City of Blaine
Planning Commission

February 13, 2024 | 7:00 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

The Planning Commission is an advisory board to the City Council. One of the Commission's functions is to hold public hearings and make recommendations to the City Council. The City Council makes all final decisions on these matters. For each agenda item the Commission will receive reports prepared by the City staff, open the public hearing, discuss and act on the application.

Public comments prior to the meeting must be received by 4:30 PM on the Monday prior to the meeting date. Email comments to: Planning@BlaineMN.gov or phone 763-785-6180.

AGENDA

1. Call to Order

2. Roll Call

3. Approval of Minutes

3.1. 2024-697 Approval of the January 9, 2024 Planning Commission Minutes
Sponsors:

4. Public Hearing

4.1. 2024-37 Case File No. 23-0088 // Diane O'Brien // 10617 Quincy Boulevard NE
The applicant is requesting a variance to allow a 9-foot fence along the south side-yard property line.
Sponsors: Shawn Kaye, Planner

4.2. 2024-38 Case File No. 23-0089 // Alexander Woods 4th Addition // 1000 113th Avenue NE
The applicant is requesting the following:

1. Preliminary plat approval to subdivide approximately 1.16 acres into three lots.
2. Conditional use permit to allow for the construction of two additional single-family homes in a Development Flex (DF) zoning district. The existing home will remain.

Sponsors: Elizabeth Showalter, Community Development Specialist

4.3. 2024-39 Case File No. 24-0003 // Noodles and Company // 12351 Ulysses Street NE, #120
The applicant is requesting a conditional use permit to allow outdoor dining with 14 seats in the Regional Commercial (B-3) zoning district.
Sponsors: Shawn Kaye, Planner

4.4. 2024-47 Case File No. 24-0004 // Havenpark Heartland Living LLC // 10454 Central Avenue NE
The applicant is requesting a conditional use permit to operate a manufactured home sales office in the Manufactured Home Residential (R-4) zoning district.
Sponsors: Elizabeth Showalter, Community Development Specialist

4.5. 2024-161 Case File No. 24-0005 // Uram Property // 8628 Central Avenue NE
The applicant is requesting a comprehensive plan amendment to change the current land use designation of Low Density Residential (LDR) to Community Commercial (CC).
Sponsors: Sheila Sellman, City Planner

4.6. 2024-48 Case File No. 24-0006 // Chris Rice // 4726 115th Avenue NE
The applicant is requesting a conditional use permit to allow a 1,610 square-foot garage in the Farm Residential (FR) zoning district.
Sponsors: Shawn Kaye, Planner

4.7. 2024-682 Case File No. 24-0009 // Foxtail Hollow LLC // 121st Avenue and Radisson Road NE
The applicant is requesting a conditional use permit amendment to clarify the side yard and front yard setbacks in the Foxtail Hollow Townhome Development that is in the Development Flex (DF) zoning district.
Sponsors: Shawn Kaye, Planner

4.8. 2024-160 Case File No. 24-0002 // Northtown // City of Blaine
The City is requesting the following:

1. Amendment to the Blaine Zoning Ordinance to create a new zoning district, County Road 10 Mixed Use District.
2. Rezoning certain parcels in the Northtown area from Community Commercial (B-2), Regional Commercial (B-3) and Residential Flex (RF), to County Road 10 Mixed Use District.

Sponsors: Sheila Sellman, City Planner

5. Adjournment

City of Blaine
Planning Commission

January 9, 2024 | 7:00 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

MINUTES

1. Call to Order

The Blaine planning commission met in the City Hall Chambers on Tuesday, January 9, 2024. Chair Goracke called the meeting to order at 7:00PM.

2. Roll Call

Members Present: Commission Members Gorzycki, Homan, Olson, Swanson, and Chair Goracke.

Members Absent: Commission Members Deonauth and Halpern.

Staff Present: Shelia Sellman, City Planner
Teresa Barnes, Project Engineer

3. Approval of Minutes

3.1. 2023-651 Approval of the December 12, 2023 Planning Commission Minutes
Sponsors:

Motion by Commissioner Homan to approve the minutes of December 12, 2023, as presented. Motion seconded by Commissioner Olson. The motion passed 5-0.

4. Public Hearing

4.1. 2023-641 Case File No. 23-0086 // Cornerstone Church of Blaine // 2350 124th Court NE
The applicant is requesting a conditional use permit for a church in the Single Family (R-1) zoning district.
Sponsors: Shawn Kaye, Planner

The report to the planning commission was presented by Sheila Sellman, City Planner. The

public hearing for Case File 23-0086 was opened at 7:03PM. As no one wished to appear, the public hearing was closed at 7:03PM.

Motion by Commissioner Homan to recommend approval of Planning Case 23-0086 based on the following conditions:

<u>Case 23-0086:</u>

1. The church must manage on-site parking demand.
2. All parking must be on site.
3. The City reserves the right to require the church to provide on-site traffic management should the need arise at some point in the future.
4. Temporary uses such as outdoor events, are not permitted without a Special Events License issued by the City.
Motion seconded by Commissioner Swanson.

The motion passed 5-0.

Chair Goracke noted this would be on the agenda of the February 5, 2024 city council meeting.

4.2. 2023-628 Case File No. 23-0083 // Patricia Gower // 10719 Madison Street NE
The applicant is requesting a conditional use permit for three accessory buildings in the Single Family (R-1) zoning district.
Sponsors: Sheila Sellman, City Planner

The report to the planning commission was presented by Sheila Sellman, City Planner. The public hearing for Case File 23-0083 was opened at 7:05PM.

Shelly Gower spoke on behalf of her mother, Patricia Gower, who was the applicant. She noted there were two sheds on the property, one was 8'x10' and the other was 8'x8'. She explained her mother has been a resident of Blaine since 1961, which was prior to any of the current zoning codes being in place. She explained lawn tools and snow removal equipment were being stored in the sheds.

The public hearing was closed at 7:08PM.

Motion by Commissioner Swanson to recommend approval of Planning Case 23-0083 approving the conditional use permit for three accessory buildings in the Single Family (R-1) zoning district at 10719 Madison Street NE. Motion seconded by Commissioner Olson. The motion passed 5-0.

Chair Goracke noted this would be on the agenda of the February 5, 2024 city council meeting.

4.3. 2023-629 Case File No. 23-0085 // National Sports Village 2nd Addition (105th Blaine Business Park, LLC) // 2030 105th Avenue NE
The applicant is requesting the following:

1. Preliminary plat to create two lots to be known as National Sports Village 2nd Addition.
2. Conditional use permit for shared access/parking, off-site parking, and outdoor seating in the 105th Avenue Redevelopment District.

Sponsors: Sheila Sellman, City Planner

The report to the planning commission was presented by Sheila Sellman, City Planner. The public hearing for Case File 23-0085 was opened at 7:12PM. As no one wished to appear, the public hearing was closed at 7:12PM.

Chair Goracke asked if the pizza pub would remain on this site and just the property line was being changed.

City Planner Sheila Sellman reported this was the case, noting the pizza pub building was under construction. She explained the second building would be multi-tenant.

Motion by Commissioner Olson to recommend approval of Planning Case 23-0085A a preliminary plat to create two lots to be known as National Sports Village 2nd Addition with the following conditions:

<u>Case 23-0085A:</u>

1. **The developer is responsible for recording the plat mylars with Anoka County. Proof of recording must be provided to the City.**

Motion by Commissioner Olson to recommend approval of Planning Case 23-0085B a conditional use permit for shared parking/access, off-site parking, and outdoor dining with the following conditions:

<u>Case 23-0085B:</u>

1. **Share parking/access facilities agreement shall be recorded with the County (an irrevocable covenant running with the land). A certified copy of the recorded agreement shall be provided to the Zoning Administrator.**
2. **The outdoor dining area is subject to a SAC review and payment. The applicant must work with the City's Chief Building Official and Metropolitan Council to determine the amount required for the site.**
3. **Plans for amplified music or public address system for the outdoor dining area are to be reviewed by the City and approved by the management company prior to installation. The noise level of the music in the outdoor dining area is not to exceed normal conversation level.**
4. **No outdoor advertising on building or patio area without obtaining a permit.**

5. **The ability to operate outdoor dining is reliant upon the applicant's ability to adequately control litter and refuse associated with the facility.**
6. **Exit doors on any railing or fence in the outdoor dining areas shall be operable from the inside without the use of a key or any special knowledge or effort, per the Minnesota Building Code. Fencing must meet the design guidelines for the district.**
7. **Provide manufacturing specifications and requirements for propane heater use and clearance for combustibles if they are used on site.**
8. **All signage must comply with the approved sign plan.**
9. **Drainage and utility easements will be required to be provided to account for any shared storm water management facilities and allow for surface water drainage where required per the approved construction drawing set.**

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

Chair Goracke noted this would be on the agenda of the February 5, 2024 city council meeting.

5. Adjournment

Motion by Commissioner Homan to adjourn the regular planning commission meeting. Motion seconded by Commissioner Gorzycki. The motion passed 5-0.

Adjournment time was 7:14PM.

City of Blaine
Staff Report

File Number: 2024-37

Agenda Date	Status
February 13, 2024	
In Control	**File Type**
Planning Commission	Report

Public Hearing - Shawn Kaye, Planner

Agenda Item # 4.1

Case File No. 23-0088 // Diane O'Brien // 10617 Quincy Boulevard NE
The applicant is requesting a variance to allow a 9-foot fence along the south side-yard property line.

Background

Zoning	Single Family (R-1)
Land Use	Low Density Residential (LDR)
Area	0.51 Acres
Applicable Regulations	Sections 33.08 (f)(3) and 27.06 of the Zoning Ordinance
Attachments	Zoning and Location Map
	Site Aerial (Fence Location)
	Pictures of rear yard
	Narrative
Schedule	Planning Commission: 2/13/24
	City Council: 03/04/24

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

Executive Summary

Zoning

The subject site is zoned Single Family Residential (R-1).

Surrounding Zoning and Uses

The lot is surrounded by single family development with zoning of R-1 and Development Flex (DF).

Comprehensive Land Use

The property is guided Low Density Residential.

Existing Conditions

An existing single family home is present along with some mature trees.

History
The lot is part of the Donnay's Oak Park 9th Addition that was platted in 1961.

Evaluation of Request
Code Requirement
Section 33.08 (f)(3) limits the height of fences in the side yard to six feet above ground level when placed at the property line.

Request
The applicant and their neighbor have a history of conflict, including but not limited to privacy issues. The applicant has stated that she needs a taller fence to block the view of the neighbor's garage and trailers parked in the rear yard. She is requesting a 9-foot fence to minimize the noise from the applicants' lot related to vehicle and music noise. As proposed, the applicant is requesting a 9-foot privacy fence along the south side yard property line. The fence will start at the rear of the garage, extending along the south property line to the rear property line.

When assessing this variance request, staff does not support the variance request for a 9-foot tall fence. In order to be consistent with past approvals, staff recommends the maximum fence height be 8 feet in height. The height of 8 feet is consistent with the variance granted to six houses to the north in 2023.

If approved, the applicant will need to apply for a fence permit, locate the property line on that side of the lot to make sure the fence is on their property. A fence over 7-feet in height requires a building permit with plans drawn by a MN licensed engineer. The engineer’s stamp must be on the plans. These plans must contain the installation details (i.e. depth/size of footings, spacing of supports, types of fasteners, etc.) and provide verification that it meets the 90 mph wind loads the fence may be subjected to. The plans must also include the types of materials to be used for the project, and verification that the existing drainage patterns are maintained.

Grading/Storm Drainage
Installation of a fence usually does not require any additional grading or trigger any storm water drainage requirements. However, the installation of a privacy fence along the south property line will need to be installed in a way that does not alter the existing storm water drainage patterns of the area.

Wetlands/Watershed
There are no documented wetlands on the property and watershed district review is not required.

Access/Street Design
The development will utilize the existing access points to the existing driveway. No new access point will be granted. No additional street design, sidewalks or trails will be required.

Easements/Right-of-way/Permits
The developer will need to obtain any and 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.

Variances (Section 27.06)
(a) Criteria for granting variances. A variance to the provision of the zoning ordinance may be issued by

the City Council to provide relief to the land owner in those cases where the ordinance imposes practical difficulty on the property owner in the use of his land. No use variances may be issued.

(1) Variances shall only be permitted:

(a) When they are in harmony with the general purposes and intent of the ordinance and

(b) When the variances are consistent with the comprehensive plan.

(2) Variances may be granted when the applicant for the variances establishes that there are practical difficulties in complying with the zoning. Practical difficulties, as used in connection with the granting of a variance, means that:

(a) The property owner proposes to use the property in a reasonable manner not permitted by the zoning code;

- An 8-foot fence along the shared property line is reasonable to resolve a conflict and provide adequate height for the decrease in the grade of the yard. An 8-foot fence variance has been granted to a nearby property. Approving a variance for a 9-foot fence would set a precedent for 9-foot fences in side yards within the City. This 9 foot fence height is not appropriate in all situations.

(b) The plight of the landowner is due to circumstances unique to the property not created by the landowner; and

- The grade of the rear yard is lower than the home, therefore an 8-foot fence would help screen the neighbor's rear yard from the applicant's home.

(c) The variance, if granted will not alter the essential character of the locality.

- Similar 8 foot high fence variances have been approved within this neighborhood. The fence is along the property line and not the whole side and rear yard. This will not alter the character.

(d) Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.

- Economic considerations do not apply.

(e) The variance requested is the minimum variance which would alleviate the unique circumstances.

- This is the minimum variance to alleviate the situation.

Recommendation

In Planning Case File No. 23-0088, it is recommended that the Planning Commission recommend approval of a variance along the south side yard property line to allow an 8 foot fence with the following conditions:

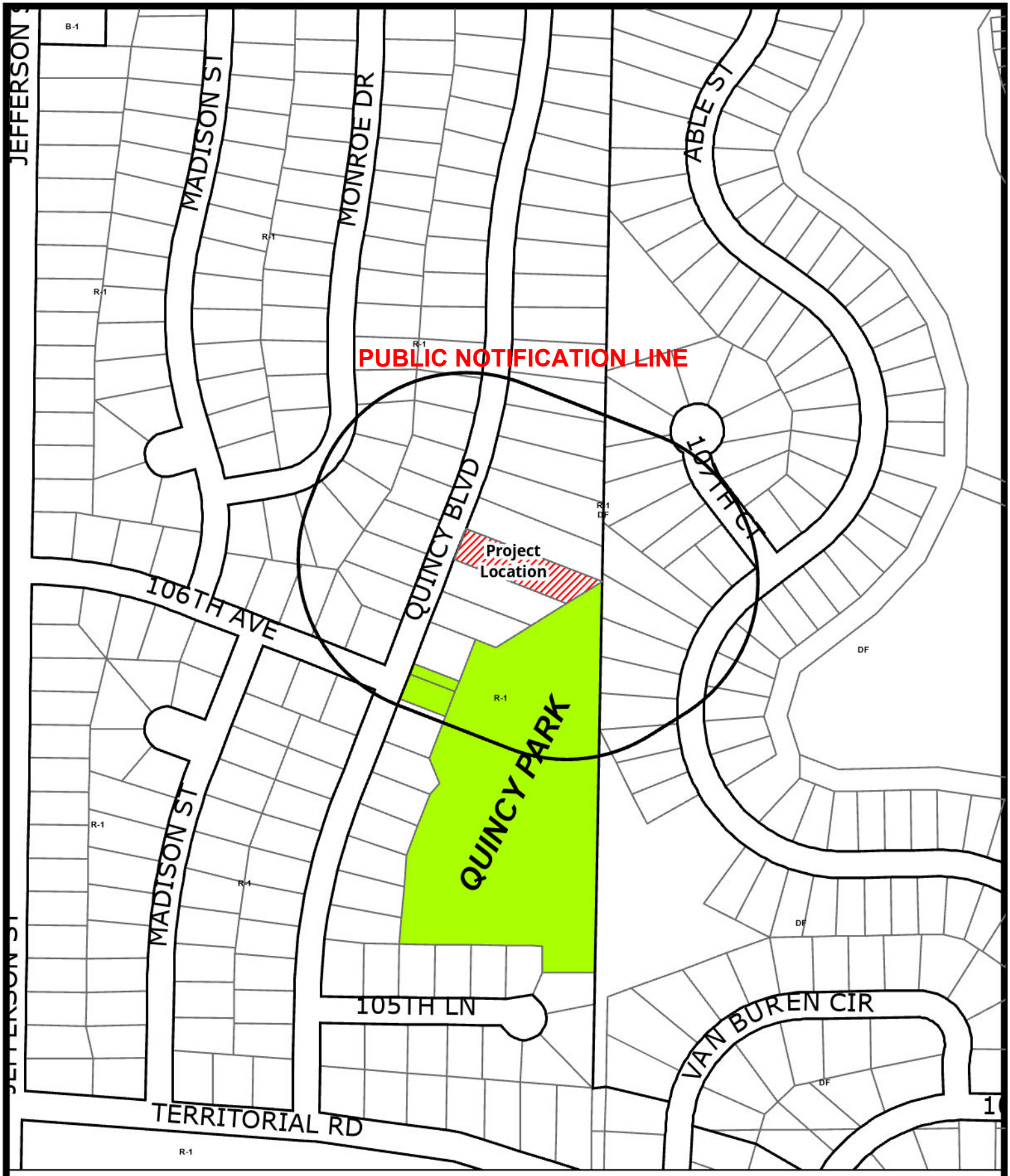
1. A fence permit is required.
2. A fence over 7-feet in height requires a building permit with plans drawn by a MN licensed engineer. The engineer's stamp must be on the plans. These plans must contain the installation details (i.e. depth/size of footings, spacing of supports, types of fasteners, etc.) and provide

verification that it meets the 90 mph wind loads the fence may be subjected to. The plans must also include the types of materials to be used for the project and prove that the installation of the fence will not alter the existing storm water drainage patterns.

3. The applicant must locate the property line on the south side of the lot to ensure the fence is on the property.
4. The fence cannot exceed 8 feet in height and the fence is limited to starting at the rear of the garage, extending along the south property line to the rear property line.

Attachment List

1. Attachments



Case File No. 23-0088
Diane O'Brien

BlaineMN.gov

Blaine Planning Department / 10801 Town Square Dr NE / Blaine, MN 55449 / (763) 785-6180

Anoka County Parcel Viewer

Parcel Information:

19-31-23-13-0001

10617 QUINCY BLVD NE

BLAINE

MN 55434

Approx. Acres: 0.51

Plat: DONNAYS OAK PARK 9TH

Commissioner: JULIE JEPPSON

Owner Information:

OBRIEN DIANE L

10617 QUINCY BLVD NE

BLAINE

MN

55434

Anoka County GIS | 1:600 | Date: 12/28/2023

Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification.

St. Jude Children's Research Hospital
Finding cures. Saving children.
ALSAC · DANNY THOMAS, FOUNDER

stjude.org/givehope

Lights
Bright at
night

12A1

12A1

St. Jude Children's Research Hospital
Finding cures. Saving children.
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stjude.org/givehope

SHED UP
11/17/2023
MOWER PARKED
UNDER DECK
FOR 5 YEARS
UNTIL SHED
IS UP

RUNNING CONVERSATION
Social group combines miles, talk
OUTDOORS
FRIDAY
February 28, 2020
StarTrib

VARIANCE REQUEST
FOR 10617 Quincy Blvd
NE 12/28/2023

The reasons for the fence variance are as follows:

Extreme motorcycle noise from the rear garage (750 square foot garage 25'x30' with 24 feet of garage door, 200 amps of power, 17' tall). Payne (owner of house as of this summer, initially renting from his stepfather James Holder who bought the 10613 Quincy Blvd property out of foreclosure in 2013 for $153,400 – a steal compared to the former owners' mortgage of $220,000 who lost her home due to the Great Recession) has a tall garage so that he can put a lift in to work on cars. This is a property with only side yard passage to the rear yard from the street. The north side yard is 10.5' (see zoning diagram) and holds the natural gas lines underground. One line extends east 180' back to the rear garage (and heats the garage). You cannot pave over gas lines. Leaving the only passage to the rear yard through the south side yard which is exactly 10 feet wide. The attached garage cannot be removed or driven through because there is living space behind it. The attached garage is 14' wide (see photos of dimensions of neighbors identical attached garage). An 11' minimum in the side yard is required for legal driveway access from the street into the rear yard. Your former mayor and city staff permitted the garage in violation of the zoning law. This was brought to their attention early in the permit process, January 2018. The 6 month building permit for the garage was issued 12/1/2017.
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Payne (former renter, new owner) has continually these past five years driven every kind of vehicle from the street into the rear yard (180' to the rear garage, 271' to the back fence bordering the quincy park playground). He drives all the way back, to the rear fence, and has a boat/trailer parked next to the back chain link fence easily seen from the park. (see photo). Video of the motorcycles/vehicles in the rear yard and photos of parked vehicles will be forwarded promptly. What you cannot witness from the videos/photos is the stink of exhaust accompanying the vehicle activity in the rear yard. My neighbors and people trying to enjoy the playground at quincy park have been hit hard by noise pollution, exhaust pollution and light pollution (see photo of Payne lighting up not only his yard, but mine and my neighbors yard as well as lighting up our houses because the lights strung through the trees are so bright).

The privacy fence needs to be tall because as you can see see from the video, my house is up higher on a grade with a walkout basement. The top of a 6' fence would fall underneath the garage door openings as I look out my kitchen window. I have had shockingly loud engine noise hit me as I sat at my kitchen table with my window wide open on a cool summer evening late at night. The top of a 9' fence would ride closer to the top of the garage doors, blocking the noise more effectively. I made a verbal request in 2018 for a 9' tall fence, and was told I needed a variance, even though the city of Blaine illegally permitted a garage for cars in the rear yard without legal driveway access from the street AND NO VARIANCE. This garage sits so far back it is impossible to avoid the noise.. The pollution effects my entire back yard which is 327' long.

I already erected a 6' privacy fence (15 sections 8'wide each) from the middle to the rear of my yard along the south property line but Payne has a video camera pointed over my privacy fencing. The camera is mounted 13' high on the soffit of the 17'tall garage. I asked police to move it, Payne is invading my personal property and is trespassing. The video camera has been spying over my fence since 2020, but I only found out about it last summer 2022. The sergeant in charge of "problem properties" said he has never seen it before, a camera spying over a privacy fence, and he is in charge of a city with 70,000 + people. Payne is deliberately retaliating against me by using the video camera to spy over my fence to intimidate me, because I have asked police to enforce the law that states he cannot park in the rear yard. He can only park on pavement in front of the primary garage which is the garage attached to the house. I have taken pictures to document illegal parking in the rear yard, (if he parks there the engine noise/exhaust increases in the rear yard, his friends have also parked back there.)

I don't violate the law. If I did he would have reason to document my illegal actions. Paynes' intention is to punish me for documenting his illegal activity in the rear yard by video recording me and my family on my property.

Payne plans to turn the rear yard into a parking lot. See the photos of all the trailers (four of them) in the rear yard. Since he cannot legally park vehicles in the rear yard, as he pleases, he will turn the yard into a parking lot for large trailers. Code enforcement says there is no limit to the number of trailers parked in the rear yard. Payne recently moved the trailers closer together to make them look less obvious to people at the park. His yard abuts the park. The yard is easily viewed from the park.

A tall fence is needed to block the view and deflect the noise from trailers being moved frequently on/off the property. Especially the red utility trailer. Payne moves motorcycles and parts in this trailer, I believe he is running a business out of the garage fixing and selling bikes. And I believe he is storing many bikes belonging to others, in the garage through the winter and getting paid for it. It is illegal to run a business out of your garage. Former mayor Tom Ryan assured me he would not allow a business from the garage when I informed him that Connexus installed 200 amps of power to the garage. But then code enforcement said it is difficult if not impossible to catch someone running a business.

I will get a variance because my fence will be legal as opposed to Paynes' garage that is in zoning violation with no legal driveway entry to the rear yard from the street. Payne is looking for an excuse to violate city law, so my fence will be legal. He retaliates against neighbors and the city constantly because he wants to use his garage and yard as he pleases. Case in point, see the shed Payne recently built.(photo) The shed is not legal. Payne can't get a conditional use permit for a second detached structure in the rear yard for storage because the property is already over the 1000 square foot limit. Payne has exceeded the limit by 58 square feet (a 14'x22' attached garage plus a 25'x30' garage in the rear yard). See the permit attached which falsely states the attached garage as 12x20, but is 14x22.

The SENIOR building inspector Stan Brouillard lied on the garage permit. He excluded the 12'x14' shed (Payne was later pressured to remove it) and the inspector falsely stated 12'x20' for the attached garage so Payne could have a bigger garage in the rear yard. The inspector was going to let Payne have the shed AND the garage, without the required conditional use permit for the second detached structure which would be the garage, and would have required public notice. **The inspector simply ignored the shed** The city pressured Payne to remove the shed only because we complained. The shed HAD to come down because it was left off of the permit, and excluded from the square footage total, which would have put the property further over the 1000 sq ft limit. (It is already 58sq ft over storage limit).

According to the false testimony on the permit, by the inspector, the storage total is at 999 square feet. So it is 1 foot from the storage limit of 1000sq ft. No more storage space is allowed but Payne doesn't care. He has held a 5 year running resentment over the removal of the 12'x14' shed. Out of spite he refused to park the expensive rider mower in the brand new spacious 750 square foot garage. (see the photo of the rider under the deck). Now that the shed is up the expensive rider mower is in the shed.

My fence will be legal. If it is challenged by Payne, and goes to Anoka County court, the court is well aware of Payne and his predatory actions as well as the city of Blaines' illegal permitting of a garage for cars with no legal driveway access from the street, and they are aware of the extreme pollution as a result of the garage. The fence will restore some value to my damaged property and quality of living on my property. I will install lattice on the existing 6' privacy fencing to stop the video spying over my property. I asked police to take action, they advised I go to court, but it is a police matter, Trespass.

Not only vehicle noise destroys my privacy but congregating men consuming alcohol, playing loud music inside of and in front of the rear garage adversely effects my property. The activity used to be at the deck, near the house, years ago, now it is always far back onto the property in front of the garage. It is in full view of my patio, they can see into my home. They drink and get on motorcycles parked in the rear yard driving off loudly through the yard and speed down the 30 mph residential Quincy Blvd.

I want the variance effective immediately. It is a mild winter. I will begin by placing lattice on my 6' privacy fence to block the video camera which has been spying over my fence for 3 years without my knowledge and without my consent. You would be wrong to think he doesn't view the video.

Payne studies the video. He has a doorbell camera also. The neighbor across from Payne (in full camera view) had a power saw stolen out of the utility trailer parked in his driveway. The neighbor was hiding a key near the trailer out of convenience. The thief opened the trailer with the key. Subsequently I heard Payne in the rear garage using a power saw on lumber. This is alarming.

Many folks have doorbell cameras, so front yards are less private unfortunately, but it is unheard of (according to the sergeant in charge of "problem properties") to have a camera in the rear yard spying over a privacy fence. A fence erected for the purpose of protecting privacy.

Paynes' voice should be dismissed, regarding the variance, because he actively pollutes my property. My neighbor to the north wants the fence built. The neighbor south of Payne knows what my plans are and I have not heard any objection. But as an incentive for the neighbor Payne who actively pollutes and works to violate zoning laws, (the new shed), he can know that I intend to put shed doors on the back side of my detached garage, opening 7 feet wide, and I will send noise directly at Paynes' favorite gathering place, in front of the illegal garage. The tall fence will be a barrier for both properties.

Payne hasn't been living in the house full time since fall 2019. Now that he owns the house, as of this summer, the polluting actions will increase. I have witnessed in 2018 and 2019, how bad the constant activity behind me can get when he lived there full time.

This is not a minor neighbor conflict, it is a serious situation the city created by permitting a garage in violation of zoning laws. Early in the permit process I asked for help from elected city officials. They did not help me but worked to block my efforts. Their fear has always been getting sued by a permit holder, because they left him with a garage in zoning violation. **Julie Jeppson, former council member, now commissioner, said to me in 2019 the city of Blaine is getting sued a lot, and my problems are minor in comparison**. I told her the city is doing some thing wrong, because people know they face an uphill battle fighting the city so they must feel seriously harmed. The city has an attorney, we the citizens pay for, and it costs us a lot of time and money to fight while the city can use their free lawyer to defeat those citizens who have been harmed by city officials' illegal actions.

The pollution next door effects more than just me, it is not minor. The noise pollution effects every home surrounding the park. Shattering the peace in quiet backyards and disturbing park goers. My tall privacy fence will protect me and my neighbors to the north. It will be 9 feet tall along the south property line, on the inside of my chain fence. I will not remove my chain link fence.

When Jeppson canvassed my neighbors for her commissioner job, my neighbor said Paynes' rear garage is illegal. **Jeppson said "I know"**. Cars can't legally access the rear yard. It can be a garage for storage only, with no more than a 5' wide door and no cars parked in it. Instead of helping me, the city wants me to move, wants me to put a garage in my back yard (ruining nature more). I ask for a fence.

Duane O Brien 12/28/2023

City of Blaine
Staff Report

File Number: 2024-38

Agenda Date	Status
February 13, 2024	
In Control	**File Type**
Planning Commission	Report

Public Hearing - Elizabeth Showalter, Community Development Specialist

Agenda Item # 4.2

Case File No. 23-0089 // Alexander Woods 4th Addition // 1000 113th Avenue NE
The applicant is requesting the following:

1. Preliminary plat approval to subdivide approximately 1.16 acres into three lots.
2. Conditional use permit to allow for the construction of two additional single-family homes in a Development Flex (DF) zoning district. The existing home will remain.

Background

Zoning	Development Flex (DF)
Land Use	Low Density Residential (LDR)
Area	1.16 Acres
Applicable Regulations	Sections 27.04 and 29.110 of the Zoning Code
Attachments	Zoning and Location Map
	Plat
	Site Plan
	Grading Plan
	Resolution 22-052 (Conditional Use Permit)
	Resolution 22-083 (Final Plat)
Schedule	Planning Commission: 02/13/24
	City Council: 03/04/24

Staff report prepared by Elizabeth Showalter, Community Development Specialist, and Teresa Barnes, Project Engineer

Zoning
The property is zoned Development Flex (DF).

Land Use Designation

The property is guided Low Density Residential which allows for 2.5 to 6 units per acre. The proposed subdivision meets that density requirement.

Surrounding Zoning and Uses
The property is surrounded by other homes in the Alexander Woods subdivision which are also zoned DF and guided LDR.

Existing Conditions
The property has an existing home and pool.

History
In 2020, a preliminary plat, rezoning, and conditional use permit was granted for Alexander Woods. The plat left three approximately acre-sized parcels remaining with existing homes. In 2022, the applicant received preliminary and final plat approval and a conditional use permit for a subdivision of a one acre parcel into three lots. The plat was never recorded and expired in May of 2023. At this time, the applicant is requesting approval of the same request, with one lot line moved slightly to accommodate a driveway location. The resolutions of the previously approved conditional use permit and final plat are attached.

The house on the property was originally accessed with a driveway off 113th, but a new driveway was constructed with access off Fillmore Street. This resulted in an address change from 1000 113th Avenue to 11278 Fillmore Street.

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.
3. The arrangement, character, extent, width and location of all streets shall be considered in their relation to existing and planned streets, to reasonable circulation of traffic, to topographic conditions, to water supply, and sewage disposal, to drainage of stormwater, to public convenience and safety, and in their appropriate relation to the proposed use of the land to be served by such streets. Wherever possible and necessary, the arrangement of streets in new subdivisions shall provide for the continuation of existing streets in adjoining areas. Where adjoining unsubdivided areas may be subdivided, the arrangement of streets in a new subdivision shall make provision for the proper projection of streets into adjoining areas by carrying the new streets to the boundaries of the new subdivision at appropriate locations.

Evaluation of Request
Plat
The plat proposes to subdivide 1.2 acres into three lots, for a net density of 2.5 units per acre, meeting the LDR land use designation. All three lots will access Fillmore Street, as was shown in the ghost plat for this parcel when it was previously subdivided. The lot for the existing home is proposed to be

approximately 110 feet wide and 28,000 square feet in area. The lots for the two new homes are smaller with the center lot having a width of 57.5 feet and the corner lot at 80 feet in width. These lot sizes are compatible with the surrounding lots in Alexander Woods, which have a minimum width of 53 feet.

Architecture

The property owner has not identified a builder for the new homes at this time. The homes will need to be consistent with the homes constructed by M/I Homes as part of Alexander Woods. This includes a minimum finished floor area of 1,300 square feet, incorporating multiple gables or varied roof lines, and including articulation of the front façade. No materials requirements are proposed.

Setbacks

The following setbacks apply to the proposed homes:

- Front yard setback - 25 feet
- Side yard setback - 7.5 feet
- Corner side yard setback - 20 feet
- Rear yard setback - 30 feet

Landscaping

The standard landscaping requirements are proposed, which would be three trees on Lot 1 (corner lot) and two trees on Lot 2.

Tree Preservation

The site currently has 37 trees, nine of which will be preserved. Tree replacement is calculated based on the area being disturbed, which is 0.5 acres. Applying the standard that the first eight trees removed per acre must be replaced, four trees must be planted. This is met through the typical landscaping requirements of two trees per lot with a third tree on corner lots.

Park Dedication

Park dedication will be required for the two new lots being constructed at the rate of $4,894 per unit, for a total park dedication fee of $9,788 if paid in 2024. This amount must be paid prior to releasing the plat mylars for recording at Anoka County.

Grading/Storm Drainage

There is no grading needed for the lot with the existing house. A grading plan for the additional two lots shall provide additional information on adjacent property.

For each lot a house is proposed to constructed on, as-built surveys shall be required to verify structure elevations, custom grading requirements, and final lot grading elevations.

Wetlands/Watershed

There are no wetlands on the subject property.

The property was part of the original Alexander Woods subdivision, however, development needs to be submitted to Coon Creek Watershed District for permit review.

Utilities
Water and Sanitary Sewer stubs were provided to these ghost lots during the construction of Alexander Woods 1st Addition.

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.

Access/Street Design/Sidewalks/Trails
As previously mentioned, all lots will have driveway access from Fillmore Street NE. No additional street design, sidewalk or trail construction will be required. Some minor sidewalk repair may be required with the installation of additional storm water piping as currently proposed.

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.

Conditional Use Permit
A city exercises "quasi-judicial" authority when considering a CUP application. This means the city's role is limited to applying the standards in the ordinance to the facts presented by the application. The city acts like a judge in evaluating the facts against the standards.

Section 27.04 Criteria for granting conditional use permits:
The Blaine City Council shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use on the comprehensive plan and upon the health, safety, and general welfare of occupants of surrounding lands. Among other things, the Council shall consider the following findings where applicable. (Ord. No. 20-2447, 7-20-2020)

1. The use shall not create an excessive burden on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area.
    - The proposed subdivision is consistent with the ghost plat for the area and will not create excessive burden on public facilities or utilities.
2. The use will be located, designed, maintained, and operated to be compatible with adjoining properties and the existing or intended character of the zoning district.
    - The architectural standards listed in the proposed conditions will ensure the use is compatible with neighboring properties and the intent of the DF zoning district.
3. The use shall have an appearance that will not have an adverse effect upon adjacent properties.
    - The architectural standards listed in the proposed conditions will ensure the use is compatible with neighboring properties.
4. The use, in the opinion of the City Council, shall be reasonably related to the overall needs of the City and to the existing land use.
5. The use shall be consistent with the purposes of the zoning code and purposes of the zoning district in which the applicant intends to locate the proposed use.

- The use is consistent with the purpose of the district to allow for flexible residential development.

6. The use shall not be in conflict with the comprehensive plan of the City.
    - The use is consistent with the LDR land use.
7. The use will not cause traffic hazard or congestion.
    - The proposed use will not generate any additional traffic hazard or congestion.
8. The use shall have adequate utilities, access roads, drainage, and necessary facilities.
    - The existing and proposed structures are served with the required utility services, adequate roadway infrastructure and necessary drainage facilities to service the proposed uses.

Recommendation

In Planning Case File No. 23-0089, it is recommended that the Planning Commission recommend approval of a preliminary plat to subdivide approximately 1.16 acres into three lots to be known as Alexander Woods 4th Addition with the following conditions:

1. Plans and specifications must be approved by the City prior to start of construction.
2. 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.
3. 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.
4. Developer to obtain Coon Creek Watershed district permit review prior to start of construction.
5. 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.
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. The development plan shall indicate all structures will be protected from flooding.
8. As-built surveys shall be required to verify structure elevations, custom grading requirements, and final lot grading elevations.
9. Park dedication will be required for the two new lots being constructed at the rate of $4,894 per unit, for a total park dedication fee of $9,788 if paid in 2024. This amount must be paid prior to releasing the plat mylars for recording at Anoka County.
10. Developer to install grouped mailboxes with design and locations approved by the City and US Postal Service.
11. 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.
12. Each lot in this development shall have two front yard overstory trees with a minimum size of 2.5 caliper inches.

13. Execution and recording of a Development Agreement, which sets forth in greater detail the plat conditions as well as other responsibilities for the development of this plat.

In Planning Case File No. 23-0089, it is recommended that the Planning Commission recommend approval of a conditional use permit to allow for the construction of two single-family homes in a DF (Development Flex) zoning district based on the following conditions:

Single Family - DF Development Standards

Permitted Uses

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

Accessory Uses

1. Private attached 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 in Section 33.10

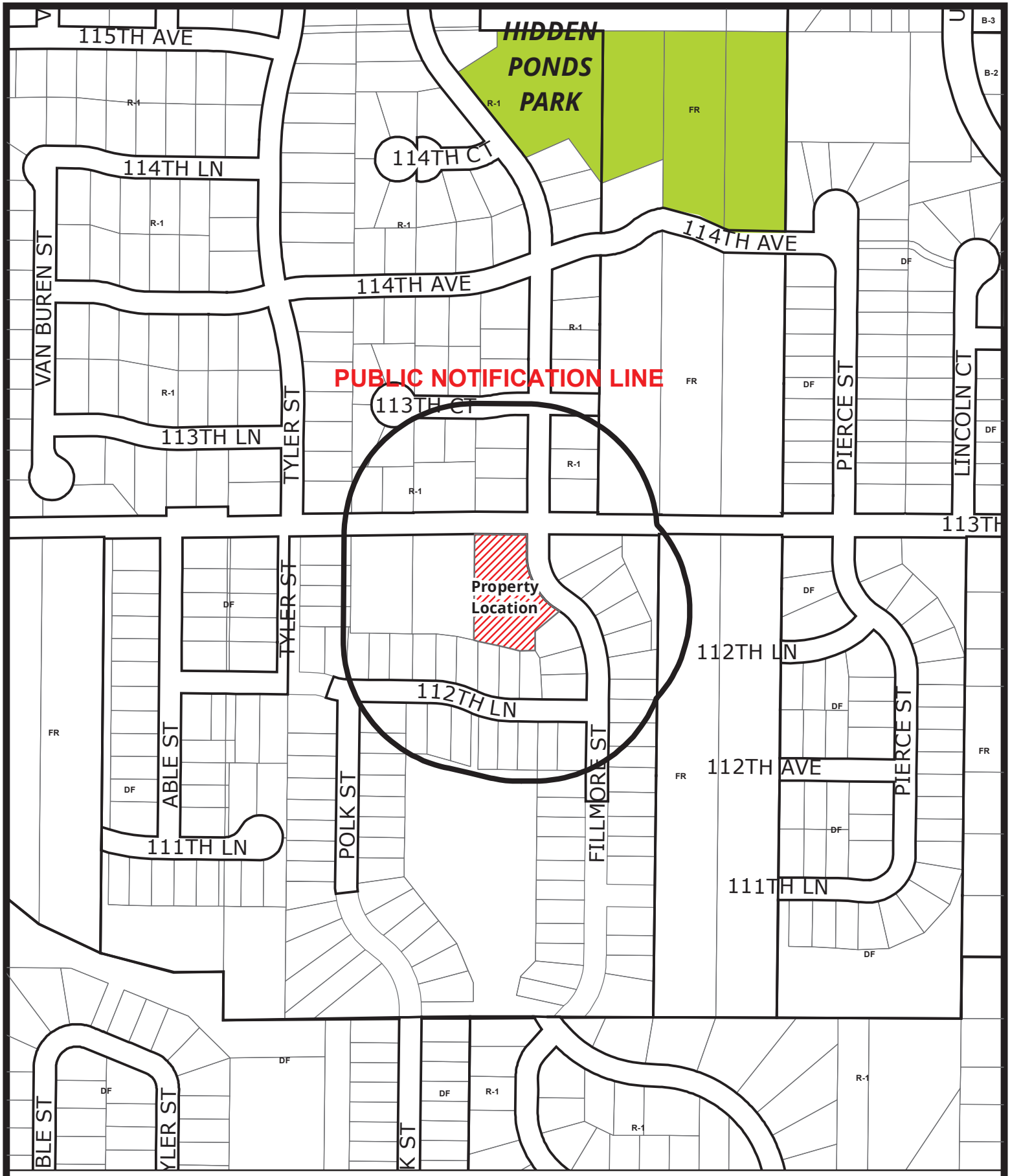
Standards

1. Front yard setback - 25 feet
2. Side yard setback - 7.5 feet
3. Corner side yard setback - 20 feet
4. Rear yard setback - 30 feet
5. Maximum building height - 2 1/2 stories or 35 feet.
6. 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. One detached accessory storage building below 120 square feet is permitted provided it meets 5-foot side and rear yard setbacks and be located within the rear yard.
7. The minimum finished floor area above grade for all homes shall be 1,300 square feet for a single level.
8. All homes shall have a minimum depth and width of 24 feet.
9. All homes to incorporate multiple gables or varied roof lines and articulation of the front façade.
10. All residential dwellings must be built in conformance with the current edition of the Minnesota State Building Code.

11. Driveways shall not be constructed closer than three 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.
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.
13. Each lot shall contain two front yard trees and a third tree is required in the side yard for corner lots. Trees must be at least 2.5 caliper inches.
14. Developer to execute and record where deemed appropriate by the city engineer with the sale of single-family lots, an affidavit 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.

Attachment List

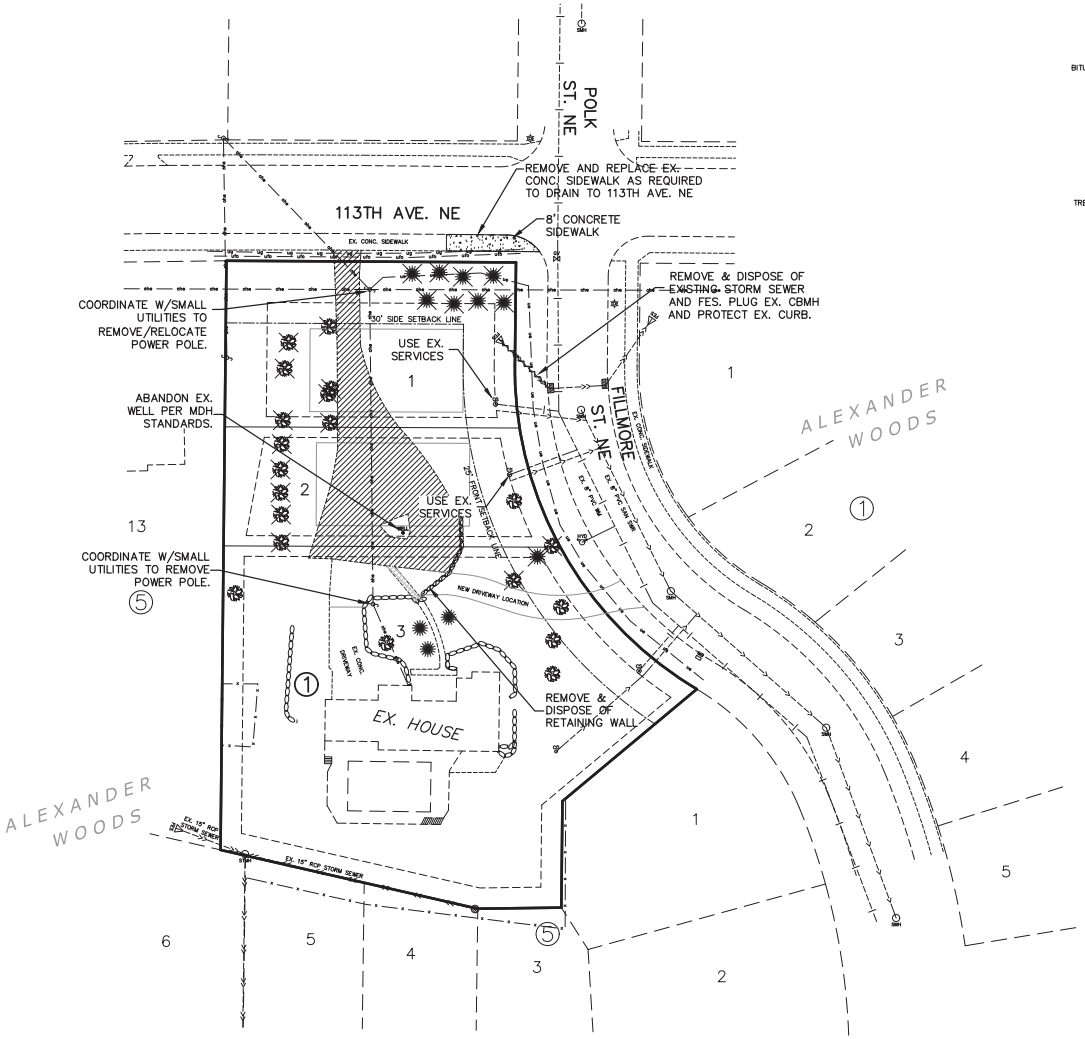
1. Attachments



Case File No. 23-0089
Alexander Woods 4th Addition

BlaineMN.gov

Blaine Planning Department / 10801 Town Square Dr NE / Blaine, MN 55449 / (763) 785-6180



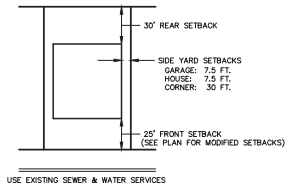
REMOVALS PLAN LEGEND

	EXISTING	PROPOSED
10' CONTOUR	890	
2' CONTOUR	892	
PROPERTY LINE		
CURB		
BITUMINOUS		
GRAVEL		
CONCRETE		
BITUMINOUS REMOVAL		
SAWCUT		
CURB REMOVAL		
PIPE REMOVAL		
MANHOLE		
HYDRANT		
GATE VALVE		
LIGHT POLE		
ELECTRIC BOX		
SIGN		
TREE (CONIF./DECID.)		

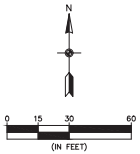
SITE PLAN LEGEND

	EXISTING	PROPOSED
LIGHT POLE		
SANITARY MANHOLE		
MISCELLANEOUS SIGN		
EXISTING SPOT ELEVATION	x0000.0	
EXISTING TREE		
TELEVISION BOX		
FIRE HYDRANT		
GATE VALVE		
CLEANOUT		
ELECTRIC BOX		
GAS METER		
CATCH BASIN	or	or
RAIN GUARDIAN		RG
ELECTRIC METER		
TELEPHONE BOX		
UTILITY POLE		
FLARED END SECTION		
STORM MANHOLE		
SERVICE		
SOIL BORING/TEST HOLE		
RETAINING WALL		
WATERMAIN		
SANITARY SEWER		
STORM SEWER		
PROPERTY LINE		
SETBACK LINE		
CURB		
WETLAND		
DITCH		
UNDERGROUND TELEPHONE	ut ut	
UNDERGROUND ELECTRIC	ue ue	
UNDERGROUND GAS	ug ug	
UNDERGROUND FIBEROPTIC	ufo ufo	
FENCE	x x x	
OVERHEAD ELECTRIC	ohe ohe	
CONCRETE SURFACE		
BITUMINOUS SURFACE		

SINGLE FAMILY
57.5' MIN. WIDE LOT



USE EXISTING SEWER & WATER SERVICES



BENCHMARK

1. MNDOT Geodetic Monument named 0208 AK, Station ID 103142, Metal Rod with Removable ID Disk. Elevation=900.70 (NAVD 88)
2. MNDOT Geodetic Monument named 9 WHV RESET, Station ID 697, Concrete Post with Benchmark Disk. Elevation=906.69 (NAVD 88)

CARLSON McCAIN

[redacted]

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota

Print Name: Brian J. Krystofiak, P.E.
Signature: [signature]
Date: 4/21/22 License #: 25063

Drawn: ADB
Designed: BJK
Date: 4/21/22

Revisions:
1. 11/17/23 - Revise Layout per Owner

MONTI GESINO
1000 - 113th Avenue NE
Blaine, MN 55434

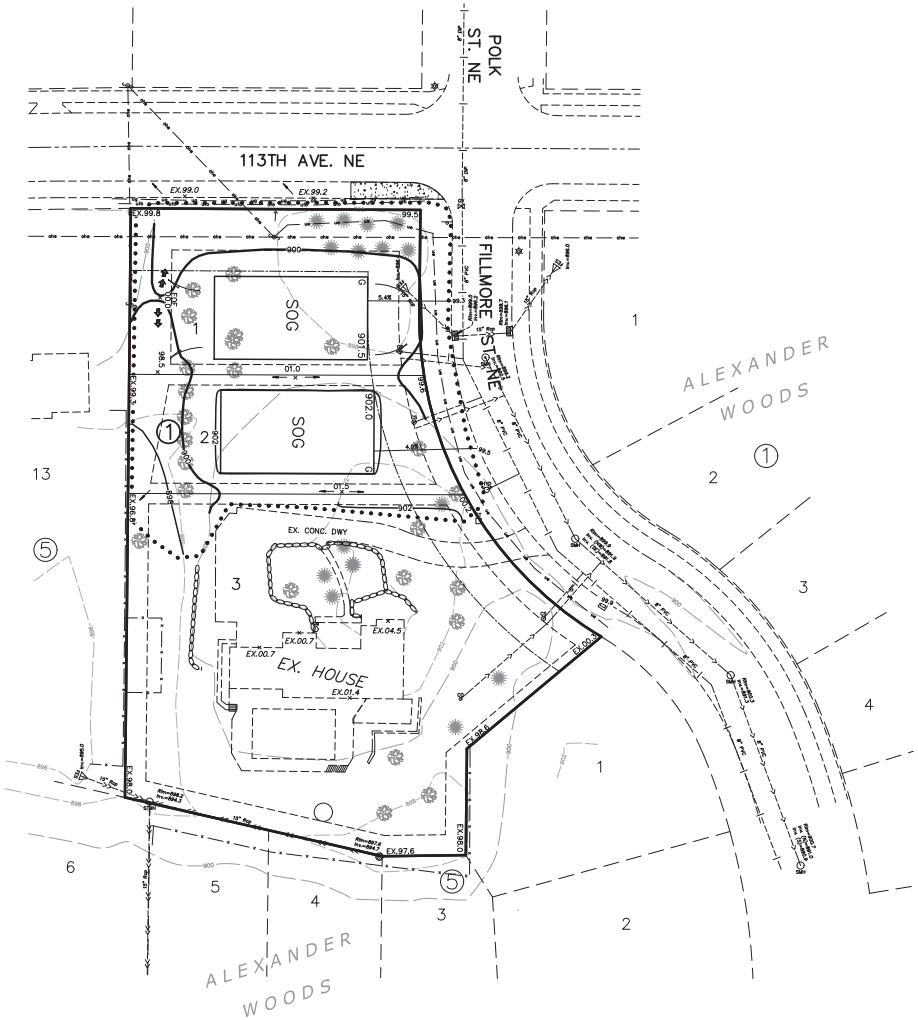
ALEXANDER WOODS FOURTH ADDITION
Blaine, Minnesota

SITE & UTILITY PLAN

2 of 4

Save Date: 11/20/23 F:\Jobs\8300-03 - alexander woods 4th addition (gesino)\cad c3d\engineering\final plan\8300-03_site.dwg

Job#:8300-03



LEGEND

	EXISTING	PROPOSED
PROPERTY LINE		
EASEMENT LINE		
CURB LINE		
BITUMINOUS		
CONCRETE		
SANITARY SEWER		
STORM SEWER		
DRAINTILE		DT
WATER MAIN		DENOTES INLET PROTECTION
OVERHEAD UTILITY		
STORM CATCH BASIN		
STORM MANHOLE		
OUTLET CONTROL STRUCTURE		
FLARED END SECTION		
RIP RAP		
MANHOLE		
HYDRANT		
GATE VALVE		
TELEVISION BOX		
TELEPHONE BOX		
UTILITY POLE		
RETAINING WALL		
FENCE		
10' CONTOUR	890	890
2' CONTOUR	892	892
FEMA FLOODPLAIN	FP	
CCWD FLOODPLAIN		
WETLAND LINE		
SPOT ELEVATION	00.0	00.0
EMERGENCY OVERFLOW		E.O.F. 000.0
SILT FENCE		
TREE FENCE		
GRADING LIMITS		
TREELINE		
MAINTENANCE ACCESS		
WETLAND SIGN		
WELL		
LIGHT POLE		
FLAG POLE		
ELECTRIC BOX		
TELEPHONE BOX		
TELEVISION BOX		
SIGN		
GEOTECH SOIL BORING	SB6.1 SB-6	

WETLAND SUMMARY

THERE ARE NO PROPOSED WETLAND IMPACTS.

NOTES

1. SITE IS LOCATED WITHIN THE BOUNDARIES OF THE COON CREEK WATERSHED DISTRICT.
2. ALL DISTURBED AREAS TO BE SCARIFIED 6" AFTER GRADING IS COMPLETE.
3. SOIL STABILIZATION SHALL BE IMPLEMENTED WITHIN 7 DAYS OF ROUGH GRADING COMPLETION OR INACTIVITY.
4. SOIL STOCKPILES SHALL BE FITTED BY SEDIMENT-TRAPPING MEASURES AND STABILIZED WITHIN 7 DAYS OF INACTIVITY.
5. STREET SWEEPING SHALL TAKE PLACE BY THE END OF DAY (IF REQUIRED).
6. EROSION CONTROL AND SEDIMENT CONTROL DEVICES SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.

N

0 15 30 60
(IN FEET)

BENCHMARK

1. MNDOT Geodetic Monument named 0208 AK, Station ID 103142, Metal Rod with Removable ID Disk. Elevation=900.70 (NAVD 88)
2. MNDOT Geodetic Monument named 9 WHV RESET, Station ID 697, Concrete Post with Benchmark Disk. Elevation=906.69 (NAVD 88)

CARLSON McCAIN

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota

Print Name: Brian J. Krystofiak, P.E.
Signature:
Date: 4/21/22 License #: 25063

Drawn: ADB
Designed: BJK
Date: 4/21/22

Revisions:
1. 11/17/23 - Revise Layout per Owner

MONTI GESINO
1000 - 113th Avenue NE
Blaine, MN 55434

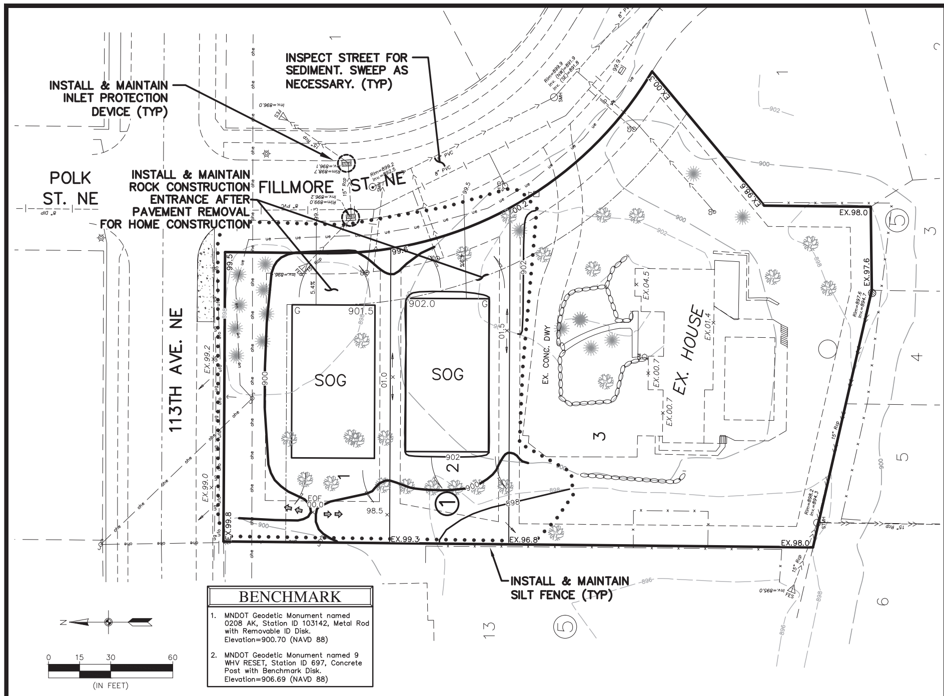
ALEXANDER WOODS FOURTH ADDITION
Blaine, Minnesota

GRADING, DEVELOPMENT & EROSION CONTROL PLAN

3 of 4

Save Date: 10/17/23 F:\Jobs\8281 - 8300\8300-03 - alexander woods 4th addition (gesino)\cad c3d\engineering\final plan\8300-03_gr.dwg

Job#:8300-03



GENERAL INFORMATION
MINNESOTA'S CONSTRUCTION STORMWATER PERMIT IS AN EXTENSION OF THE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM STORMWATER PROGRAM, WHICH IS PART OF THE FEDERAL CLEAN WATER ACT. REGULATED PARTIES MUST DEVELOP A STORMWATER POLLUTION PREVENTION PLAN (SWPPP). THE SWPPP PROVIDES INFORMATION ON THE EXISTING AND PROPOSED SITE CONDITIONS, CONTROL MEASURES FOR STORMWATER POLLUTION PREVENTION BEFORE, DURING AND AFTER CONSTRUCTION, INSPECTION, MAINTENANCE AND INFORMATION RELATED TO THE PERMANENT STORMWATER MANAGEMENT SYSTEM. THE SWPPP SHALL BE KEPT ON SITE AT ALL TIMES DURING ACTIVE CONSTRUCTION.

PROJECT INFORMATION
PROJECT NAME: ALEXANDER WOODS FOURTH ADDITION
PROJECT LOCATION: BLAINE, ANOKA COUNTY, MINNESOTA
PROJECT OWNER: MONTI GESINO

RESPONSIBLE PARTIES
THE OWNER MUST IDENTIFY A PERSON KNOWLEDGEABLE AND EXPERIENCED IN THE APPLICATION OF EROSION PREVENTION AND SEDIMENT CONTROL BMP'S WHO WILL OVERSEE THE IMPLEMENTATION OF THE SWPPP, AND THE INSTALLATION, INSPECTION AND MAINTENANCE OF THE EROSION PREVENTION AND SEDIMENT CONTROL BMP'S.

SITE MANAGER: ______________________________

TRAINING DOCUMENTATION: ______________________________

EXISTING SITE CONDITIONS
THE SITE IS LOCATED IN THE SOUTHWEST QUADRANT OF THE INTERSECTION OF 113TH AVENUE NE AND FILLMORE STREET NE IN BLAINE, MN. THE SITE IS BOUNDED ON THE NORTH BY 113TH AVENUE NE, BOUNDED ON THE EAST BY FILLMORE STREET NW, AND BOUNDED ON THE SOUTH & WEST BY EXISTING SINGLE FAMILY HOMES. THE TOTAL SITE AREA OF THE IS 1.2 ACRES WITH APPROXIMATELY 0.3 ACRES OF EXISTING IMPERVIOUS SURFACE.

THE SITE IS RELATIVELY FLAT WITH ELEVATIONS ONSITE RANGE FROM 898 TO 904. ALL OF THE DISCHARGE FROM THE SITE FLOWS TO 113TH AVENUE OR TO EXISTING PONDING FROM THE ALEXANDER WOODS DEVELOPMENT.

PROPOSED SITE CONDITIONS
THE PROPOSED CONSTRUCTION INCLUDES 2 NEW SINGLE-FAMILY HOMES AND THE EXISTING HOME WILL REMAIN IN PLACE. THE EXISTING DRIVEWAY WILL BE REMOVED AND A NEW GARAGE AND DRIVEWAY WILL BE CONSTRUCTED FRONTING TO FILLMORE STREET NE. THE SITE WILL BE GRADED TO PROMOTE SURFACE WATER DRAINAGE AND MAXIMIZE THE AMOUNT OF RUNOFF THAT IS TREATED BEFORE LEAVING THE SITE. DISTURBED AREAS WILL BE TILLED, SEEDED AND MULCHED OR SODDED AFTER CONSTRUCTION IS COMPLETE. THE TOTAL IMPERVIOUS AREA OF THE SITE POST CONSTRUCTION IS 0.40 ACRES AND APPROXIMATELY 0.80 ACRES WILL BE DISTURBED. THE RUNOFF FROM SITE WILL FOLLOW THE EXISTING DRAINAGE PATTERN.

SOIL INFORMATION
THE NRCS WEB SOIL SURVEY WAS REFERENCE FOR THE SOILS PRESENT ONSITE. THE SOILS INDICATED ARE ISANTI FINE SANDY LOAM AND LINO LOAMY FINE SAND. BOTH SOIL TYPES ARE IN HSG A. THE EXISTING STORMWATER POND SOUTH OF THE SITE WAS REFERENCED FOR DETERMINING THE ANTICIPATED GROUNDWATER. THIS ASSUMED GROUNDWATER LEVEL IS AT AN ELEVATION OF APPROXIMATELY 893.0.

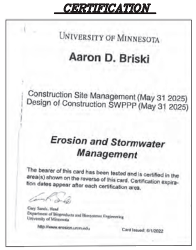
WETLAND CONSIDERATIONS
THERE ARE NO WETLANDS ONSITE.

STORMWATER RECEIVING WATERS
STORMWATER FROM THE SITE WILL ULTIMATELY DISCHARGE SOUTH TO ANOKA COUNTY DITCH #39.

SPECIAL/IMPAIRED WATER CONSIDERATIONS
THERE ARE NO SPECIAL OR IMPAIRED WATERS WITHIN ONE MILE OF THE SITE.

STORMWATER MANAGEMENT PLAN
DUE TO THE SMALL SIZE OF THE DISTURBED AREA (UNDER ONE ACRE) A STORMWATER MANAGEMENT PLAN WAS NOT REQUIRED.

CERTIFICATION



PRIOR TO START OF CONSTRUCTION
THE FOLLOWING STORMWATER POLLUTION PREVENTION MEASURES SHALL BE IMPLEMENTED PRIOR TO CONSTRUCTION. REFER TO GRADING AND EROSION CONTROL PLANS FOR LOCATIONS.

1. SILT FENCE
   SILT FENCE SHALL BE INSTALLED AT THE LIMIT OF GRADING ON ANY FILL SLOPE. ADDITIONAL SILT FENCE MAY BE REQUIRED IN CUT SLOPE AREAS. SILT FENCE SHALL ALSO BE INSTALLED AROUND ANY INFILTRATION/FILTRATION PRACTICE.
2. ROCK CONSTRUCTION ENTRANCE
   ROCK CONSTRUCTION ENTRANCES SHALL BE INSTALLED AT THE FIELD ENTRANCES TO THE SITE.
3. CATCH BASINS
   ALL CATCH BASINS SHALL BE PROTECTED WITH INLET PROTECTION DEVICES APPROVED BY THE LOCAL GOVERNING UNIT. THESE SHALL INCLUDE, BUT ARE NOT LIMITED TO, WIMCO PROTECTION DEVICES, INFRASAFE PROTECTION DEVICES, FILTER FABRIC, BIO ROLLS AND STRAW BALES.

DURING CONSTRUCTION
THE FOLLOWING STORMWATER POLLUTION PREVENTION MEASURES SHALL BE IMPLEMENTED DURING CONSTRUCTION. REFER TO GRADING AND EROSION CONTROL PLANS FOR LOCATIONS.

1. PHASED GRADING
   TO THE EXTENT POSSIBLE, GRADING SHALL BE PHASED TO MINIMIZE THE AMOUNT OF DISTURBED AREAS DURING SITE CONSTRUCTION.
2. TRACKED SEDIMENT
   ANY SEDIMENT TRACKED FROM THE SITE ONTO THE STREET SHALL BE REMOVED IMMEDIATELY UPON DETECTION. THE ROCK CONSTRUCTION ENTRANCE SHALL BE INSPECTED AND REPAIRED IF INUNDATED WITH SEDIMENT.
3. STOCKPILES
   STOCKPILES SHALL BE PLACED IN AN AREA THAT WILL MINIMIZE THE NEED FOR RELOCATION. IF A STOCKPILE WILL REMAIN IN PLACE FOR AN EXTENDED PERIOD OF TIME, STABILIZATION MEASURES SHALL BE IMPLEMENTED, INCLUDING BUT NOT LIMITED TO, SEEDING AND SILT FENCING. TEMPORARY STOCKPILES MUST HAVE SILT FENCE OR OTHER EFFECTIVE SEDIMENT CONTROLS AND CANNOT BE PLACED IN SURFACE WATERS, INCLUDING STORMWATER CONVEYANCES SUCH AS CURB AND GUTTER SYSTEMS, CONDUITS OR DITCHES. STABALIZATION OF STOCKPILES MUST TAKE PLACE WITHIN 7 DAYS OF INACTIVITY.
4. TOPSOIL
   UPON GRADING COMPLETION, A MINIMUM OF 4 INCHES OF TOPSOIL SHALL BE PLACED OVER ALL DISTURBED AREAS, EXCLUDING PROPOSED STREETS AND PARKING AREAS.
5. RESTORATION
   ALL DISTURBED AREAS NOT ACTIVELY WORKED SHALL BE RESTORED WITH SEED AND MULCH, EROSION CONTROL BLANKET AND/OR SOD WITHIN 7 DAYS.
6. SLOPES
   IN ORDER TO MAINTAIN SHEET FLOW AND MINIMIZE RILLS AND/OR GULLIES, THERE SHALL BE NO UNBROKEN SLOPE LENGTH OF GREATER THAN 75 FEET FOR SLOPES WITH A GRADE OF 3:1 OR STEEPER.
7. DRAINAGE DITCHES
   THE NORMAL WETTED PERIMETER OF ANY TEMPORARY OR PERMANENT DRAINAGE DITCH THAT DRAINS WATER FROM THE SITE, OR DIVERTS WATER AROUND THE SITE, MUST BE STABILIZED WITHIN 200 LINEAL FEET FROM THE PROPERTY EDGE, OR FROM THE POINT OF DISCHARGE TO ANY SURFACE WATER. STABILIZATION MUST BE COMPLETED WITHIN 24 HOURS OF CONNECTING TO A SURFACE WATER.
8. PIPE OUTLETS
   PIPE OUTLETS MUST BE PROVIDED WITH TEMPORARY OR PERMANENT ENERGY DISSIPATION WITHIN 24 HOURS OF CONNECTION TO A SURFACE WATER.
9. CATCH BASINS
   ALL CATCH BASINS SHALL BE PROTECTED WITH INLET PROTECTION DEVICES APPROVED BY THE LOCAL GOVERNING UNIT. THESE SHALL INCLUDE, BUT ARE NOT LIMITED TO, WIMCO PROTECTION DEVICES, INFRASAFE PROTECTION DEVICES, FILTER FABRIC, BIO ROLLS AND STRAW BALES.
10. DUST
    CONSTRUCTION DUST SHALL BE CONTAINED TO THE EXTENT POSSIBLE. IF THE SITE BECOMES EXCESSIVELY DUSTY, APPROPRIATE MEASURES SHALL BE TAKEN TO REDUCE DUST BEING TRANSPORTED FROM THE SITE. DUST CONTROL MEASURES INCLUDE, BUT ARE NOT LIMITED TO, WATERING AND CALCIUM CHLORIDE APPLICATION.
11. DEWATERING
    IT IS NOT ANTICIPATED THAT DEWATERING WILL BE REQUIRED FOR THE PROJECT. IF NECESSARY, DEWATERING ACTIVITIES SHALL BE CONDUCTED WITH AND APPROVED BY THE LOCAL GOVERNING UNIT. IF THERE WILL BE ANY DEWATERING OR BASIN DRAINING THAT MAY HAVE TURBID OR SEDIMENT LADEN DISCHARGE, THE WATER MUST BE DISCHARGED TO A TEMPORARY OR PERMANENT SEDIMENTATION BASIN ON THE PROJECT SITE WHENEVER POSSIBLE. APPROPRIATE BMPS SHALL BE USED FOR EROSION AND SEDIMENT CONTROL AND ENERGY DISSIPATION.
12. CONSTRUCTION MATERIALS AND DEBRIS
    CONSTRUCTION MATERIALS SHALL BE STORED IN AN ORDERLY MANNER AND IN AN AREA THAT WILL MINIMIZE CONFLICTS WITH OTHER CONSTRUCTION ACTIVITIES. CONSTRUCTION DEBRIS SHALL BE CONTAINED IN DUMPSTERS AND REMOVED FROM THE SITE AS NECESSARY.
13. CHEMICALS
    CHEMICALS SHALL BE STORED IN A SAFE AREA IN SEALED CONTAINERS WITH THE ORIGINAL LABELING AND MATERIAL SAFETY DATA SHEETS AVAILABLE.
14. SPILLS AND CONTAMINATION
    IF FUEL, OIL OR A HAZARDOUS CHEMICAL IS SPILLED OR DETECTED DURING CONSTRUCTION ACTIVITIES, ALL APPROPRIATE AGENCIES SHALL BE IMMEDIATELY NOTIFIED, INCLUDING, BUT NOT LIMITED TO, THE MINNESOTA DUTY OFFICER AT 800-422-0798.
15. CONCRETE WASHOUT AREA
    ALL LIQUID AND SOLID WASTES GENERATED BY CONCRETE WASHOUT OPERATIONS MUST BE CONTAINED IN A LEAK-PROOF CONTAINMENT FACILITY OR IMPERMEABLE LINER. AN IMPERMEABLE COMPACTED CLAY LAYER IS SUFFICIENT. CONCRETE WASHOUT IN THE AGGREGATE ROAD BASE IS ALLOWED. A SIGN MUST BE INSTALLED AT EACH WASHOUT FACILITY TO DIRECT EQUIPMENT OPERATORS TO THE APPROPRIATE LOCATION.

POST CONSTRUCTION
WHEN THE SITE HAS BEEN COMPLETELY CONSTRUCTED, THE SITE MUST UNDERGO FINAL STABILIZATION. FINAL STABILIZATION OCCURS WHEN ALL OF THE GRADING, INFRASTRUCTURE AND BUILDING ACTIVITIES HAVE BEEN COMPLETED. TO ACHIEVE FINAL STABILIZATION, THE FOLLOWING MEASURES SHALL BE COMPLETED.

1. ALL DISTURBED AREAS WITHOUT PERMANENT IMPERVIOUS SURFACES SHALL BE STABILIZED BY A UNIFORM PERENNIAL VEGETATIVE COVER. AREAS NOT REQUIRING SOD OR EROSION CONTROL BLANKET SHALL BE SEEDED AND MULCHED.
2. SEDIMENT FROM CONVEYANCES AND TEMPORARY SEDIMENTATION BASINS THAT ARE TO BE USED AS PERMANENT WATER QUALITY MANAGEMENT BASINS SHALL BE CLEANED OUT. SEDIMENTATION BASINS SHALL BE SUFFICIENTLY CLEANED OUT TO RETURN THE BASIN TO DESIGN CAPACITY. SEDIMENT MUST BE STABILIZED TO PREVENT IT FROM BEING WASHED BACK INTO THE BASIN OR CONVEYANCES DISCHARGING OFF-SITE OR TO SURFACE WATERS.
3. WHEN STABILIZED VEGETATION HAS BEEN ESTABLISHED OVER 70 PERCENT OF THE PERVIOUS SURFACE AREA, ALL SYNTHETIC TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES SHALL BE REMOVED. THIS INCLUDES, BUT IS NOT LIMITED TO, SILT FENCE, TREE FENCE AND CATCH BASIN INLET PROTECTION DEVICES.

INSPECTIONS & RECORD KEEPING
STORMWATER POLLUTION PREVENTION INSPECTIONS SHALL OCCUR ONCE EVERY SEVEN (7) DAYS DURING ACTIVE CONSTRUCTION AND WITHIN 24 HOURS AFTER A RAINFALL EVENT GREATER THAN 0.5 INCHES IN 24 HOURS. INSPECTIONS MAY BE CEASED DURING FROZEN GROUND CONDITIONS. WHERE WORK HAS BEEN SUSPENDED DUE TO FROZEN GROUND CONDITIONS, THE REQUIRED INSPECTIONS AND MAINTENANCE MUST TAKE PLACE WITHIN 24 HOURS AFTER RUNOFF OCCURS AT THE SITE OR PRIOR TO RESUMING CONSTRUCTION, WHICHEVER COMES FIRST. DURING THE COURSE OF CONSTRUCTION, IT MAY BE DETERMINED THAT ADDITIONAL STORMWATER POLLUTION PREVENTION MEASURES MAY BE NEEDED, OR CERTAIN MEASURES ARE NOT PRACTICAL TO INSTALL. IN THESE CASES, AN AMENDMENT TO THE SWPPP SHALL BE MADE, AND SUPPORTING REASONS SHALL BE DOCUMENTED IN THE SWPPP.

1. THE OWMER/CONTRACTOR IS RESPONSIBLE FOR ALL EROSION CONTROL INSPECTIONS.
2. RECORD NAME OF INSPECTOR AND DATE AND TIME OF INSPECTION.
3. RECORD RAINFALL AMOUNT SINCE MOST RECENT INSPECTION.
4. INSPECT ROCK CONSTRUCTION ENTRANCES FOR SEDIMENTATION. INSPECT ADJACENT STREETS FOR SEDIMENT TRACKING.
5. INSPECT SITE FOR EXCESSIVE EROSION AND SEDIMENT ACCUMULATION.
   A. INSPECT SILT FENCE AND OTHER TEMPORARY EROSION AND SEDIMENT CONTROL DEVICES FOR EROSION, SEDIMENTATION AND MALFUNCTIONING.
   B. INSPECT FLARED END SECTIONS FOR EROSION AND SEDIMENTATION.
   C. INSPECT PONDS, INFILTRATION BASINS, TEMPORARY SEDIMENTATION BASINS AND ALL OTHER BMP'S FOR EROSION AND SEDIMENTATION.
   D. INSPECT SURFACE WATERS, INCLUDING DRAINAGE DITCHES AND CONVEYANCE SYSTEMS FOR EVIDENCE OF SEDIMENT BEING DEPOSITED BY EROSION.
6. INSPECT SITE AND ADJACENT PROPERTIES FOR CONSTRUCTION DEBRIS, TRASH AND SPILLS.
7. INSPECT STABILIZED AREAS FOR EROSION.
8. RECORD RECOMMENDED REPAIRS, MAINTENANCE AND/OR REPLACEMENTS REQUIRED TO ENSURE EROSION AND SEDIMENTATION CONTROL MEASURES ARE SUFFICIENT.
9. RECORD RECOMMENDED AMENDMENTS TO THE SWPPP.
10. RECORD REPAIRS, MAINTENANCE AND/OR REPLACEMENTS THAT WERE COMPLETED SINCE THE LAST INSPECTION.

NOTE: FOR AREAS THAT HAVE UNDERGONE FINAL STABILIZATION, INSPECTIONS CAN BE REDUCED TO ONCE PER MONTH.

MAINTENANCE
THE OWNER/CONTRACTOR IS RESPONSIBLE FOR THE OPERATION, INSPECTION AND MAINTENANCE OF ALL STORMWATER POLLUTION PREVENTION MEASURES FOR THE DURATION OF THE PROJECT. THE FOLLOWING GUIDELINES SHALL BE USED TO DETERMINE NECESSARY REPAIRS, MAINTENANCE AND/OR REPLACEMENT OF THE EROSION AND SEDIMENTATION CONTROL MEASURES.

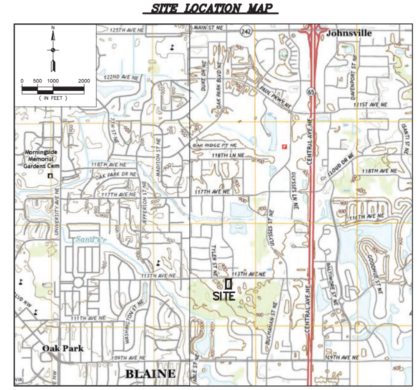
1. ROCK CONSTRUCTION ENTRANCES SHALL BE REPAIRED OR REPLACED IF THE ROCK BECOMES INUNDATED WITH SEDIMENT AND/OR EXCESSIVE SEDIMENT IS BEING TRACKED FROM THE SITE. SEDIMENT TRACKED ONTO ADJACENT STREETS SHALL BE REMOVED. MEASURES SHALL BE TAKEN IMMEDIATELY UPON DISCOVERY.
2. SILT FENCE SHALL BE REPAIRED OR REPLACED WHEN SEDIMENT REACHES 1/3 THE HEIGHT OF THE SILT FENCE, THE SILT FENCE IS DAMAGED AND/OR THE SILT FENCE BECOMES NONFUNCTIONAL. MEASURES SHALL BE TAKEN WITHIN 24 HOURS OF DISCOVERY.
3. CATCH BASIN INLET PROTECTION DEVICES SHALL BE CLEANED WHEN SEDIMENT REACHES $\frac{1}{3}$ THE HEIGHT OF THE SEDIMENT TRAP AND/OR REPAIRED OR REPLACED IF THE DEVICE BECOMES NONFUNCTIONAL. MEASURES SHALL BE TAKEN WITHIN 72 HOURS OF DISCOVERY.
4. FLARED END SECTIONS SHALL BE CLEANED IF DEBRIS IS RESTRICTING FLOW OR IF SEDIMENT HAS ACCUMULATED AT THE OUTLET. IF A FLARED END SECTION BECOMES NONFUNCTIONAL OR DAMAGED, IT SHALL BE REPAIRED OR REPLACED. MEASURES SHALL BE TAKEN WITHIN 72 HOURS OF DISCOVERY.
5. IF SEDIMENT IS OBSERVED OFF-SITE OR NEAR SURFACE WATERS, THE SOURCE OF SEDIMENT SHALL BE DETECTED AND ADDITIONAL MEASURES SHALL BE IMPLEMENTED. THE PERMITEE(S) SHALL COORDINATE SEDIMENT RETRIEVAL FROM SURFACE WATERS WITH ALL APPROPRIATE AGENCIES. MEASURES SHALL BE TAKEN WITHIN 7 DAYS OF DISCOVERY.
6. PONDS, INFILTRATION BASINS, TEMPORARY SEDIMENTATION BASINS AND ALL OTHER BMP'S SHALL BE CLEANED IF DEBRIS IS PRESENT AND/OR EXCESSIVE SEDIMENTATION HAS OCCURRED. TEMPORARY AND PERMANENT SEDIMENTATION BASINS MUST BE DRAINED AND THE SEDIMENT REMOVED WHEN SEDIMENT HAS FILLED THE BASIN TO 1/2 THE STORAGE VOLUME. NO SEDIMENT SHALL BE ALLOWED TO ACCUMULATE IN INFILTRATION BASINS. MEASURES SHALL BE TAKEN WITHIN 72 HOURS OF DISCOVERY.

NOTICE OF TERMINATION
THE PERMITEE(S) MUST SUBMIT A NOTICE OF TERMINATION (NOT) TO THE MPCA WITHIN 30 DAYS AFTER FINAL STABILIZATION IS COMPLETE, OR ANOTHER OWNER/OPERATOR (PERMITEE) HAS ASSUMED CONTROL OVER ALL AREAS OF THE SITE THAT HAVE NOT UNDERGONE FINAL STABILIZATION.

QUANTITIES
THE FOLLOWING TABLE PROVIDES ESTIMATED QUANTITIES FOR STORMWATER POLLUTION PREVENTION THROUGHOUT THE PROJECT.

ITEM	UNIT	ESTIMATED QUANTITY
ROCK ENTRANCE	EA.	2
SILT FENCE	L.F.	700
INLET PROTECTION	EA.	2
EROSION CONTROL BLANKET	S.Y.	AS REQ.
TURF ESTABLISHMENT	AC.	0.8

SITE LOCATION MAP



SOURCE: USGS COON RAPIDS 7.5 MIN. QUADRANGLE   SOURCE: USGS CIRCLE PINES 7.5 MIN. QUADRANGLE

CARLSON McCAIN ENGINEERING SURVEYING ENVIRONMENTAL
3890 PHEASANT RIDGE DR NE
SUITE 100
BLAINE, MN 55449
TEL 763.489.7900
FAX 763.489.7959
CARLSONMCCAIN.COM

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota

Print Name: Aaron D. Briski, PE
Signature: Aaron Briski
Date: 4/21/22 License #: 57811

Drawn: ADB
Designed: BJK
Date: 4/21/22

Revisions:
1. 11/17/23 - Revise Layout per Owner

MONTI GESINO
1000 - 113th Avenue NE
Blaine, MN 55434

ALEXANDER WOODS FOURTH ADDITION
Blaine, Minnesota

SWPPP

S1 of 1

Save Date: 12/20/23 f:\jobs\8281 - 8300\8300-03 - alexander woods 4th addition (gesino)\cad c3d\engineering\final plan\8300-03_swppp.dwg

City of Blaine
Anoka County, Minnesota
Signature Copy

Resolution: RES 22-052

Blaine City Hall
10801 Town Sq Dr NE
Blaine MN 55449

File Number: RES 22-052

Granting Conditional Use Permit to Allow for the Construction of Two Single Family Homes in a DF (Development Flex) Zoning District at 1000 113th Avenue NE. Alexander Woods Fourth Addition (Monti Gesino/Carlson McCain) (Case File No. 22-0011/EES)

WHEREAS, an application has been filed by Monti C Gesino, Shirley A Gesino as Conditional Use Permit Case File No. 22-0011; and

WHEREAS, said case involves the land described as follows:

Lot 14, Block 5, ALEXANDER WOODS

WHEREAS, a public hearing has been held by the Blaine Planning Commission on March 8, 2022; and

WHEREAS, the Blaine Planning Commission recommends said Conditional Use Permit be approved; and

WHEREAS, the Blaine City Council has reviewed said case on April 4, 2022.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that a Conditional Use Permit is hereby approved per Section 29.110 of the Zoning Ordinance to allow for the construction of two single family homes in a DF (Development Flex) zoning district with the following conditions:

Single Family - DF Development Standards

Permitted Uses

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

Accessory Uses

1. Private attached 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 in Section 33.10

Standards

1. Front yard setback - 25 feet
2. Side yard setback - 7.5 feet
3. Corner side yard setback - 20 feet
4. Rear yard setback - 30 feet
5. Maximum building height - 2 1/2 stories or 35 feet.
6. 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. One detached accessory storage building below 120 square feet is permitted provided it meets 5-foot side and rear yard setbacks and be located within the rear yard. Lot 3, Block 1 may have up to 1,200 square feet of garage and accessory building space.
7. The minimum finished floor area above grade for all homes shall be 1,300 square feet.
8. All homes shall have a minimum depth and width of 24 feet.
9. All homes to incorporate multiple gables or varied roof lines and articulation of the front façade.
10. All residential dwellings must be built in conformance with the current edition of the Minnesota State Building Code.
11. 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.
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.
13. Each lot shall contain two front yard trees and a third tree is required in the side yard for corner lots. Trees must be at least 2.5 caliper inches.
14. Developer to execute and record where deemed appropriate by the city engineer with the sale of single-family lots, an affidavit 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.
15. All development entrance signage by separate permit.

PASSED by the City Council of the City of Blaine this 4th day of April, 2022.

Signed by: _____ **Date** April 4, 2022

Tim Sanders, Mayor

Attest by: _____

Catherine Sorensen, CMC, City Clerk

Date April 4, 2022

City of Blaine
Anoka County, Minnesota
Signature Copy

Resolution: RES 22-083

Blaine City Hall
10801 Town Sq Dr NE
Blaine MN 55449

File Number: RES 22-083

Granting Final Plat Approval to Subdivide Approximately 1.16 Acres into Three Lots to be Known as Alexander Woods Fourth Addition at 1000 113th Avenue NE. Monti Gesino/Carlson McCain (Case File No. 22-0033/EES)

WHEREAS, an application has been filed by Monti C Gesino, Shirley A Gesino as Case File No. 22-0033 for a final plat known as Alexander Woods Fourth Addition; and

WHEREAS, said case involves the division of land in Anoka County, Minnesota, described as follows:

Lot 14, Block 5, ALEXANDER WOODS, Anoka County, Minnesota

WHEREAS, the Blaine City Council granted preliminary plat approval on April 4, 2022, subject to the conditions as contained in Blaine City Council Resolution No. 22-051; and

WHEREAS, the final plat is in general conformance with the approved preliminary plat.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that final plat approval for Alexander Woods Fourth Addition per Section 74-43 of the subdivision regulations is hereby granted subject to the listed conditions. **NOW, THEREFORE, BE IT FURTHER RESOLVED** The Mayor, City Clerk and City Manager are hereby authorized to execute all necessary documents, agreements and releases related to the approval, recording or administration of Alexander Woods 4th Addition.

1. The developer is responsible for recording plat mylars with Anoka County. Proof of recording must be provided prior to issuance of building permits.
2. The overall development shall be certified by a Professional Engineer licensed in the State of Minnesota and indicate all structures shall be protected from flooding.
3. Plans and specifications must be approved by the City prior to start of construction.
4. All three lots are required to gain access via Fillmore Street.
5. Standard utility and drainage easements must be dedicated along all lot lines.
6. Development requires a National Pollutant Discharge Elimination System (NPDES) Phase II General Storm Water Permit for Construction Activity from the 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.
7. 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.

8. 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.
9. As-built surveys shall be required to verify structure elevations, custom grading requirements, and final lot grading elevations.
10. Park dedication will be required for the two new lots being constructed at the rate of $4,449 per unit, for a total park dedication fee of $8,898 if paid in 2022. This amount must be paid prior to releasing the plat mylars for recording at Anoka County.
11. The property shall be brought into conformance with Article VII - Residential Exterior Storage and 33.10 - Home Occupations prior to release of mylars for recording.
12. Developer to install grouped mailboxes with design and locations approved by city and US Postal Service.
13. All development signage by separate review.
14. Each lot in this development shall have two front yard overstory trees with a minimum size of 2.5 caliper inches.
15. Execution and recording of a Development Agreement, which sets forth in greater detail the plat conditions as well as other responsibilities for the development of this plat.

PASSED by the City Council of the City of Blaine this 16th day of May, 2021.

Signed by: _____ **Date** May 16, 2022

Tim Sanders, Mayor

Attest by: _____ **Date** May 16, 2022

Catherine Sorensen, CMC, City Clerk

City of Blaine
Staff Report

File Number: 2024-39

Agenda Date	Status
February 13, 2024	
In Control	**File Type**
Planning Commission	Report

Public Hearing - Shawn Kaye, Planner

Agenda Item # 4.3

Case File No. 24-0003 // Noodles and Company // 12351 Ulysses Street NE, #120
The applicant is requesting a conditional use permit to allow outdoor dining with 14 seats in the Regional Commercial (B-3) zoning district.

Background

Zoning	Regional Commercial (B-3)
Land Use	Community Commercial (CC)
Area	1.65 Acre
Applicable Regulations	Sections 27.04 and 30.24(t)
Attachments	Zoning and Location Map Site Plan Patio Plan Railing Photo Narrative
Schedule	Planning Commission: 02/13/24 City Council: 03/04/24

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

Executive Summary

Zoning

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

Land Use Designation

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

Surrounding Zoning and Uses

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

Existing Conditions
The property has a two-tenant building and a freestanding dental building.

History
This parcel received a CUP for two buildings on one lot and shared access/parking on July 6, 2022.

Evaluation of Request
Site Plan
Noodles is proposing an outdoor dining area located on the northwest corner of the building. It consists of six tables and 14 seats as shown on the attached drawing. The outdoor dining area will have a decorative fence surrounding three sides of the seating area.

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

Landscaping
The submitted landscape plan for the construction of the building meets zoning ordinance requirements.

Grading/Storm Drainage
This development is already constructed and the grading and storm drainage were accounted for at the time of development. The addition of the outdoor seating area will not require additional grading or storm water requirements.

Wetlands/Watershed
This development is already constructed. There are no wetlands on this property and the watershed requirements were accounted for at the time of development. The addition of the outdoor seating area will not require additional watershed review or requirements.

Access/Street Design/Sidewalks/Trails
This development is already constructed and no additional access or street design required. The addition of the outdoor seating area will not require additional sidewalks or trails to be constructed. Consideration should be given to the placement of the tables to ensure that a safe sight-distance is provided for vehicles pulling out of the drive-thru lanes.

Easements/Right-of-way/Permits
This development is already constructed. The addition of the outdoor seating area will not require additional easements or right-of-way.

Conditional Use Permit

A city exercises “quasi-judicial” authority when considering a CUP application. This means the city’s role is limited to applying the standards in the ordinance to the facts presented by the application. The city acts like a judge in evaluating the facts against the standards.

Section 27.04 Criteria for granting conditional use permits:
The Blaine City Council shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use on the comprehensive plan and upon the health, safety, and general welfare of occupants of surrounding lands. Among other things, the Council shall consider the following findings where applicable. (Ord. No. 20-2447, 7-20-2020)

1. The use shall not create an excessive burden on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area.
    - An outdoor dining area including 14 seats does not create an excessive burden.
2. The use will be located, designed, maintained, and operated to be compatible with adjoining properties and the existing or intended character of the zoning district. (Ord. No. 20-2447, 7-20-2020)
    - The B-3 district is intended to provide retailing and services of both a convenience and durable nature for shoppers, such as apparel, furniture, food, banking and financial services for a regional trade area. The use meets this intent.
3. The use shall have an appearance that will not have an adverse effect upon adjacent properties.
    - The proposed building and outdoor dining will meet all setbacks and landscape requirements. The use will not have an adverse effect on adjacent properties.
4. The use, in the opinion of the City Council, shall be reasonably related to the overall needs of the City and to the existing land use.
5. The use shall be consistent with the purposes of the zoning code and purposes of the zoning district in which the applicant intends to locate the proposed use.
    - The use meets the purpose of the B-3 district.
6. The use shall not be in conflict with the comprehensive plan of the City.
    - The comprehensive plan designation is CC (Community Commercial), which is for retailing and services that serve larger areas from neighborhood to regional scale. The use is not in conflict with the Comprehensive Plan.
7. The use will not cause traffic hazards or congestion.
    - The addition of outdoor seating will not result in any additional traffic hazards or additional congestion to the area.
8. The use shall have adequate utilities, access roads, drainage and necessary facilities.
    - The addition of outdoor seating does not alter the existing utility services, roadways or associated drainage facilities.

Recommendation

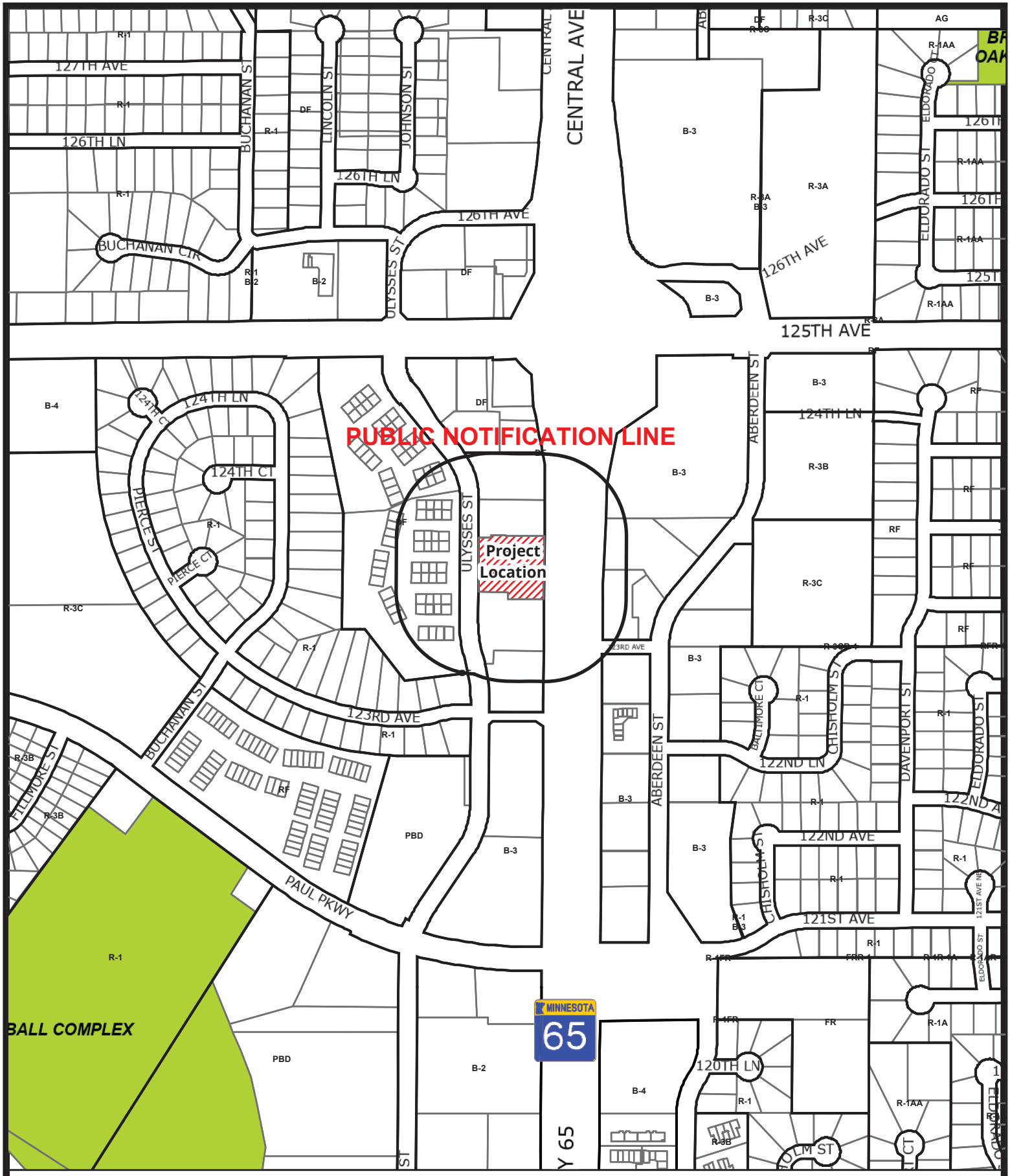
In Planning Case File No. 24-0003, it is recommended that the Planning Commission recommend approval of a conditional use permit for outdoor dining with 14 seats in the Regional Commercial (B-3) zoning district with the following conditions:

1. The outdoor dining area is subject to a SAC review and payment. The applicant must work with the City’s Chief Building Official and Met Council to determine the amount required for this use.

2. No outdoor advertising on the building or outdoor dining area without obtaining a temporary sign permit is allowed.
3. The outdoor dining area will be limited to no more than 14 seats in the outdoor dining area.
4. The ability to operate outdoor dining is reliant upon the applicant's ability to adequately control litter and refuse as associated with the facility.
5. No amplified outdoor music system is allowed.
6. Per the Minnesota Building Code, exit doors in any railing or fence in the outdoor dining area shall be openable from the inside without the use of a key or any special knowledge or effort.
7. Provide manufacturing specifications and requirements for propane heater use and clearance to combustibles if they are to be used on site.
8. Applicant to provide the City with an updated liquor liability certificate of insurance that includes the outdoor seating area and that the area is compact and contiguous to the already-established licensed premise.

Attachment List

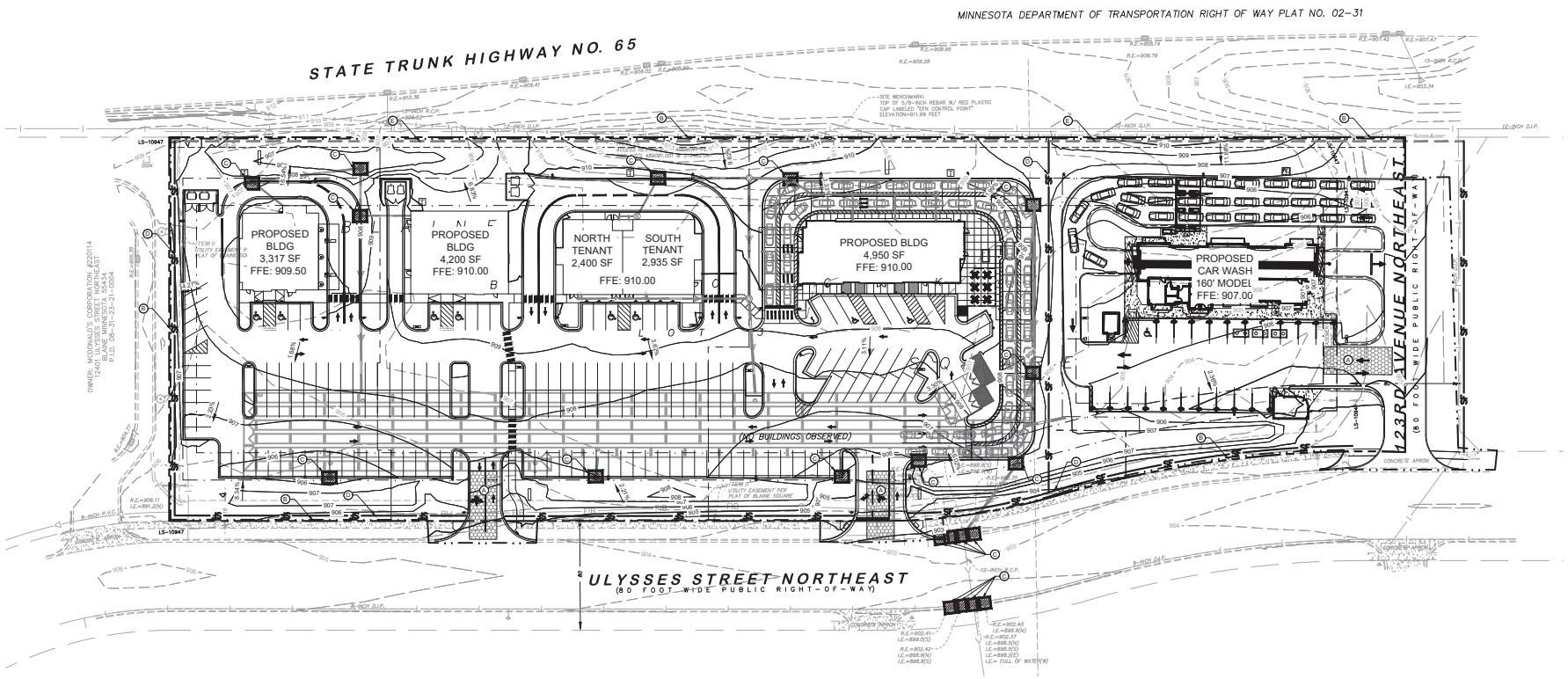
1. Attachments



Case File No. 24-0003
Noodles & Company

BlaineMN.gov

Blaine Planning Department / 10801 Town Square Dr NE / Blaine, MN 55449 / (763) 785-6180



EROSION CONTROL PLAN NOTES

1. ALL PERIMETER SILT FENCE AND ROCK CONSTRUCTION ENTRANCES SHALL BE INSTALLED PRIOR TO CONSTRUCTION.
2. THE CONTRACTOR SHALL INSTALL CATCH BASIN EROSION CONTROL MEASURES.
3. WITHIN ONE WEEK (7 DAYS) OF SITE GRADING, ALL DISTURBED AREAS SHALL BE STABILIZED WITH SEED, SOD, OR ROCK BASE. REFER TO LANDSCAPE PLANS FOR MATERIALS.
4. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH CITY, STATE, AND WATERSHED DISTRICT PERMITS.
5. THE CONTRACTOR SHALL MAINTAIN ALL EROSION CONTROL MEASURES, INCLUDING THE REMOVAL OF SILT IN FRONT OF SILT FENCES DURING THE DURATION OF THE CONSTRUCTION.
6. REMOVAL ALL EROSION CONTROL MEASURES AFTER VEGETATION IS ESTABLISHED.
7. THE CONTRACTOR SHALL REMOVE ALL SOILS AND SEDIMENT TRACKED ONTO EXISTING STREETS AND PAVED AREAS AND SHALL SWEEP ADJACENT STREETS AS NECESSARY IN ACCORDANCE WITH CITY REQUIREMENTS.
8. IF BLOWING DUST BECOMES A NUISANCE, THE CONTRACTOR SHALL APPLY WATER FROM A TANK TRUCK TO ALL CONSTRUCTION AREAS.
9. EROSIONS CONTROLS SHOULD BE PRESENT AT THE TOE OF SLOPE AT ALL STOCKPILES.
10. IF DEWATERING IS REQUIRED, PROVIDE DNR DEWATERING PERMIT PRIOR TO CONSTRUCTION. IF A DNR PERMIT IS NOT REQUIRED, PROVIDE WELL-FIELD LOCATION, RATES, DISCHARGE LOCATION, SCHEDULE AND QUANTITIES PRIOR TO CONSTRUCTION.

RECEIVING BODY OF WATER:
THE SITE DISCHARGES TO THE EXISTING STORM SYSTEM LOCATED IN ULYSSES STREET, WHICH ULTIMATELY DISCHARGES TO SAND CREEK OVER 1.0 MILE WEST OF THE SITE. THE STREAM IS NOT CLASSIFIED AS AN IMPAIRED STREAM.

SEQUENCE OF CONSTRUCTION:

UPON IMPLEMENTATION AND INSTALLATION OF THE FOLLOWING AREAS: TRAILER, PARKING, LAYDOWN, PORTA-POTTY, WHEEL WASH, CONCRETE WASHOUT, FUEL AND MATERIAL STORAGE CONTAINERS, SOLID WASTE CONTAINERS, ETC., IMMEDIATELY DENOTE THEM ON THE SITE MAPS AND NOTE ANY CHANGES IN LOCATION AS THEY OCCUR THROUGHOUT THE CONSTRUCTION PROCESS.

BMP AND EROSION CONTROL INSTALLATION SEQUENCE SHALL BE AS FOLLOWS:

1. INSTALL INLET PROTECTION AT EXISTING STORMWATER CULVERTS.
2. CONSTRUCT STABILIZED CONSTRUCTION ENTRANCE (1), CONCRETE WASHOUT PIT (1) AND INSTALL SILT FENCE.
3. PREPARE TEMPORARY PARKING AND STORAGE AREA.
4. PERFORM CLEARING AND GRUBBING OF THE SITE. PERFORM MASS GRADING. ROUGH GRADE TO ESTABLISH PROPOSED DRAINAGE PATTERNS.
5. START CONSTRUCTION OF THE BUILDING PAD AND STRUCTURES.
6. TEMPORARILY SEED WITH PURE LIVE SEED, THROUGHOUT CONSTRUCTION. DISTURBED AREAS AND SOIL STOCKPILES THAT WILL BE INACTIVE FOR 7 DAYS OR MORE OR AS REQUIRED BY NPDES AND/OR CITY OF BLAINE GRADING PERMIT.

LEGEND

- ROCK ENTRANCE
- EROSION CONTROL BLANKET
- INLET PROTECTION
- SF — SILT FENCE
- LIMITS OF DISTURBANCE
- BIOROLL

KEYNOTE LEGEND

- (A) ROCK CONSTRUCTION ENTRANCE
- (B) LIMITS OF CONSTRUCTION
- (C) INLET PROTECTION
- (D) SILT FENCE
- (E) BIOROLL

PROPERTY SUMMARY	
LIMITS OF DISTURBANCE (AC)	5.73
PRE-DEVELOPMENT PERVIOUS AREA (AC)	5.48
PRE-DEVELOPMENT IMPERVIOUS AREA (AC)	0.25
POST-DEVELOPMENT PERVIOUS AREA (AC)	2.18
POST-DEVELOPMENT IMPERVIOUS AREA (AC)	3.55
PHASE 2 BMP QUANTITIES	
SILT FENCE	±1,600 L.F.
ROCK CONSTRUCTION ENTRANCE	3 EA
INLET PROTECTION	19 EA

NORTH

GRAPHIC SCALE IN FEET
0 20 40 80

No.	REVISIONS	DATE	BY
1	CITY REVIEW COMMENTS	04/07/2023	RBW
2	UTILITY/SITE UPDATES	11/29/2022	RBW
3	UTILITY UPDATES	11/29/2022	RBW
4	UTILITY/SITE UPDATES	11/18/2022	RBW
5	CITY REVIEW COMMENTS	11/09/2022	RBW
6	SITE PLAN UPDATES	09/27/2022	RBW
7	CITY REVIEW COMMENTS	08/24/2022	RBW

Kimley»Horn
© 2022 KIMLEY-HORN AND ASSOCIATES, INC.
767 EUSTIS STREET, SUITE 100, ST. PAUL, MN 55114
PHONE: 651-645-4197
WWW.KIMLEY-HORN.COM

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

ALAN L. CATOPPOSI, P.E.
DATE 04/07/2023 LIC. NO. 47969 MN

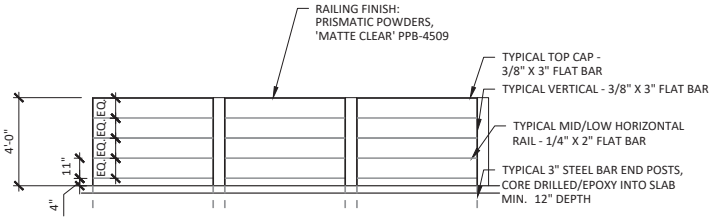
KHA PROJECT 160370000
DATE 04/07/2023
SCALE AS SHOWN
DESIGNED BY RBW
DRAWN BY RBW
CHECKED BY ALC

EROSION AND SEDIMENT CONTROL PLAN - PHASE 2

12331 ULYSSES STREET NE
PREPARED FOR
CAPITAL REAL ESTATE
BLAINE MN

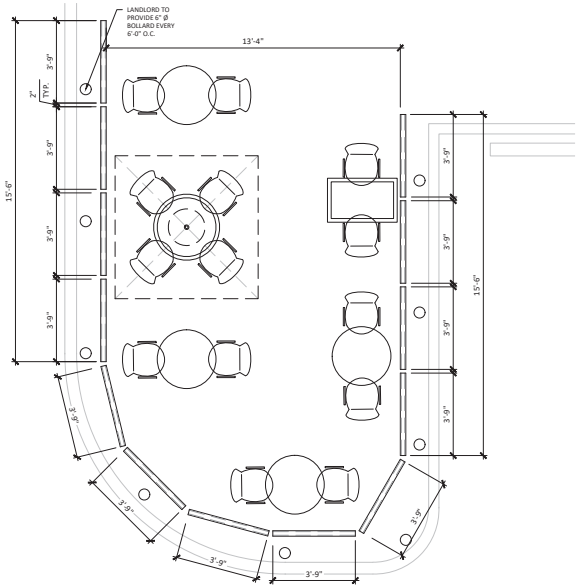
SHEET NUMBER
C301

K:\TWC_LDEV\Capital Real Estate, Inc\Blaine, MN\3 Design\CAD\PlanSheets\C3-EROS PH2 PLAN.dwg March 30, 2023 - 3:00pm
This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



3 Patio Railing Elevation, Typ.

SCALE: 3/8" = 1'-0"



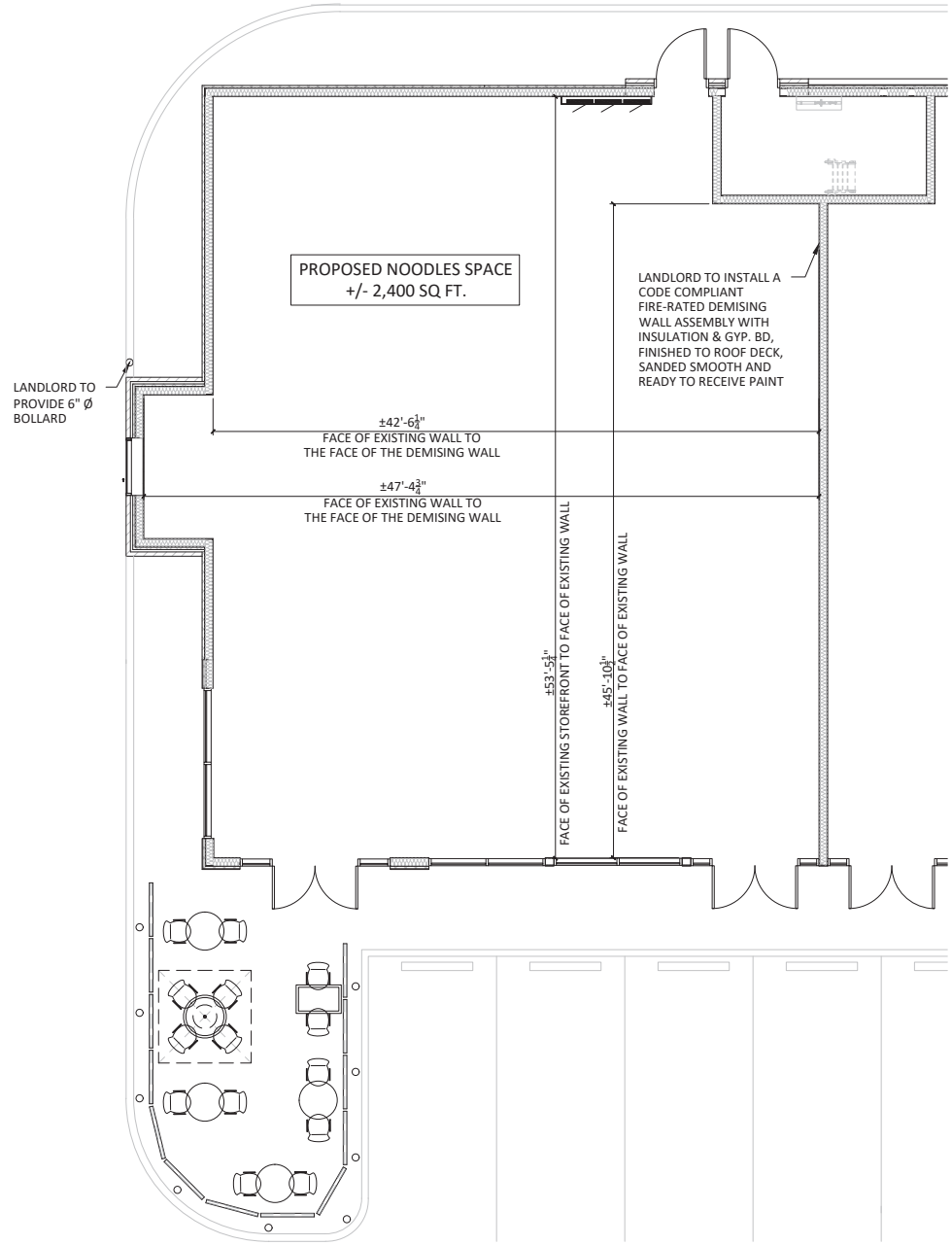
2 Enlarged Patio Railing Plan

SCALE: 3/8" = 1'-0"

NOODLES & COMPANY

NORTH BLAINE
TBD
NORTH BLAINE, MN
CHIPMAN DESIGN ARCHITECTURE
2022-12-13

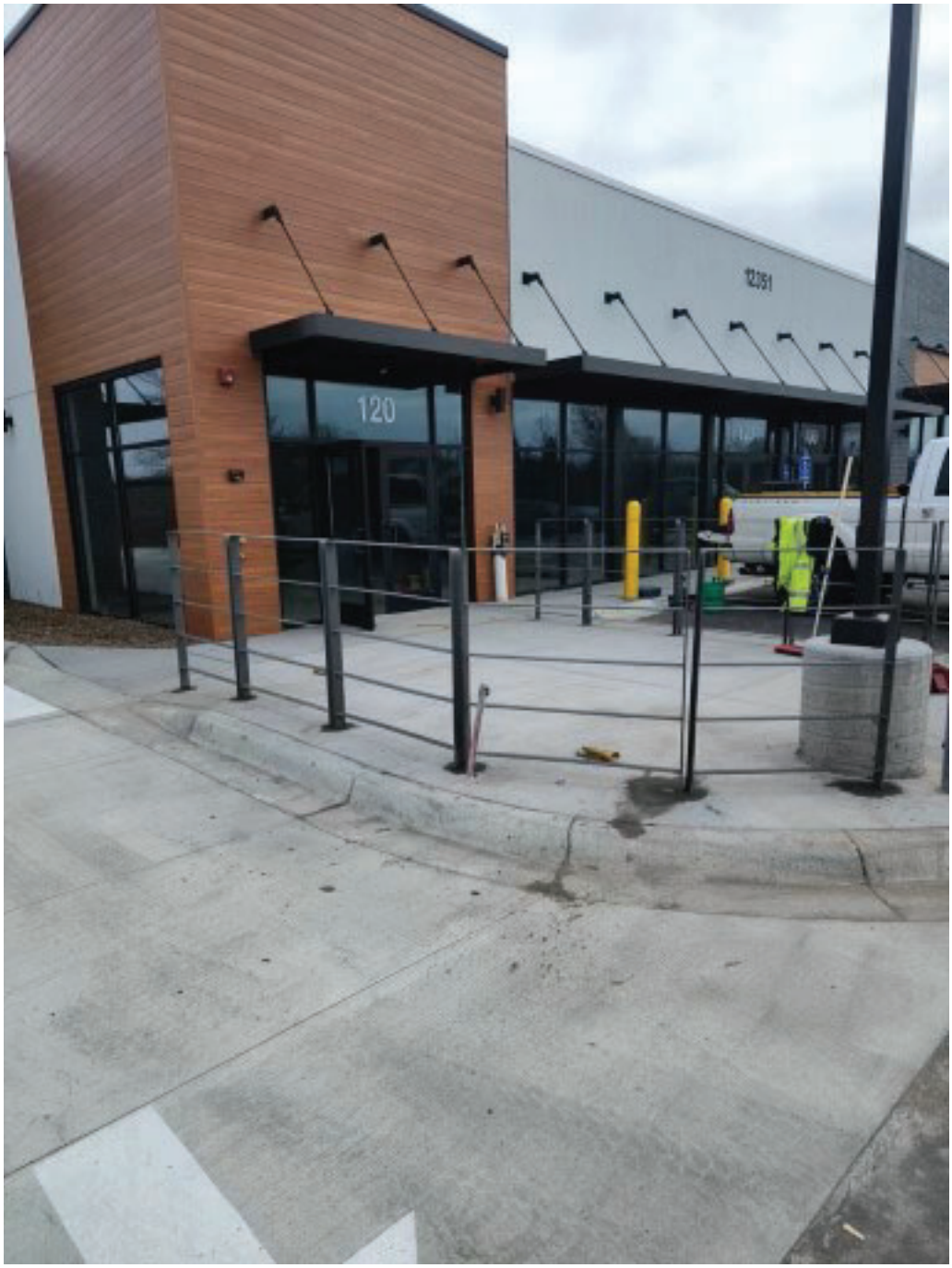
ALL DIMENSIONS TO BE
VERIFIED IN FIELD



1 Demising Wall & Patio Location

SCALE: 1/4" = 1'-0"

NORTH


120

Noodles & Company
12351 Ulysses St. NE, Suite 120
Lot 2, Blaine Square Third Addition
Date Prepared: January 9, 2024

Conditional Use Permit

Project Narrative

Blaine Square II LLC is requesting a Conditional Use Permit to permit Outdoor Dining for the northerly tenant of the southerly building on Lot 2.

We hereby request that up to six (6) tables and 14 seats be permitted in the outdoor dining area in accordance with the patio plan submitted with this application.

City of Blaine
Staff Report

File Number: 2024-47

Agenda Date	Status
February 13, 2024	
In Control	**File Type**
Planning Commission	Report

Public Hearing - Elizabeth Showalter, Community Development Specialist

Agenda Item # 4.4

Case File No. 24-0004 // Havenpark Heartland Living LLC // 10454 Central Avenue NE
The applicant is requesting a conditional use permit to operate a manufactured home sales office in the Manufactured Home Residential (R-4) zoning district.

Background

Zoning	Manufactured Home Residential (R-4)
Land Use	Mobile Home Residential (MHR)
Area	40.81 Acres
Applicable Regulations	Sections 27.04 and 29.124 (b)
Attachments	Zoning and Location Map Narrative Aerial Photo
Schedule	Planning Commission: 02/13/24 City Council: 03/04/24

Staff report prepared by Elizabeth Showalter, Community Development Specialist

Executive Summary

Zoning

The property is zoned R-4 (Manufactured Home Residential) which allows for manufactured homes, sales offices, and sales lots. The property is guided Manufactured Home Residential (MHR).

Surrounding Zoning and Uses

The sales office is proposed to be located within the Blaine International Village manufactured home park, which is zoned R-4. Properties surrounding the park are zoned Town Commercial (B-5), Heavy Industrial (I-2), and Single Family (R-1).

Existing Conditions

The property has an existing manufactured home park with approximately 600 homes and a community center/office building.

History

The property has been the subject of numerous land use approvals over the past eight decades. None of those approvals include requirements specific to the community building, which is the subject of this request.

Evaluation of Request

Site Plan

The applicant is proposing to use an existing office in the Blaine International Village community building for a sales office. Sales offices and sales lots are listed as a conditional use in the R-4 district, therefore the applicant has applied for the necessary CUP. Any homes for sale will be located on the lots they will be installed on. The only change resulting from this application, is that the park owner, Havenpark Management, will act as the manufactured home dealer and process the sale paperwork, rather than using a third party to facilitate sales of new and used homes in the park.

There are four parking spaces adjacent to the community building and parking is permitted on both sides of the adjacent private street. There is sufficient parking for the parties involved in a sale to park near the building.

No site changes are proposed since this is a very minor change in use.

Conditional Use Permit

A city exercises "quasi-judicial" authority when considering a CUP application. This means the city's role is limited to applying the standards in the ordinance to the facts presented by the application. The city acts like a judge in evaluating the facts against the standards.

Section 27.04 Criteria for granting conditional use permits:

The Blaine City Council shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use on the comprehensive plan and upon the health, safety, and general welfare of occupants of surrounding lands. Among other things, the Council shall consider the following findings where applicable. (Ord. No. 20-2447, 7-20-2020)

1. The use shall not create an excessive burden on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area.
    - There will be no additional burden on public facilities or utilities.
2. The use will be located, designed, maintained, and operated to be compatible with adjoining properties and the existing or intended character of the zoning district.
    - The use of an existing office in the building for occasional sales transactions will not change the compatibility with adjoining properties or the character of the subject property.
3. The use shall have an appearance that will not have an adverse effect upon adjacent properties.
    - No change in appearance is proposed.
4. The use, in the opinion of the City Council, shall be reasonably related to the overall needs of the City and to the existing land use.

5. The use shall be consistent with the purposes of the zoning code and purposes of the zoning district in which the applicant intends to locate the proposed use.
    - The use is consistent with the purpose of the R-4 district to allow for manufactured home parks.
6. The use shall not be in conflict with the comprehensive plan of the City.
    - The use is consistent with the Manufactured Home Residential land use.
7. The use will not cause traffic hazards or congestion.
    - Any additional traffic would be minimal and would not cause traffic hazard or congestion.
8. The use shall have adequate utilities, access roads, drainage and necessary facilities.
    - The proposed use will not impact utilities, roads, or drainage.

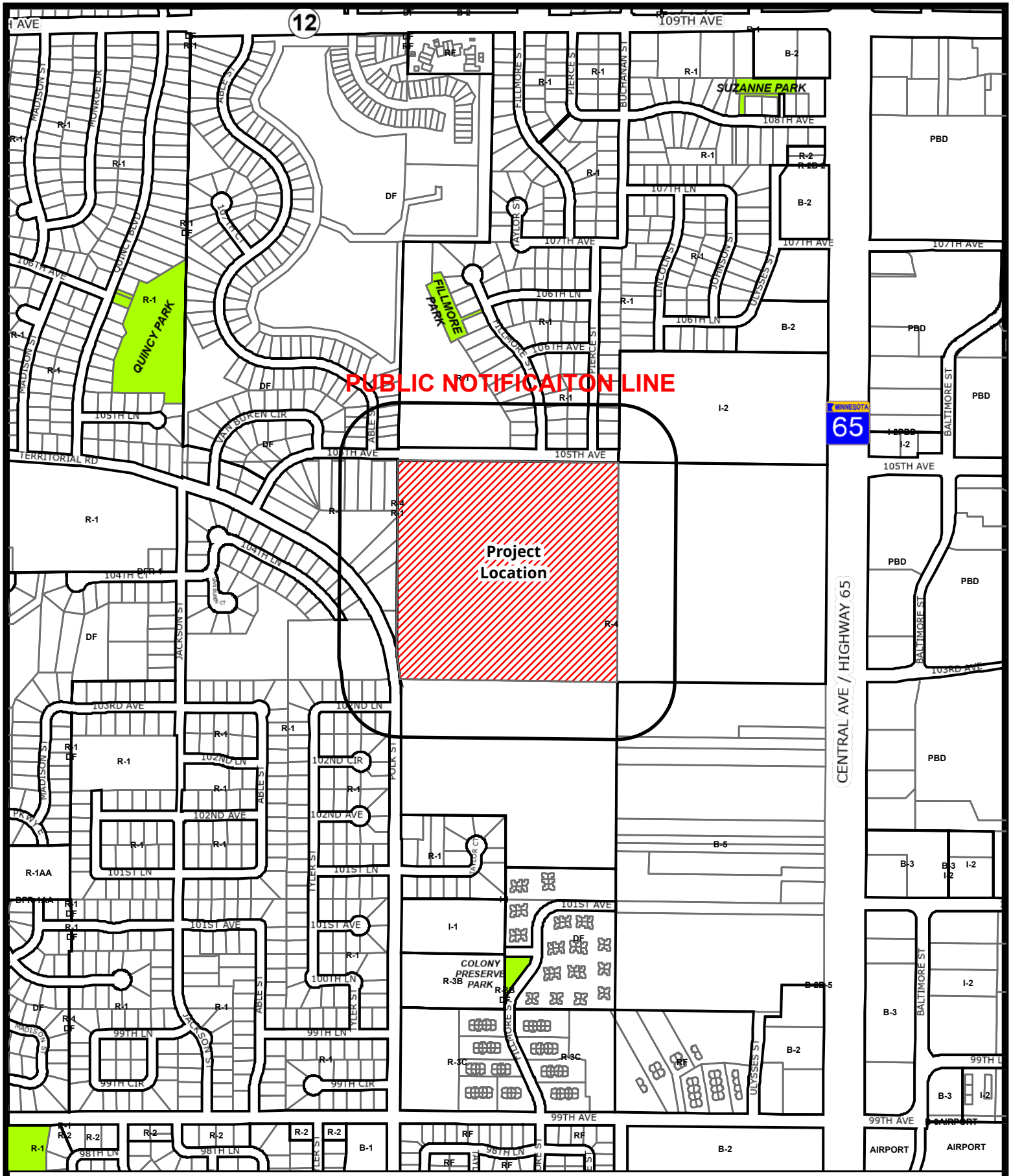
Recommendation

In Planning Case File No. 24-0004, it is recommended that the Planning Commission recommend approval of a conditional use permit for a manufactured home sales office in the Manufactured Home Residential (R-4) zoning district with the following conditions:

1. Homes for sale must be located on an approved lot in the manufactured home park and meet all setback requirements of the R-4 district.
2. All home sales must involve a home that is located, or will be located after the sale, within the Blaine International Village manufactured home park.
3. A rental license is required prior to occupancy for the lease of any home.

Attachment List

1. Attachments



Case File No. 24-0004
Havenpark Heartland Living LLC

BlaineMN.gov

Blaine Planning Department / 10801 Town Square Dr NE / Blaine, MN 55449 / (763) 785-6180

HAVENPARK
COMMUNITIES

To Whom It May Concern,

We are requesting a Conditional Use Permit to obtain sign off from the city for a Manufactured Home Dealer License. The community needs a state license to sell or lease a home in our mobile home community. Sale transactions will be processed in our already existing community office. These homes are intended to stay in the community for residents of the community.

Thank you,

Robison Pratt

Anoka County Parcel Viewer

Parcel Information:

Approx. Acres:

Commissioner:

Plat:

Owner Information:

Anoka County GIS	1:600	Date: 1/26/2024

Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification.

City of Blaine
Staff Report

File Number: 2024-161

Agenda Date	Status
February 13, 2024	
In Control	**File Type**
Planning Commission	Report

Public Hearing - Sheila Sellman, City Planner

Agenda Item # 4.5

Case File No. 24-0005 // Uram Property // 8628 Central Avenue NE
The applicant is requesting a comprehensive plan amendment to change the current land use designation of Low Density Residential (LDR) to Community Commercial (CC).

Background

Zoning	Single Family Residential (R-1)
Land Use	Low Density Residential (LDR)
Area	.05 Acres
Applicable Regulations	27.03
Attachments	Zoning and Location Map Narrative Existing Land Use/Proposed Land Use
Schedule	Planning Commission: 02/13/24 City Council: 03/04/24

Staff report prepared by Sheila Sellman, City Planner

Comprehensive Plan Amendment
Section 27.03 Criteria for granting zoning/comprehensive plan amendments:
The City Council may adopt amendments to the zoning ordinance, zoning map, and comprehensive plan relative to land uses within a particular district or to the location of the district lines. Zoning amendments shall only be used as a means to reflect changes in the goals and policies of the City as reflected in the comprehensive plan or changes in conditions in the City.

When a change to a city's Comprehensive Guide Plan is requested, it is the city's responsibility to determine if the change is in the best long-range interests of the city. The standard of review of a city's action in approving or denying a Comprehensive Guide Plan amendment is whether there exists a rational basis. A rational basis standard has been described to mean having legally sufficient reasons supportable by the facts which promote the general health, safety and welfare of the city.

Current Zoning
The subject site is zoned Single Family Residential (R-1).

Current Comp Plan Designation
The subject site is guided Low Density Residential (LDR).

Surrounding Zoning and uses
Property to the north, east and south is zoned Community Commercial (B-2) and is developed with an office or is open space for the office development (applicant's property). Property to the west is zoned R-1 and is developed with single family homes.

Evaluation of Request
The applicant owns three parcels that are somewhat connected and oddly shaped. Two of the lots have frontage and access from Central Ave and are zoned B-2 and guided Community Commercial (CC). The third parcel is located behind these lots and does not have direct access and is zoned R-1 and guided LDR. As the lots sit today, they cannot develop without replatting into one lot so that the entire site has access. The zoning and land use on the rear parcel are not consistent with the rest of the development and in order for the applicant to use the property, a rezoning and land use plan amendment is necessary.

Current Comp Plan Designation
The current land use designation is LDR. This designation is for single family development at a density of 2.5-6 units an acre. The subject site is 0.5 acres and would not meet the density requirements of LDR.

Proposed Comp Plan Designation
The Proposed Designation is CC and is intended for big box retail, large free-standing retail and commercial centers, restaurants, and limited office and service.

As outlined above the subject site is unable to develop without combining with the properties to the east and changing the zoning and land use designations. A comprehensive plan amendment is the first step in providing consistency with the adjoining proprieties. If approved, a rezoning will be necessary.

Recommendation

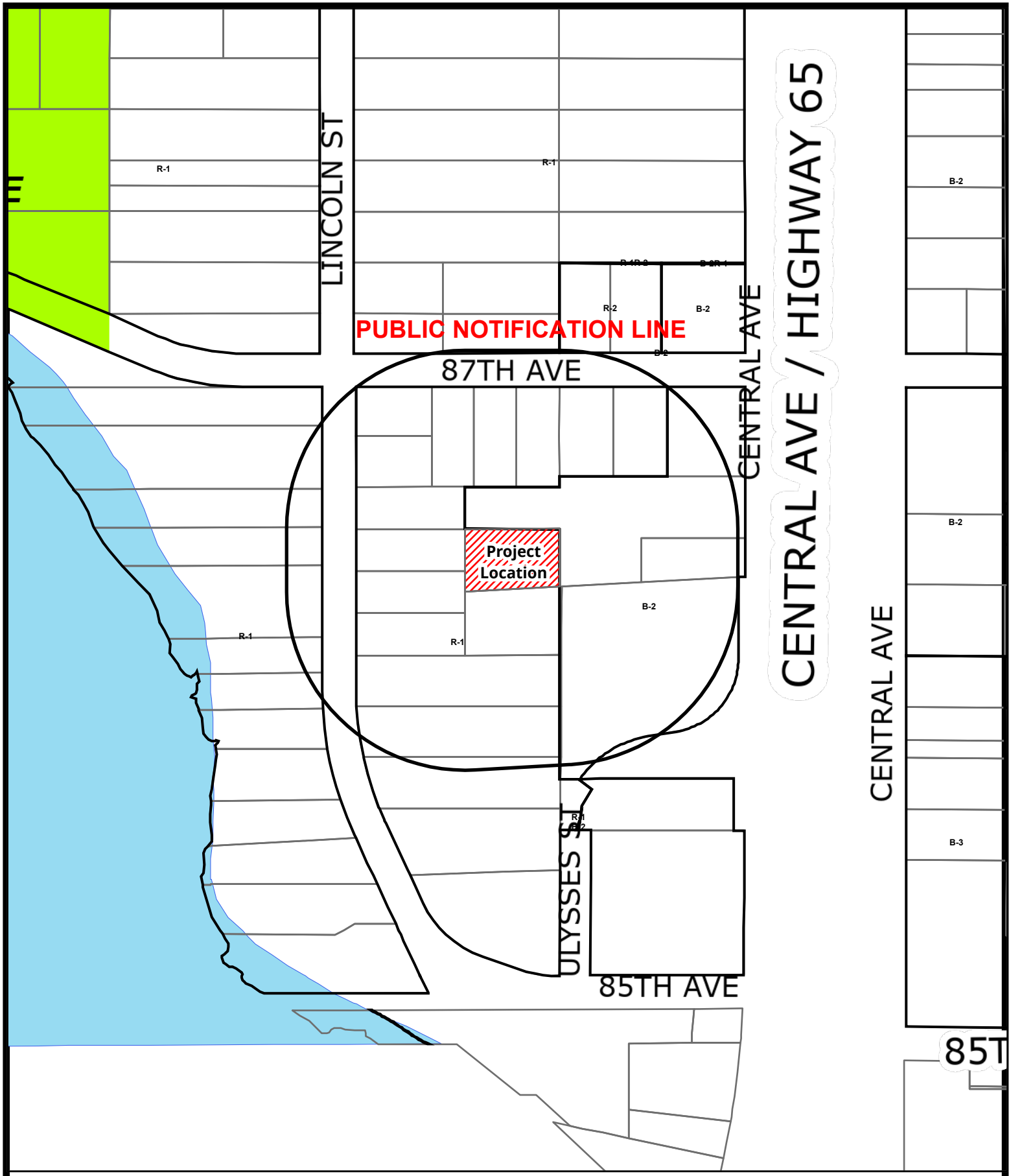
In Planning Case File No. 24-0005, it is recommended that the Planning Commission recommend approval of a comprehensive plan amendment to change the current land use designation of Low Density Residential (LDR) to Community Commercial (CC) with the following rationale:

1. A change in land use is consistent with the development along Central Avenue and is necessary for this site to develop.
2. The land use change meets goals of the land use chapter to encourage and support development of underutilized areas, particularly where such redevelopment fosters job growth, increased property values, and a positive community image. The plan will include the target corridors of University Avenue and Highway 65, as well as locations identified as target redevelopment sites in the plan.

3. The land use change meets goals of the land use plan in continuing to support programs and strategies to improve and revitalize aging commercial, industrial and residential structures.

Attachment List

1. Attachments



Case File No. 24-0005
Scott Uram Property

BlaineMN.gov

Blaine Planning Department / 10801 Town Square Dr NE / Blaine, MN 55449 / (763) 785-6180

measure

DATE: January 12, 2024
TO: Sheila Sellman
FROM: Josh McKinney, PLA
SUBJECT: 8634 Central Avenue Comprehensive Plan Amendment

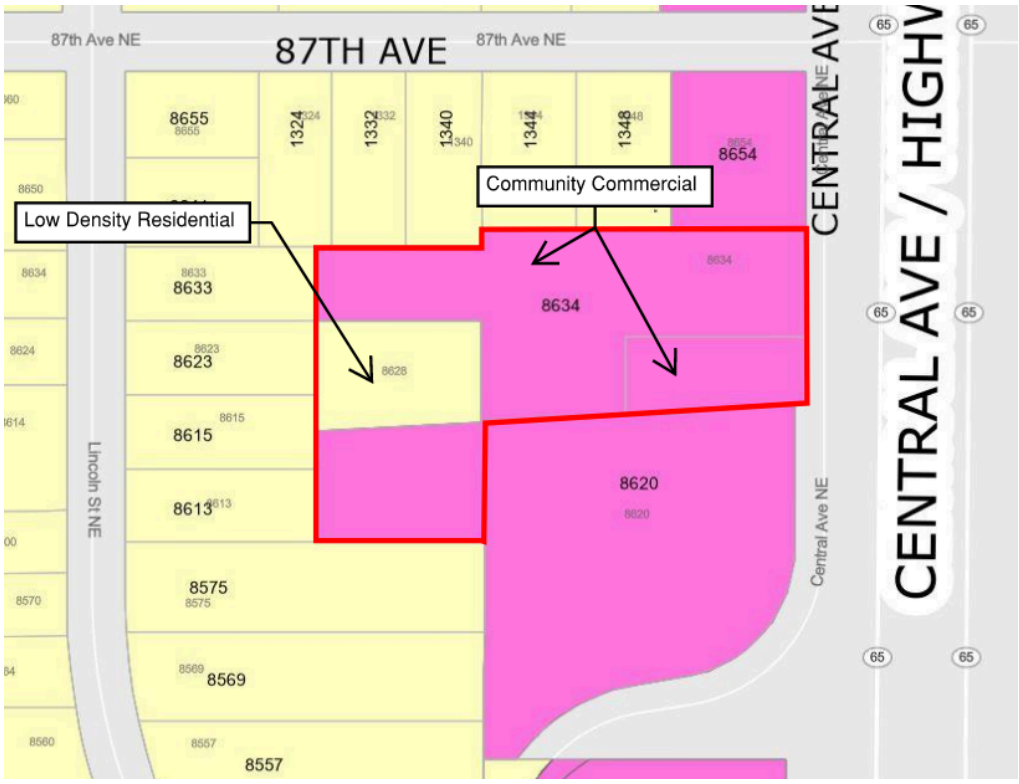
Summary:

Scott Uram, property owner of 3 connected parcels totaling approximately 3.13 acres is seeking a comprehensive plan amendment for a portion of the property located at 8634 Central Avenue.

This application seeks to create a consistent guidance for the property and provide for consistent zoning in the future to allow for development consistent with the B-2 District Standards.

Existing Comprehensive Plan Guidance

The subject site has two parcels guided for Community Commercial, one parcel guided for Low Density Residential. See current map:



The Low Density Residential parcel is land locked without a public access, thus any future development of any kind will require replatting of the property and a comprehensive plan amendment.

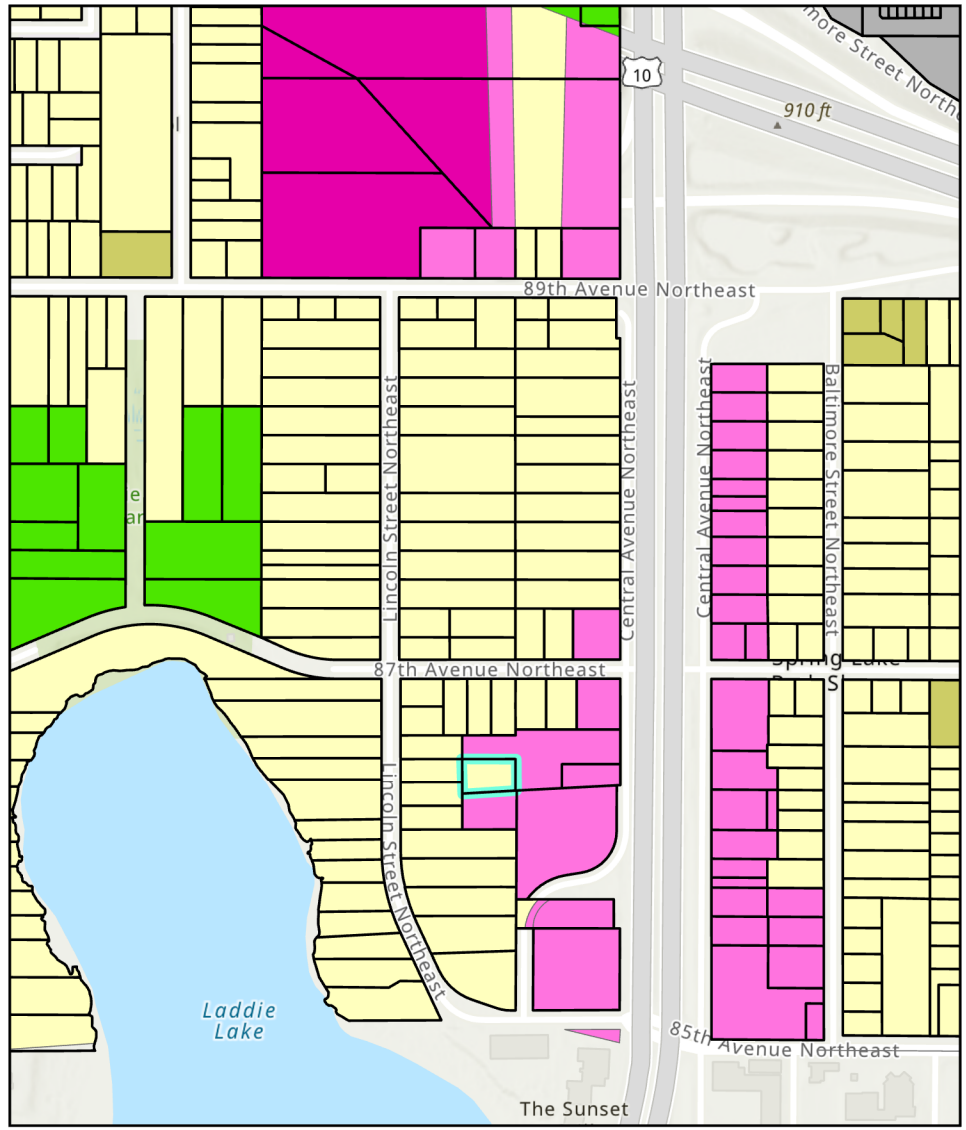
This application seeks to simplify any future rezoning and development proposals while cleaning up this orphaned parcel. The future zoning would then need to be consistent with the correct guidance.

Future Applications

The owner understands that in order to develop this land, additional applications will be required. Those applications will be based on the re-guidance to Community Commercial. Those applications will require significant detail from architects, surveyors, and civil engineers, entailing significant effort and cost to prepare.

Subsequent Zoning and land use submissions will be submitted at a later date once certainty of the Comprehensive Plan amendment can be achieved.

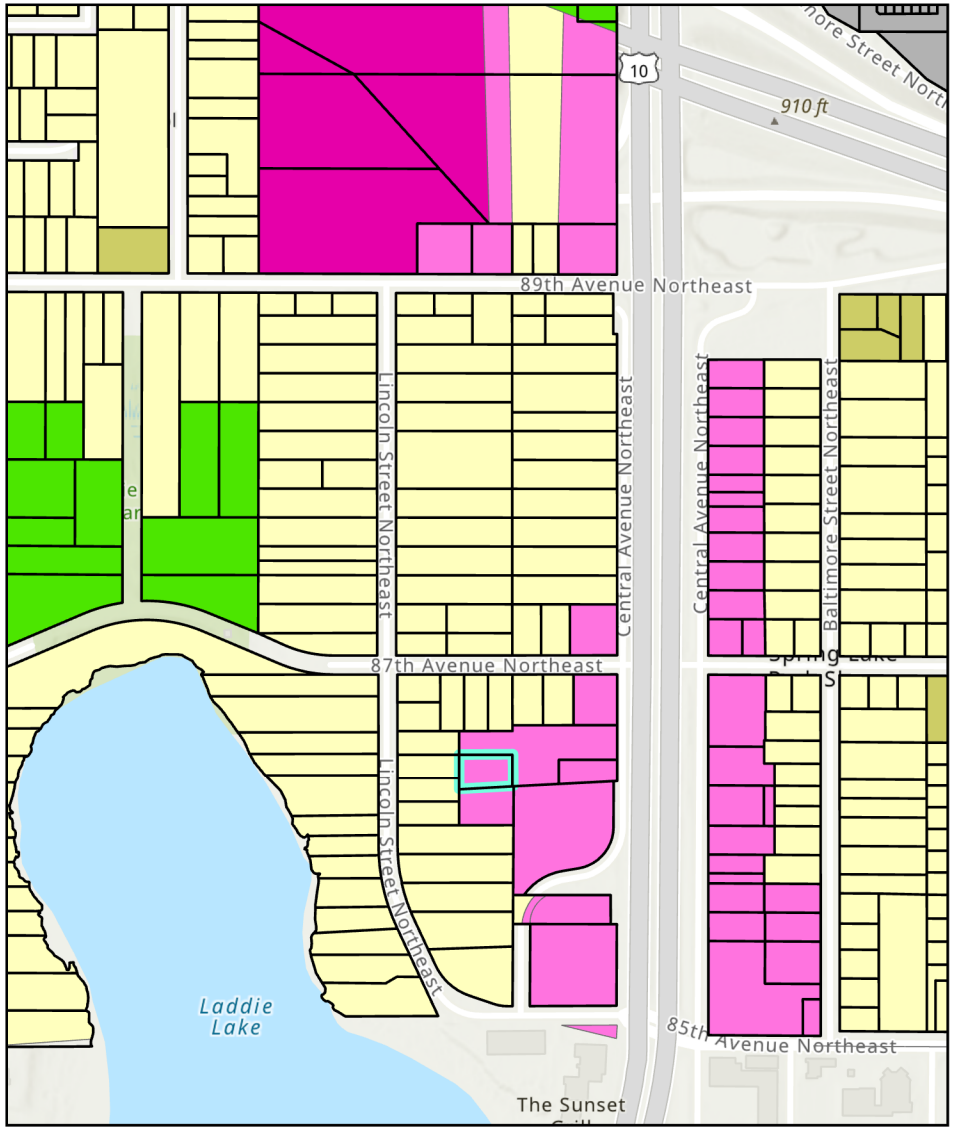
Existing Land Use



0 0.07 0.15 0.3 Miles

- LDR - Low Density Residential
- MDR - Medium Density Residential
- LI - Light Industrial
- CC - Community Commercial
- O - Office
- P/OS - Park/ Open Space

Proposed Land Use



- LDR - Low Density Residential
- MDR - Medium Density Residential
- LI - Light Industrial
- CC - Community Commercial
- O - Office
- P/OS - Park/ Open Space

City of Blaine
Staff Report

File Number: 2024-48

Agenda Date	Status
February 13, 2024	
In Control	**File Type**
Planning Commission	Report

Public Hearing - Shawn Kaye, Planner

Agenda Item # 4.6

Case File No. 24-0006 // Chris Rice // 4726 115th Avenue NE
The applicant is requesting a conditional use permit to allow a 1,610 square-foot garage in the Farm Residential (FR) zoning district.

Background

Zoning	Farm Residential (FR)
Land Use	Low Density Residential (LDR)
Area	1.97 Acres
Applicable Regulations	Sections 27.04 and 29.014 (k)
Attachments	Zoning and Location Map Site Survey House Elevations and Floor Plans Narrative RES 23-85
Schedule	Planning Commission: 02/13/24 City Council: 02/21/24

Staff report prepared by Alex Koberoski, Zoning Technician, Shawn Kaye, Planner, and Teresa Barnes, Project Engineer

Executive Summary

Zoning

The property is zoned Farm Residential (FR) and has a Low Density Residential (LDR) land use designation.

Surrounding Zoning and Uses

The adjacent properties are zoned FR and have single-family homes.

Existing Conditions
The property is currently vacant.

History
A portion of the right-of-way for 115th Avenue NE located adjacent to this lot was vacated on May 15th, 2023.

Evaluation of Request
Site Plan
The applicant is proposing to construct an attached 1,610 square foot garage with the construction of his new home. The proposed garage will be used for storing tools and equipment used to maintain the property. The garage will meet all setbacks and standards for this zoning district.

Architecture
The proposed garage must match architecturally with the home. The submitted plans indicate the garage will be compatible with the proposed construction of the new home.

Tree Preservation
The applicant obtained an administrative permit on March 30, 2023 to remove trees within the area of the proposed development. Replacement trees consistent with section 33.09 of the zoning ordinance will be planted in the southwest corner of the lot.

Grading/Storm Drainage
Grading will be limited to the immediate area of house construction and septic system construction requirements. No disturbance permitted within platted drainage and utility and/or wetland easement areas. As-built surveys shall be required to verify structure elevations, custom grading requirements and final lot grading elevations.

Utilities
The lot will be required to construct an appropriate septic system that is designed by a licensed professional to account for the size of the associated structure. A private well will be required to be installed. Both will need to meet all associated standards and guidelines.

Wetlands/Watershed
No disturbance permitted within platted drainage and utility and/or wetland easement areas.

A Rice Creek Watershed District permit will be required prior to the issuance of the building permit.

Access/Street Design/Sidewalks/Trails
The proposed site construction will result in two individual driveways being located within the remaining platted right-of-way to access the existing cul-de-sac for 115th Avenue NE. No additional street design, sidewalk or trail will be required.

Easements/Right-of-way/Permits
The property owner will need to obtain any and 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.

Conditional Use Permit

A city exercises "quasi-judicial" authority when considering a CUP application. This means the city's role is limited to applying the standards in the ordinance to the facts presented by the application. The city acts like a judge in evaluating the facts against the standards.

Section 27.04 Criteria for granting conditional use permits:

The Blaine City Council shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use on the comprehensive plan and upon the health, safety, and general welfare of occupants of surrounding lands. Among other things, the Council shall consider the following findings where applicable. (Ord. No. 20-2447, 7-20-2020)

1. The use shall not create an excessive burden on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area.
    - The construction of a 1,610 sf attached garage will not create an excessive burden on existing parks, schools, or streets.
2. The use will be located, designed, maintained, and operated to be compatible with adjoining properties and the existing or intended character of the zoning district. (Ord. No. 20-2447, 7-20-2020)
    - The proposed home and attached garage will be located approximately 250 feet from the closest adjacent home to the north, and will be consistent with other properties in the area that have received similar approvals for larger accessory structures. The attached garage will be compatible with adjacent properties.
3. The use shall have an appearance that will not have an adverse effect upon adjacent properties.
    - The attached garage will be constructed to match the proposed home, and therefore will not have an adverse effect upon adjacent properties.
4. The use, in the opinion of the City Council, shall be reasonably related to the overall needs of the City and to the existing land use.
5. The use shall be consistent with the purposes of the zoning code and purposes of the zoning district in which the applicant intends to locate the proposed use.
    - The farm residential district is intended to preserve natural and agricultural uses and promotes orderly development in areas of the City where urban services are not presently available. The larger accessory building use is consistent with other farm residential properties. Therefore, the use is consistent with the zoning code.
6. The use shall not be in conflict with the comprehensive plan of the City.
    - The use is not in conflict with the LDR (Low Density Residential) designation in the Comprehensive Plan.
7. The use will not cause traffic hazards or congestion.
    - The proposed house will not result in any additional traffic hazards or additional congestion to the area.
8. The use shall have adequate utilities, access roads, drainage and necessary facilities.
    - The proposed house will be serviced by private well and septic system. The existing roadway is adequate.

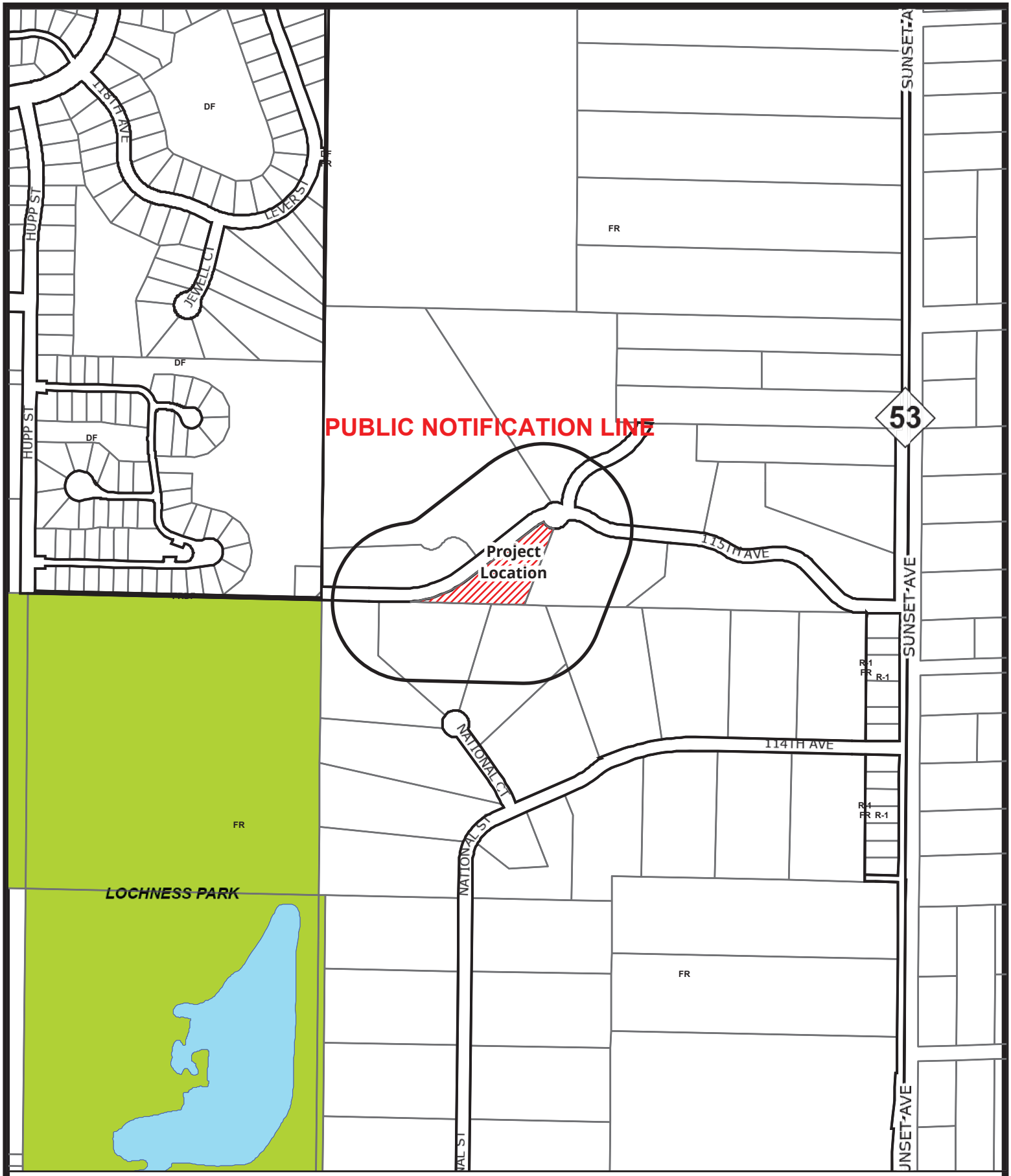
Recommendation

In Planning Case File No. 24-0006, it is recommended that the Planning Commission recommend approval of a conditional use permit for a 1,610 square foot garage in the Farm Residential (FR) zoning district with the following conditions:

1. The proposed attached garage to match the home in terms of architectural style, exterior color and materials.
2. The attached garage to be used for personal storage only.
3. The attached garage (total accessory building space) is limited to 1,610 square feet.
4. No land distubance to occur within platted drainage and utility easement and wetland areas.
5. An issued Rice Creek Watershed District permit will be required to be provided prior to the issuance of the building permit.

Attachment List

1. Attachments



Case File No. 24-0006
Chris Rice

BlaineMN.gov

Blaine Planning Department / 10801 Town Square Dr NE / Blaine, MN 55449 / (763) 785-6180

CERTIFICATE OF SURVEY

~for~ CHRIS RICE

~of~ LOT 1, BLOCK 2, SUNSET OAKS 2ND ADDITION AND ADJACENT VACATED RIGHT OF WAY

IMPERVIOUS SURFACE CALCULATIONS

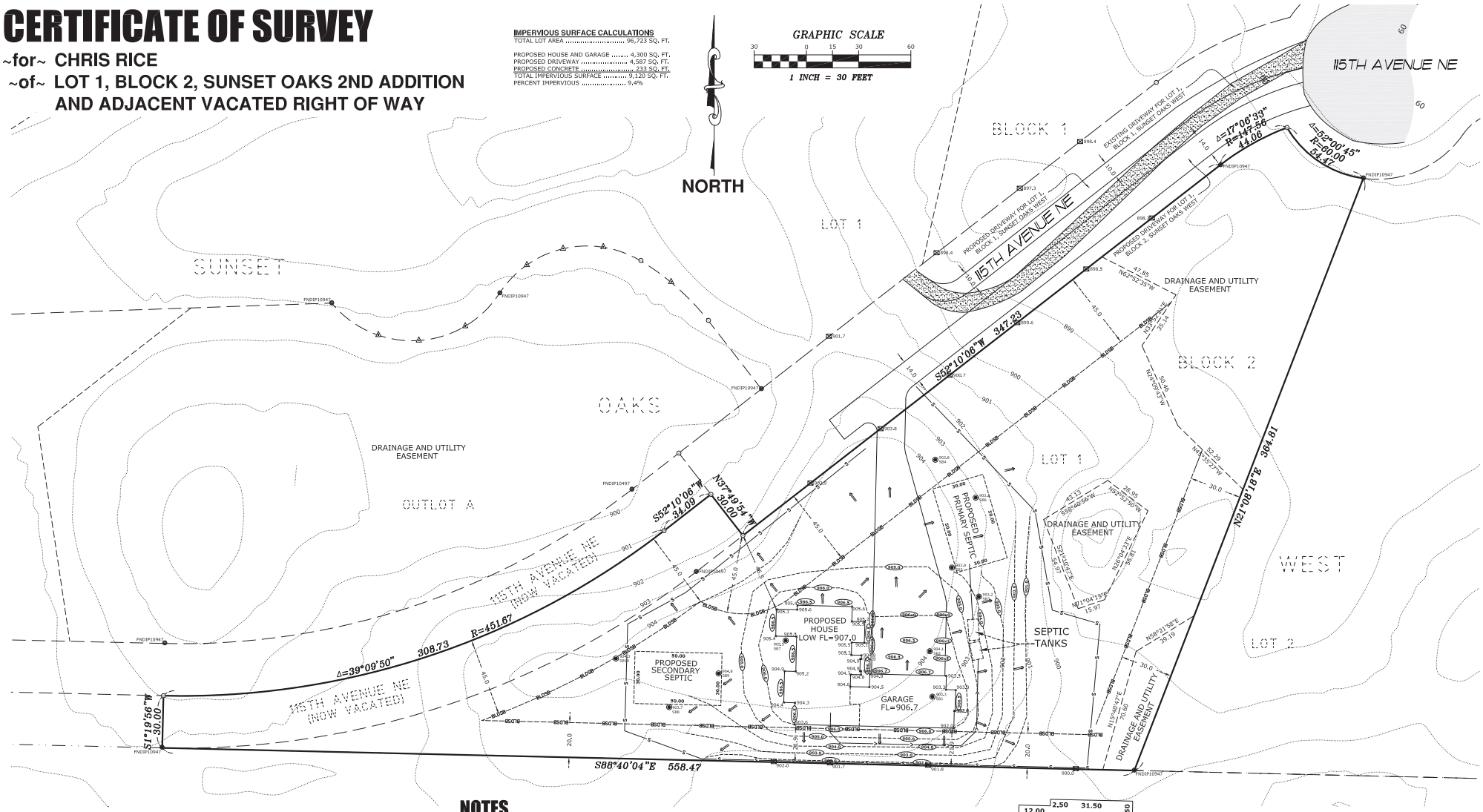
TOTAL LOT AREA	96,723 SQ. FT.
PROPOSED HOUSE AND GARAGE	4,300 SQ. FT.
PROPOSED DRIVEWAY	4,587 SQ. FT.
PROPOSED CONCRETE	233 SQ. FT.
TOTAL IMPERVIOUS SURFACE	9,120 SQ. FT.
PERCENT IMPERVIOUS	9.4%

GRAPHIC SCALE

30 0 15 30 60

1 INCH = 30 FEET

NORTH



PROPERTY DESCRIPTION:
Lot 1, Block 2, Outlot A, SUNSET OAKS WEST and adjacent vacated right of way.

DIAG: 126.0 X 68.5 = 143.42
(SLAB ON GRADE)

PROPOSED ELEVATIONS

TOP OF BLOCK =	907.0
GARAGE FLOOR =	967.7
LOWEST FLOOR =	907.0
TOP OF FOOTING =	903.0

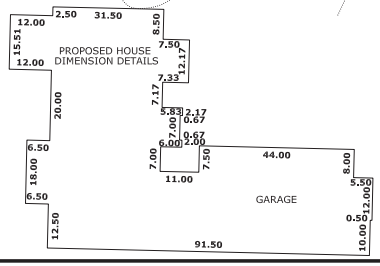
E.G. RUD & SONS, INC.
EST. 1977
Professional Land Surveyors
6776 Lake Drive NE, Suite 110
Lino Lakes, MN 55014
Tel. (651) 361-8200 Fax (651) 361-8701
www.egrud.com

NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 12/06/2023.
- Bearings shown are on an assumed datum.
- Parcel ID Number: 13-31-23-12-0004.
- Mottled soil elevations start at 902.2.
- Builder to verify house dimensions, sewer depth and foundation depth.
- Driveway shown for graphic purposes only. Final driveway design and location to be determined by contractor.
- finished grade adjacent to home shall be 0.5 feet below top of block except at driveway and patio.
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.

LEGEND

- DENOTES IRON MONUMENT FOUND AS LABELED
- DENOTES IRON MONUMENT SET, MARKED RLS# 52140
- DENOTES SET LARGE SPIKE
- DENOTES LATH SET
- 902.0 DENOTES PROPOSED ELEVATION
- DENOTES PROPOSED DRAINAGE DIRECTION
- DENOTES EXISTING CONTOURS
- DENOTES PROPOSED CONTOURS
- DENOTES SILT FENCE
- BLDSB DENOTES BUILDING SETBACK LINE
- DENOTES BITUMINOUS SURFACE
- DENOTES GRAVEL SURFACE



I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

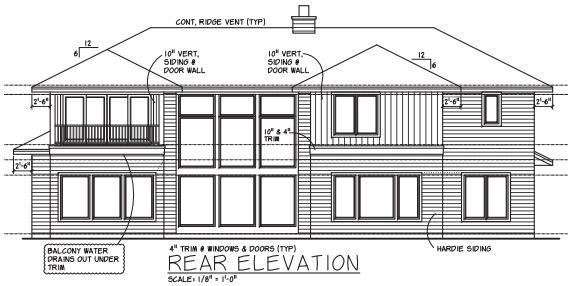
DANIEL S. HANSON

Date: 12/14/2023 License No. 52140

DRAWN BY: DSH	JOB NO: 23.0127HS	DATE: 11/22/2023	
CHECK BY: JER	FIELD CREW: BH/BJ		
1	11/27/23	SEPARATE DRIVEWAYS TO LOTS	DSH
2	12/07/23	HOUSE STAKE & SEPTIC UPDATE	DSH
3	12/14/23	SEPTIC UPDATE	DSH
NO.	DATE	DESCRIPTION	BY

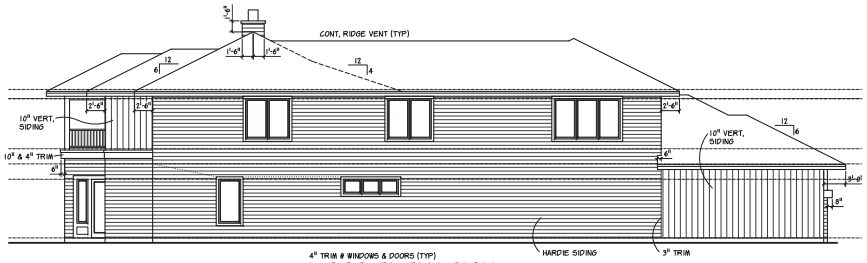
S:\RUD\CAD\23PROJ\230127HS\230127 HOUSE CERT.DWG

230127HS



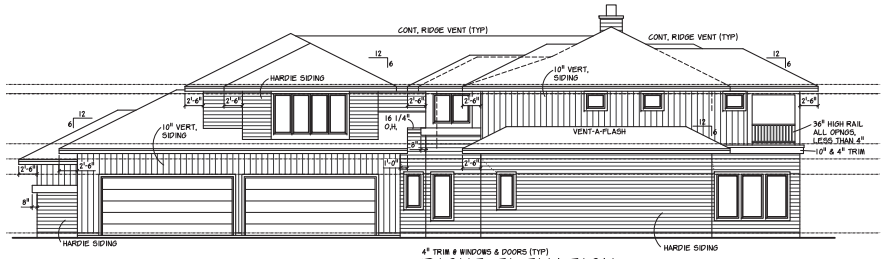
REAR ELEVATION

SCALE: 1/8" = 1'-0"



LEFT ELEVATION

SCALE: 1/8" = 1'-0"



RIGHT ELEVATION

SCALE: 1/8" = 1'-0"

FRONT ELEVATION

SCALE: 1/4" = 1'-0"

1ST FLOOR 2,380 SQ. FT.
2ND FLOOR 2,298 SQ. FT.
TOTAL 4,678 SQ. FT.

EXTERIOR NOTES

FLASHING NOTES

- KICKOUT FLASHING TO BE INSTALLED AS NEEDED BY ROOFING CONTRACTOR
- EXTERIOR WALL FINISHER TO VERIFY THAT KICKOUT FLASHING IS INSTALLED PRIOR TO FINISHING
- CARPENTER TO FLASH ALL EXTERIOR WINDOWS & DOORS PER MN & IRC CODE REQUIREMENTS

WINDOW NOTES

- ANDERSEN 100 WINDOWS
  - = CODE MAX. U VALUE = 0.32 MAX. SHGC = 0.35
- BUILDER TO PROVIDE WINDOW ORDER LIST WITH U FACTOR, SHGC, & STC RATING FOR EACH WINDOW & EXTERIOR DOOR
- BUILDER TO VERIFY ALL WINDOW, DOOR & OPENING HDR, HTS,
- WINDOW WELLS WITH A VERTICAL DEPTH OF MORE THAN 44" MUST BE EQUIPPED WITH AN APPROVED LADDER

EXT. FINISHING NOTES

- HARDIE PANEL & SIDING
- HARDIE 8"&9" FASCIA UNLESS NOTED OTHERWISE
- HARDIE SOFFIT W/ VENTS
- HARDIE TRIM
- ASPHALT SHINGLES

D.F.P. PLANNING & DESIGN
9100 BALTIMORE ST NE SUITE 100 BLAINE, MN. 55449
WEB: WWW.DFPDESIGN.COM E-MAIL: INFO@DFPDESIGN.COM
Phone: 763-780-9004 Fax: 763-780-9005

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RICE RESIDENCE
115TH AVE N.E.
BLAINE MINNESOTA

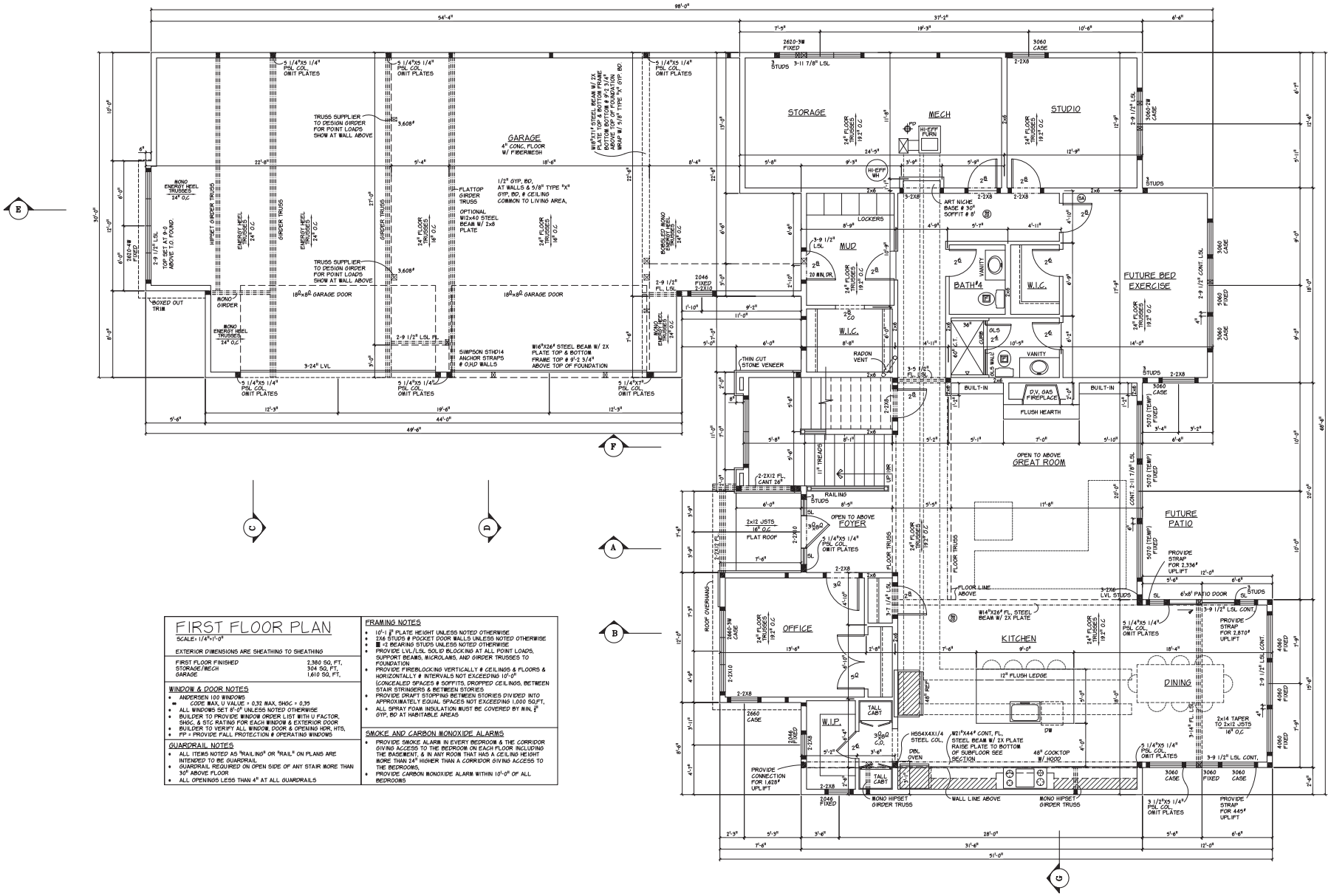
F/CHD: 12-22-23
S/CHD: 12-7-23

DATE:
10-24-23
REVISIONS:
11-13-23 CD
12-13-23 CD
12-22-23

DRAWN BY: JJ

COMM. NO. 223179

SHEET NO. —



FIRST FLOOR PLAN

SCALE: 1/4"=1'-0"

EXTERIOR DIMENSIONS ARE SHEATHING TO SHEATHING

FIRST FLOOR FINISHED	2,380 SQ. FT.
STORAGE/MECH	304 SQ. FT.
GARAGE	1,610 SQ. FT.

WINDOW & DOOR NOTES

- ANDERSEN 100 WINDOWS
  CODE MAX. U VALUE = 0.32 MAX, SHGC = 0.35
- ALL WINDOWS SET 8'-0" UNLESS NOTED OTHERWISE
- BUILDER TO PROVIDE WINDOW ORDER LIST WITH U FACTOR, SHGC, & STC RATING FOR EACH WINDOW & EXTERIOR DOOR
- BUILDER TO VERIFY ALL WINDOW, DOOR & OPENING HDR. HTS.
- FP = PROVIDE FALL PROTECTION @ OPERATING WINDOWS

GUARDRAIL NOTES

- ALL ITEMS NOTED AS "RAILING" OR "RAIL" ON PLANS ARE INTENDED TO BE GUARDRAIL
- GUARDRAIL REQUIRED ON OPEN SIDE OF ANY STAIR MORE THAN 30" ABOVE FLOOR
- ALL OPENINGS LESS THAN 4" AT ALL GUARDRAILS

FRAMING NOTES

- 10'-1 1/8" PLATE HEIGHT UNLESS NOTED OTHERWISE
- 2X6 STUDS @ POCKET DOOR WALLS UNLESS NOTED OTHERWISE
- 2-2 BEARING STUDS UNLESS NOTED OTHERWISE
- PROVIDE LVL/LSL SOLID BLOCKING AT ALL POINT LOADS, SUPPORT BEAMS, MICROLAMS, AND GIRDER TRUSSES TO FOUNDATION
- PROVIDE FIREBLOCKING VERTICALLY @ CEILINGS & FLOORS & HORIZONTALLY @ INTERVALS NOT EXCEEDING 10'-0" (CONCEALED SPACES @ SOFFITS, DROPPED CEILINGS, BETWEEN STAIR STRINGERS & BETWEEN STORIES
- PROVIDE DRAFT STOPPING BETWEEN STORIES DIVIDED INTO APPROXIMATELY EQUAL SPACES NOT EXCEEDING 1,000 SQ.FT.
- ALL SPRAY FOAM INSULATION MUST BE COVERED BY MIN. 1/2" GYP. BD AT HABITABLE AREAS

SMOKE AND CARBON MONOXIDE ALARMS

- PROVIDE SMOKE ALARM IN EVERY BEDROOM & THE CORRIDOR GIVING ACCESS TO THE BEDROOM ON EACH FLOOR INCLUDING THE BASEMENT, & IN ANY ROOM THAT HAS A CEILING HEIGHT MORE THAN 24" HIGHER THAN A CORRIDOR GIVING ACCESS TO THE BEDROOMS.
- PROVIDE CARBON MONOXIDE ALARM WITHIN 10'-0" OF ALL BEDROOMS

D.F.P. PLANNING & DESIGN
9100 FALLTIMORE ST NE SUITE 100 BLAINE, MN. 55449
WEB: WWW.DFPDESIGN.COM E-MAIL: INFO@DFPDESIGN.COM
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RICE RESIDENCE
115TH AVE N.E.
BLAINE MINNESOTA

DATE:	10-24-23
REVISIONS:	11-13-23 CD
	12-13-23 CD
	12-22-23
DRAWN BY:	JJ
COMM. NO.	223179
SHEET NO.	3

To Whom it May Concern,

We are submitting the application for a Conditional Use Permit to allow construction of our new home with an attached garage exceeding the standard 1200 square feet allowed for a property zone FR (Farm Residential). The current garage plans are measured at around 1600 square feet.

Part of the reason for the larger attached garage is the limited ability to build any additional accessory buildings in the future. A large portion of the property is either wetland or covered by drainage and utility easements. We also have a family of five and are planning for garage space for vehicles and other equipment related to maintaining our property (lawn, driveway, etc) and any additional equipment related to my wife's potential future health complications (MS).

Please let me know if you have any further questions. Thank you for your time.

Regards,

Chris Rice

651-329-8289

2193 Jennifer Ct,

North St Paul, MN 55109

City of Blaine

Signature Copy

Resolution: RES 23-85

Resolution Vacating Right-of-Way Easement, Along Outlot A of Sunset Oaks West and Outlots D & E of St. Andrews Village, as outlined in attached Exhibit A, Vacation No. V23-02

WHEREAS, the City Council has received a petition dated the 7th day of April, 2023, requesting vacation of the road right-of-way on 115th Avenue NE, along southern property line for Outlot A of Sunset Oaks West and east property line of Outlots D and E of St. Andrews Village as outlined in attached Exhibit A; according to the recorded plats thereof, Anoka County, Minnesota; and

WHEREAS, the required public hearing notices were published and mailed, and the public hearing was held on the 15th day of May, 2023, at which time all persons desiring to be heard were given an opportunity to be heard.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine as follows:

The vacation of the road right-of-way on 115th Avenue NE, along southern property line of Outlot A of Sunset Oaks West and east property line of Outlots D and E of St. Andrews Village as outlined in attached Exhibit A; according to the recorded plats thereof, Anoka County, Minnesota.

Existing road right-of-way for 115th Avenue NE; in the southwest portion of Sunset Oaks West, along the southern property line for Outlot A and east property line of Outlots D and E of St. Andrews Village as outlined in attached Exhibit A; according to the recorded plats thereof, Anoka County, Minnesota, is hereby approved.

PASSED by the City Council of the City of Blaine this 15th day of May, 2023.

Signed by _____

Tim Sanders, Mayor

Signed by _____

Cathy Sorensen, CMC, City Clerk

City of Blaine
Staff Report

File Number: 2024-682

Agenda Date	Status
February 13, 2024	
In Control	**File Type**
Planning Commission	Report

Public Hearing - Shawn Kaye, Planner

Agenda Item # 4.7

Case File No. 24-0009 // Foxtail Hollow LLC // 121st Avenue and Radisson Road NE
The applicant is requesting a conditional use permit amendment to clarify the side yard and front yard setbacks in the Foxtail Hollow Townhome Development that is in the Development Flex (DF) zoning district.

Background

Zoning	Development Flex (DF)
Land Use	Medium Density Residential (MDR)
Area	8.41 Acres
Applicable Regulations	Sections 27.04 and 29.110
Attachments	Zoning and Location Map Site Plan Resolution 55-02023
Schedule	Planning Commission: 02/13/24 City Council: 02/21/24

Staff report prepared by Shawn Kaye, Planner

Executive Summary

Zoning

The subject site is zoned Development Flex (DF).

Surrounding Zoning and Uses

The surrounding properties to the north and east are zoned DF. The Lakes development is located to the north and east and the subject sites are developed with townhomes. The site to the south has a land use of Medium Density Residential (MDR) and Farm Residential (FR) zoning with one single family home located on the parcel. Radisson Road is adjacent on the west side of the property.

Existing Conditions
The site is currently under construction.

History
The applicant received a Conditional Use Permit (CUP), comprehensive plan amendment and preliminary plat to construct 76 townhomes on April 3, 2023.

Evaluation of Request
Site Plan
The CUP approved in April 2023, states that all townhomes must be set back at least 20 feet from the private drive. The intent of this condition was for the front yard setback from the internal private drive to be a minimum of 20 feet. The side yard setback was intended to be less and is proposed to be stated at a minimum of 10 feet. The site plan included with the approval of the CUP in April 2023 is not changing, this request is a clarification of the front and side yard setback requirements. The perimeter setbacks approved in April 2023 will not change.

Architecture
The approved townhomes have varying roof styles and exterior treatments. The front elevations exterior materials will include LP SmartSide lap siding, panels and trim. The side and rear elevations will include some vinyl lap siding and trim.

Setbacks
The DF zoning district does not have set standards for setbacks; these are determined as part of the CUP. The building and garages for the townhomes have a minimum front setback of 20 feet measured from the edge of curb on the private drive. The plans submitted and approved with the CUP meet the setbacks outlined in this report.

Decks must be within the footprint of the lot.

Internal Private Drive Setbacks are as follows:

- Front yard: Townhomes must be setback at least 20 feet from the private drive.
- Side Yard: Townhomes must be setback at least 10 feet from the private drive.

Perimeter setbacks are as follows:

- Radisson Road setback – Building 50 feet and Parking 30 feet.
- North, South, and East setbacks – Building 30 feet and Parking 20 feet.

Landscaping
The proposed landscape plan submitted with the CUP approval in April 2023 meets requirements with 228 trees being planted.

Tree Preservation
Approximately 8.02 acres of trees were disturbed during construction and the City's tree preservation requirement includes replacing eight trees per acre for all disturbed portions of the development. This

would mean that 64 trees would be required for tree replacement purposes. The developer has proposed a total of 228 trees within this development. The tree preservation replacement requirement has been met.

Conditional Use Permit

A city exercises "quasi-judicial" authority when considering a CUP application. This means the city's role is limited to applying the standards in the ordinance to the facts presented by the application. The city acts like a judge in evaluating the facts against the standards.

The Blaine City Council shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use on the comprehensive plan and upon the health, safety, and general welfare of occupants of surrounding lands. Among other things, the Council shall consider the following findings where applicable.

1. The use shall not create an excessive burden on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area.
    - The school district staff meets with planning staff annually to receive updates on potential growth. The townhome use will not place an excessive burden on parks, schools, streets, or utilities.
2. The use will be located, designed, maintained, and operated to be compatible with adjoining properties and the existing or intended character of the zoning district.
    - The surrounding properties are guided Medium Density Residential (MDR). The townhome use is compatible.
3. The use shall have an appearance that will not have an adverse effect upon adjacent properties.
    - The use is townhomes, which is consistent with the MDR land use and existing townhomes of the surrounding properties.
4. The use, in the opinion of the City Council, shall be reasonably related to the overall needs of the City and to the existing land use.
5. The use shall be consistent with the purposes of the zoning code and purposes of the zoning district in which the applicant intends to locate the proposed use.
    - The purpose of the DF (Development Flex) zoning district is to provide for greater flexibility in land use planning and maximize the choice of housing types and styles than is possible under the strict application of other sections of this ordinance.
6. The use shall not be in conflict with the comprehensive plan of the City.
    - The land use of MDR allows 2.5-12 units per acre of townhomes. The development calculates to about 9.04 units per acre and is not in conflict with the Comprehensive Plan.
7. The use will not cause traffic hazard or congestion.
    - The development will not result in any additional traffic hazards or additional congestion to the area.
8. The use shall have adequate utilities, access roads, drainage, and necessary facilities.
    - The development has the required utility services, adequate roads and necessary drainage facilities to service the proposed development.

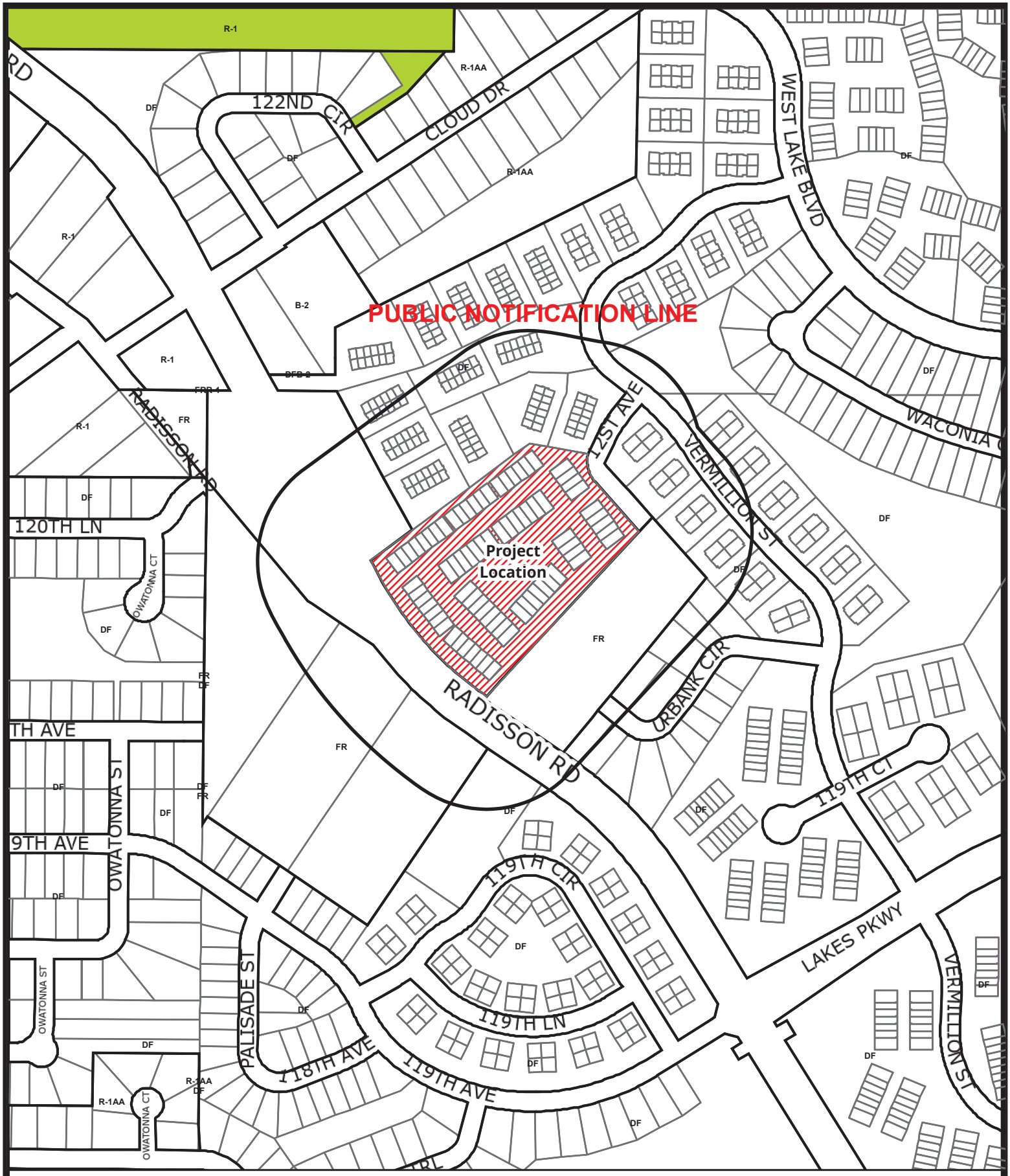
Recommendation

In Planning Case File No. 24-0009, it is recommended that the Planning Commission recommend approval of a conditional use permit amendment to clarify the side yard and front yard setbacks in the Foxtail Hollow Townhome Development that is in the Development Flex (DF) zoning district with the following conditions:

1. Internal Private Drive Setbacks are as follows:
    - Front yard: Townhomes must be setback at least 20 feet from the private drive.
    - Side Yard: Townhomes must be setback at least 10 feet from the private drive.
2. All other conditions listed in Resolution 55-2023 will remain.

Attachment List

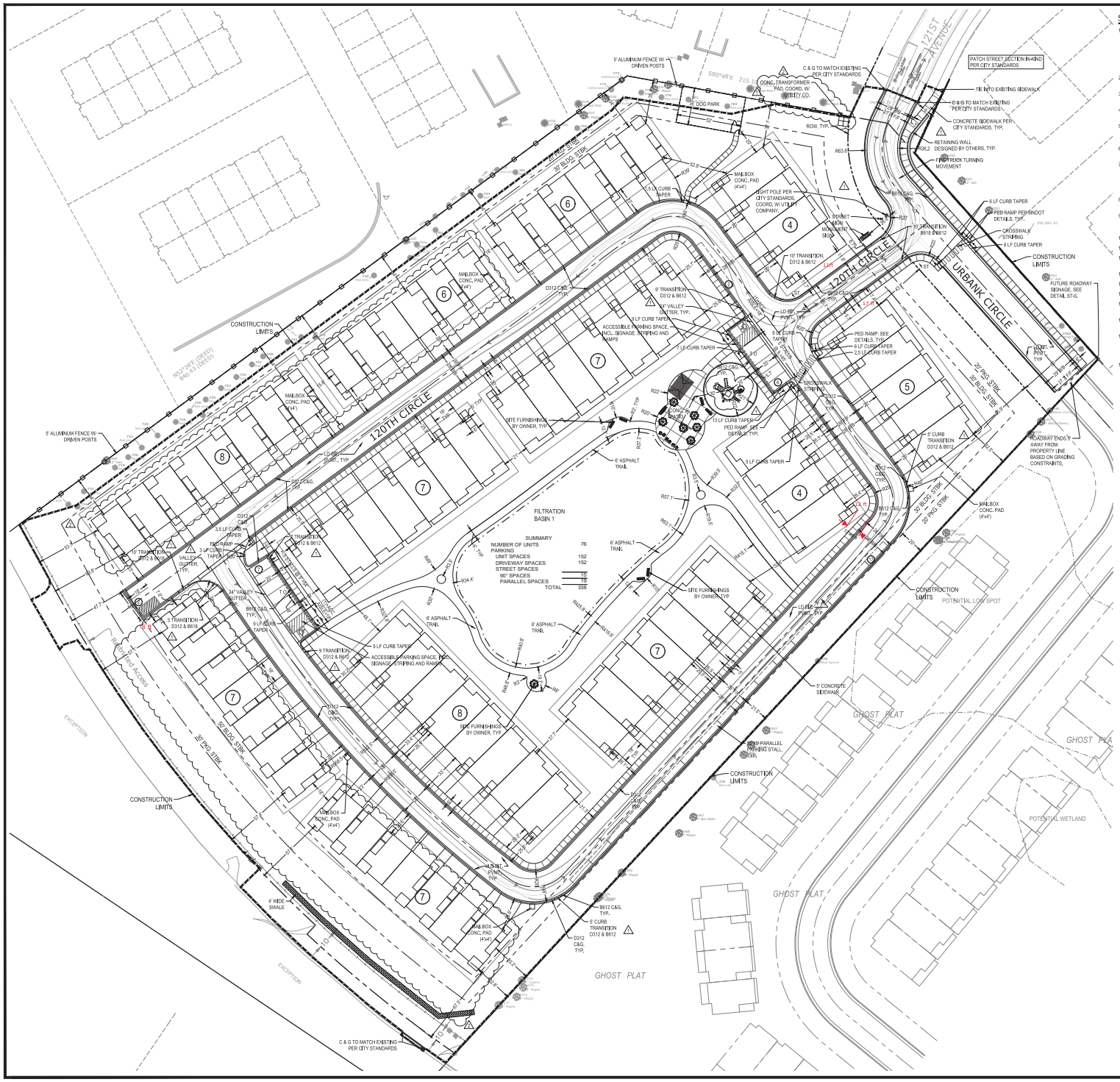
1. Attachments



Case File No. 24-0009
Foxtail Hollow Townhomes

BlaineMN.gov

Blaine Planning Department / 10801 Town Square Dr NE / Blaine, MN 55449 / (763) 785-6180



SITE LAYOUT NOTES:

1. CONTRACTOR SHALL VERIFY LOCATIONS AND LAYOUT OF ALL SITE ELEMENTS PRIOR TO BEGINNING CONSTRUCTION, INCLUDING BUT NOT LIMITED TO, LOCATIONS OF EXISTING AND PROPOSED PROPERTY LINES, EASEMENTS, SETBACKS, UTILITIES, BUILDINGS AND PAVEMENTS. CONTRACTOR IS RESPONSIBLE FOR FINAL LOCATIONS OF ALL ELEMENTS FOR THE SITE. ANY REVISIONS REQUIRED AFTER COMMENCEMENT OF CONSTRUCTION, DUE TO LOCATIONAL ADJUSTMENTS SHALL BE CORRECTED AT NO ADDITIONAL COST TO OWNER. ADJUSTMENTS TO THE LAYOUT SHALL BE APPROVED BY THE ENGINEER/LANDSCAPE ARCHITECT PRIOR TO INSTALLATION OF MATERIALS. STAKE LAYOUT FOR APPROVAL.
2. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS PRIOR TO CONSTRUCTION, INCLUDING A RIGHT-OF-WAY AND STREET OPENING PERMIT.
3. THE CONTRACTOR SHALL VERIFY RECOMMENDATIONS NOTED IN THE GEO TECHNICAL REPORT PRIOR TO INSTALLATION OF SITE IMPROVEMENT MATERIALS.
4. CONTRACTOR SHALL FIELD VERIFY COORDINATES AND LOCATION DIMENSIONS OF THE BUILDING AND STAKE FOR REVIEW AND APPROVAL BY THE OWNERS REPRESENTATIVE PRIOR TO INSTALLATION OF FOOTING MATERIALS.
5. LOCATIONS OF STRUCTURES, ROADWAY PAVEMENTS, CURBS AND GUTTERS, BOLLARDS, AND VALVES ARE APPROXIMATE AND SHALL BE STAKED IN THE FIELD, PRIOR TO INSTALLATION, FOR REVIEW AND APPROVAL BY THE ENGINEER/LANDSCAPE ARCHITECT.
6. CURB DIMENSIONS SHOWN ARE TO FACE OF CURB. BUILDING DIMENSIONS ARE TO FACE OF CONCRETE FOUNDATION. LOCATION OF BUILDING IS TO BUILDING FOUNDATION AND SHALL BE AS SHOWN ON THE DRAWINGS.
7. THE CONTRACTOR SHALL SUBMIT SHOP DRAWINGS OR SAMPLES AS SPECIFIED FOR REVIEW AND APPROVAL BY THE ENGINEER/LANDSCAPE ARCHITECT PRIOR TO FABRICATION FOR ALL PREFABRICATED SITE IMPROVEMENT MATERIALS SUCH AS, BUT NOT LIMITED TO THE FOLLOWING: FURNISHINGS, PAVEMENTS, WALLS, RAILINGS, BENCHES, FLAGPOLES, LANDING PADS FOR CURB RAMPS, AND LIGHT AND POLES. THE OWNER RESERVES THE RIGHT TO REJECT INSTALLED MATERIALS NOT PREVIOUSLY APPROVED.
8. PEDESTRIAN CURB RAMPS SHALL BE CONSTRUCTED WITH TRUNCATED DOME LANDING AREAS IN ACCORDANCE WITH A.D.A. REQUIREMENTS-SEE DETAIL.
9. CROSSWALK STRIPING SHALL BE 24" WIDE WHITE PAINTED LINE, SPACED 48" ON CENTER PERPENDICULAR TO THE FLOW OF TRAFFIC. WIDTH OF CROSSWALK SHALL BE 5' WIDE. ALL OTHER PAVEMENT MARKINGS SHALL BE WHITE IN COLOR UNLESS OTHERWISE NOTED OR REQUIRED BY ADA OR LOCAL GOVERNING BODIES.
10. SEE SITE PLAN FOR CURB AND GUTTER TYPE. TAPER BETWEEN CURB TYPES-SEE DETAIL.
11. ALL CURB RADII ARE MINIMUM 3' UNLESS OTHERWISE NOTED.
12. CONTRACTOR SHALL REFER TO FINAL PLAT FOR LOT BOUNDARIES, NUMBERS, AREAS AND DIMENSIONS PRIOR TO SITE IMPROVEMENTS.
13. FIELD VERIFY ALL EXISTING SITE CONDITIONS, DIMENSIONS.
14. PARKING IS TO BE SET PARALLEL OR PERPENDICULAR TO EXISTING BUILDING UNLESS NOTED OTHERWISE.
15. ALL PARKING LOT PAINT STRIPING TO BE WHITE, 4" WIDE TYP.
16. BITUMINOUS PAVING TO BE "LIGHT DUTY" UNLESS OTHERWISE NOTED. SEE DETAIL SHEETS FOR PAVEMENT SECTIONS.
17. ALL TREES THAT ARE TO REMAIN ARE TO BE PROTECTED FROM DAMAGE WITH A CONSTRUCTION FENCE AT THE DRIP LINE. SEE LANDSCAPE DOCUMENTS.
18. ALL EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTACT "GOPHER STATE ONE CALL" (651-454-0002 OR 800-252-1166) FOR UTILITY LOCATIONS 48 HOURS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL REPAIR OR REPLACE ANY UTILITIES THAT ARE DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.
19. CONTRACTOR IS RESPONSIBLE TO INSTALL ANY SIDEWALK AND CURBING PER DESIGN PLAN. CONTRACTOR TO VERIFY ALL CURBS AND SIDEWALKS WILL DRAIN PROPERLY IN FIELD CONDITIONS. CONTRACTOR MUST CONTACT THE CIVIL ENGINEER 24-HOURS PRIOR TO ANY CURB AND/OR SIDEWALK INSTALLATION TO REVIEW AND INSPECT CURB STAKES. CONTRACTOR IS RESPONSIBLE FOR ANY CURB OR SIDEWALK REPLACEMENT IF THIS PROCEDURE IS NOT FOLLOWED.

CITY OF BLAINE SITE SPECIFIC NOTES:

1. RESERVED FOR CITY SPECIFIC NOTES.

ANOKA COUNTY SITE SPECIFIC NOTES:

1. EXISTING ACCESS POINTS ALONG CSAH 52 ARE TO BE REMOVED. THE RIGHT OF WAY RESTORED TO MATCH ADJACENT GRADE. RIGHT OF ACCESS SHOULD BE DEDICATED TO ANOKA COUNTY ALONG CSAH 52.
2. INTERNAL SITE GRADING SHALL NOT COMMENCE UNTIL THE REQUESTED ACHD ENGINEERING PLAN APPROVALS ARE RECEIVED AND THE APPLICABLE PERMITS ARE ISSUED BY ANOKA COUNTY AND ANY OTHER AGENCIES WITH JURISDICTION.
3. ANY UTILITY RELOCATION ALONG CSAH 52 WILL BE REQUIRED TO BE COORDINATED AND COMPLETED BY THE DEVELOPER AS PART OF THE ACHD ENGINEERING PLAN REVIEW PROCESS.
4. NO PLANTINGS OR PRIVATE SIGNS WILL BE PERMITTED WITHIN THE COUNTY RIGHT OF WAY AND CARE MUST BE EXERCISED WHEN LOCATING PRIVATE SIGNS, BUILDINGS, STRUCTURES, PLANTING BERMS, ETC. OUTSIDE OF THE COUNTY RIGHT OF WAY, SO AS NOT TO CREATE ANY NEW SIGHT OBSTRUCTIONS FOR THIS SECTION OF CSAH 52.

OPERATIONAL NOTES:

SNOW REMOVAL:

ALL SNOW SHALL BE PLOWED TO LANDSCAPE OR REMOVED OFFSITE.

TRASH REMOVAL:

TRASH REMOVAL SHALL OCCUR IN GARAGE.

DELIVERIES:

DELIVERIES SHALL OCCUR AT FRONT DOOR.

SITE PLAN LEGEND:

- LIGHT DUTY BITUMINOUS PAVEMENT (IF APPLICABLE). SEE GEOTECHNICAL REPORT FOR AGGREGATE BASE & WEAR COURSE DEPTH, SEE DETAIL.
- CONCRETE PAVEMENT (IF APPLICABLE) AS SPECIFIED (PAD OR WALK) SEE GEOTECHNICAL REPORT FOR AGGREGATE BASE & CONCRETE DEPTHS, SEE DETAIL.
- PROPERTY LINE
- CONSTRUCTION LIMITS
- CURB AND GUTTER-SEE NOTES (T.O.) TIP OUT GUTTER WHERE APPLICABLE-SEE PLAN
- SIGN AND POST ASSEMBLY. SHOP DRAWINGS REQUIRED. HC = ACCESSIBLE SIGN NP = NO PARKING FIRE LANE ST = STOP CP = COMPACT CAR PARKING ONLY
- BMP EXTENTS

SITE AREA TABLE:

SITE AREA CALCULATIONS	EXISTING CONDITION		PROPOSED CONDITION	
BUILDING COVERAGE	6,261 SF	1.7%	87,552 SF	23.9%
ALL PAVEMENTS (SITE)	9,552 SF	2.6%	106,853 SF	29.2%
ALL PAVEMENTS (ROW)	0 SF	0.0%	9,820 SF	2.7%
ALL NON-PAVEMENTS	350,557 SF	95.7%	162,145 SF	44.3%
TOTAL SITE AREA	366,370 SF	100.0%	366,370 SF	100.0%

IMPERVIOUS SURFACE		
EXISTING CONDITION	15,813 SF	4.3%
PROPOSED CONDITION	204,225 SF	55.7%
DIFFERENCE (EX. VS PROP.)	188,412 SF	51.4%

Know what's below. Call before you dig.

1" = 30'-0"

CivilSite GROUP
4931 W. 35TH ST. SUITE 200
ST. LOUIS PARK, MN 55416
CivilSiteGroup.com
612-615-0060

PROJECT

FOXTAIL HOLLOW

11967 & 11985 RADISSON RD NE, BLAINE, MN 55449

RON CLARK CONSTRUCTION

7900 WEST 78TH STREET, EDINA, MN 55439

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

David J. Kroeble

DATE 06/30/23 LICENSE NO. 48776

ISSUE/SUBMITTAL SUMMARY

DATE	DESCRIPTION
11/08/22	ENTITLEMENTS SUBMITTAL
12/08/22	ENTITLEMENTS RESUBMITTAL
2/08/23	CITY SUBMITTAL
2/08/23	CITY RESUBMITTAL
4/28/23	ENTITLEMENTS RESUBMITTAL
6/30/23	CONSTRUCTION DOCUMENTS

DRAWN BY: RSB,BN,AM REVIEWED BY: DK

PROJECT NUMBER: 21052.01

REVISION SUMMARY

DATE	DESCRIPTION
8/31/23	ASI #4

SITE PLAN

C2.0

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City of Blaine

Signature Copy

Resolution: R-55-2023

Resolution Granting a Conditional Use Permit Amendment to Allow 76 Townhomes in a DF (Development Flex) Zoning District at 11967 and 11985 Radisson Road NE. Radisson Road Townhomes (Ron Clark Construction) (Case File No. 23-0015/SLK)

WHEREAS, an application has been filed by Ron Clark Construction as Conditional Use Permit Case File No. 23-0015 for Radisson Road Townhomes; and

WHEREAS, said case involves the property described as follows:

Lots 1-8 Block 1, Lots 1-6 Block 2, Lots 1-6 Block 3, Lots 1-4 Block 4, Lots 1-5 Block 5, Lots 1-4 Block 6, Lots 1-7 Block 7, Lots 1-8 Block 8, Lots 1-7 Block 9, Lots 1-7 Block 10, Lots 1-7 Block 11, Lots 1-7 Block 12 and Outlot A FOXTAIL HOLLOW, Anoka County
Abstract, Document No. 2393417.001

WHEREAS, the Blaine Planning Commission held a public hearing on March 14, 2023, and recommended approval regarding said Conditional Use Permit; and

WHEREAS, the Blaine City Council has reviewed said case on April 3, 2023; and

WHEREAS, the criteria identified in Section 27.04 for granting a conditional use permit have been met.

NOW, THEREFORE, BE IT RESOLVEDby the City Council of the City of Blaine that a conditional use permit is hereby approved per Sections 27.04 and 29.110 of the Zoning Ordinance to allow 76 townhomes in a DF (Development Flex) zoning district with the following conditions:

1. The construction of all townhomes shall be generally guided by the approved CUP resolution and consistent with the depictions, drawings and information on the plans attached to the staff report.
2. All site plan and unit plans require approval from the Planning Department prior to any work being performed onsite.
3. No detached accessory structures are allowed except if needed to house underground irrigation controls.
4. All homes within 500 feet of Radisson Road shall incorporate Noise Abatement Standards with central air conditioning to mitigate noise impacts.
5. Townhomes must be setback at least 20 feet from private drive.
6. Decks must be located within the townhome lot.
7. Approval is contingent upon the Metropolitan Council review and approval of the requested comprehensive plan amendment.

8. The following trees are required onsite: 1 overstory deciduous, 1 coniferous, and 1 ornamental per unit, for a total of 228 trees.
9. Underground irrigation must be used for all landscaped areas.
10. Sod shall be required on all disturbed areas.
11. Developer shall require homeowner's associations to be responsible for maintenance and upkeep of landscape improvements along and within the right-of-way.
12. In addition to the two garage stalls per unit and driveway parking, there shall be one parking space for each three units for guest parking. Guest parking may include on street parking spaces on private roads if the width of the street meets the public road on street parking requirements.
13. Perimeter setbacks are as follows:
    a. Radisson Road setback – Building 50 feet and Parking 30 feet.
    b. North, South, and East property line setbacks – Building 30 feet and Parking 20 feet.
14. A 5-foot-high maintenance free non-climbable fence shall be installed by the developer on the north property line.

PASSED by the City Council of the City of Blaine this 3rd day of April, 2023.

Signed by _____
Tim Sanders, Mayor

Signed by _____
Cathy Sorensen, CMC, City Clerk

City of Blaine
Staff Report

File Number: 2024-160

Agenda Date	Status
February 13, 2024	
In Control	**File Type**
Planning Commission	Report

Public Hearing - Sheila Sellman, City Planner

Agenda Item # 4.8

Case File No. 24-0002 // Northtown // City of Blaine
The City is requesting the following:

1. Amendment to the Blaine Zoning Ordinance to create a new zoning district, County Road 10 Mixed Use District.
2. Rezoning certain parcels in the Northtown area from Community Commercial (B-2), Regional Commercial (B-3) and Residential Flex (RF), to County Road 10 Mixed Use District.

Background

Zoning	Community Commercial (B-2), Regional Commercial (B-3), Residential Flex (RF)
Land Use	Community Commercial (CC) High Density Residential/Planned Commercial (HDR2/PC) Medium Density Residential/Community Commercial (MDR/CC)
Area	Approximately 170 acres
Applicable Regulations	27.03
Attachments	Current and Proposed Zoning Public Comment Proposed Code Amendment
Schedule	Planning Commission: 02/13/24 City Council: 02/21/24 and 03/04/24

Staff report prepared by Sheila Sellman, City Planner

<u>Zoning</u>
The subject site is comprised of Community Commercial (B-2), Regional Commercial (B-3) and Residential Flex (RF) zoning districts.

Surrounding Zoning and Uses
The subject site is comprised of commercial development and one residential development with land use designations of CC (Community Commercial), HDR2/PC (High Density Residential/Planned Commercial), MDR/CC (Medium Density Residential/Community Commercial).

Existing Conditions
The subject area is developed with commercial/retail, office, residential and a regional mall.

Northtown District Vision Plan
In July 2022, the City Council adopted the Northtown District Vision Plan (the Plan). The Plan serves to guide decision-making, investments, and priorities for transforming the district into a feasible, vibrant mixed-use neighborhood. This Plan was created to identify redevelopment opportunities with the overall goal of meeting the market and community objectives. The Plan presents a long-range framework for redevelopment in the district, which includes the Northtown Mall and surrounding retail areas. The Plan identifies short-term to long-term steps. The short-term actions (1-5 years) identified include changing the zoning to some type of mixed-use district.

The Plan has been reviewed and discussed at numerous council workshops. The discussions centered around land use and zoning. Based on Council direction, changes to the comprehensive plan took place in November 2023 in preparation for a new zoning district. The Council discussed proposed zoning changes and text amendments at their September 6, 11 and November 13, 2023, workshops. The new zoning district is consistent with direction provided by the City Council and is in line with the Plan and is specifically designed for the Northtown area.

Rezoning
Section 27.03 Criteria for granting zoning/comprehensive plan amendments:
The City Council may adopt amendments to the zoning ordinance, zoning map, and comprehensive plan relative to land uses within a particular district or to the location of the district lines. Zoning amendments shall only be used as a means to reflect changes in the goals and policies of the City as reflected in the comprehensive plan or changes in conditions in the City. Although there are no explicit findings that must be made in conjunction with rezoning, appropriate considerations include:

- Whether the proposed District is consistent with the Comprehensive Plan.
- How the proposed district differs from the existing district.
- How the proposed district meets the goals and polices of the City.

Evaluation of Request
The proposed district intent of the County Road 10 Mixed Use District (MU) is to promote development and redevelopment that encourages mixed-uses that combine new or existing retail development with a variety of housing, offices, retail or other complementary uses. To create a mix of land uses and at the same time protect the interest of surrounding properties in the following ways:
(a) By establishing a mixed-use land use pattern and neighborhood design that is consistent with the vision, goals, and policies of the Blaine Comprehensive Plan.
(b) By creating cohesive, yet diverse, neighborhoods with increased economic and cultural opportunities, contributing to greater livability and a healthier local economy.
(c) By providing for mixed-use development(s) that are carefully planned to promote efficient use of

land, parking, and open space.
(d) By creating attractive neighborhoods that promote pedestrian-friendly, human interaction, safety and livability.

As proposed, any new building or addition requires site plan approval from the Planning Commission and City Council, which is not required in other districts except for the 105th Redevelopment District.

The proposed ordinance allows for mixed used development and that is currently not allowed in the B-2 and B-3 zoning. However, those mixed uses still need to be in conformance with the comprehensive land use plan. For example, an apartment building can only be located on property that is guided by HDR2/Planned commercial in this area.

The proposed ordinance provides permitted, conditional and prohibited uses. The proposed setbacks take into consideration the vision of the Plan. There is language in the proposed ordinance that provides greater setbacks when adjacent to single-family residential and lesser setbacks for the Northtown Mall.

Meetings and comments
As part of outreach to the property owners that are part of the rezoning, staff sent letters outlining the process, an FAQ, and offer to meet to discuss the proposal and answer any questions. At the time of drafting this report, staff communicated directly with nine owners (meetings, phone calls, emails). Most owners did not have an issue with the rezoning or the proposed ordinance. The real estate team for Northtown Mall submitted comments, and they are attached. Specifically, they request to allow oil changes as a conditional use. Two other owners questioned why car washes are being prohibited. One owner questioned why the setback for the mall was different than other properties, specifically across University Ave. The development parameters for the mall property are different in anticipation of the mall redeveloping like the Plan showed with development closer to the perimeter of the site.

Recommendation

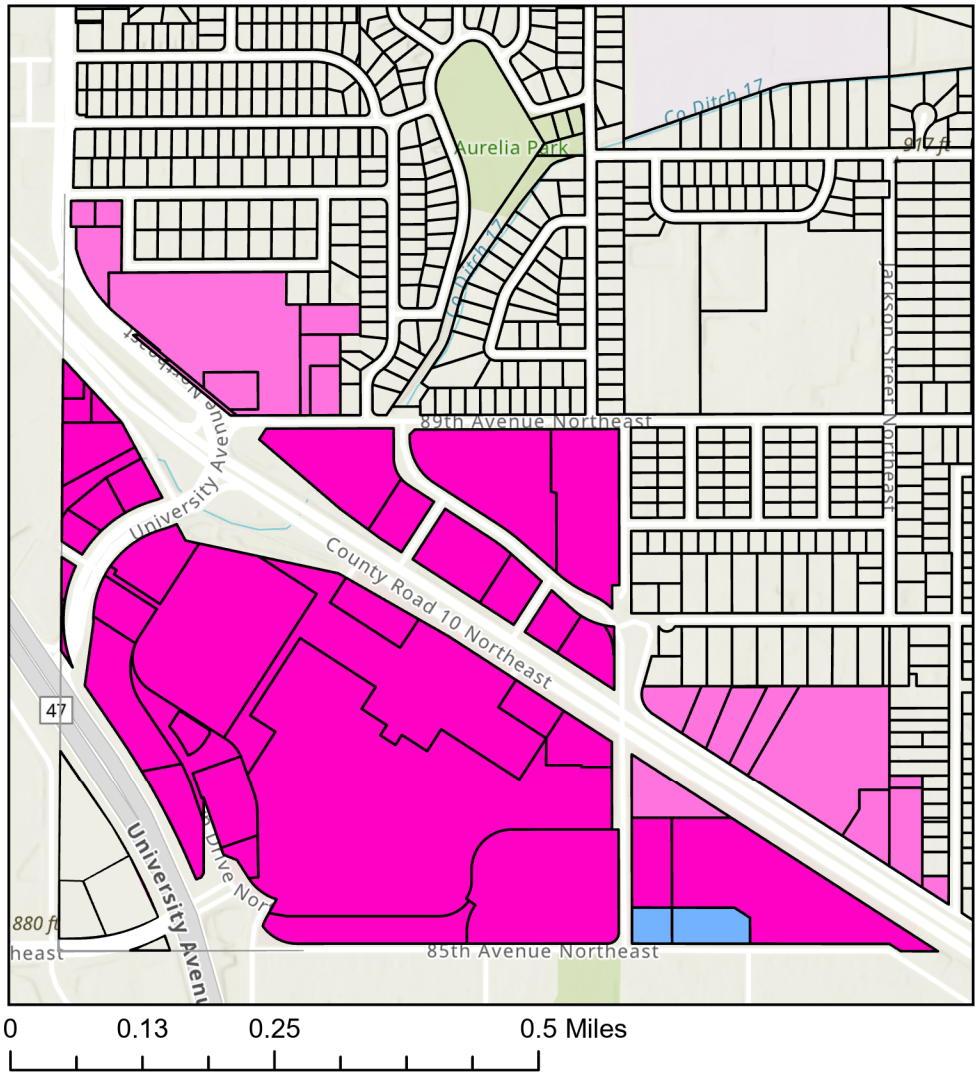
In Planning Case File No. 24-0002, it is recommended that the Planning Commission recommend approval of an amendment to the Blaine Zoning Ordinance to create a new zoning district, County Road 10 Mixed Use District.

In Planning Case File No. 24-0002, it is recommended that the Planning Commission recommend approval of a rezoning for certain parcels in the Northtown area from Community Commercial (B-2), Regional Commercial (B-3) and Residential Flex (RF), to County Road 10 Mixed Use District.

Attachment List

1. Attachments

Existing Zoning



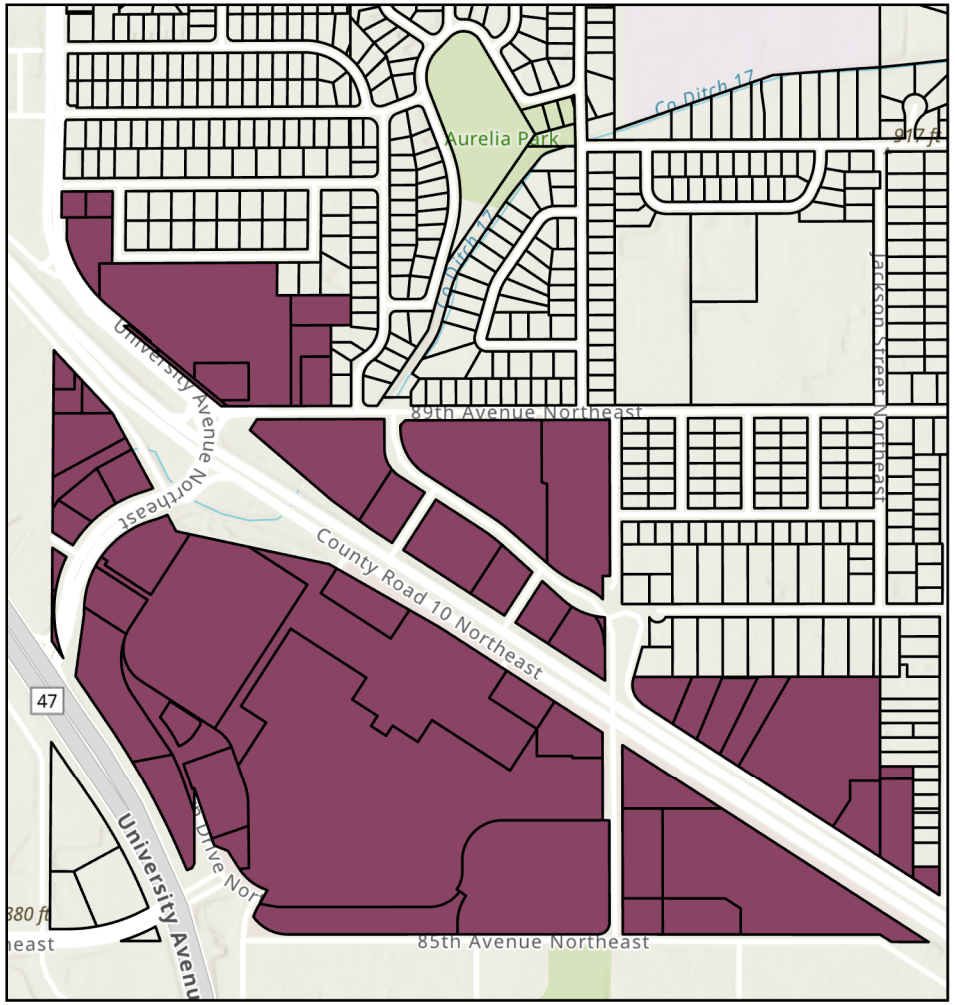
0 0.13 0.25 0.5 Miles

B-2 - Community Commercial

B-3 - Regional Commercial

RF - Residential Flex

Proposed Zoning



Mixed Use District

Patricia Robinson

From: Sheila Sellman
Sent: Tuesday, January 30, 2024 8:04 AM
To: Patricia Robinson
Subject: Fwd: Northtown Mall moratorium and zoning in favor of clean well run oil change facilities

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From: William Melin/USA <William.Melin@cushwake.com>
Sent: Monday, January 29, 2024 6:10:15 PM
To: Sheila Sellman <ssellman@blainemn.gov>
Cc: Deb Carlson/USA <Deb.Carlson@cushwake.com>; Amber Vickerman/USA <Amber.Vickerman@cushwake.com>
Subject: Northtown Mall moratorium and zoning in favor of clean well run oil change facilities

Shelia,

We would like to go on record in favor of oil change facilities being allowed as a conditional use in the (j) Gasoline service station, not including a car wash, but including oil change.
(i.e. well run, clean operations with no vehicles parked at the locations overnight like Valvoline Rapid Oil Change and Jiffy Lubes)

Thanks
Skip

william.melin@cushwake.com

William "Skip" Melin CCIM
Senior Director
Capital Markets Group

Phone: +1 952 200 7890

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Bloomington, MN 55431 | USA
cushwakemsp.com

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30.60 - County Road 10 Mixed Use District (MU)

30.61 - Intent

The intent of the mixed-use district is to promote development and redevelopment that encourages mixed-uses that combine new or existing retail development with a variety of housing, offices, retail or other complementary uses. To create a mix of land uses and at the same time protect the interest of surrounding properties in the following ways:

(a) By establishing a mixed-use land use pattern and neighborhood design that is consistent with the vision, goals, and policies of the Blaine Comprehensive Plan.
(b) By creating cohesive, yet diverse, neighborhoods with increased economic and cultural opportunities, contributing to greater livability and a healthier local economy.
(c) By providing for mixed-use development(s) that are carefully planned to promote efficient use of land, parking, and open space.
(d) By creating attractive neighborhoods that promote pedestrian friendly, human interaction, safety and livability.

30.62 - Development Procedure

All new buildings and additions require site plan approval through the planning commission and city council.

A development agreement is required as part of the development approval and shall address, at a minimum, approved site and building design criteria, approved sign locations and design criteria, construction phasing, parking, cash escrow and/or letter of credit for construction of on-site and off-site improvements generated by the development.

30.63 - Permitted Uses

(a) Attached townhomes with a minimum of three units.
(b) Bakery
(c) Banks
(d) Brew pubs
(e) Candy or ice cream shops
(f) Coffee shop
(g) Delicatessen stores
(h) Dry cleaning and laundry with no chemicals on premises.
(i) General retail
(j) Liquor stores

(k) Medical cannabis dispensary
(l) Personal services, including massage, hair salons and similar business.
(m) Personalized instructional services and fitness centers, total floor area limited to 4,000 square feet.
(n) Portrait/art studio/museum
(o) Professional offices including medical.
(p) Repair services (cell phone, clothing, bicycle, shoes) – not including automotive repair.
(q) Restaurants (Class I and Class II)

30.64 - Conditional Uses

(a) Animal hospitals/veterinary clinic.
(b) Assisted living and/or memory care facility.
(c) Brewer tap room as associated with and on the same site as a licensed brewery.
(d) Buildings over 50 feet in height.
(e) Charter schools without outdoor recreation space (not including playground equipment which is limited to 5,000 square feet).
(f) Day care Facilities
(g) Event centers and banquet facilities
(h) Farmers market
(i) Gasoline service station, not including a car wash.
(j) Hospitals
(k) Hotels, not including motels.
(l) Indoor amusement and recreation, not including fitness.
(m) Licensed cocktail room with and on the same site as a licensed distillery/micro distillery or winery.
(n) Movie or live theaters
(o) Multi-family residential (apartment style)
(p) Off Site parking or shared parking
(q) Outdoor dining
(r) Outdoor recreation as an accessory use to a permitted or conditional use in this district.
(s) Personalized instructional services and fitness centers, over 4,000 square feet.
(t) Places of worship
(u) Private social clubs
(v) Public buildings or facilities, not including schools.
(w) Restaurants with live entertainment (music, etc.)
(x) Two (2) or more buildings on same lot.

DRAFT

(y) Zero lot line split with shared access and/or parking.

30.65 - Prohibited Uses

(a) Auto sales—indoor or outdoor sales
(b) Automobile repair
(c) Car washes
(d) Outdoor storage
(e) Pawn shops
(f) Self-storage/mini storage
(g) Tobacco/vape shop
(h) Any uses not listed as permitted, or conditional.

30.66 - Performance Standards Residential

(a) Multi-family (Apartment) must be consistent with comprehensive plan land use designation.
    (1) Building Setbacks
        (aa) Adjacent to single-family residential 100 feet.
        (bb) Across the right-of-way from single-family residential 50 feet.
        (cc) Adjacent to County Road 10 minimum setback of 20 feet with a maximum of 50 feet.
        (dd) Adjacent or across the right-of-way from commercial not adjacent county road 10.
        (ee) Front yard 30 feet
        (ff) Side yard 20 feet
        (gg) Rear yard 20 feet

    (2) Parking Setbacks
        No parking lot shall be located in the front yard adjacent to County Road 10.
        (aa) Front yard 20 feet, if adjacent to single-family residential the setback shall be 40 feet.
        (bb) Rear yard 20 feet
        (cc) Side yard 20 feet
        (dd) Fire lane may be located within the setback.

    (3) Building Height
        (aa) Adjacent to single-family residential maximum of three stories over parking (40 feet above grade).
        (bb) Maximum 5 residential stories over parking (60 feet above grade)

- Buildings over 50 feet require a conditional use permit.

(4) Multifamily (Apartments): Each residential development shall provide private recreational uses for project residents. This area shall be for active or passive recreational uses suited to the needs of the residents of the project including, but not limited to, swimming pools, trails, nature areas, picnic areas, tot lots. Projects with 50 units or less must provide at least one amenity. Projects with more than 50 units must provide at least two amenities.

(b) Multi-family (Attached Townhomes) must be consistent with comprehensive plan land use designation.

(1) Building Setbacks

(aa) Front yard: 30 feet

(bb) Rear yard: 30 feet

(cc) Corner side yard: 20 feet

(dd) Side yard adjacent to single-family residential or commercial: 30 feet.

(2) Parking Setbacks

(aa) Guest parking: 20 feet

(bb) Drive aisles: 20 feet

(3) Building Height

(aa) Minimum of two stories, except that a height of one story is permitted for up to 10 percent of the units in a development.

(bb) Maximum of three stories.

30.67 - Architectural control residential

(a) [Exterior wall finishes.] At least 50 percent of all exterior wall finishes on any building shall be comprised of a combination of at least three of the following materials with all materials present on each elevation.

(1) Brick

(2) Natural or cultured stone

(3) Glass

(4) Stucco or EIFS

(5) Cementous siding

(6) Architectural metal

(7) Integrally colored rock faced block

(8) The remaining portion of all exterior wall finishes shall be comprised of any combination of decorative, rock faced concrete block and textured concrete panels, or other comparable or superior materials as approved by the zoning administrator. All materials subject to zoning administrator approval.

(9) Building articulation elements shall be provided at a maximum average spacing of 40 feet.

(10) Flat roof lines are encouraged along County Road 10.

(11) Apartment Façade articulation for any building over two-stories shall be provided through any of the following elements:

(aa) A projecting bay, entry vestibule, or recess extending from the ground level through the second floor.

(bb) A ground-level recess.

(cc) A change in the rhythm of windows at the ground level and second floor, combined with a change of parapet height or material.

(12) All buildings shall provide ground floor windows along, parks, plazas or other public outdoor spaces. Darkly tinted windows or windows that block two-way visibility are prohibited.

(b) Awnings.

(1) An awning may project over the public sidewalk provided that it is at least eight feet above grade and does not project more than two-thirds the width of the public sidewalk as measured from the building.

(2) Awnings must be constructed of durable, water repellent material such as canvas or metal. Plastic or fiberglass are not permitted.

(3) Backlit or illuminated awnings are not permitted.

(4) Retractable or fixed awnings may be used.

(5) Awnings shall not extend across multiple buildings. Long expanses of awnings should be broken into segments that reflect the door or window openings located beneath.

(6) Awning colors and materials shall complement the building façade.

(7) Signage on awnings is permitted on the end panel or valance only. Lettering size shall be proportional to the space available as approved by the zoning administrator.

(8) Awnings and canopies deteriorate over time; regular maintenance and replacement is required. If material shows signs of wear, including, but not limited to, fraying, fading, or physical damage to the awning.

(9) Awnings should be part of the site plan review and receive approval. Any encroachments over public right-of-way shall be approved by the city council prior to construction.

30.68 - Performance Standards Commercial

(a) Building setbacks:
  (1) Adjacent to single-family residential: 50 feet
  (2) Adjacent to County Road 10 minimum setback of 20 feet with a maximum of 50 feet.
  (3) Front yard: 30 feet
  (4) Side yard: 20
  (5) Rear yard: 20 feet

(b) Parking setbacks:
  (1) No parking lot shall be located in the front yard adjacent to County Road 10.
  (2) Front yard: 20 feet
  (3) Rear yard 10 feet, if adjacent to single family residential 25 feet.
  (4) Side yard 10 feet, if adjacent to single family residential 25 feet.
  (5) Fire lane may be located within the setback.

30.69 – Architectural Control Commercial

(a) [Exterior wall finishes.] At least 100 percent of all exterior wall finishes on any building shall be comprised of a combination of at least three of the following materials with all materials present on each elevation.
  (1) Brick
  (2) Natural or cultured stone
  (3) Glass
  (4) Stucco or EIFS
  (5) Cementous siding
  (6) Architectural metal
  (7) Integrally colored rock faced block
  (8) The remaining portion of all exterior wall finishes shall be comprised of any combination of decorative, rock faced concrete block and textured concrete panels, or other comparable or superior materials as approved by the zoning administrator. All materials subject to zoning administrator approval.
  (9) Building articulation elements shall be provided at a maximum average spacing of 40 feet.

(b) Awnings.

(1) An awning may project over the public sidewalk provided that it is at least eight feet above grade and does not project more than two-thirds the width of the public sidewalk as measured from the building.
(2) Awnings must be constructed of durable, water repellent material such as canvas or metal. Plastic or fiberglass are not permitted.
(3) Backlit or illuminated awnings are not permitted.
(4) Retractable or fixed awnings may be used.
(5) Awnings shall not extend across multiple buildings. Long expanses of awnings should be broken into segments that reflect the door or window openings located beneath.
(6) Awning colors and materials shall complement the building façade.
(7) Signage on awnings is permitted on the end panel or valance only. Lettering size shall be proportional to the space available as approved by the zoning administrator.
(8) Awnings and canopies deteriorate over time; regular maintenance and replacement is required. If material shows signs of wear, including, but not limited to, fraying, fading, or physical damage to the awning.
(9) Awnings should be part of the site plan review and receive approval. Any encroachments over public right-of-way shall be approved by the city council prior to construction.

(c) Building height: buildings exceeding 50 feet in height must obtain a conditional use permit.

30.70 - Mall Performance Standards

The Mall property consists of land north of Sanburnol Drive, east of University Avenue, south of County Road 10, and west of Jefferson Street.

(a) Building Setbacks:

(1) Adjacent to County Road 10 minimum setback of 20 feet with a maximum of 50 feet.
(2) Adjacent to Sanburnol Drive: 30 Feet
(3) Adjacent to County 10: 20 feet
(4) Adjacent to University Avenue: 20 feet
(5) Adjacent to Jefferson Street: 20

(b) Parking Setbacks:

(1) No parking lot shall be located in the front yard adjacent to County Road 10.
(2) Adjacent to Sanburnol Drive: 15 feet
(3) Adjacent to County Road 10 side and rear yard: 10 feet
(4) Adjacent to University Avenue: 10 feet
(5) Adjacent to Jefferson Street: 10 feet

(c) [Exterior wall finishes.] At least 100 percent of all exterior wall finishes on any building shall be comprised of a combination of at least three of the following materials with all materials present on each elevation:
(1) Brick
(2) Natural or cultured stone
(3) Glass
(4) Stucco or EIFS
(5) Cementous siding
(6) Architectural metal
(7) Integrally colored rock faced block.
(8) The remaining portion of all exterior wall finishes shall be comprised of any combination of decorative, rock faced concrete block and textured concrete panels, or other comparable or superior materials as approved by the zoning administrator. All materials subject to zoning administrator approval.
(9) Building articulation elements shall be provided at a maximum average spacing of 40 feet.

(d) Awnings:
(1) An awning may project over the public sidewalk provided that it is at least eight feet above grade and does not project more than two-thirds the width of the public sidewalk as measured from the building.
(2) Awnings must be constructed of durable, water repellent material such as canvas or metal. Plastic or fiberglass are not permitted.
(3) Backlit or illuminated awnings are not permitted.
(4) Retractable or fixed awnings may be used.
(5) Awnings shall not extend across multiple buildings. Long expanses of awnings should be broken into segments that reflect the door or window openings located beneath.
(6) Awning colors and materials shall complement the building façade.

(7) Signage on awnings is permitted on the end panel or valance only. Lettering size shall be proportional to the space available as approved by the zoning administrator.
(8) Awnings and canopies deteriorate over time; regular maintenance and replacement is required. If material shows signs of wear, including, but not limited to, fraying, fading, or physical damage to the awning.
(9) Awnings should be part of the site plan review and receive approval. Any encroachments over public right-of-way shall be approved by the city council prior to construction.

(e) Building height: buildings exceeding 50 feet in height must obtain a conditional use permit.

30.71 - General Performance Standards

(a) Assisted Living and/or memory care facility:
(1) Multi-story building must meet performance standards residential mutli-family.
(2) One-story building must meet performance standards - Commercial.

(b) Class II Restaurant:
(1) If located in a retail multiple tenant center must conform to the architecture of a specific center.

(c) Hospitals:
(1) Shall not be adjacent to low density residential areas.
(2) Shall have direct access from the site to a collector or arterial street as defined in the comprehensive plan.
(3) Shall not have emergency vehicle access adjacent to or located across a street from any single-family residential use.
(4) May be required to submit a detailed parking analysis. Additional parking may be required based on this analysis.

(d) Heliports:
(1) Shall conform to all applicable federal aviation administration and Minnesota department of transportation regulations.
(2) Shall establish and utilize approach and departure routes over non-residential areas to the maximum extent possible.
(3) Shall have hours of operation limited to 7:00 a.m. to 9:00 p.m., inclusive, excluding emergencies.

(4) Shall not be located within 500 feet of residential areas.
(5) Shall be provided with a dust free landing pad.
(6) Shall be fenced or otherwise secured to prevent unauthorized access.

(e) Outside display is allowed provided the following standards are met:

(1) Outside display area is limited to a maximum of thirty percent (30%) of the width of a building frontage and is not to exceed a total of one hundred fifty (150) square feet of area for buildings under 40,000 square feet and not to exceed 400 square feet for buildings larger than 40,000 square feet. Building frontage is defined as the dimension or width of a store front occupied by the retailer establishing the outside display. For purposes of this ordinance a frontage must contain a public or customer entrance or exit and no space is allowed more than two (2) frontages.
(2) Outside display to be located immediately adjacent to and within the dimensions of the building frontage and shall not extend from the front building edge more than fifty (50) inches.
(3) Outside display shall not exceed a height of sixty (60) inches.
(4) Vending machines or cabinets for items such as beverages, ice and propane are exempt from the height and area restrictions provided they are limited to a maximum of three (3) machines or cabinets per frontage.
(5) Outside display shall not be located so as to block pedestrian walkways, doorways, parking stalls, drive aisles (including access for emergency services). Thirty-six (36) inches is the minimum width required to maintain pedestrian access.
(6) Outside display to be maintained in an orderly and attractive manner that does not detract from the image of the community or adjacent businesses.
(7) Outside display should be a representation of the products sold on site, not a storage area for inventory on pallets.
(8) Products shall be able to be sold from the display.

(f) Parking:

Parking is regulated by Section 33.13 of the Blaine Zoning Ordinance except where regulated in this section.

(1) *Shared Parking*

(aa) A conditional use permit may be granted for one or more businesses to provide the required off-street parking facilities by joint use of one or more sites where the total number of spaces

provided are less than the sum of the total required for each business should they provide them separately.

(bb) Conditions required for shared parking:

(i) The building or use for which application is being made to utilize off-street parking facilities provided by another building or use shall be located within 800 feet of such parking facilities.

(ii) The application shall demonstrate there is no substantial conflict in using shared facilities through a professional parking analysis.

(iii) Shared parking facilities shall record with the county an irrevocable covenant running with the land. A certified copy of the recorded agreement shall be provided to the zoning administrator prior to issuance of a building permit.

(2) *Off-site parking.*

Any off-site parking which is used to meet the requirements below shall be a conditional use:

(aa) Reasonable access from the off-site parking facilities to the use being served shall be provided.

(bb) An agreement or lease shall be approved as part of the conditional use permit. The agreement/lease shall specify the total number and location of parking spaces under contract.

(cc) The off-street parking requirements shall be established by the zoning administrator based upon the characteristics and functional similarities between uses including, but not limited to: the size of building, type of use, number of employees, expected volume and turnover of customer traffic, and expected frequency and number of delivery or service vehicles. For structures containing multiple uses, each shall be calculated separately. The requirements may be revised downward by the city council as part of an application for a conditional use permit based on verifiable information pertaining to parking.

(dd) Approved parking spaces must be located on the same lot as the principal use, unless shared parking or off-site parking is approved for the use.

(3) *Parking analysis requirements.*

A parking analysis is required when off-site or share parking is proposed. The parking analysis is to be prepared by a professional who has knowledge and experience with parking needs and assessments. The analysis should consist of the following information:

(aa) A site plan of the property identifying where the proposed project is located, showing all existing uses/tenant spaces and all existing parking space locations.

(bb) Parking analysis matrix that includes (1) names of all existing/proposed uses with tenant address; (2) each tenants total building square footage existing and proposed (3) lists dining and seating counts for restaurant, bar, brewery, cocktail room and coffee shop uses; and (4) lists an accurate total number of all existing parking spaces on-site.

(cc) Proposed parking layout and number of stalls for the development.

(dd) Floor plan layouts may be required to determine relevant seating areas and other-relevant square-footage areas.

(ee) Parking adequacy should be determined prior to making major financial and legal commitments related to the property. In some cases, insufficient on-site parking may prevent the proposed project/use from being permitted.

(4) *Parking structure.*

(aa) Parking structures shall be appropriately located and behind the rear of the building when practical.

(bb) Parking structures abutting any public street or walkway shall be compatible with the materials and architectural style of surrounding buildings.

(cc) Parking structures shall be designed so that vehicles are not visible from the sidewalk and the only opening at the street level are those to accommodate vehicle ingress and egress.

(dd) Snow storage areas shall not be located in the front or side yard abutting a street. If storage is not accommodated onsite it should be hauled out.

(g) <u>Personalized instructional services and fitness centers and accessory uses within the building on property:</u>

(1) Any active outdoor use areas shall be screened from residential views.

(2) A detailed parking demand analysis shall be submitted. Additional parking may be required based on this analysis.

(h) Theaters:

(1) Theaters located within shopping centers or otherwise utilizing joint parking arrangement shall submit an analysis of parking demand versus availability for review and approval by the city. Additional parking may be required based on this analysis if available parking does not meet the expected demand.

(2) Theaters located within existing structures may be required to install appropriate building modifications to provide adequate pedestrian and vehicle access.

(3) Interior and free standing theaters shall only be permitted when it can be demonstrated that vehicular ingress and egress may be accomplished without inducing undue traffic problems on area roadways.

(i) Traffic impact studies/Traffic memo:

A traffic impact study prepared by a registered traffic engineer to assess potential traffic impacts on local and regional road systems is required for any of the following:

(1) Multi-family development

A traffic memo prepared by a registered traffic engineer to assess potential traffic impacts on local and regional road systems is require for any of the following:

(1) Any development which exceeds 25,000 square feet of gross floor area.

(2) Expansion of existing development which exceeds 10 percent of gross floor area and the total gross floor area is 25,000 square feet or greater.

(j) Refuse Enclosure:

Refuse facilities, except for individual containers for public use, shall be located only in the side yards or rear yards when feasible. Refuse facilities may be located in the front yard subject to approval of the Zoning Administrator. Such facilities shall be constructed of masonry materials such as brick or textured block in colors compatible with the principal structure. Such facilities shall have solid gates.

(k) Screening:

On a lot adjacent to single family residential, there shall be an opaque screen made up of trees and/or berms and a six-foot-high solid fence constructed of maintenance free materials.

(l) Signage:
Signage is regulated by Chapter 34 of the Blaine Zoning Ordinance.

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