



# City of Blaine Anoka County, Minnesota

Blaine City Hall  
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## Legislation Details (With Text)

**File #:** RES 21-195    **Version:** 1    **Name:** CUP Amend - Risor of Blaine (21-0067)  
**Type:** Resolution    **Status:** Passed  
**File created:** 10/4/2021    **In control:** City Council  
**On agenda:** 10/4/2021    **Final action:** 10/4/2021  
**Title:** Granting a Conditional Use Permit Amendment to Change the Current Approval from a 187-Unit Senior Living Building Including Memory Care, Assisted and Independent Living to a 184 Unit 55+ Independent Living Building in a PBD (Planned Business District) Zoning District. Risor of Blaine (Roers Companies) (Case File No. 21-0067/SLK)  
**Sponsors:** Erik Thorvig  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Attachments

Date	Ver.	Action By	Action	Result
10/4/2021	1	City Council	Adopted	Pass

**Public Hearing** - *Erik Thorvig, Community Development Director*

### Title

Granting a Conditional Use Permit Amendment to Change the Current Approval from a 187-Unit Senior Living Building Including Memory Care, Assisted and Independent Living to a 184 Unit 55+ Independent Living Building in a PBD (Planned Business District) Zoning District. Risor of Blaine (Roers Companies) (Case File No. 21-0067/SLK)

### Executive Summary

The applicant is requesting a conditional use permit amendment to allow the construction of a 184 unit 55+ independent living building.

### Schedule of Actions

City Council (Conditional Use Permit)	10/04/21
Action Deadline	11/20/21

### Background

*Staff report prepared by Shawn Kaye, Associate Planner*

In 2018, the City Council granted the approval of a conditional use permit for the development of a Hy-Vee store, a gas station/car wash, liquor store and coffee shop at the southwest corner of Jefferson Street and 125th Avenue. Grading of the entire 40-acre property began in the fall of 2019 and the work was completed in the spring of 2020. A conditional use permit extension for the Hy-Vee development was approved by the City Council in April 2021.

Prior to the conditional use permit being granted for the Hy-Vee store and a gas station/car wash, a comprehensive plan amendment was approved by the City Council that changed the land use for the 40 acres on the southwest corner of 125<sup>th</sup> Avenue and Jefferson Street to High Density

Residential/Planned Commercial. When the developer requested this change, it was made known that the developer was marketing a portion of the overall property to senior housing developers. A public hearing was held for this comprehensive plan amendment with this information provided to the public.

In July 2021, Roers Company, received City Council approval to construct a 187-unit, senior residential building to be known as Havenwood of Blaine on 6.5 acres. A conditional use permit is required due to the PBD (Planned Business District) zoning of the parcel.

The project approved in July 2021 included the following units:

- Memory Care (1 story): 26 units
- Assisted Living (2 stories): 45 units
- Independent Units (4 stories): 116 units

The applicant is now proposing to change the project to include only 55+ independent living apartment units (184). The reason for the change in the type of use being proposed is due to market changes and labor shortages in the skilled nursing field.

Roers Companies, the applicant/developer, builds and operates communities across the midwest, including Minnesota. Please see the attached narrative that describes the project. There will be common areas in the building that include a fitness center, community lounge, coffee bar, outdoor patio area, indoor pool, pet spa area and pickle ball courts.

The building will be four stories and 53' high with a one-story garage level that will be partially below grade. The original approval included buildings with different heights with the taller, independent living facility furthest away from the single-family residential properties to the west. The new proposal introduces the taller building closer to the single-family residential properties, however, the proposed building exceeds the required 50' setback from the west property line. The developer is proposing extensive landscaping along the west property line to mitigate visual impacts of the building.

The building will be comprised of fiber cement siding, glass and brick. The building meets the PBD district requirements with regard to building materials.

The property has a land use designation of HDR (High Density Residential) which allows up to 25 units/acre. The site is 6.5 acres, therefore the maximum density is 162 units. In the past, Met Council has allowed a slight increase in density when apartment projects are part of a larger development such as this. Therefore, no change in land use is required. A large greenspace/open area exists on the easterly portion of the site. The developer does not necessarily have a plan for this area, however, indicated it could be memory care or other housing type in the future. The greenspace/open area on the east side of the building cannot be subdivided for a future commercial use, as the land is needed in order to meet the density requirement. Additionally, assisted or independent living would not be permitted as this would be an increase in units. The only use permitted if located on same parcel would be memory care, as these are not considered residential units that would count towards density. The previously approved Havenwood project met the density requirements when the memory care units were taken out of the density calculation. If the developer were to subdivide the greenspace/open area in the future for something other than memory care, a comprehensive plan amendment to HDR-2, which allows residential densities up to 60 units/acre, would be required.

The site will be accessed via an internal private road that accesses Jefferson Street on the east side

of the larger 40-acre parcel and a right in from 125<sup>th</sup> Avenue to a private road. A shared access agreement for the private roadways and for the zero lot line/shared access proposed on the north side of the site (connecting to commercial site on the north) will be required prior to issuance of site plan approval to ensure that all property owners agree to the shared access.

Currently, there is a stubbed street at the 124<sup>th</sup> Street alignment in the existing residential neighborhood that would indicate a road would be installed east through the Hy-Vee development. That stubbed street will be removed by the developer as this street will no longer be extended to the east. A pedestrian trail is proposed on the senior site that will extend through the 124<sup>th</sup> Street alignment in place of the road.

There are 182 underground and 69 surface parking stalls provided, for a total of 251 parking spaces on site. The applicant provided a parking study for a senior type building with their previous approval. Staff is comfortable adjusting the parking requirement as a part of the Conditional Use Permit with a parking requirement of 1.5 stalls per unit which is consistent with requirements for other similar projects in Blaine. Therefore, the use will require a total of 276 stalls on site.

The current site plan is 25 stalls short of this requirement. The site plan will need to include 25 proof of parking stalls (not constructed unless determined to be needed) prior to site plan approval. In this case, staff is amenable to being flexible with the number of stalls provided since the parking study prepared by the applicant for this type of building indicated fewer parking spaces would be sufficient for the use provided.

The landscape plan must also meet the Highway 65 Overlay District requirements. The plan that has been presented meets these requirements as well as the oversizing requirements of the Highway 65 Overlay District. This plan must be adhered to during the site plan approval process and during construction.

Site plan approval is required prior to any work being performed on site. Prior to issuance of site plan approval, the applicant will need to submit a Site Improvement Performance Agreement and the associated financial guarantee.

A Coon Creek Watershed District permit is required for this project.

It should be noted that Jefferson Street is proposed to be open for traffic to and from the south, just east of the Hy-Vee store itself. The proposed road opening will not occur until the store itself is opened per the resolution of approval for Hy-Vee. It will not be opened with the completion of the senior project.

All lighting on site must be downlit and shielded to prevent glare or spill. All freestanding lights are limited to 20 feet in height. There shall be no building lighting on the west and south sides of the building other than security lighting to prevent glare or spill into the surrounding residential neighborhoods.

All signage for the project are issued under a separate permit.

A final plat will need to be presented for approval for this lot.

### **Strategic Plan Relationship**

Not applicable.

### Board/Commission Review

The public hearing is being held at the City Council meeting, therefore no review or recommendation was received from the Planning Commission. Development projects will occasionally be brought straight to the City Council in an attempt to expedite approvals for the developer.

### Financial Impact

Not applicable.

### Public Outreach/Input

Notice of a public hearing were:

1. Mailed to property owners within a larger area that was defined during the Hy-Vee process. Notice was sent to 243 property owners.
2. Published in Blaine/Spring Lake Park/Columbia Heights/Fridley Life.
3. Posted on the City's website.
4. Posted (sign) on the property with contact information for the Planning Department.

### Staff Recommendation

By motion, adopt the resolution.

### Attachment List

Zoning and Location Map

Site Plan

Grading Plan

Landscape Plan

Utility Plan

Building Elevations

Narrative

Parking Study

**WHEREAS**, an application has been filed by Roers Companies as Conditional Use Permit Case File No. 21-0067; and

**WHEREAS**, said case involves the land described as follows:

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 ¼) of the Northwest Quarter (NW ¼) 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 Northwest [east] Quarter of the Northwest Quarter of Section 7, Township 31, Range 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. The distances being measured along the Southerly right of way line of said highway. Anoka County, Minnesota

**WHEREAS**, the Blaine City Council has reviewed said case on October 4, 2021.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Blaine that a conditional use permit is hereby approved per Section 30.52(k) and (u) of the Zoning Ordinance to allow for the construction of a 184 unit 55+ independent living building in a PBD (Planned Business District) zoning district based on the following conditions:

1. This site needs to meet the PBD requirements for exterior materials and the plans submitted for this proposal meets 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 44 over story trees, 44 conifer trees and 44 ornamental trees. The plan that has been presented meets these requirements as well as the oversizing requirements of the Highway 65 Overlay District. This plan must be adhered to during the site plan approval process and during construction.
3. All lighting needs to be downlit and shielded to prevent glare or spill. Pole mounted lighting is limited to 20-feet in height. There shall be no building lighting on the west and south sides of the building other than security lighting to prevent glare or spill into the surrounding residential neighborhoods.
4. SAC and WAC payments will also become due prior to the issuance of building permits.
5. The applicant will need to obtain a Coon Creek Watershed District permit prior to city approval of construction plans and specifications.
6. This building will need to be licensed under the City's annual Rental License Program.
7. All signage is issued under a separate permit.
8. 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.
9. Final plat approval will be required prior to issuance of a building permit.
10. A shared access agreement must be provided due to the shared access/zero lot line associated with the north shared access and the internal private road that leads to the site. This agreement must be submitted prior to issuance of site plan approval.
11. 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.
12. The developer will need to provide the private road access off Jefferson Street, the private road access off 125<sup>th</sup> Avenue (right in only) and all of the required mitigation measures on 125<sup>th</sup> Avenue including the left turn lane extension for west bound 125<sup>th</sup> Avenue to southbound Jefferson Street.
13. The developer will need to remove the 124<sup>th</sup> Street section (stubbed street) on the west side of the site and install a trail in its location. Specs to be determined via site plan approval.
14. The greenspace/open area on the east side of the building cannot be subdivided for a future commercial use as the land is needed in order to meet the density requirement for this use. Additionally, assisted or independent living would not be permitted as that would be an increase in units. The only use permitted if located on the same parcel would be memory care, as these would not be considered residential units that would count towards density.
15. The previous Conditional Use Permit Resolution 21-138 will be null and void with the approval of this resolution.

**PASSED** by the City Council of the City of Blaine this 4<sup>th</sup> day of October, 2021.