



# City of Blaine Anoka County, Minnesota

Blaine City Hall  
10801 Town Sq Dr NE  
Blaine MN 55449

## Legislation Details (With Text)

<b>File #:</b>	RES 22-012	<b>Version:</b>	1	<b>Name:</b>	CUP - Alexander Woods 3rd (21-0077)
<b>Type:</b>	Resolution	<b>Status:</b>	Passed		
<b>File created:</b>	1/19/2022	<b>In control:</b>	City Council		
<b>On agenda:</b>	1/19/2022	<b>Final action:</b>	1/19/2022		
<b>Title:</b>	Granting a Conditional Use Permit to Allow for the Construction of 29 Single Family Homes in a DF (Development Flex) Zoning District at 1080 and 1100 113th Avenue NE. Alexander Woods 3rd Addition (Capital Trust Development LLC) (Case File No. 21-0077/EES)				
<b>Sponsors:</b>	Sheila Sellman				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Attachments, 2. Unapproved PC Minutes 121421				

Date	Ver.	Action By	Action	Result
1/19/2022	1	City Council	Adopted	Pass

**Development Business** - *Sheila Sellman, City Planner*

### Title

Granting a Conditional Use Permit to Allow for the Construction of 29 Single Family Homes in a DF (Development Flex) Zoning District at 1080 and 1100 113th Avenue NE. Alexander Woods 3rd Addition (Capital Trust Development LLC) (Case File No. 21-0077/EES)

### Executive Summary

Alexander Woods 3<sup>rd</sup> Addition is the final phase of a single family subdivision on the south side of 113<sup>th</sup> Avenue. The subdivision is consistent with adjacent developments and staff recommends approval.

### Schedule of Actions

Planning Commission Public Hearing	12/14/21
City Council (Conditional Use Permit)	01/19/22
Action Deadline	02/28/22

### Background

*Staff report prepared by Elizabeth Showalter, Community Development Specialist*

M/I Homes is proposing to develop 9.8 acres on the south side of 113<sup>th</sup> Avenue between Wicklow Woods and Alexander Woods 2<sup>nd</sup> Addition. The applicant is requesting a rezoning, preliminary plat and conditional use permit. This will be a continuation of their Alexander Woods development.

### Rezoning

Currently, the property has an existing zoning designation of FR (Farm Residential) and is guided in the Comprehensive Plan as LDR (Low Density Residential). 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 require and are regulated by

a Conditional Use Permit (CUP). This zoning is consistent with the adjacent residential developments.

#### Preliminary Plat

M/I Homes is proposing to subdivide two existing lots into 29 single-family lots and two outlots for stormwater management. The proposed lots are between 55 and 65 feet in width, which is consistent with the 55-foot wide lots in the neighboring Alexander Woods subdivision.

The existing homes are proposed to be removed/demolished and the existing wells and septic fields will need to be properly abandoned.

The subdivision connects the two neighboring developments as was envisioned by the ghost plat prepared for Alexander Woods.

Sidewalk is proposed on one side of all internal streets. Sidewalk is proposed on the south side of 113<sup>th</sup> Avenue as well.

Park dedication is required for the 29 new lots being constructed at the rate of \$4,449 per unit, for a total park dedication fee of \$129,021 if paid in 2022. This amount must be paid prior to releasing the plat mylars for recording at Anoka County.

The Developer is required to pay the sanitary sewer connection charges for each of the existing lots that are part of the proposed development. This charge must be paid prior to releasing the plat mylars for recording at Anoka County.

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.

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 ensure access.

The 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 are required prior to any city plan approval.

Construction contract documents shall include: 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 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. Utilities must be extended to the end of the stub streets to serve adjacent

parcels.

Hydrant locations will need to be reviewed with the city's Public Works and Fire Departments prior to final plan approval. Additional hydrants may be needed to facilitate maintenance.

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

#### Conditional Use Permit

The conditional use permit is necessary to set up the standards of development in the DF (Development Flex) zoning district. This is consistent with every DF zoning district within the city.

All setbacks are listed within the proposed resolution for approval. Also included in the resolution are house size standards, exterior material standards and landscaping requirements. These are consistent with the standards in the first phases of Alexander Woods.

M/I Homes is proposed as the builder for the development. The homes proposed are two-story slab on grade homes, similar to what is currently being constructed by M/I Homes in Alexander Woods.

Consistent with other approvals in neighboring developments, no material standards for cement board siding or masonry are proposed.

The grading plan shows that 9.8 acres will be disturbed by construction. Applying the maximum tree replacement requirement (8 trees per disturbed acre), 78 trees are required to be planted. On a per lot basis this is 2.7 trees per lot, therefore to meet the tree replacement requirement, three trees are required on each lot. Two of the trees must be overstory, the third tree may be an overstory or conifer tree. Two trees must be planted in the front yard. The third tree may be in any yard. A fourth tree is required on corner lots and shall be placed in the corner side yard.

#### **Strategic Plan Relationship**

Not applicable.

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

The Planning Commission voted unanimously to approve the preliminary plat. Two residents spoke at the public hearing. Concerns included that an Environmental Impact Statement (EIS) should have been completed, opposition to a stormwater pond with natural vegetation being located adjacent to 113<sup>th</sup> Avenue, opposition to white vinyl fences, and desire for tree preservation.

State Statute requires completion of an Environmental Assessment Worksheet (EAW) on projects involving 250 or more single family detached homes and completion of an Environmental Impact Statement (EIS) on projects involving 1000 or more single family detached homes (when it is in compliance with an approved Comprehensive Plan in the 7 County Metro Area). The threshold for either has not been met. The various developments on 113<sup>th</sup> do not constitute multiple stages of a single project necessitating cumulative review since they have been completed by various proposers and have not been planned concurrently.

#### **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's 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

Preliminary Plat

Grading Plan

Utility Plan

Existing Conditions

Landscaping Plan

Tree Preservation Plan

Narrative

House Plans

Unapproved Planning Commission Minutes 12/14/21

**WHEREAS**, an application has been filed by A & A Properties LLP (Capital Trust Development LLC) as Conditional Use Permit Case File No. 21-0077; and

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

Outlot A, Alexander Woods, Anoka County, Minnesota

AND

The East Half of Lot 19, Central Avenue Acres, Anoka County, Minnesota

AND

The West half (W ½) of Lot Eighteen (18) of Central Avenue Acres, subject to an easement for road purposes over the north 25 feet thereof, according to the plat thereof on file and of record in the office of the Registrar of Titles of said Anoka County, Minnesota.

**WHEREAS**, a public hearing has been held by the Blaine Planning Commission on December 14, 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 January 19, 2022.

**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 29 single-family homes in a DF (Development Flex) zoning district based on the following conditions:

## Single Family - DF Development Standards

### Permitted Uses

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

### Accessory Uses

1. One detached accessory structure, with area less than 120 square feet, will be 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 in Section 33.11. of the Zoning Code.

### Standards

1. Front yard setback - 25 feet
2. Side yard setback - 7.5 feet
3. Corner side yard setback - 20 feet.
4. Rear yard setback - 30 feet
5. Maximum building height - 2 1/2 stories or 35 feet.
6. It shall be required for all single-family dwellings that there be an attached garage constructed of a minimum of four hundred (400) square feet, with no dimension less than 20 feet. Total garage space shall not exceed one thousand (1,000) square feet. Detached garages or accessory storage buildings above 120 square feet are not permitted. One detached accessory storage building below 120 square feet is permitted provided it meets 5-foot side and rear yard setbacks and be located within the rear yard.
7. The minimum finished floor area above grade for all homes shall be 1,300 square feet.
8. All homes shall have a minimum depth and width of 24 feet.
9. All homes to be constructed are to be consistent in architecture, materials and style with the drawings/elevations attached to the staff report dated 1/19/2022. 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.
10. All residential dwellings must be built in conformance with the current edition of the Minnesota State Building Code.
11. Driveways shall not be constructed closer than 3 feet to the property line. All driveways and approaches shall be hard surfaced using concrete, bituminous asphalt or other city approved material that is consistent in durability and quality.
12. 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.
13. Each lot shall contain two front yard trees and one rear yard tree. Two of the trees must be 2.5 caliper inch overstory trees and the third tree may be a 2.5 caliper inch overstory tree or a 6 foot tall conifer tree. Corner lots require a fourth tree to be located in the corner side yard.
14. Developer to execute and record, where deemed appropriate by the city engineer, with the sale of single family lots, 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.
15. All development entrance signage by separate permit review.

**PASSED** by the City Council of the City of Blaine this 19<sup>th</sup> day of January, 2022.