



# City of Blaine Anoka County, Minnesota

Blaine City Hall  
10801 Town Sq Dr NE  
Blaine MN 55449

## Legislation Text

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### **WORKSHOP ITEM** *Cathy Sorensen, City Clerk*

#### **PROPOSED AMUSEMENT CENTER USE AT NORTHTOWN MALL**

Staff has received an inquiry to place a restaurant/bar/grill with golf simulators at Northtown Mall in the vacant space next to Best Buy. The group is looking to use approximately 5,000 square feet and would offer a full menu with six simulators, which would meet the definition of an amusement center and require a Conditional Use Permit. Currently City ordinance does not allow for an amusement center to be located within 1,500 feet or alcohol to be served within 500 feet of a school; Paladin Charter School is located in Northtown within 500 feet of the proposed use.

The current ordinance for alcohol and amusement centers is included below. Staff is seeking Council direction for a code amendment (underscored language) to allow for this use. Northtown Mall is supportive of the use and has been in contact with the school regarding the proposal and no concerns were raised.

#### **Chapter 6 - ALCOHOLIC BEVERAGES**

##### **6-47. - Restrictions on issuance of license.**

No license, other than a temporary intoxicating or 3.2 percent malt liquor license or brewer taproom, shall be granted to a premises located within 500 feet of any school or church, unless located within a regional mall. The distance is to be measured from the closest side of the school or church to the closest side of the structure on the premises within which liquor is to be sold.

#### **ARTICLE II. - AMUSEMENTS CENTERS AND AMUSEMENT DEVICES**

##### **DIVISION 1. - GENERALLY**

##### **Sec. 10-31. - Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Amusement center* means any room, place or space available for public patronage, operated as a business, which utilizes in its operation equipment and games including, but not limited to, pool tables, billiard tables, table tennis tables, foosball tables, pinball machines, or any mechanical or electronic amusement device, and which derives its principal source of revenue from the use and operation of such equipment and games. An amusement center as defined in this article shall not include bowling alleys.

*Amusement device* means an electronic or mechanical game of skill or chance, requiring the payment of money to play or operate. An "amusement device" is not a "gambling device" as defined by state statutes.

*Operate* means to conduct, manage, supervise, maintain or keep.

Sec. 10-32. - Exemptions.

Those establishments licensed to serve intoxicating liquor under chapter 6 and those establishments licensed to serve intoxicating liquor under the club on-sale retail license are not amusement centers as regulated by this article. All other licensing requirements shall pertain to the amusement devices located upon the premises of such establishments.

Sec. 10-53. - Issuance; facilities; expiration.

- (a) No amusement center license shall be issued by the council unless the applicant has demonstrated that the place to be licensed is in compliance with the state building codes, and that the place to be licensed will not become a public nuisance or detrimental to public safety, morals or welfare. The location of an amusement device shall not create a public nuisance or a condition detrimental to public safety, morals or welfare.
- (b) All licenses shall expire on December 31 following their issuance.

Sec. 10-55. - Conditions.

- (a) No amusement center shall be located within 1,500 feet of any public or private school unless located within a regional mall.

- (b) No amusement center shall be located within 500 feet of any residential zoning

Council is asked to provide direction regarding the proposed use.