



City of Blaine Anoka County, Minnesota Minutes

Blaine City Hall
10801 Town Sq Dr NE
Blaine MN 55449

Planning Commission

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.

Tuesday, February 14, 2023

7:00 PM

Council Chambers

1. Call To Order

The Blaine planning commission met in the City Hall Chambers on Tuesday, February 14, 2023. Chair Goracke called the meeting to order at 7:00PM.

2. Roll Call

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

Members Absent: Commission Member Gorzycki.

Staff Present: Shawn Kaye, Planner
Elizabeth Showalter, Community Development Specialist
Shelia Sellman, City Planner
Teresa Barnes, Project Engineer

3. Approval of Minutes

3.-1 Approval of the January 10, 2023 Planning Commission Minutes

Attachments: [Unapproved Minutes 01/10/23](#)

Motion by Commissioner Homan to approve the minutes of January 10, 2023, as presented. Motion seconded by Commissioner Olson. The motion passed 6-0.

4. Public Hearing

4.-1 Public Hearing Case File No. 23-0007 // Meadowland Estates West (Herbst Raich Investments, LLC.) // 2741 and 2775 125th Avenue NE

The applicant is requesting the following:

1. Comprehensive Plan Amendment to change the current land use from Low Density Residential to Low/Medium Residential
2. Preliminary Plat to subdivide 19.24 acres into 2 single family lots, 28 townhome lots and one outlot.
3. Conditional Use Permit Amendment to allow 2 single family lots and 28 townhomes in a DF (Development Flex) zoning district.

Attachments: [Attachments](#)
[Email Response](#)
[Unapproved PC Minutes 021422](#)
[Additional Public Comments 030323](#)

The report to the planning commission was presented by Sheila Sellman, City Planner. The public hearing for Case File 23-0007 was opened at 7:09PM.

Jonathan Koehler, 12753 Alamo Street NE, explained he was not opposed to the development of the land, but was opposed to the proposed land use change. He encouraged the city to bring forward a project that was more in keeping with the surrounding neighborhoods. He reported he sent a list of concerns to the developer on Saturday morning and he did not receive a response until 5:00PM today. He indicated he had no time to respond to this information prior to the meeting. He explained this parcel was bordered by three LDR parcels. He stated MDR properties in Blaine typically have public streets on two sides. He questioned why the city was proposing to pocket an MDR property with LDR properties. He expressed concern with the right in/right out within the proposed development. He reported this right in/right out would cause vehicles to complete a U-turn at Xylite and 125th. He indicated this was an uncontrolled intersection and this movement would become a safety hazard. He questioned why the proposed development had no pedestrian connectivity. He expressed concern with the exterior elevations of the proposed units because they had a flat front face with a single gable. He reported this did not adhere to the previous exterior standards. In addition, the proposed development did not adhere to the exterior building material requirements. He recommended these standards be followed in order to better fit into the surrounding neighborhoods. He questioned if the wetland behind his home would be impacted by this development. He stated he did not want water flowing into his basement because of this development. He recommended the developer be required to provide a photometric plan to the city to ensure the lighting from this project would not impact the neighbors. He requested the developer be held to an LDR concept for the property to the north.

The public hearing was closed at 7:19PM.

Chair Goracke requested staff speak to the questions and concerns raised by Mr. Koehler. He questioned if the Harpers Landing project required a land use amendment.

Community Development Specialist Elizabeth Showalter explained the Harpers Landing townhome project required a land use amendment.

Project Engineer Teresa Barnes spoke to the traffic concerns. She explained 125th Avenue is a county maintained road. She stated the applicant petitioned the county for access and a right in/right out was approved. She reported the traffic counts for the proposed quad homes would be 240 trips per day, which could be supported by 125th Avenue.

City Planner Sheila Sellman explained the developer had to follow all Minnesota State Building Code for construction of the units. She noted the front elevations of the quad units would have Hardie siding with shakes with vinyl on the side of the units. She indicated this project was part of the development flex. She reported the city does not have code requirements for finishes.

Project Engineer Teresa Barnes stated city staff would be working closely with the watershed district to ensure Ditch #59 was not impacted by this project. She indicated the existing rates of runoff would have to match the proposed rates of runoff up to the 10-year storm level.

Chair Goracke asked that the applicant come forward and address the questions from Mr. Koehler.

Nate Raich, 3122 117th Street in Blaine, stated there were no eminent plans to develop the property to the north. He indicated his plan was to keep the single-family homes in place. He noted the development would have three streetlights and the townhomes units would have exterior lighting.

City Planner Sheila Sellman explained the conditional use permit would regulate the townhomes and the two single family homes. She stated if there were any changes to the two single family homes, the applicant would have to go through the conditional use permit amendment process. She reported because this was a single-family development a photometrics plan was not required from the developer up front, but will be reviewed upon requesting a building permit.

Commissioner Halpern stated there was concern with how these townhomes may turn from owner occupied to rental. He asked that the applicant speak to this.

Mr. Raich reported he does not want to be tied to one type of unit or the other. Rather, he would like the market to dictate if these units would be owner occupied or rental.

Chair Goracke questioned what the asking price would be for the new townhomes.

Mr. Raich stated the units would sell for \$285,000 to \$335,000.

Commissioner Halpern commented on the architectural design of the

proposed townhomes. He indicated the units were pretty flat sided and utilitarian looking. He asked if there was room in the plans for enhancements.

Mr. Raich reported he could reevaluate the exterior of the units and noted there was a need for townhomes in Blaine.

Chair Goracke inquired what the rental rate would be if these units were rented.

Mr. Raich estimated the rents would range from \$1,900 to \$2,800 per month.

Commissioner Halpern requested further information on the number of units that was previously brought forward for this property.

City Planner Sheila Sellman stated in April of 2022 the property was rezoned to development flex and there was a request for 16 single family lots, with the two existing single-family homes, for a total of 18 units.

Chair Goracke requested further comment on the sidewalk situation.

Project Engineer Teresa Barnes stated per city policy sidewalks were not required on all cul-de-sacs. In addition, sidewalks were not required along 125th Avenue.

Commissioner Olson explained the city of Blaine needs this type of housing.

Motion by Commissioner Olson to recommend approval of Planning Case 23-0007A a comprehensive plan amendment to change the current land use from Low Density Residential to Low/Medium Density Residential according to the following rationale:

Case 23-0007A:

- 1. The proposed land use meets the goals of the land use chapter to recognize varied housing densities as a means of accommodating community growth through the encouragement of appropriately designed and located townhomes and apartments, a variety of single-family detached homes with clustering varying lot sizes and shared open space.**
- 2. The proposed amendment meets the goals of the housing chapter to provide housing opportunities that meet the needs of all generations and income levels and supporting the development of housing that meets the needs of the population today as housing preferences change.**
- 3. The proposed amendment is consistent with the existing development to the east by placing townhomes adjacent to 125th Avenue and transitioning to lower densities further from the main roadway.**

Motion by Commissioner Olson to recommend approval of Planning Case 23-0007B a preliminary plat to subdivide 19.24 acres into two single family lots, 28 townhomes and one outlot and common space with the following conditions:

Case 23-0007B:

1. Park dedication is required for the 28 new lots/units being constructed at the rate of \$4,894 per unit (2023 rate), for a total park dedication fee of \$137,032. This amount must be paid prior to releasing the plat mylars for recording at Anoka County.
2. All development signage by separate review.
3. The required tree preservation includes 11 trees planted onsite. This is part of the overall landscape that includes 84 trees be planted.
4. The Developer is responsible for recording the plat mylars with Anoka County. Proof of recording must be provided to the City prior to issuance of building permits.
5. 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.
6. 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.
7. Plans and specifications must be approved by the City prior to start of construction.
8. An Anoka County right-of-way permit is required prior to start of any site work.
9. CCWD permit is required prior to city approval of construction plans and specifications.
10. 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.
11. 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.
12. The grading plan shall provide greater detail on protecting existing trees and providing additional information on adjacent property.
13. 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.
14. A protective buffer strip of natural vegetation, at least 15-feet in width (but 25-feet is preferred), shall surround all wetlands. This buffer strip shall be

placed in easement.

15. 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 ensure access.

16. The developer has responsibility to construct any required improvements to 125th Avenue NE associated with this development per Anoka County plat review comments.

17. All local public streets require dedication of 60 feet of right-of-way and shall be constructed to 29 feet back-to-back of width.

18. All streets will follow the Anoka County Street name grid system.

19. Streetlights shall be installed in the manner, location and type prescribed by the City Engineer. The Developer shall pay the costs of all the street lighting installations. The City agrees to pay the cost of maintaining the portion of lights that are installed that reflect the normal and typical lighting requirements of the City. Additional lights, and those within neighborhoods that are installed by the Developer will be required to be maintained by the Homeowners Association.

20. Hydrant locations must be reviewed and approved by the Fire Department.

21. The 2023 rate for Sanitary Sewer District 6 is \$6,853 per upland acre and will be applied to the acreage platted, this phase is proposing to develop approximately 5 acres of upland for a total sewer area charge of \$34,265.

22. 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.

23. Developer shall explore water source for landscape irrigation systems installed throughout the development, including the possible use of created ponds or storm water reuse.

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

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

26. The Developer shall process a Letter of Map Change with FEMA prior to issuance of building permits within the unnumbered A-Zone on the FEMA flood map. Developer shall provide all FEMA paperwork and structure as-built surveys to homeowners at time of lot closing. Developer is responsible for following through with FEMA as necessary to receive final FEMA documents and to provide those documents to the homeowners, and to record the final documents on the certificate of title for each parcel in the development.

27. Developer to require homeowner's associations to be responsible for maintenance and upkeep of landscape improvements along and within the right-of-way.

Motion by Commissioner Olson to recommend approval of Planning Case 23-0007C a conditional use permit amendment to allow 2 single family lots and 28 townhomes in a DF (Development Flex) zoning district with the following conditions:

Case 23-0007C:

- 1. Approval is contingent upon the Metropolitan Council review and approval of the requested comprehensive plan amendment.**
- 2. The following trees are required onsite: 1 overstory deciduous, 1 coniferous, and 1 ornamental per unit, for a total of 84.**
- 3. Underground irrigation must be used for all landscaped areas.**
- 4. Sod shall be required on all disturbed areas.**

Single Family Development Standards

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 with the exception of the existing home on Lot 6. Lot 6 will be permitted to have the existing two detached structures of 600 square feet and 1,200 square feet.**
- 2. Private swimming pools/meeting the requirements of Blaine Municipal Code Chapter 18 Article IX.**
- 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 - 30 feet**
- 2. Side yard setback - 10 feet for house and garage**
- 3. Rear yard setback 30 - feet**
- 4. Maximum building height - 2 ½ stories or 35 feet.**
- 5. 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 with an exception for Lot 6. Lot 6 will be permitted to have the existing two detached structures of 600 square feet and 1,200 square feet.

6. The minimum finished floor area above grade for all homes shall be 1,500 square feet.

7. All homes shall have a minimum depth and width of 24 feet.

8. Use of premium materials such as brick, natural stone, stucco, cementious or engineered wood siding or shake shingle siding are to be used on all front elevations. Vinyl/metal siding can be utilized on the side and rear elevations. There must be 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 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. All development entrance signage by separate permit.

14. All homes within 500 feet of 125th Avenue NE, to incorporate the Noise Abatement Standards with central air conditioning to mitigate noise impacts.

Townhomes Development Standards

1. The construction of all townhomes to be generally guided by the approved conditional use permit 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 125th Avenue NE, to incorporate the Noise Abatement Standards with central air conditioning to mitigate noise impacts.
- 5. Townhomes must be setback at least 20 feet from public right-of-way.
- 6. Front porches must be setback at least 15 feet from public right-of-way.
- 7. Patios must be located within the townhome lot.

Motion seconded by Commissioner Homan. The motion passed 5-1 (Commissioner Halpern opposed).

Chair Goracke noted this would be on the agenda of the March 6, 2023 city council meeting.

4.-2 Public Hearing Case File No. 23-0005 // Scooter’s Coffee // 150 89th Avenue NE

The applicant is requesting a conditional use permit to allow two buildings on one lot in a B-3 (Regional Commercial) zoning district.

- Attachments: [Attachments](#)
 [Unapproved PC Minutes 021422](#)
 [Presentation](#)

The report to the planning commission was presented by Sheila Sellman, City Planner. The public hearing for Case File 23-0005 was opened at 7:37PM. As no one wished to appear, the public hearing was closed at 7:38PM.

Chair Goracke asked how many locations Scooter’s Coffee had in Minnesota.

Megan Scott, 11701 Central Parkway in Maple Grove, reported there were over 500 Scooter’s locations nationwide and there were 16 locations in Minnesota.

Chair Goracke questioned how many employees this coffee shop would employ.

Ms. Scott estimated she would have 20 to 35 employees.

Motion by Commissioner Deonauth to recommend approval of Planning Case 23-0005 based on the following conditions:

Case 23-0005:

- 1. Site plan approval will be required as a part of the building permit application. All site improvements to be included in the Site Improvement Performance Agreement (SIPA) and covered by an acceptable financial guarantee.
- 2. All signage requires a separate permit meeting the requirements of the zoning ordinance.

3. If a parking problem is identified, the 10 proof of parking stall shall be constructed.

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

Chair Goracke noted this would be on the agenda of the March 6, 2023 city council meeting.

4.-3

Public Hearing Case File No. 23-0001 // Kevin Szozda // 3250 Pheasant Run NE

The applicant is requesting a conditional use permit amendment that will allow up to 1,979 square feet of garage/accessory space and a 19-foot side yard setback for a garage addition in a RF (Residential Flex) zoned property.

- Attachments: [Attachments](#)
 [Unapproved PC Minutes 02/14/22](#)
 [Presentation](#)

The report to the planning commission was presented by Shawn Kaye, Planner. The public hearing for Case File 23-0001 was opened at 7:43PM. As no one wished to appear, the public hearing was closed at 7:44PM.

Chair Goracke asked if staff received any comments or questions from the neighbors.

Planner Shawn Kaye reported she received one call from a neighbor asking questions about where the garage would be located and how it would be used.

Commissioner Olson questioned if the applicant reached out to the neighbors to make them aware of this request.

Kevin Szozda, 3250 Pheasant Run NE, stated he spoke to all of his surrounding neighbors and three of the neighbors within the Lakes. He explained all were very supportive of his request.

Motion by Commissioner Homan to recommend approval of Planning Case 23-0001 based on the following conditions:

Case 23-0001:

1. A building permit must be obtained prior to construction of the building.
2. The new accessory building space to be used for personal storage only.
3. The addition to the garage is limited to 1,302 square feet. The total square footage for garage/accessory building space is limited to 1,979 square feet.
4. The north property line is limited to a 19-foot side yard setback.
5. The proposed addition shall match the existing house construction in terms of architectural style, exterior color, and materials.
6. Surface water drainage around the new addition will be accounted for,

and permission from the adjoining property will need to be obtained if necessary.

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

Chair Goracke noted this would be on the agenda of the March 6, 2023 city council meeting.

4.-4

**Public Hearing Case File No. 23-0002 // Maggie McCormack// 3136
120th Court NE**

The applicant is requesting a conditional use permit amendment to allow a 5-foot side yard setback rather than a 10-foot side yard setback for a kitchen, bathroom, and recreation room addition to the existing house in a DF (Development Flex) zoning district.

- Attachments:** [Attachments](#)
 [Unapproved PC Minutes 02/14/22](#)
 [Presentation](#)

The report to the planning commission was presented by Shawn Kaye, Planner. The public hearing for Case File 23-0002 was opened at 7:47PM. As no one wished to appear, the public hearing was closed at 7:48PM.

Motion by Commissioner Swanson to recommend approval of Planning Case 23-0002 based on the following conditions:

Case 23-0002:

1. The minimum 5-foot side yard setback is limited to the kitchen, bathroom, and recreation room addition on the west side of the home.
2. The existing drainage patterns on the lot will remain unchanged.
3. The proposed addition shall match the existing house construction in terms of architectural style, exterior color, and materials.
4. All other items referenced in Resolution No. 03-74 remain unchanged.

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

Chair Goracke noted this would be on the agenda of the March 6, 2023 city council meeting.

4.-5

**Public Hearing Case File No. 23-0010 // Joaquin Trevizo // 1114
126th Lane NE**

The applicant is requesting a conditional use permit for a total of three garage/accessory buildings (one attached garage, two sheds) in an R-1 (Single Family) zoning district.

- Attachments:** [Attachments](#)
 [Unapproved PC Minutes 021422](#)
 [Presentation](#)

The report to the planning commission was presented by Elizabeth Showalter, Community Development Specialist. The public hearing for Case File 23-0010 was opened at 7:51PM. As no one wished to appear, the public hearing was closed at 7:52PM.

Chair Goracke asked if the applicant supported the staff's recommendations.

Community Development Specialist Elizabeth Showalter reported the applicant did support staffs recommendations.

Motion by Commissioner Olson to recommend approval of Planning Case 23-0010 based on the following conditions:

Case 23-0010:

1. The third, easternmost shed shall be removed by June 1, 2023.
2. Remaining sheds shall be painted to match the existing home by June 1, 2023.
3. The sheds may be located in the drainage easement, but if the easement is needed, the sheds must be relocated outside of the easement at the property owners' expense.
4. A permit is required for the 12 foot by 11 foot shed. Applicant shall obtain the required permit, with a final inspection passing by June 1, 2023.

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

Chair Goracke noted this would be on the agenda of the March 6, 2023 city council meeting.

4.-6

Public Hearing Case File No. 23-0006 // Outfront Media // 4202 Pheasant Ridge Drive NE

The applicant is requesting the following:

1. Conditional use permit for a billboard up to 65 feet in height in a PBD (Planned Business District) zoning district to enable the billboard to be seen over a bridge.
2. A ten-foot variance from the 65-foot height limit for a billboard, with a conditional use permit, to allow a billboard with a total height of 75 feet.

- Attachments:** [Attachments](#)
 [Resolution of Approval CUP](#)
 [Unapproved PC Minutes 021422](#)
 [Presentation](#)

The report to the planning commission was presented by Elizabeth Showalter, Community Development Specialist. The public hearing for Case File 23-0006 was opened at 7:59PM. As no one wished to appear, the public hearing was closed at 8:00PM.

Chair Goracke reported staff was recommending approval of the conditional use permit but denial of the variance. He asked if the applicant would like to speak to this.

Mark Stevens, 5331 Evanswood Lane in Edina, explained the recommendation for denial was made based on the fact the request was for economic reasons.

Community Development Specialist Elizabeth Showalter stated this was one of staff's concerns and noted staff has three other rationales for recommending denial.

Mr. Stevens stated he was the real estate manager for Upfront Media. He explained he hunts for locations that would allow for a billboard. He indicated he recently erected a 75 foot billboard near Lund's in White Bear Lake. He discussed how the adjacent residents of a senior housing building wanted the billboard higher in order to improve sight lines from the senior housing building. He discussed how the new digital display signs were viewed versus static signs. He reported the digital billboard could be used for emergency city messaging if this were required. He commented further on how affordable his digital messaging would be for local businesses. He requested the commission reconsider his request and allow for the billboard to be 75 feet in height.

Commissioner Halpern stated the billboards further south along I-35 have been a nice addition to the city. He indicated this request was rubbing him the wrong way. He believed the proposed billboard was not in keeping with the character of the neighborhood.

Commissioner Olson agreed this was not the right location for a billboard.

Motion by Commissioner Olson to recommend denial of Planning Case 23-0006A a conditional use permit for a 65-foot-tall billboard in a PBD (Planned Business) zoning district.

Motion by Commissioner Olson to recommend denial of Planning Case 23-0006B a variance for a 75-foot-tall billboard with the following rationale:

Case 23-0006B:

- 1. The location of the proposed billboard in relation to the bridge is not a unique circumstance because the code contemplates the potential for bridges and soundwalls to impede the visibility of billboards and identified a maximum height of 65 feet as the maximum appropriate form of relief for that circumstance.**
- 2. The requested variance serves to make the billboard more profitable, by improving visibility, which is an economic consideration. Economic considerations do not constitute practical difficulties.**
- 3. The subject property is located within a high finish shopping center and a 75-foot-tall billboard would alter that essential character.**

4. The requested variance is not consistent with the purpose of the zoning code to conserve the natural, scenic beauty, and attractiveness of Blaine (23.01(f)).

Motion seconded by Commissioner Halpern. The motion passed 5-1 (Commissioner Swanson opposed).

Chair Goracke noted this would be on the agenda of the March 6, 2023 city council meeting.

Adjournment

Adjournment time was 8:08PM.

Motion by Commissioner Halpern to adjourn the regular planning commission meeting. Motion seconded by Commissioner Homan. The motion passed 6-0.