



# 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 20-27, Version: 2

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

#### **GRANTING A CONDITIONAL USE PERMIT TO OPERATE A 5,500 SQUARE FOOT EVENT CENTER AND OUTDOOR DINING ASSOCIATED WITH AN EVENT CENTER/RESTAURANT IN A PBD (PLANNED BUSINESS DISTRICT) ZONING DISTRICT, LOCATED AT 12475 LEXINGTON AVENUE NE. PLL PROPERTIES LLC (EXQUISITE RECEPTIONS EVENT CENTER) (CASE FILE NO. 19-0051/SLK)**

Planning Commission (Public Hearing)	01/14/20
City Council (Conditional Use Permit)	02/19/20
Action Deadline	04/05/20

The Planning Commission made no recommendation. Comments at the public hearing included traffic, drivers using private streets (124<sup>th</sup> Avenue and Ghia Street), and possible outdoor dining noise.

The owner of the proposed Royal Lakes Retail Center is having difficulty finding a restaurant tenant to occupy the proposed building that received conditional use permit approval in September 2019. The proposed building is located on the southeast corner of Lexington Avenue and 125<sup>th</sup> Avenue NE. The owner of Green Mill Blaine is interested in opening Exquisite Receptions, an event center.

The current zoning Planned Business District (PBD) does not allow an event center, so a code amendment to the PBD zoning district would be required to allow the event center as a conditional use. A code amendment has been drafted as a companion item to this report.

The other primary commercial zoning districts (B-2 and B-3) allow meeting/assembly halls (event center) as a conditional use. In the past, the City Council has recognized the need to amend the PBD ordinance based on proposed uses that made sense. Since 2000, there have been nine amendments to the PBD zoning district to add various uses as a conditional use.

The proposed event center owner feels there is a need/demand for event center type space in the north metro.

The approved site plan provides the required parking for a 1,500 square foot restaurant, an

additional 5,500 square foot restaurant with ten percent bar area, and 4,200 square feet of general retail. The proposed event center would occupy the same tenant space that received the restaurant approval (5,500 square feet). The parking required for the event center would be similar to the requirements of a restaurant.

The applicant is also requesting outdoor dining and will need to submit a table/chair layout prior to any outside dining taking place on the site.

The applicant should be aware that the outdoor dining will be subject to SAC fees and will be collected during the site plan approval process. All conditions relative to the outdoor dining portion of the conditional use permit are general conditions that are included with all other outdoor dining requests.

At the public hearing for the original development item (which included the restaurant proposal), there were concerns by the adjacent residents related to traffic, property values, and outside noise generated by patrons of a restaurant. The event center proposal should create less overall and consistent traffic, with traffic concentrated to event start and end times.

The information provided states that events will conclude by 12AM, compared to a restaurant/bar's 2AM closing time. There will be music played at the facility either by a live band or DJ. Noise related to music is regulated by the noise ordinance in Chapter 50 of the city code and will take place inside the building. The applicant also provided information regarding traffic that is included in the attachments. It should be noted that the traffic information was not provided by a registered engineer and is not supported by staff for that reason.

If a conditional use permit is approved for an event center it does not eliminate the possibility of a restaurant occupying the space in the future.

The staff presentation at the City Council meeting will attempt to address questions that have arisen at various meetings. Information will include:

1. History of the land/use zoning in the area and future land use of the Main Street/Lexington Avenue intersection.
2. Information regarding what access Anoka County has approved for various properties in the area.
3. Information regarding existing approvals for the subject property.

Consider the item and either approve or deny the request. If the code amendment to allow an event center is denied, the City Council shall still act on the application in the form of a denial.

## Attachments

Zoning and Location Map

Site Plan

Floor Plans (2)

Narrative

Applicant's Traffic Data

**WHEREAS**, an application has been filed by PLL Properties LLC as Conditional Use Permit Case File No. 19-0051; and

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

### PARCEL A:

THE NORTH 319 FEET OF THE WEST 316 FEET OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 31, RANGE 23, ANOKA COUNTY, MINNESOTA.

EXCEPT PARCEL 36, ANOKA COUNTY HIGHWAY RIGHT-OF-WAY PLAT NO 61.

AND

EXCEPT PARCEL 16, ANOKA COUNTY RIGHT-OF-WAY PLAT NO 81.

AND

EXCEPT PARCEL 58, ANOKA COUNTY RIGHT-OF-WAY PLAT NO 46.

AND

EXCEPT PARCEL 8, ANOKA COUNTY RIGHT-OF-WAY PLAT NO 50.

### PARCEL B:

OUTLOT A, PARKSIDE NORTH 9<sup>TH</sup> ADDITION, ANOKA COUNTY, MINNESOTA.

**WHEREAS**, a public hearing has been held by the Blaine Planning Commission on January 14, 2020; and

**WHEREAS**, the Blaine Planning Commission made no recommendation of said Conditional Use Permit; and

**WHEREAS**, the Blaine City Council has reviewed said case on February 19, 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 31.33 (25) of the Zoning

Ordinance to operate a 5,500 square foot event center and outdoor dining associated with an event center/restaurant in a multi-tenant retail building in a PBD (Planned Business District), based on the following conditions:

1. All signage requires a separate permit meeting the requirements of the Zoning Ordinance. One monument sign for the site (shared with other tenants) will be permitted with a maximum height of 14 feet and 140 square feet of signage on Lexington Avenue or 125<sup>th</sup> Avenue.
2. Temporary signage to be regulated under Zoning Ordinance Section 34.13.
3. The applicant will need to submit a table/chair layout to the Planning Department prior to any outside dining taking place on the site.
4. Applicant to obtain and adhere to all required city or state licensing requirements.
5. No amplified music or a public address system for the outdoor dining area will be permitted.
6. No outdoor advertising on building or patio area without obtaining a permit, including any signage on table umbrellas.
7. A minimum of a 4 foot wide sidewalk for accessibility is required on both sides of the building adjacent to the outdoor dining area (west and north).
8. The outdoor dining area to meet all appropriate city regulations and license requirements for dispensing of alcohol in an outdoor setting.
9. The ability to operate outdoor dining is reliant upon the applicant's ability to adequately control litter and refuse as associated with the facility.
10. 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.
11. 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 Met Council to determine the amount required for this use.
12. The uses permitted by this conditional use permit to be operated in accordance with all applicable city regulations and ordinance requirements. Violation of these standards or any conditions of the conditional use permit shall be enforceable, by the city, as a misdemeanor violation.
13. Recommendation for approval is based on the city adopting a code amendment that permits meeting/assembly halls under 6,000 square feet as a use allowed by a conditional use permit. The code amendment is the subject of Case File 19-0050.

**PASSED** by the City Council of the City of Blaine this 19<sup>th</sup> day of February, 2020.