



# 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 23-18	<b>Version:</b>	1	<b>Name:</b>	Written Statement of Denial - Blaine Event Center (22-0079)
<b>Type:</b>	Resolution	<b>Status:</b>	Passed		
<b>File created:</b>	2/6/2023	<b>In control:</b>	City Council		
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<b>Title:</b>	A Resolution Adopting a Written Statement of Denial for the Conditional Use Permit for Blaine Event Venue at 1250 126th Avenue NE. (Case File No. 22-0079/SAS)				
<b>Sponsors:</b>	Sheila Sellman				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>					

Date	Ver.	Action By	Action	Result
2/6/2023	1	City Council	Adopted	

**Development Business** - *Sheila Sellman, City Planner*

### Title

**A Resolution Adopting a Written Statement of Denial for the Conditional Use Permit for Blaine Event Venue at 1250 126<sup>th</sup> Avenue NE. (Case File No. 22-0079/SAS)**

### Executive Summary

At the January 18, 2023 City Council meeting, the Council directed staff to bring findings of fact for denial for the Conditional Use Permit back to the February 6, 2023 meeting for consideration.

### Background

The applicant requested a Conditional Use Permit (CUP) to operate an approximately 3,000 square foot event venue in a B-2 Community Commercial zoning district.

The City Council considered the CUP at the January 4, 2023 meeting and tabled the item to the January 18, 2023 meeting so that applicant and owner could further review the parking issues identified onsite.

On January 18, 2023 the Council considered the CUP. The motion for approval failed with a 3-3 vote. The failure of the motion constitutes a denial. Denials require the Council adopt a written statement of denial. The written statement of denial is to be considered at this meeting. The application has been denied and the action before council is to adopt the findings of the denial.

### Strategic Plan Relationship

Not applicable

### Board/Commission Review

The Planning Commission voted unanimously to deny the conditional use permit. One person, a

business owner in the retail center, spoke at the Planning Commission in opposition to the project primarily due to concerns about provision of adequate parking. The Planning Commission expressed concern about the amount of parking provided and the existing difficulty of parking at the center.

### **Financial Impact**

Not Applicable

### **Public Outreach/Input**

Notices 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, approve the Resolution.

### **Recitals**

#### **A Resolution to Adopt the Findings in Support of the Denial of an Application of the Blaine Event Venue's Conditional Use Permit**

**WHEREAS**, an application has been filed by Blaine Event Venue as Conditional Use Permit Case File No. 22-0079 for Blaine Event Venue; and

**WHEREAS**, said case involves the property described as follows:

Unit 300, CIC No 172 Creekview

**WHEREAS**, the Blaine Planning Commission held a public hearing on December 13, 2022, and recommended denial regarding said Conditional Use Permit; and

**WHEREAS**, the Blaine City Council has reviewed said case on January 4, 2023 and January 18, 2023;

**WHEREAS**, at the January 18, 2023 City Council meeting, a properly made motion to approve the Conditional Use Permit was considered by the City Council and the vote failed by a 3-3 vote:

**WHEREAS**, those members voting against the motion to approve the Conditional Use Permit stated on the record their reasons why they oppose the request, each finding the criteria identified in City Ordinance Section 27.04 for granting a conditional use permit have not been met, and;

**WHEREAS**, pursuant to Minnesota Statute Section 15.99 subdivision 2(b) the failure of the motion to approve by 3-3 vote constitutes a denial of the Conditional Use Permit.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Blaine that a conditional use permit to operate an approximately 3,000 square foot event center with a capacity of up to 120 occupants in a B-2 (Community Commercial) zoning district has been denied as a result of the failed motion to approve.

**BE IT FURTHER RESOLVED,** in consideration of the findings stated on the record by those members voting against the motion to approve the Conditional Use Permit, the City Council hereby adopts the following findings in support of the denial:

1. The intent of the B-2 (Community Commercial) zoning district is to “provide retailing and services of both a convenience and durable nature to shoppers, such as apparel, furniture, food, banking and financial services for a trade area of nearby residential neighborhoods.”
2. The proposed use as proposed is not located or operated in a manner that is compatible with adjoining properties and the existing character of the zoning district as a neighborhood retail center.
3. The proposed use as an event venue for events with up to 120 guests is not reasonably related to the overall city needs and existing land use as a retail center.
4. The proposed use is not consistent with the intended purposes of the B-2 zoning district where the applicant intends to locate the proposed use.
5. The applicant proposes to hold a variety of events, including weddings with a capacity of up to 120 guests. Due to parking limitations on-site, parking is not sufficient to handle this many guests and shuttle service would need to be provided. Off-site parking is not permitted by the zoning code. These concerns relating to parking the potential shuttling of guests to and from site is likely to have an adverse effect upon the health, safety, and general welfare of occupants of surrounding lands.

PASSED by the City Council of the City of Blaine this 6th day of February, 2023.