



# City of Blaine Anoka County, Minnesota

Blaine City Hall  
10801 Town Sq Dr NE  
Blaine MN 55449

## Legislation Text

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File #: RES 20-16, Version: 1

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### **DEVELOPMENT BUSINESS** - *Lori Johnson, City Planner*

#### **GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR THE CONSTRUCTION OF 97 SINGLE FAMILY LOTS AND 2 OUTLOTS IN A DF (DEVELOPMENT FLEX) ZONING DISTRICT, LOCATED AT 12801 AND 12847 LEXINGTON AVENUE NE. LENNAR CORPORATION (LEXINGTON COVE) (CASE FILE NO. 19-0040/LSJ)**

Planning Commission (Public Hearing)	12/10/19
City Council (Conditional Use Permit)	01/22/20
Action Deadline	02/27/20

The Planning Commission voted unanimously to approve the conditional use permit. There were questions at the public hearing regarding public versus private streets in this development.

Lennar Corporation is proposing to develop 42 acres on the east side of Lexington Avenue and north of 125<sup>th</sup> Avenue for the purpose of constructing 97 single family homes. The proposed plat lies to the west of Lennar's other single family project, Woodridge, that is accessed via Lever Street.

#### ***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 all of the residential uses. With the DF zoning, housing products and neighborhood design issues will require and be regulated by a Conditional Use Permit (CUP).

#### ***Preliminary Plat***

Lennar is proposing to develop 42 acres into 97 single family lots and two outlots and the development will be known as Lexington Cove. The 97 single family lots have a minimum lot width of 60 feet, which is consistent with the size of the lots in this area. The outlots will be used for storm water ponding and wetlands.

The plat will be accessed with a connection to Lexington Avenue. There are three street stubs in

the plat that will extend to future development to the east, north and south. There is a proposed sidewalk located around Lots 29-45 and on the south side of Street A and Street D. There is no trail/sidewalk connection to Lexington Avenue because a trail is not provided on the east side Lexington Avenue.

A concept plan for the property to the east of this plat has been presented to ensure that future road extension make sense. In addition, the future sanitary sewer layout provides a concept for how the properties to the north and south of this plat could be developed.

Park dedication will be required for the 97 new lots being constructed at the rate of \$4,449 per unit, for a total park dedication fee of \$431,553. This amount 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.

The proposed street connection will need to be submitted to the Anoka County Highway Department(ACHD) for review and comment. All work proposed in the county right of way will need to be permitted by the ACHD.

Trunk Sanitary Sewer area charges become due with platting for upland acreage. The 2019 rate of \$6,621/acre for Sanitary Sewer District 7 will apply to all upland acreage if platted in 2019. The 2019 rate will be indexed for 2020 and a new rate will be established January 2020 and will apply to all upland acreage platted in 2020.

Standard utility and drainage easements must be dedicated along all lot lines and over areas of delineated wetlands, wetland mitigation, infiltration trenches, rainage 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.

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.

A Rice Creek Watershed District review and permit are required for this project.

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.

The Developer shall process a Letter of Map Change with FEMA prior to issuance of building permits if any of the development is 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.

### ***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.

Lennar is proposing to construct various types of homes in this development with over 20 potential elevations and floor plans. The home options include one-story, two story and modified split level floor plans. The homes range in size from 1,325 square feet to 2,600 square feet. The estimated price range for the homes will be between \$335,00 and \$420,000, which is a lower price point than the Woodridge development to the east. This gives home buyers many options to purchase a new home through Lennar.

All homes to be constructed are to be consistent in architecture, materials and style with the drawings/elevations presented with the conditional use permit submittal. Included with your packet are examples of the elevations and floor plans that were submitted by Lennar but all options provided are very similar in nature. Use of premium materials such as brick, natural stone, stucco, cementious or engineered wood siding or shake shingle siding are to be used on all front elevations. Vinyl/metal siding can be utilized on the side and rear elevations. Care to be taken to utilize a variety of home styles, front elevations and colors to provide maximum housing variety within each neighborhood. 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

Each lot in the development will be required to have the standard two trees per lot with extra plantings on corner lots. The landscape plan also includes an extensive screening effort along Lexington Avenue which will present a very nice border to the development and provide screening for the new homes along this roadway. This landscaping will also help to meet tree preservation requirements. Approximately 23.7 acres will be disturbed during construction and the city's tree preservation requirement includes replacing 8 trees per acre for all disturbed portions of the development. This would mean that 218 trees would be required for tree replacement purposes. The developer has proposed a total of 232 trees within this development, including individual lot landscaping.

Also provided is a 6-foot maintenance free fence on the west side of the lots on Lexington Avenue to enhance the landscape screening along this roadway.

By motion, approve the Resolution.

### **Attachments**

See Rezoning (2<sup>nd</sup> Reading) Report.

**WHEREAS**, an application has been filed by Lennar Corporation as Conditional Use Permit Case File No. 19-0040; and

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

**PARCEL 1:**

OUTLOT G, WOODRIDGE FIRST ADDITION, ANOKA COUNTY, MINNESOTA.

**PARCEL 2:**

THE NORTH QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 31, RANGE 23, EXCEPT PARCEL 6, ANOKA COUNTY HIGHWAY RIGHT-OF-WAY PLAT NO. 81, ANOKA COUNTY, MINNESOTA.

**PARCEL 3:**

THE NORTH 330 FEET OF THE SOUTH THREE-FOURTHS OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 31, RANGE 23, EXCEPT PARCEL 7, ANOKA COUNTY HIGHWAY RIGHT-OF-WAY PLAT NO. 81, ANOKA COUNTY, MINNESOTA.

**PARCEL 4:**

THE NORTH 930 FEET OF THE SOUTH THREE-FOURTHS OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 1 TOWNSHIP 31 RANGE 23, EXCEPT THE

NORTH 330 FEET THEREOF, ALSO EXCEPT THE SOUTH 300 FEET THEREOF, ANOKA COUNTY, MINNESOTA.

**WHEREAS**, a public hearing has been held by the Blaine Planning Commission on December 10, 2019; 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 22, 2020.

**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 97 single family lots and 2 outlots 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. Private garages - 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 fewer than 33.11.

#### **Standards**

1. Front yard setback - 25 feet
2. Side yard setback - 7.5 feet for house and 7.5 feet for garage.
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 1,325 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 submitted for conditional use permit approval. Use of premium materials such as brick, natural stone, stucco, cementitious or engineered wood siding or shake shingle siding are to be used on all front elevations. Vinyl/metal siding can be utilized on the side and rear elevations. Care to be taken to utilize a variety of home styles, front elevations and colors to provide maximum housing variety within each neighborhood. 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 with a minimum of 2½-inch caliper. Corner lots shall contain an additional yard tree.
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.
16. All homes to meet noise abatement standards as required and outlined in Section 33.22 of the Zoning Ordinance.

**PASSED** by the City Council of the City of Blaine this 22<sup>nd</sup> day of January, 2020.