



# City of Blaine Anoka County, Minnesota Minutes - Final

Blaine City Hall  
10801 Town Sq Dr NE  
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, May 9, 2017

7:00 PM

Council Chambers

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### 1. Roll Call

The Blaine Planning Commission met in the City Hall Chambers on Tuesday, May 9, 2017. Chair Ouellette called the meeting to order at 7:00 p.m.

Staff Present: Shawn Kaye, Associate Planner  
Lori Johnson, Associate Planner  
Dan Schluender, Assistant City Engineer

**Present:** 6 - Chair Ouellette, Commissioner Homan, Commissioner York,  
Commissioner Goracke, Commissioner Olson, and Commissioner Ponds

**Absent:** 1 - Commissioner Halpern

### 2. Approval of Minutes

[TMP 17-0246](#)

Approval of April 11, 2017 Planning Commission Minutes

**Motion by Commissioner Homan to approve the minutes of April 11, 2017, as presented. Motion seconded by Commissioner York. The motion passed 5-0-1 (Ponds abstained).**

**Aye:** 6 - Chair Ouellette, Commissioner Homan, Commissioner York,  
Commissioner Goracke, Commissioner Olson, and Commissioner Ponds

### 3. Old Business

None.

### 4. New Business

#### 4.1 [RES 17-069](#)

GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR UP TO

2,927 SQUARE FEET OF GARAGE/ACCESSORY SPACE IN AN RF (RESIDENTIAL FLEX) ZONING DISTRICT AT 3000 RODEO DRIVE NE. WILLIAM JEANS. (CASE FILE NO. 17-0014/LSJ)

The report to the Planning Commission was presented by Lori Johnson, Associate Planner. The public hearing for Case File 17-0014 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 Olson to recommend approval of Planning Case 17-0014 based on the following conditions:**

**Case 17-0014:**

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 new accessory building space to be used for personal storage only.
4. The accessory building to be generally located in the rear yard as shown on attached sketch and meeting all required setbacks.
5. The driveway to be expanded to include the area in front of the new garage door for the new portion of the structure.
6. The new portion of the accessory building is limited to 1,127 square feet.
7. The proposed structure cannot be used for a home occupation.

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

**Aye:** 6 - Chair Ouellette, Commissioner Homan, Commissioner York, Commissioner Goracke, Commissioner Olson, and Commissioner Ponds

Chair Ouellette noted this would be on the agenda of the June 1, 2017 City Council meeting.

#### 4.2 [RES 17-070](#)

GRANTING A CONDITIONAL USE PERMIT TO ALLOW 1,200 SQUARE FEET OF GARAGE SPACE IN AN R-1 (SINGLE FAMILY) ZONING DISTRICT AT 10160 ERSKIN STREET NE. RICHARD MONDRY. (CASE FILE NO. 17-0012/SLK)

The report to the Planning Commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 17-0012 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 17-0012 based on the following conditions:**

**Case 17-0012:**

1. The materials and color used on the detached garage to match the materials and color used on the exterior of the home.

2. The applicant's existing and proposed garage space must be used for personal storage space only and it may not be used for a home occupation.
3. The two existing accessory structures on the site will be removed prior to a building permit being issued. A building permit is required prior to start of construction. The construction of the garage will be required to meet the requirements of the Uniform Building Code. The soffit and fascia of the overhang, if located closer than 5' to the property line, will need to have a fire-resistance rating.
4. A hard surface (asphalt/concrete) driveway for access to the detached garage is required to be constructed. The total width of all paved driveways beyond the public right-of-way not to exceed thirty-six (36) feet.
5. The accessory building to be generally located as shown on attached sketch and to meet the side yard setback of 5-feet.
6. An additional overhead garage door located on the rear side of the existing attached garage is required to provide access to the newly constructed detached garage.
7. The two existing detached accessory buildings to be removed prior to requesting a Certificate of Occupancy for use of the new detached garage.

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

**Aye:** 6 - Chair Ouellette, Commissioner Homan, Commissioner York, Commissioner Goracke, Commissioner Olson, and Commissioner Ponds

Chair Ouellette noted this would be on the agenda of the June 1, 2017 City Council meeting.

#### 4.3 [RES 17-071](#)

GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR INDOOR VEHICLE SALES IN AN I-1 (LIGHT INDUSTRIAL) ZONING DISTRICT AT 3543 88TH AVENUE NE. NEIL MOOSAIE. (CASE FILE NO. 17-0016/LSJ)

The report to the Planning Commission was presented by Lori Johnson, Associate Planner. The public hearing for Case File 17-0016 was opened at 7:12 p.m. As no one wished to appear, the public hearing was closed at 7:12 p.m.

Chair Ouellette asked if the applicant would be considering rental sales.

Associate Planner, Lori Johnson reported the applicant would not be conducting rental sales.

Commissioner York questioned if the applicant would be allowed to hold test drives.

Associate Planner, Lori Johnson explained the City would not place any restrictions on this and test drives would be allowed.

**Motion by Commissioner Goracke to recommend approval of Planning Case 17-0016 based on the following conditions:**

**Case 17-0016:**

- 1. There shall be no outside storage or display of vehicles on site at any time.**
- 2. The applicant must obtain a certificate of occupancy from the Building and Fire Departments prior to occupying the site.**
- 3. The applicant to operate the business in general accordance with the narrative associated with this conditional use permit.**
- 4. No more than 10% of the square footage of the tenant space may be used for retail sales.**

**Motion seconded by Commissioner York. The motion passed 6-0.**

**Aye:** 6 - Chair Ouellette, Commissioner Homan, Commissioner York, Commissioner Goracke, Commissioner Olson, and Commissioner Ponds

Chair Ouellette noted this would be on the agenda of the June 1, 2017 City Council meeting.

**4.4** [RES 17-072](#)

GRANTING A CONDITIONAL USE PERMIT TO OPERATE AN INDOOR KENNEL, LIMITED TO DAYTIME CARE AND A 1,443 S.F. OUTDOOR FENCED YARD AT THE EXISTING ATLAS PET LOCATION IN A B-3 (REGIONAL COMMERCIAL) ZONING DISTRICT AT 12761 CENTRAL AVENUE NE. APS ENTERPRISES. (CASE FILE NO. 17-0018/LSJ)

The report to the Planning Commission was presented by Lori Johnson, Associate Planner. The public hearing for Case File 17-0018 was opened at 7:17 p.m. As no one wished to appear, the public hearing was closed at 7:17 p.m.

Chair Ouellette asked if there was a limit on the number of dogs that could be cared for by Atlas Pets.

Associate Planner, Lori Johnson explained this would be dictated by the amount of space available to the applicant.

JoAnn Zurek, 3347 167th Lane in Andover, estimated she would be able to house 30 dogs on a daily basis within the proposed kennel.

Commissioner Goracke questioned if the conditions for approval could be revisited at a future date.

Associate Planner, Lori Johnson indicated a condition for approval could be added stating the City Council will revisit the CUP if numerous noise

complaints were received from the public.

Commissioner Goracke supported this condition being added to the CUP.

Commissioner Homan explained she brought her dog to a daycare facility and stated her experience was the dogs were not an outdoor concern.

**Motion by Commissioner Goracke to recommend approval of Planning Case 17-0018 based on the following conditions:**

**Case 17-0018:**

1. **No overnight kenneling is allowed. Hours of kenneling limited to the hours between 6:00 AM and 7:00 PM.**
2. **A certificate of occupancy must be obtained for the new portion of the business. This will include Building and Fire Department review.**
3. **A fence permit must be obtained from the Building Inspection Department for the 6-foot high, board on board, maintenance free fence. The fence must be consistent with materials submitted for this application.**
4. **The business must operate in general conformance to the narrative associated with this application.**
5. **Dogs must be leashed at all times outside of the fenced area. Dogs shall not be allowed outside the fenced area other than coming to and going from the business.**
6. **Dogs in the fenced area must be attended at all times.**
7. **Dog waste must be picked up immediately by business personnel.**
8. **Barking dogs must be moved back into the building as soon as possible.**
9. **Any expansion of this business in any way will require a conditional use permit amendment.**
10. **A kennel license must be obtained through the City Clerk's office.**
11. **If the City receives numerous noise complaints regarding the outside nature of the kennel the City Council may revisit this issue in the future.**

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

**Aye:** 6 - Chair Ouellette, Commissioner Homan, Commissioner York, Commissioner Goracke, Commissioner Olson, and Commissioner Ponds

Chair Ouellette noted this would be on the agenda of the June 1, 2017 City Council meeting.

**4.5** [RES 17-073](#)

**GRANTING PRELIMINARY PLAT APPROVAL TO SUBDIVIDE 4.51 ACRES INTO 12 SINGLE FAMILY LOTS TO BE KNOWN AS BRIANS MEADOWS. WATERS EDGE INVESTMENTS, LLC. (CASE**

FILE NO. 17-0015/SLK)

The report to the Planning Commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 17-0015 was opened at 7:28 p.m.

Jason Virkus, 3184 129th Avenue NE, asked when construction would begin.

Associate Planner, Shawn Kaye anticipated the builder would begin construction shortly after receiving approval from the City, which would mean construction would begin sometime this summer.

Mr. Virkus questioned if more trees could be saved along the lot lines.

Assistant City Engineer, Dan Schluender explained that the lots had to be graded up the lot lines in order to ensure proper drainage which meant the trees along the lot lines may have to be removed. He expected the developer would work to save trees where possible as this would be an added amenity to the lots.

Chair Ouellette noted for the record the Planning Commission received a letter from Richard and Charlene Wymer stating they expressed concern regarding the loss of trees within the new development.

The public hearing was closed at 7:30 p.m.

Greg Peterson, Waters Edge Investments, introduced himself to the Commission and stated he would work to save as many trees as possible. He estimated the project would begin in early July.

Associate Planner, Shawn Kaye reviewed the tree replacement plan noting the developer would be responsible for planting three trees on each lot.

Commissioner Goracke discussed the high level of traffic along Harpers Street and believed Jamestown would assist in providing neighbors an alternate route to enter and exit the neighborhood. He asked if any additional traffic measures would be added to Harpers Street.

Assistant City Engineer, Dan Schluender stated there would be several campaigns taking place this summer to review the traffic and speed of traffic in this area of the City.

**Motion by Commissioner Olson to recommend approval of Planning Case 17-0015A a Preliminary Plat for Brians Meadows based on the following conditions:**

**Case 17-0015A:**

1. All streets will follow the Anoka County street name grid system.
2. The developer has responsibility for financial participation in 125th Avenue NE improvements associated with this development. This includes, but is not limited to, intersection improvements, traffic signal installations, and roadway widening improvements. Anoka County will specify required improvements as part of their review. The City has calculated the development potential of all of the developable property, lying north of 125th Avenue and within the current development schedule provided by the 2005 MUSA and has determined the per lot cost associated for the improvements. The 2017 rate is \$1,494 per lot. The total for the 12 lots is \$17,928, if platted in 2017.
3. Developer installed improvements shall include construction of 128th Lane and Jamestown Street within the plat including lateral sanitary sewer and water main with services, storm drainage improvements, storm water management and water quality treatment infrastructure, streets with concrete curb and gutter, 6 foot concrete sidewalks along the west side of Jamestown Street, south side of 128th Lane, streetlights, mailboxes, traffic control signs, street signs, and all appurtenant items.
4. Plans and specifications must be approved by the City prior to start of construction.
5. Trunk sanitary sewer area charges become due with platting for upland acreage. The 2017 rate for Sanitary Sewer District 6-5 is \$5,917 per upland acre. The total for the 4.51 upland acres is \$26,685 if platted in 2017.
6. Street and utility extensions are required to the edges of the plat for future connection to adjacent parcels.
7. 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.
8. Each lot shall have a minimum rear yard area behind each structure of a minimum of 20 feet from the structure at a maximum grade of 5%.
9. 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 insure access.
10. Development requires a National Pollutant Discharge Elimination System (NPDES) Permit from Minnesota Pollution Control Agency (MPCA).
11. Construction contract documents shall include a rough grading, erosion protection, sediment control, development, utilities, roadway, and storm drainage plans. 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 development plan shall indicate all structures will be protected from flooding.
13. CCWD approval is required prior to City Council consideration of

preliminary plat and a CCWD permit is required prior to City approval of construction plans and specifications.

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

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

16. 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.

17. All development signage by separate review.

18. All wells and septic systems to be properly abandoned per all local and state requirements.

19. All structures on the parcel to be removed prior to the plat being released for recording with Anoka County.

20. Park dedication is required for each of the 12 lots at the rate in effect at time of Final Plat. The 2017 rate is \$4,114 per lot or \$49,368 if platted and paid in 2017.

21. 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.

22. 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 Brians Meadows.

Motion by Commissioner Olson to recommend approval of Planning Case 17-0015B a Conditional Use Permit to allow for construction of 12 single family homes in a DF (Development Flex) zoning district based on the following conditions:

Case 17-0015B:

Single Family - DF Development Standards

Permitted Use

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.
2. Private swimming pools/meeting the requirements of Blaine Municipal



**Code Chapter 18 Article IX Swimming Pools.**

3. Keeping of not more than two (2) boarders and/or roomers per dwelling unit.

**Conditional Uses**

1. Home occupations listed as Conditional Uses fewer than 33.11.

**Standards**

1. Front yard setback - 25 feet
2. Side yard setback - 10 feet for house and 5 feet for garage.
3. Corner side yard setback - 20 feet.
4. Rear yard setback - 30 feet
5. Maximum building height - 2 1/2 stories or 35 feet.
6. 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. Accessory storage buildings below 120 square feet must meet 5-foot side and rear yard setbacks and be located within the rear yard.
7. The minimum finished floor area above grade for all homes shall be:
  - One story with basement: 1,400 square feet.
  - Multi-level dwellings: 1,500 square feet.
8. All homes to be constructed utilizing pre-approved exterior materials, roof pitches and elevations. All house exteriors to utilize maintenance-free materials to the extent possible. All house exteriors to provide enhanced window fenestration. Care to be taken to utilize 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 shall have a minimum depth and width of 24 feet.
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. Each lot shall contain one front yard tree and one boulevard tree with a minimum of 2½-inch caliper. Corner lots shall each have one additional boulevard tree. All other lots (not corner lots) will require one additional yard tree placed either in the front or rear yard.**

**Motion seconded by Commissioner York. The motion passed 6-0.**

**Aye:** 6 - Chair Ouellette, Commissioner Homan, Commissioner York,  
Commissioner Goracke, Commissioner Olson, and Commissioner Ponds

Chair Ouellette noted this would be on the agenda of the June 1, 2017 City Council meeting.

## **Adjournment**

**Motion by Commissioner Goracke to adjourn the Regular Planning Commission meeting. Motion seconded by Commissioner Homan. The motion passed 6-0. Adjournment time was 7:37 p.m.**

**Aye:** 6 - Chair Ouellette, Commissioner Homan, Commissioner York,  
Commissioner Goracke, Commissioner Olson, and Commissioner Ponds