



# 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.*

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Tuesday, October 9, 2012

7:00 PM

Council Chambers

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### Roll Call

The Blaine Planning Commission met in the City Hall Chambers on Tuesday, October 9, 2012. Chair Ouellette called the meeting to order at 7:00 p.m.

Staff Present: Shawn Kaye, Associate Planner  
Lori Johnson, Planner III  
Dan Schluender, Assistant City Engineer

**Present:** 5 - Chair Ouellette, Vice Chair Lahti, Homan, Edison, and Bergstrom

**Absent:** 2 - Goracke, and Radtke

### Approval of Minutes

[TMP 12-553](#) September 9, 2012 Planning Commission Minutes

**Attachments:** [09-11-12.doc](#)

Moved by Edison, seconded by Vice Chair Lahti, that the Minutes be Approved.  
The Motion was adopted unanimously.

### Old Business

None.

### New Business

4.1 [RES 12-141](#)**PUBLIC HEARING CASE FILE NO. 12-0034 // YOUR  
STORE (TRAVIS MAJZNER) // 9846 POLK STREET NE****THE APPLICANT IS REQUESTING A CONDITIONAL USE  
PERMIT TO OPERATE A RETAIL CONSIGNMENT  
STORE IN A B-1 (NEIGHBORHOOD BUSINESS) ZONING  
DISTRICT**

**Attachments:**    [Attachments.pdf](#)  
                              [Public Comment.pdf](#)

The report to the Planning Commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 12-0034 was opened at 7:08 p.m.

Chair Oullette commented on a letter from David and Debra Banks at 9844 Taylor Street. He indicated this couple expressed concern with the noise and traffic in the neighborhood at the local businesses and requested the request be denied.

Hemi Dahlia, owner of the property, explained the gas station was in bankruptcy and he was working to make the site prosperous. He noted he was willing to install the sprinkler system but would need time to complete this work. He encouraged the Commission to approve the request to assist in revitalizing these neighborhood businesses.

Travis Majzner, 9846 Polk Street NE, added that the intention of he and his wife was for the store to be a service to the community.

The public hearing was closed at 7:11 p.m.

Chair Oullette was pleased that improvements were being made to the gas station already.

Commissioner Homan questioned the hours of operation.

Mr. Majzner stated the store would be open from 9:00 a.m. to 7:00 p.m. seven days of week. He commented that after some time, adjustments will be made based on the level of business.

Chair Oullette requested further information on the items that would be sold at Your Store.

Mr. Majzner explained Your Store would sell consignment items, used goods along with crafts and new items. This would assist local crafters in marketing

their products.

Commissioner Lahti questioned if staff had any record of noise complaints for this property.

Associate Planner Shawn Kaye did not recall having any complaints for this property.

**Motion by Commissioner Edison to recommend approval of Planning Case 12-0034 based on the following conditions:**

**Case 12-0034:**

- 1. Building and fire code approval is required prior to any building permits being issued.**
- 2. Installation of an automatic extinguishing system for the entire building is required prior to the south tenant space being occupied unless the City Council allows an extension of time as a separate condition of approval.**
- 3. The applicant must obtain a certificate of occupancy from the Building Inspection Department prior to occupying the site.**
- 4. All signage requires a separate permit.**
- 5. No outdoor storage of any kind is allowed on this site.**

**Motion seconded by Commissioner Bergstrom. The motion passed 5-0.**

**Chair Ouellette noted this would be on the agenda of the November 1, 2012 City Council meeting.**

**4.2**      [RES 12-142](#)

**PUBLIC HEARING CASE FILE NO. 12-0032 // BUFFALO  
WILD WINGS // 1540 109th AVENUE NE**

**THE APPLICANT IS REQUESTING A CONDITIONAL USE  
PERMIT TO ALLOW FOR OUTDOOR DINING WITH  
SEATING FOR 44 PEOPLE.**

**Attachments:**      [Attachments.pdf](#)

The report to the Planning Commission was presented by Lori Johnson, Planner III. The public hearing for Case File 12-0032 was opened at 7:18 p.m.

Kevin Thoty, architect representing the applicant, commented he had no concerns with the conditions, except for Condition 6. He explained the patio was being redesigned to avoid the encroachment and Buffalo Wild Wings

would like to elongate the patio to assure that the area would still allow for 44 seats.

Planner III, Lori Johnson requested Mr. Thoty submit the new plan to staff, which will then be presented to the City Council for final approval.

The public hearing was closed at 7:20 p.m.

**Motion by Commissioner Homan to recommend approval of Planning Case 12-0032 based on the following conditions:**

**Case 12-0032:**

1. The area underneath the canopy must have an automatic fire suppression system based on fire code requirements.
2. The outdoor dining area will be 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.
3. The canopy over the outdoor dining area must be at least 37-feet from the north property line. The applicant must provide evidence of this prior to issuance of building permits for the building.
4. Plans for amplified music or a public address system for the outdoor dining area to be reviewed by the City and approved by the Victory Village management company prior to installation. Noise level of the music in the outdoor dining area to not exceed normal conversation level.
5. No outdoor advertising on building or patio area without obtaining a permit, including any signage on table umbrellas.
6. The outdoor dining area limited to the patio area identified on the attached site plan, and there can be no more than 44 seats in the outdoor dining area.
7. The outdoor dining area to meet all appropriate City regulations and license requirements for dispensing of alcohol in an outdoor setting.
8. The ability to operate outdoor dining is reliant upon the applicant's ability to adequately control litter and refuse as associated with the facility.
9. 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, per the Uniform Building Code.
10. Provide manufacturing specifications and requirements for propane heater use and clearance to combustibles if they are to be used on site.

**Motion seconded by Commissioner Edison. The motion passed 5-0.**

Chair Ouellette noted this would be on the agenda of the November 1, 2012 City Council meeting.

4.3 [RES 12-143](#)**PUBLIC HEARING CASE FILE NO. 12-0033 // GLIMCHER  
DEVELOPMENT // 398 NORTHTOWN DRIVE NE**

**THE APPLICANT, GLIMCHER NORTHTOWN VENTURE,  
LLC, IS REQUESTING THE FOLLOW AT 398  
NORTHTOWN DRIVE:**

- A) PRELIMINARY PLAT APPROVAL TO SUBDIVIDE  
37.26 ACRES INTO TWO (2) LOTS TO BE KNOWN  
AS GLIMCHER NORTHTOWN MALL FOURTH  
ADDITION**
- B) CONDITIONAL USE PERMIT TO ALLOW FOR  
SHARED ACCESSES AND ZERO LOT LINES**

**Attachments:** [Attachments.pdf](#)

The report to the Planning Commission was presented by Lori Johnson, Planner III. The public hearing for Case File 12-0033 was opened at 7:24 p.m. As no one wished to appear, the public hearing was closed at 7:24 p.m.

Commissioner Lahti asked if the occupants of the building would be changing.

Planner III, Lori Johnson explained all tenants would remain the same but the owner of the building would change.

**Motion by Commissioner Edison to recommend approval of Planning Case 12-0033A, a preliminary plat based on the following condition:**

**Case 12-0033A:**

- 1. Applicant to dedicate Right of Way for Jefferson Street on Lot 1 and Lot 2. New Right of Way line should match the existing easement line.**

**In Planning Case 12-0033B it is recommended that the Planning Commission recommend approval of the conditional use permit to allow for zero lot lines and shared accesses based on the following condition:**

**Case 12-0033B:**

- 1. A shared parking and access agreement must be submitted to the City prior to the final plat mylars being released for recording at Anoka County.**

**Motion seconded by Commissioner Lahti. The motion passed 5-0.**

**Chair Ouellette noted this would be on the agenda of the November 1, 2012 City Council meeting.**

**ADJOURN**

**Motion by Commissioner Homan to adjourn the Regular Planning Commission meeting. Motion seconded by Commissioner Edison. The motion passed 5-0. Adjournment time was 7:27 p.m.**