



# 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 21-012, Version: 1

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### **PUBLIC HEARING** - *Lori Johnson, City Planner*

**GRANTING A CONDITIONAL USE PERMIT AMENDMENT TO ALLOW 28 (80 FOOT) LOTS TO BE CHANGED TO 34 (65 FOOT) LOTS, 12 (50 FOOT) LOTS TO BE CHANGED TO 10 (60 FOOT) LOTS, AND 7 ORIGINALLY PROPOSED (50 FOOT) LOTS IN THE DF (DEVELOPMENT FLEX) ZONING DISTRICT FOR OAKWOOD PONDS 5<sup>TH</sup> ADDITION. TEGL/AREP OAKWOOD, LP (THE EXCELSIOR GROUP) (CASE FILE NO. 20-0047/SLK)**

City Council	02/01/21
Action Deadline	03/08/21

### ***Staff report prepared by Shawn Kaye***

Excelsior Group received approval for the Oakwood Ponds development in 2017 and began development activities that year. The development has been making progress in the past three years with the construction of 65 foot single family lots and 50 foot villa home lots. The applicant has stated that based on the current builder's feedback regarding the sales success of the 65 foot wide lots and the market need for villa lots with a three car garage option, they would like to request lot size amendments. The proposed amendment changes are being driven from current market requests.

The original conditional use permit approval included 28 (80 foot) lots and 19 (50 foot) villa lots. Due to changes in the housing market, Excelsior Group has requested 34 (65 foot) lots instead of the previously approved 28 (80 foot) lots. They would also like approval for 10 (60 foot) lots instead of the previously approved 12 (50 foot) lots. This conditional use permit amendment will also include seven (7) 50 foot lots on the west side of 127<sup>th</sup> Circle that are consistent with the original preliminary plat.

The changes are consistent with the final plat that is also being proposed on this agenda. The conditions of approval are consistent with the approved conditional use permit on October 19, 2017. Property owners within 350 feet of the proposed conditional use permit amendment were notified of this request.

By motion, approve the Resolution.

Zoning and Location Map  
Color Plat/Site Plan  
House Elevations and Floor Plans  
Narrative

**WHEREAS**, an application for amendment has been filed by (TEGL/AREP Oakwood LP/The Excelsior Group), as Conditional Use Permit Amendment Case File No. 20-0047; and

**WHEREAS**, said case involves the division of land in Anoka County, Minnesota, described as follows:

OUTLOT F, OAKWOOD PONDS, ACCORDING TO THE RECORDED PLAT THEREOF, ANOKA COUNTY, MINNESOTA.

OUTLOT E AND F, OAKWOOD PONDS 2<sup>ND</sup> ADDITION, ACCORDING TO THE RECORDED PLAT THEREOF, ANOKA COUNTY MINNESOTA.

AND

OUTLOTS A AND B, OAKWOOD PONDS 4<sup>TH</sup> ADDITION, ACCORDING TO THE RECORDED PLAT THEREOF, ANOKA COUNTY MINNESOTA.

**WHEREAS**, the Blaine City Council has reviewed said case on February 1, 2021.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Blaine that a conditional use permit amendment is hereby approved per Section 29.110 of the zoning ordinance to allow 28 (80 foot) lots to be changed to 34 (65 foot) lots, 12 (50 foot) lots to be changed to 10 (60 foot) lots, and 7 originally proposed (50 foot) lots in the DF (Development Flex) zoning district based on the following conditions:

**Single Family - DF Development Standards - 65 foot wide lots (34 units)**

***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. Accessory storage buildings below 120 square feet must meet 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:
8. 1,600 square feet for a single level/split level home
9. 1,900 square feet for a two-story home.
10. All homes shall have a minimum depth and width of 24 feet.
11. All homes to be constructed are to be consistent in architecture, materials and style with the drawings/elevations attached to this CUP. 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.
12. All residential dwellings must be built in conformance with the current edition of the Minnesota State Building Code.
13. 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.
14. 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.

15. Each lot shall contain one front yard tree and one boulevard tree with a minimum of 2½-inch caliper. All lots shall have one additional yard tree (deciduous or conifer) to meet the tree replacement plan.
16. All homes within 500 feet of Main Street, to incorporate the Noise Abatement Standards with Central Air conditioning to mitigate noise impacts. There are approximately 12 of the 211 homes that are within 500 feet of 125th Avenue. Those homes will be required to meet the intent of the Noise Abatement Standards in their construction. The lots included in this requirement are Preliminary Plat Lots 34-39 Block 5 and Lots 1-6 Block 7.
17. 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.
18. All development entrance signage by separate permit.

### **Single Family-Detached Townhomes- 50 and 60 foot wide lots (Villas) - DF Development Standards (17 units)**

#### ***Permitted Uses***

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

#### ***Accessory Uses***

1. Private garages - No detached structures 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. Construction of all detached townhomes to be generally guided by depictions, drawings and information submitted for review and approval for this conditional use permit. All site plans and unit plans require approval of the Planning Department prior to work beginning. All site

work to meet the Performance Standards Section 33.00 of the Zoning Ordinance. A landscape plan to be submitted prior to site plan approval.

2. Minimum floor area above grade for detached townhomes must be 1,600 square feet.
3. All homes to be constructed are to be consistent in architecture, materials and style with the drawings/elevations attached to this CUP. 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.
4. All units to be placed according to the following minimum building setbacks:
  - 25-foot front yard setback for houses and garages
  - 5-foot side yard setback for garages
  - 5-foot side yard setback for houses
  - 20-foot rear yard setback for houses and garages
5. All garages to be minimum of 400 square feet with no dimension less than 20 feet. Maximum garage area limited to not more than 1,000 square feet.
6. No detached accessory structures except for those associated with or required for operation and maintenance of swimming pools.
7. Each lot shall contain one front yard tree and one boulevard tree with a minimum of 2 ½ inch caliper. One of the required trees may be an ornamental tree. Corner lots shall each have one additional boulevard tree. The landscape plan will also require additional trees as needed by the tree replacement plan.
8. All lots shall have underground irrigation.
9. All entrance monument signage to be approved by a separate permit.
10. The landscape plan must detail any landscaping associated with entrance monument signage.
11. Developer to execute and record with the sale of each single family lot, if deemed appropriate by the City Engineer, 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.
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 four inches of black dirt if underground irrigation is installed with the home.

**PASSED** by the City Council of the City of Blaine this 1<sup>st</sup> day of February, 2021.