

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

RESOLUTION 2016-87

***A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR A SELF-SERVICE
STORAGE FACILITY AND OUTDOOR VEHICLE STORAGE FOR THE PROPERTY
LOCATED AT 9200 HUDSON BOULEVARD NORTH***

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

WHEREAS, Wasatch Storage Partners, 131 S 700E Ste 102, American Fork, UT 48003 (the “Applicant”) has submitted an application to the City of Lake Elmo (the “City”) for a Conditional Use Permit for a self-service storage facility and outdoor vehicle storage for the property located at 9200 Hudson Boulevard North (the “Property”); 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 September 26, 2016; and

WHEREAS, the Lake Elmo Planning Commission has submitted its report and recommendation to the City Council as part of a Staff Memorandum dated October 4, 2016, 2016; and

WHEREAS, the City Council considered said matter at its October 4, 2016 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 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 includes the following components:

- a) A Conditional Use Permit for a self-service storage facility and outdoor vehicle storage for the Property located at 9200 Hudson Boulevard North.
- 4) That the Conditional Use Permit for a self-service storage facility and outdoor vehicle storage will be for the Property legally described as follows: W1/2-E1/2-SW1/4-SW1/4 EXC TO HWY EXC HWY PARCEL 29F MN DOT R/W PLAT 82 43 SECTION 34 TOWNSHIP 029 RANGE 021. PID# 34.029.21.33.0005.
- 5) 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. **The proposed use is very similar to the current use of the Property. Storage of hazardous materials is prohibited in lease agreements with tenants. Vehicle trips to the site are not expected to increase and may even be reduced. Site improvements will likely reduce nuisances such as weeds, dust and debris migrating to neighboring properties.**
- 6) The use or development conforms to the City of Lake Elmo Comprehensive Plan. **The proposal is consistent with the Comprehensive Plan in that the Property is guided for commercial use. Self-service storage and vehicle storage are conditional uses in the Commercial zoning district.**
- 7) The use or development is compatible with the existing neighborhood. **The use is compatible with the existing neighborhood, as the Property is located in a commercial zoning district. Furthermore, self-service storage and vehicle storage will serve an expected increase in the number of residents resulting from new housing developments and could potentially help reduce the amount of exterior storage on residents' lawns and in their garages.**
- 8) The proposed use meets all specific development standards for such use listed in Article 7 of this Chapter. **The proposal complies with development standards as outlined in this report, though some standards set forth in the Lake Elmo Design Guidelines and Standards Manual are not met.**
- 9) If the proposed use is in a flood plain management or shoreland area, the proposed use meets all the specific standards for such use listed in Chapter 150, §150.250 through 150.257 (Shoreland Regulations) and Chapter 152 (Flood Plain Management). **The Property is located outside the 0.2% annual chance floodplain.**
- 10) 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. **The proposed project is a redevelopment/repurposing of an existing site. Proposed site improvements should enhance the appearance of the Property.**
- 11) The proposed use will not be hazardous or create a nuisance as defined under this Chapter to existing or future neighboring structures. **The proposed development will be fenced and landscaped so as to not create a nuisance for existing and future neighboring properties.**

Additionally, the site is proposed to be well-secured through security cameras, keypad-only access, and an office alarm.

- 12) 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. **This is addressed throughout the Planning and Zoning Issues section of this report. The Applicant has addressed concerns of the Building Official and Fire Chief by providing adequate turning ratios for a fire truck. The Applicant will need to provide fire hydrant locations as specified by the Building Official and Fire Chief. If the Applicant also addresses the comments provided in the City Engineer Memo, this criteria will be met.**
- 13) 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. **The proposal will pay sewer and water service charges, benefiting the community.**
- 14) 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. **Traffic to the site is expected to be minimal, and visits are expected to be short. Minimal noise is expected to come from the site, short of the sounds of unloading and loading items. Hazardous materials are prohibited from being stored on site, and lighting has been evaluated and determined to not cause a nuisance as proposed.**
- 15) Vehicular approaches to the property, where present, will not create traffic congestion or interfere with traffic on surrounding public thoroughfares. **The proposed use will likely create no more traffic congestion than already exists at the site.**
- 16) The proposed use will not result in the destruction, loss or damage of a natural or scenic feature of major importance. **N/A**

CONCLUSIONS AND DECISION

Based on the foregoing, the Applicant's application for a Conditional Use Permit for a self-service storage facility and outdoor vehicle storage is granted, subject to the following conditions:

- 1) Applicant shall obtain all necessary permits including but not limited to all applicable city permits (building, grading, sign, etc.), NPDES/SWPPP permits, South Washington Watershed District approval.
- 2) Applicant must address all engineering review comments outlined in Engineering Memo dated September 8, 2016.
- 3) A copy of the lease agreement shall be provided to the City and include prohibition of: the storage or handling of hazardous materials; commercial transactions; inhabitation of storage facilities or recreational vehicles; inoperable and unlicensed vehicles. Such prohibitions shall not be removed from the lease.

- 4) The City should be provided confirmation from the MPCA that the site poses no environmental risk associated with the petroleum tank release.
- 5) Landscape Plans shall be revised: to include an additional 12 trees added to the internal parking/storage area; to include additional trees providing top-down screening and approved by Landscape Architect; to comply with City irrigation specifications and with water supply connection detail; and to add screening along 5th Street North.
- 6) Applicant shall provide financial security of 125% of the value of landscaping materials to the City, to be released after a two-year time period after installation.
- 7) The Site Plan shall be modified to show a proof-of-parking area of at least 28 21-foot wide stalls in the vehicle storage area. These need be converted only if so directed by the City.
- 8) Exterior storage shall be limited to recreational vehicles as defined by the City's Zoning Code.
- 9) Location of Proposed Building #5 must be changed, as it is proposed to encroach needed watermain and hydrant easements.
- 10) Fire hydrant locations must be revised according the Building Official and Fire Chief Comments dated September 14, 2016.
- 11) Drive lanes shall be painted with one-way drive arrows and parking spaces are to be marked with painted lines at least four (4) inches wide.
- 12) The plans shall comply with the City's recommended building materials and design standards as recommended by the City.
- 13) The plans shall be revised to reduce the entrance drive width to comply with City Code.
- 14) A sign permit shall be required prior to installation of any commercial signs on the site and all signs shall comply with City Sign Regulations of Section 154.212 of the City Code.
- 15) The site plans shall be revised to show the exact locations of "No Parking" and "Fire Lane" signs.

Passed and duly adopted this 4th day of October, 2016 by the City Council of the City of Lake Elmo, Minnesota.

Michael Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk