

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

**RESOLUTION 2018-110**

*A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR A PLACE OF WORSHIP  
FOR RIVER VALLEY CHRISTIAN CHURCH FOR THE PROPERTY LOCATED AT 5900 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**, River Valley Church, 5900 Lake Elmo Avenue North, Lake Elmo, MN 55042 (the "Applicant") has submitted an application to the City of Lake Elmo (the "City") for a Conditional Use Permit for a place of worship for the property located at 5900 Lake Elmo Avenue North (PID# 02.029.21.11.0002) (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 10, 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 September 10, 2018, and

**WHEREAS**, the City Council considered said matter at its September 18, 2018 meeting; and

**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 place of worship for the property located at 5900 Lake Elmo Avenue North.

- 4) That the place of worship has been in use since 1996, prior to adoption of City Ordinance requiring a conditional use permit for places of worship and so is non-conforming.
- 5) That the place of worship has requested to expand, and due to the City's Non-Conforming Uses, Building and Structures Article of the Zoning Code, a property must be brought in to conformance with the Zoning Code if expanding.
- 6) That the Conditional Use Permit for a school district transportation center will be for the Property legally described as follows:

PART NE1/4-NE1/4 BEING E 787FT OF N 657.77FT OF NE1/4-NE1/4 MEAS AT RT ANG TO E & N LINES OF SD NE1/4-NE1/4 RESPECTIVELY SUBJ TO EASE SECTION 02 TOWNSHIP 029 RANGE 021


- 7) The use will not be detrimental or in any way endanger the public health, safety, comfort.
- 8) The property is guided for Public/Park, in which a place of worship is a conditional use.
- 9) The use is compatible with the existing neighborhood and has been in existence since 1996.
- 10) The use meets all specific development standards for such use as listed in Section 154.600L Public and Quasi-Public Open Space.
- 11) The property is located outside the 0.2% annual chance floodplain and shoreland area.
- 12) The use is compatible in appearance with the existing and intended character of the general vicinity and will not change the essential character of the area, as it has existed for over twenty years.
- 13) The use will not be hazardous or create a nuisance.
- 14) The use will be adequately served by essential public facilities and services, including streets, police and fire protection, drainage structures, refuse disposal, water and sewer systems and schools.
- 15) The use will not create excessive additional requirements at public cost nor will it be detrimental to the economic welfare of the community.
- 16) The use will not excessively produce traffic, noise, smoke, fumes, glare or odors.
- 17) Vehicular approaches to the property will not create and have not created traffic congestion or interfere with traffic. Traffic is limited to certain times and days of the weeks.

- 18) The use will not result in the destruction, loss or damage of a natural or scenic feature of major importance.

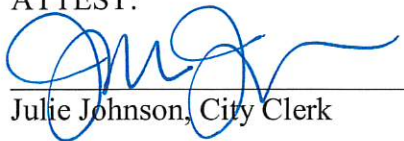
**NOW, THEREFORE, BE IT FURTHER RESOLVED,** that the Lake Elmo City Council hereby approves the request by River Valley Christian Church for a Conditional Use Permit for a place of worship with the following conditions of approval:

- 1) The applicant must obtain all other necessary City, State, and other governing body permits and approvals prior to the commencement of any construction activity on the parcel including but not limited to a revised grading plan and building permit.
- 2) All items outlined by the City Engineer in the memorandum addressing the River Valley Christian Church Conditional Use Permit dated August 27, 2018 shall be incorporated into these documents before they are approved.
- 3) The applicant must provide written documentation demonstrating adequate wastewater management facilities exist or are proposed to serve the expanded building use. This should include either a Washington County inspection compliance report for the existing on-site wastewater system or a wastewater management plan approved by Washington County to serve the proposed expansion if required.

Passed and duly adopted this 18<sup>th</sup> day of September 2018 by the City Council of the City of Lake Elmo, Minnesota.

  
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Mike Pearson, Mayor

ATTEST:

  
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Julie Johnson, City Clerk