

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

RESOLUTION NO. 2017-123

*A RESOLUTION DENYING A COMPREHENSIVE PLAN AMENDMENT TO CHANGE
LANGUAGE REGARDING ALLOWED OPEN SPACE PRESERVATION DEVELOPMENT
DENSITY*

WHEREAS, the City of Lake Elmo (the “City”) has established a Comprehensive Plan that provides a compilation of background data, policy statements, standards, and maps, which help to guide the future physical, social, and economic development of the City; and

WHEREAS, Landucci Homes, Inc., 13230 20th Street Court North, Stillwater, MN 55082 (the “Applicant”) has submitted an application to the City to amend the Comprehensive Plan, a copy of which is on file in the City Planning Department; and

WHEREAS, the Applicant has requested to amend language regarding allowable density within Open Space Preservation developments to be based on gross acreage rather than buildable.

WHEREAS, the Planning Commission held a public hearing on October 23, 2017 to consider the Applicant’s requests; and

WHEREAS, the Planning Commission adopted a motion to recommend denial to the City Council on the Applicant’s requests based on a number of findings; and

WHEREAS, the City Council reviewed the Planning Commission and public comments regarding the Applicant’s requests at its meeting on November 7, 2017; and

WHEREAS, the City Council has reviewed the Comprehensive Plan amendment and believes that it is not consistent with the spirit and intent of the Comprehensive Plan.

NOW THEREFORE BE IT RESOLVED based upon the testimony elicited and information received, the City Council makes the following findings of fact:

FINDINGS.

1. That the Applicant has submitted a request to amend the Comprehensive Plan in accordance with the procedures as established by the Lake Elmo Planning Department and Lake Elmo Planning Commission; and
2. That the request is to amend the Comprehensive Land Use Plan:
 - a. On page III-8, updating language regarding densities within Open Space Preservation to be based on gross rather than buildable acreage.

3. The proposed density calculation is not consistent with that of the City (density within sewerred developments is calculated using net density whereas the proposed amendment calculates density using gross density).
4. The current language regarding density within the Comprehensive Plan Open Space Preservation Planned Unit development ordinance helps protect natural resources by limiting allowed density to buildable acres.
5. A lower density within Open Space Preservation developments minimizes risk for septic systems to fail and thereby minimizes the need to connect to City sewer.

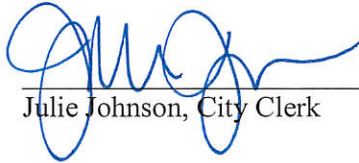
NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Lake Elmo City Council hereby denies the request by Landucci Homes, Inc. to amend the City of Lake Elmo Comprehensive Plan by amending language regarding allowable densities within Open Space Preservation developments.

Passed and duly adopted this 5th day of December 2017, by the City Council of the City of Lake Elmo, Minnesota.



Mike Pearson, Mayor

ATTEST:



Julie Johnson, City Clerk