

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

RESOLUTION 2018-018

*A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR A PARKING FACILITY
FOR THE PROPERTY LOCATED AT 3504 LAKE ELMO AVENUE NORTH*

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

WHEREAS, Lake Elmo Inn, Inc., PO Box 182, Lake Elmo, MN 55042, (the “Applicant”) has submitted an application to the City of Lake Elmo (the “City”) for a Conditional Use Permit to allow a parking facility at the property located at 3504 Lake Elmo Avenue 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 February 12, 2018; and

WHEREAS, the Lake Elmo Planning Commission has submitted its report dated February 20, 2018 to the City Council; and

WHEREAS, the City Council considered said matter at its February 20, 2018 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 is to allow a parking facility on the property located at 3504 Lake Elmo Avenue North.
- 4) That the Conditional Use Permit amendment is granted for the property legally described as follows and commonly known as 11459 60th Street North:
COUNTY AUD PLAT NO 8 LAKE ELMO CITY SUBDIVISIONNAME COUNTY AUDITOR'S PLAT NO.8 LOT 7
SUBDIVISIONCD 37135
- 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 will pave**

an area that has already been used as parking for a significant period of time, bringing the property in to compliance with City Code.

- 6) The use or development conforms to the City of Lake Elmo Comprehensive Plan. **The area is guided for VMX – Village Mixed Use in the Land Use Guide of the Comprehensive Plan. Parking facility is a conditional use in this district.**
- 7) The use or development is compatible with the existing neighborhood. **A parking facility will alleviate parking needs for the Lake Elmo Inn.**
- 8) The proposed use meets all specific development standards for such use listed in Article 7 of this Chapter. **There are no specific development standards for a parking facility in Article 7.**
- 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 property is already used for parking. Paving a parking lot will not drastically change the existing or intended character of the general vicinity or alter the essential character.**
- 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 parking lot will potentially slightly increase the number of cars that are able to park on the property than had been parking there previously when the parking area was not paved, but paving the parking lot will bring the property in to compliance with City standards.**
- 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. **The proposed use will be adequately served by the aforementioned, provided a parking lot application is submitted and approved, meeting City standards.**
- 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 proposed use will not create additional requirements or cost.**
- 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. **The use will not involve anything that would be detrimental.**
- 15) Vehicular approaches to the property, where present, will not create traffic congestion or interfere with traffic on surrounding public thoroughfares. **The use will create little 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 to allow a parking facility at the property located at 3504 Lake Elmo Avenue is granted, subject to the following conditions:

- 1) The Applicant shall submit and have approved a parking lot permit meeting all zoning, engineering, and other applicable requirements. The parking lot permit application shall be reviewed by the City's Engineering and Planning Department and Washington County and any other applicable agencies.
- 2) The parking lot must adhere to all screening and landscaping requirements as outlined in the Staff Report to the Planning Commission dated February 12, 2018.2018
- 3) The applicant must obtain a permit from the Valley Branch Watershed District prior to the issuance of a permit for construction, provide a copy of the permit to the City, and adhere to all conditions of approval.
- 4) Lighting will need to comply with Section 150.035: Lighting, Glare Control, and Exterior Lighting Standards of the City Code.
- 5) The parking lot shall not extend beyond property lines.
- 6) The Applicant shall not barricade public right-of-way for the use of valet parking or any other purposes without issuance of a right-of-way obstruction permit by the City.

Passed and duly adopted this 20th day of February, 2018 by the City Council of the City of Lake Elmo, Minnesota.

Michael Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk