



MEMORANDUM

DATE:	September 9, 2019
TO:	Chairperson Cauley, Members of the Planning Commission, and Administrator Meyer
FROM:	Cynthia Smith Strack, Community Development Director
RE:	Agenda Item 6.2: R-7 Mixed Housing District Performance Standard Update

GENERAL INFORMATION

In May the Commission discussed performance standards in the R-7 Mixed Housing District and how they pertained to *Destination 2040*. The Commission specifically discussed: minimum lot size, maximum building height, and minimum dwelling unit size.

Packet information and minutes from the May meeting are attached for background.

Pursuant to review of the information presented the Commission recommended:

1. Adjustment of minimum lot size for multiple family units

	Proposed	Current
First four units	10,500 sf	10,500 sf
Each unit thereafter	1,600 sf/du	2,000 sf/du
Corresponding Maximum Net Density*	19 du/ac	14 du/ac

* Net density = 30% land area discount for stormwater, roads, utilities; TCMC high density uses minimum planned density = 15 du/ac

2. Adjustment of maximum building height

	Proposed	Current
Maximum building height	45 feet	35 feet

The Commission requested staff research whether or not the fire code contains a provision that limits the number of three story or higher buildings in a small town without a ladder trunk in local fleet. Staff reached out to the State Fire Marshal's Office and confirmed there is not a fire code requirement pertaining to number of three story or higher buildings.

3. Minimum dwelling unit size

	Proposed	Current
Efficiency units/studios	300 sf	Not provided for
One bedroom	650 sf	750 sf
Two bedroom	845 sf	960 sf
Three bedroom	900 sf	1,040 sf

Attached please find a draft code amendment providing for the recommendations as outlined by the Commission in May.

ACTION:

Discussion of draft code amendment.

**CITY OF BELLE PLAINE
ORDINANCE 19-11**

**AN ORDINANCE AMENDING CHAPTER 11, SECTION 1105.08 OF THE BELLE PLAINE CITY CODE
PERTAINING TO PERFORMANCE STANDARDS IN THE R-7 MIXED HOUSING (MEDIUM TO HIGH
DENSITY) RESIDENTIAL DISTRICT**

THE CITY COUNCIL OF THE CITY OF BELLE PLAINE ORDAINS:

Section 1. The City Council of the City of Belle Plaine hereby amends Chapter 11, Section 1105.08, Subd. 5(1) Lot Requirements and Setbacks as follows:

1. Lot Area: Ten thousand five hundred (10,500) square feet for up to four (4) units, plus one thousand six hundred (1,600) ~~two thousand (2,000)~~ square feet for each additional unit.

Section 2. The City Council of the City of Belle Plaine hereby amends Chapter 11, Section 1105.08, Subd. 6(1) Building Standards as follows:

1. Maximum Height:
 - a. Principal Building: ~~Thirty-five (35)~~ Forty-five (45) feet

Section 3. The City Council of the City of Belle Plaine hereby amends Chapter 11, Section 1105.08, Subd. 6(2)(b)(1) Building Standards as follows:

- b. Principal Building – Multi-Family.
 1. Minimum:
 - a. Studio/efficiency units: three hundred (300) square feet
 - b. One Bedroom: ~~seven hundred fifty (750)~~ six hundred fifty (650) square feet
 - c. Two Bedrooms: ~~nine hundred sixty (960)~~ eight hundred forty-five (845) square feet
 - d. Three plus Bedrooms: ~~one thousand forty (1,040)~~ nine hundred (900) square feet

Section 4. This Ordinance shall become effective upon publication in the official newspaper of the City.

Passed and duly adopted by the City Council of the City of Belle Plaine this ___ day of ____, 2019.

BY: _____
Christopher G. Meyer, Mayor

ATTEST:

Dawn Meyer, City Administrator



MEMORANDUM

DATE: May 13, 2019
TO: Chairperson Carter, Members of the Planning Commission, and Administrator Meyer
FROM: Cynthia Smith Strack, Community Development Director
RE: Agenda Item 6.2: R-7 Mixed Housing District Review

REQUEST: Discussion: R-7 District

GENERAL INFORMATION

Earlier this year the Commission received information pertaining to residential density requirements under Metropolitan Council policy guidelines. Under said policy, Belle Plaine must achieve: (a) an overall minimum density of three to five dwelling units/acre, (b) provide for medium/high density uses at a minimum of eight du/ac; and (c) provide for high density uses at a minimum of 15 du/ac.

The City's highest density zoning classification is R-7 Mixed Housing. The minimum lot size results in a maximum density of approximately 14 du/ac, below the required threshold for high density development.

The Commission agreed to examine R-7 standards in an effort to accommodate minimum density of 15 du/ac.

Attached please find current R-7 standards. Discussion is requested on three specific standards:

1. Minimum lot size.
2. Maximum building height.
3. Minimum dwelling unit size.

Minimum lot size:

Current R-7 code standard is a minimum of 10,500 sf of lot area for the first four units and 2,000 sf for each unit thereafter. Discounting for stormwater, roads, and utilities net density is 14 dwelling units per acre. Following is the potential impact of adjusting minimum lot size per unit requirement:

10,500 sf for first four units plus **1,800** sf per unit thereafter: 16.94 du/ac

10,500 sf for first four units plus **1,700** sf per unit thereafter: 17.93 du/ac

10,500 sf for first four units plus **1,600** sf per unit thereafter: 19.01 du/ac

Discussion of potential lot size adjustment is requested.

Maximum building height:

Current code standard for R-7 District is maximum structure height of 35 feet measured from average ground level to highest point of roof. The height of each story is dependent on the ceiling height and thickness of floor but typically average 12-14 feet. Unless flat roofs are deployed the maximum height limit effectively limits buildings to two stories. An adjustment providing for the greater of a number of stories (i.e. three stories) or 35 feet would provide for three story structures in the R-7 District.

Discussion of maximum building height increase is requested.

Minimum dwelling unit square footage

Current code standard for R-7 requires the following minimum square footages per apartment unit:

- Efficiency/studio – not provided for
- One bedroom – 750 sf
- Two bedroom – 960 sf
- Three bedroom – 1,040 sf

The requirements for two and three bedroom apartments are the same as those for two and three bedroom detached single-family dwellings in low density and low/medium density districts.

Attached is a table of square footages of existing apartments by occupancy and type in Belle Plaine, Elko New Market, Jordan, and New Prague. A few highlights:

- Average square footages of 1BR, general occupancy market rate units is 650 sf (100 sf less than current code requirement).
- Average square footage of 2BR, general occupancy market rate units is 845 sf (115 sf less than current code requirement).
- 3BR units are rare. Small sample size – 902 sf/unit (138 sf less than current code standard).
- Cardinal Ridge reports 1BR = 475 sf; 2BR = 495 sf

Discussion of minimum apartment unit square footage is requested.

ACTION:

Receipt of information and discussion.

SECTION 1105.08 R-7 MIXED HOUSING (MEDIUM TO HIGH DENSITY)
RESIDENTIAL DISTRICT.

1105.08 SUBD. 1. PURPOSE.

The R-7 Mixed Housing (Medium to High Density) Residential 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.

1105.08 SUBD. 2. PERMITTED USES.

The following are permitted uses within an R-7 District.

1. Multiple-family units, including two-family dwellings.
2. Public parks and playgrounds.
3. Essential services are permitted except those that exceed sixty (60) feet in height or greater than one hundred fifteen (115) kilovolts.

1105.08 SUBD. 3. ACCESSORY USES.

The following are permitted accessory uses within the R-7 Zoning District.

1. Private garages, parking spaces and accessory structures for licensed and operable passenger cars and not more than one truck in excess of a gross vehicle weight rating of nine thousand (9,000) pounds. Private garages are intended for use to store the private passenger vehicles of the family or family's resident upon the premises, and in which no business service or industry is carried on.
2. Storage of recreational vehicles and equipment.
3. Home occupations as regulated by Section 1107.16 of this Ordinance.
4. Non-commercial greenhouses and conservatories.
5. Swimming pools, decks, tennis courts and other recreational facilities which are operated for the enjoyment and convenience of the residents of the principal use and their guests.
6. Tool houses, sheds and similar buildings for storage of domestic supplies and non-commercial recreational equipment.

(Ord. 18-01 Section 1105.08, Adopted February 20, 2018.)

1105.08 SUBD. 4. CONDITIONAL USES.

The following are conditional uses in an R-7 District requiring a conditional use permit based upon procedures set forth in and regulated by Sections 1103.08 and 1106.01 of this Ordinance.

1. Governmental and public regulated utility buildings and structures necessary for the health, safety and general welfare of the City.
2. Public or semi-public recreational buildings and neighborhood or community centers; public and private educational Institutions limited to elementary, junior high and senior high schools; hospitals and religious institutions such as churches, chapels, temples, synagogues and cemeteries.
3. Nursing homes and similar group housing.
4. Elderly (senior citizen) housing.
5. Reserved. (*Ord. 18-01 Section 1105.07, Adopted February 20, 2018.*)
6. Essential services exceeding sixty (60) feet in height or greater than one hundred fifteen (115) kilovolts.

1105.08 SUBD. 5. LOT REQUIREMENTS AND SETBACKS.

The following minimum requirements shall be observed in an R-7 District, subject to additional requirements, exceptions and modifications set forth in this Ordinance. Listed are minimum requirements, unless specifically identified as "maximum."

1. Lot Area: Ten thousand five hundred (10,500) square feet for up to four (4) units, plus two thousand (2,000) square feet for each additional unit.
2. Lot Width:
 - a. Interior: Seventy-five (75) feet.
 - b. Corner: One hundred (100) feet.
3. Setbacks: Principal Building:
 - a. Front Yard: Thirty (30) feet.
 - b. Side Yard:
 1. Interior Lot:
 - a. Single or two-family dwellings:
 - 1 Ten (10) feet.
 2. Zero (0) feet if the principal buildings share common walls.
 - b. All other uses:
 1. Equal to the height of the building.
 2. Corner Lot: Twenty (20) feet on the side yard abutting onto a public street.
 - c. Rear Yard:
 1. Twenty (20) feet or height of the building, whichever is greater.
 2. Zero (0) feet if the principal buildings share common walls.

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4. Setbacks: Accessory Buildings:
 - a. Front Yard: Accessory buildings shall be located behind the front building line of the principal building and not less than thirty (30) feet from the front property line.
 - b. Side Yard:
 1. Interior Lot: Ten (10) feet.
 2. Corner Lot: Twenty (20) feet on the side yard abutting onto a public street.
 - c. Rear Yard:
 1. Five (5) feet.
 2. If entrance is fronting a public right-of-way: Twenty (20) feet.
 3. If Vehicle access to the structure is from an alley: fifteen (15) feet. (*Ord. 18-01 Section 1105.08, Adopted February 20, 2018.*)
 5. Site Coverage.
 - a. No structure or combination of structures, including detached garages, shall occupy more than sixty (60) percent of the lot area.
 6. Placement of Buildings.
 - a. There shall be a minimum of ten (10) feet between principal and accessory buildings (excluding decks).
 - b. There shall be no structures of any kind within any City easement, except if written permission has been granted by the City and the encroachment is in conformance with the City's Easement and Bluff Encroachment Requirements found in Chapter 12 of the City Code, Section 1205.07 Subd 4. EASEMENT AND BLUFF ENCROACHMENT REQUIREMENTS.

1105.08 SUBD. 6. BUILDING STANDARDS.

1. **Maximum Height:**
 - a. **Principal Building: Thirty-five (35) feet.**
 - b. Accessory Building: Fifteen (15) feet.
2. Floor Area:
 - a. Principal Building – Two-Family.
 1. Minimum:
 - a. One Bedroom: seven hundred fifty (750) square feet.
 - b. Two Bedrooms: nine hundred sixty (960) square feet.
 - c. Three plus Bedrooms: one thousand forty (1,040) square feet.
 - b. **Principal Building – Multi-Family.**
 1. Minimum:
 - a. **One Bedroom: seven hundred fifty (750) square feet.**
 - b. **Two Bedrooms: nine hundred sixty (960) square feet.**

c. Three plus Bedrooms: one thousand forty (1,040) square feet.

c. Garages.

1. Minimum - attached: four hundred (400) square feet (new construction).
2. Maximum – detached:
 - a. Multiple family must conform with site coverage requirement.

d. Accessory Building:

1. Maximum: nine hundred (900) square feet.

3. Garage door height shall not exceed nine (9) feet.

4. Minimum Width and Depth:

All dwellings, including manufactured homes, shall have a depth of at least twenty (20) feet for at least fifty (50) percent of their width. All dwellings, including manufactured homes, shall have a width of least twenty (20) feet for at least fifty (50) percent of their depth.

5. Garage floor elevations shall be not less than eighteen (18) inches and not more than thirty-six (36) inches as measured from the top of the curb at the mid-point of the garage to the garage floor at the mid-point of the garage door opening. The minimum slope of the driveway shall be 2% and the maximum slope of the driveway shall be 10%. Exceptions to these standards may be approved by the Zoning Administrator, after consultation with the City or development engineer, for special circumstances such as an increased setback, site topography and flooding potential, provided that proper site and area drainage is maintained and the elevation of the structure is in keeping with the character of the area. (Ord. 05-09, Sect. 1105, Adopted Nov. 7, 2005).

(Ord. 05-09, Sect. 1105, Adopted Nov. 7, 2005).

(Ord. 11-03 Section 1105, Adopted May 16, 2011).

(Ord. 12-04, Sections 1105, Adopted September 17, 2012.)

(Ord. 18-01 Section 1105.08, Adopted February 20, 2018.)

APARTMENT SQUARE FOOTAGES

Current R-7 standards:	1 BR - 750 sf	2 BR - 960 sf				
City	Address	Type	0 BR	1 BR	2 BR	3 BR
Belle Plaine	114 State Street W	GO, Market	n/a	600	845	n/a
Jordan	Hillside/Sunset Drive	GO, Market	n/a	650	850	n/a
Jordan	Broadway	GO, Market	n/a	1,300	n/a	n/a
New Prague	Columbus Ave N	GO, Market	n/a	650	800	n/a
New Prague	Maple Lane SE	GO, Market	n/a	750	900	n/a
New Prague	6th Ave NW	GO, Market	n/a	530	725	n/a
GENERAL OCCUPANCY MARKET RATE MEDIAN SF			-	650	845	-
City	Address	Type	0 BR	1 BR	2 BR	3 BR
Belle Plaine	401 Meridian St S	GO, Deep Subsidy	350	675	850	n/a
Belle Plaine	222 Commerce Drive E	GO, Deep Subsidy	n/a	700	800	n/a
Jordan	Chad Circle	GO, Deep Subsidy	n/a/	594	748	902
New Prague	4th St NE	GO, Deep Subsidy	n/a	969	1132	n/a
GENERAL OCCUPANCY SUBSIDIZED MEDIAN SF			350	688	825	902
City	Address	Type	0 BR	1 BR	2 BR	3 BR
Belle Plaine	850 Prairie Street West	Senior, Deep Subsidy	n/a	560	n/a	n/a
Belle Plaine	200 State Street West	Senior, Deep Subsidy	n/a	475	495	n/a
SENIOR, DEEP SUBSIDY MEDIAN SF			-	518	495	n/a
City	Address	Type	0 BR	1 BR	2 BR	3 BR
Belle Plaine	611 Main Street West	Senior, Market, Active	n/a	n/a	1295	n/a
Elko New Market	Robert's Way	Senior, Market, Active	533	700	966	n/a
Jordan	Creek Lane South	Senior, Market, Active	515	750	1010	n/a
New Prague	First Avenue	Senior, Market, Active	n/a	763	1153	n/a
SENIOR, MARKET RATE, ACTIVE LIVING MEDIAN SF			524	750	1082	n/a
City	Address	Type	0 BR	1 BR	2 BR	3 BR
Belle Plaine	611 Main Street West	Sr., Market, Asst Lving	n/a	719	826	n/a
Jordan	Aberdeen Ave	Sr., Market, Asst Lving	580	730	1200	n/a
New Prague	Columbus Ave N	Sr., Market, Asst Lving	395	537	810	n/a
SENIOR, MARKET RATE, ASST LIVING MEDIAN SF			488	719	826	n/a
City	Address	Type	0 BR	1 BR	2 BR	3 BR
Belle Plaine	611 Main Street West	Sr., Market, Congregate	n/a	733	1270	n/a
Jordan	Aberdeen Ave	Sr., Market, Congregate	n/a	853	1188	n/a
New Prague	Columbus Ave N	Sr., Market, Congregate	n/a	575	830	n/a
SENIOR, MARKET RATE, CONGREGATE CARE MEDIAN SF			n/a	733	1188	n/a
City	Address	Type	0 BR	1 BR	2 BR	3 BR
Belle Plaine	611 Main Street West	Sr., Market, Memory	448	n/a	n/a	n/a
Jordan	Aberdeen Ave	Sr., Market, Memory	450	n/a	n/a	n/a
SENIOR, MARKET RATE, MEMORY CARE MEDIAN SF			449	n/a	n/a	n/a

expiration at point of sale; Water/sewer service has to be shared; ADU shall be designed and constructed to maintain the outward appearance of a single family dwelling.

Commissioner Cauley requested clarification of whether staff is requesting discussion or review and move forward to Council. Smith Strack explained staff is looking for discussion and comment. Commissioner Pankonin inquired if 300 square feet is the minimum for efficiency apartments. Smith Strack explained the number is a minimum size. Commissioner Kiecker inquired on 1107.25 subdivision C regarding ownership expiration citing expire should happen upon sale of property rather than change of ownership to allow for LLC and trusts. Commissioner Cauley explained concern over how to regulate what happens to the unit if new owner does not want to use as an ADU, inquiring how to regulate the permits. Commissioner Pankonin explained regulation is on a complaint basis, once a complaint is filed the owner would be required to get an ADU permit. Cauley explained her belief that the permit should run with the land. Smith Strack explained the idea behind the interim use permit (IUP) for an ADU is that it would discourage long term rentals but allow for family living with shared services. Commissioners Pankonin and Cauley expressed concerns with an annual renewal. Commissioner Cauley additionally expressed concern with new owners having to reconvert the area or go after permit. Smith Strack explained rental licenses run on renewals every two years, and IUP are recorded at the County so tracking of existing permits was possible. Commissioner Pankonin noted realtors should be responsible for marketing the home as having an IUP explaining it may limit the sales market. Commissioner Herrmann requested clarification on what triggers an IUP. Smith Strack explained when the area is functioning as a separate living unit with a full kitchen, full bath, and sleeping area. Smith Strack explained the IUP fee would be \$300.00 and it would be a onetime fee per owner. Smith Strack also noted staff are not interested in regulating family rather trying to discourage rentals.

Community Development Director Smith Strack explained the next steps of taking ADU ordinance back to Work Session for review. It was determined to move forward with an IUP and not a conditional use permit as a means of authorizing ADU. The Commission reached consensus on the IUP citing the allowance for the City to inspect which would insure the maintenance of the unit for what it is supposed to be.

6.2. Discussion: Residential Density.

Community Development Director Smith Strack explained the Commission received information pertaining to residential density requirements under Metropolitan Council Policy guidelines. Smith Strack noted under the policy Belle Plaine must achieve: a) an overall minimum density of three to five dwelling units/ acre, b) provide for medium/high density uses at a minimum of eight du/acre and c) provide for high density uses at a minimum of 15 du/ac. Smith Strack explained the City's highest density zoning classification is R-7 mixed housing, noting the minimum lot size results in a maximum density of 14 du/ac. Smith Strack requested discussion on minimum lot size, maximum building height, and minimum dwelling unit size.

Discussion regarding minimum lot size and its variables resulted in the consensus for lot size of 10,500 sf for first 4 units plus 1,600 sf per unit thereafter. This results in a maximum net density of approximately 19.01 du/ac. The Commission reached consensus to consider maximum height of four stories or 45 feet likely structures with 3-4 stories and a non-flat roof. The recommendation comes with the stipulation staff research the need for purchase of a ladder truck if necessitated by fire code. Discussion yielded the consensus of a front yard setback remaining as current with acknowledgement that building heights of 3-4 stories with a maximum of 45 feet, were tied to other required setbacks.

Community Development Director explained the minimum dwelling unit square footage under current code and noted efficiency/studio apartments are not provided for. Discussion yielded the recommendation to decrease the minimum dwelling square footage to the average square footage for one, two and three bedroom apartments locally and in other Scott County cities. It was the consensus of the committee to recommend 300 square feet for the minimum of an efficiency apartment.

6.3. Call for special meeting (Joint Session with Council) – May 20, 2019