

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

RESOLUTION 2018-009

*A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR FARIFIELD INN A
HOTEL FOR THE PROPERTY LOCATED AT 8585 EAGLE POINTE CIRCLE*

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

WHEREAS, Central Design Group LLC, 200 Old 63 South Suite 305, Columbia, MO 65201 (the “Applicant”) has submitted an application to the City of Lake Elmo (the “City”) for a Conditional Use Permit for a Hotel for the property located at 8585 Eagle Pointe Circle (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 January 22, 2018; and

WHEREAS, the Lake Elmo Planning Commission has submitted its report and recommendation to the City Council as part of a Staff Memorandum dated February 7, 2018; and

WHEREAS, the City Council considered said matter at its February 7, 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 includes the following components:

- a. A Conditional Use Permit for the operation of a hotel located at 8585 Eagle Pointe Circle.
- 4) That the Conditional Use Permit for a hotel which will be for the Property legally described as follows: SUBJ TO EASE SUBDIVISIONNAME HOA 2ND ADD LOT 1 BLOCK 1 SUBDIVISIONCD 02141 PID# 33.029.21.43.0007.
- 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 development of the hotel will not be detrimental to the surrounding businesses/residents.**
- 6) The use or development conforms to the City of Lake Elmo Comprehensive Plan.
 - **The site is guided as a Business Park, hotels are an allowed use within business parks.**
- 7) The use or development is compatible with the existing neighborhood.
 - **The use is not unique to the area and will not be detrimental to the items listed above.**
- 8) The proposed use meets all specific development standards for such use listed in Article 9 of this Chapter. (Ord. 08-152)
 - **There are not specific standards for hotels in article 9. However, they must adhere to the design standards which have been established by the City.**
- 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, §154.800 (Shoreland Regulations) and Chapter 152 (Flood Plain Management).
 - **Part of the development area is within the Shoreland district. The DNR recommends that impervious surface not exceed 25% for commercial PUDS. However, this is a recommendation and not a requirement. However, it exceeds the 30% impervious surface allowance for sewerred areas in the shoreland district within our code.**
 - **The Eagle point approved standards from 1999 states the tributary setback will be 25' from the OHM, the building 30' from the tributary setback, and parking shall be 10' from the tributary setback. The development meets this requirement.**
- 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.
 - **There are other hotels in the area as well as professional services.**
- 11) The proposed use will not be hazardous or create a nuisance as defined under this Chapter to existing or future neighboring structures.

- **The structure is designed in a way that adheres to city code as not to cause a nuisance, specifically the design standards guidelines.**
- 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 site has access to public utilities and will be connecting to them. See item number 9 for more comment on fire protection.**
 - 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 site/use is not expected incur costs beyond what is expected for the development of property. However, in the event of an emergency costs may be increased as the Fire and Building Official feel the fire hydrants are not placed appropriately. Also the rear assembly area may need to be wider to deploy hand ladders.**
 - 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.
 - **It is not expected that a hotel will generate or produce any of the items/activities listed above.**
 - 15) Vehicular approaches to the property, where present, will not create traffic congestion or interfere with traffic on surrounding public thoroughfares.
 - **The City engineer has reviewed all roadways and entrances, and has determined that they meet what is required.**
 - 16) The proposed use will not result in the destruction, loss or damage of a natural or scenic feature of major importance.
 - **The site has not been identified as sensitive or scenic. The property is not within a portion of the City that needs a park or within the Greenway project area.**

CONCLUSIONS AND DECISION

Based on the foregoing, the Applicant's application for a Conditional Use Permit for a Hotel, subject to the following conditions:

- 1) That the City approve the Conditional Use Permit submitted by the Applicant, subject to the approval of the Planned Unit Development Plans and conditions associated with the project.

Passed and duly adopted this 7th day of February, 2018 by the City Council of the City of Lake Elmo, Minnesota.



Michael Pearson, Mayor

ATTEST:



Julie Johnson, City Clerk