



# City of Blaine Anoka County, Minnesota

Blaine City Hall  
10801 Town Sq Dr NE  
Blaine MN 55449

## Legislation Details (With Text)

**File #:** ORD 17-2389 **Version:** 3 **Name:** 17-39 Cardinal Court  
**Type:** Ordinance **Status:** Passed  
**File created:** 11/16/2017 **In control:** City Council  
**On agenda:** 11/2/2017 **Final action:** 11/16/2017  
**Title:** SECOND READING

REZONING FOR THE PROPERTY EAST OF 3RD STREET FROM B-2 (COMMUNITY COMMERCIAL) TO DF (DEVELOPMENT FLEX) AT 3RD STREET AND 101ST AVENUE NE. TIMBER VALLEY DEVELOPMENT, INC. (CASE FILE NO. 17-0039/LSJ)

**Sponsors:** Bryan Schafer

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
11/16/2017	3	City Council	Adopted	Pass
11/2/2017	2	City Council	Introduced, Read, and Placed on File for Second Reading	
10/10/2017	1	Planning Commission	Recommended for Approval	Pass

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

## SECOND READING

**REZONING FOR THE PROPERTY EAST OF 3<sup>RD</sup> STREET FROM B-2 (COMMUNITY COMMERCIAL) TO DF (DEVELOPMENT FLEX) AT 3<sup>RD</sup> STREET AND 101<sup>ST</sup> AVENUE NE. TIMBER VALLEY DEVELOPMENT, INC. (CASE FILE NO. 17-0039/LSJ)**

Planning Commission (Public Hearing)	10/10/17
City Council (1 <sup>st</sup> Reading Rezone)	11/02/17
<b>City Council (Comp Plan Amendment, 2<sup>nd</sup> Reading Rezone/Preliminary Plat/CUP)</b>	<b>11/16/17</b>
Action Deadline	11/23/17

The Planning Commission voted unanimously to approve the rezoning. There were comments from adjacent neighbors at the public hearing regarding tree removal.

King of Glory Lutheran Church is located on the northeast corner of University Avenue and

101<sup>st</sup> Avenue. The church is located on a parcel that is intersected by 3<sup>rd</sup> Street which runs north and south. The portion of the church parcel that is on the east side of 3<sup>rd</sup> Street is being sold and the buyer of the property is the developer that constructed the townhomes to the north of this site on 3<sup>rd</sup> Street, Timber Valley Development, LLC. This developer is proposing to construct 8 twinhome units on the portion of the parcel east of 3<sup>rd</sup> Street. In order to construct the twinhomes, the actions listed above are required and are described in more detail below.

#### Comprehensive Plan Amendment and Rezoning

The portion of the site that is being sold currently has a zoning of B-2 (Community Commercial) and a land use of CC (Community Commercial), neither of which support residential development. In order to have a residential use on this site the land use designation on the property must be changed to MDR (Medium Density Residential) to match the density (between 6 and 10 units per acre) of the proposed development. In addition, a rezoning will be required to match the residential development. The City has long used the DF (Development Flex) zoning designation for multi-family residential projects and that is what is proposed for this parcel. The parcel on which the Church is located will keep its current land use and zoning designations of CC and B-2.

The Comprehensive Plan amendment will need to be reviewed by the Metropolitan Council. Any action by the City Council would be contingent upon METC's review and approval.

#### Preliminary Plat

The 3.47 acre parcel will be subdivided into a total of 10 lots. The church will remain on the portion of the parcel that is west of 3<sup>rd</sup> Street (Lot 1, Block 2). The twinhomes will be constructed on the portion of the parcel that is east of 3<sup>rd</sup> Street, and each twinhome will be located on its own lot (Lots 1-8, Block 1). There is also one lot being platted east of 3<sup>rd</sup> Street that will act as the common lot for the twinhome development and it will contain the private street and landscaped areas (Lot 9, Block 1).

Park dedication will be required for each unit being constructed. The 2017 park dedication rate is \$4,114 per unit, so if the fee is paid in 2017, the total amount due is \$32,912. This rate may change for 2018.

#### Conditional Use Permit

The developer is proposing to construct twinhome units that are each 1,529 square feet. A floor plan and building elevations are included for your review. The exteriors of the units include stone accents, vinyl siding and architectural roof shingles. The interior features of the units are also included for your review. The applicant has indicated that preliminarily the units could be approximately valued at \$300,000 per unit.

The City has used the standard of one overstory tree, one conifer tree, and one ornamental tree per unit for multi-family developments. The landscape plan should be revised to include 8

ornamental trees. All other trees shown on the attached landscape plan shall remain on the plan to provide appropriate buffers for adjacent properties.

The City's Community Standards Department has requested that the developer provide an adequately sized turn-around on the east end of the private street for fire truck maneuvering. The other option that the Community Standards Department gave the applicant is to provide fire suppression for each unit to avoid installing the turn around. The applicant has opted to provide fire suppression in each unit.

Site Plan approval will be required for this development before any work is performed on site. This will include the submittal of a Site Improvement Performance Agreement and the associated financial guarantee.

In Planning Case File No. 17-0039, the Planning Commission recommended approval of a Rezoning for the property east of 3<sup>rd</sup> Street from B-2 (Community Commercial) to DF (Development Flex) based on the following rationale:

1. The DF (Development Flex) zoning district is a widely used zoning district for new multi-family developments in Blaine and it provides the City and the developer flexibility to create the best product and site plan for the community.

By motion, approve the Resolution.

See report for Comprehensive Plan Amendment.

**THE CITY OF BLAINE DOES ORDAIN:** (Added portions are underscored and deleted portions are shown in brackets with overstrike.)

Section 1. The Official Zoning Map of the Zoning Code of the Municipal Code of the City of Blaine is hereby amended to change the zoning classification of the following described property:

THAT PRT OF LOT 28, GREEN ACRES ADD LYING EAST OF THE 3<sup>RD</sup> STREET RIGHT-OF-WAY LINE AND FURTHER DESC AS FOL, BEG AT THE NW COR OF SD LOT, TH E ALG N LINE THEREOF 660 FT TH S ALG A LINE PRLL/W W LINE OF SD LOT 330 FT, TH W PRLL/W SD N LINE 660 FT TO THE SD W LINE, TH N ALG SD W LINE 330 FT TO POB, EX RDS, SUBJ TO EASE OF REC

Section 2. The above described property is hereby rezoned from:

[~~B-2 (Community Commereial)~~]  
to  
DF (Development Flex)

Section 3. The City Manager is hereby directed to make the appropriate changes in the Official Zoning Map of the City of Blaine to reflect and show the changes in zoning classification as set forth above.

**INTRODUCED** and read in full this 2<sup>nd</sup> day of November, 2017.

**PASSED** by the City Council of the City of Blaine this 16<sup>th</sup> day of November, 2017.