



# City of Blaine Anoka County, Minnesota Minutes - Final

Blaine City Hall  
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, November 10, 2015

7:00 PM

Council Chambers

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### 1. Roll Call

The Blaine Planning Commission met in the City Hall Chambers on Tuesday, November 10, 2015. Chair Ouellette called the meeting to order at 7:00 p.m.

Staff Present: Shawn Kaye, Associate Planner  
Lori Johnson, Associate Planner  
Tom Scott, Project Coordinator  
Dan Schluender, Assistant City Engineer

**Present:** 5 - Chair Ouellette, Homan, York, Bergstrom, and Ponds

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

### 2. Approval of Minutes

[TMP 15-0606](#)

Approval of October 13, 2015 Planning Commission Minutes

**Motion by Commissioner Bergstrom to approve the minutes of October 13, 2015, as presented. Motion seconded by Commissioner Ponds. The motion passed 4-0-1 (Chair Ouellette abstained).**

**Aye:** 4 - Homan, York, Bergstrom, and Ponds

**Abstain:** 1 - Chair Ouellette

### 3. Old Business

None.

None

### 4. New Business

**4.1**     [RES 15-193](#)

GRANTING A WAIVER OF PLATTING TO ADJUST THE LOT LINE FIVE (5) FEET BETWEEN TWO PROPERTIES TO PROVIDE A TEN (10) FOOT SIDE YARD SETBACK FOR THE EXISTING HOME LOCATED AT 1130 116TH AVENUE NE. OREN PAYNE AND JOEL PETERSEN. (CASE FILE NO. 15-0061/SLK)

The report to the Planning Commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 15-0061 was opened at 7:06 p.m. As no one wished to appear, the public hearing was closed at 7:06 p.m.

**Motion by Commissioner Bergstrom to recommend approval of Planning Case 15-0061 based on the following conditions:**

**Case 15-0061:**

1.     **Parcels A and B will be subject to park dedication fees at the time in which they are developed.**
  
2.     **The waiver of platting must be recorded with Anoka County with the parcel to be acquired from Parcel B (5 feet) combined as one tax parcel with Parcel A at the Anoka County Recorder's Office.**
  
3.     **The driveway of Parcel A must meet a 3 foot setback from the newly established lot line.**
  
4.     **The Mayor, City Clerk and City Manager are hereby authorized to execute any and all necessary documents, agreement and releases related to the approval, recording or administration of the waiver of platting to adjust the lot line five (5) feet between two properties at 1153 116th Avenue NE.**

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

**Aye:** 5 - Chair Ouellette, Homan, York, Bergstrom, and Ponds

Chair Ouellette noted this would be on the agenda of the December 3, 2015 City Council meeting.

**4.2**     [RES 15-194](#)

GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR OPERATION OF A RETAIL CELLULAR STORE (SPECIALTY STORE) IN A B-1 (NEIGHBORHOOD BUSINESS) ZONING DISTRICT AT 9846 POLK STREET NE. CENTRAL WIRELESS LLC. (CASE FILE NO. 15-0063/SLK)

The report to the Planning Commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 15-0063 was opened at 7:10 p.m.

Abe Dalia, representing the property owner, requested he have at least two years to install the sprinkler system and not just one year, given the expense.

Associate Planner, Shawn Kaye discussed the grant opportunity available

through the EDA noting these funds would cover 50% of the cost of the sprinkler system.

Chair Ouellette commented that the grant may not be available for two years and encouraged the property owner to take advantage of the grant funding in the next year.

The public hearing was closed at 7:13 p.m.

Commissioner York asked what action the City would take if the sprinkler system was not installed in one year.

Associate Planner, Shawn Kaye reported the conditional use permit at this property could be revoked and the retail cellular store operations may have to cease.

Commissioner York supported the request as recommended by staff with a footnote stating the property owner has requested two years to install the sprinkler system.

**Motion by Commissioner York to recommend approval of Planning Case 15-0063 based on the following conditions:**

**Case 15-0063:**

1. **Building and Fire review and approval is required prior to any building permits being issued.**
2. **Installation of an automatic fire suppression system for the entire building is required. The applicant/owner is granted one year from the time the initial Certificate of Occupancy is issued for Central Wireless to complete the installation.**
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.**
6. **The property owner of this site to repair the fence prior to any Certificate of Occupancy being issued for this tenant space.**

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

**Aye:** 5 - Chair Ouellette, Homan, York, Bergstrom, and Ponds

Chair Ouellette noted this would be on the agenda of the December 3, 2015 City Council meeting.

**4.3 TMP 15-0561**

Public Hearing Case File No. 15-0062 // United Properties Investment, LLC // 3705 95th Avenue NE

The applicant is requesting the following:

- a) Preliminary Plat approval to subdivide 14.03 acres into one lot to be known as Blaine Preserve Business Park Fourth Addition
- b) Conditional Use Permit to allow for construction of one (1) 201,600 square foot office/warehouse building, an 8 foot solid fence on north property line and for shared parking and access, in a PBD (Planned Business District) zoning district at 3705 95th Avenue NE

The report to the Planning Commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 15-0062 was opened at 7:19 p.m. As no one wished to appear, the public hearing was closed at 7:19 p.m.

**Motion by Commissioner Homan to recommend approval of Planning Case 15-0062A Preliminary Plat approval to subdivide 14.03 acres into one lot to be known as Blaine Preserve Business Park Fourth Addition based on the following conditions:**

**Case 15-0062A:**

1. Park dedication is required for one platted lot, which is 14.03 acres, at the industrial rate in effect at the time of final plat approval. Payment would be required prior to release of final plat mylars for recording. The current industrial rate for park dedication is \$5,803 per acre for a total amount due of \$81,416 in 2015. Payment required prior to release of final plat mylars for recording.
2. Dedication of utility and drainage easements along lot lines, over delineated wetlands and created wetlands, and storm water treatment features.
3. No site work will be allowed until a RCWD permit has been obtained.
4. Grading may not begin until the City has approved a final grading plan. Soil boring information a geotechnical report is required.
5. A National Pollutant Discharge Elimination System (NPDES) Phase II permit is required from the MN Pollution Control Agency. Building permits or site plan approval will be issued until a copy of the application is received by the City.
6. The developer will be responsible for installation of sanitary sewer, water main, storm drainage improvements, paved driveways and parking areas. Plans and specifications require approval by the City prior to start of construction. A "No Truck Access" sign will need to be installed on the Hamline Avenue access driveway.
7. All internal utilities shall be maintained privately by the development association, including storm water treatment features.
8. Water Availability Charges (WAC) and Sewer Availability Charges (SAC) become due with each building permit.

9. The Mayor, City Clark and City Manager are hereby authorized to sign and execute any and all documents, agreements and releases necessary for the approval, recording and administration of the Blaine Preserve Business Park Fourth Addition.

Motion by Commissioner Homan to recommend approval of Planning Case 15-0062B Conditional Use Permit to allow for construction of one (1) 201,600 square foot office/warehouse building, an 8 foot solid fence on north property line and for shared parking and access, in a PBD (Planned Business District) zoning district at 3705 95th Avenue NE based on the following conditions:

Case 15-0062B:

- 1. No outside display or storage of products is allowed at any time within the development.
- 2. Permanent signage requires a separate permit approval process.
- 3. A cross access agreement will be required for the shared access with all adjacent sites.
- 4. The following landscaping must be provided on the proposed Lot 1:

Overstory Trees:	85
Conifer Trees:	85
Ornamental Trees:	85

- 5. Underground irrigation must be provided for the entire site.
- 6. All site lighting shall be downlit and shielded. All lighting within the development must meet requirements established by Section 33.02 of the Zoning Ordinance.
- 7. Site plan approval is required.
- 8. Developer to create a 2-3 foot high earth berm on the north property line to help mitigate off-site impacts.
- 9. The developer to construct an 8 foot solid board on board fence on the north property line.

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

Aye: 5 - Chair Ouellette, Homan, York, Bergstrom, and Ponds

Chair Ouellette noted this would be on the agenda of the November 19, 2015 City Council meeting.

4.4 [RES 15-195](#)

GRANTING PRELIMINARY PLAT APPROVAL TO SUBDIVIDE 3.06 ACRES INTO ONE (1) LOT TO BE KNOWN AS BALL ROAD 3RD ADDITION, LOCATED AT OUTLOT A, BALL ROAD ADDITION. THE DRIESSEN GROUP, LLC. (CASE FILE NO. 15-0064/LSJ)

The report to the Planning Commission was presented by Lori Johnson,

Associate Planner. The public hearing for Case File 15-0064 was opened at 7:26 p.m.

Chair Ouellette noted a letter received from Amanda Magnan for the record, stating she was opposed to the request due to the number of trees that would be removed and the amount of increased traffic.

Scott Nelson, architect with DJR Architecture and representative for The Driessen Group, thanked staff for their thorough report. He explained he supported all of staff's conditions for approval.

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

Chair Ouellette asked what type of traffic flow would be generated by the site.

Brady Busselman, Sambatek and civil engineering consultant for The Driessen Group, indicated a traffic impact analysis was completed for the Wal-Mart project and the two outlots. He discussed the projections in detail with the Commission and noted the peak hour trips were 523 in and 533 out.

Commissioner Ponds addressed the concerns from the neighbors and asked how the applicant would be addressing the loss of trees.

Mr. Busselman reported a large number of the trees were removed for the pond for Ball Road. He then reviewed the proposed fencing and landscaping plan proposed for the site.

**Motion by Commissioner Ponds to recommend approval of Planning Case 15-0064A Preliminary Plat to subdivide 3.06 acres into one (1) lot to be known as Ball Road 3rd Addition based on the following conditions:**

**Case 15-0064A:**

- 1. Park dedication will be due with the platting of one lot. The 2015 park dedication rate for commercial development is \$8,704/acre for a total due of \$26,634. This fee will need to be paid prior to release of final plat mylars for recording at Anoka County. The applicant should note that if the final plat is approved in 2016, the park dedication rate may be up to 10% higher.**
- 2. Deferred assessments become due with the recording of this plat for the water lateral and trunk sanitary sewer. The total charge of \$24,933 must be made prior to release of the final plat mylars for recording at Anoka County.**
- 3. The Mayor, City Manager and City Clerk are hereby authorized to execute any and all necessary documents, agreements, and releases related to the approval, recording, or administration of Ball Road 3rd Addition.**

**Motion by Commissioner Ponds to recommend approval of Planning Case 15-0064B the conditional use permit to allow for the construction of two 6,500 square foot multi-tenant retail buildings on one lot with shared driveway**

access (Wal-Mart) and allowing general retail, service and restaurant uses in a PBD (Planned Business District) zoning district based on the following conditions:

Case 15-0064B:

1. The following landscaping is required on site and the landscape plan meets these requirements:

Overstory Trees:	22
Conifer Trees:	11
Ornamental Trees:	11

The plan that has been presented does not meet these requirements and the plan must provide the correct number of trees prior to site plan approval. In addition, according to the Highway 65 Overlay District requirements, at least 25% of the trees must be oversized. Overstory trees should be oversized to 3 inch caliper and conifer trees must be oversized to 8 feet in height. It is not recommended that ornamental trees be oversized.

- 2. All signage is issued under a separate permit.
- 3. All pole mounted lighting is limited to 20-feet in height. The applicant must supply a lighting plan and fixture cut-sheets prior to issuance of building permits.
- 4. There is not to be any outside storage allowed on this site at any time.
- 5. Site Plan Approval is required prior to any work being performed on site. Plans must be substantially consistent with the package provided for the conditional use permit approval and all recommended conditions.
- 6. Rice Creek Watershed District approval is required prior to issuance of site plan approval and building permits.
- 7. Tennant finish permits, within the multi-tenant buildings, will be evaluated based on available parking, especially for higher parking uses such as restaurants.
- 8. Restaurants with outdoor dining will require a separate CUP amendment for the outside seating area.

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

Aye: 5 - Chair Ouellette, Homan, York, Bergstrom, and Ponds

Chair Ouellette noted this would be on the agenda of the December 3, 2015 City Council meeting.

4.5 [ORD 15-2334](#)

SECOND READING

AMENDING SECTIONS 31.04, 31.14 and 31.33 OF THE ZONING ORDINANCE OF THE CITY OF BLAINE TO ALLOW FOR BREWER TAPROOM AS A CONDITIONAL USE IN THE I-1 (LIGHT

INDUSTRIAL), I-2 (HEAVY INDUSTRIAL) AND PBD (PLANNED BUSINESS DISTRICT) ZONING DISTRICTS. CITY OF BLAINE. (CASE FILE NO. 15-0065/BKS)

The report to the Planning Commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 15-0065 was opened at 7:35 p.m. As no one wished to appear, the public hearing was closed at 7:35 p.m.

Chair Ouellette and Commissioner York supported the proposed code amendment.

**Motion by Commissioner Ponds to recommend approval of Planning Case 15-0065 a code amendment to the I-1 (Light Industrial), I-2 (Heavy Industrial) and PBD (Planned Business District) zoning districts to allow for Brewer Taproom as a Conditional Use based on the following rationale:**

**Case 15-0065:**

1. **The Taproom concept is a popular use that is present in the Twin City area and missing from the City of Blaine.**
2. **Taprooms as an accessory use to a commercial brewer helps support the brewing use and expand the knowledge and appreciation for the product.**
3. **Taprooms with the food option as envisioned by the City’s Liquor Ordinance provides another dining and entertainment option.**

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

**Aye:** 5 - Chair Ouellette, Homan, York, Bergstrom, and Ponds

Chair Ouellette noted this would be on the agenda of the December 3, 2015 City Council meeting.

**4.6**     [RES 15-197](#)

GRANTING A COMPREHENSIVE PLAN LAND USE AMENDMENT FROM LDR (LOW DENSITY RESIDENTIAL) AND MDR (MEDIUM DENSITY RESIDENTIAL) TO P/OS (PARK/OPEN SPACE) FOR THE FOLLOWING PROPERTIES:

- A) LEXINGTON ATHLETIC COMPLEX
- B) LEGACY CREEK PARK
- C) HARPERS PARK.

The report to the Planning Commission was presented by Lori Johnson, Associate Planner. The public hearing for Case File 15-0066 was opened at 7:39 p.m. As no one wished to appear, the public hearing was closed at 7:39 p.m.

**Motion by Commissioner Homan to recommend approval of Planning Case 15-0066 a Comprehensive Plan Land Use Amendment from LDR (Low Density Residential) and MDR (Medium Density Residential) to P/OS (Park/Open Space) for the following properties:**



a) **Lexington Athletic Complex - The Northwest Quarter of the Southwest Quarter of Section 12, Township 31, Range 23, except that part for Lexington Avenue (CSAH #17)**

b) **Legacy Creek Park - Outlot A, Legacy Creek**

c) **Harpers Park - Outlot A, Harpers Street Woods 2nd Addition**

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

**Aye:** 5 - Chair Ouellette, Homan, York, Bergstrom, and Ponds

Chair Ouellette noted this would be on the agenda of the December 3, 2015 City Council meeting.

## **Adjournment**

**Motion by Commissioner York to adjourn the Regular Planning Commission meeting. Motion seconded by Commissioner Ponds. The motion passed 5-0. Adjournment time was 7:41 p.m.**

**Aye:** 5 - Chair Ouellette, Homan, York, Bergstrom, and Ponds