City of Blaine
City Council

July 1, 2024 | 7:00 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

MINUTES

1. Call to Order by the Mayor

The meeting was called to order at 7:05PM by Mayor Sanders followed by the Pledge of Allegiance and the Roll Call.

2. Pledge of Allegiance

3. Roll Call

PRESENT: Mayor Tim Sanders, Councilmembers Terra Fleming, Leslie Larson, Chris Massoglia, Tom Newland, Jess Robertson and Lori Saroya.

ABSENT: None.

Quorum Present.

ALSO PRESENT: City Manager Michelle Wolfe; Community Development Director Erik Thorvig; Safety Services Director/Police Chief Brian Podany; Fire Chief Retka; Finance Director Jason Zimmerman; Director of Engineering Dan Schluender; City Attorney Tom Loonan; Communications Manager Ben Hayle; and City Clerk Catherine Sorensen.

4. Awards - Presentations - Organizational Business

None.

5. Communications

Councilmember Robertson expressed her thanks to everyone who worked on the Blaine Festival, including staff, public safety members and the Blaine Festival Committee. She encouraged everyone to attend the upcoming fireworks on July 4.

Councilmember Massoglia shared condolences regarding the passing of Jeff and Tonya Loehr in a recent motorcycle/vehicle accident and shared neighborhood feedback regarding the flashing yellow light on County Road 14 at Oak Park Boulevard.

6. Open Forum

Open Forum is an opportunity for the public to present an issue or concern to City Council. There is a maximum of fifteen minutes set aside for open forum. Each presentation should be limited to no more than three minutes. If your item needs follow-up from the City, staff will arrange for that follow-up and will contact you to let you know what is being done. Thank you for coming this evening.

Mayor Sanders opened the Open Forum at 7:09PM.

Dr. Roger Day, 9701 Xebec Street NE, commented on his home-based medical practice in Blaine and how the State of Minnesota has initiated fraud allegations from his former location in Golden Valley that has followed to his Blaine location. He explained he had a desire to work with the Blaine Police Department to address this matter.

Caroline Dahl, resident of Blaine, shared concerns regarding changing the land use for the property at 10041 Polk Street, which would be addressed under agenda Item 10.4. She understood the land use needed to be in conformance with the zoning code and was concerned with the reasons for the change. She explained she was a landowner and she did not ask for this change. She indicated the current land use has been in place for 50+ years.

Mike Rell, 1296 123rd Avenue NE, shared concerns about changing properties from HD to MD due to the fact this will affect the property values of neighboring properties and that the actual zoning has little to do with surrounding property values, but what goes on the property is what will impact property values. He commented on the Les Schwab Tire Store CUP and felt it was unrealistic that the doors would remain shut during business hours, especially during the summer months. He stated adding shop space would likely double because doors would be open. He also noted cars would be parked onsite overnight when customers drop off cars and said the neighbors were concerned with noise, music, property upkeep, and parking.

Nick Gervais, GHS Development, spoke about agenda Item 10.5 and thanked the City for their great work. He explained he has owned this land for decades and understood this corridor was doing wonderful. He explained he wanted to do something more on the west side of Ulysess and was hoping to work with the City on an apartment complex for his property. He requested the Council maintain the current density.

Mark Rohweder, KLJ Engineering, responded to questions raised regarding the Les Schwab Tire Store and their operations. He explained all work on vehicles would be done inside the building. He reported there would be vehicles present only during the day and not overnight. He stated Les Schwab was looking forward to being part of this community.

There being no further input, Mayor Sanders closed the Open Forum at 7:24PM.

7. Adoption of Agenda

The agenda was adopted as presented.

8. Approval of Consent Agenda:

All items listed under the "Consent Agenda" are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

Moved by Councilmember Newland, seconded by Councilmember Robertson, that the following items on the Consent Agenda be approved.

Motion adopted unanimously.

8.1. 2024-270 Schedule of Bills Paid

Sponsors: Jason Zimmerman, Finance Director

8.2. 2024-258 Approval of Minutes

Sponsors: Cathy Sorensen, City Clerk

8.3. RES 24-118 Resolution Authorizing the 3M Open Security Plan, including Proposed Temporary Road Closures

Sponsors: Brian Podany, Safety Services Manager/Police Chief

8.4. RES 24-131 Resolution Authorizing Reimbursement of EDA Wetland Credits

Sponsors: Jason Zimmerman, Finance Director

8.5. 2024-257 Acknowledge Receipt of the 2023 Annual Comprehensive Financial Report (ACFR)

Sponsors: Jason Zimmerman, Finance Director

8.6. 2024-250 Authorizing the Acquisition of Right-of-Way consistent with State Law for the 2024 Southwest Area Street Reconstruction Project, Improvement Project Number 24-07

Sponsors: Daniel Schluender, Director of Engineering

8.7. RES 24-128 Resolution Granting Final Plat Approval to Create Two Lots to be Known as BB Western Subdivision at 12251 Ulysses St NE. GHS Development, LLC (Case File No. 24-0041/SLK)

Sponsors: Sheila Sellman, City Planner

8.8. RES 24-132 Resolution Authorizing a Budget Amendment Related to the Purchase of a Police Department Community Service Officer Truck
Sponsors: Brian Podany, Safety Services Manager/Police Chief

9. 7:00 PM - Public Hearing and Items Published for a Certain Time

None.

10. Development Business

10.1. RES 24-119 Resolution Granting a Conditional Use Permit for a Minor Auto Repair with Shared Access and Zero Lot Line on the North and South Property Line in the Regional Commercial (B-3) Zoning District at 12251 Ulysses Street NE. Les Schwab Tire Store (GHS Development LLC) (Case File No. 24-0024/SLK)
Sponsors: Sheila Sellman, City Planner

Community Development Director Thorvig stated the applicant is requesting a Conditional Use Permit (CUP) for minor auto repair with a shared access and zero lot line on the north and south property lines for a tire store. He explained the building had an air exchange system in place that would allow the exterior doors to remain closed. Staff commented further on the request and reported the planning commission recommended approval with conditions.

Moved by Councilmember Fleming, seconded by Councilmember Newland, to adopt a Resolution Granting a Conditional Use Permit for a Minor Auto Repair with Shared Access and Zero Lot Line on the North and South Property Line in the Regional Commercial (B-3) Zoning District at 12251 Ulysses Street NE.

Councilmember Saroya questioned what the distance was between the car wash and the proposed tire shop. Mr. Thorvig explained he did not know the exact distance, but reported the uses were on adjacent parcels.

Councilmember Saroya raised concerns regarding noise impacts and asked how this would be addressed or mitigated. She explained this was not in her ward but she was hearing from residents that the car wash was causing neighbors mental health issues and distress. Mr. Thorvig reported any project or business within a commercial zoning district has to meet MPCA sound requirements. He explained if a complaint was received, the city visits the property and monitors the noise levels.

Councilmember Massoglia suggested changing the door direction towards Highway 65 to address potential noise concerns. Mr. Thorvig stated this was discussed with the applicant and was staff's preference. Mark Rohweder, representative for the applicant, explained Les Schwab prefers to have their building forward facing for customers. He explained noise levels were taken from another Les Schwab franchise and even with the doors open, the levels were below the MPCA standards and with the doors down, all noise requirements would be met.

Councilmember Newland asked what the hours of operation would be. Mr. Rohweder reported Les Schwab would be open Monday through Friday 8:00AM to 6:00PM and on Saturdays from 8:00AM to 5:00PM.

Councilmember Newland stated he appreciated the fact the business would have regular business hours as this would lessen the impact on the neighbors. He indicated he supported the proposed request.

Councilmember Saroya reported post-pandemic, there were more and more people working remotely. She indicated there would be people home when the noise was occurring and these families were already dealing with the noise issues from the car wash. She explained she would not be able to support this because the noise issues were not being addressed. Mr. Rohweder reported he was uncertain what the noise levels were from Mr. Car Wash but stated he anticipated the car wash would drown out the noise that would be coming from Les Schwab, especially with the doors down.

Councilmember Saroya explained she would support the building being flipped in order to face the doors towards Highway 65.

Motion adopted 6-1 (Councilmember Saroya opposed).

10.2. RES 24-120 Resolution Granting a Conditional Use Permit (CUP) Amendment to Allow Vehicles to Remain on Site for at Least 72 Hours, and to Alter Previous CUP Requirements for an Existing Auto Repair Business in the Community Commercial (B-2) Zoning District at 611 109th Avenue NE. A & C Automotive (Case File No. 24-0030/SLK)

Sponsors: Sheila Sellman, City Planner

Mr. Thorvig stated the applicant is requesting to amend a Conditional Use Permit (CUP) approved in 1979 to allow vehicles to remain on site for at least 72 hours, to remove the requirement to have solid waste pick up three times a week, and to clarify the hours of operation. Staff commented further on the request and reported the planning commission recommended approval.

Moved by Councilmember Robertson, seconded by Councilmember Newland, to adopt a Resolution Granting a Conditional Use Permit (CUP) Amendment to Allow Vehicles to Remain on Site for at Least 72 Hours, and to Alter Previous CUP Requirements for an Existing Auto Repair Business in the Community Commercial (B-2) Zoning District at 611 109th Avenue NE.

Councilmember Newland suggested including a time frame of 90 days for the fence slats to be installed. Mr. Thorvig reported the council could make this recommendation as a condition for approval.

Amendment motion by Councilmember Newland, seconded by Councilmember Massoglia, to add a condition requiring a fence with slats along the west side of the property be installed by October 1, 2024.

Councilmember Saroya asked if this condition was practical for the applicant or would the additional expense be a hardship. The applicant was not in attendance at the meeting to respond.

Amendment adopted 6-1 (Councilmember Saroya opposed).

Amended motion adopted unanimously.

10.3. RES 24-121 Resolution Granting a Conditional Use Permit Amendment to Modify the Fencing Requirements for an Existing Truck Terminal in the Heavy Industrial (I-2A) Zoning District at 3701 85th Avenue NE. Old Dominion Freight Line (Case File No. 24-0033/EES)

Sponsors: Sheila Sellman, City Planner

Mr. Thorvig stated the applicant is requesting a Conditional Use Permit (CUP) Amendment to change the fencing requirements related to an existing truck terminal and to install additional special purpose fences. This request does not allow for any additional truck or trailer storage. Staff commented further on the request and reported the planning commission recommended approval with conditions.

Moved by Councilmember Newland, seconded by Councilmember Larson, to adopt a Resolution Granting a Conditional Use Permit Amendment to Modify the Fencing Requirements for an Existing Truck Terminal in the Heavy Industrial (I-2A) Zoning District at 3701 85th Avenue NE.

Councilmember Saroya referred to a resident email sharing concerns regarding vibration and Sheetrock cracking that occurred at his home and asked if this amendment will increase these concerns. Mr. Thorvig reported the request from the applicant focused on fencing. He explained he researched some of the resident's concerns and could follow up with the council on the response that was given to the resident.

Councilmember Larson thanked the applicant for including the interior barbed fence that wouldn't be visible to the surrounding public.

Motion adopted unanimously.

10.4. RES 24-123 Resolution Granting a Comprehensive Plan Amendment to Change the Land Use Designation from Medium Density Residential/High Density Residential (MDR/HDR) to Low Density Residential/Medium Density Residential (LDR/MDR) at 10041 and 10001 Polk Street NE. City of Blaine (Case File No. 24-0014/EJT)

Sponsors: Sheila Sellman, City Planner

Mr. Thovig requested the council consider a Comprehensive Plan Amendment to change the land use designation from Medium Density Residential/High Density Residential (MDR/HDR) to Low Density Residential/Medium Density Residential (LDR/MDR) at 10041 and 1001 Polk Street NE. Staff commented further on the request and reported the planning commission recommended approval.

Moved by Councilmember Newland, seconded by Councilmember Larson, to adopt a Resolution Granting a Comprehensive Plan Amendment to Change the Land Use Designation from Medium Density Residential/High Density Residential (MDR/HDR) to Low Density Residential/Medium Density Residential (LDR/MDR) at 10041 and 10001 Polk Street NE.

Councilmember Newland thanked the landowners for coming forward and addressing the council regarding their concerns and desire to have options for future development.

Councilmember Larson stated it was rare the city was moving from high density to low density residential, but noted she supported this change given the density on the surrounding properties.

Motion adopted unanimously.

10.5. RES 24-124 Resolution Granting a Comprehensive Plan Amendment to Change the Land Use Designation from High Density Residential/Planned Commercial (HDR/PC) to Medium Density Residential/Community Commercial (MDR/CC) at the Northwest Corner of Paul Parkway NE and Ulysses Street NE (Parcel 08-31-23-24-0144). City of Blaine (Case File No. 24-0036/EJT)

Sponsors: Erik Thorvig, Community Development Director

Mr. Thorvig requested the council consider granting a Comprehensive Plan Amendment to change the land use designation from High Density Residential/Planned Commercial (HDR/PC) to Medium Density Residential/Community Commercial (MDR/CC) at the northwest corner of Paul Parkway NE and Ulysses Street NE. Staff commented further on the request and reported the planning commission recommended approval.

Moved by Councilmember Massoglia, seconded by Councilmember Larson, to adopt a Resolution Granting a Comprehensive Plan Amendment to Change the Land Use Designation from High Density Residential/Planned Commercial (HDR/PC) to Medium Density Residential/Community Commercial (MDR/CC) at the Northwest Corner of Paul Parkway NE and Ulysses Street NE.

Councilmember Massoglia thanked staff for their efforts on this item. He commented on how the city of Blaine has grown from 50,000 to almost 80,000 residents and appreciated how the council was further evaluating where high density properties should be located.

Councilmember Robertson stated she appreciated hearing from the property owners as well.

Councilmember Saroya indicated she liked the shift or direction the city was going, noting her focus has been on Ward 1. She discussed how the massive apartment buildings in Ward 1 have impacted traffic in her neighborhood. She questioned if this property was already surrounded by high density. Mr. Thorvig reviewed the surrounding land uses for this property, noting there was a mix of land uses.

Councilmember Saroya asked if there was a pending project for this site. Mr. Thorvig reported staff was not aware of any project for this site.

Nick Gervais, GHS Development, the property owner, explained no formal project has been submitted but he would like to see how he could maximize the potential for this land.

Motion adopted unanimously.

10.6. RES 24-125 Resolution Granting a Comprehensive Plan Amendment to Change the Land Use Designation from High Density Residential (HDR) to Medium Density Residential/Community Commercial (MDR/CC), and Medium Density Residential (MDR) to Medium Density Residential/Community Commercial (MDR/CC) at 12565 and 12535 Zest Street NE and 12592 Lexington Avenue NE. City of Blaine (Case File No. 24-0037/EJT)

Sponsors: Sheila Sellman, City Planner

Mr. Thorvig requested the Council consider a Comprehensive Plan Amendment to change the land use designation from High Density Residential (HDR) to Medium Density Residential/Community Commercial (MDR/CC), and Medium Density Residential (MDR) to Medium Density Residential/Community Commercial (MDR/CC) at 12565 and 12535 Zest Street NE and 12592 Lexington Avenue NE. Staff commented further on the request and reported the planning commission recommended approval.

Moved by Councilmember Larson, seconded by Councilmember Massoglia, to adopt a Resolution Granting a Comprehensive Plan Amendment to Change the Land Use Designation from High Density Residential (HDR) to Medium Density Residential/Community Commercial (MDR/CC), and Medium Density Residential (MDR) to Medium Density Residential/Community Commercial (MDR/CC) at 12565 and 12535 Zest Street NE and 12592 Lexington Avenue NE.

Councilmember Larson stated she was supportive of this change, noting this property was near her home. She believed this pocket of high density residential did not fit and she appreciated the fact that this property would be changed to medium density/community commerical.

Motion adopted unanimously.

11. Administration

None.

12. Other Business

None.

13. Adjournment

Signed by ______________________________
Tim Sanders, Mayor

Signed by ______________________________
Catherine M. Sorensen, CMC, City Clerk

Moved by Councilmember Robertson, seconded by Councilmember Massoglia, to adjourn the meeting at 8:22PM.

Motion adopted unanimously.