



# City of Blaine Anoka County, Minnesota

Blaine City Hall  
10801 Town Sq Dr NE  
Blaine MN 55449

## Legislation Details (With Text)

<b>File #:</b>	RES 20-192	<b>Version:</b>	2	<b>Name:</b>	CUP - Wagon Wheel Saloon (20-0042)
<b>Type:</b>	Resolution	<b>Status:</b>	Passed		
<b>File created:</b>	12/21/2020	<b>In control:</b>	City Council		
<b>On agenda:</b>	12/21/2020	<b>Final action:</b>	12/21/2020		
<b>Title:</b>	GRANTING A CONDITIONAL USE PERMIT FOR 2,629 SQUARE FEET OF OUTDOOR RESTAURANT SEATING IN A B-3 (REGIONAL COMMERCIAL) ZONING DISTRICT LOCATED AT 76 NORTHTOWN DRIVE NE. GLIMCHER REALTY TRUST (WAGON WHEEL SALOON / JDA DESIGN ARCHITECTS INC.) (CASE FILE NO. 20-0042/EES)				
<b>Sponsors:</b>	Lori Johnson				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Attachments, 2. PC Unapproved Minutes 120820				

Date	Ver.	Action By	Action	Result
12/21/2020	2	City Council	Adopted	Pass
12/8/2020	1	Planning Commission	Recommended for Approval	Pass

### DEVELOPMENT BUSINESS - *Lori Johnson, City Planner*

#### **GRANTING A CONDITIONAL USE PERMIT FOR 2,629 SQUARE FEET OF OUTDOOR RESTAURANT SEATING IN A B-3 (REGIONAL COMMERCIAL) ZONING DISTRICT LOCATED AT 76 NORTHTOWN DRIVE NE. GLIMCHER REALTY TRUST (WAGON WHEEL SALOON / JDA DESIGN ARCHITECTS INC.) (CASE FILE NO. 20-0042/EES)**

Planning Commission (Public Hearing)	12/08/20
City Council (Conditional Use Permit)	12/21/20
Action Deadline	01/18/21

#### ***Staff report prepared by Elizabeth Showalter.***

The Planning Commission voted unanimously to approve the Conditional Use Permit.

There were no comments from the public or members of the commission.

The applicant is proposing to operate a restaurant/bar in an existing 3,026 square foot building on the Northtown Mall property. The building was most recently occupied by Buffalo Wild Wings, but has been vacant since Buffalo Wild Wings moved to its new location at Victory Village.

The applicant is proposing to construct a new 2,629 square foot patio with 68 seats on the grassy area in front of the existing restaurant building. Five existing parking stalls will be removed to construct the patio. Those stalls include three accessible stalls which must be relocated as required by the Minnesota Accessibility Code.

The floor plan of the inside of the restaurant has not been finalized, but the applicant has provided a breakdown of the space by dining, kitchen, and bar area to demonstrate parking demand. The outdoor dining will require 26 spaces while the indoor area will require 31 spaces for a total of 57 required spaces. The 87 spaces in the parking lot around the building are more than adequate for the use, and can accommodate minor changes to the distribution of uses within the indoor portion.

To provide access to the restaurant from the parking areas, a new sidewalk must be constructed along the western edge of the patio. A fence is proposed around the patio to contain the outdoor dining and meet liquor licensing requirements. A detail of the fence has not been provided, but must be wrought iron or equivalent as stated in the conditions.

The outdoor dining area will be subject to SAC (Sewer Access Charges). The applicant must work with the City's chief building official and Metropolitan Council to determine the amount required for this use.

The restaurant will operate from 5AM to 2AM.

The applicant's plans are proposing a decorative silo in front of the building. The silo will be regulated as a freestanding sign and must be constructed of masonry materials and meet all applicable regulations for freestanding signage in the B-3 district.

All other requirements listed in the conditions are the standard conditions that the City applies to other outdoor dining conditional use permits.

By motion, approve the Resolution.

### **Attachments**

Zoning and Location Map

Seating Plan

Leased Premises Map

Applicant's Narrative

Unapproved Planning Commission Minutes

**WHEREAS**, an application has been filed by Glimcher Realty Trust (Wagon Wheel Saloon/JDA Design Architects Inc) as Conditional Use Permit Case File No. 20-0042.; and

**WHEREAS**, said case involves the land described as follows:  
LOT 6, BLOCK 2, MUIR'S NORTHTOWN ADDITION, ANOKA COUNTY, MINNESOTA.

**WHEREAS**, a public hearing has been held by the Blaine Planning Commission on December 8, 2020; and

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

**WHEREAS**, the Blaine City Council has reviewed said case on December 21, 2020.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Blaine that a Conditional Use Permit is hereby approved per Section 30.24 (t) of the Zoning Ordinance to allow for 2,629 square feet of outdoor restaurant seating (68 seats) in a B-3 (Regional Commercial) zoning district based on the following conditions:

1. Administrative site plan approval will be required prior to work being performed on site. This approval will include the requirement for a signed Site Improvement Performance Agreement and associated financial guarantee.
2. A copy of the lease outlining the applicant's available parking must be submitted to the City prior to any permits being issued for the site.
3. The outdoor dining area will be subject to a SAC review and payment. The applicant must work with the City's chief building official and Metropolitan Council to determine the amount required for this use.
4. Plans for amplified music or a public address system for the outdoor dining area to be reviewed by the City and approved by the Northtown Mall management company prior to installation. Noise level of the music in the outdoor dining area to not exceed normal conversation level.
5. No outdoor advertising on building or patio area without obtaining a permit, including any signage on table umbrellas.
6. The outdoor dining area limited to the patio area identified on the site plan attached to the staff report and a maximum of 2,629 square feet and 68 seats.
7. The outdoor dining area to meet all appropriate city regulations and license requirements for dispensing of alcohol in an outdoor setting.
8. The ability to operate outdoor dining is reliant upon the applicant's ability to adequately control litter and refuse as associated with the facility.
9. Exit doors in any railing or fence in the outdoor dining area shall be openable from the inside without the use of a key or any special knowledge or effort, per the Minnesota Building Code.
10. Provide manufacturing specifications and requirements for propane heater use and clearance to combustibles if they are to be used on site.
11. Provide a detailed plan of fencing to surround patio and acquire a permit for construction of said fencing. Fencing shall be wrought iron or equivalent, subject to approval by the Zoning Administrator.
12. All signage by separate permit. Wall signage shall be permitted on a maximum of two walls and is limited to 10% of the wall area or 200 square feet, whichever is less. One freestanding sign is

permitted up to 14 feet in height and 140 square feet, so long as no freestanding signage for the mall includes advertisement for the subject business.

13. The proposed decorative silo shall be regulated as a freestanding sign and must be constructed of masonry materials.

**PASSED** by the City Council of the City of Blaine this 21<sup>st</sup> day of December, 2020.