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CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2006-084

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT/SITE PLAN
AT 11051 STILLWATER BOULEVARD NORTH
TO LOCATE A VETERINARY CLINIC

WHEREAS, Dr. John Baillie and Gary Harty have requested a Conditional Use Permit at 11051 Stillwater Boulevard North to locate a Veterinary Clinic in the General Business Zone.

WHEREAS, the Lake Elmo Planning Commission held a Public Hearing on August 14, 2006, and reviewed and recommended approval of the Conditional Use Permit/Site Plan for a Veterinary Clinic based on the following findings:

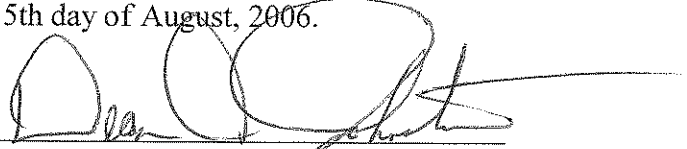
1. A Conditional Use Permit for a veterinary clinic in the General Business Zone is allowable per Section 300.07, Subdivision 4H1e of the Zoning Ordinance.
2. The required general Findings for a Conditional Use Permit specified by Section 300.06, Subdivision 4 of the Zoning Ordinance can be made in the affirmative, subject to several conditions related to the operations of the veterinary clinic.
3. The Section 520 Site Plan for parking and drive modifications to the site generally complies with applicable provisions of the City Code.

NOW, THEREFORE, BE IT RESOLVED, by the Lake Elmo City Council hereby approves a Conditional Use Permit/Site Plan at 11051 Stillwater Boulevard North to locate a veterinary clinic, based on the Findings and subject to the following conditions:

1. Barking dog complaints shall be reviewed by the City Council and may be the basis for revocation of this CUP if such conduct creates a nuisance to adjoining property – as determined by the City Council.
2. Site modifications shall be consistent with the Section 520 Site Plan staff dated August 9, 2006 as may be modified by the conditions of the Site Plan approval resolution.
3. The septic system for the subject property shall be in compliance with City regulations and shall be determined to be in compliance by the Building Official prior to occupancy responsive to this CUP.
4. There shall be no outside kennels or animal runs.

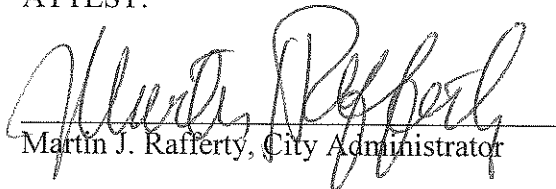
5. All disposals of animal parts and waste shall be in compliance with applicable State, County, and City laws.
6. Specific veterinary practices permitted by this CUP shall be limited to veterinary medicine, surgery, dentistry, and related service for small domestic and non-domestic household pets.
7. The Site Plan shall be modified to convert at least six proposed off-street parking space to "Proof of Parking to be constructed only if directed by the City. All existing parking area located within the Highway 5 right-of-way shall be removed, including any impervious surfacing related to such parking.
8. Compliance with any recommendations of the City Engineer and City Attorney.
9. Upon occupancy of this site as a veterinary clinic the Conditional Use Permit for a veterinary clinic issued to John N. Baillie at 3417 Lake Elmo Avenue (Resolution 97-54) shall expire and become null and void.

ADOPTED by the City Council this 15th day of August, 2006.



Dean A. Johnson Mayor

ATTEST:



Martin J. Rafferty, City Administrator

Baillie/Harty

All that part of Lot 1, County Auditor's Plat No. 8, Washington County, Minnesota, described as follows: Beginning at the quarter-section corner on the west side of Section 13, Township 29 North, Range 21 West, thence north along the west line of said Section 13, 329.64 feet to a stone monument on the southerly side of the St. Paul and Stillwater Road; thence $N55^{\circ}16\frac{1}{2}'E$ along the said southerly line of said Road 464.63 feet to the northwest corner of a tract of land conveyed by James S. Collopy and wife to William Albrecht by Warrant Deed dated and acknowledged June 11, 1910, and recorded in the office of the County Recorder in and for said Washington County in Book 76 of Deeds, page 148, to the place of beginning; thence south along the west line of said land 261.6 feet to the southwest corner of said land; thence $S72^{\circ}48'W$ 225 feet to a point; thence north along a line parallel to the said west line of said Section 13 to a point in the said southerly line of said St. Paul and Stillwater Road; thence $N55^{\circ}16\frac{1}{2}'E$ along the said southerly line of said road to the place of beginning.