

**CITY OF LAKE ELMO
WASHINGTON COUNTY
STATE OF MINNESOTA**

RESOLUTION NO. 2016-19

A RESOLUTION APPROVING AN INTERIM USE PERMIT FOR CAROL PALMQUIST TO ESTABLISH A COMMERCIAL WEDDING CEREMONY VENUE AT 12202 55TH STREET N.

WHEREAS, the City of Lake Elmo has approved a Commercial Wedding Ceremony Venue ordinance on 2/21/13; and

WHEREAS, the Commercial Wedding Ceremony Venue ordinance was amended on 5/6/14, and on 3/19/16; and

WHEREAS, the applicant, Carol Palmquist, residing at 12202 55th Street N, applied for an Interim Use Permit to establish a Commercial Wedding Ceremony Venue as an accessory use on her property; and

WHEREAS, the Planning Commission held a public hearing on February 22, 2016; and

WHEREAS, the Planning Commission found the proposed Interim Use adequately conforms to the following findings of fact:

- 1) The use is allowed as an interim use in the respective zoning district and conforms to standard 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.
- 3) The use will not adversely impact implementation of the Comprehensive Plan.
- 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.
- 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.
- 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.
- 7) There are no delinquent property taxes, special assessments, interest, or city utility fees due upon the subject parcel; and

WHEREAS, on February 22, 2016, the Planning Commission recommended the City Council approve the Interim Use Permit with 13 conditions; and

NOW, THEREFORE, BE IT RESOLVED THAT the City Council does hereby approve the five year Interim Use Permit to establish a Commercial Wedding Ceremony Venue at 12202 55th Street N with the following conditions:

- 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 five 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.
- 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.
- 11) Applicant enter into a maintenance agreement with the City to maintain 55th Street west of Marquess Trail to the applicant's field road through the term of the Interim Use Permit
- 12) Submit an erosion control plan with any extension of the gravel entrance road.

- 13) Submit the results of an instrumented measurement of sound at the east and west property lines at the wedding ceremony site to demonstrate compliance with the City's noise ordinance.

This resolution was adopted by the City Council of the City of Lake Elmo on this _ day of _____, 2016.

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk