinance requirements. Violation of these standards or any conditions of the conditional use permit shall be enforceable, by the city as a misdemeanor violation.
10. The applicant will be required to install a driver awareness signal on Frasier Street.

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

Chair Ouellette noted this would be on the agenda of the August 19, 2019 City Council meeting.

Item 4.2 – Case File No. 19-0020 – Public Hearing – The applicant is requesting a conditional use permit to allow for construction of a 14,013 square foot office building in a PBD (Planned Business District) zoning district.
NORTH CENTRAL PLAZA, 11820 ULYSSES STREET NE, NOTTINGHAM
CONSTRUCTION.

The report to the Planning Commission was presented by Elizabeth Showalter, Planning/Economic Development Technician. The public hearing for Case File 19-0020 was opened at 7:52 p.m.

Morgan Prosheck, property manager for the property at 11855 Ulysses Street, asked if the proposed building would be used for medical purposes.

Planning/Economic Development Technician, Elizabeth Showalter stated at this time the conditional use permit would allow for office, medical and general retail. She noted medical could locate in the space, but noted the city was not aware of any proposed medical tenants.

The public hearing was closed at 7:54 p.m.

Motion by Commissioner Ponds to recommend approval of Planning Case 19-0020 based on the following conditions:

Case 19-0020:

1. As the tenant spaces are filled, staff will monitor the uses to ensure that enough parking is provided on site. Medical uses require more parking than office and retail and therefore may be limited on the site.
2. The building must be constructed as submitted with this application, and the building construction must meet the requirements of the Highway 65 Overlay District.
3. The dumpster enclosure on the site must be constructed of the same materials as the building.
4. All lighting on site must be downlit and shielded to prevent glare or spill. Pole mounted lighting is limited to 20-feet in height.
5. Signage is issued under a separate permit process. Temporary signage regulated under Zoning Ordinance Section 34.13. Permanent freestanding monument signage is limited to 14 feet in height and 140 square feet.
6. Site plan and grading plan approval is required prior to any work being performed on site and issuance of building permits.
7. The following landscaping is required on site to meet the Highway 65 Overlay District requirements:
 - a) Overstory Trees: 18
 - b) Conifer Trees: 10
 - c) Ornamental Trees: 10
 - d) Shrubs are also required
8. The plan must also meet oversizing requirements of the Highway 65 Overlay District, which states that 25% of the trees on site must be oversized. Overstory trees should be oversized to 3-inch caliper, conifer trees must be oversized to 8 feet in height and oversizing is not recommended for ornamental trees. The applicant should be aware that the 25% of the oversized trees do not count as extra trees towards the overall site requirements.
9. A Coon Creek Watershed District permit is required prior to city plan approval.
10. The applicant will need to install water services for domestic and fire suppression.
11. Screening on the western property line to include a 6-foot maintenance free fence and 8-foot conifer trees.
12. The proposed patio is limited to staff use and cannot be used as an outdoor dining space for customers.

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

Chair Ouellette noted this would be on the agenda of the September 4, 2019 City Council meeting.

ADJOURNMENT

Motion by Commissioner Goracke to adjourn the Regular Planning Commission meeting.
Motion seconded by Commissioner Homan. The motion passed 5-0. Adjournment time was 7:56 p.m.

Respectfully submitted,

Heidi Guenther
TimeSaver Off Site Secretarial, Inc.