



PLANNING REPORT

TO: Phil Kern
FROM: Alan Brixius
DATE: December 9, 2009
RE: Delano – MAJG Property – Auto Repair Conditional Use Permit
FILE NO: 432.07 – 09.19

BACKGROUND

MAJG LLC is requesting a conditional use permit to allow the property located at 901, 903 and 905 Babcock Boulevard in Delano to have auto repair. This commercial site was originally developed within the Township under County zoning and subsequently annexed into the City. As such, the building and site exists as non-conforming in that it does not meet a number of City performance standards.

The conditional use permit is an alteration of this non-conforming use that will require the property to satisfy a number of City performance standards to allow for the new use. This report evaluates the submitted information against City zoning standards.

ISSUES ANALYSIS

Zoning. The proposed site (901, 903 and 905 Babcock Boulevard) is zoned B-2, General Business District which allows automobile and truck repair by conditional use permit (Section 51.21, Subd. D.1).

Lot Area and Setback. The site is approximately 41,500 square feet in area and fronts both 7th Street and Highway 12. The following building setbacks are applicable:

	Required	Existing	Compliance
Front Yard	30 feet	28.2 feet	No
Side Yard (interior)	10 feet	21.7 feet	Yes
Side Yard (street)	30 feet	82.0 feet	Yes
Rear Yard	10 feet	157.4 feet	Yes

By Zoning Ordinance, the front of the lot faces 7th Street. The existing building maintains a 28.2 foot setback. This is an existing legal non-conforming condition.

Conditional Use Permit. Section 51.21, Subd. D.1 outlines the following conditions for an automobile and truck repair conditional use permit:

1. The entire area other than occupied by buildings or structures or planting shall be surfaced with bituminous or concrete which will control dust and drainage. The entire area shall have a perimeter curb barrier, a storm water drainage system and is subject to the approval of the City Engineer.

The site has historically had a compacted gravel parking lot to serve this building. This non-conforming condition is being corrected with this application. The applicant's site plan illustrates a bituminous surface parking lot.

A B-612 curb is shown along the west, north and south boundaries of the lot with a surmountable curb along the east parking lot edge. The surmountable curb is intended to accommodate future parking lot expansion without the need to replace the curb.

Staff will provide additional analysis of the parking acceptability in the parking section of this report.

2. The emission of odor by a use shall be in compliance with and regulated by the State of Minnesota Pollution Control Standards, Minnesota regulations APC, as amended.

The applicant must demonstrate that the building offers proper ventilation and emission control as part of building inspection and certificate of occupancy.

3. All flammable materials, including liquids and rags, shall conform with the applicable provisions of the Minnesota Uniform Fire Code.

The applicant shall provide a plan for the proper disposal of automobile fluids including gas, anti-freeze, oils, transmission fluids, etc. None of these fluids shall be permitted to be disposed of through sanitary sewer, storm sewer, or other storm drainage systems.

4. All outside storage shall be prohibited except the storage of customer vehicles waiting for repair.

No outdoor storage shall be permitted on the premises other than customer automobiles awaiting repair. All operations and storage must occur within the building. The business may have an outdoor display of new merchandise or products equal to 15 percent of their tenant bay floor area. This would need to be identified on the site plan to demonstrate that the display area does not interfere with on-site circulation or parking.

5. All conditions pertaining to a specific site are subject to change when the Council, upon investigation in relation to a formal request, finds that the general welfare and public betterment can be served by modifying the conditions.

This condition will be addressed through the balance of the site plan review.

Parking. The proposed building has multiple tenants. The floor plans illustrate the historical use of the building which includes warehousing and trailer manufacturing, which are not allowed uses within the B-2 Zoning District. In examining the City parking standards, shopping center parking standards will be applied to the building to accommodate existing and future uses of the building.

Shopping centers require five spaces per 1,000 square feet of building floor area. Based on a building floor area of 4,563 square feet, this site should provide 23 parking stalls. The site plan shows 31 parking stalls.

The parking stall dimensions all meet the 9 foot by 18 foot stall performance standard of the City. Drive aisles are 24+ feet to accommodate on-site traffic and building access.

Landscaping. The applicant does not propose any new landscaping. This raises two areas of concern as follows:

1. The site currently consists of hard packed gravel beyond the proposed parking lot. The City requires all areas of a lot not paved or occupied by a building to be landscaped in a manner that insures a maintained appearance. The applicant shall provide a plan for restoration ground cover for areas not covered by parking lot or building.
2. The City parking requirements stipulate that all exposed parking areas of six or more stalls shall be landscaped on all sides. In review of the applicant's site plan, landscaping on all sides may not be necessary. However, staff would recommend installation of some landscaping to help shield headlight glare into traffic on Highway 12.

Grading and Drainage. The City Engineer comments are as follows:

1. The certificate of survey refers to 9th Street. This street should be identified as 7th Street south of TH 12 and Tiger Drive north of TH 12.
2. The proposed improvements include paving an existing parking surface. The existing surface is currently impervious although not paved. The pavement area is less than one acre. Although water quality improvements are not required, cost-effective BMPs should be implemented where feasible.
3. The north two-thirds of the parking lot drains north and west to a proposed catch basin. The proposed catch basin will connect to an existing catch basin in the curb line of 7th Street.

- a. This connection is acceptable
 - b. The connection storm sewer must be a minimum of 12-inches in diameter.
 - c. The storm sewer material must be RCP or PVC SDR 35.
 - d. The catch basin should include a two foot sump to trap sediment from the parking lot.
4. The south one-third of the parking lot drains to a proposed swale along the south property line. The swale drains to a flared end section (FES) and storm sewer system under 7th Street.
 - a. This connection is acceptable
 - b. The graded swale shall include a one foot deep depression prior to the (FES) to trap sediment.
 - c. The swale shall be seeded and protected from erosion.
5. A maintenance agreement may be considered to assure long-term maintenance of the manhole sump and the swale. This agreement would be similar to the agreement created for the Harley Davidson sump manholes.
6. According to the certificate of survey, it appears that a small portion of the 7th Street sidewalk encroaches onto this property. We have reviewed the dedicated easements and all sidewalk is within ROW or easement. Certain easements are not reflected on this certificate of survey.
7. No access changes are proposed with this application. An access modification is not recommended.
8. No sanitary or water service modifications are proposed.

Lighting. The applicant is not proposing any changes in outdoor lighting at this time. Any future lighting changes shall comply with Delano's outdoor lighting standards.

Trash Enclosure. The site shows a trash enclosure location at the south end of the building. The location is acceptable. The applicant must provide a trash enclosure elevation detail that demonstrates compliance with City construction standards.

Building Elevation. No changes are proposed for the exterior finishes of the building.

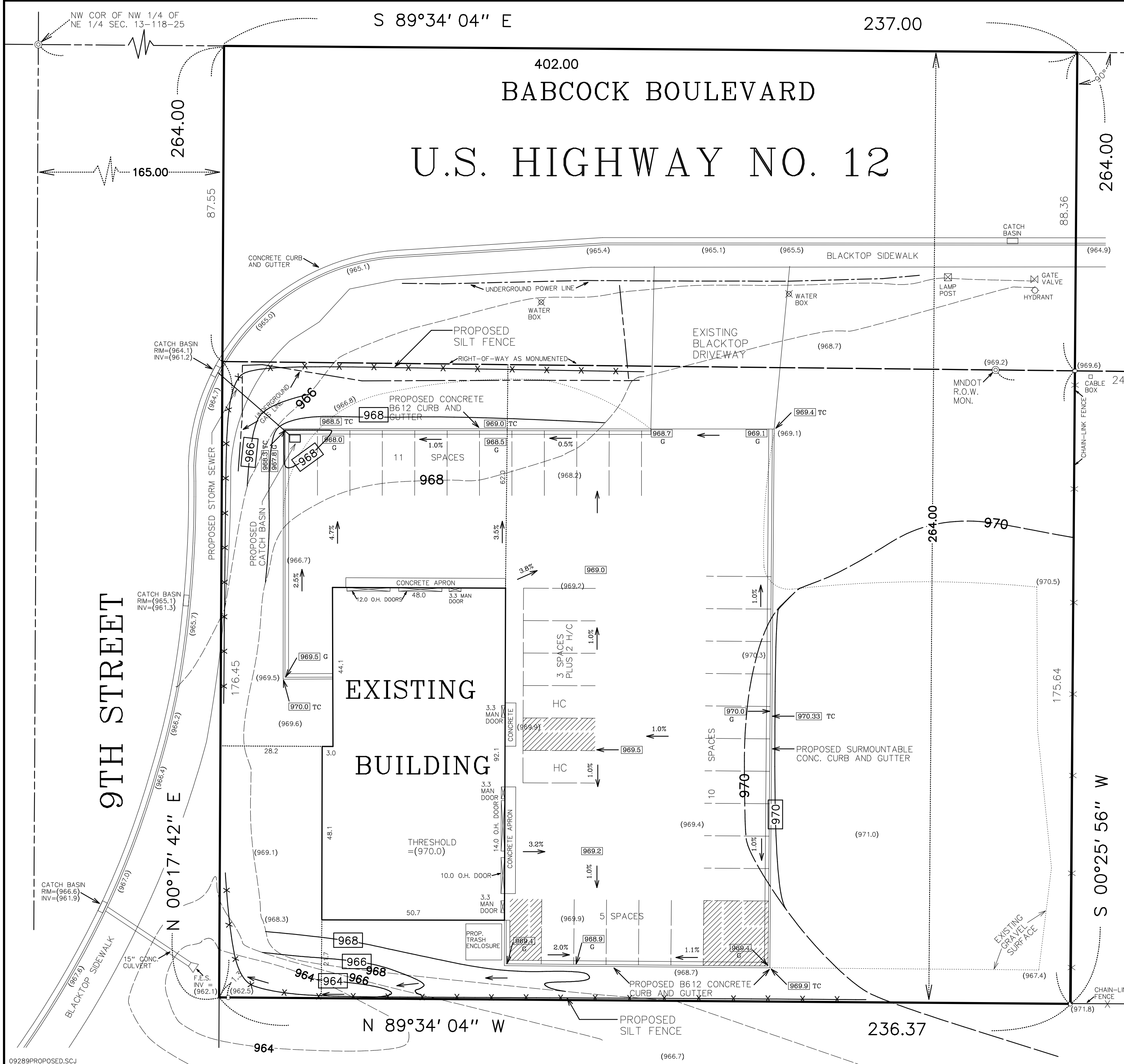
Signage. The City requires a comprehensive sign plan for buildings containing three or more businesses. The building owner shall present a sign plan for the entire site that will address tenant needs.

RECOMMENDATION

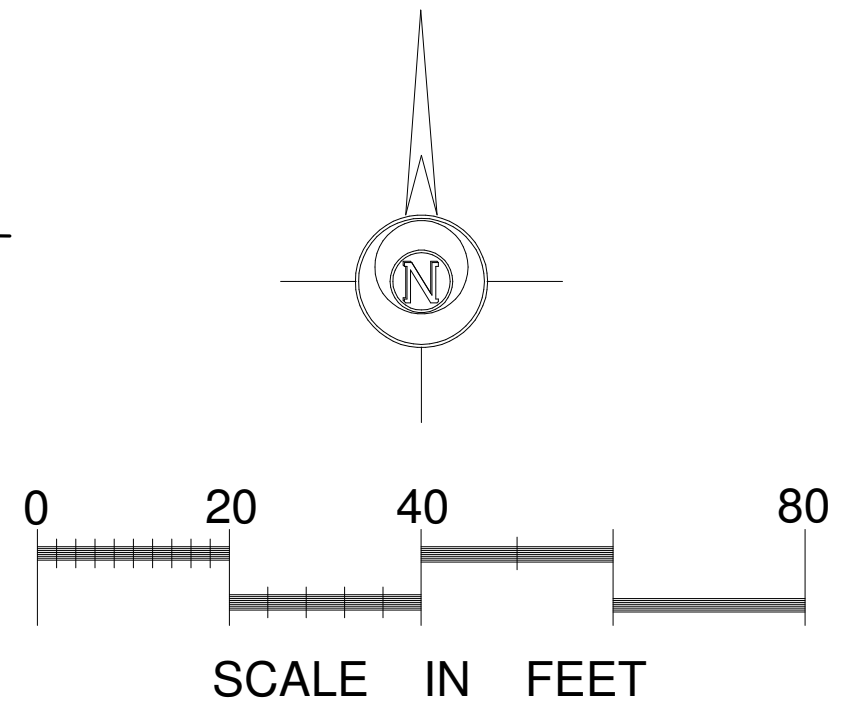
The 901, 903 and 905 Babcock Boulevard site is located at a predominant intersection of Highway 12 in Delano. This site is currently non-conforming in a number of ways. The proposed auto repair is a conditional use within the B-2 District and allows for improvement to a number of non-conforming conditions on the site. In review of the application, staff would recommend approval of the conditional use permit with the following conditions:

1. No outdoor storage is allowed on site except automobiles awaiting service. The applicant may pursue limited outdoor sales displays per B-2 District standards provided it is illustrated on a site plan and formally approved by the City.
2. The applicant provide a landscape plan that addresses:
 - a. Restoration of all areas not covered by pavement or building to a maintainable lawn.
 - b. Provides low growing shrubs to block headlight glare along the north and west edges of the parking lot.
3. The applicant demonstrate to the Building Inspector that the building ventilation, air exchange, and emission control will support auto repair within the building.
4. The applicant provide a plan for disposal of automotive fluids. No fluids shall be disposed of through the sanitary sewer, storm sewer, or other storm drainage system.
5. The applicant shall implement the City Engineer comments found in this report pertaining to the site survey and site grading and drainage.
6. The applicant shall provide detailed construction drawings for the trash enclosure for approval by City staff.
7. The applicant shall provide a comprehensive sign plan for the entire site that addresses tenant signage.

cc: Marlene Kittock
Wendy Biel
Scott Dornfeld
Vince Vandertop
Marc Gillet (via email at mgillet@nllaser.com)



PROPOSED SITE PLAN AND
 CERTIFICATE OF SURVEY FOR
MARC GILLET
 IN THE NE 1/4 OF SEC. 13-118-25
 WRIGHT COUNTY, MINNESOTA



LEGAL DESCRIPTION OF PREMISES :

That part of the North 264.00 feet of the Northwest Quarter of the Northeast Quarter of Section 13, Township 118 North, Range 25 West of the 5th Principal Meridian, lying east of the West 165.00 feet thereof, and west of a line described as follows: Commencing at the Northwest corner of said Northwest Quarter of the Northeast Quarter; thence east along the North line thereof 402.00 feet to the point of beginning of the line being described; thence deflecting right 90 degrees to the South line of said North 264.00 feet, and there ending.

- o : denotes iron marker
 - (908.3) : denotes existing spot elevation, mean sea level datum
 - [908.3] : denotes proposed spot elevation, mean sea level datum
 - 917--- : denotes existing contour line, mean sea level datum
 - [917]--- : denotes proposed contour line, mean sea level datum
- Bearings shown are based upon an assumed datum.

This survey shows the boundaries of the above described property, and the location of an existing building, gravel parking lot, sidewalk, curb and gutter, topography, and blacktop approach thereon. It does not purport to show any other improvements or encroachments.

NOTE: Title information will be needed to see if any easements exist, especially for new road construction.

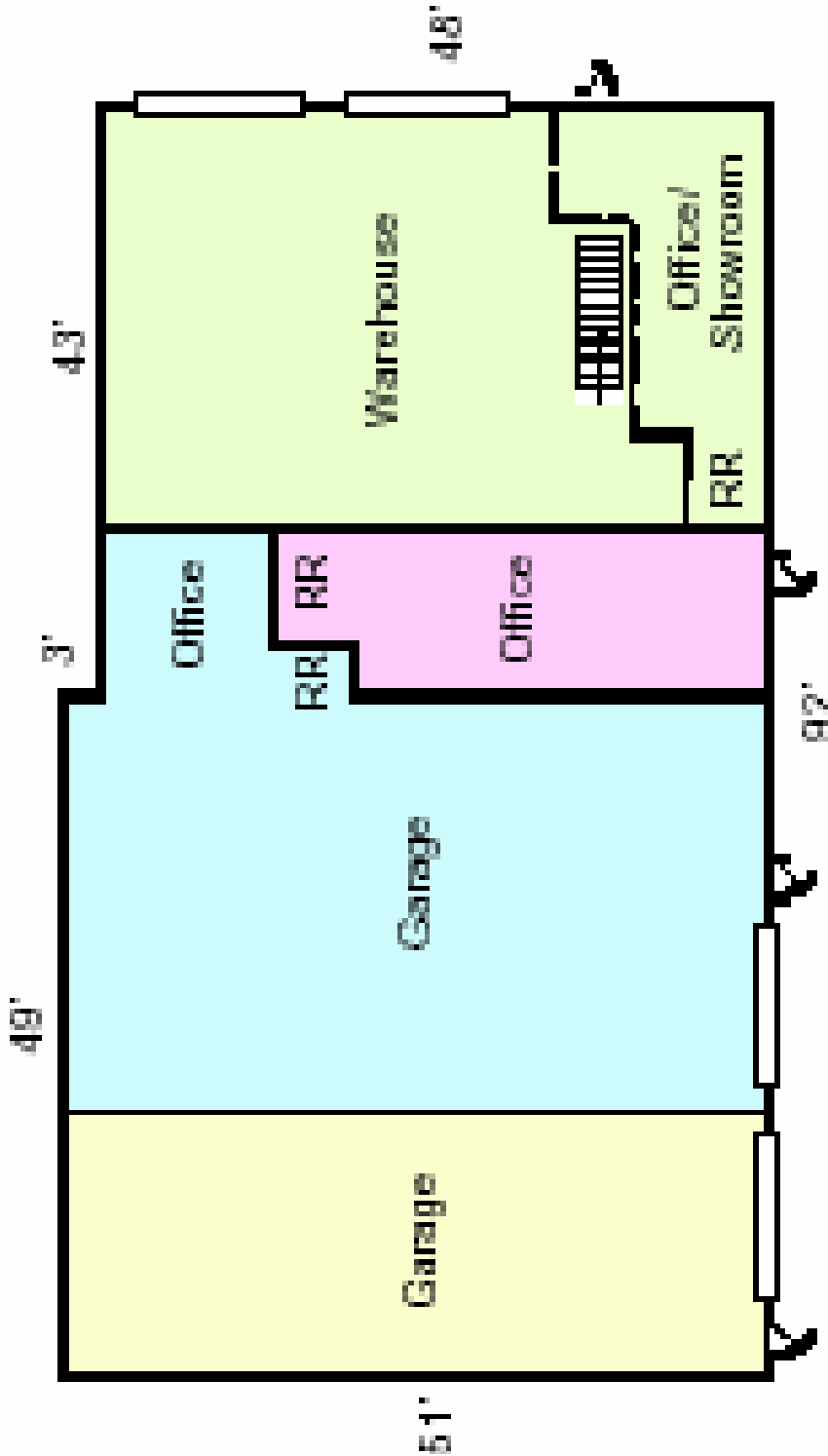
DESIGNED	REVISION	DATE	DESCRIPTION
	1	11-24-09	CONCRETE APRONS, OVERHEAD, AND MAN DOORS LOCATED, SHOWN ON DRAWING
DRAWN			
CHECKED			


GRONBERG & ASSOCIATES, INC.
 CONSULTING ENGINEERS, LAND SURVEYORS, & SITE PLANNERS
 445 NORTH WILLOW DRIVE, LONG LAKE, MN. 55356
 952-473-4141

I hereby certify that this survey was prepared by me, or under my direct supervision, and that I am a duly registered Civil Engineer and Land Surveyor under the laws of the State of Minnesota.

 Mark S. Gronberg Minnesota License Number 12755

SCALE
1"=20'
 DATE
11-9-09
 JOB NO.
09-289



Auto Service CUP
 30' x 32' Service Area

Office / Retail *Available*

Office / Retail / Whs
 Trailer Manufacture

Whs / Garage *Available*

Office = 1,276 SF
 Garage/Whse = 3,637 SF
 Total GBA = 4,913 SF

MAJG, LLC

700 SOUTH 7TH STREET, DELANO, MINNESOTA 55328 • 952-255-8300 • FAX 952-255-8301 • SALES@NORTHERNLIGHTSLASER.COM

To whom it may concern,

There are no plans to modify the Utilities, Lighting or Landscape at this time as it relates to the current CUP application for 901 Babcock Blvd. other than what it indicated on the current site plan dated 11/24/09 Revision 1.

By: MAJG, LLC

Marc Gillet, President