

**UNAPPROVED
CITY OF BLAINE
PLANNING COMMISSION MEETING MINUTES
August 8, 2017**

The Blaine Planning Commission met in the City Hall Chambers on Tuesday, August 8, 2017. Chair Ouellette called the meeting to order at 7:00 p.m.

Members Present: Commission Members: Goracke, Halpern (arrived at 7:10 p.m.), Homan, Olson, Ponds, and Chair Ouellette

Members Absent: Commission Member York.

Staff Present: Shawn Kaye, Associate Planner
Lori Johnson, Associate Planner
Natasha Lukacs, Planning and Landscape Intern
Tom Scott, Project Coordinator
Dan Schluender, Assistant City Engineer

APPROVAL OF MINUTES

Motion by Commissioner Goracke to approve the minutes of June 13, 2017, as presented. Motion seconded by Commissioner Homan. The motion passed 4-0-1 (Olson abstained).

OLD BUSINESS

None.

NEW BUSINESS

Item 4.1 – Case File No. 17-0032 – Public Hearing – The applicant is requesting a Conditional Use Permit to allow for the reconstruction of an existing, 440 square foot, detached garage located in the R-1 (Single Family) zoning district. There is currently an attached garage, which totals 676 square feet. The addition would raise the existing detached garage up 6 feet in height. The square footage would remain the same and would allow for up to 1,116 square feet in total garage area.
GLENN THOENY, 4152 FLOWERFIELD ROAD NE.

The report to the Planning Commission was presented by Natasha Lukacs, Planning and Landscape Intern. The public hearing for Case File 17-0032 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 Homan to recommend approval of Planning Case 17-0032 based on the following conditions:

Case 17-0032:

1. The applicant must obtain a building permit prior to the start of any reconstruction.
2. The proposed reconstruction must include colors, and materials, that match the existing structures.
3. The proposed garage must be used for personal storage only, and may not be used for a home occupation.
4. The proposed garage must meet all the setbacks and requirements as outlined in section 29.30 of the Zoning Ordinance.
5. The garage door will be limited to 10 feet in height.
6. The newly reconstructed garage must not be taller than the existing structure.
7. The applicant will be required to plant one tree on the property, or pay \$300 to the cities reforestation fund.

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

Chair Ouellette noted this would be on the agenda of the September 7, 2017 City Council meeting.

Item 4.2 – Case File No. 17-0035 – Public Hearing – The applicant is requesting a Conditional Use Permit to allow for 1,189 square feet of total garage/accessory space. CHRISTOPHER RUSSO, 1250 130TH AVENUE NE.

The report to the Planning Commission was presented by Lori Johnson, Associate Planner. The public hearing for Case File 17-0035 was opened at 7:09 p.m. As no one wished to appear, the public hearing was closed at 7:09 p.m.

Motion by Commissioner Ponds to recommend approval of Planning Case 17-0035 based on the following conditions:Case 17-0035:

1. The structure to match the color of the house.
2. A building permit must be obtained prior to construction of the building.
3. The garage to be used for personal storage only.

4. The garage to be generally located as shown on attached sketch and meeting all required setbacks. The accessory building must be located in the rear yard.
5. If the applicant uses the garage on a regular basis to create tracks in the yard, a paved driveway must be installed to the garage.
6. The total garage and accessory space on this property is limited to 1,189 square feet.
7. The existing small shed in the rear of the property must be removed prior to a building permit being issued for the new structure.
8. The proposed structure cannot be used for a home occupation.

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

Chair Ouellette noted this would be on the agenda of the September 7, 2017 City Council meeting.

Commissioner Halpern arrived at 7:10 p.m.

Item 4.3 – Case File No. 17-0034 – Public Hearing – The applicant is requesting a Conditional Use Permit to allow for the construction of a 240-square foot detached structure to be used for a home occupation. The applicant wishes to operate a small photography office/studio in the structure. The conditional use permit would also allow for more than two accessory structures on the lot.
SARAH BARTELL, 11772 JEFFERSON STREET NE.

The report to the Planning Commission was presented by Lori Johnson, Associate Planner. The public hearing for Case File 17-0034 was opened at 7:15 p.m.

Kenneth Ascheman, 272 118th Avenue NE, explained that the Bartell's have been great neighbors over the years. He stated he was strongly opposed to the proposed home occupation as it may impact his property value. He was also concerned with selling his home and how he may be impacted by his neighbor that was operating a business out of a shed in their backyard. He believed people parking on the street and entering the shed could be a major turnoff for a potential buyer. He feared that the majority of clients visiting the shed would be parking in front of his property and then crossing through the Bartell's side yard. He reported he has an autistic son that uses the front yard and driveway for various activities. He feared that the strangers walking through the neighbors' yard would be disruptive to his activities and his entire families' privacy. He requested the Planning Commission consider how this type of arrangement would impact their home. He was also concerned with the number of clients that would be entering the property daily. While he understood Ms. Bartell would be operating this business part-time, more than one customer could be onsite at a time for a photo session. He questioned how the daily customer count would be monitored by the City. He encouraged the applicant to pursue commercial space, add onto or renovate her home in order to meet her business needs. He

believed that the request completely went against the City's zoning code and should not be approved.

Leslie Sunder, 273 118th Avenue NE, stated she lived across the street from Ms. Bartell. She thanked Ken for giving a thorough presentation and noted she agreed with all of his statements. She suggested the proposed shed structure be pushed behind the house. She feared her property value would be impacted if the shed were placed in the proposed location. She anticipated all client parking would be located along 118th Avenue which would impact traffic safety and cause accidents. She questioned if this shed was following the City's accessory garage or shed regulations. She recommended the shed be located behind the home and that all clients be required to park in the driveway.

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

Commissioner Ponds asked where the shed would be located and questioned if it would be visible from 118th Avenue.

Sarah Bartell, 11772 Jefferson Street NE, reviewed the proposed location of the shed and noted client parking would be located on Jefferson Street.

Chair Ouellette inquired if clients could park in the driveway.

Ms. Bartell noted her driveway had two parking spaces and clients could park in the driveway.

Commissioner Olson understood the parking concerns addressed by the neighbors and asked if parking was allowed on Jefferson Street.

Assistant City Engineer, Dan Schluender reported parking was allowed on Jefferson Street and noted this roadway was a bus route.

Chair Ouellette questioned how many clients would be visiting the photography studio at a time.

Ms. Bartell reported the size of the studio would not allow for large group photo sessions. She anticipated the space would be used mostly for consultations, head shots and the majority of photo shoots would take place outdoors.

Chair Ouellette asked how many clients would be visiting the studio on a weekly basis.

Ms. Bartell stated her goal would be to have one to two clients per day several days a week but anticipated it would take time to build up to this volume of clientele. She explained she would look into renting space once she had the scale to support paying rent.

Commissioner Goracke questioned if the shed could be placed behind the garage.

Ms. Bartell indicated there was not enough space given the fact there was an existing small shed and fire pit at this location.

Commissioner Halpern questioned what past precedent was for tracking customer volume.

Associate Planner, Lori Johnson stated the City did not have a method for tracking customers. She reported the City has monitored customer volume in the past only after receiving complaints from neighbors.

Commissioner Olson inquired if the CUP could be revoked.

Associate Planner, Lori Johnson reported this was the case if a violation were to occur.

Commissioner Homan questioned if the City viewed this as a shed or an accessory structure.

Associate Planner, Lori Johnson explained the City viewed the request as a detached structure or shed.

Motion by Commissioner Goracke to recommend approval of Planning Case 17-0034 based on the following conditions:

Case 17-0034:

1. The shed will need to be located in the rear yard of the property as shown on the attached site plan.
2. A building permit and certificate of occupancy must be obtained for the shed prior to construction.
3. The applicant must schedule a yearly inspection of the shed with the Community Standards Department (Fire Inspectors) to ensure there are no safety hazards for the applicant or her clients. This inspection should be scheduled upon construction of the shed and should be done yearly from the date of the first inspection.
4. No outside storage of any kind associated with the business is allowed.
5. No more than 4 customers should enter the property daily.
6. There should be no employees of the business other than those living at the residence.
7. The City Council has the right to review this conditional use permit further if this use ever becomes a detriment to the neighborhood.
8. No other detached accessory structures are allowed on the property.

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

Chair Ouellette noted this would be on the agenda of the September 7, 2017 City Council meeting.

Item 4.4 – Case File No. 17-0031 – Public Hearing – The applicant is requesting a Conditional Use Permit to allow for a home occupation in the FR (Farm Residential) zoning district. The home occupation will consist of small engine repair work and an online store for the sale of used, small engine parts.
BOB TAYLOR, 11802 LEXINGTON AVENUE NE.

The report to the Planning Commission was presented by Natasha Lukacs, Planning and Landscape Intern. The public hearing for Case File 17-0031 was opened at 7:47 p.m.

Chair Ouellette noted for the record a letter that was received from Eddy Hegland noting he did not support the proposed small engine shop. In addition, the Commission received a letter from Jack McCarty who also did not support the increased traffic and noise that the proposed business would bring to the neighborhood. In addition, the City received a letter from Ann and Tom McMahan stating they did not oppose the request.

Marilyn Froelke, 11732 Erskin Circle, stated her backyard abuts the applicant's property. She explained she had concerns with the speed and level of traffic on Lexington Avenue. She questioned if the business would have employees or if signage was allowed on Lexington Avenue.

Associate Planner, Lori Johnson reported the applicant could have a small (2½ square foot) sign on the structure being used for the home occupation.

The public hearing was closed at 7:53 p.m.

Chair Ouellette asked if outdoor storage would become a concern.

Bob Taylor, 11802 Lexington Avenue NE, noted he had no employees, except his daughter. He commented on the number of customers he has on a yearly basis. He stated outdoor storage would not be a big issue but he was asking to store 10 to 20 boats over the winter months. He explained he wanted to add this as another option for his customers.

Chair Ouellette encouraged the applicant to rethink this issue.

Associate Planner, Lori Johnson reported it was not an option to add outdoor storage to this conditional use permit.

Commissioner Homan questioned if noise from the business would be contained indoors.

Mr. Taylor stated he created more noise mowing his lawn than from his small engine repair business. He provided further comment on the care he took with this property in order to preserve the landscape and nature.

Further discussion ensued regarding outdoor storage and Chair Ouellette clarified for the record that no boats could be stored outside prior to receiving service.

Mr. Taylor stated this would only be possible if he could build another accessory structure.

Associate Planner, Lori Johnson explained Mr. Taylor could build a larger accessory structure but noted a home occupation could not be conducted out of a 3,000-square foot accessory structure as the home occupation regulations only allow for 1,500 square feet to be used for such purposes. She stated Mr. Taylor was proposing to operate a commercial operation on a single-family property. If Mr. Taylor was looking to expand his storage space, the City would recommend he look into renting commercial or industrial space where outdoor storage would be allowed.

Mr. Taylor commented that if he did not have boats to work on he would not have a livelihood. He indicated 90% of his business was on boats.

Planning and Landscape Intern, Natasha Lukacs stated if the applicant were to change his mind about the conditional use permit, the City's code enforcement office would still pursue the outdoor storage concerns.

Motion by Commissioner Olson to recommend approval of Planning Case 17-0031 based on the following conditions:

Case 17-0031:

1. The home occupation must only be conducted in the existing 1,500 square detached garage.
2. No outside storage of any kind is allowed at any time. This includes parts, materials, equipment and any other materials that are related to the home occupation. Specifically, this includes boats and boat trailers for storage.
3. There can be no more than 4 customers daily.
4. There can be no more than three employees at any time that do not reside on the property.
5. The sale (display) of equipment onsite is prohibited and the sale of any small engine parts must only be conducted online.
6. All existing outside storage needs to be removed by September 30th, 2017, and a follow up inspection will be conducted at this time.
7. Each year prior to September 30th, the applicant must schedule an inspection with our Fire Department to renew this conditional use permit. If the applicant fails to do so, then there shall be grounds for revocation.

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

Chair Ouellette noted this would be on the agenda of the September 7, 2017 City Council meeting.

Item 4.5 – Case File No. 17-0027 – Public Hearing – The applicant is requesting a two-foot variance to the six-foot maximum fence height zoning ordinance requirement for the R-1 (Single Family) district. The fence would be located on a portion of the applicant’s east property line and the applicant is proposing an eight-foot high fence. BEV FOLSTROM, 249 OAK PARK DRIVE NE.

The report to the Planning Commission was presented by Lori Johnson, Associate Planner. The public hearing for Case File 17-0027 was opened at 8:12 p.m.

Arlon Hitzemann, 257 Oak Park Drive NE, explained he was the neighbor Ms. Folstrom was having a problem with. He commented on the partition that was currently in place along with the numerous disagreements that have occurred between himself and Ms. Folstrom. He indicated the police have been called to his property numerous times by Ms. Folstrom. He stated he was willing to give a little and would support an eight-foot fence along his property line. He questioned if the City would require Ms. Folstrom to remove the existing fence and partition.

The public hearing was closed at 8:20 p.m.

Commissioner Homan questioned if neighbors could construct partitions between properties.

Associate Planner, Lori Johnson stated this was not allowed. She explained this led Ms. Folstrom to request an eight-foot fence and noted the existing partition would have to be removed.

Chair Ouellette recalled the Planning Commission had only approved eight-foot fences along the rear property lines along Radisson Road.

Commissioner Ponds asked what would be achieved by the eight-foot fence versus the existing six-foot fence.

Bev Folstrom, 249 Oak Park Drive NE, stated she would have more privacy from her neighbor.

Commissioner Goracke questioned if the fence would resolve the conflict between the neighbors.

Ms. Folstrom indicated this was her hope and stated she did not know what else to do.

Motion by Commissioner Olson to recommend denial of Planning Case 17-0027 based on the following conditions:

Case 17-0027:

1. Approving a variance would be detrimental to the City's zoning ordinance by setting a precedent for 8-foot fences in side yards within the City. This fence height is not appropriate in all situations.
2. Approval of a variance for a taller fence is not felt to be the solution for solving or ending neighbor disagreements.
3. The applicant would be granted a special privilege for a taller fence than what is allowed by the zoning ordinance. Other property owners have been informed they cannot have a fence taller than 6 feet.

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

Chair Ouellette noted this would be on the agenda of the September 7, 2017 City Council meeting.

Item 4.6 – Case File No. 17-0033 – Public Hearing – The applicant is requesting a Preliminary Plat to subdivide 36.53 acres into one lot and two outlots to be known as Airport Park.
METROPOLITAN AIRPORTS COMMISSION, 2180 105TH AVENUE NE.

The report to the Planning Commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 17-0033 was opened at 8:26 p.m. As no one wished to appear, the public hearing was closed at 8:26 p.m.

Matt Krogh, Metropolitan Airports Commission representative, stated he was supportive of the Staff recommendations. He commented on the private easement noting this land was currently under lease with the Amateur Sports Commission.

Motion by Commissioner Homan to recommend approval of Planning Case 17-0033 based on the following conditions:

Case 17-0033:

1. Applicant to submit copy of Coon Creek Watershed permit to city prior to any site work.
2. Applicant will need to adhere to review comments received by Anoka County Highway Department.
3. All uses in the PBD-A require Conditional Use Permit review and approval. This will be necessary prior to any site development.
4. Outlot A to be dedicated as Right-of-Way for 105th Avenue.
5. Park dedication will be due with the platting of one lot. The 2017 park dedication rate for commercial development is \$8,704/acre for a total of \$25,241.60 (for 2.9 acres). This fee

will need to be paid, at the rate in effect at the time of Final Plat, prior to release of final plat mylars for recording at Anoka County.

6. The Mayor, City Clerk and City Manager are hereby authorized to execute any and all necessary documents, agreements and releases related to the approval, recording or administration of Airport Park.

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

Chair Ouellette noted this would be on the agenda of the September 7, 2017 City Council meeting.

Item 4.7 – Case File No. 17-0036 – Public Hearing – The applicant is requesting the following:

- a.) Rezoning from I-2 (Heavy Industrial) to PBD (Planned Business District).
- b.) Preliminary Plat approval to plat two existing lots (2.9 acres) into one (1) lot.
- c.) Conditional Use Permit to allow for gasoline sales, a carwash, and outdoor dining in a PBD (Planned Business District) zoning district.
KWIK TRIP, INC./10500 RADISSON ROAD NE.

The report to the Planning Commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 17-0036 was opened at 8:33 p.m. As no one wished to appear, the public hearing was closed at 8:33 p.m.

Commissioner Goracke believed this would be a great location for a Kwik Trip. He questioned how many new employees would be hired for this location.

Scott Teigen, Kwik Trip representative, estimated the site would have 25 to 30 employees.

Motion by Commissioner Goracke to recommend approval of Planning Case 17-0036A a Rezoning from I-2 (Heavy Industrial) to PBD (Planned Business District) at 10500 Radisson Road NE based on the following rationale:

Case 17-0036A:

1. The proposed rezoning would be consistent with the PI (Planned Industrial)/PC (Planned Commercial) land use of the property.
2. The zoning being proposed is consistent with the type of development being proposed.

Motion by Commissioner Goracke to recommend approval of Planning Case 17-0036B a Preliminary Plat to plat two existing lots (2.9 acres) into one (1) lot based on the following conditions:

Case 17-0036B:

1. Park dedication to be paid for 2.9 acres at the commercial rate of \$8,704 per acre for a total of \$25,241.60.
2. Water and sewer availability charges (WAC and SAC) become due with building permit.
3. Applicant to submit copy of Coon Creek Watershed permit to city prior to any site work.
4. Applicant will need to adhere to review comments and permitting received from Anoka County Highway Department.
5. The Mayor, City Clerk and City Manager are hereby authorized to execute any and all necessary documents, agreements and releases related to the approval, recording or administration of Kwik Trip 925.

Motion by Commissioner Goracke to recommend approval of Planning Case 17-0036C a Conditional Use Permit to allow for gasoline sales with up to 10 pumps, a two-bay carwash, and outdoor dining in a PBD (Planned Business District) zoning district at 10500 Radisson Road NE based on the following conditions:

Case 17-0036C:

1. The exterior building materials to match those on the submitted plans.
2. Site plan approval is required prior to issuance of building permits. All site improvements to be included in site improvement agreement and covered by an acceptable financial guarantee.
3. All site lighting to be down lit-style lamps to reduce glare and to meet the requirements of the Zoning Ordinance. Final site plan to include detailed lighting plan. Pole mounted lighting is limited to 20 feet in height.
4. Applicant to install underground piping for future Stage I vapor recovery system.
5. Storage or display of retail items not permitted in the parking area, pump islands, driveway surface. All display items must meet the outside display section of the Zoning Ordinance (Section 30.181).
6. All signage requires a separate permit meeting the requirements of the Zoning Ordinance. The site will be limited to two wall signs including convenience store/car wash building and canopy, any signage on the canopy will count as wall signage. One monument sign will be permitted with a maximum height of 14 feet and 140 square feet of signage.
7. The landscape plan must include 25% of the landscaping in the front yard adjacent to Radisson Road and 105th Avenue and those trees must be oversized. The following plantings will be required on site:

Overstory trees: 16 (2½” caliper) and 6 (3” caliper) = 22
Conifer trees: 8 (6’ in height) and 3 (8’ in height) = 11
Ornamental trees: 8 (2” caliper) and 3 (2 ½” caliper) = 11

8. Temporary signage to be regulated under Zoning Ordinance Section 34.13.
9. No exterior overnight storage of pallets or delivered products.
10. No overnight storage of semi-trailers or delivery vehicles.
11. The use of any speaker system at this gas pumps must be limited in volume so as to not create any off-site impacts.
12. The gas and diesel canopies must have columns, to a height of five (5) feet that are faced with brick that matches the building.
13. The outdoor seating area limited to 2 (two) tables with seating for a total of 8 seats.
14. Obtain all necessary permits from Anoka County Highway Department for proposed construction in their respective Right-of-Way.
15. A National Pollutant Discharge Elimination System Phase II permit required from the MN Pollution Control Agency. Building permits will not be issued until a copy of the permit is sent to the City.
16. A Coon Creek Watershed District permit is required. Building permits will not be issued until a copy of the permit is sent to the city.
17. The uses permitted by this Conditional Use Permit to be operated in accordance with all applicable City regulations and ordinance requirements. Violation of these standards or any conditions of the Conditional Use Permit shall be enforceable, by the City as a misdemeanor violation.

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

Chair Ouellette noted this would be on the agenda of the September 7, 2017 City Council meeting.

APPROVAL OF MINUTES

Motion by Commissioner Olson to approve the minutes of July 11, 2017, as presented.

Motion seconded by Commissioner Ponds. The motion passed 4-0-2 (Homan and Goracke abstained).

ADJOURNMENT

Motion by Commissioner Homan to adjourn the Regular Planning Commission meeting. Motion seconded by Commissioner Halpern. The motion passed 6-0. Adjournment time was 8:38 p.m.

Respectfully submitted,

Heidi Guenther
TimeSaver Off Site Secretarial, Inc.