



# 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 18-47, 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 4,007 SQUARE FOOT TACO BELL RESTAURANT WITH A  
DRIVE-THROUGH IN A PBD (PLANNED BUSINESS DISTRICT) ZONING  
DISTRICT, LOCATED AT 11665 ULYSSES STREET NE. BFI REAL ESTATE  
HOLDINGS, INC./RYAN COMPANIES US INC. (CASE FILE NO. 18-0009/LSJ)**

Planning Commission (Public Hearing)	03/13/18
<b>City Council (Conditional Use Permit)</b>	<b>04/05/18</b>
Action Deadline	04/20/18

The Planning Commission voted unanimously to approve the Conditional Use Permit. There were no comments at the public hearing.

The applicant is proposing to construct a 4,007 square foot Taco Bell restaurant on a lot in Central Avenue Acres 3<sup>rd</sup> Addition, which is east of the Lowe's home improvement store on 117<sup>th</sup> Avenue and Highway 65. Auto Zone is directly adjacent to the east of this lot. The site is zoned PBD (Planned Business District) and every use in this district requires a conditional use permit, which is what is currently being requested.

Again, the proposed restaurant building is 4,007 square feet in size and a drive-thru is being proposed that wraps around the west side of the building. The site requires 40 parking stalls to be consistent with ordinance requirements and there are 42 parking stalls provided on site.

In the PBD zoning district, all sites must comply with the Highway 65 Overlay requirements per the direction of the City Council, so the building and the landscaping must comply with those requirements.

The proposed building is being constructed with metal, glass and EIFS and it meets the requirements of the zoning ordinance and specifically the Highway 65 Overlay District. The landscape plan that has been provided also meets the same requirements.

All signage must meet the requirements set forth in the zoning ordinance and a separate permit

must be obtained, including temporary signage.

All lighting must be downlit and shielded to prevent glare or spill. Freestanding lights are limited to not more than 40 feet in height as this was allowed on other sites in this development.

It appears as though trash is handled inside the building on this site. If the trash is ever to be stored outside of the building a dumpster enclosure that matches the building must be provided.

Park dedication was previously paid when the lot was platted in 2009.

By motion, approve the Resolution.

### **Attachments**

Zoning and Location Map

Narrative

Site Plan

Grading Plan

Landscaping Plan

Floor Plan

Building Elevations

**WHEREAS**, an application has been filed by BFI Real Estate Holdings as Conditional Use Permit Case File No. 18-0009; and

**WHEREAS**, a public hearing has been held by the Blaine Planning Commission on March 13, 2018; and

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

**WHEREAS**, the Blaine City Council has reviewed said case on April 5, 2018.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Blaine that a Conditional Use Permit is hereby approved per Section 31.30 of the Zoning Ordinance to allow for the construction of a 4,007 square foot Taco Bell restaurant with a drive-through in a PBD (Planned Business District) Zoning District, located at 11665 Ulysses Street NE, based on the following conditions:

1. Site plan approval is required prior to issuance of a building permit.
2. Site must comply with the Highway 65 Overlay requirements per the direction of the City Council. The building and landscaping must be constructed as shown the plans presented for

this application.

3. Applicant should be aware of future MNDot improvements at the intersection of TH 65 and 117<sup>th</sup> Avenue NE. As part of MNDot's Access Management Plan there is a proposed improvement that is directly adjacent to the proposed site. The proposed improvement will include a full interchange at this intersection. This MNDot improvement currently does not have a scheduled timeframe or allocated funding. Applicant to recognize that future changes made to Highway 65 could impact how the site is accessed in the future.
4. All signage, including temporary signage, must meet the requirements set forth in the zoning ordinance and a separate permit is required for both types of signage.
5. All lighting must be downlit and shielded to prevent glare or spill. Freestanding lights are limited to not more than 40 feet in height.
6. A Coon Creek Watershed District permit is required prior to construction on this site.
7. A National Pollutant Discharge Elimination System (NPDES) Phase II General Storm Water Permit for Construction Activity (MN R100001) from Minnesota Pollution Control Agency (MPCA). A prerequisite to the MPCA permit application includes preparation of a site Storm Water Pollution Prevention Plan (SWPPP) for the development site.
8. If the trash is ever to be stored outside of the building a dumpster enclosure that matches the building must be provided.

**PASSED** by the City Council of the City of Blaine this 5<sup>th</sup> day of April, 2018.