



City of Blaine
Anoka County, Minnesota
Minutes - Final

10801 Town Square Dr.
Blaine MN 55449

City Council

Mayor Tom Ryan,
Councilmember Wes Hovland,
Councilmember Dick Swanson,
Councilmember Dave Clark,
Mayor Pro Tem Mike Bourke,
Councilmember Katherine Kolb,
Councilmember Russ Herbst

Thursday, February 6, 2014

7:30 PM

Council Chambers

Meeting Number 14-09

1. CALL TO ORDER BY THE MAYOR.

The meeting was called to order at 7:30 p.m. by Mayor Ryan followed by the Pledge of Allegiance and the Roll Call.

2. PLEDGE OF ALLEGIANCE

w 3. ROLL CALL

Quorum present.

ALSO PRESENT: Bryan Schafer, Planning Director; Bob Therres, Public Services Manager; Joe Huss, Finance Director; Chris Olson, Police Chief/Safety Services Manager; Jean Keely, City Engineer; Nate Monahan, Park and Recreation Program Supervisor; Roark Haver, Communications Technician; Al Thorp, Senior Engineering Technician; Jane Cross, City Clerk; and Recording Secretary Linda Dahlquist.

Present: 6 - Mayor Ryan, Councilmember Hovland, Councilmember Swanson, Councilmember Clark, Mayor Pro Tem Bourke and Councilmember Herbst

Absent: 1 - Councilmember Kolb

4. APPROVAL OF MINUTES

4.-1 [MIN 14-09](#)

**WORKSHOP MEETING - 01/09/13
SPECIAL CLOSED MEETING - 01/09/13
WORKSHOP MEETING - 01/16/2013
REGULAR MEETING - 01/16/2013**

Sponsors: Cross

Attachments: [Workshop Minutes 01/16/14](#)
[Council Minutes 01/16/14](#)
[Workshop Meeting 01/09/14](#)
[Spec Closed Mgr Eval 01/09/14](#)

Approved

5. AWARDS - PRESENTATIONS - ORGANIZATIONAL BUSINESS

None.

6. COMMUNICATIONS

Mayor Ryan reminded residents to remove snow around mailboxes and fire hydrants. He also mentioned if residents' mailboxes are damaged by a City snowplow to call the City.

Councilmember Swanson reminded residents to slow down on the road and watch for pedestrians.

Planning Director Schafer stated a new development is planned for southwest corner of 109th and Highway 65.

7. OPEN FORUM FOR CITIZEN INPUT

Mayor Ryan opened the Open Forum at 7:41 p.m.

There being no input, Mayor Ryan closed the Open Forum at 7:41 p.m.

8. ADOPTION OF AGENDA

9. 8:00 P.M. - PUBLIC HEARING AND ITEMS SET FOR A CERTAIN TIME

The Following Ordinance is Scheduled for First Reading

9.-1 [ORD 14-2278](#)

**VACATION OF DRAINAGE AND UTILITY EASEMENT
THE WESTERLY 5 FEET OF LOT 13, BLOCK 2,
THE LAKES OF RADISSON 18TH ADDITION
VACATION NO. V13-05**

Sponsors: Keely and Scott

Attachments: [V13-05 Location Map](#)

Moved on the agenda to follow agenda item 11.2A.

10. APPROVAL OF CONSENT AGENDA:

Mayor Ryan requested the removal of Consent Agenda item 10.3.

10.-1 [MO 14-028](#)

Sponsors: Huss

Attachments: [01/10/14 Bills Paid](#)

[01/17/14 Bills Paid](#)

[01/24/14 Bills Paid](#)

Approved

10.-2 [MO 14-016](#)

**APPROVE THE RENEWAL OF A TOBACCO AND
TOBACCO PRODUCTS LICENSE FOR E-CIG CAFÉ,
10904 BALTIMORE STREET NE, SUITE 108, BLAINE**

Sponsors: Cross

Approved

10.-4 [MO 14-018](#)

2014 PURCHASE POLICE LONG GUNS

Sponsors: City Council

Approved

10.-5 [MO 14-026](#)

2013 PURCHASE POLICE SQUAD SET-UP

Sponsors: City Council

Approved

10.-6 [MO 14-025](#)

APPROVE 2014 CAPITAL EQUIPMENT PURCHASES

Sponsors: Ulrich

Approved

10.-7 [MO 14-020](#)**APPROVE 2013 DNR WATER APPROPRIATION PERMIT****Sponsors:** Ulrich**Approved**10.-3 [MO 14-017](#)**2014 POLICE FLEET VEHICLE PURCHASE****Sponsors:** Olson

Mayor Ryan stated the purchase price of the Chevrolet squad cars is similar to an SUV. He asked if the police department could get SUV. Police Chief Olson replied staff is researching the price difference. He noted that each squad car carries a large amount of equipment and an SUV would allow more room for equipment.

Approved**11. DEVELOPMENT BUSINESS**11.-1 [RES 14-027](#)**GRANTING A CONDITIONAL USE PERMIT TO OPERATE A MESSAGE BUSINESS IN AN I-1 (LIGHT INDUSTRIAL) ZONING DISTRICT at 1617 93rd LANE NE. YONG PING JIANG. (CASE FILE NO. 14-0001/SLK)****Sponsors:** Schafer**Attachments:** [Message CUP - Attachments](#)
[Message CUP - Public Comment](#)

Planning Director Schafer stated the applicant is applying for a Conditional Use Permit to operate a therapeutic massage clinic at 1617 93rd Lane NE. He stated the business will occupy approximately 1,076 square feet of space in a multi-tenant building in an I-1 (Light Industrial) zone. He noted no parking issues are expected.

Councilmember Bourke asked about parking issues. Planning Director Schafer replied there are no parking issues.

Adopted**The Following Three Items are Related**

11. [RES 14-009](#)
-2A

**GRANTING A COMPREHENSIVE LAND USE PLAN
AMENDMENT FROM NC (NEIGHBORHOOD
COMMERCIAL) TO L-MDR (LOW/MEDIUM DENSITY
RESIDENTIAL) FOR AN 8.54 ACRE PARCEL AT
HARPERS STREET/LAKES PARKWAY. HANS HAGEN
HOMES, INC. (CASE FILE NO. 13-0065/SLK)**

Sponsors: Schafer

Attachments: [Lakes 58th - Attachments](#)
[Lakes 58th - Public Comments](#)

Planning Director Schafer stated The Lakes of Radisson 58th Addition consists of subdividing 8.54 acres into a subdivision with 30 dwelling units. He stated the preliminary plat also includes one outlot for the City to formalize the overflow parking for the City owned park and beach. He stated the applicant is proposing a housing project consistent with the existing Carriage/Village homes.

Councilmember Herbst called for point of order.

Councilmember Herbst asked how many votes with this rezoning. City Attorney Sweeney stated this is an amendment to the comprehensive plan and five out of six votes are needed.

Karen Schommer, 12085 Dunkirk Street NE, stated she is not asking the Council to reject the proposed. She is asking for time on behalf of the neighborhood residents to look for options. She stated the residents have waited for 10 years for the commercial/retail development. She stated Hans Hagen purchased the property and in four months they are planning to build houses. She suggested another use such as a community pool. She asked the Council for time for the residents to come up with other ideas and for the Council to table the vote for a couple months to give the residents the opportunity to talk to others. She noted that the proposed beach parking lot will stand empty 50% of the year. She stated she believed the Parkside Commons was a neighborhood park and turned into a community park.

Mayor Ryan stated the property has had no interest from developers because of its location.

Ms. Schommer stated she would like to see a community pool built. She is requesting more time.

Mayor Ryan asked how much time the City has before the application's expiration. Planning Director Schafer replied each of the three applications

has its own expiration date and one of the application's deadlines is tonight. He stated the Minnesota Legislature ruled that cities have 120 days to take action on proposals. If an application is not acted upon within the timeframe, the application is automatically approved. He stated the City has to have proven reasons to deny an application.

Councilmember Clark stated the Council cannot deny an application without reason. He noted that this property is private property and the owners sold to a developer after 10 years of marketing the property. He stated the City has to follow State Law.

Mayor Ryan commented the staff opinion in the beginning of the project was that this property should not be commercial.

Councilmember Herbst stated he is most concerned with the property next to the beach. He asked if all of the properties were marketed the same way.

John Rask, Hans Hagen Homes, stated there were two different realtors marketing the properties. He commented the residents have not contacted Hans Hagen to date. He stated Hans Hagen received approval from The Lakes Association Board to move ahead with rezoning for residential. He noted that an association and the residents of an association cannot purchase land within their development. He commented they association is only responsible for maintaining the property.

Councilmember Herbst stated what if TIF financing could be used and permits waived to build a building. Mr. Rask replied the building would have to be built to a higher standard due to the neighborhood.

Councilmember Herbst asked what type of language will be included in the purchase agreements to purchase properties next to the beach. Mr. Rask replied the beach will be disclosed in the purchase agreement and it will include language to contact the City of Blaine with any questions about the park and beach. He stated currently there are five parties interested in purchasing lots.

Councilmember Herbst asked to include language about the beach in the documentation. Planning Director Schaffer replied language is already included.

Mayor Ryan commented extra parking for the beach is needed. He noted that the temporary parking used in prior years is no longer available and people are parking on neighborhood streets.

Mike Ryan, 12199 Dunkirk Street, questioned the amount of parking that is needed for the beach. He stated he would like to expand the park's green

space.

Adopted

Aye: 6 - Mayor Ryan, Councilmember Hovland, Councilmember Swanson, Councilmember Clark, Mayor Pro Tem Bourke and Councilmember Herbst

8:00 P.M. - PUBLIC HEARING AND ITEMS SET FOR A CERTAIN TIME

The Following Ordinance is Scheduled for First Reading

[ORD 14-2278](#)

**VACATION OF DRAINAGE AND UTILITY EASEMENT
THE WESTERLY 5 FEET OF LOT 13, BLOCK 2,
THE LAKES OF RADISSON 18TH ADDITION
VACATION NO. V13-05**

Sponsors: Keely and Scott

Attachments: [V13-05 Location Map](#)

City Engineer Keely stated the vacation of drainage and utility easement is requested to adjust the lot lines to build the proposed home and meet setbacks. She noted that the applicant owns 100% of the affected property abutting the easement.

Mayor Ryan opened the Public Hearing at 8:35 p.m.

Mayor Ryan closed the Public Hearing at 8:36 p.m.

Introduced, Read, and Placed on File for Second Reading

DEVELOPMENT BUSINESS - continued

11. [RES 14-010](#)
-2B

**GRANTING PRELIMINARY PLAT APPROVAL TO
SUBDIVIDE 8.54 ACRES INTO 30 SINGLE FAMILY LOTS
AND ONE OUTLOT TO BE KNOWN AS THE LAKES OF
RADISSON FIFTY-EIGHTH ADDITION AT HARPERS
STREET/LAKES PARKWAY. HANS HAGEN HOMES, INC.
(CASE FILE NO. 13-0065/SLK)**

Sponsors: Schafer

Attachments: [Lakes 58th Plat - Attachments](#)
[Lakes 58th Plat - Public Comments](#)

Adopted

11. [RES 14-011](#)
-2C

GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR CONSTRUCTION OF 30 SINGLE FAMILY HOMES IN A DF (DEVELOPMENT FLEX) ZONING DISTRICT AT HARPERS STREET/LAKES PARKWAY. HANS HAGEN HOMES, INC. (CASE FILE NO. 13-0065/SLK)

Sponsors: Schafer

Attachments: [Lakes 58th CUP Attachments](#)
[Lakes 58th CUP Public Comments](#)

Adopted

11.-3 [RES 14-007](#)

GRANTING A COMPREHENSIVE PLAN LAND USE AMENDMENT FROM NC (NEIGHBORHOOD COMMERCIAL) TO L-MDR (LOW/MEDIUM DENSITY RESIDENTIAL) FOR A 4.63 ACRE PARCEL AT HARPERS STREET/LAKES PARKWAY. GORHAM DEVELOPMENT, LLC. (CASE FILE NO. 13-0060/SLK)

Sponsors: Schafer

Attachments: [Comp Plan Gorham - Attachments](#)
[Comp Plan Gorham - Public Comments](#)

Planning Director Schafer stated the developer is requesting to change the land use to L-MDR (Low/Medium Density Residential). He commented the change would allow a residential development of 3-10 units per acre which would be consistent with the housing along Lakes Parkway.

Adopted

11.-4 [RES 14-008](#)

**GRANTING A COMPREHENSIVE PLAN LAND USE
AMENDMENT FROM NC (NEIGHBORHOOD
COMMERCIAL) TO L-MDR (LOW/MEDIUM DENSITY
RESIDENTIAL) FOR A 4.43 ACRE PARCEL AT HARPERS
STREET/LAKES PARKWAY. DONALD
KVETON/VILLAGE BANK. (CASE FILE NO. 13-0064/SLK)**

Sponsors: Schafer

Attachments: [Comp Plan Kveton - Attachments](#)
[Comp Plan Kveton - Public Comments](#)

Planning Director Schaffer stated the property has a land use designation of NC (Neighborhood Commercial) and does not allow for residential. He stated the applicant is requesting to change the land use to L-MDR (Low/Medium Density Residential) because of the lack of interest over the last 10 years for commercial type uses. He noted the change would allow residential development of 3-10 units per acre which is consistent with the housing in the area.

Adopted

Aye: 6 - Mayor Ryan, Councilmember Hovland, Councilmember Swanson, Councilmember Clark, Mayor Pro Tem Bourke and Councilmember Herbst

The Following Ordinance is Scheduled for First Reading

11.-5 [ORD 14-2279](#)

**GRANTING A REZONING FROM R-1 (SINGLE FAMILY)
TO DF (DEVELOPMENT FLEX) FOR WESTON WOODS
AT RICE CREEK (FORMER KATE HAVEN GOLF
COURSE) AT 8791 LEXINGTON AVENUE NE. MARK OF
EXCELLENCE HOMES**

SECOND READING

Sponsors: Schafer

Attachments: [Weston Woods - Attachments](#)
[Weston Woods - Public Comments](#)
[Weston Woods - Jan 14 PC Minutes](#)

Planning Director Schaffer stated the applicant is proposing to subdivide an existing golf course into 70 attached twin home style units. He stated the property is zoned R-1 (Single Family) and the applicant is requesting a zoning change to DF (Development Flex). He noted that at the public hearing comments about road improvements on the two roads that lead into the development behind this development

Councilmember Swanson asked if staff has talked to the City of Circle Pines about the roads. Planning Director Schafer replied no discussions have been with the City of Circle Pines about road improvements.

Mayor Ryan asked about pond cleaning in the neighboring development in Circle Pines and an access issue. Planning Director Schafer replied that pond is a wetland and a discussion with the Water Shed would be necessary. He noted that wetlands are not usually cleaned.

Introduced, Read, and Placed on File for Second Reading

12. ADMINISTRATION

12.-1 [RES 14-003](#)

**RECEIVE PETITION AND ORDER PUBLIC HEARING
VACATION OF STREET RIGHT-OF-WAY FOR
THE LAKES PARKWAY AS DEDICATED IN THE LAKES
OF RADISSON TWENTIETH ADDITION
VACATION NO. V13-06**

Sponsors: Keely

Attachments: [petition.pdf](#)
[vacation 13-06.pdf](#)

City Engineer Keely stated Hans Hagen Homes of Fridley is requesting a vacation of street right-of-way due to the replatting of the adjacent property as The Lakes of Radisson Fifty-Eight Addition and a portion of the right-of-way is no longer needed. She noted that the property owner represents a majority of the affected property owners abutting this easement.

Adopted

12.-2 [MO 14-027](#)

APPOINT SPECIAL BOARD OF REVIEW FOR 2014

Sponsors: Cross

Attachments: [Ord. No. 93-1333 BOR.pdf](#)
[Res. No. 94-24.pdf](#)
[2013 BOR List Public.docx](#)

Mayor Ryan announced the appointment of the 2014 Special Board of Review members: Jane Daniels, Chair; Randi Erickson, Vice-Chair; Laurie Pekarik; Gary A. Smith; and Lynda M. Riley.

Approved

12.-3 [MO 14-021](#)**Approval of Lakeside Commons Permanent Parking Lot**

Sponsors: Monahan

Attachments: [Lakeside Commons Park Site Plan 1-21-09.pdf](#)
[OverflowLot Use.xlsx](#)
[Hans Hagen Site Plan.pdf](#)
[Beach Sizes-Parking-Fees-Amenities I-5.xls](#)

Park and Recreation Program Supervisor Monahan stated the City has acquired a 1.5 acre property next to the beach and staff is recommending a permanent parking lot be constructed with 125 stalls. He noted that the parking is critical to the function of Lakeside Commons Park. He stated the estimated cost of the project is \$210,000

Councilmember Herbst asked if the number of parking spaces could be reduced. Park and Recreation Program Supervisor Monahan replied the number of spaces could be reduced, but overflow parking will be onto the neighborhood roads. He noted that five days in the last three years overflow parking onto neighborhood roads happened.

Mike Ryan, 12199 Dunkirk Street, stated the kids that live in the development use the park's playground year round and parking for the beach is only used when the beach is open.

Mayor Ryan asked about the shelter's capacity. Park and Recreation Program Supervisor Monahan replied the shelter has the capacity to hold 150 people.

Councilmember Herbst asked about the timing and cost of building the parking lot. Public Services Manager Therres the parking lot would be built jointly with Hans Hagen to capture cost effectiveness on paving and drainage.

Approved as Amended

Councilmember Clark asked for the number of days the parking lot was at full capacity. Park and Recreation Program Supervisor Monahan replied total capacity for parking was 2013 had four days, 2012 had four days and 2011 had three days. He noted the picnic shelter is booked continuously.

Councilmember Clark suggested paving three quarters of the area and allow overflow parking on the grass.

Kevin Bross, 12145 Petersburg Court NE, asked if there are other options for overflow parking. Mayor Ryan stated the temporary parking used in past years is no longer available and the City does not want pedestrians crossing the road.

Councilmember Bourke asked for the number of parking permits issued in 2013. Park and Recreation Program Supervisor Monahan replied approximately 2,500 permits have been issued. He noted the City has generated approximately \$15,000 from the beach permits.

Mike Campbell, 2951 122nd Court NE, commented the Council is making decisions without data. He stated he wants to see the right fit/balance for parking in the park. Councilmember Herbst replied the staff has the data and proposed a parking lot that fit the 1.5 acre site.

Councilmember Clark asked what it would cost to add the 25 parking spots to the lot sometime in the future. Public Services Manager Therres replied the cost is \$2,500 per parking spot.

Public Services Manager Therres stated the timeline to build the parking lot for the beach corresponds with the beach opening on June 8, 2014.

Approved

12.-4 [MO 14-022](#)

MAYORAL APPOINTMENTS TO THE 2014 PLANNING COMMISSION.

Sponsors: Cross

Attachments: [2013 Planning Commission List REVISED PUBLIC](#)

Mayor Ryan announced the 2014 Planning Commission members: Terri Homan, Ward 1; Alan Goracke, Ward 2; Janice Bergstrom, Ward 3; and Joe Ouellette, Chair at Large.

Approved

12.-5 [MO 14-023](#)

**MAYORAL APPOINTMENTS TO THE
2014 PARK ADVISORY BOARD**

Sponsors: Cross

Attachments: [2013 Park Board Public-REVISED](#)

Mayor Ryan announced the 2014 Park Advisory Board members: Jeffrey Lester; Christine Pribbernow; Karen Varian; and Jeffrey Bird, Chair-at-Large.

Approved

12.-6 [MO 14-024](#)

**MAYORAL APPOINTMENTS TO THE 2014 NATURAL
RESOURCE CONSERVATION BOARD**

Sponsors: Cross

Attachments: [2013 NRCB Members List \(public\)](#)

Mayor Ryan announced the 2014 Natural Resource Conservation Board members: Gene Rafferty; Benjamin Ruth; Kimberly Gunter; Anthony Castillo; and Jeff Anderson.

Approved

13. **OTHER BUSINESS**

None.

14. **ADJOURNMENT**

Adjourned