



# City of Blaine Anoka County, Minnesota

Blaine City Hall  
10801 Town Sq Dr NE  
Blaine MN 55449

## Legislation Text

---

File #: RES 19-38, Version: 1

---

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

**GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR THE USE OF THE SITE AND 15,000 SQUARE FOOT BUILDING AS A WASTE TRANSFER FACILITY (METALS RECYCLING FACILITY) WITH OUTSIDE STORAGE OF MATERIALS ASSOCIATED WITH METALS RECYCLING IN A I-2 (HEAVY INDUSTRIAL) ZONING DISTRICT LOCATED AT 3360 99<sup>TH</sup> COURT NE. DEM-CON PROPERTIES, LLC. (CASE FILE NO. 18-0071/LSJ)**

Planning Commission (Public Hearing)	02/12/19
City Council (Conditional Use Permit)	03/07/19
Action Deadline	03/11/19

The Planning Commission voted unanimously to approve the proposed conditional use permit. There were no comments at the public hearing, other than the applicant clarifying their need for the use of this property.

Dem-Con has purchased this site, which is immediately adjacent to its existing waste transfer station on 99<sup>th</sup> Court, for the purpose of using the building and site as a metals processing facility. A metals processing facility falls under the category of waste transfer station in the City's Zoning Ordinance and Code of Ordinances. In order to use this site as such, a conditional use permit is required.

The applicant is also requesting the approval of several variances which will be outlined in a separate report.

### **Conditional Use Permit**

The narrative that is attached explains that Dem-Con acquired this site in the fall of 2018 for the purpose of using this site as a Resource Recovery Facility. The site was previously utilized by a business that had outside storage of heavy machinery. Because of the proximity to the other Dem-Con site, this site would work well for the company as a metals recycling facility.

There is an existing 15,000 square foot building on site that will be used for the business. The narrative explains how the building will be utilized for the recycling of metals. The items

brought in for recycling, including automobiles, will be brought into the building upon arrival to the site, and dispersed to other areas of the site based on what is being recycled.

This site, if anywhere else in the City, would not work for a waste transfer station, according to ordinance standards and requirements. Given its location to the other waste transfer site, the applicant is making a case for the approval of several setback variances and a lot size variance.

The outside storage areas are delineated on the site plan and consist of ferrous and nonferrous materials and automobile storage. Since this site was previously used for the storage of heavy machinery, much of the outside storage is currently Class V. The applicant is proposing, and will be required, to install a bituminous overlay over the outside storage areas. Also, the applicant will need to indicate on the site or landscape plan where the fencing of the outside storage will occur. The outside storage must be delineated with a six-foot high chain link fence with slats.

The landscape plan for the site appears to meet site requirements as established in the Zoning Ordinance and Code of Ordinances for Waste Transfer Stations.

The parking provided on site meets the requirements of the zoning district and this use.

The site currently has three entrances off of 99<sup>th</sup> Court. The applicant is proposing, and is required, to close one of the entrances on this street to eliminate traffic concerns in this cul-de-sac. The applicant is also widening the eastern access to allow for truck turning movements at this access point.

The applicant is not proposing to change the appearance of the building, which meets the Zoning Ordinance and Code of Ordinance Requirements for this use.

By motion, approve the Resolution.

### **Attachments**

Zoning & Location Map

Narrative

Existing Conditions and Removals Plan

Site Plan

Grading Plan

Landscape Plan

Photos of Exterior of Building

Floor Plan

Variance Drawing

**WHEREAS**, an application has been filed by Dem-Con Properties, LLC. as Conditional Use Permit Case File No. 18-0071; and

**WHEREAS**, a public hearing has been held by the Blaine Planning Commission on February 12, 2019; and

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

**WHEREAS**, the Blaine City Council has reviewed said case on March 7, 2019.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Blaine that a Conditional Use Permit is hereby approved per Section 31.14(e) of the Zoning Ordinance and Article IV of the Code of Ordinances to allow for the use of the site and 15,000 square foot building as a waste transfer facility (metals recycling facility) with outside storage of materials associated with metals recycling based on the following conditions:

1. Site work to be developed with every effort taken to preserve maximum number of existing trees at site perimeter. Site plan approval is required prior to any site activity. Construction limits to be detailed on final site plan. Site plan approval will also require the submission of a Site Improvement Performance Agreement and the associated financial guarantee.
2. Perimeter of outside storage area to be fenced with 6-foot tall chain link fence with slats.
3. Outside storage areas are limited to the areas shown on the site plan. All outside storage areas must be paved with asphalt as per the plan submitted for approval.
4. The solid waste transfer facility shall be operated in accordance with all applicable local, state and federal laws, rules and regulations regarding, but not limited to, groundwater pollution, water quality, air pollution, noise, odors, vibration or solid waste.
5. The solid waste transfer facility shall be operated in accordance with the attached narrative from Dem-Con dated January 11<sup>th</sup>, 2019.
6. Applicant shall be responsible for litter control and clean-up along roadways leading to transfer facility site including Naples Street from 95<sup>th</sup> Avenue to 101<sup>st</sup> Avenue, 101<sup>st</sup> Avenue from Naples Street to County State Aid Highway 52, and County State Aid Highway 52 from Interstate 35W to 105<sup>th</sup> Avenue.
7. The applicant must modify the proposed site and landscape plan so as not to require a parking setback variance on the north side of the site.
8. A Rice Creek Watershed Permit is required prior to City approval of construction plans.

**PASSED** by the City Council of the City of Blaine this 7<sup>th</sup> day March, 2019.