

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

**RESOLUTION NO. 2007-072**

**A RESOLUTION DENYING A CONDITIONAL USE PERMIT AMENDMENT  
AND THREE VARIANCES TO ALLOW E&E PROPERTIES LLC TO EXPAND  
THE EXISTING LAIDLAW BUS TRANSIT FACILITY ON PROPERTY AT  
11530 HUDSON BOULEVARD**

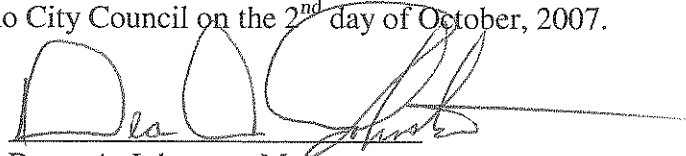
**WHEREAS**, Terry Emerson has requested a Conditional Use Permit amendment and three variances at 11530 Hudson Boulevard North to allow the physical expansion of the bus parking area and an additional parking location for employees to accommodate additional buses in the HD-A-SRD zoning district.

**WHEREAS**, the Lake Elmo Planning Commission held a Public Hearing on September 24, 2007, and reviewed and recommended denial of the Conditional Use Permit amendment and three variances to allow the expansion of the existing Laidlaw bus transit facility based on the following findings:

- The CUP amendment requests to increase the trips per acre from the site in excess of the 6.0 trips per acre allowed by code.
- The CUP amendment would expand the overall site to well beyond the allowed 4% site area;
- The CUP amendment requests impervious surface coverage that is grossly nonconforming to code requirements;
- The use approved in 2002 is already nonconforming to code requirements, and any expansion would increase those nonconformities.
- Allowing the use to continue as approved in 2002 is a reasonable alternative available to the applicant.
- There are no physical conditions of the land or buildings that justify variances to allow the requested expansion.

**NOW, THEREFORE, BE IT RESOLVED** that the Lake Elmo City Council hereby denies a Conditional Use Permit Amendment and three variances at 11530 Hudson Boulevard to expand the existing Laidlaw bus transit facility.

ADOPTED, by the Lake Elmo City Council on the 2<sup>nd</sup> day of October, 2007.

  
Dean A. Johnston, Mayor

ATTEST:

  
Susan Hoyt, City Administrator