



# City of Blaine Anoka County, Minnesota

Blaine City Hall  
10801 Town Sq Dr NE  
Blaine MN 55449

## Legislation Details (With Text)

**File #:** ORD 18-2396 **Version:** 2 **Name:** 17-46 Creekside Village - Rezone  
**Type:** Ordinance **Status:** Passed  
**File created:** 2/15/2018 **In control:** City Council  
**On agenda:** 2/15/2018 **Final action:** 2/15/2018  
**Title:** SECOND READING

GRANTING A REZONING FROM B-2 (COMMUNITY COMMERCIAL) TO DF (DEVELOPMENT FLEX) FOR CREEKSIDE VILLAGE, LOCATED AT 1041 109TH AVENUE NE. (CASE FILE NO. 17-0046/SLK)

**Sponsors:** Bryan Schafer

**Indexes:**

**Code sections:**

**Attachments:** 1. Creekside Village - Attachments.pdf

Date	Ver.	Action By	Action	Result
2/15/2018	2	City Council	Adopted	Pass
2/1/2018	1	City Council	Introduced, Read, and Placed on File for Second Reading	

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

### SECOND READING

**GRANTING A REZONING FROM B-2 (COMMUNITY COMMERCIAL) TO DF (DEVELOPMENT FLEX) FOR CREEKSIDE VILLAGE, LOCATED AT 1041 109<sup>TH</sup> AVENUE NE. (CASE FILE NO. 17-0046/SLK)**

Planning Commission (Public Hearing)	01/09/18
City Council (1 <sup>st</sup> Reading and Comp Plan Amendment)	02/01/18
<b>City Council (2<sup>nd</sup> Reading, Pre-Plat, CUP)</b>	<b>02/15/18</b>
Action Deadline	04/02/18

The Planning Commission voted 6-1 to approve the Rezoning. There were comments at the Public Hearing regarding traffic on 109<sup>th</sup> Avenue, a sidewalk on the north side of 109<sup>th</sup> Avenue, lot size, tree removal, and density.

The Planning Commission recommended a traffic study be prepared for the development, a sidewalk be constructed on the north side of 109<sup>th</sup> Avenue between Fillmore Street and Tyler

Street, and one of the two required trees on the single family lots be required to be planted in the rear yard.

### **Comprehensive Land Use**

Currently, this property has a land use designation of CC (Community Commercial) and does 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 109<sup>th</sup> 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 109<sup>th</sup> 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), on the south side of private Street B (109<sup>th</sup> Court NE), and **on the north side of 109<sup>th</sup> 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 side along the north side of 109<sup>th</sup> 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.

Zoning and Location Map  
Site Plan  
Existing Conditions  
Preliminary Plat (3)

Utility Plan (2)  
Grading Plan (2)  
Parking Exhibit  
Landscape Plan (2)  
House Elevations  
Floor Plans  
Narrative  
Public Comment

**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 part of the Southwest Quarter of the Southwest Quarter of the Southwest Quarter of Section 17, Township 31, Range 23, Anoka County.

Commencing at the Southwest corner of said Southwest Quarter of the Southwest Quarter of the Southwest Quarter; thence North 00 degrees 34 minutes 20 seconds East, assumed bearing, along the West line of said Southwest Quarter of the Southwest Quarter of the Southwest Quarter, 429.58 feet to the point of beginning of the parcel to be described; thence South 89 degrees 48 minutes 59 seconds East, 310.01 feet; thence South 00 degrees 34 minutes 20 seconds West, 14.00 feet; thence South 26 degrees 36 minutes 15 seconds East, 28.41 feet; thence South 03 degrees 08 minutes 09 seconds East, 79.42 feet; thence North 89 degrees 57 minutes 43 seconds East, 329.95 feet to the East line of said Southwest Quarter of the Southwest Quarter of the Southwest Quarter; thence northerly, along said East line of said Southwest Quarter of the Southwest Quarter of the Southwest Quarter to the North line of said Southwest Quarter of the Southwest Quarter of the Southwest Quarter; thence westerly, along said North line of the Southwest Quarter of the Southwest Quarter of the Southwest Quarter to said West line of the Southwest Quarter of the Southwest Quarter of the Southwest Quarter; thence southerly, along said West line of the Southwest Quarter of the Southwest Quarter of the Southwest Quarter to the point of beginning.

AND

The East 387.00 feet of the Southeast Quarter of the Southeast Quarter of Section 18, Township 31, Range 23, Anoka County, Minnesota.

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

~~[B-2 (Community Commercial)]~~  
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 1<sup>st</sup> day of February, 2018.

**PASSED** by the City Council of the City of Blaine this 15<sup>th</sup> day of February, 2018.