



# City of Blaine Anoka County, Minnesota

Blaine City Hall  
10801 Town Sq Dr NE  
Blaine MN 55449

## Legislation Details (With Text)

**File #:** ORD 21-2472 **Version:** 3 **Name:** Rezoning 2nd Reading - Blaine Square 2nd (21-0023)  
**Type:** Ordinance **Status:** Passed  
**File created:** 5/17/2021 **In control:** City Council  
**On agenda:** 5/3/2021 **Final action:** 5/17/2021  
**Title:** Second Reading

Granting a Rezoning from B-3 (Regional Commercial to DF (Development Flex) for 4.07 Acres at 12403 and 12417 Ulysses Street NE. Blaine Square LLC (Case File No. 21-0023/SLK)

**Sponsors:** Lori Johnson

**Indexes:**

**Code sections:**

**Attachments:** 1. Attachments, 2. PC Draft Minutes 041321

Date	Ver.	Action By	Action	Result
5/17/2021	3	City Council	Adopted	Pass
5/3/2021	2	City Council	Introduced, Read, and Placed on File for Second Reading	
4/13/2021	1	Planning Commission	Forwarded with no Recommendation	Pass

**Development Business** - *Lori Johnson, City Planner*

**Title**

### Second Reading

**Granting a Rezoning from B-3 (Regional Commercial to DF (Development Flex) for 4.07 Acres at 12403 and 12417 Ulysses Street NE. Blaine Square LLC (Case File No. 21-0023/SLK)**

### Executive Summary

The applicant is requesting a rezoning from B-3 (Regional Commercial) to DF (Development Flex) for a five lot commercial development with zero lot line parking and shared access.

### Schedule of Actions

Planning Commission (Public Hearing)	04/13/21
City Council (1st Reading)	05/03/21
City Council (2nd Reading)	05/17/21
Action Deadline	07/05/21

### Background

*Staff report prepared by Shawn Kaye, Associate Planner*

In 2000, the City Council granted approval for multiple buildings on one lot which included the existing restaurant/retail building and former Jiffy Lube building. The approval also included shared access/parking and approval for a minor auto repair (former Jiffy Lube). The applicant has purchased

the property and is ready to begin construction on the second phase of this development.

The applicant is proposing to construct a 2,326 square foot restaurant (Chipotle), a 2,465 square foot restaurant (Popeyes), and a 3,292 square foot bank/office building. A 7,164 square foot existing retail/restaurant/office and a 1,720 square foot existing minor auto repair building will remain. The site plan outlines the building configuration and shows that the development will be comprised of several components. Also, the proposed building elevations for Chipotle and Popeyes have been submitted as a part of the application. Existing elevation photos have been provided for the multi-tenant building and minor auto repair building. The proposed bank building elevations will need to meet architectural standards in the Highway 65 Overlay District.

### Rezoning

The rezoning from B-3 (Regional Commercial) to DF (Development Flex) is primarily intended to allow the applicant to better allow the cross access, shared driveways and shared parking facilities that have been incorporated into the design of the site. Using the standard parking and building setback parameters of the B-3 zoning would not allow the type of building placement and access elements to be incorporated in the manner envisioned by the developer.

### Preliminary Plat

Blaine Square Second Addition consists of five lots. Lot 1 is approximately .94 acres and a restaurant (Chipotle) is proposed for this lot. Lot 2 is approximately .69 acres and a restaurant (Popeyes) is proposed for this lot. Lot 3 is approximately 1.07 acres and the existing 7,164 multi-tenant building will remain on this parcel. Lot 4 is approximately .54 acres and the existing minor auto repair (former Jiffy Lube) will remain on this lot. Finally, a 3,292 square foot bank/office is proposed on a .83 acre parcel (Lot 5).

All accesses/driveways within this plat are considered private. Vehicles will be able to access the internal driveways via one access off Ulysses Street NE on the west side of the site.

Park dedication was previously paid with the original platting of the parcels in 1978.

### Conditional Use Permit

All uses within the DF (Development Flex) require the approval of a conditional use permit. At this time, the applicant is requesting the approval of the uses proposed for Lots 1-5 of Blaine Square Second Addition.

The parking provided on site appears to be adequate for the uses proposed for this plat. A total of 126 parking stalls would be required for this plat for the uses proposed, and 137 parking spaces have been provided in the plat. Staff believes the excess number of parking spaces is appropriate given that the tenant spaces in the retail building could become small restaurants in the future. This extra parking would accommodate those uses. The sites will also be required to have a shared access and parking agreement.

The overall landscape plan meets the Highway 65 Overlay District requirements. The major emphasis of the landscape treatment will occur within the side yard setbacks and parking medians established within the site. The front yard landscaping adjacent to Ulysses Street is limited due to the construction of an underground infiltration basin in that area.

All buildings proposed meet the Highway 65 Overlay District architectural requirements. The proposed bank/office does not have completed building elevations but will need to meet the architectural requirements of the Highway 65 Overlay District with site plan approval. The existing buildings on Lots 3 and 4 will remain as is.

Any signage that is placed on this site requires a separate permit process and is addressed in the conditions. Each individual lot is allowed one monument sign with a maximum height of 14 feet and a maximum square footage of 140 square feet.

### **Strategic Plan Relationship**

Not Applicable.

### **Board/Commission Review**

The Planning Commission voted unanimously to approve the rezoning.

There was a comment at the public hearing from a resident related to concerns with the level of traffic that would be entering and exiting the property. Staff stated they had reviewed the ingress and egress and understood this property was located on an inside curve. Staff indicated the site would have one “in” and two “outs” to assist with managing the traffic.

The Planning Commission had the following questions: when would construction begin on this project; if Chipotle would be closing their existing store on 105<sup>th</sup> Avenue; and if the site would be able to handle the restaurant drive through traffic.

The applicant hopes to start the project in June 2021. The project representative could not confirm at this time, but thought this Chipotle would be an additional location. The applicant explained Popeyes would have a drive through with two lines for ordering and merging into one lane for pick-up. Chipotle would have a Chipot-lane where customers could pick up online/pre-ordered food. The applicant and staff thought the layouts had adequate queuing for the drive through lanes.

### **Financial Impact**

Not Applicable

### **Public Outreach/Input**

Notice of a public hearing were:

1. Mailed to property owners within 350 feet of the property boundaries.
2. Published in Blaine/Spring Lake Park/Columbia Heights/Fridley Life.
3. Posted on the city website.
4. Posted (sign) on the property with contact information for the Planning Department.

### **Staff Recommendation**

By motion, approve the ordinance.

### **Attachment List**

Zoning and Location Map  
Site Plan  
Preliminary Plat  
Existing Conditions Survey

Grading Plan  
Utility Plan  
Landscape Plan  
Building Elevations and Floor Plans - Proposed Chipotle, Proposed Popeyes, Existing Minor Auto Repair  
Draft Planning Commission Minutes 4/13/21

**THE CITY OF BLAINE DOES ORDAIN** : (Added portions are underscored and deleted portions are shown 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:

Parcel 1:

Lot 1, Block 1, Blaine Square, according to the plat on file in the Office of the Registrar of Titles of Anoka County, Minnesota, less and except that part described as Parcel 31 on Minnesota Department of Transportation Right of Way Plat Numbered 02-31 as the same is on file and of record in the office of the Registrar of Titles in and for Anoka County, Minnesota.

Torrens Property

Parcel 2:

That part of the Northeast Quarter of the Northwest Quarter of Section 8, Township 31 North, Range 23 West, Anoka County, Minnesota, described as follows: Beginning at a point on the center line of Central Avenue, so called, which point is 5 rods South of the Northeast corner of said Northeast Quarter of the Northwest Quarter; thence South along the center of said Central Avenue, 40 feet; thence West 16 rods; thence North 40 feet; thence East 16 rods to the point of beginning; excepting therefrom the right of way of Trunk Highway No. 65 as located and established prior to January 1, 1985;

Which lies Southerly of Line 1 described below:

Line 1: Beginning at a point on a line run parallel with and distant 100 feet Southerly of Line 2 described below, distant 400 feet Westerly of its intersection with the East line of said Northeast Quarter of the Northwest Quarter; thence run Easterly along said 100 foot parallel line to a point, distant 200 feet Westerly of its intersection with said East line; thence run Southeasterly to a point on a line run parallel with and distant 100 feet Westerly of said East line, distant 200 feet Southerly of its intersection with Line 2 described below; thence run Southerly on said 100 foot parallel line for 200 feet and there terminating;

Line 2: Beginning at the Northwest corner of said Section 8; thence run Easterly to a point on the North and South Quarter line of Section 5, Township 31 North, Range 23 West, distant 4.9 feet North of the South Quarter corner thereof and there terminating.

and

That part of the Northeast Quarter of the Northwest Quarter of Section 8, Township 31 North, Range 23 West, Anoka County, Minnesota, described as follows: Beginning at the Northeast corner of said

Northeast Quarter of the Northwest Quarter; thence running South 18 rods; thence West 18 rods; thence North 18 rods to the center line of Main Street, so called; thence East along the center line of said Main Street, 18 rods to the point of beginning; excepting therefrom that part described as follows : Beginning at the Northeast corner of said Northeast Quarter of the Northwest Quarter; thence running South along the center line of Central Avenue, so called 5 rods; thence West 15 rods; thence North 5 rods to the center line of Main Street, so called; thence East along the center line of said Main Street, 16 rods to the point of beginning; also excepting therefrom that part described as follows : Beginning at a point in the center line of Central Avenue, so called, which point is 5 rods South of the Northeast corner of said Northeast Quarter of the Northwest Quarter; thence South along the center of said Central Avenue a distance of 40 feet; thence West 16 rods; thence North 40 feet; thence East 16 rods to the point of beginning, according to the United States Government Survey thereof and situate in Anoka County, Minnesota.

Which lies Southerly and Westerly of Line 1 described below:

Line 1: Beginning at a point on a line run parallel with and distant 100 feet Southerly of Line 2 described below, distant 400 feet Westerly of its intersection with the East line of said Northeast Quarter of the Northwest Quarter thence run Easterly along said 100 foot parallel line to a point, distant 200 feet Westerly of its intersection with said East line; thence run Southeasterly to a point on a line run parallel with and distant 100 feet Westerly of said East line, distant 200 feet Southerly of its intersection with Line 2 described below; thence run Southerly on said 100 foot parallel line for 200 feet and there terminating;

Line 2: Beginning at the Northwest corner of said Section 8; thence run Easterly to a point on the North and South Quarter line of Section 5, Township 31 North, Range 23 West, distant 4.9 feet North of the South Quarter corner thereof and there terminating.

Except that part described as Parcel 31 on Minnesota Department of Transportation Right of Way Plat Numbered 02-31.

Anoka County, Minnesota  
Abstract Property

Section 2. The above described property is hereby rezoned from:

[B-3 (Regional Commercial)]  
to  
DF (Development Flex)

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 3<sup>rd</sup> day of May, 2021.

**PASSED** by the City Council of the City of Blaine this 17<sup>th</sup> day of May, 2021.