City of Blaine
Planning Commission

June 13, 2023 | 7:00 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

The Planning Commission is an advisory board 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. For each agenda item the Commission will receive reports prepared by the City staff, open the public hearing, discuss and act on the application.

Public comments prior to the meeting must be received by 4:30 PM on the Monday prior to the meeting date. Email comments to: Planning@BlaineMN.gov or phone 763-785-6180.

AGENDA

1. Call to Order

2. Approval of Minutes

2.1. 2023-207 Approval of the May 9, 2023 Planning Commission Minutes
Sponsors:

3. Public Hearing

3.1. 2023-135 Case File No. 23-0042 // Blaine Quality Automotive // 9664 Central Avenue NE
The applicant is requesting a conditional use permit amendment to allow overnight outside storage of up to 13 vehicles in a B-2 (Community Commercial) zoning district.
Sponsors: Elizabeth Showalter, Community Development Specialist

3.2. 2023-201 Case File No. 23-0046 // Aaron Jordan // 12640 Radisson Road NE
The applicant is requesting a variance to allow a 6-foot privacy fence in the front yard along Radisson Road NE.
Sponsors: Shawn Kaye, Planner

3.3. 2023-202 Case File No. 23-0049 // Montessori School of Chantilly // 641 89th Avenue NE

The applicant is requesting a conditional use permit to operate a preschool/daycare in the Christ Lutheran Church building in the R-1 (Single Family) zoning district.
Sponsors: Shawn Kaye, Planner

3.4. 2023-203 Case File No. 23-0050 // Ben Saefke // 2857 108th Lane NE
The applicant is requesting a conditional use permit to construct an 8 foot fence in the rear yard on a property adjacent to a county roadway in the R-1B (Single Family) zoning district.
Sponsors: Elizabeth Showalter, Community Development Specialist

3.5. 2023-204 Case File No. 23-0051 // On the Green, Indoor Golf // 12507 Central Avenue NE
The applicant is requesting a conditional use permit to operate a year-round golf experience with indoor virtual golf simulators in the B-3 (Regional Commercial) zoning district.
Sponsors: Shawn Kaye, Planner

4. Adjournment

City of Blaine
Planning Commission

May 9, 2023 | 7:00 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

MINUTES

1. Call to Order

The Blaine planning commission met in the City Hall Chambers on Tuesday, May 9, 2023. Chair Goracke called the meeting to order at 7:00PM.

2. Roll Call

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

Members Absent: None.

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

3. Approval of Minutes

3.1. 2023-177 Approval of the April 12, 2023 Planning Commission Minutes.
Sponsors:

Motion by Commissioner Olson to approve the minutes of April 12, 2023, as presented. Motion seconded by Commissioner Homan. The motion passed 5-0-2 (Commissioners Deonauth and Halpern abstained).

4. Public Hearing

4.1. 2023-134 Case File No. 23-0039 // Robin Bieniek // 10655 Quincy Boulevard NE
The applicant is requesting a variance to allow a six-foot fence in the front yard along one property line.
Sponsors: Sheila Sellman, City Planner

The report to the planning commission was presented by Sheila Sellman, City Planner. The public hearing for Case File 23-0039 was opened at 7:04PM.

Robin Bieniek, 10655 Quincy Boulevard NE, explained she was requesting a higher fence because she has been stalked and harassed for the past seven years by her neighbor. She reported a 30-year restraining order was just put in place against her neighbor. She noted she has tried to build other fences, but this fence was one-half inch onto her neighbor's property and this neighbor called the city to complain and the entire fence had to be torn down. She commented further on the harassment she and her children have received from her neighbor. She stated a fence was required in order to improve her privacy, safety and for the peaceful use of her property.

Daniel Nessenson, Robin Bieniek's father, stated he has tried to let the neighbors work things out, but Robin's neighbor has now threatened to shoot him. He explained the neighbor continually harasses her daughter and this has to stop. He requested the Commission approve the proposed fence.

Brian Segnar, 10661 Quincy Bouelvard, explained he has been having trouble with the applicant, his neighbor. He stated he was not how his neighbor was depicting him. He reported he was dealing with cameras and he believed the police was not doing their job. He indicated he was in an accident recently. He discussed how the applicant had taken up a retaining wall along his property line. He noted this retaining wall held back rocks on his property and now his neighbor has called and had him arrested for him being on her property. He understood his neighbor's dad built a fence without properly surveying the property and the fence was built on his property. He stated this fence has since been removed after being in place for one year. He discussed how he has helped his neighbor in the past and stated he has tried to get along with his neighbor. He indicated he supported the fence being in place, eight feet in height if possible.

The public hearing was closed at 7:19PM.

Commissioner Olson asked if the fence would be on the north property line. Ms. Sellman reported this was the case.

Commissioner Olson questioned if the fence would run into the rear yard. Ms. Sellman indicated the fence would only be installed in the front yard as a barrier between the two properties.

Commissioner Olson inquired if this type of fence was allowed anywhere else in Blaine. Ms. Sellman explained another step down fence had been allowed in this same subdivision through a variance.

Motion by Commissioner Halpern to recommend approval of Planning Case 23-0039 based on the following conditions:

Case 23-0039:

1. A fence permit is required.
2. The applicant must locate the property line on north side of the lot to make sure the location is not in obstruction of motor vehicle maneuvers and that the fence is on the property. The property pin must be exposed at time of installation and inspection.
3. The fence cannot exceed six feet and must step down as demonstrated in the attached plan.
4. White vinyl fencing shall be used.

Motion seconded by Commissioner Deonauth. The motion passed 7-0.

Chair Goracke noted this would be on the agenda of the June 5, 2023 city council meeting.

4.2. 2023-130 Case File No. 23-0020 // Park Construction Company (Carlson Group LLC) // 10101 Naples Street NE
The applicant is requesting the following in an I-2 (Heavy Industrial) zoning district:

1. Conditional use permit for outside storage and multiple buildings on one lot.
2. Interim use permit to operate a contractors' yard for concrete crushing.

Sponsors: Elizabeth Showalter, Community Development Specialist

The report to the planning commission was presented by Elizabeth Showalter, Community Development Specialist. The public hearing for Case File 23-0020 was opened at 7:29PM. As no one wished to appear, the public hearing was closed at 7:30PM.

Commissioner Halpern requested further information on why the applicant would like access to the stormwater pond.

Jeff Carlson, representative for the applicant, explained he would like to retain access to the stormwater pond for snow removal purposes.

Commissioner Gorzycki questioned when the applicant would be crushing material.

Mr. Carlson reported this would occur from 7:00AM to 5:00PM.

Commissioner Deonauth asked if the applicant would be replanting trees on the property or would the applicant be paying the city.

Mr. Carlson indicated he would be replanting trees.

Motion by Commissioner Olson to recommend approval of Planning Case 23-0020A a conditional use permit for outside storage related to a contractor's yard and multiple buildings on a lot in an I-2 (Heavy Industrial) zoning district with the following conditions:

Case 23-0020A:

1. The construction of the building and site improvements shall be consistent with the attached building elevations and site plan.
2. A six foot tall fence shall be located around the outside storage area. Fencing on the western side shall be PVC coated chain link. Fencing shall be immediately adjacent to the outside storage area and shall delineate the boundary between the outside storage area and the stormwater ponding areas.
3. A revised landscape plan must be submitted as part of the administrative site plan approval/building permit. That plan must incorporate the following changes:
    a. 34 overstory trees required, with a minimum of three species provided and at least 20 of the trees must be located between the front property line and parking lot, evenly distributed throughout that area.
    b. 17 conifer trees, with a minimum of two species provided.
    c. 17 ornamental trees, with a minimum of two species provided.
    d. 114 shrubs, with a minimum of three species provided.
    e. All disturbed areas shall be sodded.
4. In addition to the required landscaping, 93 trees must be replaced through planting on the property or payment into the city reforestation fund at the rate in effect at the time of issuance of the building permit.Outside storage limited to aggregate materials such as gravel and soil, construction equipment, and vehicles.
5. Outside storage must be located on the paved or gravel surface.
6. No storage may be taller than 15 feet in height.
7. Semi-trucks are limited to one per dock or bay door.

8. A minimum total building area of 20,000 square feet is required prior to occupancy.

Motion by Commissioner Olson to recommend approval of Planning Case 23-0020B an interim use permit for concrete crushing in an I-2 (Heavy Industrial) zoning district with the following conditions:

Case 23-0020B:

1. Storage of concrete shall be bunkered by jersey barriers, or equivalent, on three sides.
2. Storage of concrete materials limited to 15 feet in height.
3. Maximum concrete storage of 20,000 cubic yards.
4. Crushing activity limited to 45 days in a 24-month period.
5. This interim use permit expires on June 5, 2026. Property owner shall request a renewal of the interim at least 30 days prior to the expiration of the interim use permit. If IUP is not renewed, all concrete storage shall be removed within 60 days of the expiration of the IUP.

Motion seconded by Commissioner Homan. The motion passed 7-0.

Chair Goracke noted this would be on the agenda of the June 5, 2023 city council meeting.

4.3. 2023-131 Case File No. 23-0033 // Jim Sunderland // 2704 Fox Ridge NE
The applicant is requesting a conditional use permit amendment that will allow up to 2,901 square feet of garage/accessory space and a 47-foot side yard setback for a garage addition on an RF (Residential Flex) zoned property.
Sponsors: Shawn Kaye, Planner

The report to the planning commission was presented by Shawn Kaye, Planner. The public hearing for Case File 23-0033 was opened at 7:35PM.

James Sunderland, 2704 Fox Ridge NE, explained he purchased an RV and he would like to have this stored indoors. He anticipated the only person who would see the garage addition would be himself because he has a five acre lot.

Jenny Shaw, asked if the structure would be used for anything other than the storage of the RV.

The public hearing was closed at 7:38PM.

Mr. Sunderland reported the building would be used strictly for the storage of personal items.

Commissioner Olson questioned who would be policing the number of trees that are removed on the property.

Planner Shawn Kaye explained the applicant would have to identify the number of trees that are being removed in order to build the new structure in the building permit phase. She reiterated this was not a variance request, but rather was a conditional use permit amendment.

Motion by Commissioner Homan to recommend approval of Planning Case 23-0033 based on the following conditions:

Case 23-0033:

1. The applicant is required to plant four replacement trees at a minimum of 2.5 inch caliper on site or pay $400 per tree for a total of $1,600 to the reforestation fund. An escrow of $1,600 for tree replacement or a payment of $1,600 to the reforestation fund is required prior to a building permit being issued.
2. A building permit must be obtained prior to construction of the building.
3. The new accessory building space to be used for personal storage only.
4. The addition to the garage is limited to 2,040 square feet. The total square footage for garage/accessory building space is limited to 2,901 square feet.
5. The north property line is limited to a 47-foot side yard setback.
6. The proposed addition shall match the existing house construction in terms of architectural style, exterior color, and materials.

Motion seconded by Commissioner Gorzycki. The motion passed 7-0.

Chair Goracke noted this would be on the agenda of the June 5, 2023 city council meeting.

4.4. 2023-132 Case File No. 23-0036 // The Rusty Bumblebee // 10950 Club West Parkway NE, #160
The applicant is requesting a conditional use permit to allow outdoor dining with 16 seats in the front of the building and 32 seats in the rear of the building in a B-2 (Community Commercial) zoning district.
Sponsors: Shawn Kaye, Planner

The report to the planning commission was presented by Shawn Kaye, Planner. The public hearing for Case File 23-0036 was opened at 7:45PM. As no one wished to appear, the public hearing was closed at 7:46PM.

Commissioner Halpern stated he believed this was a great option for this business. He requested further information on how the rear patio would be monitored.

Jeremy Kroge, representative for the Rusty Bumble Bee, explained he would be installing a glass door to the rear of the building. He noted he would be installing cameras in the rear of the building as well. He described how the taps are controlled at the Rusty Bumble Bee and noted all patrons are ID'ed before being allowed to use the taps. He commented further on the lighting that would be added to the rear patio.

Chair Goracke asked how many staff members worked at the Rusty Bumble Bee at any given time.

Mr. Krog commented that he has three staff members and one manager onsite at all times. He indicated the new patios would increase the staffing levels for the Rusty Bumble Bee.

Chair Goracke questioned if the parking requirements took into consideration the additional outdoor seating.

Planner Shawn Kaye reported this was the case and noted the site had adequate parking.

Commissioner Olson indicated she supported the proposed front patio. She stated she had safety concerns with the rear patio, because it would be located in the rear parking lot. In addition, she feared the parking on this site would be stretched.

Commissioner Swanson commented she would appreciate a patio on the rear of the building because this would bring more lighting and activity to the rear of the building.

Commissioner Olson asked if the City could require the applicant to remove the asphalt from the parking lot in order to install a patio.

Planner Shawn Kaye reported the patio area would be fenced with a six-foot compostive, maintenance free fence.

Mr. Krog explained he would be installing a six foot fence around the existing asphalt and noted three parking stalls would be lost to accommodate the patio area.

Commissioner Halpern requested further information regarding the exterior lighting that would be used in the rear of the building.

Mr. Krog stated there was existing down lighting at the back door and he would be adding string lighting.

Motion by Commissioner Deonauth to recommend approval of Planning Case 23-0036 based on the following conditions:

Case 23-0036:

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 temporary sign permit is allowed.
3. The outdoor dining area in the front of the tenant space will be limited to no more than 16 seats. The outdoor dining area in the front is required to have a decorative metal fence surrounding the seating area.
4. The outdoor dining area in the rear of the tenant space will be limited to no more than 32 seats.The outdoor dining area in the rear is required to have a maintenance free composite privacy fence surrounding the seating area.
5. The ability to operate outdoor dining is reliant upon the applicant's ability to adequately control litter and refuse as associated with the facility.
6. No amplified outdoor music system is allowed.

Motion seconded by Commissioner Swanson. The motion passed 7-0.

Chair Goracke noted this would be on the agenda of the May 15, 2023 city council meeting.

4.5. 2023-133 Case File No. 23-0038 // Minnesota State Emergency Operations Center (Wold Architects and Engineers) // 3925 Pheasant Ridge Drive NE
The applicant is requesting a conditional use permit for an office in a POD (Planned Office District) zoning district.
Sponsors: Sheila Sellman, City Planner

The report to the planning commission was presented by Sheila Sellman, City Planner. The public hearing for Case File 23-0038 was opened at 7:58PM. As no one wished to appear, the public hearing was closed at 7:58PM.

Commissioner Swanson questioned how this building would be used.

City Planner Sheila Sellman explained this would be an emergency operation center that would be used by the state of Minnesota.

Motion by Commissioner Olson to recommend approval of Planning Case 23-0038 based on the following conditions:

Case 23-0038:

1. A conforming landscape plan should be submitted with the building permit application. The POD requires 1.5 times the amount of landscaping requirements:
    a. Overstory: 63
    b. Conifer: 31
    c. Shrub: 211
    d. Ornamental: 31
2. At least twenty-five percent (25%) of the number of ornamental, conifer and overstory trees exceeding minimum size requirements in the front yard or in areas within view of the public right-of-way.The lot shall be platted into a lot and block prior to issuance of a building permit.

Motion seconded by Commissioner Swanson. The motion passed 7-0.

Chair Goracke noted this would be on the agenda of the June 5, 2023 city council meeting.

5. Adjournment

Motion by Commissioner Deonauth to adjourn the regular planning commission meeting. Motion seconded by Commissioner Halpern. The motion passed 7-0. Adjournment time was 8:00PM.

City of Blaine
Staff Report

File Number: 2023-135

Agenda Date	Status
June 13, 2023	
In Control	**File Type**
Planning Commission	Report

Public Hearing - Elizabeth Showalter, Community Development Specialist

Agenda Item # 3.1

Case File No. 23-0042 // Blaine Quality Automotive // 9664 Central Avenue NE
The applicant is requesting a conditional use permit amendment to allow overnight outside storage of up to 13 vehicles in a B-2 (Community Commercial) zoning district.

Background

Zoning	B-2 (Community Commerical)
Land Use	CC (Community Commercial)
Area	2.23 Acres
Applicable Regulations	27.04 and 30.14 (e)
Attachments	Zoning and Location Map Narrative Applicant's Requested Parking Parking Stall Layout Original Landscape Plan Res 95-95 Public Comments
Schedule	Planning Commission: 06/13/23 City Council: 07/05/23

Staff report prepared by Elizabeth Showalter, Community Development Specialist, and Teresa Barnes, Project Engineer

Executive Summary

Zoning

The property is zoned B-2, Community Commercial.

Surrounding Zoning and Uses
The property is located between Highway 65 and Central Avenue (a stretch of frontage road that runs from Cloverleaf Parkway to 97th Avenue). The property to the west and south, across the frontage road, is zoned R-4, Manufactured Home, and is occupied by the Northview Villa manufactured home park. The property abuts 97th Avenue to the north.

Existing Conditions
The property has an existing approximately 1,300 square foot auto repair shop.

History
The building on the property was constructed in 1971 as a service station with gas pumps and auto repair. The property was vacated by the gas station use around 1983. A CUP was requested in 1995 for minor auto repair, which involved removal of the gas pumps/tanks and site improvements. At that time, the applicant requested the ability to have 4 vehicles stored outside overnight. The CUP approved by the City Council required any customer vehicles left overnight to be stored inside. The property was sold to the current owner in 1997.

Between 2002 and 2005, there were many discussions regarding the property and a desire by the property owner to have more outside vehicle storage. The City Council considered revoking the 1995 CUP due to failure to comply with the conditions prohibiting overnight outside storage of vehicles, but ultimately did not. The property owner indicated a desire to add on to the building during that time, which would have required variances from the setback requirements and parking requirements. The property owner was advised that he could apply for the necessary variances and CUP amendment to add on or apply for a CUP amendment for additional outside overnight storage, but no applications were received.

Evaluation of Request
The applicant is requesting a conditional use permit amendment to the CUP issued in 1995 (Res 95-95) to allow for 13 vehicles to be stored outside overnight. The applicant's request is based on their determination of the number of parking stalls on site to be 26. The parking lot is not currently striped. The site plan approved for the property in 1995 shows 12 parking stalls. Staff's review of the site plan and the dimensional requirements for parking stalls and access aisles has determined that 20 conforming stalls can likely be established on the property. The applicant is requesting the ability to store cars outside in the parking stalls that are immediately north and south of the building and three stalls proposed along the 97th Avenue frontage, to the east of the entrance drive. Eleven stalls could be established in those three areas, with nine additional stalls for daily parking along the Highway 65 frontage. This calculation includes one accessible stall with the required access aisle.

A key element of the CUP review for outside storage of vehicles in commercial districts is the screening provided for those vehicles to limit visibility from the road and surrounding properties. Staff initially recommended the applicant propose a solid fence around the outside storage. The applicant is not proposing a solid fence due to security concerns, with a fence

limiting the visibility of the vehicles to passersby, the police, and neighbors who keep an eye on the property, which the applicant believes is important for preventing theft of vehicles or vehicle parts. The applicant has placed landscape boulders around the property. Staff suggests the applicant work with Blaine Police Community Outreach Coordinator on Crime Prevention Through Environmental Design (CPTED) which focuses to reduce or eliminate opportunities for crime by using elements of the environment.

Site Plan

The site meets current requirements for building and parking setbacks, except for a small area to the north of the southern entrance off of the frontage road that has an approximately 6 foot setback, instead of the required 10 foot setback (this is legal nonconforming). The parking requirement for auto repair is four parking stalls plus two per service bay. With the two service bays on the property, the required parking is 8 stalls, which is exceeded by the provided parking.

Architecture

The building is primarily painted brick with glass around the office/waiting area and in the bay doors. The roof is mansard style with asphalt shingles. The building design does not meet the standards for the zoning district or the Highway 65 Overlay District, both of which require three premium materials on each side, totaling at least 50% of each walls. Glass is the only premium material present. Staff does not consider the architectural design to be related to the CUP request, and therefore, no conditions relative to the building design are recommended.

Landscaping

If the building were constructed today, the following landscaping quantities would be required:

- 11 Overstory Trees
- 6 Conifer Trees
- 6 Ornamental Trees
- 38 Shrubs

The landscape plan approved in 1995 has 7 overstory trees, 4 conifers, 4 ornamentals and 25 shrubs, which met the requirements at that time. Since then, the Highway Overlay District has been created which requires 50% more landscaping for properties in the district.

Two of the conifer trees on the landscape plan from 1995 are not present and were either never planted or were removed. Some shrubs are also missing. The landscaping would be restored to what was required with the 1995 plan through planting of 2 conifer trees and 13 shrubs. The Commission may choose to recommend additional landscaping to provide more screening of the proposed outdoor storage.

Grading/Storm Drainage

The proposed project does not include any alterations to the existing grading or storm water drainage patterns on the property.

Utilities
The proposed development will utilize the existing utilities into the building. No new connections are proposed.

Wetlands/Watershed/FEMA
There are no wetlands or FEMA flood plain on the existing site.
A Coon Creek Watershed District review is not required.

Access/Street Design/Sidewalks/Trails
The development will utilize the existing access points to the existing parking area. No new access points will be granted. No additional street design, sidewalks or trails will be required.

Easements/Right-of-way/Permits
The developer will need to obtain any and all required permits to construct the proposed project. A copy of all permits will need to be submitted to the City prior to any site work.

Conditional Use Permit
A city exercises “quasi-judicial” authority when considering a CUP application. This means the city’s role is limited to applying the standards in the ordinance to the facts presented by the application. The city acts like a judge in evaluating the facts against the standards.

Section 27.04 Criteria for granting conditional use permits:
The Blaine City Council shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use on the comprehensive plan and upon the health, safety, and general welfare of occupants of surrounding lands. Among other things, the Council shall consider the following findings where applicable.

1. The use shall not create an excessive burden on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area.
    - The outside storage is not anticipated to increase the burden on public utilities or facilities.
2. The use will be located, designed, maintained, and operated to be compatible with adjoining properties and the existing or intended character of the zoning district.
    - When the use was considered in 1995, the City Council found that outside storage of vehicles was not compatible with adjacent properties. The Planning Commission and City Council may consider whether the proposed storage is compatible with adjacent properties with the recommended conditions or additional conditions that may be added.

3. The use shall have an appearance that will not have an adverse effect upon adjacent properties.
    - The mature landscaping present on the site and the additional landscaping required by the recommended conditions will reduce the visual impact. The Planning Commission and City Council may add conditions requiring additional landscaping or screening (such as a solid fence) if deemed necessary to prevent the appearance from having an adverse effect upon adjacent properties.
4. The use, in the opinion of the City Council, shall be reasonably related to the overall needs of the City and to the existing land use.
5. The use shall be consistent with the purposes of the zoning code and purposes of the zoning district in which the applicant intends to locate the proposed use.
    - The zoning district is intended to provide retail and services to a trade area of nearby neighborhoods. The proposed use is consistent with that purpose. The City Council and Planning Commission may determine whether additional conditions are required for the proposed use to be consistent with the purpose of the zoning code to preserve the attractiveness of Blaine.
6. The use shall not be in conflict with the comprehensive plan of the City.
    - The use is consistent with the comprehensive plan.
7. The use will not cause traffic hazards or congestion.
    - The limitations on occupancy will prevent any additional traffic hazard or congestion.
8. The use shall have adequate utilities, access roads, drainage and necessary facilities.
    - The existing structure is served with the required utility services, adequate roadway infrastructure and necessary drainage facilities to service the proposed uses.

Recommendation

In Planning Case File No. 23-0042, it is recommended that the Planning Commission recommend approval of a conditional use permit amendment replacing Resolution 95-95 to allow 11 vehicles to be stored outside overnight at an existing minor auto repair business in a B-2 (Community Commercial) zoning district with the following conditions:

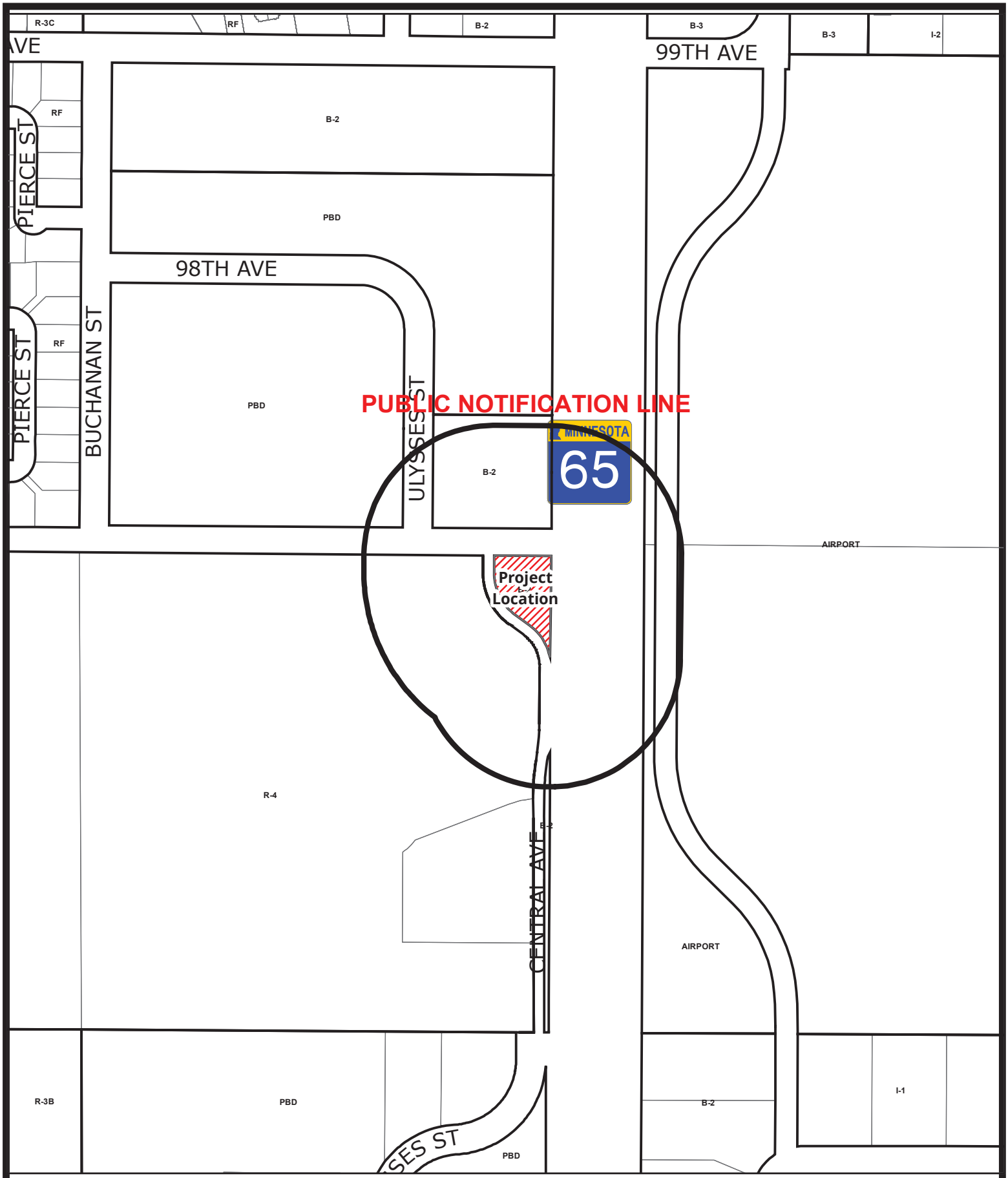
1. Outside overnight storage shall be limited to the 11 parking stalls indicated on the attached site plan.
2. Any vehicle storage beyond the 11 vehicles permitted by this CUP shall be removed by October 31, 2023.
3. All stalls must meet the dimensional requirements listed in 33.13 of the zoning code.
4. One accessible parking stall is required, which shall include the associated access aisle.
5. The parking lot shall be striped, including any required accessible parking stalls, by October 31, 2023. A scaled site plan depicting the proposed striping shall be submitted to the city prior to commencing the work.

6. Two six foot tall conifer trees and thirteen shrubs shall be planted along the Highway 65 frontage prior to October 31, 2023. A landscape plan showing the proposed trees and shrubs shall be provided by August 31, 2023.
7. Hours of operation are limited to 7:00 am to 7:00 pm on weekdays and 8:30 am to 1:00 pm on Saturday.
8. All vehicle parking to be on-site. No vehicle parking on the frontage road.
9. No vehicle repair may occur outside.
10. All vehicles stored outside must be licensed with current registration and appear drivable. Vehicles on blocks may not be stored outside overnight.
11. All exterior storage other than vehicles must be removed by October 31, 2023.

If the Planning Commission believes additional screening aesthetic improvements are needed to mitigate the appearance of overnight outside storage of vehicles, additional conditions may be added such as additional landscaping or installation of a solid fence.

Attachment List

1. Attachments
2. Public Comments



Case File No. 23-0042
Blaine Quality Automotive

BlaineMN.gov

Blaine Planning Department / 10801 Town Square Dr NE / Blaine, MN 55449 / (763) 785-6180

The reason for the conditional use permit amendment is due to the fact that business operating length has exceeded 25 years in the same location, phone number, and employee. As society has evolved the business has been able to withstand two recessions and during that time the availability of parts for replacement has lengthen. Now this has caused the business to have multiple vehicles stored outside during the wait time and has now caused a violation of the current conditional use permit.

Hours of Operation: M-F 8-5:30

Applicant's Requested Parking

Parcel Information:
29-31-23-31-0003
9664 CENTRAL AVE NE
BLAINE
MN 55434
Plat: NORTHVIEW VILLA

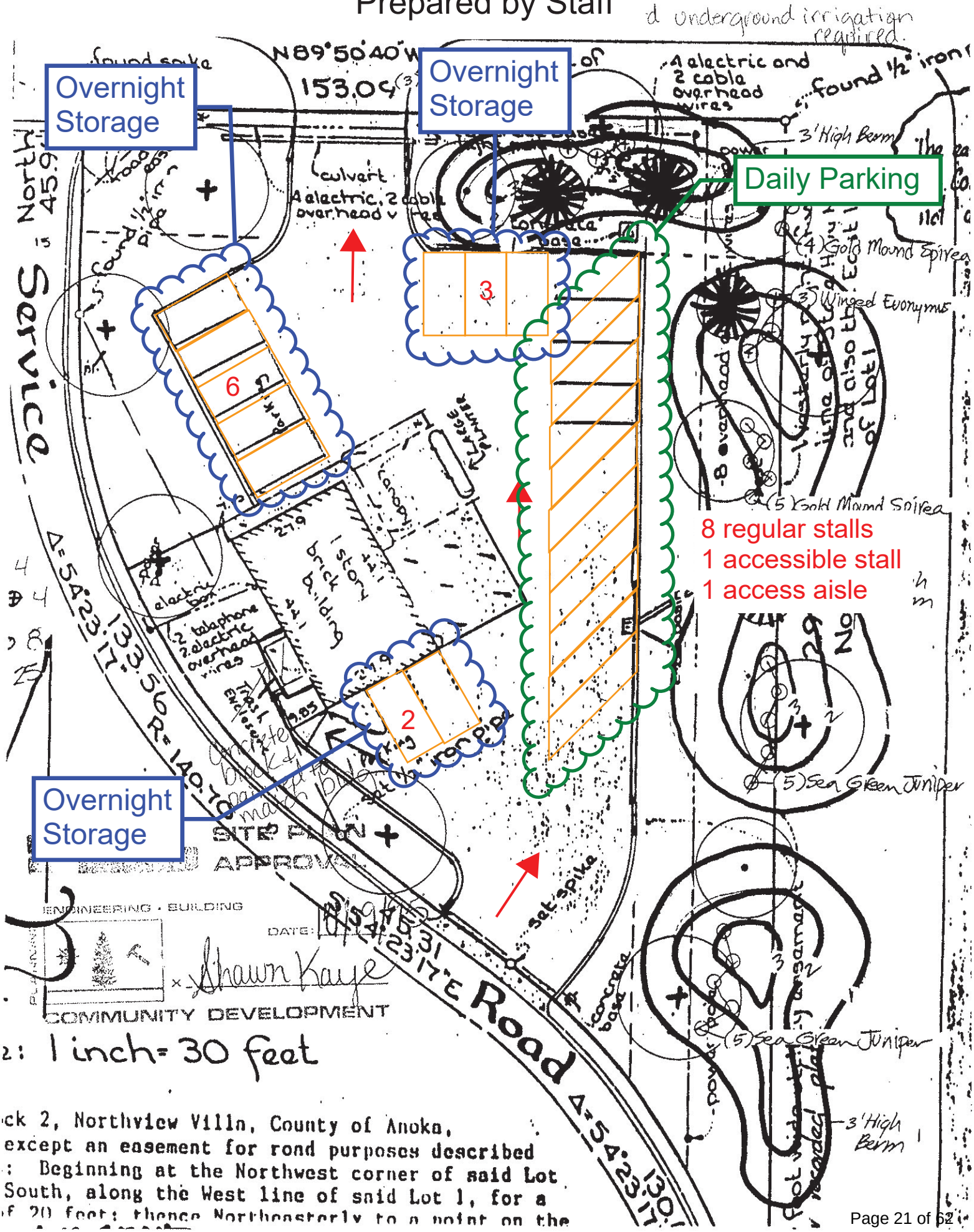
Approx. Acres: 0.6
Commissioner: JULIE JEPPSON

Owner Information:
SINGH, PEARLY
4404 FLORA VISTA DRIVE
ORLANDO
FL
32837

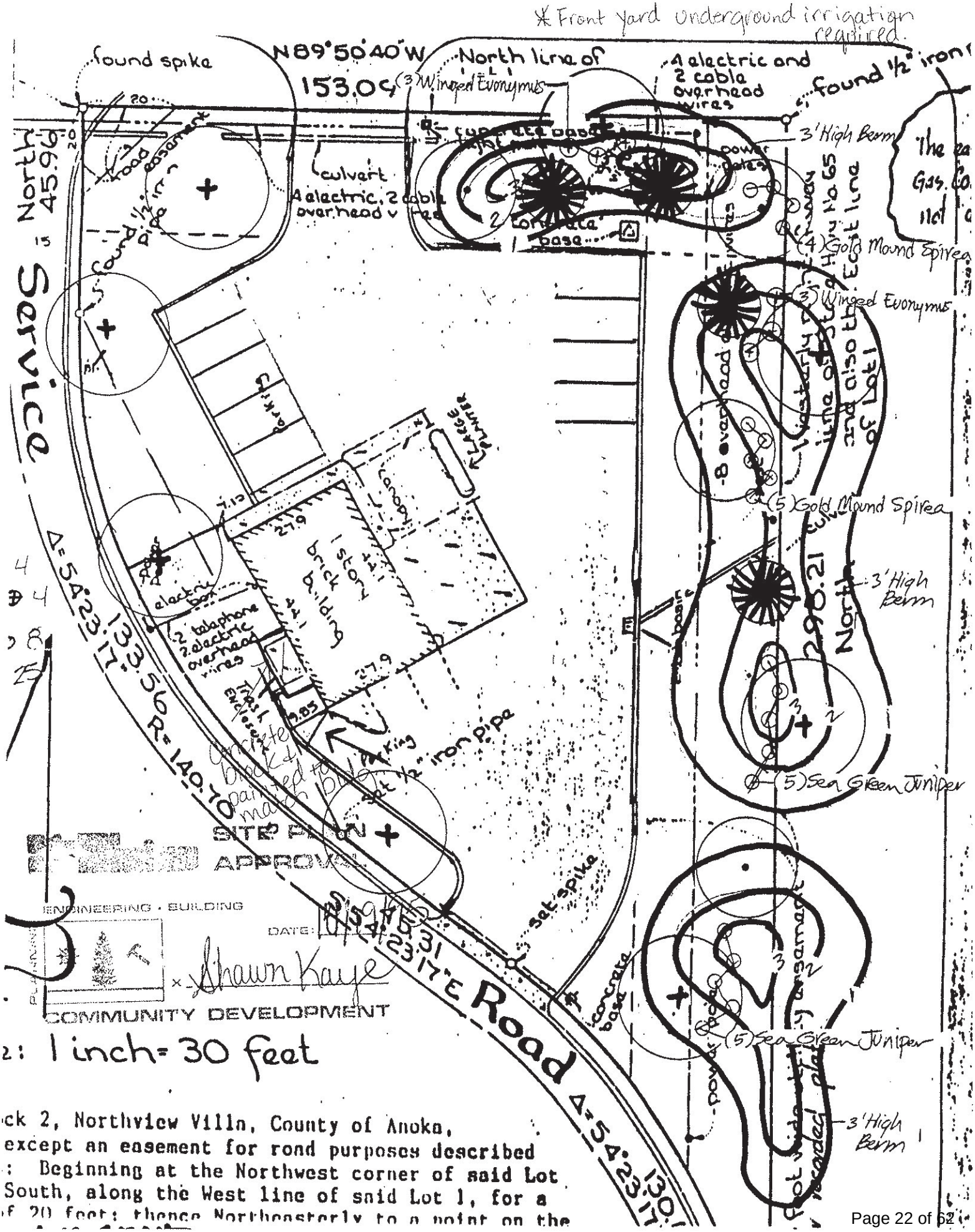
noka County GIS | 1:600 | Date: 4/7/2023

isclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be ubstituted for a title search, appraisal, survey, or for zoning verification.

Parking Stall Layout
Prepared by Staff



Original Landscape Plan



CITY OF BLAINE

RESOLUTION NO. 95-95

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT PER SECTION 30.14(c) OF THE ZONING CODE JAMES BRANDL 9664 CENTRAL AVENUE NE

WHEREAS, an application has been filed by James Brandl as Conditional Use Permit Case 95-37; and

WHEREAS, a public hearing has been held by the Blaine Planning Commission on June 13; 1995; and

WHEREAS, the Blaine Planning Commission recommends said Conditional Use Permit be granted; and

WHEREAS, the Blaine City Council has reviewed said case on July 6, 1995.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that a Conditional Use Permit is hereby granted per Section 30.14(c) of the Zoning Code to James Brandl to allow minor automobile repair at 9664 Central Avenue NE with the following conditions:

1. Final site plan approval incorporating all staff comments related to landscaping, berming and parking lot improvements along with a financial guarantee.

2. Outside display of products is not permitted under this conditional use permit.

3. Client cars left at the site over night to be stored inside the building.

4. All vehicle parking to be on-site. No vehicle parking on the frontage road.

5. Hours of operation shall be limited to 7:00 a.m. to 7:00 p.m. weekdays and 8:30 a.m. to 1:00 p.m. on Saturday.

PASSED by the City Council of the City of Blaine this 6th day of July, 1995.

Dick Swanson

Dick Swanson, Acting Mayor Pro Tem

ATTEST:

Rachel Morgan, Deputy City Clerk

Joyce Twistol, CMC, City Clerk

Patricia Robinson

From: Diane Endres <dendres439@gmail.com>
Sent: Saturday, April 29, 2023 4:19 PM
To: Patricia Robinson
Subject: Case 23-0042

Regarding Blaine Quality Automotive's petition request for overnight storage of an additional 13 vehicles, we are requesting a no vote. His lot already looks like a junk yard.

Thank you,
Kenny and Diane
Sent from my iPad

City of Blaine
Staff Report

File Number: 2023-201

Agenda Date	Status
June 13, 2023	
In Control	**File Type**
Planning Commission	Report

Public Hearing - Shawn Kaye, Planner

Agenda Item # 3.2

Case File No. 23-0046 // Aaron Jordan // 12640 Radisson Road NE
The applicant is requesting a variance to allow a 6-foot privacy fence in the front yard along Radisson Road NE.

Background

Zoning	FR (Farm Residential)
Land Use	LDR (Low Density Residential)
Area	9.43 Acres
Applicable Regulations	Section 33.08 (f)(1) of the Zoning Ordiance
Attachments	Zoning and Location Map
	Site Plan
	Picture of Fence
	Narrative
	Public Comments
Schedule	Planning Commission: 06/13/23
	City Council: 07/05/23

Staff report prepared by Shawn Kaye, Planner and Teresa Barnes, Project Engineer

Executive Summary

Zoning

The property is zoned FR (Farm Residential). The zoning district is intended for large lot residential uses, typically in areas that are not served by sewer and water.

Surrounding Zoning and Uses

The properties to the south and west are zoned R-1 (Single Family). The property immediately north is zoned AG (Agriculture) and is an agricultural preserve. There is a cul-de-sac cut out of

the farm that is zoned DF (Development Flex) and has smaller lot single family homes. To the east is Radisson Road and a combination of properties zoned FR and R-1AA (Single Family).

Existing Conditions
The property is wooded and has a large wetland in the center of the property.

History
The applicant received a Conditional Use Permit (CUP) to build a 2,613 square foot detached garage in August 2022. In the FR district, the total garage and accessory building space can be up to 3,000 square feet with a CUP. The proposed detached garage and attached garage space is 2,963 square feet. The applicant also received a variance to construct an accessory building in the front yard in August 2022.

Evaluation of Request
Code Requirement
Section 33.08 of the zoning code regulates fences. Specifically, 33.08 (f)(1) states: Front yard—Maximum height of four (4) feet above ground level in front of the front face of the residential structure.

Site Plan
The applicant would like to construct a 6 foot fence in the front yard of his parcel adjacent to Radisson Road. The proposed fence will run along the length of the front yard property line adjacent to Radisson Road and along the north and south property lines in the front yard. The fence will be a maintenance-free fence similar to the drawing that is attached to this report. The fence is being proposed because of noise, safety, and to help screen the large accessory building he proposes to construct.

In 2008, the City Council adopted a code amendment to the height provisions for residential fences in the rear yard abutting collector and arterial roadways. The amendment now allows rear yard fences abutting major roadways to be taller than six feet and up to 10 feet with the granting of a CUP. The purpose of the change to allow taller fences was to help property owners mitigate noise issues associated with living next to these busier and louder roadways. This section of the ordinance does not apply to the applicant's property because his property fronts and has access to a major roadway and it is not his rear yard as is the case for several approved CUPs for fences 6 feet or taller in this area. Therefore, he is requesting a variance to the maximum of 4 feet for a fence in the front yard.

Tree Preservation
The site is currently wooded and many trees will be removed to allow for the construction of the home and garage and to allow for the creation of flood storage to mitigate the floodplain fill. The home, garage, and driveway will result in a 0.9 acre of tree removal and the flood storage will result in 1.7 acres of tree removal.

Grading/Storm Drainage
The proposed project does not include any alterations to the existing grading or storm water drainage patterns on the property.

Utilities
The proposed development will utilize the existing utilities into the building. No new connections are proposed.

Wetlands/Watershed/FEMA
The proposed fence will not encroach into the platted wetland area.

A Coon Creek Watershed District review is not required.

Access/Street Design/Sidewalks/Trails
The development will utilize the existing access points to the site. No new access points will be granted. No additional street design, sidewalks or trails will be required.

Easements/Right-of-way/Permits
The developer will need to obtain any and all required permits to construct the proposed project. A copy of all permits will need to be submitted to the City prior to any site work.

Variances (Section 27.06)
(a) Criteria for granting variances. A variance to the provision of the zoning ordinance may be issued by the City Council to provide relief to the land owner in those cases where the ordinance imposes practical difficulty on the property owner in the use of his land. No use variances may be issued.

(1) Variances shall only be permitted:

(a) When they are in harmony with the general purposes and intent of the ordinance, and

(b) When the variances are consistent with the comprehensive plan.

(2) Variances may be granted when the applicant for the variances establishes that there are practical difficulties in complying with the zoning. Practical difficulties, as used in connection with the granting of a variance, means that:

(a) The property owner proposes to use the property in a reasonable manner not permitted by the zoning code;

- The subject site would be permitted to have a 6 foot fence if the access to the house or front yard was oriented to the south and the property line adjacent to Radisson Road was a side or rear yard. A 6 foot fence in this location is considered a reasonable use of the property.

(b) The plight of the landowner is due to circumstances unique to the property not created by the land owner

- The applicant bought this parcel with its current access and did not determine the front yard designation.

(c) The variance, if granted will not alter the essential character of the locality.

- The fence would be consistent with other fences that are located adjacent to Radisson Road in the same vicinity and will not alter the character.

(d) Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.

- The variance is not for economic reasons.

(e) The variance requested is the minimum variance which would alleviate the unique circumstances.

- The applicant has indicated with his submittal that 6 feet is the minimum size to provide adequate protection for noise and screening.

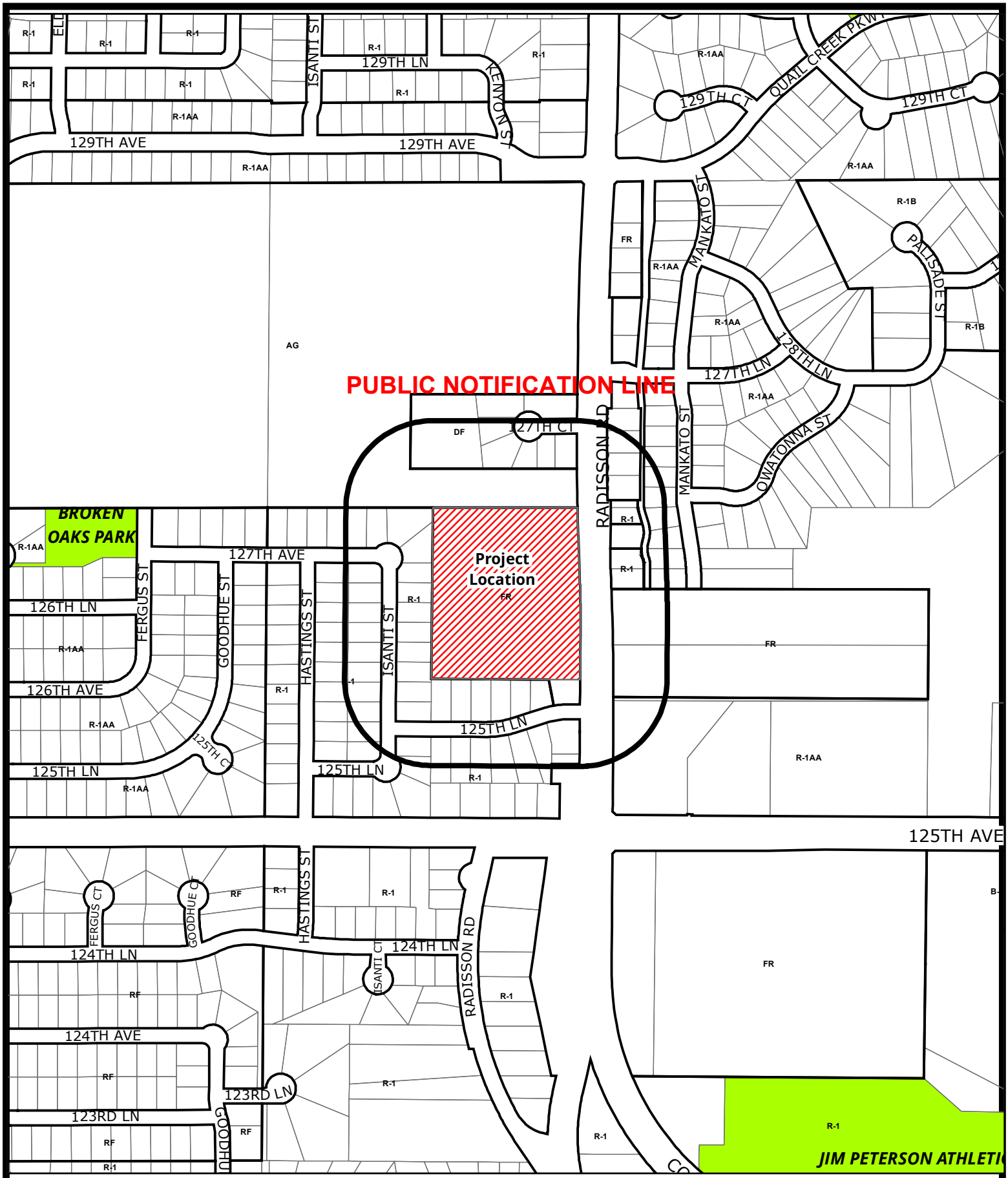
Recommendation

In Planning Case File No. 23-0046, it is recommended that the Planning Commission recommend approval of a variance to allow a 6-foot privacy fence in the front yard along Radisson Road NE,with the following conditions:

1. A fence permit is required.
2. The fence cannot exceed six feet in height.

Attachment List

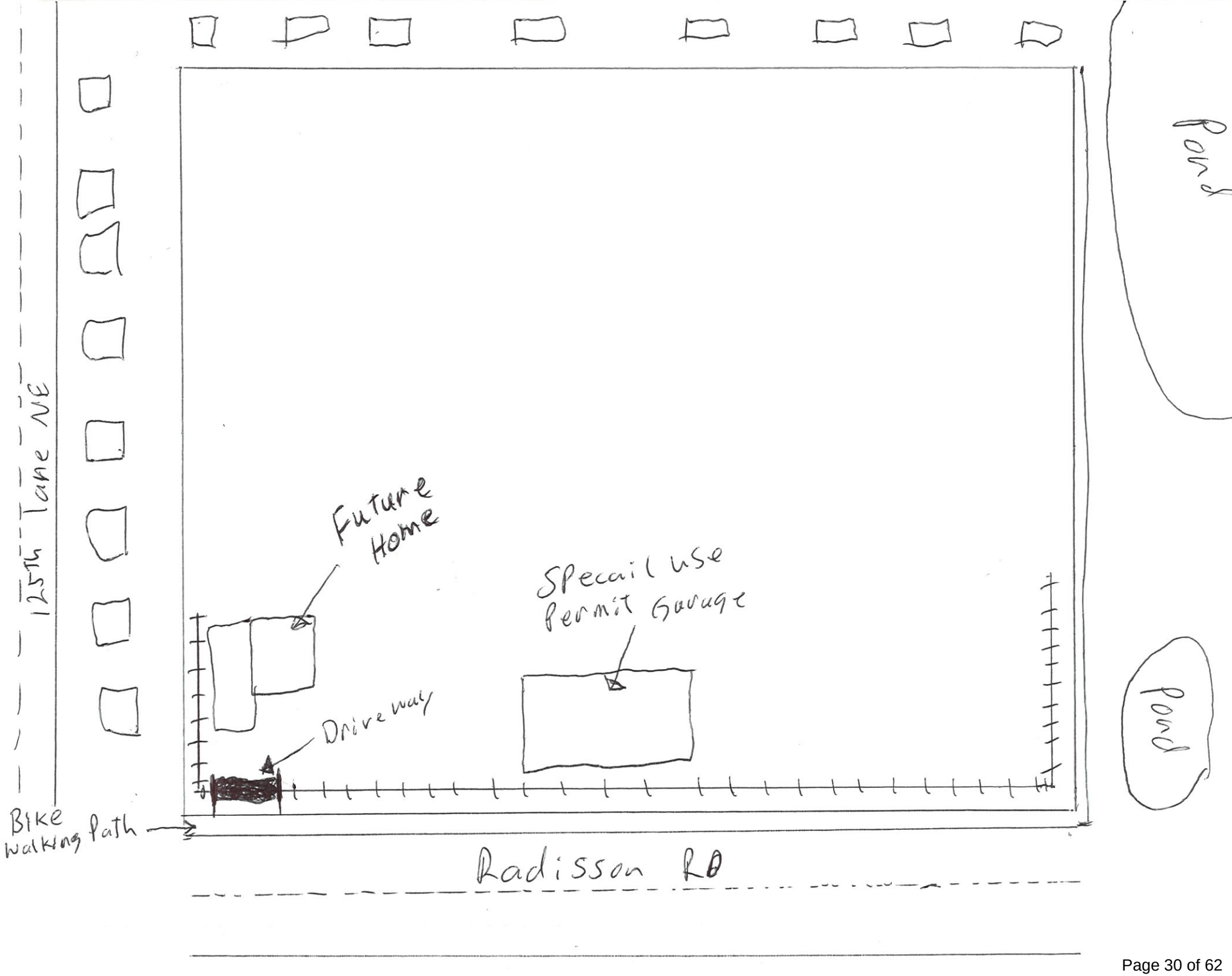
1. Attachments
2. Public Comments



Case File No. 23-0046
Aaron Jordan

BlaineMN.gov

Blaine Planning Department / 10801 Town Square Dr NE / Blaine, MN 55449 / (763) 785-6180


125th Lane NE
Future Home
Specail use Permit Garage
Driveway
Bike walking Path
Radisson RD
Pond
Pond

12640 Radisson Rd Fence

Using Fence for Noise, Safety, flying dirt and approved special permit/ Variance for a big garage located by Radisson rd from the city council and they recommended putting trees up to help with visibility of the garage. The fence would help with that plus trees. I also have no trespassing signs up and still catch people walking on the land. That is a liability issue for me also.

Patricia Robinson

From: Jared Olson <jaredolson217@gmail.com>
Sent: Thursday, June 8, 2023 6:30 PM
To: Patricia Robinson
Subject: Case 23-0046

Good evening,

My name is Jared Olson and my wife and I are the owners of the property of 1979 125th Ln NE, Blaine, MN 55449.

Our concerns with this plan are listed below:

1) we talked with Aaron before we bought our property back on Oct 31st, 2022. He said they would get shrubs as a privacy fence. There was never anything stated about putting up a privacy fence on the property.

2) we were never told about a garage being put up on the property, it says special use permit garage, what does this mean? What will it be used for?

3) a 6 foot privacy fence will be an eye sore. We specifically purchased our property because we enjoyed the wildlife surrounding it, we were told there would be a house built close to the pond down Radisson on the north end of their property, not right behind our house. Had we known this from the begining, we would have considered more if we would have purchased this property.

Thank you for your time and hearing out concerns! We look forward to hearing back from you and seeing you on Tuesday the 13th at the meeting.

Jared Olson

City of Blaine
Staff Report

File Number: 2023-202

Agenda Date	Status
June 13, 2023	
In Control	**File Type**
Planning Commission	Report

Public Hearing - Shawn Kaye, Planner

Agenda Item # 3.3

Case File No. 23-0049 // Montessori School of Chantilly // 641 89th Avenue NE
The applicant is requesting a conditional use permit to operate a preschool/daycare in the Christ Lutheran Church building in the R-1 (Single Family) zoning district.

Background

Zoning	R-1 (Single Family)
Land Use	LDR (Low Density Residential)
Area	8.06 Acres
Applicable Regulations	29.034 (b)
Attachments	Zoning and Location Map Site Plan (Aerial) Floor Plan Narrative Parking Narrative Public Comments
Schedule	Planning Commission: 06/13/23 City Council: 07/05/23

Staff report prepared by Shawn Kaye, Planner and Teresa Barnes, Project Engineer

Executive Summary

Zoning

The property is zoned R-1 Single Family.

Surrounding Zoning and Uses

Surrounding properties are zoned R-1 (Single Family). Two properties to the west are zoned R-2

(Two Family). Single family homes are located to the west and north. North Gable Senior Housing and Church of St. Timothy is located to the east.

Existing Conditions
The property has an existing church and parking lot.

History
The church received a Conditional Use Permit (CUP) in 1988 to operate a Montessori daycare. In 2000, the site received a CUP amendment to clarify the change in operators, but continued to operate as a daycare. In 2006, a CUP amendment for the construction of a 20,100 square foot addition to the north end of the existing church building, remodeling of the existing church, parking lot addition, and an accessory building was approved. The pre-school/daycare relocated to the new addition in 2006. The church has stated that a daycare/preschool has not been operating from the church for at least three years.

Evaluation of Request
Site Plan
Montessori School of Chantilly would like to operate a preschool and child care center in the Christ Lutheran Church building. The Montessori School of Chantilly was established in 2012 and currently has two locations in Virginia. The daycare is proposing to occupy an 8,785 square feet area of the church that was previously used for a child care center. The CUP amendment is being processed as the previous CUP expired because the use has been discontinued for a period of more than one (1) year.

The preschool/child care center would provide daycare for approximately 140 children ages 3 months to 12 years during the hours from 7AM to 6PM. Typically, the ages of the children will be 3 months to 6 years. The daycare proposes an accredited kindergarten program and some school-age children may attend for before and after-school care.

Proposed Classes:

- Class 1 (Infants 3 months to 16 months. - 9 infants)
- Class 2 (Toddler/Preprimary 17 months to 36 months. -15 toddlers)
- Class 3 (Toddler/Preprimary 17 months to 36 months. -15 toddlers)
- Class 4 (Primary 36 months to 6 years. -20 primary students)
- Class 5 (Primary 36 months to 6 years. -20 primary students)
- Class 6 (Primary, but will use this for the school-age if needed. Once other classes are full, we will use it for 20 primary or school school-year-aged students.)

The daycare will use the existing fenced playground area located adjacent to the north of the existing building.

The parking analysis provided by the applicant states that the daycare will need 20 stalls for

their use. The parking standards in the Zoning Ordnance requires 29 stalls for 8,785 square feet of daycare space. The church parking lot provides more than enough parking stalls with approximately 225 stalls on site. The church operations are minimal during the daycare hours Monday-Friday. Therefore, parking onsite is adequate.

Landscaping
The existing landscaping on site met requirements when the building was constructed.

Tree Preservation
No trees will be removed on site.

Grading/Storm Drainage
The proposed project does not include any alterations to the existing grading or storm water drainage patterns on the property.

Utilities
The proposed development will utilize the existing utilities into the building. No new connections are proposed.

Wetlands/Watershed/FEMA
The proposed preschool/daycare does not encroach into any wetland or floodplain area.

A Coon Creek Watershed District review is not required.

Access/Street Design/Sidewalks/Trails
The development will utilize the existing access points to the existing parking area. No new access point will be granted. No additional street design, sidewalks or trails will be required.

Easements/Right-of-way/Permits
The developer will need to obtain any and all required permits to construct the proposed project. A copy of all permits will need to be submitted to the City prior to any site work.

Conditional Use Permit
A city exercises “quasi-judicial” authority when considering a CUP application. This means the city’s role is limited to applying the standards in the ordinance to the facts presented by the application. The city acts like a judge in evaluating the facts against the standards.

Section 27.04 Criteria for granting conditional use permits:
The Blaine City Council shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use on the comprehensive plan and upon the health, safety, and general welfare of occupants of surrounding lands. Among other things, the Council shall consider the following findings where applicable. (Ord. No. 20-2447, 7-20-2020)

1. The use shall not create an excessive burden on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area.
    - The use of a daycare does not create an excessive burden on the church property as it operates during the weekday hours and not on Sunday when the church has most of its activity.
2. The use will be located, designed, maintained, and operated to be compatible with adjoining properties and the existing or intended character of the zoning district. (Ord. No. 20-2447, 7-20-2020)
    - The daycare will be located within an existing church building. Therefore, the use will be compatible with the adjoining properties.
3. The use shall have an appearance that will not have an adverse effect upon adjacent properties.
    - The daycare will be located within an existing church building and will have adequate parking on site. The use will not have an adverse effect on adjacent properties.
4. The use, in the opinion of the City Council, shall be reasonably related to the overall needs of the City and to the existing land use.
5. The use shall be consistent with the purposes of the zoning code and purposes of the zoning district in which the applicant intends to locate the proposed use.
    - The use is consistent with the purpose of the R-1 district.
6. The use shall not be in conflict with the comprehensive plan of the City.
    - The use is not in conflict with the LDR (Low Density Residential) designation in the Comprehensive Plan.
7. The use will not cause traffic hazards or congestion.
    - *T*he proposed development will not result in any additional traffic hazards or additional congestion to the area.
8. The use shall have adequate utilities, access roads, drainage and necessary facilities.
    - The proposed development will have the required utility services, adequate roads and necessary drainage facilities to service the proposed daycare.

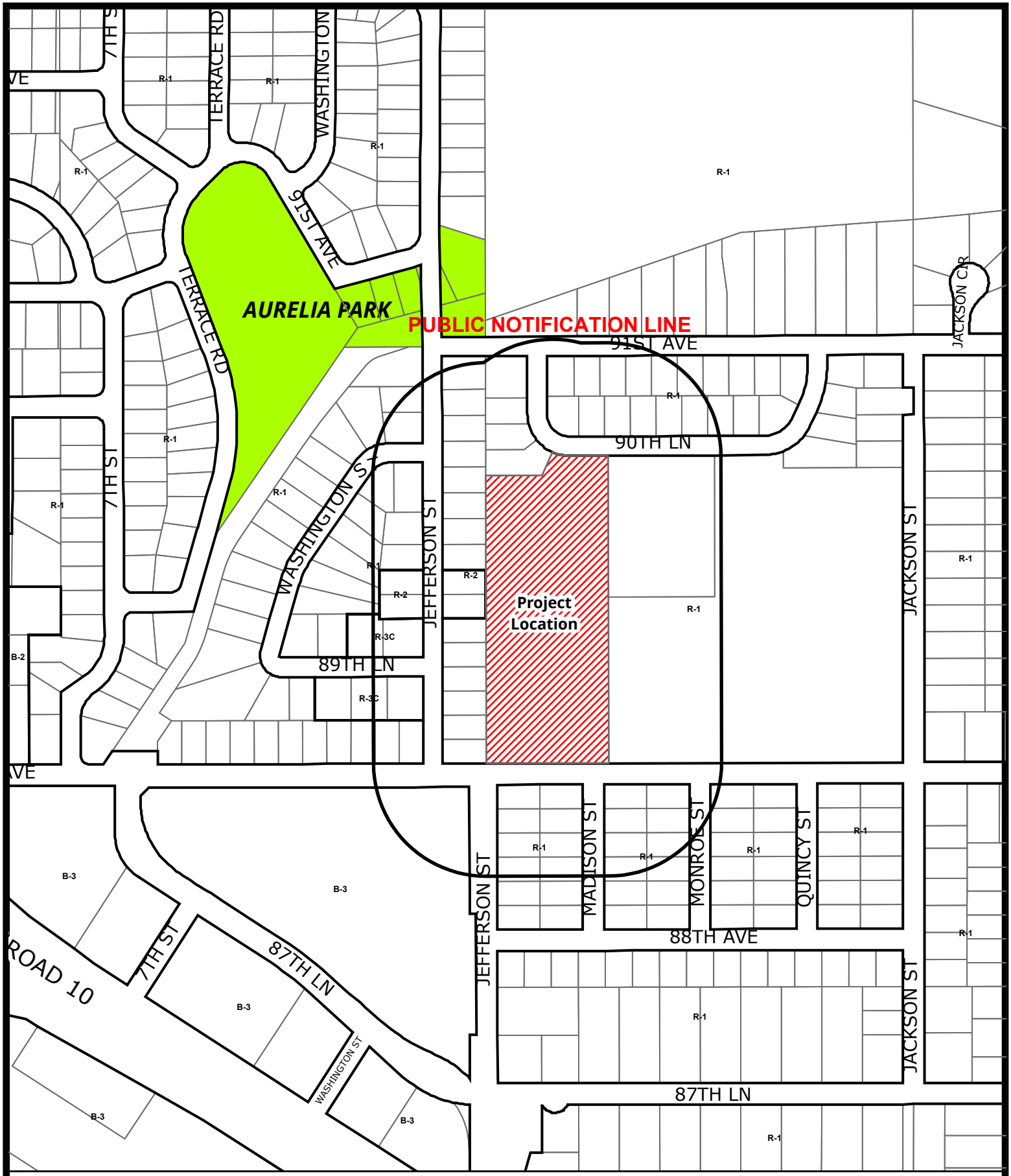
Recommendation

In Planning Case File No. 23-0049, it is recommended that the Planning Commission recommend approval of a conditional use permit to operate a preschool/daycare in the Christ Lutheran Church building in the R-1 (Single Family) zoning district, with the following conditions:

1. The applicant must obtain a certificate of occupancy from the City prior to occupying the building.

Attachment List

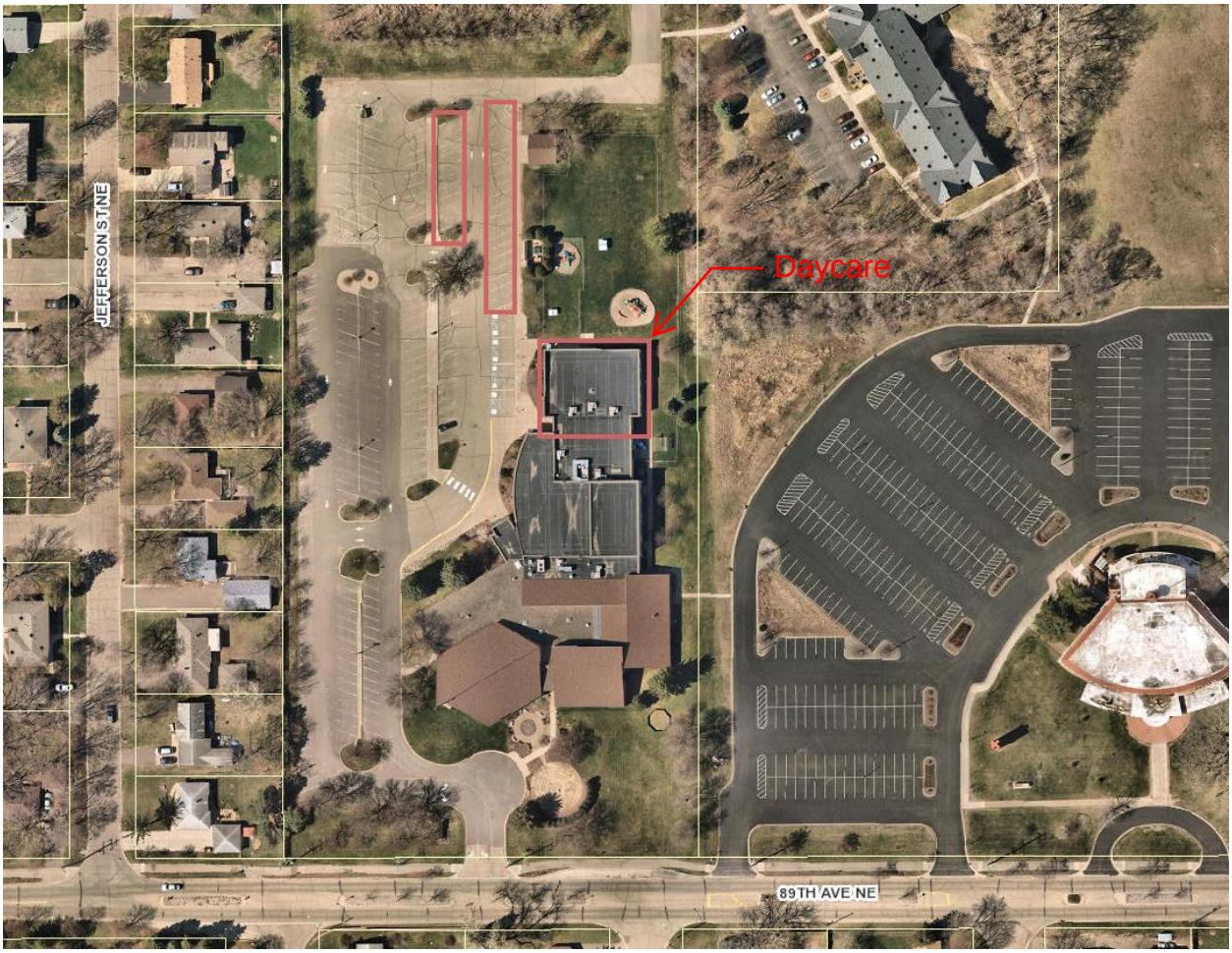
1. Attachments
2. Public Comments

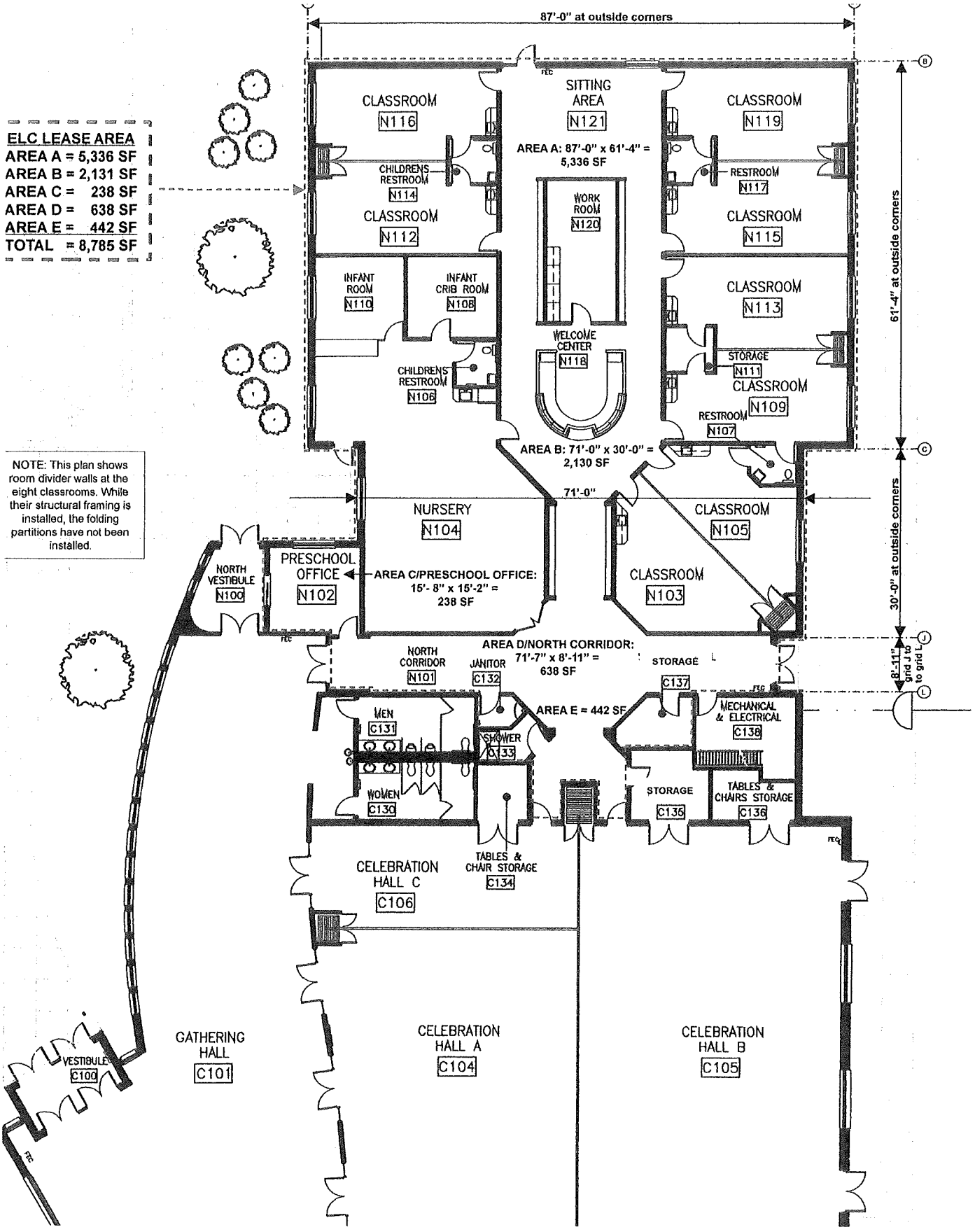


Case File No. 23-0049
Montessori School of Chantilly

BlaineMN.gov

Blaine Planning Department / 10801 Town Square Dr NE / Blaine, MN 55449 / (763) 785-6180


Daycare
JEFFERSON ST NE
89TH AVE NE



CHRIST LUTHERAN CHURCH

Lease Exhibit C: Early Learning Center Lease Area 042622

Montessori School of CHANTILLY

Date: 5/9/23

Re: Conditional Use Permit of 641 89th Ave NE Blaine, MN 55343

New Tenant: Montessori School of Chantilly, LLC

Montessori School of Chantilly will be using 641 89th Ave NE Blaine as Montessori childcare. We are expanding and this will be our third location.

About the Montessori School of Chantilly

The Montessori School of Chantilly has been established in 2012. Since our inception, we have graduated hundreds of exceptional students and have touched the lives of many families. We are proud of our involvement in the community, and our commitment to excellence. We are most proud of our staff. We are very lucky to have and retain on a long term basis exceptional women who are passionate about the Montessori education, and the wellbeing the "whole" child.

Our Mission: Our mission is to provide the best possible education and care for each child, while allowing them to grow and learn in a stimulating and nurturing environment.

Hour of operation: 7:00 am to 6:00 pm

Days: Monday-Friday

Months: Year round

Number of students: 140

Age of students: 3 months to 12 years

Typically, we will have ages 3 months to 6 years. We will have an accredited kindergarten program and so some of our students will turn 6 while in kindergarten class. However, while we are new and the school is actively looking for students, we want to have the flexibility to have school-age for before and after school in case one of our potential clients is looking for afterschool or before school for an older sibling. The school-age need is not a demand that we currently have in our other locations, but we just need be able to have the age flexibility incase we needed that.

Classes:

We will have 6 classes.

Class 1 (infants 3 months to 16 months. 9 infants)

class 2 (Toddler/Preprimary 17 months to 36 months. 15 toddlers)

class 3 (Toddler/Preprimary 17 months to 36 months. 15 toddlers)

class 4 (Primary 36 months to 6 years. 20 primary students)

class 5 (Primary 36 months to 6 years. 20 primary students)

class 6 (Primary, but will use this for the school-age if needed at the beginning. Once other classes are full, we will use it for Primary. 20 primary or school age students.)

Number of teachers/staff: 20

Square Footage of space: 8785

Playground: Fenced playground attached to space

Montessori School of CHANTILLY

Date: 5/9/23

Re: Conditional Use Permit for 641 89th Ave NE Blaine, MN 55434

Parking structure: 641 89th NE Blaine has 215 regular parking spaces and 8 handicapped parking spaces.

The Montessori School of Chantilly will need only 20 parking spaces. However, since we are the only tenant most of the weekday work hours, we will be able to use as many parking spaces as we like.

Again,

Available parking: 215+8

Needed parking: 20

Potential parking available for our use when we are there is all 215+8

Thanks

Kaltun

Patricia Robinson

From: debgreeno1@aol.com
Sent: Thursday, June 8, 2023 1:05 PM
To: Patricia Robinson
Subject: Preschool at Christ Lutheran

To Blaine Planning Commission:

My name is Deborah Smith and I live at 649 90th Lane NE in Blaine. I received a letter from the Blaine Planning Commission regarding a request for a conditional use permit for operating a preschool/daycare at Christ Lutheran Church. As a retired special Ed teacher, I know the importance of early childhood education and I have no problem with the school itself..

The issue, I have, is the increased traffic on our small U-shaped 90th Lane. Christ Lutheran has had a preschool and daycare in the past and when those were in session, the traffic was higher but my real concern is the speeders. People that were running late either in the morning to get their kids to the daycare or picking their kids up at night would race down our street at sometimes many miles over the speed limit, with no concern for the neighborhood or any children or elderly that may be walking on the street. (We have no sidewalks). I've motioned at people to slow down and have gotten the finger in return.

The speed problem needs to be addressed with, at the minimum, a speed limit sign on the street, speed bumps or telling parents to the use 89th entrance for dropping off or picking up their children. The school could have signs reminding parents that they should treat this street as if it was the one they live on, where their children play and ride their bikes. They should be reminded that there is a senior apartment on this street, where many of the residents take daily walks and those residents should not have to worry about dodging speeding vehicles.

Thank you,
Deborah Smith

City of Blaine
Staff Report

File Number: 2023-203

Agenda Date	Status
June 13, 2023	
In Control	**File Type**
Planning Commission	Report

Public Hearing - Elizabeth Showalter, Community Development Specialist

Agenda Item # 3.4

Case File No. 23-0050 // Ben Saefke // 2857 108th Lane NE
The applicant is requesting a conditional use permit to construct an 8 foot fence in the rear yard on a property adjacent to a county roadway in the R-1B (Single Family) zoning district.

Background

Zoning	R-1B (Single Family)
Land Use	LDR (Low Density Residential)
Area	.36 Acres
Applicable Regulations	27.04 and 33.08 (h)(2)
Attachments	Zoning and Location Map Site Plan Proposed Fence Applicant Narrative
Schedule	Planning Commission: 06/13/23 City Council: 07/05/23

Staff report prepared by Elizabeth Showalter, Community Development Specialist, and Teresa Barnes, Project Engineer

Executive Summary

Zoning

The property is zoned R-1B (Single Family) and guided Low Density Residential.

Surrounding Zoning and Uses

The adjacent properties are also zoned R-1B and are occupied by single-family homes.

Existing Conditions
The property has an existing single family home. The property fronts on 108th Lane with the rear yard adjacent to 109th Avenue.

History
The property was platted as part of The Sanctuary 8th Addition. No other previous approvals apply to this property.

Evaluation of Request
Site Plan
The applicant is proposing a fence around the rear yard that is 8 feet on the north and west sides and 7 feet on the east side. The fence is proposed to provide privacy and noise attenuation. The fence is proposed to be white vinyl.

Rear yard fences are typically limited to 6 feet in height in residential zones, however 33.08 (h)(2) allows for special purpose fences in rear yards adjacent to state, federal, or county roadways, up to ten feet in height, through issuance of a CUP. A similar CUP was issued recently for another property on the same road.

Tree Preservation
There are two significant trees in close proximity to the proposed fence. Up to two trees may be removed per year on residential properties without replacement. Therefore, if those trees were removed, no replacement would be required.

Grading/Storm Drainage
The proposed project does not include any alterations to the existing grading or storm water drainage patterns on the property.

Utilities
The proposed development will utilize the existing utilities into the building. No new connections are proposed.

Wetlands/Watershed/FEMA
There are no wetlands or FEMA flood plain on the existing site. A Rice Creek Watershed District review is not required.

Access/Street Design/Sidewalks/Trails
The development will utilize the existing access points to the south side of the property. No access will be granted from 109th Ave NE. No additional street design, sidewalks or trails will be required.

Easements/Right-of-way/Permits

The developer will need to obtain any and all required permits to construct the proposed project. A copy of all permits will need to be submitted to the City prior to any site work.

Conditional Use Permit

A city exercises “quasi-judicial” authority when considering a CUP application. This means the city’s role is limited to applying the standards in the ordinance to the facts presented by the application. The city acts like a judge in evaluating the facts against the standards

Section 27.04 Criteria for granting conditional use permits:
The Blaine City Council shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use on the comprehensive plan and upon the health, safety, and general welfare of occupants of surrounding lands. Among other things, the Council shall consider the following findings where applicable. (Ord. No. 20-2447, 7-20-2020)

1. The use shall not create an excessive burden on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area.
    - The fence will not create a burden on public facilities or utilities
2. The use will be located, designed, maintained, and operated to be compatible with adjoining properties and the existing or intended character of the zoning district.
    - The proposed fence is compatible with the adjoining single family homes and the character of the R-1B district.
3. The use shall have an appearance that will not have an adverse effect upon adjacent properties.
    - The proposed fence will be white vinyl, which is a common style of fence and is maintenance-free.
4. The use, in the opinion of the City Council, shall be reasonably related to the overall needs of the City and to the existing land use.
5. The use shall be consistent with the purposes of the zoning code and purposes of the zoning district in which the applicant intends to locate the proposed use.
    - The use is consistent with the purpose of the code and district.
6. The use shall not be in conflict with the comprehensive plan of the City.
    - The fence is consistent with the comprehensive plan.
7. The use will not cause traffic hazards or congestion.
    - The fence will not cause traffic hazards or congestion.
8. The use shall have adequate utilities, access roads, drainage and necessary facilities.
    - The existing structure is served with the required utility services, adequate roadway infrastructure and necessary drainage facilities. The fence will not require the construction of any additional items.

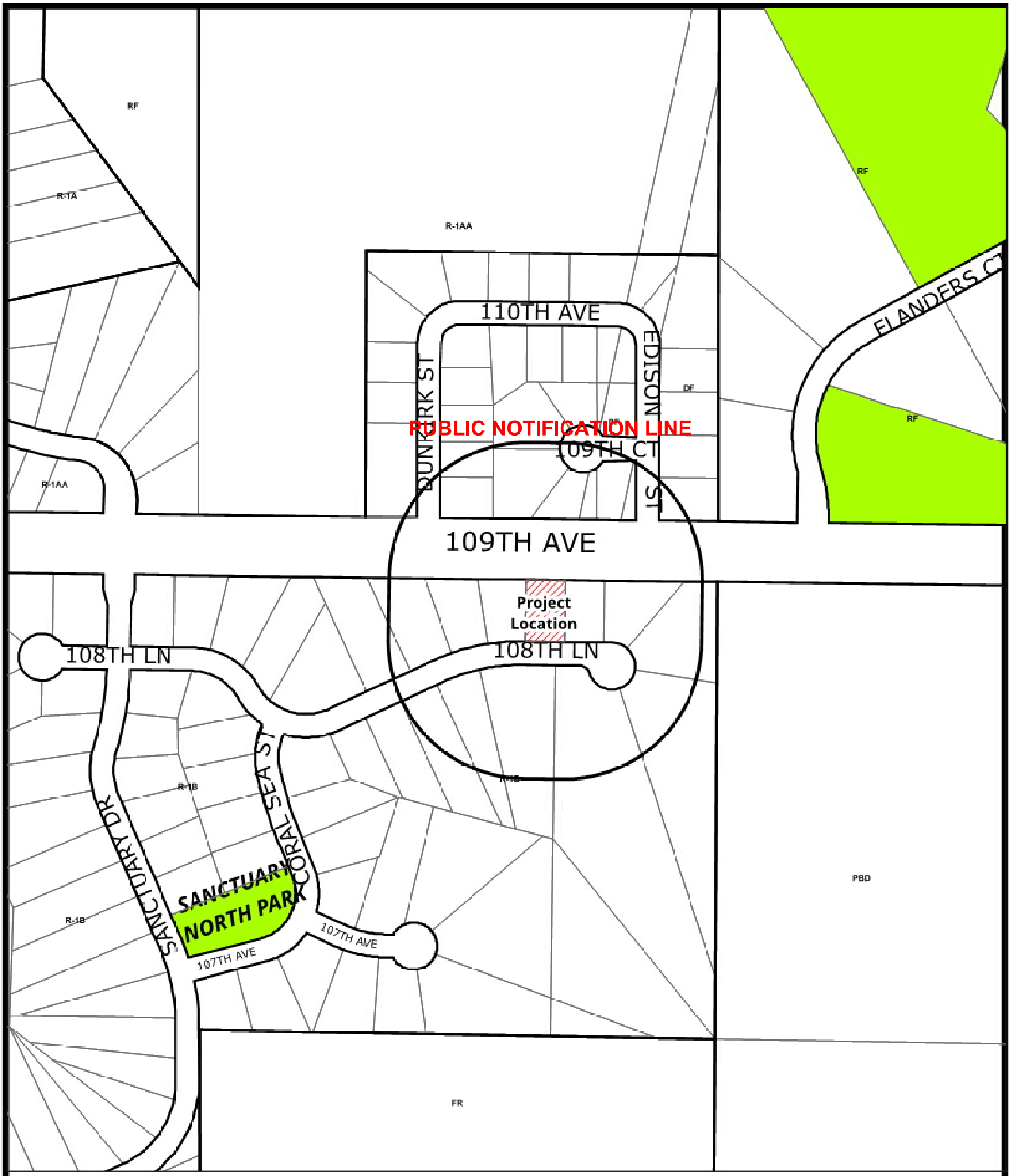
Recommendation

In Planning Case File No. 23-0050, it is recommended that the Planning Commission recommend approval of a conditional use permit to construct an 8 foot fence in the rear yard in the R-1B (Single Family) zoning district,with the following conditions:

1. The 8 foot fence is limited to the rear yard, which is defined as behind the rear plane of the home. A small portion of the fence shown on the submitted drawing is in the side yard and is therefore limited to 6 feet in height.
2. Fence shall be maintenance free (vinyl or composite).
3. Applicant to obtain all necessary permits prior to installation.

Attachment List

1. Attachments



Case File No. 23-0050
Ben Saefke

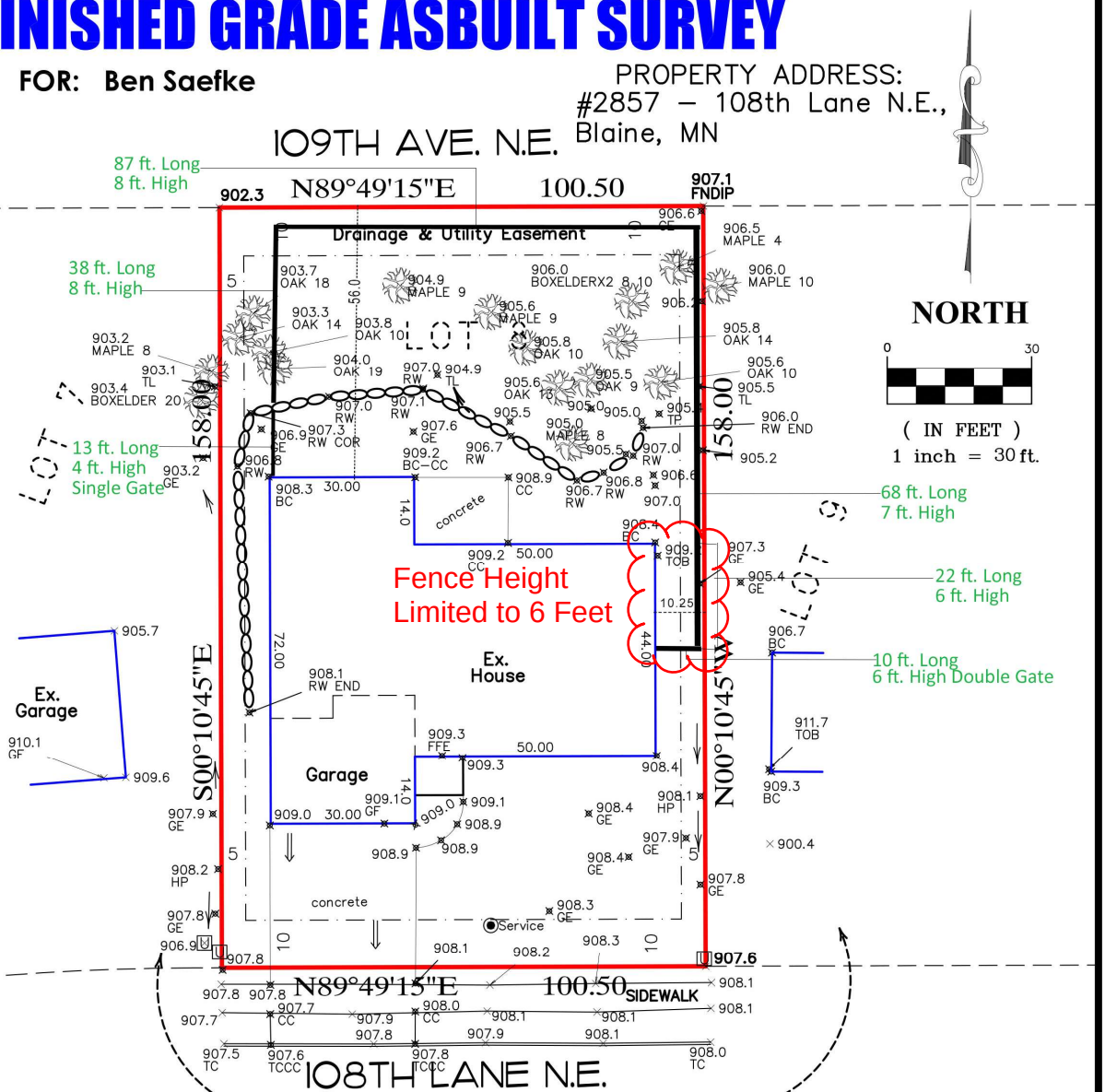
BlaineMN.gov

Blaine Planning Department / 10801 Town Square Dr NE / Blaine, MN 55449 / (763) 785-6180

FINISHED GRADE ASBUILT SURVEY

FOR: Ben Saefke

PROPERTY ADDRESS:
#2857 – 108th Lane N.E.,
Blaine, MN



THIS PLAN PROPOSES GRADING ONTO ADJACENT PROPERTIES, BUILDER TO GET WRITTEN PERMISSION FROM NEIGHBORING LOTS.

Slab on Grade

PROPOSED ELEVATIONS	ASBUILT ELEVATIONS (Meas. 07/17/18')
GARAGE FLOOR = 908.8	....(908.65, gar.lip)
TOP OF BLOCK = 909.2	....909.2

NOTES

- BEARING'S SHOWN ARE ON ASSUMED DATUM.
- FIELD SURVEY COMPLETED 06/04/2019.
- ELEVATIONS ON ASSUMED DATUM.
- CONTRACTOR TO VERIFY HOUSE DIMENSIONS, AND SEWER AND BASEMENT DEPTHS.

(1023) DENOTES PROPOSED ELEVATION.
×1011.2 DENOTES EXISTING ELEVATION.
DENOTES DIRECTION OF DRAINAGE.

Lot 8, Block 3, THE SANCTUARY EIGHTH ADDITION, Anoka County, Minnesota.

I hereby certify that this plan, survey or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Job #17272hs

ERIC R. VICKARYOUS Date: 06/10/2019 Reg. No. 44125

ACRE LAND SURVEYING
Serving Twin Cities Metro area and beyond
763-458-2997 acrelandsurvey@gmail.com

C:\Users\ericj\OneDrive\CAD-1D\17272hs-Blaine-Sanct 8th Private guy\dwg\17272gab.dwg 6/10/2019 11:50:38 AM CDT

Ben Saefke
2857 108th Lane NE
Blaine, MN 55449
May 8th, 2023

City of Blaine Planning Commission
10801 Town Square Drive NE
Blaine, MN 55449

Dear City of Blaine Planning Commission:

We are requesting a Conditional Use Permit for the ability to build a Privacy Fence 7' high along the east side, 8' high along the west side, and a 7' to 8' high transition along the north side of our property. We are requesting for the reason of Privacy and Noise Reduction. With the continued development of residential and commercial along 109th, the traffic has gotten increasingly busier. We are hoping that we will be able to maintain use of our backyard for our family.

The product we are planning to use is Bufftech Galveston 7' and 8' high white vinyl privacy panel fencing by CertainTeed. This will be aesthetically pleasing to both our house and our neighbor's house on our east side.

Thank you for your consideration.

Sincerely,

Ben Saefke

Ben and Deanna Saefke

City of Blaine
Staff Report

File Number: 2023-204

Agenda Date	Status
June 13, 2023	
In Control	**File Type**
Planning Commission	Report

Public Hearing - Shawn Kaye, Planner

Agenda Item # 3.5

Case File No. 23-0051 // On the Green, Indoor Golf // 12507 Central Avenue NE
The applicant is requesting a conditional use permit to operate a year-round golf experience with indoor virtual golf simulators in the B-3 (Regional Commercial) zoning district.

Background

Zoning	B-3 (Regional Commercial)
Land Use	Community Commercial
Area	12 Acres
Applicable Regulations	Section 30.24(b) of the Zoning Ordinance
Attachments	Zoning and Location Map
	Site Plan
	Floor Plan
	Narrative
	Parking Analysis
Schedule	Planning Commission: 06/13/23
	City Council: 07/05/23

Staff report prepared by Shawn Kaye, Planner and Teresa Barnes, Project Engineer

Executive Summary

Zoning

The property is zoned B-3 (Regional Commercial).

Surrounding Zoning and Uses

The properties to the north and south are zoned B-3 with Dairy Queen to the north and Speedway to the south. The property to the east is zoned R-3A with townhomes and

wetland. Highway 65 is adjacent to the west.

Existing Conditions
The site is currently occupied by an approximately 127,000 square foot multitenant retail building on a 12 acre lot.

History
The two tenant spaces the applicant is proposing to occupy were the previous locations of Hallmark and Glo in the Hole Golf.

Evaluation of Request
Site Plan
On the Green Indoor Golf is proposing to open a small restaurant with golf simulators in a tenant space in Blaine Town Center. The 9,252 square foot space is south of Cub Foods. The space will be used for seven golf simulators, a putting green, a bar, a kitchen, a small area for sitting, and room for two future simulators.

In addition to the simulators, the applicant is proposing to serve food, ranging from small snacks to full meals; the meals would primarily be quick-serve and frozen food such as pre-made pizzas which can be cooked in an air fryer or convection oven.The applicant would also like to maintain a full bar with draft beer, a few wine options, seltzers, and hand-made cocktails. The bar would primarily be there to serve patrons of the simulators as well as those who would like to spend time socializing before and after a round of golf.

The operating hours in peak season (October-April) would be about 15 hours a day, 8AM to 11PM. While the demand in the summer months would drop off considerably, they would remain open but adjust schedules to focus primarily on afternoons and evenings.

Parking
The primary concern with amusement uses is the provision of adequate parking for multi-tenant buildings. The simulators can accommodate four users at a time, so the simulators themselves correspond to a maximum parking demand of four spaces per simulator, or 28 spaces. Applying the restaurant standard (one space per 100 square feet), bar standard (one space per 40 square feet), and kitchen area (1 space per 200 square feet) to the remaining floor area results in an additional parking need of 15 spaces, and a total parking requirement of 43 spaces. To meet the needs of the current tenants of Blaine Town Center, 673 stalls are required under the requirements of the code. The parking lot for the shopping center identifies 789 parking stalls. Therefore, adequate parking has been provided on site.

Landscaping
The existing landscaping on site met requirements when the building was constructed.

Tree Preservation

No trees will be removed on site.

Grading/Storm Drainage
The proposed project does not include any alterations to the existing grading or storm water drainage patterns on the property.

Utilities
The proposed development will utilize the existing utilities into the building. No new connections are proposed.

Wetlands/Watershed/FEMA
The proposed development does not propose any exterior work; therefore, no alteration to wetlands or FEMA would be anticipated.

A Coon Creek Watershed District review is not required.

Access/Street Design/Sidewalks/Trails
The development will utilize the existing access points to the existing parking area. No new access points will be granted. No additional street design, sidewalks or trails will be required.

Easements/Right-of-way/Permits
The developer will need to obtain any and all required permits to construct the proposed project. A copy of all permits will need to be submitted to the City prior to any site work.

Conditional Use Permit
A city exercises “quasi-judicial” authority when considering a CUP application. This means the city’s role is limited to applying the standards in the ordinance to the facts presented by the application. The city acts like a judge in evaluating the facts against the standards

Section 27.04 Criteria for granting conditional use permits:
The Blaine City Council shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use on the comprehensive plan and upon the health, safety, and general welfare of occupants of surrounding lands. Among other things, the Council shall consider the following findings where applicable. (Ord. No. 20-2447, 7-20-2020)

1. The use shall not create an excessive burden on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area.
    - The use of indoor golf simulators does not create an excessive burden.
2. The use will be located, designed, maintained, and operated to be compatible with adjoining properties and the existing or intended character of the zoning district. (Ord. No. 20-2447, 7-20-2020)
    - The use is consistent with the mixed commercial character of the area, including a variety of restaurant and entertainment uses.

3. The use shall have an appearance that will not have an adverse effect upon adjacent properties.
    - There are no changes proposed to the outside uses of the site. The use will not have an adverse effect on adjacent properties.
4. The use, in the opinion of the City Council, shall be reasonably related to the overall needs of the City and to the existing land use.
5. The use shall be consistent with the purposes of the zoning code and purposes of the zoning district in which the applicant intends to locate the proposed use.
    - The use meets the purpose of the B-3 district.
6. The use shall not be in conflict with the comprehensive plan of the City.
    - The comprehensive plan designation is CC (Community Commercial), which is for retailing and services that serve larger areas from neighborhood to regional scale. The use is not in conflict with the Comprehensive Plan.
7. The use will not cause traffic hazards or congestion.
    - The proposed development will not result in any additional traffic hazards or additional congestion to the area.
8. The use shall have adequate utilities, access roads, drainage and necessary facilities.
    - The proposed development, once constructed, will have the required utility services, adequate roads and necessary drainage facilities to service the proposed development.

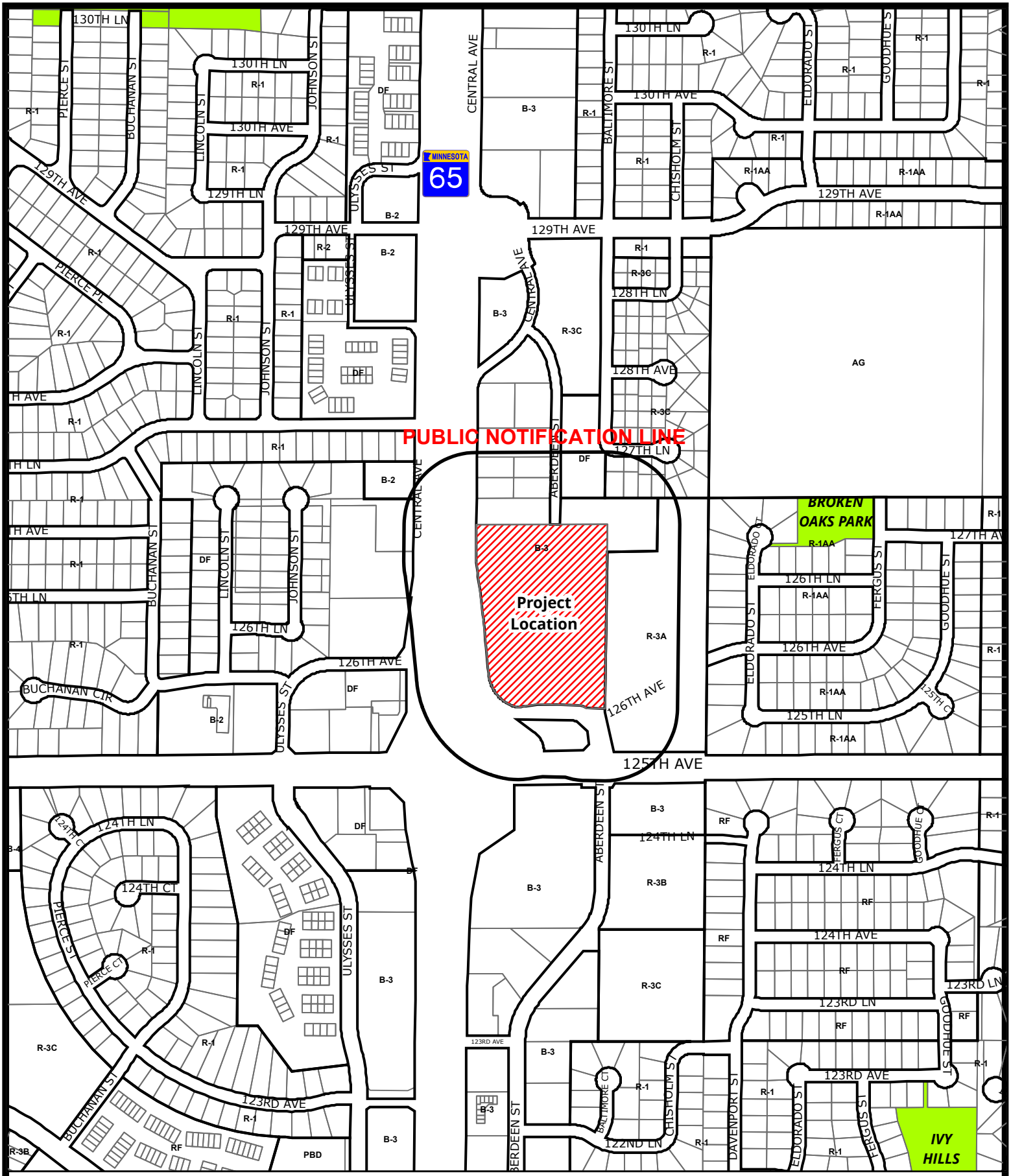
Recommendation

In Planning Case File No. 23-0051, it is recommended that the Planning Commission recommend approval of a conditional use permit to operate a year-round golf experience with indoor virtual golf simulators in the B-3 (Regional Commercial) zoning district, with the following conditions:

1. Applicant to obtain on-sale liquor license prior to any liquor sales.
2. No activity related to the use is to be conducted outside the building.
3. The interior tenant finish work to be completed with a building permit meeting all Building and Fire Code requirements.
4. A Certificate of Occupancy is required prior to occupying the space.
5. All business signage by separate review and permit.

Attachment List

1. Attachments

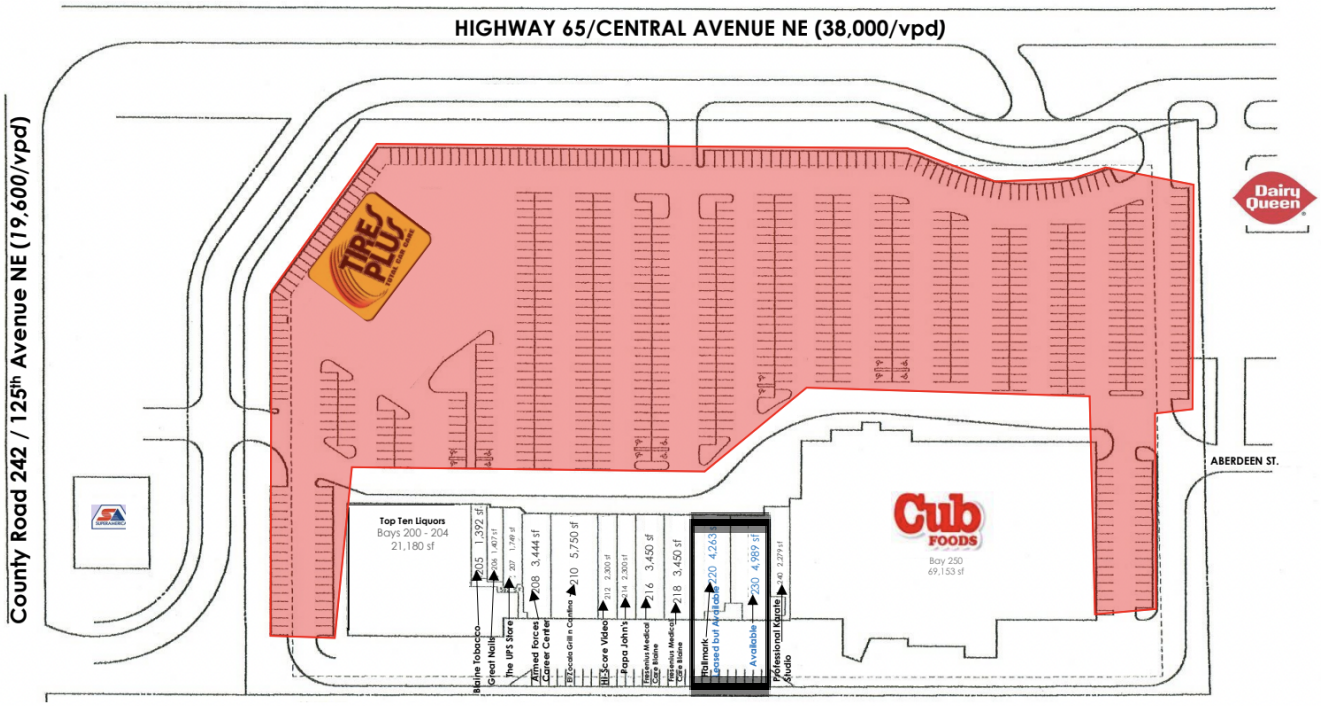


Case File No. 23-0051
On the Green Indoor Golf

BlaineMN.gov

Blaine Planning Department / 10801 Town Square Dr NE / Blaine, MN 55449 / (763) 785-6180

Site Plan



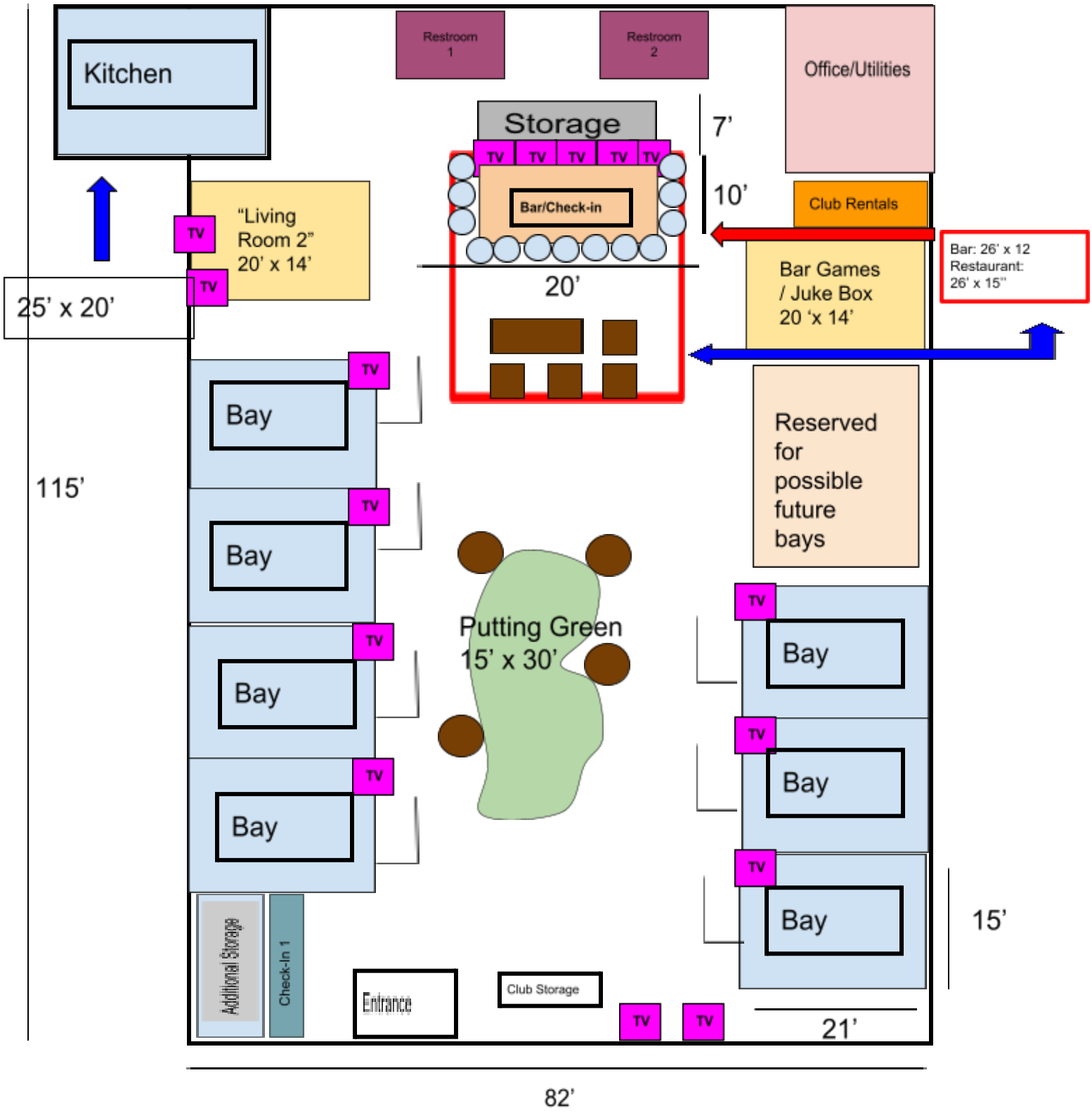
Blaine Town Center Shopping Center

Site Area	660,371 SF
Leaseable Area	127,106 SF
Parking Stalls	789

5/8/23

BLAINE TOWN CENTER
12507-12595 CENTRAL AVENUE, BLAINE, MN

KRAUS-ANDERSON® Realty Company



*Drawn to Scale

Narrative

On the Green, Indoor Golf is about providing a year-round golf experience to new and experienced golfers. Through the application of advanced technology virtual simulators, we can provide players of all levels the opportunity to play high-quality golf all year in a family-friendly and vibrant environment. In a state with long winters and many golfers, this is a significant opportunity to fill a major need, especially in times when golf courses are not open. Having an abundance of activities in colder months would be very beneficial to people in terms of mental and physical health through physical activity and social interaction. In addition to the simulators, we plan on serving food, ranging from small snacks to full meals; the meals would primarily be quick-serve and frozen food such as pre-made pizzas which can be cooked in an air fryer or convection oven; we would not require a fryer.. We would also like to maintain a full bar with draft beer, a few wine options, seltzers, and hand-made cocktails. The bar would primarily be there to serve patrons of the simulators as well as those who would like to spend time socializing before and after a round. The combination of golf, restaurant, and bar would create an all-immersive entertainment space for serious golfers, social golfers, new golfers, families, and more.

As mentioned, the long winters in Minnesota provide a need for this type of business. Due to this reality, this would primarily be a seasonal business as the vast majority of consumer traffic would be anticipated to occur through the months of October and April, complimentary to outdoor golf courses. In those months, we anticipate traffic to be high throughout most of the day with peak hours after work, 4 PM and later. Different demographics would typically fill different times during the day often depending on work schedules and lifestyles with weekends being the prime time for demand. Our operating hours in peak season would be about 15 hours a day, 8 AM to 11 PM. While the demand in the summer months would drop off considerably, we would remain open but adjust our schedules to focus primarily on afternoons and nights.

A critical aspect of this business would be the opportunities to partner and connect with the local community. As the location is very close in proximity to several golf courses, we would want to establish relationships with local instructors and clubhouses. Additionally, we would want to reach out to local businesses for opportunities to sponsor and advertise at our establishment; this is a very common model in similar golf simulator businesses. Like an outdoor golf course, we also imagine our facility to be a prime location to network and conduct business. Another opportunity to get involved in the community would be reaching out to youth programs and local schools to provide a local high-tech facility to train and practice. We would love to partner philanthropically with such organizations and be endlessly creative and generous. With such a large golfing population in Blaine, there are countless opportunities to add value to the community.

The long-term goals of this business are to establish and maintain a positive reputation in the community, grow the game of golf across different demographics, and create a space where people can come together and connect. Ultimately, I am confident that this business will be successful. As someone who is passionate about the game of golf and sharing this passion with others in addition to being able to leverage many years of experience operating multiple small businesses, we feel equipped and ready to embark on this new adventure.

Blaine Town Center

Suite	Size	Description	Parking Ratio (Sq. Ft : Stall)	Stalls Required
200-204	21,180 Sq. Ft	Top Ten Liquors	200 : 1	106
205	1,392 Sq. Ft	Blaine Tobacco	200 : 1	7
206	1,407 Sq. Ft	Great Nails	200 : 1	7
207	1,749 Sq. Ft	The UPS Store	200 : 1	9
208	3,444 Sq. Ft	The Armed Forces Career Center	200 : 1	17
210	5,750 Sq. Ft	El Zocala Grill & Cantina	100 : 1	58
212	2,300 Sq. Ft	Hi-Score Video	200 : 1	12
214	2,300 Sq. Ft	Papa John's	100 : 1	23
216	3,450 Sq. Ft	Fresenius Medical Care	150 : 1	23
220-230	**9,252 Sq. Ft**	**On the Green Indoor Golf**	**215 : 1**	**43**
240	2,279 Sq. Ft	Professional Karate Studio	300 : 1	8
250	69,153 Sq. Ft	Cub Foods	200 : 1	346
Adjacent	3,450 Sq. Ft	Tires Plus	200 : 1	14

Overall: 789 Parking Styles for 127,106 Sq. Ft of retail space

On the Green, Indoor Golf -

- Simulators (7): 28 stalls
- Restaurant Space (projected 390 Sq. Ft): 4 stalls
- Bar Area (projected 312 Sq. Ft): 8 stalls
- Kitchen Space (projected 500 Sq. Ft): 3 stalls

Total - 43 Stalls