



# City of Blaine Anoka County, Minnesota Minutes - Final

Blaine City Hall  
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, January 12, 2016

7:00 PM

Council Chambers

---

### 1. Roll Call

The Blaine Planning Commission met in the City Hall Chambers on Tuesday, January 12, 2016. Chair Ouellette called the meeting to order at 7:00 p.m.

Staff Present: Shawn Kaye, Associate Planner  
Lori Johnson, Associate Planner  
Tom Scott, Project Coordinator  
Dan Schluender, Assistant City Engineer

**Present:** 7 - Chair Ouellette, Homan, York, Goracke, Bergstrom, Olson, and Ponds

### 2. Approval of Minutes

[TMP 15-0711](#)

Approval of December 8, 2015 Planning Commission Minutes

**Motion by Commissioner Homan to approve the minutes of December 8, 2015, as presented. Motion seconded by Commissioner York. The motion passed 6-0-1 (Bergstrom abstained).**

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

**Abstain:** 1 - Bergstrom

### 3. Old Business

None.

None

### 4. New Business

**4.1**     [RES 16-017](#)

GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR CONSTRUCTION OF A 17,031 SQUARE FOOT RETAIL BUILDING, A ZERO LOT LINE ON THE SOUTH LOT LINE FOR SHARED PARKING AND DRIVEWAY ACCESS, A ZERO LOT LINE ON THE SOUTH SIDE FOR THE PROPOSED BUILDING, AND 40 FOOT FREESTANDING LIGHT STRUCTURES IN THE NATIONAL MARKET CENTER DEVELOPMENT AT 105TH AVENUE/DAVENPORT STREET NE. PETER DEANOVIC - BUHL INVESTORS (PETSMART). (CASE FILE NO. 15-0074/SLK)

The report to the Planning Commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 15-0074 was opened at 7:06 p.m.

Peter Deanovic, Buhl Investors, introduced himself to the Planning Commission and explained he was available for questions.

The public hearing was closed at 7:07 p.m.

Commissioner Goracke questioned if this would be a new Petsmart or a relocation. Mr. Deanovic reported this would be a new location with a brand new floor plan.

Commissioner Bergstrom asked if vet services would be offered at this Petsmart. Mr. Deanovic reported vet services would not be offered but understood grooming services would be offered at this location.

**Motion by Commissioner Goracke to recommend approval of Planning Case 15-0074 based on the following conditions:**

**Case 15-0074:**

1.    **Site and buildings to be constructed consistent with submitted materials made part of this Conditional Use Permit application. However, the site plan will be subject to further site plan review related to landscaping and all site improvements. The landscape plan to meet the requirements set forth in the Zoning Ordinance including the Overlay District related to quantity and size of trees.**
2.    **Site plan and grading approval required prior to site work and building permits.**
3.    **Temporary signage regulated under Zoning Ordinance Section 34.13.**
4.    **Permanent signage requires a separate permit approval process.**
5.    **No exterior unscreened overnight storage of shopping carts, pallets or delivered products.**
6.    **No overnight storage of semi-trailers or delivery vehicles unless adjacent**

to loading dock areas.

7. All lighting on site must meet requirements established by Section 33.02 of the Zoning Ordinance. Freestanding light structures limited in height to not more than 40 feet.

8. No light or combination of lights that cast light upon a public street shall exceed one-foot candle meter reading as measured at the edge of the roadway.

9. All lights on site must be downlit and shielded to prevent glare or spill onto adjacent roads and properties.

10. Developer shall maintain all sidewalks and landscaping within the public right-of-way.

11. The building must be designed and maintained in accordance with the MN Uniform Fire Code.

12. The exterior building materials to match those on the submitted plans.

13. All site improvements to be included in site improvement performance agreement and covered by an acceptable financial guarantee.

14. All necessary cross-access and maintenance agreements be executed and maintained to support the shared access and drives.

15. No outside display or storage of products is allowed at any time on site.

16. A permit from the Coon Creek Watershed District is required prior to the City's approval of plans.

**Motion seconded by Commissioner Olson. The motion passed 7-0.**

**Aye:** 7 - Chair Ouellette, Homan, York, Goracke, Bergstrom, Olson, and Ponds

Chair Ouellette noted this would be on the agenda of the February 4, 2016 City Council meeting.

#### **4.2**     [RES 16-016](#)

GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR THE CONSTRUCTION AND OPERATION OF A 7,000 SQUARE FOOT DAYCARE CENTER TO BE LOCATED IN A B-3 (REGIONAL COMMERCIAL) ZONING DISTRICT, LOCATED AT 12267 ABERDEEN STREET NE. BRIAN KOVAR. (CASE FILE NO. 15-0075/LSJ)

The report to the Planning Commission was presented by Lori Johnson, Associate Planner. The public hearing for Case File 15-0075 was opened at 7:13 p.m. As no one wished to appear, the public hearing was closed at 7:13 p.m.

Chair Ouellette believed the proposed daycare center would be a good fit for this property.

**Motion by Commissioner Ponds to recommend approval of Planning Case**

**15-0075 based on the following conditions:**

**Case 15-0075:**

- 1. All site and landscaping improvements must be constructed as shown on these plans with all required staff changes included on the plans.**
- 2. The landscaping and building must meet the requirements of the Highway 65 Overlay District. The landscape plan meets these requirements and the building does as well.**
- 3. The landscape plan must also meet buffer yard flexibility requirements on the east side of the site and the current plan meets those requirements.**
- 4. Sod must be placed over 4 inches of black dirt containing no more than 35% sand over the entire site. Underground irrigation system is also required for the entire site and boulevard.**
- 5. The 8-foot fence on the east side of the site must be a vinyl maintenance free fence.**
- 6. The type of fencing around the play area must be reviewed by staff prior to the item going to the City Council for review.**
- 7. Separate permits will need to be issued for the fences.**
- 8. If any canopies will be used in the play yards, staff must approve the design and materials to be used.**
- 9. Payment of SAC and WAC with building permit.**
- 10. All signage will be issued under separate permits. The site is allowed one monument style sign that is no more than 14 feet in height and no greater than 140 square feet. Wall signage is allowed on two sides of the building. Temporary signage also requires a permit.**
- 11. No lighting or signage will be allowed on the east side of the building other than security lighting. All lighting must be downlit and shielded to prevent glare or spill. A lighting plan must be submitted that meets the requirements of the zoning ordinance.**
- 12. Applicant is required to obtain a Coon Creek Watershed permit prior to any site work.**
- 13. Applicant to obtain and adhere to all required County or State licensing requirements.**
- 14. Site plan approval with execution of a Site Improvement Performance Agreement (SIPA) and acceptable financial guarantee is required prior to issuance of a building permit or commencement of any site work.**

**Motion seconded by Commissioner Bergstrom. The motion passed 7-0.**

**Aye:** 7 - Chair Ouellette, Homan, York, Goracke, Bergstrom, Olson, and Ponds

Chair Ouellette noted this would be on the agenda of the February 4, 2016 City Council meeting.

#### 4.3 [ORD 16-2339](#)

#### SECOND READING

REZONING FROM FR (FARM RESIDENTIAL) TO DF (DEVELOPMENT FLEX) FOR THE HIDDEN ACRES DEVELOPMENT AT 114TH AVENUE NE/PIERCE STREET NE. CARDINAL LAND COMPANY, LLC. (CASE FILE NO. 15-0072/SLK)

The report to the Planning Commission was presented by Shawn Kaye, Associate Planner. The public hearing for Case File 15-0072 was opened at 7:19 p.m.

Thomas Tix, 996 114th Avenue, asked if the water in the area would further impact the surrounding properties. He reported he had water in his basement in the spring of 2014. He feared how the new homes would impact his basement.

Assistant City Engineer, Dan Schluender discussed the applicant's grading plan for the site. He explained an oversized pond was being proposed for the north end of the site and would accommodate all of the drainage for the parcel.

James Sotanski, 1057 113th Avenue NE, expressed concern about the water table on his property as well. He did not believe the developer would be able to construct walkouts in the new development given the high water table in this area. He questioned where the developer would be storing snow.

Assistant City Engineer, Dan Schluender discussed the snow removal plans for the new development and anticipated that the snow would be stored on the single-family properties.

Mr. Sotanski asked if the property would be clear cut.

Assistant City Engineer, Dan Schluender stated that based on the proposed grading plan all of the trees on the site would be lost. He noted a tree inventory has been completed and replanting would occur.

Mr. Sotanski expressed concern with the ghost plat.

Assistant City Engineer, Dan Schluender explained Outlot A would be used for a stormwater pond. He indicated all future outlots would be platted upon receipt of future development applications.

Mr. Sotanski further discussed the water runoff from his property and how the proposed cul-de-sac would impact his land. He suggested Lot 4 and Lot 5 be

removed from the plat so there could be a street extension in this location.

Chair Ouellette asked if Mr. Sotanski had an offer on his property.

Mr. Sotanski did not have any offers at the time. However, he would be willing to sell his property to a developer with the stipulation that he could lease it back for life and at the time of his death, his home could be razed and the property could then be turned into a park. He feared how his property would be impacted if the proposed development were approved, as it would close off his property. He wanted the City to create a more congenial plan.

Chair Ouellette commented the Planning Commission was considering a request for the neighboring parcel at this time. He encouraged Mr. Sotanski to speak with City staff, a developer and create a plan.

Commissioner York believed Mr. Sotanski's next step would be to speak with City staff regarding the plans he had for his property.

Josh Kersten, 1101 113th Avenue, asked if the existing ditch would remain in place along the western property line.

Assistant City Engineer, Dan Schluender reported this was the plan.

Hazel Blanchette, 1516 122nd Avenue NE, noted she owns property at 11452 Central Avenue between the two mini storages. She asked if her taxes would be raised on this commercial parcel.

Associate Planner, Shawn Kaye indicated the proposed residential development should not impact Ms. Blanchette's commercially zoned property taxes.

Rick Glubke, 11451 Polk Street, explained he lived next to Hidden Ponds Park. He expressed concern with how his property value and property taxes would be impacted after the new development was complete. He recommended the lot size be reconsidered to more closely match the surrounding neighborhood.

Chair Ouellette discussed the recent developments that had been approved by the City with varying lot sizes.

Commissioner York added that it was not up to the City to determine what would be placed on the property. He explained that this was determined by the developer and the needs within the housing market.

Associate Planner, Shawn Kaye indicated this was the case and noted the market was driving the request of the proposed lot size.

Mr. Glubke understood this issue but stated he would like to see less density and more space between the proposed units within the new development. He asked if the property would have to be dewatered in order to install the utilities.

Assistant City Engineer, Dan Schluender discussed the dewatering process for new developments.

Mr. Tix asked if the Planning Commission could recommend to the City Council an adjustment to the density within the proposed development, given the water concerns on the property.

Associate Planner, Shawn Kaye explained the City Council would receive a copy of the Planning Commission minutes and will hear the comments and concerns from the public.

Chair Ouellette indicated the Planning Commission does not have the latitude to reengineer the proposed development and noted the concerns of the public would be taken into consideration by the City Council, who would be making the final decision on this Planning Case.

As no one else wished to appear, the public hearing was closed at 7:56 p.m.

Steve Bona, Cardinal Land Company and Capstone Homes, explained Capstone Homes would be constructing all of the homes within the proposed development. He reported the detached villas have been built elsewhere in Blaine and were geared towards empty nesters. He anticipated the units would sell in the mid \$300,000 price range. He discussed the unique characteristics that would be constructed into each unit. He indicated there would be thoughtful design with regard to window placement. He commented the ghost plat to the east was created to fit in with the proposed development. He stated he would be more than happy to speak with the neighboring property owners to discuss future development of their sites.

Commissioner Bergstrom asked if the developer had considered a through access to 113th Avenue on the proposed ghost plat, which would allow for two access points into the development.

Mr. Bona indicated this was not considered given the fact the existing homes would have to be removed in order for him to have enough right-of-way.

Commissioner Bergstrom questioned if City staff had any concerns with the proposed development having only one access point.

Assistant City Engineer, Dan Schluender reported staff did not have any

concerns with the single access point.

Mr. Bona explained that there was a potential for the development to connect via the ghost plat to 114th Avenue to the north at some point in the future.

**Motion by Commissioner Ponds to recommend approval of Planning Case 15-0072A a rezoning from FR (Farm Residence) to DF (Development Flex) based on the following rationale:**

**Case 15-0072A:**

1. The rezoning allows the developer and the City to have more flexibility in zoning standards to create a nice product and development that fits in with the existing neighborhood.
2. The rezoning and proposed project density fits with the existing land use of LDR (Low Density Residential) on the property.

**Motion by Commissioner Ponds to recommend approval of Planning Case 15-0072B a Preliminary Plat approval to subdivide 9.83 acres into 29 lots and one (1) outlot to be known as Hidden Acres based on the following conditions:**

**Case 15-0072B:**

1. The applicant will be required to pay park dedication for this plat in the amount of \$3,744 (2016 rate) per lot, for total due of \$108,576. This fee must be paid prior to release of the final plat mylars for recording at Anoka County.
2. Coon Creek Watershed District permit is required prior to any site work. The Developer shall be responsible for the construction, maintenance, and repair of storm water features.
3. Pierce Street NE and 114th Avenue NE requires dedication of 60 feet of right-of-way and shall be constructed to 29 feet back to back in width.
4. Site plan and grading approval is required prior to any construction activities occurring on site.
5. As-built surveys shall be required to verify structure elevations, custom grading requirements, and final lot grading elevations.
6. The developer will be responsible for installation of sanitary sewer, water main, storm drainage improvements, street with concrete curb and gutter, 6 foot concrete sidewalk, 8 foot bituminous trail, street lights, mailboxes, traffic control signs, street signs, and all appurtenant items. The City shall approve plans and specifications prior to start of construction.
7. All Streets will follow the Anoka County street name grid system. The proposed street shall be named Pierce Street NE and 114th Avenue NE.
8. Standard utility and drainage easements must be dedicated along all lot lines and over areas of infiltration trenches, drainage swales, and storm water management ponds. The Developer is to provide access for inspection and maintenance of the storm water management infrastructure. Restrictions will be placed on lot lines as needed to limit fences and landscaping to insure



access. Design of landlocked storm water features must be designed based on back-to-back 100 year events.

9. In addition to the sidewalk and trail sections required along public streets an 8-foot bituminous trail is required between 114th Avenue and the City trail connection to the north of the plat (Hidden Park Trail) as well as eastward between proposed lots 12 and 13.

10. Trail between the two lots (lots 12 and 13) to be contained in a separate 20-foot wide outlot to be deeded to the City.

11. The Mayor, City Clerk and City Manager are hereby authorized to execute any and all necessary documents, agreement and releases related to the approval, recording or administration of Hidden Acres.

Motion by Commissioner Ponds to recommend approval of Planning Case 15-0072C a Conditional Use Permit to allow for construction of 29 single family homes (detached townhomes) in a DF (Development Flex) zoning district based on the following conditions:

**Case 15-0072C:**

**Single Family - DF Development Standards**

**Permitted Uses**

1. Single-family detached dwellings.
2. Group family daycare.

**Accessory Uses**

1. Private garages-attached. 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 Section 6-121.
3. Keeping of not more than two (2) boarders and/or roomers per dwelling unit.

**Conditional Uses**

1. Home occupations as regulated by Zoning Chapter 33.11 (d) (3).

**Standards**

1. Setbacks shall be as follows:

Front Yard 25 Feet  
Rear Yard 30 Feet  
Side Yard Interior 7.5 Feet (Garage and Living Space)  
Side Yard Corner 20 Feet

2. Maximum building height - 2 1/2 stories or 35 feet.
3. 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 (1,200) square feet. Detached garages or accessory storage buildings above 120 square feet are not permitted.

4. Accessory storage buildings below 120 square feet must meet 5-foot side and rear yard setbacks and be located within the rear yard.

5. The minimum finished floor area above grade for all homes shall be:

- 1,380 square feet for single level (rambler)
- 2,000 square feet for a two-story home.

All homes shall have a minimum depth and width of 24 feet.

6. All homes to be constructed are to be consistent in architecture, materials and style with the drawings/elevations attached to this CUP.

7. All residential dwellings must be built in conformance with the current edition of the Minnesota State Building Code.

8. 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.

9. 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).

10. Each lot shall contain two front yard trees and one rear yard tree (3 total trees) with a minimum of 2½-inch caliper. One of the required front yard trees may be an ornamental tree (2 inch minimum). Corner lots shall each have one additional boulevard tree (four total trees).

11. Underground irrigation is required for all lawn and landscaped areas.

12. Homeowners Association to be formed and provide maintenance of all private drives, snow removal, lawn, landscaping, underground irrigation, and landscape island in the cul-de-sac.

13. Developer to execute and record, with the sale of each single family lot, an affidavit indicating to homebuyers that the soils located in the rear and side yards of the single family lots have not been corrected to accommodate general building construction or pools and that additional effort may be required, by the homeowner, to stabilize those soils before additional construction could occur.

14. Fences are allowed in the rear yard only and must utilize maintenance free materials.

**Motion seconded by Commissioner Olson. The motion passed 7-0.**

**Aye:** 7 - Chair Ouellette, Homan, York, Goracke, Bergstrom, Olson, and Ponds

Chair Ouellette noted this would be on the agenda of the February 4, 2016

City Council meeting.

#### 4.4 [ORD 16-2342](#)

##### SECOND READING

GRANTING A CODE AMENDMENT TO THE I-2 (HEAVY INDUSTRIAL) AND I-2A (HEAVY INDUSTRIAL) ZONING DISTRICTS THAT WOULD ESTABLISH NEW MINIMUM BUILDING STANDARDS FOR OUTSIDE STORAGE USES (GREATER THAN ONE ACRE) AND TRUCK TERMINALS. CITY OF BLAINE. (CASE FILE NO. 15-0076/BKS)

The report to the Planning Commission was presented by Lori Johnson, Associate Planner. The public hearing for Case File 15-0076 was opened at 8:12 p.m. As no one wished to appear, the public hearing was closed at 8:12 p.m.

**Motion by Commissioner Goracke to recommend approval of Planning Case 15-0076 based on the following rationale:**

##### **Case 15-0076:**

1. **Generally the City has a very limited supply of heavy industrial land and it is the City's goal to see that land developed with higher levels of investment and employment whenever possible.**
2. **The proposed changes would require greater investment in buildings in order to utilize large areas of industrial land for outside storage**
3. **The proposed changes would require freight/heavy trucking uses to make more significant investments in land and buildings, which would result in higher property values and greater employment numbers.**

**Motion seconded by Commissioner York. The motion passed 7-0.**

**Aye:** 7 - Chair Ouellette, Homan, York, Goracke, Bergstrom, Olson, and Ponds

Chair Ouellette noted this would be on the agenda of the February 4, 2016 City Council meeting.

#### 4.5 [ORD 16-2340](#)

##### SECOND READING

REZONING FROM I-1 (LIGHT INDUSTRIAL) TO I-2 (HEAVY INDUSTRIAL) AT THE NORTHEAST CORNER OF NAPLES STREET/101ST AVENUE NE. CITY OF BLAINE. (CASE FILE NO. 15-0077/BKS)

The report to the Planning Commission was presented by Lori Johnson, Associate Planner. The public hearing for Case File 15-0077 was opened at 8:15 p.m. As no one wished to appear, the public hearing was closed at 8:15 p.m.

**Motion by Commissioner York to recommend approval of Planning Case 15-0077A a Comprehensive Plan Land Use Amendment from LI (Light**

Industrial) to HI (Heavy Industrial) based on the following rationale:

**Case 15-0077A:**

1. The HI land use supports a wider range of industrial uses given the ability for outside storage, which is a land use category in high demand but with limited opportunities within the city.
2. The area to be guided has good access to 35W, which is commonly desired by heavy industrial users.
3. The area to be guided is not readily visible from 35W which limits the impact of outside storage areas.
4. The HI land use is more in keeping with the heavy industrial land uses located on the west side of Naples.

Motion by Commissioner York to recommend approval of Planning Case 15-0077B a Rezoning from I-1 (Light Industrial) to I-2 (Heavy Industrial) based on the following rationale:

**Case 15-0077B:**

1. The I-2 zoning supports a wider range of industrial uses given the ability for outside storage, which is a zoning category in high demand but with limited opportunities within the city.
2. The area to be rezoned has good access to 35W, which is commonly desired by heavy industrial users.
3. The area to be rezoned is not readily visible from 35W, which limits the impact of outside storage areas.
4. The I-2 zoning is more in keeping with the heavy industrial land uses located on the west side of Naples.

**Motion seconded by Commissioner Olson. The motion passed 7-0.**

**Aye:** 7 - Chair Ouellette, Homan, York, Goracke, Bergstrom, Olson, and Ponds

Chair Ouellette noted this would be on the agenda of the February 4, 2016 City Council meeting.

## **Adjournment**

**Motion by Commissioner Goracke to adjourn the Regular Planning Commission meeting. Motion seconded by Commissioner Ponds. The motion passed 7-0. Adjournment time was 8:16 p.m.**