

August 12, 2019

TO: Chairperson Cauley
Members of the Planning Commission
Administrator Meyer

FROM: Cynthia Smith Strack, Community Development Director

SUBJECT: Development & Final Stage PUD Review: Rental Duplexes 100 Block Court St E

Resolution PZ 19-021(A) or (B), Recommending the City Council Conditionally Approve/Deny a Development & Final Stage Planned Unit Development Plans for Two Rental Duplexes in the 100 Block of Court Street East.

Scott Schmidt proposes the development of two rental duplexes on one lot in the 100 block of Court Street East. The development requires planned unit development review and approval. No platting is required or proposed as the subject parcel is a single lot of record and common ownership of the four dwelling units is proposed. The development concept was included in a rezoning request for property under unified ownership which was before the Commission earlier this year. The proposed rental duplexes will front on Court Street East and be two-stories in height, slab on grade foundation, and wood frame construction.

Consistency with Comprehensive Plan

The proposed development is broadly consistent with the Comprehensive Plan relative to planned land use, support for development on infill parcels, and efforts to increase residential density in close proximity to the Downtown as a means of supporting commercial establishments.

R-7 Mixed Housing District Medium to High Density Residential

The property is zoned R-7 Mixed Housing Medium to High Density. The R-7 District *“is intended to provide a district which allows for a full and complete range and intermixing of residential activities, and to accommodate development areas which existed prior to the establishment of this Ordinance”*.

Duplexes are permitted uses in the R-7 District.

Planned Unit Development

Chapter 1105.15 of the Code provides for planned unit developments. PUD's are intended *“to provide comprehensive procedures and standards designed to allow greater flexibility in the development of neighborhoods or areas by incorporating a mixture of densities/intensities, or use types”*.

The PUD process, by allowing deviation from strict zoning provisions related to setbacks, height, lot area, width and depth, yards, etc., is intended to encourage a development pattern in harmony with Comprehensive Plan policies and developments that end the growing demand for all styles of economic expansion that may be met by a greater variety in type, design, and siting of structures. Flexibility in PUD is achieved through agreement on specific entitlements.

The following PUD entitlements are requested:

1. Section 1104.11(1) of the Code limits the number of principal structures per lot to one. The Applicant requests approval of two principal structures (two duplexes) on one lot.
2. The lot fronts on Court Street East. Section 1105.08, Subd. 5(3)(b) a minimum corner lot street side yard setback of 20 feet. The Applicant proposes 16 feet. The same section requires an interior side

yard setback of ten feet. The Applicant proposes an interior side yard setback of 8½ feet. The interior side yard abuts an unimproved alley. Other performance standards are met.

Proposed Density/Intensity

For the purpose of this review the net acreage to be developed is .32 acres resulting in a proposed net residential density of approximately 12 dwelling units/acre. Planned density is consistent with the Comprehensive Plan which guides the subject parcel to densities between eight and 22 units per net acre.

Financial Impact

The subject parcel is an existing lot of record in the urban area. Full municipal improvements are in place but a second set of water/sanitary services is needed for the easternmost structure.

Transportation

The proposed development will not significant impact traffic volumes on Court Street or adjacent roadways. Driveway access to each duplex structure will be from Court Street East which has been assigned a functional classification of 'local' street. Driveway setback from intersection is proposed to be 20 feet; code requirement for 'local' streets is 30 feet, except two-family and townhomes may be less provided the City Engineer approves of driveway design. City Engineer Duncan notes Meridian Street has a 100' right-of-way width, Court Street 80' resulting in the driveway being proposed approximately 45' from the curb.

Parking & Loading

Each dwelling unit includes a two car garage. No other off-street parking is required.

Landscaping

The developer proposes planting of two overstory trees on the lot and placing 16" of rock adjacent to foundations facing Meridian and Court Streets.

Lot Coverage

Lot coverage is 47%; 60% is maximum allowed.

Staff Review

The project review team has worked with the Applicant to define acceptable municipal services. Each duplex structure must be served by independent services and the development must remain under unified ownership. In the event the units are proposed for conversion to owner occupancy each dwelling unit within the structure must be provided with an independent service.

Building permit submittal must include proposed garage floor and top of the foundation elevations.

Staff Recommendation

Sample resolutions 19-021A (recommending approval) & 19-021B (recommending denial) are provided for consideration.

Staff recommend approval of the PUD subject to the following conditions:

1. The "Use" of the property is medium density residential development consisting of two duplexes, four total dwelling units, on one lot of record.
2. Planned unit development entitlements are as follows:

Entitlements	PUD
Planned Use	Medium to High Density Residential
Base Zone	R-7 Mixed Housing (Medium to High Density) District
Residential Density	Twelve dwelling units/acre
Residential Use	Duplexes
Performance Standards	A. A maximum of two (2) duplexes (four total dwelling units) are allowed on the subject property

	<p>legally described as Lots 1 & 2, Block 101 Borough of Belle Plaine. Property number 200015010.</p> <p>B. The duplexes shall remain under unified ownership. If proposed for individual ownership, including but not limited to owner occupied residential units, then separate municipal utility services shall be extended to each of the four dwelling units.</p> <p>C. The street side corner setback may be reduced to sixteen feet. The interior side yard setback may be reduced to eight and a half feet.</p>
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3. Residential lease agreements shall contain a notification pertaining to the potential presence of noise, vibration, or similar effects during typical business hours due to preexisting industrial uses located in the same block.
4. All application materials and plan sets are hereby incorporated by reference and accepted in good faith by the City as the Applicant’s intended development.
5. Plan shall be revised to reflect incorporation of recommendations and references as contained in the staff memo dated August 12, 2019.

ACTION:

The Planning Commission is to hold a public hearing, following discussion a recommendation to the City Council is requested. The following sample resolutions are attached for consideration:

- A. Resolution 19-021(A) A Resolution Recommending The City Council Conditionally Approve Development And Final Stage Planned Unit Development Plan For Two Rental Duplexes In The 100 Block Of Court Street East.
- B. Resolution 19-021(B) A Resolution Recommending the City Council Deny Development And Final Stage Planned Unit Development Plan For Two Rental Duplexes In The 100 Block Of Court Street East



CITY OF BELLE PLAINE

218 N. MERIDIAN STREET • BELLE PLAINE, MN 56011 • 999-999-9999

Permit Type: Z-PUD Development Stage Ap
Site Address: 200015010
Work Valuation: \$0.00

Permit No.: **D-1980013**
Approved Date:
Expiration Date: 08/28/19

For ELECTRICAL inspections, call 612-643-1838, Mon-Thurs between 7:00-8:30 a.m. To schedule on-line: jdinspectionsmn.com
ALL OTHER inspections call 952-873-5655, 24 hours in advance.



Owner Information:

SCHMIDT, SCOTT A
31309 SCENIC BYWAY RD
HENDERSON MN 56044

Contractor Information:

Work Description/Requirement:

Fee Description:

PUD Development Stage App Fee	\$1,150.00		
TOTAL FEE:	\$1,150.00	PAID:	\$0.00

Annex	CUP	Home Occ.	Interim Use	Move Building	Non - Conform	Plan Consid.	PUD: Devl Stage	Variance
Driveway	Land Excavation		Land Fill	Rental		ROW	Sign	



City of Belle Plaine
218 N. Meridian Street
P.O. Box 129
Belle Plaine, MN 56011

Community Development Department
Phone: 952-873-5553
Fax: 952-873-5509
www.belleplainemn.com

Fee: \$1000.00, plus \$150/lot

PUD DEVELOPMENT STAGE APPLICATION

Permit Number: _____

PROPERTY	Address: N/A 100 BLOCK COURT ST W		Belle Plaine, MN	P.I.N: 200015010
Lot(s):	LOT 1, P/O 2	Block(s):	101 Subdivision: ORIGINAL TOWNSITE	
Zoning: R-7 MIXED HOUSING				
APPLICANT	<input checked="" type="checkbox"/> Owner	Name:		Phone:
Address:				Cell:
E-mail:				Fax:
OWNER	Name: SCOTT SCHMIDT			Phone:
Address: 31309 SCENIC BYWAY ROAD				Cell: 6127031513
E-mail: SCOTT@SSCHMIDTCONSTRUCTION.COM				Fax:
ENGINEER	Name: NOT APPLICABLE			Phone:
Address:				Cell:
E-mail:				Fax:
SURVEYOR	Name: AVERY GROCHOW - SIBLEY SURVEYORS			Phone:
Address: 335 MAIN AVENUE, GAYLORD MN 55334				Cell:
E-mail:				Fax:
ATTORNEY	Name:			Phone:
Address:				Cell:
E-mail:				Fax:

Planned Unit Development is requested to: PROVIDE FOR DEVELOPMENT OF TWO RENTAL TWINHOMES (4 UNITS TOTAL) ON ONE LOT OF RECORD.

Has the land owner(s) submitted an application requesting a PUD for this property (as a unified whole)?

Yes No

Is the request consistent with the City's Comprehensive Plan?

Yes No

Explain: THE SUBJECT PROPERTY IS PLANNED FOR MIXED HOUSING AND MORE HOUSING IN DOWNTOWN

IS A GOAL. PLAN SUPPORTS USE OF VACANT LOTS.

Is the request consistent with the sanitary sewer plan for the City?

Yes No

Explain: EXISTING DEVELOPED AREA

Does the request meet common open space requirements? Yes No
 Explain: SUITABLE SIZE, SCALE, DOESN'T INCLUDE WETLANDS OR FLOODPLAIN.

Does the request meet operating and maintenance requirements for the Planned Unit Developments common open space/service facilities policy? Yes No
 Explain: SINGLE LOT PUD TO ACCOMMODATE RENTAL TWIN HOMES. LANDLORD WILL CONTROL OPEN SPACE

Which form of ownership will control the open space and service facilities of the Planned Unit Development?
 Dedicated to public, where a community-wide use is anticipated
 Landlord control, where only use by tenants is anticipated
 Property Owners Association, provided all of the following conditions are met:

SUBMISSION OF APPLICATION MUST INCLUDE:
 Attached site plan (to scale) depicting present and proposed improvements.

I certify that I am the applicant named herein; that I have familiarized myself with the rules and regulations with respect to preparing and filing this application that the foregoing statements and answers herein contained and the information on the attached maps or site plans and any other documents submitted herewith are in all respects true and accurate to the best of my knowledge and behalf.

APPLICANT SIGNATURE: _____ DATE: _____

OWNER(S) SIGNATURE: Scott Schmidt DATE: 6-27-19

OFFICE USE ONLY

Zoning: <u>R-7</u>	Application Fee: \$ <u>1150.00</u>	Form of Payment: <u>Check</u>
<input checked="" type="checkbox"/> Site Plan	Other Fee: \$	Date: <u>6/28/19</u>
	Total: \$ <u>1150.00</u>	Transaction Number: <u>28130</u>
		Collected By: <u>CLS</u>

Reviewed by Community Development Director	<input checked="" type="checkbox"/> Application Complete	Date: <u>6/28/19</u>
Reviewed by Planning Commission	<input type="checkbox"/> Tabled <input type="checkbox"/> Approved <input type="checkbox"/> Denied	Date: _____
Reviewed by City Council	<input type="checkbox"/> Tabled <input type="checkbox"/> Approved <input type="checkbox"/> Denied	Date: _____



CITY OF BELLE PLAINE

218 N. MERIDIAN STREET • BELLE PLAINE, MN 56011 • 999-999-9999

Permit Type: Z-PUD Final Application
Site Address: 200015010
Work Valuation: \$0.00

Permit No.: **D-1980014**
Approved Date:
Expiration Date: 08/28/19

For ELECTRICAL inspections, call 612-643-1838, Mon-Thurs between 7:00-8:30 a.m. To schedule on-line: jdinspectionsmn.com
ALL OTHER inspections call 952-873-5655, 24 hours in advance.



Owner Information:

SCHMIDT, SCOTT A
31309 SCENIC BYWAY RD
HENDERSON MN 56044

Contractor Information:

Work Description/Requirement:

THIS PERMIT MUST BE POSTED AT THE ABOVE WORK ADDRESS AT ALL TIMES

Submit by Email

Print Form

Annex	CUP	Home Occ.	Interim Use	Move Building	Non - Conform	Plan Consid.	PUD	Variance
Driveway	Land Excavation		Land Fill	Rental		ROW	Sign	



City of Belle Plaine
218 N. Meridian Street
P.O. Box 129
Belle Plaine, MN 56011

Community Development Department
Phone: 952-873-5553
Fax: 952-873-5509
www.belleplainemn.com

Fee: \$500.00

PUD FINAL STAGE APPLICATION

Permit Number: 335 MAIN AVENUE, GAYLOR

PROPERTY	Address: N/A 100 BLOCK COURT ST W		Belle Plaine, MN	P.I.N: 200015010
Lot(s):	LOT 1 & P/O 2	Block(s):	101	
Subdivision:		ORIGINAL TOWNSITE		
Zoning: R-7 MIXED HOUSING				
APPLICANT	<input type="checkbox"/> Owner	Name: 335 MAIN AVENUE, GAYLORD MN 55334		Phone:
Address:				Cell:
E-mail:				Fax:
OWNER	Name: SCOTT SCHMIDT			Phone:
Address: 31309 SCENIC BYWAY ROAD, HENDERSON MN 56044				Cell: 6127031513
E-mail: SCOTT@SSCHMIDTCONSTRUCTION.COM				Fax:
ENGINEER	Name:			Phone: 335 MAIN AVENUE, (
Address:				Cell: 335 MAIN AVENUE, GA
E-mail:				Fax:
SURVEYOR	Name: AVERY GROCHOW - SIBLEY SURVEYORS			Phone: 5072375212
Address: 335 MAIN AVENUE, GAYLORD MN 55334				Cell: 335 MAIN AVENUE, GA
E-mail:				Fax:
ATTORNEY	Name: 335 MAIN AVENUE, GAYLORD MN 55334			Phone:
Address: 335 MAIN AVENUE, GAYLORD MN 55334				Cell:
E-mail:				Fax:

SUBMISSION OF APPLICATION MUST INCLUDE:

- Completed checklist materials.

I certify that I am the applicant named herein; that I have familiarized myself with the rules and regulations with respect to preparing and filing this application that the foregoing statements and answers herein contained and the information on the attached maps or site plans and any other documents submitted herewith are in all respects true and accurate to the best of my knowledge and behalf.

APPLICANT SIGNATURE: _____

DATE: _____

OWNER(S) SIGNATURE: Scott SchmidtDATE: 6-27-19

OFFICE USE ONLY

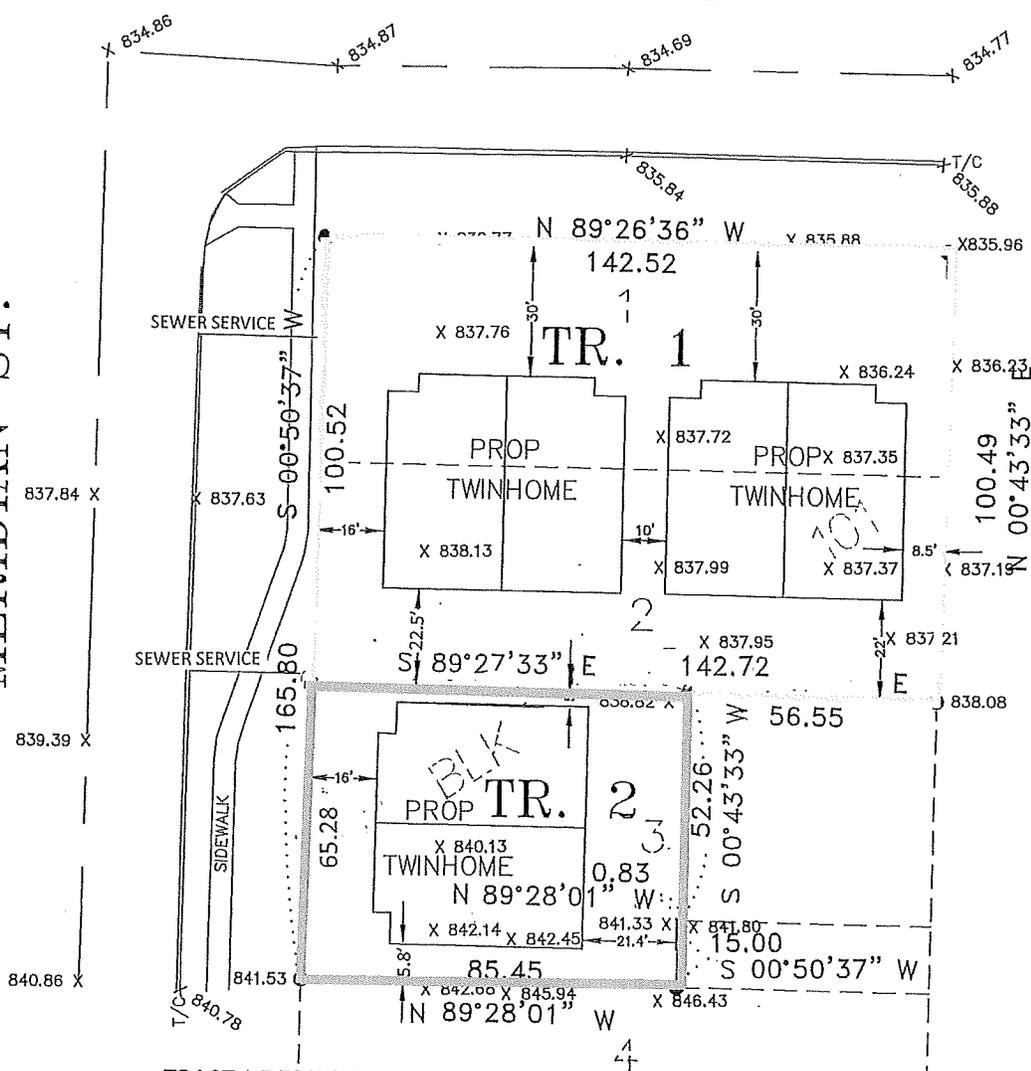
Zoning: <i>R7 mixed hsq</i>	Application Fee: \$ <u> </u>	Form of Payment: <u> </u>
<input checked="" type="checkbox"/> Site Plan	Other Fee: \$ <u> </u>	Date: <u> </u>
	Total: \$ <u> </u>	Transaction Number: <u> </u>
	<i>Filed w/ developer study</i>	Collected By: <u> </u>
Reviewed by Community Development Director	<input checked="" type="checkbox"/> Application Complete	Date: <i>6/28/19</i>
Reviewed by Planning Commission	<input type="checkbox"/> Tabled <input type="checkbox"/> Approved <input type="checkbox"/> Denied	Date: <u> </u>
Reviewed by City Council	<input type="checkbox"/> Tabled <input type="checkbox"/> Approved <input type="checkbox"/> Denied	Date: <u> </u>

CERTIFICATE OF SURVEY

COURT ST.

MERIDIAN ST.

ALLEY



TRACT 1 DESCRIPTION
 Lots 1 and 2 of Block 101, City of Belle Plaine, Minnesota.

TRACT 2 DESCRIPTION
 Lot 3 of Block 101 EXCEPT the East 56.55 feet thereof and the West 85.45 feet of the North 15.00 feet of Lot 4 of Block 101, City of Belle Plaine, Minnesota.

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

Avery Grochow
 AVERY GROCHOW, LS

DATE 6/10/19 REGISTRATION NO. 15475
 REVISED 6/20/19

MINOR SUBDIVISION FOR
SCOTT SCHMIDT
 PART OF LOTS 1-4, BLOCK 101
 ORIGINAL CITY
 BELLE PLAINE, MINNESOTA

- ⊙ DENOTES SCOTT CO. MONUMENT
- DENOTES IRON PIPE FOUND
- DENOTES IRON PIPE SET BY RLS NO. 15475

SCALE: 1 INCH = 40 FEET
 Jun., 2019 FILE NO. 1920

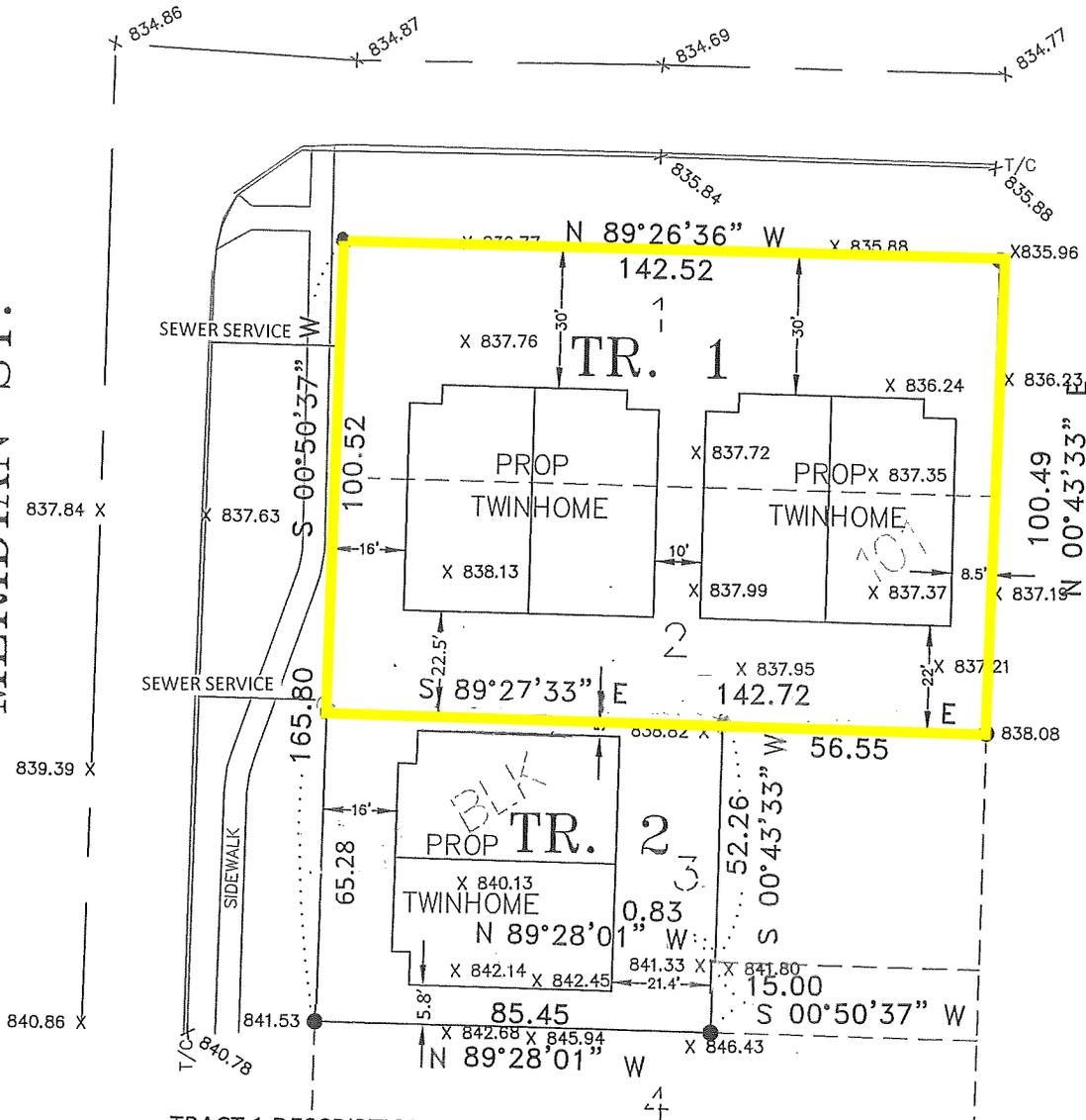


CERTIFICATE OF SURVEY

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TRACT 1 DESCRIPTION

Lots 1 and 2 of Block 101, City of Belle Plaine, Minnesota.

TRACT 2 DESCRIPTION

Lot 3 of Block 101 EXCEPT the East 56.55 feet thereof and the West 85.45 feet of the North 15.00 feet of Lot 4 of Block 101, City of Belle Plaine, Minnesota.

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

Avery Grochow
 AVERY GROCHOW, LS

DATE 6/10/19 REGISTRATION NO. 15475
 REVISED 6/20/19

MINOR SUBDIVISION FOR
SCOTT SCHMIDT

PART OF LOTS 1-4, BLOCK 101
 ORIGINAL CITY
 BELLE PLAINE, MINNESOTA

- ⊙ DENOTES SCOTT CO. MONUMENT
 - DENOTES IRON PIPE FOUND
 - DENOTES IRON PIPE SET BY RLS NO. 15475
- SCALE: 1 INCH = 40 FEET

Jun., 2019

FILE NO. 1920





FRONT ELEVATION (COURT STREET) (NORTH)

SCALE: 1/4" = 1'-0"

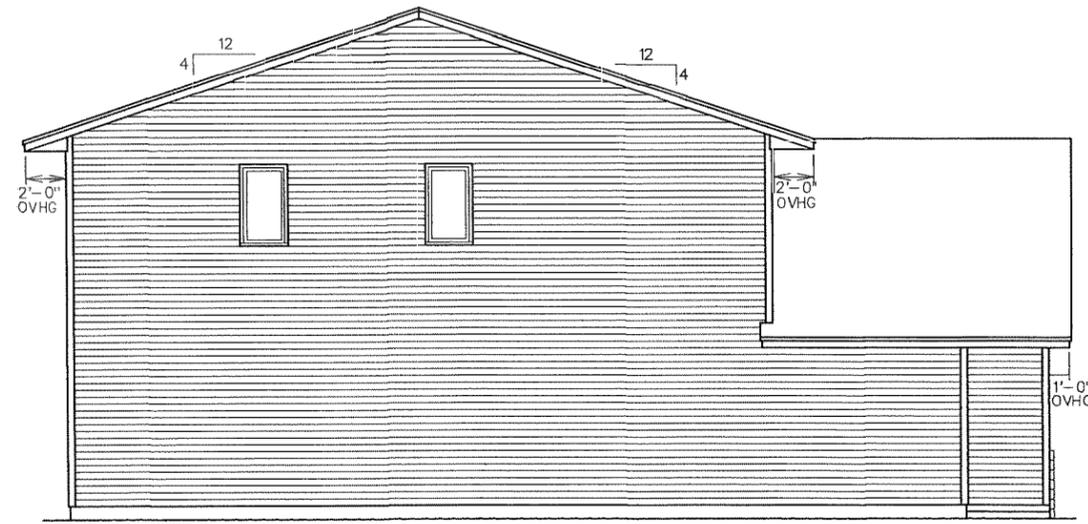
USE: FINAL USER OF THIS SET IS NOT RESPONSIBLE FOR THE COMPLIANCE OF THESE DRAWINGS TO ANY OF THE ESTABLISHED BUILDING CODES. NOR ARE WE RESPONSIBLE FOR ANY VIOLATIONS OF ANY APPLICABLE BUILDING CODES. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE DRAWINGS SHALL BE APPROVED BY A LICENSED INSPECTOR. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER DIMENSIONS SHOWN ON THE DRAWINGS. WE RESERVE THE RIGHT TO THESE DRAWINGS FOR OUR OWN PURPOSES.

DRN	TYPE	DATE
SB	PRLM	04 / 30 / 19
	FINAL	
	REV.	
	REV.	

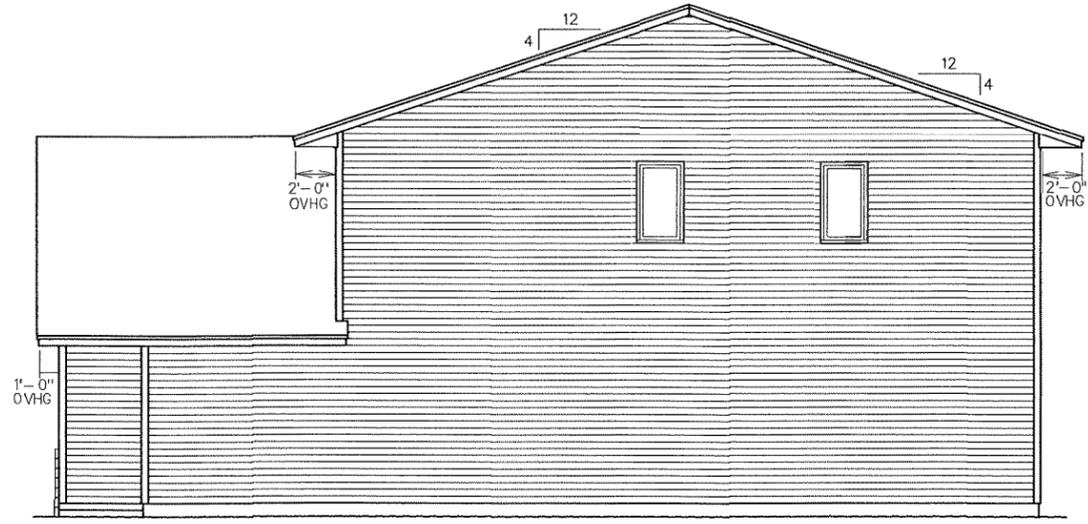
SCOTT SCHMIDT CONST. 1729 SF / UNIT

AUTUMN DESIGN
of Minnesota, Inc. (952) 873-4311

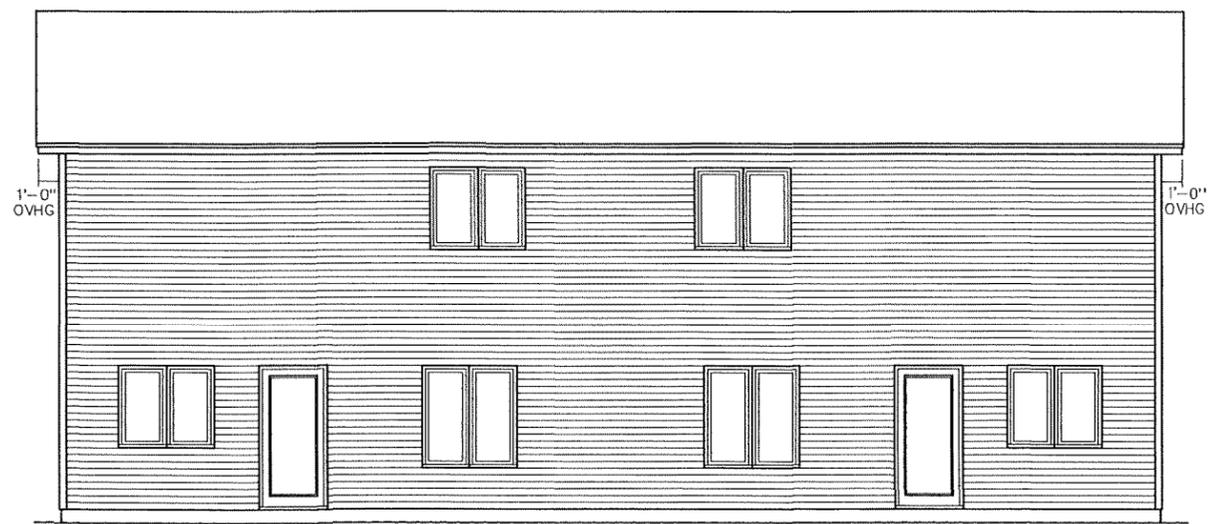
PAGE of
INDEX NO. 1183-1



LEFT SIDE ELEVATION(EAST)
SCALE: 3/16"=1'-0"



RIGHT SIDE ELEVATION(WEST)
SCALE: 3/16"=1'-0"



REAR ELEVATION(SOUTH)
SCALE: 3/16"=1'-0"

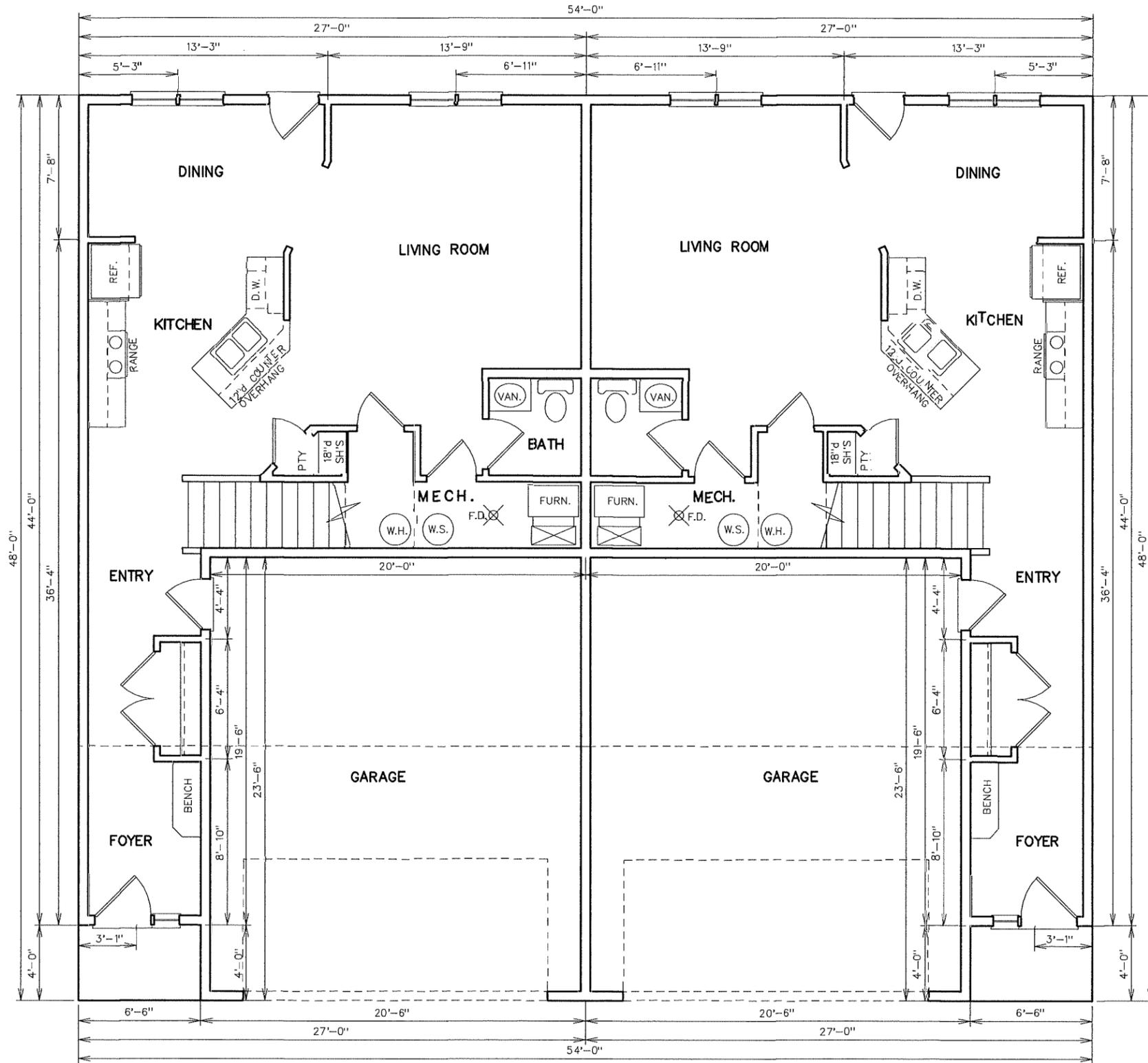
NOTE: AUTUMN DESIGN OF MN, INC. IS NOT RESPONSIBLE FOR THE COMPLIANCE OR ACCURACY OF THESE DRAWINGS TO ANY OF THE CITY OR COUNTY ORDINANCES OR REGULATIONS. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSURANCE. AUTUMN DESIGN OF MN, INC. HAS NO LIABILITY FOR ANY COSTS INCURRED AS A RESULT OF THESE DRAWINGS. IT IS THE CLIENT'S RESPONSIBILITY TO OBTAIN ALL NECESSARY PERMITS AND INSURANCE. AUTUMN DESIGN OF MN, INC. HAS NO LIABILITY FOR ANY COSTS INCURRED AS A RESULT OF THESE DRAWINGS. IT IS THE CLIENT'S RESPONSIBILITY TO OBTAIN ALL NECESSARY PERMITS AND INSURANCE. AUTUMN DESIGN OF MN, INC. HAS NO LIABILITY FOR ANY COSTS INCURRED AS A RESULT OF THESE DRAWINGS. IT IS THE CLIENT'S RESPONSIBILITY TO OBTAIN ALL NECESSARY PERMITS AND INSURANCE.

DRN	TYPE	DATE
SB	PRIM	04 / 30 / 19
	FINAL	///
	REV.	///
	REV.	///

SCOTT SCHMIDT CONST.

AUTUMN DESIGN
of Minnesota, Inc. (952) 873-4311

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FIRST FLOOR PLAN

SCALE: 1/4"=1'-0"

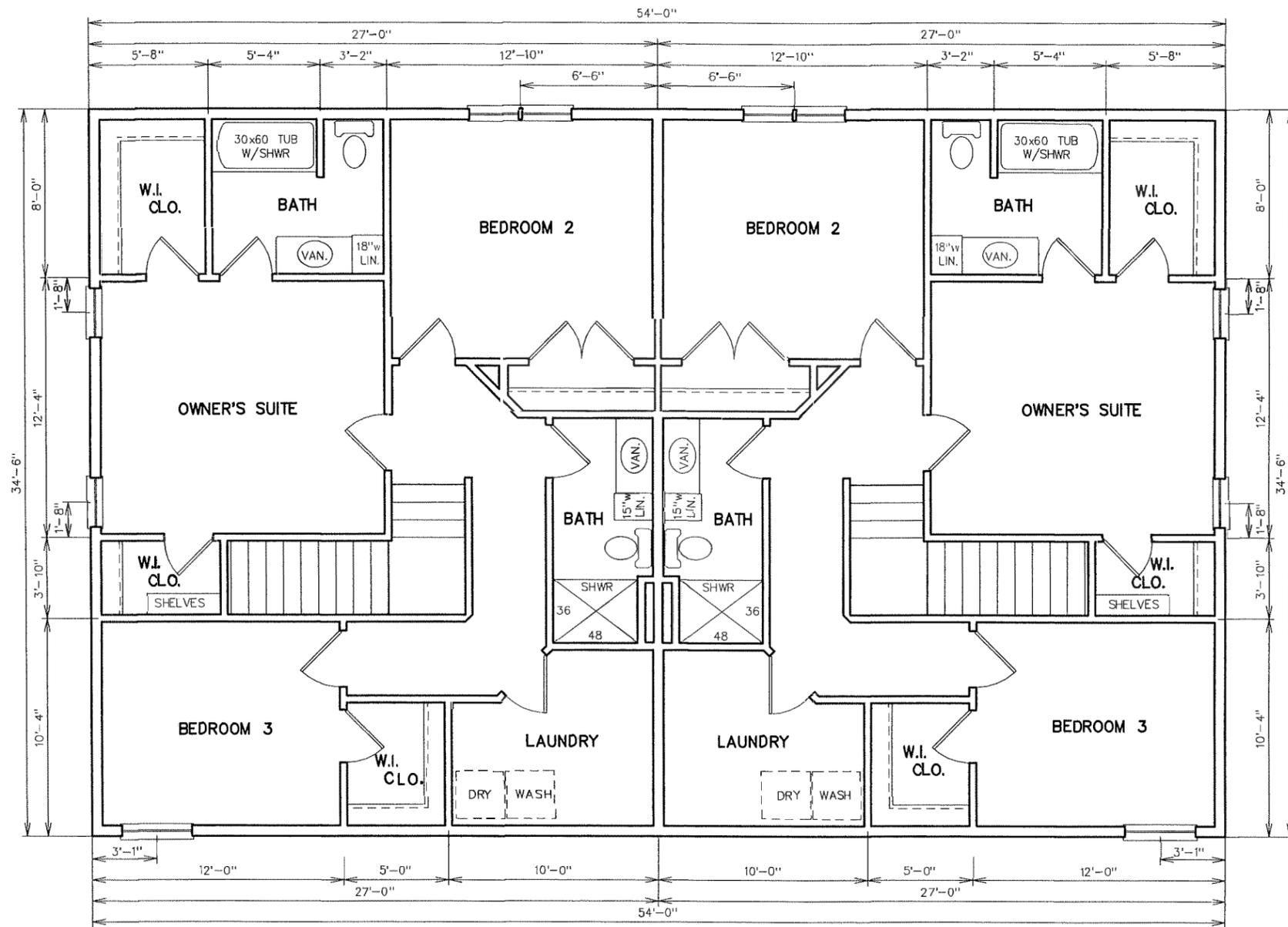
NOTE: AUTUMN DESIGN OF MN, INC. IS NOT RESPONSIBLE FOR THE COMPLIANCE OR ACCURACY OF THESE DRAWINGS TO ANY OF THE APPLICABLE CODES. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSURANCE. COSTS RESULTING DIRECTLY FROM THESE DRAWINGS IS THE RESPONSIBILITY OF THE CLIENT. THESE DRAWINGS HAVE PRECEDENCE OVER SCALED DIMENSIONS. AUTUMN DESIGN RESERVES THE RIGHT TO THESE DRAWINGS FOR OUR OWN PURPOSES.

DRN	TYPE	DATE
SB	PRLM	04 / 30 / 19
	FINAL	
	REV.	
	REV.	

SCOTT SCHMIDT CONST. 798 SF 1st FLR

AUTUMN DESIGN
of Minnesota, Inc. (952) 873-4311

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SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"

NOTE: AUTUMN DESIGN OF MN, INC. IS NOT RESPONSIBLE FOR THE COMPLIANCE OR ACCURACY OF THESE DRAWINGS TO ANY CODES OR REGULATIONS. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. APPROVED BY: [Signature] PROJECT NO. 1183-1. THESE DRAWINGS HAVE PRECEDENCE OVER SCALED DIMENSIONS. AUTUMN DESIGN RESERVES THE RIGHT TO THESE DRAWINGS FOR OUR OWN PURPOSES.

DRN	TYPE	DATE
SB	PRIM	04 / 30 / 19
	FINAL	
	REV.	
	REV.	

SCOTT SCHMIDT CONST. 931 SF 2nd FLR

AUTUMN DESIGN of Minnesota, Inc. (952) 873-4311

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**BELLE PLAINE PLANNING COMMISSION
RESOLUTION PZ-19-021A)**

**RECOMMENDING THE CITY COUNCIL CONDITIONALLY APPROVE DEVELOPMENT AND FINAL
STAGE PLANNED UNIT DEVELOPMENT PLAN FOR TWO RENTAL DUPLEXES IN THE
100 BLOCK OF COURT STREET EAST**

WHEREAS, the City Code §1105.15 provides for the processing of planned unit developments; and,

WHEREAS, Scott Schmidt, Scott Schmidt Construction LLC has submitted a request for consideration development and final stage Planned Unit Development plan as presented in Attachment A affixed hereto; and

WHEREAS, the proposed planned unit development consists of two rental duplexes on one lot in the 100 block of Court Street East; and,

WHEREAS, the Development is proposed for property legally described as Lots 1 and 2, Block 101 City of Belle Plaine, Scott County MN. Property number 200015010; and,

WHEREAS, a public hearing was scheduled and held by the Planning Commission, the City's designated Planning Agency, on August 12, 2019 following duly published notice to accept public comment on the proposed development stage plan; and,

WHEREAS, the planned unit development has been proposed for concurrent development and final stage plan review due to limited scope of the development; and,

WHEREAS, the Planning Commission accepted public input and discussed the planned unit development plan; and,

WHEREAS, the Planning Commission finds

1. The subject parcel is within the municipal urban service area and has been previously improved to accommodate proposed development.
2. The Development is broadly consistent Comprehensive Plan policies related to planned land use, creation of a variety of life-cycle housing, increasing residential density in close proximity to the Central Business District, promotion of infill development, and acceptance of mixed residential development.
3. The subject property is appropriately zoned to accommodate medium to high density residential development.
4. The Development is consistent with a concept plan provided in conjunction with rezoning of an adjacent parcel under unified ownership.
5. Present and planned uses in the area feature a mix of residential densities.
6. Existing water production and distribution facilities and sanitary sewer collection/treatment systems are designed and planned to accommodate development of similar density/intensity at the subject site.

NOW, THEREFORE BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF BELLE PLAINE, SCOTT COUNTY, MINNESOTA, THAT: It recommends the City Council conditionally approve development and final stage Planned Unit Development plans for two rental duplexes in the 100 Block of Court Street East as proposed by Scott Schmidt, subject to the following conditions:

1. The "Use" of the property is medium density residential development consisting of two duplexes, four total dwelling units, on one lot of record.
2. Planned unit development entitlements are as follows:

Entitlements	PUD
Planned Use	Medium to High Density Residential
Base Zone	R-7 Mixed Housing (Medium to High Density) District
Residential Density	Twelve dwelling units/acre
Residential Use	Duplexes
Performance Standards	<p>A. A maximum of two (2) duplexes (four total dwelling units) are allowed on the subject property legally described as Lots 1 & 2, Block 101 City of Belle Plaine. Property number 200015010.</p> <p>B. The duplexes shall remain under unified ownership. If proposed for individual ownership, including but not limited to owner occupied residential units, then separate municipal utility services shall be extended to each of the four dwelling units.</p> <p>C. The street side corner setback may be reduced to sixteen feet. The interior side yard setback may be reduced to eight and a half feet.</p>

3. Residential lease agreements shall contain a notification pertaining to the potential presence of noise, vibration, or similar effects during typical business hours due to preexisting industrial uses located in the same block.
4. All application materials and plan sets are hereby incorporated by reference and accepted in good faith by the City as the Applicant's intended development.
5. Plan shall be revised to reflect incorporation of recommendations and references as contained in the staff memo dated August 12, 2019.

The adoption of the foregoing resolution was duly moved by Commissioner _____ and seconded by Commissioner _____, and after full discussion thereof and upon a vote being taken thereon, the following Commissioners voted in favor thereof: _____.

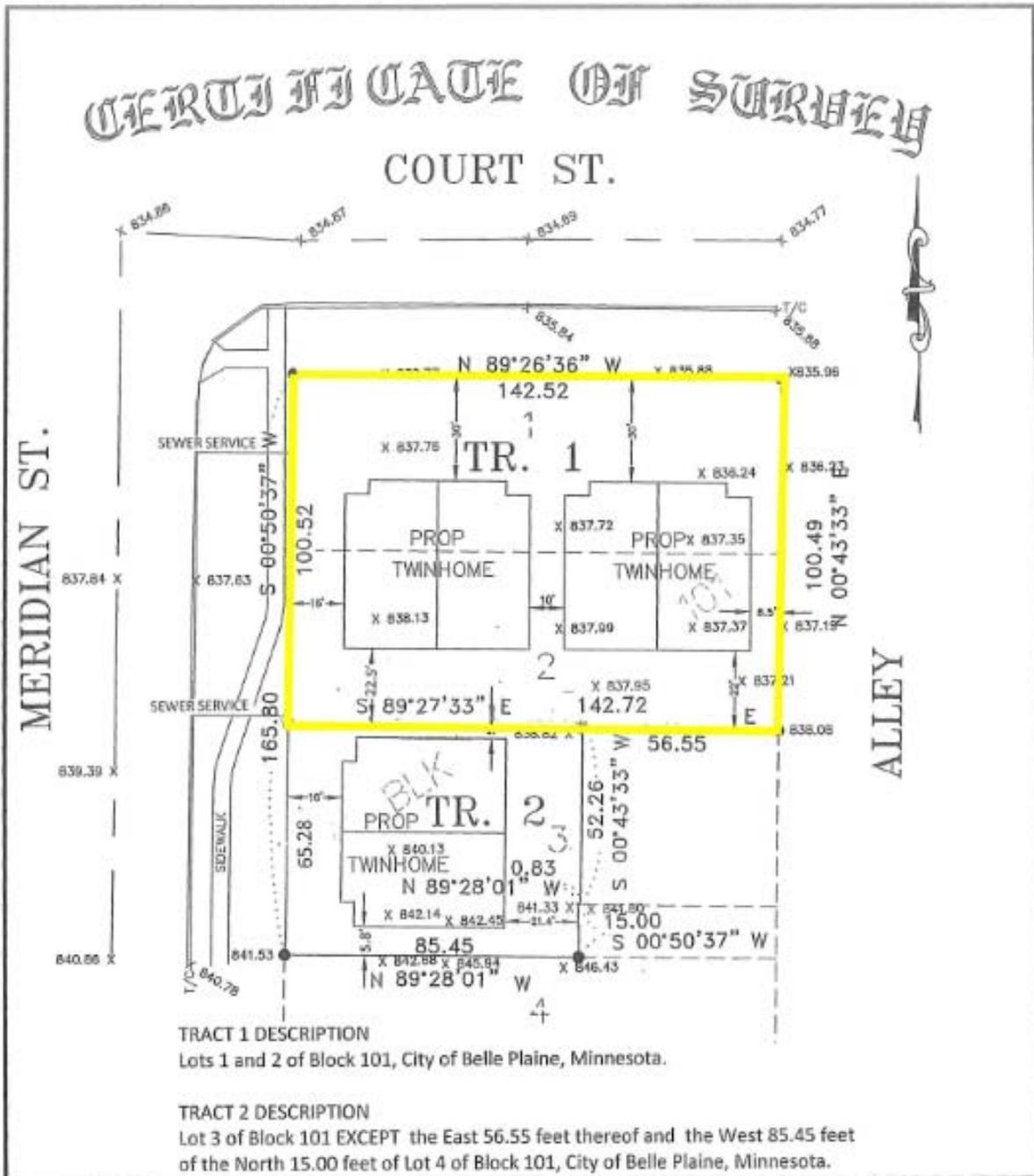
and the following voted against the same: _____.

Whereupon said resolution was declared duly passed and adopted. Dated this 12th day of August, 2019.

Ashley Cauley
Chairperson

Cynthia Smith Strack
Community Development Director

**ATTACHMENT A
PZ RESOLUTION 19-021(A)
PLANNED UNIT DEVELOPMENT PLAN**



<p>I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the state of Minnesota.</p> <p><i>Avery Grochow</i> AVERY GROCHOW, LS</p> <p>DATE <u>6/10/19</u> REGISTRATION NO. <u>15475</u> REVISED <u>6/20/19</u></p>	<p align="center">MINOR SUBDIVISION FOR SCOTT SCHMIDT PART OF LOTS 1-4, BLOCK 101 ORIGINAL CITY BELLE PLAINE, MINNESOTA</p> <p>⊙ DENOTES SCOTT CO. MONUMENT ● DENOTES IRON PIPE FOUND ○ DENOTES IRON PIPE SET BY RLS NO. 15475</p> <p>SCALE: 1 INCH = 40 FEET Jun., 2019 FILE NO. 1920</p>	<p align="center">SOBLEY SURVEYORS, INC. DALLAS, MINNESOTA</p>
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**BELLE PLAINE PLANNING COMMISSION
RESOLUTION PZ-19-021(B)**

**RECOMMENDING THE CITY COUNCIL CONDITIONALLY DENY DEVELOPMENT AND FINAL
STAGE PLANNED UNIT DEVELOPMENT PLAN FOR TWO RENTAL DUPLEXES IN THE
100 BLOCK OF COURT STREET EAST**

WHEREAS, the City Code §1105.15 provides for the processing of planned unit developments; and,

WHEREAS, Scott Schmidt, Scott Schmidt Construction LLC has submitted a request for consideration development and final stage Planned Unit Development plan as presented in Attachment A affixed hereto; and

WHEREAS, the proposed planned unit development consists of two rental duplexes on one lot in the 100 block of Court Street East; and,

WHEREAS, the Development is proposed for property legally described as Lots 1 and 2, Block 101 City of Belle Plaine, Scott County MN. Property number 200015010; and,

WHEREAS, a public hearing was scheduled and held by the Planning Commission, the City's designated Planning Agency, on August 12, 2019 following duly published notice to accept public comment on the proposed development stage plan; and,

WHEREAS, the planned unit development has been proposed for concurrent development and final stage plan review due to limited scope of the development; and,

WHEREAS, the Planning Commission accepted public input and discussed the planned unit development plan; and,

WHEREAS, the Planning Commission finds

- 1.
- 2.

NOW, THEREFORE BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF BELLE PLAINE, SCOTT COUNTY, MINNESOTA, THAT: It recommends the City Council deny development and final stage Planned Unit Development plans for two rental duplexes in the 100 Block of Court Street East as proposed by Scott Schmidt.

The adoption of the foregoing resolution was duly moved by Commissioner _____ and seconded by Commissioner _____, and after full discussion thereof and upon a vote being taken thereon, the following Commissioners voted in favor thereof: _____.

and the following voted against the same: _____.

Whereupon said resolution was declared duly passed and adopted. Dated this 12th day of August, 2019.

Ashley Cauley
Chairperson

Cynthia Smith Strack
Community Development Director

**ATTACHMENT A
PZ RESOLUTION 19-021(B)
PLANNED UNIT DEVELOPMENT PLAN**