



City of Blaine Anoka County, Minnesota

Blaine City Hall
10801 Town Sq Dr NE
Blaine MN 55449

Legislation Text

File #: RES 22-006, **Version:** 1

Consent - *Sheila Sellman, City Planner*

Title

Granting Final Plat Approval to Subdivide Approximately 111 Acres into 180 Single-Family Lots and 10 Outlots to be Known as Lexington Waters at 13143 Lexington Avenue NE. MN Landco AREP Lexington Waters, LP (Case File No. 21-0089/SLK)

Executive Summary

This application is a request to final plat 111 acres into 180 single-family lots, including a lot for the existing home, and 10 outlots.

Schedule of Actions

Planning Commission Public Hearing	09/14/21
City Council (Preliminary Plat)	10/04/21
City Council (Final Plat)	01/19/22
Action Deadline	03/06/22

Background

Staff report prepared by Shawn Kaye, Associate Planner

This proposed plat is composed of several parcels just east of Lexington Avenue and along the 131st Avenue alignment.

The project proposal includes the following uses:

- 88 single family lots including a lot for the existing home.
- 92 detached townhomes
- Storm ponding, a park, and trails

The final plat proposal consists of subdividing approximately 111 acres into 180 lots including one for an existing home. The final plat also includes outlots for ponds, drainage, a park, future development and wetlands.

In summary, Lexington Waters development is proposed to contain the following:

- 65 - 65-foot Single-Family Lots
- 22 - 55-foot Single-Family Lots
- 55 - 50-foot Detached Townhomes
- 37 - 60-foot Detached Townhomes
- 1 - Existing home lot

The plat will be accessed through a connection to Lexington Avenue at 131st Avenue, through the

Lexington Woods development to the south, and Lever Street on the east. Sidewalks and trails will need to be located on all public streets with the exception of short cul-de-sacs and 131st Avenue will require a sidewalk on the north side and a trail on the south side. The only trail/sidewalk connections to Lexington Avenue will be at 131st Avenue as this will be a controlled intersection allowing residents access to the regional trail on the west side of Lexington Avenue. The two trails proposed on the east side of the plat that connect to the trail on city open space property will be required to be constructed by the developer.

Park dedication is required for this plat for each of the new lots created. If recorded with Anoka County in 2022 the rate would be \$4,449 per lot (179 lots), or \$796,371. A 1.82-acre park will be created on Outlot G of the plat and the developer will receive a credit for the value of the park land that the City intends to purchase. The value of the park land (Outlot G) is calculated to be \$144,996 (established from applicant documentation). This payment must be made prior to release of final plat mylars for recording at Anoka County. Future phases will pay park dedication at the park rate in effect of platting. The proposed park will have play equipment located on the parcel.

The park outlot will be finished, graded and seeded to allow for future park improvements. All unsuitable soils are required to be removed. The developer will be responsible to provide an electrical and water service for irrigation of the park.

Engineering Items

The developer has responsibility to construct 131st Avenue and Lexington Avenue NE intersection improvements associated with this development. Developer will be required to make any and all improvements as outlined in the Anoka County review of the plat.

131st Avenue is designated as a MSAS collector route on the City's network and will require dedication of 70 feet of right-of-way and be designed to state aid standards. All the remaining 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.

Trunk Sanitary Sewer area charges become due with platting for upland acreage. The 2022 rate for Sanitary Sewer District 7 will apply to all upland acreage if platted in 2022.

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 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.

Coon 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 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 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 existing home on Lot 1 Block 5 is required to connect city water and sewer with the development of Lexington Waters and to remove the existing driveway from Lexington Avenue. The existing home will be required to construct a new driveway to proposed Erskin Street NE.

There was some discussion at the preliminary plat approval (City Council) of preserving more trees on site if possible. The developer agreed to provide a 10-foot tree preservation buffer in the rear yards of Lots 13 through 19 Block 9. The future homeowner will need to meet the requirements in the tree preservation ordinance. In most cases the homeowners will keep the trees, however the ordinance does allow them to remove two significant trees (8 inches or larger) per year. Also, the developer is planning on staking tree locations as shown on the grading plan and then field adjusting to save trees where possible. Staff will be involved in field analysis of where additional tree preservation will occur.

The final plat is consistent with the approved preliminary plat, Resolution No. 21-197.

Strategic Plan Relationship

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

Board/Commission Review

The Planning Commission does not review final plats.

The Planning Commission voted unanimously to approve the preliminary plat.

There were comments at the public hearing from a representative of property owners adjacent to the north (Ham Lake) related to providing a right-of-way extension to their property and possible sewer and water connections in the future. He also stated he was not opposed to the project.

Comments were received from a property owner in the Woodridge Development. He had questions related to construction traffic and hours permitted for the construction. The property owner also requested a 10-foot tree preservation buffer be provided in the rear yards of Lots 13-19 Block 9 that would be similar to the tree buffer he has on his property. The developer stated he would make this change to the plan and a condition will be added to the Preliminary Plat. A commissioner thanked the developer for working with the adjacent resident.

The developer was asked if a builder has been determined. He stated they are in conversations with DR Horton but they have not reached an agreement at this time.

Financial Impact

Not Applicable.

Public Outreach/Input

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, approve the Resolution.

Attachment List

Zoning and Location Map

Final Plat

WHEREAS, an application has been filed by MN Landco AREP Lexington Waters, LP as subdivision Case No. 21-0089; and

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

The North One-Half of the Southwest Quarter of the Northwest Quarter of Section 1, Township 31, Range 23, except the North 316 feet thereof (measured along the West line), Anoka County, Minnesota. Also except Parcel 31 of Anoka County Highway Right-of-Way Plat No. 81.

And

The South Half of the Southwest Quarter of the Northwest Quarter of Section 1, Township 31, Range 23, except the South 300 feet of the West 726 feet thereof, Anoka County, Minnesota. Also except Parcel 32 of Anoka County Right-of-Way Plat No. 81.

And

The North ½ of the Northwest Quarter of the Northwest Quarter of Section 1, Township 31, Range 23, Anoka County, Minnesota, Except parcels 27, 43 and 44 of Anoka County, Highway Right-of-Way Plat No. 61.

And

The Northeast Quarter of the Northwest Quarter of Section 1, Township 31, Range 23, Anoka County, Minnesota.

And

The South ½ of the Northwest Quarter of the Northwest Quarter of Section 1, Township 31, Range 23, Anoka County, Minnesota, Except the West 675 feet.

And

The West 675 feet of the South ½ of the Northwest ¼ of the Northwest ¼, Section 1, Township 31, Range 23, except the Northerly 322.85 feet thereof, Anoka County, Minnesota. Except Parcel 29 of the Anoka County Highway Right-of-Way Plat No. 81.

And

The North 316 feet (measured along the West line) of the Southwest ¼ of the Northwest ¼ of Section 1, Township 31, Range 23, Anoka County, Minnesota. Except Parcel 30 of Anoka County Highway Right-of-Way Plat No. 81.

And

The South 300 feet of the West 726 feet of the South Half of the Southwest Quarter of the Northwest Quarter of Section 1, Township 31, Range 23, Anoka County, Minnesota. Except Parcel 33 of Anoka County Highway Right-of-Way Plat No. 81.

(Abstract Property)

WHEREAS, the Blaine City Council granted preliminary plat approval on October 4, 2021, subject to the stipulations as contained in Blaine City Council Resolution No. 21-197; 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 final plat approval for Lexington Waters per Section 74-43 of the subdivision regulations is hereby granted subject to the following conditions:

1. The developer has the responsibility to construct Lexington 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 the start of any site work within their right-of-way.
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. 131st Avenue will require a 70-foot dedication of right-of-way and shall be constructed to state aid standards.
4. All streets will follow the Anoka County street name grid system.
5. Plans and specifications must be approved by the City prior to the start of construction.
6. Street and utility extensions are required to the edge of the plat for each future connection to the adjacent parcels. Watermain will be required to extend to the west side of Lexington Avenue right-of-way on the 131st Avenue alignment.
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. Sidewalks are required on all streets and a sidewalk and trail are both required on 131st Avenue. The two trails proposed on the east side of the plat that connect to the trail on city open space property will be required to be constructed by the developer.
11. 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.
12. The grading plan shall provide greater detail on protecting existing trees and providing additional information on adjacent property.
13. The developer shall be responsible for assessments for trunk sanitary sewer, trunk water main, and street improvements for Lever Street Improvements, City Project No. 17-07.
14. Trunk Sanitary Sewer area charges become due with platting for upland acreage. The 2022 rate for Sanitary Sewer District 7 will apply to all upland acreage if platted in 2022.
15. The development plan shall indicate all structures will be protected from flooding.
16. A 15 to 20-foot buffer strip shall be considered adjacent to wetland edges and shall be placed in an easement or contained in an outlet.
17. Coon Creek Watershed District 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. As-built surveys shall be required to verify structure elevations, custom grading requirements, and final lot grading elevations.
20. Park dedication is required for this plat for each of the new lots created. If platted in 2022 the rate would be \$4,449 per lot (179 lots), or \$796,371. A 1.82-acre park will be created on Outlot G of the plat, and the developer will receive a credit for the value of the park land that the City intends to purchase. The value of the park land (Outlot G) is calculated to be \$144,996 (established from applicant documentation). This payment must be made prior to release of final plat mylars for recording at Anoka County. Future phases will pay park dedication at the park rate in effect of platting.
21. Developer to require homeowner's associations to be responsible for maintenance and upkeep of landscape improvements along and within the right-of-way.
22. Developer to install grouped mailboxes with design and locations approved by the City and US Postal Service.
23. Developer shall explore water source for landscape irrigation systems installed throughout the development, including the possible use of created ponds or storm water reuse.

24. 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.
25. All development signage by separate review.
26. All existing structure removals will require demolition permits. All wells and septic systems to be properly abandoned per all local and state requirements.
27. The existing home on Lot 1 Block 5 is required to connect to city water and sewer with the development of Lexington Waters, and to remove the existing driveway onto Lexington Avenue within 6 months from the paving of the base coarse of Erskin Street. The existing home is required to construct a new driveway to proposed Erskin Street within 6 months from the paving of the base coarse of Erskin Street.
28. The required landscaping consists of one front yard tree, one rear yard tree, and a third tree on all corner lots. The required two trees per lot, plus a third tree on corner lots, and additional landscaping planted along Lexington Avenue will meet the tree replacement requirement for the plat. The developer proposes to plant 629 trees.
29. The developer to provide a 10-foot tree preservation buffer in rear yards of Lots 13 through 19 Block 9. This will need to be indicated on the grading plan prior to approval. The future homeowner will need to meet the requirements in the tree preservation ordinance. In most cases the homeowners will keep the trees, however the ordinance does allow them to remove two significant trees (8 inches or larger) per year.
30. Execution and recording of a Development Agreement, which sets forth in detail the plat conditions as well as other responsibilities for the development of this plat.
31. The Mayor, City Clerk and City Manager are hereby authorized to execute any and all necessary documents, agreements and releases related to the approval, recording or administration of Lexington Waters.

PASSED by the City Council of the City of Blaine this 19th day of January, 2022.