

not allow single family homes. Therefore, the land use for the property must be changed to accommodate a developed residential use.

At this time, the developer has requested to change the land use to LDR (Low Density Residential) for the portion of the property being developed as single family homes. The change to LDR would allow residential development of generally 3-6 units per acre which would be consistent with the housing found in this area.

The Metropolitan Council will need to take action on the proposed land use change. The recommendation is contingent upon the Met Council's approval of the minor land use amendment.

Rezoning

Currently, the property has an existing zoning designation of B-2 (Community Commercial). The property is within the MUSA (Metropolitan Urban Service Area) which indicates it is intended to be served with City sewer and water. The project zoning is proposed to be DF (Development Flex) to cover the residential uses. With the DF zoning, housing products and neighborhood design issues will require and be regulated by a Conditional Use Permit (CUP). Lots 31 and 32 Block 2 are being platted for the existing commercial buildings on 109th Avenue and will remain B-2 (Community Commercial).

Preliminary Plat

The preliminary plat proposal consists of subdividing approximately 21.76 acres into a subdivision with a total of 50 new dwelling units and two commercial lots for existing buildings. The preliminary plat also includes outlots for ponds, drainage, and a private street. This application proposes single-family homes (detached townhomes).

Because the developer is proposing different housing styles with different design issues, platting requirements, lot sizes, markets and price ranges, the DF (Development Flex) zoning is proposed to establish the minimum standards for each of these areas.

Neighborhood Description

In summary, Creekside Village development is proposed to contain the following:

- 50- Approximately 53 foot wide Single-Family Lots (Detached Townhomes)

The applicant is also proposing to develop and market this area as a detached single family townhome development. The homes will be slab on grade. The proposed unit will have a minimum of 1,600 square feet of finished square footage above grade. The homes will include brick, stone, Hardie/LP (fiber cement) siding on the front elevation. The homeowner will be

required to be a part of an association that would cover yard maintenance, snow removal and maintenance of the private street and utilities. The homeowner would be responsible to provide exterior building maintenance. The estimated price range will be approximately \$340,000-\$390,000.

The required landscaping in the single-family area consists of two yard trees with a minimum of 2 ½ inch caliper. One of the required trees may be placed in the rear yard. Corner lots shall each have one additional boulevard tree.

Because of the proximity of portions of this development to 109th Avenue it is recommended that Noise Abatement Standards be incorporated into all housing constructed within 500 feet of 109th Avenue.

ENGINEERING ITEMS

The developer has responsibility to construct 109th Avenue NE intersection improvements associated with this development. Anoka County will specify required improvements in their plat review.

Sanitary sewer to serve the site will be constructed with City Project 17-09. This project is scheduled to start in the summer of 2018. Delays due to right-of-way acquisition with the City project, could cause delays with utility construction and building permits in the plat.

All local public streets require dedication of 60 feet of right-of-way and shall be constructed to 29 feet back to back of width. All streets will follow the Anoka County street name grid system. The Developer is proposing to construct the private street in the plat to the same width to allow parking on both sides of the street.

Standard utility and drainage easements must be dedicated along all lot lines and over areas of delineated wetlands, wetland mitigation, infiltration trenches, drainage swales, and storm water management ponds. The Developer is to provide access for inspection and maintenance of storm water management infrastructure. Restrictions will be placed on lot lines as needed to limit fences and landscaping to insure access.

All retaining walls, storm sewer piping, structures, ponding, sanitary sewer, water main, and street with curb and gutter located on private property shall be the responsibility of the Homeowners Association to maintain. This will include the outlet pipe from Outlot F.

Development requires a National Pollutant Discharge Elimination System (NPDES) Phase II General Storm Water Permit for Construction Activity from Minnesota Pollution Control Agency (MPCA). A prerequisite to the MPCA permit application includes preparation of a site Storm Water Pollution Prevention Plan (SWPPP) for the development site.

Coon Creek Watershed District review and permit is required prior to any site work being performed.

Construction contract documents shall include a mass (rough) grading, erosion protection, sediment control, development, utilities, roadway, and storm drainage plan sheets. Plans shall detail wetland information, tree preservation, erosion protection, sediment control, proposed grading contours, utilities, roadway geometrics, storm drainage, storm water quality management, custom lot-grading, house type, and house elevation information. Additional information is required on adjacent parcels to the south to confirm that existing drainage patterns are being addressed. The development plan shall indicate all structures will be protected from flooding. Supporting wetland delineation report, geotechnical investigation report, soil boring logs and hydrology report shall be included in the submittal for City review and approval.

A six foot wide concrete sidewalk shall be required on the west side of Street A (Tyler Street NE) and on the south side of private Street B (109th Court NE) and **on the north side of 109th Avenue from Fillmore Street to Tyler Street**. An eight foot wide bituminous trail shall be required to connect Street A to the City's existing trail west of the site along the north side of 109th Avenue.

The Developer shall process a Letter of Map Change with FEMA prior to issuance of building permits within the unnumbered A-Zone on the FEMA flood map. Developer shall provide all FEMA paperwork and structure as-built surveys to homeowners at time of lot closing. Developer is responsible for following through with FEMA as necessary to receive final FEMA documents and to provide those documents to the homeowners, and to record the final documents on the certificate of title for each parcel in the development.

As-built surveys shall be required to verify structure elevations, custom grading requirements, and final lot grading elevations.

By motion, approve the Resolution.

Attachments

See Report for Rezone.

WHEREAS, an application has been filed by N and D Management, LLC as Conditional Use Permit Case File No. 17-0046; and

WHEREAS, a public hearing has been held by the Blaine Planning Commission on January 9, 2018; and

WHEREAS, the Blaine Planning Commission recommends said Conditional Use Permit

be approved; and

WHEREAS, the Blaine City Council has reviewed said case on February 18, 2018.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that a Conditional Use Permit is hereby approved per Section 29.80 of the Zoning Ordinance to allow for the construction of 50 single family homes at 1041 109th Avenue NE based on the following conditions:

Single Family-Detached Townhomes-53 foot wide lots - DF Development Standards (50 units)

Permitted Uses

1. Single-family detached dwellings.
2. Group family daycare.

Accessory Uses

1. Private garages - No detached structures permitted.
2. Private swimming pools/meeting the requirements of Blaine Municipal Code Section 6-121.
3. Keeping of not more than two (2) boarders and/or roomers per dwelling unit.

Conditional Uses

1. Home occupations listed as Conditional Uses fewer than 33.11.

Standards

- a) Construction of all detached townhomes to be generally guided by depictions, drawings and information submitted for review and approval for this conditional use permit. All site plans and unit plans require approval of the Planning Department prior to work beginning. All site work to meet the Performance Standards Section 33.00 of the Zoning Ordinance. A landscape plan to be submitted prior to Site Plan approval.
- b) Minimum floor area above grade for a rambler detached townhomes must be 1,600 square feet. Minimum floor area above grade for a two story detached townhomes must be 1,900 square feet.
- c) All homes to be constructed are to be consistent in architecture, materials and style with the drawings/elevations attached to this CUP. Use of premium materials such as brick, natural stone, stucco, cementious or engineered wood siding or shake shingle siding are to be used on all front elevations. Vinyl/metal siding can be utilized on the side and rear

elevations. Care to be taken to utilize a variety of home styles, front elevations and colors to provide maximum housing variety within each neighborhood. Developer to establish criteria to ensure that adjacent single-family homes built within the development do not have the same exterior color or architectural elevations.

- d) All units to be placed according to the following minimum building setbacks:
- 25-foot front yard setback for houses and garages
 - 20-foot corner yard setback for garage and house
 - 6.5-foot side yard setback for garages
 - 6.5-foot side yard setback for houses
 - 30-foot rear yard setback for houses and garages
- a) All garages to be a minimum of 400 square feet with no dimension less than 20 feet. Maximum garage area limited to not more than 1,000 square feet.
- b) No detached accessory structures except for those associated with or required for operation and maintenance of swimming pools.
- c) Each lot shall contain two yard trees with a minimum of 2 ½ inch caliper. One of the required trees may be placed in the rear yard. Corner lots shall each have one additional boulevard tree.
- d) All lots shall have underground irrigation.
- e) All entrance monument signage to be approved by a separate permit.
- f) The landscape plan must detail any landscaping associated with entrance monument signage.
- g) Developer to execute and record, if deemed appropriate by the City Engineer, with the sale of each single family lot, an affidavit indicating to homebuyers that the soils located in the rear and side yards of the single family lots have not been corrected to accommodate general building construction or pools and that additional effort may be required, by the homeowner, to stabilize those soils before additional construction could occur.
- h) It shall be required that all yards of a new single-family dwelling be sodded over a minimum of 4 inches of topsoil (black dirt containing not more than 35 percent sand). Yards may be seeded over 4 inches of black dirt if underground irrigation is installed with the home.
- i) Noise Abatement Standards be incorporated into all housing constructed within 500 feet of 109th Avenue.
- j) Site Plan Approval is required prior to any construction on the existing commercial site including construction of the 6-foot maintenance free privacy fence as shown on the Site Landscape Plan.

PASSED by the City Council of the City of Blaine this 15th day of February, 2018.