



City of Blaine Anoka County, Minnesota

Blaine City Hall
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Blaine MN 55449

Legislation Details (With Text)

File #: RES 22-112 **Version:** 2 **Name:** Plat - Blaine Square 3rd (22-0035)
Type: Resolution **Status:** Passed
File created: 7/6/2022 **In control:** City Council
On agenda: 7/6/2022 **Final action:** 7/6/2022
Title: Granting Preliminary Plat Approval to Subdivide Approximately 5.6 Acres into 4 Lots to be Known as Blaine Square Third Addition at 12301 Ulysses Street NE. Blaine Square II LLC (Case File No. 22-0035/SLK)
Sponsors: Sheila Sellman
Indexes:
Code sections:
Attachments: 1. Attachments, 2. Unapproved Minutes 061422

Date	Ver.	Action By	Action	Result
7/6/2022	2	City Council	Adopted	Pass
6/14/2022	1	Planning Commission	Recommended for Approval	Pass

Development Business - *Sheila Sellman, City Planner*

Title

Granting Preliminary Plat Approval to Subdivide Approximately 5.6 Acres into 4 Lots to be Known as Blaine Square Third Addition at 12301 Ulysses Street NE. Blaine Square II LLC (Case File No. 22-0035/SLK)

Executive Summary

This application is a request to subdivide (preliminary plat) a 5.6-acre parcel into four lots for commercial development.

Schedule of Actions

Planning Commission Public Hearing	06/14/22
City Council (Preliminary Plat)	07/06/22
City Council (Final Plat)	TBD
Action Deadline	07/17/22

Background

Staff report prepared by Shawn Kaye, Planner and Teresa Barnes, Project Engineer

Zoning

The property is zoned B-3 (Regional Commercial).

Land Use Designation

The property has a land use designation of CC (Community Commercial) which is used for the provision of goods and services.

Surrounding Zoning and Land Uses

The properties to the north and south are zoned B-3 and have a land use of CC. The townhomes west of Ulysses Street are zoned DF (Development Flex) and have a land use of MDR (Medium Density Residential). State Highway 65 is adjacent to the east.

Existing Conditions

The property has trees and grass areas on site.

History

This is a vacant site with no previous approvals.

Preliminary Plat

Section 74-81 General requirements:

1. The Planning Commission and the Council, in their review of the preliminary plat, will consider the requirements of the community, the best use of the land being subdivided, the size and arrangement of the proposed lots, open space requirements, and necessary fire protection.
2. The subdivision shall conform to the adopted comprehensive plan, official maps, and the zoning ordinance.

Evaluation of Request

Plat

Blaine Square Third Addition consists of four lots.

- Lot 1 is approximately 1.05 acres, and a restaurant (Zupas) is proposed for this lot.
- Lot 2 is approximately 1.60 acres, and two buildings (unknown users at this time) are proposed for this lot.
- Lot 3 is approximately 1.54 acres, and a restaurant (Chick-fil-A) is proposed for this lot.
- Lot 4 is approximately 1.38 acres (includes vacated right of way) and a carwash is proposed on this parcel.

Architecture

Building elevations for Zupas, Chick-fil A-have been included in the report for informational purposes only. The restaurant use is a permitted use and will need to meet all requirements in the B-3 section of the Zoning Ordinance with the building permit process.

The car wash elevations have been attached and include the following materials:

- glass
- stone
- metal
- EIFS

The proposed buildings will meet the Highway 65 Overlay District requirements.

Setbacks

The setbacks on the submitted site plan meet the B-3 Zoning requirements. The site has two front yards and two side yards because of frontage on Ulysses Street and State Highway 65.

Building

- Front: 50 feet

- Side: 20 feet

Parking

- Front: 30 feet
- Side: 10 feet

Site Plan

The site is proposed to have shared access/parking between the following lots:

- Lots 1 and 2
- Lots 2 and 3
- Lot 4 and adjacent parcel to the south

The parking provided on site will need to meet parking requirements for proposed uses (restaurants, retail, etc.). It appears that the parking on site for Lots 1-3 is adequate for the uses proposed. A total of 163 parking stalls would be required for Lots 1-3 for the uses proposed (4 restaurants, one retail space) and 173 parking spaces have been provided. Staff believes the excess number of parking spaces is appropriate given that the tenant space in the retail building could become a small restaurant in the future based on leasing demands. This extra parking would accommodate those uses. The car wash site has provided 22 parking stalls that will provide parking for employees and vacuum stalls.

The Mister Car Wash is a 5,500 square foot building. The cars entering the one bay car wash will enter from the north side of the car wash building and exit on the south side of the car wash. The tunnel can accommodate five customers at any one time.

The car wash will need to meet the noise limits set by the Minnesota Pollution Control Agency (MPCA). At this time, the MPCA requires the daytime noise levels not to exceed 65 dBA for more than six minutes in an hour and not exceed 60 dBA for 30 minutes in an hour. A condition has been added that requires the exit carwash door (south door) to be shut immediately after the vehicle has exited the wash. Therefore, the car wash south door should be completely shut at all times except when vehicles are exiting the wash. The 160-foot tunnel length is longer than many car wash facilities. The longer length enables the end dryers to be located farther within the building (approximately 15 feet from the exit). The blowers are directed at the vehicle and not directed out the exit door. Noise reducing sound paneling is installed in the interior of the building to mitigate noise emanating from the building. Staff has worked with the applicant to mitigate some of the noise impacts to the residential neighborhood to the west of this development. The applicant has oriented the car wash exit to the south to eliminate some of the noise associated with the car wash.

The proposed vacuum stalls on site will have the main mechanical vacuum equipment housed in a fully enclosed masonry box with a sound muffler and a vacuum wand that extends to the individual stalls.

The car wash is open seven days a week, 7AM to 7PM,

The proposed Chick-fil-A on Lot 3 is proposing an outdoor dining area located on the southwest corner of the building. It consists of five tables and 14 seats as shown on the attached drawing. The outdoor dining area will have a wrought iron fence surrounding the seating area.

The outdoor dining area will be subject to SAC (Sewer Access Charges). The applicant must work

with the City's Chief Building Official and Met Council to determine the amount required for this use. All other requirements listed in the attached conditions are the standard conditions that the City applies to other outdoor dining conditional use permits.

A conditional use permit is required for two buildings on one lot. The applicant has proposed two restaurant/multi-tenant retail buildings to be constructed on Lot 2.

Neighborhood Meeting

As required by the adopted neighborhood meeting policy, the developer held a neighborhood meeting on June 9th at Johnsville Library. Comments included traffic speeds on Ulysses Street, traffic concerns at the existing intersection of Ulysses Street and Paul Parkway, and additional traffic on Ulysses Street.

Landscaping

The submitted landscape plan does meet zoning ordinance requirements.

Tree Preservation

The tree preservation ordinance requires that 8 trees per acre be replaced on site. The developer will be required to replace 45 trees on site. This requirement meets the landscape ordinance requirements.

Park Dedication

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

Grading/Storm Drainage

The developer is proposing to grade the entire site as shown on the grading, drainage, erosion protection and sediment control plans prepared by the Developer's engineer. The plans shall include existing drainage patterns (contours) with flow arrows, soil boring locations, perimeter site protection, tree preservation, tree clearing limits, custom grading, proposed grading contours, proposed drainage patterns with flow arrows, storm water management, SWPPP information, temporary erosion protection Best Management Practices (BMPs), and temporary sediment control BMPs information for the site. The SWPPP may be included in the construction plan sheet(s) or prepared as a separate document and included in the development construction contract specifications.

Water/Sanitary Sewer Services

Standard water and sanitary sewer access charges (WAC & SAC) become due with each building permit at the rate established at the time the building permit is issued.

Wetlands/Watershed

The developer will need to submit the project to Coon Creek Watershed District (CCWD) for review, approval and permits required prior to city plan approval and start of site work.

Access/Street Design/Sidewalks/Trails

Access to the site is required to be aligned with the existing 123rd Avenue (for lot 4) and aligned with 123rd Lane and halfway between 123rd Lane and the existing McDonald's access for lots 1-3.

Easements/Right-of-Way/Permits

The developer will need to obtain all required permits to construct the proposed project. A copy of all permits will need to be submitted to the city prior to any site work.

Standard drainage and utility easements shall be dedicated along all lot lines and over areas of delineated wetlands, wetland mitigation, infiltration trenches, drainage swales, and storm water management ponds.

A petition to vacate the existing public right-of-way of 123rd Ave NE east of Ulysses Street and west of Highway 65 was received on April 7, 2022. The request for the public hearing for this vacation request occurred on June 6, 2022. Upon recordation of the vacation, half of the existing right-of-way will be granted to the north property and half to the south property. As a requirement of granting the vacation, the south property will be required to grant and record a drainage and utility easement to the City that allows for maintenance of the existing public watermain along the northern portion of the south property.

Strategic Plan Relationship

Not Applicable.

Board/Commission Review

The Planning Commission voted unanimously to approve the preliminary plat. There were comments at the public hearing concerning the level of traffic on Ulysses Street, the new cell tower constructed near the development, lack of interest in fast food restaurants, car wash noise, and trucks parking on 123rd Avenue. The Project Engineer responded that the 123rd Avenue right-of-way is in the process of being vacated and half of the existing right-of-way will be granted to the north property and half to the south property.

Financial Impact

Not Applicable.

Public Outreach/Input

Notices 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's website.

In accordance with the Neighborhood Meeting Policy, a neighborhood meeting was held on Thursday, June 9, 2022. A summary of the meeting is attached.

Staff Recommendation

By motion, approve the Resolution.

Attachment List

Zoning and Location Map
Preliminary Plat
Site Plan
Existing Conditions Survey
Grading Plan
Utility Plan
Landscape Plan
Building Elevations/Floor Plans - Proposed Zupas, Chick-fil-A, Mister Car Wash
Narrative
Neighborhood Meeting Summary
Planning Commission Meeting Minutes 6/14/22

WHEREAS, an application has been filed by RPSLEGACY108 PROP LLC as Case File No. 22-0035 for a preliminary plat known as Blaine Square Third Addition; and

WHEREAS, said case involves the division of land described as follows:

Lot 3, Block 1, Blaine Square, according to the plat on file in the Office of the Registrar of Titles of Anoka County, Minnesota.

EXCEPT that part embraced within Parcel 31 on Minnesota Department of Transportation Right of Way Plat No. 02-31, filed September 20, 2006, as Document No. 489081.001, which was taken by the State of Minnesota in Final Certificate dated June 19, 2012, filed September 10, 2012, as Document No. 510462.001.

Anoka County, Minnesota
Torrens Property

AND

That part of vacated 123rd Ave. lying northerly of the centerline thereof, lying easterly of a line which is parallel with and 40 feet easterly of the centerline of Ulysses Street and lying westerly of the westerly right of way line of Trunk Highway No. 65.

WHEREAS, the Blaine Planning Commission has reviewed said case file on June 14, 2022; and

WHEREAS, the preliminary plat meets the general requirements of section 74-81 of the Blaine Zoning Code; and

WHEREAS, the Blaine Planning Commission held a public hearing on June 14, 2022, and recommend approval regarding said plat with conditions; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that preliminary plat approval per Section 74-42 of the subdivision regulations is hereby granted for Blaine Square Third Addition permitting preparation of a final plat for approval per Section 74-43 subject to the listed conditions. **NOW, THEREFORE, BE IT FURTHER RESOLVED** That the Mayor, City Clerk and City Manager are hereby authorized to execute any and all necessary documents, agreement and releases related to the approval, recording or administration of Blaine Square Third Addition.

1. All development signage by separate review.
2. The Developer must meet the city's tree preservation requirements by planting 45 replacement trees for the 4 lots that are preliminary platted (5.6 disturbed acres). This requirement will be met with the landscape ordinance requirements.
3. The developer is responsible for recording the plat mylars with Anoka County. Proof of recording must be provided to the city prior to issuance of building permits.
4. CCWD permit is required prior to city approval of construction plans and specifications.
5. Minnesota Department of Transportation permit for any work in their right-of-way is required.
6. 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.

7. 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.

PASSED by City Council of the City of Blaine this 6th day of July, 2022.