



AGENDA PLANNING COMMISSION MEETING

August 7, 2025 - 6:00 PM
City Hall Council Chambers

Members of the public can participate in person at Lakeville City Hall, 20195 Holyoke Avenue. Members of the public may join the meeting via [Teams Meeting](#), Meeting ID: 245 615 488 056, Passcode: k7Fh3Ma9, or by calling Toll Number 1-323-433-2142; Conference ID: 266 393 852#. The Chair will allow for public comments and questions at the appropriate time.

The City Council is provided background information for agenda items in advance by staff and appointed commissions, committees, and boards. Decisions are based on this information, as well as City policy, practices, input from constituents, and a council member's personal judgment.

1. Call to order and flag pledge
2. Roll Call
3. Approval of Minutes
 - a. July 17, 2025 draft Planning Commission meeting minutes
4. Announcements
5. City of Lakeville (tabled at the July 17, 2025 Planning Commission meeting)
Consideration of amendments to Title 10 (Subdivision) and Title 11 (Zoning) of the City Code relating to tree preservation.
 - a. Staff Memo
6. ETS South Metro (application withdrawn)
Public hearing to consider the application of ETS South Metro for a conditional use permit to allow a commercial recreation use in the I-1, Light Industrial District, located at 21033 Heron Way.
7. Tradition Development
Public hearing to consider the application of Tradition development for a Comprehensive Plan amendment to bring approximately 390 acres of land into the current Municipal Urban Service Area, a Comprehensive Plan amendment to re-guide properties from Commercial to Medium/High Density and Rural Density to Low Density Residential, Low/Medium Density Residential, and Medium/High Density Residential; and a Zoning Map amendment to rezone properties from C-3, General Commercial District to RM-3, Medium Density Residential District and RA, Rural/Agriculture District to RS-4, Single Family Residential District, RST-2, Single and Two-Family Residential District, and RM-3, Medium Density Residential District.
 - a. Planning report

Planning Commission Meeting Agenda
August 7, 2025

Page 2

8. Dakota Waste Solutions, LLC and OLAM Holdings 1, LLC
Public hearing to consider the application of Dakota Waste Solutions, LLC and OLAM Holdings 1, LLC for a Comprehensive Plan amendment to bring approximately 120 acres of land into the current Municipal Urban Services Area (MUSA), a Comprehensive Plan amendment to re-guide property from Office Park to Warehouse/Light Industrial District, and a Zoning Map amendment to rezone property from O-P, Office Park District to I-1, Light Industrial District.
 - a. Planning report
9. Staff Notices
 - a. Planning Manager's Memo
10. Adjourn

CITY OF LAKEVILLE.
PLANNING COMMISSION MEETING MINUTES
July 17, 2025

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, Pat Kaluza, John Swaney, Jason Swenson, Amanda Tinsley, Mark Traffas, Ex-Officio Jeff Hansen

Members Absent: None

Staff Present: Tina Goodroad, Community Development Director; Kris Jenson, Planning Manager; Zach Jorgensen, City Forester; Grace Benson, Forestry Technician; Dawn Erickson, Community Development Recorder.

3. Approval of the Meeting Minutes

The June 26, 2025 Planning Commission meeting minutes were approved as presented.

4. Announcements

Planning Manager Kris Jenson stated if the agenda items are not tabled they will move forward to the August 4 City Council meeting.

5. City of Lakeville - Tree Preservation Ordinance

Chair Zimmer opened the public hearing to consider amendments to Title 10 (Subdivisions) and Title 11 (Zoning) of the City Code relating to tree preservation.

Community Development Director, Tina Goodroad presented the Tree Preservation ordinance outline. Ms. Goodroad stated the proposed ordinance outline has been discussed by City Council, Planning Commission and the Parks, Recreation, and Natural Resources Committee in previous work sessions. Ms. Goodroad introduced Zach Jorgensen and Grace Benson from the Forestry department.

Chair Zimmer opened the hearing to the public for comment.

Bob Erickson, 19081 Inndale Drive, raised issues related to the definition of mixed use and how recent developments would have been impacted by the proposed ordinance.

Motion was made by Kaluza, seconded by Tinsley to close the public hearing at 6:09 p.m.

Voice vote was taken on the motion.

Ayes – unanimous

Chair Zimmer asked for comments from the Planning Commission.

Ms. Goodroad noted that mixed use refers to the zoning district mixed use. There are two mixed use zoning districts, both of which include multi-family residential uses.

- Commissioner Kaluza asked for clarification about what happens if the site is constrained and doesn't allow for tree preservation. Ms. Goodroad stated that if a site exceeds the removal threshold, any required buffering or screening trees then count towards the reforestation requirement; the fee in lieu would be used if there was no room on the site.
- Commissioner Einck raised issues about the impact of the ordinance on smaller lots, particularly the inch for inch replacement requirement and the associated costs. Ms. Goodroad stated that section of the ordinance would require revised language to address the concerns raised.
- Commissioner Swaney asked how the ordinance affects diseased trees required to be removed; Mr. Jorgensen noted that diseased trees are exempt.
- Chair Zimmer asked for clarification of what activities are considered to be land disturbing. Mr. Jorgensen stated that land disturbing is also known as mass grading, an activity common to large development sites.
- Commissioner Einck asked if there are restrictions on tree removals by homeowners outside of construction projects. Mr. Jorgensen stated there are not and it is allowed.
- Commissioner Traffas agreed that some residential limitations make sense, but concurred with other Commissioners' concerns about impacts to homeowners.
- Commissioner Swenson asked for examples of how this ordinance would apply to recent developments. Ms. Benson presented reviews of Caslano and The Preserve of Lakeville. She noted that the proposed ordinance has a lower replacement level than other metro cities.
- Commissioner Traffas asked whether there is still significant woodland in Lakeville to be preserved. Ms. Benson stated there is significant woodland areas west of Interstate 35.

Ms. Goodroad presented the Commission with two options. The item could be tabled so that staff can discuss revisions to address Commission's concerns regarding the impact on single family properties or the Commission can recommend approval of the ordinance, with the stipulations that staff revise the ordinance to address the concerns related to single family properties. After discussion, the Planning Commission concurred that they would table the ordinance to the August 4 meeting and review proposed revisions at that time.

Motion was made by Kaluza, seconded by Einck to table the proposed ordinance amendments to Title 10 (Subdivisions) and Title 11 (Zoning) of the City Code relating to tree preservation.

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

Nays: 0

6. City of Lakeville - Development and Residential Districts

Chair Zimmer opened the public hearing to consider amendments to Title 10 (Subdivisions) and Title 11 (Zoning) of the City Code, relating to development and residential districts.

Daniel Licht, The Planning Company, presented the draft of the ordinance. The bulk of the proposed amendments are intended to address regulations that impact 'Missing Middle' housing, which are units attainable by median or lower income households. Community Development staff acknowledge that the proposed changes won't suddenly making housing affordable, but the intent is to provide flexibility that may expand the range of housing prices available in Lakeville.

The Planning Commission discussed Missing Middle housing issues and potential development regulation amendments at a work session on December 5, 2024. Based on that discussion, City staff began drafting language to amend the City's existing development regulations. This effort was set aside until after the conclusion of the recent legislative session to ensure that any modifications wouldn't conflict with statutory requirements that may have been approved and signed into law by the Governor. With the legislative session adjourned, the amendments are being brought forward for consideration.

Mr. Licht reviewed and highlighted a number of the proposed amendments.

Chair Zimmer opened the hearing to the public for comment.

Bob Erickson, 19081 Inndale Drive, raised issues relating to the fiscal sustainability of proposed amendments, whether the RH density changes will affect Lakeville Schools, and changes to the antennae definition. He also asked about the amount of RST-2 land still available for development.

Motion was made by Swaney, seconded by Kaluza to close the public hearing at 7:20 p.m.

Voice vote was taken on the motion.

Ayes – unanimous

Mr. Licht responded to the issues raised, indicating that the amount of land guided and zoned for RST-2 in the entire city on the future land use plan is approximately nine percent (existing and future) of the city's area. The density range for areas guided high density is nine to 26 dwelling units per acre. The minimum of 5,000 square feet per dwelling unit equates about nine units per acre, while the proposed change to 3,800 square feet per dwelling unit equates to about 11 units per acre. The 2040 Land Use plan is based on meeting a minimum overall density of three units per acre while the upcoming 2050 Land Use plan will require an overall density of 3.5 units per acre for new development. No changes were made to the definition of antennas.

Chair Zimmer asked for comments from the Planning Commission.

- Commissioner Kaluza thinks Lakeville needs to respond to concerns regarding ordinances without having them dictated by others. He added that it's appropriate for Lakeville to craft ordinances specific to Lakeville and he will support the ordinance.
- Chair Zimmer stated she also agrees with Commissioner Kaluza in supporting the specific Lakeville ordinances.

- Commissioner Traffas asked for clarification of the reduction of the minimum size of garages for dwellings that don't have basements. Mr. Licht stated the proposed amendment would remove the requirement for a larger garage space for units without a basement. There is space to park a vehicle in a driveway, and the RM districts also have guest parking requirements within the townhouse development. There is no change to the garage width requirement.

Motion was made by Swenson, seconded by Tinsley to recommend to City Council approval of the proposed ordinance amendments to Title 10 (Subdivisions) and Title 11 (Zoning) of the City Code relating to development and residential districts.

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

Nays: 0

7. Staff Notices

The next Planning Commission meeting will be on August 7. There being no further business, the meeting was adjourned at 7:33 p.m.

Respectfully submitted,

Dawn Erickson, Community Development Recorder



Memorandum

To: Planning Commission
From: Tina Goodroad, Community Development Director
Date: July 31, 2025
Subject: Packet Material for the August 7, 2025 Planning Commission Meeting
Agenda Item: Zoning Text Amendment Related to Tree Preservation

BACKGROUND

At the July 17, 2025 Planning Commission meeting the review of the tree preservation ordinance was tabled to provide additional review of the types of development the ordinance will apply. Over the past several months City Forestry and Community Development staff have been evaluating our Tree Preservation Ordinance (Title 11, Chapter 21, Section 11) to consider amendments that would result in potential protection of valuable or significant trees. Staff have shared a summary of objectives, threshold limits and reforestation requirements with the City Council (two work sessions) and the Planning Commission and Parks, Recreation & Natural Resources Committee (joint work session). Staff have received support to proceed with an ordinance.

SUMMARY OF AMENDMENTS

Section 10-3-2 and 10-4-7 of the Subdivision Ordinance is amended to require a tree preservation plan as required by section 11-21-11 of the Zoning Ordinance. This amendment moves the requirements of tree preservation and reforestation to the Zoning Ordinance versus the Subdivision Ordinance.

Section 11-2-3 Definitions: This amendment is specifically related to adding tree preservation related definitions to the zoning ordinance definition section.

Section 11-21-9.B Landscaping: The amendment clarifies landscaping requirements for residential, commercial and institutional uses that are defined in development contracts and should also be stipulated in the ordinance.

Section 11-21-21: Fencing/Screening/Landscaping-Tree Preservation: This amendment includes the entirety of the tree preservation requirements starting with a clear purpose for this section.

Section 11-21-11: item B relates to scope and the types of development that will require a tree preservation plan. Item 4 of this section has been amended to apply only to lots equal to or larger than one acre in size not including easements or right of way. We also made the requirements for preparing the tree preservation plan more flexible. In addition, Section 11-21-11: G; tree replacement requirements item F has been added to provide replacement requirements for a rebuild or addition on a lot equal to or larger than one acre. This section requires for each heritage tree removed to be related at a rate of two replacement trees for every one heritage tree removed versus a per inch replacement. This will result in a more reasonable replacement requirement on existing development properties.

Item C specifies incentives which help off-set replacement requirements.

Item E specifies all the requirements for preparing and submitting a tree preservation plan.

Item F includes the allowed tree removal thresholds. Residential is set at 40% (of the total diameter inches) while mixed use, commercial, industrial and special districts are set at 70%.

Item G includes tree replacement requirements which would apply if tree removal exceeded the threshold. Replacement requirements are based on tree type with standards for replacement tree sizes. Again, item F has been added to create more reasonable replacement standards for heritage tree removal on existing lots one acre or larger.

Items H-J -spells out required protective measures.

Forestry staff will be at the meeting and can address any specific questions.

Action

City staff recommends approval of the proposed amendments as presented.

Attachment

Ordinance Amendment

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 10-3-2.C.3.d of the Subdivision Ordinance (Plat and Data Requirements – Preliminary Plat) is hereby amended to read as follows:

- D. A tree preservation plan and tree replacement plan as required by section 11-21-11 of the Zoning Ordinance.

Section 2. Section 10-4-7.D of the Subdivision Ordinance (Design Standards – Tree Protected Areas) is hereby amended to read as follows:

- D. The submission of a tree preservation plan ~~subject to the review of the parks, recreation, and natural resources committee and the approval of the city council~~ subject to the requirements and procedures established by section 11-21-11 of the Zoning Ordinance.

Section 3. Section 10-4-11 of the Subdivision Ordinance (Design Standards – Tree Preservation) is hereby repealed in its entirety with subsequent sections renumbered accordingly.

Section 4. Section 11-2-3 of the Zoning Ordinance (Rules and Definitions - Definitions) is hereby amended add the following definitions alphabetically:

TREE PRESERVATION RELATED:

- A. Caliper Inches: Stem diameter of nursery stock as identified by the American Standard for Nursery Stock.
- B. Common Tree: A deciduous overstory tree including cottonwood, poplars/aspen, boxelder, willow, silver maple, elm, black locust or any tree considered non-native to Minnesota.
- C. Coniferous Tree: A woody plant bearing seeds and cones having foliage on the outermost portion of the branches throughout the year; Tamaracks are included as a coniferous tree species.

- D. Construction Activity: Any disturbance to the land that results in a change in the topography or existing soil cover (both vegetative and nonvegetative) that may result in accelerated stormwater runoff, leading to soil erosion and movement of sediment into surface waters or drainage systems including, but not limited to, clearing, grading, filling, excavating, building construction and landscaping.
- E. Construction Damage: Any action such as filling, scraping, trenching, or compacting the soil around trees or wounding trees in such a manner that it may result in the eventual death of the tree.
- F. Critical Root Zone (CRZ). An imaginary circle surrounding the tree trunk with a radius distance of one foot (1') for each one inch (1") of tree diameter from the trunk outwards (e.g. a twenty-inch diameter tree has a critical root zone with a radius of twenty feet (20') as measured from the trunk).
- G. Deciduous Tree: A woody plant with a defined crown that sheds leaves annually.
- H. Diameter Inches: The diameter of the main stem of the tree measured at a point four and one-half feet (4.5') above the ground.
- I. Drip Line: The furthest distance away from the trunk of a tree that rain or dew will fall directly to the ground from the leaves or the branches of the tree.
- J. Hardwood Deciduous: Any deciduous tree with the exception of those defined as common trees.
- K. Heritage Tree: A healthy hardwood deciduous tree, measuring equal to or greater than thirty inches (30") inches in diameter or a healthy coniferous tree measuring forty feet (40') in height.
- L. Landscaping: Plantings such as trees, perennials, grass, and shrubs.
- M. Nuisance Tree: Any tree defined by section 4-4-4 of this code to be a public nuisance.
- N. Shade Tree Disease: Dutch elm disease (Ophiostoma ulmi or Ophiostoma novo-ulmi), oak wilt (Ceratocystis fagacearum), or any other tree disease of epidemic nature as defined by section 4-4-3 of this code.
- O. Shade Tree Pest: Any vertebrate or invertebrate animal, plant pathogen, parasitic plant or allied organism in the community threatening to cause significant damage on an epidemic level to a shade tree or community forest as defined by section 4-4-3 of this code.
- P. Significant Diameter Inches: The total diameter inches of all significant trees inventoried in each tree category (common, conifer, hardwood deciduous, heritage).
- Q. Significant Tree: A healthy tree measuring a minimum of six inches (6") in diameter for deciduous trees or six (6) inches in diameter or twelve feet (12') in height for coniferous trees.

- R. Significant Woodland: Two (2) acres or more of undisturbed woodland, predominantly composed of significant and/or heritage hardwood and/or coniferous trees.
- S. Tree Certification: A certified inventory of trees on the site after work is complete listing all trees and their final disposition signed by a licensed or registered forester or registered landscape architect, International Society of Arboriculture (ISA) Certified Arborist, or a Registered Consultant Arborist (RCA).
- T. Tree Preservation Plan: A plan certified by a licensed or registered forester, registered landscape architect, International Society of Arboriculture (ISA) Certified Arborist, or a Registered Consultant Arborist (RCA) that identifies the species, size, and tag number of all significant trees and their locations within the subject property identifying trees to be saved, trees to be removed, the measures proposed to protect significant trees for the duration of construction, and the calculations to determine the number of replacement trees required.
- U. Tree Protection Zone (TPZ): An identified area around one (1) or more significant trees where construction activities are restricted to avoid damage to the tree(s) and root system(s) and to protect soils from compaction.

Section 5. Section 11-21-9.B of the Zoning Ordinance (Fencing/Screening/Landscaping – Required Screening and Landscaping) is hereby repealed in its entirety and amended to read as follows:

- ~~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.~~
- B. Landscaping: All residential, commercial, industrial, and institutional uses shall require the following landscaping:
 - 1. Single-family dwellings and two family uses within the RST-1 District shall provide a minimum of two (2) deciduous shade trees per lot. Tree species shall be limited to those identified on the City of Lakeville Building Permit Guidelines, except as otherwise approved by the City Forester.
 - 2. Detached townhouses, two family, townhouse and multiple family uses shall comply with the landscape requirements of the RST-1, RM-1, RM-2, RM-3, RH-1, RH-1, M-1, and M-2 Districts.
 - 3. Commercial, industrial, and institutional uses shall submit a landscape plan as provided for by Section 11-21-9.C of this section with an emphasis upon the following areas:
 - a. The boundary or perimeter of the proposed site at points adjoining other property.

- b. The immediate perimeter of the structure.
- c. The perimeter of off street parking areas and loading areas.
- 4. Residential buffer yards shall be installed as required by section 11-21-9.E of this chapter.

Section 6. Section 11-21-11 of the Zoning Ordinance (Fencing/Screening/Landscaping – Tree Preservation) is hereby repealed in its entirety and amended to read as follows:

11-21-11: TREE PRESERVATION:

- A. Purpose. The purpose of this section is to identify trees that are to be saved when development or land disturbing activity is occurring in wooded areas. It is the city's intent to protect, preserve, and enhance the natural environment of Lakeville and to encourage a resourceful and prudent approach to the development of wooded areas. In the interest of achieving these objectives, the city has established tree preservation regulations to promote the following:
 - 1. Protection and preservation of the environment, the benefits that trees and woodlands provide to the community, and the natural beauty of the city.
 - 2. Assurance of orderly development within wooded areas to minimize tree and habitat loss.
 - 3. Evaluation of the impacts to trees and wooded areas resulting from development.
 - 4. Establishment of minimum standards for tree preservation and the mitigation of environmental impacts resulting from tree removal.
 - 5. Reflect the developer's best effort to determine the most feasible and practical layout of buildings, parking lots, driveways, streets, storage, stormwater basins, and other physical features such that that the minimum number of significant trees are damaged or removed as a result of development.
- B. Scope. The following types of development within the city shall require a tree preservation plan regardless of zoning district:
 - 1. New development at the time of application for subdivision approval in accordance with title 10 of this code.
 - 2. New development requiring site plan approval in accordance with chapter 9 of this title.
 - 3. Application for building permit for infill development involving new single family or two-family (duplex) construction on a vacant lot of record.

4. Application for building permit for reconstruction or expansion of an existing residential principal building that enlarges the footprint of the original existing structure on lots equal to or larger than 1 acre in size not including easements or right of way shall require a tree preservation plan prepared by the property owner or licensed or certified forester, licensed landscape architect, International Society of Arboriculture (ISA) Certified Arborist, or a Registered Consultant Arborist (RCA) preparing the plan for heritage trees located on the lot.

5. Land disturbing activities as regulated by section 11-16-7 of this title.

C. Incentives. As an incentive to protect heritage trees or significant woodlands, the city will allow the following:

1. Heritage Tree Credit. A credit may be applied to the required tree replacement if a healthy heritage tree within a subject property is preserved.

2. Significant Woodland Credit. A credit may be applied to the required tree replacement if a significant woodland area within a subject property is preserved. Credits will be given for significant or heritage trees within the significant woodland.

3. Trees and woodlands eligible for the credits provided for by this section shall be approved by the city forester as healthy trees worth saving.

4. Credit shall not be approved for trees located within fifteen feet (15') of a building pad.

5. A credit in diameter inches will be applied at a ratio of two inches of replacement for one inch preserved (2:1) up to fifty percent (50%) of the required replacement diameter inches.

6. If a tree for which a credit is provided does not survive two (2) years after construction, the developer shall be required to pay the cash fee in lieu of replacement planting fee in accordance with the city fee schedule in effect at the time the tree preservation plan was approved.

D. Implementation, Administration, and Compliance:

1. No land disturbance or removal of trees shall occur within properties subject to the provisions of this section until a tree preservation plan and tree replacement plan has been approved by the city forester.

2. Tree Removal Prior To Development:

a. A developer shall be responsible for replacement tree planting for the total removal of trees within an area greater than two (2) acres occurring within two (2) years of an application for development subject to the provisions of this section.

- e. A listing of the total diameter inches of healthy significant, heritage, and hardwood deciduous, and coniferous trees and common trees to be removed.
 - f. Delineation of all areas to be graded and limits of land disturbance.
 - g. Locations of the proposed buildings, structures, and impervious surfaces for each lot including custom graded lots.
 - h. Identification in both graphic and tabular form of all significant and heritage trees proposed to be saved or removed within the construction area.
 - i. Outer boundary of all contiguous significant wooded areas to be saved.
 - j. Tree protection measures to preserve significant and heritage trees to be saved, including required protective measures and any additional protective measures.
 - k. Size, species, number, and location of all replacement trees proposed to be planted on the property in accordance with the tree replacement schedule in both graphic and tabular form.
2. Certification. All tree preservation plans and tree replacement plans shall require the signature of the licensed or certified forester, licensed landscape architect, International Society of Arboriculture (ISA) Certified Arborist, or a Registered Consultant Arborist (RCA) preparing the plan.

F. Allowed Tree Removal:

1. Heritage Trees. Trees defined as heritage trees are unique to Lakeville due to their size and age. All reasonable measures shall be taken to preserve these trees; All diameter inches of heritage tree removed shall require replacement in accordance with the replacement schedule established by section 11-21-11.G of this section.
2. Residential Districts:
- a. Development in residential districts may remove or disturb up to forty percent (40%) of the total diameter inches of significant trees without replacement requirement; any tree removal or disturbance beyond this threshold shall require replacement tree planting.
 - b. The following calculation procedure shall be used to determine tree replacement requirements:
 - (1) Determine the total number of diameter inches of significant trees within the subject property.

- (2) Calculate forty percent (40%) of the total diameter inches of significant trees within the subject property to determine the allowed tree removal limit, or the number of diameter inches allowed to be removed without replacement.
- (3) Subtract the total diameter inches of common trees that will be removed from the allowed tree removal limit;
- (4) If any diameter inches remain, subtract the total diameter of significant coniferous trees that will be removed from the remaining allowed tree removal limit;
- (5) If any diameter inches remain, subtract the total diameter inches of significant hardwood deciduous trees that will be removed from the remaining allowable tree removal limit.
- (6) If at any point in the above calculation procedure the number of inches to be removed exceeds the forty percent (40%) allowable removal limit, the remaining inches of removal above the removal limit shall require replacement as provided for by section 11-21-11.G of this section.

3. Mixed Use, Commercial, Industrial, and Special Districts:

- a. Development in mixed use, commercial, industrial, and special districts may remove up to seventy percent (70%) of the total diameter inches of significant trees without replacement; any removal or disturbance of trees beyond this threshold shall require replacement tree planting or mitigation.
- b. The following calculation procedure shall be used to determine tree replacement requirements:
 - (1) Determine the total number of diameter inches of significant trees within the subject property.
 - (2) Calculate seventy percent (70%) of the total diameter inches of significant trees within the subject property to determine the allowed tree removal limit, or the number of diameter inches allowed to be removed without replacement.
 - (3) Subtract the total diameter inches of common trees that will be removed from the allowed tree removal limit;
 - (4) If any diameter inches remain, subtract the total diameter of significant coniferous trees that will be removed from the remaining allowed tree removal limit;

(5) If any diameter inches remain, subtract the total diameter inches of significant hardwood deciduous trees that will be removed from the remaining allowable tree removal limit.

(6) If at any point in the above calculation procedure the number of inches to be removed exceeds the seventy percent (70%) allowable removal limit, the remaining inches of removal above the removal limit shall require replacement as provided for by section 11-21-11.G of this section.

4. Exceptions. Any trees removed or disturbed under the following circumstances shall be exempt from removal threshold calculation:

a. Dead trees.

b. Any living or standing tree infected to any degree with a shade tree disease or shade tree pest, unless properly treated under the direction of a professional arborist or City Forester.

c. Trees listed as invasive by the Minnesota Department of Agriculture;

d. Trees planted as part of a commercial operation including a tree farm or orchard.

e. Trees located within the right-of-way of major collector and arterial streets.

G. Tree Replacement Requirements:

1. If the diameter inches of trees removed exceed the allowed removal threshold determined in accordance with section 11-21-11.F of this section, the remaining inches of removal above the removal limit shall be replaced according to the following replacement schedule, adjusted for tree type as follows:

a. Common trees: Twelve and one-half percent (12.5%) of the diameter inches removed above the removal limit shall be replaced.

b. Conifer trees:

(1) Twenty five percent (25%) of the diameter inches removed above the removal limit must be replaced.

(2) Coniferous species shall be replaced with new trees, either coniferous or deciduous, at a rate of twenty five percent (25%) the diameter inches removed.

c. Hardwood deciduous trees: Fifty percent (50%) of the diameter inches removed above the removal limit shall be replaced with new deciduous or coniferous tree diameter inches.

- d. Heritage trees: One hundred percent (100%) of diameter inches removed must be replaced.
 - e. Trees indicated on the tree preservation plan to be saved but ultimately were removed or damaged shall be replaced at one hundred percent (100%) of the diameter inches removed.
 - f. The reconstruction or expansion of existing residential primary structures on lots larger than one (1) acre shall require each heritage tree removed to be replaced at a rate of two (2) replacement trees that comply with section 11-21-11.G.2 for every one (1) heritage tree removed.
2. Replacement trees shall consist of certified nursery stock that meet the American Standard for Nursery Stock and be not less than the following sizes:
- a. Deciduous: Not less than two and one-half caliper inches (2.5").
 - b. Coniferous: Not less than six feet (6') feet in height, which shall be equivalent to 2.5" caliper when determining replacement requirements.
 - c. Replacement trees may be larger than two and one-half caliper inches (2.5") or six feet (6') in height, as applicable, but the additional size shall only be credited for at the minimum required caliper inches or height.
 - d. Replacement tree species shall be limited to those identified on the City of Lakeville Building Permit Guidelines, except as otherwise approved by the city forester, and the following:
 - (1) Where ten (10) or more replacement trees are required, not more than twenty percent (20%) shall be of the same genus.
 - (2) Ornamental tree species of a lesser size may comprise up to fifteen percent (15%) of the required replacement diameter inches provided that the required total replacement diameter inches is met.
3. Required tree replacements shall be shown in graphic and tabular form on a landscape plan prepared and signed by a licensed forester or a registered landscape architect in accordance with section 11-21-9.C of this chapter and the following:
- a. The location of replacement trees shall be approved by the city forester.
 - b. Replacement trees shall be planted on the same property or development area from which the trees were removed. Replacement

trees shall not be placed on easements or street rights-of-way, except as allowed by the City Engineer.

- c. If tree replacement is required within an individual lot because the builder removed or damaged a tree that identified to be saved on the approved tree preservation plan, the forester or landscape architect shall determine where the replacement trees shall be installed.
- d. Trees planted on an individual lot basis as required by section 11-21-9.B of this chapter shall not be credited as replacement tree diameter inches, except for those trees planted as a residential landscape bufferyard in accordance with section 11-21-9.E of this chapter.

4. Cash Contribution:

- a. The city recognizes that there may be developments where required tree replacement cannot practically be accomplished within the subject property.
- b. In lieu of planting replacement diameter inches, the city may require a cash fee as established by the city fee schedule.
- c. The city may at its discretion, elect to require to receive a combination of planting of replacement trees and payment of cash fees in lieu of planting replacement trees.
- d. Cash fees accepted by the city in lieu of (or in combination with) planting of replacement trees shall be placed in the community planting fund and used only for reforestation projects, forest improvement projects, or public acquisition of forested lands in the city.

5. Warranty requirement.

- a. All trees identified to be preserved shall be guaranteed to be alive, in good health, and of good quality and structural condition for two (2) years from the date of project completion.
- b. All trees planted as replacement trees in accordance with this section shall be guaranteed to be alive, in good health, and of good quality and structural condition for twelve (12) months from the time of planting.
- c. Warranty Replacement:
 - (1) Any tree identified to be preserved or replacement tree which is not alive or healthy, as determined by the city forester, before the expiration of the warranty period shall be removed and replaced with a new tree meeting the requirements for a

replacement tree required by section 11-21-11.G of this section.

(2) The warranty replacement tree shall be planted within eight (8) months of removal.

(3) The warranty replacement tree shall be guaranteed to be alive, in good health, and of good quality and structural condition for twelve (12) months from the time of planting.

H. Required Protective Measures. The tree preservation plan shall identify and require the following measures to be utilized to protect significant trees:

1. Prior to land disturbance or construction activity, orange polyethylene laminar safety netting or chain link fencing, four feet (4') in height shall be installed at the drip line or at the perimeter of the critical root zone, whichever is greater, of significant trees, heritage trees, and significant woodlands to be preserved to define the tree protection zone.

2. No land disturbance or construction activity shall occur within the tree protection zone.

2. Storage, operation, or parking of vehicles, construction equipment, or construction materials within a tree protection zone shall be prohibited.

3. Root pruning at the edge of a tree protection zone shall be completed by hand or with a machine designated for root sawing prior to grading or other soil disturbance.

4. Oak Trees:

a. Oak trees shall not be pruned, wounded, or damaged (roots, bark, branches, etc.) between the dates of April 1 and July 30.

b. Contractors shall have a nontoxic tree wound dressing with them on the development site; if wounding of oak trees occurs, a nontoxic tree wound dressing must be applied immediately.

5. Implementation of measures approved by the city engineer to prevent of change in soil chemistry due to concrete washout and leakage or spillage of toxic materials, such as fuels or paints.

I. Additional Protective Measures. The following tree protection measures are recommended to protect significant trees that are to be preserved according to the approved tree preservation plan, and may be required as determined necessary by the city forester:

1. Installation of retaining walls or tree wells to preserve trees.

2. Placement of utilities in common trenches outside of the tree protection zone of significant trees, or use of tunneled installation.
 3. Use of tree root aeration to mitigate compacted soils
 4. Provision of supplemental irrigation during the growing season when dry weather occurs.
 5. Installation of tree protection measures to protect and preserve trees located on abutting properties or the public right-of-way.
- J. Performance Security. The developer shall provide a performance security to the city in accordance with the city fee schedule. The security will be included in the development contract to ensure protective measures are installed and maintained and to guarantee replacement of all significant trees that were to be saved but were destroyed or damaged.

(Remainder of this page intentionally blank)

Section 7. This Ordinance shall be effective immediately upon its passage and publication according to law.

ADOPTED by the Lakeville City Council this ____ day of _____, 2025.

CITY OF LAKEVILLE

BY: _____
Luke M. Hellier, Mayor

ATTEST

BY: _____
Ann Orlofsky, City Clerk



Memorandum

To: Planning Commission
From: Tina Goodroad, Community Development Director
Date: July 31, 2025
Subject: Packet Material for the August 7 Planning Commission Meeting
Agenda Item: Tradition Development Comprehensive Plan and Zoning Map Amendments

BACKGROUND

Tradition Development (Artemis Land Holdings, LLC) has applied for comprehensive plan MUSA staging and land use amendments and zoning map amendments as a first step in a master plan for a new residential community in southwest Lakeville. Tradition Development has assembled five properties totaling 200.28 acres (formerly Lenertz property) and is working on behalf of 16 other properties surrounding this area to be part of the amendment and potentially part of the new residential development totaling 390 gross acres (316 net acres). Tradition Development is committed to creating new neighborhood parallel to Spirit of Brandtjen Farm with a variety of lot sizes, densities, quality residential construction, open space and development amenities. A concept plan for proposed land uses across the 21 properties has been prepared.

The comprehensive plan amendments include bringing approximately 390 gross acres (316 net developable acres) of land into the current Municipal Urban Service Area (MUSA). Parcels are either staged Expansion Area B or Urban Reserve. The request also includes a Comprehensive Plan amendment to re-guide properties from Commercial to Medium/High Density, Rural Density to Low/Medium Density, Rural Density to Low Density and Rural Density to Medium/High Density. Finally, the amendment includes a zoning map amendment to rezone parcels to be consistent with the land use.

The remaining parcels located south of the amendment area (six parcels) will not be re-guided at this time but rather when the 2050 comprehensive update is completed. These parcels will more than likely be re-guided to Low Density Residential.

EXHIBITS

- A. Location Map
- B. Comprehensive Plan Staging Amendments
- C. Comprehensive Plan Land Use Amendments
- D. Zoning Map Amendments
- E. Overall Concept Plan

PLANNING ANALYSIS

The subject site involves 21 properties that are south of 210th Street, west of Keokuk Avenue, and east of the city boundary with Credit River.

Surrounding Properties

- North: Rural residential (RA, C/RAO, RH-2/RAO)
- South: Rural residential (RA) and Solberg Waterfowl Production Area (P/OS)
- East: Keokuk Avenue and I-35 (ROW)
- West: Large lot residential (Credit River)

Adjacent and Affected Jurisdiction Notification. As required in consideration of Comprehensive Plan Amendments, the proposed amendment has been submitted to 10 adjacent governmental jurisdictions, the affected school district (ISD 194), and the Metropolitan Council for review and comment. At the time of preparation of this report, more than half of the jurisdictions have responded. Staff received a comment from ISD 194, who indicated that they cannot support the change at this time due to limited information on how the change will affect facility needs and their need to formulate a growth timeline.

Comprehensive Plan Amendment. The comprehensive plan amendment is in two parts. The first request is to adjust the staging on the 21 properties from Expansion Area B (11 properties) and Urban Reserve (10 properties) to current MUSA, as illustrated in Exhibit B. Sewer will be extended from the east along 215th Street, which will also serve future industrial development east of I-35. The designation of Urban Reserve has always anticipated future urbanized development when sewer capacity is available. Through this extension (2026 project) sewer capacity will be made available to extend to these parcels.

The second part of the amendment is to re-guide parcels to land use designations based on the concept plan that will provide a range of densities and residential unit types. The re-guiding is illustrated on Exhibit C. Properties are proposed to be reguided as follows: from Commercial to Medium/High Density and Rural Density to Low Density, Low/Medium Density, and Medium/High Density.

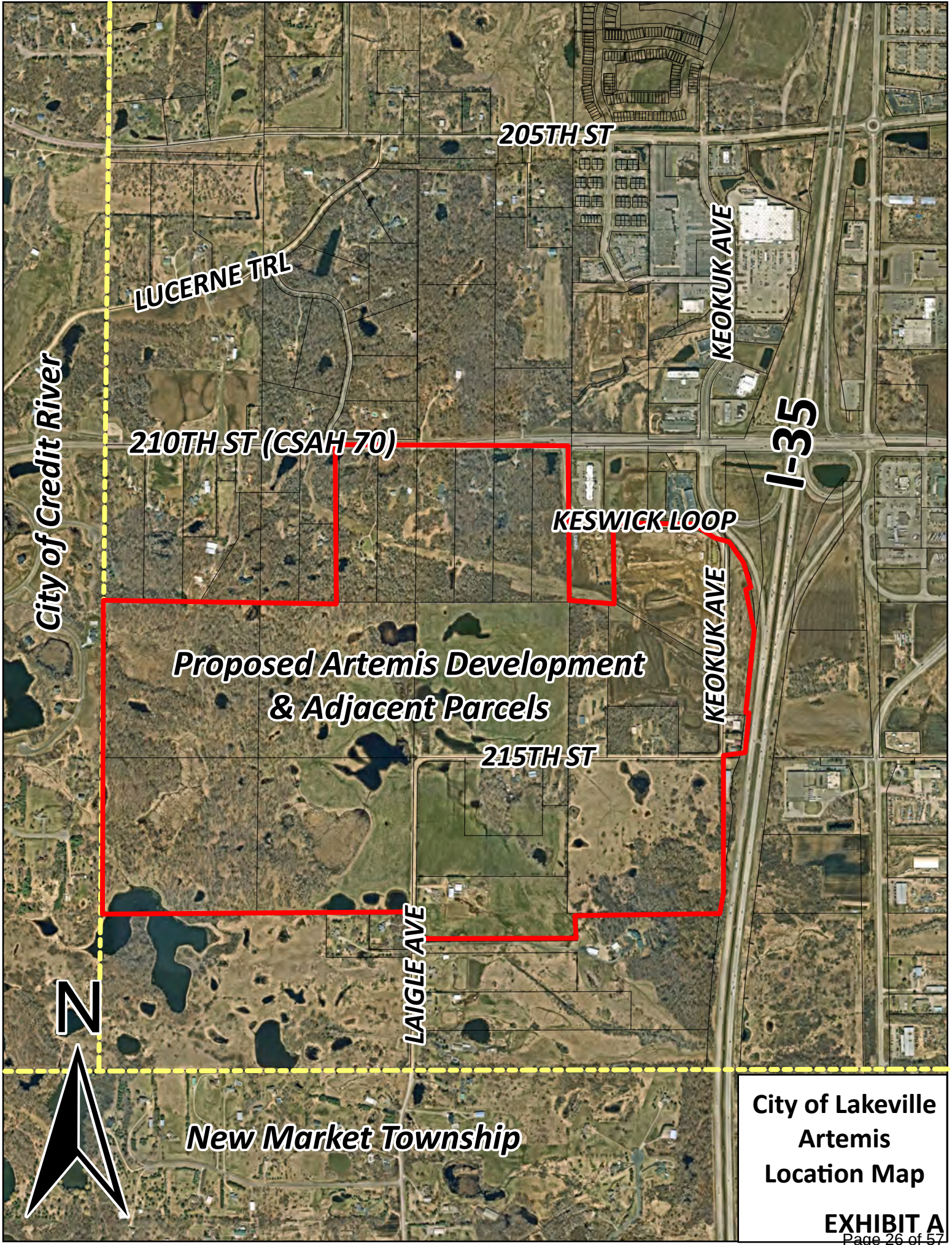
The concept plan and related proposed land use designations will result in the development having a minimum density of 3.5 units per acre, based on the combination of residential land uses across the entire 316 net acres.

Zoning Map Amendment. Consistent with the land use designations described above, the same properties are proposed for rezoning as illustrated in Exhibit D. Properties are proposed for rezoning as follows: from C-3, General Commercial District to RM-3, Medium Density Residential District, RA, Rural/Agriculture District to RS-4, Single Family Residential District, RST-2, Single and Two-Family Residential District, and RM-3, Medium Density Residential District.

RECOMMENDATION

Community Development Department staff has determined that the requested land use plan amendment is consistent with the intent and goals of the 2040 Comprehensive Plan and recommends approval of both the Comprehensive Plan Amendment and the Zoning Map Amendment.

Findings of fact for approval of the comprehensive plan amendment and zoning map amendment are included with the packet materials for your consideration.



City of Credit River

LUCERNE TRL

205TH ST

KEOKUK AVE

210TH ST (CSAH 70)

KESWICK LOOP

I-35

**Proposed Artemis Development
& Adjacent Parcels**

KEOKUK AVE

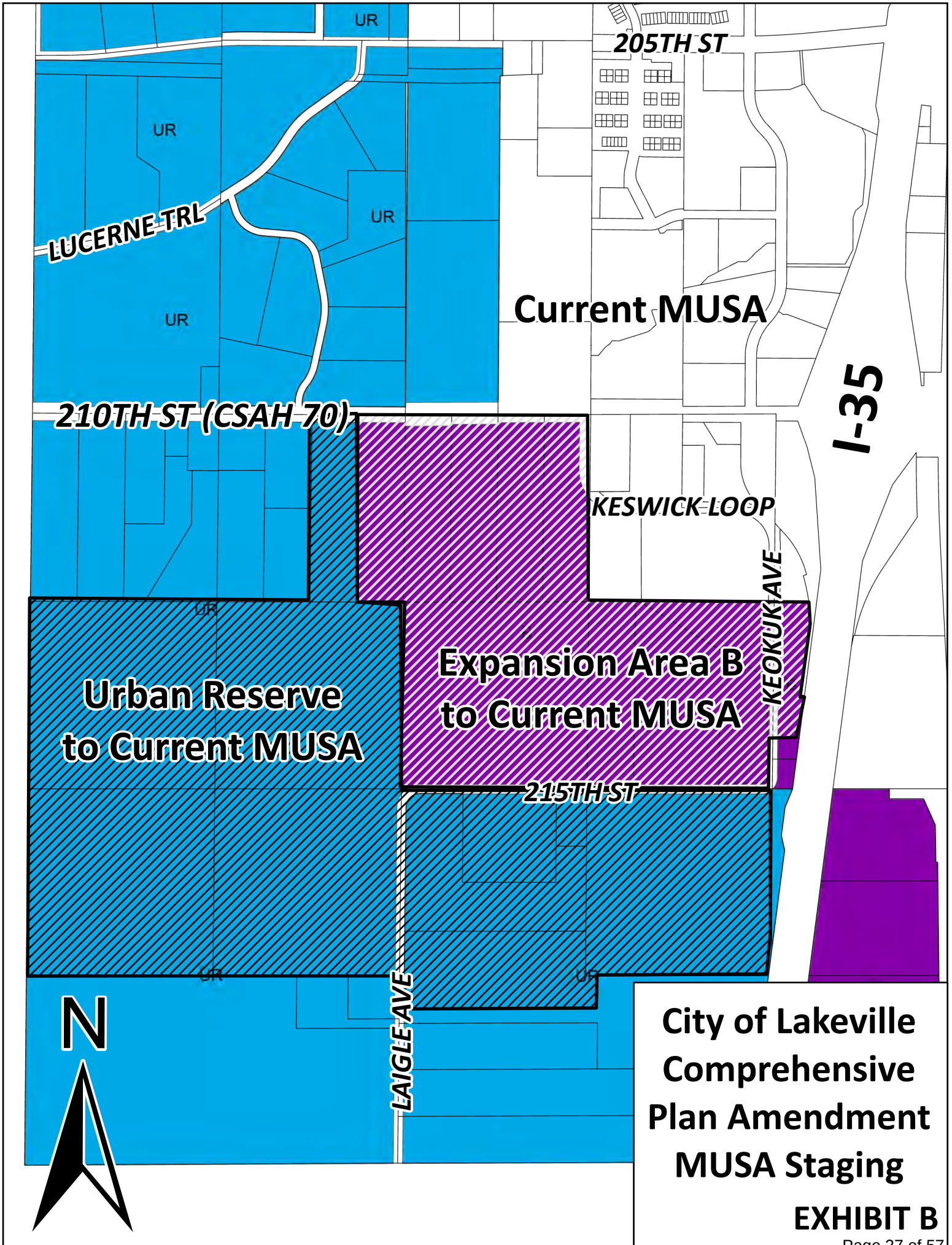
215TH ST

LAIGLE AVE

N

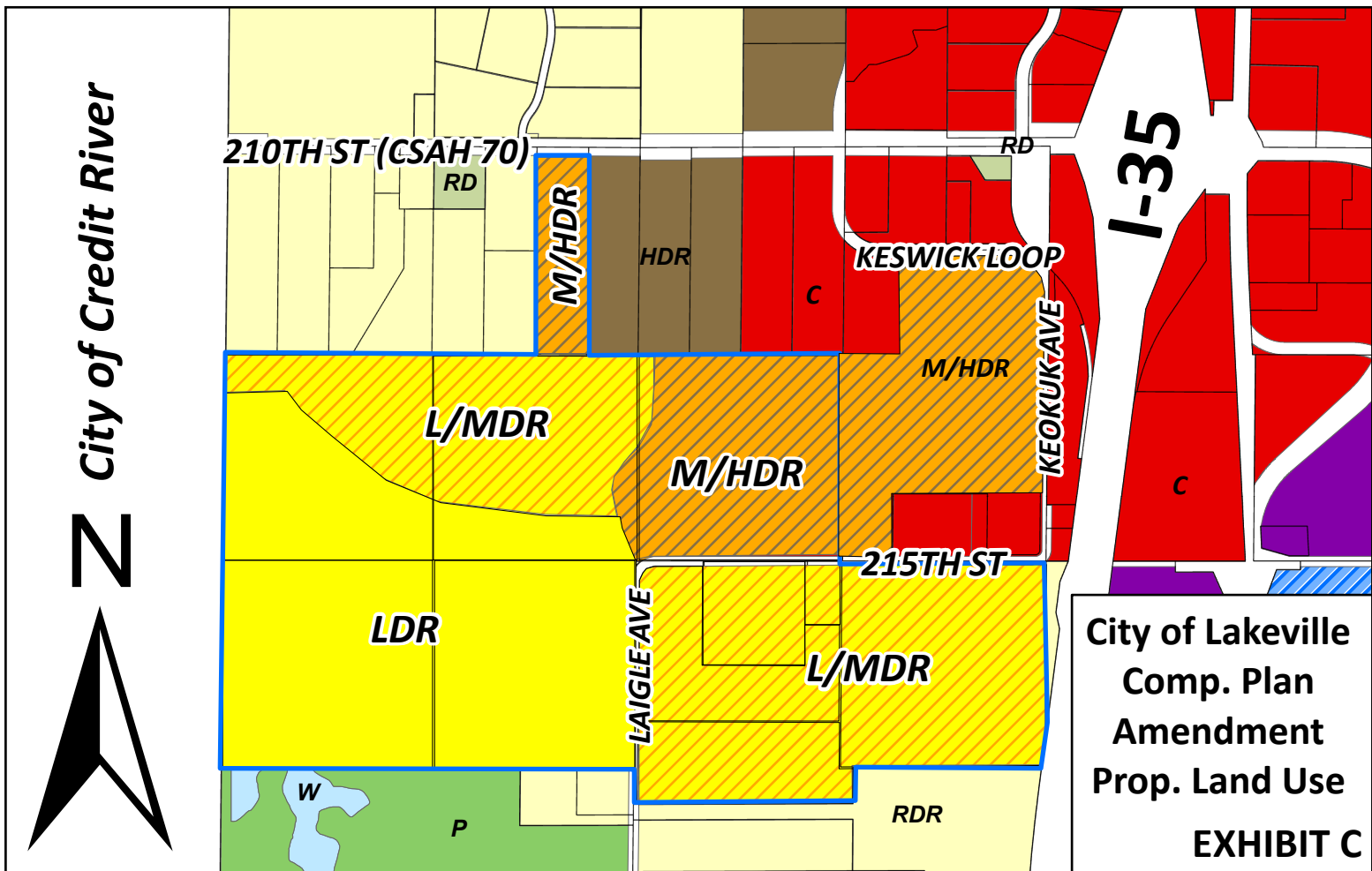
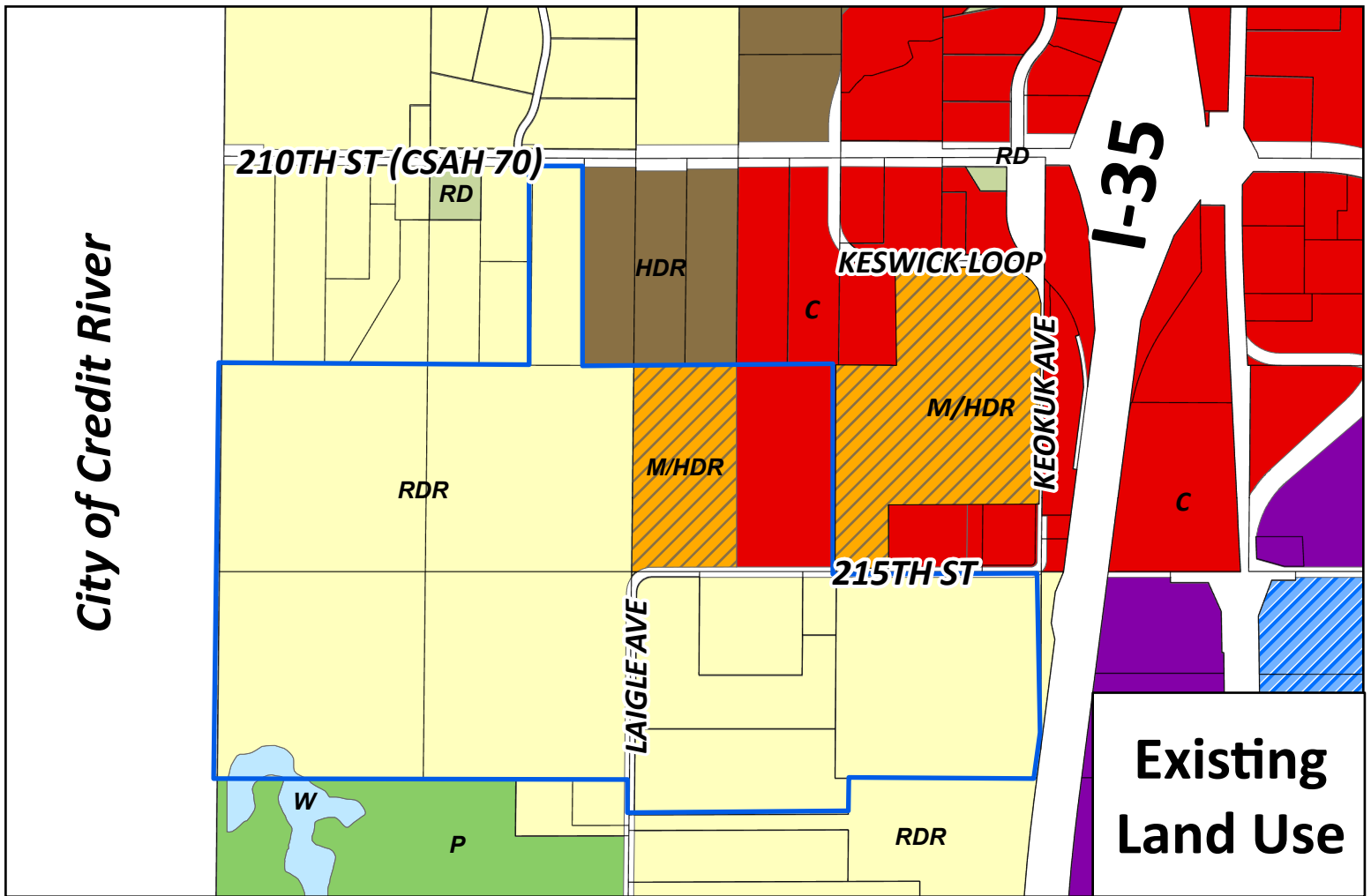
New Market Township

City of Lakeville
Artemis
Location Map

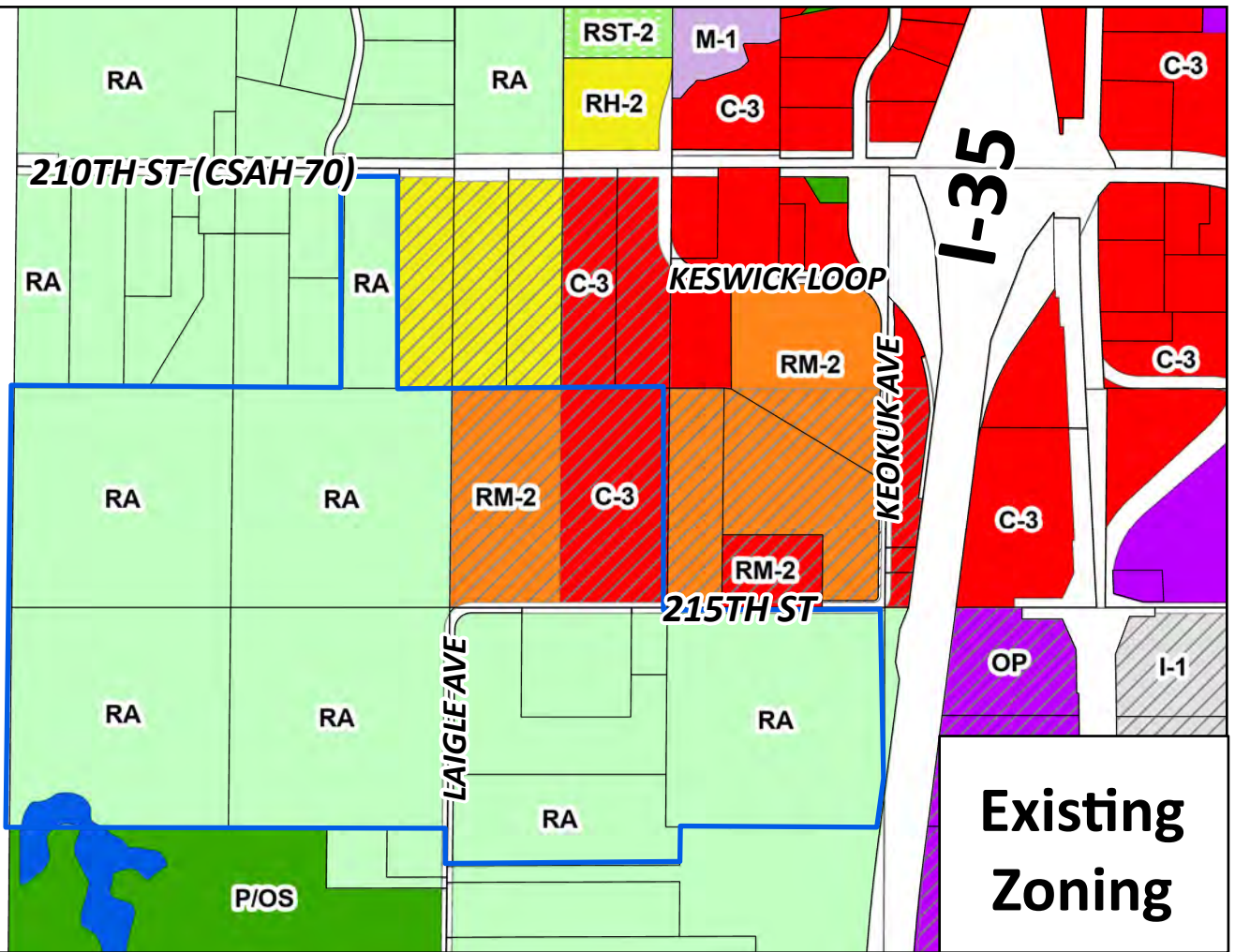


**City of Lakeville
Comprehensive
Plan Amendment
MUSA Staging**

EXHIBIT B

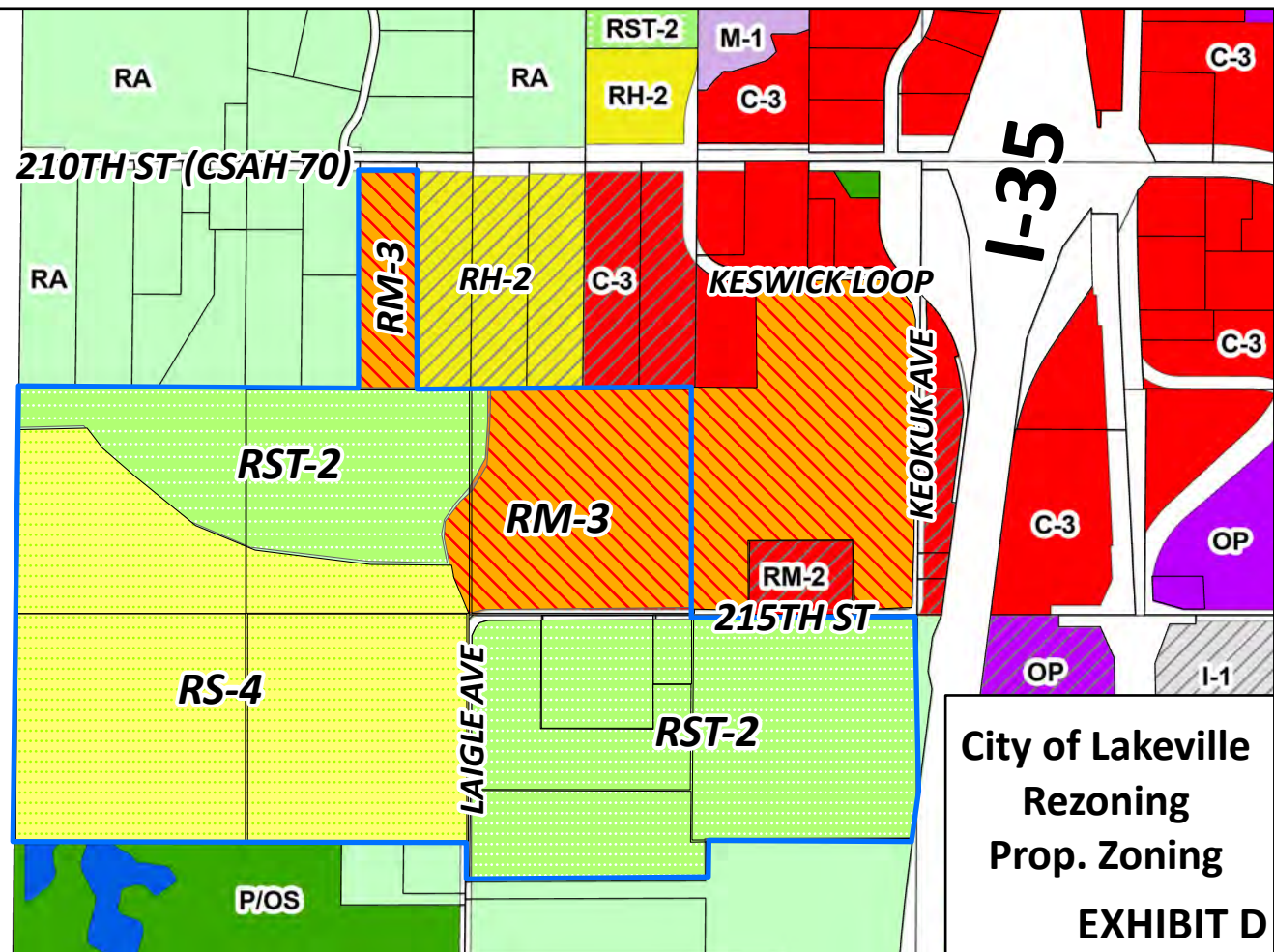
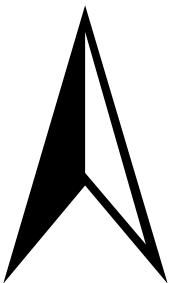


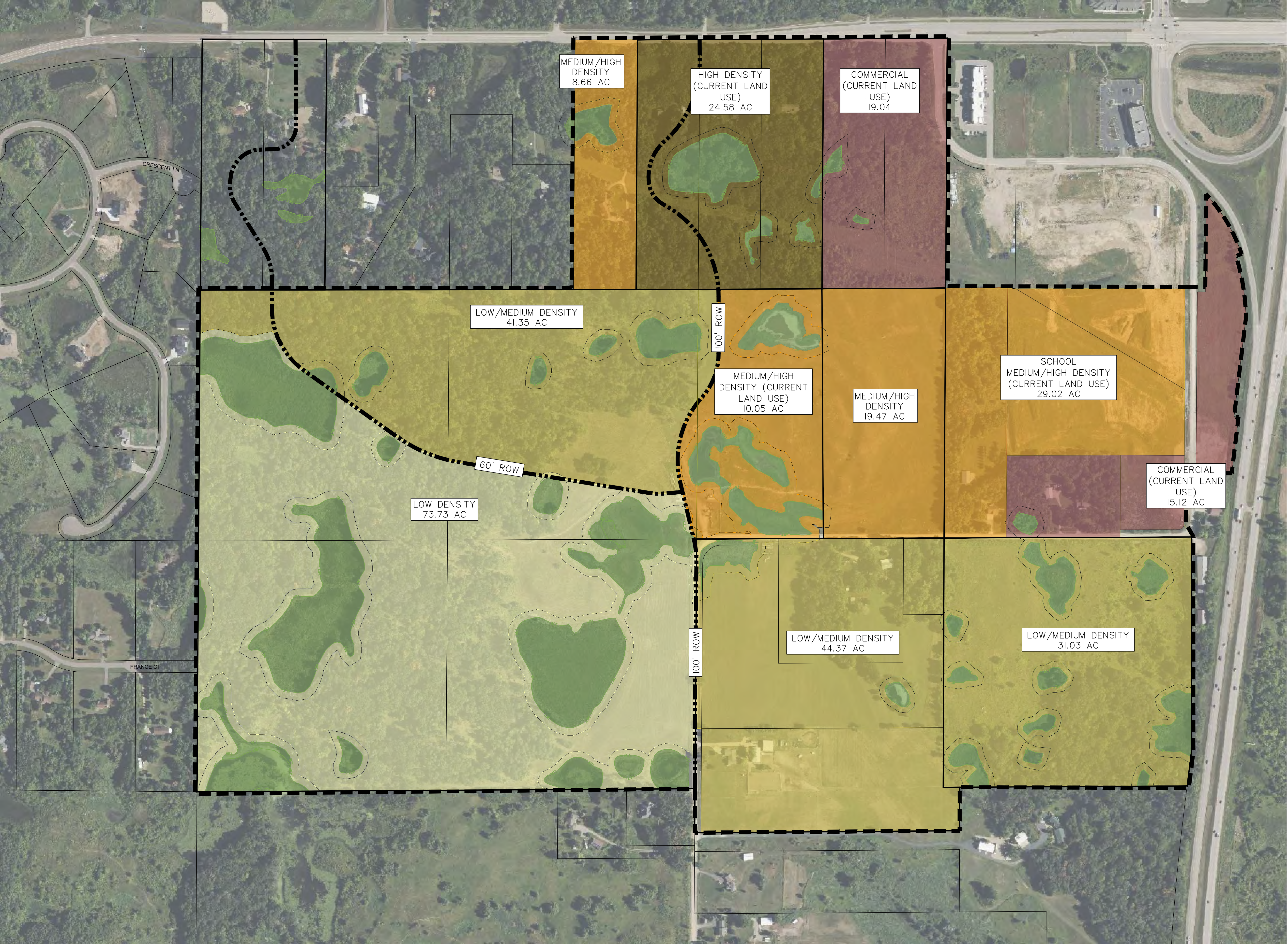
City of Credit River



City of Credit River

N





LEGEND

- PROPERTY LINE
- ROW
- LOW DENSITY - 0.1-3 UNITS/ACRE
- LOW/MEDIUM DENSITY - 4-5 UNITS/ACRE
- MEDIUM/HIGH DENSITY - 5-9 UNITS/ACRE
- HIGH DENSITY - 9-26 UNITS/ACRE
- COMMERCIAL
- WETLANDS
- RIGHT-OF-WAY

RESIDENTIAL GROSS AREA (LESS WETLANDS AND BUFFERS):

LOW DENSITY:	73.73 AC
LOW/MEDIUM DENSITY:	116.75 AC
MEDIUM/HIGH DENSITY:	38.18 AC
HIGH DENSITY:	24.58 AC
TOTAL:	253.24 AC

SCHOOL/COMMERCIAL GROSS AREA (LESS WETLANDS AND BUFFERS):

SCHOOL MEDIUM/HIGH DENSITY:	29.02 AC
COMMERCIAL:	34.16 AC
TOTAL:	63.18 AC

== REVISED 2040 MUSA STAGING PLAN
REVISED EXPANSION AREA "A" (BEFORE 2028)

EXHIBIT E

CITY OF LAKEVILLE
DAKOTA COUNTY, MINNESOTA

TRADITON DEVELOPMENT CORPORATION
2040 COMPREHENSIVE PLAN AMENDMENT
FINDINGS OF FACT AND RECOMMENDATION

On August 7, 2025 the Lakeville Planning Commission met at its regularly scheduled meeting to consider the application of Tradition Development Corporation to consider amendments to the MUSA Staging Plan and Land Use Plan of the 2040 Comprehensive Plan. The Planning Commission conducted a public hearing on the application preceded by published and mailed notice. The applicant was present and the Planning Commission heard testimony from all interested persons wishing to speak.

FINDINGS OF FACT

1. The subject properties proposed to be brought into the Current MUSA are staged as Expansion Area B or Urban Reserve.
2. The subject properties proposed for land use amendment are currently guided for Commercial, Rural Density Residential, and Medium/High Density Residential land uses in the 2040 Comprehensive Plan. Tradition Development has applied for an amendment to the 2040 Comprehensive Land Use Plan to change the guided land uses to Low Density Residential, Low/Medium Density Residential, and Medium/High Density Residential.
3. The legal description of the properties is attached as Exhibit A.
4. The proposed Comprehensive Plan amendment has been submitted to adjacent governmental jurisdictions and the affected school district. No comments were received at the time of publication of the July 31, 2025 planning report.
5. The 2040 Comprehensive Plan provides that the Planning Commission shall consider possible effects of the proposed amendment with its judgment to be 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: The proposed staging change from Expansion Area B and Urban Reserve to current MUSA identified on Exhibit B and proposed Land Use map amendments from Commercial, Rural Density Residential, and Medium/High Density Residential as identified on Exhibit C of the July 31, 2025 planning report prepared by Tina Goodroad, Community Development Director and attached as Exhibits B and C to these Findings of Fact, is consistent with the Comprehensive Plan in accommodating growth while protecting the environment by

integrating new urban development within the City's natural resources in a compatible manner.

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

Finding: The proposed residential development will be compatible with the existing and future land uses in the surrounding area.

- c. The proposed use conforms to all performance standards contained in the Zoning Ordinance and the City Code.**

Finding: The proposed amendments are the first step in the development of a master plan for the future residential development. Future reviews of development plans will ensure conformance to the Zoning Ordinance, Subdivision Ordinance, and City Code.

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

Finding: The proposed staging plan amendment will bring the site into the current MUSA and will be served by sanitary sewer services from east of I-35.

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

Finding: The subject site is accessed by 210th Street in addition to an internal street network that will be developed as part of the master plan. A traffic study will be prepared to guide the development of the street network to ensure the development will have adequate capacity to accommodate the traffic generated by the proposed use.

- 6. The planning report dated July 31, 2025 prepared by Tina Goodroad, Community Development Director is incorporated herein.**

RECOMMENDATION

The Planning Commission recommends that the City Council approve the Comprehensive Plan amendment as shown in Exhibits B and C, subject to the approval of the Metropolitan Council.

DATED: August 7, 2025

LAKEVILLE PLANNING COMMISSION

BY: _____
Christine Zimmer, Chair

Exhibit A- Legal Description

Parcels included in the amendment application:

The NE 1/2 OF E 1/2 OF THE NW 1/4 OF THE NE 1/4, SECTION 35, TOWNSHIP 114, RANGE 21, Dakota County Minnesota

and

The W 1/2 OF E 1/2 OF THE NW 1/4 OF THE NE 1/4, SUBJECT TO PARCEL 34, DAKOTA COUNTY R/W MAP 300, SECTION 35, TOWNSHIP 114, RANGE 21, Dakota County, Minnesota

and

The E 1/2 OF W 1/2 OF THE NW 1/4 OF THE NE 1/4, SUBJECT TO PARCEL 35, DAKOTA COUNTY R/W MAP 300, SECTION 35, TOWNSHIP 114, RANGE 21, Dakota County, Minnesota

And

The W 1/2 OF W 1/2 OF THE NW 1/4 OF THE NE 1/4, SUBJECT TO PARCEL 36, DAKOTA COUNTY R/W MAP 300, SECTION 35, TOWNSHIP 114, RANGE 21, Dakota County, Minnesota

and

The East 329.50 FT OF THE NE 1/4 OF THE NW 1/4 OF SECTION 35, TOWNSHIP 114, RANGE 21, Dakota County, Minnesota

and

PART OF THE NE 1/4 OF THE NW 1/4 LYING W OF THE E 329.50 FT AND LYING EAST OF A LINE BEGINNING ON THE NORTH LINE, 657.67 FT EAST OF NW COR OF THE NE 1/4 OF THE NW 1/4, S PARRAEL TO W LINE OF NE 1/4 OF THE NW 1/4 TO THE S LINE OF NE 1/4 OF THE NW 1/4 AND THERE TERMINATING, Dakota County, Minnesota

and

THAT OF LOT 2, BLOCK 1, UCA DEVELOPMENT, LYING S OF THE N LINE OF THE SE 1/4 OF THE NE 1/4 OF SECTION 35, TOWNSHIP 114, RANGE 21, Dakota County, Minnesota

and

OUTLOT A, UCA DEVELOPMENT, Dakota County, Minnesota

and

PART OF THE SE 1/4 OF THE NE 1/4 OF SECTION 35, TOWNSHIP 114, RANGE 21, BEGINNING ON THE S LINE 377.92 FT W OF THE SE COR OF THE SE 1/4 OF THE NE 1/4, THEN N 435.60 FT, THENCE W 603.07 FT TO THE E LINE OF THE W 329.02 FT THENCE S 435.60 FT, THENCE E ON THE S LINE OF THE SE 1/4 OF THE NE 1/4 603.07 FT TO THE POINT OF BEGINNING, Dakota County, Minnesota

and

W 329.02 FT OF THE SE 1/4 OF THE NE 1/4, SECTION 35, TOWNSHIP 114, RANGE 21, Dakota County, Minnesota

and

NE 1/4 OF THE SE 1/4 OF SECTION 35, TOWNSHIP 114, RANGE 21, EXCEPT THAT PART TAKEN FOR R/W PURPOSES PER MNDOT MAP 18-72, Dakota County, Minnesota

and

E 215 FT OF THE N 405.21 FT OF THE NW 1/4 OF THE SE 1/4, SECTION 35, TOWNSHIP 114, RANGE 21, Dakota County, Minnesota

and

W 660 FT OF THE E 875 FT OF THE N 660 FT OF THE NW 1/4 OF THE SE 1/4, SECTION 35, TOWNSHIP 114, RANGE 21, Dakota County, Minnesota

and

N 1004.70 FT OF THE NW 1/4 OF THE SE 1/4 EXCEPT THE W 660 FT OF THE E 875 OF THE N 660 FT & EXCEPT E 215 FT OF THE N 405.21 FT, SECTION 35, TOWNSHIP 114, RANGE 21, Dakota County, Minnesota

and

PART OF THE NW 1/4 OF THE SE 1/4 LYING S OF THE N 1004.7 FT & PART OF THE SW 1/4 OF THE SE 1/4 LYING N OF THE S 1090 FT & ALSO PART OF THE W 87.26 FT OF THE SE 1/4 LYING N OF THE S 1090 FT, SECTION 35, TOWNSHIP 114, RANGE 21, Dakota County, Minnesota

and

PART OF THE W 1/2 OF THE NW 1/4 LYING W OF INTERSTATE HIGHWAY 35 EXCEPT THE S 360.64 FT, SECTION 36, TOWNSHIP 114, RANGE 21, Dakota County, Minnesota

and

COMMENCING AT THE NORTHWESTERLY CORNER OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 114, RANGE 21, DAKOTA COUNTY, MINNESOTA, WHICH CORNER IS FIXED BY A JUDICIAL LANDMARK; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID SECTION 35 TO THE SOUTH-WESTERLY CORNER OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 35, WHICH CORNER IS FIXED BY A JUDICIAL LANDMARK; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF SAID NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 35 TO THE SOUTHEASTERLY CORNER OF SAID NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 35, WHICH CORNER IS FIXED BY A JUDICIAL LANDMARK; THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 35 TO THE NORTHEASTERLY CORNER OF SAID NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 35, (BEING ALSO THE SOUTHEASTERLY CORNER OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 35, AND THE SOUTHWESTERLY CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 35) WHICH CORNERS ARE FIXED BY A JUDICIAL LANDMARK; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 35 TO THE SOUTHEASTERLY CORNER OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 35, WHICH CORNER IS FIXED BY A JUDICIAL LANDMARK; THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 35 TO THE NORTHEASTERLY CORNER OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 35, WHICH CORNER IS FIXED BY A JUDICIAL LANDMARK; THENCE WESTERLY ALONG THE NORTHERLY LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 35 TO THE NORTHWESTERLY CORNER OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 35, (BEING ALSO THE NORTHEASTERLY CORNER OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 35) WHICH CORNER IS FIXED BY A JUDICIAL LANDMARK; THENCE CONTINUING WESTERLY AND ALONG THE NORTHERLY LINE OF SAID SOUTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 35 TO THE PLACE OF BEGINNING; THE FOREGOING COMPRISING THE ENTIRE SOUTH HALF OF THE NORTHWEST QUARTER; THE NORTH HALF OF THE SOUTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 114, RANGE 21, DAKOTA COUNTY, MINNESOTA, ACCORDING TO THE JUDICIAL SURVEY THEREOF.

TORRENS PROPERTY

TORRENS CERTIFICATE NO. 115909

Exhibit B

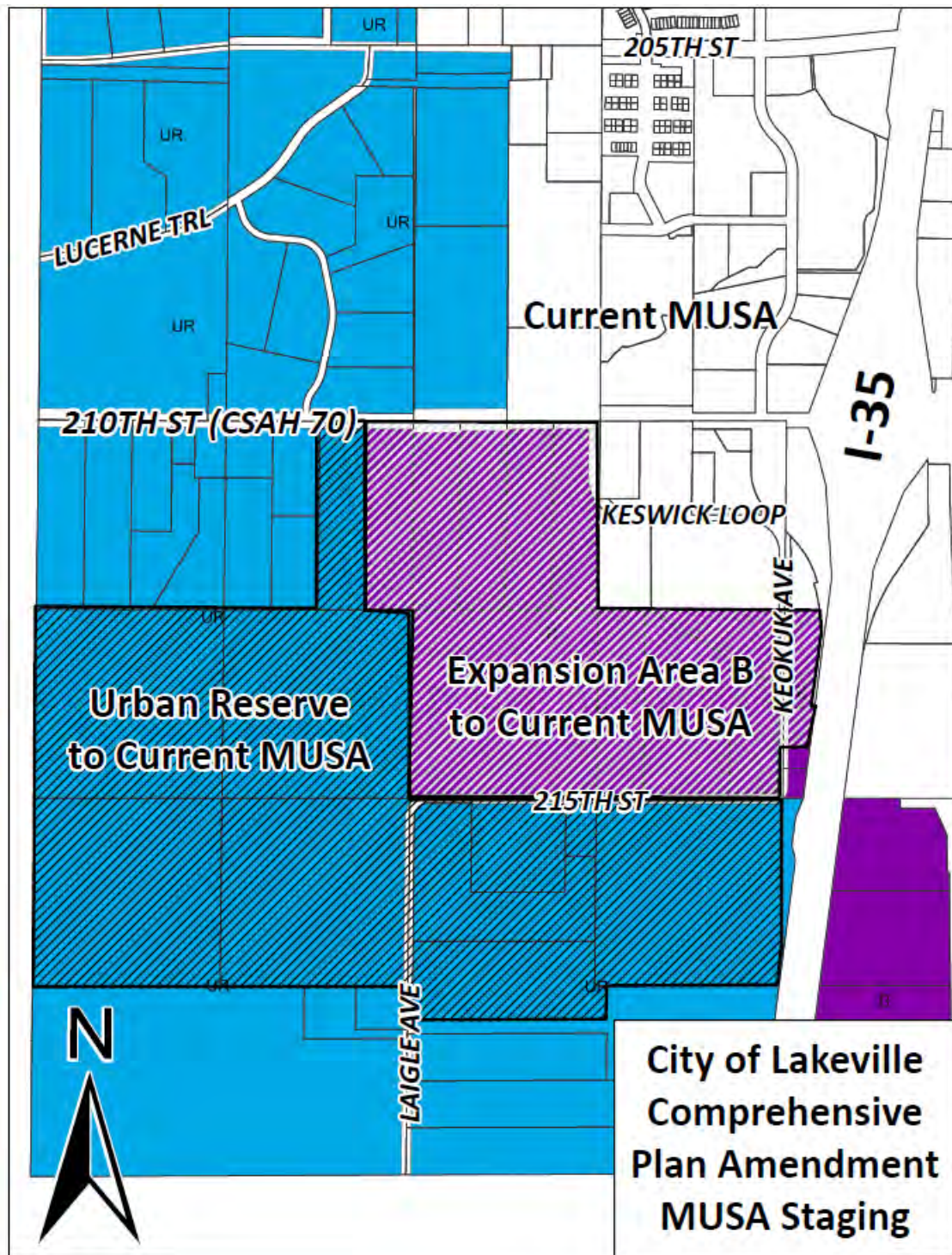
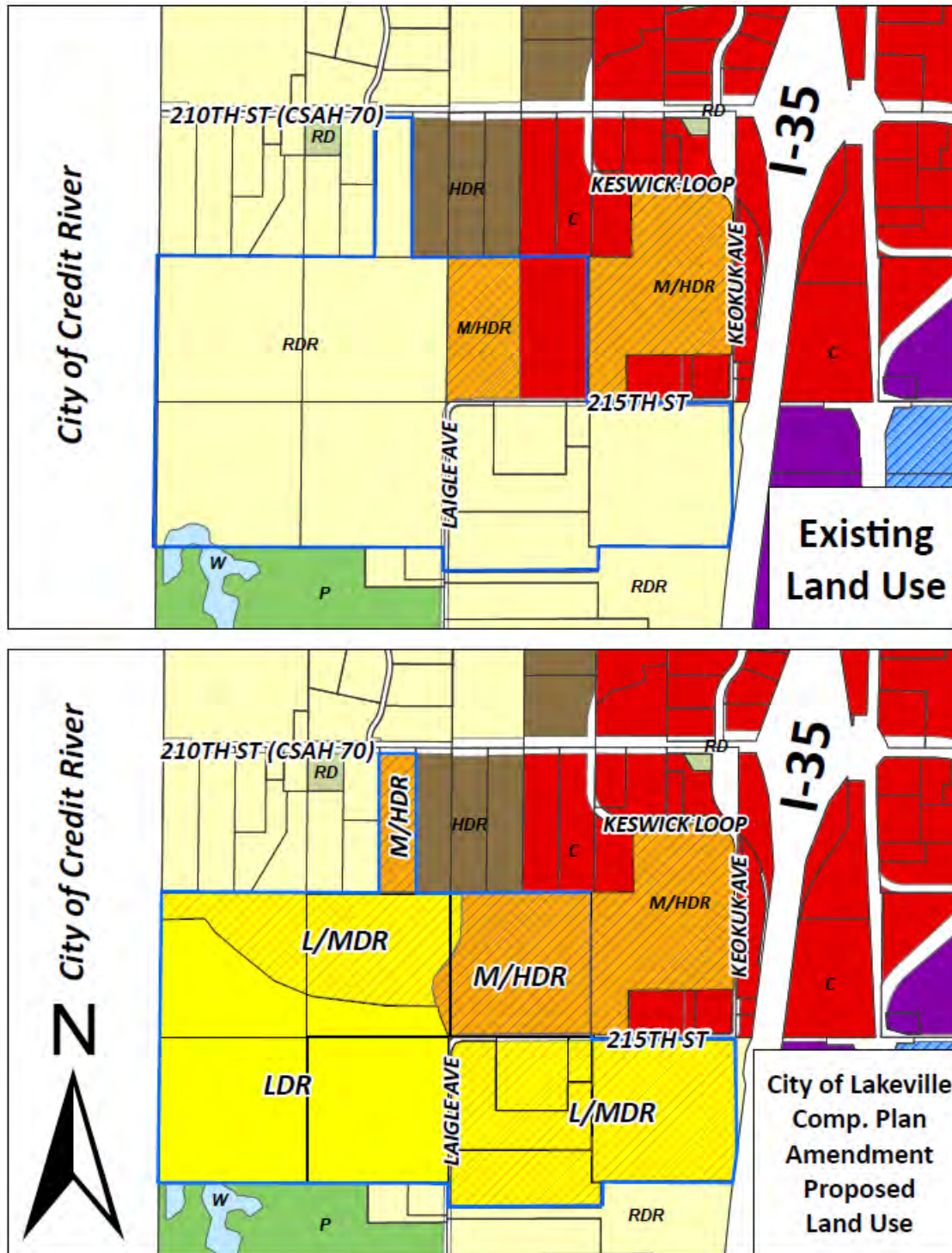


Exhibit C



CITY OF LAKEVILLE
DAKOTA COUNTY, MINNESOTA

TRADITION DEVELOPMENT CORPORATION
ZONING MAP AMENDMENT
FINDINGS OF FACT AND RECOMMENDATION

On August 7, 2025 the Lakeville Planning Commission met at its regularly scheduled meeting to consider the application of Tradition Development Corporation for an amendment to the Zoning Map to rezone properties from C-3, General Commercial District to RM-3, Medium Density Residential District and RA, Rural/Agriculture District to RS-4, Single Family Residential District, RST-2, Single and Two-Family Residential District, and RM-3, Medium Density Residential District. The Planning Commission conducted a public hearing on the application preceded by published and mailed notice. The applicant was present and the Planning Commission heard testimony from all interested persons wishing to speak.

FINDINGS OF FACT

1. The subject properties are guided for Commercial and Rural Density Residential land uses by the 2040 Comprehensive Land Use Plan. Tradition Development has applied for an amendment to the 2040 Land Use Plan to change guided land use from Commercial to Medium/High Density and Rural Density Residential to Low Density Residential, Low/Medium Density Residential, and Medium/High Density Residential.
2. Tradition Development Corporation has applied for an amendment to the Zoning Map to change the zoning of the properties from C-3, General Commercial District to RM-3, Medium Density Residential District and RA, Rural/Agriculture District to RS-4, Single Family Residential District, RST-2, Single and Two-Family Residential District, and RM-3, Medium Density Residential District
3. The legal description of the properties is attached in Exhibit A.
4. Section 11-3-3.E of the City of Lakeville Zoning Ordinance provides that the Planning Commission shall consider possible effects of the proposed amendment. Its judgment shall be 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: The proposed rezonings to RS-4, Single Family Residential District, RST-2, Single and Two-Family Residential District, and RM-3, Medium Density Residential District as illustrated in Exhibit D of the July 31, 2025 planning prepared by Tina Goodroad, Community Development Director report and attached as Exhibit B to these Findings of

Fact, is consistent with the goals and policies of the 2040 Comprehensive Plan in accommodating growth while protecting the environment by integrating new urban development within the City's natural resources in a compatible manner.

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

Finding: The subject site is located south of 210th Street and will be compatible with the existing and future land uses in the area.

c. The proposed use conforms to all performance standards contained in the Zoning Ordinance and the City Code.

Finding: The proposed residential land uses will be required to comply with the requirements of the Zoning Ordinance, Subdivision Ordinance, and City Code and will be evaluated as part of necessary applications to develop the property, including availability of sanitary sewer.

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

Finding: Tradition Development has applied for a Comprehensive Plan MUSA Staging Amendment to bring the property into the current MUSA and will be served by an extension of sanitary sewer and water services.

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

Finding: The subject site is accessed by 210th Street in addition to internal street network that will be developed as part of the master plan. A traffic study will be prepared to guide the development of the street network to ensure the development will have adequate capacity to accommodate the traffic generated by the proposed use

5. The planning report dated July 31, 2025 prepared by Tina Goodroad, Community Development Director is incorporated herein.

RECOMMENDATION

The Planning Commission recommends that the City Council approve the Zoning Map amendment as shown in Exhibit B, subject to Metropolitan Council approval of the Comprehensive Plan Amendment.

DATED: August 7, 2025

LAKEVILLE PLANNING COMMISSION

BY: _____

Christine Zimmer, Chair

Exhibit A

Parcels included in the rezoning application:

The NE 1/2 OF E 1/2 OF THE NW 1/4 OF THE NE 1/4, SECTION 35, TOWNSHIP 114, RANGE 21, Dakota County Minnesota

and

The W 1/2 OF E 1/2 OF THE NW 1/4 OF THE NE 1/4, SUBJECT TO PARCEL 34, DAKOTA COUNTY R/W MAP 300, SECTION 35, TOWNSHIP 114, RANGE 21, Dakota County, Minnesota

and

The E 1/2 OF W 1/2 OF THE NW 1/4 OF THE NE 1/4, SUBJECT TO PARCEL 35, DAKOTA COUNTY R/W MAP 300, SECTION 35, TOWNSHIP 114, RANGE 21, Dakota County, Minnesota

And

The W 1/2 OF W 1/2 OF THE NW 1/4 OF THE NE 1/4, SUBJECT TO PARCEL 36, DAKOTA COUNTY R/W MAP 300, SECTION 35, TOWNSHIP 114, RANGE 21, Dakota County, Minnesota

and

The East 329.50 FT OF THE NE 1/4 OF THE NW 1/4 OF SECTION 35, TOWNSHIP 114, RANGE 21, Dakota County, Minnesota

and

PART OF THE NE 1/4 OF THE NW 1/4 LYING W OF THE E 329.50 FT AND LYING EAST OF A LINE BEGINNING ON THE NORTH LINE, 657.67 FT EAST OF NW COR OF THE NE 1/4 OF THE NW 1/4, S PARRAEL TO W LINE OF NE 1/4 OF THE NW 1/4 TO THE S LINE OF NE 1/4 OF THE NW 1/4 AND THERE TERMINATING, Dakota County, Minnesota

and

THAT OF LOT 2, BLOCK 1, UCA DEVELOPMENT, LYING S OF THE N LINE OF THE SE 1/4 OF THE NE 1/4 OF SECTION 35, TOWNSHIP 114, RANGE 21, Dakota County, Minnesota

and

OUTLOT A, UCA DEVELOPMENT, Dakota County, Minnesota

and

PART OF THE SE 1/4 OF THE NE 1/4 OF SECTION 35, TOWNSHIP 114, RANGE 21, BEGINNING ON THE S LINE 377.92 FT W OF THE SE COR OF THE SE 1/4 OF THE NE 1/4, THEN N 435.60 FT, THENCE W 603.07 FT TO THE E LINE OF THE W 329.02 FT THENCE S 435.60 FT, THENCE E ON THE S LINE OF THE SE 1/4 OF THE NE 1/4 603.07 FT TO THE POINT OF BEGINNING, Dakota County, Minnesota

and

W 329.02 FT OF THE SE 1/4 OF THE NE 1/4, SECTION 35, TOWNSHIP 114, RANGE 21, Dakota County, Minnesota

and

NE 1/4 OF THE SE 1/4 OF SECTION 35, TOWNSHIP 114, RANGE 21, EXCEPT THAT PART TAKEN FOR R/W PURPOSES PER MNDOT MAP 18-72, Dakota County, Minnesota

and

E 215 FT OF THE N 405.21 FT OF THE NW 1/4 OF THE SE 1/4, SECTION 35, TOWNSHIP 114, RANGE 21, Dakota County, Minnesota

and

W 660 FT OF THE E 875 FT OF THE N 660 FT OF THE NW 1/4 OF THE SE 1/4, SECTION 35, TOWNSHIP 114, RANGE 21, Dakota County, Minnesota

and

N 1004.70 FT OF THE NW 1/4 OF THE SE 1/4 EXCEPT THE W 660 FT OF THE E 875 OF THE N 660 FT & EXCEPT E 215 FT OF THE N 405.21 FT, SECTION 35, TOWNSHIP 114, RANGE 21, Dakota County, Minnesota and

PART OF THE NW 1/4 OF THE SE 1/4 LYING S OF THE N 1004.7 FT & PART OF THE SW 1/4 OF THE SE 1/4 LYING N OF THE S 1090 FT & ALSO PART OF THE W 87.26 FT OF THE SE 1/4 LYING N OF THE S 1090 FT, SECTION 35, TOWNSHIP 114, RANGE 21, Dakota County, Minnesota

and

PART OF THE W 1/2 OF THE NW 1/4 LYING W OF INTERSTATE HIGHWAY 35 EXCEPT THE S 360.64 FT, SECTION 36, TOWNSHIP 114, RANGE 21, Dakota County, Minnesota

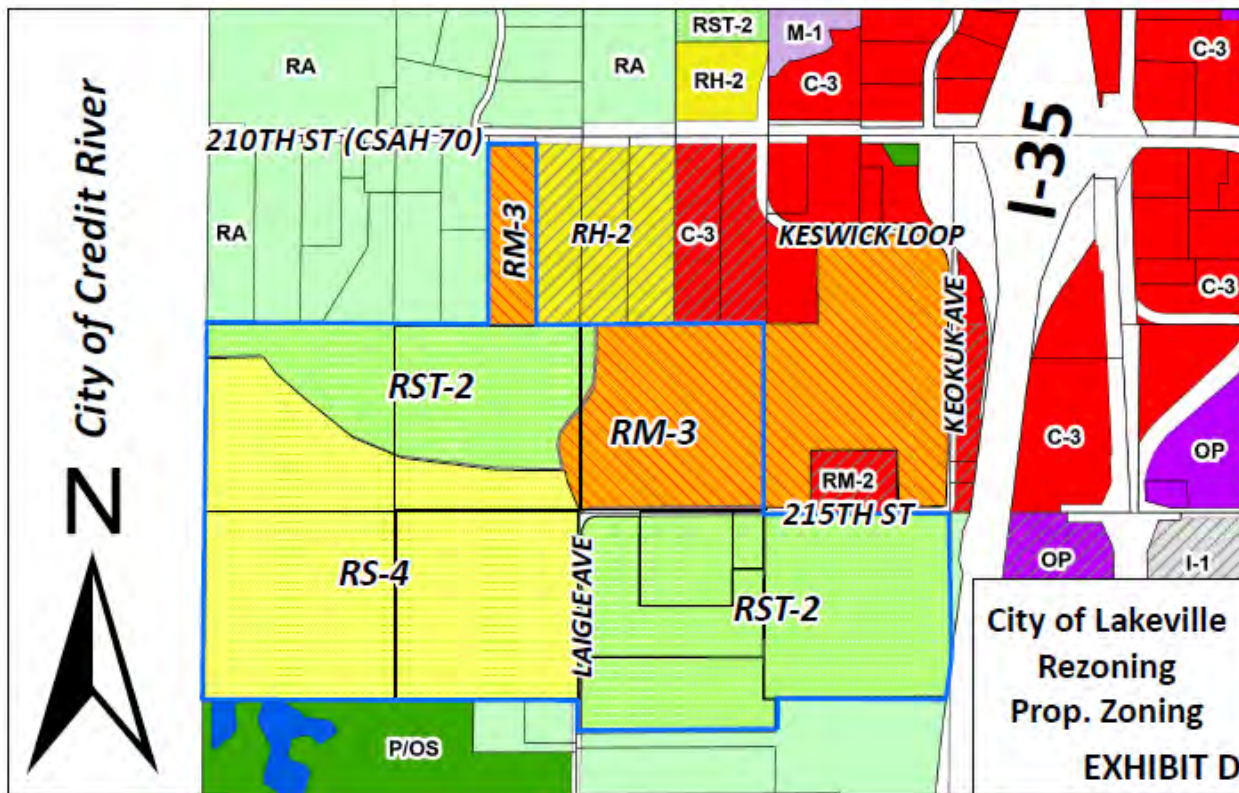
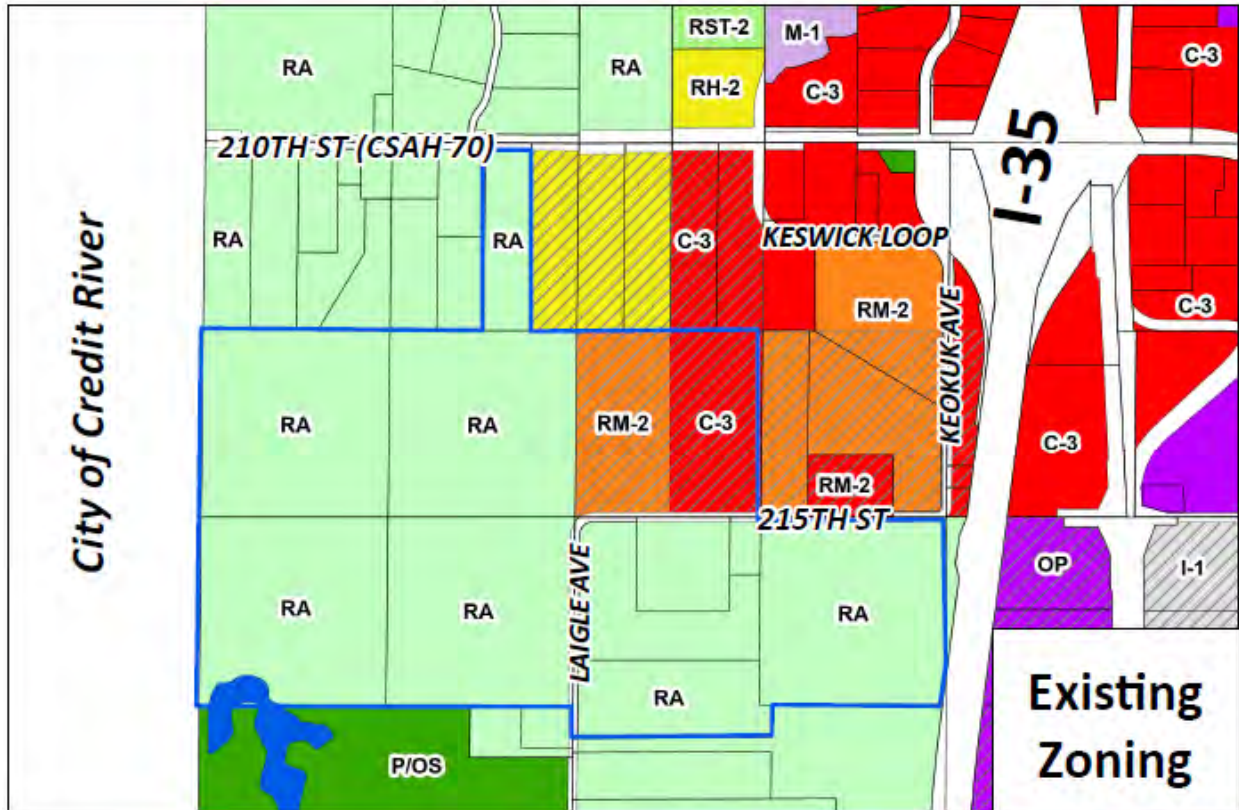
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TORRENS PROPERTY

TORRENS CERTIFICATE NO. 115909

Exhibit B





Memorandum

To: Planning Commission

From: Tina Goodroad, Community Development Director

Date: July 31, 2025

Subject: Packet Material for the August 7 Planning Commission Meeting

Agenda Item: Dakota Waste Solutions, LLC and OLAM Holdings 1, LLC Comprehensive Plan and Zoning Map Amendments

BACKGROUND

Dakota Waste Solutions, LLC (Dunham) and OLAM Holdings 1, LLC (applicants) have applied for Comprehensive Plan MUSA staging and land use amendments as well as zoning map amendments as a first step in development of these industrial properties. Dakota Waste Solutions, LLC has submitted plans for development of property south of 215th Street (across from their current site) which will relocate the recycling and food processing businesses. OLAM Holdings 1, LLC recently completed an AUAR which identified the need for staging, land use and zoning amendments to support development of their properties for industrial uses. Concept plans are underway for multiple industrial buildings. A residential property located between the two OLAM Holdings properties has also been included at the owner's request.

The comprehensive plan amendment includes amending the staging on 119.7 acres of land (three parcels) from Expansion Area B to the current Municipal Urban Service Area (MUSA). The request also includes a Comprehensive Plan amendment to re-guide the properties from Office Park to Warehouse/Light Industrial. Finally, the amendment includes a zoning map amendment to rezone parcels to be consistent with the land use.

EXHIBITS

- A. Location Map
- B. Comprehensive Plan MUSA Staging Amendments

C. Comprehensive Plan Land Use Amendments

D. Zoning Map Amendments

PLANNING ANALYSIS

The subject site involves five properties that are south of 215th Street, west of Jacquard Avenue, and east of Kaparia Avenue.

Surrounding Properties

North: 215th Street/CSAH 70 (ROW), Vacant land (O-P) and South Creek (P/OS)

South: Vacant land (I-1) and Agricultural land (New Market Township)

East: Industrial uses (O-P and I-1)

West: Agricultural land (I-1/RAO), Kaparia Avenue, Industrial uses (I-1/RAO)

Adjacent and Affected Jurisdiction Notification. As required in consideration of Comprehensive Plan Amendments, the proposed amendment has been submitted to 11 adjacent governmental jurisdictions, the affected school district (ISD 194), and the Metropolitan Council for review and comment. At the time of preparation of the report half the jurisdictions responded with no comments.

Comprehensive Plan Amendment. The comprehensive plan amendment is in two parts. The first request is to adjust the staging on three properties from Expansion Area B to current MUSA, as illustrated in Exhibit B. Sewer will be extended along 215th Street as part of a CIP improvement in 2026 to serve these properties.

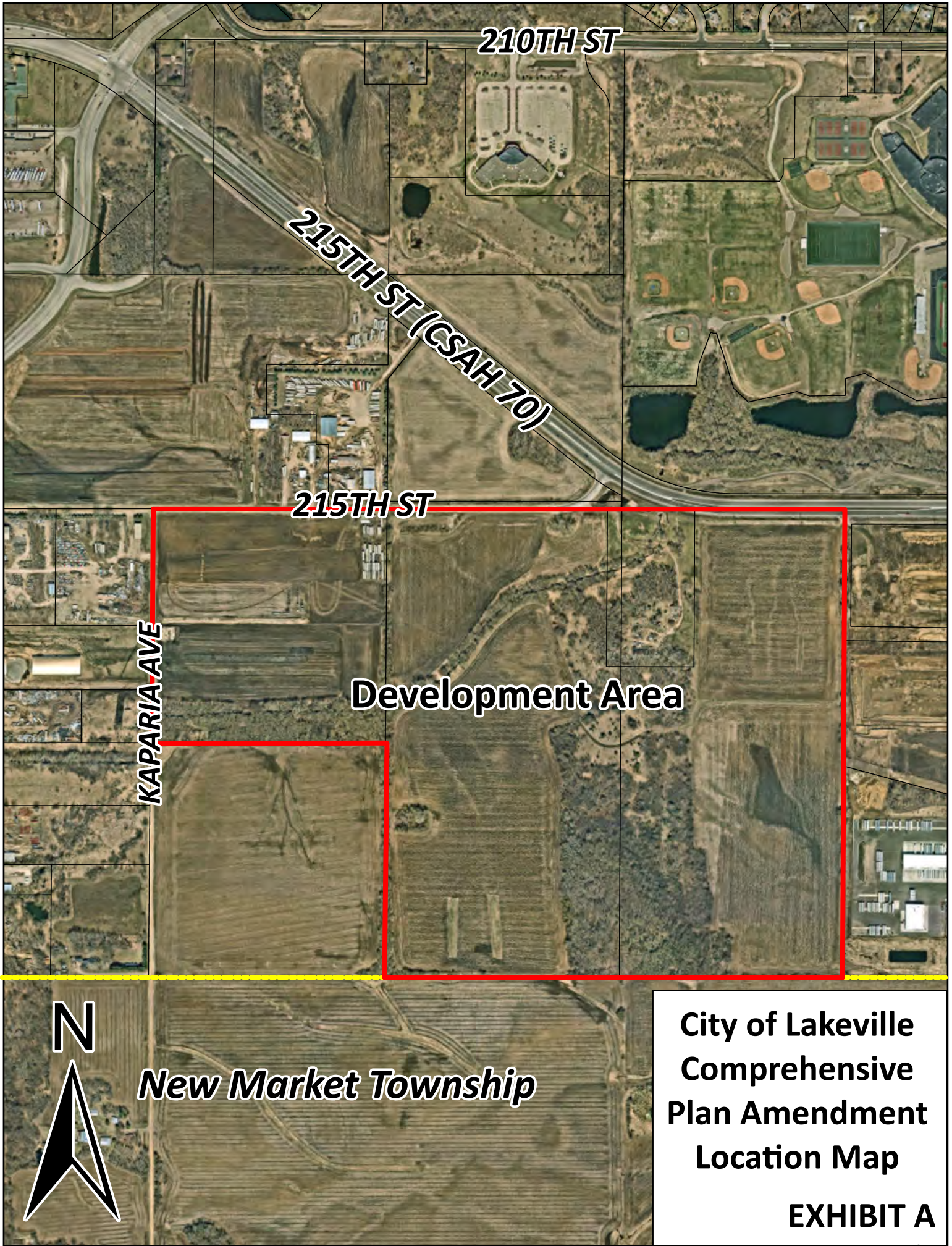
The second part of the amendment is to re-guide four parcels from Office Park to Warehouse/Light Industrial. These parcels are currently split in land use with a combination of Office Park on the north and Warehouse/Light Industrial on the south. This amendment will provide Warehouse/Light Industrial across the entire properties.

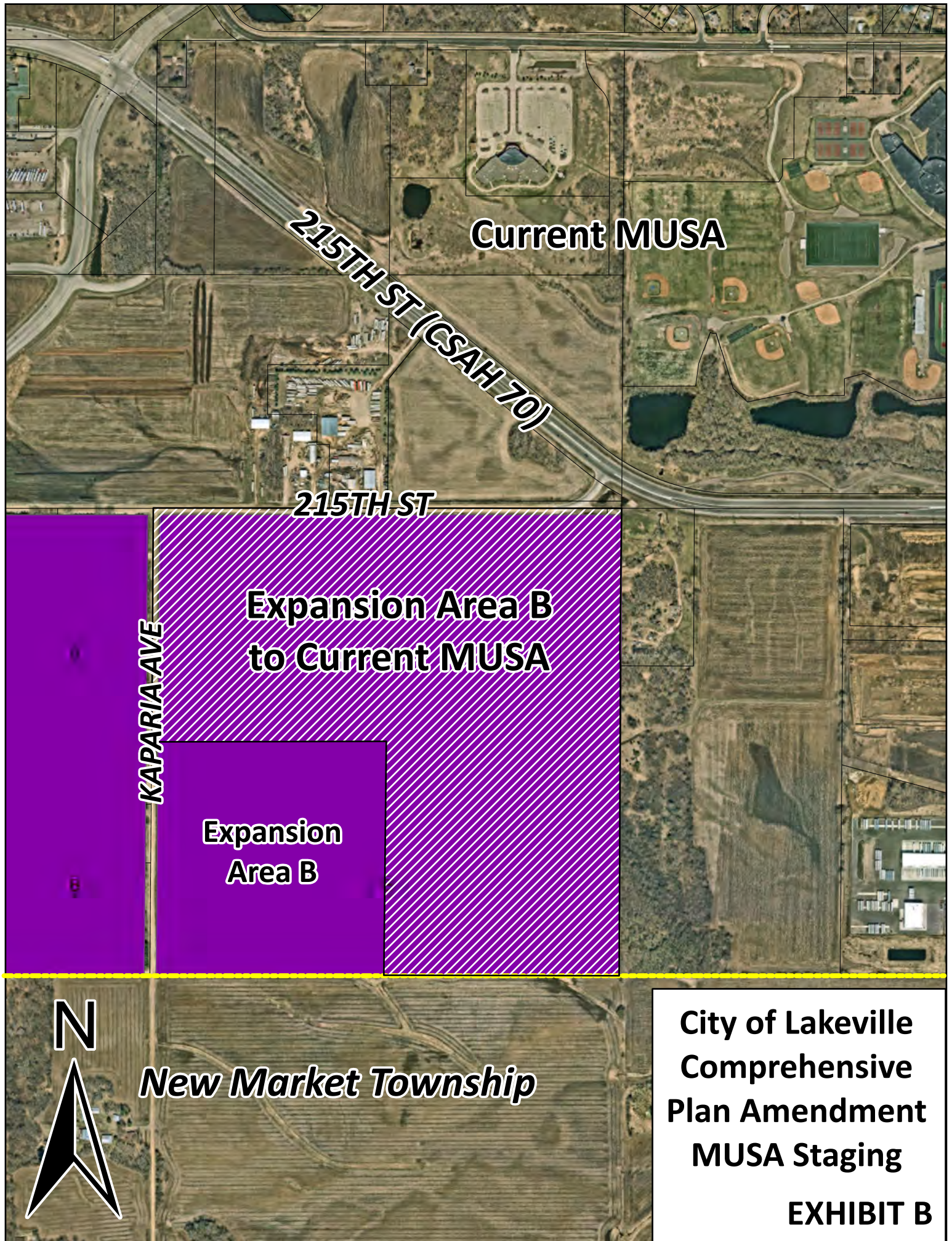
Zoning Map Amendment. Consistent with the land use designations described above, the same properties are proposed for rezoning as illustrated in Exhibit D. Properties are proposed for rezoning from O-P, Office Park to I-I, Light Industrial

RECOMMENDATION

Community Development Department staff has determined that the requested land use plan amendment is consistent with the intent and goals of the 2040 Comprehensive Plan and recommends approval of both the Comprehensive Plan Amendment and the Zoning Map Amendment.

Findings of fact for approval of the comprehensive plan amendment and zoning map amendment are included with the packet materials for your consideration.





Current MUSA

215TH ST (CSAH 70)

215TH ST

**Expansion Area B
to Current MUSA**

KAPARIA AVE

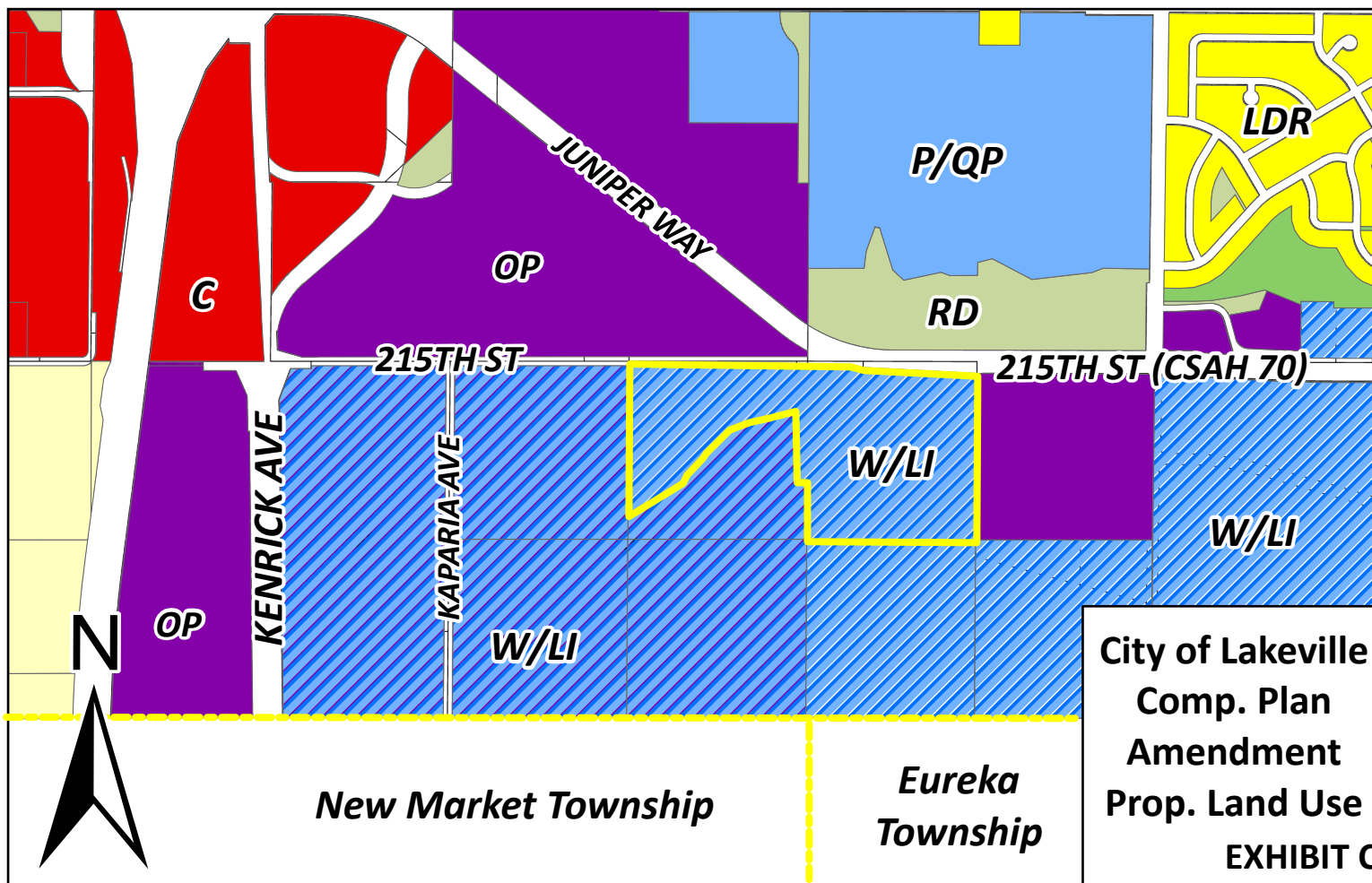
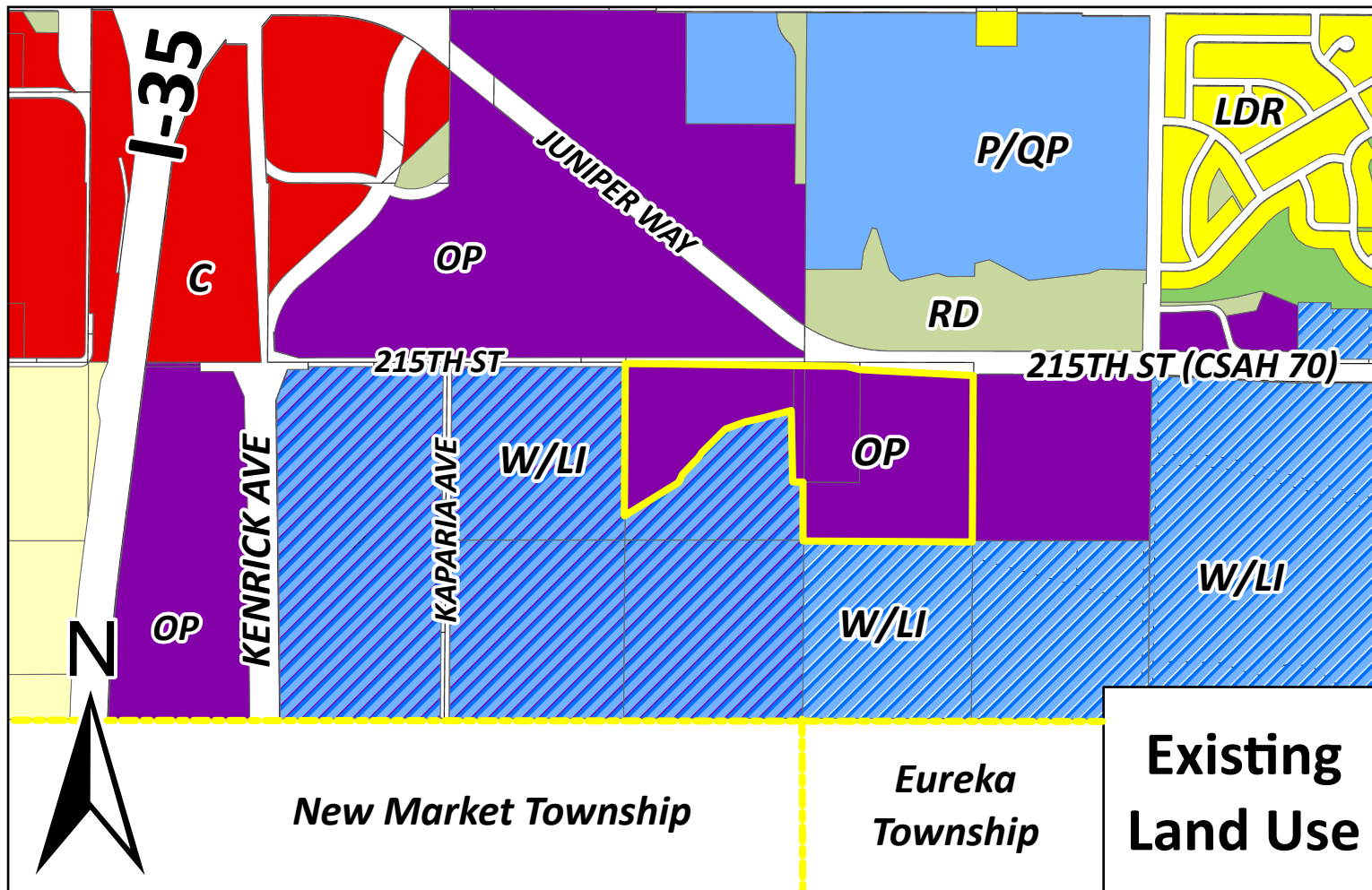
**Expansion
Area B**

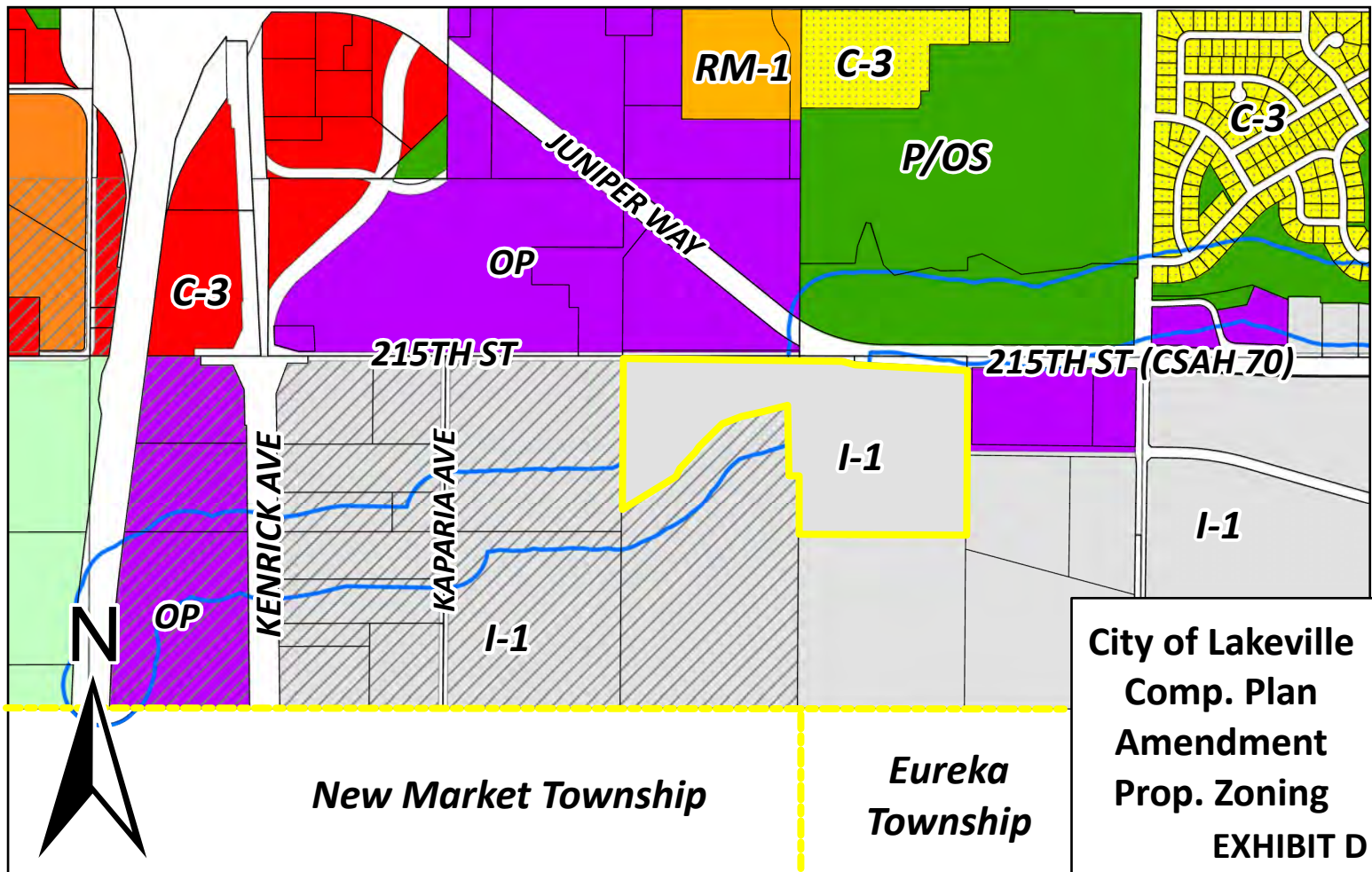
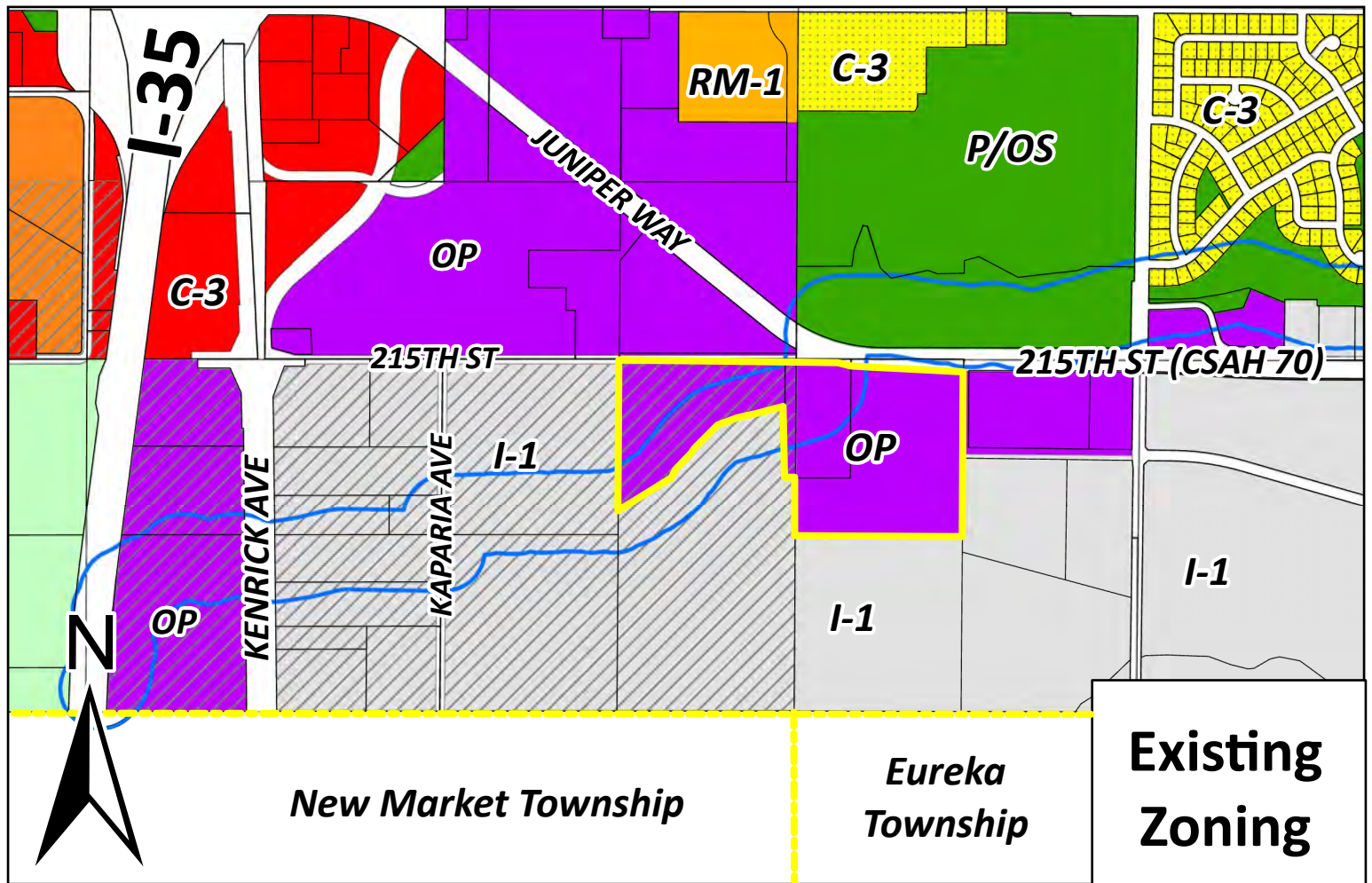
N

New Market Township

**City of Lakeville
Comprehensive
Plan Amendment
MUSA Staging**

EXHIBIT B





CITY OF LAKEVILLE
DAKOTA COUNTY, MINNESOTA

DAKOTA WASTE SOLUTIONS, LLC AND OLAM HOLDINGS 1, LLC
2040 COMPREHENSIVE PLAN AMENDMENT
FINDINGS OF FACT AND RECOMMENDATION

On August 7, 2025 the Lakeville Planning Commission met at its regularly scheduled meeting to consider the application of Dakota Waste Solutions, LLC and OLAM Holdings 1, LLC to consider amendments to the MUSA Staging Plan and Land Use Plan of the 2040 Comprehensive Plan. The Planning Commission conducted a public hearing on the application preceded by published and mailed notice. The applicant was present and the Planning Commission heard testimony from all interested persons wishing to speak.

FINDINGS OF FACT

1. The subject properties proposed to be brought into the Current MUSA are staged as Expansion Area B.
2. The subject properties proposed for land use amendment are currently guided for Office Park and Warehouse/Light Industrial. Dakota Waste Solutions, LLC and OLAM Holdings 1, LLC have applied for an amendment to the 2040 Comprehensive Land Use Plan to change the guided land uses to Warehouse/Light Industrial.
3. The legal description of the properties is attached as Exhibit A.
4. The proposed Comprehensive Plan amendment has been submitted to adjacent governmental jurisdictions and the affected school district. No comments were received at the time of publication of the July 31, 2025 planning report.
5. The 2040 Comprehensive Plan provides that the Planning Commission shall consider possible effects of the proposed amendment with its judgment to be 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: The proposed staging change from Expansion Area B to current MUSA identified on Exhibit B and proposed Land Use map amendment from Office Park to Warehouse/Light Industrial as identified on Exhibit C of the July 31, 2025 planning report prepared by Tina Goodroad, Community Development Director and attached as Exhibits B and C to these Findings of Fact, is consistent with the Comprehensive Plan in accommodating growth while protecting the environment by integrating new industrial development within the City's natural resources in a compatible manner.

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

Finding: The proposed industrial development will be compatible with the existing and future land uses in the surrounding area.

- c. **The proposed use conforms to all performance standards contained in the Zoning Ordinance and the City Code.**

Finding: The proposed amendments are the first step in the review of development applications for new industrial development. Future reviews of development plans will ensure conformance to the Zoning Ordinance, Subdivision Ordinance, and City Code.

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

Finding: The proposed staging plan amendment will bring the parcels into the current MUSA and will be served by sanitary sewer services that will be extended from County Road 70 along 215th Street as part of an improvement scheduled in the 2026 CIP.

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

Finding: The subject sites will have access directly to 215th Street and to 217th Street and Jacquard Avenue. A traffic study was prepared as part of the OLAM Holdings, 1, LLC Alternate Urban Area-wide Review (AUAR) will be used to guide the development of the street network to ensure the development will have adequate capacity to accommodate the traffic generated by the proposed use.

6. The planning report dated July 31, 2025 prepared by Tina Goodroad, Community Development Director is incorporated herein.

RECOMMENDATION

The Planning Commission recommends that the City Council approve the Comprehensive Plan amendment as shown in Exhibits B and C, subject to the approval of the Metropolitan Council.

DATED: August 7, 2025

LAKEVILLE PLANNING COMMISSION

BY: _____

Christine Zimmer, Chair

Exhibit A
Legal Description

Parcels included in the comprehensive plan amendment application:

The Northwest 1/4 of the Southeast 1/4 of Section 36, Township 114, Range 21, Dakota County Minnesota.

and

East 1/2 of the Southeast 1/4 except the East 81.79 feet of the North 887 feet of Section 36, Township 114, Range 21, Dakota County Minnesota.

and

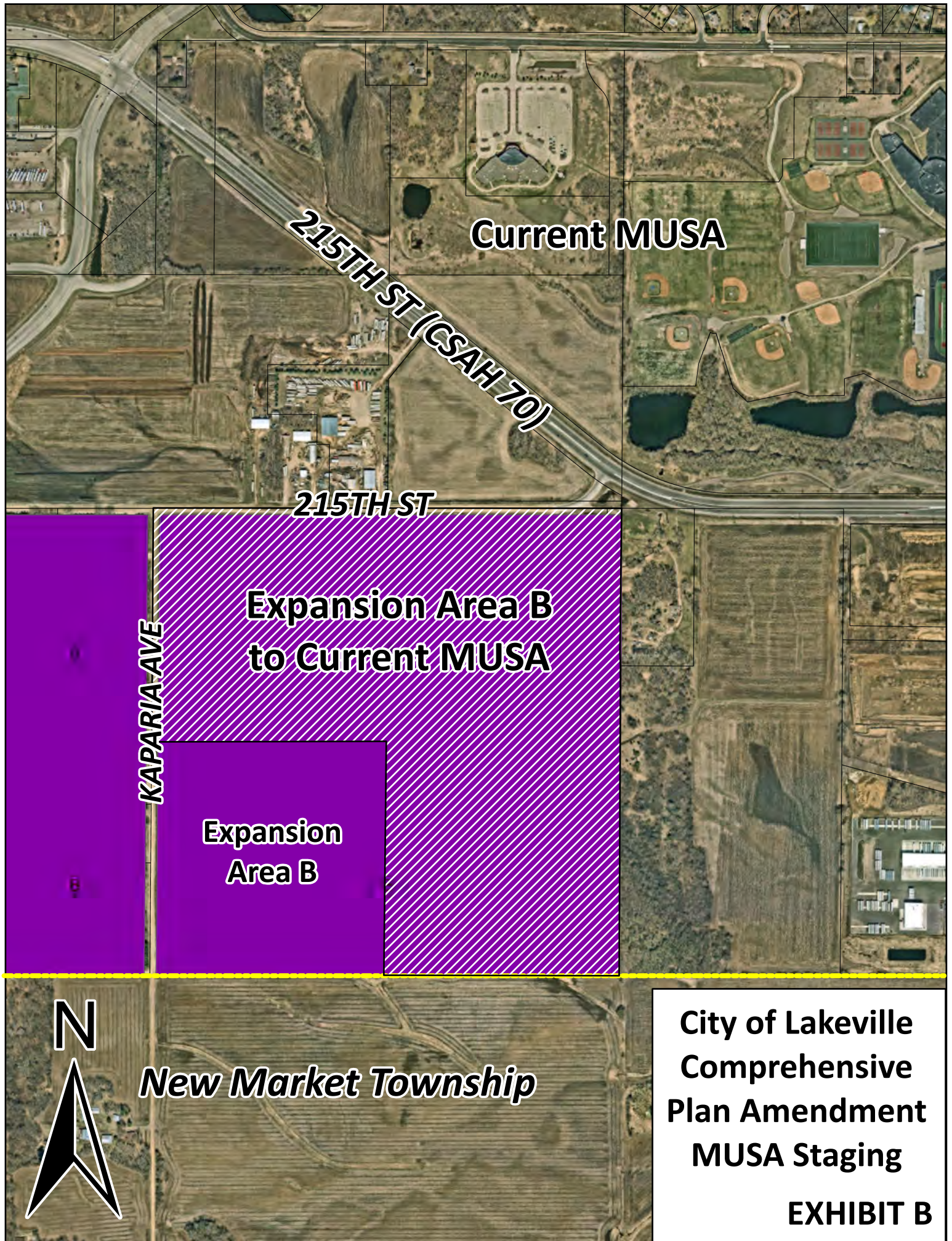
The East 81.79 Feet of the North 887 Feet of the Northeast 1/4 of Southeast 1/4 of Section 36, Township 114, Range 21, Dakota County, Minnesota.

and

The West 409.31 Feet of the North 887 feet of Northwest 1/4 of the Southwest 1/4 of Section 31, Township 114, Range 20, Dakota County Minnesota.

and

The West 1/2 of Southwest 1/4 except 1.73 access road except West 409.131 feet of the North 887 feet of Section 31, Township 114, Range 20, Dakota County Minnesota.



Current MUSA

215TH ST (CSAH 70)

215TH ST

**Expansion Area B
to Current MUSA**

KAPARIA AVE

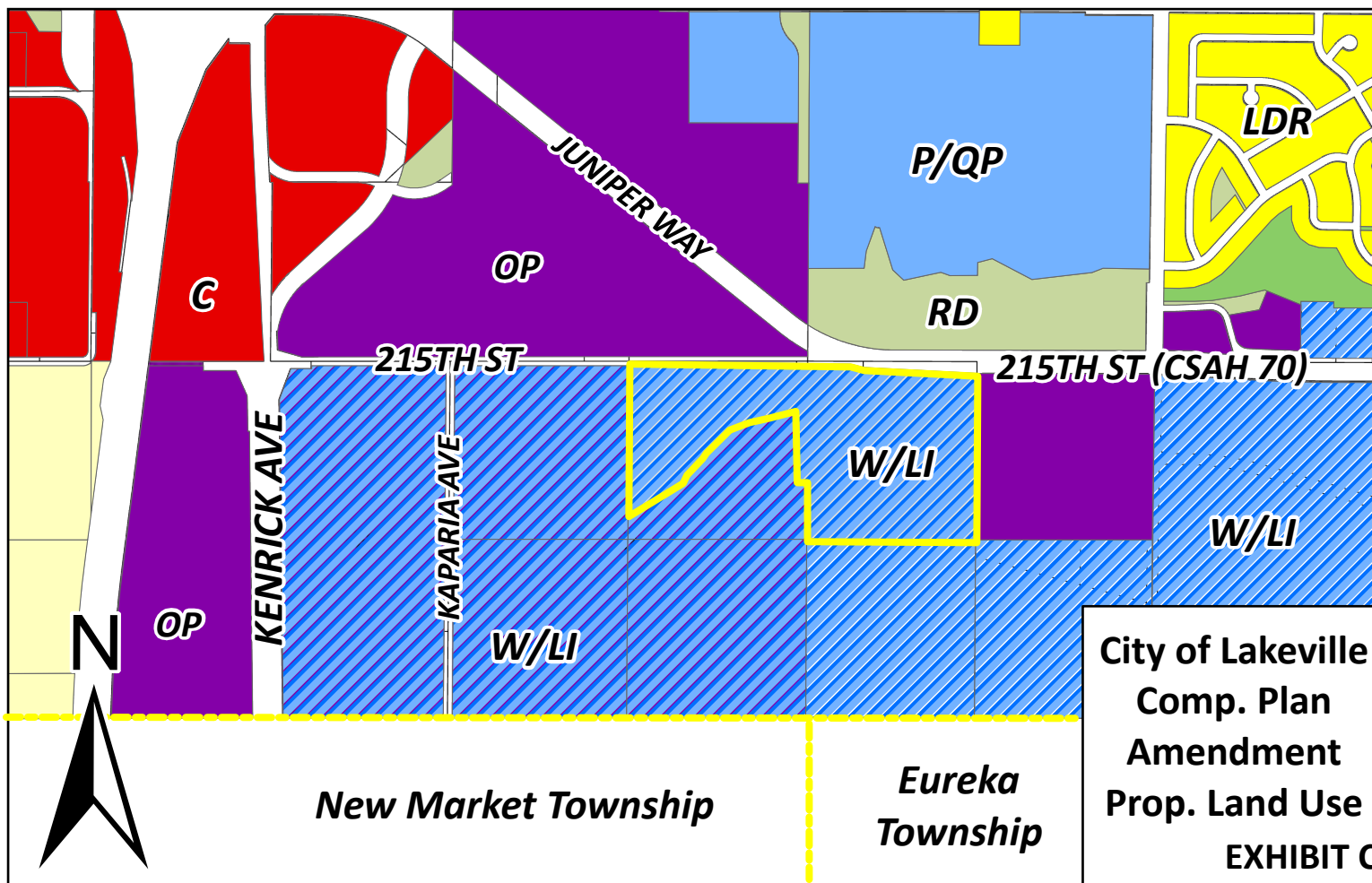
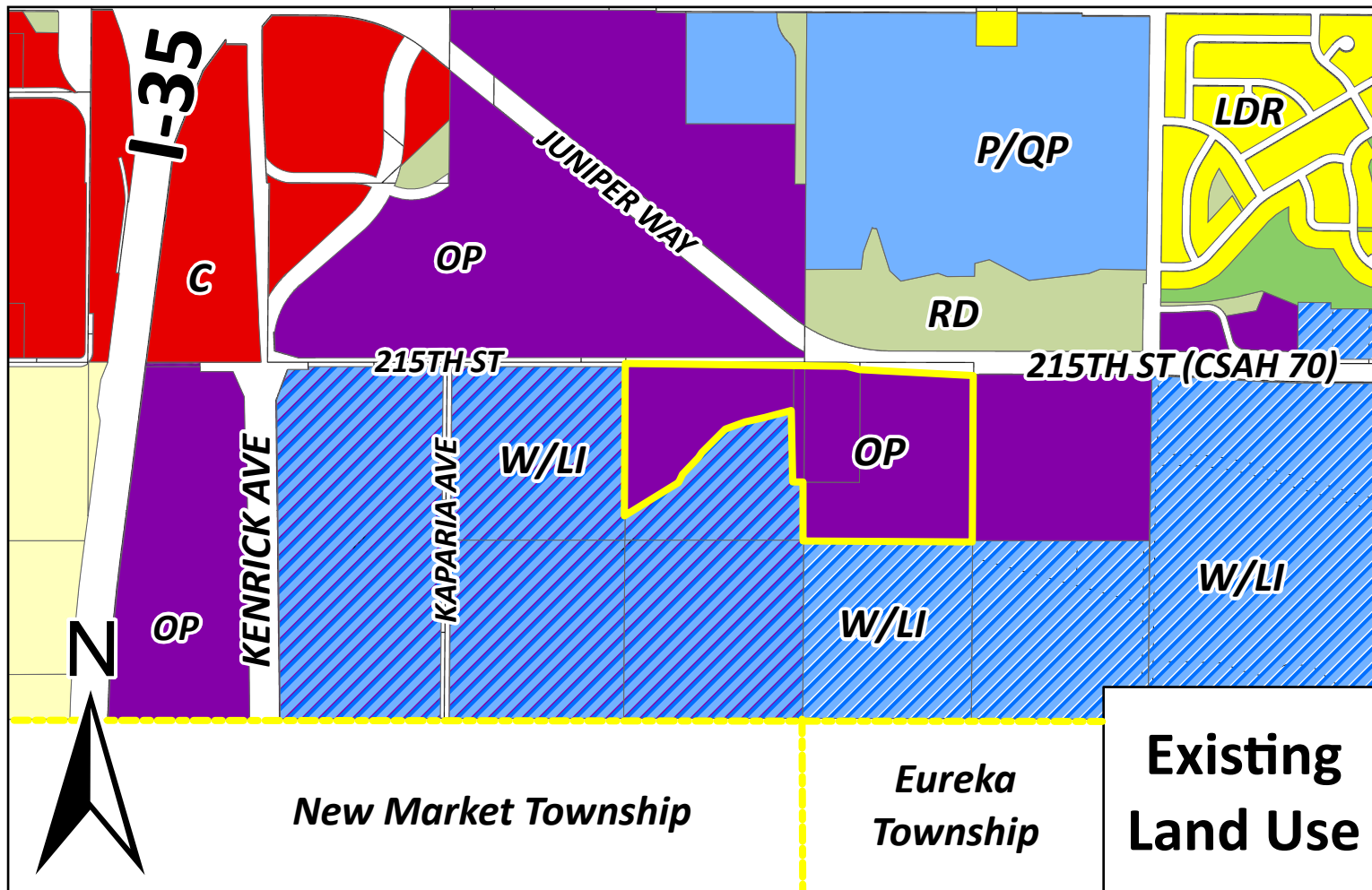
**Expansion
Area B**

N

New Market Township

**City of Lakeville
Comprehensive
Plan Amendment
MUSA Staging**

EXHIBIT B



CITY OF LAKEVILLE
DAKOTA COUNTY, MINNESOTA

DAKOTA WASTE SOLUTIONS, LLC AND OLAM HOLDINGS 1, LLC
ZONING MAP AMENDMENT
FINDINGS OF FACT AND RECOMMENDATION

On August 7, 2025 the Lakeville Planning Commission met at its regularly scheduled meeting to consider the application of Dakota Waste Solutions, LLC and OLAM Holdings 1, LLC for an amendment to the Zoning Map to rezone properties from O-P, Office Park to I-I, Light Industrial. The Planning Commission conducted a public hearing on the application preceded by published and mailed notice. The applicant was present and the Planning Commission heard testimony from all interested persons wishing to speak.

FINDINGS OF FACT

1. The subject properties are guided for Office Park and Warehouse/Light Industrial land uses by the 2040 Comprehensive Land Use Plan. Dakota Waste Solutions, LLC and OLAM Holdings 1, LLC has applied for an amendment to the 2040 Land Use Plan to change those areas guided Office Park to Warehouse/Light Industrial.
2. Dakota Waste Solutions, LLC and OLAM Holdings 1, LLC has applied for an amendment to the Zoning Map to change the zoning of the properties from OP, Office Park District to I-1, Light Industrial.
3. The legal description of the properties is attached in Exhibit A.
4. Section 11-3-3.E of the City of Lakeville Zoning Ordinance provides that the Planning Commission shall consider possible effects of the proposed amendment. Its judgment shall be 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: The proposed rezoning to I-1, Light Industrial as illustrated in Exhibit D of the July 31, 2025 planning prepared by Tina Goodroad, Community Development Director report and attached as Exhibit B to these Findings of Fact, is consistent with the goals and policies of the 2040 Comprehensive Plan in accommodating growth while protecting the environment by integrating new industrial development within the City's natural resources in a compatible manner.

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

Finding: The subject site is located south of 215th Street and will be compatible with the existing and future land uses in the area.

- c. **The proposed use conforms to all performance standards contained in the Zoning Ordinance and the City Code.**

Finding: The proposed industrial land uses will be required to comply with the requirements of the Zoning Ordinance, Subdivision Ordinance, and City Code and will be evaluated as part of necessary applications to develop the property, including availability of sanitary sewer.

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

Finding: Dakota Waste Solutions, LLC and OLAM Holdings 1, LLC have applied for a Comprehensive Plan MUSA Staging Amendment to bring the properties into the current MUSA and will be served in the future by extending sanitary sewer and water services.

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

Finding: The subject sites will have access directly to 215th Street and to 217th Street and Jacquard Avenue. A traffic study was prepared as part of the OLAM Holdings, 1, LLC Alternate Urban Areawide Review (AUAR) will be used to guide the development of the street network to ensure the development will have adequate capacity to accommodate the traffic generated by the proposed use.

5. The planning report dated July 31, 2025 prepared by Tina Goodroad, Community Development Director is incorporated herein.

RECOMMENDATION

The Planning Commission recommends that the City Council approve the Zoning Map amendment as shown in Exhibit B, subject to Metropolitan Council approval of the Comprehensive Plan Amendment.

DATED: August 7, 2025

LAKEVILLE PLANNING COMMISSION

BY: _____

Christine Zimmer, Chair

Exhibit A
Legal Description

Parcels included in the zoning map amendment application:

The Northwest 1/4 of the Southeast 1/4 of Section 36, Township 114, Range 21, Dakota County Minnesota.

and

East 1/2 of the Southeast 1/4 except the East 81.79 feet of the North 887 feet of Section 36, Township 114, Range 21, Dakota County Minnesota.

and

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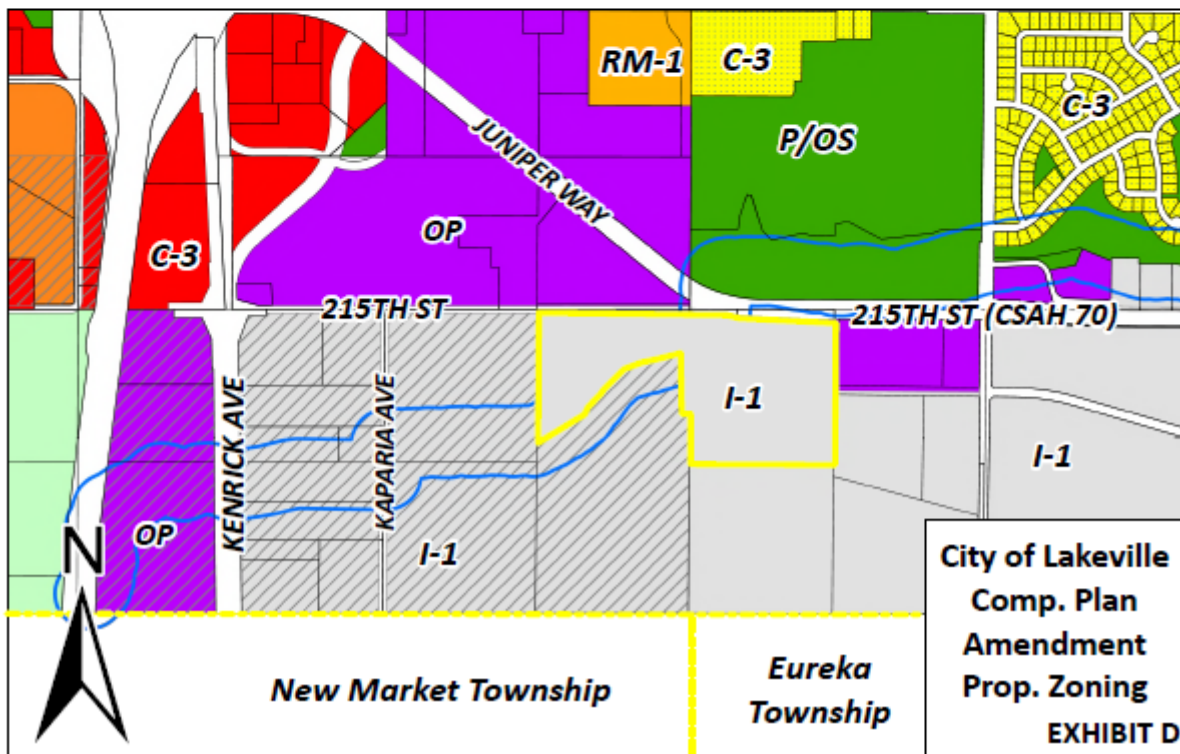
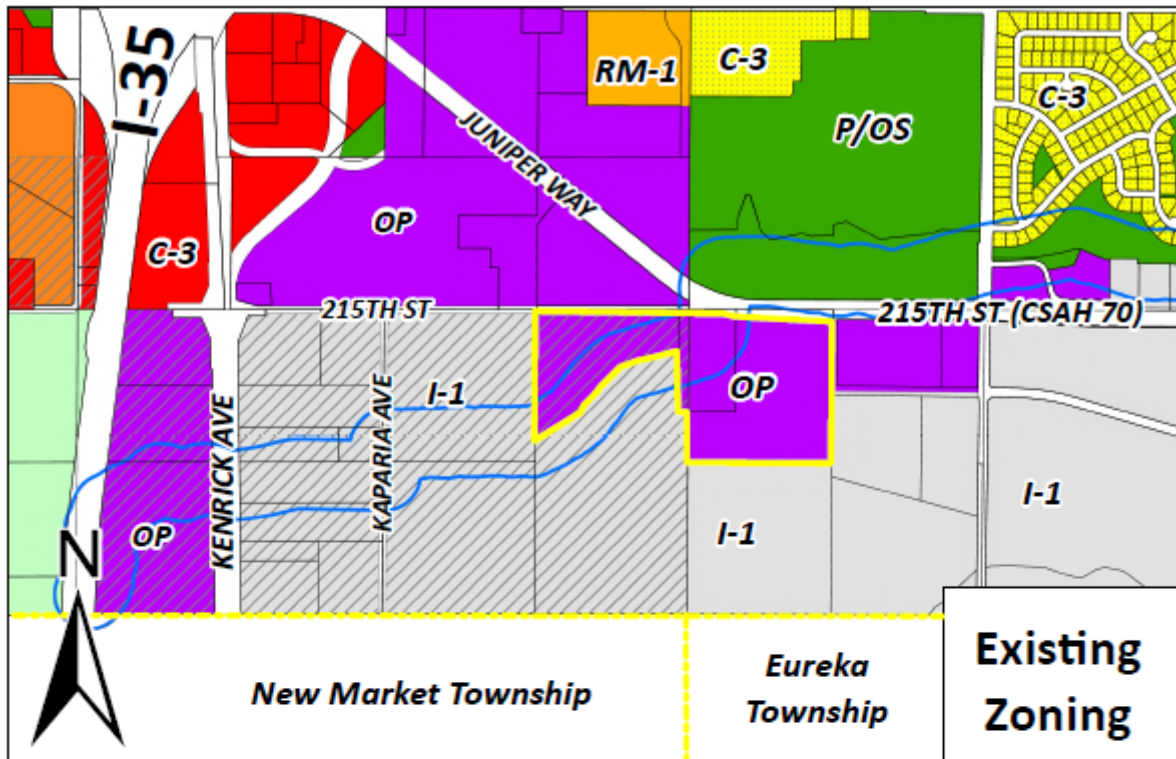
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and

The West 1/2 of Southwest 1/4 except 1.73 access road except West 409.131 feet of the North 887 feet of Section 31, Township 114, Range 20, Dakota County Minnesota.

Exhibit B





Memorandum

FYI

To: Planning Commission
From: Kris Jenson, Planning Manager
Date: July 31, 2025
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:

- 8670 210th Street – CUP for religious institution use
- Spirit of Brandtjen Farm Commercial 7th Addition – preliminary/final plat, development stage plan, and easement vacation for commercial pad site near Hy-Vee.
- Chart House – CUP and variance for setbacks and impervious surface within the Shoreland Overlay District
- Launch Park Fourth Addition – preliminary and final plat of two industrial lots.

The following items were approved by the City Council at the July 21, 2025 City Council meeting.

- Reserve at Cedar Creek final plat
- Interstate South Logistics Park AUAR update