

**UNAPPROVED
CITY OF BLAINE
PLANNING COMMISSION MEETING MINUTES
September 14, 2021**

The Blaine planning commission met in the City Hall Chambers on Tuesday, September 14, 2021. Chair Ouellette called the meeting to order at 7:00PM.

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

Members Absent: Commission Members: Deonauth and Homan.

Staff Present: Shawn Kaye, Associate Planner
Teresa Barnes, Project Engineer

APPROVAL OF MINUTES

Motion by Commissioner Halpern to approve the minutes of August 10, 2021, as presented. Motion seconded by Commissioner Goracke. The motion passed 3-0-2 (Commissioners Olson and Villella abstained).

OLD BUSINESS

None.

NEW BUSINESS

Item 4.1 – Case File No. 21-0060 – Public Hearing – The applicant is requesting a conditional use permit to allow for the construction of a dynamic sign in an R-1 (Single Family) zoning district.
CHRIST LUTHERAN CHURCH (THINK DIGITAL SIGNS), 641 89TH AVENUE NE.

The report to the planning commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 21-0060 was opened at 7:05PM.

Deb Body, representative from Christ Lutheran Church, commented further on the sign request. She explained she had discussed the digital sign with several of the neighbors.

The public hearing was closed at 7:06PM.

Motion by Commissioner Villella to recommend approval of Planning Case 21-0060 based on the following conditions:

Case 21-0060:

1. Construction of the sign shall not occur until a sign permit has been paid for and issued.
2. A minimum display time of four seconds for each message within the frame of the sign is required.
3. The display must include and utilize an automatic dimming mechanism that allows the display to adjust the brightness to accommodate a brighter light intensity during daylight and dimmer light intensity after dusk.

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

Chair Ouellette noted this would be on the agenda of the October 4, 2021 city council meeting.

Item 4.2 – Case File No. 21-0026 – Public Hearing – The applicant is requesting the following:

1. Rezoning from PBD (Planned Business District) to I-1 (Light Industrial) for the land being proposed to be added to the parcels with existing buildings on Lots 1 and Block 1.
2. Preliminary plat approval to subdivide 46.26 acres into four (4) lots and one (1) outlot to be known as The Blaine Back 40.
THE BLAINE BACK 40 (AEROJET LLC), 104TH LANE & FLANDERS STREET NE.

The report to the planning commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 21-0026 was opened at 7:10PM.

John Ryan, 2868 108 Lane NE, explained he owns property adjoining to the proposed project. He asked if there would be a lot of lighting or noise to the rear of the property. He indicated he would like to see a berm or buffer on the north side of the proposed property.

Associate Planner, Shawn Kaye reported city ordinance would require all lighting to be down lit and shielded. She commented the northern portion of the property was mostly wetland. Staff estimated the building pad was 120 feet from the property line.

Mr. Ryan questioned when construction would begin on this property.

Associate Planner, Shawn Kaye anticipated construction would begin this fall or possibly next spring.

Mr. Ryan inquired what type of manufacturing would occur on this property.

Associate Planner, Shawn Kaye stated the applicant does know any uses at this time and all work would have to be conducted inside the building.

The public hearing was closed at 7:15PM.

Commissioner Halpern questioned what type of tenants would be located in this building.

Associate Planner, Shawn Kaye deferred this question to the applicant.

Dave Erickson, Aerojet representative, explained he has owned this property for 10 years and was looking to put a road in per the map with two additional buildings. He indicated he was uncertain that the buildings would be used by Aerofab or Aerojet. He anticipated the buildings would be on a build to suit or build to lease basis given the fact there was a growing need for manufacturing space in the north metro.

Motion by Commissioner Goracke to recommend approval of Planning Case 21-0026A a rezoning from PBD (Planned Office District) to I-1 (Light Industrial) for the land being proposed to be added to the parcels with existing buildings on Lots 1 and 2 Block 1 based on the following rationale:

Case 21-0026A:

1. The zoning change for the parcels is consistent with the existing zoning of the parcels to the immediate south.
2. The rezoning to I-1 would allow the applicant to add onto existing manufacturing/warehouse buildings which allows efficient development on a site that has many challenges and constraints due to wetlands.

Motion by Commissioner Goracke to recommend approval of Planning Case 21-0026B a preliminary plat to subdivide 46.26 acres into four (4) lots and one (1) outlot to be known as The Blaine Back 40 based on the following conditions:

Case 21-0026B:

1. Applicant to submit a copy of Rice Creek Watershed permit to the City prior to any site work.
2. Park dedication will be due with the platting of Lots 1 and 2 Block 1 for that portion of the lots that has not paid park dedication in the past with the development of the existing buildings. The two new lots (Lot 3 Block 1 and Lot 1 Block 2) will be required to pay park dedication for the developable area on each parcel. The 2021 park dedication rate for industrial development is \$6,702/acre for a total due of \$54,554 (for 8.14 developed acres). Calculation for acreage to include all upland areas including areas to be used for drainage ponds. This fee will need to be paid at the rate in effect at the time of the final plat, prior to release of final plat mylars for recording at Anoka County.
3. Site plan approval per lot as each develops. Review of the proposed site plan will occur during the site plan approval process and building permit approval. This would include meeting fire access and parking requirements.
4. Developer must submit a grading plan for City approval prior to work being performed on site. Tree preservation details, erosion control details, protection of existing wetlands, and lowest floor elevations to protect from flooding must be included on the grading plan.

5. Trunk sanitary sewer in the amount of \$6,863.00 per acre District 6 will become due with platting at the 2021 rate of \$57,238.
6. Internal utility and street improvements will be the developer's responsibility. Plans and specifications require city approval before construction can begin.
7. An as-built survey will be required for each structure to verify lowest opening elevation is two feet above 100-year flood elevation.
8. Standard utility and drainage easements must be dedicated along all lot lines, over delineated wetlands, and storm water treatment and detention basins.
9. Street name shall be Flanders Street NE to be consistent with Anoka County grid system and the plat to the north.
10. A National Pollutant Discharge Elimination System (NPDES) permit is required from the Minnesota Pollution Control Agency (MPCA) when over five acres are graded.
11. Wetland setback / buffer requirement will be required to be met or a variance received from Rice Creek Watershed District.
12. Execution and recording of a development agreement outlining the items mentioned above in greater detail including tree preservation, park dedication, financial guarantees, etc.
13. 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 The Blaine Back 40.

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

Chair Ouellette noted this would be on the agenda of the October 4, 2021 city council meeting.

Item 4.3 – Case File No. 21-0061 – Public Hearing – The applicant is requesting the following:

1. Rezoning from FR (Farm Residential) to DF (Development Flex).

2. Preliminary plat to subdivide approximately 111 acres into 272 single-family lots, one (1) lot for an existing home, and seven (7) outlots to be known as Lexington Waters.
 3. Conditional use permit to allow for the construction of 272 single-family homes in a DF (Development Flex) zoning district.
- LEXINGTON WATERS (SOTARRA), 13000 BLOCK LEXINGTON AVENUE NE.

The report to the planning commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 21-0061 was opened at 7:27PM.

Jeff Dopseth explained he was a representative for the Elwell property, which abuts the subject property. He noted he was not opposed to the project, but asked that there be consideration for future expansions to the north. He asked that the city consider allowing the cul-de-sac to abut up to the property by Lots 21 and 22 with proper easements and access for expansion to the north. He reported he would also like the agricultural practices to the north to be protected.

Ken Anderson, 13076 Jewell Circle NE, stated he lived directly south of the proposed development. He indicated he reached out to planning staff in August with the interest in acquiring some of this property and learned that this development was already underway. He explained he appreciated the investment the developer was making in the community in a responsible way. He commented if construction traffic would only utilize Lever Street.

Project Engineer, Teresa Barnes reported construction access would be from Lever Street along with a new access point at the intersection of Lexington Avenue and 131st.

Mr. Anderson questioned if there were limited hours for the construction traffic.

Project Engineer, Teresa Barnes commented construction could only occur between 7:00 a.m. and 9:00 p.m.

Mr. Anderson requested the applicant and the developer maintain a minimum of a 10 foot buffer along Lots 13 through 19 in Block 11 on the far southeast corner of the development. He recommended this be made as a condition for approval. He suggested this portion of land be made part of the tree preservation area. He stated he understood the dead or diseased trees would be removed, as well as any noxious weeds. He noted he was concerned that the roots in this area would be

impacted and hoped that the developer could work to save the trees within this buffer area.

The public hearing was closed at 7:38PM.

Ben Schmidt, Sotarra Development representative, introduced himself to the Commission. He responded to the concerns expressed by Mr. Anderson and explained he would find a way to get a 10 foot buffer in place as requested. He commented further on the phasing plan for this project.

Commissioner Olson asked if a builder had been assigned to this development.

Mr. Schmidt stated he had been in communications with D.R. Horton, but nothing was finalized.

Motion by Commissioner Olson to recommend approval of Planning Case 21-0061A a rezoning from FR (Farm Residential) to DF (Development Flex) based on the following conditions:

Case 21-0061A:

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. The standards will create an attractive benchmark of quality homes with desired range in appearance, style, density, construction value and market appeal.
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 21-0061B a preliminary plat to subdivide approximately 111 acres into 272 single-family lots, one (1) lot for an existing home, and seven (7) outlots to be known as Lexington Waters based on the following conditions:

Case 21-0061B:

1. The developer has the responsibility to construct Lexington 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 the 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. 131st Avenue will require a 70-foot dedication of right-of-way and shall be constructed to state aid standards.
4. All streets will follow the Anoka County street name grid system.
5. Plans and specifications must be approved by the City prior to the start of construction.
6. Street and utility extensions are required to the edge of the plat for each future connection to the adjacent parcels. Watermain will be required to extend to the west side of Lexington Avenue right-of-way on the 131st Avenue alignment.
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. Sidewalks are required on all streets and a sidewalk and trail are both required on 131st Avenue. The two trails proposed on the east side of the plat that connect to the trail on city open space property will be required to be constructed by the developer.

11. 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.
12. The grading plan shall provide greater detail on protecting existing trees and providing additional information on adjacent property. Required storm water detention basins shall not be oversized for sand excavation, so that additional areas of trees can be saved. Storm pipes shall not be routed through tree preservation areas.
13. The developer shall be responsible for assessments for trunk sanitary sewer, trunk water main, and street improvements for Lever Street Improvements, City Project No. 17-07.
14. Trunk Sanitary Sewer area charges become due with platting for upland acreage. The 2021 rate of \$6,747/acre for Sanitary Sewer District 7 will apply to all upland acreage if platted in 2021.
15. The development plan shall indicate all structures will be protected from flooding.
16. A 20-foot buffer strip shall be considered adjacent to wetland edges and shall be placed in an easement.
17. Coon Creek Watershed District permit is required prior to city approval of construction plans and specifications.
18. 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.
19. As-built surveys shall be required to verify structure elevations, custom grading requirements, and final lot grading elevations.

20. Park dedication is required for this plat for each of the new lots created. If platted in 2021 the rate would be \$4,449 per lot (272 lots), or \$1,210,128. A 1.82-acre park will be created on Outlot B of the plat, and the developer will receive a credit for the value of the park land that the City intends to purchase. The value of the park land (Outlot B) is calculated to be \$144,996 (established from applicant documentation). This payment must be made prior to release of final plat mylars for recording at Anoka County. Future phases will pay park dedication at the park rate in effect of platting.
21. Developer to require homeowner's associations to be responsible for maintenance and upkeep of landscape improvements along and within the right-of-way.
22. Developer to install grouped mailboxes with design and locations approved by the City and US Postal Service.
23. Developer shall explore water source for landscape irrigation systems installed throughout the development, including the possible use of created ponds or storm water reuse.
24. 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.
25. All development signage by separate review.
26. All existing structure removals will require demolition permits. All wells and septic systems to be properly abandoned per all local and state requirements.
27. The existing home on Lot 19 Block 5 is required to connect to city water and sewer with the development of Lexington Waters, and to remove the existing driveway onto Lexington Avenue. The existing home will be required to construct a new driveway to proposed Street F on the preliminary plat.
28. The required landscaping consists of one front yard tree, one rear yard tree, and a third tree on all corner lots. The required two trees per lot, plus a third tree on corner lots, and additional landscaping planted along Lexington Avenue will meet the tree replacement requirement for the plat. The developer proposes to plant 629 trees.

29. Execution and recording of a Development Agreement, which sets forth in detail the plat conditions as well as other responsibilities for the development of this plat.
30. The developer to provide a 10 foot tree preservation buffer along Lots 13 through 19 in Block 11.

Motion by Commissioner Olson to recommend approval of Planning Case 21-0061C a conditional use permit to allow for construction of 272 single family homes based on the following conditions:

Case 21-0061C:

Single Family - DF Development Standards - 65 foot wide lots (104), 55-foot wide lots (76), and existing home on Preliminary Plat Lot 19 Block 5.

Permitted Uses

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

Accessory Uses

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

Conditional Uses

1. Home occupations listed as Conditional Uses fewer than 33.10.

Standards

1. Front yard setback - 25 feet
2. Side yard setback - 7.5 feet for house and 7.5 feet for garage
3. Corner side yard setback - 20 feet

4. Rear yard setback - 30 feet
5. Rear yard setback (Lexington Avenue)- 50 feet
6. Maximum building height - 2 1/2 stories or 35 feet
7. 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.
8. The minimum finished floor area above grade for all homes shall be:
 - 1,600 square feet for 65-foot wide lots
 - 1,200 square feet for 55-foot wide lots
9. All homes shall have a minimum depth and width of 24 feet.
10. 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.
11. All residential dwellings must be built in conformance with the current edition of the Minnesota State Building Code.
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). 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 rear yard tree with a minimum of 2½-inch caliper. Corner lots shall each have one additional front yard tree.
15. A 6-foot maintenance free fence will be required to be constructed on the west side of the lots on Lexington Avenue to enhance the landscape screening along this roadway.
16. All homes within 500 feet of Lexington Avenue NE, to incorporate the Noise Abatement Standards with central air conditioning to mitigate noise impacts.
17. Developer to execute and record, if deemed appropriate by the City Engineer, an affidavit with the sale of each single family lot 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. All development entrance signage by separate permit.

Single Family-Detached Townhomes-50 foot wide lots and 60 foot wide lots -DF Development Standards (92 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

1. 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.
2. Minimum floor area above grade for detached townhomes must be 1,500 square feet.
3. 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.
4. All units to be placed according to the following minimum building setbacks:
 - 25-foot front yard setback for houses and garages
 - 5-foot side yard setback for garages
 - 5-foot side yard setback for houses
 - 25-foot rear yard setback for houses and garages
 - 20-foot corner side yard setback for houses and garages
5. All garages to be minimum of 400 square feet with no dimension less than 20 feet. Maximum garage area limited to not more than 1,000 square feet.
6. No detached accessory structures except for those associated with or required for operation and maintenance of swimming pools.
7. Each lot shall contain one front yard tree and one rear yard tree with a minimum of 2 ½-inch caliper. Corner lots shall each have one additional front yard tree.

8. All lots shall have underground irrigation.
9. All entrance monument signage to be approved by a separate permit.
10. The landscape plan must detail any landscaping associated with entrance monument signage.
11. Developer to execute and record, if deemed appropriate by the City Engineer, an affidavit with the sale of each single family lot 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.
12. 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.

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

Chair Ouellette noted this would be on the agenda of the September 20, 2021 and October 4, 2021 city council meetings.

ADJOURNMENT

Motion by Commissioner Goracke to adjourn the regular planning commission meeting. Motion seconded by Commissioner Villella. The motion passed 5-0. Adjournment time was 7:47PM.

Respectfully submitted,

Heidi Guenther
Minute Maker Secretarial