

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

RESOLUTION NO. 2014-21

*A RESOLUTION APPROVING AN AMENDMENT TO A CONDITIONAL USE PERMIT TO
ALLOW FOR THE CONSTRUCTION OF A COMMUNITY CENTER WITHIN THE CIMARRON
MANUFACTURED HOME PARK*

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

WHEREAS, Family Means, 1875 Northwestern Avenue, Stillwater, MN (“Applicant”) has submitted an application to the City of Lake Elmo (the “City”) for a Conditional Use Permit Amendment to allow the construction of a community center for the purpose of providing after-school and summer programming to children between the ages of 6 and 18 within the Cimarron Manufactured Home Park (901 Lake Elmo Avenue North, Lake Elmo, MN); and

WHEREAS, notice has been published, mailed and posted pursuant to the Lake Elmo Zoning Ordinance, Section 154.102; and

WHEREAS, the Lake Elmo Planning Commission held a public hearing on said matter on March 24, 2014; and

WHEREAS, the Lake Elmo Planning Commission submitted its report and recommendation concerning the Conditional Use Permit Amendment request to the City Council as part of a Staff Memorandum dated April 1, 2014; and

WHEREAS, the City Council considered said matter at its April 1, 2014 meeting.

NOW, THEREFORE, based on the testimony elicited and information received, the City Council makes the following:

FINDINGS

- 1) That the procedures for obtaining said Conditional Use Permit (CUP) are found in the Lake Elmo Zoning Ordinance, Section 154.106.
- 2) That all the submission requirements of said Section 154.106 have been met by the Applicant.
- 3) That the proposed Conditional Use Permit Amendment is to allow the construction of a community center to serve youth in the Cimarron Manufactured Home Park as more fully described in application materials submitted to the City.
- 4) That the proposed Conditional Use Permit Amendment will apply to leased property legally described in Exhibit A.
- 5) That a community center is a permitted accessory use per the approved Special Use Permit for the Cimarron Manufactured Home Park.

- 6) That the proposed use will not be detrimental to or endanger the public health, safety, comfort, convenience or general welfare of the neighborhood or the city.
- 7) That the proposed use conforms to the City of Lake Elmo Comprehensive Plan.
- 8) That the proposed use is compatible with the existing neighborhood.
- 9) That the proposed use will be designed, constructed, operated and maintained so as to be compatible in appearance with the existing or intended character of the general vicinity and will not change the essential character of that area.
- 10) That the proposed use will not be hazardous or create a nuisance as defined under this Chapter to existing or future neighboring uses.
- 11) That the proposed use will be served adequately by essential public facilities and services, including streets, police and fire protection, drainage structures, refuse disposal, water and sewer systems and schools or will be served adequately by such facilities and services provided by the persons or agencies responsible for the establishment of the proposed use.
- 12) That the proposed use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
- 13) That the proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odors.
- 14) That vehicular approaches to the property, where present, will not create traffic congestion or interfere with traffic on surrounding public thoroughfares.
- 15) That the proposed use will not result in the destruction, loss or damage of a natural or scenic feature of major importance.

CONCLUSIONS AND DECISION

Based on the foregoing, the Applicants' application for a Conditional Use Permit Amendment is granted.

Passed and duly adopted this 1st day of April by the City Council of the City of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Adam Bell, City Clerk