

CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2000- 061

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO CARRIAGE HOMES IX, INC.
FOR TWO NEIGHBORHOOD IDENTIFICATION SIGNS

WHEREAS, Carriage Homes IX., Inc. has applied for a Conditional Use Permit for two permanent "Neighborhood Identification Signs"; one at the intersection of 55th Street and State Highway 5, and one in the median of Marquess Trail North, near the intersection with State Highway 5.

WHEREAS, Section 535.07 Permitted Signs by Zoning District, Subd. 1G. Permitted Signs in Residential Districts of the Lake Elmo Municipal Code requires a Conditional Use Permit to erect Neighborhood Signs in the City of Lake Elmo; and

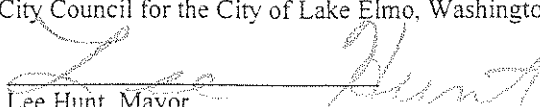
WHEREAS, the Lake Elmo Planning Commission, at its November 13, 2000 meeting, recommended that the City Council approved said Conditional Use Permit based on on the following findings:

1. The Sign Ordinance does permit neighborhood identification signage upon approval of a Conditional use Permit with no stated standards with regard to number of signs, sign location, sign area, or sign height.
2. The only previously approved Conditional use Permit for signs of this type is Torre Pines, where a sign/monument of 150 square feet area in a public street median was approved for a neighborhood of 24 homes with a single public street access/frontage.
3. The Carriage Station neighborhood will total 109 new homes, with 2 public road access/entrance points. Two signs are proposed, totaling 97 square feet, including the monument features (stone surface/skirting), one of which is proposed for the public street median.
4. The applicant's signage proposal is of lesser scale than the previously approved neighborhood identification signage for Torre Pines, particularly in relation to the overall scale of the neighborhood to be served.
5. Proposed sign setback from public streets (other than median curbing) complies with setbacks prescribed for other types of signs by the City Code.
6. The application generally responds to those applicable standards for approval of Conditional Use Permits specified by Section 300 of the City Code, as required.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE ELMO, MINNESOTA, that a Conditional Use Permit for two "Neighborhood Identification Signs" within the Carriage Station neighborhood, consistent with plans staff-dated November 9, 2000, is hereby granted, subject to the following conditions:

1. The applicant and the Carriage Station HOA provide the City a specific Hold Harmless Agreement for any and all future damage to the Marquess Trail median sign as the result of street maintenance and snow plowing by the City; and/or from any liability arising from the Marquess Trail sign/monument.
2. The Carriage Station HOA Declaration be amended to specify that all maintenance, upkeep, and replacement or other required actions regarding the Marquess Trail median sign be the sole responsibility of, and at the sole expense of, the Carriage Station HOA.
3. The signs should not be lighted.

ADOPTED this 21st day of November, 2000, by the City Council for the City of Lake Elmo, Washington County, Minnesota.


Lee Hunt, Mayor

ATTEST:


Mary Kueffner, City Administrator