

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

RESOLUTION NO. 2011-041

*A RESOLUTION APPROVING A CONDITIONAL USE PERMIT AMENDMENT FOR THE
ROCKPOINT CHURCH AT 5825 KELVIN AVENUE NORTH TO ALLOW THE
CONSTRUCTION OF AN OVERFLOW PARKING LOT*

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

WHEREAS, Rockpoint Church, 5825 Kelvin Avenue North (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 an overflow parking lot on the eastern portion of its 20 acre property, 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 August 8, 2011; and

WHEREAS, the Lake Elmo Planning Commission has submitted its report and recommendation to the City Council as part of a Staff Memorandum dated August 23, 2011; and

WHEREAS, the City Council considered said matter at its August 23, 2011 and September 20, 2011 meetings.

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 an overflow parking lot on the eastern portion of the Rockpoint Church property.

- 4) That the proposed CUP Amendment will be located on property legally described as follows and commonly known as 5825 Kelvin Avenue North:

Lot 1, Block1, Hidden Meadows of Lake Elmo.

All in Washington County, State of Minnesota. PID Number: 02-029-21-21-0003

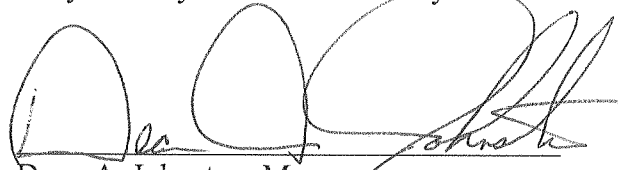
- 5) That the proposed structure will not negatively affect the health, safety, morals, convenience, or general welfare of surrounding lands. *The proposed parking lot will be located in a screened portion of the applicant's site, and will not generate any additional traffic, noise, or other impacts beyond what presently exists on the property.*
- 6) The proposed improvements will not affect traffic or parking conditions. *The proposed parking lot will provide additional overflow parking in another portion of the site, alleviating congestion caused by a shortage of parking during holidays, special events, and other times when parking is at or near capacity. No additional traffic from off-site will be generated from the new parking lot. The applicant has agreed to work with the City to develop a frontage road along Highway 36 by granting any easements necessary to implement such a frontage road system.*
- 7) The proposed improvements will not have an effect on utility or school capacities. *Sanitary sewer facilities will not be provided to the parking lot.*
- 8) The proposed improvements would have no effect on property values of surrounding lands. *The proposed parking lot will not be visible from surrounding lands and will accommodate activities already occurring on the site.*
- 9) The proposed improvements would be consistent with the Comprehensive Plan. *Rockpoint Church is considered a "Place of Worship" and permitted as a Conditional Use in the PF Zoning District. The property is guided for Public and Semi-Public Facilities in the Comprehensive Plan.*
- 10) No use may exceed a ratio of 3.0 SAC units per 3.5 acres or 235 gallons per day per net acre of land based on design capacity of all facilities, whichever is more restrictive. *The proposed parking lot will not result in any increase in the septic system capacity for the site.*
- 11) Direct access is provided to a public street classified by the Comprehensive Plan as a major collector or arterial. *Kelvin Avenue North is classified as a local/municipal street, which connects to Keats Avenue North, which is classified as a major collector.*

CONCLUSIONS AND DECISION

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

1. The applicant must obtain a permit from the Valley Branch Watershed District prior to construction.
2. The applicant shall agree to grant an easement to the City of Lake Elmo across the northern portion of Outlot A of Hidden Meadows of Lake Elmo in the location of the proposed 16" Watermain.
3. The applicant shall provide a letter of credit in the amount of 125% of the cost of paving and landscaping to complete the overflow parking lot. This letter of credit shall be returned to the Church upon completion of the improvements.
4. The applicant shall provide additional year-round screening with evergreen trees on the South side of the parking lot to shield the future residential development, which shall be planted as soon as the parking lot is constructed.
5. The applicant shall provide an erosion control plan, a landscaping plan, as well as specify the proposed material for the parking lot, per the City Engineer's request.
6. The applicant shall provide a storm water management plan, per the request of the Planning Commission

Passed and duly adopted this 20th day of September 2011 by the City Council of the City of Lake Elmo, Minnesota.



Dean A. Johnston, Mayor

ATTEST:



Bruce Messelt, City Administrator