



PLANNING COMMISSION  
DATE: 2/22/2016  
AGENDA ITEM: 4C – PUBLIC HEARING  
CASE #2016-04

City of Lake Elmo Planning Department  
**Interim Use Permit Request: Commercial Wedding Ceremony Venue**

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*To:* **Planning Commission**  
*From:* **Stephen Wensman, City Planner**  
*Meeting Date:* **February 22, 2016**  
*Applicant:* **Carol Palmquist**  
*Owner:* **Carol Palmquist**  
*Zoning:* **A - Agriculture**

***Suggested Order of Business***

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- Introduction..... Planning Staff
- Report by Staff..... Planning Staff
- Questions from the Commission..... Chair & Commission Members
- Open the Public Hearing..... Chair
- Continue the Public Hearing to the  
February 8, 2016 meeting date..... Chair
- Discussion by the Commission ..... Chair & Commission Members

***Introductory Information***

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***Requested Permit:*** The applicant is requesting approval of a 10 year Interim Use Permit to establish a commercial wedding ceremony venue on an Agricultural property located at 12202 55<sup>th</sup> St. N.

***Application Summary:*** The requested interim use would allow a commercial wedding ceremony venue to be established on a 10.26 acre agricultural property located at 12202 55<sup>th</sup> St. N with the PID: 06.029.20.23.0006

The application details include the following:

**Type of business:** Commercial wedding ceremony venue.

**On-Site Activity:** wedding ceremonies in a vineyard with turf parking.

**Employees:** 3-4 part time (estimated).

**Proposed number of guests:** Up to 200.

**Use Frequency:** 4 times per week, maximum, from May through October with a maximum 3 hour duration for any single ceremony.

**Hours of operation:** 10 am – 10 pm.

**Attachments:** **Commercial Wedding Ceremony Venue Ordinance.**  
**Applications submittal: Written Statement, Proposal letter, Site Plan.**  
**Building Official Memo dated 2/3/16.**  
**Fire Chief Memo dated 2/3/16**

### ***Findings & General Site Overview***

**Site Data:** *Lot Size:* 10.26 acres  
*Existing Use:* Residential/Agricultural  
*Existing Zoning:* Agricultural  
*Property Identification Number (PID):* 06.029.20.23.0006

The proposed commercial wedding venue site is part of a 120 acre farm originally homesteaded by George Schindler. The site was farmed continuously until 1981 when it was subdivided and sold. In 1983, the Palmers purchased 10.26 acres of the farm, constructed a house and planted a small vineyard.

**Proposal Review:** The applicant is requesting a 10 year Interim Use Permit. Over the years, many people have asked the Palmers to hold wedding events on their property. Carol Palmer was the inspiration for the Commercial Wedding Venue Ordinance.

**Minimum Criteria:**

Under the ordinance, commercial wedding ceremony venues are an interim accessory use in the Agriculture zoning district on parcels 10 acres and greater. The site has the capacity to accommodate the use without altering its rural characteristics and will not affect the health, safety and welfare of the community. The proposed ceremonies will be held adjacent to the vineyard in an open field with good drainage. The open field will also accommodate the proposed parking that has easy access off of 55<sup>th</sup> Street N. 55<sup>th</sup> Street North is only accessible from Manning Avenue, so the impact on local roads and neighbors is minimal.

**Adjacent Land Uses:**

The proposal is an agricultural property of 10.26 acres in size which is surrounded by residential homes on three sides and commercial on the east. To assist in the evaluation of the proposal, staff has provided the approximate distance between the proposed field area for the venue to adjacent residential homes.

North: residential home approximately 800 ft. away.

South: residential homes, nearest approximately 450 ft. away.

West: residential home, approximately 500 ft. away.

East: commercial businesses.

**Noise:**

The owner will comply with the City's noise ordinance. The applicant will be purchasing a sound system for the venue and has the ability to cap the sound level. The applicant will enforce noise restrictions with the contractual agreement with customers and through use of posted signs. An existing stand of 20-40 foot Norway Pine trees surrounding the property will also provide a natural sound barrier.

**Access/Traffic:**

The applicant proposes utilizing the existing gravel field entrance off of 55<sup>th</sup> Street N to access the venue. The proposed parking area is on the open grass field parallel to 55<sup>th</sup> Street. The proximity to 55<sup>th</sup> Street will provide adequate emergency vehicle access. City Staff recommends that the access from 55<sup>th</sup> Street be at least 18' wide and designed to a 7 ton standard to accommodate emergency service vehicles to northerly extent of the parking area.

The applicant proposes to employ an attendant for each venue to direct traffic and to organize entering and exiting traffic. Temporary signs will also be used to guide traffic and to caution the 55<sup>th</sup> Street N trail users. 55<sup>th</sup> Street N is only accessible from Manning Avenue to the east, so there will be minimal impact on local streets or traffic.

**Parking:**

The performance standards for commercial wedding venues require parking to be 100' from residential property lines. The grass field parking easily meets this criterion.

On February 16, 2016, the Commercial Wedding Ceremony Venue ordinance was amended exempting such venues from the commercial parking lot surfacing and curbing requirements. The turf parking complies with the code requirements.

There are no accessible facilities proposed and none required by City Code.

**Sanitary Facilities:**

The applicant is proposing to use rented sanitation facilities (port-a-potties). According to Building Code, assembly for 200 guests would require 4 sanitary facilities of which one is required to be handicap accessible with an accessible path.

**Lighting:**

No site lighting has been proposed, but the applicant has stated that they will comply with city lighting regulations.

**Buffering:**

An existing 20-40 foot stand of Norway Pines surround field on the east and west sides buffering the use from adjacent residential properties.

**Temporary Tents:**

The applicant may utilize temporary tents with venues. The MN State Fire and Building Code have specific requirements for such structures. The City Fire Chief and Building Official have provided review comments (attached) which are recommended conditions of approval.

***Required Findings:***

In order for the City Council to approve the interim use permit, six findings must be met. Staff has listed each of the findings with comments in bold italics:

- 1) The use is allowed as an interim use in the respective zoning district and conforms to standard zoning regulations. ***In conformance with zoning regulations***
- 2) The use will not adversely impact nearby properties through nuisance, noise, traffic, dust, or unsightliness and will not otherwise adversely impact the health, safety, and welfare of the community. ***The site is located on a dead-end street accessible from a Manning. The impact to the neighborhood will be negligible.***
- 3) The use will not adversely impact implementation of the Comprehensive Plan. ***The improvements respect the rural/agricultural nature of the area and zoning district. The use is accessory to the principle residential use.***
- 4) The date or event that will terminate the use is identified with certainty. The applicant has specified in the application materials that the use will terminate once the property is sold or developed under future zoning. ***Staff is recommending a termination date of ten years from the date of approval.***
- 5) The applicant has signed a consent agreement agreeing that the applicant, owner, operator, tenant and/or user has no entitlement to future reapproval of the interim use permit as well as agreeing that the interim use will not impose additional costs on the public if it is necessary for the public to fully or partially take the property in the future. ***A consent agreement will need to be approved by the City Council as a condition of approval.***
- 6) The user agrees to all conditions that the City Council deems appropriate for permission of the use including the requirement of appropriate financial surety to cover the cost of removing the interim use and any interim structures upon the expiration of the interim use permit. ***This item can also be addressed as part of a consent agreement with the City.***

- 7) There are no delinquent property taxes, special assessments, interest, or city utility fees due upon the subject parcel.

***Recommendation:***

***Conditions:***

Based on a review of the applicable code sections, Staff is recommending that the Planning Commission recommend approval of the interim use permit based on the following:

- 1) That a parking attendant be on site to assist with cars arriving and exiting the site for each wedding ceremony event.
- 2) That the access driveway be 18' wide and designed to a 7 ton standard to accommodate emergency service vehicles to the northerly extent of the parking area.
- 3) That accessible parking be provided and signed as handicapped parking with an accessible path connecting the sanitary facilities and the public assembly area.
- 4) That the applicant maintains compliance with all applicable City Code standards for the duration of the interim use.
- 5) That the applicant enters into a consent agreement with the City in accordance with Section 154.107 of the City Code.
- 6) That the interim use is valid for a period of ten years and must be renewed by the City Council prior to the end of this time period in order to continue operating from the site.
- 7) The applicant/owner shall comply with Minnesota 1300.0190 for temporary structures and uses. Building permit and inspection will be required.
  - Temporary structure installer is required to submit a complete plan from the manufacture for installation including tie down instructions that conform to the 90 MPH wind loading in the Minnesota State Building Code.
- 8) Applicant must comply with all applicable requirements of the MN State Fire Code:
  - Chapter 24, "Tents, Canopies and other Membrane Structures of the 2007 Minnesota Fire Code.
  - Section 503, "fire Apparatus Access Roads", of the 2007 Fire Code.
  - Section 906, "Portable Fire Extinguishers", of the 2007 Fire Code.
- 9) That the applicant/owner maintain a contract to supply and maintain (4) temporary sanitary facilities while in operation and that at least one temporary sanitary facility be handicapped accessible and placed on an accessible route.

**Motion**

10) Any Portable power/ generators/ Heaters or other like equipment shall be placed/installed in accordance with the manufacture installation instructions and the applicable codes.

Staff recommends the Planning Commission recommend approval with the following motion:

*“Motion to recommend approval of the interim use permit for a commercial wedding ceremony venue to be located at 12205 55<sup>th</sup> Street North with 11 conditions”.*



To: Stephan Wensman, Planning Director

From: Rick Chase, Building Official

Date: 2/03/2016

Subject: Interim Use permit application (Wedding Ceremonies temporary structure).

Applicant: Carol Palmquist

Land Use Review comments request dated 1/29/16

**Cursory Review Scope:** This review was completed with the following information food and alcohol not served, temporary structure will be put in place each week an event is scheduled.

1. Based on the occupant load of 200 the required portable sanitary facilities is four. The sanitary facilities are required to be placed on an accessible route and one is required to be handicap accessible.
2. Temporary Accessible parking and signage is required.
3. The permit applicant/owner is required to comply with Minnesota 1300.0190 for temporary structures and uses. Building permit and inspection will be required. (See Attachment)
4. The applicant owner is required to comply with egress requirements in accordance with the Minnesota State Building Code.
5. Portable power/ generators/ Heaters or other like equipment will be placed/installed in accordance with the manufacture installation instructions and the applicable codes.
6. Temporary structure installer is required to submit a complete plan from the manufacture for installation including tie down instructions that conform to the 90 MPH wind loading in the Minnesota State Building Code.

Sincerely,

*Rick Chase  
Department Of Building Safety  
City of Lake Elmo*

**Station #1**  
3510 Laverne Ave. No.  
Lake Elmo, MN 55042  
651-770-5006



**Station #2**  
4259 Jamaca Ave. No.  
Lake Elmo, MN. 55042  
651-779-8882

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**LAKE ELMO FIRE DEPARTMENT**

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February 3, 2016

Following is my review related to the: "INTERIM USE PERMIT APPLICATION: Carol Palmquist is requesting an Interim Use Permit to operate a commercial wedding ceremony venue at 11202 55<sup>th</sup> Street N."

More specifically, items listed under "EVENT SPECIFICATIONS":

*A. The number of guests would be set at a maximum of 200 persons*

*H. Temporary tents or canopies to be used in association with the events would be erected no more than one day prior to the event and would be removed no more than 72 hours following the event.*

*L Off-street parking plan will be indicated on Site Plan. Parking Plan will be incorporated within the client contractual agreement.*

**COMMENTS:**

- Applicant must be in compliance with Chapter 24, "TENTS, CANOPIES AND OTHER MEMBRANE STRUCTURES" of the 2007 MINNESOTA FIRE CODE
- Applicant must be in compliance with SECTION 503, "FIRE APPARATUS ACCESS ROADS" of the 2007 MINNESOTA FIRE CODE
- Applicant must be in compliance with SECTION 906, "PORTABLE FIRE EXTINGUISHERS" of the 2007 MINNESOTA FIRE CODE
- All applicable requirements of the MN State Fire Code.

Applicant will be required to provide a submittal that addresses all code concerns related to the MN Fire Code.

Sincerely,

Greg Malmquist, Fire Chief

*"Proudly Serving Neighbors & Friends"*



I.U.P.

1. Land Use Form: Complete

2. Written statements:

a. Owner of Record

Carol A. Palmquist  
12202 55<sup>th</sup> Street North  
Lake Elmo Minnesota 55042  
(651)439-0428

a. Surveyor:

Barry Stack  
9090 Fairy Falls Road  
Stillwater, Minnesota 55082  
(651)439-5630

a. Designer:

Carol Palmquist

b. Address:

12202 55<sup>th</sup> Street North  
Lake Elmo, MN 55042  
Zoned Agricultural  
10.07 Acres, more or less  
PID: 06.029.20.23.0006

Legal Description: That Part of the SW $\frac{1}{4}$ - $\frac{1}{4}$  DES AS FOLL COM @SW COR SD 14-14 THN NO1

c. History:

Property was originally part of a 120A parcel homesteaded in 1854 by German immigrant, George Schindler and farmed by same. Schindler family offspring continued dairy and crop farming until 1964 when the Farm was sold. The agricultural tradition continued until 1981 when the Farm was divided and sold. The original homestead on 24 A, including the barn and granary continued to be used agriculturally. In 1983, 10.04 A more or less were split off the 24 A. I am the owner of the now 10.07 A more or less, on which, in 1989, I began planting grape vines. Both properties continue in the Agricultural tradition.

d. Proposed Use:

- i. Proposal Letter: See Attachment 2.d.i
- .....ii. Consent Agreement: See Attachment 2.d

e. Justification of Use:

- i. Ordinance No. 08-107. Commercial Wedding Ceremony Venues allowable in RT, A and RR
- ii. Precautionary measures to mitigate disturbance to neighboring property owners.

1. Noise

- a. Owner will purchase sound system for venue use. This enables the owner to control the volume and limit the sound decibel to 115dB.
- b. Owner will enforce noise regulation in the contractual agreement with the client.
- c. Owner has in place, mature 20-40' Norway pine trees surrounding venue area which act as a natural sound barrier.

2. Traffic:

- a. Owner will employ and staff a minimum of 1 attendant per each event to direct

traffic. This will control and organize the flow of vehicles as they enter, park and exit the venue.

- b. Owner will post temporary signs indicating driveway, as well as signs to mitigate speed and encourage caution for pedestrians/pets on the Lake Elmo walking trail and to enforce noise regulation.

3. Unsightliness:

- a. Portable, rented sanitation facilities will be discreetly placed.
- b. The entire venue area will remain grass, including parking area. There will be no Blacktop, gravel or other impervious surfaces in the vineyard or field (venue area).

iii. The use is compatible with the comprehensive plan and supports:

1. Preservation of rural lands
2. Enhancement of community's rural sense of place

iv. Not applicable - Primary residence

- v. There are no delinquent property taxes, special assessments, interest, or City utility fees due. (see Washington County records).

- vi. Applicant is requesting Interim Use Permit expiration date of 2025.

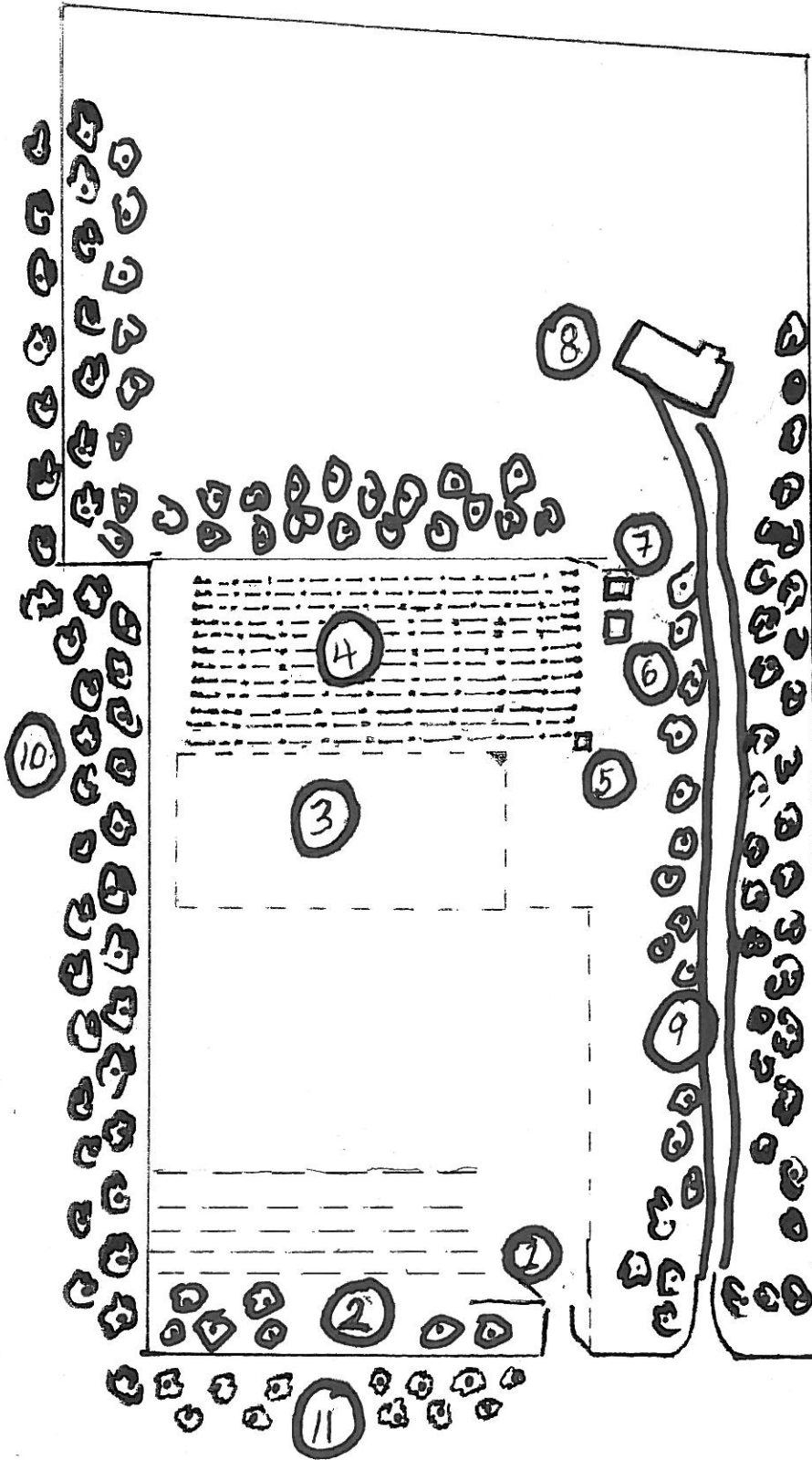
F. Attachments:

1. Verification of ownership
2. Address labels
3. To-scale site plan
4. Proposal letter (2.d.i)
5. Consent Agreement (2.d.ii)

CAROL PALMQUIST

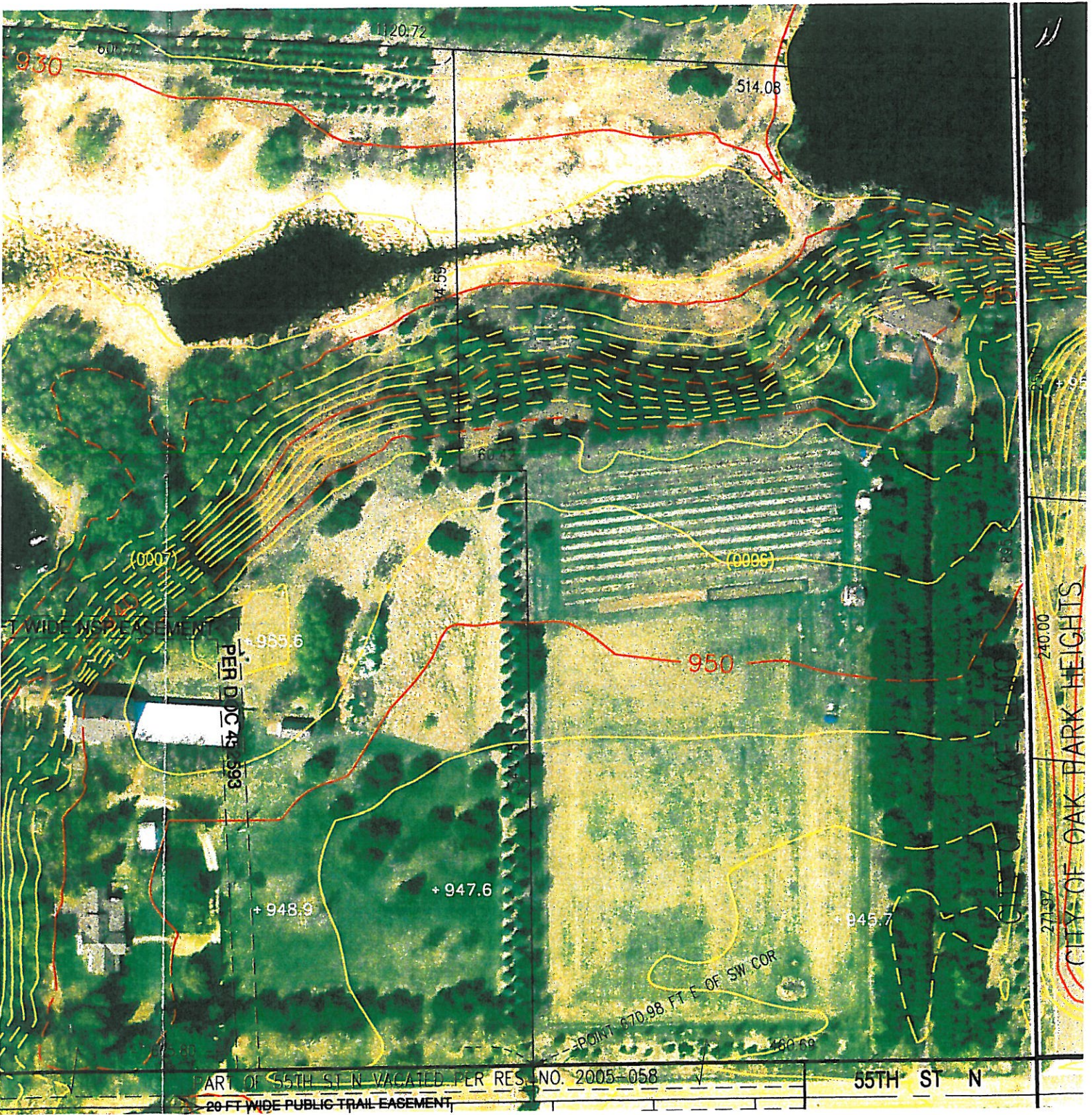
INTERIM USE PERMIT APPLICATION

Event Site Plan



LEGEND

- 1. Gate event access 20 ft
  - 2. Parking area 1.65 A
  - 3. Event area .47 A
  - 4. Vineyard .75 A
  - 5. Teahouse 64 sq ft  
(for grandchildren use)
  - 6. Screen house 100 sq ft
  - 7. Garden shed 150 sq ft
  - 8. Residence 1344 sq ft
  - 9. Residence Driveway 734 ft length
  - 10. Screening trees > 30-40' Norway Pines
  - 11. Screening trees > 30-40' Norway Pines
- Total Event Area 2.53 A  
Scale 1"=120'



**LEGEND**

- DNR PROTECTED WATERS
- DNR PROTECTED WETLAND
- DNR PROTECTED WATERCOURSE
- MUNICIPAL BOUNDARY
- PARK BOUNDARY

**CONTOUR LEGEND**

- 10 FOOT INTERVAL CONTOUR
- 2 FOOT INTERVAL CONTOUR
- DEPRESSION
- DASHED CONTOURS INDICATE QUESTIONABLE ACCURACY DUE TO GROUND VEGETATION
- SPOT ELEVATION

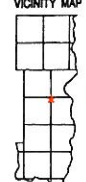


SCALE: 1 inch = 120 feet

**SECTION-TOWNSHIP-RANGE INDEX**

3603021	3103020	3203020
0102921	0602920	0502920
1202921	0702920	0802920

**COUNTY VICINITY MAP**



\* = LOCATION OF THIS MAP

**SECTION VI**

22	21
23	24
32	31
33	34

ENT LIVED