



City of Blaine Anoka County, Minnesota

Blaine City Hall
10801 Town Sq Dr NE
Blaine MN 55449

Legislation Details (With Text)

File #: ORD 18-2413 **Version:** 4 **Name:** Hy-Vee Rezoning - 2nd Reading
Type: Ordinance **Status:** Passed
File created: 10/18/2018 **In control:** City Council
On agenda: 10/4/2018 **Final action:** 10/18/2018
Title: SECOND READING

GRANTING A REZONING FROM B-2 (COMMUNITY COMMERCIAL), FR (FARM RESIDENTIAL) AND DF (DEVELOPMENT FLEX) TO PBD (PLANNED BUSINESS DISTRICT) FOR 39.24 ACRES AT 125TH AVENUE/JEFFERSON STREET NE. HY-VEE. (CASE FILE NO. 18-0049/LSJ)

Sponsors: Bryan Schafer

Indexes:

Code sections:

Attachments: 1. Attachments CC 101818

Date	Ver.	Action By	Action	Result
10/18/2018	4	City Council	Adopted	Pass
10/4/2018	3	City Council	Tabled	
9/20/2018	2	City Council	Introduced, Read, and Placed on File for Second Reading	
9/11/2018	1	Planning Commission	Recommended for Approval	Pass

DEVELOPMENT BUSINESS - *Lori Johnson, Associate Planner*

SECOND READING

GRANTING A REZONING FROM B-2 (COMMUNITY COMMERCIAL), FR (FARM RESIDENTIAL) AND DF (DEVELOPMENT FLEX) TO PBD (PLANNED BUSINESS DISTRICT) FOR 39.24 ACRES AT 125TH AVENUE/JEFFERSON STREET NE. HY-VEE. (CASE FILE NO. 18-0049/LSJ)

Planning Commission (Public Hearing)	09/11/2018
City Council (1 st Reading Rezone)	09/20/2018
City Council (2 nd Reading Rezone, Plat, CUP) Tabled	10/04/2018
City Council (2 nd Reading Rezone, Plat, CUP)	10/18/2018
Action Deadline	10/21/2018

The Planning Commission voted 4-1 to approve the rezoning, preliminary plat and conditional use permit at the September 11, 2018 meeting. The neighborhood concerns presented at the neighborhood meeting on August 27th were echoed (see below) at the public hearing. The

neighborhood presented a petition (attached) that requested Jefferson Street not be extended to the north. The Planning Commission also made several additional recommendations on the project, some of which are code requirements or in some cases beyond the scope of the applicant.

Those additional recommendations include:

- No signage on the south side of the building and no lighted signage on the west side of the building.
- All lighting shall be downlit.
- The City Council shall review potential stop sign locations on 121st Avenue.
- The street adjacent to the school should be designated as a school zone.
- There should be a sidewalk placed on the east side of Jefferson so kids can better access the school.
- There should be no parking signs posted on one side of 121st Avenue.
- Driver feedback (travel speed) signs shall be placed along 121st Avenue.

The City has been presented with development applications for a Hy-Vee store and convenience/gas store and car wash on the southwest corner of Jefferson Street NE and 125th Avenue. In May 2018, the City Council approved a land use amendment for the vacant 40 acres on this corner that resulted in a land use for the property of HDR/PC (High Density Residential/Planned Commercial). This land use change occurred earlier than the current applications due to the timing of the City's 2040 Comprehensive Plan process with the Metropolitan Council. At this time, the applicant needs to obtain a rezoning of the property, a preliminary plat to subdivide the property and a conditional use permit to set up standards of development.

Hy-Vee held a neighborhood meeting for the surrounding neighborhood to learn about the project at City Hall on August 27, 2018. The primary issues raised by the group attending the meeting concerned the extension of Jefferson Street and connection with 121st Ave, rising traffic levels, on-street parking issues with Happy Acres Park, access and interaction with school traffic, sidewalk locations and landscape/buffer treatments at the rear of the grocery store.

Rezoning

The approximately 40 acre property on which the development will occur has three different zoning designations at this time. The northeast corner (approximately 5.5 acres) of the property has a B-2 (Community Commercial) zoning designation. The area immediately west of that corner is zoned DF (Development Flex) and the southern half of the property is zoned FR (Farm Residential). The proposed zoning, to provide consistency over the entire 40 acres, is PBD (Planned Business District). The PBD allows gas station/ convenience store with car

wash, grocery store, liquor store and general retail with approvals of a conditional use permit. The PBD zoning would also accommodate the other potential uses that could occur on the 40 acre site in the future such as office or higher density residential. The site has the land use designation of HDR/PC. The PBD zoning is the correct zoning to implement the proposed land uses and conditional use permits that are requested.

Preliminary Plat

The preliminary plat consists of two lots and three outlots. The gas/convenience store/car wash would be located on Lot 1 of the plat. Lot 1 is 4.27 acres. The parcel on which the Hy-Vee grocery store would be located would be platted as Lot 2. Lot 2 is 12.93 acres. Outlot A will be used for storm draining purposes. Outlots B and C will be used for future development.

Park dedication will need to be paid on the two lots being platted at this time. The 2018 park dedication rate for commercial property is \$8,704 per acre. The total acreage for Lots 1 and 2 is 17.2 acres so the total fee would be \$149,709. This fee must be paid prior to release of the final plat mylars by the City for recording purposes at Anoka County. Park dedication will be required on the outlots when they are re-platted and developed in the future. If the property is final platted in 2019, the park dedication rate could possibly increase.

The development is proposing to realign the existing ditch. This will require review and permit from the Coon Creek Watershed District. The ditch realignment will require the new ditch alignment to be placed in a platted drainage and utility easement.

The existing 124th Lane in the Crescent Ponds addition will need to be properly abandoned and realigned, along with the walk extension into the proposed plat. The walk extension and connection will need to be incorporated into the first phase of site work. The development will also be responsible to complete a water main loop with the connection from the stubbed water main on Jefferson Street (north end of Crescent Ponds) to the intersection of 125th Lane and Jefferson.

Jefferson Street will be extended southward through the plat and connect through to 121st Avenue establishing the planned transportation link between University Avenue and 125th Avenue. This extension has been part of the City's master plan for this area for since the Crescent Ponds neighborhoods were initially conceived.

The City required the developer to perform an independent traffic study to analyze the traffic volumes that exist in the area and the increases that would be generated by the proposed development as well as the connection of Jefferson Street to the south to determine:

- what types of lane or system improvements would need to be made at Jefferson and 125th.
- what type of access would be allowed by Anoka County on 125th (west of Jefferson).
- how the new development and extension of Jefferson would work with their proposed

private driveway locations.

- how Anoka Hennepin Schools might modify their operations and on-site circulation to solve parent drop-off and pick-up issues.
- how the extension and expected volumes would impact the balance of the street system to the south and in the crescent Ponds neighborhood.

The executive summary of that traffic analysis is attached to this item.

Conditional Use Permit

All uses within the PBD (Planned Business District) are considered conditional uses. In addition, the light pole heights being proposed exceed 20 feet, which also requires a conditional use permit. The conditional use permit being issued will include both Lot 1 and Lot 2 of the plat since the uses are related.

Before a discussion on the proposed uses on the two platted lots, it should be noted that the concept plan shown on the preliminary plat for Outlots B and C includes a high density residential project and a multi-tenant retail building. These uses are completely conceptual at this time so those outlots would need to be re-platted and a conditional use permit would need to be issued for those developments to occur. The developer has had discussions with a senior housing provider and that is why the high density residential building is being shown. Both the future housing and the retail would be consistent with the adopted Comprehensive Plan and PBD zoning.

The proposed Hy-Vee grocery store is 84,997 square feet and will be situated towards the southeast end of the site. The store will contain groceries, a liquor store, a restaurant (Market Grill) with outdoor dining, as well as a pharmacy, clinic, Starbucks and postal service. The grocery component will be a 24-hour store.

The convenience store/gas station and car wash on the northeast side of the site is 10,500 square feet. There is a proposed drive-through on the southeast side of this building for a possible coffee shop. It is possible that there would be outdoor dining (patio) associated with the coffee shop as well. The gas facility would have 8 pumps islands on the north side of the convenience store and the car wash has four separate bays.

There are 529 parking stalls for the grocery component on Lot 2 and 462 stalls are required after calculating the parking needs based on the square footage of all uses within the building and the outdoor dining. Therefore, ordinance requirements are met for parking on Lot 2.

There are 53 parking stalls on Lot 1 and 71 stalls are required after calculating the parking needs based on the square footage of the convenience store/coffee shop. Therefore, ordinance requirements are met for parking on Lot 1.

Given the proximity of the site to the residential area to the south, the rear of the store has a 227-foot setback to the property line. Within this setback, a 12-foot high (this was increased from 6-feet after the neighborhood meeting) earth berm is being provided that will include extensive landscaping and a six-foot high solid vinyl maintenance free (vinyl) fence. Included in your packet are drawings and perspectives that depict how the store will appear from the residential area to the south. *(Please note, at the Planning Commission and after subsequent discussions with staff, Hy-Vee would like to construct an 18-foot berm with landscaping on top of the berm. They do not have a drawing of this at this time so the condition attached to the Conditional Use Permit resolution states either a 12-foot berm with 6-foot fence and landscaping must be provided or an 18-foot berm with landscaping on top of the berm must be provided.)*

An additional fence section (about 340-feet in length) will be recommended to run along the west side of the grocery store between the access drive and large pond area. The purpose of this extension is to provide a solid barrier to block headlights from cars and trucks (for the benefit of the homes across the ponds) that are circulating or parking on the west side of the store. This would be a continuation of the six-foot solid vinyl fence. *(Again, at the Planning Commission and after subsequent discussions with the staff, Hy-Vee would like to use a berm with landscaping in this area to provide the same opaqueness of the fence due to maintenance concerns. Staff is amenable to either a fence or a berm with landscaping in this area, provided it can physically be provided.)*

The City Council would like to see each PBD site and conditional use permit to include the standards of the Highway 65 Overlay District as that district has increased standards for landscaping and exterior materials. These two lots will need to meet these requirements.

The landscape plan that has been submitted does not meet the required number of plantings as required by ordinance, including the Highway 65 Overlay requirements times the amount of required trees). The following number of trees are required over Lots 1 and 2:

- Overstory Trees - 92
- Conifer Trees - 92
- Ornamental Trees - 79

The landscape plan will need to be adjusted to show that 25% of the landscaping materials are oversized according to the Highway 65 Overlay District requirements. Overstory trees must be oversized to 3 inch caliper and conifer trees must be oversized to 8 feet in height. Oversizing is not recommended for ornamental trees. The landscape plan must be revised during as part of the site plan approval process. The plans must also state that underground irrigation will be provided on site.

Signage will be issued under a separate permit for the site. *(Staff is recommending that no*

signage be allowed on the south side of the site or building, and that any signage on the west elevations of the grocery store cannot use lighting.)

The proposed light standards within the main parking area are 33 feet in height which are allowed through the conditional use permit. This height is typical for this site as other commercial sites of this nature have similar heights for their light standards. *(Staff is recommending that no lighting, other than security lighting on the building, is provided on the south side of the grocery store lot.)*

The building elevations need to meet the Highway 65 Overlay District requirements in terms of materials used on the building. Brick, EIFS and glass are used on all buildings and these are acceptable materials according to the Zoning Ordinance. In addition, the gas pumps have masonry on the canopy poles to meet the same requirements as other recently approved gas canopies in Blaine.

There shall be no outdoor storage or display of product at any time on site, and this includes the areas on the sidewalk in front of the building. *(This is also a requirement of the Zoning Ordinance.)* Carts shall not be stored outside at any time other than in the cart corrals provided in the parking lot.

Some large retailers sometimes have operational issues relating to using semi-trailers for temporary product storage and use of local streets by delivery trucks. All of these practices are inconsistent with city code and policy and are addressed in the recommended CUP conditions.

A shared access agreement will need to be put into place as the two lots will share parking and accesses with the future outlots. This will be required with future development.

A concrete sidewalk has been placed on the west side of Jefferson Street and interior sidewalks are located on the south edge of Lot 1 and immediately adjacent to the grocery store. The sidewalk that is on the south side of Lot 1 continues to the west to serve any potential residential project that may be presented. Also of note is the trail connection to the neighborhood on the west side of Outlot B, behind the potential residential project. This trail will connect to 124th Lane giving residents the ability to get to the store via a pedestrian walkway.

The store parking lot next to the future multi-family should take into account the possible south driveway location and remove 4-6 stalls and place a landscape island at that location to remove the conflict between the apartment drivers and cars backing from the grocery stalls.

By motion, approve the Ordinance.

Zoning and Location Map
Preliminary Plat
Site Plan
Grading, Drainage and Erosion Control Plan
Utility Plan
Landscape Plan
Store Floor Plan
Exterior Elevations
Convenience Store Elections and Floor Plan
Illustrative Plan
West Section Elevation
Existing Home Perspective A
Existing Home Perspective B
Traffic Analysis Summary
Resident Comments
Additional Comments for Public Hearing
Petition

THE CITY OF BLAINE DOES ORDAIN: (Added portions are underscored and deleted portions are shown in brackets with overstrike.)

Section 1. The Official Zoning Map of the Zoning Code of the Municipal Code of the City of Blaine is hereby amended to change the zoning classification of the following described property:

The Northeast Quarter of the Northwest Quarter of Section 7, Township 31, Range 23, Anoka County.

Except for the land described as follows:

The South 640.0 feet of the North 715.0 feet of the East 40.0 feet of the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 7, Township 31, Range 23 according to the map or plat thereof on file and of record in the office of the County Recorder in and for Anoka County, Minnesota. Together with the right of access, being the right of ingress to and egress from the Northeast Quarter of the Northwest Quarter of Section 7, Township 31, Ranger 23, Anoka County, Minnesota to State Trunk Highway No. 242 (Main Street), except between points distant 811 and 841 feet Westerly of the East line of said Quarter Quarter. The distances being measured along the Southerly right of way line of said highway. Anoka County MN

Section 2. The above described property is hereby rezoned from:
[~~B-2 (Community Commercial)~~, ~~FR (Farm Residential & DF (Development Flex))~~]

to

PBD (Planned Business District)

Section 3. The City Manager is hereby directed to make the appropriate changes in the Official Zoning Map of the City of Blaine to reflect and show the changes in zoning classification as set forth above.

INTRODUCED and read in full this 20th day of September, 2018.

PASSED by the City Council of the City of Blaine this 18th day of October, 2018.