



**STAFF REPORT**  
**DATE: 11/21/2023**  
**MOTION**

**TO:** City Council  
**FROM:** Sophia Jensen, City Planner  
**AGENDA ITEM:** **Old City Facilities Comprehensive Plan Amendment and Zoning Map Amendment**

**BACKGROUND:**

Lake Elmo City Staff and Firefighters made the transition into the New City Center facility in July of this year. City Hall Staff and the Fire Department are now fully functioning out of this facility leaving the old fire hall (3510 Laverne Ave N) and parks building (11200 Upper 33<sup>rd</sup> St N) vacant. The City is looking to list the parcels that comprise these sites for sale in the upcoming year.

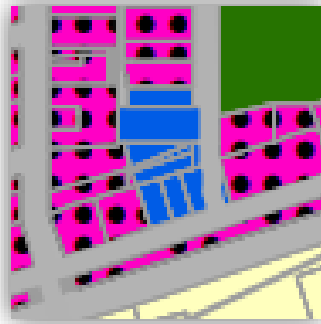
In the City's Zoning Map parcels are currently zoned Public Facilities (PF) which significantly restricts the uses. Uses allowed in the PF zoning district include cemeteries, religious institutions, municipal buildings, libraries/museums, schools, and historic sites. The City is looking to amend the zoning map (rezone) the sites to Village Mixed Use (V-MX) so the parcels are consistent with the surrounding zoning and expand on the possible uses for future buyers.

In order to rezone the parcels the City must first process a Comprehensive Plan Amendment to reguide the parcels to a consistent land use guidance in the Future Land Use map. The parcels are currently guided Institutional (I). The City is looking to amend the land use guidance to Village Mixed Use (V-MU). Based on our 2040 Comprehensive Plan if the site is reguided and rezoned to Village Mixed Use the following conclusions can be made: 1) the total net acres of this district will go from 18 acres to roughly 19.2 acres. 2) If the site were to be used solely for commercial uses the City can expect to see a minimum of 8 employees added. 3) If the site is used solely for housing, based on the minimum density of 5 units per acre, the City can expect to see at least 6 dwelling units added. At this time the City is only looking to rezone in anticipation of listing the parcels for sale. Proposed uses, platting and easement dedication of the parcels will occur as part of future development.

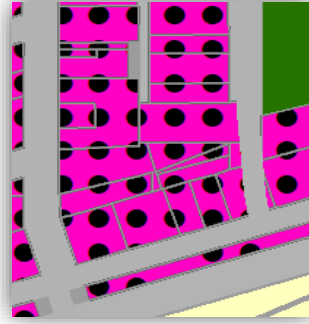
The PID/address and acreage for the 9 affected parcels are as follows:

13.029.21.23.0028	0.1 acre
13.029.21.32.0031 – 3510 Laverne Ave	0.4 acre
13.029.21.32.0028	0.1 acre
13.029.21.32.0029	0.1 acre
13.029.21.32.0030	0.1 acre
13.029.21.32.0092	>0.1 acre
13.029.21.32.0043	0.1 acre
13.029.21.32.0044 - 11200 Upper 33 <sup>rd</sup> St	0.1 acre
13.029.21.32.0045	0.2 acre
Total Acres:	~1.2

### 2040 Comprehensive Plan - Future Land Use Map



Existing FLU Map (I)

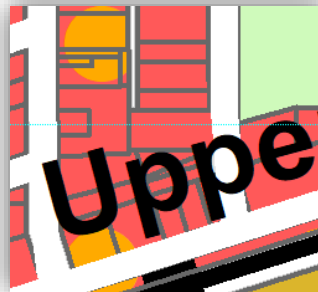


Proposed FLU Map (V-MU)

### City Zoning Map



Existing Zoning (PF)



Proposed Zoning (V-MX)

### **ISSUE BEFORE THE CITY COUNCIL:**

The City Council is being asked to make a determination on the comprehensive plan amendment and zoning map amendment.

### **PROPOSAL REVIEW AND ANALYSIS:**

The decision to change or amend the Comprehensive Plan is a policy matter for Council. Any change to the Comprehensive Plan should be based on the findings and criteria to show that the change would be consistent with the goals, policies, and intent of the City. If the City Council approves the Comprehensive Plan amendment the City will still need to submit the amendment request to Metropolitan Council and receive formal notice of approval prior to any official map changes.

The City's zoning map should be consistent and follow the City's Future Land Use map in the Comprehensive Plan. In order to be consistent with the proposed change from Institutional (I) to Village Mixed Use (V-MU) in the Comprehensive Plan the City will need to process a zoning map amendment (rezoning) of the property from Public Facilities (PF) to Village Mixed Use (V-MX). The zoning map amendment will be contingent upon City Council and Metropolitan Council's approval of the Comprehensive Plan Amendment.

### **RECOMMENDED FINDINGS:**

Below are the recommended findings for the comprehensive plan amendment and zoning map amendment:

1. The Comprehensive plan amendment is to change the future land use guidance of the nine parcels that comprise the old fire hall and parks building from Institutional (I) to Village Mixed Use (V-MU).
2. The Zoning Map amendment is to change the zoning of the nine parcels that comprise the old fire hall and parks building from Public Facilities (PF) to Village Mixed Use (V-MX).
3. The proposed amendments are consistent with the overall goals and objectives of the Lake Elmo 2040 Comprehensive Plan.
4. The proposed amendments are consistent with the overall goals and objectives of the Lake Elmo Zoning Code.
5. The proposed amendments are consistent and compatible with surrounding land uses.

### **RECOMMENDED CONDITION OF APPROVAL**

Staff recommends the following condition of approval:

1. The zoning map amendment and comprehensive plan amendment shall not be effective until such time as the Metropolitan Council sends formal notice of approval to the City for the Comprehensive Plan Amendment.

### **PUBLIC HEARING NOTICE**

A public hearing was sent to surrounding property owners on November 1<sup>st</sup> 2023 and published in the local paper on November 3<sup>rd</sup> 2023. At the public hearing, the following comment was received:

- John Schlitz - 3442 Lake Elmo Avenue – He is the owner of Lake Elmo Inn and advocated for a parking lot on the site to support businesses and to accommodate the events in the City.

The Sector Representative from the Metropolitan Council has waived the affected jurisdiction notification requirement for the comprehensive plan amendment due to the location and size of the proposed amendment on October 16<sup>th</sup> 2023.

### **PLANNING COMMISSION**

The Planning Commission reviewed the request at their November 13<sup>th</sup>, 2023 meeting. The commission voted to recommend approval of both the comprehensive plan amendment and zoning map amendment (Vote 6-0).

### **FISCAL IMPACT**

None.

### **RECOMMENDATION**

Staff recommends the following motions:

***“Motion to adopt Resolution 2023-117 approving of the Comprehensive Plan Amendment of the nine parcels that comprise the old fire hall and parks building from Institutional to Village Mixed Use based on the findings listed in the staff report.”***

*AND*

***“Motion to adopt Ordinance 2023-22 approving the zoning map amendment of the nine parcels that comprise the old fire hall and parks building from Public Facilities to Village Mixed Use based on the findings and subject to the conditions listed in the staff report.”***

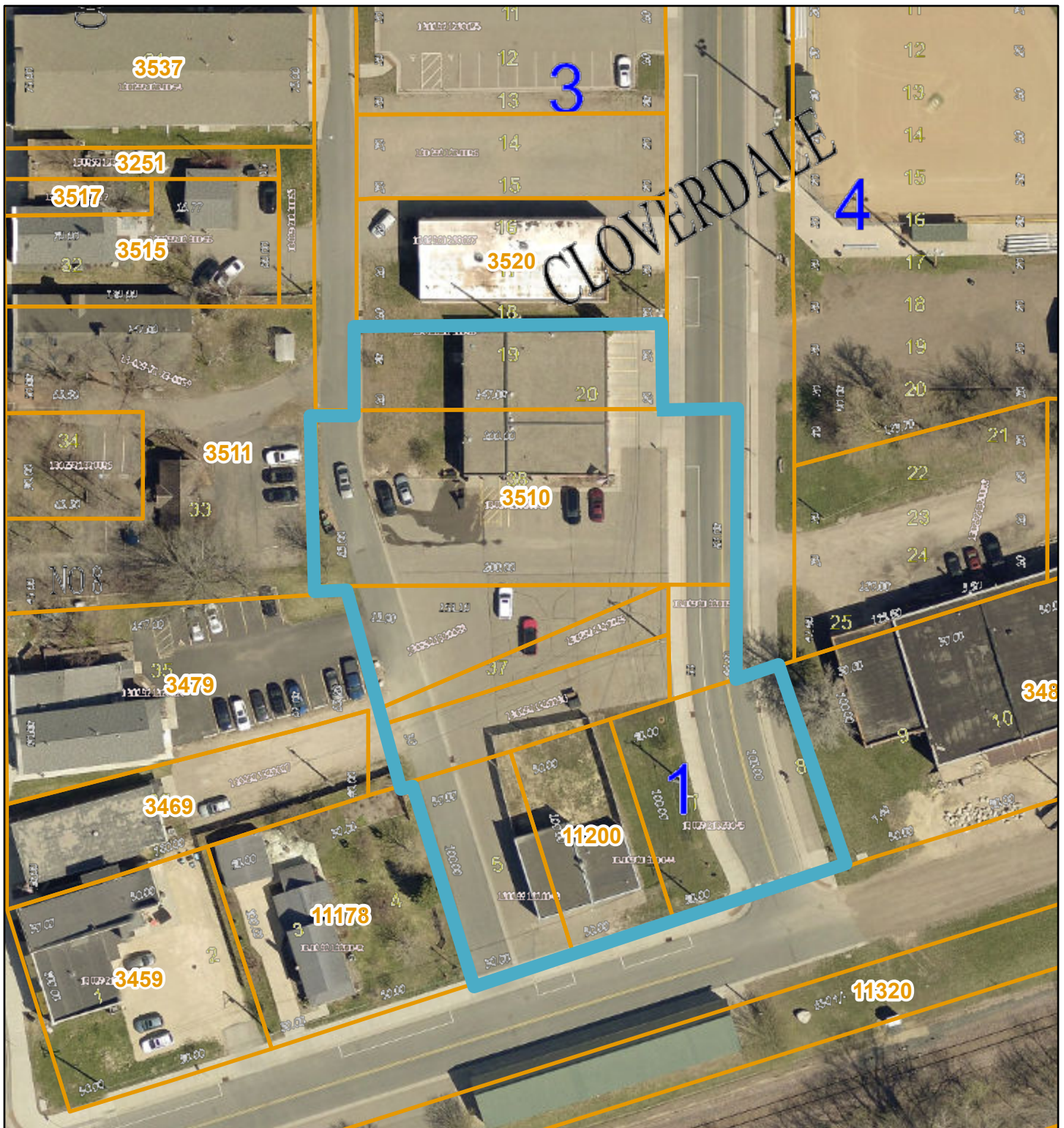
*AND*

***“Move to adopt summary of publication of Ordinance 2023-22 with approval of Resolution 2023-118”***

**ATTACHMENTS:**

- Aerial Image Site Location
- 2040 Comprehensive Plan - Future Land Use Map
- City Zoning Map
- Resolution 2023-117
- Ordinance 2023-22
- Resolution 2023-118

# ArcGIS Web AppBuilder




10/11/2023, 10:41:33 AM


1:1,128

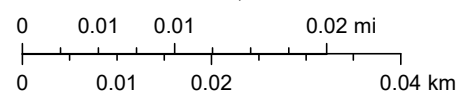
 Parcels

Parcel Annotation

 Red: Band\_1

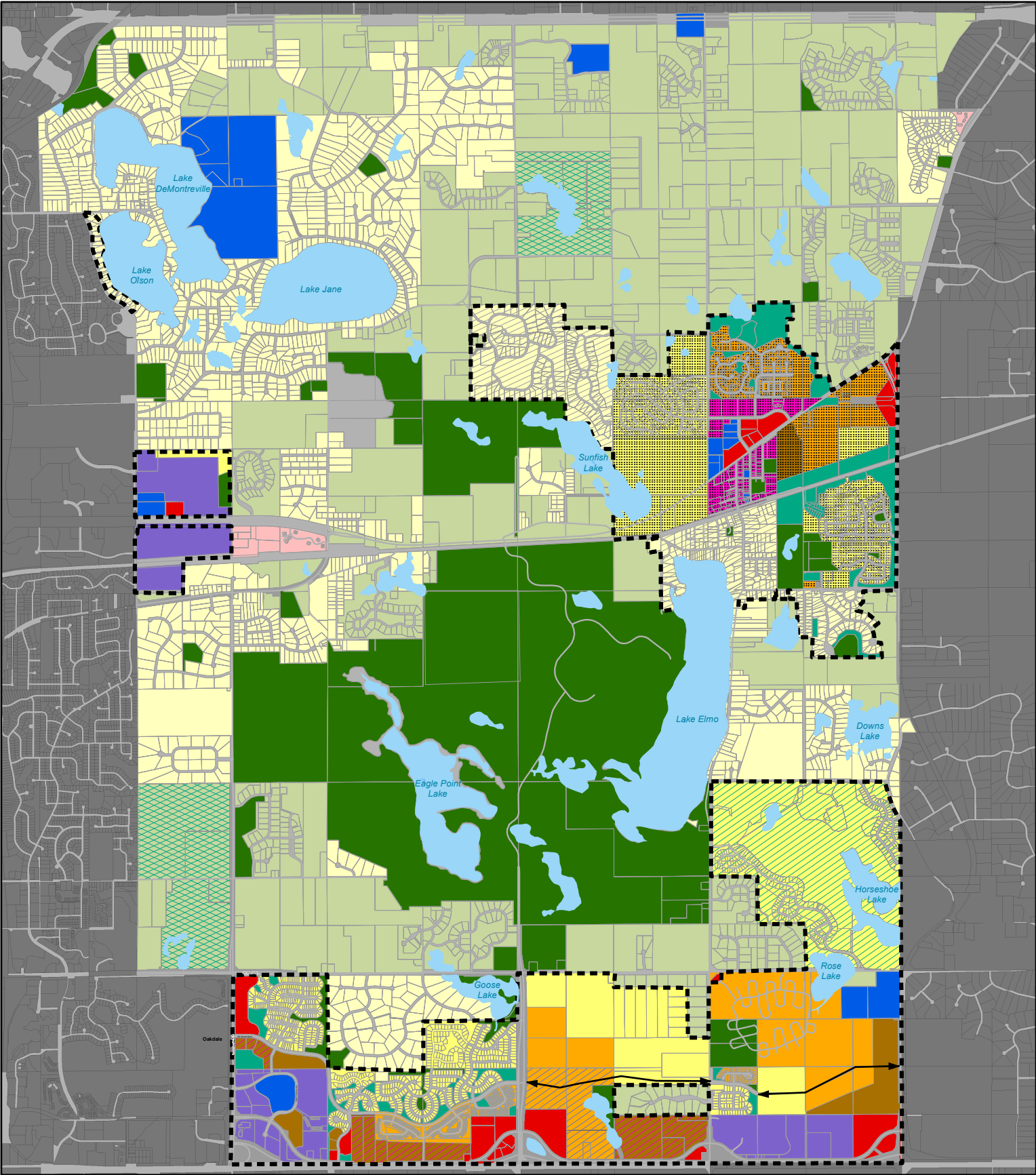
 Green: Band\_2

 Blue: Band\_3

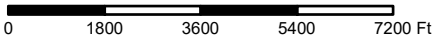




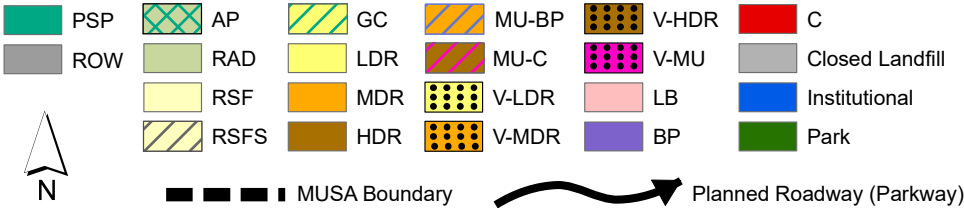
Future Land Use Map



2040 Future Land Use



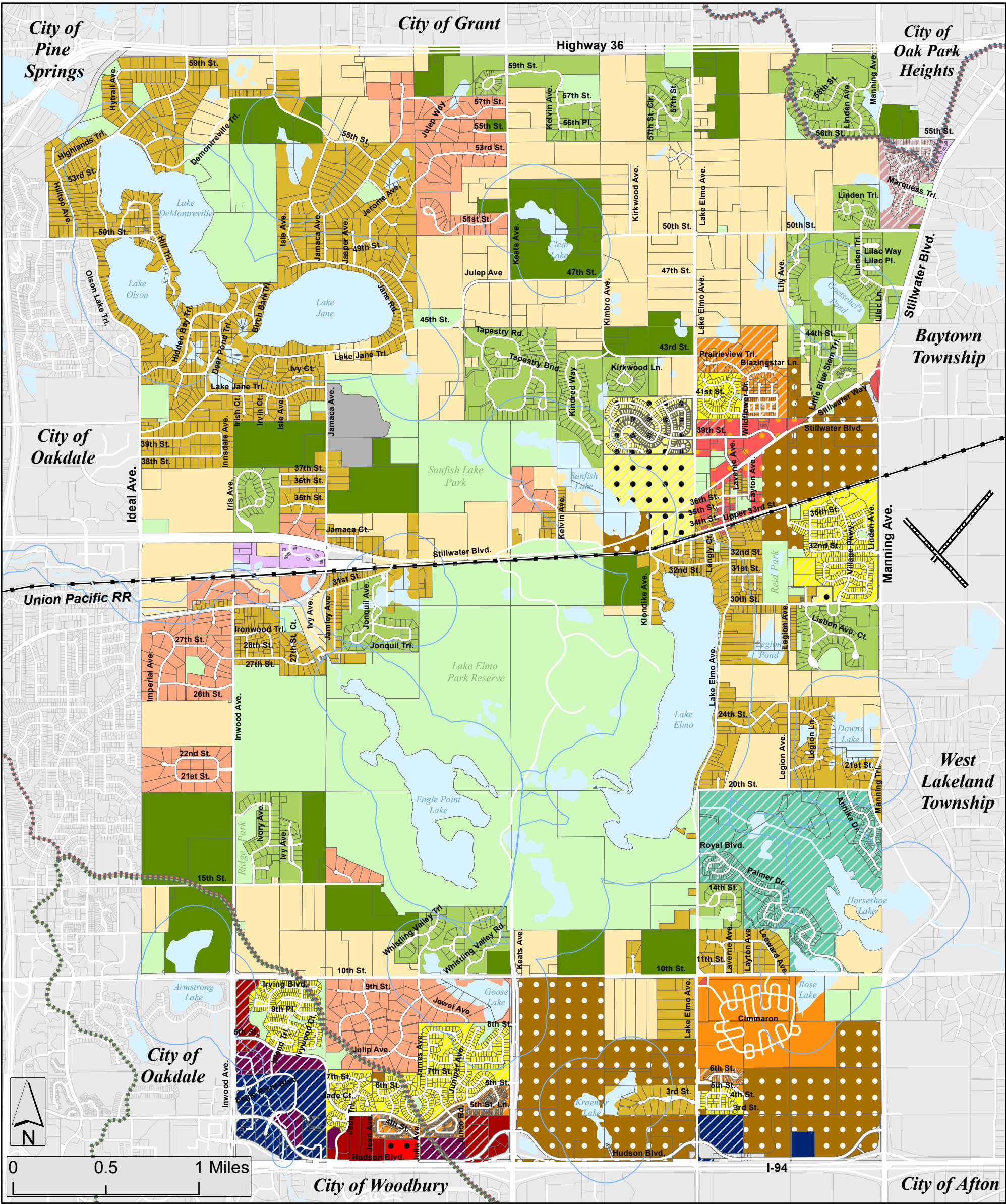
Map Date: January 2023





# Lake Elmo Zoning Map

Data Source: Washington County  
Map Created By: Planning Dept.  
Map Updated: May 2023



## Zoning Districts

- |                                   |  |   |
|-----------------------------------|--|---|
| LDR - Low Density Residential     | LC - Limited Commercial                    | A - Agricultural                                    |
| MDR - Medium Density Residential  | C - Commercial                             | PF - Public Facilities                              |
| HDR - High Density Residential    | CC - Convenience Commercial                | Water Body  |
| R2 - One & Two-Family Residential | BP - Business Park                         | Closed Landfill                                     |
| RS - Rural Single Family          | MU-BP - Mixed-Use Business Park            | Browns Creek  |
| RE - Residential Estate           | MU-C - Mixed-Use Commercial                | South Washington                                    |
| RR - Rural Residential            | V-MX - Village Mixed Use                   | Valley Branch                                       |
| RT - Rural Transitional           | V-LDR - Village Low Density Residential    | Shoreland Overlay District                          |
| OP - Open Space                   | V-MDR - Village Medium Density Residential | Hatching Represents Planned Unit Developments (PUD) |
| GCC - Golf Course Community       | V-HDR - Village High Density Residential   |   |

**CITY OF LAKE ELMO  
WASHINGTON COUNTY  
STATE OF MINNESOTA**

**RESOLUTION NO. 2023-117**

*RESOLUTION APPROVING AN AMENDMENT TO THE CITY OF LAKE ELMO  
COMPREHENSIVE PLAN FUTURE LAND USE MAP TO REGUIDE NINE PARCELS FROM  
INSTITUTIONAL (I) TO VILLAGE MIXED USE (V-MU)*

**WHEREAS**, the City of Lake Elmo is a municipal corporation organized and existing under the laws of the State of Minnesota; and

**WHEREAS**, the City of Lake Elmo has established a Comprehensive Plan that includes background data, policy statements, standards, and maps that help to guide the future physical, social, and economic development of the City; and

**WHEREAS**, The City of Lake Elmo (the “Applicant”) filed a complete request for a Comprehensive Plan Amendment for the nine parcels that comprise the old fire hall and parks building development on the property legally described in **Exhibit A** attached hereto (the “Property”); and

**WHEREAS**, the request for a Comprehensive Plan Amendment is to revise the future land use categories on the Property, reguiding the nine parcels from Institutional (I) to Village Mixed Use (V-MU)

**WHEREAS**, approval of the Comprehensive Plan Amendment is required for future sale of the Property; and

**WHEREAS**, the public notice was published, mailed and posted pursuant to the Lake Elmo Zoning Ordinance, Section 154.109, and MN State Statute 473.858; and

**WHEREAS**, the Lake Elmo Planning Commission held a public hearing about the proposed amendments on November 13<sup>th</sup>, 2023; and

**WHEREAS**, the Lake Elmo Planning Commission has submitted its report and unanimous recommendation of approval to the City Council as part of a staff report dated November 21<sup>st</sup>, 2023; and

**WHEREAS**, the City Council considered the said matters at its November 21<sup>st</sup>, 2023, meeting and made the following findings of fact:

1. The Comprehensive plan amendment is to change the future land use guidance of the nine parcels that comprise the old fire hall and parks building from Institutional (I) to Village Mixed Use (V-MU).



2. The Zoning Map amendment is to change the zoning of the nine parcels that comprise the old fire hall and parks building from Public Facilities (PF) to Village Mixed Use (V-MX).
3. The proposed amendments are consistent with the overall goals and objectives of the Lake Elmo 2040 Comprehensive Plan.
4. The proposed amendments are consistent with the overall goals and objectives of the Lake Elmo Zoning Code.
5. The proposed amendments are consistent and compatible with surrounding land uses.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Lake Elmo City Council, hereby authorizes and directs staff to submit a Comprehensive Plan amendment request consistent herewith to the Metropolitan Council for review and approval.

This resolution was adopted by the City Council of the City of Lake Elmo on this 21<sup>st</sup> day of November 2023.

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Charles Cadenhead, Mayor

ATTEST:

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Julie Johnson, City Clerk

**Resolution 2023-~~XX~~**

**Exhibit A**

**Property Identification Numbers (PIDs) and Acreage of Subject Property**

13.029.21.23.0028	0.1 acre
13.029.21.32.0031 – 3510 Laverne Ave	0.4 acre
13.029.21.32.0028	0.1 acre
13.029.21.32.0029	0.1 acre
13.029.21.32.0030	0.1 acre
13.029.21.32.0092	>0.1 acre
13.029.21.32.0043	0.1 acre
13.029.21.32.0044 - 11200 Upper 33 <sup>rd</sup> St	0.1 acre
13.029.21.32.0045	0.2 acre

**CITY OF LAKE ELMO  
COUNTY OF WASHINGTON  
STATE OF MINNESOTA**

**ORDINANCE NO. 2023-22**

**AN ORDINANCE AMENDING CHAPTER 105 OF THE LAKE ELMO  
CITY CODE OF ORDINANCES BY REZONING NINE PARCELS FROM  
PUBLIC FACILITIES (PF) TO VILLAGE MIXED USE (V-MX)**

**SECTION 1.** Zoning Map Amendment. The following property is hereby rezoned from PF, Public Facilities, to Village Mixed Use, V-MX.

13.029.21.23.0028	0.1 acre
13.029.21.32.0031 – 3510 Laverne Ave	0.4 acre
13.029.21.32.0028	0.1 acre
13.029.21.32.0029	0.1 acre
13.029.21.32.0030	0.1 acre
13.029.21.32.0092	>0.1 acre
13.029.21.32.0043	0.1 acre
13.029.21.32.0044 - 11200 Upper 33 <sup>rd</sup> St	0.1 acre
13.029.21.32.0045	0.2 acre

**SECTION 2.** Zoning Map. The zoning map of the City of Lake Elmo shall be republished in the ordinary course to show the aforesaid zoning, and in the interim the Clerk shall appropriately mark the zoning map on file in the Clerk's Office for the purpose of indicating the rezoning hereinabove provided for in this ordinance, and all of the notations, references, and other information shown thereon are hereby incorporated by reference and made a part of this ordinance.

**SECTION 3.** Effective Date. Approval of this ordinance is conditioned upon approval of a Comprehensive Plan Amendment to the Metropolitan Council and the receipt of formal notification from the Metropolitan Council that they have reviewed and approved the proposed amendment. Thereafter, this ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

**SECTION 4.** Adoption Date. This Ordinance 2023-22 was adopted on this 21<sup>st</sup> day of November, 2023, by a vote of \_\_\_ Ayes and \_\_\_ Nays.

LAKE ELMO CITY COUNCIL

\_\_\_\_\_  
Charles Cadenhead, Mayor



ATTEST:

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Julie Johnson, City Clerk

**CITY OF LAKE ELMO  
COUNTY OF WASHINGTON  
STATE OF MINNESOTA**

**RESOLUTION NO. 2023-118**

***RESOLUTION AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE 2023-22***

**WHEREAS**, the Lake Elmo City Council has adopted Ordinance No. 2023-22, an ordinance that amends the City's Zoning Code Chapter 105 of the Lake Elmo City Code by rezoning nine properties from Public Facilities (PF) to Village Mixed Use (V-MX).

**WHEREAS**, the ordinance is lengthy; and

**WHEREAS**, Minnesota Statutes, section 412.191, subd. 4, allows publication by title and summary in the case of lengthy ordinances or those containing charts or maps; and

**WHEREAS**, the City Council believes that the following summary would clearly inform the public of the intent and effect of the ordinance.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Lake Elmo that the City Clerk shall cause the following summary of Ordinance No. 2023-22 to be published in the official newspaper in lieu of the entire ordinance:

**Public Notice**

The City Council of the City of Lake Elmo has adopted Ordinance No. 2023-22, an ordinance that amends the Zoning Ordinance by rezoning nine properties from Public Facilities (PF) to Village Mixed Use (V-MX).

The full text of Ordinance 2023-22 is available for inspection at Lake Elmo City Offices during regular business hours.

**BE IT FURTHER RESOLVED** by the City Council of the City of Lake Elmo that the City Administrator keep a copy of the ordinance at City Hall for public inspection and that a full copy of the ordinance be placed in a public location within the City.

Dated: November 21<sup>st</sup>, 2023

\_\_\_\_\_  
Charles Cadenhead, Mayor

ATTEST:

\_\_\_\_\_  
Julie Johnson, City Clerk

