



City of Blaine

Planning Commission

September 12, 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 city staff, open the public hearing, discuss and act on the application.

Public comments prior to the meeting must be received by 4:30PM 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. Roll Call

3. Approval of Minutes

3.1. 2023-391 Approval of the August 8, 2023 Planning Commission Minutes
Sponsors:

4. Public Hearing

4.1. 2023-390 Case File No. 23-0067 // Stinson Electric // 8888 Xylite Street NE
The applicant is requesting a rezoning from I-1 (Light Industrial) to I-1A (Light Industrial).
Sponsors: Elizabeth Showalter, Community Development Specialist

5. Adjournment



City of Blaine

Planning Commission

August 8, 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, August 8, 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
Teresa Barnes, Project Engineer

3. Approval of Minutes

- 3.1. 2023-351 Approval of the July 11, 2023 Planning Commission Minutes
Sponsors:

Motion by Commissioner Gorzycki to approve the minutes of July 11, 2023, as presented. Motion seconded by Commissioner Homan. The motion passed 7-0.

- 3.2. 2023-314 Approval of the July 19, 2023 Planning Commission Minutes
Sponsors:

Motion by Commissioner Olson to approve the minutes of July 19, 2023, as presented. Motion seconded by Commissioner Gorzycki. The motion passed 7-0.

4. Public Hearing

- 4.1.** 2023-312 Case File No. 23-0061 // Jesse Orr // 3651 125th Avenue NE
The applicant is requesting a conditional use permit to construct a 40 foot by 59 foot detached accessory building, for a total of 2,984 square feet of accessory building space, in an FR (Farm Residential) zoning district.
Sponsors: Elizabeth Showalter, Community Development Specialist

The report to the planning commission was presented by Shawn Kaye, Planner. The public hearing for Case File 23-0061 was opened at 7:05PM.

Jesse Orr, 3651 125th Avenue NE, thanked the commission for considering his request and noted he was available to questions or comments.

Chair Goracke asked if the roof would be metal or asphalt.

Mr. Orr reported he was looking to have a metal roof on the building.

Commissioner Halpern questioned how long it would take to construct this building.

Mr. Orr anticipated it would take two months to construct.

The public hearing was closed at 7:07PM.

Motion by Commissioner Halpern to recommend approval of Planning Case 23-0061 based on the following conditions:

Case 23-0061:

- 1. A building permit is required for the proposed pole building. A survey of the property and tree preservation plan shall be required as part of that permit application.**
- 2. Pole building shall be used for personal storage only. Repair of personal vehicles registered to the owner of the property is permitted. No other vehicle repair may occur.**
- 3. Maintain existing storm water drainage patterns.**

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

Chair Goracke noted this would be on the agenda of the September 6, 2023 city council meeting.

- 4.2.** 2023-324 Case File No. 23-0055 // Valvoline Instant Oil Change // 10857 University Avenue NE
The applicant is requesting a conditional use permit for a minor auto repair with shared access in the 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 23-0055 was opened at 7:09PM.

Jim Delfeck, Valvoline representative, thanked the planning commission for considering his request.

Chair Goracke questioned how many people this Valvoline location would employ and inquired what the hours of operation would be.

Mr. Delfeck reported this location would have seven full time and two part time employees. He noted the hours of operation would be 7:00 a.m. to 7:00 p.m. Monday through Saturday and a few hours on Sundays.

Commissioner Swanson stated she was grateful to see a new use coming to this building.

The public hearing was closed at 7:11PM.

Motion by Commissioner Homan to recommend approval of Planning Case 23-0055 based on the following conditions:

Case 23-0055:

- 1. Site plan approval will be required as a part of the building permit application. All site improvements to be included in the Site Improvement Performance Agreement (SIPA) and covered by an acceptable financial guarantee.**
- 2. A copy of the shared access/parking agreement between lots must be submitted to the Planning Department prior to any work being allowed on site.**
- 3. All lighting on site must meet requirements established by Section 33.02 of the Zoning Ordinance. Freestanding light structures are limited in height to not more than 20 feet.**

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

Chair Goracke noted this would be on the agenda of the September 6, 2023 city council meeting.

- 4.3.** 2023-313 Case File No. 23-0063 // City of Blaine
The City is requesting a code amendment to section 26.06 (Nonconforming structures, uses) of the Zoning Ordinance to allow the creation of nonconformities by public action to be deemed in compliance with the Zoning Ordinance.
Sponsors: Shawn Kaye, Planner

The report to the planning commission was presented by Shawn Kaye, Planner. The public hearing for Case File 23-0063 was opened at 7:14PM. As no one wished to appear, the public hearing was closed at 7:14PM.

Motion by Commissioner Olson to recommend approval of Planning Case 23-0063 to recommend approval of a code amendment to section 26.06 Nonconforming structures, uses of the Zoning Ordinance to allow the creation of nonconformities by public action to be deemed to be in compliance with the Zoning Ordinance. Motion seconded by Commissioner Deonauth. The motion passed 7-0.

Chair Goracke noted this would be on the agenda of the September 6, 2023 city council meeting.

5. Adjournment

Motion by Commissioner Halpern to adjourn the regular planning commission meeting. Motion seconded by Commissioner Swanson. The motion passed 7-0.

Adjournment time was 7:15PM.



City of Blaine Staff Report

File Number: 2023-390

Agenda Date	Status
September 12, 2023	
In Control	File Type
Planning Commission	Report

Public Hearing - Elizabeth Showalter, Community Development Specialist

Agenda Item # 4.1

Case File No. 23-0067 // Stinson Electric // 8888 Xylite Street NE

The applicant is requesting a rezoning from I-1 (Light Industrial) to I-1A (Light Industrial).

Background

Zoning	I-1 (Light Industrial)
Land Use	LI (Light Industrial)
Area	4 Acres
Applicable Regulations	27.03 of the Zoning Code
Attachments	Zoning and Location Map Existing and Proposed Zoning Narrative Concept Plan
Schedule	Planning Commission: 09/12/23 City Council: 10/02/23

Staff report prepared by Elizabeth Showalter, Community Development Specialist

Zoning

The subject property is zoned I-1 (Light Industrial).

Surrounding Zoning and Uses

The property to the north and east (across Xylite) are zoned R-1 and R-1AA, both single family districts. The property to the east is Airport and the property to the south is I-1 (Light Industrial), and is occupied by an auto repair business. This stretch of Xylite has several industrial properties, and as the properties go south, they have heavier industrial designations.

Comprehensive Land Use

The property is guided LI (Light Industrial). Both the I-1 (current) and I-1A (proposed) zoning districts are consistent with that land use designation.

Existing Conditions

The property is undeveloped.

History

There are no previous approvals on this property. The City Council approved a rezoning from I-1 to I-1A for 8830 Xylite Street NE which is separated from the subject property by one parcel. Part of the reasoning for the rezoning was that it provided an appropriate transition between the I-2 properties to the south and the I-1 properties to the north.

Rezoning

Section 27.03 Criteria for granting zoning/comprehensive plan amendments:

The City Council may adopt amendments to the zoning ordinance, zoning map, and comprehensive plan relative to land uses within a particular district or to the location of the district lines. Zoning amendments shall only be used as a means to reflect changes in the goals and policies of the City as reflected in the comprehensive plan or changes in conditions in the City. Although there are no explicit findings that must be made in conjunction with rezoning, appropriate considerations include:

- Whether the proposed district is consistent with the Comprehensive Plan.
- How the proposed district differs from the existing district.
- How the proposed district meets the goals and policies of the city.

The proposed district intent is to provide for the development of industrial uses ranging from small to large scale industry and related services and allow minimal outside storage. This district shall encourage the development of industrial uses accessible to major highways and utilize city services of sanitary sewer, water, street, and storm drainage. Such light industrial areas can be located next to heavy industrial, commercial, residential, and airport districts and shall be free of hazardous or objectionable elements such as noise, odor, dust, smoke, glare, or other pollutants. The intent of the existing zoning district is the same as the proposed one, except the proposed district includes allowing minimal outside storage.

Evaluation of Request

The applicant is requesting a rezoning from I-1 to I-1A to allow for outside storage. No outside storage other than passenger vehicles, is permitted in the I-1 district. The I-2 and I-2A districts allow for general outside storage with a Conditional Use Permit (CUP). The I-1A district allows for outside storage with a CUP, but is more restrictive about the storage than the heavy industrial districts.

This request involves a high level of discretion on the part of the city, since both the existing and proposed zoning districts are consistent with the comprehensive plan and the intent statements of both districts specify the same areas where the district may be located.

The Planning Commission should consider whether allowing for outside storage, meeting the standards of 31.15(I), is appropriate adjacent to single-family residential properties. Those standards are:

1. Outside storage area limited to a maximum of fifty percent (50%) of total building footprint.

2. Sites considered for limited outside storage shall be capable of providing full screening so that outside storage is not visible from any public right-of-way.
3. Screening to be achieved through a combination of masonry walls, fencing, berming, landscaping, additional setbacks, etc.
4. Outside storage limited to a maximum height of twelve (12) feet.
5. A Conditional Use Permit for limited outside storage shall not permit the outside storage of semi-trucks, semi-trailers, or heavy construction equipment.
6. All limited outside storage areas are to be hard surfaced and bound at the perimeter by either B-6-12 concrete curb and gutter or fencing as determined by the zoning administrator.
7. Additional screening may be required to effectively screen outside storage from the view of adjacent properties.
8. Storage shall be located in the rear or side yards.

In the City, there are five properties zoned to allow outside storage (all I-2) that immediately abut residential properties, without a road between them. Three of the five parcels are clustered together. In all but one of those cases, the industrial properties were developed prior to residential (i.e., any buyer of the residential home was aware of the adjacent outside storage). The one case in which the residential use predated the outside storage use is the auto salvage yard at 109th and Highway 65, which was built in 1983 next to homes built approximately 10 years earlier. In 2021, the City preemptively rezoned an undeveloped I-2 property (10201 Xylite Street NE) to I-1, to prevent outside storage next to an established single family neighborhood. There are several additional instances of outside storage situated across the street from single-family residential. The applicant is proposing the I-1A zoning, which places limitations on the size of outside storage which is not in place in the I-2 district, which may be considered sufficient to prevent conflict between the uses.

Applicant's Proposal

The applicant is proposing to use the property as a contractor's yard for a commercial electric contractor and would store various light construction equipment, such as skid steers, pick-up trucks, storage containers, and trailers. The applicant has provided a narrative that further explains the operation of the business and the proposed storage. If the rezoning request is approved, the applicant is planning to request the necessary CUP for limited outside storage and the City may apply conditions to that CUP.

As a reminder, while the applicant is intending to operate the described business at this location, the I-1A zoning would remain regardless of whether the applicant ultimately occupies this property, or if they occupy and later move. While the limited outside storage requires a CUP and the City will have the opportunity to review the applicant and add conditions, the City is very limited in the ability to deny a CUP if the criteria outlined in Section 27.04 are met.

Recommendation

Since the rezoning request has a high level of discretion involved, staff are providing potential rationale for approval or denial of the rezoning request.

In Planning Case File No. 23-0067, the Planning Commission may recommend approval of a rezoning with the following rationale:

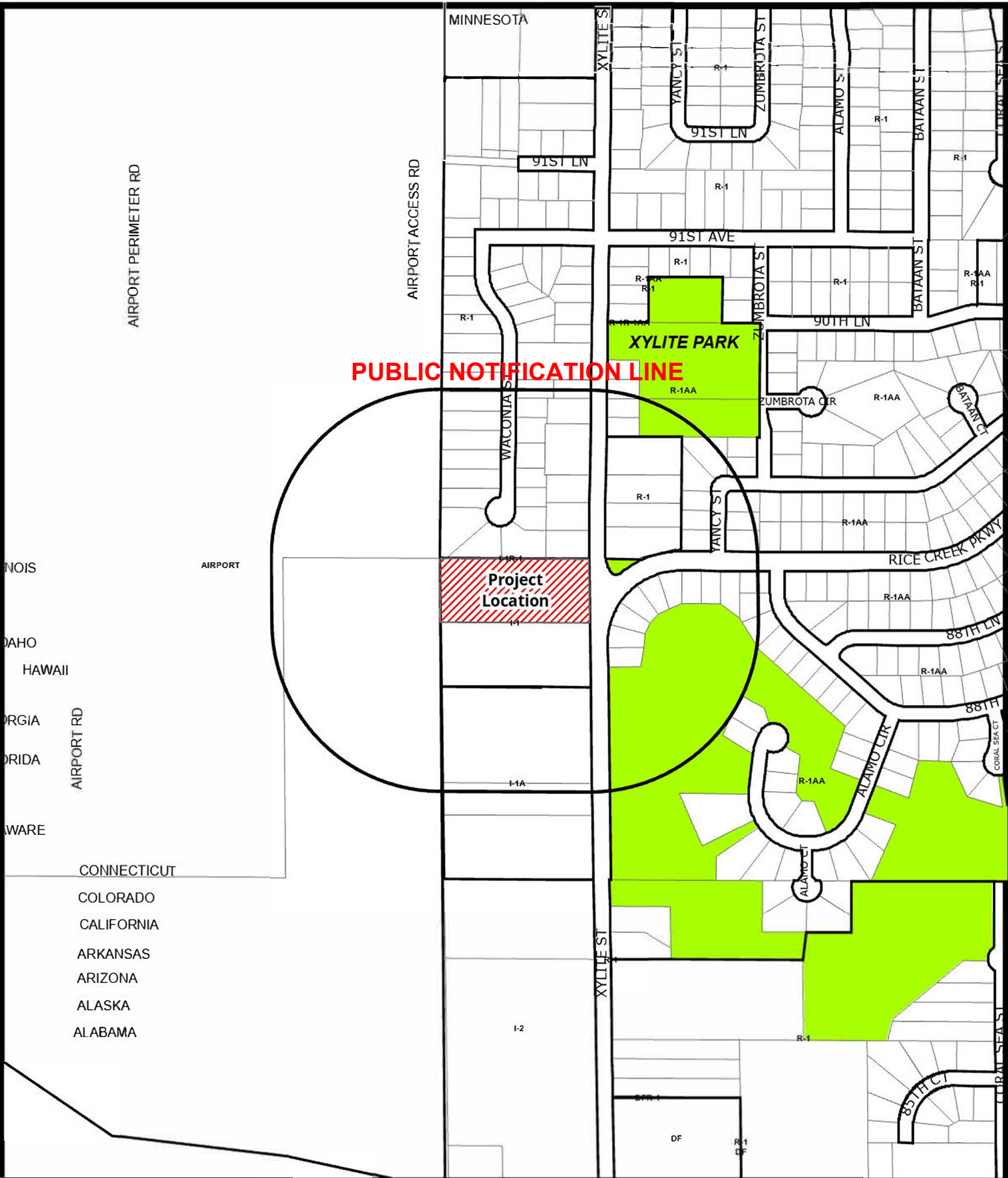
1. The I-1A (Light Industrial) zoning is consistent with the industrial properties to the south, including the adjacent auto repair use with extensive outside storage of vehicles.
2. The I-1A district provides sufficient controls on the outside storage in 31.15(l) and the ability to add additional conditions through a Conditional Use Permit (CUP) provides sufficient protection to ensure outside storage is compatible with adjacent residential uses.
3. The I-1A district is consistent with the LI (Light Industrial) land use designation.

In Planning Case File No. 23-0067, the Planning Commission may recommend denial of a rezoning with the following rationale:

1. The I-1A (Light Industrial) zoning district, and accompanying outside storage capability, is not compatible with the adjacent low density residential uses.
2. The property can be reasonably developed with the existing I-1 (Light Industrial) zoning district and that district is consistent with the LI (Light Industrial) land use designation.
3. The proposed rezoning does not reflect either changes in the goals and policies of the City as reflected in the Comprehensive Plan or a change in conditions in the City.

Attachment List

1. Attachments
2. 8888 Xylite Neighborhood Meeting Summary



BlaineMN.gov

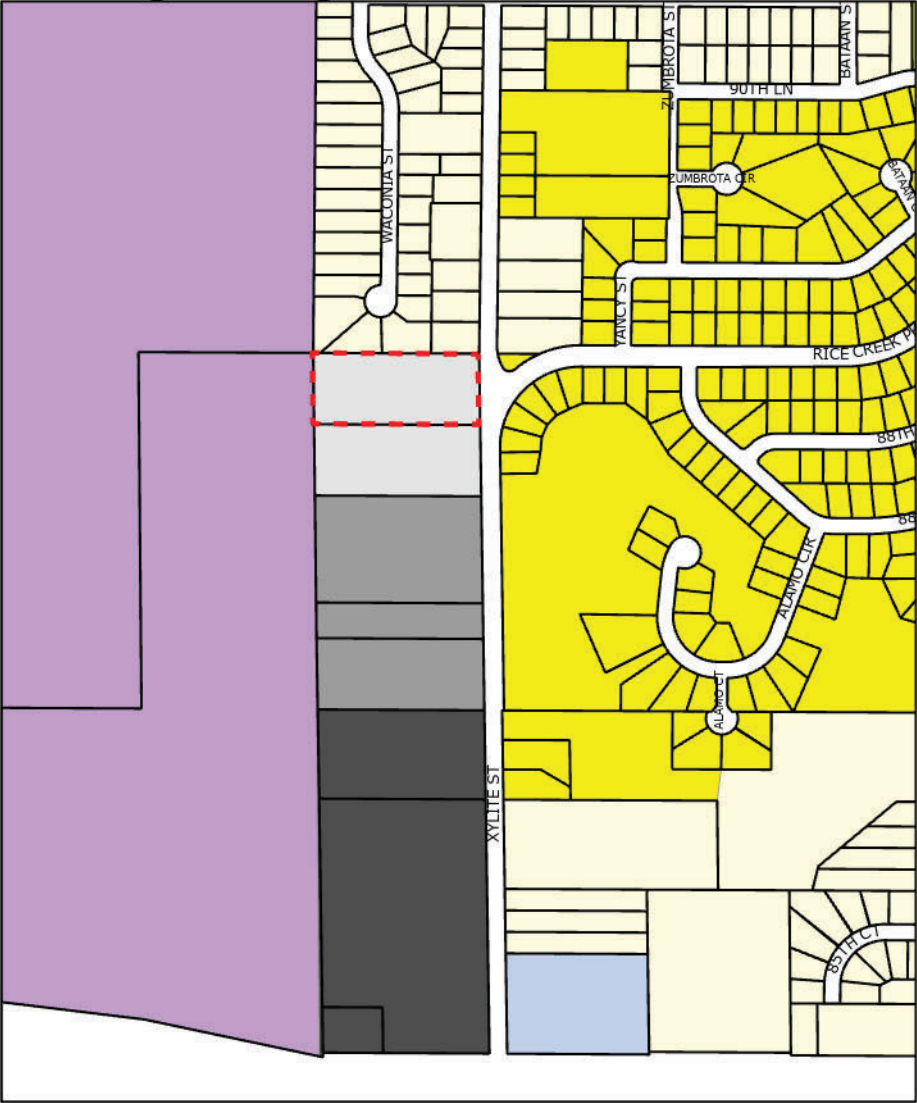
Case File No. 23-0067 Stinson Electric



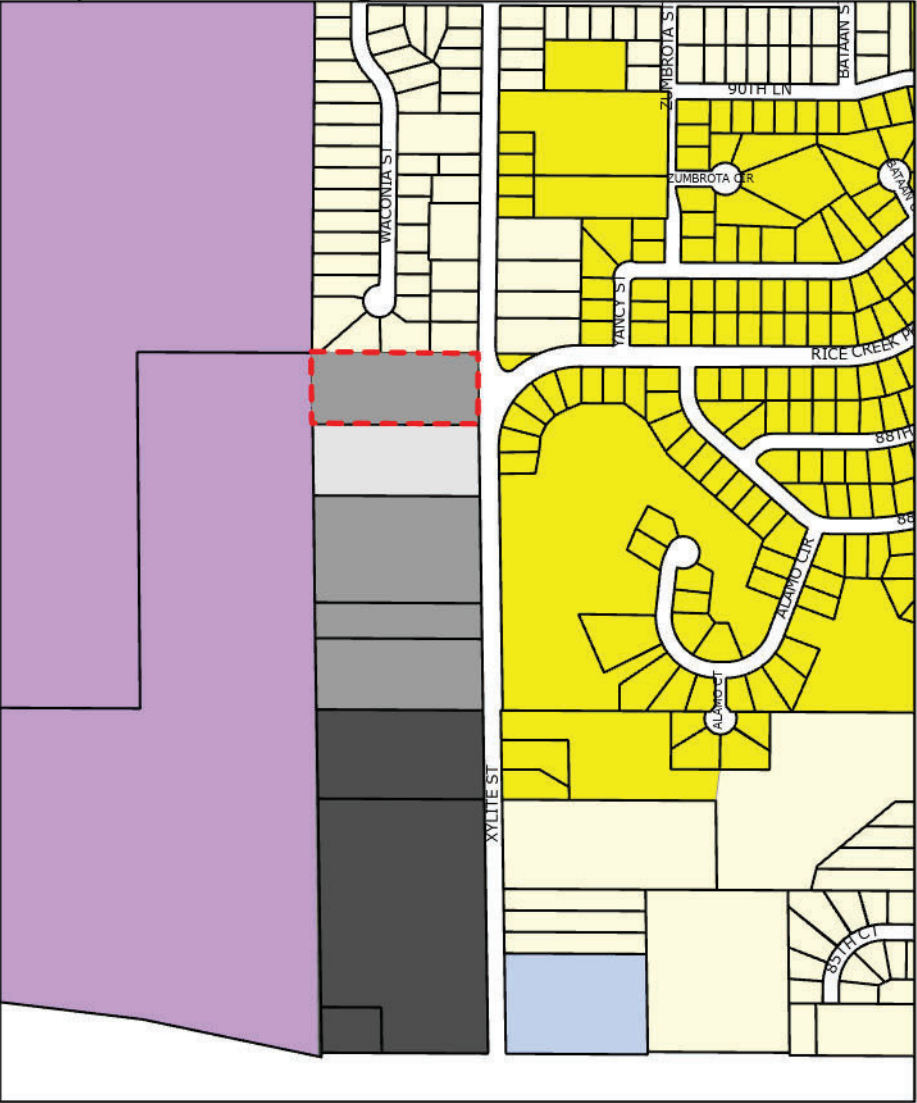
Blaine Planning Department / 10801 Town Square Dr NE / Blaine, MN 55449 / (763) 785-6180

8888 Xylite Street

Existing Zoning



Proposed Zoning



- | | | |
|------------------------|-------------------------|-----------------------|
| DF - Development Flex | I-1A - Light Industrial | R-1AA - Single Family |
| Airport | I-2 - Heavy Industrial | |
| I-1 - Light Industrial | R-1 - Single Family | |

We are interested in re-zoning of a property that we have under contract at 88XX Xylite, Parcel Number 33-31-23-41-0006. This site would be perfect for our operation if we could find a way to create acceptable outdoor storage with permanent screening and landscaping. We would like to create a project that would be a significant aesthetic improvement to the neighborhood.

The parcels to the north are residential and are partially screened from the property by trees and undergrowth. The parcel to the south houses multiple car, truck and bus repair and restoration businesses that generate noise, fumes and utilize a significant amount of the property for unscreened outdoor storage of vehicles in various states of repair. Our building and screened / landscaped storage would provide a buffer between the residences and the existing businesses.

As an electrical contractor, we are a fairly low impact neighbor because our hours of operation for yard operations and deliveries are 6 am -3 pm Monday through Friday. The office staff work between 6 am and 5 pm M-F. Seventy five percent of our employees report to remote jobsites each day and drive their company vehicles home at night. All of our trucks are gas powered and we receive only about 10 tractor trailer deliveries per week.

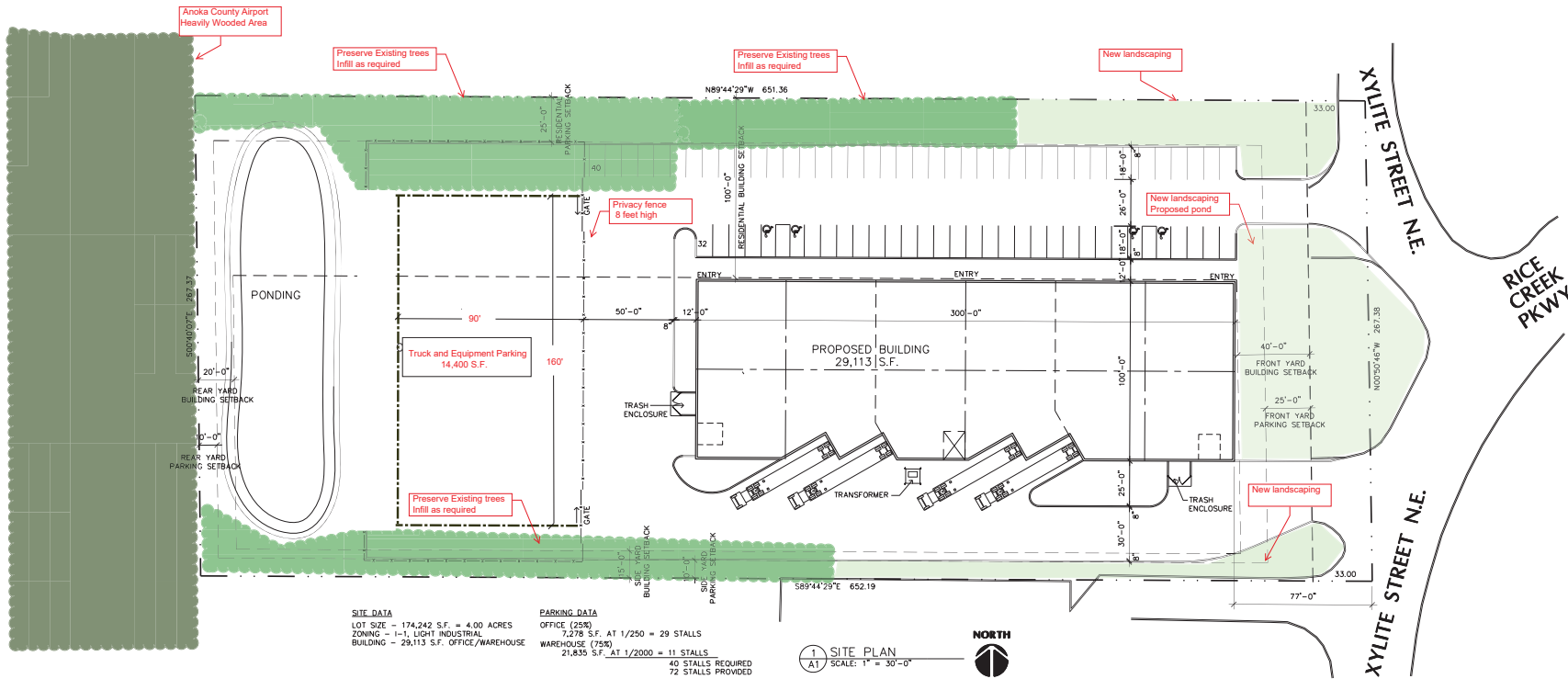
We employ about 50 people including engineers, project managers, administrators, logistics team and electricians. We seldom have customers or vendors visit our facility. Our company operates from a business-to-business model and we don't sell any material or equipment wholesale or retail at the warehouse. We plan to store conduit, wire, lighting fixtures and electrical panels we have purchased for specific jobs and held in the warehouse until the project is ready for the materials.

We have provided the electrical design and construction of numerous industrial, commercial, warehouse and medical facilities in the city of Blaine. We provide ongoing electrical services to these businesses.

Our outdoor yard is used primarily to store our 3 delivery vehicles, 2 towable boom lifts, 2-3, 20-foot Conex boxes between projects and various trailers to deliver a trencher, scissor lifts, 2 small skid steers and 2 mini excavators. Our current property has a 10,000 square foot lot that is concealed from our neighbor's view by an 8-foot screened fence. One of our main incentives for relocating is to increase our yard space.

This parcel consists of vacant land that has been held by the current owners for many years. It is being held in trust for an elderly individual.

The property owner is frustrated because they would like to sell the property and have had prospective buyers that can't develop the site due to zoning issues. We have already invested \$20,000.00 for due diligence and would like to move forward to create a win-win situation. By rezoning the property we would be able to improve the lot, increase tax revenue and add high paying technical jobs in Blaine.



L
A

LAMPERT
ARCHITECTS

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ARCHITECT CERTIFICATION:
I HEREBY CERTIFY THAT THIS PLAN,
SPECIFICATION OR REPORT WAS
PREPARED BY ME OR UNDER MY DIRECT
SUPERVISION AND THAT I AM A DULY
LICENSED ARCHITECT UNDER THE
LAWS OF THE STATE OF MINNESOTA.

PRELIMINARY
NOT FOR
CONSTRUCTION

LEONARD LAMPERT
PROJECT NO. 230724-7
13669

R
RJRyan

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Commercial Design and Construction

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Leonard Lampert Architects Inc.
Project Designer: JAMES B
Drawn By: JRB
Checked By: LL
Revisions
7/31/23 PRELIMINARY

SITE PLAN

Sheet Number

A1

Project No. 230724-7

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MEMO TO: Elizabeth Showalter

RE: 8888 Xylite Street NE Rezoning Neighborhood Meeting

Date: September 8, 2023

From: Paul Archambault

On Tuesday, September 5th from 7-8pm a Neighborhood Meeting was held for neighbors within 700 feet of 8888 Xylite Street NE to discuss the proposed rezoning to I-1a. There were 9 neighbors in attendance at the meeting including Blaine city council member Tom Newland.

The following were concerns voiced by neighbors:

- **Traffic safety.**
 - Specifically semis turning onto Xylite/Rice Creek from the north driveway as traffic safety is already a concern for neighbors at that intersection.
 - Safety of our employees and delivery drivers is a high priority for us. We proposed working with the architect and the city to design the parking lot and driveways to minimize traffic hazards.
- **Exterior lighting shining onto residential properties and into homes.**
 - We are an electrical contractor and lighting specialists. There are solutions such as light shields, dimming, lighting controls and fixture placement that eliminate light pollution. We would utilize these strategies for any exterior lighting.
- **Security for the property.** Neighbors asked if we would have a security system with cameras.
 - We have a security system with cameras on our current property and would be open to discussion on it for this project.

The following was positive feedback voiced by neighbors:

- **Placement of the docks** was well thought out and appreciated that they were placed on the south side of the building.
- **Pleased with the proposed setup:** building size and placement, equipment parking location, ponding, existing wooded area and vegetation to remain and new proposed landscaped areas.

Neighbors in attendance received a copy of the re-zoning narrative originally submitted with our re-zoning application. The notice letter mailed to neighbors provided contact information for any further questions.