



# City of Blaine Anoka County, Minnesota

Blaine City Hall  
10801 Town Sq Dr NE  
Blaine MN 55449

## Legislation Text

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File #: ORD 21-2470, Version: 3

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**Development Business -** *Lori Johnson, City Planner*

### Title

### Second Reading

**Granting a Rezoning from FR (Farm Residential) to DF (Development Flex) for Lots not Previously Zoned DF (Development Flex) on the NW Corner of Harpers Street and 125<sup>th</sup> Avenue NE. Harpers Landing (Harpers Grove, LLC) (Case File No. 21-0003/EES)**

### Executive Summary

The proposed subdivision will include a mix of townhomes and single-family homes at the northwest corner of Main Street and Harpers Street. The subdivision requires a comprehensive plan amendment for the townhome use, but is consistent with other developments in other locations along Main Street.

### Schedule of Actions

Planning Commission (Public Hearing)	04/13/21
City Council (1st Reading)	04/19/21
City Council (2nd Reading)	05/03/21
Action Deadline	05/15/21

### Background

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

The proposed subdivision consists of six existing parcels, each approximately 4-5 acres on either side of Flanders Street on the north side of 125<sup>th</sup> Avenue. The applicant is proposing a neighborhood including townhomes and single-family homes constructed by D.R. Horton. Townhomes are proposed in the portion of the development between Harpers and Flanders and single-family detached lots are proposed west of the existing Flanders Street.

### Comprehensive Plan Amendment and Rezoning

The site has a land use designation of LDR (Low Density Residential), and has had that designation since the area was planned for the extension of utilities as part of the Northeast Area Plan.

The proposed single-family homes are consistent with the LDR land use, but townhomes require an amendment to the land use to MDR (Medium Density Residential). LDR has an allowed density of 2.5 -6 units per acre and the proposed development has a density of 5.9 units per acre. The land use amendment is needed not for the density, but for the development of attached townhomes. All dwellings in the LDR must be single family detached. The Legacy Creek and Savannah Grove subdivisions featured townhomes adjacent to 125<sup>th</sup> and transitioned to single family to the north. A similar pattern exists in the Lakes of Radisson on the south side of 125<sup>th</sup> with townhomes on the north

and lower densities further south. A comprehensive plan amendment to allow for townhomes, as proposed with Harpers Landing, is consistent with the existing development pattern.

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. Findings supporting the change in land use for the eastern portion of the project are listed in the resolution.

Some of the existing lots were rezoned to DF (Development Flex) for a subdivision proposed several years ago. That development never occurred, but the properties retained the DF rezoning. Two of the properties are still zoned FR (Farm Residential) and need to be rezoned to DF to allow for the proposed homes. The proposed DF zoning will allow for the residential uses, and the standards and neighborhood design will be regulated by a conditional use permit. The DF zoning has been used for most single family and all townhome developments in the City for many years.

#### Preliminary Plat

The 28.5 acres will be subdivided into 40 single family lots, 112 townhome lots, 6 common lots, and 6 outlots. The outlots include the private roads, stormwater treatment areas, and wetlands.

Park dedication will be required for each unit being constructed, less the three lots that previously paid park dedication as part of Mary and Jeff's First Addition. The 2021 park dedication rate is \$4,449 per unit. If the fee is paid in 2021, the total amount due for the 149 lots will be \$662,901.

The plat removes the access from 125<sup>th</sup> Avenue to Flanders Street. One existing home north of this plat will remain on Flanders Street, but the extension of 126<sup>th</sup> Avenue from the east will allow this home to remain accessed off Flanders Street. Flanders Street has been envisioned to lose access to 125<sup>th</sup> Avenue as properties develop to reduce access points onto the arterial road. All proposed roads other than the extension of 126<sup>th</sup> Avenue and the remaining portion of Flanders Street will be private with the homeowners association responsible for the maintenance.

A ghost plat was provided for the property to the north, which shows single-family homes and an additional connection of Flanders Street to Harpers Street. A ghost plat for 12690 Flanders was provided as part of the Meadowland Estates subdivision and is consistent with Harpers Landing. The ghost plats provide a guide for future developments showing how road connections could be made in the future. Two large properties to the west remain with homes on larger lots. Utilities will be extended to the west property line to provide service to potential development of the two larger properties.

The townhome portion of the project is expected to be constructed in two phases with 67 townhomes constructed in phase 1, and 45 constructed in phase 2. The 40 single-family homes would be built as part of phase 1. A phasing plan is attached.

The applicant will be responsible to pay for Sanitary Sewer Trunk for District 6. The 2021 District 6 sewer rate is \$6,338 per upland acre.

#### Conditional Use Permit

##### *Single Family Homes*

The single-family homes are the same floor plans and designs that are proposed for the Lexington

Woods development that was approved by the City Council in April. The homes include ramblers and two story homes with a total of 7 floor plans, each with three options for front elevations featuring varied roof lines and materials. The anticipated price point is upper \$300,000's to low \$400,000's. Square footage range from 1,303 to 2,179 square feet. Setbacks are listed in the CUP resolution. The homes are proposed on 55-foot wide lots, which are narrower than the existing single-family homes to the north, which are generally 70-80 foot wide lots. Staff believes the narrower lots are appropriate on this property that is closer to 125<sup>th</sup> Avenue. Due to the proximity to 125<sup>th</sup> Avenue, all homes will be required to meet the Noise Abatement Standards.

The current owner of one of the lots wishes to retain a larger lot in the single-family area to build a custom home. This home will not be constructed by the builder of the other lots, but will need to meet the CUP standards for the proposed homes. The property owner has requested the ability to have a larger attached garage. Due to the larger size of the lot, staff considers the request reasonable. The standards listed in the CUP allow for up to 1,300 square feet of attached garage on that lot.

Two trees are required per lot, with a third tree required on corner lots. The landscape plan depicts these as front yard trees. On narrower lots, the City has found that there often is not room for two front yard trees; therefore, the CUP resolution lists the landscaping requirement as one front yard tree and one rear yard tree on each lot, with an extra corner yard tree for corner lots. To provide for sound buffering from 125<sup>th</sup>, a row of 44 conifer trees is proposed along the proposed stormwater pond. This results in a total of 84 overstory trees and 44 conifer trees for the single-family homes.

### *Townhomes*

Two different townhome products are proposed: a three-story row home with rear-loaded garages served by alleys, and a front-loaded two-story townhome.

The two story is proposed on the north edge of the townhome area, and in a few other locations, to provide a shorter product adjacent to the anticipated future single-family development. It is a front loaded garage product and features a mixture of vinyl lap siding, shakes, board and batten, and stone on the front elevation as well as variations in roof line between the units. Bump outs and decks provide visual interest on the rear elevations. The anticipated price range is the low to mid \$300,000's and square footage is 1,894. These can be configured as two or three bedrooms.

The three-story product has rear-loaded garages with alley access. This will be used along Harpers Street and makes up the majority of the townhome units. The front elevation includes vinyl lap siding, shake, board and batten, and stone accents. The rear elevation includes lap and board and batten siding and variation in roofline. The anticipated price range is high \$200,000 to low \$300,000 and square footage for all units is 1,687, which can be configured as a two or three bedrooms.

The parking standard for townhomes has been formalized in the recently adopted zoning code amendment as 1 stall per 3 townhome units in addition to the 2 garage stalls provided in each home. The applicant has provided 46 stalls, which is in excess of the required 38 stalls.

Through the Development Flex zoning, the City has long required one over story, one conifer and one ornamental tree per townhome unit. The landscape plan, as proposed, includes three trees per unit (as required), and counts the 44 conifer trees required for noise buffering for the single-family homes towards that total. In addition to the 128 trees required for the single-family homes, a revised plan must be submitted with 112 each of conifer, over story, and ornamental trees. This results in a total of

464 trees for the development overall. Twenty-seven acres are proposed to be disturbed for the project. The tree preservation ordinance requires one to one replacement for trees up to a maximum of 8 trees per disturbed acre, therefore a minimum of 216 tree must be planted to meet this requirement. The required landscape trees exceed the tree preservation minimum.

The staff report to the Planning Commission included a requirement for a 6-foot maintenance free fence on the north side of the townhomes immediately east of the Flanders Street alignment on the north side of the plat. At the Planning Commission meeting, the applicant requested that the condition be removed since the property to the north is now under contract by the applicant to be a second phase of single-family homes in the development. After reviewing other similar developments, staff believes that dense conifer trees in that location can provide the desired buffering effect while being consistent with previous developments. The landscape plan will be reviewed as part of the site plan approval for this development to ensure sufficient plantings are proposed in this area.

Site plan approval will be required for this development before any work is performed on site. This will include the submittal of a development agreement and the associated financial guarantee.

The approval of the conditional use permit is contingent upon Metropolitan Council approval of the land use amendment being requested for this development.

### **Strategic Plan Relationship**

Not applicable.

### **Board/Commission Review**

The Planning Commission voted unanimously to approve the rezoning. The applicant spoke at the public hearing and requested that the fence not be required along the northern property line since the property is now under contract by the applicant and will be used for a second phase of the same development.

Some level of buffering has been required in instances where townhomes are proposed to be adjacent to property to be developed for single-family detached uses. At the time of application, staff requested that the homes located on the north side of 126<sup>th</sup> Avenue be single-family homes to allow the road to serve as a buffer between the uses. At the time, staff recommended that the fence remain as a condition in the conditional use permit and the Planning Commission recommended approval with that condition remaining.

Since the Planning Commission meeting, staff has reviewed the request further, compared the proposal to other nearby developments, and believe that the desired buffering can be achieved through landscaping. That condition has been modified to no longer require a fence, but instead requires dense landscaping to be reviewed by staff prior to site plan approval.

### **Financial Impact**

Not applicable.

### **Public Outreach/Input**

Notices 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.

In accordance with the Neighborhood Meeting Policy, a neighborhood meeting was held virtually on April 9, 2021. The owners of the property to the north on Harpers Street attended but did not have any concerns. A summary of the meeting is attached.

#### **Staff Recommendation**

By motion, approve the ordinance.

#### **Attachment List**

Zoning and Location Map  
Narrative  
Preliminary Plan  
Phasing Plan  
Existing Conditions  
Site and Utility Plan  
Grading and Erosion Control Plan  
Landscaping Plans  
Tree Preservation Plan  
Single Family House Plans  
Townhome Plans  
Existing and Proposed Land Use Maps  
Neighborhood Meeting Summary  
Draft Planning Commission Meeting Minutes 4/13/21

**THE CITY OF BLAINE DOES ORDAIN** : (Added portions are underscored and deleted portions are shown with overstrike.)

Section 1. The Official Zoning Map of the Zoning Code of the Municipal Code of the City of Blaine is hereby amended to change the zoning classification of the following described property:

The West 330 feet of the East 990 feet of the South 660 feet of the Southwest Quarter of the Southeast Quarter (SW1/4 of SE1/4) of Section 3, Township 31, Range 23, Anoka County, Minnesota, EXCEPT the South 60.00 feet thereof.

ALSO EXCEPT Parcel 38, Anoka County Highway Right-of-Way Plat No. 95, recorded April 27, 2015, as Document No. 2106281.002.  
(abstract property)

AND

The South 660 feet of the Southwest Quarter of the Southeast Quarter of Section 3, Township 31, Range 23, Anoka County, Minnesota, EXCEPT the East 990 feet thereof.

ALSO EXCEPT the South 60.00 feet of said Southwest Quarter of the Southeast Quarter lying westerly of the East 990 feet thereof.  
(Abstract Property)

Section 2. The above described property is hereby rezoned from:

~~[FR (Farm Residential)]~~  
to

DF (Development Flex)

Section 3. The City Manager is hereby directed to make the appropriate changes in the Official Zoning Map of the City of Blaine to reflect and show the changes in zoning classification as set forth above.

**INTRODUCED** and read in full this 19<sup>th</sup> day of April, 2021.

**PASSED** by the City Council of the City of Blaine this 3<sup>rd</sup> day of May, 2021.