

**UNAPPROVED
CITY OF BLAINE
PLANNING COMMISSION MEETING MINUTES
May 11, 2021**

The Blaine Planning Commission met in the City Hall Chambers on Tuesday, May 11, 2021. Chair Ouellette called the meeting to order at 7:00PM. Due to the COVID-19 pandemic, this hybrid meeting was held both virtually and in person.

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

Members Absent: Commission Members Homan and Villella.

Staff Present: Lori Johnson, City Planner
Teresa Barnes, Project Engineer
Pat Robinson, Planning and Economic Development Assistant

APPROVAL OF MINUTES

Motion by Commissioner Olson to approve the minutes of April 13, 2021, as presented. Motion seconded by Commissioner Halpern. A roll call vote was taken. The motion passed 4-0-1 (Chair Ouellette abstained).

OLD BUSINESS

None.

NEW BUSINESS

Item 4.1 – Case File No. 21-0034 – Public Hearing – The applicant is requesting a conditional use permit for the establishment of a new outdoor dining area (backyard park) in a B-2 (Community Commercial) zoning district. THE ROADSIDE (ELEVATE DEVELOPMENT GROUP), 12530 ULYSSES STREET NE.

The report to the planning commission was presented by Lori Johnson, City Planner. The public hearing for Case File 21-0034 was opened at 7:08PM.

Corey Burstad, Elevage Development Group, thanked the Commission for considering his request. He discussed how The Roadside has become a family friendly restaurant for the neighborhood. He commented on how The Roadside has evolved over the years and explained he would like to use the backyard park area for outdoor dining. He described the investment he has made into this business and explained he was working to elevate this restaurant for himself and his patrons. He stated he was willing to talk with the neighbors that had concerns about his business.

Chair Ouellette encouraged Mr. Burstad to speak with the neighbors after the meeting outside the Council Chambers in order to hear their concerns.

Walid Kandil, 12603 Lincoln Street NE, explained he sent an email to the city regarding his concerns. He stated the restaurant was quite loud and visitors use inappropriate language. He reported this restaurant was not safe for his kids. He discussed how his property value had been adversely impacted by this restaurant. He stated he spoke with 20 homeowners and had a petition. He explained this petition was full of signatures of homeowners that object to the noise being generated by the restaurant. He stated he has lived in the neighborhood for the past three years and he also had concerns with the traffic in the area. He indicated restaurant parking was spilling out into the neighborhood in front of his house. He asked that this not be allowed.

Scott Scherer, 12654 Lincoln Street, questioned if The Roadside could have signage to point cars to the overflow parking area in order to keep them out of the neighborhood.

Baquar Khan, 12674 Johnson Street, stated he was also concerned about the traffic from the restaurant that was spilling over into the adjacent neighborhood. He indicated this was a dead end neighborhood and he did not want extra traffic from The Roadside parking on both sides of the street. He reported this was a safety concern for his family.

The public hearing was closed at 7:24PM.

Commissioner Goracke asked if there was a way to have overflow parking addressed by the property owner.

City Planner, Lori Johnson suggested the applicant speak to this issue. She reported the Commission could add a conditional of approval, requiring the applicant to provide directional signage for overflow parking.

Mr. Burstad explained when he remodeled the interior of the restaurant, he took away almost 40 seats and this has been replaced with a walk up counter and smoke house. He commented on how he was proposing to shift these 40 indoor seats to outdoor seating. He described how he was using technology to make his site more efficient. He indicated he has not seen cars parking in the neighborhood and stated he would like to hear more about this. He questioned if the cars on Lincoln Street were from his restaurant or from the ice cream shop.

Commissioner Halpern asked if any additional parking stalls would be added around the outdoor dining area. He questioned what would be done to address the noise concerns.

Mr. Burstad reported he brought in a landscape architect for this project. He commented that a fence may create sight line concerns. He indicated he was currently meeting the City's parking requirements for this property. He was of the opinion that this property had the right balance of parking lot and restaurant space.

Commissioner Olson stated this was a tremendous establishment, and it is busy at times. She anticipated once COVID was over, the parking concerns may increase. She suggested signage be posted on the neighborhood streets to keep restaurant patrons from spilling over onto the streets. She agreed that a fence should not be installed noting this would create sight line concerns. She suggested a fence be considered along the north side of 126th Avenue to offer screening for these residents from the new lights and outdoor activities.

City Planner, Lori Johnson reported staff would not have been comfortable with this request except for the fact 40 indoor seats had been removed in order to accommodate the outdoor dining. She reiterated that the applicant was meeting the city's parking requirements. She stated she could not recall a time where the city has required a property owner to install a fence on someone else's property.

Commissioner Olson supported overflow signage parking being put onsite to assist with directing traffic.

Motion by Commissioner Goracke to recommend approval of Planning Case 21-0034 based on the following conditions:

Case 21-0034:

1. The outdoor dining area is limited to the landscaped area identified on the site plan presented for this application, and there can be no more than 50 seats in the outdoor dining area.
2. The outdoor dining area shall be open no later than 10PM Sunday through Thursday and 11PM Friday and Saturday.
3. All other conditions of Resolution 13-105 to remain in place and unchanged.
4. The applicant be required to install overflow parking directional signs.

Motion seconded by Commissioner Olson. A roll call vote was taken. The motion passed 5-0.

Chair Ouellette noted this would be on the agenda of the June 7, 2021 city council meeting.

Item 4.2 – Case File No. 21-0027 – Public Hearing – The City of Blaine is proposing a code amendment to the industrial zoning districts (I-1, I-1A, I-2, I-2A) to add ground mounted solar as an accessory use with the issuance of a conditional use permit.
CITY OF BLAINE.

The report to the planning commission was presented by Lori Johnson, City Planner. The public hearing for Case File 21-0027 was opened at 7:46PM. As no one wished to appear, the public hearing was closed at 7:47PM.

Motion by Commissioner Olson to recommend approval of Planning Case 21-0027 based on the following conditions:

Case 21-0027:

1. The City and its comprehensive plan have indicated support for alternative energy sources and the code amendment will help achieve this goal.

Motion seconded by Commissioner Goracke. A roll call vote was taken. The motion passed 5-0.

Chair Ouellette noted this would be on the agenda of the June 7, 2021 city council meeting.

Item 4.3 – Case File No. 21-0029 – Public Hearing – The applicant is requesting a conditional use permit for a freestanding solar installation in an I-2A (Heavy Industrial) zoning district.
MEDTRONIC SOLAR PROJECT (TC SOLAR MV LLC), 2880 82ND LANE NE.

The report to the planning commission was presented by Lori Johnson, City Planner. The public hearing for Case File 21-0029 was opened at 7:49PM. As no one wished to appear, the public hearing was closed at 7:50PM.

Motion by Commissioner Halpern to recommend approval of Planning Case 21-0029 based on the following conditions:

Case 21-0029:

1. Site Plan approval and appropriate permits will be required prior to any work being performed on site. A Site Improvement Performance Agreement and financial guarantee will also be required to cover the site improvements on site.
2. Site to be constructed and panels to be installed as shown on the plans submitted for the conditional use permit application.
3. The interior of the array must contain native grasses with a pollinator habitat.
4. Any deviation from the plans as presented will require a conditional use permit amendment.
5. The access road must be maintained at all times of the year to provide Fire Department access to the structures.
6. The project will require a permit from the Rice Creek Watershed District.

Motion seconded by Commissioner Deonauth. A roll call vote was taken. The motion passed 5-0.

Chair Ouellette noted this would be on the agenda of the June 7, 2021 city council meeting.

Item 4.4 – Case File No. 21-0028 – Public Hearing – The applicant is requesting a conditional use permit to construct a 50,150 square foot, two-story medical office building in a PBD (Planned Business District) zoning district.

LEXINGTON MEADOWS MEDICAL OFFICE BUILDING (TERRAIN HOLDINGS, LLC), 4181 108TH AVENUE NE.

The report to the planning commission was presented by Lori Johnson, City Planner. The public hearing for Case File 21-0028 was opened at 7:53PM. As no one wished to appear, the public hearing was closed at 7:54PM.

Motion by Commissioner Olson to recommend approval of Planning Case 21-0028 based on the following conditions:

Case 21-0028:

1. The site and buildings must be constructed in conformance with the plans presented for this conditional use permit. The site and building must meet the requirements of the zoning ordinance.
2. Administrative site plan approval is required prior to any work being performed on site. Site plan approval will not be granted until the City receives a signed site improvement performance agreement and the associated financial guarantee.
3. A final plat must be approved by the City Council and the mylars released for recording prior to issuance of any building permits.
4. Rice Creek Watershed District permit is required prior to any work being performed on site.

5. A lighting plan must be presented that indicates that the site will be meeting lighting ordinance requirements. All exterior fixtures must be downlit and shielded to prevent glare or spill. All light poles are limited to 20 feet in overall height.
6. All signage is issued under a separate permit.
7. It is unclear how trash will be handled on site and this information must be presented during the site plan approval process. If trash and recycling is going to be handled on the exterior of the building, an enclosure for the bins must be constructed with materials that match those on the building.
8. There is one location on the plan where the 10 foot side yard parking setback is not met, and the site plan must be changed to meet this requirement. This is on the western property line adjacent to the parking stalls. The parking setback shown is 8.2 feet, and this setback needs to be 10 feet. This change can be handled through site plan approval.
9. The landscape plan that has been submitted does not meet the ordinance requirements of the PBD and Highway 65 Overlay Sections. The landscape plan only takes into consideration one story of the building, therefore the following landscaping is required on the plans:

Overstory Trees:	38
Conifer Trees:	38
Ornamental Trees:	38
10. At least 25% of the total number of trees provided must be oversized, with overstory trees being at least 3-inch caliper, conifer trees being 8 feet in height, and ornamental trees being 2 ½-inch caliper. Location of the proposed landscaping will have to take into account the location of the existing overhead power lines, and if placed along 109th Ave NE, may require Anoka County approval.

Motion seconded by Commissioner Goracke. A roll call vote was taken. The motion passed 5-0.

Chair Ouellette noted this would be on the agenda of the June 7, 2021 city council meeting.

Item 4.5 – Case File No. 21-0031 – Public Hearing – The applicant is requesting approval of the following:

- a.) Comprehensive land use plan and text amendment from PI/PC (Planned Industrial/Planned Commercial) to HDR-2 (High Density Residential).
 - b.) Rezoning from PBD (Planned Business District) to DF (Development Flex).
 - c.) Conditional use permit for the construction of a 182-unit, four-story apartment building a DF (Development Flex) zoning district.
- LEXINGTON MEADOWS APARTMENTS (ROERS COMPANIES), 10717 AUSTIN STREET NE.

The report to the planning commission was presented by Lori Johnson, City Planner. The public hearing for Case File 21-0031 was opened at 8:02M. As no one wished to appear, the public hearing was closed at 8:03PM.

Chair Ouellette stated he liked this location better and supported the project moving forward.

Motion by Commissioner Goracke to recommend approval of Planning Case 21-0031A a comprehensive plan and text amendment to change the land use of the property from PI/PC (Planned Industrial/Planned Commercial) to HDR-2 (High Density Residential) and to establish a new land use category of HDR-2 (High Density Residential) that allows up to 60 units per acre, based on the following rationale:

Case 21-0031A:

1. The proposed land use and text amendment meets the goals of the land use chapter of the comprehensive plan by maintaining flexibility in land use districts to respond to market conditions regarding the mix of industrial, commercial, and high density residential uses in key locations, and encouraging density through appropriately designed and located apartments.
2. The proposed land use and text amendment meets the goals of the housing chapter of the comprehensive plan by providing housing opportunities which meet the needs of all generations and income levels, and supporting the development of well-designed and appropriately located multifamily housing projects that meet the needs of the population today.

Motion by Commissioner Goracke to recommend approval of Planning Case 21-0031B a rezoning from PBD (Planned Business District) to DF (Development Flex) based on the following conditions:

Case 21-0031B:

1. The DF (Development Flex) zoning district is a widely used zoning district for new apartment developments in Blaine and it provides the City and the developer flexibility to create the best product and site plan for the community.
2. The DF zoning allows the City the opportunity to apply standards consistent with recent master planned developments. The standards will create an attractive benchmark for quality homes with a variety of housing products.

Motion by Commissioner Goracke to recommend approval of Planning Case 21-0031C a conditional use permit to allow for the construction of a 182-unit, four story apartment building in a DF (Development Flex) zoning district based on the following conditions:

Case 21-0031C:

1. This site needs to meet the Highway 65 Overlay District requirements for exterior materials and the plans submitted for this proposal meet this requirement.
2. The landscaping must also meet the Highway 65 Overlay District requirements because a conditional use permit is required. The landscaping required for this project includes 32 overstory trees, 32 conifer trees and 32 ornamental trees. The plan that has been presented does not meet these requirements as well as the oversizing requirements of the Highway 65 Overlay District. At least 25% of the trees on site are required to be oversized. Overstory trees must be oversized to 3-inch caliper, conifer trees must be oversized to 8 feet in height and ornamental trees must be oversized to 2 1/2-inch caliper. Because the size of the site is small and landscaped area is limited, it is suggested that rather than installing more trees to meet the normal landscaping requirements listed above, more than 25% of the trees be oversized. Staff will give a 2 to 1 credit for all trees oversized beyond the 25% requirement.

3. All lighting needs to be downlit and shielded to prevent glare or spill. Pole mounted lighting is limited to 20-feet in height.
4. SAC and WAC payments will also become due prior to the issuance of building permits.
5. The applicant will need to obtain a Rice Creek Watershed District permit prior to city approval of construction plans and specifications.
6. Developer of Lexington Meadows to install traffic signal at the intersection of Austin Street and 109th Avenue prior to building receiving a Certificate of Occupancy.
7. This building will need to be licensed under the City's annual Rental License Program.
8. All signage is issued under a separate permit.
9. The applicant will need to obtain administrative site plan approval that will include the submittal of a Site Improvement Performance Agreement and the associated financial guarantee.
10. Final plat approval will be required prior to issuance of a building permit.
11. A shared access agreement must be provided due to the shared access associated with the north driveway to the site. This agreement must be submitted prior to issuance of site plan approval.
12. The development of this site must be consistent with the plans submitted for the conditional use permit and with the resolution of approval of the conditional use permit.
13. This conditional use permit approval is contingent upon the approval of a comprehensive plan and text amendment by the Metropolitan Council from PI/PC (Planned Industrial/Planned Commercial) to HDR-2 (High Density Residential).

Motion seconded by Commissioner Olson. A roll call vote was taken. The motion passed 5-0.

Chair Ouellette noted this would be on the agenda of the June 7, 2021 city council meeting.

ADJOURNMENT

Motion by Commissioner Deonauth to adjourn the regular planning commission meeting. Motion seconded by Commissioner Halpern. A roll call vote was taken. The motion passed 5-0. Adjournment time was 8:06PM.

Respectfully submitted,

Heidi Guenther
Minute Maker Secretarial