

**City of Lake Elmo  
Washington County, Minnesota**

**Resolution No. 2005- 060**

**A RESOLUTION GRANTING A  
CONDITIONAL USE PERMIT  
TO CONSTRUCT A  
PUBLIC WORKS/PARKS GARAGE AND WATER TOWER  
TO THE CITY OF LAKE ELMO**

**WHEREAS**, the City of Lake Elmo has made application for a Conditional Use Permit allowing construction of a Public Works/Parks Garage and a Water Tower on a parcel zoned PF based on plans staff presented at a Planning Commission Meeting on June 13, 2005, on a parcel of land legally described as:

**Legal Description  
See Exhibit A**

**WHEREAS**, the Lake Elmo Planning Commission considered this Conditional Use Permit request at its June 13, 2005 meeting, and recommended that the Conditional Use Permit be granted based upon the following Findings:

1. Direct access is provided to a Public street classified by the Comprehensive Plan as Major Collector or Arterial. Access from the site will be to Ideal Avenue a County State Aid Highway and a Collector Street in the City Transportation Plan.
2. The use and location is consistent with the Community Facilities Element of the Comprehensive Plan. The specific location of public facilities is not addressed by the Community Facilities Element of the Lake Elmo Comprehensive Plan. The Community Facilities Element of the 2000-2020 Plan does very specifically address the need for additional elevated water storage at some location (but not adjacent to any of the wells). The Community Facilities and Staffing Report - adopted by the City Council in 2002 – addresses the immediate need for new and expanded Public Works/Park Maintenance Facilities for the City – again not specifying any particular site for the new facilities.
3. 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 the design capacity of all facilities, whichever is more restrictive. Based on the 300 square feet of office space within the proposed structure, a total of 1 SAC unit would be chargeable, based on Metropolitan

Council standards. Using a total of maximum of 10 employees that may some day be located at the site, the wastewater generation will not exceed 38 gallons per day per net acre of the site. In both cases the wastewater generation of the site as proposed (or even if some day expanded by several factors) will be well below the maximum thresholds.

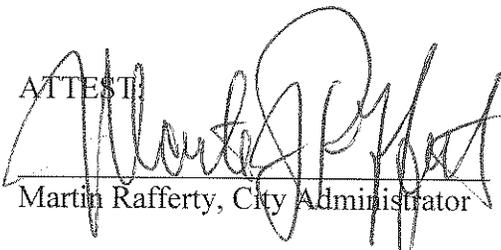
**WHEREAS**, on June 21, 2005, the City Council reviewed the application, the comments by staff, the recommendation of the Planning Commission and determined that the proposed use

1. Would not be detrimental to the health, safety, convenience, or general welfare of the community.
2. It will not cause serious traffic congestion or hazards.
3. It will not seriously depreciate surrounding property values.
4. The proposed use is in harmony with the general purpose and intent of the *Lake Elmo Zoning Code* and Comprehensive Plan.

**NOW, THEREFORE, BE IT RESOLVED** that a Conditional Use Permit is hereby granted by the City Council to the City of Lake Elmo.

**ADOPTED** by the Lake Elmo City Council this 21<sup>st</sup> day of June, 2005.

  
\_\_\_\_\_  
Dean Johnston, Mayor

ATTEST  
  
\_\_\_\_\_  
Martin Rafferty, City Administrator

## EXHIBIT A

### PARCEL A

That part of the Northwest Quarter of the Southwest Quarter of Section 16, Township 29 North, Range 21 West, Washington County, Minnesota described as follows:

Commencing at the northwest corner of said Northwest Quarter of the Southwest Quarter; thence South 00 degrees 03 minutes 55 seconds East, bearing oriented to the Washington County Coordinate System, NAD 83, along the west line of said Northwest Quarter of the Southwest Quarter, a distance of 115.20 feet to the point of beginning of the parcel of land to be described; thence North 89 degrees 51 minutes 08 seconds East, a distance of 815.00 feet; thence South 00 degrees 03 minutes 55 seconds East, parallel with said west line, a distance of 400.00 feet to its intersection with the north line of State Trunk Highway No. 5; thence South 89 degrees 51 minutes 08 seconds West, along said north line, a distance of 815.00 feet to its intersection with said west line of the Northwest Quarter of the Southwest Quarter; thence North 00 degrees 03 minutes 55 seconds West, along said west line, a distance of 400.00 feet to the point of beginning.

This parcel contains 7.484 acres, more or less.

This parcel is together with an easement for ingress and egress over, under and across that part of said Northwest Quarter of the Southwest Quarter and over, under and across that part of the Southwest Quarter of the Northwest Quarter of said Section 16 described as follows:

Commencing at the northwest corner of said Northwest Quarter of the Southwest Quarter; thence South 00 degrees 03 minutes 55 seconds East, bearing oriented to the Washington County Coordinate System, NAD 83, along the west line of said Northwest Quarter of the Southwest Quarter, a distance of 115.20 feet; thence North 89 degrees 51 minutes 08 seconds East, a distance of 75.00 feet to its intersection with the east line of County State Aid Highway No. 13 as described in Document Number 943070, on file and of record in the Office of the County Recorder, Washington County, Minnesota and to the point of beginning of the easement to be described; thence continue North 89 degrees 51 minutes 08 seconds East, a distance of 58.00 feet; thence North 00 degrees 03 minutes 55 seconds West, a distance of 410.01 feet; thence North 13 degrees 24 minutes 28 seconds East, a distance of 287.57 feet; thence North 00 degrees 03 minutes 54 seconds West, a distance of 150.00 feet to its intersection with a northerly line of that parcel described in Certificate of Title No. 21020 which is on file and of record in the Office of the Registrar of Titles, Washington County, Minnesota; thence South 89 degrees 38 minutes 24 seconds West, along said northerly line, a distance of 125.00 feet to its intersection with said east line of County State Aid Highway No. 13; thence South 00 degrees 03 minutes 54 seconds East, along said east line, a distance of 724.01 feet; thence South 00 degrees 03 minutes 55 seconds East, along said east line, a distance of 115.09 feet to the point of beginning.

This parcel is subject to a highway easement for County State Aid Highway No. 13 as described in Document Number 943070.

This parcel is also subject to access control to said State Trunk Highway No. 5 as described in Document No. 29016, on file and of record in said Office of the Registrar of Titles, Washington County, Minnesota.

The above legal descriptions are subject to modification as required by the Washington County Examiner of Titles.