



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, March 12, 2013

7:00 PM

Council Chambers

1.0 Roll Call - 2012-2013 Planning Commission

The Blaine Planning Commission met in the City Hall Chambers on Tuesday, March 12, 2013. Chair Ouellette called the meeting to order at 7:00 p.m.

Staff Present: Lori Johnson, Planner III
Dan Schluender, Assistant City Engineer

Present: 5 - Chair Ouellette, Vice Chair Lahti, Goracke, Bergstrom, and Radtke

Absent: 1 - Homan

2.0 Approval of Minutes

[TMP 13-838](#)

February 12, 2013 Unapproved Planning Commission Minutes

Attachments: [Feb 12, 2013 Minutes.doc](#)

Motion by Commissioner Goracke to approve the minutes of February 12, 2013, as presented. Motion seconded by Commissioner Bergstrom. The motion passed 4-0-1 (Radtke abstained).

2.1 Old Business

None.

2.2 2012/2013 Planning Commission Adjourns Sine Die

Chair Oullette adjourned the 2012/2013 Planning Commission Sine Die to complete the Oath of Office at 7:03 p.m.

3.0 Administration of Oaths of Office - Sue Lahti, Terri Homan, Jason King

The Oath of Office was administered by the City Clerk to Commissioner Sue Lahti and Commissioner Jason King.

3.1 Resumption of Adjourned Meeting

Chair Oullette reconvened the meeting at 7:07 p.m.

3.2 Roll Call - 2013/2014 Planning Commission

Present: 5 - Chair Ouellette, Vice Chair Lahti, Goracke, Bergstrom, and Radtke

Absent: 1 - Homan

4.0 New Business

4.1 [RES 13-041](#)

**GRANTING A CONDITIONAL USE PERMIT TO ALLOW
FOR OUTDOOR DINING WITH SEATING FOR TWELVE
AND TWO BENCHES AT 12410 ABERDEEN STREET,
SUITE 500. YOGURT SUNDAE. (CASE FILE NO.
13-0011/LSJ)**

Attachments: [Yogurt Sundae Attachments](#)

The report to the Planning Commission was presented by Lori Johnson, Planner III. The public hearing for Case File 13-0011 was opened at 7:10 p.m. As no one wished to appear, the public hearing was closed at 7:10 p.m.

Commissioner Bergstrom asked where the tables would be placed on the property and if they would be next to Subway's drive-thru.

Planner III, Lori Johnson reviewed the location stating the tables would not be in direct conflict with the Subway drive-thru as there was a row of parking in between the seating area and the drive-thru.

Motion by Commissioner King to recommend approval of Planning Case

13-0011 based on the following conditions:

Case 13-0011:

1. The outdoor dining area will be subject to a SAC review and payment. The applicant must work with the City's Chief Building Official and Met Council to determine the amount required for this use.
2. No outdoor advertising on the building or outdoor dining area without obtaining a permit.
3. The outdoor dining area will be limited to the above described area, and there can be no more than 12 seats and two benches in the outdoor dining area.
4. The ability to operate outdoor dining is reliant upon the applicant's ability to adequately control litter and refuse as associated with the facility.
5. No amplified outdoor music system is allowed.

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

Chair Ouellette noted this would be on the agenda of the April 4, 2013 City Council meeting.

4.2 [RES 13-042](#)

Public Hearing Case File No. 12-0036 // Thorne Bros. // 10091 Central Avenue NE

The applicant is requesting a conditional use permit to allow for an open sales lot and a 10 foot special purpose fence.

Attachments: [Thorne Bros Attachments](#)

The report to the Planning Commission was presented by Lori Johnson, Planner III. The public hearing for Case File 12-0036 was opened at 7:14 p.m. As no one wished to appear, the public hearing was closed at 7:14 p.m.

Chair Oulette requested further information on the outdoor storage.

Josh Roundsley, Thorne Brothers, explained he currently had a pod on site for three or four months out of the year that he was using for outdoor storage. This was not in compliance with City Code. He noted the ten foot wooden fence would screen the pod's when on site along with his trailer.

Motion by Commissioner Goracke to recommend approval of Planning Case 12-0036 based on the following conditions:

Case 12-0036:

1. No outdoor display is permitted on site except in the defined (fenced) area unless specific temporary sign/event permit is issued by the City.

2. Applicant to obtain a fence construction permit through the City's building department.

3. The open sales lot is limited to the height of one pod, a trailer, a cube truck, one kayak rack display, or material not otherwise stacked to exceed 12 feet in height.

4. The building to be provided with an automatic fire suppression system within three (3) years of CUP approval or such time as the building is expanded, whichever occurs first.

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

Chair Ouellette noted this would be on the agenda of the April 4, 2013 City Council meeting.

The following item has been withdrawn by the applicant. It is anticipated to be on the April agenda.

4.3 [RES 13-069](#) Public Hearing Case File No. 13-0012 // Centra Homes, LLC // Edison Street/Alamo Street

The applicant is requesting the following:

- A) Preliminary plat approval to subdivide 9.67 acres into 48 detached single family lots and five outlots to be known as The Lakes of Radisson 55th Addition.
- B) A conditional use permit to allow for construction of 48 detached single family townhomes in a DF (Development Flex) zoning district.

Attachments: [Lakes 55th Addition - Attachments.pdf](#)

4.4 [RES 13-043](#) GRANTING PRELIMINARY PLAT APPROVAL TO SUBDIVIDE 1.83 ACRES INTO FOUR (4) SINGLE FAMILY LOTS TO BE KNOWN AS MARQUEST MEADOWS EAST AT 91st AVENUE/ZUMBROTA STREET NE. SHADE TREE CONSTRUCTION, INC. (CASE FILE NO. 13-0005/LSJ)

Attachments: [Marquest East Attachments](#)
 [Marquest East Public Comments](#)
 [Marquest East - PC Minutes](#)

The report to the Planning Commission was presented by Lori Johnson, Planner III. The public hearing for Case File 13-0005 was opened at 7:19 p.m.

Noha Gubash, 2703 91st Avenue NE, stated she requested to purchase this land 10 years ago and at the time she was told the property was wetland and

was not buildable. She expressed concern that the site was now proposing to have four homes built on it.

Chair Oullette reviewed the location of the wetland on the property.

Assistant City Engineer, Dan Schluender commented that the applicant went through the watershed process and explained that 500 square feet of the wetland could be filled. He noted the remaining portion of the wetland would remain intact.

Ms. Gubash questioned why she was told the site was unbuildable and therefore she did not purchase the site. She questioned why the site was now buildable. She expressed concern also, because she has survey sticks in her yard.

Chair Oullette recommended Ms. Gubash speak with Staff regarding this matter.

Planner III, Lori Johnson asked if Ms. Gubash had ever located her property markers. She recommended this be completed noting that any concerns with the lot lines would have to be worked out between the property owners. She apologized for the past misunderstanding between Ms. Gubash and the City.

Gabe Gubash, 2703 91st Avenue NE, questioned how the filling of the wetland would be mitigated by the City. He commented that he did not want to see the adjacent properties adversely affected by the filling of the 500 square feet of wetland.

Assistant City Engineer, Dan Schluender reviewed the grading plan and proposed rain gardens with the Planning Commission in detail. He stated there would be no net effect on the adjacent properties based on the proposed grading plan. He noted the water runoff and drainage would be contained internally within the site.

Planner III, Lori Johnson encouraged Ms. Gubash to speak further with City Staff regarding this matter.

Chair Oullette noted for the record letters received from Dean Stroschein at 2618 91st Avenue, Rebecca Brooks at 2672 91st Avenue and Richard Loye at 2638 91st Avenue. He commented each of these residents opposed the proposed development.

Richard Loye, 2638 91st Avenue, explained he too was told the adjacent land could never be developed as it was a wetland. This information led him to purchase his home as it was surrounded by a private lot. He expressed concern with placing four homes on the adjacent property noting they would

have extremely small lots. He opposed the development.

Planner III, Lori Johnson noted all minimum lot requirements were being met with the proposed plat. She commented the lots were no different than those found in the surrounding neighborhoods.

Eric Richey, 2654 91st Avenue NE, was concerned that the parcel was proposing to have four homes. He suggested that the lot have two or three homes. He then questioned the builder's timeline.

Planner III, Lori Johnson explained the item would need Council approval and after that the builder would be allowed to begin construction.

The public hearing was closed at 7:40 p.m.

Commissioner Lahti asked that a band of trees be protected to provide further screening between this development and the adjacent homes.

Planner III, Lori Johnson commented the 30 foot setback area had few trees but Staff could recommend the replacement trees be placed in this area.

Commissioner Goracke questioned if the homes had to be placed so far to the rear of the property.

Darren Hulegaard, Shade Tree Construction, stated the building pads were oversized. He explained rather than doing a mass grading of the site, he was proposing to do a custom grading of each lot to preserve more trees.

James Napier, Rud Land Surveying, explained there was also a setback from the wetland that had to be followed, which pushed the building pads back on the parcel. He noted Lots #1 and #4 could be pulled forward slightly, but this would not be possible with Lots #2 and #3 due to the wetland setback.

Chair Oullette requested that the builders pull the building pads for lots #1 and #4 forward as much as possible. He then thanked those present this evening for voicing their concerns; however, the applicant has met all City requirements. He noted the final decision would be with the Council. He then encouraged Ms. Gubash to speak with the City's Engineering Department further.

Motion by Commissioner Lahti to recommend approval of Planning Case 13-0005 based on the following conditions:

Case 13-0005:

- 1. Park dedication is required for this plat at the rate of \$2,813 per lot, for a total park dedication requirement of \$11,252. This payment must be made prior**

to release of final plat mylars for recording at Anoka County.

2. Obtain a permit from the Rice Creek Watershed District prior to any construction activity or issuance of building permits.
3. Street and utility charges become due in the amount of \$56,869 for this plat. This payment is required to be paid prior to release of the final plat mylars for recording at Anoka County.
4. The City's tree preservation ordinance will require replacement of up to 28 (seven trees per lot). The replacement to be outlined in further detail as part of the approved grading plan with trees to be either shown to be planted on site or payment made to the City's tree reforestation fund. Eight of the trees will be covered by the City's standard landscape tree planting requirement of two trees per lot.
5. All homes to meet the City's Noise Abatement construction standards as outlined by Zoning Section 33.22.

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

Chair Ouellette noted this would be on the agenda of the April 4, 2013 City Council meeting.

4.5 [RES 13-044](#)

Public Hearing Case File No. 13-00014 // Shade Tree Construction // 621 115th Avenue NE

The applicant is requesting preliminary plat approval to subdivide 6 acres into 10 single family lots to be known as Marquest Meadows West.

Attachments: [Marquest West Attachments](#)

The report to the Planning Commission was presented by Lori Johnson, Planner III. The public hearing for Case File 13-0014 was opened at 7:57 p.m.

Greg Hedlund, 612 116th Lane, requested further information on the drainage for the proposed development. He expressed concern with the current grading of the site as it was flowing onto his property.

Assistant City Engineer, Dan Schluender reviewed the grading and drainage information further with the Commission noting the applicant was proposing to use the existing pond as this was where the site currently drained. He commented a drainage easement was proposed for Lot 5 to assist with the drainage from the existing church parking lot. This would also assure that no permanent structures could be built on the easement.

Pete Ekstrom, 11536 Monroe Street, asked if the proposed lot sizes were proportional to the adjacent neighborhoods.

Planner III, Lori Johnson stated that the lot sizes were roughly the same as the

neighboring lots and were approximately 10,000 square feet in size.

Guy Stengel, 662 116th Lane NE, questioned if the ponds would serve as a buffer.

Assistant City Engineer, Dan Schluender stated this was the case as the ponds would capture water in rain events but were not intended to have standing water at all times.

The public hearing was closed at 8:09 p.m.

Motion by Commissioner Goracke to recommend approval of Planning Case 13-0014 based on the following conditions:

Case 13-0014:

1. The parking lot does not meet the required 30-foot side yard parking setback on the north side of Lot 1 (church lot). The proposed lot lines of the plat must be changed to accommodate this setback.
2. Trees will be removed on seven of the lots, which translates into 42 trees being replaced by the developer. The City's per lot landscaping requirement is two trees per lot, which will accommodate 18 of the 42 trees. This means that 24 additional trees will need to be replaced. Staff is suggesting that 24 conifer trees be planted along the east side of lots 7-10 to meet tree replacement requirements. A landscape plan and escrow for the trees must be presented to the Planning Department prior to release of mylars for recording at Anoka County.
3. Park dedication will be required for the 9 new single family lots being platted at a rate of \$2,813 per lot. A total park dedication fee of \$25,317 will be required prior to release of final plat mylars for recording at Anoka County. Please note that only 9 lots count towards the park dedication fee because the church was on an existing lot.
4. Plat will need to show additional Drainage and Utility easement on rear lot line of Lots 7, 8, and 9 to accommodate proposed drainage swale.
5. Plat will need to show additional Drainage and Utility easement over portion of Lot 5 to provide drainage from church parking lot to storm pond.
6. A Coon Creek Watershed permit and NPDES permit are required prior to construction activity.
7. A letter of acknowledgement from adjacent property owner for the installation of the proposed storm sewer line to the existing pond.
8. A development agreement will be required to cover the cost of developer installed improvements.

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

Chair Ouellette noted this would be on the agenda of the April 4, 2013 City Council meeting.

ADJOURN

Motion by Commissioner King to adjourn the Regular Planning Commission meeting. Motion seconded by Commissioner Lahti. The motion passed 6-0. Adjournment time was 8:12 p.m.