



# 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 18-45, Version: 2

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

**GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR GASOLINE SALES AND OUTDOOR DINING IN A PBD (PLANNED BUSINESS DISTRICT) ZONING DISTRICT, LOCATED AT 11736 ULYSSES LANE NE. KWIK TRIP, INC/NORTH CENTRAL PROPERTIES. (CASE FILE NO. 18-0008/SLK)**

Planning Commission (Public Hearing)	03/13/18
<b>City Council (Conditional Use Permit)</b>	<b>04/05/18</b>
Action Deadline	04/07/18

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

Kwik Trip is proposing to locate on the northeast corner of Ulysses Street NE and 117<sup>th</sup> Avenue NE. The site is zoned PBD (Planned Business District) and will require a Conditional Use Permit to allow a gas station/convenience store in this zoning district. The site is guided in the comprehensive plan as CC (Community Commercial).

The proposed convenience store is a 7,914 square foot building. No car wash is proposed with this application as the small site does not support that use. All setbacks have been met for this site. Site access will be located on Ulysses Court on the north side of the site.

The building will be constructed of brick, stucco, and glass. The building itself meets the requirements of the Highway Overlay District and it will present a nice appearance for the traveling public.

The 8 gasoline pumps are designed to serve 16 vehicles at one time. The gas pumps are located on the north side of the building adjacent to Ulysses Court. A canopy is provided over the gas pumps, and is approximately 18 feet in height from the ground to the top of the canopy.

All signage requires a separate permit meeting the requirements of the Zoning Ordinance. The convenience store lot will be allowed three elevations of wall signage meeting the requirements of the Sign Ordinance. The three elevations allowed for the convenience store lot would also include

any elevation used on the canopy for signage.

The City has also required other convenience stores to provide a more attractive canopy structure by constructing the canopy columns of brick that matches the building. Staff believes it is appropriate to require the brick on the canopy columns in this case. A condition has been added that requires the canopy columns (to a minimum height of 5 feet) to be constructed with a brick façade.

Another condition of the conditional use permit addresses outdoor speaker systems. The use of any speaker system at this gas pumps must be limited in volume so as to not create any off-site impacts.

The number of plantings identified on the landscape plan does meet the Highway Overlay District requirements. The landscape plan must also include 25% of the landscaping in the front yard adjacent to Ulysses Street and 117<sup>th</sup> Avenue, and those trees must be oversized. Oversized trees should be as follows: overstory trees (3 inch caliper) and conifer trees (eight feet in height). The following plantings will be required on site:

Overstory trees: 11 (2 ½ " caliper) and 3 (3" caliper)=14

Conifer trees: 6 (6' in height) and 2 (8' in height)=8

Ornamental trees: 6 (2" caliper) and 2 (2 ½" caliper)=8

The parking provided on site exceeds parking requirements for automobile service stations and retail uses with 35 parking stalls provided on site, including those at the gas pumps. Therefore, the parking provided is acceptable.

The applicant is proposing two outdoor tables with seating for 8 (eight) at each table on the southwest side of the building.

The applicant has indicated that the store would be open 24 hours.

Site plan approval will be required prior to issuance of building permits for this site.

Development exceeds one acre and requires a National Pollutant Discharge Elimination System (NPDES) Phase II permit from the Minnesota Pollution Control Agency (MPCA). A construction Stormwater Pollution Protection Plan (SWPPP) must be filed for dealing with erosion control and water quality.

The applicant will need to obtain a permit from Coon Creek Watershed District prior to site plan approval.

The lot is already a platted lot and has previously paid park dedication.

By motion, approve the Resolution.

### **Attachments**

Zoning and Location Map

Site Plan

Grading Plan

Utility Plan

Landscape Plan

Building Elevations

Canopy Elevations

**WHEREAS**, an application has been filed by Kwik Trip, Inc. as Conditional Use Permit Case File No. 18-0008; 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 31.33 (8) of the Zoning Ordinance to allow for gasoline sales and outdoor dining in a PBD (Planned Business District) at 11736 Ulysses Lane NE based on the following conditions:

1. The exterior building materials to match those on the submitted plans.
2. Site plan approval is required prior to issuance of building permits. All site improvements to be included in site improvement agreement and covered by an acceptable financial guarantee.
3. All site lighting to be down lit-style lamps to reduce glare and to meet the requirements of the Zoning Ordinance. Final site plan to include detailed lighting plan. Pole mounted lighting is limited to 20 feet in height.
4. Applicant to install underground piping for future Stage I vapor recovery system.
5. Storage or display of retail items not permitted in the parking area, pump islands, driveway surface. All display items must meet the outside display section of the Zoning Ordinance (Section 30.181).
6. All signage requires a separate permit meeting the requirements of the Zoning Ordinance. The site will be limited to three wall signs including convenience store and canopy, any signage on the canopy will count as wall signage. One monument sign will be permitted with a maximum

height of 14 feet and 140 square feet of signage.

7. The landscape plan must include 25% of the landscaping in the front yard adjacent to 117th Avenue and Ulysses Street and those trees must be oversized. The following plantings will be required on site:

Overstory trees: 11 (2 ½ " caliper) and 3 (3" caliper)=14

Conifer trees: 6 (6' in height) and 2 (8' in height)=8

Ornamental trees: 6 (2" caliper) and 2 (2 ½" caliper)=8

8. Temporary signage to be regulated under Zoning Ordinance Section 34.13.
9. No exterior overnight storage of pallets or delivered products.
10. No overnight storage of semi trailers or delivery vehicles.
11. The use of any speaker system at this gas pumps must be limited in volume so as to not create any off-site impacts.
12. The gas and diesel canopies must have columns, to a minimum height of five (5) feet, that are faced with brick that matches the building.
13. The outdoor seating area limited to 2 (two) tables with seating for a total of 8 seats.
14. A National Pollutant Discharge Elimination System Phase II permit required from the MN Pollution Control Agency. Building permits will not be issued until a copy of the permit is sent to the City.
15. A Coon Creek Watershed District permit is required. Building permits will not be issued until a copy of the permit is sent to the city.
16. The uses permitted by this Conditional Use Permit to be operated in accordance with all applicable City regulations and ordinance requirements. Violation of these standards or any conditions of the Conditional Use Permit shall be enforceable, by the City as a misdemeanor violation.

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