

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

RESOLUTION 2012-21

*A RESOLUTION APPROVING A CONDITIONAL USE PERMIT AMENDMENT FOR THE
OAKDALE GUN CLUB, 10386 10th STREET NORTH, TO ALLOW THE CONSTRUCTION OF
SIDEWALLS AND OVERHEAD BAFFLING*

WHEREAS, the City of Lake Elmo is a municipal corporation organized and existing under the laws of the State of Minnesota; and

WHEREAS, Oakdale Gun Club, 10386 North 10th Street (the "Applicant"), has submitted an application to the City of Lake Elmo (the "City") for a Conditional Use Permit amendment to allow the construction of cementitious sidewalls and overhead ballistic baffling on several of the gun ranges within its facility at 10386 North 10th Street, a copy of which is on file with the City; and

WHEREAS, notice has been published, mailed and posted pursuant to the Lake Elmo Zoning Ordinance, Section 154.018; and

WHEREAS, the Lake Elmo Planning Commission held a public hearing on said matter on May 7, 2012; and

WHEREAS, the Lake Elmo Planning Commission has submitted its report and recommendation to the City Council as part of a Staff Memorandum dated May 15, 2012; and

WHEREAS, the City Council considered said matter at its May 15, 2012 meeting.

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 (CUP) Amendment are found in the Lake Elmo Zoning Ordinance, Section 154.018.
- 2) That all the submission requirements of said 154.018 have been met by the Applicant.
- 3) That the proposed CUP Amendment is to allow the construction of cementitious sidewalls and overhead ballistic baffling on several of the gun ranges within the Applicant's facility

at 10386 North 10th Street as documented in the application materials on file with the City.

- 4) That the proposed CUP Amendment will be located on property legally described as follows:

The Southeast Quarter of the Southwest Quarter (SE ¼ of SW ¼) of Section Twenty-size (26), in the Township Twenty-nine (29) North of Range Twenty-one (21) West, SUBJECT to easements in favor of American Telephone and Telegraph Company of Minnesota, recorded in Block 118 of Deeds, page 554, and 135 of Deeds, page 374, in the office of the Register of Deeds in and for said County and State. More commonly known as 10386 10th Street North; PID Number: 26-029-21-34-0001

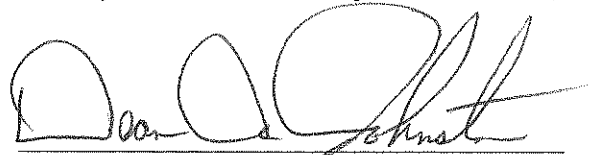
- 5) That the proposed structure will not negatively affect the health, safety, morals, convenience, or general welfare of surrounding lands. *Specific findings: The addition of sidewalls and overhead baffling will reduce the overall impacts from the site by adding additional protections to ensure that bullets do not stray from the individual shooting ranges and by reducing the impact of sounds from these ranges. The proposed work will not alter the current shooting ranges in any manner and will not result in any increase in activity beyond what is already occurring on the site.*
- 6) The proposed improvements will not affect traffic or parking conditions. *Specific findings: Because the proposed improvements will not create any new ranges or expand the capacity of any existing ranges, no additional traffic or demand for parking beyond the present situation will be generated by the project. Adding the sidewalls and baffling to existing ranges does not increase the ability of the Gun Club to accommodate additional users in any manner. The amount of traffic and parking associated with the proposed use will continue to be consistent with the existing operation*
- 7) The proposed improvements will not have an effect on utility or school capacities. *Specific findings: The building addition and new range building will have minimal impacts on the existing utilities at the site. There will be no changes to the utilities already established for the site sewer facilities will not be provided to the parking lot.*
- 8) The proposed improvements would have no effect on property values of surrounding lands. *Specific findings: The Club has been in operation since before the City regulated such uses through zoning, and likewise, the club has been located on this site since before many of the surrounding land uses were established. The site changes requested as part of the C.U.P. amendment are intended to reduce overall impacts from the site.*
- 9) The proposed improvements would be consistent with the Comprehensive Plan. *Specific findings: The Comprehensive Plan guides the property for public facility use in the future, but also provides for the continuation of existing uses until such time as the parcel is redeveloped.*

CONCLUSIONS AND DECISION

Based on the foregoing, the Applicants' application for a Conditional Use Permit Amendment is granted subject to the following conditions:

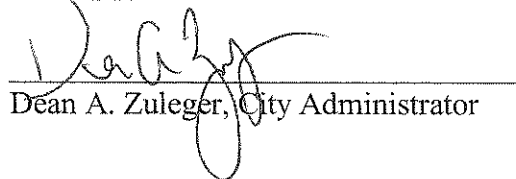
1. That the applicant continues to comply with the conditions of Resolution No. 88-5, approving the master Conditional Use Permit for the site.
2. That the applicant provide for proper drainage openings or install drain tile along the sidewalls to minimize the disruption of any existing drainage patterns within the site due to the construction of said walls.
3. That the applicant secure any permits required by the Valley Branch Watershed District in order to construct the proposed structures.
4. A building permit will be required for the proposed structures, and all construction plans shall be signed by an engineer registered in the State of Minnesota.
5. That prior to any future amendments to the Conditional Use Permit the applicant provide an updated site plan with an accurate depiction of all buildings, ranges, fences, driveways, and other site improvements for review by the City.

Passed and duly adopted this 15th day of May 2012 by the City Council of the City of Lake Elmo, Minnesota.



Dean A. Johnston, Mayor

ATTEST:



Dean A. Zuleger, City Administrator