

**UNAPPROVED
CITY OF BLAINE
PLANNING COMMISSION MEETING MINUTES
AUGUST 10, 2022**

The Blaine planning commission met in the City Hall Chambers on Wednesday, August 10, 2022. Chair Goracke called the meeting to order at 7:00PM.

Members Present: Commission Members: Gorzycki, Homan, Swanson, and Chair Goracke.

Members Absent: Commissioner Members: Deonauth, Halpern, and Olson.

Staff Present: Elizabeth Showalter, Community Development Specialist
Shelia Sellman, City Planner
Teresa Barnes, Project Engineer

APPROVAL OF MINUTES

**Motion by Commissioner Homan to approve the minutes of July 12, 2022, as presented.
Motion seconded by Commissioner Gorzycki. The motion passed 4-0.**

OLD BUSINESS

None.

NEW BUSINESS

Item 4.1 – Case File No. 22-0045 – Public Hearing – The applicant is requesting a conditional use permit to allow for a total of three accessory structures in the R-1 (Single Family) zoning district.
ROBERT PUTZ, 12371 BUCHANAN STREET NE.

The report to the planning commission was presented by Elizabeth Showalter, Community Development Specialist. The public hearing for Case File 22-0045 was opened at 7:04PM. There were no comments from the public on this item, the public hearing was closed at 7:05PM.

Motion by Commissioner Homan to recommend approval of Planning Case 22-0045 with the following conditions:

Case 22-0045:

1. The accessory building shall be combatable in color and architectural style with the primary structure.
2. The proposed accessory building cannot be located within the drainage and utility easement. The rear of the proposed accessory building will be required to be no further than 50-feet from the rear of the existing house.
3. The accessory building space shall be used for personal storage only and may not be used for a home occupation.

Motion seconded by Commissioner Swanson. The motion passed 4-0.

Chair Goracke noted this would be on the agenda of the September 7, 2022 city council meeting.

Item 4.2 – Case File No. 22-0052 – Public Hearing – The applicant is requesting a conditional use permit to retain 1200 square feet of garage and accessory building space in an R-1 (Single Family) zoning district.
LON FIEDLER, 12352 RADISSON ROAD NE.

The report to the planning commission was presented by Elizabeth Showalter, Community Development Specialist. The public hearing for Case File 22-0052 was opened at 7:07PM. No one from the public spoke on this item, the public hearing was closed at 7:08PM.

Motion by Commissioner Swanson to recommend approval of Planning Case 22-0052 with the following conditions:

Case 22-0052:

1. The existing shed shall be reduced to no more than 222 square feet in area (approximately 16 ft x 14 ft) by July 7, 2023.
2. The applicant must apply for the necessary garage or accessory building permit from the building inspections department.

Motion seconded by Commissioner Homan. The motion passed 4-0.

Chair Goracke noted this would be on the agenda of the September 7, 2022 city council meeting.

Item 4.3 – Case File No. 22-0047 – Public Hearing – The applicant is requesting the rezoning of three properties from I-1 (Light Industrial) to I-1A (Light Industrial).
NANCY ARNDT (MJ ARNDT CONSTRUCTION/MJA BUILDING LLC), 8830 XYLITE STREET NE.

The report to the planning commission was presented by Sheila Sellman, City Planner. The public hearing for Case File 22-0047 was opened at 7:10PM. No one from the public spoke on this item, the public hearing was closed at 7:11PM.

Chair Goracke stated this item appears to be an administrative matter.

City Planner, Sheila Sellman explained this rezoning would allow for outdoor storage but noted this was allowed through a conditional use permit, which would bring the property into compliance.

Motion by Commissioner Homan to recommend approval of Planning Case 22-0047 based on the following rationale:

Case 22-0047:

1. Rezoning these parcels maintains the light industrial character, while affording the property to come into compliance with city code.

Motion seconded by Commissioner Gorzycki. The motion passed 4-0.

Chair Goracke noted this would be on the agenda of the September 7, 2022 and September 19, 2022 city council meeting.

Item 4.4 – Case File No. 22-0051 – Public Hearing – The applicant is requesting a variance to locate a detached accessory structure within the 100-foot required setback. AARON JORDAN, 12640 RADISSON ROAD NE.

The report to the planning commission was presented by Sheila Sellman, City Planner. The public hearing for Case File 22-0051 was opened at 7:16PM.

Bret Burfeind, stated he supported the proposed variance request. He thanked the City for working with the neighbors and Mr. Jordan to find a solution for this property. He explained the proposed plans for this property would reduce the impact on the wetlands along with the amount of fill that would be needed for the site. He encouraged the Commission to support the variance request.

Ben Sparks, 1979 125th Lane NE, indicated he supported the proposed variance request. He stated these plans are what the neighbors want as well as the city council. He encouraged the Commission to support the request for the variance.

Shannon Burfeind, 1925 125th Lane NE, reported she supported the proposed variance and requested the Commission to also offer their support. She believed the variance offered a great solution for both the applicant and the neighbors.

Shelley Gurrola, 1953 125th Lane NE, explained she supported her neighbors and the requested variance. She indicated this variance request was a win-win situation for all parties involved.

Tara Daher, 1913 125th Lane, stated she supported the variance moving forward. She reported this variance would keep the peace in the neighborhood and meets the needs of the applicant as well as the neighbors.

The public hearing was closed at 7:21PM.

Commissioner Homan requested further information as to why staff did not support the variance.

City Planner, Sheila Sellman explained it was her job to uphold city code and noted this variance did not meet the city's variance requirements. She indicated the commission could make a recommendation with findings to the city council and the council would make the final determination.

Chair Goracke stated an argument could be made that any one of the seven criteria was being met for the variance. He explained that the planning commission would be making a recommendation to the city council and the city council would be making the final decision. He thanked the neighbors for working respectfully with the applicant and city staff on this matter.

Motion by Commissioner Gorzycki to recommend approval of Planning Case 22-0051 based on the following conditions:

Case 22-0051:

1. No class V gravel is permitted in front of the house or garage.
2. The driveways must be reduced to a combined maximum of 4,000 square feet or less.

Motion seconded by Commissioner Homan. The motion passed 4-0.

Chair Goracke noted this would be on the agenda of the August 15, 2022 city council meeting.

Item 4.5 – Case File No. 22-0054 – Public Hearing – The applicant is requesting a conditional use permit to construct a 105-foot-tall monopole cell tower with a five foot lightning rod in an I-2 (Heavy Industrial) zoning district.
VERTICAL BRIDGE 500, LLC TOWER (LCC TELECOM SERVICES), 2201 108TH LANE NE.

The report to the planning commission was presented by Elizabeth Showalter, Community Development Specialist. The public hearing for Case File 22-0054 was opened at 7:30PM.

Mike Bieniek, LCC Telecom Services representative, introduced himself to the commission and noted he has been working with staff for the past year on this request. He discussed how city ordinance has been amended and how the project would meet all setback requirements. He commented on how the monopole will serve the residents in the area by improving cell service. He reported the FAA was part of his application process and noted no lighting would be required on the pole.

The public hearing was closed at 7:33PM.

Motion by Commissioner Swanson to recommend approval of Planning Case 22-0054 based on the following conditions:

Case 22-0054:

1. The applicant must maintain an FCC license to operate the facility.
2. No lighting is permitted.
3. No signage is permitted, except as required by state and federal regulations.
4. The structure shall be removed within 12 months of termination of transmission from the facility.
5. The equipment area shall be surrounded by a six-foot-tall opaque fence. Chain link with slats will meet this requirement.
6. The tree proposed for removal shall be replaced with a 6-foot-tall conifer tree to be located north of the equipment and/or tower.
7. The applicant shall file all paperwork required by the FAA.
8. The applicant will need to obtain a work in the Right-of-Way permit for the proposed driveway access onto 108th Avenue.

Motion seconded by Commissioner Gorzycki. The motion passed 4-0.

Chair Goracke noted this would be on the agenda of the September 7, 2022 city council meeting.

Item 4.6 – Case File No. 22-0048 – Public Hearing – The applicant is requesting the following:

- 1.) Rezoning from R-1 (Single Family), R-3B (Medium Density Multifamily) and R-3C (High Density Multifamily) to DF (Development Flex).
- 2.) Preliminary plat to create one lot and one outlot to be known as Green Acres 2nd Addition.

- 3.) Conditional use permit to construct a 111-unit apartment building in a DF (Development Flex) zoning district. The proposed building is four stories including three stories of apartments over one story of parking.
BLAINE APARTMENTS (SAMBATEK), 111 99TH AVENUE NE.

The report to the planning commission was presented by Elizabeth Showalter, Community Development Specialist. The public hearing for Case File 22-0048 was opened at 7:46PM.

Scott Spranger, 304 100th Court NE, thanked staff for the detailed presentation and answered many of his questions after reviewing the staff report. He questioned why a portion of the project had to be located across the street onto 109th Avenue.

Community Development Specialist, Elizabeth Showalter explained the property, as it exists today, includes several different parcels. She reported no construction would occur on the outlot with the pond but rather this property would be deeded to the city.

Judy Carlson, 10101 West Pleasure Creek Parkway NE, stated she lived across the street in a twinhome. She indicated she was concerned with the number of pedestrians that walk in the area and how they would be impacted by the increased traffic. She reported she did not want people from this apartment complex parking on the street, but rather should be parked on the apartment property.

Marna McComb, 10097 West Pleasure Creek Parkway NE, explained the biggest problem with this development was that there would only be one way in and out. She stated traffic in her neighborhood was already a concern and she feared how her neighborhood would be impacted by the additional traffic. She did not believe this was the right place for another apartment building.

Debra Goers, 111 99th Avenue NE, current property owner, stated she has lived in Blaine since 1981. She explained in 1983 the city proposed this property for high density development. She commented the only reason part was still zoned R-1 single family was because the property had a single-family home. She reported this property has been on the market since 2017. She believed the project before the planning commission was the best option for the site. She explained other developers had approached her with higher apartment counts. She indicated the developer has heard the concerns of the neighbors and were working to alleviate the traffic concerns.

Laurie Palermo, 453 98th Lane NE, stated she was concerned with traffic safety.

Pam Reiter, 456 95th Lane NE, explained she was unhappy with the proposed project. She believed this area of Blaine was too saturated with apartments and lacked greenspace.

Linda Lundin, 737 97th Avenue NE, stated she has lived in her home for the past 43 years. She discussed how traffic has become a concern for her neighborhood and commented on how another 200 cars would adversely impact the area.

Ladonna Dahl, 746 99th Circle NE, expressed concern with the amount and speed of traffic along 99th Avenue. She explained she did not object to the property owner selling this property, but stated she did object to the proposed number of apartment units and how the increased traffic would impact the neighbors.

Joyce Lloyd, 450 Cloverleaf Parkway NE, stated she has lived in Blaine for the past seven years and moved to the community from Minneapolis. She believed there were a lot of issues with apartment buildings. She discussed how this apartment building would contribute to global warming by taking away more greenspace. She feared the development did not have enough parking and the neighbors would be adversely impacted by cars spilling over into the neighborhood.

Sharan Clark, 295 100th Court NE, indicated she was surprised by the number of trees that would be removed by the proposed development. She discussed how this would adversely impact the wildlife in the area. She reported the traffic in her neighborhood was a major concern. She explained she supported this land remaining greenspace.

Melissa Hurd, 9923 Washington Street NE, indicated she was disappointed with the short notice the neighbors received for the neighborhood meeting. She expressed concern with the tone that was taken at the neighborhood meeting stating the neighbors were left with the sense this project was already a go. She reported the traffic in her neighborhood was a concern, especially with the blind corner as traffic approaches Cloverleaf Parkway. She stated she was extremely disappointed with the number of trees that would be lost through this development. She commented the parking proposed within this development was inadequate and she did not want cars from the apartment complex spilling onto the neighboring streets. She stated she spoke with a real estate agent and was told the property values of the neighboring homes would be adversely impacted if this project were built. She reported she adamantly opposed this development and encouraged the planning commission to deny this request.

Carol Johnson, 280 100th Court NE stated there were many lights that shine into her windows at night and discussed how the trees on the subject property assist with shielding these lights. She explained once these trees are removed the lights will be shining directly into her home. She discussed how the motorcycles and cars that drive down her street adversely impact the enjoyment of her property. She believed this development was wrong for her neighborhood and encouraged the planning commission to deny the request.

Becky Kotalik, 9926 Washington Street NE, stated she was disappointed in the city of Blaine for making this property high density within the 2040 Comprehensive Plan. She questioned if the city looked into this area well enough to determine if this was the right proposal for this property. She reported she was against the proposed request because it will adversely impact the traffic in her neighborhood. She believed there was a better use for the property and encouraged the city to reconsider the zoning of this property.

Heidi Marthaler, 566 99th Lane NE, stated she opposed the request. She reported she moved to Blaine because of the openness and open space. She discussed how the traffic in her neighborhood was already a concern and she feared how an apartment complex with 200 more cars would compound this concern. She recommended the apartment complex not be under parked because this would adversely impact the neighborhood. She suggested the city not turn this greenspace into another apartment complex because there were already enough people living in this neighborhood.

Ms. McComb suggested the city purchase this land and turn it into a park.

Ms. Hurd asked if a park would be created from the park dedication funds that were being paid by the developer of this project.

Community Development Specialist, Elizabeth Showalter reported park dedication funds were used for the construction of new parks and the redevelopment of existing parks. She indicated a new park was not being proposed for this area within the city's parks master plan.

Ms. Hurd expressed frustration with the fact the city would be receiving park dedication funds, a park would not be built in this area, and the neighborhood would be losing what little greenspace it had.

Ms. Palermo explained she paid over \$2,000 for her road to be redone last year and she feared how her roadway would be impacted by the additional traffic that would be generated from this development.

The public hearing was closed at 8:24PM.

Josh McKinney, development consultant for the applicant, stated he has listened to the neighbor's concerns both here tonight and at the neighborhood meeting. He apologized for holding the neighborhood meeting on Night to Unite. He explained he mailed his notices on July 25 and he understood it took quite some time for them to arrive. He commented on the proposed parking for the development and noted he had engaged a traffic engineer to develop a parking study. He discussed the proof of parking that would be in place should the need arise for additional parking. He reported he could work with staff on this further to ensure all parking concerns are addressed. He commented on how he had worked to reduce the number of trees that would be removed on the site. He stated he had located the building as far away as possible from the existing neighborhood to create a buffer. He indicated the apartment building was approximately 290 feet from the adjacent twinhomes, but this required trees to be removed. He indicated 50% of the trees that were being removed were not high-quality trees. He reported this apartment building would be market rate and rents would begin at \$1400 per month. He explained background and credit checks would be done for each resident in the apartment complex. He described why an access off of 101st was not feasible. He believed that the proposed access point was the best possible option for the site.

Commissioner Gorzycki requested further information regarding when the proof of parking would be built.

Mr. McKinney explained one of the thresholds would be if the cars with permits for the property were parking on the street. He stated he anticipated the additional proof of parking would be built for the site for mitigation purposes.

Chair Goracke requested staff speak further to the traffic concerns.

Project Engineer, Teresa Barnes stated city staff has received all of the comments regarding traffic. She explained 101st and 99th were labeled as collector streets which means they have limited access. She discussed the trips per day on these roadways noting they were designed to carry 15,000 trips per day and were currently managing just under 7,000 trips per day. She estimated the apartment complex would generate an additional 750 trips per day, which would be manageable for these roadways. She commented the city was in the process of addressing the bussing and pedestrian concerns with the school district. She indicated staff could place counters before and after construction in order to get an accurate number of trips per day on these roadways.

Chair Goracke questioned who these neighbors should be contacting with speeding concerns.

Project Engineer, Teresa Barnes encouraged the neighbors to contact the Blaine Police Department with concerns regarding speeding and parking concerns. She commented further on how all sight distance requirements were being met for both roadways.

Chair Goracke asked if a stop light was being considered at 99th and 101st.

Project Engineer, Teresa Barnes stated a stop light at 99th and 101st was not possible for spacing reasons with the existing stop light at 99th and Cloverleaf Parkway.

Chair Goracke requested further comment regarding the tree removal on this property.

Community Development Specialist, Elizabeth Showalter discussed the number of trees that were being removed and noted city code allows for the removal of trees with a replacement requirement. She explained the applicant would be replanting more than eight trees per acre, which exceeded the city's replacement requirements. She addressed the appropriateness of high density residential on this lot. She stated the city is obligated to have different densities throughout the city and in order to be served by regional sewers the city must have dense enough housing. She reported the city is required to have a certain amount of land designed high density residential. She indicated this property was identified as high density residential given its close proximity to a collector road and existing apartments. She reported lighting on this site would be regulated by the city's lighting ordinance. She commented this land was not identified within the parks master plan for a park or open space.

Chair Goracke stated he felt bad that the neighbors received such late notices for the neighborhood meeting.

Community Development Specialist, Elizabeth Showalter explained the neighbors received two notices, one from the developer for the neighborhood meeting and one from the city for this meeting. She stated the city's neighborhood meeting policy requires developers to contact anyone living within 350 feet of the subject property, which was in alignment with state statute.

Chair Goracke inquired if there were further comments or questions from the commission.

Commissioner Gorzycki questioned if this development was causing any traffic hazards or congestion.

Project Engineer, Teresa Barnes reported staff found there were no concerns because the additional 750 trips would not cause additional traffic concerns due to the design of the roadway and the fact that this was a collector street.

Commissioner Homan explained she was given a public notification for this planning case and therefore would be recusing herself from voting on this matter.

Chair Goracke thanked all of the neighbors for offering their comments in a respectful manner. He stated the city council would make the final decision on this matter.

Motion by Commissioner Gorzycki to recommend approval of Planning Case 22-0048A a rezoning from R-1, R-3B, and R-3C to Development Flex based on the following rationale:

Case 22-0048A:

1. The existing zoning is not consistent with the HDR (High-Density Residential) land use, and the proposed zoning allows for construction of an apartment building consistent with the land use.
2. The DF (Development Flex) zoning allows for some flexibility in standards in exchange for larger amounts of open space and higher architectural standards.

Motion by Commissioner Gorzycki to recommend approval of Planning Case 22-0048B a preliminary plat subdividing three lots and one outlot into one lot and one outlot to be known as Green Acres 2nd Addition with the following conditions:

Case 22-0048B:

1. Park dedication is required for the 111 new residential units being constructed at the rate of \$4,449 per unit, for a total park dedication fee of \$493,839 if paid and recorded

in 2022. This amount must be paid prior to releasing the plat mylars for recording at Anoka County.

2. All development signage by separate review.
3. All existing structure removals require demolition permits. All wells and septic systems shall be properly abandoned per all local and state requirements.
4. The developer is responsible for recording the plat mylars with Anoka County. Proof of recording must be provided to the City prior to issuance of building permits.
5. 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.
6. Outlot A shall be deeded to the City prior to release of any financial guarantees associated with the project.
7. The existing driveway shall be removed and restored to turf grass prior to release of any financial guarantees associated with the project.

Motion by Commissioner Gorzycki to recommend approval of Planning Case 22-0048C a conditional use permit for a 111 unit, four story, apartment building with the following conditions:

Case 22-0048C:

1. Floor plans, elevations, and civil plans shall be generally consistent with the plans submitted on July 11, 2022 and dated July 8, 2022 (floor plans and elevations) and June 15, 2022 (civil plans).
2. The following setbacks shall be met:
 - Front (101st Avenue): 50-foot building/30 feet parking
 - Rear (west): 20 feet building/30 feet parking
 - Side (south and north): 15 feet building/15 feet parking
3. At least three premium materials shall be present on each elevation comprising at least 50% of the wall area of each façade and the building and all elevations shall be treated similarly. Premium materials include any materials listed in 32.54(a)(1) of the zoning code.
4. All disturbed areas, except for those within stormwater basins or associated buffers shall be sodded.

5. A proof of parking plan shall be provided showing that the full 204 stalls can be constructed on the site.
6. The following quantities are required:
 - Overstory: 26
 - Conifer: 18
 - Ornamental: 18
 - Shrubs: 120
7. Eight high quality trees shall be preserved as shown on the above referenced plans.

Motion seconded by Commissioner Swanson. The motion passed 2-1-1 (Commissioner Gorzycki opposed, and Commissioner Homan abstained).

Chair Goracke noted this would be on the agenda of the September 7, 2022 city council meeting.

ADJOURNMENT

Motion by Commissioner Homan to adjourn the regular planning commission meeting.
Motion seconded by Commissioner Gorzycki. The motion passed 4-0. Adjournment time was 8:50PM.

Respectfully submitted,

Heidi Guenther
Minute Maker Secretarial