



# City of Blaine Anoka County, Minnesota

Blaine City Hall  
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Blaine MN 55449

## Legislation Details (With Text)

<b>File #:</b>	RES 18-187	<b>Version:</b>	1	<b>Name:</b>	SOUTH TERRACE COVE - CUP
<b>Type:</b>	Resolution	<b>Status:</b>	Passed		
<b>File created:</b>	9/20/2018	<b>In control:</b>	City Council		
<b>On agenda:</b>	9/20/2018	<b>Final action:</b>	9/20/2018		
<b>Title:</b>	CONDITIONAL USE PERMIT TO ALLOW FOR THE CONSTRUCTION OF 43 TOWNHOME UNITS AND A PRIVATE STREET IN A DF (DEVELOPMENT FLEX) ZONING DISTRICT (SHADE TREE CONSTRUCTION - SOUTH TERRACE COVE)				
<b>Sponsors:</b>	Shawn Kaye				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. South Terrace Cove - Attachments				

Date	Ver.	Action By	Action	Result
9/20/2018	1	City Council	Adopted	Pass

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

### **CONDITIONAL USE PERMIT TO ALLOW FOR THE CONSTRUCTION OF 43 TOWNHOME UNITS AND A PRIVATE STREET IN A DF (DEVELOPMENT FLEX) ZONING DISTRICT (SHADE TREE CONSTRUCTION - SOUTH TERRACE COVE)**

Planning Commission (Public Hearing)	8/15/18
City Council (Comp Plan Amend. And 1 <sup>st</sup> Reading)	9/6/18
City Council (2 <sup>nd</sup> Reading, Pre-Plat, CUP)	9/20/18
Action Deadline (extended)	11/8/18

The Planning Commission voted unanimously to approve the Conditional Use Permit. The Planning Commission added a condition to the rezoning that the rezoning shall be conditionally approved for the proposed townhome project and if the project does not go forward, the zoning shall remain as is. The Planning Commission also recommended two additional items for the Developer to possibly consider:

- limiting the access onto 102<sup>nd</sup> Lane NE from the site by not allowing left turns out (east).
- eliminating one townhome unit (furthest east) on the southeast corner of the site.

There were comments at the public hearing related to traffic, garbage, utilities, and density.

Three existing office buildings with rear yard storage buildings are currently located on the

northeast corner of University Avenue and 102<sup>nd</sup> Lane. The three buildings are located on three separate parcels. The applicant, Shadetree Construction is proposing to construct nine (9) townhome buildings with a total of 43 units.

The City Council initially discussed this project and concept plan in fall of 2017 and then again at the April 2018 workshop and was receptive to the construction of townhomes on this site.

#### Comprehensive Plan Amendment and Rezoning

The site that is being developed currently has a zoning of B-4 (Office Park) 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 HDR (High Density Residential) to match the density (between 12 and 25 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 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 3.2 acre parcel will be subdivided into a total of 44 lots (one for each unit and one common lot).

Park dedication will be required for each unit being constructed. The 2018 park dedication rate is \$4,320 per unit, so if the fee is paid in 2018, the total amount due is \$185,760.

#### Conditional Use Permit

The developer is proposing to construct townhome units that are 1,600 square feet (finished floor area). A floor plan and building elevations are included for your review. There will be five (5) buildings with private front entrances and rear garages. The other four (4) building styles will be back to back with 4 units in each building. 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 \$250,000 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 attached landscape plan also includes a 6 foot maintenance free fence and conifer trees along the entire east property line. There are several existing trees on the site that will need to be saved with retaining walls, etc.

There is an existing water stub that will need to be used in lieu of open cutting University

Avenue. The number and location of on-site fire hydrants will need to be reviewed by the Fire Department.

The existing driveways on University Avenue will need to be removed and curb replaced. There are areas of the existing bituminous trail along University Avenue that will need to be replaced and boulevard regraded.

The Development is proposing a six-foot wide concrete sidewalk along the north side of 102<sup>nd</sup> Lane. An existing electrical transformer will need to be relocated out of the proposed sidewalk location. A pedestrian ramp will need to be installed at the east end of the sidewalk.

The parking for South Terrace Cove will include 13 on-street stalls, 86 stalls adjacent to attached garages for each unit and 86 garage spaces.

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.

By motion, approve the Resolution.

#### **Attachments**

Zoning and Location Maps

Certificate of Survey

Preliminary Plat

Grading Drainage and Erosion Control Plan

Colored Site/Landscape Plan

Utility Plan

Building Elevations

Floor Plans

**WHEREAS**, an application has been filed by Shade Tree Construction Inc. as Conditional Use Permit Case File No.18-0039; and

**WHEREAS**, a public hearing has been held by the Blaine Planning Commission on August 15, 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 September 6, 2018 and September 20, 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 43 townhome units and a private street based on the following conditions:

1. The construction of all townhomes to be generally guided by the approved conditional use permit resolution and consistent with all the depictions, drawings and information on the plans included in the September 20, 2018, staff report.
2. All site plan and unit plans require approval from the Planning Department prior to any work being performed on site. All site work to meet all requirements of Section 33.00 (Performance Standards) of the Zoning Ordinance.
3. Developer to install grouped mailboxes with design and location approve by the City and the US Postal Service.
4. Minimum floor area above ground for each unit shall be 1600 sq. feet.
5. The following trees are required on site: 43 overstory trees, 43 conifer trees, and 43 ornamental trees.
6. Underground irrigation must be used for all landscaped areas.
7. Sod shall be required on all disturbed areas and placed over 4 inches of black dirt that contains no more than 35% sand.
8. No detached accessory structures allowed except if needed to house underground irrigation controls.
9. Any entrance signage for the development requires a separate permit.
10. All units must contain an automated fire suppression system.
11. WAC (Water Access Charge) and SAC (Sewer Access Charge) will be due on each permit but calculated giving a credit for what has been previously paid.
12. All driveways and on site utilities are considered private and are the maintenance responsibility of the homeowners association for the 43 units.
13. CUP approval is contingent upon the Metropolitan Council review and approval of the land use change (2030 amendment) from CC (Community Commercial) to HDR (High Density Residential).

**PASSED** by the City Council of the City of Blaine this 20<sup>th</sup> day of September 2018.