



AGENDA

PLANNING COMMISSION MEETING

July 23, 2026 - 6:00 PM
City Hall Council Chambers

Members of the public can participate in person at Lakeville City Hall. The Planning Commission meeting can be viewed via web stream at [Lakevillemn.gov/LiveTV](https://lakevillemn.gov/LiveTV) or live on Spectrum cable channel 180. The Chair will allow for public comments and questions at the appropriate time.

1. Call to order and flag pledge
2. Roll Call
3. Approval of Minutes
 - a. June 25, 2026 Planning Commission minutes
 - b. June 25, 2026 Planning Commission Work Session minutes
4. Announcements
5. Public Hearing
 - a. Amendments to Title 10 (Subdivisions) and Title 11 (Zoning) of the City Code
 - b. Conditional use permit to allow accessory building square footage to exceed 1,250 square feet at 20010 Hamburg Avenue
 - c. Interim use permit to allow a single-family dwelling at 20975 Howland Avenue
 - d. Preliminary plat for Palmer Crossing
6. Staff Notices
 - a. The City Council meeting at which the above items may be considered will be held on August 3, 2026.
 - b. The next Planning Commission meeting is scheduled for August 6, 2026.
 - c. Planning Manager's memo
7. Adjourn

CITY OF LAKEVILLE
PLANNING COMMISSION MEETING MINUTES
June 25, 2026

Chair Zimmer called the meeting to order at 6:00 p.m. in the Council Chambers at City Hall. The Pledge of Allegiance to the flag was given.

Members Present: Chair Christine Zimmer, Vice Chair Scott Einck, John Swaney, Jason Swenson, Amanda Tinsley, Mark Traffas, Alternate Erin Duckworth, Ex-Officio Kelli Coughlin

Members Absent: Pat Kaluza

Staff Present: Kris Jenson, Planning Manager; Tina Goodroad, Community Development Director; Heather Botten, Senior Planner; Jon Nelson, Assistant City Engineer; Andrea McDowell Poehler, City Attorney; Dawn Erickson, Community Development Recorder

3. Approval of the Meeting Minutes

The June 4, 2026 Planning Commission meeting minutes were approved as presented.

4. Announcements

Planning Manager Kris Jenson stated the handouts include an email from a resident as well as revised stipulations for agenda item 5c, the conditional use permit for Al Hadi Association.

5a. 9446 210th Street

Chair Zimmer opened the public hearing to consider the application of Michael M. Moe for a conditional use permit to allow the maximum combined accessory building square footage to exceed 1,500 gross square feet in the RS-2, Single-Family Residential District.

Michael Moe introduced the project.

Senior Planner Heather Botten presented the staff report. The property is 2.18 acres and includes a single-family home with an attached two-car garage and a detached 2,000 square foot accessory building. In 1989, CUP #89-17 was approved to allow the detached accessory building on the property.

The applicant is proposing to convert the existing attached garage into living space and add a 952 square foot three-car attached garage. The combined accessory building area is currently 2,462 square feet, and if the CUP is approved, the combined accessory building area would increase to 2,952 square feet. City Code Section 11-18-9.D. allows accessory building square footage to exceed the maximum allowed by conditional use permit.

Community Development Department staff recommend approval of the conditional use permit.

Chair Zimmer opened the hearing to the public for comment.

There was no public comment.

Motion was made by Traffas, seconded by Swaney to close the public hearing at 6:06 p.m.

Voice vote was taken on the motion.

Ayes – unanimous

Chair Zimmer asked for comments from the Planning Commission.

- Commissioner Swenson expressed support for the project.

Motion was made by Swenson, seconded by Einck to recommend to City Council approval of the conditional use permit to allow the maximum combined accessory building square footage to exceed 1,500 gross square feet in the RS-2, Single Family Residential District and the findings of fact, subject to the following stipulations:

1. The garage addition shall be constructed in the location identified on the site plan approved with this conditional use permit.
2. The accessory buildings shall be kept, used, and maintained in a manner that is compatible with the existing single-family home on the property and shall not present a hazard to the public health, safety and general welfare.
3. No commercial activity, storage of commercial equipment or use as a dwelling shall take place within any accessory building on the property. Commercial storage or storage for third parties is not permitted.
4. A building permit application shall be submitted to and approved by the Building Inspections Department prior to commencing construction.

Ayes: Traffas, Duckworth, Zimmer, Einck, Swaney, Swenson, Tinsley

Nays: 0

5b. 9475 212th Street

Chair Zimmer opened the public hearing to consider the application of Andrew and Heidi Knight for a conditional use permit to allow the maximum combined accessory building square footage to exceed 1,500 gross square feet and to allow an accessory building greater than 15 feet in height in the RS-2, Single-Family Residential District.

Heidi Knight introduced the project.

Ms. Botten presented the staff report. The property is three acres in size and currently undeveloped. The applicant intends to construct a single-family home on the site, with an attached 1,026 square foot garage and a 1,500 square foot detached accessory building on the north side of the property. The combined areas of the accessory buildings would total 2,526 square feet in area. City Code Section 11-18-9.D. allows accessory building square footage to exceed the maximum allowed by conditional use permit.

The applicant has also requested that the detached structure exceed the 15-foot height limit of the RS-2 District. The applicants have a camper that requires a 14-foot-tall door for access, which requires 16-foot-tall sidewalls. With the pitch of the roof, the measured height is about 21 feet and 26 feet to the peak of the roof. The property is currently undeveloped and heavily wooded, and it slopes from west to east dropping nearly 20 feet across the property.

Community Development Department staff recommend approval.

Chair Zimmer opened the hearing to the public for comment.

Motion was made by Swaney, seconded by Einck to close the public hearing at 6:12 p.m.

Voice vote was taken on the motion.

Ayes – unanimous

Chair Zimmer asked for comments from the Planning Commission.

- Commissioner Swenson expressed support for the project.

Motion was made by Einck, seconded by Tinsley to recommend to City Council approval of the conditional use permit to allow the maximum combined accessory building square footage to exceed 1,500 gross square feet and 15 feet in height in the RS-2, Single Family Residential District and the findings of fact, subject to the following stipulations:

1. The detached accessory building shall be constructed in the approximate location identified on the site plan approved with the conditional use permit.
2. Sanitary sewer service is not permitted to be extended to the detached accessory structure.
3. The detached accessory building shall be kept, used, and maintained in a manner that is compatible with the existing single-family home on the property and shall not present a hazard to the public health, safety and general welfare.
4. No commercial activity, storage of commercial equipment or use as a dwelling shall take place within any accessory building on the property. Commercial storage or storage for third parties is not permitted.
5. A hard surfaced driveway is required to be constructed from the driveway for the home to the detached accessory structure.
6. A building permit application shall be submitted to and approved by the Building Inspections Department prior to commencing construction of the home and the detached accessory structure.

Ayes: Duckworth, Zimmer, Einck, Swaney, Swenson, Tinsley, Traffas

Nays: 0

5c. Al Hadi Association

Chair Zimmer opened the public hearing to consider the application of Al Hadi Association for a conditional use permit to allow a religious institution use in the RS-2, Single Family Residential District, and to exceed 125% of the minimum parking stalls required by the Zoning Ordinance.

Muhammad Shabazz introduced the project. He stated that they have worked closely with Lakeville city staff to ensure that the project meets all city requirements including site planning, traffic management, parking, landscaping, grading, utilities, and all environmental considerations. The goal is to ensure the safety and well-being of both the neighborhood and the wider community.

Ms. Jenson presented the staff report. The applicant proposes to construct a nearly 3,700 square foot facility at 17732 Junelle Path, south of 175th Street, behind the Cub Foods in Argonne Village. The minimum side yard setback (30 feet) is double that of the RS-2 District (15 feet) as required by the Zoning Ordinance. The facility is proposed to be at least 100 feet from all property lines, exceeding all required setbacks. Parking is based on the capacity of the main gathering space, which has capacity for 118 people and requiring 39 parking spaces. The applicant has requested a conditional use permit to exceed 125% of the required spaces to provide 59 spaces on site. Access to the site is from Junelle Path and will be separated from the driveway for the property to the north.

The site includes a stormwater basin and a rain garden to address stormwater ponding requirements. The pond and rain garden will be privately maintained and a stormwater maintenance agreement is required for the site.

The grading, drainage and utility plans were submitted to the Engineering Division for their review. The civil plans are still under review and must be finalized prior to consideration by the City Council.

Community Development Department staff recommend approval of the conditional use permit.

Chair Zimmer opened the hearing to the public for comment.

The following people spoke in support of the project:

Nazish Ahmed, 18370 Gladden Lane

Ziad Asim, 18107 Glassfern Lane

Jennifer Thayer, 16965 Kenmore Drive

Umar Usmani, 17964 Havana Path

Saima Shafiq, 20538 Hartford Way

Peter Moenkhaus, 16555 Forbes Avenue

Jay Perske, 9817 171st Street

Masood Ahmad, 20538 Hartford Way

Amna Shouab, 20576 Gunnison Drive

Muneeb Ahmed, 16097 Kennard Court

Saad Salam, 20519 Hartford Way

Shahid Aziz, 20802 Kensington Blvd work address

Zaineb Ahmed, 7683 207th Street

Naseer Ahmed, 18370 Gladden Lane

Mohammad Hashir, 20576 Gunnison Drive

Mohammad Abdur Rashid, 17801 Jasper Court

Sandy Putlak, 17298 Greentree Path

The following people spoke and asked questions about the application:

Dean Johnson, 17688 Junelle Path, represents 76 residents in the senior apartment building, and is concerned about increased traffic, noise and light pollution.

Leslie Madison, Argonne Fields Townhomes, speaking on behalf of residents, expressed concerns about the increased traffic, the number of events that will take place at the location, the lighting and the increased demand on the infrastructure.

Colin Fowler, 17700 Junelle Path, asked about future utility extensions to his property and the comprehensive plan.

Motion was made by Swaney, seconded by Tinsley to close the public hearing at 7:23 p.m.

Voice vote was taken on the motion.

Ayes – unanimous

Chair Zimmer asked for comments from the Planning Commission.

- Commissioner Swenson asked about ordinance requirements for lighting standards. Ms. Jensen stated that photometric plans are reviewed for compliance with Zoning Ordinance standards. The photometric plan indicates that the site is proposed to have no parking lot lighting, only building mounted lighting, and the proposed light levels are low compared to the maximum light levels permitted.
- Commissioner Swenson stated there was a question about the Stormwater Pollution Prevention Plan (SWPPP) and survey language on the SWPPP document. He stated the language that was on the SWPPP is basically a disclaimer to cover in the event that someone would try to use the stormwater management plan as a survey document. Assistant City Engineer Jon Nelson confirmed Commissioner Swenson's statement. The SWPPP is reviewed in conjunction with civil plan reviews of the site. Commissioner Swenson asked if there's an easement that would address Mr. Fowler's concern about the future extension of utilities to his home. Mr. Nelson stated there is an access easement currently in place for Mr. Fowler's property but not a utility easement, which would be required to be provided for any future utility extension to the property.

- Commissioner Swaney asked about the dead-end ingress/egress of Junelle Path and whether a study has been done for emergency/first responder traffic. He also asked about potential traffic generated from the Argonne Village shopping center and whether the site will have adequate parking. Ms. Jenson explained how the parking requirement is calculated and noted that because Junelle Path is signed for no parking, the applicant has chosen to provide additional parking on their site. From the Zoning Ordinance perspective, the site exceeds parking requirements.
- Commissioner Einck asked if the plans included future parking areas. Ms. Jenson stated that the plans do not and any plans for future parking expansions would require review.
- Commissioner Einck asked if there is a possibility of a crosswalk or a sidewalk or path on Junelle Path. Mr. Nelson stated that a sidewalk could not be required as part of the CUP application. If there is public interest, a petition or request can be made for the city to evaluate the possibility adding a sidewalk or trail in the area of Junelle Path. It would be done as a public improvement project if constructed.
- Chair Zimmer clarified that the city could not add a stipulation requiring the applicant to add a sidewalk along Junelle Path. Mr. Nelson confirmed that the city cannot require the applicant to perform improvements that are not abutting their frontage.
- Commissioner Einck stated there could be a safety issue if a crosswalk was added to Junelle Path. Mr. Nelson stated that Junelle Path could be evaluated but that typically mid-block crossings are avoided; crosswalks are ideally located at intersections and that there is immense safety benefit to having the crosswalks properly located.
- Commissioner Traffas stated that many of the issues raised are part of plans that are reviewed for compliance with ordinance requirements and staff reports are provided to the Planning Commission prior to the meeting, including traffic, stormwater, and lighting. The plans have been studied and found to be consistent with city standards. He added that the city has a comprehensive plan, which currently runs through 2040 and it focuses on how various land uses fit together. Ms. Jenson stated that the City is beginning the process of working on the 2050 Comprehensive plan, for which there are opportunities for public input into that process. The designation of the subject property is residential and religious uses are allowed in residential districts, so the use is in compliance with the Comprehensive Plan.
- Chair Zimmer asked about impacts to utility systems and whether service will be extended to Mr. Fowler's property. Mr. Nelson stated there are existing sewer and water stubs provided for the subject property that were constructed back in 2004, with the intent that the parcel would connect to municipal services with future development. Mr. Nelson added that the property to the north would be required to have it's own connection for utilities, but that by providing a drainage and utility easement along the access easement area, Mr. Fowler will be able to connect with municipal utilities when he chooses. He also added there is sufficient capacity within the water and sanitary sewer lines in the area to serve the properties not yet connected.

- Chair Zimmer asked about the amount of activity that will be happening at the mosque, and asked about the increase in runoff from the new paved parking area as compared to the current grass and gravel road.
- Commissioner Swenson stated that stormwater facilities are required when a site develops and impervious surfaces are added. He also noted that based on the civil plans there is a substantial portion of the property that is being given up for stormwater management purposes. Mr. Nelson added that the applicant has submitted a stormwater report and the site is providing ponding to address the runoff generated by the site. The site design directs runoff from the parking lot into the ponding basin. In addition, the applicant is required to enter into a Storm Water Maintenance Agreement with the city which outlines the required maintenance for the private basin.
- Commissioner Swenson asked about the watershed district's role and permitting. Mr. Nelson stated the city is the local governing unit for the watershed and therefore does all of the review to ensure the plans comply with watershed standards in addition to statewide requirements.
- Commissioner Swenson asked about the demolition of the building and what the requirements are. Ms. Jenson stated a demolition permit is required through the Building Inspections department to ensure the work is done correctly.
- Chair Zimmer asked about the amount of activity at the site and the intersection at the mid-block. Ms. Jenson noted that Junelle Path is wider than a standard residential local street as well as posted as No Parking. The applicant stated that the mosque would be open daily from 1:00 p.m. to 9:00 p.m. There are daily prayer times listed on their website, though that doesn't mean that the mosque is open during all of those times. The applicant indicated that on an average day, 8-10 members are expected to visit during the prayer times which occur when the building is open. The primary service is on Friday afternoons, when they are likely to have 40 to 50 members in attendance over two services. Other gatherings during the week include a youth program, women's meeting, and men's group. Ms. Jenson also compared the possible traffic with a similar amount of traffic that could be generated by a residential development, much like the adjacent Argonne Fields neighborhood.
- Commissioner Swenson stated he is a longstanding member of the Planning Commission, and that there have been a multitude of religious uses in a variety of sites and settings, many of which have raised concerns in terms of traffic and appropriateness adjacent to residential housing. It is an allowed use within a residential district in the City of Lakeville. City staff reviewed the proposed project and they believe it meets the requirements and have recommended approval to the Planning Commission. Commissioner Swenson also expressed appreciation for everyone who spoke and provided their thoughts and expressed his support for the project.

Mr. Shabazz confirmed the mosque hours are from 1:00 – 9:00 p.m. Along with daily prayer there are some regular programs. There is a weekly group on Thursday, there are some monthly youth

programs and main congregation on Friday, and some yearly occasional programs. There will be a group of trained volunteers to assist with parking, specifically at the exit point.

City Attorney Andrea McDowell Poehler stated a conditional use permit is essentially a permitted use subject to meeting the conditions identified in the ordinance. The Planning Commission and City Council have limited authority and discretion when it comes to conditional use permits, acting like a judge, looking at the facts, and making sure that they meet those criteria. They do have the ability to provide some conditions provided they are related to the impact of the property and relate to public health, safety and welfare. Those are the parameters of what can be done with conditional use permits.

Motion was made by Swenson, seconded by Einck to recommend to City Council approval of the conditional use permit to allow a religious institution use in the RS-2, Single Family Residential District, and to exceed 125% of the minimum parking stalls required by the Zoning Ordinance, and the findings of fact, subject to the following stipulations as amended:

1. The stipulations and recommendations listed in the Engineering Division memorandum dated June 17, 2026.
2. Civil plans must be approved by the Engineering Division prior to construction beginning on the site.
3. A Site Improvement Performance Agreement (SIPA) and Stormwater Maintenance Agreement (SMA) must be executed, approved by the City Council, and recorded with Dakota County prior to construction beginning on the site.
4. The building and site shall be developed consistent with the plans approved by the City Council.
5. A \$50,000 security to guarantee the demolition of the existing homestead and garage and the sealing and abandonment of the well.
6. A landscape security shall be submitted with the SIPA.
7. An as-planted landscape plan must be submitted prior to a landscape inspection of the site.

Ayes: Zimmer, Einck, Swaney, Swenson, Tinsley, Traffas, Duckworth

Nays: 0

There being no further business, the meeting was adjourned at 7:58 p.m.

Respectfully submitted,

Dawn Erickson, Community Development Recorder

CITY OF LAKEVILLE
PLANNING COMMISSION WORK SESSION MINUTES
June 25, 2026

Chair Christine Zimmer called the work session to order at 8:10 pm.

Members Present: Chair Christine Zimmer, Vice Chair Scott Einck, John Swaney, Jason Swenson, Amanda Tinsley, Mark Traffas, Alternate Erin Duckworth

Members Absent: Pat Kaluza, Ex-Officio Kelli Coughlin

Staff Present: Planning Manager Kris Jenson, Community Development Director Tina Goodroad, Senior Planner Heather Botten

Others Present: Councilmember Dan Wolter

Director Goodroad provided an overview of Zoning Ordinance amendments that staff have identified. The potential amendments were in the following areas:

Accessory Buildings . Director Goodroad noted that due to the number of CUP requests on this topic, staff feel it's appropriate to review the ordinance standards.

Commissioners spoke in favor of reviewing the requirements. Chair Zimmer is in favor of allowing a greater size on acreage lots. Commissioner Swenson spoke in favor of having separate requirements for attached versus detached accessory structures as well as increasing the allowed height.

Chickens. Staff has continued to receive numerous requests to increase the number of chickens allowed, from three to six. The allowed materials for the coops is also proposed to be expanded.

Commissioner Einck expressed concern that chickens were not being properly contained, about the hazards associated with cleaning the coop, chicken waste, etc. Chair Zimmer also expressed concerns about waste generated by the coops.

There was general conversation about whether to increase the number of chickens allowed based on property size.

Bees. An interim use permit is required to keep bees and only one has been requested and approved since the ordinance was adopted about 10 years ago. Staff suggests maintaining the requirements but allowing the keeping of bees by administrative permit instead of the interim use permit.

Commissioners expressed support for the change and requested that the required setback to property lines be consistent with chicken coops.

Data Centers. Director Goodroad noted that the Zoning Ordinance currently allows data centers as a permitted use in several industrial zoning districts. The nature of data centers has changed

since the use was added to the Zoning Ordinance and staff would like update the requirements surrounding the use.

Commissioners expressed support for making the change. Commissioner Traffas asked for clarification on who would review plans and studies required under the draft language and whether the city has a policy on large water users.

The work session adjourned at 9:05 pm.

Respectfully submitted,

Kris Jenson, Planning Manager



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MEMORANDUM

TO: Community Development Director Tina Goodroad
Planning Manager Kris Jenson

FROM: D. Daniel Licht

DATE: 16 July 2026

RE: Lakeville – Zoning Ordinance; Annual Review

TPC FILE: 135.01

BACKGROUND

The Community Development Department initiates an annual review of the Zoning Ordinance, Subdivision Ordinance, and/or City Code to address issues identified in the course of ongoing administration of the City's development regulations and review of development applications. City staff and our office have collaborated to draft proposed amendment language addressing topics identified by City staff for review in 2026. The proposed amendments are attached to this memorandum with deleted text ~~stricken~~ and added text shown as double underlined.

The Planning Commission reviewed the proposed amendments at a work session on 24 June 2026. City staff took questions and comments regarding the proposed amendments, and, following the work session, proceeded to prepare final ordinance language. A public hearing to consider amendments to the Zoning Ordinance and Subdivision Ordinance has been noticed for the Planning Commission meeting on 23 July 2026.

Exhibits:

- Draft ordinance

ANALYSIS

Required Garages. Section 10-4-2.M and Section 10-4-3.S.4.b(2) of the Subdivision Ordinance address lot and street design standards requiring either construction of, or space for, a three car attached garage on single family lots. In 2025, to proactively address Missing Middle Housing issues, the Zoning Ordinance was amended to remove those requirements. These provisions of the Subdivision Ordinance are likewise proposed to be repealed.

City staff has further identified provisions within Section 11-17-9.F and Section 11-17-23 of the Zoning Ordinance addressing requirements for providing space or construction of three car attached garages. These provisions are either redundant of other sections of the Zoning Ordinance or were not repealed with the Missing Middle Housing changes in 2025. The draft ordinance amendment repeals these sections.

Definitions: The following are proposed amendments of Section 11-2-2 of the Zoning Ordinance related to definitions:

- The City Attorney identified that the current definition of residential care facilities included in the Zoning Ordinance should be revised to align with current statute language.
- The Zoning Ordinance is to be amended to include definitions for data centers and data center campus uses as a basis for establishing allowances and regulations for data centers by zoning district.

Non-Conforming Lots. Section 11-15-9 of the Zoning Ordinance establishes provisions regulating development of non-conforming lots. The current regulations include that abutting non-conforming undeveloped lots of record must be combined or, at a minimum, considered as one lot for zoning purposes. This requirement is mandated for shoreland-regulated properties, but outside of the Shoreland Overlay District it is a local policy choice.

The Zoning Ordinance also establishes provisions by which non-conforming lots may be developed or redeveloped subject to approval of a Conditional Use Permit. From City staff's perspective, if any non-conforming lot of record meets the requirements established by the Zoning Ordinance for development or redevelopment, then the improvements should be allowed notwithstanding ownership of one or more abutting lots.

In reviewing this section of the Zoning Ordinance regarding a proposal for non-conforming platted lots within the Orchard Lake area, City staff also identified a circular reference within the Zoning Ordinance related to minimum lot area for unsewered parcels. Section 11-15-9.C requires that lots without access to public sewer must comply with the minimum lot area requirement established by Section 11-17-19 of the Zoning Ordinance. However, if the lot in question is non-conforming due to lot area for an unsewered lot, the non-conforming lot provisions of the Zoning Ordinance do not provide opportunity for a reasonable use except by variance. To address this circumstance, the provisions of Section 11-15-9.C of the Zoning Ordinance are proposed to include minimum standards for lot area (one acre) and adequate area for installation of a Subsurface Sewage Treatment System in accordance with Minnesota Rules to be deemed to be buildable.

Building Height. Section 11-7-7.D of the Zoning Ordinance includes an exception from building height limits for "church spires and crosses or other symbols as an element of the principal building". From a land use regulation standpoint, the term "church" is outdated. City staff has revised this section of the Zoning Ordinance to restate the exemption as "belfries, cupolas, domes, and spires that do not contain usable space" as part of an overall reorganization of the listing of structures exempt from building height limits.

Deck Setbacks. Section 11-17-11 of the Zoning Ordinance outlines application of setback requirements to buildings within a lot. Included in these provisions are allowed encroachments into principal building setbacks for open decks. The extent of the allowed encroachment is based upon whether the deck is up

to a height of 30 inches above grade or if it is higher when attached at the first level of a home having a lookout or walkout basement. As currently adopted, any deck greater than 30 inches above grade is subject to the same setbacks as the principal building with the intent of not having an elevated deck overlook adjacent properties to maintain privacy. However, the smaller lot area and depth of the RS-4 and RST-2 Districts makes compliance with the same setback requirement not practical. The deck setback requirement is also in conflict with the need for decking around above-ground pools. City staff recommends allowing the rear yard setback of a deck more than 30 inches above grade to be 10 feet to allow greater flexibility and options for homeowners to determine the size and location of a deck within their properties.

Accessory Buildings. The City has been processing numerous requests for conditional use permits to allow construction of accessory buildings for single family properties greater than the limits established by Section 11-18-9.D of the Zoning Ordinance. Almost all these requests are being approved by the Planning Commission and City Council suggesting it would be appropriate to amend the Zoning Ordinance to allow greater accessory building area than currently established. City staff has discussed this idea, but not yet prepared language for consideration by the Planning Commission. This will be addressed as part of a future Zoning Ordinance amendment.

Off-Street Parking. Proposed amendments of Chapter 19 of the Zoning Ordinance establishing requirements for off-street parking include:

- Repeal of Section 11-16-5 of the Zoning Ordinance that duplicates an existing provision in Chapter 19 regarding required access to a public street.
- Revised language clarifying the number of off-street parking spaces required for motor fuel facilities by Section 11-19-13.A of the Zoning Ordinance.
- Section 11-19-13.A includes an off-street parking space requirement for auto repair uses established after 17 March 2003, but no standard for uses in place prior to that date. The existing language reflects an amendment in 2003 whereby non-retail uses in commercial districts were required to provide parking necessary for a retail use in anticipation of future changes in occupancy. The proposed draft ordinance establishes an off-street parking space requirement specific to auto repair uses existing prior to March 17, 2003.
- The City in 2025 adopted a provision requiring a Conditional Use Permit for any proposed commercial off-street parking area that had more than 125 percent of the number of parking spaces required by the Zoning Ordinance. The intent of the requirement was to encourage appropriately sized off-street parking areas to maximize the use of property, minimize initial investment and maintenance costs, and reduce impervious surfaces. City staff has found the limit on maximum number of off-street parking spaces to be impractical to administer on a case-by-case basis to the extent that it can hinder economic development efforts. The Planning Commission agreed and recommended that the requirement establishing a maximum number of off-street parking spaces be repealed.

Residential Buffer Yards. The Zoning Ordinance has been amended to establish minimum lot requirements for single family dwellings within the RST-2 District based on the standards of the RS-4 District and made even smaller for detached townhouse dwellings. Section 11-21-9.E of the Zoning Ordinance establishes lot width and lot depth requirements increased over the base district

requirements for lots abutting major collector or arterial streets to allow for planting a residential buffer yard. The buffer yard lot width standards for RST-2 Districts remain based on the former RS-3 District minimums and are proposed to be reduced to maintain the same minimum building pad width as an interior lot in consideration of the required buffer yard setbacks.

Signs. Proposed amendments of Chapter 23 of the Zoning Ordinance regulating signs include:

- Clarification that the maximum area of any individual wall sign within a multiple occupancy commercial or industrial building established by Section 11-23-15.R of the Zoning Ordinance is limited to the maximum area of an individual sign for a single occupancy building allowed in the same zoning district.
- Changes to 11-23-15.X of the Zoning Ordinance address timing of approval for installation of permanent subdivision identification signs and the duration that temporary signs are allowed for new development sites.
- City staff recommends repealing the minimum lot area requirement for religious facilities to have dynamic display signs. The remaining regulations requiring an operation license, that the sign be in a yard abutting a major collector or arterial street, and that the sign be set back a minimum of 50 feet from any residential zoning district is sufficient to maintain land use compatibility with surrounding properties.
- The I-3, Special Industrial District designated for Airlake Airport is included within provisions regulating signs for the O-P, I-CBD, I-1, and I-2 Districts.
- Sign standards included for convenience food uses within the M-2 District adopted in Section 11-66-7 of the Zoning Ordinance are to be repealed to reference only the standards in Chapter 23 of the Zoning Ordinance.

Animals. The Zoning Ordinance allows for keeping of chickens on residential properties with approval of an administrative permit. To date, there have been 100 permits issued to allow keeping of chickens. The primary complaint that City staff has received since instituting allowances for chickens is that they are being kept without the required administrative permit. The City Council discussed regulations for keeping chickens on residential properties at a work session. Based on these discussions, City staff is proposing the following changes to Section 11-35-3.C of the Zoning Ordinance:

- The number of allowed chickens is to be increased from three to six birds.
- The revised text specifies that the chickens must be kept within a coop or run.
- Allowed exterior finish materials for the required coop are to be expanded to include painted metal or weather resistant composite materials, in addition to wood.
- Sale of eggs produced by chickens kept upon a property will be allowed subject to use of temporary, unenclosed display areas and signs.

The Planning Commission also discussed keeping bees on residential properties. This use currently requires approval of an interim use permit, which is time and cost prohibitive. The Planning Commission

recommended amending the Zoning Ordinance to allow keeping of bees and apiaries with approval of an administrative permit. City staff has included language in the proposed amendment to effect this change.

Motor Fuel Facilities. City staff is recommending the Planning Commission consider making allowance for motor vehicle fuel sales and including those uses with convenience grocery and/or prepared food (but not including truck stops) within the I-1 District. With the increase in industrial development along the CSAH 70 corridor, there is increased demand for vehicle fuel, both for employee and business vehicles, as well as convenience shopping opportunities. The addition of motor fuel facilities is considered by City staff to be an opportunity to expand retail and service businesses in the area that will be complementary to existing and planned industrial development. Allowance of motor fuel facilities within the I-1 District is to be subject to the same performance standards as apply within the M-1, C-2, C-3, and C-CBD Districts ensuring high standards of development, functional site plans, and adequate consideration of potential negative impacts or compatibility issues through a Conditional Use Permit process.

Secondary Dwelling Units. The Zoning Ordinance makes allowance for multigenerational housing within single family dwellings through an administrative permit within the RS-1, RS-2, RS-3, and RS-4 Districts. To increase the opportunity for property owners to have a secondary dwelling area within their homes, City staff recommends removing the requirement that there be a three-car attached garage with direct access to each stall. The Zoning Ordinance continues to require a minimum number of off-street parking spaces and the City Code addresses limits on on-street parking. Removal of the requirement for a three-car garage will allow the property owner to manage their own parking needs, which in the case of multigenerational housing, may not include having additional drivers within the household. City staff also recommends amending the Zoning Ordinance to allow secondary dwelling units as an allowed use by Administrative Permit within the RS-CBD District as this type of housing is commonly found in older, more traditional city neighborhoods characteristic of Downtown Lakeville.

Private Drive Setbacks. Within the RM and RH Districts, townhouse and multiple family buildings are required to be set back a minimum of 30 feet from the back-of-curb of private drives. To be able to achieve the minimum density required by the Comprehensive Plan, it is necessary to consider reducing the setback between the building and private drive to 20 feet. However, City staff recommends maintaining a minimum 30-foot setback between the back-of-curb of a private drive to a garage face to allow parking on the apron in front of the garage.

RH District Townhouses. Within the RH Districts, townhouses are allowed to be up to six units in a row or twelve units back-to-back. However, as written, the permitted use language does not include the “up to” clause and is to be amended for clarification so as not to require townhouse buildings to be only built six in a row or 12 unit back-to-back.

RH-CBD District. There are single family properties within Downtown Lakeville zoned as RH-CBD District to allow for redevelopment based on the recommendations of the Downtown Development Guide and land uses guided by the 2040 Land Use Plan. As the RH-CBD District does not allow for single family dwellings, the uses are non-conforming. The non-conforming status of the use limits the current property owners’ ability to make desired improvements that would otherwise comply with the Zoning Ordinance standards for single family dwellings in Downtown Lakeville. To remove the non-conforming status, City staff recommends making single family dwellings established before 17 June 2000, when the RH-CBD District was adopted, interim uses within the RH-CBD District. The conditions on the interim use are that the requirements of the RS-CBD District apply to the lot. The interim use permit is terminated

upon redevelopment of the single family property to another permitted or conditional use of the RH-CBD District.

M-2 District Convenience Food. Convenience food uses are allowed in the M-2 District with approval of a conditional use permit. City staff recommends amending the standards applicable to a convenience food use within the M-2 District to establish minimum design standards for a drive through facility, including minimum stacking space and to adopt regulations for menu signs the same as provided for within the C-2, C-3, and M-1 Districts.

O-R District Retail Uses. The O-R District allows for retail sales as a conditional use up to 15 percent of the gross floor area of a building. City staff recommends that the Zoning Ordinance be amended to allow retail sales up to 15 percent of a building's floor area by approval of an Administrative Permit to facilitate the review and approval process for property owners and businesses.

Data Centers. Considerable attention is being given to development of data centers as the demand for these facilities has increased with expansion of internet-based services that has resulted in both more and larger facilities.

- The Zoning Ordinance currently allows data centers as a permitted use within the O-P, I-1, and I-2 Districts.

The O-P District is no longer considered by City staff to be an appropriate zoning district for data center uses based on it being designated generally adjacent to existing residential neighborhoods and the lot characteristics that are too small for these contemporary facilities.

Due to potential negative impacts of data centers, including but not limited to noise, exterior lighting, water use, and electric utilities, City staff further recommends that continued allowance of data centers within the City be as a conditional use to allow the City a thorough review process for any specific development. To this end, data centers are to be defined as single building facilities and allowed in only the I-1 District. Data center campuses, defined as multiple building facilities, is not to be included as an allowed use within any zoning district and are therefore prohibited in accordance with Section 11-1-9 of the Zoning Ordinance.

- Allowance of data centers is to be subject to performance standards to address potential negative impacts of the facilities:
 - Data centers and data center campuses would be required to be set back a minimum of 500 feet from CSAH 70, any existing residential use, or any residential zoning district. The setback requirement would also apply from the jurisdictional boundary of the City to avoid any spillover of off-site impacts into adjacent jurisdictions where the City does not control the allowed land use. The intent of the setback requirements further concentrates the location of potential data centers and data center campuses in areas surrounded by other existing or planned industrial uses based on the current 2040 Land Use Plan map.
 - Impacts to electric utilities from a data center or data center campus are largely regulated beyond the City's jurisdiction. However, an application for development of a data center or data center campus would require an energy consumption plan to be submitted to identify electric service needs as represented by the utility provider and

any improvements associated with the proposed use. The need for additional transmission lines to provide service to a proposed facility would also be required to be identified so that the potential impacts of that infrastructure within the scope that cities are allowed to regulate essential services can be evaluated concurrent with the data center proposal. Finally, all electric utility improvements required to serve the proposed data center are to be paid for by the developer.

- Water use for cooling systems is a primary concern for allowance of data centers. An application for development of a data center would include a requirement for a water consumption plan to outline water use requirements for the proposed use and impacts to municipal water supplies and groundwater or surface water resources applicable to Department of Natural Resources review. The standards specify that cooling systems must be a closed-loop system to minimize water use or air-cooling systems must be employed have also been included as a performance standard.
- The cooling systems utilized by data centers create concern regarding potential noise impacts, not only from the sound level but also because the noise is constant.

An application to develop a data center would require a noise study be submitted that details existing noise levels, outlines noise mitigation to be employed by the facility, and estimates post-development noise levels, which are required to comply with applicable Minnesota Pollution Control Agency standards. A post-development sound study is also to be required to demonstrate the accuracy of the initial study estimates and effectiveness of the noise mitigation once the facility is operational. A provision is included to allow the City to require additional noise studies to verify compliance.

The setback requirement stated above is also a means of mitigation to ensure separation from uses that may be impacted by noise generated by a data center.

- Data centers may have equipment or facilities that are not fully enclosed within a building. The draft performance standards include a requirement that any equipment or facility not enclosed within a building must be screened using berms, landscaping, fences/walls, or a combination thereof. The required screening is to be to a minimum height of 14 feet and must fully screen the equipment or facilities from adjacent public rights-of-way and from the windows of abutting residential dwellings. Again, the setback requirement established as a performance standard is also intended to be a means of screening a data center from view of major roadways and residential uses.
- The Zoning Ordinance establishes limits for exterior lighting in Section 11-16-17 of the Zoning Ordinance. These standards are increased for data centers to limit the amount of blue light allowed, decrease the maximum intensity of light cast at property lines, and require that exterior lighting be reduced in intensity by 50 percent during overnight hours.
- A decommissioning plan is to be required for the eventual shutdown of a data center and conversion to a different use. The provisions for the decommissioning plan require a security to be provided to ensure that the processes be completed.

Shoreland Overlay District. The following amendments are proposed within Chapter 102 of the Zoning Ordinance regulating lands within the Shoreland Overlay District:

- The City annexed land for Airlake Airport that includes a tributary waterway. The table in Section 11-102-9.B.2 of the Zoning Ordinance designating public waters that are subject to regulation under the Shoreland Overlay District must be updated to include this segment of the tributary.
- The City deals regularly with requests to expand existing homes that were constructed prior to establishment of the Shoreland Overlay District. The Department of Natural Resources' model ordinance for shoreland regulations includes a provision allowing for construction of an open deck onto an existing dwelling not meeting the minimum setback requirement from the Ordinary High Water Level. City staff recommends including these provisions in the Zoning Ordinance, which would allow certain improvements consistent with shoreland standards without application for a variance.

CONCLUSION

The Planning Commission will conduct a public hearing on 23 July 2026 to consider the proposed amendments of the Zoning Ordinance and Subdivision Ordinance. After receiving any comments, the public hearing should be closed. City staff and our office will address any questions or comments from the public hearing or discussion by the Planning Commission. City staff and our office recommend approval of the proposed Zoning Ordinance and Subdivision Ordinance amendments as presented.

ORDINANCE NO. _____

CITY OF LAKEVILLE
DAKOTA COUNTY, MINNESOTA

AN ORDINANCE AMENDING THE SUBDIVISION ORDINANCE AND ZONING ORDINANCE
OF THE LAKEVILLE CITY CODE

THE CITY COUNCIL OF THE CITY OF LAKEVILLE ORDAINS:

Section 1. Section 10-4-2.M of the Subdivision Ordinance (Design Standards – Lots) is hereby repealed and subsequent sections renumbered accordingly.

~~M. Lots Platted After February 16, 1999: All single family residential lots in the RS 1, RS 2, and RS 3 districts platted after February 16, 1999, shall be designed in consideration of potentials for buildings accommodating three (3) car garages, porches and decks, etc. Said buildings and structures are to be compatible in size and character with the surrounding area.~~

Section 2. Section 10-4-3.S.4.b(2) of the Subdivision Ordinance (Design Standards – Streets and Alleys) is hereby repealed and subsequent sections renumbered accordingly.

~~(2) All houses shall have an attached accessory garage of three (3) stalls with corresponding front driveway parking apron. The curb cut opening on the street shall, however, meet established standards.~~

Section 3. Section 10-4-4.A of the Subdivision Ordinance (Design Standards – Easements) is hereby amended to read as follows:

A. Width And Location: An easement for drainage and utilities at least ten feet (10') wide along front and rear lot lines and five feet (5') wide along all abutting side lot lines shall be provided. An easement for drainage and utilities not less than ten feet (10') wide shall be provided adjacent to all plat boundaries when no easement exists on the abutting parcels. If necessary for the extension of main water or sewer lines or similar utilities, easements of greater width may be required along lot lines or across lots.

Section 4. Section 11-2-3 of the Zoning Ordinance (Rules and Definitions – Definitions) is hereby amended to revise the following existing definition:

~~RESIDENTIAL FACILITY, STATE LICENSED: Any residential care program, defined by Minnesota Statutes section 245A.02 and~~ A state licensed residential facility, including an assisted living facility under chapter 144G, licensed by the State of Minnesota.

Section 5. Section 11-2-3 of the Zoning Ordinance (Rules and Definitions – Definitions) is hereby amended to add the following definitions alphabetically:

DATA CENTER: A facility within a single building used primarily for the storage, management, processing, and transmission of digital data that houses computer or network equipment, systems, services, appliances, and other associated components related to digital data storage and operations, together with its accessory and appurtenant facilities. A data center may also include offices, air handlers, electric power

generators, water cooling systems, water storage facilities, utility substations, and other associated infrastructure necessary to support sustained operations at the facility.

DATA CENTER CAMPUS: A facility consisting of more than one (1) data center building, but otherwise interconnected by power supply, communication systems, power generation, or other operational systems to form a unified data center facility; this definition may include the terms “technology campus”, “cloud computing campus”, or similar phrases and terms.

Section 6. Section 11-2-3 of the Zoning Ordinance (Rules and Definitions – Definitions) is hereby amended to repeal the following definition:

~~RESIDENTIAL CARE FACILITY: Any residential care program, defined by Minnesota Statutes section 245A.02 and licensed by the State of Minnesota.~~

Section 7. Section 11-15-9.B of the Zoning Ordinance (Non-conforming Buildings, Structures and Uses – Non-Conforming Lots) is hereby amended to read as follows:

B. Required Merger Of Common Ownership Lots: ~~Except as provided for in section 11-102-15 of this title or as may otherwise be allowed pursuant to this chapter,~~

1. If in a group of two (2) or more contiguous lots or parcels of land owned or controlled by the same person, any individual lot or parcel is nonconforming as to lot width, lot area, or lot frontage ~~such individual~~ the non-conforming lot(s) or parcel(s) shall not be sold or developed as a separate ~~parcel of land~~ lot of record, except as provided for by sections 11-15-9.B.2 or 11-16-9.C of this section, but shall be combined with adjacent lots or parcels under the same ownership or control so that the combination of lots or parcels will equal one (1) or more zoning lots each meeting the full lot requirements of this title or lessening the nonconformity.

1a. The designation of a zoning lot pursuant to this section shall be approved by the Zoning Administrator if the zoning lot complies with the lot requirements of the district in which it is located and will have a single tax identification number.

2b. Interior lot lines within a designated zoning lot shall be disregarded in applying setbacks and other zoning ordinance standards.

3c. The subdivision of a designated zoning lot shall be in accordance with title 10 of this Code.

2. A lot or parcel within the Shoreland Overlay District shall be regulated by section 11-102-15 of this title.

Section 8. Section 11-15-9.C.3.b of the Zoning Ordinance (Non-conforming Buildings, Structures and Uses – Non-Conforming Lots) is hereby amended to read as follows:

b. Unsewered Lots: A legal nonconforming lot or parcel not having access to Municipal sewer shall be considered buildable provided ~~it complies with section 11-17-19 of this title.~~ that:

(1) The lot or parcel is a minimum of one (1) acre in area.

(2) The lot or parcel is of sufficient area and dimensions that all structures and buildings comply with applicable setback requirements.

- (3) There is an ability to provide for a subsurface sewerage treatment system within the lot or parcel in accordance with Minnesota Rules.

Section 9. Section 11-16-5.H of the Zoning Ordinance (General Performance Standards – Platted and Unplatted Property) is hereby repealed in its entirety:

~~H. Except as may be allowed by conditional use permit and property subdivision, each lot shall have frontage and access directly onto an abutting, improved and city accepted public street.~~

Section 10. Section 11-17-7.D of the Zoning Ordinance (General Yard, Lot Area and Building Regulations – Building Height) is hereby amended to read as follows:

D. The building height limits established herein for districts shall not apply to the following:

- ~~1. Belfries.~~
- ~~2. Church spires and crosses or other symbols as an element of the principal building.~~
- ~~3. Cupolas and domes which do not contain usable space.~~
- ~~4. Flagpoles.~~
- ~~5. Parapet walls extending not more than three feet (3') above the limiting height of the building.~~
- ~~6. Poles, towers and other structures for essential services.~~
- ~~7. Necessary mechanical and electrical appurtenances, including, but not limited to, chimneys or flues, cooling towers or elevator penthouses.~~
- ~~8. Agricultural buildings on farm properties.~~
- ~~9. Wind energy conversion system towers as regulated by chapter 29 of this title.~~
- ~~10. Antenna support structures as regulated by chapter 30 of this title.~~
1. Agricultural buildings as defined by this title located on a farm.
2. Antenna support structures as regulated by chapter 30 of this title.
3. Belfries, cupolas, domes, and spires that do not contain usable space.
4. Flagpoles.
5. Necessary mechanical and electrical appurtenances, including, but not limited to, chimneys or flues, cooling towers, or elevator penthouses.
6. Parapet walls extending not more than three feet (3') above the limiting height of the building.
7. Poles, towers, and other structures for essential services.

8. Wind energy conversion system towers as regulated by chapter 29 of this title.

Section 11. Section 11-17-11.A.2 of the Zoning Ordinance (General Yard, Lot Area and Building Regulations – Yards) is hereby amended to read as follows:

2. Terraces, steps, decks, stoops or similar structures:

a. For lots of record or preliminary platted lots established prior to March 17, 2003: ~~Except as may be limited within environmental protection districts, t~~ Terraces, steps, decks, stoops or similar structures constructed to the height of the ground floor of the principal structure may extend up to five feet (5') of a side yard lot line or ten feet (10') of a rear yard lot line, but not more than five feet (5') into a required front yard or side yard adjacent to a public right-of-way.

b. For lots of record or preliminary platted lots established after March 17, 2003: ~~Except as may be limited within environmental protection districts,~~

(1) ~~the~~ the required side yard and rear yard setbacks for terraces, steps, decks, and stoops that are thirty inches (30") or less above grade shall be:

(+A) Side yard: Five feet (5') but not encroaching more than five feet (5') into the required side yard adjacent to a public right- of-way.

(2B) Rear yard: Ten feet (10').

e.(2) ~~Except as may be limited within environmental protection districts, t~~ The required rear yard setbacks for steps, decks, and stoops that are more than thirty inches (30") above grade shall be: ~~twenty feet (20').~~

(A) Side yard: Equal to the side yard setback applicable to the principal building.

(B) Rear yard: Ten feet (10')

c. The building and structure setback requirements of the environmental protection district shall apply.

Section 12. Section 11-17-19.A of the Zoning Ordinance (General Yard, Lot Area and Building Regulations – Minimum Lot Area, Unsewered Lots) is hereby amended to read as follows:

A. Single-Family Dwellings:

1. ~~Except as herein provided, t~~ The minimum single-family lot size ~~is~~ shall be ten (10) acres.

2. ~~The minimum lot size of ten (10) acres shall not apply to smaller separate parcels of record in separate ownership existing prior to January 1, 1984, provided that they comply with minimum standards for the district in which they are located or chapter 15 of this title and that it can be demonstrated by means satisfactory to the City that the smaller parcels will not result in groundwater, soil or other contamination which may endanger the public health.~~

Section 13. Section 11-17-23.F of the Zoning Ordinance (General Yard, Lot Area and Building Regulations – Single Family Dwellings) is hereby amended to read as follows:

F. Site Plan:

1. ~~For lots of record and preliminary platted lots having legal standing established on January 1, 1994, a~~ All site plans for single-family homes shall provide for the location of a two (2) stall garage, whether or not construction is intended.
2. For lots of record established after January 1, 1994, ~~all site plans for single family homes must provide for the location of a three (3) stall attached garage, whether or not construction is intended~~ each single family dwelling shall include an attached garage meeting the requirements of section 11-18-7.D of this title.

Section 14. Section 11-19-13.A of the Zoning Ordinance (Off-Street Parking Requirements – Number of Spaces Required) is hereby amended to revise the following rows:

Motor fuel stations and auto repair facilities	<u>42 spaces, in addition to spaces at fuel islands, plus 2 spaces for each service stall plus other requirements for retail sales, convenience food, auto repair, or uses not directly auto related to the dispensing of fuel.</u>
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Section 15. Section 11-19-13.A of the Zoning Ordinance (Off-Street Parking Requirements – Number of Spaces Required) is hereby amended to add the following row alphabetically:

Commercial	
<u>Auto repair uses established on or before March 17, 2003</u>	<u>2 spaces for each service bay plus other requirements for retail sales, office, or other uses not directly related to auto repair.</u>

Section 16. Section 11-19-13.J of the Zoning Ordinance (Off-Street Parking Requirements – Number of Spaces Required) is hereby repealed in its entirety:

J. ~~Maximum Number Of Spaces. Construction of more than one hundred twenty five percent (125%) of the number of spaces required by section 11-19-13.A of this section for a specific use shall require approval of a conditional use permit based on a parking demand study prepared by a qualified professional.~~

Section 17. Section 11-21-9.B.2 of the Zoning Ordinance (Fencing/Screening/Landscaping – Required Screening and Landscaping) is hereby amended to read as follows:

2. Detached townhouses, two family, and ~~townhouse and multiple family~~ uses shall comply with the landscape requirements of the RST-~~1~~2, RM-1, RM-2, and RM-3, RH-1, RH-2, M-1, and M-2 Districts.

Section 18. Section 11-21-9.E.1.b of the Zoning Ordinance (Fencing/Screening/Landscaping – Required Screening and Landscaping) is hereby amended to read as follows:

- b. For corner lots where the side yard abuts the major collector or arterial street, following standards shall apply:

	RS-1	RS-2	RS-3	RS-4	RST-1	RST-2
Lot width	130'	130'	110'	95'	95'	<u>95'</u> <u>80'</u>

Section 19. Section 11-23-15.R.3.a(4) of the Zoning Ordinance (Signs – General Regulations) is hereby amended to read as follows:

- (4) ~~Each sign and the total area of all wall signs on a single elevation for an individual tenant shall be limited to the maximum wall sign size permitted area that is allowed for individual signs in the applicable zoning district provisions in section 11-23-19 of this chapter.~~

Section 20. Section 11-23-15.X.1 of the Zoning Ordinance (Signs – General Regulations) is hereby amended to read as follows:

- 1. Permanent Signs: For a subdivision having not less than three (3) lots or principal buildings, one (1) sign shall be allowed upon recording of a final plat at each corner of an intersection within the plat or abutting a lot or outlot within the plat with a collector or arterial street defined by the Lakeville transportation plan, provided that:
 - a. The area of the face of each sign shall not exceed one hundred (100) square feet.
 - b. Freestanding signs shall be limited to a maximum height of:
 - (1) Ten feet (10') for residential uses.
 - (2) Twenty feet (20') for commercial, industrial, and institutional uses.

Section 21. Section 11-23-15.X.2.c of the Zoning Ordinance (Signs – General Regulations) is hereby amended to read as follows:

- c. Unless extended by the Zoning Administrator, the temporary signs and flags allowed by this section shall only be displayed for a period not to exceed:
 - (1) Single family, two family, detached townhouse, and townhouse uses:
~~Three (3) years from the date a permit is issued for the sign or flag or until building permits have been issued for one hundred percent (100%) of the lots within a final plat or subsequent phases of the same preliminary plat of a subdivision.~~
 - (2) Multiple family, commercial, industrial, or institutional uses:
 - (A) Subdivisions: Three (3) years from the date a permit is issued for the sign or flag or until building permits have been issued for one hundred percent (100%) of the lots within a final plat or subsequent phases of the same preliminary plat of a subdivision.
 - (B) Individual Lots: Not more than ninety (90) days after issuance of a Certificate of Occupancy, after which the provisions of section 11-23-7.F shall govern.

Section 22. Section 11-23-19.B.1.a(4)(B) of the Zoning Ordinance (Signs – District Regulations) is hereby amended to read as follows:

- (B) One (1) dynamic display sign may be allowed for ~~lots each lot that are a minimum of five (5) acres in area or greater~~ provided that:

- (i) Operation: The operation of the dynamic display sign shall require issuance of a license pursuant to section 3-22-3 of this Code.
- (ii) The sign shall be displayed only in a yard abutting a major collector or arterial street as defined by the Comprehensive Plan.
- (iii) The sign shall be set back a minimum of fifty feet (50') from any side or rear lot line abutting a residential district.

Section 23. Section 11-23-19.E of the Zoning Ordinance (Signs – District Regulations) is hereby amended to read as follows:

E. Within the O-P, I-CBD, I-1, I-2, and I-23 Districts, but not those properties within the freeway corridor district regulated by section 11-23-19.F of this section, the following additional regulations shall apply:

1. Freestanding Signs:

- a. Number Allowed: One (1) sign is allowed upon each lot.
- b. Area: The area of each sign shall not exceed one hundred (100) square feet for each sign face.
- c. Height: The sign shall be a maximum height not to exceed ten feet (10').

2. Wall Signs:

a. Area:

- (1) For principal buildings with a gross floor area less than forty-five thousand (45,000) square feet.
 - (A) The total area of all wall signs shall not exceed one hundred (100) square feet.
 - (B) The maximum area of any one (1) individual wall sign shall not exceed one hundred (100) square feet.
- (2) For principal buildings with a gross floor area of forty-five thousand (45,000) square feet and less than two hundred fifty thousand (250,000) square feet:
 - (A) The total area of all wall signs shall not exceed four hundred (400) square feet.
 - (B) The maximum area of any one (1) individual wall sign shall not exceed two hundred (200) square feet.
- (3) For principal buildings with a gross floor area of two hundred fifty thousand (250,000) square feet or greater:

- (A) The total area of all wall signs shall not exceed eight hundred (800) square feet.
- (B) The maximum area of any one (1) individual wall sign shall not exceed four hundred (400) square feet.
- b. Number. There is no limit as to the number of wall signs except as governed by the total area of all wall signs allowed by section 11-23-19.E.2.a of this section.
- c. Elevations. Wall signs may be located on any elevation of the principal structure except that facing a side or rear lot line abutting a residential district.

Section 24. Section 11-35-3.C.2.b of the Zoning Ordinance (Animals – Keeping Animals) is hereby amended to read as follows:

- (1) The maximum number of chickens allowed to be kept on a property shall be ~~three (3)~~ six (6) chickens.
- (2) The keeping of roosters is prohibited.
- (3) Chickens shall be kept within a coop and outdoor exercise area at all times.

Section 25. Section 11-35-3.C.2.c(2) of the Zoning Ordinance (Animals – Keeping Animals) is hereby amended to read as follows:

- (2) Coop Exterior: The exterior finish of the coop shall be wood, provided that the surfaces are painted or stained for exterior use or the wood is of proven durability for exterior use, such as cedar, redwood, or cypress; painted metal; or composite weather-resistant material.

Section 26. Section 11-35-3.C.2.c(6)(D) of the Zoning Ordinance (Animals – Keeping Animals) is hereby repealed in its entirety with subsequent sections renumbered accordingly:

- ~~(D) — The coop and run shall be located closer to the principal dwelling upon the property to which the administrative permit is issued than any other residential dwelling on an abutting property.~~

Section 27. Section 11-35-3.C of the Zoning Ordinance (Animals – Keeping Animals) is hereby amended to include the following provisions:

- 3. Sales of eggs produced solely upon the property shall be allowed provided that:
 - a. Only occupants of the property are engaged in the sales operation.
 - b. Only temporary, unenclosed display facilities are allowed.
 - c. Signs:
 - 1. One (1) sign not to exceed four (4) square feet shall be allowed to be displayed upon the property with the sales operation.
 - 2. Signs shall only be displayed at times when the sales operation is open.

Section 28. Section 11-35-3 of the Zoning Ordinance Animals – Keeping Animals) is hereby amended to include the following provisions with subsequent sections renumbered accordingly:

D. Honey bees and apiaries accessory to a single family dwelling within agriculture/rural or residential districts, provided that:

1. Administrative Permit Required:

a. The keeping of honey bees and apiaries may be allowed upon a property developed with a single-family dwelling within a residential zoning district subject to approval of an administrative permit in accordance with chapter 8 of this title and the provisions of this section.

b. The application for an administrative permit shall include the information required by subsection 11-8-3.B of this title and the following additional information:

(1) The number of colonies to be kept.

(2) A detailed sketch plan of the property drawn to scale including, but not limited to, the location and dimensions of the hive(s).

(3) Specifications for the hive(s) including, but not limited to, dimensions, exterior finish materials and construction methods.

(4) Plans and specifications for a solid fence, wall, or dense vegetative barrier capable required by subsection 11-35-3.D.4.b of this title.

(5) Any other information the Zoning Administrator deems necessary to evaluate the application for compliance with the requirements of this section and this Code.

c. The premises for which an administrative permit is issued in accordance with this subsection shall at all reasonable times be open to inspection by community service officers, the Zoning Administrator, or other City official to determine compliance with the requirements of the permit, this section or other provisions of this title and this Code relating to public health, safety, and welfare.

d. An administrative permit approved in accordance with this section shall not be transferred to another owner upon the sale or change in occupancy of the property to which it is issued and shall not be transferred to another property.

2. Colony Density: The number of colonies allowed upon a lot shall be subject to the following limits:

=

<u>Lot Area</u>	<u>Maximum Number Of Colonies</u>
<u><25,000 square feet</u>	<u>2</u>
<u>25,000 square feet to <40,000 square feet</u>	<u>4</u>
<u>40,000 square feet to <5 acres</u>	<u>6</u>
<u>5 acres or greater</u>	<u>8</u>

3. Colony Location:

- a. A hive shall be located only within a rear yard.
- b. A hive shall be set back a minimum of twenty feet (20') from any lot line.
- c. A hive shall not encroach upon any wetland buffer or drainage and utility easement.

4. Performance Standards:

- a. Colonies shall be kept in hives with removable frames, which frames shall be kept in sound and usable condition.
- b. A solid fence, wall, or dense vegetative barrier capable of interrupting the direct flight of bees shall be used to redirect the bee's flight pattern and prevent a direct line of flight from the hive entry into neighboring properties. The barrier shall start at the ground, be a minimum of six feet (6') in height, and shall extend beyond the direct line of sight from the entrance to the hive to the adjacent property.
- c. Each colony on the apiary site shall be provided with a convenient source of water located on the apiary site so long as colonies remain active outside the hive.
- d. Materials from a hive or colony which might encourage the presence of honeybees, such as wax comb, shall be promptly disposed of in a sealed container or placed within a building or other bee-proof enclosure.
- e. For each colony permitted to be maintained under this section, there may also be maintained upon the same apiary site, one nucleus colony in a hive structure not to exceed one standard nine and five-eighths inch (9⁵/₈") depth ten-frame hive body, with no supers.
- f. Beekeeping equipment shall be maintained in good condition. Unused beekeeping equipment must be protected to prevent occupancy by swarming honeybees.
- g. Hives shall be continuously managed to provide adequate living space for their resident honeybees to control swarming.
- h. In any instance in which a colony exhibits unusual aggressive behavior, it shall be the duty of the beekeeper to promptly implement appropriate actions to address the behavior. If requeening is required, queens shall be selected from European stock bred for gentleness and non-swarmling characteristics.
- i. Fruit trees and other flowering trees, which are located on an apiary site, shall not be sprayed, while in full bloom, with any substance which is injurious to honeybees.

Section 29. Section 11-35-3.F.2 of the Zoning Ordinance Animals – Keeping Animals; Honey Bees and Apiaries) is hereby repealed in its entirety.

Section 30. Section 11-37-3.A of the Zoning Ordinance (Motor Vehicle Fuel Facilities – Motor Vehicle Fuel Sales, Not Including Truck Stops or Automobile Repair) is hereby amended to read as follows:

- A. District Application: Motor vehicle fuel sales shall be allowed in a M-1, ~~C-1~~, C-2, ~~and C-3~~, and I-1 district as a conditional use. The standards and requirements for motor fuel sales shall be in addition to those which are imposed for other uses and activities occurring on the property.

Section 31. Section 11-37-3.D of the Zoning Ordinance (Motor Vehicle Fuel Facilities – Motor Vehicle Fuel Sales, Not Including Truck Stops or Automobile Repair) is hereby amended to read as follows:

- D. Hours: Hours of operation shall be limited within the respective zoning districts as follows, unless extended by the city council as part of the conditional use permit.

1. M-1 district: No limit except as may be required by the city council.
2. ~~C-1 district: Five o'clock (5:00) A.M. to eleven o'clock (11:00) P.M.~~
32. C-2 district: No limit except as may be required by the city council.
43. C-3 district: No limit except as may be required by the city council.
4. I-1 district: No limit except as may be required by the city council.

Section 32. Section 11-37-5.A of the Zoning Ordinance (Motor Vehicle Fuel Facilities – Motor Vehicle Fuel Sales, Including Convenience Grocery And/Or Prepared Food, Not Including Truck Stops or Automobile Repair) is hereby amended to read as follows:

- A. Conditional Use: Motor vehicle fuel sales including convenience grocery and/or prepared food shall be allowed in the M-1, ~~C-1~~, C-2, C-3, ~~and C-CBD~~, and I-1 Districts subject to approval of a conditional use permit.

Section 33. Section 11-37-5.D.1 of the Zoning Ordinance (Motor Vehicle Fuel Facilities – Motor Vehicle Fuel Sales, Including Convenience Grocery And/Or Prepared Food, Not Including Truck Stops or Automobile Repair) is hereby amended to read as follows:

1. Food is to be prepackaged and warmed only and no drive-through window is provided; convenience food may be allowed as a secondary use with approval of a conditional use permit as provided for within the respective zoning district. Furthermore, that the enclosed area devoted to such activity, use and merchandise shall not exceed fifteen percent (15%) of the gross floor area.

Section 34. Section 11-50-11.F.6 of the Zoning Ordinance (RS-1 District – Uses by Administrative Permit) is hereby repealed in its entirety:

6. ~~There shall be a minimum of three (3) garage having direct exterior access (not in a tandem arrangement) attached to the principal building with a driveway access in front of each stall so as to allow direct vehicle maneuvering to each of the stalls.~~

Section 35. Section 11-51-11.F.6 of the Zoning Ordinance (RS-2 District – Uses by Administrative Permit) is hereby repealed:

6. ~~There shall be a minimum of three (3) garage having direct exterior access (not in a tandem arrangement) attached to the principal building with a driveway access in front of each stall so as to allow direct vehicle maneuvering to each of the stalls.~~

Section 36. Section 11-52-11.F.6 of the Zoning Ordinance (RS-3 District – Uses by Administrative Permit) is hereby repealed in its entirety:

- ~~6. — There shall be a minimum of three (3) garage having direct exterior access (not in a tandem arrangement) attached to the principal building with a driveway access in front of each stall so as to allow direct vehicle maneuvering to each of the stalls.~~

Section 37. Section 11-53-11.F.6 of the Zoning Ordinance (RS-4 District – Uses by Administrative Permit) is hereby repealed in its entirety:

- ~~6. — There shall be a minimum of three (3) garage having direct exterior access (not in a tandem arrangement) attached to the principal building with a driveway access in front of each stall so as to allow direct vehicle maneuvering to each of the stalls.~~

Section 38. Section 11-54-11 of the Zoning Ordinance (RS-CBD District – Uses by Administrative Permit) is hereby amended to include the following provisions:

G. Separate living quarters that include kitchen facilities for housing multiple generations as an accessory use within a single-family dwelling provided that:

1. The design and construction of the principal building is not a two-family dwelling as defined by this title and shall comply with the following:
 - a. The area of the accessory dwelling unit shall be limited to not more than thirty (30) percent of the gross floor area of the principal building (not including attached accessory floor area).
 - b. There shall be no more than two (2) bedrooms as defined by the building code within the accessory dwelling unit.
2. There shall be an interior connection between the main living area and accessory living quarters that is able to be unlocked from each side of the connection and that is not secured by a deadbolt or keyed lockset.
3. The principal building shall be served by single municipal water, sanitary sewer, gas and/or electric utility service lines each with a single meter for the respective utility where applicable.
4. The principal building shall have one heating and air conditioning system.
5. The property shall have one postal address.

Section 39. Section 11-58-17.E of the Zoning Ordinance (RM-1 District – Lot Requirements and Setbacks) is hereby amended to read as follows:

- E. Private Drive Setbacks. Buildings shall be set back a minimum of twenty feet (20') to the principal building and thirty feet (30') to the garage face from the back of curb line of private drives.

Section 40. Section 11-59-17.E of the Zoning Ordinance (RM-2 District – Lot Requirements and Setbacks) is hereby amended to read as follows:

- E. Private Drive Setbacks. Buildings shall be set back a minimum of twenty feet (20') to the principal building and thirty feet (30') to the garage face from the back of curb line of private drives.

Section 41. Section 11-60-17.E of the Zoning Ordinance (RM-3 District – Lot Requirements and Setbacks) is hereby amended to read as follows:

- E. Private Drive Setbacks. Buildings shall be set back a minimum of twenty feet (20') to the principal building and thirty feet (30') to the garage face from the back of curb line of private drives.

Section 42. Section 11-61-3.F of the Zoning Ordinance (RH-1 District – Permitted Uses) is hereby amended to read as follows:

- F. ~~Townhouses, six (6) units in a row or twelve (12) units back to back~~ Townhomes with no more than six (6) dwelling units per structure if in a row or no more than twelve (12) dwelling units if back to back.

Section 43. Section 11-61-15.F of the Zoning Ordinance (RH-1 District – Lot Requirements and Setbacks) is hereby amended to read as follows:

- F. Private Drive Setbacks. Buildings shall be set back a minimum of fifteen feet (15') to the principal building and thirty feet (30') to the garage face from the back of curb line of private drives and off-street parking areas.

Section 44. Section 11-62-3.F of the Zoning Ordinance (RH-2 District – Permitted Uses) is hereby amended to read as follows:

- F. ~~Townhouses, six (6) units in a row or twelve (12) units back to back~~ Townhomes with no more than six (6) dwelling units per structure if in a row or no more than twelve (12) dwelling units if back to back.

Section 45. Section 11-62-11 of the Zoning Ordinance (RH-2 District – Interim Uses) is hereby amended to include the following provisions with subsequent sections renumbered accordingly:

C. Single-family dwellings existing as of July 17, 2000, provided that:

1. The use shall be subject to the requirements applicable to single-family uses within the RS-CBD district.
2. The interim use shall terminate upon subdivision or redevelopment of the property for a use allowed within the RH-CBD district or as provided for by section [11-5-7](#) of this title.

Section 46. Section 11-62-15.F of the Zoning Ordinance (RH-2 District – Lot Requirements and Setbacks) is hereby amended to read as follows:

- F. Private Drive Setbacks. Buildings shall be set back a minimum of fifteen feet (15') to the principal building and thirty feet (30') to the garage face from the back of curb line of private drives and off-street parking areas.

Section 47. Section 11-63-11 of the Zoning Ordinance (RH-CBD District – Interim Uses) is hereby amended to include the following provisions with subsequent sections renumbered accordingly:

C. Single-family dwellings existing as of July 17, 2000, provided that:

1. The use shall be subject to the requirements applicable to single-family uses within the RS-CBD district.

2. The interim use shall terminate upon subdivision or redevelopment of the property for a use allowed within the RH-CBD district or as provided for by section 11-5-7 of this title.

Section 48. Section 11-66-7.F of the Zoning Ordinance (M-2 District – Conditional Uses) is hereby amended to include the following provisions with subsequent sections renumbered accordingly:

7. Drive-Through Windows: Service windows shall be allowed if the following additional criteria are satisfied:
- a. Not less than one hundred eighty feet (180') of segregated automobile stacking lane must be provided for the service window.
 - b. No part of the public street or boulevard may be used for stacking of automobiles.

Section 49. Section 11-66-7.E.8 of the Zoning Ordinance (M-2 District – Conditional Uses) is hereby amended to read as follows:

8. Signs: All signs and informational or visual communication devices shall be minimized and shall be in compliance with chapter 23 of this title, and the following provisions:
- ~~a. Comprehensive Sign Plan: A Comprehensive Sign Plan must be submitted as part of a conditional use permit application.~~
 - ~~b. Freestanding Sign: A freestanding sign allowed by chapter 23 of this title shall be a monument sign constructed as follows:~~
 - ~~(1) The sign shall be self supported vertically by a solid base extending horizontally for a minimum of the entire width of the sign face. Total height of the monument sign including the base shall not exceed fifteen feet (15').~~
 - ~~(2) The sign base and supporting material shall be equal to at least forty percent (40%) of the total allowable sign square footage, and shall not be counted toward the sign area. The base shall be attached to the ground for its entire horizontal width of the sign. The base shall be stone, brick, or decorative masonry and shall not contain any sign copy.~~
 - e~~1~~. Menu Signs: In addition to the freestanding sign allowed by chapter 23 of this title, eConvenience food uses may display menu signs related to drive-through facilities when approved subject to section 11-66-7.F of this title, provided that:
 - (1) Not more than two (2) menu signs per drive-through lane are allowed.
 - (2) The menu sign(s) shall be single sided with an area not to exceed fifty (50) square feet.
 - (3) The height of the menu sign(s) shall not exceed eight feet (8') including its base or pole measured from grade to the top of the structure.
 - (4) The menu sign(s) shall not encroach into any principal building setback and shall be located directly adjacent to the drive-through aisle and oriented in such a manner so that the sign provides information to the

drive-through patrons only and does not provide supplemental advertising to pass-by traffic and does not impair site visibility or obstruct circulation.

Section 50. Section 11-70-7.B of the Zoning Ordinance (O-R District – Conditional Uses) is hereby repealed in its entirety subsequent sections renumbered accordingly:

~~B. Commercial Activities: Retail commercial activities, provided that:~~

- ~~1. Merchandise is sold at retail.~~
- ~~2. The retail activity is located within a structure whose principal use is not commercial sales.~~
- ~~3. The retail activity shall not occupy more than fifteen percent (15%) of the gross floor area of the building.~~
- ~~4. No directly or indirectly illuminated sign or sign in excess of ten (10) square feet identifying the name of the business shall be visible from the outside of the building.~~
- ~~5. No signs or posters of any type advertising products for sale shall be located on the outside of the building.~~

Section 51. Section 11-70-11.A of the Zoning Ordinance (O-R District – Uses by Administrative Permit) is hereby amended to include the following provision and subsequent sections renumbered accordingly:

A. Commercial Activities: Retail commercial activities, provided that:

1. Merchandise is sold at retail.
2. The retail activity is located within a structure whose principal use is not commercial sales.
3. The retail activity shall not occupy more than fifteen percent (15%) of the gross floor area of the building.
4. No directly or indirectly illuminated sign or sign in excess of ten (10) square feet identifying the name of the business shall be visible from the outside of the building.
5. No signs or posters of any type advertising products for sale shall be located on the outside of the building.

Section 52. Section 11-75-3.L of the Zoning Ordinance (O-P District – Permitted Uses) is hereby repealed in its entirety and subsequent sections renumbered accordingly.

~~L. Data centers.~~

Section 53. Section 11-86-3.T of the Zoning Ordinance (I-1 District- Permitted Uses) is hereby repealed in its entirety and subsequent sections renumbered accordingly:

~~T. Data centers.~~

Section 54. Section 11-86-7 of the Zoning Ordinance (I-1 District – Conditional Uses) is hereby amended to add the following provisions with subsequent sections renumbered accordingly:

D. Data centers, provided that:

1. All buildings, structures, and outdoor equipment (including generators) shall be setback a minimum of five hundred feet (500') from:
 - a. Right-of-way for CSAH 70.
 - b. Residential zoned property and existing residential uses.
 - c. Corporate limits of the City of Lakeville.
2. An energy consumption plan, prepared by a qualified licensed engineer, shall be submitted outlining:
 - a. Estimates of peak electricity demand and strategies for mitigating strain on local power infrastructure.
 - b. Proposed improvements or alternatives to minimize the need for additional transmission lines.
 - c. Identifying the need for new or upgraded transmission lines to be installed at developers' expense to meet the use's electricity requirements.
3. A water consumption plan, prepared by a qualified licensed engineer, shall be submitted outlining:
 - a. Estimated total water requirements of the use including average daily and peak water demand.
 - b. Potential impacts on municipal water supply infrastructure.
 - c. Potential impacts on groundwater and surface water resources.
 - d. Available water utility capacity to serve the use.
 - e. Consistency with the goals, policies, and plans of the Comprehensive Plan, including, but not limited to, the Water Management Plan and the Capital Improvement Plan.
 - f. The use shall use water-efficient cooling technologies and closed-loop cooling systems or alternative technologies that demonstrate equal or lower water consumption; alternative cooling methods are encouraged, such as air-cooled systems.
4. Noise: Sound generated by the use shall comply with section 11-16-25 of this title and the following additional requirements:
 - a. A sound study prepared by an acoustic engineer shall be submitted documenting:
 - (1) Existing baseline noise levels in the area of the data centers.

- (2) Proposed sound mitigation measures to be incorporated in construction of the data center to reduce noise and estimating proposed noise levels of the use measured at the property lines of receiving land uses.
- (3) A-weighted (dBA) and C-weighted (dBC) measurements with full frequency spectra to identify low-frequency and tonal components.
- (4) Expected daytime and nighttime operation noise levels, including cooling systems, generators, and other equipment, for indoors and outdoors at multiple radii from the subject property.

b. Maximum sound levels:

- (1) With the exception of sound levels elsewhere specifically authorized or allowed by this code, the following are maximum permissible sound levels generated by the data center allowed at the property boundary of a receiving land use for unamplified sound:

<u>Receiving Land Use</u>	<u>Maximum L5A Level Permitted</u>		
	<u>7 A.M. – 7 P.M.</u>	<u>7 P.M. - 10 P.M.</u>	<u>10 P.M. – 7 A.M.</u>
<u>Residential</u>	<u>65 dBA</u>	<u>60 dBA</u>	<u>55 dBA</u>
<u>Commercial</u>	<u>65 dBA</u>	<u>65 dBA</u>	<u>65 dBA</u>
<u>Industrial</u>	<u>80 dBA</u>	<u>80 dBA</u>	<u>80 dBA</u>

<u>Receiving Land Use</u>	<u>Maximum L5C Level Permitted</u>		
	<u>7 A.M. – 7 P.M.</u>	<u>7 P.M. - 10 P.M.</u>	<u>10 P.M. – 7 A.M.</u>
<u>Residential</u>	<u>76 dBC</u>	<u>74 dBC</u>	<u>72 dBC</u>
<u>Commercial</u>	<u>82 dBC</u>	<u>80 dBC</u>	<u>78 dBC</u>
<u>Industrial</u>	<u>85 dBC</u>	<u>85 dBC</u>	<u>85 dBC</u>

- (2) If the volume of sound exceeds the maximum permissible sound level by a measurement of L5A or L5C, at any time during a ten (10) minute meter reading, the sound is prohibited and is in violation of this chapter.

c. Noise Verification:

- (1) An additional sound study shall be prepared by the operator at such time as the use becomes fully operational to document compliance with section 11-16-10 of this title and this section.
- (2) The City may order an additional noise study once within any three hundred sixty-five (365) period to be conducted during peak operation of the use to document compliance with section 11-16-10 of this title and this section.
- (3) Where any noise study identifies greater than maximum permissible sound levels in violation of this title, the city may seek to suspend or revoke the conditional use permit in accordance with section 11-4-9 of this title.

5. Generators shall operate, including testing, only between the hours of 9:00 am and 5:00 pm, Monday through Friday, excluding Federal holidays, except when providing emergency electric power during an outage, which is not a voluntary curtailment or shutdown of electric service.
6. Principal and accessory buildings shall comply with the exterior finish material and design requirements as required in Section 11-17-9 D of this title.
7. Any accessory structures or any equipment not enclosed within a building shall be fully screened to a minimum height of fourteen feet (14') through the use of topography, berms, landscaping, fences, and walls in accordance with section 11-19-13 of this title so as not to be visible from abutting public rights-of-way, residential districts, or residential uses from the perspective measured at a point five feet (5') above grade or from the view of any window of a residential building facing the data center.
8. All exterior lighting shall comply with the requirements of Section 11-16-17 of this title and the following:
 - a. Manufacturer specifications for all sources of exterior lighting shall not exceed a maximum Correlated Color Temperature of 3,000 degrees Kelvin.
 - b. All exterior lighting fixtures shall be reduced in intensity by fifty percent (50%) between the hours of 10:00 P.M. and 5:00 A.M.
 - c. For a use abutting property guided by the Comprehensive Plan for residential, public and quasi-public, or park land uses; zoned residential or public-open space district; or developed with a residential use:
 - (1) All exterior lighting fixtures shall setback a minimum of fifty feet (50') feet from any property line.
 - (2) The intensity of exterior lighting measured at a setback of ten feet (10') from all property lines shall not exceed 0.0 footcandles.
9. Decommissioning:
 - a. A decommissioning plan, prepared by a qualified professional, outlining the estimated timeframe, cost, and procedures for discontinuance of the use, removal of equipment, disposal of waste or recycling of materials, and site restoration shall be required.
 - b. Financial Security:
 - (1) Prior to issuance of a building permit, the property owner shall provide the City a financial security in a form approved by the City Attorney to insure decommissioning of the use and restoration of the property.
 - (2) The amount of the financial security shall be one hundred five percent (105%) of the estimated cost of decommissioning cost and restoration of the property, as determined by the city, including, but not limited to, the following:

(A) Removal and disposal of buildings and structures; electrical substations and infrastructure; and generators and fuel storage.

(B) Removal and disposal of hazardous materials and environmental remediation.

(C) Grading, erosion control, and site stabilization.

(3) The financial security shall be reviewed every five (5) years to ensure the amount equals the current estimated cost, as determined by the city, of decommissioning.

10. The applicant and property owner shall be responsible for all costs incurred by the City related to consideration of the request, including costs for city staff and consultants the city deems necessary to evaluate the application on behalf of the city, in accordance with section 11-1-9 of this title.

F. Motor vehicle fuel sales with or without convenience grocery and/or prepared food as related by Chapter 37 of this title provided that:

1. The property is a minimum of four (4) acres with direct frontage to a principal arterial roadway.

Section 55. Section 11-87-3.T of the Zoning Ordinance (I-2 District- Permitted Uses) is hereby repealed in its entirety and subsequent sections renumbered accordingly:

T. ~~Data centers.~~

Section 56. Section 11-102-9.B.2 of the Zoning Ordinance (Shoreland Overlay District – Shoreland Classification) is hereby amended to read as follows:

2. Rivers:

Name	Classification	Location	
		To	From
Unnamed to Vermillion River (south branch of North Creek)	Tributary (T)	Sec 8 T 114 R 20	Sec 29 T 114 R 19
Unnamed to Vermillion River (north branch of North Creek)	Tributary (T)	Sec 34 T 115 R 20	Sec 12 T 114 R 20
Unnamed to unnamed	Tributary (T)	Sec 17 T 114 R 20	Sec 30 T 114 R 19
Unnamed to unnamed	Tributary (T)	Sec 21 T 114 R 20	Sec23 T 114 R 20
Unnamed to Vermillion River (south branch of South Creek)	Tributary (T)	Sec 36 T 114 R 21	Sec36 T 114 R 20
Unnamed to unnamed	Tributary (T)	Sec 19 T114 R20	Sec33 T 114 R 20
Unnamed to unnamed	Tributary (T)	Sec 33 T 114 R 20 <u>Sec 4</u> <u>T 113 R 20</u>	Sec 34 T 114 R 20

Section 57. Section 11-102-17 of the Zoning Ordinance (Shoreland Overlay District – Development Regulations) is hereby amended to add the following provisions:

J. Decks. Deck additions may be allowed without a variance to a structure not meeting the required setback from the ordinary high water level if all of the following criteria are met:

1. The structure existed on the date the structure setbacks were established.
2. A thorough evaluation of the property and structure reveals no reasonable location for a deck meeting or exceeding the existing ordinary high water level setback of the structure as determined by the Zoning Administrator.
3. The deck encroachment toward the ordinary high water level does not exceed fifteen (15) percent of the existing setback of the structure from the ordinary high water level or is no closer than thirty feet (30') from the ordinary high water level, whichever is more restrictive.
4. The deck shall not be roofed or screened.

(Remainder of page intentionally blank; signatures follow)

Section 57. This Ordinance shall be effective immediately upon its passage and publication according to law.

ADOPTED by the Lakeville City Council this ____ day of _____, 2026.

CITY OF LAKEVILLE

BY: _____
Luke M. Hellier, Mayor

ATTEST

BY: _____
Ann Orlofsky, City Clerk



Memorandum

To: Planning Commission

From: Kris Jenson, Planning Manager

Date: July 16, 2026

Subject: Packet Material for the July 23, 2026 Planning Commission Meeting

Agenda Item: 20010 Hamburg Avenue - Conditional Use Permit

Application Action Deadline: August 29, 2026

INTRODUCTION

Pinnacle Family Homes, on behalf of Fernando Mellado-Barboza 20010 Hamburg Avenue has applied for a conditional use permit (CUP) to allow the gross square feet of accessory building space to exceed the 1,250 gross square feet allowed in the RST-2, Single and Two-Family Family Residential District. The property is 9.98 acres and includes a single-family home with an attached garage and a 4,588 square foot detached accessory building, which was constructed sometime in the early 1980s.

The applicant intends to demolish the existing single family home and construct a new home on the property. The proposed home and attached garage will be roughly the same location as the current home. The proposed attached garage is 1,257 square feet, which when combined with the existing detached accessory structure the property will have 5,845 square feet of accessory space. City Code Section 11-18-9.D. allows accessory building square footage to exceed the maximum allowed by conditional use permit.

The following exhibits are attached for your review:

- A. Location Map
- B. Zoning Map
- C. Site Survey

SITE ANALYSIS

Consistency with the Comprehensive Plan. The property's single family land use is an allowed use within the low/medium density residential land use identified on the 2040 Land Use Plan and Planning District 4 recommendations of the 2040 Comprehensive Plan.

Existing Conditions. A single-family home was constructed on the property in 1982 and the detached accessory building was likely built around the same time. Despite being zoned for residential uses since the early 1980s, the property was not brought into the MUSA until the adoption of the 2040 Comprehensive Plan, meaning that the site was allowed to follow agricultural standards. The existing home and attached garage on site will be demolished prior to the construction of the new home and garage. The detached accessory structure will remain on site.

Adjacent Land Uses. The subject property is zoned RST-2, Single and Two-Family Residential District. Properties to the east and west have been developed for single family homes while the areas to the north and south remain large-lot single family parcels. See Exhibit B for the zoning districts in the area of the subject property.

Setbacks. The following minimum RST-2 District building setback requirements pertain to the proposed new home:

Front Yard: 20 feet for principal building, 25 feet for garage face
Rear Yard: 30 feet
Side Yards: 7 feet for interior side, 20 feet for corner side

The proposed home location meets the RST-2 District setback requirements.

Accessory Building Use. The existing and proposed accessory storage spaces are for the personal use of the property owner. A stipulation of the CUP will be that no commercial or home occupation activities are conducted within the attached garage or the detached accessory structure and that the building shall not be used for storage of commercial vehicles or for rental purposes.

Driveway Surfacing. The current driveway to the home is paved, in compliance with code requirements. Any changes to the driveway to provide access to the new attached garage must also be hard surfaced. There is a short driveway segment to the existing detached accessory structure that is currently gravel. Because there are no changes proposed to that structure as a part of this CUP request, that segment of the driveway is permitted to remain as is.

CONDITIONAL USE PERMIT ANALYSIS

The Zoning Ordinance allows attached accessory building area requirements to be exceeded by conditional use permit subject to the following criteria as listed in Section 11-18-5:

- A. There is a demonstrated need and potential for continued use of the structure for the purpose stated.**

Construction of a four-car garage (1,257 square feet) is in scale with the planned new home (4,303 square feet) for the site, particularly given that the parcel is nearly 10 acres in size. Properties in the RST-2 District are allowed combined accessory buildings totaling 1,250 square feet unless a conditional use permit is approved to exceed that amount.

- B. No accessory building or private garage shall be utilized for all or a portion of a home occupation, for commercial activities or for commercial storage.**

The attached garage is for personal use. No home occupation or storage of commercial vehicles or equipment is allowed in any accessory building on the property.

- C. The accessory building has an evident reuse or function related to a single-family residential environment in urban service areas or hobby farm environment in nonurban service areas of the city.**

An attached garage is a typical part of a single-family home in the urban service area and the size is in proportion to the size of the proposed home.

- D. Detached accessory buildings shall be maintained in a manner that is compatible with the adjacent residential uses and does not present a hazard to public health, safety, and general welfare.**

N/A; the proposed accessory building will be attached to the existing single-family home.

- E. The performance standards and criteria of section 11-4-7 of this title shall be considered and a determination made that the proposed activity is in compliance with such criteria.**

The provisions of section 11-4-7 of the Zoning Ordinance (Conditional Use Permits) have been considered and satisfactorily met. Please refer to the attached findings of fact.

RECOMMENDATION

Community Development Department staff recommends approval of the conditional use permit to allow accessory structures greater than 1,250 square

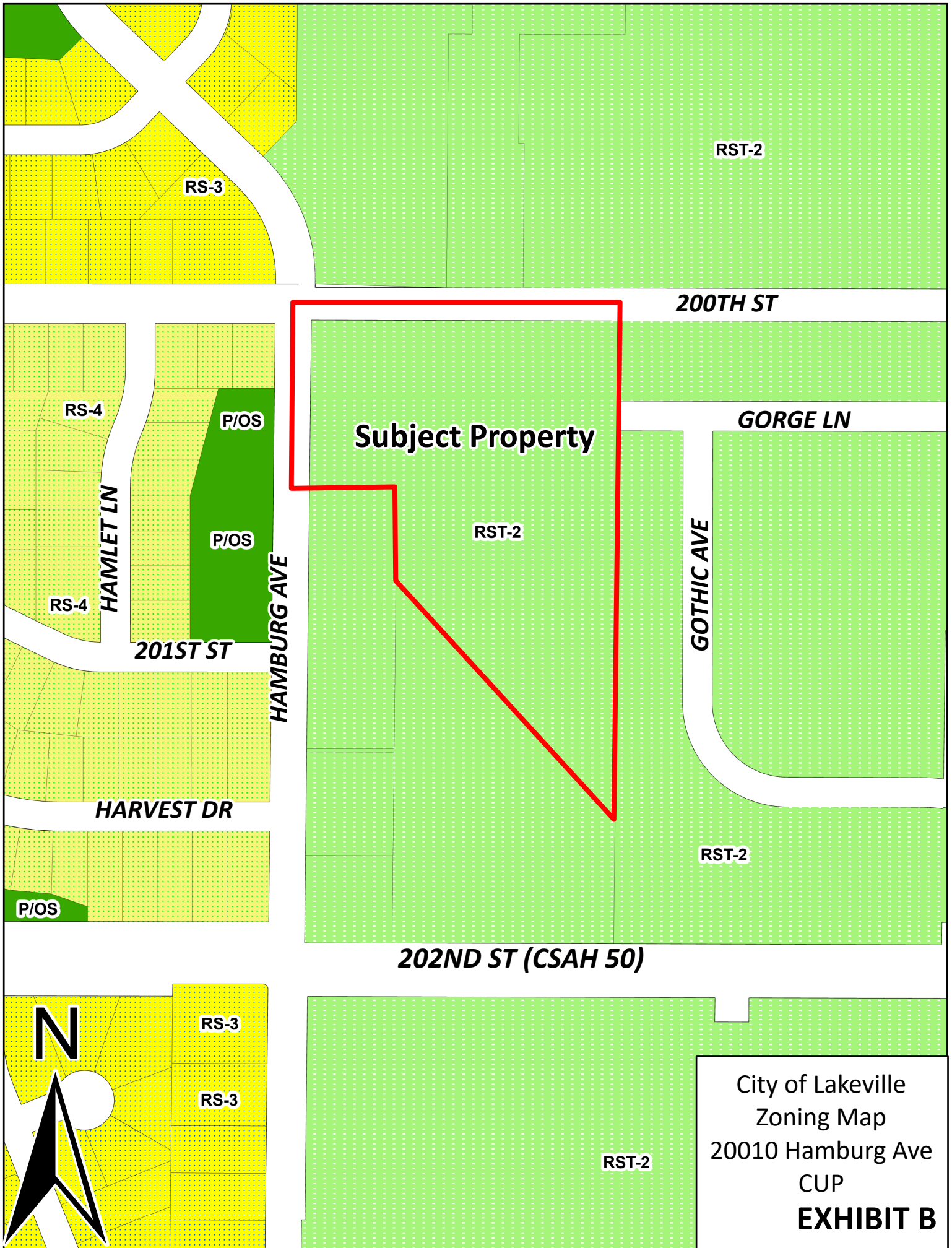
feet in the RST-2 District located at 20010 Hamburg Avenue, subject to the following stipulations:

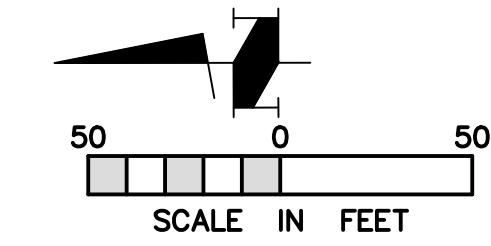
1. The garage shall be constructed in the location identified on the site plan approved with this conditional use permit.
2. The accessory buildings shall be kept, used, and maintained in a manner that is compatible with the existing single-family home on the property and shall not present a hazard to the public health, safety and general welfare.
3. No commercial activity, storage of commercial equipment or use as a dwelling shall take place within any accessory building on the property. Commercial storage or storage for third parties is not permitted.
4. A building permit application shall be submitted to and approved by the Building Inspections Department prior to commencing construction.

Findings of Fact are attached for consideration.



City of Lakeville
Location Map
20010 Hamburg Ave
CUP
EXHIBIT A





SCALE IN FEET

LEGAL DESCRIPTION:

That part of the NW 1/4 of the NE 1/4 of Section 28, Township 114, Range 20, Dakota County, Minnesota, described as follows:

Beginning at the northwest corner of the NE 1/4 of said Section 28; thence easterly on the north line of said NE 1/4 a distance of 658.20 feet to the west line of the east 1980 feet of the NE 1/4 of said Section 28; thence southerly on said west line of the east 1980 feet a distance of 660.02 feet to the south line of the north 660 feet of said NE 1/4; thence westerly on said south line of the north 660 feet a distance of 3.05 feet to the west line of the east 1983.05 feet of said NE 1/4; thence southerly on said west line of the east 1983.05 feet a distance of 377.65 feet to a point 280.90 feet northerly of the intersection of said west line of the east 1983.05 feet with the south line of said NW 1/4 of the NE 1/4; thence northwesterly a distance of 652.47 feet to a point on the east line of the west 208.71 feet of said NE 1/4 distance 760.90 feet northerly of the intersection of said east line of the west 208.71 feet with the south line of said NW 1/4 of the NE 1/4; thence northerly on said east line of the west 208.71 feet a distance of 184.98 feet to a point on a line parallel with the south line of said NW 1/4 of the NE 1/4 distant 945.88 feet northerly of said south line of the NW 1/4 of the NE 1/4 as measured along a line parallel with the west line of said NE 1/4; thence westerly parallel with the south line of said NW 1/4 of the NE 1/4 a distance of 208.71 feet to the west line of said NE 1/4; thence northerly on said west line a distance of 372.40 feet to the point of beginning, Dakota County, Minnesota

LOT SIZE: 10.00 ACRES

(1042.0) = TOP OF GARAGE FOUNDATION ELEVATION
(1042.3) = TOP OF FOUNDATION ELEVATION
(1042.3) = TOP OF SLAB FOUNDATION
(1045.8) = TOP OF LOOKOUT WALL

BENCHMARK: TNH @ L4 & L5, B2, OF RESERVE AT CEDAR CREEK
ELEV=1044.65

LOT AREA : 435,493 SQ. FT.
HOUSE AREA : 6,402 SQ. FT.
PORCH AREA : 74 SQ. FT.
EXISTING GARAGE AREA : 4588 SQ. FT.
TOTAL BUILDING COVERAGE : 11,043 SQ. FT. (2.5%)

ZONING = RST-2
FY - 20' HOUSE, 25' GARAGE
SY - 7' INTERIOR, 20' CORNER
RY - 30'
SY BUFFER - 30'
RY BUFFER - 50'

- LEGEND
- 000.0 DENOTES EXISTING ELEVATION
 - (000.0) DENOTES PROPOSED ELEVATION
 - 000.0 DENOTES AS BUILT ELEVATION
 - ← DENOTES DIRECTION OF SURFACE DRAINAGE
 - DENOTES IRON MONUMENT FOUND
 - DENOTES IRON MONUMENT SET
 - DENOTES WOOD HUB
 - DENOTES NAIL
 - DENOTES EXISTING UTILITY BOX
 - DENOTES EXISTING POWER POLE
 - DENOTES EXISTING LIGHT POLE
 - ⊗ DENOTES EXISTING STORM MANHOLE
 - DENOTES EXISTING CATCH BASIN
 - △ DENOTES EXISTING F.E.S.
 - ⊗ DENOTES EXISTING HYDRANT
 - ⊗ DENOTES EXISTING SERVICE OR CLEANOUT
 - ⊗ DENOTES EXISTING SANITARY MANHOLE
 - ⊗ DENOTES EXISTING CONSERVATION POST OR WET LAND BUFFER POST
 - ⊗ DENOTES EXISTING TREE
 - ⊗ DENOTES EXISTING TREE
 - ⊗ DENOTES EXISTING RETAINING WALL
 - ⊗ DENOTES PROPOSED RETAINING WALL
 - ⊗ DENOTES EXISTING TREELINE
 - ⊗ DENOTES EXISTING FENCE

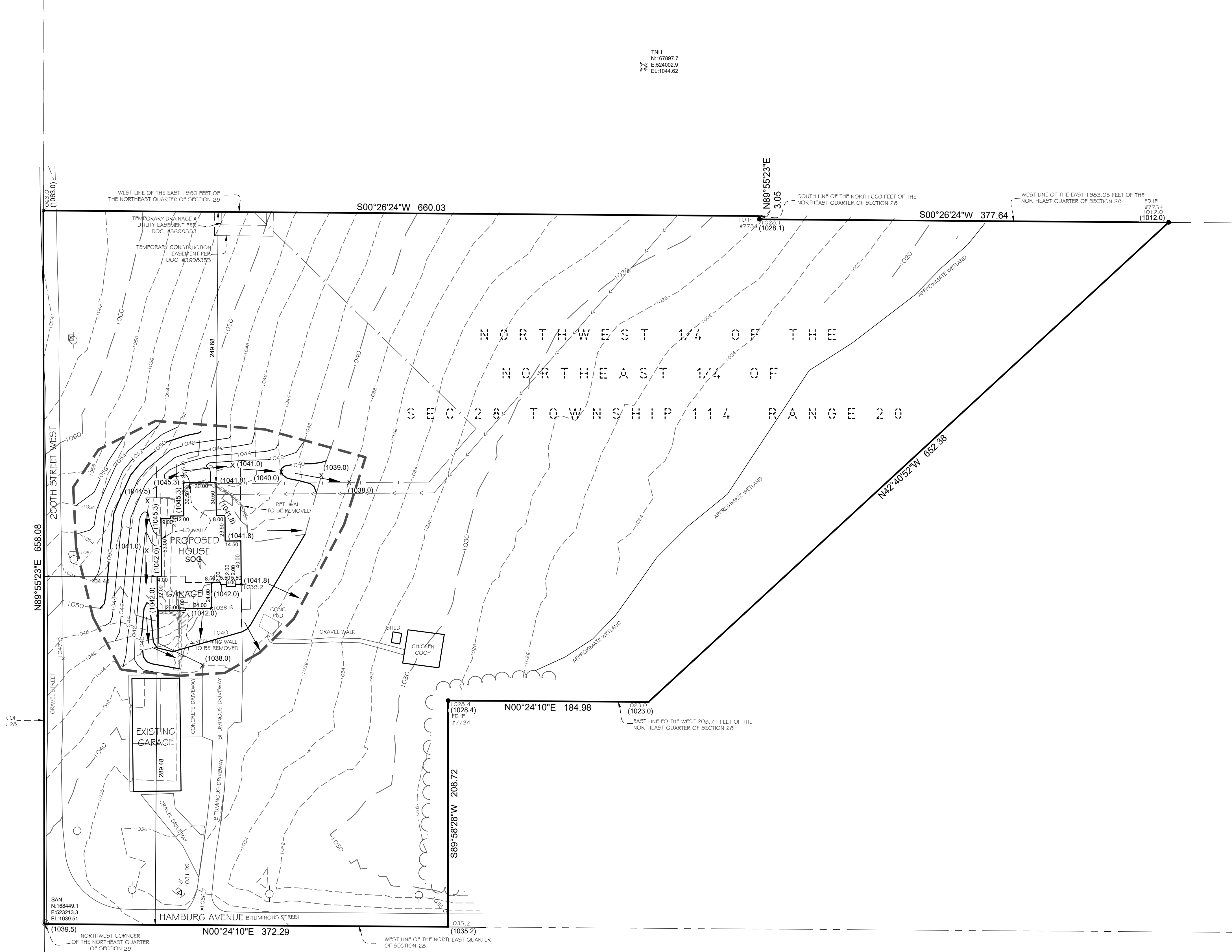


EXHIBIT C

1. No specific soils investigation has been performed on this lot by the surveyor. The suitability of the soils to support the specific house is not the responsibility of the surveyor.
2. No title information was provided for this survey. This survey does not purport to show all easements of record.
3. See architectural plans for final building dimensions.

PROBE ENGINEERING COMPANY, INC.
CONSULTING ENGINEERS, PLANNERS AND LAND SURVEYORS
1000 EAST 146TH ST., STE. 240, BURNSVILLE, MN 55337 PH (952)432-3000

I hereby certify that this is a true and correct representation of a tract as shown and described hereon. As prepared by me or under my direct supervision and that I am a duly licensed Land Surveyor under the laws of the State of Minnesota.
RUSSELL P. DAMLO Minn. Reg. No. 19086
Date 12/30/2025

REVISIONS:
6/9/2026: CITY COMMENTS
6/18/2026: TNH ADDED

CERTIFICATE OF SURVEY

PREPARED FOR:
PINNACLE FAMILY HOMES

PROJECT NO. 18990.10
ADDRESS: 20010 HAMBURG AVENUE
LAKEVILLE, MN
BUYERS:

**CITY OF LAKEVILLE
DAKOTA COUNTY, MINNESOTA**

MELLADO-BARBOZA CONDITIONAL USE PERMIT

FINDINGS OF FACT AND RECOMMENDATION

On July 23, 2026 the Lakeville Planning Commission met at it's regularly scheduled meeting to consider a conditional use permit to allow total accessory building area greater than 1,250 square feet in the RST-2, Single and Two-Family Residential District on property located at 20010 Hamburg Avenue. The Planning Commission conducted a public hearing on the proposed conditional use permit preceded by published and mailed notice. The applicant was present and the Planning Commission heard testimony from all interested persons wishing to speak.

1. The property is currently zoned RST-2, Single and Two-Family Residential District.
2. The property is located in Planning District No. 5 of the 2040 Comprehensive Plan, which guides the property for low density residential uses.
3. The legal description of the property is attached as Exhibit A.
4. Section 11-4-3E of the City of Lakeville Zoning Ordinance provides that a conditional use permit may not be issued unless certain criteria are satisfied. The criteria and our findings regarding them are:
 - a. The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the official City Comprehensive Plan.

The proposed attached four-car garage on the 9.98 acre property are consistent with the RST-2 District zoning of the property and District 5 recommendations of the 2040 Comprehensive Plan.

- b. The proposed use is or will be compatible with present and future land uses of the area.

Provided compliance with the conditional use permit, the attached four-car garage will be compatible with existing and future land uses in the area.

- c. The proposed use conforms with all performance standards contained in the Zoning Ordinance.

Provided compliance with the conditional use permit, the attached four-car garage will conform with all performance standards contained in the Zoning Ordinance and the City Code.

- d. The proposed use can be accommodated with existing public services and will not overburden the City's service capacity.

The subject property is within the current MUSA but is not served by existing public services.

- e. Traffic generation by the proposed use is within capabilities of streets serving the property.

The attached four-car garage will not overburden the streets serving the property.

- 5. The planning report, dated July 16, 2026, prepared by Planning Manager Kris Jenson is incorporated herein.

The Planning Commission recommends that the City Council approve the conditional use permit conditioned upon compliance with the planning report prepared by Planning Manager Kris Jenson dated July 16, 2026.

DATED: July 23, 2026

LAKEVILLE PLANNING COMMISSION

BY: _____

Christine Zimmer, Chair

EXHIBIT A

That part of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 28, Township 114, Range 20, Dakota County, Minnesota, described as follows:

Beginning at the northwest corner of the NE $\frac{1}{4}$ of said Section 28; thence Easterly on the north line of said NE $\frac{1}{4}$ a distance of 658.20 feet to the west line of the East 1980 feet of the NE $\frac{1}{4}$ of said Section 28; thence Southerly on said west line of the east 1980 feet a distance of 660.02 feet to the south line of the North 660 feet of said NE $\frac{1}{4}$; thence Westerly on said south line of the North 660 feet a distance of 3.05 feet to the west line of the east 1983.05 feet of said NE $\frac{1}{4}$; thence Southerly on said west line of the east 1983.05 feet a distance of 377.65 feet to a point 280.90 feet Northerly of the intersection of said west line of the east 1983.05 feet with the south line of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$; thence Northwesterly a distance of 652.47 feet to a point on the east line of the west 208.71 feet of said NE $\frac{1}{4}$ distance 760.90 feet Northerly of the intersection of said east line of the west 208.71 feet with the south line of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$; thence Northerly on said east line of the west 208.71 feet a distance of 184.98 feet to a point on a line parallel with the south line of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ distant 945.88 feet Northerly of said south line of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ as measured along a line parallel with the west line of said NE $\frac{1}{4}$; thence Westerly parallel with the south line of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ a distance of 208.71 feet to the west line of said NE $\frac{1}{4}$; thence. Northerly on said west line a distance of 372.40 feet to the point of beginning.



Memorandum

To: Planning Commission
From: Kris Jenson, Planning Manager
Date: July 16, 2026
Subject: Packet Material for the July 23, 2026 Planning Commission Meeting
Agenda Item: 20975 Howland Avenue - Interim Use Permit
Application Action Deadline: August 17, 2026

INTRODUCTION

Kenneth Pitcher has applied for an interim use permit (IUP) for the single-family home at 20975 Howland Avenue to in order to allow an addition to the home, located in the RH-CBD, High Density Residential District – Central Business District. The property is 0.31 acres and includes a single-family home with a detached single-car garage constructed in 1920. The applicant intends to construct a 300-square-foot addition to the home to provide additional living space and bedrooms. A location map is attached as Exhibit A for your review.

SITE ANALYSIS

Ordinance Amendment. Currently, single family homes are not allowed in the RH-CBD District. When the applicant applied for a building permit to add on to the home and was told that an addition wouldn't be permitted, he approached Community Development staff to discuss his options. In consultation with Planning Consultant Daniel Licht, it was determined that an amendment to the RH-CBD District to allow single family homes by Interim Use Permit was the best approach. There are currently 15 single family dwellings that are within the RH-CBD district.

Because single family homes are currently a non-conforming use within the RH-CBD district, they are not allowed to be expanded or intensified. By allowing single family homes as an interim use permit, subject to the requirements of the RS-CDB District, the homeowner will be allowed to make modifications and improvements to his home that otherwise wouldn't be allowed.

Existing Conditions. The single-family home was originally constructed in 1920, but was located elsewhere and moved onto the property in the late 1940s. Until the property was rezoned in

2020 as part of the 2040 Comprehensive Plan update, the property was zoned some type of medium density residential district that likely allowed single family homes as a permitted use.

Adjacent Land Uses. The applicant's home is one of six single family homes on the block. The Art Center is across Howland Avenue to the east.

INTERIM USE PERMIT ANALYSIS

Provided the City Council adopts the proposed Zoning Ordinance amendment to Section 11-63-11 of the Zoning Ordinance, an interim use permit may be granted to single family homes so that they can follow the requirements of the RS-CBD district, which is the primary zoning district of the homes in the areas to the north and east of downtown Lakeville.

Section 11-5-3 directs the Planning Commission to consider the effects of the proposed use with its judgement based upon, but not limited to, the following factors:

- A. The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the official city comprehensive plan.**

Finding: Because the single family home already exists on the site, there is no change in the use with the approval of an interim use permit.

- B. The proposed use is or will be compatible with present and future land uses of the area.**

Finding: All six of the homes on the block are single family homes.

- C. The proposed use conforms with all performance standards contained in this code.**

Finding: The existing single family home will be subject to the performance standards of the RS-CBD, Single-Family Residential – Central Business District.

- D. The proposed use can be accommodated with existing public services and will not overburden the city's service capacity.**

Finding: N/A; the single family home is already existing.

- E. Traffic generation by the proposed use is within capabilities of streets serving the property.**

Finding: N/A; the single family home is already existing.

RECOMMENDATION

Community Development Department staff recommends approval of an interim use permit for the single family home at 20975 Howland Avenue, subject to the following stipulations:

1. The use shall be subject to the requirements applicable to single family uses within the RS-CBD district.
2. The interim use shall terminate upon redevelopment of the single family property to another permitted or conditional use of the RH-CBD District.

Findings of Fact are attached for consideration.



Subject Property

UPPER 209TH ST

210TH ST

HOLYOKE AVE

N

City of Lakeville
Location Map
20975 Howland Ave
IUP
EXHIBIT A

**CITY OF LAKEVILLE
DAKOTA COUNTY, MINNESOTA**

PITCHER INTERIM USE PERMIT

FINDINGS OF FACT AND RECOMMENDATION

On July 23, 2026 the Lakeville Planning Commission met at it's regularly scheduled meeting to consider the application of Kenneth Pitcher for an Interim Use Permit to allow a single family dwelling within the RH-CBD, High Density Residential District – Central Business District on property located at 20975 Howland Avenue. The Planning Commission conducted a public hearing on the proposed interim use permit preceded by published and mailed notice. The applicant was present and the Planning Commission heard testimony from all interested persons wishing to speak.

1. The property is currently zoned RH-CBD, High Density Residential District – Central Business District.
2. The property is located in Planning District No. 4 of the 2040 Comprehensive Plan, which guides the property for medium/high density residential uses.
3. The legal description of the property is:

Lots 4 and 9, Block 4 "Fairfield", excepting therefrom the right of way of the Minneapolis, Northfield, and Southern Railway and the west 20 feet of the vacated Howland Avenue.

4. Section 11-5-3E of the City of Lakeville Zoning Ordinance provides that the Planning Commission shall consider possible effects of the proposed interim use with its judgement based upon, but not limited to, the following factors:

- a. **The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the official City Comprehensive Plan.**

Finding: Because the single family home already exists on the site, there is no change in the use with the approval of an interim use permit.

- b. **The proposed use is or will be compatible with present and future land uses of the area.**

Finding: All six of the homes on the block are single family homes.

- c. **The proposed use conforms with all performance standards contained in the Zoning Ordinance.**

Finding: The existing single family home will be subject to the performance standards of the RS-CBD, Single-Family Residential – Central Business District.

- d. **The proposed use can be accommodated with existing public services and will not overburden the City's service capacity.**

Finding: N/A; the single family home is already existing.

- e. **Traffic generation by the proposed use is within capabilities of streets serving the property.**

Finding: N/A; the single family home is already existing.

- 5. The planning report, dated July 16, 2026, prepared by Planning Manager Kris Jenson is incorporated herein.

The Planning Commission recommends that the City Council approve the interim use permit conditioned upon compliance with the planning report prepared by Planning Manager Kris Jenson dated July 16, 2026.

DATED: July 23, 2026

LAKEVILLE PLANNING COMMISSION

BY: _____

Christine Zimmer, Chair



Memorandum

To: Planning Commission
From: Heather Botten, Senior Planner
Date: July 15, 2026
Subject: Packet Material for the July 23, 2026 Planning Commission Meeting
Agenda Item: Palmer Crossing Preliminary Plat
Action Deadline: August 15, 2026

BACKGROUND

Representatives of Poehling Family Companies have applied for a preliminary plat to allow the development of a 24 lot, one outlot single-family subdivision to be known as Palmer Crossing. The property is 10 acres in area, located at 7880 202nd Street which is south of 202nd St (CSAH 50), north of Gresham Way, and east of Hamburg Avenue.

The Palmer Crossing preliminary plat plans have been reviewed by the Engineering Division, Environmental Resources, and Dakota County Plat Commission.

EXHIBITS

- A. Location Map
- B. Zoning Map
- C. Preliminary Plat
- D. Existing Conditions
- E. Site Plan
- F. Grading, Drainage, & Erosion Control Plan
- G. Tree Preservation Plan
- H. Landscape Plan
- I. Ghost Plat
- J. Plat Commission Letter dated May 20, 2026

PLANNING ANALYSIS

Existing Conditions. The property currently has a single-family home on it that was built in 1991 along with accessory buildings that will be removed prior to development.

Consistency with the Comprehensive Plan. The Palmer Crossing property is located in Planning District 5 of the 2040 Comprehensive Plan. The subject site is guided Low-Medium Density Residential (LMDR), which anticipates small lot single family development of 3.01 to 5.0 units per acre. The proposed plat has a density of 3.1 units per acre.

The Palmer Crossing preliminary plat is currently zoned RST-2, Single-and-Two Family zoning. The RST-2 zoning allows for single family, two-family and townhome development. The proposed residential development is consistent with the zoning designation and comprehensive plan guiding.

Adjacent Land Uses. The adjacent land uses and zoning are as follows:

- North – Single family homes (RST-2) and 202nd St/CSAH 50; guided LMDR
- East – Single family home (RST-2); guided LMDR
- South – Single family homes (RS-4); guided LMDR
- West – Single family homes (RST-2); guided LMDR

Consistency with the Capital Improvement Plan (CIP). City streets, sanitary sewer and water improvements for the area of Palmer Crossing will be financed and constructed by the Developer. The development costs associated with the Palmer Crossing development are not programmed in the 2025– 2029 CIP.

Premature Subdivision Criteria. A preliminary plat may be deemed premature if any of the criteria listed in Chapter 10-2-4-1 of the Subdivision Ordinance exist. Eligible criteria pertain to a lack of adequate: drainage, water, streets, sanitary sewer, and public service capacity (police and fire protection). The other pertinent criteria pertain to inconsistencies with the City Comprehensive Land Use and Capital Improvement Plans (discussed above). Staff review of the Palmer Crossing preliminary plat against these criteria finds that it is not a premature subdivision.

MUSA. The proposed plat area is located within the current MUSA.

Density. The Palmer Crossing preliminary plat consists of 24 single-family home lots on 10 acres. This results in a gross density of 2.4 units per acre. Excluding arterial street right-of-way (0.98 acres) and the outlot (1.3 acres) the net lot size is 7.72 acres with a density of 3.1 units per acre.

Lot Requirements. The following are the minimum requirements for single family home lots in the RST-2 District:

	Lot Area	Lot Width	Lot Depth
Interior Lot	7,500 SF	55 feet	
Corner Lot	9,520 SF	70 feet	
Buffer Yard Lots			150 feet

The proposed lots shown on the preliminary plat range from 8,450 square feet to 18,791 square feet. Lot widths range from 65 feet to 109 feet, and the buffer yards have a minimum depth of 150 feet, complying with the minimum lot size requirements.

Lot Setbacks. The following minimum setbacks are required for single family homes in the RST-2 District:

Front Yard	Rear Yard	Side Yard	
		Interior	ROW
25 ft garage face 20 ft building	30 feet 50 (buffer yard)	7 feet	20 feet, 30 feet (buffer yard)

The proposed lots shown on the preliminary plat have sufficient area to accommodate a single-family home.

Maximum Building Coverage. Single family home lots in the RST-2 District are subject to a maximum building coverage of 40% of the lot.

Garage Area. The minimum width of each garage must be 22 feet while the minimum area of the garage is 480 square feet, to comply with the requirements of Section 11-18-7.D. All calculations are based on interior dimensions.

Outlots. There is one proposed outlot totaling 1.3 acres in the Palmer Crossing preliminary plat. The use of the proposed outlots is for stormwater management and shall be deeded to the City with the final plat.

Tree Preservation. A tree preservation plan was submitted by the Developer that identifies 1,833 diameter inches of significant trees on site. The tree preservation plan proposes to remove 1,311 inches (71.5%), which is above the 40% removal threshold for residential developments. Tree replacement for the site is the equivalent of 184.5 inches of new trees to be planted with the development. The proposed landscape plan and tree preservation tables meet the requirements of the ordinance. All 'save' trees that are damaged or removed during construction must be replaced per the requirements of the tree preservation ordinance.

Landscaping. Lots 1-5 Block 1 are required to have rear yard buffer landscaping as they are adjacent to CSAH 50. A variety of plantings are proposed along the rear property line in two rows to provide the required landscape buffer.

The plan also shows a front yard tree for each lot, as required by the Zoning Ordinance. While the locations of front yard trees are determined at the time of planting based on the home's location on the lot, underground utilities, etc. they must remain out of drainage and utility easements.

Streets. Palmer Crossing is south of and adjacent to 202nd St./CSAH 50, a minor arterial roadway. There will not be a new access point on 202nd Street. The development will be accessed from Gresham Way, an existing local street. The development also includes the construction of "Street A", designed as a local roadway with a temporary cul-de-sac. Additional street information is outlined in the Engineering Division memorandum dated July 15, 2026.

All streets meet the minimum width and design requirements of the Subdivision Ordinance.

Sidewalks/Trails. The Developer will construct a five-foot-wide concrete sidewalk along the east side of Gresham Way up to Street A where the cul-de-sac starts. A sidewalk is also required along one of the sides of Street A as this will be a future road if or when the lot to the east develops.

Plat Commission. The Dakota County Plat Commission reviewed the preliminary plat at their May 20, 2026 meeting and recommended approval of the plat.

Grading, Drainage, Erosion Control, and Utilities. Grading, drainage, erosion control, and utility plans have been submitted with the preliminary plat and are discussed in more detail in the July 15, 2026 engineering report. A copy of the report is attached for your review. The Engineering Division recommends approval of Palmer Crossing preliminary plat and development plans subject to the comments outlined in the engineering report.

Wetlands. A wetland delineation was completed for the site that determined there are three farmed wetland areas within the project boundary. The developer is proposing to impact 2,076 sf of wetland with the development. The developer must submit a wetland replacement plan for review and approval to the City prior to any grading.

Park Dedication. The 2015 Parks, Trails, and Open Space Plan does not identify a park location in this area. The park dedication requirement will be satisfied through park dedication fees to be paid with the final plat.

RECOMMENDATION

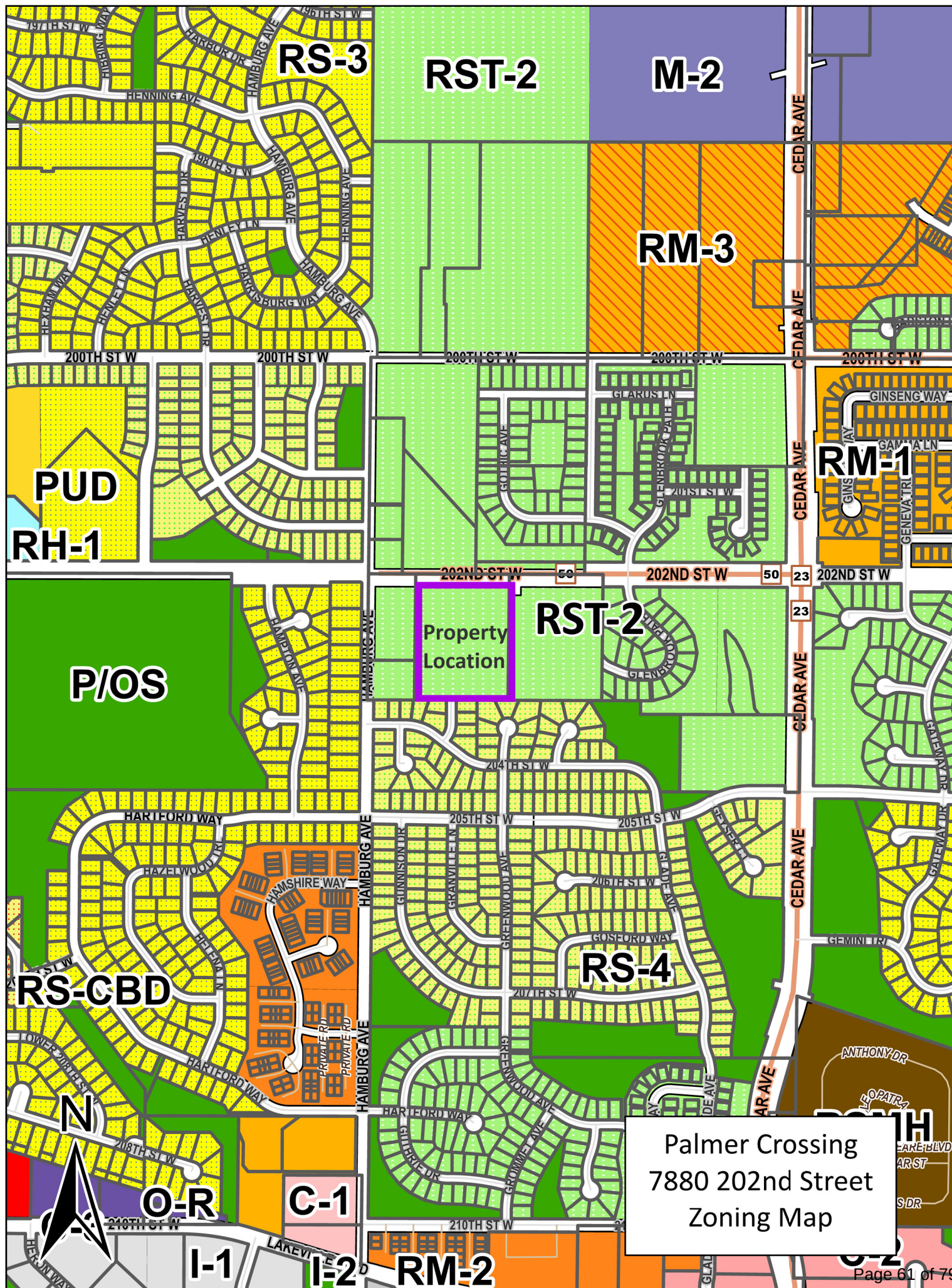
Community Development Department staff recommends approval of the Palmer Crossing preliminary plat subject to the following stipulations:

1. Implementation of the recommendations listed in the July 15, 2026 engineering report.
2. Park dedication shall be satisfied with a cash contribution paid with the final plat.
3. The Developer shall construct five-foot-wide concrete sidewalk as required by city code.
4. Outlot A shall be deeded to the City with the final plat.



Property
Location

Palmer Crossing
7880 202nd Street
Location Map





The East 568.65 feet of West 859.05 feet of North 766.00 feet of Southwest Quarter of Northeast Quarter of Section 28, Township 114, Range 20, Dakota County, Minnesota.

ZONING INFORMATION

CURRENT ZONING:	RST-2 (SINGLE-FAMILY RESIDENTIAL)
PROPOSED ZONING:	RST-2 (SINGLE-FAMILY RESIDENTIAL)

SITE DATA

GROSS AREA 10.00 ACRES

LOTS 24 LOTS

GROSS DENSITY (TOTAL UNITS/GROSS AREA) 2.40 D.U./ACR

NET DENSITY 3.11 D.U./ACR
(TOTAL UNITS/(GROSS AREA-OUTLOT-C.S.A.H. NO. 50))

LOTS	6.02 ACRES
R.O.W.	2.68 ACRES
EXISTING ROADS (C.S.A.H. NO. 50)	(0.98 ACRES)
SUBDIVISION ROADS	(1.70 ACRES)
<u>OUTLOT</u>	1.30 ACRES
TOTAL	10.00 ACRES

MINIMUM SETBACKS (SINGLE FAMILY)

FRONT (HOUSE)	20 FEET
FRONT (GARAGE)	25 FEET
SIDE (HOUSE & GARAGE)	7 FEET
SIDE (STREET)	20 FEET
REAR	30 FEET
REAR YARD ABUTTING C.S.A.H. NO. 50	50 FEET
REAR YARD FOR ANY OPEN AND UNCOVERED TERRACES, STEPS, DECKS, AND STOOPS	20 FEET

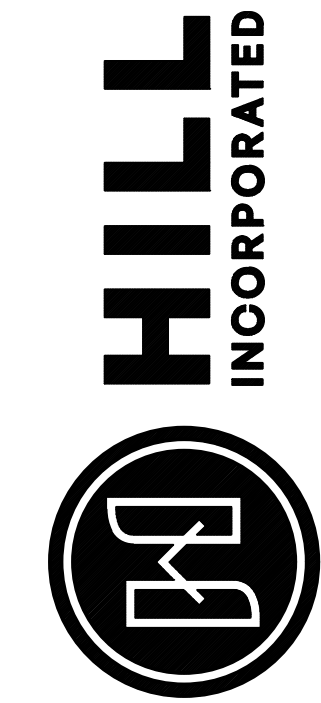
MINIMUM LOT REQUIREMENTS

LOT SIZE - INTERIOR	7,500 S.F.
LOT SIZE - CORNER	9,520 S.F.
LOT WIDTH - INTERIOR	55 FEET
LOT WIDTH - CORNER	70 FEET

MAXIMUM BUILDING COVERAGE 40%

LOTS DATA	
NO. OF LOTS	24 LOTS
SMALLEST LOT SIZE	8,450 S.F.
LARGEST LOT SIZE	18,791 S.F.
AVERAGE LOT SIZE	10,919 S.F.

2999 WEST C.R. 42, SUITE 100
BURNSVILLE, MN 55306
PHONE: 952-890-6044
marcus@mnhill.com
www.mnhill.com



I hereby certify that this survey, plan and map was prepared by me or under my direct supervision and that I am a duly licensed Land Surveyor under the laws of the State of Minnesota.

PALMER CROSSING
LAKEVILLE, MINNESOTA
PRELIMINARY PLAT
FOR
TRADITION DEVELOPMENT

DRAWN BY
PLM

DATE
2/3/2026

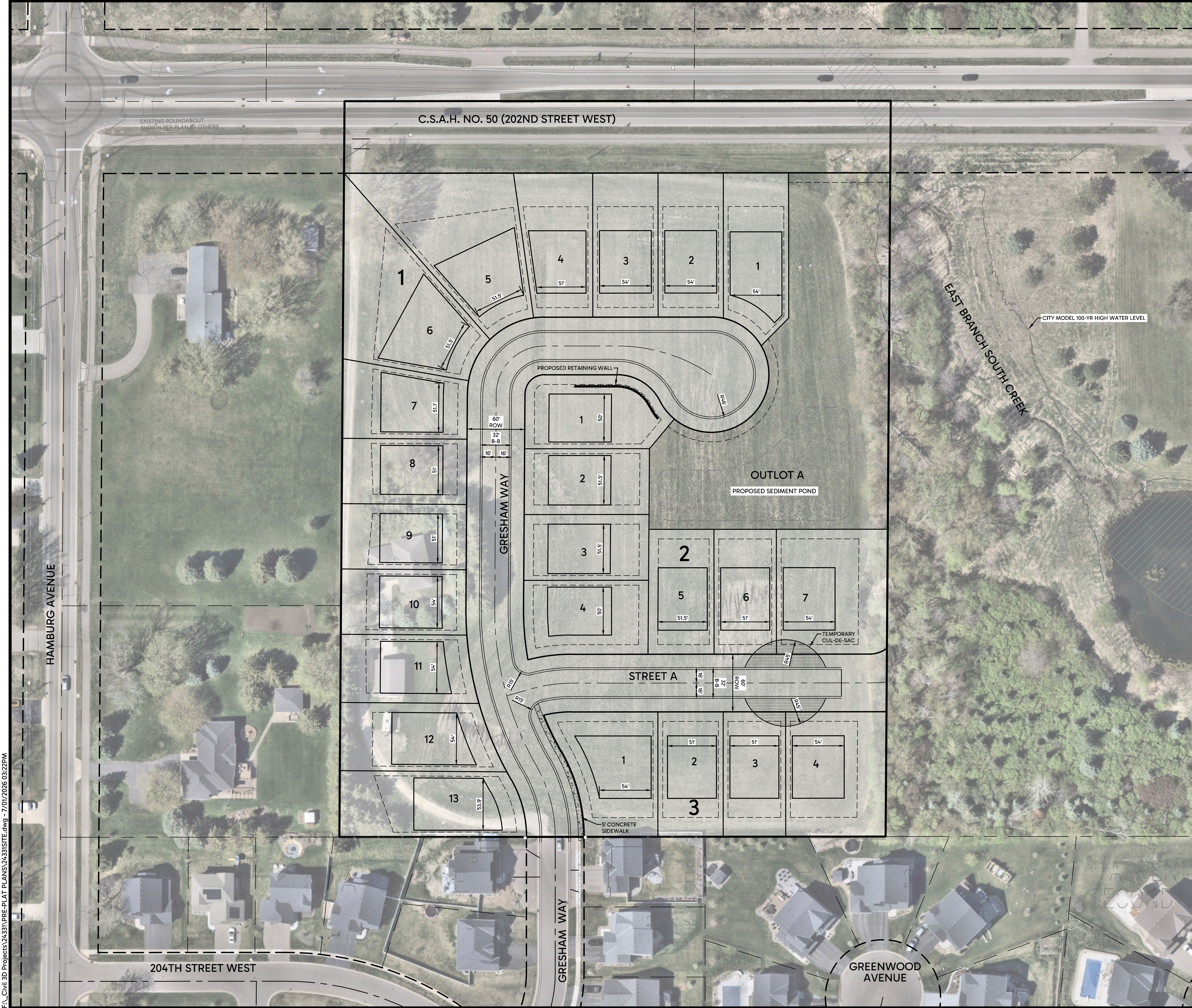
REVISIONS

CAD FILE
24331PP.dwg

PROJECT NO.
24331-00

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LEGEND

- EXISTING CURB & GUTTER
- EXISTING RETAINING WALL
- EXISTING FENCE
- EXISTING FLAGPOLE
- EXISTING SIGN
- EXISTING TREELINE/TREES
- EXISTING ASPHALT
- EXISTING CONCRETE
- EXISTING GRAVEL
- EXISTING FLOODPLAIN - ZONE AE
- EXISTING FLOODPLAIN - 0.2% CHANCE
- PROPOSED CURB & GUTTER
- PROPOSED CONCRETE
- PROPOSED SEDIMENT POND
- PROPOSED MAINTENANCE ACCESS

ZONING INFORMATION

CURRENT ZONING: RST-2 (SINGLE-FAMILY RESIDENTIAL)
PROPOSED ZONING: RST-2 (SINGLE-FAMILY RESIDENTIAL)

SITE DATA

GROSS AREA	10.00 ACRES
LOTS	24 LOTS
GROSS DENSITY (TOTAL UNITS/GROSS AREA)	2.40 D.U./ACRE
NET DENSITY (TOTAL UNITS/(GROSS AREA-OUTLOT-C.S.A.H. NO. 50))	3.11 D.U./ACRE
LOTS R.O.W.	6.02 ACRES
EXISTING ROADS (C.S.A.H. NO. 50)	2.68 ACRES
SUBDIVISION ROADS	(0.98 ACRES)
OUTLOT	(1.70 ACRES)
TOTAL	1.30 ACRES
	10.00 ACRES

MINIMUM SETBACKS (SINGLE FAMILY)

FRONT (HOUSE)	20 FEET
FRONT (GARAGE)	25 FEET
SIDE (HOUSE & GARAGE)	7 FEET
SIDE (STREET)	20 FEET
REAR	30 FEET
REAR YARD ABUTTING C.S.A.H. NO. 50	50 FEET
REAR YARD FOR ANY OPEN AND UNCOVERED TERRACES, STEPS, DECKS, AND STOOPS	20 FEET

MINIMUM LOT REQUIREMENTS

LOT SIZE - INTERIOR	7,500 S.F.
LOT SIZE - CORNER	9,520 S.F.
LOT WIDTH - INTERIOR	55 FEET
LOT WIDTH - CORNER	70 FEET

MAXIMUM BUILDING COVERAGE

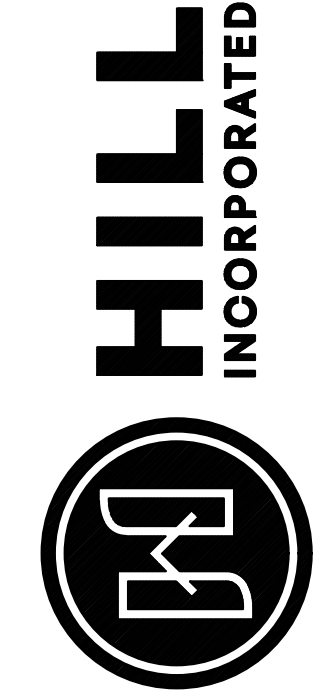
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LOTS DATA

NO. OF LOTS	24 LOTS
SMALLEST LOT SIZE	8,450 S.F.
LARGEST LOT SIZE	18,791 S.F.
AVERAGE LOT SIZE	10,919 S.F.



2999 WEST C.R. 42, SUITE 100
BURNSVILLE, MN 55306
PHONE: 952-890-6044
rosberg@mmhill.com
www.mmhill.com



I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer in the State of Minnesota.
RICK L. OSBORN
Date: 04/14/2026 Reg. No. 22485

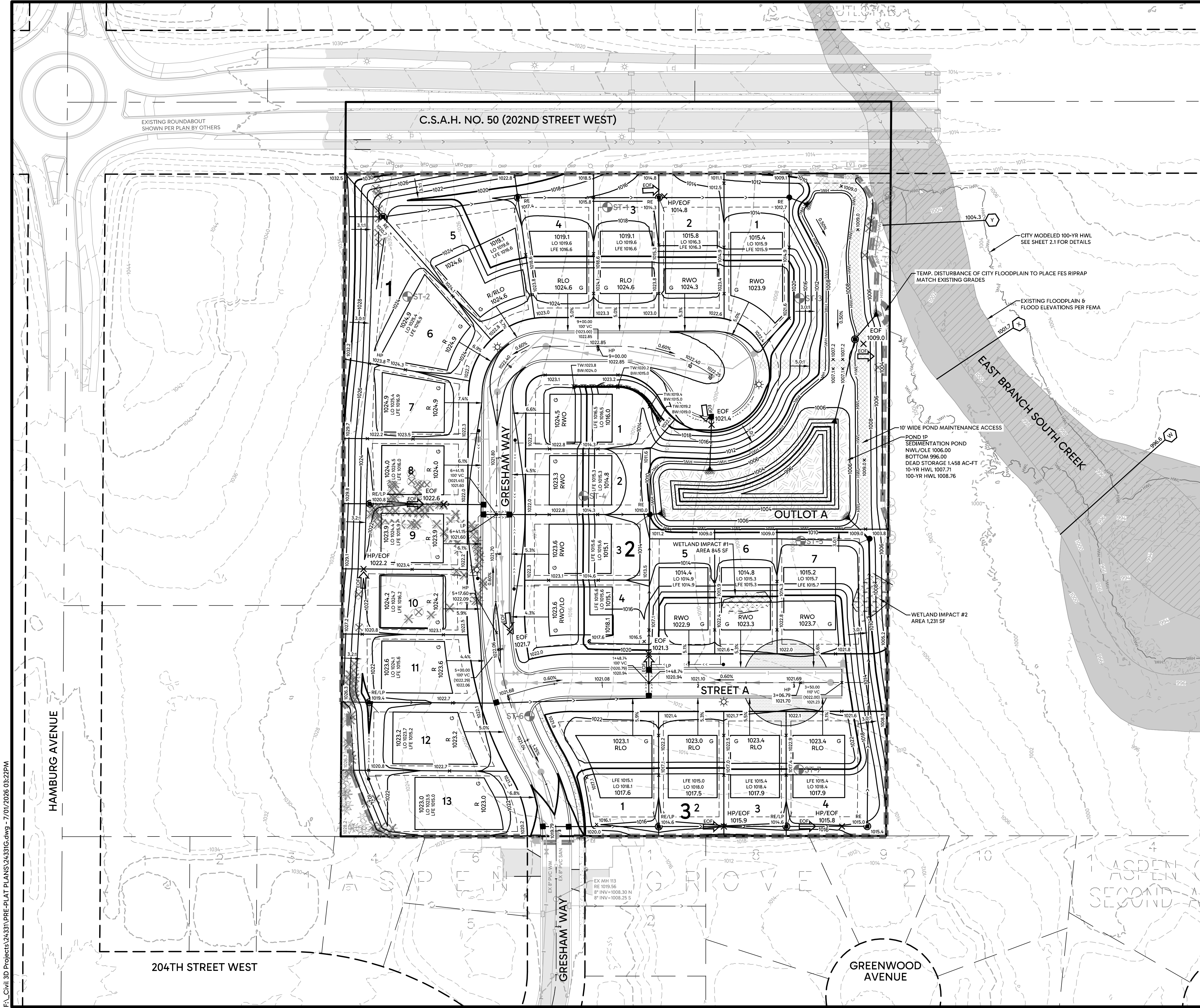
PALMER CROSSING
LAKEVILLE, MINNESOTA
OVERALL SITE PLAN
FOR
POEHLING FAMILY COMPANIES, LLC
9910 185TH STREET WEST, LAKEVILLE, MN 55044

DRAWN BY
JSO

DATE
02/20/2026

REVISIONS
2026-04-15 CITY COMMENTS
2026-06-10 CITY COMMENTS
2026-07-01 CITY COMMENTS

CAD FILE
24331SITE
PROJECT NO.
24331



LEGEND

EXISTING WATERMAIN

EXISTING SANITARY SEWER

EXISTING STORM SEWER

EXISTING UNDERGROUND ELECTRIC

EXISTING UNDERGROUND FIBER OPTIC

EXISTING UNDERGROUND GAS

EXISTING OVERHEAD POWER

EXISTING CLEANOUT

EXISTING CURB STOP

EXISTING ELECTRIC METER

EXISTING ELECTRIC TRANSFORMER BOX

EXISTING POWER POLE

EXISTING TELEPHONE BOX

EXISTING TELEVISION BOX

EXISTING WELL

EXISTING VAULT

EXISTING CURB & GUTTER

EXISTING RETAINING WALL

EXISTING FENCE

EXISTING CONTOUR

EXISTING AIR CONDITIONER

EXISTING FLAGPOLE

EXISTING LIGHT POLE

EXISTING SIGN

EXISTING TREELINE/TREES

EXISTING SOIL BORING LOCATION

EXISTING ASPHALT

EXISTING CONCRETE

EXISTING GRAVEL

EXISTING WETLAND

EXISTING FLOODPLAIN - ZONE AE

EXISTING FLOODPLAIN - 0.2% CHANCE

PROPOSED WATERMAIN

PROPOSED SANITARY SEWER

PROPOSED STORM SEWER

PROPOSED CURB & GUTTER

PROPOSED CONTOUR

PROPOSED GRADING LIMITS

PROPOSED CONCRETE

PROPOSED SEDIMENT POND

PROPOSED MAINTENANCE ACCESS

TYPICAL LOT

PROPOSED CONTOUR

SURFACE DRAINAGE

PROPERTY LINE

SUGGESTED GARAGE SIDE

FINISHED ELEVATION AT LOT CORNER

CENTERLINE (C)

LOT NUMBER

EXISTING CONTOUR

FINISHED GRADE ELEVATION

LOWEST OPENING ELEVATION

LOWEST FLOOR ELEVATION

RECOMMENDED HOUSE TYPE

DRAINAGE & UTILITY EASEMENT

TYPICAL FRONT YARD SETBACK (HOUSE)

PVI ELEVATION AT VERTICAL CURVE

100' STATION

FINISHED & GRADE

Know what's below.
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INCORPORATED

I hereby certify that this plan, by me or under my direct supervision and that I am duly Licensed and that I am the Engineer of the State of Minnesota.

ROSEBERG
RICK L. ROSEBERG
Reg. No. 22485

PALMER CROSSING
LAKEVILLE, MINNESOTA

GRADING & DRAINAGE PLAN

FOR
POEHLING FAMILY COMPANIES, LLC
9910 185TH STREET WEST, LAKEVILLE, MN 55044

DRAWN BY
JSO

DATE
02/20/2026

REVISIONS

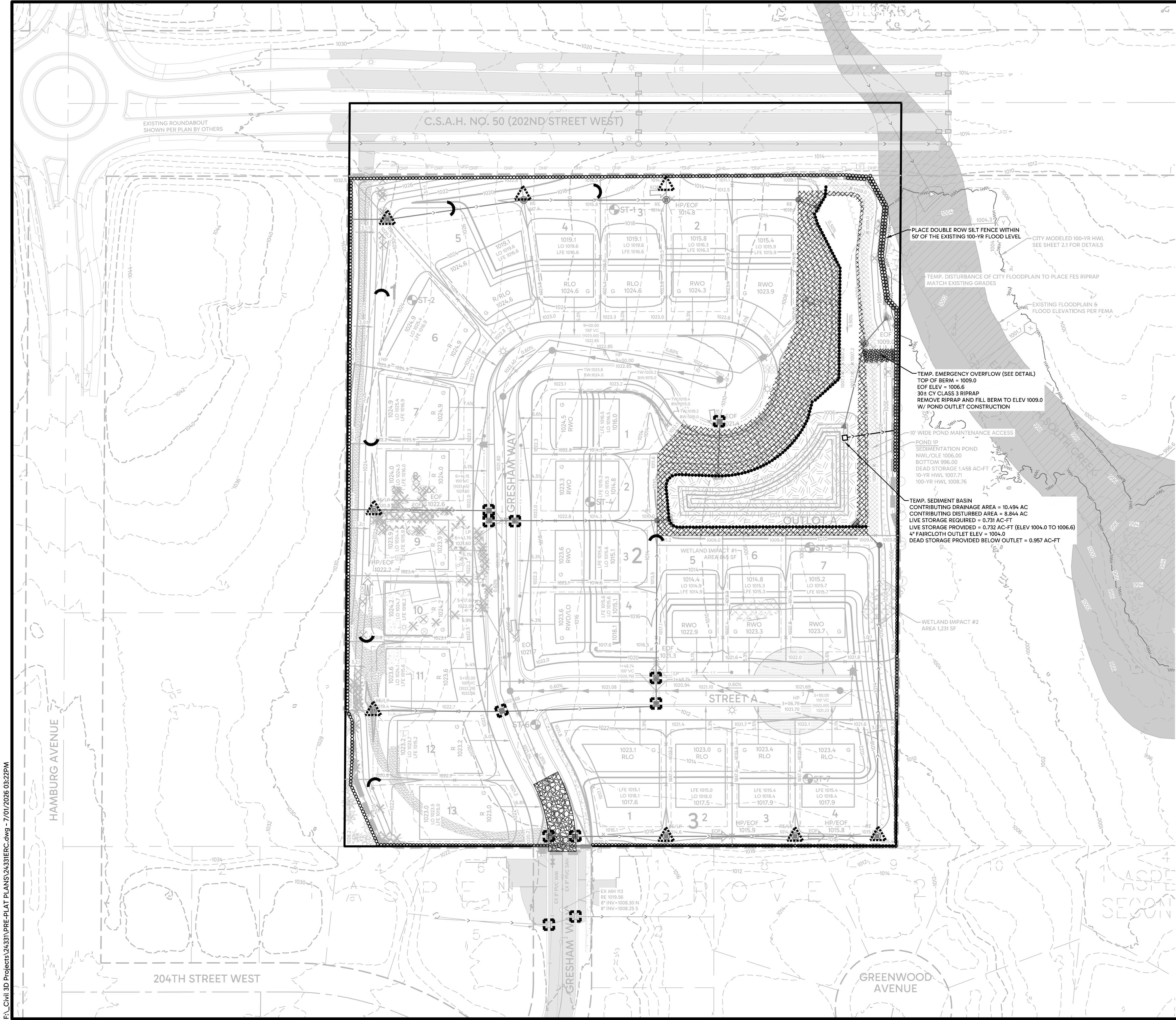
2026-04-15	CITY COMMENTS
2026-06-10	CITY COMMENTS
2026-07-01	CITY COMMENTS

CAD FILE
24331G

PROJECT NO.
24331

2.0

Page 65 of 79



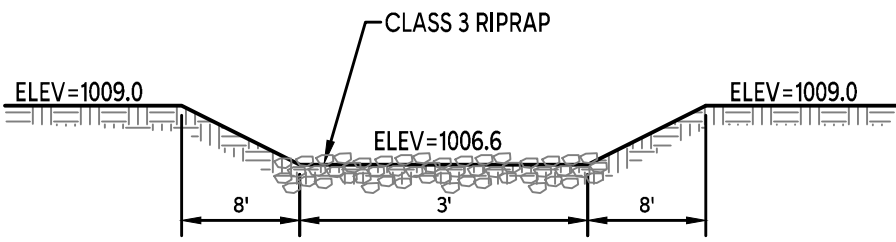
LEGEND

EXISTING WATERMAIN
EXISTING SANITARY SEWER
EXISTING STORM SEWER
EXISTING UNDERGROUND GAS
EXISTING UNDERGROUND ELECTRIC
EXISTING UNDERGROUND TELEPHONE
EXISTING UNDERGROUND FIBER OPTIC
EXISTING OVERHEAD POWER LINE
EXISTING LIGHT POLE
EXISTING MANHOLE (ELECTRIC)
EXISTING TRANSFORMER
EXISTING TELEPHONE PEDESTAL
EXISTING TV PEDESTAL
EXISTING VAULT
EXISTING CURB & GUTTER
EXISTING FENCE
EXISTING CONTOUR
EXISTING SIGN

EXISTING TREELINE/TREES
EXISTING SOIL BORING LOCATION
EXISTING ASPHALT
EXISTING CONCRETE
EXISTING FLOODPLAIN - ZONE AE
EXISTING FLOODPLAIN - 0.2% CHANCE

PROPOSED WATERMAIN
PROPOSED SANITARY SEWER
PROPOSED SANITARY SERVICE
PROPOSED WATER SERVICE
PROPOSED STORM SEWER
PROPOSED CURB & GUTTER
PROPOSED CONTOUR
PROPOSED GRADING LIMITS

PROPOSED EMERGENCY OVERFLOW
PROPOSED CONCRETE
PROPOSED BITUMINOUS SURFACE
PROPOSED SEDIMENT BASIN
PROPOSED SILT FENCE
PROPOSED SILT FENCE POST CONSTRUCTION
PROPOSED WIMCO OR EQUAL
POST STORM SEWER CONSTRUCTION
PROPOSED YARD CB INLET PROTECTION POST
STORM SEWER CONSTRUCTION
PROPOSED DITCH CHECK - POST
GRADING/UTILITY CONSTRUCTION
PROPOSED TEMPORARY ROCK
CONSTRUCTION ENTRANCE
PROPOSED EROSION CONTROL BLANKET



POND 1P TEMP. EMERGENCY OVERFLOW

- NOTES**
1. RESPREAD A MIN. 6" TOPSOIL ON ALL AREAS HAVING FINAL STABILIZATION OF SEED & MULCH, TURF AND LANDSCAPING.
 2. RESTORE DISTURBED AREAS "MESIC INSLOPE" GENERAL SEED MIX, SOD OR EQUAL, UNLESS OTHERWISE NOTED.
 3. IF SEDIMENT TRACKING OCCURS, INSTALL INLET PROTECTION IN NEARBY CATCH BASINS ALONG THE HAUL ROUTE.
 4. INSTALL EROSION CONTROL BLANKET ON 3:1 SLOPES UPGRADIENT OF THE PONDING AREA.



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rosberg@mmhill.com
www.mmhill.com

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer in the State of Minnesota.

Rick L. Osborn
Rick L. Osborn
Date: 04/14/2026 Reg. No.: 22485

PALMER CROSSING
LAKEVILLE, MINNESOTA

EROSION & SEDIMENT CONTROL PLAN

FOR
POEHLING FAMILY COMPANIES, LLC
9910 185TH STREET WEST, LAKEVILLE, MN 55044

DRAWN BY
JSO

DATE
02/20/2026

REVISIONS

2026-04-15	CITY COMMENTS
2026-06-10	CITY COMMENTS
2026-07-01	CITY COMMENTS

CAD FILE
24331ERC

PROJECT NO.
24331

5.0

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LEGEND

- EXISTING TREE
- REMOVE TREE
- EXISTING TREE (OFF-SITE)
- GRADING/DISTURBANCE LIMITS
- PROPOSED SILT FENCE

- NOTES**
- TREE DATA PROVIDED BY MIDWEST NATURAL RESOURCES, INC. ON 2/16/2025.
 - SILT FENCE SHALL BE USED AS TEMPORARY TREE PROTECTION.

811
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rosberg@mmhill.com
www.mmhill.com

I hereby certify that this plan, by my profession or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer in the State of Minnesota.

POEHLING
RICK L. POEHLING
Date: 04/14/2025 Reg. No. 22458

PALMER CROSSING
LAKEVILLE, MINNESOTA

TREE PRESERVATION PLAN

FOR
POEHLING FAMILY COMPANIES, LLC
9910 185TH STREET WEST, LAKEVILLE, MN 55044

DRAWN BY
JSO

DATE
02/20/2026

REVISIONS

2026-04-15	CITY COMMENTS
2026-06-10	CITY COMMENTS
2026-07-01	CITY COMMENTS

CAD FILE
24331TP

PROJECT NO.
24331

3.1

PALMER CROSSING

PRELIMINARY LANDSCAPE PLANS

LANDSCAPE SHEET INDEX:

- L1.0 Title Sheet
- L1.1 Landscape Plan
- L2.0 Notes and Details

SURVEYOR + CIVIL ENGINEER:



PLANNERS / ENGINEERS / SURVEYORS
2999 W. CTY. RD. 42, SUITE 100, BURNSVILLE, MN 55306
PHONE: (952)890-6044 FAX: (952)890-6244

LANDSCAPE CALCULATIONS:

Total No. of Single Family Dwelling Units:	24
Total Lot Trees Required: (24 Lots x 2 Trees):	48
Additional Trees Required for Corner Lots:	03
Total Lot Trees Required:	51
Total Lot Trees Shown:	51
Total Developer Trees Shown:	76
Total Developer Shrubs Shown:	44
Total Trees Proposed:	127

Required Tree Replacement (In Inches)	184.5"
Mitigation Trees Shown (In Inches)	184.5"

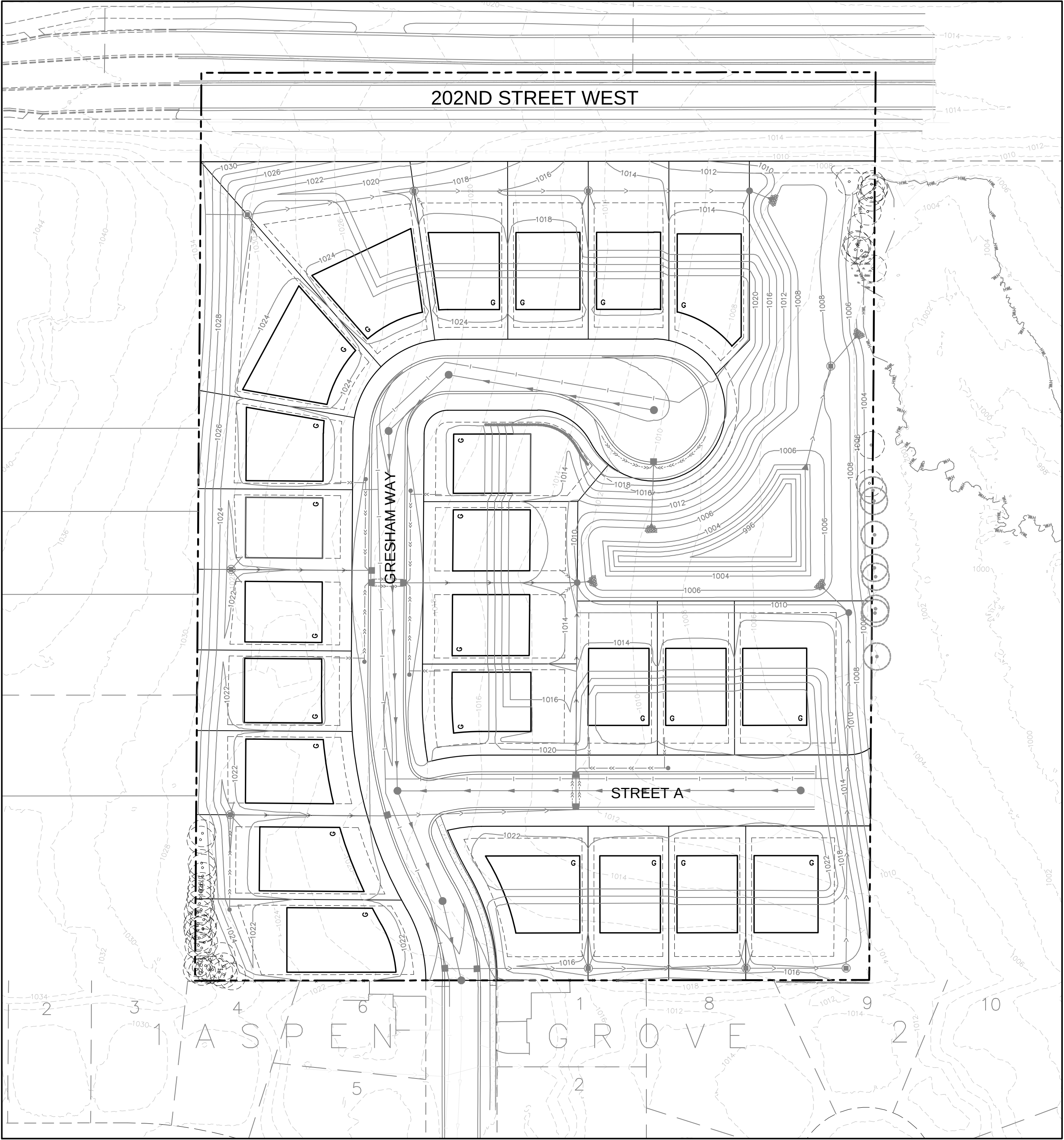
* SEE CIVIL PLANS FOR FULL TREE INVENTORY AND REMOVALS *

CITY OF LAKEVILLE LANDSCAPE REQUIREMENTS:

- Provide Two (2) Trees Per Lot
- Developer to install all Front Yard Trees (overstory), Minimum (1) Per Lot
- Developer will install all Rear Yard Trees (understory), Minimum (1) Per Lot

Minimum New Tree Sizes:

- Coniferous: 8-Foot Tall
- Deciduous Overstory shade tree: 2.5" Caliper
- Deciduous Understory Ornamental Tree: 2" Caliper



OVERALL LANDSCAPE PLAN:

GENERAL NOTES:

- See Civil Engineer's plans for grading layout and dimensions. Actual locations of trees may vary, depending on final location of driveways and utilities.
- Contractor to coordinate any work in the city right-of-way with the City of Lakeville Public Works Department.
- See Civil plans for additional requirements regarding the site plan layout.
- Place a minimum of 6" topsoil or slope dressing on all areas disturbed by construction, including right-of-way boulevards, unless specified otherwise.
- Sod all disturbed areas except plant beds and areas noted to receive seed per civil plans.
- See Civil Engineer's Plans for utility locations.
- Irrigation plan to be design-build per lot by landscape contractor.
- Protect existing trees to remain during construction.
- Storm basin area seeding per civil engineer's plans.
- See Sheet L2.0 for Landscape Notes and Details.

CITY OF LAKEVILLE SCREENING REQUIREMENTS:

11-21-9: REQUIRED SCREENING AND LANDSCAPING:

B: Landscaping: Required landscaping for new residential subdivisions and commercial, industrial or institutional uses shall include plantings at the property perimeter, off street parking perimeter landscaping and interior landscape plantings as well as required residential buffer yard or transitional buffer zone plantings.

TREE DIVERSITY MATRIX:

BOTANICAL GENUS:	QUANTITY	% OF TOTAL	CLASSIFICATION
Acer sp.	12	9%	Deciduous Shade Tree
Betula sp.	6	5%	Deciduous Shade Tree
Celtis sp.	4	3%	Deciduous Shade Tree
Gleditsia sp.	3	2%	Deciduous Shade Tree
Quercus sp.	4	3%	Deciduous Shade Tree
Tilia sp.	2	2%	Deciduous Shade Tree
Ulmus sp.	4	3%	Deciduous Shade Tree
Aesculus sp.	9	7%	Deciduous Ornamental Tree
Maackia sp.	10	8%	Deciduous Ornamental Tree
Malus sp.	8	6%	Deciduous Ornamental Tree
Syringa sp.	8	6%	Deciduous Ornamental Tree
Abies sp.	14	11%	Coniferous Tree
Juniperus sp.	16	13%	Coniferous Tree
Picea sp.	16	13%	Coniferous Tree
Pinus sp.	11	9%	Coniferous Tree
TOTAL TREES:	127		

TREE PRESERVATION PLANS: REFER TO SHEETS C800 - C802
PLANT SCHEDULE: REFER TO SHEET L1.1

CALYX
CALYX DESIGN GROUP
Landscape Architecture - Planning
475 Cleveland Ave. N | Suite 101A
Saint Paul, MN 55104
651.788.9035 | www.calyxdesigngroup.com

HILL
INCORPORATED
PLANNERS / ENGINEERS / SURVEYORS
2999 W. CTY. RD. 42, SUITE 100, BURNSVILLE, MN 55306
PHONE: (952)890-6044 FAX: (952)890-6244

PRELIMINARY
Print Name: Burnsville, MN
Signature: _____
Date: _____

PALMER CROSSING
LAKEVILLE, MINNESOTA
LANDSCAPE TITLE SHEET
FOR
POEHLING FAMILY COMPANIES, LLC
9910 189TH STREET WEST, LAKEVILLE, MN 55044

DRAWN BY
AL

DATE
06/10/2026

REVISIONS

REV. PER CITY COMMENTS 07/07/2026

PROJECT NO.
26-116

SHEET NO.

L1.0



 Existing Tree To Remain
 Developer Planted Trees
 Developer Planted Shrubs

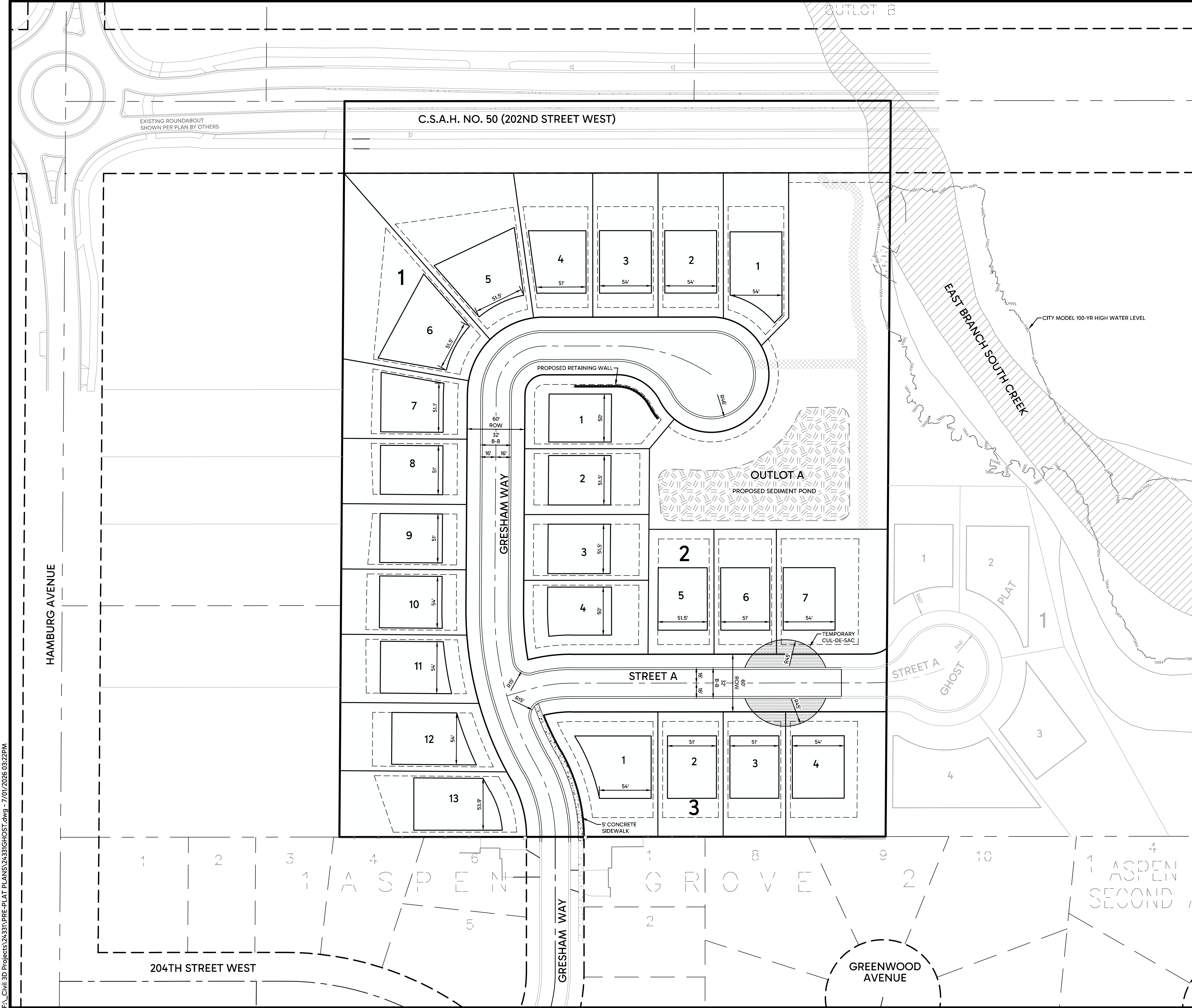
<u>SYMBOL</u>	<u>CODE</u>	<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>SIZE</u>	<u>CONTAINER</u>	<u>QTY</u>
---------------	-------------	-----------------------	--------------------	-------------	------------------	------------

1. See Civil Engineer's plans for grading layout and dimensions. Actual locations of trees may vary, depending on final location of driveways and utilities.
2. Contractor to coordinate any work in the city right-of-way with the City of Lakeville Public Works Department.
3. See Civil plans for additional requirements regarding the site plan layout.
4. Place a minimum of 6" topsoil or slope dressing on all areas disturbed by construction, including right-of-way boulevards, unless specified otherwise.
5. Sod all disturbed areas except plant beds and areas noted to receive seed per civil plans.
6. See Civil Engineer's Plans for utility locations.
7. Irrigation plan to be design-build per lot by landscape contractor.
8. Protect existing trees to remain during construction.
9. Storm basin area seeding per civil engineer's plans.
10. See Sheet I 2.0 for Landscape Notes and Details.

PALMER CROSSING
 LAKEVILLE, MINNESOTA
 LANDSCAPE PLAN
 FOR
 POEHLING FAMILY COMPANIES, LLC
 9310 189TH STREET WEST, LAKEVILLE, MN 55044

Page 10

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LEGEND

- EXISTING CURB & GUTTER
- EXISTING RETAINING WALL
- EXISTING FENCE
- EXISTING FLAGPOLE
- EXISTING SIGN
- EXISTING TREELINE/TREES
- EXISTING ASPHALT
- EXISTING CONCRETE
- EXISTING GRAVEL
- EXISTING FLOODPLAIN - ZONE AE
- EXISTING FLOODPLAIN - 0.2% CHANCE
- PROPOSED CURB & GUTTER
- PROPOSED CONCRETE
- PROPOSED SEDIMENT POND
- PROPOSED MAINTENANCE ACCESS

ZONING INFORMATION

CURRENT ZONING: RST-2 (SINGLE-FAMILY RESIDENTIAL)
PROPOSED ZONING: RST-2 (SINGLE-FAMILY RESIDENTIAL)

SITE DATA

GROSS AREA	10.00 ACRES
LOTS	24 LOTS
GROSS DENSITY (TOTAL UNITS/GROSS AREA)	2.40 D.U./ACRE
NET DENSITY (TOTAL UNITS/(GROSS AREA-OUTLOT-C.S.A.H. NO. 50))	3.11 D.U./ACRE
LOTS R.O.W.	6.02 ACRES
EXISTING ROADS (C.S.A.H. NO. 50)	2.68 ACRES
SUBDIVISION ROADS	(0.98 ACRES)
OUTLOT	(1.70 ACRES)
TOTAL	1.30 ACRES
	10.00 ACRES

MINIMUM SETBACKS (SINGLE FAMILY)

FRONT (HOUSE)	20 FEET
FRONT (GARAGE)	25 FEET
SIDE (HOUSE & GARAGE)	7 FEET
SIDE (STREET)	20 FEET
REAR	30 FEET
REAR YARD ABUTTING C.S.A.H. NO. 50	50 FEET
REAR YARD FOR ANY OPEN AND UNCOVERED TERRACES, STEPS, DECKS, AND STOOPS	20 FEET

MINIMUM LOT REQUIREMENTS

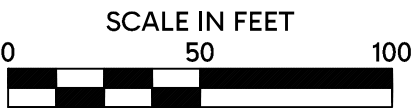
LOT SIZE - INTERIOR	7,500 S.F.
LOT SIZE - CORNER	9,520 S.F.
LOT WIDTH - INTERIOR	55 FEET
LOT WIDTH - CORNER	70 FEET

MAXIMUM BUILDING COVERAGE

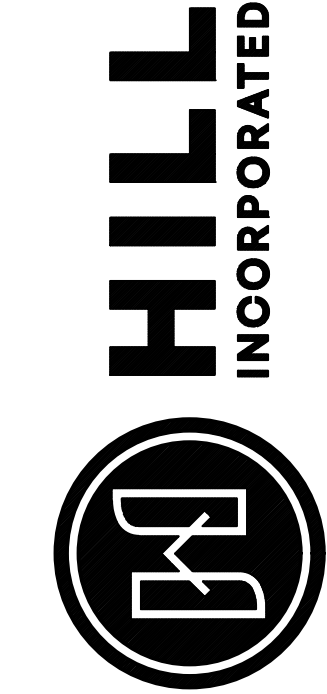
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LOTS DATA

NO. OF LOTS	24 LOTS
SMALLEST LOT SIZE	8,450 S.F.
LARGEST LOT SIZE	18,791 S.F.
AVERAGE LOT SIZE	10,919 S.F.



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PHONE: 952-890-6044
rosberg@mmhill.com
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I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer in the State of Minnesota.
RICK L. LOSBERG
Date: 04/14/2026 Reg. No. 22485

PALMER CROSSING
LAKEVILLE, MINNESOTA
OVERALL SITE PLAN
W/ GHOST PLAT
FOR
POEHLING FAMILY COMPANIES, LLC
9910 185TH STREET WEST, LAKEVILLE, MN 55044

DRAWN BY
JSO

DATE
02/20/2026

REVISIONS

2026-04-15 CITY COMMENTS
2026-06-10 CITY COMMENTS
2026-07-01 CITY COMMENTS

CAD FILE
24331GHOST

PROJECT NO.
24331

1.4



Dakota County Surveyor's Office

Western Service Center • 14955 Galaxie Avenue • Apple Valley, MN 55124
952.891-7087 • Fax 952.891-7127 • www.co.dakota.mn.us

May 20, 2026

City of Lakeville
20195 Holyoke Ave.
Lakeville, MN 55044

Re: **PALMER CROSSING**

The Dakota County Plat Commission met on May 20, 2026, to consider the preliminary plat of the above referenced plat. The plat is adjacent to CSAH 50 (202nd St. W.) and is therefore subject to the Dakota County Contiguous Plat Ordinance.

The proposed site includes 24 residential lots. The right-of-way needs along CSAH 50 are 75 feet of half right of way, which have been met. There is no access shown to CSAH 50. Restricted access should be shown along all of CSAH 50. A quit claim deed to Dakota County for restricted access is required with the recording of the plat mylars.

The city street (Street A) connects to the eastern boundary for future development to the east.

The Plat Commission has approved the preliminary and final plat, provided that the described conditions are met, and will recommend approval to the County Board of Commissioners on June 23, 2026.

Traffic volumes on CSAH 50 are 3,978 ADT and are anticipated to be 7,300 ADT by the year 2040. These traffic volumes indicate that current Minnesota noise standards for residential units could be exceeded for the proposed plat. Residential developments along County highways commonly result in noise complaints. In order for noise levels from the highway to meet acceptable levels for adjacent residential units, substantial building setbacks, buffer areas, and other noise mitigation elements should be incorporated into this development.

No work shall commence in the County right of way until a permit is obtained from the County Transportation Department and no permit will be issued until the plat has been filed with the County Recorder's Office. The Plat Commission does not review or approve the actual engineering design of proposed accesses or other improvements to be made in the right of way. Nothing herein is intended to restrict or limit Dakota County's rights with regards to Dakota County rights of way or property. The Plat Commission highly recommends early contact with the Transportation Department to discuss the permitting process which reviews the design and may require construction of highway improvements, including, but not limited to, turn lanes, drainage features, limitations on intersecting street widths, medians, etc. Please contact TJ Bentley regarding permitting questions at (952) 891-7115 or Todd Tollefson regarding Plat Commission or Plat Ordinance questions at (952) 891-7070.

Sincerely,

A handwritten signature in dark ink, appearing to read "Todd B. Tollefson".

Todd B. Tollefson
Secretary, Plat Commission

c: Matt Ostdiek (PFC Builders) and Rick Osberg (MN Hill, Inc.)



Memorandum

To: Heather Botten, Senior Planner

From: Chloe Anderson, Civil Engineer
McKenzie L. Cafferty, Environmental Resources Manager
Joe Masiarchin, Parks and Recreation Director
Zach Jorgensen, City Forester

Copy: Zach Johnson, City Engineer
Tina Goodroad, Community Development Director
Julie Stahl, Finance Director
Dave Mathews, Building Official

Date: July 15, 2026

Subject: Palmer Crossing

- Preliminary Plat Review
- Preliminary Erosion and Sediment Control Plan Review
- Preliminary Grading and Drainage Plan
- Preliminary Utility Plan Review
- Preliminary Tree Preservation Plan Review

BACKGROUND

Poehling Family Companies, LLC has submitted a preliminary plat named Palmer Crossing. The proposed subdivision is located south of and adjacent to 202nd Street W (CSAH 50), north of Gresham Way, and east of Hamburg Avenue.

The parent parcel is identified as PID No 220280001018, currently zoned RST-2.

The preliminary plat consists of twenty-four (24) lots within three (3) blocks and one (1) outlot on 10.00 acres.

The outlot created with the preliminary plat shall have the following use:

Outlot A: Stormwater management basin; to be deeded to the City (1.30 acres)

The proposed development will be completed by:

Developer: Poehling Family Companies, LLC
Engineer/Surveyor: Hill Incorporated

SITE CONDITIONS

The Palmer crossing site consists of undeveloped land with one pre-existing homestead and accessory building(s) that will be demolished prior to site development. Three farmed wetland areas have been identified within the site. Existing topography generally slopes from west to east, directing runoff towards the East Branch of South Creek. An overhead utility line is located adjacent to the north property line of the parent parcel.

Existing public infrastructure is located adjacent to the site, including watermain, sanitary, and storm sewer facilities.

EASEMENTS

There are no public easements with the City that are required to be vacated with the final plat. There is right-of-way that is to be vacated with the final plat. There is an existing 15-inch storm sewer line within the proposed right-of-way vacation area. Perimeter drainage and utility easements shall be provided with the preliminary and final plat in accordance with City Ordinance requirements.

SPECIAL ASSESSMENTS

No special assessments have been identified related to the subject preliminary plat boundary.

STREET AND SUBDIVISION LAYOUT

202nd Street W (CSAH 50)

Palmer Crossing is located south of and adjacent to 202nd Street W, a Minor Arterial roadway as identified in the City's Comprehensive Transportation Plan. 202nd Street W adjacent to the site is a two-lane divided roadway. The current Dakota County Plat Review Needs Map indicates a half right-of-way requirement of 75-feet adjacent to the plat, which has been met. The preliminary plat was reviewed by the Dakota County Plat Commission at its May 20th, 2026 meeting.

Gresham Way

The site is located north of Gresham Way, a local roadway. Gresham Way is currently constructed as a 30-foot-wide urban roadway with sidewalk facilities consistent with City standards. Development of Palmer Crossing includes the extension of Gresham Way at the existing northern terminus, proposed to terminate into a cul-de-sac. This street will be

constructed to City standards within dedicated right-of-way and will provide access to adjacent residential lots.

Street A

Development includes the construction of Street A, designed as local roadway with a temporary cul-de-sac. This street will be constructed to City standards within dedicated right-of-way and will provide access to adjacent lots.

CONSTRUCTION ACCESS

Construction traffic access and egress for grading, utility and street construction shall be determined with the final construction plans.

PARKS, TRAILS AND SIDEWALKS

Development does not include the grading or restoration of public trails.

The park dedication requirement for the parent parcels has not been collected and shall be satisfied through a cash contribution that shall be paid with the final plat.

UTILITIES

SANITARY SEWER

Palmer Crossing is located within sub-district SC-44 of the South Creek sanitary sewer district as identified in the City's Comprehensive Sewer Plan.

Development includes the extension of 8-inch public sanitary sewer through the site to serve the proposed lots. The wastewater from the proposed site will be conveyed by City-owned sanitary sewer facilities to the Elko/New Market interceptor and then to the Empire Wastewater Treatment Plant. The existing City-owned downstream facilities are adequate to convey the wastewater generated by the proposed development.

The Sanitary Sewer Availability Charge has not been collected on the parent parcels and must be paid with the final plat.

Final locations and sizes of all sanitary sewer facilities will be reviewed by City staff with the final plat, building permit application and final construction plans.

WATERMAIN

Development includes the extension of 8-inch public watermain through the site to provide water service to the subdivision.

The Lateral Watermain Charge has not been collected on the parent parcels and must be paid with the final plat.

Final locations and sizes of all watermain facilities will be reviewed by City staff with the final plat, building permit application and final construction plans.

OVERHEAD LINES

An overhead electric transmission line and poles are located along the south side of 202nd Street W, on the parent parcel. The Developer will be required to remove the poles and place the utilities underground when the preliminary plat is developed, consistent with the City's Public Ways and Property Ordinance, or provide a security for their share of the costs to bury the overhead utility adjacent to the plat.

DRAINAGE AND GRADING

The site is located within subdistrict SC-053 of the South Creek District of the City's Comprehensive Water and Natural Resources Management Plan.

Development includes the construction of one (1) publicly owned and maintained stormwater management basin. The stormwater management system will treat runoff generated from the proposed subdivision and shall be designed consistently with City requirements with the final plat. The basin will be located in Outlot A, which will be deeded to the City with the final plat. A stormwater maintenance agreement (SMA) will be required with the final plat.

The final grading plan shall identify all fill lots in which the building footings will be placed on fill material. The grading specifications shall also indicate that all embankments meet FHA/HUD 79G specifications. The Developer shall certify to the City that all lots with footings placed on fill material are appropriately constructed. Building permits will not be issued until a soils report and an as-built certified grading plan have been submitted and approved by City staff.

Palmer Crossing contains more than one acre of site disturbance. A National Pollution Discharge Elimination System General Stormwater Permit for construction activity is required by the Minnesota Pollution Control Agency for areas exceeding one acre being disturbed by grading. A copy of the Notice of Stormwater Permit Coverage must be submitted to the City upon receipt from the MPCA.

STORM SEWER

Development of Palmer Crossing includes the construction of public storm sewer systems to collect and convey runoff from public right-of-way and lots to the stormwater management basin within Outlot A.

Drain tile construction is required in areas of non-granular soils within the development for the street sub-cuts and lots. Any additional drain tile construction, including perimeter drain

tile required for building footings, which is deemed necessary during construction shall be the Developer's responsibility to install and finance.

The Storm Sewer Charge has not been collected on the parent parcel and must be paid with the final plat.

Final locations and sizes of all storm sewer facilities will be reviewed by City staff with the building permit application and final construction plans.

RESIDENTIAL BUFFER YARD REQUIREMENTS

202nd St W (CSAH 50) is classified as a Minor Arterial roadway per the City's Transportation Plan. Buffer yards, including berming and/or plantings of a sufficient density to provide a visual screen and buffer a minimum of ten feet in height, shall be provided adjacent to this roadway consistent with the Zoning Ordinance. A certified as-built grading plan of required berms must be approved by the City prior to installation of buffer plantings.

FEMA FLOODPLAIN ANALYSIS

The development is shown on the Flood Insurance Rate Map (FIRM #27037C0213E effective 12/2/2011) as Zone X by the Federal Emergency Management Agency (FEMA). Based on this designation, there are no areas in the plat located within a Special Flood Hazard Area (SFHA), as determined by FEMA.

WETLANDS

A wetland delineation was reviewed and approved for the site on 6/29/2026. The wetland delineation identified three farmed wetland areas within the project. The developer is proposing to impact 2,076 sf of wetland with the development. The developer must submit a wetland replacement plan for review and approval to the City prior to any grading.

TREE PRESERVATION

The tree preservation plan for Palmer Crossing identifies 1,833 diameter inches of significant trees onsite. As a residential district, the tree removal threshold is 40%, or 733.2 inches. Plans propose to remove 1,311 diameter inches (71.5%) which is above the threshold. The tree replacement requirement for this site is 184.5 diameter inches of new tree planting which is met by the buffer and screening trees as shown on the landscape plan dated 7/7/2026. The tree preservation and replanting plans meet the requirements of the ordinance.

All trees identified for preservation shall be protected with appropriate tree protection fencing and measures installed prior to, and maintained throughout, construction. Any trees to be preserved that are damaged or removed during construction will require replacement in accordance with the Tree Preservation Ordinance (11-21-11).

EROSION CONTROL

The Developer is responsible for obtaining an MPCA Construction Permit for the site prior to construction. The SWPPP has been reviewed by the city and revisions are needed prior to any grading on the site. The SWPPP will need to be submitted and approved by City staff prior to start of any activity on the site. Changes made throughout construction should be documented in the SWPPP.

Additional erosion control measures may be required during construction as deemed necessary by City staff. Any additional measures require shall be installed and maintained by the Developer.

RECOMMENDATION

Engineering recommends approval of the Palmer Crossing preliminary plat, grading and erosion control plan, utility plan and tree preservation plan, subject to the requirements and stipulations within this report.



Memorandum

FYI

To: Planning Commission
From: Kris Jensen, Planning Manager
Date: July 15, 2026
Subject: Future and Continued Planning Commission Agenda Items
Summary of City Council Actions on Planning Commission Items

The following is a list of possible agenda items to be considered at upcoming Planning Commission meetings:

- Kenwood Hills 4th Addition preliminary plat and easement vacation
- Highview – Lennar preliminary plat

The following items were approved by the City Council at the July 6, 2026 City Council meeting.

- Juniper Triangle (Globus) Final plat
- 9446 210th St Conditional use permit
- 9475 212th Street Conditional use permit