

1. This site needs to meet the Highway 65 Overlay District requirements for exterior materials, and the plans that have been submitted for this proposal meet this requirement.
2. The landscaping on site needs to meet the Highway 65 Overlay District requirements and the plan provided meets those requirements with one exception. At least 25% of the trees need to be oversized to meet the Highway 65 Overlay District standards. Oversized trees must be 3-inch caliper overstory trees, 8-foot conifer trees, and it is not recommended that ornamental trees be oversized. A landscape plan must be provided that meets these requirements.
3. A pier or dock will not be allowed on the water feature adjacent to the site.
4. A lighting plan will need to be provided that illustrates that the lighting provided meets ordinance requirements. All lighting needs to be downlit and shielded to prevent glare or spill. Pole mounted lighting is limited to 20-feet in height.
5. SAC and WAC payments will also become due prior to the issuance of building permits.
6. The applicant will need to obtain a Rice Creek Watershed District permit prior to City approval of construction plans and specifications.
7. The applicant will need to provide a retaining wall design including a fence on the top of the wall.
8. A fence permit must be obtained for the dog run area.
9. This building will need to be licensed under the City's annual Rental License Program.
10. All signage is issued under a separate permit.
11. The applicant will need to obtain administrative site plan approval that will include the submittal of a Site Improvement Performance Agreement and the associated financial guarantee.

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

Chair Ouellette noted this would be on the agenda of the May 3, 2018 City Council meeting.

Item 4.8 – Case File No. 17-0058 – Public Hearing – The applicant is requesting the following:

- a.) A Preliminary Plat to subdivide an 18.5-acre outlot into one (1) lot to be known as Park Place.
- b.) A Conditional Use Permit to allow for multiple buildings on one lot, contractor yard with outside storage of materials and equipment, periodic crushing of concrete demolition materials, parking lot lighting up to 25-feet in height and special purpose fencing along the site's border.

PARK CONSTRUCTION COMPANY, 10201 XYLITE STREET NE.

The report to the Planning Commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 17-0058 was opened at 7:41 p.m.

Morgan Wells, 2772 103rd Court NE, explained he lived adjacent to the proposed business expansion. He expressed concern with how his property value would be impacted and anticipated he would have a hard time selling his home with an industrial use in the backyard. He requested the Planning Commission not approve the request.

Bob Glamm, 10314 Xylite Street, commented he was concerned with how increased noise and traffic would adversely impact his neighborhood. He reported the proposed fencing would not stop the noise. He feared that additional truck traffic coming and going from this area would create accidents.

Jay Onstad, 2716 103rd Court, stated he lived directly behind the subject property. He questioned how this property was even zoned I-2 (Heavy Industrial).

Chair Ouellette explained the zoning of this property was not up for discussion this evening. He encouraged Mr. Onstad to take this issue up with the City Council.

Mr. Onstad commented the industrial use would be detrimental to his property value and did not belong adjacent to this neighborhood.

Trevor Samaroo, 10304 Xylite Street, explained his main concerns were light pollution, increased noise and traffic. He stated the intersection at Xylite was already dangerous and he feared how his neighborhood would be impacted by additional truck traffic.

Chair Ouellette asked if the City was already studying the traffic at this intersection.

Assistant City Engineer, Dan Schluender reported the City had hired a consultant to begin a traffic study for this intersection. He explained the traffic study would be completed by the end of May and would be presented to the City Council at that point.

Mark Rohrer, 10325 Xylite Street, explained he lives on Xylite Street and owns the last vacant lot at 2660 103rd Court. He reported the vacant lot proposed for an industrial use was platted as the Sanctuary 9th Addition as an outlot. He reported this lot was a part of his neighborhood and the proposal on the table required a Conditional Use Permit in order to be allowed in a residential neighborhood. He stated he understood Gary Larson had the right to sell this land and develop this land. However, he encouraged the Commission to do their due diligence and consider if the proposed project would promote the health, safety, morals, comfort and convenience of the inhabitants of the City of Blaine. He was of the opinion this project would not protect the inhabitants of Blaine. He commented on the requirements for a Conditional Use Permit and noted each request was to be compatible with the Comprehensive Plan as well as the adjacent land uses. He explained there was to be no deterrence to adjacent properties, nor were property values to be impacted. He stated he worked with Bryan Schafer when Gary Larson brought a previous request before the City suggesting an asphalt plant be located on this property. He

indicated he was told by Mr. Schafer that (I-2A) Heavy Industrial (that supported an asphalt plant) was not a compatible use to be directly adjacent to a residential neighborhood. He requested that the City bring in four or five independent realtors to appraise his home before and after a heavy industrial use was located in his back yard. He anticipated that there would be a violation of City Code. He encouraged the City to not make the traffic situation worse at Xylite Street but rather to work through this issue with the County. He discussed Blaine's 2030 and 2040 Comprehensive Plan and appreciated the fact that the City was forward thinking. He discussed the future plans for Area 9 in the Comprehensive Plan noting the City was proposing to move away from industrial and move towards residential. He commented on how the proposed industrial project was going against this vision. He encouraged the Commission to uphold the City's regulations along with the Conditional Use Permit standards.

Chris Hildrum, 10507 Alamo Street, commented on the City's 2030 and 2040 Comprehensive Plan, noting the proposed property was an outlot for the Sanctuary neighborhood. He shared some pictures with the Commission regarding the traffic concerns at Xylite Street noting his wife was almost killed at this intersection. He reported he was told by Bryan Schafer last year that maybe Sanctuary neighborhood should not have been placed in this area of the City. He explained he and his neighbors were fighting for their neighborhood and for the value of their homes. He reiterated that Heavy Industrial was not compatible with a residential neighborhood. He stated he did not trust the City and feared that concrete crushing would be allowed in the future, even though it was not being recommended at this time. He discussed the amount of dust and debris that would be created by a concrete crushing use.

Chair Ouellette stated he understood this was a concern and noted staff was not recommending concrete crushing at this property.

Mr. Hildrum encouraged the City to reconsider their notification radius. He commented on how the entire Sanctuary neighborhood would be impacted by the proposed heavy industrial use and not just those located within 350 feet of the property. He questioned why Park Construction was even considering locating their business adjacent to a residential neighborhood considering how families and children could be impacted. He stated resident's health and safety should be foremost on the City's mind when considering this request.

Tim McDonnell, 2642 104th Court NE, asked if the vision for the City was to be "industrial". He stated he understood the City respected land owner rights, but encouraged the City to also keep in mind the rights of homeowners. He discussed how his property value would decrease if this request were approved. He commented on the gems within the City, such as the soccer fields and ice rinks. He encouraged the City to build up the perception of Blaine. He explained his neighborhood was paying some of the highest property taxes in the City. He encouraged the Commission to consider if it was their responsibility to try and make a difference in the City and to make a plan on how land will be used. He stated this location just did not make sense for a Heavy Industrial use. He implored the Commission to not offer their support to the request and questioned what power the Planning Commission had.

Chair Ouellette reported the Planning Commission was a listening body that held Public Hearings and made recommendations to the City Council.

Associate Planner, Lori Johnson reported the Planning Commission was a recommending body to the City Council.

Mr. McDonnell expressed concern that it appears the Planning Commission's hands are tied and that they would have to make a recommendation to the City Council regarding this request, even if it wasn't in the best interest of the community. He encouraged the Commission to consider the safety of this neighborhood and how it would be impacted by additional truck traffic.

Jason Smith, 2788 103rd Court, discussed how he would be adversely impacted by the proposed industrial use. He explained the outlot currently had a large number of oak trees and stated he feared that all of these would be lost. He suggested another proposal be considered for this site that offers a larger buffer between the industrial use and the adjacent residential neighborhood. He indicated it would be 15 to 20 years before the proposed trees and fencing would offer him a buffer to the proposed use.

Denise Onstad, 2716 103rd Court, stated her home would have a direct view of the proposed heavy industrial use. She commented on how the beeping of the industrial trucks would impact her quality of life. She explained she paid a premium for her lot when she moved to the Sanctuary and she feared if this request were approved, she would not be able to sell her home. She encouraged the Commission to consider what the rear of the building looks like and not just the front façade. She stated she anticipated the 25-foot lights on the site would also be shining into her home. She believed that the proposed request was not the right thing to do and she encouraged the Commission to deny the project.

William Wackman, 10315 Xylite Street, expressed concerns with the ponding that occurred on the north side of the subject property. He explained flooding issues happened twice during recent storms.

Chair Ouellette asked if these concerns would be addressed through this application.

Assistant City Engineer, Dan Schluender reported the City has cleared the downstream storm drains in order to keep water flowing in this area of the City during large rain events.

Mr. Wackman questioned if the fence would be placed on top of the berm.

Assistant City Engineer, Dan Schluender commented on the proposed location of the fence and noted a berm would not be added to the property line.

Mr. Wackman stated he was concerned about the noise that would be generated by the proposed industrial use and asked who he should contact if trucks were running at 6:00 a.m.

Chair Ouellette explained residents should contact the Police Department or the Code Enforcement Department.

Mr. Wackman commented he was a government teacher at Spring Lake Park. He stated he encourages his students to participate in government and to use their voice. He expressed frustration that the Planning Commission could not make their own recommendation without feeling their hands are tied.

William Odett, 10509 Alamo Street, stated he shared the concerns expressed by the residents of the Sanctuary. He commented he was also concerned about how this neighborhood would be impacted by light pollution. He feared his neighborhood would be adversely impacted by oil, gas and other fluids flowing into the adjacent wetlands. He discussed how dangerous traffic was at Xylite Street and encouraged the City to address this intersection.

Chadd Larson, 2692 103rd Court, indicated the hours of operation were proposed to be 7:00 a.m. to 10:00 p.m. He asked if this included truck traffic.

Associate Planner, Shawn Kaye reported no material could be moved around on the site prior to 7:00 a.m. or after 10:00 p.m.

Assistant City Engineer, Dan Schluender commented further on the construction material that would be located on the heavy industrial site.

Mr. Larson stated he colored a map highlighting all of the wetlands in his neighborhood. He read a quote to the Commission from a set of minutes in 1992 stating a reasonable and extensive boundary of wetlands or ditch was to be created to buffer between these two areas. He encouraged the Commission to consider how this request would impact the residents in this neighborhood and understand they were sensitive to further eliminating a portion of the wetlands. He also encouraged the Commission to consider the wishes of the previous City Council, noting a buffer should be in place between the residential neighborhood and the proposed Heavy Industrial use.

James DePoint, 2793 103rd Court, thanked all of his Sanctuary neighbors for attending this meeting. He stated he and his neighbors were very passionate and love their community. He explained they believed the proposed use would corrupt everything they love about their community. He strongly encouraged the Commission to fight for his neighborhood and deny the request.

Mike Person, 2732 103rd Court, stated he purchased his lot in the Sanctuary last year and noted his home abuts the wetland. He commented in order to pass inspection he had to ensure that no topsoil had run into the wetlands during construction. He reported it was determined six inches of topsoil had slid into the wetland area, which required him to shovel this material out. He discussed how the large rain events last year caused additional problems for him and noted he had to hire a backhoe to come in and correct the soil problems. He stated he was willing to pay for the expense because this was the type of neighborhood he wanted his daughter to grow up in. He indicated he was so surprised that the City could so quickly approve the filling in of wetlands. He expressed concern with how the vegetation and wildlife in his neighborhood would be impacted by the proposed industrial use. He asked if an environmental impact study had been completed for this project.

Chair Ouellette stated the environmental impacts would be considered by the watershed district.

Assistant City Engineer, Dan Schluender reported this project would not trigger an environmental analysis because the project was not large enough. He commented further on the wetland mitigation work that would have to be completed by the applicant.

Mike Lockman, 2647 103rd Court, explained he has been standing in the back of the room listening to the concerns voiced this evening. He was of the opinion this request did not meet the criteria for approving a Conditional Use Permit. He stated he feared the Commission was leaning towards approving this request without taking into consideration the concerns of the neighborhood. He indicated the neighborhood was not saying this property should not be developed, but rather, another use should be considered. He reported he worked in construction and commented on how the dust and debris from this site would adversely impact the adjacent neighbors. He encouraged the Commission to not support this request.

Dick Haluptzok, 11773 Van Buren Street, stated he has been an architect for the past 45 years. He understood there was a visual problem with the request before the Commission. He commented on how the neighborhood would be impacted visually by the proposed industrial use. He stated there are ways to block views by planting three rows of trees instead of one. He discussed the OSHA standards for backup beepers and noted the volume could be lowered. He encouraged the City to consider requiring the volumes be lowered if this met the organizations safety standards. He suggested a 16-foot-high highway acoustic wall be considered between the residential neighborhood and the proposed use. He noted this wall would deflect sound while also creating a dopler effect.

Chris Grazulis, 3790 131st Avenue, commended the residents of Blaine for voicing their concerns. He encouraged the Commission to take a stand and investigate this request further.

Commissioner Ponds stated the Commission fully participates in the City's planning process and noted each of the Planning Commission members was a resident of the City of Blaine. She reported the Commissioners were volunteers working on behalf of the City and was invested in the community.

Commissioner York commented the Commission could only make a recommendation on the issues on the table and could not make recommendations on matters that were not in front of the Commission, such as the zoning of this property.

Jeff Carlson, Park Construction, stated he understood the concerns being raised by the residents. He commented traffic within this neighborhood was an issue being addressed by the City. He reported his organization worked diligently to address safety and noted he could turn the backup alarms down. He explained the proposed lighting would be directed straight down and not out into the adjacent neighborhood.

Chair Ouellette encouraged Mr. Carlson to take questions from the neighbors after the meeting.

Mr. Carlson stated he would be available to field questions from the neighbors.

Chair Ouellette questioned if additional trees could be planted to assist in screening this use from the neighborhood.

Mr. Carlson explained he was directed by staff to have a small berm and a large fence with trees being planted along the property line. He stated he has worked with the City in order to create a buffer as much as possible.

Commissioner Halpern asked what percentage of the business would have been concrete crushing.

Mr. Carlson estimated this only equated to about 5% of his business. He stated he was a contractor that worked from Minnesota to Texas. He reported the majority of the time his equipment was not in the yard, but rather was on work sites. He indicated the equipment would only be returned to the site for maintenance and repair, or overnight hours.

Commissioner Halpern questioned what the appeal was to this location, given the fact it abutted a residential neighborhood.

Mr. Carlson stated that Park Construction was a family owned business that has been in operation for the past 100 years. He explained the business was currently located in Fridley, but has outgrown its space. He reported Blaine would be a great location for his business and his employees.

Commissioner Ponds inquired what the hours of operation would be for Park Construction.

Mr. Carlson commented his hours of operation would be 7:00 a.m. to 10:00 p.m. but noted the trucks would be leaving the site in the morning prior to 7:00 a.m.

Commissioner Homan questioned if Mr. Carlson would consider installing sound proof walls.

Mr. Carlson indicated he could look at this but stated he was uncertain of the cost and noted he had to work within a budget for this project.

Commissioner Goracke asked how many employees would be working at this location.

Mr. Carlson stated he would have 75 employees.

Mark Rohrer implored the Commission to postpone action on this request in order for the concerns expressed this evening to be further considered by the Planning Commission or until a better plan could be put forward by City staff.

Chris Hildrum asked if Park Construction would be hauling heavy silica.

Mr. Carlson reported he was involved in heavy civil construction and not the hauling of silica.

Susalyne Truckenbrod, 2655 103rd Court, stated she was in agreement with her neighbors and recommended the Planning Commission deny this request. She asked how the neighbors could request a rezoning of the subject property.

Associate Planner, Shawn Kaye explained this would require action from the City Council and agreement from the property owner.

Eugene Valley, 10503 Yancy Court, commented on a recycling facility on Old Highway 8 and encouraged the Commission to visit this facility prior to making a decision to support this request.

Mr. Odett asked why the City would allow this proposal to go through next to a residential neighborhood.

Chair Ouellette encouraged Mr. Odett to take this concern to the City Council.

Mr. McDonnell questioned why the Commission would consider allowing this industrial use when staff was already recommending the site not have concrete crushing. He believed there were enough questions that have been raised that the matter should be denied. He implored Mr. Carlson to find another location in Blaine. He feared that the neighbors would not be friendly and believed this was not the right thing to do.

The public hearing was closed at 8:46 p.m.

Commissioner Ponds asked if the proposed traffic study included the traffic from Park Construction.

Assistant City Engineer, Dan Schluender reported this information would be included in the study.

Commissioner York questioned if this property was zoned Heavy Industrial prior to the Sanctuary neighborhood being built.

Associate Planner, Shawn Kaye reported this was the case.

Commissioner Ponds inquired if the applicant had received approval from the watershed district for their request.

Assistant City Engineer, Dan Schluender stated the applicant had received approval from the watershed district.

Motion by Commissioner York to table action on Planning Case 17-0058A and 17-0058B until the Planning Commission receives further information from City staff on the traffic study. Commissioner Halpern seconded the motion.

Commissioner Goracke commended Park Construction for being in business for the last 100 years. He stated he felt for the neighbors and understood the concerns they had regarding the proposed heavy industrial use. He commented at this time he would vote against the request.

Chair Ouellette stated another option for the Commission would be to move the item forward noting the concerns the Commission had with the berming, fencing and traffic.

Commissioner York withdrew his motion to table. Commissioner Halpern withdrew his second to this motion.

Motion by Commissioner York to recommend denial of Planning Case 17-0058A a Preliminary Plat to subdivide 18.5 acres into one lot to be known as Park Place and the Conditional Use Permit to allow for multiple buildings on one parcel, contractor yard with outside storage of equipment and materials, yard lighting with pole heights up to 25-feet and special purpose fencing which would permit the taller privacy fence of 8 and 10-feet at certain locations along the borders at 10201 Xylite Street NE. Commissioner Goracke seconded the motion. The motion passed 6-0.

Chair Ouellette noted this would be on the agenda of the May 3, 2018 City Council meeting.

Chair Ouellette recessed the Planning Commission meeting at 8:53 p.m.

Chair Ouellette reconvened the Planning Commission meeting at 8:57 p.m.

Item 4.9 – Case File No. 18-0018 – Public Hearing – The applicant is requesting the following:

- a.) Rezoning from FR (Farm Residential) to DF (Development Flex).
- b.) Preliminary Plat to subdivide 10.07 acres into sixteen (16) single-family lots and two (2) outlots to be known as Cottagewood Cove.
- c.) A Conditional Use Permit to allow for construction of sixteen (16) single family homes in a DF (Development Flex) zoning district.
EXIT REALTY NEXUS, 3500 131ST AVENUE NE.

The report to the Planning Commission was presented by Natasha Lukacs, Planning and Economic Development Technician. The public hearing for Case File 18-0018 was opened at 9:02 p.m.

Chair Ouellette noted for the record a letter that was received from Patrick and Molly Vesperman noting they were concerned about the loss of trees.

Dave Mathews, 3650 131st Avenue NE, stated he was not trying to keep the developer from developing his property. However, he was opposed to the proposed rezoning noting he would like to see the wildlife in the area protected.

Lauren Prom, 12931 Legacy Creek Parkway, stated she was for the development, but noted she was concerned the proposed neighborhood would have only one entrance. She encouraged the