

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

RESOLUTION NO. 2013-46

*A RESOLUTION APPROVING A MINOR SUBDIVISION FOR
CHRIST LUTHERAN CHURCH – 3549 LAKE ELMO AVE*

WHEREAS, the City of Lake Elmo is a municipal corporation organized and existing under the laws of the State of Minnesota; and

WHEREAS, Christ Lutheran Church, 11194 36th Street North (Applicant) has submitted an application to the City of Lake Elmo (City) for a Minor Subdivision to split an existing parcel located at 3549 Lake Elmo Avenue (PID 13.029.21.23.0053) into two separate parcels in accordance with the certificate of survey dated November 20, 2012 signed by Michael Cannon, License #40035, a copy of which is on file in the City of Lake Elmo Planning and Zoning Department; and

WHEREAS, the Lake Elmo Planning Department has reviewed the Minor Subdivision request for consistency with the City of Lake Elmo Zoning and Subdivision Ordinances; and

WHEREAS, the Lake Elmo Board of Adjustments and Appeals approved a variance request by the applicant to create two lots that do not meet the minimum lot size and minimum street frontage requirements of the Lake Elmo Zoning Ordinance on February 5, 2013; and

WHEREAS, the Lake Elmo Planning Commission reviewed the proposed Minor Subdivision at a meeting held on May 29, 2013; and

WHEREAS, the Lake Elmo Planning Commission has submitted its report and recommendation concerning the Minor Subdivision as part of a memorandum to the City Council from Planning Director Kyle Klatt for the June 4, 2013 Council Meeting; and

WHEREAS, the City Council reviewed the Applicant's Minor Subdivision request at a meeting held on June 4, 2013.

NOW, THEREFORE BE IT RESOLVED, that based on the testimony elicited and information received, the City Council of the City of Lake Elmo hereby approves the request by Christ Lutheran Church for a Minor Subdivision, provided the following conditions are met:

1. The Applicant shall execute and record a shared parking easement in a form acceptable the City Attorney prior to the transfer of either "Tract A" or "Tract B" to another party. This easement shall allow any future tenants of the building on Tract A to use the parking

lot on Tract B during time periods when this lot is not used by the Applicant. The agreement shall be drafted to be reciprocal regarding the use of the parking stalls that will be retained by the future owners of Tract A.

2. The Applicant shall execute and record a drainage and utility easement across the storm water infiltration area in a form acceptable the City Attorney prior to the transfer of either “Tract A” or “Tract B” to another party.

Passed and duly adopted this 4th day of June 2013 by the City Council of the City of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Adam Bell, City Clerk