



the property.

- In 2006, Shamrock Disposal received a conditional use permit amendment for two buildings on one lot and constructed a second building on the site.
- In 2012, Shamrock Disposal received a conditional use permit to amend the types of waste handled at the site.
- In 2018, Dem-Con (who bought Shamrock Disposal) experienced an accidental fire that resulted in the total loss of the transfer station building, but the other building on site remained intact.

At this time, Dem-Con wishes to reconstruct the transfer station building and change the arrangement of the new building and site. In order to do this a conditional use permit amendment and a building setback variance is required.

The new facility will continue to serve as a construction and demolition waste, municipal solid waste, non-hazardous industrial waste, single stream recycling and yard waste transfer facility. In addition, Dem-Con will be adding the ability to sort and transfer source separated organics from the facility to an approved processing facility.

### **Conditional Use Permit**

The new proposed transfer station facility will be 22,000 square feet in size and 44 feet in height. The outdoor storage areas would be utilized as shown on the attached site plan. The facility can accept up to 1,200 tons per day and not more than 218,000 tons per year of waste and recyclable materials. The facility will not accept hazardous waste.

The exterior of the building will consist of stucco embossed panels, corrugated metal panels and exposed concrete. The building exterior meets the requirements of the Code of Ordinances with regard to solid waste transfer station architecture control requirements.

The building also meets most of the required setbacks for these types of facilities with one exception. The applicant is requesting a variance for a reduction in the side yard building setback on the north side of the site. This variance and the rationale for approving the variance are provided in a separate report.

As a part of the new building the applicant is proposing indoor load out pits. The previous building has the pit located outside the building. The lowest floor elevations of these pits would not appear to meet the City's Floodplain Overlay District Ordinance requirement of being two feet above a 100 year flood elevation however since the loading pits are only used for parking, the ordinance requirement does not apply. However, the loading pits will need to be waterproof, so design and construction must be per FEMA requirements. A Rice Creek Watershed Permit is required prior to City approval of construction plans.

The parking requirements for the buildings on site are being met with the large amount paved parking areas, and the unpaved surfaces on site could be converted to parking stalls if they ever become necessary. On the site plan, however, it appears as though the truck stalls are not paved on the south side of the site. It is a requirement of the conditional use permit that all parking areas for passenger vehicles and trucks must be paved with bituminous.

The landscape plan for the site appears to meet the requirements of the Zoning Ordinance and Code of Ordinances.

There are a three areas on the site that were originally designated as wetlands and/or ponding areas, but over time have been encroached into by improvements. These areas are located at the west side of the site, the northeast corner of the site and the southwest corner of the site.

The west side encroachment is into the wetland buffer and ponding easement. The applicant will need to restore the wetland buffer in this area. Parking and fencing must stay out of the buffer.

The northeast corner encroachment is a ponding easement. Improvements have been constructed in the flood area for the pond. The applicant will need to remove the improvements and restore the pond or vacate the portion of the easement that is not covered by the improvements. The applicant will need to verify that adequate ponding exists at other places on the site to compensate for the loss in this pond.

The southwest corner encroachment is a wetland and will need to be restored by the applicant.

The site perimeter, if it is not already, will be fenced with a chain link fence with slats that must be at least 6-feet in height (see attached diagram).

The outdoor storage area is not paved at this time and will not be required to be paved unless this area is ever used for parking of vehicles. The outdoor storage items include wood, scrap metal, shingles, concrete and asphalt, yard waste and dumpsters. The outdoor storage of materials cannot exceed 15 feet in height.

By motion, approve the Resolution.

### **Attachments**

Zoning and Location Map

Narrative

Existing Conditions and Removal Plan

Site Plan

Grading Plan

Utility Plan

Landscape Plan  
Floor Plan  
Building Exterior Elevations  
Fencing and Variance Exhibit

**WHEREAS**, an application has been filed by Dem-Con Properties, LLC. as Conditional Use Permit Case File No.18-0073; and

**WHEREAS**, a public hearing has been held by the Blaine Planning Commission on February 12, 2019; and

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

**WHEREAS**, the Blaine City Council has reviewed said case March 7, 2019.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Blaine that a Conditional Use Permit Amendment is hereby approved per Section 31.14(e) of the Zoning Ordinance and Article IV of the Code of Ordinances to reconstruct the Dem-Con Blaine Transfer Station (22,000 square feet) that was lost in a fire in 2018 and for outside storage of materials related to the transfer station based on the following conditions:

1. Site grading plan to be developed with every effort taken to preserve maximum number of existing trees at site perimeter. Site plan approval is required prior to any site activity. Construction limits to be detailed on final site plan. Site plan approval will also require the submission of a Site Improvement Performance Agreement and the associated financial guarantee.
2. Perimeter of outside storage yard to be fenced with 6-foot tall chain link fencing with slats. Staff to work with the applicant on appropriate fence locations through the site plan approval process.
3. Outside storage areas are limited to the areas shown on the site plan. These areas can remain as Class V provided no long-term parking of vehicles is allowed on these areas.
4. All building construction to meet the I-2 (Heavy Industrial) zoning standards, with the exception of the proposed variance on the north side of the site.
5. The solid waste transfer facility shall be operated in accordance with all applicable local, state and federal laws, rules and regulations regarding, but not limited to, groundwater pollution, water quality, air pollution, noise, odors, vibration or solid waste.
6. The solid waste transfer facility shall be operated in accordance with the attached narrative from Dem-Con dated January 11<sup>th</sup>, 2019.
7. Applicant shall be responsible for litter control and clean-up along roadways leading to transfer facility site including Naples Street from 95<sup>th</sup> Avenue to 101<sup>st</sup> Avenue, 101<sup>st</sup> Avenue from Naples Street to County State Aid Highway 52, and County State Aid

Highway 52 from Interstate 35W to 105<sup>th</sup> Avenue.

8. All parking areas for passenger vehicles and trucks must be paved with bituminous and must be marked on the site plan submitted for site plan approval.
9. Loading pits will need to be waterproof, designed and constructed per FEMA requirements. A Rice Creek Watershed Permit is required prior to City approval of construction plans.
10. Areas on the site that were originally designated as wetlands and/or ponding areas will need to be restored and/or modified as directed herein.
11. Height of outdoor storage limited to 15 feet in height.

**PASSED** by the City Council of the City of Blaine this 7<sup>th</sup> day of March, 2019.