



City of Blaine Anoka County, Minnesota Minutes - Final

10801 Town Square Dr.
Blaine MN 55449

Planning Commission

The Planning Commission is an advisory body 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.

Blaine City Ordinances require that certain documents and information be included in applications. The Planning Commission may postpone consideration of an application that is incomplete and may, for other reasons, postpone final action on an application.

For each item the Commission will receive reports prepared by the City staff, open the hearing to the public, and discuss and act on the application.

Tuesday, June 11, 2013

7:00 PM

Council Chambers

1. Roll Call

The Blaine Planning Commission met in the City Hall Chambers on Tuesday, June 11, 2013. Chair Ouellette called the meeting to order at 7:00 p.m.

Staff Present: Shawn Kaye, Associate Planner

Lori Johnson, Planner III

Liz Hanson, Planning Intern

Tom Scott, Project Coordinator

Dan Schluender, Assistant City Engineer

Present: 6 - Chair Ouellette, Vice Chair Lahti, Goracke, Bergstrom, Radtke, and King

2. Approval of Minutes

[TMP 13-1038](#)

May 14, 2013 Planning Commission Minutes

Attachments: [May 14 Planning Commission Minutes.doc](#)

Moved by Bergstrom, seconded by Goracke, that the Minutes be Approved.
The Motion was adopted unanimously.

3. Old Business

None.

4. New Business

4.1 [RES 13-107](#)

Public Hearing Case File No 13-0003 // Darul Arqam Center of Excellence

(DACOE) // 8710 Central Avenue NE

The applicant is requesting a conditional use permit to allow for an educational use in a B-2 (Community Commercial) zoning district.

Attachments: [DACOE - Attachments.pdf](#)
 [DACOE - Petition.pdf](#)

The report to the Planning Commission was presented by Lori Johnson, Planner III. She discussed two additional conditions that should be added in the motion for approval. The public hearing for Case File 13-0003 was opened at 7:10 p.m.

John Blucher, 8556 Lincoln Street, stated he was made aware of the proposed use by speaking with a neighbor. He commented 80 signatures have been collected from his neighbors opposing the training center. He read the petition in full to the Commission explaining traffic and parking would be a burden to the adjacent neighborhood. He encouraged the Commission to vote no on this item. Mr. Blucher then presented the Commission with the petition.

Leonard Delly, 8551 Lincoln Street, thanked John Blucher for presenting the neighborhoods concerns this evening. He noted he has lived at his address for the past 40 years and explained the traffic in this area was becoming a huge concern. He requested the Commission vote no on this item.

Don Granander, 8557 Lincoln Street, explained the petition received 80 signatures from the 50 houses in this neighborhood. He expressed concern that the school was already receiving students at this site without proper approval. He stated the school was hoping to triple the number of students in the coming years, which would negatively impact the neighborhood.

John Holmberg, 8852 Central Avenue, indicated there has been a number of suspicious vehicles driving down his street since the Darul Arqam Center purchased the property at 8710 Central Avenue. He now feared for the safety of his wife and children. He commented the proposed use was a religious organization and should not be allowed at the proposed location. He stated the parking from the school would adversely impact his neighborhood and he vehemently opposed the request.

Jim Schlotterer, 8634 Lincoln Street, stated he has lived at his address for the past 30 years. He commented the proposed use would greatly increase the traffic in his neighborhood. For this reason, he opposed the request.

Lee Ann Berigan, 1348 87th Avenue NE, stated she lived directly across from the subject property and has already noticed activity. She indicated the facility was being prepared for the proposed classes. She expressed concern

with the weekend classes as the traffic to and from the site would impact the neighborhood.

The public hearing was closed at 7:28 p.m.

Chair Oullette summarized the major concerns expressed by the neighborhood and traffic was the main concern. He then reviewed the conditions for approval regarding traffic. He encouraged the residents to contact the police department regarding the speeding traffic flowing through the neighborhood. He indicated that society was changing and the proposed school was an allowed use in the City of Blaine.

Commissioner Bergstrom stated she was a former assessor with Anoka County. She anticipated the property would be non-assessable as a school.

Samad Syed, 12185 Vermillion Street, stated he moved to Minnesota eight years ago from India. He explained he has lived in Blaine for the past five years and stated the proposed use would allow younger children to learn the Quran. He indicated six children attend classes at this time and an additional class would be added on the weekend. He understood the neighborhoods concerns regarding traffic. He discussed how the classes would be scheduled to assure the traffic was staggered. Mr. Syed anticipated that he would have to pay taxes on the property given the fact the second story would be used for retail space.

Commissioner Goracke asked the age range for the children that would be attending the classes. Mr. Syed explained the children would range in age from 6 to 12.

Commissioner Bergstrom stated the majority of the traffic coming to and from the site would be from Highway 65. Discussion ensued regarding access to and from the proposed site.

Assistant City Engineer, Dan Schluender understood the traffic concerns in this area and commented the City was working to separate business and residential traffic in this area. He noted the Police Department would be visiting this neighborhood more frequently.

Chair Oullette noted a letter for the record from John and Lenae Mann, 8650 Lincoln Street, stating they too had concerns with traffic and safety of the children at the proposed use.

Commissioner Lahti questioned how often conditional use permits were reviewed.

Planner III, Lori Johnson stated the permit could be reviewed on an annual

basis if issues were raised regarding parking.

Chair Oullette requested the applicant encourage his clientele to access the site from Highway 65 and not through the adjacent neighborhood.

Motion by Commissioner King to recommend approval of Planning Case 13-0003 based on the following conditions:

Case 13-0003:

1. A Certificate of Occupancy (C.O.) must be obtained from the Building Inspection and Safety Services Department.
2. Change of use from general office to education/classroom will require a new SAC (Sewer Access Charge) determination from Metropolitan Council Environmental Services (MCES). Applicant to be responsible for any additional SAC payment that would be required.
3. The City Council will reserve the right to review the parking situation further if complaints are received about overflow parking onto City streets or other sites. No parking from this use or site is allowed on the service road (Central Avenue), 87th Avenue or other surrounding streets.
4. The building will be required to have an automatic fire suppression system for all levels of the building. System to be installed and operational prior to issuance of C.O.
5. Both entrances to the site must be a minimum of 24-foot wide and they currently do not meet this requirement.
6. Concrete curb and gutter will need to be installed around the parking areas.
7. The sign on site is currently nonconforming as it is a pylon sign and it must be removed. If the applicant wishes to install new free standing signage a permit will be required and the sign must meet ordinance requirements.
8. The site plan indicates that a new privacy fence will be installed. A permit for such fence is required from the City's Building Inspection Department.
9. It should be noted that the conditional use permit being requested applies to the lower level of the building only and the use must operate as described in the attached narrative. If the applicant wishes to expand the school to the upper level of the building where the retail/office uses are located, a conditional use permit amendment is required. The applicant will need to demonstrate that there will be enough parking on site for this use. Additionally, if the DACOE wishes to use the second level of the building an elevator or other code improvements would need to be installed per the Building Code.
10. Within 30 days of the issuance of the conditional use permit, the applicant must submit a site improvement performance agreement and an associated financial guarantee to cover the cost of all work to be performed on site, including sign removal, driveway enhancements and the installation of concrete curb and gutter. All required site work to be completed prior to October 31, 2013.
11. This use must operate precisely how it has been explained in the Staff Report with no more than 20 students and one staff member per class.
12. This site cannot be used as a community center or place of worship (church).

Motion seconded by Commissioner Goracke. The motion passed 6-0.

Chair Ouellette noted this would be on the agenda of the June 20, 2013 City Council meeting.

4.2 [ORD 13-2268](#)

**Public Hearing Case File No. 13-0036 // Homeco Insulation, Inc. // 3102
103rd Lane NE**

The applicant is requesting the following:

- a) **Rezoning from I-1 (Light Industrial) to I-1A (Light Industrial).**
- b) **Conditional use permit to allow for outdoor storage of up to five (5) cube vans.**

Attachments: [Homeco - Attachments.pdf](#)

The report to the Planning Commission was presented by Elizabeth Hanson, Planning Intern. The public hearing for Case File 13-0036 was opened at 7:54 p.m. As no one wished to appear, the public hearing was closed at 7:54 p.m.

Commissioner Lahti asked where Homeco was previously located.

Planning Intern, Elizabeth Hanson explained the business was relocating to Blaine from the City of Coon Rapids.

Chair Ouellette questioned how the box vans would be used by the applicant.

Greg Gulden, 6860 Hillendale Road in Elk River, explained the vans would be used on a daily basis. Each vehicle would be properly licensed as part of the businesses daily fleet.

Motion by Commissioner Goracke to recommend approval of Planning Case 13-0036A rezoning from I-1 (Light Industrial) to I-1A (Light Industrial) based on the following rationale:

Case 13-0036A:

1. **The I-1A district will accommodate the applicant's need for limited outdoor storage on the property while maintaining the light industrial integrity of the surrounding area.**

Motion by Commissioner Goracke to recommend approval of Planning Case 13-0036B a conditional use permit (CUP) to allow for outdoor storage of up to five (5) cube vans at 3102 103rd Lane NE based on the following conditions:

Case 13-0036B:

1. **Outdoor storage limited to the parking of five (5) cube vans.**
2. **The outside storage area must be hard-surfaced.**
3. **The outdoor storage area must be fenced and screened with a maintenance-free fence with a maximum height of seven (7) feet.**

4. The outdoor storage area to be located as shown on the attached site plan.
5. Fence requires separate building permit.

Motion seconded by Commissioner Bergstrom. The motion passed 6-0.

Chair Ouellette noted this would be on the agenda of the June 20, 2013 City Council meeting.

4.3 [RES 13-108](#)

Public Hearing Case File No. 13-0013 // Shade Tree Construction // 12700 Harpers Street NE

The applicant is requesting the following:

- a) Preliminary plat approval to subdivide 5.01 acres into 15 single family lots to be known as Marquest Meadows North.
- b) Conditional use permit to allow for construction of 15 single family homes in a DF (Development Flex) zoning district.

Attachments: [Marquest Meadows North - Attachments.pdf](#)

The report to the Planning Commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 13-0013 was opened at 8:02 p.m.

Rick Mrugala, 2950 128th Avenue, explained his property bordered the west end of the proposed development. He expressed concern with the price range proposed for this development in addition to the storm water coming off of 127th Avenue. He noted the future storm water pond would have to be piped and gravity fed. He indicated he supported the future storm water pond, as it would eliminate the numerous smaller ponds.

Assistant City Engineer, Dan Schluender explained 127th Avenue would end in a cul-de-sac and the water would drain back into the plat. The water would not enter onto the adjacent plat. He then discussed the regional storm water pond location.

Tou Xiong, 12750 Harpers Street NE, asked when construction would begin for this plat. He asked if the subdivision would have a sidewalk.

Assistant City Engineer, Dan Schluender stated a bituminous trail and sidewalk were proposed for the subdivision.

Dan Boxrud, 12600 Harpers Street NE, explained he has owned his property since 1978. He questioned when the regional drainage system would begin.

Assistant City Engineer, Dan Schluender indicated the City Council directed staff to prepare a feasibility report for the regional drainage system on June 6th.

May Lee, 12750 Harpers Street NE, requested a copy of the surveyed plat.

Chair Oullette encouraged Ms. Lee to take a copy of the staff report, as a concept plan of the property was included within this documentation.

The public hearing was closed at 8:15 p.m.

Mark Strandlund, Shade Tree Construction, anticipated construction for this project would begin this fall.

Motion by Commissioner Bergstrom to recommend approval of Planning Case 13-0013A a preliminary plat for Marquest Meadows North based on the following conditions:

Case 13-0013A:

1. All streets will follow the Anoka County street name grid system.
2. The developer has responsibility for financial participation in 125th Avenue NE improvements associated with this development. This includes, but is not limited to, intersection improvements, traffic signal installations, and roadway widening improvements. Anoka County will specify required improvements as part of their review. The City has calculated the development potential of all of the developable property, lying north of 125th Avenue and within the current development schedule provided by the 2005 MUSA and has determined the per lot cost associated for the improvements to be \$1,307 per lot (2013 rate). The plat, if it ultimately contains 15 lots, would have a responsibility of \$19,605 if platted in 2013.
3. Developer installed improvements shall include construction of 127th Avenue and Guadalcanal Street within the plat including lateral sanitary sewer and water main with services, storm drainage improvements, storm water management and water quality treatment infrastructure, streets with concrete curb and gutter, 6 foot concrete sidewalks along the east side of Guadalcanal Street, north side of 127th Avenue, 8 foot bituminous trail on the west side of Harpers Street, streetlights, mailboxes, traffic control signs, street signs, and all appurtenant items.
4. Plans and specifications must be approved by the City prior to start of construction.
5. Trunk sanitary sewer area charges become due with platting for upland acreage. The 2013 rate for Sanitary Sewer District 6-5 is \$5,179 per upland acre.
6. Street and utility extensions are required to the edges of the plat for future connection to adjacent parcels.
7. 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.
8. Each lot shall have a minimum rear yard area behind each structure of a minimum of 20 feet from the structure at a maximum grade of 5%.
9. 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.
10. Developer to create a temporary storm sewer pond on an outlot until a regional storm sewer pond is created at which time the outlot could be further

developed into lots.

11. Development requires a National Pollutant Discharge Elimination System (NPDES) Permit from Minnesota Pollution Control Agency (MPCA).

12. Construction contract documents shall include a rough grading, erosion protection, sediment control, development, utilities, roadway, and storm drainage plans. Supporting wetland delineation report, geotechnical investigation report, soil boring logs, and hydrology report shall be included in the submittal for City review and approval.

13. The development plan shall indicate all structures will be protected from flooding.

14. CCWD approval is required prior to City Council consideration of preliminary plat and a CCWD permit is required prior to City approval of construction plans and specifications.

15. As-built surveys shall be required to verify structure elevations, custom grading requirements, and final lot grading elevations.

16. Developer to install grouped mailboxes with design and locations approved by City and US Postal Service.

17. 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.

18. All development signage by separate review.

19. All wells and septic systems to be properly abandoned per all local and state requirements.

20. Park dedication is required for each of the 15 lots at the rate in effect at time of Final Plat. The 2013 rate is \$2813 per lot or \$42,195 if platted and paid in 2013.

21. 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.

22. Marquest Meadows North plat will have the responsibility to pay for its portion for the future costs of the Harper's Street storm sewer project.

Motion by Commissioner Bergstrom to recommend approval of Planning Case 13-0013B the conditional use permit to allow for construction of 15 single family homes in a DF (Development Flex) zoning district based on the following conditions:

Case 13-0013B:

Single Family - DF Development Standard

Permitted Uses

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

Accessory Uses

1. Private 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 Chapter 18 Article IX Swimming Pools.
3. Keeping of not more than two (2) boarders and/or roomers per dwelling unit.

Conditional Uses

1. Home occupations listed as Conditional Uses fewer than 33.11.

Standards

1. Front yard setback - 25 feet
2. Side yard setback - 10 feet for house and 5 feet for garage.
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. Accessory storage buildings below 120 square feet must meet 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:
One story with basement: 1,400 square feet.
Multi-level dwellings: 1,500 square feet.
8. All homes to be constructed utilizing pre-approved exterior materials, roof pitches and elevations. All house exteriors to utilize maintenance-free materials to the extent possible. All house exteriors to provide enhanced window fenestration. Care to be taken to utilize a variety of home styles, front elevations and colors to provide maximum housing variety within each neighborhood. Developer to establish criteria to ensure that adjacent single-family homes built within the development do not have the same exterior color or architectural elevations.
9. All homes shall have a minimum depth and width of 24 feet.
10. All residential dwellings must be built in conformance with the current edition of the
11. Minnesota State Building Code.
12. 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.
13. 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.
14. Each lot shall contain one front yard tree and one boulevard tree with a minimum of 2½-inch caliper. Corner lots shall each have one additional boulevard tree.
15. The plat contains a significant number of trees that will be removed as part of the grading for lots and storm water improvements. The City's tree replacement requirements would require 35 (seven trees per acre) to be replaced. The 15 lots (with four corner lots) would normally plant 34 trees. One additional tree will be required to be planted within the plat.

Motion seconded by Commissioner King. The motion passed 6-0.

Chair Ouellette noted this would be on the agenda of the June 20, 2013 City Council meeting.

4.4 [ORD 13-2269](#)

Public Hearing Case File No. 13-0037 // City of Blaine

The City is requesting the following for eight lots at Cloud Drive/123rd Court NE:

- a) Comprehensive land use amendment from HI (Heavy Industrial) to LI (Light Industrial).
- b) Rezoning From I-2 (Heavy Industrial) to I-1 (Light Industrial).

Sponsors: Schafer

Attachments: [Cloud Drive Rezoning - Zoning Map.pdf](#)
[Cloud Drive Rezoning - Land Use Map.pdf](#)

Motion by Commissioner Goracke to recommend approval of Planning Case 13-0037A a comprehensive land use amendment from HI (Heavy Industrial) to LI (Light Industrial) for eight lots on 123rd Court/East of Cloud Drive NE based on the following rationale:

Case 13-0037A:

1. The land use of I-1 (Light Industrial) is more compatible with surrounding residential uses and the elementary school in the area.
2. Light industrial uses generally result in a higher level of investment in the community through larger building sizes and higher finish. Light industrial uses also tend to generate greater and more desired employment numbers.
3. The City is seeing more requests for light industrial land at this time and the small lot layout of this area is much more conducive to that type of development. Heavy Industrial uses usually require larger lots for storage needs as well as bigger areas for large truck circulation.

Motion by Commissioner Goracke to recommend approval of Planning Case 13-0037B the rezoning from I-2 (Heavy Industrial) to I-1 (Light Industrial) for eight lots on 123rd Court/East of Cloud Drive NE based on the following rationale:

Case 13-0037B:

1. The I-1 (Light Industrial) zoning district is more compatible with the surrounding residential uses and the elementary school in the area.
2. Light industrial uses generally result in a higher level of investment in the community through larger building sizes and higher finish. I-1 uses also tend to generate greater and more desired employment numbers.
3. The City is seeing more requests for light industrial land at this time and the small lot layout of this area is much more conducive to that type of development. Heavy Industrial uses usually require larger lots for storage needs as well as bigger areas for large truck circulation.

Motion seconded by Commissioner Lahti. The motion passed 6-0.

Chair Ouellette noted this would be on the agenda of the June 20, 2013 City Council meeting.

4.5 [RES 13-123](#)**Public Hearing Case File No. 13-0035 // 1 Stop Auto Care // 12351 Cloud Drive NE**

The applicant is requesting a conditional use permit to allow for auto repair, auto body, multiple buildings on one lot and indoor auto sales in an I-1 (Light Industrial) zoning district.

Attachments: [1 Stop Auto - Attachments.pdf](#)

The report to the Planning Commission was presented by Lori Johnson, Planner III. The public hearing for Case File 13-0035 was opened at 8:33 p.m. As no one wished to appear, the public hearing was closed at 8:33 p.m.

Chair Oullette was pleased with the proposed improvements for this site.

Jaswat Teekasingh, 11761 Owatonna Court NE, explained the operation of his business noting he was currently located in St. Paul. He was hoping to relocate his business to the City of Blaine. He commented the proposed site was an ideal fit for his business.

Motion by Commissioner Goracke to recommend approval of Planning Case 13-0035 based on the following conditions:

Case 13-0035:

1. The applicant must obtain a certificate of occupancy from the City prior to occupying the building.
2. All small storage buildings in the rear yard of the site to be removed.
3. The retail space for miscellaneous parts in the building is limited to no more than 10% of the size of the building.
4. Change of use will require a SAC (Sewer Access Charge) determination from Metropolitan Council Environmental Services. Payment of any SAC is the responsibility of the applicant.
5. The applicant is required to stripe 29 stalls on site as there is currently no striping on site at this time.
6. A 10-foot side yard setback will need to be reestablished on the north side of the paved area in the rear of the building.
7. A landscape plan for the existing site must be submitted that includes the following landscaping requirements:
Overstory: 13 trees (2 ½ inch caliper)
Conifer: 6 trees (6 feet)
Ornamental: 6 trees (2 inch caliper)
8. The applicant to submit a site plan application, a site improvement performance agreement and a financial guarantee for any work to be done on this site at this time prior to issuance of a certificate of occupancy. This will include the landscaping and restriping work.
9. The applicant will need to go through site plan approval again when he decides to construct the second building on site. The Planning Department will require the exterior of the building to match the principal building and

more landscaping may be required.

10. The lawn area on the south side of the block wall must be properly maintained and mowed.
11. All lighting on site must meet the requirements of the zoning ordinance and must be downlit and shielded.
12. The applicant should be aware that there shall be no cars for sale outside anywhere on the site. Outdoor auto sales are not permitted on this site.
13. Any outside storage of vehicles for the auto body portion of the business must be located in the rear yard so they are screened by fencing.
14. No work can be performed outside on site at any time.
15. There shall be no outside storage of anything that is not an automobile.
16. All signage (permanent and temporary) is issued under a separate permit.
17. Approval of this CUP is contingent upon the City Council adopting a land use and zoning change for this site from I-2 (Heavy Industrial) to I-1 (Light Industrial).

Motion seconded by Commissioner Bergstrom. The motion passed 6-0.

Chair Ouellette noted this would be on the agenda of the July 11, 2013 City Council meeting.

9. Adjournment

Motion by Commissioner Lahti to adjourn the Regular Planning Commission meeting. Motion seconded by Commissioner Goracke. The motion passed 6-0. Adjournment time was 8:38 p.m.