



CITY OF ORONO
RESOLUTION OF THE CITY COUNCIL

NO. **5675**

**A RESOLUTION APPROVING
AMENDMENT #3 OF THE
2000-2020 CITY OF ORONO
COMMUNITY MANAGEMENT PLAN**

WHEREAS, the City of Orono is a municipal corporation located within Hennepin County and within the planning jurisdiction of the Metropolitan Council; and

WHEREAS, in accordance with the Metropolitan Land Planning Act of 1976 and its amendments, and with Minnesota Statutes Chapters 462 and 473, the City of Orono in November 2001 adopted a comprehensive municipal plan known as the 2000-2020 City of Orono Community Management Plan (also referred to as the 2000-2020 CMP) to provide for the orderly development of the City; and

WHEREAS, an integral element of the 2000-2020 CMP is the Comprehensive Sewer Policy Plan, which identifies certain areas of the City as being within the Metropolitan Urban Service Area (MUSA) in which connections to the metropolitan sanitary sewer system are allowed; and

WHEREAS, the property at 875 Wayzata Boulevard West in Orono (hereinafter the "Property") was incorporated into the MUSA in 1988 and guided at that time for single family rural residential use at a density of 1 unit per two dry buildable acres; and

WHEREAS, the City received an application from the owner of the Property for an amendment to the CMP to allow the property to be developed for residential single family use at an urban density of 1 unit per 0.70 dry buildable acres (1.43 units per acre); and

WHEREAS, pursuant to published and mailed legal notice to the affected and nearby property owners, on May 15, 2006 the Orono Planning Commission held a public hearing and subsequently recommended approval of the proposed CMP amendment on a vote of 3-2, based on the unique nature of the property and subject to compliance with City wetland regulations; and

WHEREAS, on July 12, 2006 Council directed staff to draft language for an amendment of the 2000-2020 Community Management Plan (CMP) that would allow development of the Property in the manner proposed by the applicant; and



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WHEREAS, on August 28, 2006 the Orono City Council voted 5-0 to conditionally approve 2000-2020 CMP Amendment #3 per the proposed text revisions including specific conditions for development of the Property, subject to Metropolitan Council review and approval; and

WHEREAS, on October 10, 2006 documentation for proposed Amendment #3 of the 2000-2020 CMP was submitted to the Metropolitan Council for approval and written notice was sent to neighboring cities and other potentially affected governmental jurisdictions, requesting written comment; and

WHEREAS, no negative comments were received; and

WHEREAS, on May 24, 2007 the Metropolitan Council indicated to the City via letter that the 2000-2020 CMP Amendment #3 - 875 Wayzata Boulevard is in conformance with metropolitan system plans for transportation and parks, is consistent with the 2030 regional development framework, and is compatible with the plans of adjacent jurisdictions. The letter indicated that the City may place the amendment into effect with no modifications, subject to the following:

- a) A reminder that Orono is required to participate in the Met Council's plat monitoring program and to submit annual reports; and
- b) A copy of the intercommunity sewer agreement with Wayzata or Long Lake must be submitted to Met Council when it is finalized and prior to connection of the Property to the municipal sewer system.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Orono hereby amends the 2000-2020 City of Orono Community Management Plan Part 3B, Land Use Plan by incorporating into the Plan the text revisions attached hereto as **Exhibit A**, subject to completion of the necessary revisions of the Sanitary Sewer Agreement between Orono and Wayzata, finding that:

1. The amendment meets the intent of the basic goals, objectives and policies set forth in the 2000-2020 CMP.
2. The amendment is consistent with the goals, objectives, needs and desires of Orono residents.



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3. The amendment is consistent with the planning goals and objectives of Orono's municipal neighbors.

FURTHER BE IT RESOLVED that Land Use Plan Map 3B-6 shall be revised to reflect the reguiding of the property from Rural Residential 2-Acre Minimum to Urban Residential Medium Density SFR/MFR.

Adopted by the City Council of Orono, Minnesota this 8th day of October 2007.

ATTEST:

Linda S. Vee, City Clerk

James M. White, Mayor

**MINUTES OF THE
ORONO CITY COUNCIL MEETING
Monday, October 8, 2007**

***5. #05-3152 JAMES D. MACKINNON, 3500 WATERTOWN ROAD – REQUEST FOR SECOND EXTENSION OF PRELIMINARY PLAT APPROVAL – RESOLUTION NO. 5674**

Murphy moved, McMillan seconded, to adopt RESOLUTION NO. 5674, a Resolution Granting a Second One-Year Extension to the Effective Period of Preliminary Plat Approval Established Per Resolution No. 5421. VOTE: Ayes 4, Nays 0.

6. #07-3298 875 WBW, LLC, 875 WAYZATA BOULEVARD WEST – FINAL PLAT/RPUD, REZONING/COMPREHENSIVE PLAN AMENDMENT – RESOLUTION NOS. 5675 and 5676 AND ORDINANCE NO. 39, THIRD SERIES

Steve Johnston, John Terrance Homes, and Dave Carlson, WBW, LLC, were present.

Gaffron stated the applicants are requesting final approval of a PUD General Development Plan and Final Plat approval, RPUD rezoning, and a comprehensive plan amendment. The applicants have completed the majority of the items outlined in the Planner's Report, with only a few administrative items remaining outstanding.

The issue of approval by Wayzata for the sewer and water plans has been resolved and the applicants are awaiting the agreement between the two cities to be finalized that will approve the applicants' physical plan, which is not necessary to have in hand prior to approval by the Orono City Council. The City has received the escrow agreement and escrow deposit and a letter from the bank indicating that they would be providing the letter of credit.

Gaffron stated he is satisfied that the documents are in final form and the applicant would be signing those in the near future. Gaffron recommended the plat and final documents not be released for filing until all of the administrative items are completed.

Murphy moved, McMillan seconded, to adopt RESOLUTION NO. 5676, a Resolution Granting General Development Plan Approval for Planned Unit Development No. 6 for Orono Villas, LLC, and Approving the Plat of Orono Villas – File No. 07-3298. VOTE: Ayes 4, Nays 0.

McMillan moved, Murphy seconded, to adopt ORDINANCE NO. 39, THIRD SERIES an Ordinance Amending the Municipal Code of Orono and Amending the Official Zoning Map by Rezoning Certain Properties from RR-1B, Single Family Rural Residential District, to RPUD, Residential Planned Unit Development District, and Adding Section 78-1012 Regarding Planned Unit Development No. 6. – File No. 06-3225/07-3298. VOTE: Ayes 4, Nays 0.

X Rahn moved, White seconded, to adopt RESOLUTION NO. 5675, a Resolution Approving Amendment #3 of the 2000-2020 City of Orono Community Management Plan. VOTE: Ayes 4, Nays 0.

Murphy moved, Rahn seconded, to authorize Mayor James White and City Clerk Linda Vee to execute PUD-6 Agreement. VOTE: Ayes 4, Nays 0.

***7. #07-3313 THEODORE E. AND BETTY L. ZIEMAN, 3045 SUSSEZ ROAD – SUBDIVISION – RESOLUTION NO. 5677**

Murphy moved, McMillan seconded, to adopt RESOLUTION NO. 5677, a Resolution Granting Preliminary Approval of a Class II Subdivision for Property Located at 3045 Sussex Road. VOTE: Ayes 4, Nays 0.