



City of Blaine

Planning Commission

March 12, 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, March 12, 2024. 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: Elizabeth Showalter, Community Development Specialist
Shelia Sellman, City Planner
Teresa Barnes, Project Engineer

3. Approval of Minutes

3.1. 2024-728 Approval of the February 13, 2024 Planning Commission Minutes
Sponsors:

Motion by Commissioner Halpern to approve the minutes of February 13, 2024, as presented. Motion seconded by Commissioner Olson. The motion passed 7-0.

4. Public Hearing

4.1. 2024-707 Case File No. 23-0087 // Blaine Quality Automotive // 9664 Central Avenue NE
The applicant is requesting a conditional use permit amendment to increase the number of vehicles allowed for overnight outside storage from 11 to 16 in the Community Commercial (B-2) 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 23-0087 was opened at 7:11PM.

Jeff Carson, attorney for Derrel Singh, explained the applicant, his client, was requesting an application for an amendment to an existing CUP. He stated he took issue with the criteria for beautification and compatibility. He suspected this was more often viewed when the original CUP was issued. He noted there was a CUP on this property and the property was what it was. He indicated Mr. Singh would do what he could, but he had questions about staff's recommendations. He reported the 21 parking spaces would fit on the property. He understood his client's property was located on Highway 65 but this business has been in operation for some time. He explained there were two outside storage units on the property and these have been the subject of compliance actions. His client was in the process of having the storage units removed. He commented on the plantings suggested by staff. He stated he believed a MNDOT easement was over much of the property and he wanted to be assured that any plantings were allowed before plantings were put in place. He discussed how the property owners along Highway 65 were anticipating a noise wall would be constructed by MNDOT in the near future. If this were the case, he questioned if the plantings would be necessary. Other than the planting requirements, he explained his client would accept the conditions for granting approval.

Derrel Singh, Blaine Quality Automotive, stated the initial site plan Blaine has had on file since 1993 was an old for an old Fina Gas Station. He indicated that he believed the plan on file was not to scale and that his plan was based on measurements he took on site that he believed were more accurate than the plan on file. He explained his drawing shows that 21 parking stalls fit on the site. He provided the commission with historical information on his business noting he opened his doors in 1995. He indicated he worked through three recessions, COVID and he now owns the business. He discussed how the city's stipulations would adversely impact his small business. He discussed how he could not compete with mainstream auto repair businesses. He hoped the commission could work with him to address the parking situation on his property. He described how he works to get cars in and out for service, stating he was not willing to turn away work because he was a small business owner. He asked that the commission take into consideration the size of his property, along with the amount of outdoor storage and parking that he was allowed.

The public hearing was closed at 7:23PM.

Chair Goracke requested further information regarding the MNDOT easement.

Community Development Specialist Showalter explained the property does have a drainage and utility easement. She noted language could be added that if MNDOT objected in writing to the placement of landscaping in the easement that this condition would be waived. She reiterated that this easement has been in place the entire time, including when the landscaping was first planted. She indicated the applicant has raised concerns that some of their planting materials have been damaged or removed, but this was typical when utility work occurs, and many commercial properties place required landscaping in easements.

Chair Goracke questioned if a noise wall would be constructed along Highway 65.

Community Development Specialist Showalter reported MNDOT was completing a noise study along the Highway 65 corridor which was required for the federal funding as part of this project. She indicated the effected property owners have until March 27 to submit their ballots and based on the ballots a determination will be made whether or not noise walls will be constructed within the segments of the corridor. She explained she could confirm this fact with MNDOT prior to the council meeting and conditions of the CUP could be altered at that time if needed.

Chair Goracke commented on how the property owner had walked the property and he was convinced the parking spaces would fit. He discussed how staff had a site plan of the property from 1993.

Community Development Specialist Showalter explained staff did not contend that the stalls will not fit on the property. However, the stalls have to be marked on site by the applicant and measured by staff to verify the dimensional requirement in the code were met and this was being allowed as a more cost effective option for the applicant, since a survey would typically be required.

Chair Goracke indicated he drove by the property today and there were 19 cars onsite.

Community Development Specialist Showalter stated the question before the commission was not whether or not this many spaces fit on the property, but rather, should the site have up to 16 vehicles parked overnight.

Chair Goracke asked why the applicant had not installed any of the landscaping as per the city's requirement from last October.

Mr. Singh stated he was scared. He indicated he got approached by a Blaine city official stating a bench warrant was issued for his arrest unless he amended his CUP to allow for additional overnight parking and outdoor storage. He explained he was uncertain how to proceed and was fearful for his business, so he applied for a smaller amount of storage. He stated this time around he had more time to think and present his case to the commission. It was his hope the commission would take into consideration the facts on the property.

Commissioner Olson questioned if the applicant could agree with the recommendations for the outside storage.

Mr. Singh indicated he could agree with the recommendations regarding outside storage. However, he noted he was concerned with how the sewer drain on his property would be impacted by the foundation for the outdoor storage building. He requested the city allow him to install an eight foot privacy fence with a gate for the outdoor storage.

Community Development Specialist Showalter explained the requirement for the trash enclosure was a requirement within the zoning code and deviations from these standards were not granted within a CUP. As such, the applicant could apply for a variance from the trash enclosure requirements in the zoning code, but that it is also a requirement in the fire code, and there is no opportunity to receive a variance from fire code requirements.

Commissioner Olson inquired if the city could allow the outdoor storage area to be fenced.

She noted there were other businesses in Blaine that have fences surrounding their outdoor storage areas.

Community Development Specialist Showalter commented the commission could add a condition to allow fencing for the outdoor storage area if the commission believed the criteria for granting a CUP would be met. She indicated that other auto repair businesses had fenced vehicle storage areas behind buildings, but was not aware of any located in front of a building. She stated it would be up to the commission to determine if this proposed fenced in area meets the CUP criteria.

Commissioner Homan questioned if the applicant received a code enforcement violation for having too many cars stored onsite overnight.

Community Development Specialist Showalter explained the city has ceased code enforcement efforts regarding overnight storage, since the applicant applied for a CUP amendment to address the number of vehicles allowed onsite for overnight parking. She was uncertain how many cars were on the most recent code enforcement report, but noted the number was more than 11, which was the number currently allowed within the CUP for the property.

Chair Goracke commended Mr. Singh for keeping his business operational through the past three recessions and COVID. He explained this was a hard request for the commission to consider.

Commissioner Halpern asked if the 16 parking stalls would meet the actual needs for the business.

Mr. Singh stated the drawing he submitted supports utilization of the property. He indicated he got the vertical or diagonal parking dimensional numbers from the Planning and Zoning Department. He reviewed the proposed parking lot changes in further detail with the commission. He explained the 16 overnight parking spaces would be adequate with the four open spots during the day. He commented on how he was unable to determine if and when tow trucks drop off cars in the overnight hours. He stated he was running a business and believed he was stuck between a rock and a hard place.

Commissioner Halpern questioned if this business had outgrown the amount of real estate that it currently had.

Mr. Singh indicated the challenge he was facing with his business was getting parts on time and the availability of parts. He stated cars were now sitting onsite longer than they used to while he waits for parts. He asked for clarification from staff on how the city defined an access aisle.

Community Development Specialist Showalter described how the city defined an access aisle noting they had to be the same width as a parking stall (eight feet) and must be located next to the required accessible parking stall. She commented on how staff had used the 21 stall layout submitted by the applicant and removed four stalls for daily parking and one stall for the access aisle, which resulted in 16 stalls that could be used for overnight parking, if allowed by an approved CUP.

Motion by Commissioner Halpern to recommend approval of Planning Case 23-0087 based on the following conditions:

Case 23-0087:

- 1. Any vehicle storage beyond the 16 vehicles permitted by this CUP shall be removed by June 30, 2024.**
- 2. All stalls must meet the dimensional requirements listed in 33.13 of the zoning code.**
- 3. One accessible parking stall is required, which shall include the associated access aisle.**
- 4. The applicant shall mark the proposed striping on site prior to final striping to verify the dimensional requirements of 33.13 are met prior to June 30, 2024.**
- 5. Outside overnight storage shall be limited to the 16 parking stalls indicated on the attached site plan. If the proposed stalls do not fit on site at the dimensions required by 33.13, the applicant will need to reduce the number of vehicles stored outside overnight to have 4 stalls remaining that are not used for storage and vehicles may not be stored in the required access aisle.**
- 6. The parking lot shall be striped, including any required accessible parking stalls, by July 31, 2024.**
- 7. Two six foot tall conifer trees and thirteen shrubs shall be planted along the Highway 65 frontage prior to July 31, 2024. A landscape plan showing the proposed trees and shrubs shall be provided by June 30, 2024.**
- 8. Hours of operation are limited to 7AM to 7PM on weekdays, and 8:30AM to 1PM on Saturday.**
- 9. All vehicle parking to be on-site. No vehicle parking on the frontage road.**
- 10. No vehicle repair may occur outside.**
- 11. All vehicles stored outside must be licensed with current registration and appear drivable. Vehicles on blocks may not be stored outside overnight.**
- 12. Recommending the applicant work with staff and MNDOT to properly locating any plantings to come into compliance and to minimize the impact on the easement.**

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

Chair Goracke noted this would be on the agenda of the April 1, 2024 city council meeting.

4.2. 2024-712 Case File No. 24-0012 // 35W Logistics Center // 11008 Sunset Avenue NE
The applicant is requesting the following:

1. Rezoning from Farm Residential (FR) to Light Industrial (I-1).
2. Preliminary plat to create two lots.
3. Conditional use permit for shared access and zero lot line parking in the Light Industrial (I-1) 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 24-0012 was opened at 7:52PM.

Janet Hatcher, 7287 Meadow Court, Lino Lakes, explained she was concerned about the proposed development that would be located in her backyard. She asked what the height of the proposed building would be. She questioned how the area would be signed. She suggested more trees be planted between the existing homes and the proposed industrial building. She commented on how traffic in the area would be adversely impacted by these new businesses with employee traffic. She encouraged the commission to reconsider the use of this site. She suggested the site remain greenspace or that it be developed into a residential neighborhood.

Larry Swenson, 11001 National Street NE, explained he was the landowner adjacent to this project to the west. He indicated he was concerned with the amount of trees that would be removed, which served as a good buffer zone to the adjacent neighbors. He commented on how the existing trees deflect noise from the freeway and he anticipated the proposed buildings would not. He stated another concern for him was the loss of wetlands on this property. He discussed how traffic on 109th Avenue would be adversely impacted and noted there were no paved shoulders or sidewalks along this roadway for pedestrians.

Chair Goracke stated 109th Avenue was a county road which meant the maintenance and decisions for this roadway were determined by Anoka County.

Mr. Swenson requested further information regarding the park dedication that was required for this project.

City Planner Sellman reported all new subdivisions were required to pay park dedication fees or provided park space. She explained the park dedication fees from this project would assist the city with maintaining its existing parks.

Mr. Swenson questioned if the developer would be required to construct a trail along 109th Avenue that connects to the existing trail. He asked if there was any requirement for an environmental impact study given how the ponds and wetlands would be impacted. He stated it was his opinion this project did not fit next to residential homes even though it fit with the city's long range plan.

Bethany Kelch, 11324 Sunset Avenue, resident and homeowner, stated she had concerns with the industrial traffic that would be entering and exiting the proposed project. She indicated the noise from this traffic would adversely impact the adjacent homes. She questioned if the roadways and roundabout would handle this type of traffic. She discussed how she was rear ended trying to enter her driveway. She feared how her property would be adversely impacted by noise and light pollution and stated the proposed project was not a good fit next to the existing residential homes.

Ralph Anderson, 11151 National Street, explained he was not able to attend the neighborhood meeting because he was out of town. He commented on the power line that runs on the north end of Lot 1, noting this line serves his home. He asked if this power line would remain in tact. He stated he understood the concerns of his neighbors when it came

to traffic and he encouraged the city to collaborate with the county to address the traffic concerns along 109th Avenue. He suggested bypass lanes be considered.

Joe Radach, Capital Partners Director of Development, explained Capital Partners owns and manages 15 million square feet of space in the Twin Cities metro area. He indicated they have 150 buildings and 600 tenants. He commented on the three buildings they already have in Blaine. He discussed how this site has great visibility from 35W and would be an excellent project. He reported he was looking to bring med tech clients or office warehouse clients to this site. He explained the building would be 38 feet in height and the zoning district would allow up to 50 feet. He described the signage that would be posted on the site noting the signs would be facing 35W and 109th Avenue. He commented on how he would be doubling the setback to the north and would also be planting additional trees as a buffer. He indicated he would be planting back 480 trees and 1,100 shrubs to assist with screening the buildings. He reported a trail would be constructed along the front of the building on 109th Avenue and discussed how he did not control the county trail system. He commented on the traffic that would be generated by this project noting traffic along 109th Avenue would increase by 20%, which was 1,000 more cars. He stated the roadway capacity for 109th Avenue was 10,000 cars per day and the roadway would have approximately 6,500 cars per day. He indicated a privacy fence would be constructed on the west and north property lines that will buffer the residential properties. He explained he would not be taking down any of the power lines and he would be happy to discuss burying the power lines if this provided better service for Mr. Anderson. He thanked staff for presenting this item and thanked the commission for their consideration.

The public hearing was closed at 8:11PM.

Chair Goracke asked if an environmental impact study had to be completed for this project.

Project Engineer Barnes reported an environmental impact study was not required for this project. She stated the applicant would have to work with the Rice Creek Watershed District. She commented on how the applicant was working to preserve the middle of the property as much as possible. She noted the shaded or hatched areas would be up for wetland credit consideration.

Chair Goracke requested further information regarding the traffic study that was completed for this project.

Project Engineer Barnes explained a traffic memo was completed and has been reviewed by both the city and county. She reported the city has had conversations with Anoka County and noted 109th Avenue can carry 10,000 cars per day. She stated the county has placed restrictions that will require turn lanes at the east and west entrance. She indicated the east entrance may be a right-in, right-out only.

Chair Goracke questioned if the lighting on the rear of the building would be downlit.

City Planner Sellman reported this would be the case.

Commissioner Gorzycki questioned if these businesses would have proposed operating business hours.

Mr. Radach stated there were not and he asked that no prescribed hours be set by the city. He indicated his potential tenants would operate from 7AM to 5PM. He did not envision this site having overnight manufacturing or a distribution facility.

Commissioner Halpern expressed concern with the fact this project would have homes on three sides and that it would be disturbing existing wetlands. He feared this project would be creating some of the same mistakes that were made near the Sanctuary neighborhood. He understood this was a challenging property, but he did not believe this project was the right fit.

Commissioner Olson questioned where else in Blaine the city had I-1 adjacent to Residential. She inquired if overnight manufacturing would be allowed if this project were to proceed.

Mr. Radach explained the property is guided for high density residential or industrial. He indicated the city has targeted this property for the proposed use or apartments. He understood change was hard and that the neighbors did not want the 27 acres of green space to be developed. He stated after the neighborhood meeting, he believed most of the neighbors would prefer to have a light industrial project on this site versus a high density residential development. He discussed how the proposed development would be quiet at night versus an apartment complex.

City Planner Sellman reviewed the areas in Blaine where light industrial was located directly adjacent to residential. There were five areas in total.

Chair Goracke reopened the public hearing at 8:21PM to allow one additional resident to speak.

Nancy Purdy-Swenson, 11001 National Street, stated the changing of the land behind her home, has not been brought to her. She explained she purchased her home as acreage and she was shown the plan for this land and it was for housing. She believed a street would be running from her neighborhood through the subject property which led her to place her home to one side of the property. She indicated she was comfortable with this and knew it would happen. She commented on how all of the people surrounding this parcel were not involved in the planning process. She explained her husband attended the neighborhood meeting where he was told this project was better than high density. However, she believed both were not the right fit for this site given the fact it was completely surrounded by residential homes. She indicated she moved to Blaine 37 years ago because this was a great place for families. She discussed how the city was turning a great deal of land into commercial and industrial space, which was adversely impacting homeowners. She questioned how much high density land the city needed. She encouraged the city to pursue starter homes on this property instead of the proposed light industrial project.

Chair Goracke closed the public hearing at 8:24PM.

Chair Goracke commented on how the planning commissioners were residents of Blaine too and how the city was dealing with the challenges of growth. He asked if staff could further information on the comprehensive plan as it pertains to residential and other properties.

City Planner Sellman explained the comprehensive land use plan was the city's guiding document for how the city develops. She noted the plan sets land use designations as well as zoning. She provided history on this site noting it was guided for medium and high density residential as part of the northeast area plan that was adopted in 2002. She commented the land use was changed to high density residential and planned commercial in the 2030 comprehensive plan that was adopted in 2009. She stated the property was high density and planned industrial in the 2040 plan which was adopted in 2018. She indicated the council held a retreat in 2022 where all high density residential properties were reviewed. At that time, the council's recommendation was to leave this property as is.

Chair Goracke questioned how the city notifies the residents when a change is proposed for the land use.

City Planner Sellman explained when the city receives an application to change the land use, property owners within 350 feet are notified of the public hearing.

Commissioner Halpern requested staff speak to how many of the industrial uses existed prior to the residential housing versus the other way around.

Community Development Specialist Showalter discussed the history of the properties noting the industrial use in the Lakes area near North Point Preschool predated the residential homes. She indicated the industrial uses in the Sanctuary neighborhood that was northernmost was guided for industrial prior to the residential properties being developed. She stated there was a conditional use permit for one of these properties. She commented the former John's Auto Parts came after the single family homes. She indicated the Xylite industrial predated the housing.

Commissioner Halpern thanked staff for this information. He stated there were multiple cases where industrial uses predated the residential developments, which meant the residents knew what they were moving into.

Commissioner Olson explained she supported high density residential on this property, but did not recommend the commission support the rezoning of this property to light industrial.

Motion by Commissioner Olson to recommend denial of Planning Case 24-0012A a rezoning from Farm Residential (FR) to Light Industrial (I-1). Motion seconded by Commissioner Swanson. The motion passed 7-0.

Motion by Commissioner Olson to recommend denial of Planning Case 24-0012B a preliminary plat to create two lots. Motion seconded by Commissioner Swanson. The motion passed 7-0.

Motion by Commissioner Olson to recommend denial of Planning Case 24-0012C a conditional use permit for shared access and zero lot line parking in the Light Industrial (I-1) zoning district. Motion seconded by Commissioner Swanson. The motion passed 7-0.

Chair Goracke noted this would be on the agenda of the April 1, 2024 city council meeting.

- 4.3.** 2024-713 Case File No. 24-0013 // Highway 65 Overlay District // City of Blaine
The City is requesting an amendment to the zoning code 32.50 Highway 65 Overlay District (HOD) adding conditional uses, prohibited uses and modifying performance standards.
Sponsors: Sheila Sellman, City Planner

The report to the planning commission was presented by Sheila Sellman, City Planner. The public hearing for Case File 24-0013 was opened at 8:35PM. As no one wished to appear, the public hearing was closed at 8:35PM.

Commissioner Swanson asked if self-storage and car washes would or would not be allowed south of Highway 10.

City Planner Sellman reported no car washes would be allowed within the corridor, but self-storage would be allowed south of Highway 10. She explained specific development parameters have been written into the code to allow for only one self-storage facility. She indicated if this was something the commission did not want to recommend, this could be taken out.

Commissioner Olson stated a CUP would be required for the self-storage use.

City Planner Sellman reported this would be the case.

Community Development Specialist Showalter explained self-storage was currently only allowed in the heavy industrial zoning district.

Chair Goracke indicated the previous changes were done to tighten up the comprehensive plan in preparation for the build out of Blaine.

City Planner Sellman stated the changes were made per the direction the council provided staff after holding discussions with the property owners south of Highway 10.

Commissioner Halpern commented on the number of self storage operations that were in Blaine. He clarified that this language would allow for one new development of self storage south of Highway 10 in Blaine.

City Planner Sellman reported the way the ordinance was written was that self storage would be allowed via a CUP south of Highway 10.

Commissioner Halpern indicated going into Spring Lake Park and Coon Rapids, there was a plethora of self storage businesses. He did not believe this was the best use of the real estate for this high trafficked area. He recommended self-storage be restricted from the area south of Highway 10

Motion by Commissioner Halpern to recommend approval of Planning Case 24-0013 recommending approval of the code amendment as amended not allowing self

storage south along Highway 65 south of Highway 10. Motion seconded by Commissioner Olson. The motion passed 7-0.

Chair Goracke noted this would be on the agenda of the April 1, 2024 city council meeting.

5. Adjournment

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

Adjournment time was 8:42PM.