

City of Lake Elmo

3800 Laverne Avenue North
Lake Elmo, Minnesota 55042

(651) 777-5510 Fax: (651) 777-9615
www.lakeelmo.org

NOTICE OF MEETING

The City of Lake Elmo
Planning Commission will conduct a meeting on
Monday, April 23, 2007, at 7:00 p.m.

AGENDA

1. Pledge of Allegiance
2. Approve Agenda
3. PUBLIC HEARING: An application for a conditional use permit amendment to allow reduced side yard setbacks from 15 feet to 10 feet on interior yards and 5 feet on exterior yards in the Discover Crossing development.
4. Draft Interim Zoning Ordinances – South of 10th Street and Village Area
5. Washington County Land and Water Legacy Program
6. City Council Updates
 - a. April 10 – Discussion of Village Area Master Plan and AUAR
 - b. April 17 – Approval of 3200 Lake Elmo Avenue; Minor Subd. and Variance
 - c. April 17 – Acceptance of Village Area Master Plan
 - d. April 17 – Approve AUAR proposal and housing unit range
7. Adjourn

Planning Commission
Date: 4/23/07
PUBLIC HEARING
Item: 3
Resolution

ITEM: Public hearing for Discover Crossing Conditional Use Permit (CUP) Amendment for reduced side yard setbacks from 15 feet to 10 feet on interior lot lines and 5 feet on exterior lot lines.

REQUESTED BY: Bob Clark, Discover Crossing Investments LLC

SUBMITTED BY: Kelli Matzek, City Planner

REVIEWED BY: Susan Hoyt, City Administrator
Ben Gozola, Senior Planner

PURPOSE

The planning commission is being asked to make a recommendation on the application to reduce the side yard setbacks from fifteen feet to ten feet on interior lot lines and five feet for exterior lot lines within the Discover Crossing Open Space Preservation (OP) development. The developer is now requesting that the City amend the CUP which authorized the creation of Discover Crossing (resolution 2005-086) to reduce the required side yard setbacks for all 28 lots within the 72 acre development. A request by the developer to reduce the front yard setback from 30 feet to 25 feet for this development will be brought to the commission at a future meeting.

ADDITIONAL INFORMATION

Discover Crossing was approved as an OP development, which is a conditionally permitted use within the Rural Residential (R-R) zoning district. If alterations are made to the approved subdivision, it would be an alteration of a conditional use permit. Therefore, the applicant is seeking a CUP amendment.

The CUP for this application was approved on August 16, 2005, with the development stage plan and preliminary plat. On April 18, 2006, the city approved the final plat of the Discover Crossing subdivision. During the initial development application process, there was no discussion of reducing the setbacks as outlined in the OP development codes. In the future, staff will work with developers during the application process to ensure there is an understanding of the requirements associated with any development.

The applicant is seeking to reduce the side yard setback requirements. With a standard OP development, the side yard setbacks are 15 feet or 10 % of lot width, whichever is greater. The applicant is seeking to have the setbacks reduced to ten feet on side lot lines which are adjacent to another buildable lot and five feet in locations where the lot is adjacent to a non-buildable lot (an outlot). The proposed five foot setback would be applicable in six locations and is shown in yellow on the attached map.

As mentioned in the applicant's submittals, three OP developments - Tana Ridge, Fields II, and Cardinal Ridge - within the city have been approved to reduce side yard setbacks from the required 15 feet. The side yard setbacks were reduced in all three developments to ten feet on the living side and five feet on the garage side.

Comments were received from both the Valley Branch Watershed District and the DNR on this application. Neither agency had any concerns.

The applicants have also asked for a reduced front yard setback from 30 feet to 25 feet. That alteration was not publicly noticed at this time and should not be included in the review. If the applicant would like to continue with that setback reduction, that will come in front of the Planning Commission at a future meeting.

OPTIONS (if applicable)

- Recommend approval
- Recommend denial
- Table the application

RECOMMENDATION

Staff is recommending approval of the Discover Crossing CUP amendment. The proposed reduction in side yard setbacks will provide a minimum of twenty feet between homes, which would not represent a substantial departure from the currently required thirty foot separation.

Suggested motion for consideration:

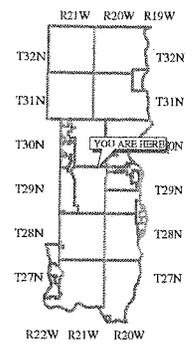
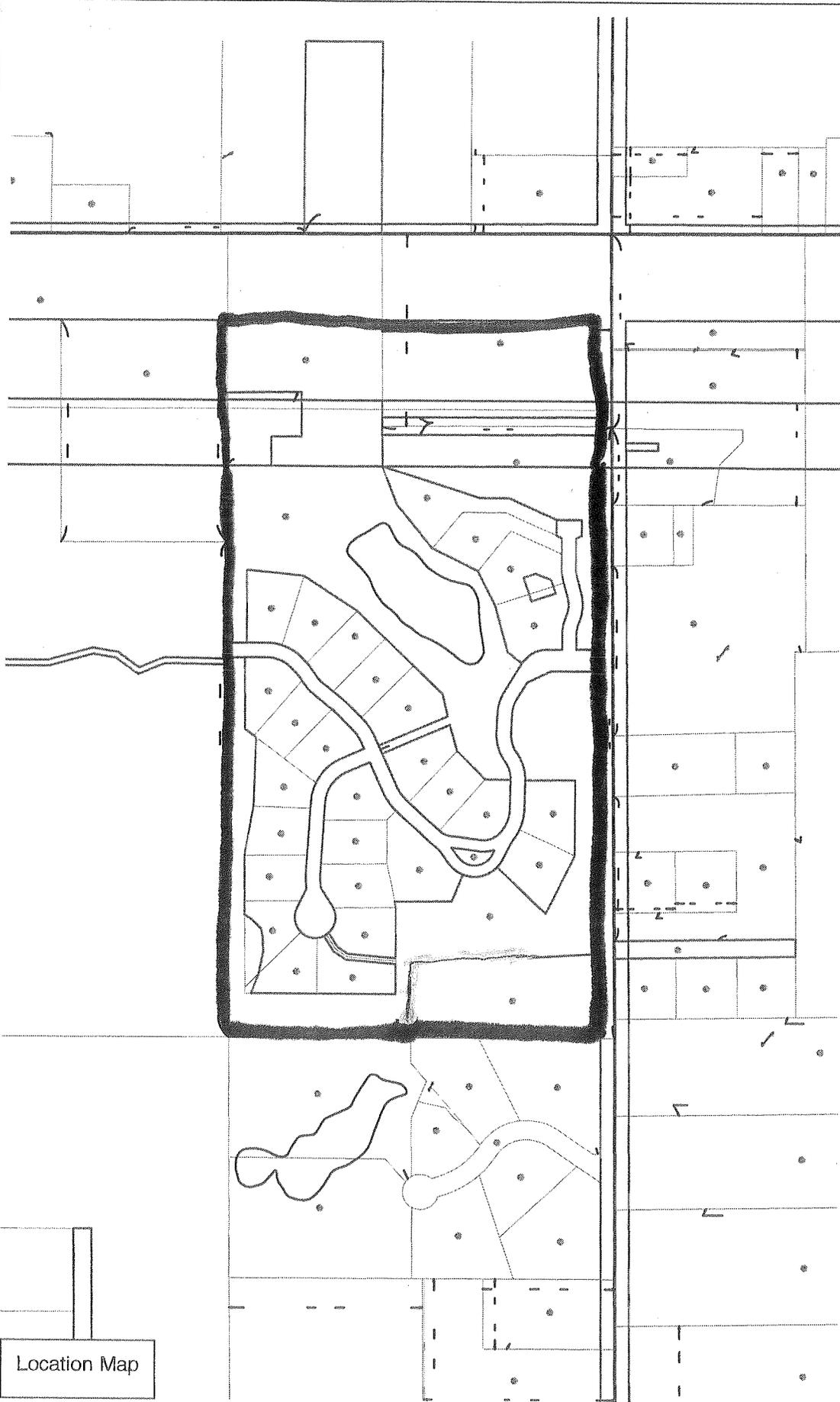
Move to recommend approval of the resolution 2007- ____ approving Discover Crossing CUP Amendment to reduce the side yard setbacks to 10 feet on interior lots and 5 feet on exterior lot lines as shown on the site plan.

SUGGESTED ORDER OF BUSINESS:

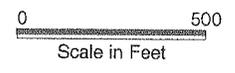
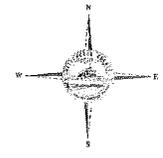
Introduction/Staff report	Kelli Matzek, City Planner
Questions from commission to staff	Chair facilitates
Questions/comments from developer	Chair facilitates
Open public hearing	Chair facilitates
Receive public comment	Chair facilitates
Close public hearing	Chair facilitates
Discussion	Chair and Commissioners
Consider recommending approval of resolution	Planning Commission

ATTACHMENTS:

Location Map
Applicant's Submittals
Resolution



Vicinity Map



Location Map

This drawing is the result of a compilation and reproduction of land records as they appear in various Washington County offices. The drawing should be used for reference purposes only. Washington County is not responsible for any inaccuracies.

Source: Washington County Surveyors Office.
Phone (851) 450-6975

Parcel data based on AS400 information

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

RESOLUTION NO. 2007-0___

**A RESOLUTION AMENDING RESOLUTION NO. 2005-086 ADOPTING THE
OPEN SPACE PRESERVATION DEVELOPMENT STAGE PLAN,
PRELIMINARY PLAT, AND CONDITIONAL USE PERMIT
OF DISCOVER CROSSING**

WHEREAS, the City Council approved the OP Development Stage Plan, Preliminary Plat, and Conditional Use Permit for Discover Crossing by Resolution No. 2005 - 86 and,

WHEREAS, the applicant requested modification of the OP dimensional standards pursuant to Section 301.06 Subd. 2 I of the City Code to allow side yard setbacks on all lots of ten feet on interior lot lines and five feet on exterior lot lines in the Discover Crossing development; and,

WHEREAS, no specific Findings or action was taken by the City Council regarding those requested modifications a the time of Development Stage Plan, Preliminary Plat, and Conditional Use Permit approval.

NOW, THEREFORE, BE IT RESOLVED that the Lake Elmo City Council hereby does make the following Findings regarding the requested OP dimension modifications:

1. The requested modifications would better enhance the rural character than strict interpretation of the OP regulations of the City.
2. The requested modifications would otherwise be consistent with the purpose and intent of the Comprehensive Plan and the Open Space Development use.

BE IT FURTHER RESOLVED, that the Lake Elmo City Council hereby approves the side yard setbacks for all lots within the Discover Crossing OP development to be a minimum of ten feet on interior lot lines and five feet on exterior lot lines.

ADOPTED, by the Lake Elmo City Council on the 1st day of May, 2007.

Dean A. Johnston, Mayor

ATTEST:

Susan Hoyt, City Administrator



RECEIVED

Conditional Use Permit Amendment Narrative

March 27, 2007

The Discover Crossing project (along with Discover Crossing 2nd Addition) were approved without consideration for the front and side setback standards that some of the previous Open Space Developments have enjoyed. The ordinance states that front setback shall be 30 feet and side setbacks are 15 feet or 10% of the width of the lot, whichever is greater. Certainly these setbacks were appropriate when the city allowed only 2.5 acre lots, but is too restrictive for the acre and ¾ acre lots allowed in the OP District.

The goal of this development has consistently been to provide for the highest quality project for the City of Lake Elmo. This request is made to facilitate further flexibility for the project and the City of Lake Elmo. This flexibility will allow us to move the house locations to protect the maximum amount of trees for each individual homesite. Great care has been taken already by inventorying the individual trees and locating homes on each site to maximize the protection of the trees. We feel that having the reduced setbacks will allow more options in locating the homes and increase our ability to preserve trees on each site.

Three other OP developments, Tana Ridge, Fields of St. Croix Second Addition and Cardinal Ridge (with similar lot sizes) have been approved with reduced setbacks including a front setback of 25 feet in Fields II, and side setbacks of 10 feet on the house side and 5 feet on the garage side for all three projects.

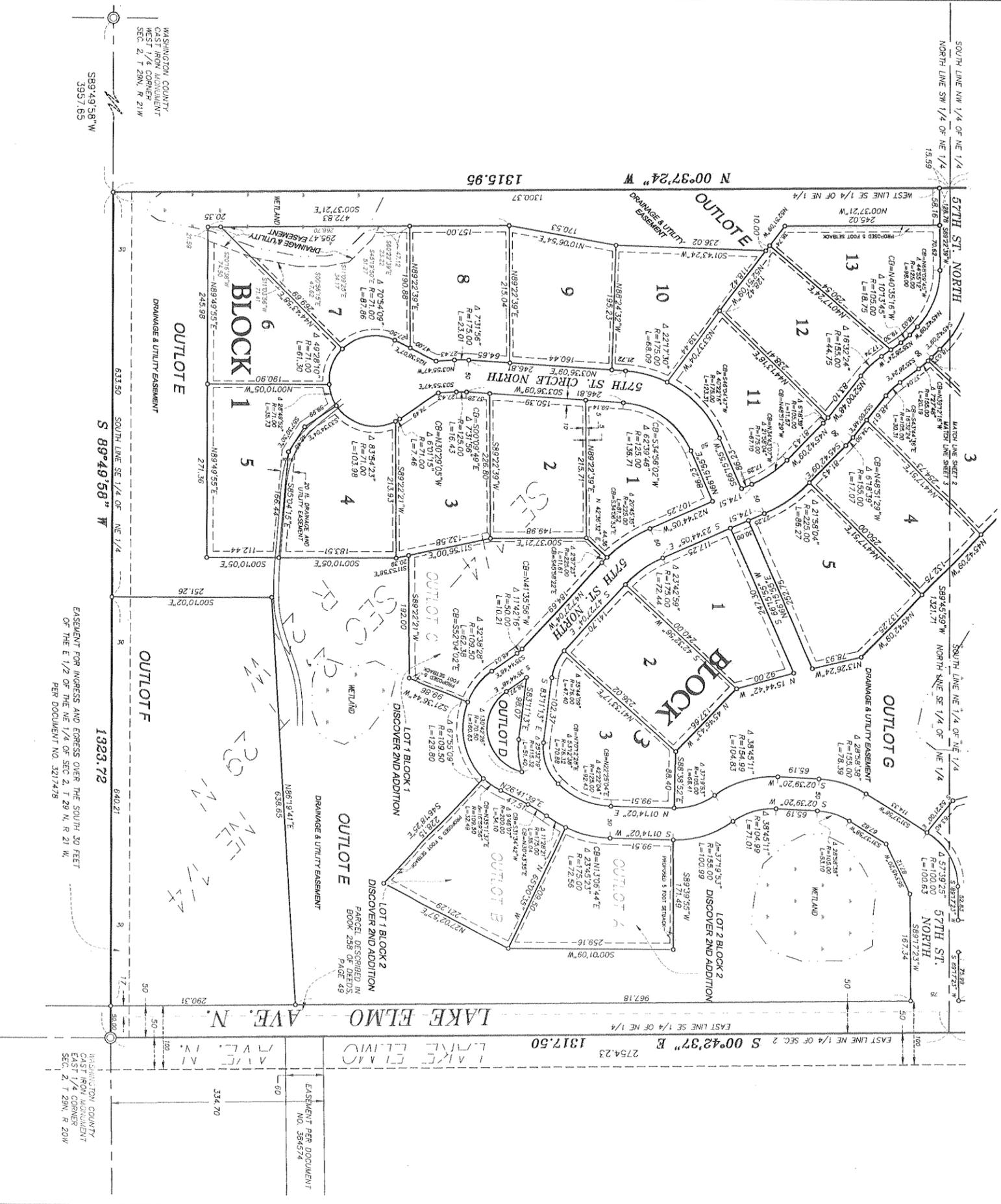
When we requested the same setbacks as these previously approved projects, staff pointed out that it is possible that two houses could be built within 10 feet of each other, if the garages were adjacent to one another. Due to this fact, we revised our request to eliminate this possibility. We are requesting setbacks of 25 feet in the front and 10 feet for the side setbacks (without regard to house or garage). There are six side lines that we are requesting a 5 foot setback on... these are highlighted on the attached exhibit. Basically, the lines we are requesting side setbacks of 5 feet are the lines with no buildable lot adjacent to it.

Under Section 301.06 Development Standards, this setback request can be modified by 4/5 affirmative votes of the City Council. We respectfully request the setback for Discover Crossing and Discover Crossing 2nd Addition be modified to Front Setback of 25 feet, the Side Setbacks of 10 feet except for the 6 lines highlighted on the attached sketch being 5 feet Side Setbacks.

DISCOVER CROSSING

Folz, Freeman, Erickson, Inc.
 LAND PLANNING • SURVEYING • ENGINEERING

 5620 MEMORIAL AVENUE NORTH
 STILLWATER, MINNESOTA 55082
 Phone (651) 439-8833 Fax (651) 430-9331

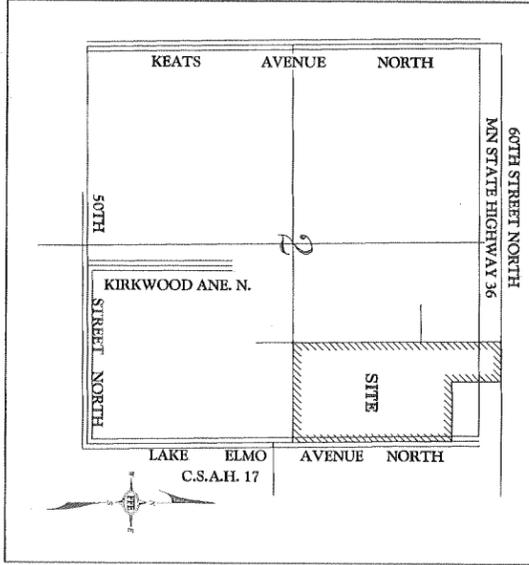


EASEMENT FOR INGRESS AND EGRESS OVER THE SOUTH 30 FEET OF THE E 1/2 OF THE NE 1/4 OF SEC. 2, T. 29 N., R. 21 W. PER DOCUMENT NO. 3217478

WASHINGTON COUNTY EAST IRON MINORITY SEC. 2, T. 29N., R. 20W

VICINITY MAP

SEC. 2, T29N, R21W

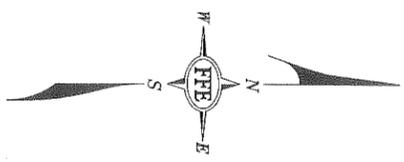


LEGEND

- DENOTES 1/2 INCH X 1/4 INCH IRON PIPE MONUMENT MARKED WITH A PLASTIC CAP INSCRIBED "FREMAM LS 16989" UNLESS SHOWN OTHERWISE

NOTES

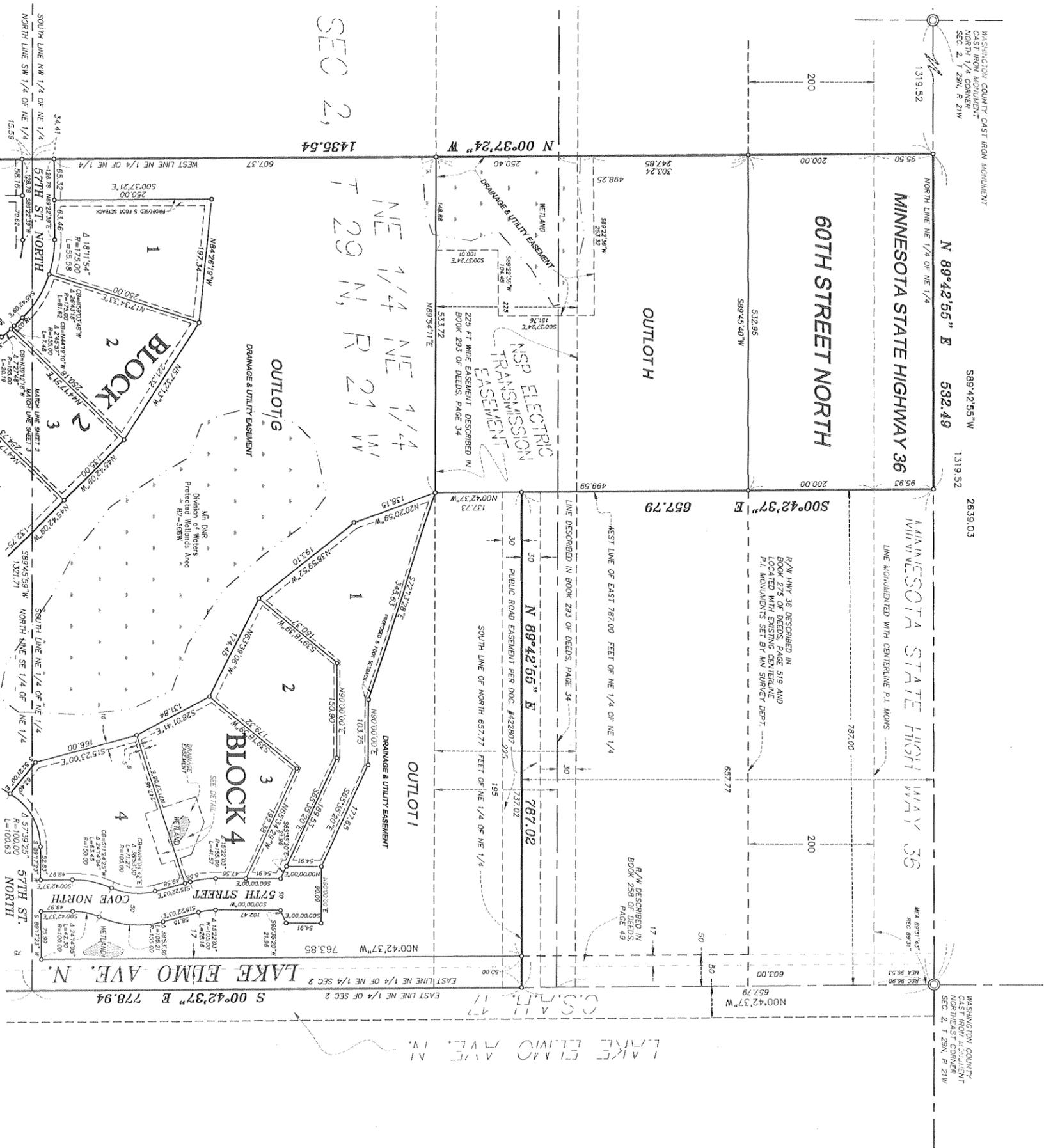
- 1) ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE EAST LINE OF THE NORTHEAST QUARTER OF SEC. 2, T. 29N., R. 21W., WHICH BEARS S 00°-42'-37" E.
- WETLANDS DELINEATED BY GRAHAM ENVIRONMENTAL SERVICES



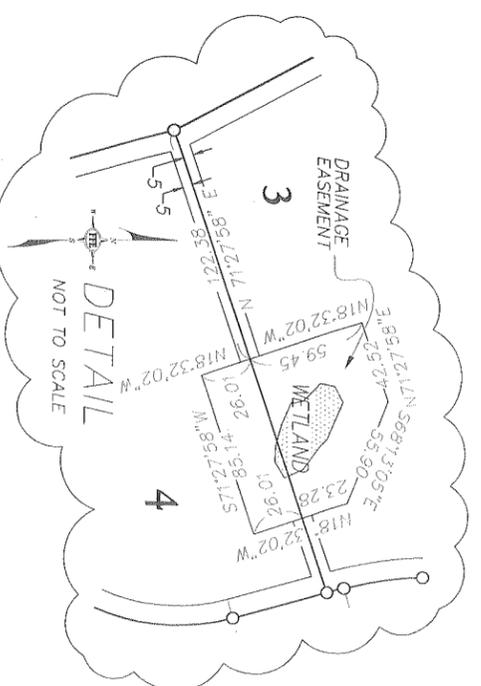
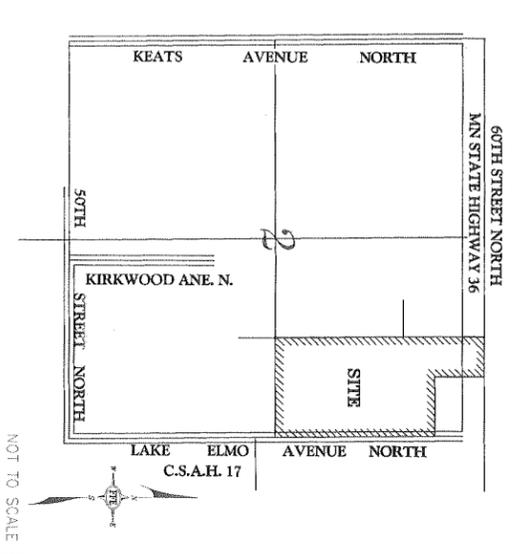
RECEIVED

DISCOVER CROSSING

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LAND PLANNING • SURVEYING • ENGINEERING
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5620 MEMORIAL AVENUE NORTH
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VICINITY MAP



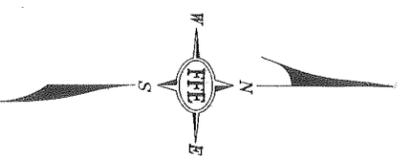
- LEGEND**
- DENOTES 1/2 INCH X 1/4 INCH IRON PIPE MONUMENT MARKED WITH A PLASTIC CAP INSCRIBED "FREEMAN LS 16989" UNLESS SHOWN OTHERWISE

NOTES

ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE EAST LINE OF THE NORTHEAST QUARTER OF SEC 2, T 29N, R 21W, WHICH BEARS S 00°-42'-57" E.

WETLANDS Delineated by GRAHAM ENVIRONMENTAL SERVICES

ORIGINAL SCALE: 1 INCH = 100 FEET
SCALE IN FEET



Planning Commission
Date: 4/23/07
NOT a public hearing
Item: _____

ITEM: **Draft Interim Zoning Ordinances – South of 10th Street and Village Area**

REQUESTED BY: City Council

SUBMITTED BY: Ben Gozola, Senior Planner

REVIEWED BY: Susan Hoyt, City Administrator
Kelli Matzek, Assistant City Planner
Jerry Filla, City Attorney

PURPOSE:

- Approval of the Comprehensive Plan 2030 requires the City to also rezone properties throughout the community as necessary to bring all zoning into conformance with the new land use designations. The City's current deadline to complete this process is July 12, 2007. The discussion will provide staff with an opportunity to illustrate the changes currently being proposed prior to the public open houses scheduled for May 9th & 10th. A public hearing on the zoning district changes will occur before the planning commission on May 30th & 31st.

ADDITIONAL INFORMATION:

- Attached you will find two (2) main sets of information:
 - A zoning map identifying the new zoning districts and affected properties in the **I-94 corridor**. This map is followed by the zoning code language that would govern each of the separate districts.
 - A zoning map identifying the new zoning districts and affected properties in the **Village Area**. This map is also followed by the zoning code language that would govern said districts.
- In working with the City Attorney, it was determined that separate districts (rather than two overlay districts) would be preferable.
- The goal of each district is to ensure that properties do not subdivide in a manner inconsistent with plans for future development. Met Council would not be supportive of any parcel creation less than twenty (20) acres in size. The main (and generally only) impact of the rezoning will be this limitation on development.
- Current land uses are not changing for any parcel being rezoned to one of the proposed holding districts. For example, lots zoned "RR" will continue to have the ability to do everything allowable in the "RR" district except for development into parcels less than 20 acres in size.
- Once all holding districts are in place, zoning will be conforming to the comprehensive plan as the future guided land uses cannot occur until sewer is available (July 2008 at the earliest for the Village, and 2010 at the earliest along I-94. The holding districts are all written specifically to identify the fact that rezoning for

development will occur upon the availability of sewer in conformance with the development staging plan.

- Establishing the proposed holding districts will provide the city with time necessary (at a minimum one year) to craft the final zoning regulations governing development in the Village and I-94 corridor.
- Rezoning Impact Example:
 - A property owner has 25 unimproved acres in an area currently zoned Rural Residential (RR). This process rezones the property to the VR-RR zoning district. Upon completion of the rezoning, the property owner can still build a single family dwelling or run a farm operation. Had the property contained an existing home, the property owner could build a conforming addition on the existing structure or add conforming accessory structures as desired. The main impact to this property owner would be the loss of ability to create either two ten (10) acre parcels or a cluster development at this time. Instead, the property owner must now wait until sewer is available in order to subdivide the property.

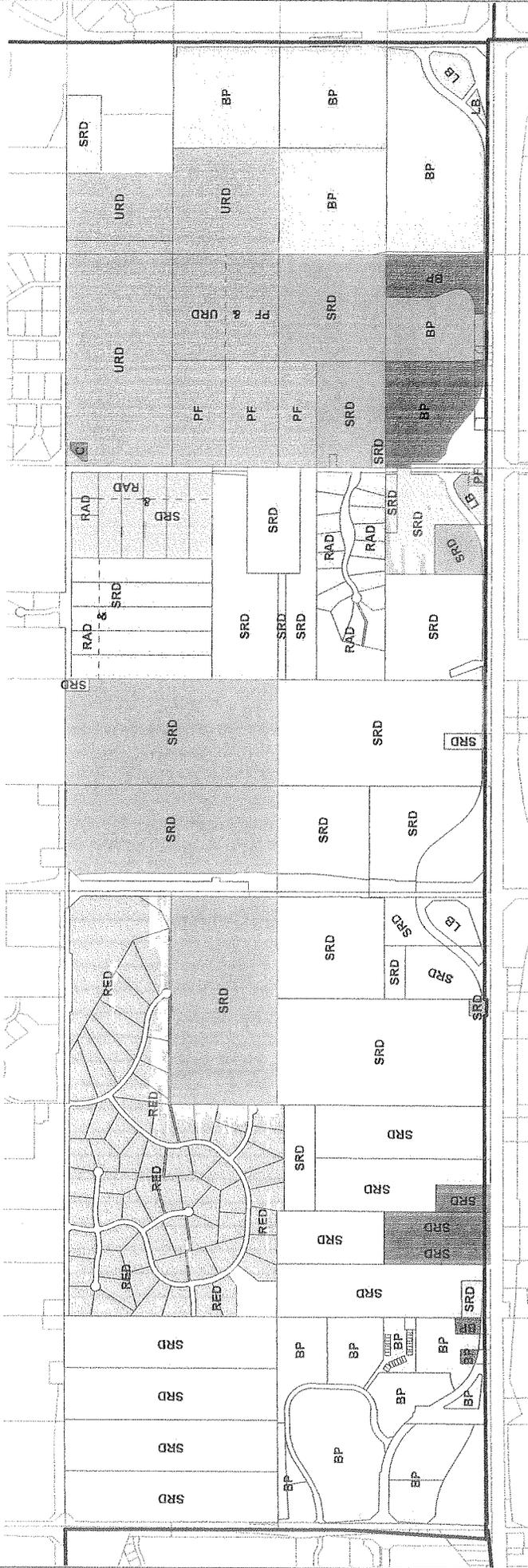
ACTION REQUESTED:

- Provide feedback to staff on any concerns you may have about the proposed districts, and critique the presentation of information as we need to be sure our communication is clear as we prepare to go before the public.

- ATTACHMENTS:**
- "Proposed I-94 Zoning Districts" Map
 - Individual zoning district language for each of the proposed I-94 zoning districts
 - "Proposed Village Zoning Districts" Map
 - Individual zoning district language for each of the proposed Village districts

Proposed I-94 Zoning Districts

4-18-07



Base Zoning Districts are identified by color as follows:

	HD-A		HD-HB		HD-R3		HD-RE
	HD-RR		HD-GB		HD-R1		Municipal Boundary

Future Zoning Districts are labeled on the map as follows:

	RAD		SRD
	RAD & SRD		SRD

HOW TO READ THIS ZONING MAP

1. Identify the parcel you are interested in and find its corresponding color within the legend to the right. This will provide you with the first half of the zoning district.
2. Find the label within the parcel. The label represents the second half of the zoning district.
3. Combine the first half with the second half to determine the parcels zoning designation.

Agricultural Business Park Holding District (HD-A-BP)

1. Purpose

The Agricultural Business Park Holding District (HD-A-BP) is intended to regulate land use within agricultural areas planned and staged for business park development with access to regional sewer service. Areas zoned HD-A-BP will be rezoned to BP pending the availability of sewer service consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan.

2. General Regulation

All regulations governing the Agricultural (A) zoning district shall also apply to properties zoned Agricultural Business Park Holding District (HD-A-BP) except as outlined in this section.

3. Permitted Uses

The permitted uses in the HD-A-BP zoning district shall be the same as in the Agricultural (A) zoning district except that non-farm dwellings shall be prohibited.

4. Uses Permitted by Conditional Use Permit

The uses permitted by conditional use permit in the HD-A-BP zoning district shall be the same as in the Agricultural (A) zoning district except that Open Space Development Projects shall be prohibited.

5. Accessory Uses and Structures

Regulations governing accessory uses and structures in the HD-A-BP zoning district shall be the same as in the Agricultural (A) zoning district.

6. Minimum District Requirements

The minimum district requirements in the Agricultural Business Park Holding District (HD-A-BP) shall be the same as in the Agricultural (A) zoning district.

7. Cluster Development

Cluster development is prohibited in the HD-A-BP zoning district.

8. Non-Agricultural Low Impact Use Standards

Regulations governing non-agricultural low impact use standards in the HD-A-BP zoning district shall be the same as the Agricultural (A) zoning district.

Agricultural Sewered Residential Holding District (HD-A-SRD)

1. Purpose

The Agricultural Sewered Residential Holding District (HD-A-SRD) is intended to regulate land use within agricultural areas planned and staged for residential development with access to regional sewer service. Areas zoned HD-A-SRD will be rezoned to SRD pending the availability of sewer service consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan.

2. General Regulation

All regulations governing the Agricultural (A) zoning district shall also apply to properties zoned Agricultural Sewered Residential Holding District (HD-A-SRD) except as outlined in this section.

3. Permitted Uses

The permitted uses in the HD-A-SRD zoning district shall be the same as in the Agricultural (A) zoning district except that non-farm dwellings shall be prohibited.

4. Uses Permitted by Conditional Use Permit

The uses permitted by conditional use permit in the HD-A-SRD zoning district shall be the same as in the Agricultural (A) zoning district except that Open Space Development Projects shall be prohibited.

5. Accessory Uses

The accessory uses in the HD-A-SRD zoning district shall be the same as in the Agricultural (A) zoning district.

6. Minimum District Requirements

The minimum district requirements in the Agricultural Sewered Residential Holding District (HD-A-SRD) shall be the same as in the Agricultural (A) zoning district.

7. Cluster Development

Cluster development is prohibited in the HD-A-SRD zoning district.

8. Non-Agricultural Low Impact Use Standards

Regulations governing non-agricultural low impact use standards shall be the same as the Agricultural (A) zoning district.

General Business – Business Park Holding District (HD-GB-BP)

1. Purpose

The General Business – Business Park Holding District (HD-GB-BP) is intended to regulate land use within general business areas planned and staged for sewered business park development. Areas zoned HD-GB-BP will be rezoned to Business Park pending the availability of sewer service consistent with the “Development Staging Plan” contained in the Lake Elmo Comprehensive Plan.

2. General Regulation

All regulations governing the General Business (GB) zoning district shall also apply to properties zoned General Business – Business Park Holding District (HD-GB-BP) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the HD-GB-BP zoning district shall be the same as in the General Business (GB) zoning district.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the HD-GB-BP zoning district shall be the same as in the General Business (GB) zoning district.

5. Accessory Uses

Accessory uses and the general requirements of such in the HD-GB-BP zoning district shall be the same as in the General Business (GB) zoning district.

6. Minimum District Requirements

The minimum district requirements in the General Business – Business Park Holding District (HD-GB-BP) shall be the same as in the General Business (GB) zoning district except for minimum lot size which shall be a minimum of a nominal twenty (20) acres [a twenty acre parcel not reduced by more than ten percent (10%) and/or a twenty acre parcel located on a corner or abutting a street on two sides not reduced by more than fifteen percent (15%) due to road right-of-way and survey variations].

7. Performance Standards

Performance standards governing construction and development in the General Business – Business Park Holding District (HD-GB-BP) shall be the same as in the General Business (GB) zoning district. Further development shall conform with all standards necessary to facilitate a future hook up to the regional sewer system.

General Business Commercial Holding District (HD-GB-C)

1. Purpose

The General Business Commercial Holding District (HD-GB-C) is intended to regulate land use within general business areas planned and staged for sewer commercial development. Areas zoned HD-GB-C will be rezoned to Commercial pending the availability of sewer service consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan.

2. General Regulation

All regulations governing the General Business (GB) zoning district shall also apply to properties zoned General Business Commercial Holding District (HD-GB-C) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the HD-GB-C zoning district shall be the same as in the General Business (GB) zoning district.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the HD-GB-C zoning district shall be the same as the General Business (GB) zoning district.

5. Accessory Uses

Accessory uses and the general requirements of such in the HD-GB-C zoning district shall be the same as in the General Business (GB) zoning district.

6. Minimum District Requirements

The minimum district requirements in the General Business Commercial Holding District (HD-GB-C) shall be the same as in the General Business (GB) zoning district.

7. Performance Standards

Performance standards governing construction and development in the General Business Commercial Holding District (HD-GB-C) shall be the same as in the General Business (GB) zoning district. Further development shall conform with all standards necessary to facilitate a future hook up to the regional sewer system.

General Business Sewered Residential Holding District (HD-GB-SRD)

1. Purpose

The General Business Sewered Residential Holding District (HD-GB-SRD) is intended to regulate land use within general business areas planned and staged for sewer residential development. Areas zoned HD-GB-SRD will be rezoned to Sewered Residential Development pending the availability of sewer service consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan.

2. General Regulation

All regulations governing the General Business (GB) zoning district shall also apply to properties zoned General Business Sewered Residential Holding District (HD-GB-SRD) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the HD-GB-SRD zoning district shall be the same as in the General Business (GB) zoning district.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the HD-GB-SRD zoning district shall be the same as in the General Business (GB) zoning district.

5. Accessory Uses

Accessory uses and the general requirements of such in the HD-GB-SRD zoning district shall be the same as in the General Business (GB) zoning district.

6. Minimum District Requirements

The minimum district requirements in the General Business Sewered Residential Holding District (HD-GB-SRD) shall be the same as in the General Business (GB) zoning district except for minimum lot size which shall be a minimum of a nominal twenty (20) acres [a twenty acre parcel not reduced by more than ten percent (10%) and/or a twenty acre parcel located on a corner or abutting a street on two sides not reduced by more than fifteen percent (15%) due to road right-of-way and survey variations].

7. Performance Standards

Performance standards governing construction and development in the General Business Sewered Residential Holding District (HD-GB-SRD) shall be the same as in the General Business (GB) zoning district. Further development shall conform with all standards necessary to facilitate a future hook up to the regional sewer system.

Highway Business Sewered Residential Holding District (HD-HB-SRD)

1. Purpose

The Highway Business Sewered Residential Holding District (HD-HB-SRD) is intended to regulate land use within highway business areas planned and staged for sewer residential development. Areas zoned HD-HB-SRD will be rezoned to Sewered Residential Development pending the availability of sewer service consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan.

2. General Regulation

All regulations governing the Highway Business (HB) zoning district shall also apply to properties zoned Highway Business Sewered Residential Holding District (HD-HB-SRD) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the HD-HB-SRD zoning district shall be the same as in the Highway Business (HB) zoning district.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the HD-HB-SRD zoning district shall be the same as the Highway Business (HB) zoning district.

5. Accessory Uses

Accessory uses and the general requirements of such in the HD-HB-SRD zoning district shall be the same as in the Highway Business (HB) zoning district.

6. Minimum District Requirements

The minimum district requirements in the Highway Business Sewered Residential Holding District (HD-HB-SRD) shall be the same as in the Highway Business (HB) zoning district except for minimum lot size which shall be a minimum of a nominal twenty (20) acres [a twenty acre parcel not reduced by more than ten percent (10%) and/or a twenty acre parcel located on a corner or abutting a street on two sides not reduced by more than fifteen percent (15%) due to road right-of-way and survey variations].

7. Performance Standards

Performance standards governing construction and development in the Highway Business Sewered Residential Holding District (HD-HB-SRD) shall be the same as in the Highway Business (HB) zoning district. Further development shall conform with all standards necessary to facilitate a future hook up to the regional sewer system.

Manufactured Home Park Public Facility Holding District (HD-R3-PF)

1. Purpose

The Manufactured Home Park Public Facility Holding District (HD-R3-PF) is intended to regulate land use within manufactured home park areas planned and staged for future public facilities. Areas zoned HD-R3-PF will be rezoned to Public Facilities pending the availability of sewer service consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan.

2. General Regulation

All regulations governing the Manufactured Home Park (R-3) zoning district shall also apply to properties zoned Manufactured Home Park Public Facility Holding District (HD-R3-PF) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the HD-R3-PF zoning district shall be the same as in the Manufactured Home Park (R-3) zoning district.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the HD-R3-PF zoning district shall be the same as in the Manufactured Home Park (R-3) zoning district.

5. Accessory Uses and Structures

Regulations governing accessory uses and structures in the HD-R3-PF zoning district shall be the same as in the Manufactured Home Park (R-3) zoning district.

6. Minimum District Requirements

Manufactured Housing Parks shall comply with Section 545 of Lake Elmo City Code.

Manufactured Home Park Urban Residential Holding District (HD-R3-URD)

1. Purpose

The Manufactured Home Park Urban Residential Holding District (HD-R3-URD) is intended to regulate land use within manufactured home park areas planned and staged for sewerred urban residential development. Areas zoned HD-R3-URD will be rezoned to Urban Residential pending the availability of sewer service consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan.

2. General Regulation

All regulations governing the Manufactured Home Park (R-3) zoning district shall also apply to properties zoned Manufactured Home Park Urban Residential Holding District (HD-R3-URD) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the HD-R3-URD zoning district shall be the same as in the Manufactured Home Park (R-3) zoning district.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the HD-R3-URD zoning district shall be the same as in the Manufactured Home Park (R-3) zoning district.

5. Accessory Uses and Structures

Regulations governing accessory uses and structures in the HD-R3-URD zoning district shall be the same as in the Manufactured Home Park (R-3) zoning district.

6. Minimum District Requirements

Manufactured Housing Parks shall comply with Section 545 of Lake Elmo City Code.

Residential Estates Limited Business Holding District (HD-RE-LB)

1. Purpose

The Residential Estates Limited Business Holding District (HD-RE-LB) is intended to regulate land use within residential estate areas planned and staged for sewer limited business development. Areas zoned HD-RE-LB will be rezoned to Limited Business pending the availability of sewer service consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan.

2. General Regulation

All regulations governing the Residential Estates (RE) zoning district shall also apply to properties zoned Residential Estates Limited Business Holding District (HD-RE-LB) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the HD-RE-LB zoning district shall be the same as in the Residential Estates (RE) zoning district.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the HD-RE-LB zoning district shall be the same as in the Residential Estates (RE) zoning district.

5. Accessory Uses and Structures

Regulations governing accessory uses and structures in the HD-RE-LB zoning district shall be the same as in the Residential Estates (RE) zoning district.

6. Minimum District Requirements

The minimum district requirements in the Residential Estates Limited Business Holding District (HD-RE-LB) shall be the same as in the Residential Estates (RE) zoning district except for the following:

- Minimum lot size shall be a nominal twenty (20) acres [a twenty acre parcel not reduced by more than ten percent (10%) and/or a twenty acre parcel located on a corner or abutting a street on two sides not reduced by more than fifteen percent (15%) due to road right-of-way and survey variations].
- Subdivision density shall be based on a twenty (20) acres average, and no outlots are to remain in the subdivision.

Residential Estates Sewered Residential Holding District (HD-RE-SRD)

1. Purpose

The Residential Estates Sewered Residential Holding District (HD-RE-SRD) is intended to regulate land use within residential estate areas planned and staged for sewer residential development. Areas zoned HD-RE-SRD will be rezoned to Sewered Residential Development pending the availability of sewer service consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan.

2. General Regulation

All regulations governing the Residential Estates (RE) zoning district shall also apply to properties zoned Residential Estates Sewered Residential Holding District (HD-RE-SRD) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the HD-RE-SRD zoning district shall be the same as in the Residential Estates (RE) zoning district.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the HD-RE-SRD zoning district shall be the same as in the Residential Estates (RE) zoning district.

5. Accessory Uses and Structures

Regulations governing accessory uses and structures in the HD-RE-SRD zoning district shall be the same as in the Residential Estates (RE) zoning district.

6. Minimum District Requirements

The minimum district requirements in the Residential Estates Sewered Residential Holding District (HD-RE-SRD) shall be the same as in the Residential Estates (RE) zoning district except for the following:

- Minimum lot size shall be a nominal twenty (20) acres [a twenty acre parcel not reduced by more than ten percent (10%) and/or a twenty acre parcel located on a corner or abutting a street on two sides not reduced by more than fifteen percent (15%) due to road right-of-way and survey variations].
- Subdivision density shall be based on a twenty (20) acres average, and no outlots are to remain in the subdivision.

Rural Residential Ag Density Holding District (HD-RR-RAD)

1. Purpose

The Rural Residential Ag Density Holding District (HD-RR-RAD) is intended to regulate land use within rural residential areas planned and staged for Rural Agricultural Density development. Areas zoned HD-RR-RAD will be rezoned to Rural Agricultural Density pending the availability of sewer service consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan.

2. General Regulation

All regulations governing the Rural Residential (RR) zoning district shall also apply to properties zoned Rural Residential Ag Density Holding District (HD-RR-RAD) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the HD-RR-RAD zoning district shall be the same as in the Rural Residential (RR) zoning district.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the HD-RR-RAD zoning district shall be the same as in the Rural Residential (RR) zoning district.

5. Accessory Uses and Structures

Regulations governing accessory uses and structures in the HD-RR-RAD zoning district shall be the same as in the Rural Residential (RR) zoning district.

6. Minimum District Requirements

The minimum district requirements in the Rural Residential Ag Density Holding District (HD-RR-RAD) shall be the same as in the Rural Residential (RR) zoning district except for minimum lot size which shall be a minimum of a nominal twenty (20) acres [a twenty acre parcel not reduced by more than ten percent (10%) and/or a twenty acre parcel located on a corner or abutting a street on two sides not reduced by more than fifteen percent (15%) due to road right-of-way and survey variations].

7. Special Requirements

All building permits in the Rural Residential Ag Density Holding District (HD-RR-RAD) shall, prior to the issuance of such a building permit, provide a sketch subdivision plan which illustrates roadway and setback locations should the property be resubdivided in the future.

8. Cluster Development

Cluster development is prohibited in the HD-RR-RAD zoning district.

Rural Residential Business Park Holding District (HD-RR-BP)

1. Purpose

The Rural Residential Business Park Holding District (HD-RR-BP) is intended to regulate land use within rural residential areas planned and staged for business park development. Areas zoned HD-RR-BP will be rezoned to Business Park pending the availability of sewer service consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan.

2. General Regulation

All regulations governing the Rural Residential (RR) zoning district shall also apply to properties zoned Rural Residential Business Park Holding District (HD-RR-BP) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the HD-RR-BP zoning district shall be the same as in the Rural Residential (RR) zoning district.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the HD-RR-BP zoning district shall be the same as in the Rural Residential (RR) zoning district.

5. Accessory Uses and Structures

Regulations governing accessory uses and structures in the HD-RR-BP zoning district shall be the same as in the Rural Residential (RR) zoning district.

6. Minimum District Requirements

The minimum district requirements in the Rural Residential Business Park Holding District (HD-RR-BP) shall be the same as in the Rural Residential (RR) zoning district except for minimum lot size which shall be a minimum of a nominal twenty (20) acres [a twenty acre parcel not reduced by more than ten percent (10%) and/or a twenty acre parcel located on a corner or abutting a street on two sides not reduced by more than fifteen percent (15%) due to road right-of-way and survey variations].

7. Special Requirements

All building permits in the Rural Residential Business Park Holding District (HD-RR-BP) shall, prior to the issuance of such a building permit, provide a sketch subdivision plan which illustrates roadway and setback locations should the property be resubdivided in the future.

8. Cluster Development

Cluster development is prohibited in the HD-RR-BP zoning district.

Rural Residential Limited Business Holding District (HD-RR-LB)

1. Purpose

The Rural Residential Limited Business Holding District (HD-RR-LB) is intended to regulate land use within rural residential areas planned and staged for Limited Business development. Areas zoned HD-RR-LB will be rezoned to Limited Business pending the availability of sewer service consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan.

2. General Regulation

All regulations governing the Rural Residential (RR) zoning district shall also apply to properties zoned Rural Residential Limited Business Holding District (HD-RR-LB) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the HD-RR-LB zoning district shall be the same as in the Rural Residential (RR) zoning district.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the HD-RR-LB zoning district shall be the same as in the Rural Residential (RR) zoning district.

5. Accessory Uses and Structures

Regulations governing accessory uses and structures in the HD-RR-LB zoning district shall be the same as in the Rural Residential (RR) zoning district.

6. Minimum District Requirements

The minimum district requirements in the Rural Residential Limited Business Holding District (HD-RR-LB) shall be the same as in the Rural Residential (RR) zoning district except for minimum lot size which shall be a minimum of a nominal twenty (20) acres [a twenty acre parcel not reduced by more than ten percent (10%) and/or a twenty acre parcel located on a corner or abutting a street on two sides not reduced by more than fifteen percent (15%) due to road right-of-way and survey variations].

7. Special Requirements

All building permits in the Rural Residential Limited Business Holding District (HD-RR-LB) shall, prior to the issuance of such a building permit, provide a sketch subdivision plan which illustrates roadway and setback locations should the property be resubdivided in the future.

8. **Cluster Development**

Cluster development is prohibited in the HD-RR-LB zoning district.

Rural Residential Sewered Residential Holding District (HD-RR-SRD)

1. Purpose

The Rural Residential Sewered Residential Holding District (HD-RR-SRD) is intended to regulate land use within rural residential areas planned and staged for sewer residential development. Areas zoned HD-RR-SRD will be rezoned to Sewered Residential Development pending the availability of sewer service consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan.

2. General Regulation

All regulations governing the Rural Residential (RR) zoning district shall also apply to properties zoned Rural Residential Sewered Residential Holding District (HD-RR-SRD) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the HD-RR-SRD zoning district shall be the same as in the Rural Residential (RR) zoning district.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the HD-RR-SRD zoning district shall be the same as in the Rural Residential (RR) zoning district.

5. Accessory Uses and Structures

Regulations governing accessory uses and structures in the HD-RR-SRD zoning district shall be the same as in the Rural Residential (RR) zoning district.

6. Minimum District Requirements

The minimum district requirements in the Rural Residential Sewered Residential Holding District (HD-RR-SRD) shall be the same as in the Rural Residential (RR) zoning district except for minimum lot size which shall be a minimum of a nominal twenty (20) acres [a twenty acre parcel not reduced by more than ten percent (10%) and/or a twenty acre parcel located on a corner or abutting a street on two sides not reduced by more than fifteen percent (15%) due to road right-of-way and survey variations].

7. Special Requirements

All building permits in the Rural Residential Sewered Residential Holding District (HD-RR-SRD) shall, prior to the issuance of such a building permit, provide a sketch subdivision plan which illustrates roadway and setback locations should the property be resubdivided in the future.

8. Cluster Development

Cluster development is prohibited in the HD-RR-SRD zoning district.

One Family Ag Density Holding District (HD-R1-RAD)

1. Purpose

The One Family Ag Density Holding District (HD-R1-RAD) is intended to regulate land use within single family residential areas planned and staged for sewer residential development. Areas zoned HD-R1-RAD will be rezoned to Rural Agricultural Density pending the availability of sewer service consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan.

2. General Regulation

All regulations governing the One Family Residential (R-1) zoning district shall also apply to properties zoned One Family Ag Density Holding District (HD-R1-RAD) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the HD-R1-RAD zoning district shall be the same as in the One Family Residential (R-1) zoning district.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the HD-R1-RAD zoning district shall be the same as in the One Family Residential (R-1) zoning district.

5. Accessory Uses and Structures

Regulations governing accessory uses and structures in the HD-R1-RAD zoning district shall be the same as in the One Family Residential (R-1) zoning district.

6. Minimum District Requirements

The minimum district requirements in the One Family Ag Density Holding District (HD-R1-RAD) shall be the same as in the One Family Residential (R-1) zoning district except for minimum lot size which shall be a minimum of a nominal twenty (20) acres [a twenty acre parcel not reduced by more than ten percent (10%) and/or a twenty acre parcel located on a corner or abutting a street on two sides not reduced by more than fifteen percent (15%) due to road right-of-way and survey variations].

Proposed Village Zoning Districts



The Village Residential Zoning Districts are holding districts designed to ensure current zoning complies with the City's Comprehensive Plan. Existing uses will be allowed to continue, but development options will be limited to densities acceptable to the Metropolitan Council until such time as the Village Planning process is complete and regional sanitary sewer is available.

L E G E N D

Village Zoning Districts are as follows:

- | | | | |
|---|--|---|--|
|  VR-A |  VR-IND |  VR-R1 |  Municipal Boundary |
|  VR-RR |  VR-GB | | |



Village Residential General Business District (VR-GB)

1. Purpose

The Village Residential General Business District (VR-GB) is intended to regulate land use within general business areas planned and staged for development in accordance with the Village Plan. Areas zoned VR-GB will be rezoned in accordance with the guided land use outlined in the Village Plan at such time as regional sewer service is available to the subject property.

2. General Regulation

All regulations governing the General Business (GB) zoning district shall also apply to properties zoned Village Residential General Business District (VR-GB) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the VR-GB zoning district shall be the same as in the General Business (GB) zoning district.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the VR-GB zoning district shall be the same as in the General Business (GB) zoning district.

5. Accessory Uses

Accessory uses and the general requirements of such in the VR-GB zoning district shall be the same as in the General Business (GB) zoning district.

6. Minimum District Requirements

The minimum district requirements in the Village Residential General Business District (VR-GB) shall be the same as in the General Business (GB) zoning district except for minimum lot size which shall be a minimum of a nominal twenty (20) acres [a twenty acre parcel not reduced by more than ten percent (10%) and/or a twenty acre parcel located on a corner or abutting a street on two sides not reduced by more than fifteen percent (15%) due to road right-of-way and survey variations].

7. Performance Standards

Performance standards governing construction and development in the Village Residential General Business District (VR-GB) shall be the same as in the General Business (GB) zoning district. Further development shall conform with all standards necessary to facilitate a future hook up to the regional sewer system.

Village Residential One Family District (VR-R1)

1. Purpose

The Village Residential One Family District (VR-R1) is intended to regulate land use within single family residential areas planned and staged for development in accordance with the Village Plan. Areas zoned VR-R1 will be rezoned in accordance with the guided land use outlined in the Village Plan at such time as regional sewer service is available to the subject property.

2. General Regulation

All regulations governing the One Family Residential (R-1) zoning district shall also apply to properties zoned Village Residential One Family District (VR-R1) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the VR-R1 zoning district shall be the same as in the One Family Residential (R-1) zoning district.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the VR-R1 zoning district shall be the same as in the One Family Residential (R-1) zoning district.

5. Accessory Uses and Structures

Regulations governing accessory uses and structures in the VR-R1 zoning district shall be the same as in the One Family Residential (R-1) zoning district.

6. Minimum District Requirements

The minimum district requirements in the Village Residential One Family District (VR-R1) shall be the same as in the One Family Residential (R-1) zoning district except for minimum lot size which shall be a minimum of a nominal twenty (20) acres [a twenty acre parcel not reduced by more than ten percent (10%) and/or a twenty acre parcel located on a corner or abutting a street on two sides not reduced by more than fifteen percent (15%) due to road right-of-way and survey variations].

Village Rural Residential District (VR-RR)

1. Purpose

The Village Rural Residential District (VR-RR) is intended to regulate land use within rural residential areas planned and staged for development in accordance with the Village Plan. Areas zoned VR-RR will be rezoned in accordance with the guided land use outlined in the Village Plan at such time as regional sewer service is available to the subject property.

2. General Regulation

All regulations governing the Rural Residential (RR) zoning district shall also apply to properties zoned Village Rural Residential District (VR-RR) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the VR-RR zoning district shall be the same as in the Rural Residential (RR) zoning district.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the VR-RR zoning district shall be the same as in the Rural Residential (RR) zoning district.

5. Accessory Uses and Structures

Regulations governing accessory uses and structures in the VR-RR zoning district shall be the same as in the Rural Residential (RR) zoning district.

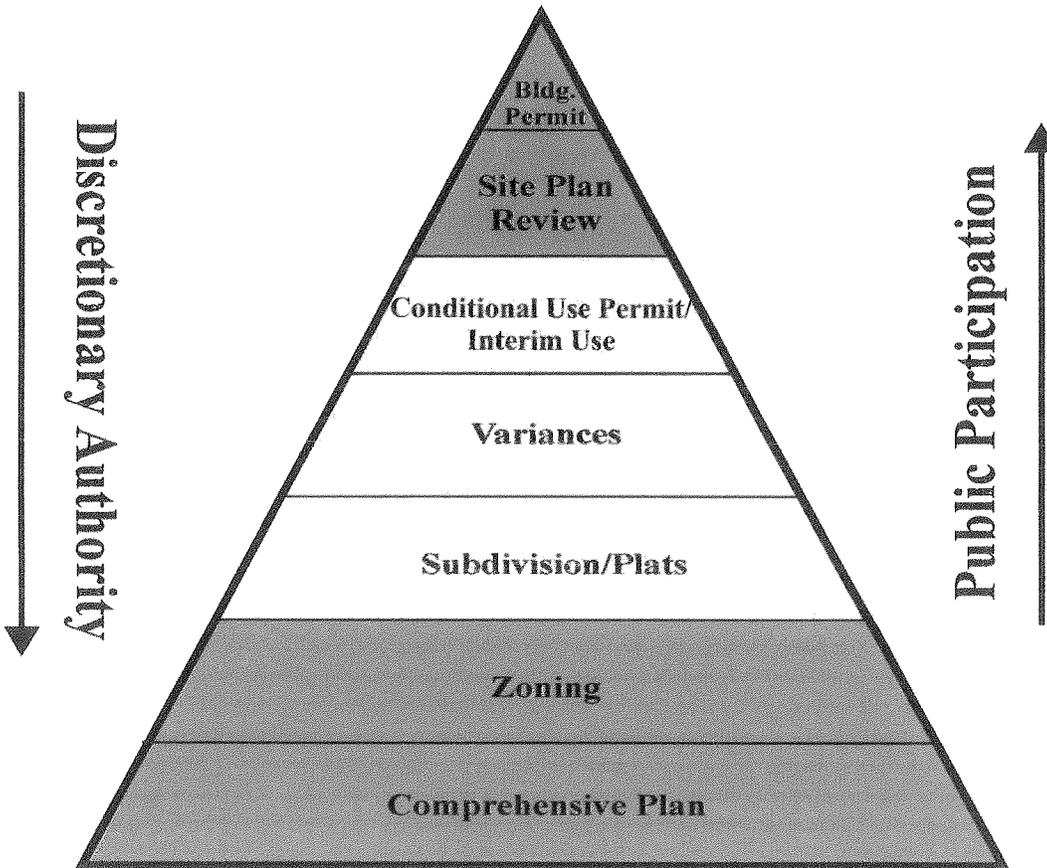
6. Minimum District Requirements

The minimum district requirements in the Village Rural Residential District (VR-RR) shall be the same as in the Rural Residential (RR) zoning district except for minimum lot size which shall be a minimum of a nominal twenty (20) acres [a twenty acre parcel not reduced by more than ten percent (10%) and/or a twenty acre parcel located on a corner or abutting a street on two sides not reduced by more than fifteen percent (15%) due to road right-of-way and survey variations].

7. Special Requirements

All building permits in the Village Rural Residential District (VR-RR) shall, prior to the issuance of such a building permit, provide a sketch subdivision plan which illustrates roadway and setback locations should the property be resubdivided in the future.

Handed out at PZ mtg.
4-23-07



Planning & Zoning Discretion Pyramid

Handed out at PZ mtg
4-23-07

Kelli Matzek

From: Tom Armstrong [tomarmstrong@agristar.net]
Sent: Monday, April 23, 2007 1:02 PM
To: Kelli Matzek
Cc: Todd Ptacek
Subject: PC Meeting 4/23

Kelli,

I cannot attend tonight's meeting but I would appreciate it if you could pass along the following comments to the rest of the planning commission.

Thanks,
Tom

Draft Zoning Ordinances for I-94 and Old Village

1. The "holding zone" process is somewhat cumbersome but given the fact that existing conforming uses would retain that status it is probably the best approach to take. Rendering all current uses non-conforming in these areas would undoubtedly cause problems while they wait for the sewer line.
2. The Old Village map correctly shows only the large, undeveloped parcels being rezoned. The existing neighborhoods in the Old Village are left blank. But the I-94 map has colored in the existing neighborhoods of Stonegate, The Forest, and Cimarron. These neighborhoods are not "holding zones" for anything and there is no need to change their zoning. Only the actual areas being rezoned should be colored in to minimize confusion.