



City of Blaine Anoka County, Minnesota

Blaine City Hall
10801 Town Sq Dr NE
Blaine MN 55449

Legislation Text

File #: RES 21-170, **Version:** 1

CONSENT - *Erik Thorvig, Community Development Director*

Title

Granting a Final Plat One Year Extension for Mill Pond 3rd Addition at 130th Lane NE/Packard Street NE (Case File No. 21-0044/SLK)

Executive Summary

This application is a request for a final plat extension for 8.37 acres subdivided into 28 single-family lots. The applicant does not plan to begin construction of the plat until spring 2022, and therefore is looking for an extension to allow more time to record the final plat.

Schedule of Actions

Planning Commission Public Hearing	11/13/18
City Council (Preliminary Plat)	12/20/18
City Council (Final Plat)	06/21/21
City Council (Final Plat Extension)	09/08/21

Background

Staff report prepared by Shawn Kaye, Associate Planner

On June 21, 2021, the applicant received approval of a final plat from the City Council for a subdivision known as Mill Pond 3rd Addition. The final plat proposal consists of subdividing approximately 8.37 acres into a subdivision with a total of 28 new dwelling units.

The developer does not plan to begin construction of the plat until spring 2022 and therefore is looking for an extension to allow more time to record the final plat. At this time, the applicant would like to obtain a one-year extension on the final plat approval.

The plat extension does not change any conditions of the plat other than updating some of the development fee numbers to the 2022 fee schedule if the plat is not recorded in 2021. The only thing the extension does is allow the property owner more time.

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.

Developer and staff will work together to identify areas of the plat where additional trees can be saved through the use of custom grading, retaining walls, and by structure design.

The Mill Pond development will be responsible for paying assessments for the Lever Street improvements. The property owners in this plat, together with other property owners along Lever Street, had petitioned for trunk sanitary sewer, water main, and street improvements to be

constructed to serve the plat. A feasibility report was prepared and presented to the City Council on June 1, 2017. The report identified assessments that each parcel on Lever Street would pay for the proposed improvements.

Trunk Sanitary Sewer area charges become due with platting for upland acreage. The 2021 rate is \$6,747.00/acre for Sanitary Sewer District 7. This rate will apply to this plat if platting is completed in 2021. As additional areas are platted, future charges will apply at the rate in place at the time of platting.

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 stormwater 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.

Development requires a National Pollutant Discharge Elimination System (NPDES) Phase II General Stormwater Permit for Construction Activity from Minnesota Pollution Control Agency (MPCA). A prerequisite to the MPCA permit application includes preparation of a site Stormwater Pollution Prevention Plan (SWPPP) for the development site.

Rice Creek Watershed District review and permit is required.

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 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 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.

The final plat is consistent with the approved preliminary plat, Resolution No. 18-230.

Strategic Plan Relationship

This item is consistent with the strategic plan goal related to maintaining current growth in the northeast area of the City.

The Planning Commission voted unanimously to approve the preliminary plat. There was one question from a planning commissioner related to the park location in this area. Staff stated the playground at the school is shared between the City and the school. Also, a park is planned west of Lever Street along the 131st Avenue alignment.

The Planning Commission does not review final plats.

Not applicable.

Notices of a public hearing on the preliminary plat 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.

Notifications are not required for final plats.

Staff Recommendation

By motion, adopt the resolution.

Attachment List

Zoning and Location Map

Final Plat

WHEREAS, an application has been filed by TEGL/AREP Mill Pond, LP as subdivision Case No. 21-0044; and

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

Outlot C, MILL POND, Anoka County, Minnesota

AND

Outlot A and Outlot B, MILL POND 2ND ADDITION, Anoka County, Minnesota

WHEREAS, the Blaine City Council granted preliminary plat approval on December 20, 2018, and final plat approval on June 21, 2021 subject to the stipulations as contained in Blaine City Council Resolution Nos. 18-230 and 21-129; and

WHEREAS, the applicant has submitted a final plat in general conformance with the approved preliminary plat.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that a one year extension of final plat approval for Mill Pond 3rd Addition per Section 74-43 of the subdivision regulations is hereby granted subject to the following conditions:

1. 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.
2. All streets will follow the Anoka County street name grid system.
3. Plans and specifications must be approved by the City prior to start of construction.
4. Street and utility extensions are required to the edge of the plat for each future connection to the adjacent parcels.
5. 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.
6. The Developer is to provide access for inspection and maintenance of stormwater management infrastructure. Restrictions will be placed on lot lines as needed to limit fences and landscaping to insure access.
7. Development requires a National Pollutant Discharge Elimination System (NPDES) Phase II General Stormwater Permit for Construction Activity from Minnesota Pollution Control Agency (MPCA). A prerequisite to the MPCA permit application includes preparation of a Site Stormwater Pollution Prevention Plan (SWPPP) for the development site.
8. Sidewalks (one-side) are required on all streets and location will be determined in the plan review process.
9. 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.
10. The grading plan shall provide greater detail on protecting existing trees and providing additional information on adjacent property. Required stormwater detention basins shall not be over sized for sand excavation, so that additional areas of trees can be saved. Storm pipes shall not be routed through tree preservation areas.
11. The developer shall be responsible for assessments for trunk sanitary sewer, trunk water main, and Lever Street improvements for City Project No. 17-07.
12. Trunk Sanitary Sewer area charges become due with platting for upland acreage. The 2021 rate of \$6,747.00/acre for Sanitary Sewer District 7 will be used for all upland acreage that is platted in 2021.
13. The development plan shall indicate all structures will be protected from flooding.
14. A 20-foot buffer strip shall be considered adjacent to wetland edges and shall be placed in an easement.
15. RCWD permit is required prior to city approval of construction plans and specifications.
16. 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.
17. As-built surveys shall be required to verify structure elevations, custom grading requirements, and final lot grading elevations for each structure.
18. Park dedication to be paid for 28 housing units at the rate of \$4,449 per unit for a total of \$124,572 (2021 rate). If the plat is recorded in 2022, the park dedication fee will be updated to 2022 park dedication fees.
19. Developer to install grouped mailboxes with design and locations approved by city and US Postal Service.
20. Developer shall explore water source for landscape irrigation systems installed throughout the

- development including the possible use of created ponds or storm water reuse.
21. 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.
 22. All development signage by separate review.
 23. All existing structure removals will require demolition permits. All wells and septic systems to be properly abandoned per all local and state requirements.
 24. The required landscaping in the single-family area consists of one boulevard and one front yard tree per lot. Site grading will remove a number of trees over the development. The required two trees per lot, plus a 3rd tree on corner lots will meet the tree replacement requirement for the plat.
 25. 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.
 26. 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 Mill Pond 3rd Addition.

PASSED by the City Council of the City of Blaine this 8th day of September, 2021.