



# City of Blaine Anoka County, Minnesota

Blaine City Hall  
10801 Town Sq Dr NE  
Blaine MN 55449

## Legislation Text

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File #: RES 15-119, Version: 2

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

**GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR OUTDOOR DINING TO BE LOCATED IN A B-3 (REGIONAL COMMERCIAL) ZONING DISTRICT AT 12531 CENTRAL AVENUE NE. SAN JOSE MEXICAN RESTAURANT. (CASE FILE NO. 15-0028/EOW)**

Planning Commission (Public Hearing)	06/09/15
<b>City Council (Conditional Use Permit)</b>	<b>07/09/15</b>
Action Deadline	08/09/15

The Planning Commission voted unanimously to approve the conditional use permit. There were no comments at the public hearing.

San Jose Mexican Restaurant currently occupies a tenant space in an existing multi-tenant building in Blaine Town Center. San Jose sits in Bay 210, in the central portion of the building. 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 36 seats. The outdoor dining area will be uncovered and differentiated from the surrounding area by fencing.

The parking on site will not be affected by this outdoor dining area, but the adjoining sidewalk will be reduced to a five foot width along the length of the patio.

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.

All other requirements listed in the attached 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

Floor Plan

Schematic Drawing

Site Plan

**WHEREAS**, an application has been filed by San Jose Mexican Restaurant as Conditional Use Permit Case File No. 15-0028; and

**WHEREAS**, a public hearing has been held by the Blaine Planning Commission on June 9, 2015; and

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

**WHEREAS**, the Blaine City Council has reviewed said case on July 9, 2015.

**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(r) of the Zoning Ordinance to allow for outdoor dining to be located in a B-3 (Regional Commercial) zoning district at 12531 Central Avenue NE 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 and approved by the Blaine Town Center management company 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 without obtaining a permit, including any signage on table umbrellas.
4. The outdoor dining area limited to the patio area identified on the attached site plan, and there can be no more than 36 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 Uniform Building Code.

8. Provide manufacturing specifications and requirements for propane heater use and clearance to combustibles if they are to be used on site.
9. Provide a detailed plan of fencing to surround patio and acquire a permit for construction of said fencing.

**PASSED** by the City Council of the City of Blaine this 9<sup>th</sup> day of July, 2015.