



City of Blaine Anoka County, Minnesota

Blaine City Hall
10801 Town Sq Dr NE
Blaine MN 55449

Legislation Details (With Text)

File #: RES 21-130 **Version:** 1 **Name:** CUP - Blaine VFW Patio (20-0039)
Type: Resolution **Status:** Passed
File created: 6/21/2021 **In control:** City Council
On agenda: 6/21/2021 **Final action:** 6/21/2021
Title: Granting a Conditional Use Permit to Allow 20 Seats of Outdoor Dining in a B-2 (Community Commercial) Zoning District at 1374 109th Avenue NE. Blaine VFW (Case File No. 21-0039/SLK)
Sponsors: Lori Johnson
Indexes:
Code sections:
Attachments: 1. Attachments, 2. Public Comment

Date	Ver.	Action By	Action	Result
6/21/2021	1	City Council	Adopted	Pass

Public Hearing - *Lori Johnson, City Planner*

Title

Granting a Conditional Use Permit to Allow 20 Seats of Outdoor Dining in a B-2 (Community Commercial) Zoning District at 1374 109th Avenue NE. Blaine VFW (Case File No. 21-0039/SLK)

Executive Summary

The Blaine VFW would like to operate an outdoor dining patio for approximately 20 seats in the rear of their existing building. The patio area will be enclosed with a wrought iron fence.

Schedule of Actions

City Council (Conditional Use Permit)	06/21/21
Action Deadline	07/23/21

Background

Staff report prepared by Shawn Kaye, Associate Planner

Blaine VFW currently operates a restaurant at 1374 109th Avenue. The restaurant would like to offer outdoor dining on the premises and has made an application for a conditional use permit according to ordinance requirements.

The proposed outdoor dining area has space for 20 outdoor dining seats in the rear of the existing building (south side). A wrought iron fence is shown on two sides of the proposed patio (south and west). A privacy fence will be constructed on the east side of the outdoor dining area.

Four (4) onsite parking stalls will be affected by this outdoor dining area. The building has sufficient parking for the additional seating space.

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/patio will operate from 11AM to 11PM Sunday through Thursday and 11AM to 1AM Friday and Saturday.

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

The applicant is required to submit all required materials and fees for the liquor license applications, including liquor liability insurance. Approval will be contingent upon a successful background investigation and Certificate of Occupancy.

Strategic Plan Relationship

Not Applicable.

Board/Commission Review

The public hearing for this item is being held at the City Council meeting, therefore no Planning Commission review/recommendation is needed.

Financial Impact

Not Applicable.

Public Outreach/Input

Notice of a public hearing were:

1. Mailed to property owners within 350 feet of the property boundaries.
2. Published in Blaine/Spring Lake Park/Columbia Heights/Fridley Life.
3. Posted on the City's website.
4. Posted (sign) on the property with contact information for the Planning Department.

Staff Recommendation

By motion, adopt the resolution.

Attachment List

Zoning and Location Map
Site Plan Aerials (2)
Site Sketch
Site/Table Layout
Narrative
Public Comment

WHEREAS, an application has been filed by VFW Post #6316 Sgt J Rice as Conditional Use Permit Case File No. 21-0039; and

WHEREAS, said case involves the land described as follows:

THAT PRT OF THE NE1/4 OF THE NW1/4 DESC AS FOL: BEG AT A PT ON THE N LINE OF SD 1/4, 1/4, 271 FT W OF THE NE COR OF SD 1/4, 1/4, TH CONT W ALG SD N LINE 266 FT TH S PRLL/W THE E LINE OF SD 1/4, 1/4, 3 30.71 FT, TH E PRLL/W THE N LINE OF SD 1/4 1/4, 266 FT, TH N PRLL/W THE E LINE OF SD 1/4, 1/4, TO THE POB; EX RD; SUBJ TO EASE OF REC

WHEREAS, the Blaine City Council has reviewed said case on June 21, 2021.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that a conditional use permit is hereby approved per Section 30.14 (o) of the zoning ordinance to allow 20 seats of outdoor dining in a B-2 (Community Commercial) zoning district based on the following conditions:

1. 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.
2. Plans for amplified music or a public address system for the outdoor dining area to be reviewed by the City prior to installation. Noise level of the music in the outdoor dining area to not exceed normal conversation level.
3. No outdoor advertising on building or patio area (including umbrellas) without obtaining a sign permit.
4. The outdoor dining area is limited to the patio area identified on the site plan attached to the staff report and there can be no more than 20 seats in the outdoor dining area.
5. The outdoor dining area to meet all appropriate city regulations and license requirements for dispensing of alcohol in an outdoor setting.
6. The ability to operate outdoor dining is reliant upon the applicant's ability to adequately control litter and refuse as associated with the facility.
7. 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.
8. A building permit with review from the Building and Fire inspection Departments is required.
9. Provide manufacturing specifications and requirements for propane heater use and clearance to combustibles if they are to be used on site.
10. 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.
11. All signage by separate permit.

PASSED by the City Council of the City of Blaine this 21st day of June, 2021.