



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, May 8, 2012

7:00 PM

Council Chambers

Agenda Revised 05/08/12 (Item 4.2 Removed by Applicant)

1. Roll Call

Chair Ouellette called the meeting to order at 7:00 p.m.

Staff Present:

Lori Johnson, Planner III

Tom Scott, Project Coordinator

Present: 7 - Chair Ouellette, Vice Chair Lahti, Homan, Goracke, Edison, Bergstrom, and Radtke

2. Approval of Minutes

[TMP 12-292](#)

April 10, 2012 Planning Commission Minutes

Attachments: [04-10-12.doc](#)

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

3. Old Business

None.

4. New Business

4.1 [RES 12-076](#)

CASE FILE NO. 12-0009 // GLORIA DUVERNAY // 2720

93rd AVENUE NE**THE APPLICANT IS REQUESTING A WAIVER OF PLAT
TO DIVIDE A .58 ACRE PARCEL INTO TWO PARCELS.**

Sponsors: Johnson

Attachments: [Attachments.pdf](#)

The report to the Planning Commission was presented by Lori Johnson, Planner III. The public hearing for Case File 12-0009 was opened at 7:04 p.m. As no one wished to appear, the public hearing was closed at 7:04 p.m.

Commissioner Goracke asked if the conditions for approval were the same for the applicant as with the original request.

Lori Johnson, Planner III, stated the conditions were the same.

Motion by Commissioner Homan to recommend approval of Planning Case 12-0009 based on the following conditions:

Case 12-0009:

1. **Park dedication must be paid for one new single-family lot. The total amount due, if paid in 2012, is \$2,557.**
2. **The applicant to coordinate with private utility companies, i.e., cable, electric, and telephone, for underground services for the new home built on Parcel B.**
3. **Airport Noise Abatement Standards to be incorporated into the construction of the new home.**
4. **Developer to provide written notice to the homebuilder and/or lot purchaser of plat's proximity to Anoka County Airport and potential noise impact.**
5. **Tree preservation and grading information to be incorporated into the certificate of survey submitted with the building permit application. Building floor elevations must be in conformance to the City's Comprehensive Water Resource Management Plan.**
6. **The wire fence constructed around the perimeter of Parcel B to be removed prior to the City releasing/signing off on the waiver of platting.**
7. **Connection charges become due with platting for 1.04 lot units of sanitary sewer lateral and water main lateral at the current rate of \$7,215. Connection charges become due with platting for one unit of sanitary and water services at \$1,515. If these services are not located, this amount will not be collected.**
8. **Trunk sanitary and storm drainage area charges become due with platting. The current rate for trunk sanitary sewer is \$5,326 per acre and for storm**

drainage is \$6,779 per acre for a total due for 0.29 acres of \$3,510.

Motion seconded by Commissioner Goracke. The motion passed 7-0.

Chair Ouellette noted this would be on the agenda of the June 7, 2012 City Council meeting.

4.2 [TMP 12-227](#)

~~CASE FILE NO 12-0010 // ARLYCE RICHARDSON // 11943-
LEVER COURT NE~~

~~REZONING OF A .76 ACRE PARCEL AND A 9.23 ACRE
PARCEL FROM FR (FARM RESIDENTIAL) TO R-1A-
(SINGLE FAMILY)~~

~~PRELIMINARY PLAT APPROVAL TO SUBDIVIDE 46.02
ACRES INTO ONE (1) LOT AND TWO (2) OUTLOTS TO
BE KNOWN AS SUNSET POND THIRD ADDITION~~

Sponsors: Kaye

Attachments: [Attachments.pdf](#)

This item was pulled from the agenda by the applicant.

THIS ITEM HAS BEEN REMOVED BY THE APPLICANT

4.3 [RES 12-077](#)

CASE FILE NO. 12-0011 // VICTORY PIZZERIA AND PUB
// 9967 ULYSSES STREET NE

THE APPLICANT IS REQUESTING A CONDITIONAL
USE PERMIT TO ALLOW FOR OUTDOOR DINING, AN
INDOOR AMUSEMENT CENTER AND LIVE
ENTERTAINMENT. THE LIVE ENTERTAINMENT
WOULD INCLUDE A DJ/KARAOKE AND POSSIBLY LIVE
MUSICIANS ON DIFFERENT OCCASSIONS

Sponsors: Johnson

Attachments: [Attachments.pdf](#)

The report to the Planning Commission was presented by Lori Johnson, Planner III. The public hearing for Case File 12-0011 was opened at 7:11 p.m.

Laverne Hermson, 1289 99th Court NE, stated she was pleased another restaurant would be coming into this site. She thanked staff for the

information provided this evening.

June Anderson, April Ridge, was happy another restaurant would be at this location but questioned if the outdoor activities would affect the neighboring properties.

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

Chair Oullette stated the outdoor bocce ball would have a potential for noise to travel to adjacent properties.

Lori Johnson, Planner III, stated the outdoor recreational activities were not being approved this evening.

Commissioner Goracke asked if this was the first Victory Pizzeria or if it was a franchise or chain. He questioned how many employees would work from this location.

Chris Downs, 9967 Ulysses Street NE, indicated this was the only location for Victory Pizzeria and anticipated hiring 30-35 employees.

Commissioner Lahti questioned the hours of operation for the restaurant.

Mr. Downs stated the hours of operation would be from 10:30 a.m. to 1:00 a.m. daily.

Motion by Commissioner Goracke to recommend approval of Planning Case 12-0011 based on the following conditions:

Case 12-0011:

- 1. The applicant to obtain an Amusement Device License through the City Clerk's office.**
- 2. All signage is issued under a separate permit, including temporary and permanent signage.**
- 3. The conditional use permit for live entertainment is limited to an occasional DJ or live band, jukebox and Karaoke. No dance floors can be provided for these uses as it is not indicated on the floor plan at this time.**
- 4. The City Council reserves the right to reconsider the conditional use permit for live entertainment and outdoor dining if it is ever determined that there is not enough parking on this site to handle the parking needs of the overall use of the site or if the live entertainment is in some way creating a measurable negative impact on adjacent properties.**
- 5. Plans for amplified music or a public address system for the outdoor dining area to be reviewed by the City prior to installation and to be designed**

with noise levels not above normal table conversation.

- 6. No live entertainment can be conducted outside of the building.
- 7. Staff to review the details of the metal fencing and gates prior to issuance of a conditional use permit. The fencing and gates must be decorative in nature and match the architecture of the building.
- 8. No outdoor advertising on building or patio area without obtaining a permit, including any signage on table umbrellas.
- 9. The outdoor dining area limited to the patio area identified on the attached site plan, and there can be no more than 50 seats in the outdoor dining area.
- 10. The outdoor dining area to meet all appropriate City regulations and license requirements for dispensing of alcohol in an outdoor setting.
- 11. The ability to operate outdoor dining is reliant upon the applicant's ability to adequately control litter and refuse as associated with the facility.
- 12. Exit doors in any railing or fence in the outdoor dining area shall be operable from the inside without the use of a key or any special knowledge or effort, per the Uniform Building Code.
- 13. Applicant must provide manufacturing specifications and requirements for propane heater use and clearance to combustibles if propane heaters are to be used in the outdoor dining area.
- 14. The outdoor dining area may be subject to additional SAC (Sewer Access Charges) for the site.
- 15. The outdoor bocce ball area and community outdoor events are not allowed or authorized under this conditional use permit.
- 16. If the applicant wishes to change the details of the amusement and recreation/live entertainment/outdoor dining conditional use permit, a conditional use permit amendment will be required. This would include the addition of the bocce ball area or community outdoor events.

Motion seconded by Commissioner Edison. The motion passed 7-0.

Chair Ouellette noted this would be on the agenda of the June 7, 2012 City Council meeting.

4.4 [RES 12-078](#)

CASE FILE NO. 12-0012 // OAK PARK COMMUNITY CHURCH // 12050 ABERDEEN STREET NE

THE APPLICANT IS REQUESTING A CONDITIONAL USE PERMIT TO ALLOW FOR A TWO-STORY 4,600 SQUARE FOOT ADDITION ONTO THE EXISTING CHURCH

Sponsors: Kaye

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

The report to the Planning Commission was presented by Lori Johnson, Planner III. The public hearing for Case File 12-0012 was opened at 7:19 p.m. As no one wished to appear, the public hearing was closed at 7:19 p.m.

Commissioner Lahti asked how many trees would be taken down and replaced through the construction.

Philip Johnson, architect for Oak Park Community Church, estimated that only four trees would be removed through the construction project. He explained that the new two-story building would be less square footage than the original building.

Commissioner Goracke indicated this church was a great neighbor and he was pleased with the proposed construction project.

Commissioner Lahti questioned how many committee meetings would be held at the church.

Lori Johnson, Planner III, explained staff did not receive a schedule, but noted the site was zoned properly and had adequate parking to hold these meetings.

Motion by Commissioner Edison to recommend approval of Planning Case 12-0012 based on the following conditions:

Case 12-0012:

- 1. The applicant to submit detailed site, grading, landscape, and building plans. Plans to be submitted must be approved by the City prior to any site work.**
- 2. The site plan submitted for approval to include the Highway 65 Overlay District requirements. This would include but not limited to landscaping, grading plan, site plan and architectural design. The Highway 65 Overlay District requires at least 50 percent of all exterior wall finishes on any building shall be comprised of a combination of at least three of the following materials: brick, natural stone, glass, masonry stucco or other comparable material as determined by the Zoning Administrator.**
- 3. The entire south elevation to include the rock face veneer as constructed on all other elevations.**
- 4. Park dedication was previously paid with the construction of the church building in 2001.**
- 5. A financial guarantee to be submitted to ensure completion of site improvements.**

6. Coon Creek Watershed District permit is required prior to any work done on the site.

7. Prior to the issuance of a building permit Oak Park Community Church shall provide evidence of Lots 1 and 2, Block 1 Birchwood Estates being combined with the unplatted portion of their property through the Anoka County Recorder's Office.

Motion seconded by Commissioner Homan. The motion passed 7-0.

Chair Ouellette noted this would be on the agenda of the June 7, 2012 City Council meeting.

Moved by Vice Chair Lahti, seconded by Edison, that this be Adjourned. The Motion was adopted unanimously. Adjournment time was 7:27 p.m.