

CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA

RESOLUTION NO. 2005-067

A RESOLUTION REQUESTING EXTENSION FOR TIME TO SUBMIT LOCAL
COMPREHENSIVE PLAN UPDATE WITH REQUIRED MODIFICATIONS

WHEREAS, on September 30, 2004, the Minnesota Supreme Court entered its decision in City of Lake Elmo v. Metropolitan Council; and

WHEREAS, pursuant to the provisions of MS 473.175 Subd. 3, the City of Lake Elmo was required to adopt its amended comprehensive plan with required modifications within nine (9) months of the entry of the Supreme Court's decision; and

WHEREAS, the Comprehensive Plan modification period will expire on June 30, 2005; and

WHEREAS, since the Supreme Court decision, the City of Lake Elmo has taken the following steps:

1. Conducted multiple meetings with the leadership of the Metropolitan Council which resulted in a Memorandum of Understanding signed and dated January 27, 2005 (the "MOU") providing interpretive guidance for City of Lake Elmo to redraft their Comprehensive Plan;
2. Conducted thirteen (13) public Planning Commission meetings, fifteen (15) public City Council meetings and retained TKDA Engineering in an effort to develop a revised Comprehensive Plan that would be acceptable to Metropolitan Council within the timeframe as specified in item 8 of the MOU;
3. Communicated to Metropolitan Council staff; submitted a letter to Chair Bell, on April 26, 2005, indicating that the City of Lake Elmo was not on schedule but close to completing land planning and that the retained City's Consulting Engineers were moving forward with assigned planning responsibilities, and received a response dated May 2, 2005;
4. Adopted the draft plan with changes on May 10, 2005 and hand delivered a draft copy of the completed/approved comprehensive planning documents for an early review by senior Metropolitan Council staff on May 20, 2005; and

5. Received a document dated June 6, 2005 from senior Metropolitan Council staff outlining questions and concerns arising from the City of Lake Elmo's submittal; and subsequently had three (3) clarification meetings with Metropolitan Council leadership on June 13, 2005, June 20, 2005 and June 22, 2005 to clarify issues outlined in the June 6th, 2005 written response from Metropolitan Council leadership to Lake Elmo and
6. On June 22nd, 2005 clarified an understanding of identified issues and indicated that the City of Lake Elmo could proceed.

WHEREAS, the City of Lake Elmo still needs to complete the following items before submitting its amended comprehensive plan to the Metropolitan Council:

1. Modifications to the Land Use and Development Staging Plans resulting from the June 6, 2005 Metropolitan Council staff's informal review letter and clarification meetings of June 13, 2005, June 20, 2005 and June 22, 2005;
2. Completion of the wastewater, water supply, transportation and surface water system plans which are dependent on the content of the Land Use and Development Staging Plans;
3. Public Notice and re-Hearing of the plan elements before the Lake Elmo Planning Commission and adoption by the Lake Elmo City Council subject to Metropolitan Council review; and

WHEREAS, it will not be possible for the City of Lake Elmo to complete its amended comprehensive plan with required modifications within the statutory nine (9) month period; and

WHEREAS, the City of Lake Elmo agrees to complete its proposed plan update by August 31, 2005; submit the proposed plan update to adjacent governmental units and school districts by September 1, 2005; and submit its proposed plan update to the Metropolitan Council by September 30, 2005, provided that there are no delays caused by the reviews of the governmental units and school districts; and

NOW, THEREFORE, BE IT RESOLVED, that the Lake Elmo City Council hereby respectfully requests that the Metropolitan Council to grant the City of Lake Elmo an extension from June 30, 2005 to August 31, 2005 for submittal of its updated comprehensive plan to adjacent governmental units and school districts; and an extension from June 30, 2005 to September 30, 2005 for submittal of its updated comprehensive plan to the Metropolitan Council.

Approved by the City of Lake Elmo on the 27th day of June, 2005.

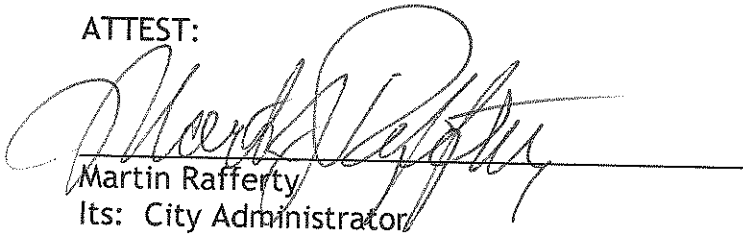
CITY OF LAKE ELMO

By:



Dean Johnston
Its: Mayor

ATTEST:



Martin Rafferty
Its: City Administrator