

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

**RESOLUTION NO. 2006-086**

**A RESOLUTION APPROVING THE VARIANCE AND SITE PLAN FOR  
C & C NORTH AMERICA**

**WHEREAS**, the Lake Elmo Planning Commission, at its July 24, 2006 meeting conducted a Public Hearing where they reviewed the Variance Application and Section 520 Site Plan for C & C North America on Outlot C, EAGLE POINT BUSINESS PARK, and recommended approval with conditions.

**WHEREAS**, the Lake Elmo City Council, at its August 2, 2006 meeting reviewed the Variance Application and Section 520 Site Plan for C & C North America on Outlot C, EAGLE POINT BUSINESS PARK, the recommendation of staff and the Planning Commission, and made the following Findings with regard to the Variance Application:

1. The property can not be put to reasonable use without the granting of the variance requested.
2. The variance requested results from a circumstance unique to this property. The brief sharp meander of the tributary stream - which otherwise flows generally straight - adjacent to a portion of the site places an unreasonable burden on the design of the site and placement of structures.
3. Granting of the variance will not change the essential character of the neighborhood.


**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of Lake Elmo does hereby approve the Variance Application and Section 520 Site Plan for C & C North America at Outlot C, EAGLE POINT BUSINESS PARK in accordance with plans staff dated July 19, 2006 and July 27, 2006, subject to the following conditions:

**Conditions**

1. Compliance with the recommendations of the City Engineer and City Attorney – specifically regarding surface water drainage.
2. Compliance with recommendations of the South Washington Watershed District that are found to be reasonable and practical by the City Engineer.
3. City Council approval of the variance for structure setback to the OHW.
4. Elimination of the 15 off-street parking spaces at the west site periphery, and substitution of “Proof of Parking” at that location to be constructed in the future only upon City approval
5. Compliance with the parking landscape island requirements as prescribed by Section 300.13 Subdivision 6B of the City Code.


6. All exterior lighting fixtures (including any "wall paks") shall be of a full cut-off design. The applicant shall submit manufacturer cut sheets for all exterior light fixtures for City Staff confirmation of compliance prior to issuance of any Building Permit.
7. Compliance with the landscape plan surety requirements of Section 520, Subdivision 1C of the City Code.
8. Provide a landscape plan for stream bank restoration acceptable to the DNR.
9. Comply with the Business Park District Performance Standards with respect to exterior surfaces.

**ADOPTED**, by the Lake Elmo City Council on the 15th day of August, 2006.



Dean A. Johnston, MAYOR

**ATTEST:**



Martin J. Rafferty, City Administrator