



# City of Blaine Anoka County, Minnesota

Blaine City Hall  
10801 Town Sq Dr NE  
Blaine MN 55449

## Legislation Text

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File #: RES 15-194, Version: 2

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

**GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR OPERATION OF A RETAIL CELLULAR STORE (SPECIALTY STORE) IN A B-1 (NEIGHBORHOOD BUSINESS) ZONING DISTRICT AT 9846 POLK STREET NE. CENTRAL WIRELESS LLC. (CASE FILE NO. 15-0063/SLK)**

Planning Commission (Public Hearing)	11/10/15
<b>City Council (Conditional Use Permit)</b>	<b>12/03/15</b>
Action Deadline	12/17/15

The Planning Commission voted unanimously to approve the conditional use permit. There were comments at the public hearing from the applicant. He requested that he be allowed two years from the time the initial Certificate of Occupancy is issued for Central Wireless to complete the installation of an automatic fire suppression system.

The applicant, Central Wireless LLC, is proposing to operate a cellular store in a 1600 square foot vacant tenant space at 9846 Polk Street. The proposed use is located within the same building as the existing convenience store/gas station. The B-1 zoning recognizes the close proximity of these small neighborhood based commercial locations to adjacent residential uses and places tight limits on the types of uses allowed. The B-1 does not allow general retail but does permit “*Specialty Shop*” as a conditional use (CUP). The store proposes to be open Monday-Friday 10am-8pm, Saturday 11am-7pm, and Sunday 12pm-6pm. The applicant estimates 25-50 customers daily.

It is the long-term goal of the City to maintain a viable business community and volunteer fire department through the installation of automatic fire extinguishing systems. Since the mid 1990’s the City Council has directed that with zoning and conditional use permit applications that the applicant be required to install a fire sprinkler system in the building they wish to occupy. This CUP also carries that recommendation and therefore is consistent with the many prior CUP requests that were proposed to be located within non-sprinkled buildings. This condition was included with the CUP approval granted in 2012 for the consignment store that was located within the same tenant space for 6 months. In 2012, the City Council allowed the applicant two years to install the automatic fire extinguishing system as a part of the CUP approval. The sprinklers have not been installed in the building and the applicant/owner is

requesting additional time to install the sprinklers. Therefore, staff has informed the applicant of the grant program through the City's EDA that will match half of the cost of the fire suppression installation cost and recommended one additional year to install the sprinklers.

Parking is adequate for this use.

The code enforcement staff has received some complaints related to the condition of the fence on the west side of the site. The property owner of this site should repair the fence prior to any Certificate of Occupancy being issued for this tenant space.

All business signage is issued under a separate permit.

By motion, approve the Resolution.

### **Attachments**

Zoning and Location Map

Site Survey

Floor Plan (2)

Narrative

**WHEREAS**, an application has been filed by Central Wireless LLC as Conditional Use Permit Case File No. 15-0063; and

**WHEREAS**, a public hearing has been held by the Blaine Planning Commission on November 10, 2015; and

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

**WHEREAS**, the Blaine City Council has reviewed said case on December 3, 2015.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Blaine that a Conditional Use Permit is hereby approved per Section 30.04 (b) of the Zoning Ordinance to allow for operation of retail cellular store (specialty shop) in a B-1 (Neighborhood Business) zoning district based on the following conditions:

1. Building and Fire review and approval is required prior to any building permits being issued.
2. Installation of an automatic fire suppression system for the entire building is required. The applicant/owner is granted two years from the time the initial Certificate of Occupancy is issued for Central Wireless to complete the installation.

3. The applicant must obtain a certificate of occupancy from the Building Inspection Department prior to occupying the site.
4. All signage requires a separate permit.
5. No outdoor storage of any kind is allowed on this site.
6. The property owner of this site to repair the fence prior to any Certificate of Occupancy being issued for this tenant space.

**PASSED** by the City Council of the City of Blaine this 3<sup>rd</sup> day of December, 2015.