



# City of Blaine Anoka County, Minnesota

Blaine City Hall  
10801 Town Sq Dr NE  
Blaine MN 55449

## Legislation Details (With Text)

**File #:** RES 12-115    **Version:** 2    **Name:** 12-25 Bourke Bros  
**Type:** Resolution    **Status:** Passed  
**File created:** 9/6/2012    **In control:** City Council  
**On agenda:** 9/6/2012    **Final action:** 9/6/2012  
**Title:** CONDITIONAL USE PERMIT TO OPERATE A MAJOR AUTO REPAIR FACILITY IN A B-2 (COMMUNITY COMMERCIAL) ZONING DISTRICT AT 10112 SUNSET AVENUE NE. BOURKE BROTHERS. (CASE FILE NO. 12-0025/LSJ)  
**Sponsors:** Bryan Schafer  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Attachments.pdf

Date	Ver.	Action By	Action	Result
9/6/2012	2	City Council	Adopted	Pass
8/15/2012	1	Planning Commission	Recommended for Approval	Pass

**ITEM: 11.3 DEVELOPMENT BUSINESS** - *Bryan K. Schafer, Planning and Community Development Director*

### **CONDITIONAL USE PERMIT TO OPERATE A MAJOR AUTO REPAIR FACILITY IN A B-2 (COMMUNITY COMMERCIAL) ZONING DISTRICT AT 10112 SUNSET AVENUE NE. BOURKE BROTHERS. (CASE FILE NO. 12-0025/LSJ)**

Planning Commission (Public Hearing) 08/15/12  
City Council (Conditional Use Permit) 09/06/12  
Action Deadline 09/09/12

The applicants, Bourke Brothers, would like to operate an automobile repair business at the above mentioned address. This site was formerly occupied by a tile shop and prior to that a different automobile repair shop. To operate the automobile repair shop at this site, a conditional use permit is required.

The Zoning Ordinance has definitions for major and minor automobile repair:

**Major automobile repair:** General repair, rebuilding, or reconditioning of engines, motor vehicles or trailers, including body work, frame work, welding and painting of entire vehicle or major portion thereof.

**Minor automobile repair:** The replacement of any part or repair of any part which does not

require the removal of the engine head or pan, engine, transmission or differential; incidental body and fender work, minor painting and upholstering service when said service above stated is applied to passenger vehicles.

The applicants have indicated verbally that they will be doing mostly minor automobile repair but there may be circumstances where they will need the ability to pull out an engine for repair work. They will not be doing auto body work. They will also be a towing operation with two trucks in use. Based on the applicant's description of the work to be done on site, they will need a conditional use permit for major automobile repair.

In 2000, the previous owner of this site received several variances and made site improvements to the site so it could be used for the tile business. Curbing and landscaping were installed so as to meet City site requirements including the green space/landscape area behind (west side) the building which is critical now in meeting the setback buffer required by the major auto repair standards. Therefore, this site is up to code and no additional work needs to be done to the site other than parking lot striping and provision for a handicapped parking stall.

The applicants have indicated they will be installing a hoist in the building and installing a dumpster enclosure. Details regarding the location and construction of the dumpster enclosure must be submitted to the City Planning and Building Inspection Departments prior to construction. The dumpster enclosure must match the building in terms of materials used for the enclosure.

There are currently six (6) parking stalls on this site. Because there will be up to two tow trucks on site, staff is recommending that no more than two other vehicles be allowed to park in the stalls over night. The tow trucks are to be parked inside when the business is not open. There shall be no outside storage of any kind on this site.

By motion, approve the Resolution.

**Attachments**

- Zoning and Location Map
- Certificate of Survey
- Site Plan (July 2000)
- Narrative

**PER SECTION 30.14 (C) OF THE ZONING ORDINANCE**

**WHEREAS**, an application has been filed by Bourke Brothers as conditional use permit Case File No. 12-0025; and

**WHEREAS**, a public hearing has been held by the Blaine Planning Commission on

August 15, 2012; and

**WHEREAS**, the Blaine Planning Commission recommends said conditional use permit be approved; and

**WHEREAS**, the Blaine City Council has reviewed said case on September 6, 2012.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Blaine that a conditional use permit is hereby approved per Section 30.14 (C) of the Zoning Ordinance to operate a major auto repair facility in a B-2 (Community Commercial) zoning district at 10112 Sunset Avenue NE, based on the following conditions:

1. A certificate of occupancy must be obtained prior to use of the building for such business.
2. If a dumpster enclosure is to be constructed for this building, the plans for construction must be submitted to the Planning and Building Inspection departments for review and permit prior to installation.
3. Any dumpster enclosure must be constructed with the same materials as the building.
4. Tow trucks are allowed to be stored outside during business hours but otherwise must be stored inside the building.
5. No more than two customer (passenger) vehicles to be stored outside (front parking area) overnight.
6. Except as permitted by Condition No. 5 no outdoor storage of any kind is allowed on this site.
7. No auto body work or vehicle painting is to be conducted at this site.
8. Any changes made to this use may require a conditional use permit amendment.
9. Any signage requires a separate permit.
10. Parking lot to be striped with creation of one (1) handicapped stall.

**PASSED** by the City Council of the City of Blaine this 6<sup>th</sup> day of September 2012.