

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

RESOLUTION NO. 2024-008

*A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR A DRIVE THROUGH
FACILITY ON LOT 2, BLOCK 2 OF THE BRIDGEWATER VILLAGE PLAT*

WHEREAS, Bridgewater Bancshares, Inc. (the “Applicant”) is developing the property known as Lot 2, Block 2 of Bridgewater Village (the “Property”); and

WHEREAS, the Applicant has submitted an application to the City of Lake Elmo (the “City”) for a conditional use permit to allow for a drive through facility associated with the principal use of the Property, which will be a financial institution; and

WHEREAS, a public hearing notice has been published, mailed, and posted pursuant to the Lake Elmo Zoning Ordinance, City Code Section 105.12.250 and Minnesota Statutes Section 462.3595; and

WHEREAS, the Lake Elmo Planning Commission held a public hearing on the requested conditional use permit on October 23, 2023; and

WHEREAS, the Lake Elmo Planning Commission has submitted its report and recommendations with respect to the requested conditional use permit to the City Council as part of the City Staff Memorandum dated November 8, 2023; and

WHEREAS, the City Council considered the conditional use permit request at its November 8, 2023 meeting and voted unanimously to table consideration of the item until January 2024 due to ongoing discussion regarding the City’s water appropriations; and

WHEREAS, the City Council considered the conditional use permit request at its January 2, 2024 meeting; and

NOW, THEREFORE, based on the testimony elicited and information received, the City Council makes the following findings, conditions, and conclusions:

FINDINGS

1. The proposed use will not be detrimental to or endanger the public health, safety, comfort, convenience or general welfare of the neighborhood or the City.
2. The use or development conforms to the City’s Comprehensive Plan.
3. The use or development is compatible with the existing neighborhood.

4. The proposed use meets all specific development standards for such use listed in City Code Section 105.12.570 (b).
5. If the proposed use is not within a floodplain management or shoreland area.
6. The proposed use will be designed, constructed, operated and maintained so as to be compatible in appearance with the existing or intended character of the general vicinity and will not change the essential character of that area.
7. The proposed use will not be hazardous or create a nuisance, as defined by the City Code, to existing or future neighboring structures.
8. The proposed use will be served adequately by essential public facilities and services, including streets, police and fire protection, drainage structures, refuse disposal, water and sewer systems and schools or will be served adequately by such facilities and services provided by the persons or agencies responsible for the establishment of the proposed use.
9. The proposed use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
10. The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odors.
11. Vehicular approaches to the Property, where present, will not create traffic congestion or interfere with traffic on surrounding public thoroughfares.
12. The proposed use will not result in the destruction, loss or damage of a natural or scenic feature of major importance.

CONDITIONS OF APPROVAL

The requested conditional use permit is hereby approved subject to the following conditions:

1. Submission of the Comprehensive Plan amendment to the Metropolitan Council and the receipt of formal notification from the Metropolitan Council that it has reviewed and approved the proposed Comprehensive Plan amendment.
2. Approval of a preliminary and final plat for Bridgewater Village by the City Council must occur prior to establishment of this use.
3. All required state, local, and federal permits and reviews must be received prior to establishment of this use on the Property.
4. No flexibility from City standards is provided by this approval.
5. The drive-through facility must comply with all standards for such facilities that are set forth in City Code Section 105.12.570(b).
6. Enhanced landscaping between the drive-through facility on the Property and the intersection of CSAH 14 & 15 shall be provided to the satisfaction of the City's Landscape Architect.
7. If substantial construction has not taken place within 12 months of the date on which the conditional use permit was approved by the City Council, the conditional use permit is

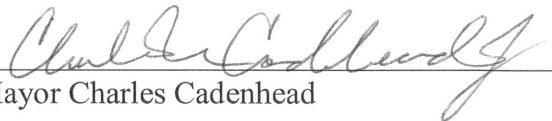
void, except that, on application to the City Council, after receiving recommendation of the Planning Commission, the City Council may extend the permit for such additional period as it deems appropriate.

8. If the conditional use is discontinued for six months, the conditional use permit shall become void.

CONCLUSIONS

1. Based on the above findings, the City Council hereby approves the requested conditional use permit. The conditions of approval are set forth above.

Passed and duly adopted this 2nd day of January, 2024 by the City Council of the City of Lake Elmo, Minnesota.



Mayor Charles Cadenhead

ATTEST:



Julie Johnson, City Clerk