

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

**RESOLUTION NO. 2014-64**

*RESOLUTION APPROVING AN AMENDMENT TO THE CITY OF LAKE ELMO  
COMPREHENSIVE PLAN*

**WHEREAS**, the City of Lake Elmo has established a Comprehensive Plan that provides a compilation of background data, policy statements, standards, and maps, which help to guide the future physical, social, and economic development of the City; and

**WHEREAS**, The City Council of the City of Lake Elmo (“City”) has directed the Lake Elmo Planning Commission to consider an amendment the Lake Elmo Comprehensive Plan that would eliminate the RAD-ALT (Rural Area Development Alternate Density) future land use category from the Future Land Use map and as referenced in other portions of the Plan and to change all parcels that are currently guided as RAD-ALT (2.0 units per acre) to RAD – Rural Agricultural Density (0.45 units per acre), a description of which is on file in the Community Development Department; and

**WHEREAS**, the Lake Elmo Planning Commission held a public hearing on July 14, 2014 to consider said Comprehensive Plan amendment; and

**WHEREAS**, on July 14, 2014 the Lake Elmo Planning Commission adopted a motion to recommend that the City Council approve said Comprehensive Plan amendment; and

**WHEREAS**, the City Council reviewed the recommendation of the Planning Commission and the proposed amendment to the Comprehensive Plan at a meeting on August 5, 2014; and.

**NOW, THEREFORE**, based upon the testimony elicited and information received, the City Council makes the following:

**FINDINGS**

- 1) That the Planning Commission has reviewed said Comprehensive Plan Amendment in accordance with the procedures as established by the Lake Elmo Planning Department and Lake Elmo Planning Commission.
- 2) That the Planning Commission conducted a public hearing on January 13, 2014 consistent with these procedures.
- 3) That the proposed amendment is to is to revise the Future Land Use Map (Map 3-3 in Chapter III – *Land Use Plan*) in the Lake Elmo Comprehensive Plan, and to specifically to eliminate the RAD-ALT (Rural Area Development Alternate Density) future land use

category from this map to change all parcels that are currently guided as RAD-ALT (2.0 units per acre) to RAD – Rural Agricultural Density (0.45 units per acre). The proposed amendment will also eliminate all other references to RAD-ALT in the Comprehensive Plan.

- 4) That the Comprehensive Plan Amendment will apply to property legally described in the attached Exhibit “A”.
- 5) That the revised Met Council “Thrive 2040” population and household forecast for the City of Lake Elmo and the elimination of the 2005 MOU between the City and Met Council has reduced the pressure for additional growth and development within the City’s rural development (unsewered) areas.
- 6) That higher density residential development is encouraged in areas that will be served by public sanitary sewer where the provision of these services is more cost-effective and where the City has either invested or is planning to invest in significant infrastructure improvements.
- 7) That the Housing Chapter of the Comprehensive Plan specifically states that any future higher density housing in Lake Elmo, including senior-specific housing, will be best accommodated within the Old Village Area or I-94 corridor due to proximity to goods, services, and public facilities.
- 8) That the three existing parcels guided for RAD-ALT development do not demonstrate any characteristics that are substantially different from other areas guided for RAD development in the City of Lake Elmo or that would indicate that higher density development is more appropriate in this area than any other site within the City.
- 9) That the City has recently adopted major Comprehensive Plan amendment related to development in the Old Village Area and the I-94 corridor. Given the current market conditions, the City encourages higher density development in areas that would help off-set the significant infrastructure costs required to serve these areas.
- 10) That higher density housing is not consistent with the City’s stated goals to preserve and enhance its rural character, especially when planned in areas that are guided for Rural Agricultural Density.
- 11) That build-out of existing empty lots in platted and developed OP developments is encouraged over the creation of new development and service areas in the community
- 12) That new access that would be needed to support development on the existing RAD-ALT parcels does not conform to the City’s Transportation Plan that encourages limited access to major collector roads and is inconsistent with the City’s access spacing guidelines.
- 13) That the 2010 Comprehensive Plan Amendment for property at 9434 Stillwater Boulevard North was designed to accommodate a specific development proposal which no longer exists.

- 14) That no development proposals have come forward since 2005 for the other two sites that area guided for RAD-ALT development.
- 15) That recent Met Council projections of population and household growth indicate less overall population growth than was expected in 2010.
- 16) That the support of local neighbors for the 2010 development proposal at 9434 Stillwater Boulevard North was based on a misunderstanding of the details of the proposal. The 2010 Planning Commission recommendation was significantly driven by the support of neighbors, which support no longer exists.
- 17) That the Planning Commission and City Council have become more educated and experienced in considering higher density development. Such development should not be considered for land not guided for sewer before 2030.
- 18) That the 2005 Comprehensive Plan that added two sites for RAD-ALT development and the subsequent 2010 action to add another property to this future land use designation could be considered spot zoning based on later information and training received by the Planning Commission. Specifically, the sites guided for RAD-ALT development are isolated and not connected to any other parcel or area that has a similar land use guidance.

**NOW, THEREFORE, BE IT RESOLVED**, that based on the foregoing, the Lake Elmo City Council hereby approves the Comprehensive Plan amendment, subject to and contingent upon the following:

- 1) Submission of the Comprehensive Plan Amendment to the Metropolitan Council and the receipt of formal notification from the Metropolitan Council that its review has been completed and approved. Acknowledgement of these comments and final adoption of the Comprehensive Plan Amendment will not require any formal action by the City Council.

Passed and duly adopted this 5<sup>th</sup> day of August 2014 by the City Council of the City of Lake Elmo, Minnesota.

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Mike Pearson, Mayor

ATTEST:

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Adam Bell, City Clerk

## Exhibit "A"

PT OF SW1/4 OF SD SEC 15 LYING NLY OF NLY R/W OF RR DESC AS FOLL: COM AT NELY COR SD SW1/4 THN S00DEG51'44"E BRG ORIENTED TO WACO SYS ALG ELY LN SD SW1/4 DIST 1067.20FT THN S89DEG13'16"W DIST 289.50FT THN S48DEG14'16"W ALG A LN HEREINAFTER REFERRED AS LN "A" DIST 36.58FT TO PT HEREINAFTER REFERRED AS PT "C" THN S05DEG16'16"W ALG A LN HEREINAFTER REFERRED AS LN "B" DIST 194.90FT M/L TO PT OF INTER WITH NLY R/W LN OF HWY 5 AKA STILLWATER BLVD N SD PT OF INTER BEING THE POB THN N05DEG16'16"E ALG SD LN "B" DIST 194.90FT M/L TO BEFORE DESC PT "C" THN N48DEG14'16"E ALG SD LN "A" DIST 35.69FT M/L TO INTER WITH SLY LN OF N 1067.20FT OF SD SW1/4 THN S89DEG06'21"W ALG SD SLY LN DIST 24.33FT M/L TO WLY LN OF E 314.50FT OF SD SW1/4 THN N00DEG51'44"W ALG SD WLY LN DIST 1067.20FT M/L TO NLY LN OF SD SW1/4 THN S89DEG06'21"W ALG SD NLY LN DIST 995.27FT M/L TO ELY LN OF W 1312.FT OF SD SW1/4 THN S00DEG41'24"E ALG SD ELY LN DIST 460.FT M/L TO SLY LN OF N 460.FT OF SD SW1/4 THN S89DEG06'21"W ALG SD SLY LN DIST 404.01FT M/L TO DESC ELY LN OF FRIEDRICH HGTS PLAT THN S00DEG41'24"E ALG SD ELY LN DIST 141.48FT THN S80DEG54'36"W ALG SLY LN SD PLAT DIST 59.61FT THN S00DEG41'24"E ALG SD ELY LN SD PLAT DIST 66.FT THN N80DEG54'36"E ALG SD NLY LN SD PLAT DIST 164.77FT THN S00DEG41'24"E ALG SD ELY LN SD PLAT DIST 5.07FT M/L TO INTER WITH LN DRAWN PARL WITH SD NLY LN OF SW1/4 & EXT WLY FROM IPM ON WLY LN OF E1/2 SD SW1/4 SD WLY LN HAVING BRG OF S00DEG46'34"E SD IPM DIST 657.56FT SLY FROM NWLY COR OF SD E1/2-SW1/4 THN N89DEG06'21"E ALG SD PARL LN DIST 299.85FT M/L TO SD IPM THN N89DEG24'43"E ALG NLY LN TRACT DESC IN DOC #714370 & ALG NLY LN OF PARCEL DESC IN DOC #3408380 DIST 309.19FT M/L TO IPM AT THE NELY COR THEREOF THN S01DEG00'08"E ALG ELY LN SD PARCEL DESC IN DOC #3408380 DIST 386.67FT M/L TO INTER WITH A LN HERINAFTER REFERRED AS LN "C" DRAWN AT RT ANG & ELY FROM A PT IN SD WLY LN OF E1/2-SW1/4 SD PT BEING HERINAFTER REFERRED AS PT "A" SD PT ALSO DIST 118.20FT NLY AS MEAS ALG SD WLY LN OF E1