



City of Blaine

Planning Commission

February 13, 2024 | 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, February 13, 2024. Chair Goracke called the meeting to order at 7:00PM.

2. Roll Call

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

Members Absent: Commission Members Deonauth and Homan.

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

3. Approval of Minutes

3.1. 2024-697 Approval of the January 9, 2024 Planning Commission Minutes
Sponsors:

Motion by Commissioner Olson to approve the minutes of January 9, 2024, as presented. Motion seconded by Commissioner Swanson. The motion passed 5-0.

4. Public Hearing

4.1. 2024-37 Case File No. 23-0088 // Diane O'Brien // 10617 Quincy Boulevard NE
The applicant is requesting a variance to allow a 9-foot fence along the south side-yard property line.
Sponsors: Shawn Kaye, Planner

The report to the planning commission was presented by Shawn Kaye, Planner. The public hearing for Case File 23-0088 was opened at 7:05PM.

Diane O'Brien, 10617 Quincy Boulevard NE, explained there has been conflict with her neighbor and reported the nine-foot fence was necessary given the grade changes between her property and the neighbor's property. She reported the nine-foot fence would assist with obstructing the garage door, which was her main concern. She expressed concern with how the neighbor's rear garage was misrepresented to her and asked that the commission support her nine-foot fence request.

The public hearing was closed at 7:09PM.

Chair Goracke asked when the eight-foot fence was granted to the property six houses down.

Planner Shawn Kaye reported the eight-foot fence was approved in 2023.

Chair Goracke explained city code allows for a six-foot fence. He questioned if the city had ever allowed for a fence higher than eight-feet.

Planner Shawn Kaye did not recall this had ever occurred.

Commissioner Halpern inquired if the nine foot fence would resolve the camera issues that were occurring on the property. He asked if this concern has been brought to the Blaine Police Department.

Ms. O'Brien reported she has been in contact with the police department and explained the sergeant in charge of problem properties has never seen a camera spying over a six foot privacy fence. She noted she had gone to court regarding this matter and was told this was a police matter. She stated after court she has not addressed the matter with the police. She indicated she would like to resolve the matter by putting lattice on top of her existing six foot fence making it nine feet in height.

Chair Goracke commented variance requests were considered very carefully by the planning commission. He stated he understood this lot was configured differently. He asked for comments or recommendations from the commission.

Motion by Commissioner Halpern to recommend approval of Planning Case 23-0088 based on the following conditions:

Case 23-0088:

- 1. A fence permit is required.**
- 2. A fence over 7-feet in height requires a building permit with plans drawn by a MN licensed engineer. The engineer's stamp must be on the plans. These plans must contain the installation details (i.e. depth/size of footings, spacing of supports, types of fasteners, etc.) and provide verification that it meets the 90 mph wind loads the fence may be subjected to. The plans must also include the**

- types of materials to be used for the project and prove that the installation of the fence will not alter the existing storm water drainage patterns.
3. The applicant must locate the property line on the south side of the lot to ensure the fence is on the property.
 4. The fence cannot exceed 8 feet in height and the fence is limited to starting at the rear of the garage, extending along the south property line to the rear property line.

Motion seconded by Commissioner Gorzycki. The motion passed 5-0.

Chair Goracke noted this would be on the agenda of the March 4, 2024 city council meeting.

4.2. 2024-38 Case File No. 23-0089 // Alexander Woods 4th Addition // 1000 113th Avenue NE

The applicant is requesting the following:

1. Preliminary plat approval to subdivide approximately 1.16 acres into three lots.
2. Conditional use permit to allow for the construction of two additional single-family homes in a Development Flex (DF) zoning district. The existing home will remain.

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 23-0089 was opened at 7:17PM. As no one wished to appear, the public hearing was closed at 7:17PM.

Chair Goracke asked if the previous preliminary plat and CUP for this property expired.

Community Development Specialist Showalter reported this was the case. She explained the request before the planning commission was exactly the same, except for minor changes in lot widths to accommodate an existing driveway.

Motion by Commissioner Olson to recommend approval of Planning Case 23-0089A a preliminary plat to subdivide approximately 1.16 acres into three lots to be known as Alexander Woods 4th Addition with the following conditions:

Case 23-0089A:

1. Plans and specifications must be approved by the City prior to start of construction.
2. Standard utility and drainage easements must be dedicated along all lot lines and over areas of delineated wetlands, wetland mitigation, infiltration trenches, drainage swales, and storm water management ponds.

3. The Developer is to provide access for inspection and maintenance of storm water management infrastructure. Restrictions will be placed on lot lines as needed to limit fences and landscaping to insure access.
4. Developer to obtain Coon Creek Watershed district permit review prior to start of construction.
5. Development requires a National Pollutant Discharge Elimination System (NPDES) Phase II General Storm Water Permit for Construction Activity from Minnesota Pollution Control Agency (MPCA). A prerequisite to the MPCA permit application includes preparation of a site Storm Water Pollution Prevention Plan (SWPPP) for the development site.
6. Construction contract documents shall include a mass (rough) grading, erosion protection, sediment control, development, utilities, roadway, and storm drainage plan sheets. Supporting wetland delineation report, geotechnical investigation report, soil boring logs, and hydrology report shall be included in the submittal for city review and approval.
7. The development plan shall indicate all structures will be protected from flooding.
8. As-built surveys shall be required to verify structure elevations, custom grading requirements, and final lot grading elevations.
9. Park dedication will be required for the two new lots being constructed at the rate of \$4,894 per unit, for a total park dedication fee of \$9,788 if paid in 2024. This amount must be paid prior to releasing the plat mylars for recording at Anoka County.
10. Developer to install grouped mailboxes with design and locations approved by the City and US Postal Service.
11. Water and sanitary sewer availability charges (WAC & SAC) become due with each building permit at the rate established at the time the building permit is issued.
12. Each lot in this development shall have two front yard overstory trees with a minimum size of 2.5 caliper inches.
13. Execution and recording of a Development Agreement, which sets forth in greater detail the plat conditions as well as other responsibilities for the development of this plat.

Motion by Commissioner Olson to recommend approval of Planning Case 23-0089B a conditional use permit to allow for the construction of two single-family homes in a DF (Development Flex) zoning district based on the following conditions:

Case 23-0089B:

Single Family - DF Development Standards

Permitted Uses

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

Accessory Uses

1. Private attached garages - one detached accessory structure, with area less than 120 square feet, will be permitted.
2. Private swimming pools meeting the requirements of Blaine Municipal Code Section 6-121.
3. Keeping of not more than two (2) boarders and/or roomers per dwelling unit.

Conditional Uses

1. Home occupations listed as Conditional Uses in Section 33.10

Standards

1. Front yard setback - 25 feet
2. Side yard setback - 7.5 feet
3. Corner side yard setback - 20 feet
4. Rear yard setback - 30 feet
5. Maximum building height - 2 1/2 stories or 35 feet.
6. It shall be required for all single-family dwellings that there be an attached garage constructed of a minimum of four hundred (400) square feet, with no dimension less than 20 feet. Total garage space shall not exceed one thousand (1,000) square feet. Detached garages or accessory storage buildings above 120 square feet are not permitted. One detached accessory storage building below 120 square feet is permitted provided it meets 5-foot side and rear yard setbacks and be located within the rear yard.
7. The minimum finished floor area above grade for all homes shall be 1,300 square feet for a single level.
8. All homes shall have a minimum depth and width of 24 feet.
9. All homes to incorporate multiple gables or varied roof lines and articulation of the front façade.
10. All residential dwellings must be built in conformance with the current edition of the Minnesota State Building Code.
11. Driveways shall not be constructed closer than three feet to the property line. All driveways and approaches shall be hard surfaced using concrete, bituminous asphalt or other city-approved material that is consistent in durability and quality.
12. It shall be required that all yards of a new single-family dwelling be sodded over a minimum of 4-inches of topsoil (black dirt containing not more than 35 percent sand). Yards may be seeded over 4-inches of black dirt if underground irrigation is installed with the home.
13. Each lot shall contain two front yard trees and a third tree is required in the side yard for corner lots. Trees must be at least 2.5 caliper inches.
14. Developer to execute and record where deemed appropriate by the city engineer with the sale of single-family lots, an affidavit indicating to homebuyers that the soils located in the rear and side yards of the single family lots have not been corrected to accommodate general building

construction or pools, and that additional effort may be required by the homeowner to stabilize those soils before additional construction could occur.

Motion seconded by Commissioner Swanson. The motion passed 5-0.

Chair Goracke noted this would be on the agenda of the March 4, 2024 city council meeting.

- 4.3.** 2024-39 Case File No. 24-0003 // Noodles and Company // 12351 Ulysses Street NE, #120
The applicant is requesting a conditional use permit to allow outdoor dining with 14 seats in the Regional Commercial (B-3) zoning district.
Sponsors: Shawn Kaye, Planner

The report to the planning commission was presented by Shawn Kaye, Planner. The public hearing for Case File 24-0003 was opened at 7:20PM. As no one wished to appear, the public hearing was closed at 7:20PM.

Motion by Commissioner Gorzycki to recommend approval of Planning Case 24-0003 based on the following conditions:

Case 24-0003:

- 1. The outdoor dining area is 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 will be limited to no more than 14 seats in the outdoor dining area.**
- 4. The ability to operate outdoor dining is reliant upon the applicant's ability to adequately control litter and refuse as associated with the facility.**
- 5. No amplified outdoor music system is allowed.**
- 6. Per the Minnesota Building Code, exit doors in any railing or fence in the outdoor dining area shall be openable from the inside without the use of a key or any special knowledge or effort.**
- 7. Provide manufacturing specifications and requirements for propane heater use and clearance to combustibles if they are to be used on site.**
- 8. Applicant to provide the City with an updated liquor liability certificate of insurance that includes the outdoor seating area and that the area is compact and contiguous to the already-established licensed premise.**

Motion seconded by Commissioner Halpern. The motion passed 5-0.

Chair Goracke noted this would be on the agenda of the March 4, 2024 city council meeting.

- 4.4.** 2024-47 Case File No. 24-0004 // Havenpark Heartland Living LLC // 10454 Central Avenue NE
The applicant is requesting a conditional use permit to operate a manufactured home sales office in the Manufactured Home Residential (R-4) zoning district.
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 24-0004 was opened at 7:23PM.

Kaoko Moua, 10503 Able Street NE, explained the subject property was located directly behind her home. She questioned if construction would now occur within the manufactured home park.

Community Development Specialist Showalter reported no construction would occur. Rather, the applicant was requesting to complete sales and clerical work from the office building.

The public hearing was closed at 7:24PM.

Motion by Commissioner Olson to recommend approval of Planning Case 24-0004 based on the following conditions:

Case 24-0004:

- 1. Homes for sale must be located on an approved lot in the manufactured home park and meet all setback requirements of the R-4 district.**
- 2. All home sales must involve a home that is located, or will be located after the sale, within the Blaine International Village manufactured home park.**
- 3. A rental license is required prior to occupancy for the lease of any home.**

Motion seconded by Commissioner Halpern. The motion passed 5-0.

Chair Goracke noted this would be on the agenda of the March 4, 2024 city council meeting.

- 4.5.** 2024-161 Case File No. 24-0005 // Uram Property // 8628 Central Avenue NE
The applicant is requesting a comprehensive plan amendment to change the current land use designation of Low Density Residential (LDR) to Community Commercial (CC).
Sponsors: Sheila Sellman, City Planner

The report to the planning commission was presented by Sheila Sellman, City Planner. The

public hearing for Case File 24-0005 was opened at 7:28PM. As no one wished to appear, the public hearing was closed at 7:28PM.

Chair Goracke commented all of the surrounding property was community commercial.

City Planner Sellman reported this was the case. She stated no application has been made to develop the site at this time. She anticipated if a request were to come to the city, the subject property along with the applicant's surrounding properties would be developed together.

Commissioner Olson stated she believed it made sense to change the land use for this property to match the surrounding properties.

Motion by Commissioner Olson to recommend approval of Planning Case 24-0005 based on the following conditions:

Case 24-0005:

- 1. A change in land use is consistent with the development along Central Avenue and is necessary for this site to develop.**
- 2. The land use change meets goals of the land use chapter to encourage and support development of underutilized areas, particularly where such redevelopment fosters job growth, increased property values, and a positive community image. The plan will include the target corridors of University Avenue and Highway 65, as well as locations identified as target redevelopment sites in the plan.**
- 3. The land use change meets goals of the land use plan in continuing to support programs and strategies to improve and revitalize aging commercial, industrial and residential structures.**

Motion seconded by Commissioner Gorzycki. The motion passed 5-0.

Chair Goracke noted this would be on the agenda of the March 4, 2024 city council meeting.

- 4.6.** 2024-48 Case File No. 24-0006 // Chris Rice // 4726 115th Avenue NE
The applicant is requesting a conditional use permit to allow a 1,610 square-foot garage in the Farm Residential (FR) zoning district.
Sponsors: Shawn Kaye, Planner

The report to the planning commission was presented by Shawn Kaye, Planner. The public hearing for Case File 24-0006 was opened at 7:32PM. As no one wished to appear, the public hearing was closed at 7:32PM.

Motion by Commissioner Swanson to recommend approval of Planning Case 24-0006 based on the following conditions:

Case 24-0006:

- 1. The proposed attached garage to match the home in terms of architectural style, exterior color and materials.**
- 2. The attached garage to be used for personal storage only.**
- 3. The attached garage (total accessory building space) is limited to 1,610 square feet.**
- 4. No land disturbance to occur within platted drainage and utility easement and wetland areas.**
- 5. An issued Rice Creek Watershed District permit will be required to be provided prior to the issuance of the building permit.**

Motion seconded by Commissioner Halpern. The motion passed 5-0.

Chair Goracke noted this would be on the agenda of the February 21, 2024 city council meeting.

- 4.7.** 2024-682 Case File No. 24-0009 // Foxtail Hollow LLC // 121st Avenue and Radisson Road NE
The applicant is requesting a conditional use permit amendment to clarify the side yard and front yard setbacks in the Foxtail Hollow Townhome Development that is in the Development Flex (DF) zoning district.
Sponsors: Shawn Kaye, Planner

The report to the planning commission was presented by Shawn Kaye, Planner. The public hearing for Case File 24-0009 was opened at 7:35PM. As no one wished to appear, the public hearing was closed at 7:35PM.

Motion by Commissioner Olson to recommend approval of Planning Case 24-0009 based on the following conditions:

Case 24-0009:

- 1. Internal Private Drive Setbacks are as follows:**
 - o Front yard: Townhomes must be setback at least 20 feet from the private drive.**
 - o Side Yard: Townhomes must be setback at least 10 feet from the private drive.**
- 2. All other conditions listed in Resolution 55-2023 will remain.**

Motion seconded by Commissioner Swanson. The motion passed 5-0.

Chair Goracke noted this would be on the agenda of the February 21, 2024 city council meeting.

4.8. 2024-160 Case File No. 24-0002 // Northtown // City of Blaine
The City is requesting the following:

1. Amendment to the Blaine Zoning Ordinance to create a new zoning district, County Road 10 Mixed Use District.
2. Rezoning certain parcels in the Northtown area from Community Commercial (B-2), Regional Commercial (B-3) and Residential Flex (RF), to County Road 10 Mixed Use 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 24-0002 was opened at 7:40PM.

William Melin, Northtown Mall representative, questioned if oil change uses would be contingent upon having a gas station or would a Jiffy Lube be allowed in the Northtown area.

City Planner Sellman explained this was something the planning commission would have to dialogue and make a recommendation to the city council on as written the ordinance does not allow these types of uses.

Chair Goracke inquired if Mr. Melin had an interest in an oil change company.

Mr. Melin reported he was a representative from the mall ownership and stated Take Five had approached the mall expressing interest in a mall outlot.

The public hearing was closed at 7:43PM.

Chair Goracke stated the city of Blaine was embarking on two very unique redevelopment areas, one being the Northtown Mall area and the other being the 105th Redevelopment area. He commended city staff and the council for their efforts and vision. He asked if the commission supported allowing oil changes as a conditional use in the Northtown area.

Commissioner Olson questioned why the city would not allow oil changes when Perfect 10 and a brake replacement establishment were already in place. She indicated she supported allowing oil changes in the Northtown area through a CUP.

City Planner Sellman clarified that Perfect 10 was located in Spring Lake Park. She explained the city currently had a moratorium on car washes and a study was being conducted on this use. She reported through council discussion at workshop meetings, she understood the council was not in favor of allowing car washes, minor or major car repair in this district.

Commissioner Halpern supported the moratorium on car washes for this redevelopment area. He explained there were other automotive uses outside the Northtown redevelopment area. He recommended oil change uses not be allowed within the district

but rather that entertainment and food uses be pursued.

Commissioner Halpern stated he appreciated the city's vision for this area and indicated he could support the ordinance amendment as recommended by staff and the city council.

Commissioner Gorzycki asked if there was another opportunity for the oil change applicant if this code amendment were approved.

City Planner Sellman explained the applicant had made a request for a change and the council could opt to make a change, or the oil change use would have to find another location.

Commissioner Halpern thanked Take Five for their interest in Blaine but noted he did not believe this use fit the vision for the Northtown Redevelopment area.

Motion by Commissioner Halpern to recommend approval of Planning Case 24-0002A recommending approval of an amendment to the Blaine Zoning Ordinance to create a new zoning district, County Road 10 Mixed Use District without oil change uses. Motion seconded by Commissioner Olson. The motion passed 5-0.

Motion by Commissioner Halpern to recommend approval of Planning Case 24-0002B recommending approval of a rezoning for certain parcels in the Northtown area from Community Commercial (B-2), Regional Commercial (B-3) and Residential Flex (RF), to County Road 10 Mixed Use District. Motion seconded by Commissioner Olson. The motion passed 5-0.

Chair Goracke noted this would be on the agenda of the February 21, 2024 city council meeting.

5. Adjournment

Motion by Commissioner Gorzycki to adjourn the regular planning commission meeting. Motion seconded by Commissioner Olson. The motion passed 5-0.

Adjournment time was 7:50PM.