



# City of Blaine Anoka County, Minnesota

Blaine City Hall  
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## Legislation Details (With Text)

**File #:** RES 21-123    **Version:** 1    **Name:** CUP - Lexington Meadows Apartments (21-0031)  
**Type:** Resolution    **Status:** Passed  
**File created:** 6/7/2021    **In control:** City Council  
**On agenda:** 6/7/2021    **Final action:** 6/7/2021  
**Title:** Granting a Conditional Use Permit for the Construction of a 182-unit, Four Story Apartment Building in a DF (Development Flex) Zoning District at 10717 Austin Street NE. Lexington Meadows Apartments (Roers Companies) (Case File No. 23-0031/LSJ)  
**Sponsors:** Lori Johnson

**Indexes:**

**Code sections:**

**Attachments:** 1. Attachments, 2. Unapproved PC Minutes 051121

Date	Ver.	Action By	Action	Result
6/7/2021	1	City Council	Adopted	Pass

**Public Hearing** - *Lori Johnson, City Planner*

**Title**

**Granting a Conditional Use Permit for the Construction of a 182-unit, Four Story Apartment Building in a DF (Development Flex) Zoning District at 10717 Austin Street NE. Lexington Meadows Apartments (Roers Companies) (Case File No. 21-0031/LSJ)**

**Executive Summary**

The applicant is requesting a conditional use permit for the construction of a 182-unit, four-story apartment building in a DF (Development Flex) zoning district.

**Schedule of Actions**

Planning Commission Public Hearing	05/11/21
City Council (Conditional Use Permit)	06/07/21
Action Deadline	06/25/21

**Background**

*Staff report prepared by Lori Johnson, City Planner.*

In the Spring of 2021, the Planning Commission reviewed a plan for a 178-unit, four story apartment building to be built by Roers Companies in the North Meadows development north of 109<sup>th</sup> Avenue at the Austin Street alignment. When the item was reviewed by the City Council, and after some discussion, the Council expressed their belief that this project would be better suited for the south side of 109<sup>th</sup> Avenue in the Lexington Meadows development.

After a workshop and a request to pull the application for the North Meadows project from the applicant, a new plan was presented for an apartment building in the Lexington Meadows development, south of 109<sup>th</sup> at the Austin Street and 108<sup>th</sup> Avenue alignment. Roers Companies has now made a formal application for this new location and the new apartment project.

Roers Company is proposing to construct a 182-unit, four floor market rate apartment building to be known as Lexington Meadows Apartments on one of the outlots east of Austin Street and south of 108<sup>th</sup> Avenue. Since this use is in conflict with the current land use of this outlot, a comprehensive plan and text amendment is required for this development. If the comprehensive plan and text amendments are approved, a rezoning to DF (Development Flex) would be required as the plan presented does not meet any of the PBD (Planned Business District) zoning standards currently in place for this lot. A conditional use permit would also be required due to the DF zoning of the parcel. All of these approvals are being requested at this time. The applicant will also need to final plat this parcel.

Comprehensive Plan Amendment

The proposal for higher density housing on this outlot was presented to the City Council at a workshop meeting in March 2021 to gauge interest in this concept. The City Council gave the indication to move forward with the comprehensive plan amendment and to hold a public hearing.

In addition to a land use plan amendment, a comprehensive plan text amendment is also required. Currently, the City has approved densities for the HDR (High Density Residential) land use category of up to 32 units per acre, which is allowed under the current comprehensive plan guidelines. The density for this project is much higher than any other project in the City, at 57 units per acre. This density is not currently allowed in the comprehensive plan so a text amendment is required to create a new land use category of HDR-2 (High Density Residential). This text amendment would be inserted into the comprehensive plan in the Land Use section in the Future Land Use Categories table starting on page 113 of the Comprehensive Plan. The text amendment would establish this category and allow a maximum density of 60 units per acre. This designation would only be applied to this site and likely be used sparingly in the future. There will be specific criteria for this designation in the future to limit its use. This text amendment will appear as follows:

<u>Code</u>	<u>District Name</u>	<u>Summary</u>	<u>Description</u>
HDR-2	High Density Residential-2	<b>Density</b> : up to 60 units/acre <b>Uses</b> : apartments, co-ops, condominiums <b>Scale</b> : large <b>Intensity</b> : high	Residential purposes, including apartments, co-ops, and condominiums. Should be located in a multi-use/mixed use development scenario and should be designed in a manner which is oriented to pedestrians, bicyclists and transit users. The scale, architecture, landscaping, open space and recreational space should be consistent with the Community's general character.

Both the land use plan amendment and the land use text amendment will need to be approved by the Metropolitan Council prior to any work being performed on site. All of the approvals associated with this development are contingent upon the Met Council's approval of the plan and text amendment.

Rezoning

A rezoning is required for this project because the site plan, as proposed, cannot meet the PBD

standards as listed in the zoning ordinance. In order to be flexible with the setback standards and parking standards on site, a rezoning to DF (Development Flex) is required.

#### Conditional Use Permit

The proposed project is a market rate apartment building with 182 units with underground parking and several site amenities. Roers Companies, the applicant/developer, builds and operates communities across the midwest, including Minnesota. Please see the attached narrative that describes the company and the project.

The building will be four stories high and will be comprised of brick, fiber cement panels, glass, lap siding, stone and precast concrete. The building does meet the Highway 65 Overlay District requirements with regard to building materials. Please keep in mind that these requirements are generally applied to multifamily projects with the approval of a conditional use permit.

The site is accessed at two locations. The first access is on Austin Street, while the second access will be via an access drive on the north side of the site that accesses 108<sup>th</sup> Avenue. A shared access agreement for the north access will be required prior to issuance of site plan approval to ensure that both property owners agree to the shared access.

The unit mix for this project includes 58 studio units, 88 one-bedroom units, 32 two-bedroom units and 4 three-bedroom units. A price range has not been provided, however it is considered a market rate project. High-end upgrades within the units include granite countertops, stainless steel appliances, walk in closets, and full size washers and dryers.

There are 182 underground and 96 surface parking stalls provided, for a total of 278 parking spaces on site. The City's zoning ordinance requires that two parking stalls per unit be provided for apartment projects and at least one of those stalls must be underground. Because of the DF (Development Flex) zoning, staff is amenable to being flexible with the number of stalls provided because of the large number of studio units in this project. Studio units may generate less parking demand and the applicant has presented a parking study for this type of building that indicates fewer parking spaces will be sufficient for this building.

The building is horseshoe-shaped with a pool, fire pit, patio and dog park in the middle of the horseshoe feature. Other onsite amenities include a fitness center, community lounge, coffee bar, pet spa, outdoor pool and business center. In the middle of the horseshoe shape of the building is an outdoor courtyard and patio that is located on top of the underground parking structure.

The landscaping must also meet the Highway 65 Overlay District requirements. The landscaping required for this project includes 32 overstory trees, 32 conifer trees and 32 ornamental trees. The plan that has been presented does not meet these requirements as well as the oversizing requirements of the Highway 65 Overlay District. At least 25% of the trees on site are required to be oversized. Overstory trees must be oversized to 3-inch caliper, conifer trees must be oversized to 8 feet in height and ornamental trees must be oversized to 2 ½-inch caliper. Because the size of the site is small and landscaped area is limited, it is suggested that rather than installing more trees to meet the normal landscaping requirements listed above, more than 25% of the trees be oversized. Staff will give a 2 to 1 credit for all trees oversized beyond the 25% requirement.

Site plan approval is required prior to any work being performed on site. Prior to issuance of site plan approval, the applicant will need to submit a Site Improvement Performance Agreement and the associated financial guarantee.

A Rice Creek Watershed District permit is required for this project. The applicant has received conditional approval pending receipt of changes for this project.

A traffic study memo has been prepared by the applicant. The study memo suggests that the same mitigation measures proposed for the original site and uses still applies to the surrounding roadway network with the addition of the apartment complex at this location. The developer of Lexington Meadows and North Meadows is required to install the traffic signal as recommended in their original traffic study. The signal will need to be installed and operational prior to the completion of the apartment complex. The developer has been made aware of the timeframe and is currently designing the signal system to meet this schedule.

All lighting on site must be downlit and shielded to prevent glare or spill. All freestanding lights are limited to 20 feet in height.

All signage for the project are issued under a separate permit.

A proposed plat document is included with the attachments as final plat approval will be required to build on this lot. The land was preliminarily platted as an outlot so a final plat is required to plat this parcel into a buildable lot.

#### **Strategic Plan Relationship**

Successful 35W/Lexington Ave. corridor and assisting developer to complete the Lexington Meadows plan.

#### **Board/Commission Review**

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

#### **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 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  
Proposed Plat  
Site Plan  
Utility Plan  
Grading Plan  
Landscape Plans

Floor Plans  
Building Elevations and Colored Renderings  
Narrative  
Trip Generation Memo  
Unapproved Planning Commission Minutes 05/11/21

**WHEREAS**, an application has been filed by Lexington Meadows LLC (Roers Companies) as Conditional Use Permit Case File No. 21-0031; and

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

Outlot A, LEXINGTON MEADOWS 3RD ADDITION, according to the recorded plat thereof, Anoka County Minnesota.

**WHEREAS**, a public hearing has been held by the Blaine Planning Commission on May 11, 2021; and

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

**WHEREAS**, the Blaine City Council has reviewed said case on June 7, 2021.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Blaine that a Conditional Use Permit is hereby approved per Sections 27.03 and 29.110 of the Zoning Ordinance to allow for the construction of a 182-unit, four-story apartment building in a DF (Development Flex) zoning district based on the following conditions:

1. This site needs to meet the Highway 65 Overlay District requirements for exterior materials and the plans submitted for this proposal meet this requirement.
2. The landscaping must also meet the Highway 65 Overlay District requirements because a conditional use permit is required. The landscaping required for this project includes 32 overstory trees, 32 conifer trees and 32 ornamental trees. The plan that has been presented does not meet these requirements as well as the oversizing requirements of the Highway 65 Overlay District. At least 25% of the trees on site are required to be oversized. Overstory trees must be oversized to 3-inch caliper, conifer trees must be oversized to 8 feet in height and ornamental trees must be oversized to 2 ½-inch caliper. Because the size of the site is small and landscaped area is limited, it is suggested that rather than installing more trees to meet the normal landscaping requirements listed above, more than 25% of the trees be oversized. Staff will give a 2 to 1 credit for all trees oversized beyond the 25% requirement.
3. All lighting needs to be downlit and shielded to prevent glare or spill. Pole mounted lighting is limited to 20-feet in height.
4. SAC and WAC payments will also become due prior to the issuance of building permits.
5. The applicant will need to obtain a Rice Creek Watershed District permit prior to city approval of construction plans and specifications.
6. Developer of Lexington Meadows to install traffic signal at the intersection of Austin Street and 109<sup>th</sup> Avenue prior to building receiving a Certificate of Occupancy.
7. This building will need to be licensed under the City's annual Rental License Program.
8. All signage is issued under a separate permit.
9. The applicant will need to obtain administrative site plan approval that will include the submittal of a Site Improvement Performance Agreement and the associated financial guarantee.

10. Final plat approval will be required prior to issuance of a building permit.
11. A shared access agreement must be provided due to the shared access associated with the north driveway to the site. This agreement must be submitted prior to issuance of site plan approval.
12. The development of this site must be consistent with the plans submitted for the conditional use permit and with the resolution of approval of the conditional use permit.
13. This conditional use permit approval is contingent upon the approval of a comprehensive plan and text amendment by the Metropolitan Council from PI/PC (Planned Industrial/Planned Commercial) to HDR-2 (High Density Residential).

**PASSED** by the City Council of the City of Blaine this 7<sup>th</sup> day of June, 2021.