

CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 99-76

A RESOLUTION DENYING A COMPREHENSIVE PLAN AMENDMENT FOR
TERRY EMERSON AND TRANS CITY INVESTMENTS

WHEREAS, Terry Emerson, E&H Earthmovers, and Trans-City Investments have made application to the City of Lake Elmo for a Comprehensive Plan Amendment to reclassify land use from RAD (Rural Agricultural) to (C) Commercial with respect to the property legally described as follows:

That part of the Northeast Quarter of the Southwest Quarter of Section 36, Township 29 North, Range 21 West, City of Lake Elmo, Washington County, Minnesota described as follows:

Commencing at the southwest corner of said Northeast Quarter of the Southwest Quarter; thence North 00 degrees 01 minute 17 seconds West, bearing based on the Washington County Coordinate System, NAD 83, along the west line of said Northeast quarter of the Southwest Quarter, a distance of 624.83 feet to the point of beginning of the parcel to be described; thence North 89 degrees 32 minutes 22 seconds East, a distance of 1113.39 feet; thence South 51 degrees 25 minutes 29 seconds East, a distance of 85.20 feet; thence South 12 degrees 19 minutes 32 seconds East, a distance of 590.79 feet to the south line of said Northeast Quarter of the Southwest Quarter; thence North 89 degrees 50 minutes 50 seconds East, along said south line, a distance of 14.11 feet to the southeast corner of said Northeast Quarter of the Southwest Quarter; thence North 00 degrees 05 minutes 28 seconds West, along the east line of said Northeast Quarter of the Southwest Quarter, a distance of 1320.73 feet to the northeast corner of said Northeast Quarter of the Southwest Quarter; thence South 89 degrees 48 minutes 29 seconds West, along the north line of said Northeast Quarter of the Southwest Quarter, a distance of 1318.36 feet to the northwest corner of said Northeast Quarter of the Southwest Quarter; thence South 00 degrees 01 minute 17 seconds East, along said west line of the Northeast Quarter of the Southwest Quarter, a distance of 695.00 feet to the point of beginning.

AND

The west 33.00 feet (2 rods) of the Southwest Quarter of the Southeast Quarter of said Section 36. Excepting therefrom Parcel 43A of Minnesota Department of Transportation Right of Way Plat No. 82-35, on file and of record in the Office of the County Recorder, Washington County, Minnesota. Subject to the Highway Easement for Trunk Highway 12 (Interstate 94).

AND

That part of the Northwest Quarter of the Southeast Quarter of said Section 36, described as follows:

Beginning at the southwest corner of said Northwest Quarter of the Southeast Quarter; thence northerly along the west line a distance of 152.00 feet to a point; thence southeasterly in a straight line to a point on the south line of said Northwest Quarter of the Southeast Quarter, said point being 33 feet east of the point of beginning; thence westerly 33 feet to the point of beginning.

Total area of this parcel is 23.22 acres, more or less.

AND

That part of the Northeast Quarter of the Southwest Quarter of Section 36, Township 29 North, Range 21 West, City of Lake Elmo, Washington County, Minnesota described as follows:

Beginning at the southwest corner of said Northeast Quarter of the Southwest Quarter; thence North 00 degrees 01 minute 17 seconds West, bearing based on the Washington County Coordinate System, NAD 83, along the west line of said Northeast quarter of the Southwest Quarter, a distance of 624.83 feet; thence North 89 degrees 32 minutes 22 seconds East, a distance of 1113.39 feet; thence South 51 degrees 25 minutes 29 seconds East, a distance of 85.20 feet; thence South 12 degrees 19 minutes 32 seconds East, a distance of 590.79 feet to the south line of said Northeast Quarter of the Southwest Quarter; thence South 89 degrees 50 minutes 50 seconds West, along said south line, a distance of 1305.85 feet to the point of beginning, containing 17.80 acres, more or less.

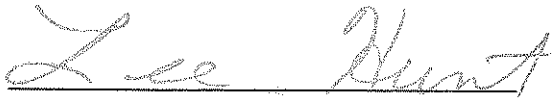
WHEREAS, the Lake Elmo Planning Commission reviewed the application at its October 25, 1999 meeting and recommended that the Comprehensive Plan Amendment be denied based on the following findings:

1. Land use classification of the site as Commercial is inconsistent with the Commercial Use Comprehensive Plan Goals and Policies regarding location.
2. The land use reclassification of the site would result in an 18 acre "spot" surrounded by Limited Business and Rural Agricultural Development classified lands.
3. The physical impacts to the environment and City infrastructure would be substantially more negative from uses of the land responsive to the Commercial land classification applied for than the existing Rural Agricultural Development classification.

WHEREAS, the Lake Elmo City Council reviewed the Comprehensive Plan Amendment application on November 2, 1999,

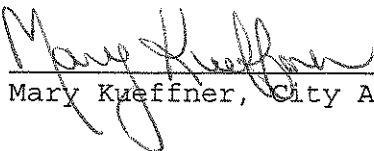
NOW, THEREFORE, BE IT RESOLVED, that a Comprehensive Plan Amendment from Rural Agricultural to Commercial is hereby denied to Terry Emerson and Trans City Investments based on the findings of the Planning Commission.

ADOPTED, by the Lake Elmo City Council this 2nd day of November 1999.



Lee Hunt, Mayor

ATTEST:



Mary Kueffner, City Administrator