

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

RESOLUTION NO. 2014-66

*RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW FOR THE
CONSTRUCTION OF SINGLE FAMILY ATTACHED DWELLINGS IN THE SAVONA
SUBDIVISION THAT DO NOT HAVE FRONTAGE ON A PUBLIC STREET*

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

WHEREAS, U.S. Home Corporation, D/B/A Lennar, 16305 36th Avenue North, Suite 600, Plymouth, MN has submitted an application to the City of Lake Elmo (City) for a Conditional Use Permit to allow single family attached dwellings without frontage on a public street within the Savona Subdivision (PID: 34.029.21.41.0004), a copy of which is on file in the City of Lake Elmo Planning and Zoning Department; 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 public hearing on August 25, 2014 to consider the Conditional Use Permit request; and

WHEREAS, the Lake Elmo Planning Commission adopted a motion recommending approval of the Conditional Use Permit; and

WHEREAS, the Lake Elmo Planning Commission has submitted its report and recommendation concerning the Conditional Use Permit as part of a memorandum to the City Council from City Planner Nick Johnson for the September 2, 2014 Council Meeting; and

WHEREAS, the City Council reviewed the application at its meeting held on September 2, 2014 and made the following findings of fact:

- 1) 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.
- 2) That the use conforms to the City of Lake Elmo Comprehensive Plan.
- 3) That the use is compatible with the existing neighborhood
- 4) That the proposed use meets all specific development standards for such use as listed in the Zoning Ordinance.
- 5) That the proposed use will not be hazardous or create a nuisance as defined under this Chapter to existing or future neighboring uses.
- 6) 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.

- 7) 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.
- 8) 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.
- 9) That vehicular approaches to the property, where present, will not create traffic congestion or interfere with traffic on surrounding public thoroughfares.
- 10) That the proposed use will not result in the destruction, loss or damage of a natural or scenic feature of major importance.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council does hereby approve the Conditional Use Permit to allow single family attached dwellings without frontage on a public street within the Savona Subdivision.

Passed and duly adopted this 2nd day of September 2014 by the City Council of the City of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Adam Bell, City Clerk