

CITY OF LAKE ELMO  
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2002-037

A RESOLUTION DENYING A COMPREHENSIVE PLAN AMENDMENT

WHEREAS, at its April 22, 2002 meeting, the Planning Commission conducted a Public Hearing and adopted a recommendation to deny the application of Nass/Buberl/Bidon to amend the Land Use Element of the Comprehensive Plan to reclassify approximately 49 acres in the Southeast Quadrant of State Highway 36 and Manning Avenue from RAD (Rural Agricultural Development) to C (Commercial) based on the following Findings:

1. The proposed Comprehensive Plan Amendment (Land Use Plan Element) is inconsistent with the Planning Policy Element of the Comprehensive Plan regarding Non-Residential Development. Said Policy specifies commercial development to be located in the I-94 corridor and the Old Village only.
2. The topography and other natural features of the site result in the site being better suited to residential development than commercial development as a means of best preserving the natural topography and other natural features of the site. Said preservation of natural features would be the result of the reduced site grading and alteration that would be required for residential development of the site.
3. Sufficient development options are available for the site with the existing RAD land use designation to provide the property owners reasonable use of the site. Residential development density significantly in excess of that now existing on the site is potentially available to the owners by aggregating their respective parcels – in the same manner they have by this application – for development as an Open Space Preservation Project.
4. It has been successfully demonstrated elsewhere in the City that a power line easement encroachment on a site can be successfully addressed with residential development options available by RAD land use guiding.

WHEREAS, at its May 7, 2002 meeting, the Lake Elmo City Council reviewed the application of Nass/Buberl/Bidon for a Comprehensive Plan Amendment; the City Planner's memo of April 17, 2002; and the recommendations of the City's Planning Commission.

WHEREAS, the Lake Elmo City Council has reviewed its records regarding the adoption of the City's 2000 Comprehensive Plan (see City Planner memo dated April 17, 2002) and has determined that the City's 2000 Comprehensive Plan Land Use Map designations for this site were not the result of error and that the conditions relating to the site and its surroundings have not changed significantly since the adoption of the City's 2000 Comprehensive Plan.

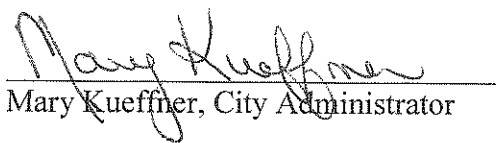
NOW, THEREFORE, BE IT RESOLVED, that the Lake Elmo City Council denies the application of Nass/Buberl/Bidon for Land Use Plan reclassification from RAD (Rural Agricultural Development) to C (Commercial) based on the findings presented by the Planning Commission.

ADOPTED, by the Lake Elmo City Council on May 7, 2002.



Lee Hunt, Mayor

ATTEST:



Mary Kueffner, City Administrator