



3800 Laverne Avenue North
Lake Elmo, MN 55042

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NOTICE OF MEETING

The City of Lake Elmo
Planning Commission will conduct a meeting on
Monday March 14, 2022
at 7:00 p.m.

AGENDA

1. Pledge of Allegiance
2. Approve Agenda
3. Approve Minutes
 - a. January 24, 2022
4. Public Hearings

The City of Lake Elmo has initiated text amendments to the zoning ordinance, *Article XII – Urban Residential Districts*. The proposed text amendments will alter *Section 105.12.700 – Purpose And District Descriptions* and *Section 105.12.720 – Lot Dimensions And Building Bulk Requirements*. City Staff is proposing to increase the maximum allowed density in the Medium Density Residential District (MDR) from seven dwelling units per acre to eight dwelling units per acre and changing the minimum lot areas for single-family attached units in the MDR and High Density Residential District (HDR) and changing the minimum land area for multifamily dwellings in the MDR District. (*Table 10-2: Lot Dimension and Setback Requirements, Residential Districts*). The text amendments are proposed in order to align with existing land use guidance in the Comprehensive Plan.

5. New/Unfinished Business: N/A
6. Communications/Updates

- a. City Council Update

3-1-2022 – Approved extension to the deadline for recording a plat for Enterprise Rent-a-Car
1-4-2022 – Approved Variance request for a 195-foot setback from the OHWL of Lake Elmo for
PID 13.029.21.33.0042

- b. Staff Updates

1. New planner to start April 4.

- c. Upcoming PC Meetings:

1. March 28, 2022
 2. April 11, 2022

7. Adjourn

***Note: Every effort will be made to accommodate person or persons that need special considerations to attend this meeting due to a health condition or disability. Please contact the Lake Elmo City Clerk if you are in need of special accommodations.



**City of Lake Elmo Planning Commission
Meeting
Minutes of January 24, 2022**

Commission Chair Risner called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m.

COMMISSIONERS PRESENT: Risner, Graen, Mueller, Rehkamp Steil, Vrieze

COMMISSIONERS ABSENT:

STAFF PRESENT: Planning Director Just

Pledge of Allegiance at 7:00 PM

Approve Agenda:

M/S/P: Steil/Risner moved to approve the amended agenda to include the election of a Chair and Vice Chair for 2022. **Vote: 6-0, motion carried unanimously.**

Commissioner Graen nominated Commissioner Risner for Chair. **Vote: 6-0, motion carried unanimously.**
Commissioner Vrieze nominated Commissioner Steil for Vice Chair **Vote: 6-0, motion carried unanimously.**

Approve Minutes:

M/S/P: Risner/Mueller moved to approve the Planning Commission minutes of December 13th, 2021.

Vote: 6-0, motion carried unanimously.

Public Hearings:

a. Applicants Carolyn and Brett Horttor, owners of property on the southwest corner of Lake Elmo Avenue and 32nd Street (PID #13.029.21.33.0042), are seeking a 45-foot rear setback variance. The applicants would like to construct a four-season porch as part of their new home construction that would encroach on the required 195-foot setback from the ordinary high water level (OHWL) of Lake Elmo. The applicants propose the main structure be 195 feet from the OHWL and the four-season porch be 175 feet from the OHWL.

Director Just gave staff report and presentation. Staff Findings: The proposed structure complies with the minimum setback requirements outlined in Section 105.04.680 of the Lake Elmo City Code. The Shoreland Standards ordinance states parcels with connection to city sewer on lakes classified as recreational development shall have a setback of 75 feet from the OHWL. The new construction will be connected to city sewer and water. The subject property has had its septic area filled and will be connected to public utilities so there is no longer a need for a designated septic area requiring a 195-foot setback. The unique shape, topography and location of the lot influence the placement of the home. The proposed variance does not substantially diminish or impair adjacent properties. The proposed minimum setback is farther from the OHWL than that of adjacent homes. Supporting emails from neighbors are included in Attachment 5.

Applicant Carolyn Horttor (1959 N. Park Dr., St. Paul, MN) spoke regarding a little about the history of the lot and the future construction.

Public hearing opened at 7:17 PM.

No comments.

Public hearing closed at 7:18 PM.

M/S/P: Steil/Rahkamp moved to approve the request from Carolyn Horttor to amend resolution No. 2007-033 approving a minor subdivision and lot width variance for 3200 Lake Elmo Avenue by removing Condition of Approval #8 and allow a setback of 150 feet from the Ordinary High Water Level of Lake Elmo. **Vote: 6-0, motion carried unanimously.**

New/Unfinished Business:

- a. Minor Update to City of Lake Elmo Design Guidelines & Standards Manual.

Director Just gave staff report and presentation. With the growth that has occurred since 2011, with the adoption of the 2040 Comprehensive Plan and the expansion of municipal water and sewer, staff recommends that the standards apply to land within the Municipal Urban Services Area (MUSA). The standards would not change and would still apply to the same types of development, but within the MUSA and not just the I-94 corridor and Old Village.

Commissioner Graen concerned that standards do not also apply to single-family development.

M/S/P: Mueller/Steil moved to recommend Approval of the staff proposed minor update the City of Lake Elmo Design Guidelines and Standards Manual. **Vote: 5-1 (Graen – Nay), motion carried.**

Communications/Updates

- a. City Council Update
 - 1-4-2022 – Reappointed Planning Commissioners Risner and Steil and approved 2022 PC Work Plan
- b. Staff Updates
 - 1. Training Opportunity – Your Role in Land Use Decision-Making & Regulation February 1st, 11:00 am <https://www.lmc.org/learning-events/events/league-events/land-use-regulation-for-local-officials/>
 - 2. New Hire – Sophia Jensen – Code Enforcement Official
- c. Upcoming PC Meetings:
 - 1. February 14, 2022
 - 2. February 28, 2022

Meeting adjourned at 7:42 PM.

Respectfully submitted,

Diane Wendt
Permit Technician



STAFF REPORT

DATE: 03/14/2022

REGULAR

ITEM#: 4 – PUBLIC HEARING

MOTION

TO: Planning Commission
FROM: Corrin Bemis, Planning Consultant
AGENDA ITEM: **Text Amendment to the Zoning Ordinance - Reducing Minimum Lot Size Standards to Comply with the Comprehensive Plan**
REVIEWED BY: Molly Just, Planning Director

INTRODUCTION:

City of Lake Elmo Planning Staff has initiated a text amendment to the Zoning Ordinance for Article 7 – Urban Residential Districts – that shall reduce the minimum lot size standards for certain single-family attached and multi-family housing in order to comply with the recently adopted Comprehensive Plan. The proposed text amendment will increase the maximum density of the Urban Medium Density Residential District (MDR) to eight dwelling units per acre. The density range guided by the Comprehensive Plan is 4-8 units per acre in the MDR and 8-12 units per acre in the High Density Residential District (HDR). The proposed amendment will decrease the minimum required lot area for single-family attached dwellings to 1,750 square feet per unit in the MDR and HDR districts and decrease the minimum lot area for multifamily dwellings to 3,000 square feet per unit in the MDR district. The proposed minimum lot area for single-family attached dwellings (townhouses) is consistent with the recently approved Bentley Village townhouse project along 5th Street (Union Park 2nd Addition).

ISSUE BEFORE PLANNING COMMISSION:

The Commission is being asked to hold a public hearing, review, and make a recommendation to the City Council on the proposed text amendment to the Zoning Ordinance. A complete draft of the text amendment is included in Attachment A: Draft Ordinance No. 2022-001.

TEXT AMENDMENT DETAILS/ANALYSIS:

Sections for review:

1. 105.12.700 Purpose and District Descriptions

The proposed changes to this section will increase the maximum development density in the MDR District from seven dwelling units per acre to eight dwelling units per acre. The purpose of this section is to describe the four districts that are included in the Urban Residential Districts section of the code.

2. 105.12.720 Lot Dimensions and Building Bulk Requirements

The proposed changes to this section will alter Table 10-2: Lot Dimension and Setback Requirements, Residential Districts as follows:

Table 10-2: Lot Dimension and Setback Requirements, Residential Districts

	<i>LDR</i>	<i>MDR</i>	<i>HDR</i>
Minimum Lot Area (square feet)			
Single-family attached (per unit) ^b	-	4,000 <u>1,750</u>	2,500 <u>1,750</u>
Multifamily dwelling (per unit)	-	4,000 <u>3,000</u>	1,800

PUBLIC COMMENT:

A hearing notice was published in the Stillwater Gazette on March 4, 2022. At this time, staff has not received any comments from the public on the proposed text amendment.

FISCAL IMPACT:

None

OPTIONS:

The Planning Commission may:

- Recommend approval of the proposed text amendment.
- Recommend denial of the proposed text amendment, citing recommended findings of fact for denial.

ATTACHMENTS:

- A. Draft Ordinance No. 2022-001

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

ORDINANCE NO. 2022-001

**AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE OF ORDINANCES BY
REDUCING THE MINIMUM LOT SIZE STANDARDS FOR CERTAIN SINGLE-
FAMILY ATTACHED AND MULTI-FAMILY HOUSING TO COMPLY WITH THE
COMPREHENSIVE PLAN**

SECTION 1. The City Council of the City of Lake Elmo hereby ordains that Title 105 Zoning; Chapter 105.12: Zoning Code, Sections 700 and 720 are hereby amended by changing the following sections (Proposed language is underlined, deleted language is shown with ~~strikethrough~~):

105.12.700 Purpose and District Descriptions

MDR Urban Medium Density Residential District. The MDR district is established to provide for a diversity of housing types in those areas where such development is consistent with the medium density residential designation of the comprehensive plan and compatible with the development pattern of the surrounding area. Clustering of buildings to permit more orderly development and to preserve open space within new developments is encouraged. Development within the district shall occur at densities in the range of four to ~~seven~~ eight dwelling units per acre, with two-family dwellings and townhouses permitted. The city will determine the allowed density for a piece of property at the time of the development application, and this determination will be based upon the site-specific characteristics of the property and the requested development. Factors to be considered in increasing or decreasing the allowed density include the existing environmental conditions such as wetlands, floodplains, steep slopes, significant trees; the specific site plan; the amount of open space preserved, and the type of housing units proposed, including whether greater density is desirable because the development contains housing that is consistent with the city's housing goals. The burden of establishing the appropriateness of the high end of the density range will be on the applicant.

105.12.720 Lot Dimensions and Building Bulk Requirements

Lot area and setback requirements shall be as specified in Table 10-2, Lot Dimension and Setback Requirements.

Table 10-2: Lot Dimension and Setback Requirements, Residential Districts

	<i>GCC</i>	<i>LDR</i>	<i>MDR</i>	<i>HDR</i>
	Minimum Lot Area (square feet)			
Single-family detached dwelling	9,000	8,000	7,000	5,000
Two-family dwelling (per unit) ^a	-	5,000	4,000	3,000
Single-family attached (per unit) ^b	-	-	4,000 <u>1,750</u>	2,500 <u>1,750</u>
Multifamily dwelling (per unit)	-	-	4,000 <u>3,000</u>	1,800
Secondary dwelling	See LEC 105.12.740(c)	See LEC 105.12.740(c)	See LEC 105.12.740(c)	See LEC 105.12.740(c)
Live-work unit	-	-	-	3,600
Congregate housing	-	-	See LEC 105.12.500(c)	See LEC 105.12.500(c)
Manufactured home park	-	-	See LEC 105.12.170--LEC 105.12.340	See LEC 105.12.170--LEC 105.12.340
	Minimum Lot Width (feet)			
Single-family detached dwelling	70	60	50	50
Two-family dwelling (per unit) ^a	-	35	30	20
Single-family attached (per unit) ^b	-	-	25	20
Multifamily dwelling (per building)	-	-	75	60

Live-work unit	-	-	-	25
Maximum Height (feet)	35	35	35	50
Maximum Impervious Coverage	30%	40 percent	50 percent	75 percent
	Minimum Building Setbacks (feet)			
Front yard	25	25 ^c	25 ^c	20 ^c
	Interior side yard ^c			
Principal Buildings ^{f, g}	10	10	10	10 ^d
	Minimum Building Setbacks (feet)			
	Interior side yard			
Attached garage or accessory structures ^{f, g}	5	5	5	10 ^d
Corner side yard ^{g, h}	15	15	15	15
Rear yard	20	20	20	20
	Notes to Urban Residential Districts Table:			
	a. Common open space areas may be used in the determining whether or not the minimum lot areas within a development are met, when provided as part of an overall development plan.			
	b. Two-family units may be side-by-side with a party wall between them (twin) or located on separate floors in a building on a single lot (duplex). The per-unit measurements in this table apply to twin units, whether on a single lot or separate lots. The standards for single-family detached dwelling shall apply to a duplex containing two vertically-separated units on a single lot.			
	c. In the case of single-family attached dwellings that are not situated on individual lots, minimum lot size shall be applied to each unit as a measure of density; i.e., one unit per 2,500 square feet. This standard is also used for multifamily dwellings.			
	d. Single-family dwellings (both attached and detached) and two-family dwellings may use the side yard setbacks within MDR zoning districts.			

	e. In a block where the majority of the block face has been developed with the same or similar setbacks, the front setback for the remaining lots on that block face shall fall within the range established by the existing setbacks.
	f. In situations where a garage or accessory building is set back less than seven feet from a side property line, the maximum permitted encroachment for anything attached to said building (including eaves, overhangs, steps, chimneys, and other appurtenances as described in LEC 105.12.200) will be two feet.
	g. Side yards setbacks shall apply to the ends of attached or two-family dwellings.
	h. Corner properties: The side facade of a corner building adjoining a public street shall maintain the front setback of the adjacent property fronting upon the same public street, or the required front yard setback, whichever is less. If no structure exists on the adjacent property, the setback shall be as shown in the table.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

SECTION 3. Adoption Date. This Ordinance 2022-001 was adopted on this _____ day of _____, 2022, by a vote of ___ Ayes and ___ Nays.

LAKE ELMO CITY COUNCIL

Charles Cadenhead, Mayor

ATTEST:

Julie Johnson, City Clerk

This Ordinance 2022-001 was published on the ____ day of _____, 2022.