



# City of Blaine Anoka County, Minnesota

Blaine City Hall  
10801 Town Sq Dr NE  
Blaine MN 55449

## Legislation Text

---

File #: RES 18-27, Version: 1

---

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

**GRANTING PRELIMINARY PLAT APPROVAL TO SUBDIVIDE 21.76 ACRES INTO 50 SINGLE FAMILY LOTS, TWO (2) COMMERCIAL LOTS, AND SIX (6) OUTLOTS TO BE KNOWN AS CREEKSIDE VILLAGE, LOCATED AT 1041 109<sup>TH</sup> AVENUE NE. N AND D MANAGEMENT, LLC. (CASE FILE NO. 17-0046/SLK)**

Planning Commission (Public Hearing)	01/09/18
<b>City Council (Preliminary Plat)</b>	<b>02/15/18</b>
City Council (Final Plat)	TBD
Action Deadline	04/02/18

The Planning Commission voted 6-1 to approve the Preliminary Plat. 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.

*Note: Staff has added the sidewalk along 109<sup>th</sup> as a condition of approval and supports the construction of that pedestrian link. Staff has not added the requirement for the traffic study nor the mandatory rear yard tree.*

### **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. If needed, a temporary sanitary sewer pumping agreement could be put in place.

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 (Tyler Street) 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.

See Report for Rezone.

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

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

**TORRENS PROPERTY:**

The West 310 feet of the Southwest Quarter of the Southwest Quarter of the Southwest Quarter of Section 17, Township 31, Range 23.

**TOGETHER WITH:**

The East 387 feet of the Southeast Quarter of the Southeast Quarter of Section 18, Township 31, Range 23.

ABSTRACT PROPERTY:

That part of the South half of the West half of the Southwest Quarter of the Southwest Quarter of Section 17, Township 31, Range 23, lying East of the West 310.00 feet and lying North of the South 355.65 thereof.

AND

That part of the South 355.65 feet of the Southwest Quarter of the Southwest Quarter of the Southwest Quarter of Section 17, Township 31, Range 23, Anoka County, Minnesota, lying East of the West 310.00 feet thereof.

**WHEREAS**, the Blaine Planning Commission has reviewed said case file on January 9, 2018; and

**WHEREAS**, the Blaine Planning Commission has recommended subdivision Case File No. 17-0046 be approved subject to certain stipulations; and

**WHEREAS** the Blaine City Council has reviewed said case file on February 15, 2018.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Blaine that preliminary plat approval per Section 74-42 of the subdivision regulations is hereby granted for Creekside Village permitting preparation of a final plat for approval per Section 74-43 subject to the following conditions:

1. The developer has responsibility to construct any 109<sup>th</sup> Avenue NE improvements associated with this development per Anoka County plat review comments.
2. An Anoka County right-of-way permit is required prior to start of any site work.
3. 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. Private streets shall be constructed to 29 feet back to back to allow for parking on both sides of the street.
4. All streets will follow the Anoka County street name grid system.
5. Plans and specifications must be approved by the City prior to start of construction.
6. Street and utility extensions are required to the edge of the plat for each future connection to the adjacent parcels.
7. 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.
8. 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.
9. 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.
10. A six foot concrete sidewalk is required on the west side of Street A (Tyler Street NE).
  11. An eight foot wide bituminous trail connection is required along the north side of 109<sup>th</sup> Avenue from Street A to the City's existing trail to the west of the site.
  12. A six foot sidewalk is required on the south side of private Street B (109<sup>th</sup> Court NE).
  13. A six foot bituminous trail is required on the north side of 109<sup>th</sup> Avenue from Fillmore Street to Tyler Street.
  14. Construction contract documents shall include a mass (rough) grading, erosion protection, sediment control, development, utilities, roadway, and storm drainage plan sheets. Supporting wetland delineation report, geotechnical investigation report, soil boring logs, and hydrology report shall be included in the submittal for City review and approval.
  15. The development plan shall indicate all structures will be protected from flooding.
  16. A twenty foot buffer strip shall be considered adjacent to wetland edges and shall be placed in an easement.
  17. CCWD permit is required prior to City approval of construction plans and specifications.
  18. 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.
  19. Delays due to right-of-way acquisition with City Project 17-09, could cause delays with utility construction and building permits in the plat. The City may withhold the Final Plat and not allow it to be recorded until such time as the City has awarded a contract for the installation of improvements outlined in City Project 17-09.
  20. As-built surveys shall be required to verify structure elevations, custom grading requirements, and final lot grading elevations.
  21. Park dedication to be paid for 50 housing units at the rate in effect at the time of final plat. The 2018 rate is \$4,320 per lot.
  22. Developer to require homeowner's associations to be responsible for maintenance and upkeep of landscape improvements along and within the right-of-way and along the private street.
  23. All retaining walls, storm sewer piping, structures, storm water ponds, sanitary sewer, water main, sidewalk 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.
  24. Developer to install grouped mailboxes with design and locations approved by City and

US Postal Service.

25. Developer shall explore water source for landscape irrigation systems installed throughout the development including the possible use of created ponds or storm water reuse.
26. Water and sanitary sewer availability charges (WAC & SAC) become due with each building permit at the rate established at the time the building permit is issued.
27. All development signage by separate review.
28. All existing structure removals will require demolition permits. All wells and septic systems to be properly abandoned per all local and state requirements.
29. Half circle plaza area located on Outlot B will be required to be maintained by the Homeowners Association.
30. Planning Commission recommendation and City Council action is contingent upon formal Metropolitan Council land use review and approval.
31. Execution and recording of a Development Agreement, which sets forth in greater detail the plat conditions as well as other responsibilities for the development of this plat.
32. The Mayor, City Clerk and City Manager are hereby authorized to execute any and all necessary documents, agreement and releases related to the approval, recording or administration of Creekside Village.

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