



# 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 17-102, Version: 2

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

**GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR THE  
CONSTRUCTION OF A 6,500 S.F. MULTI-TENANT RETAIL BUILDING IN A PBD  
(PLANNED BUSINESS DISTRICT) AT THE NORTHWEST CORNER OF 117<sup>TH</sup>  
AVENUE AND ULYSSES LANE NE. NGUYEN PROPERTIES LLC (STONE  
CONSTRUCTION) (CASE FILE NO. 17-0023/LSJ)**

Planning Commission (Public Hearing)	07/11/17
<b>City Council (Conditional Use Permit)</b>	<b>08/03/17</b>
Action Deadline	08/26/17

The Planning Commission voted unanimously to approve the conditional use permit. There were no comments at the public hearing.

In 2007, the City Council approved a preliminary plat for North Central Commons. This plat contained several commercial lots on the northwest corner of 117<sup>th</sup> Avenue and Highway 65. Stone Construction now wishes to construct a multi-tenant retail building on one of the commercial lots at the northwest corner of 117<sup>th</sup> Avenue and Ulysses Lane N. This site is zoned PBD (Planned District), and this Zoning District requires that each use receive approval of a conditional use permit. Therefore, the applicant is requesting the approval of a conditional use permit that would allow for the construction of a 6,500 square foot multi-tenant retail building.

The multi-tenant retail building that is proposed is 6,500 square feet. The occupant of the 3,400 square foot tenant space on the south end of the building will be US Nails, which is a nail salon. A restaurant is being proposed in the middle 1,200 square foot tenant space, and there are no tenants known for the remainder of the building. With regard to parking, the applicant has calculated the parking requirements for the building with the possibility of approximately half of the building being restaurant space with the remaining as general retail which would require 63 parking stalls. There are 61 parking stalls shown on the base site plan with the ability to get up to 69 stalls (with up to 8 additional stalls shown as “proof”). Final plan will be worked out through the Site Plan review process. As with similar multi-tenant developments, staff will continue to monitor tenant build-outs to ensure that enough parking is provided on this site for the uses proposed. The applicant should be made aware that restaurant tenants could be limited in this building as the

parking requirements for restaurant uses are higher than the requirements for general retail uses (should the nail use go away).

A shared access agreement is required for the site that deals with maintenance and responsibilities for the shared private drive. A copy of this agreement must be submitted prior to issuance of site plan approval.

Most PBD setbacks have been met on site and at least 10-feet of green space has been provided on all interior lot lines not abutting a private drive. The building, however did not meet the side yard setback of 15 feet on the west side of the building at the time this was presented at the Planning Commission. Since then the plan has been modified and now meets this requirement. This has resulted in the building depth and square footage being reduced to meet that setback.

The building architecture includes EIFS, brick, glass and concrete block. This building meets the requirements of the Highway 65 Overlay District. As a reminder, the City Council has directed staff to require that all buildings in the PBD (Planned Business District) meet the Highway 65 Overlay District requirements for architecture and landscaping, regardless of their location, through the conditional use permit process.

There is one additional recommendation regarding the building architecture. It is recommended that brick elements be used on the north and west sides of the building so these materials are present on all elevations of the building. Other approvals in the PBD district have included requirements to treat all four sides of the building the same with regard to architectural elements and staff is trying to stay consistent with this standard.

The following landscaping is required on site to meet the Highway 65 Overlay District requirements for the site perimeter:

Overstory Trees: 15  
Conifer Trees: 7  
Ornamental Trees: 7

The landscape plan that has been provided does not meet these requirements. The plan must also meet oversizing requirements of the Highway 65 Overlay District, which states that 25% of the trees on site must be oversized. Overstory trees should be oversized to 3 inch caliper, conifer trees must be oversized to 8 feet in height and oversizing is not recommended for ornamental trees. The applicant should be aware that the 25% of the oversized trees do not count as extra trees towards the overall site requirements.

It appears as though there will be a drive-through facility on the north end of the building. It is requested that the applicant submit menu-board locations with the site plan approval process.

All signage is issued under a separate permit.

By motion, approve the Resolution.

**Attachments**

Zoning and Location Map

Site Plan

New Site Plan

Floor Plan

Grading Plan

Landscape Plan

Building Elevations

**WHEREAS**, an application has been filed by Nguyen Properties LLC (Stone Construction) as Conditional Use Permit Case File No. 17-0023; and

**WHEREAS**, said case involves the land described as follows:  
LOT 2, BLOCK 1, BLAINE ALZHEIMERS SPECIAL CARE CENTER

**WHEREAS**, a public hearing has been held by the Blaine Planning Commission on July 11, 2017; and

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

**WHEREAS**, the Blaine City Council has reviewed said case on August 3, 2017.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Blaine that a Conditional Use Permit is hereby approved per Section 31.33 of the Zoning Ordinance to allow for the construction of a 6,500 s.f. multi-tenant retail building for nail salon, restaurant, general retail and office uses in a PBD (Planned Business District) on the northwest corner of 117<sup>th</sup> Avenue and Ulysses Lane NE based on the following conditions:

1. As the tenant spaces are filled, staff will monitor the uses to ensure that enough parking is provided on site.
2. The building must be constructed as submitted with this application, and the building construction must meet the requirements of the Highway 65 Overlay District. It is recommended that brick elements be used on the north and west sides of the building so these materials are present on all elevations of the building.
3. A shared access agreement is required for the site that deals with maintenance and

responsibilities for the shared private drive. A copy of this agreement must be submitted prior to issuance of site plan approval.

4. The dumpster enclosure on the site must be constructed of the same materials as the building.
5. All lighting on site must be downlit and shielded to prevent glare or spill. Pole mounted lighting is limited to 20-feet in height.
6. Signage is issued under a separate permit process. Temporary signage regulated under Zoning Ordinance Section 34.13. Permanent freestanding monument signage is limited to 14 feet in height and 140 square feet.
7. Site plan and grading plan approval is required prior to any work being performed on site and issuance of building permits.
8. The following landscaping is required on site to meet the Highway 65 Overlay District requirements:

Overstory Trees: 15

Conifer Trees: 7

Ornamental Trees: 7

Shrubs are also required

9. The plan must also meet oversizing requirements of the Highway 65 Overlay District, which states that 25% of the trees on site must be oversized. Overstory trees should be oversized to 3 inch caliper, conifer trees must be oversized to 8 feet in height and oversizing is not recommended for ornamental trees. The applicant should be aware that the 25% of the oversized trees do not count as extra trees towards the overall site requirements.
10. The applicant must submit menu-board locations with the site plan approval process.
11. Coon Creek Watershed District review of proposed improvements is required prior to start of site work.
12. The building must meet a 15-foot side yard setback on the west side of the site.
13. Any outdoor dining would require a CUP amendment. It should be noted that the site plan indicates very little sidewalk or patio room to accommodate outdoor tables and sitting area and that any future request might therefore be limited or not permitted.

**PASSED** by the City Council of the City of Blaine this 3<sup>rd</sup> day of August, 2017.