

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

RESOLUTION 2019-059

***A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR A CHAPEL OR
PLACE OF WORSHIP FOR A PORTION OF THE PROPERTY LOCATED AT 8249
DEMONTREVILLE TRAIL***

WHEREAS, the City of Lake Elmo is a municipal corporation organized and existing under the laws of the State of Minnesota; and

WHEREAS, the Carmelite Hermitage (Rev. John Burns), 8249 Demontreville Trail, Lake Elmo, MN 55082 (the "Applicant") has submitted an application to the City of Lake Elmo (the "City") for a Conditional Use Permit to add a chapel or place of worship for a portion of the property located at 8249 Demontreville Trail (PID# 09.029.21.12.0002) (the "Property"); and

WHEREAS, notice has been published, mailed and posted pursuant to the Lake Elmo Zoning Ordinance, Section 154.102; and

WHEREAS, the Lake Elmo Planning Commission held a public hearing on said matter on June 24, 2019; and

WHEREAS, the Lake Elmo Planning Commission has submitted its report and recommendation to the City Council as part of a Staff Memorandum dated August 20, 2019, and

WHEREAS, the City Council considered said matter at its August 20, 2019 meeting; and

NOW, THEREFORE, based on the testimony elicited and information received, the City Council makes the following:

FINDINGS

- 1) That the procedures for obtaining said Conditional Use Permit are found in the Lake Elmo Zoning Ordinance, Section 154.106.
- 2) That all the submission requirements of said Section 154.106 have been met by the Applicant.
- 3) That the proposed Conditional Use Permit includes the following components:
 - a) A Conditional Use Permit for a place of worship or a chapel for a portion of the property located at 8249 Demontreville trail, Lake Elmo
- 4) That the Conditional Use Permit for a Carmelites including the proposed chapel will be for the Property legally described as follows:

Legal Description of the Property

All of Government Lot 4 in Section 9, Township 29 north, Range 21 west, City of Lake Elmo, Washington County, Minnesota, according to government survey containing 59.4 acres of land. Also the south 30.6 acres of Government Lot 4 in Section 4, and of the southwest quarter of the southeast quarter of said Section 4, all in Township 29 North, Range 21 West, according to government survey, being the south 688 feet thereof.

- 5) That the Variance application about direct access to a collector or arterial street for the chapel that was proposed by the Applicant would allow the applicant to use the existing driveway to their property as access for the proposed chapel.
- 6) That the City approved the Applicant's request for a Variance about direct access to a collector or arterial street for the chapel by allowing the Applicant to use the existing driveway to their property as access for the proposed chapel.
- 7) Findings
 1. The proposed use will not be detrimental to or endanger the public health, safety, comfort, convenience or general welfare of the neighborhood or the city. *The use of the property for religious facilities, including the proposed chapel, will not be detrimental or in any way endanger the public health, safety, comfort, convenience or welfare of the neighborhood or the City.*
 2. The use or development conforms to the City of Lake Elmo Comprehensive Plan. *The property is guided for Public/Park in the 2030 Comprehensive Plan and Institutional in the proposed 2040 Comprehensive Plan. A place of worship is a conditional use in these land use designations.*
 3. The use or development is compatible with the existing neighborhood. *The use is compatible with the existing neighborhood. The religious facilities in this area were established in the 1950's and Hermitage has been on this site since the 1980's.*
 4. The proposed use meets all specific development standards for such use listed in Article 7 of this Chapter. *The existing and proposed uses meet all specific development standards for such use as listed in Section 154.600 Public and Quasi-Public Open Space.*
 5. If the proposed use is in a flood plain management or shoreland area, the proposed use meets all the specific standards for such use listed in Chapter 150, §150.250 through 150.257 (Shoreland Regulations) and Chapter 152 (Flood Plain Management). *The existing structures and the proposed chapel would be located outside the 0.2% annual chance floodplain and meets shoreland setback requirements.*
 6. The proposed use will be designed, constructed, operated and maintained so as to be compatible in appearance with the existing or intended character of the general vicinity and will not change the essential character of that area. *The proposed chapel is compatible in appearance with the existing and intended character of the general vicinity and will not change the essential character of the area.*
 7. The proposed use will not be hazardous or create a nuisance as defined under this Chapter to existing or future neighboring structures. *The existing religious facilities and the proposed chapel are not nor will they will be hazardous or create a nuisance.*

8. The proposed use will be served adequately by essential public facilities and services, including streets, police and fire protection, drainage structures, refuse disposal, water and sewer systems and schools or will be served adequately by such facilities and services provided by the persons or agencies responsible for the establishment of the proposed use. *The existing facilities and the proposed chapel are and will be adequately served by essential public facilities and services, including streets, police and fire protection, drainage structures, refuse disposal, water and sewer systems and schools.*
9. The proposed use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community. *The existing facilities and the proposed chapel do not and will not create excessive additional requirements at public cost nor will the existing or proposed facilities on the property be detrimental to the economic welfare of the community.*
10. The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odors. *The existing and proposed uses will not excessively produce traffic, noise, smoke, fumes, glare or odors.*
11. Vehicular approaches to the property, where present, will not create traffic congestion or interfere with traffic on surrounding public thoroughfares. *Vehicular approaches to the property do not and will not create and have not created traffic congestion or interfere with traffic. The number of additional vehicles expected on the property because of the new chapel is minimal and will be limited to certain times and days of the weeks.*
12. The proposed use will not result in the destruction, loss or damage of a natural or scenic feature of major importance. N/A

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Lake Elmo City Council hereby approves the request by Rev. John Burns of the Carmelite Hermitage for a Conditional Use Permit for a chapel or place of worship on the property located at 8249 Demontreville Trail with the following conditions of approval:

- 1) The City Council must approve the Variance request to allow the Applicant to use the existing driveway to Demontreville Trail as the access for the proposed chapel.
- 2) The applicant must obtain all other necessary City, State, and other governing body permits and approvals before the commencement of any construction activity on the site. These include, but not limited to, a Valley Branch Watershed District permit, approval of revised plans by the City Engineer, a building permit and an on-site wastewater (septic) permit.
- 3) All items and changes outlined by the City Engineer in the memorandum addressing the Carmelite Chapel Conditional Use Permit and Site Improvements dated June 17, 2019 shall be incorporated into the project plans.
- 4) All items outlined by the Fire Chief in his memo dated June 5, 2019, shall be incorporated into the project plans and before the City issues a building permit for the project.
- 5) The applicant must provide written documentation demonstrating adequate wastewater management facilities exist or are proposed to serve the proposed chapel. This should include either a Washington County inspection compliance report for the existing on-site wastewater system or a wastewater management plan and permit approved by Washington County to serve the proposed chapel.

- 6) The applicant or owner receive a building permit from the City for chapel within 12 months of City Council approval of the conditional use permit.
- 7) If the applicant or owner has not taken action toward starting the chapel or if substantial construction of the chapel has not taken place within 12 months of the City's approval of conditional use permit, the CUP approval shall become void. The applicant or owner may request City Council approval of a time extension to start or implement the conditional use permit.

Passed and duly adopted this 20th day of August 2019 by the City Council of the City of Lake Elmo, Minnesota.



Mike Pearson, Mayor

ATTEST:



Julie Johnson, City Clerk

Carmelite Hermitage of the Blessed Virgin Mary
8249 DeMontreville Trail
Lake Elmo, MN 55042
651-779-7351

30 July 2020

Mr. Ken Roberts
Planning Director
3880 Laverne Ave. N. Suite 100
Lake Elmo, MN 55042

Dear Mr. Roberts,

On August 20, 2019, the City Council of the City of Lake Elmo voted to grant our Hermitage a Conditional Use Permit in order to construct a chapel here at the Hermitage. I understand that the Conditional Use Permit requires that we begin construction on the chapel within a one (1) year period. As you know, the Jesuit Retreat House filed two lawsuits, one against the Carmelite Sisters and our Hermitage, and the other against the City of Lake Elmo, in order to prevent construction of the chapel. Because of the two lawsuits, we have been prevented from commencing construction of the chapel.

I am able to share with you that the Carmelite Sisters and our Hermitage have had discussions with the Jesuit Retreat House recently in the hope that the matter can be settled out of court.

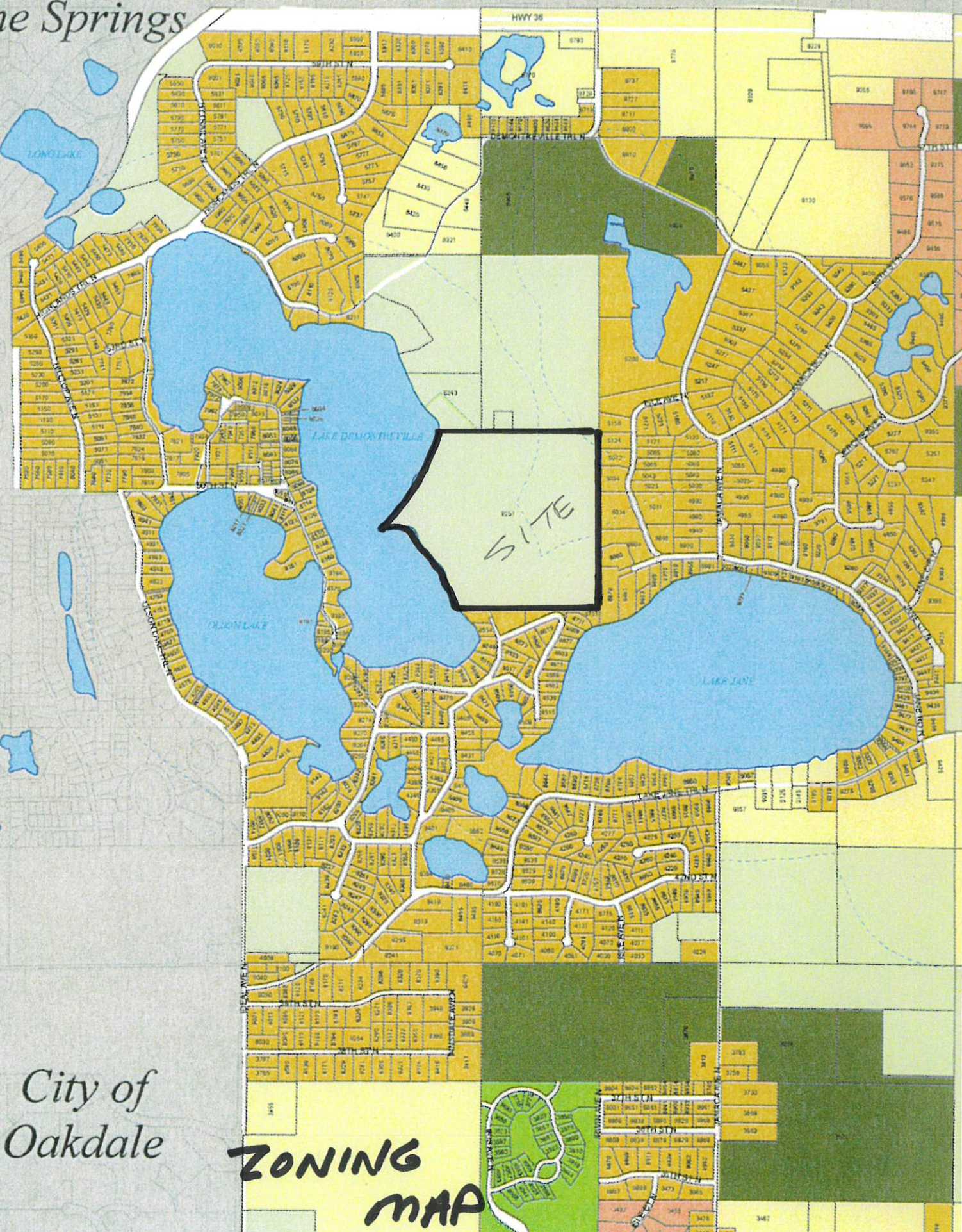
In view of the fact that our our Conditional Use Permit will expire on August 20, 2020, and in view of the fact that we have not begun construction through no fault of our own, I am requesting that the City of Lake Elmo extend our Conditional Use Permit for another year so that we can obtain a building permit and begin construction. We have hope to begin construction of the chapel prior to August 20, 2021.

I take this opportunity to thank the City Council and yourself for the assistance and support which you have shown to our Hermitage in regards to our chapel project.

Sincerely yours,

Rev. John M. Burns
Rev. John M. Burns

City of
Pine Springs

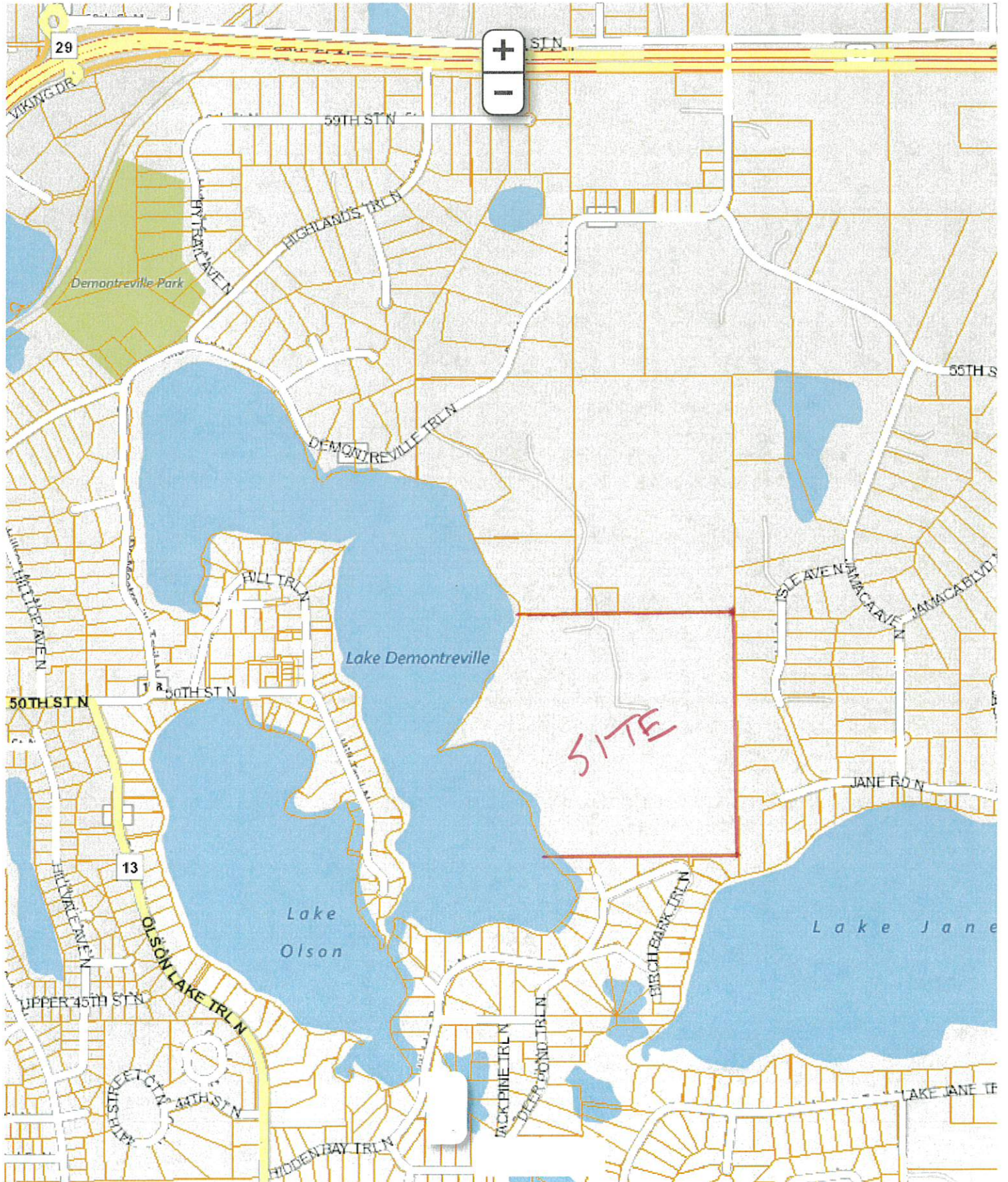


City of
Oakdale

**ZONING
MAP**



Property Viewer





Property Viewer





Property Viewer



LEGEND

Definition of the heavy system is the Washington County Coordinate System, NAD 83, 1985 Adjustment.

Distances are in feet and decimals of a foot.

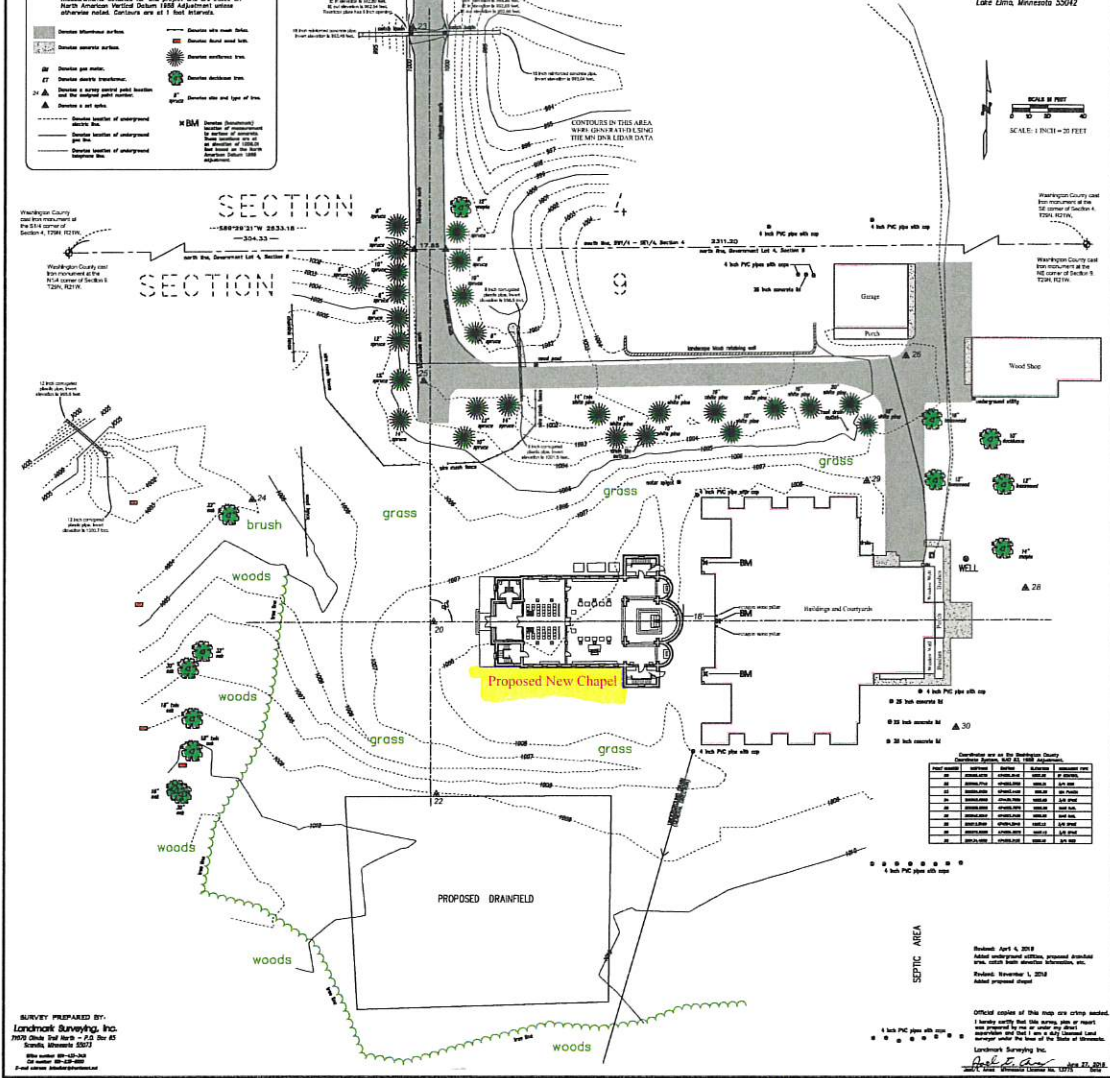
Contours and elevations were generated using field measurements collected for this project and are based on North American Vertical Datum 1988 adjustment unless otherwise noted. Contours are at 1-foot intervals.

	Concrete structure surface		Concrete curb and sidewalk
	Concrete structure surface		Concrete curb and sidewalk
	Concrete structure surface		Concrete curb and sidewalk
	Concrete structure surface		Concrete curb and sidewalk
	Concrete structure surface		Concrete curb and sidewalk
	Concrete structure surface		Concrete curb and sidewalk
	Concrete structure surface		Concrete curb and sidewalk
	Concrete structure surface		Concrete curb and sidewalk
	Concrete structure surface		Concrete curb and sidewalk

CERTIFICATE OF SURVEY

PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4,
GOVERNMENT LOT 4 OF SECTION 9,
BOTH SECTIONS IN TOWNSHIP 29 NORTH, RANGE 21 WEST,
CITY OF LAKE ELMO, WASHINGTON COUNTY, MINNESOTA

TOPOGRAPHIC SURVEY
PREPARED FOR:
CARMELITE HERMITAGE
OF THE BLESSED VIRGIN MARY
3249 Denmark Road North
Lake Elmo, Minnesota 55042



SCALE: 1 INCH = 20 FEET

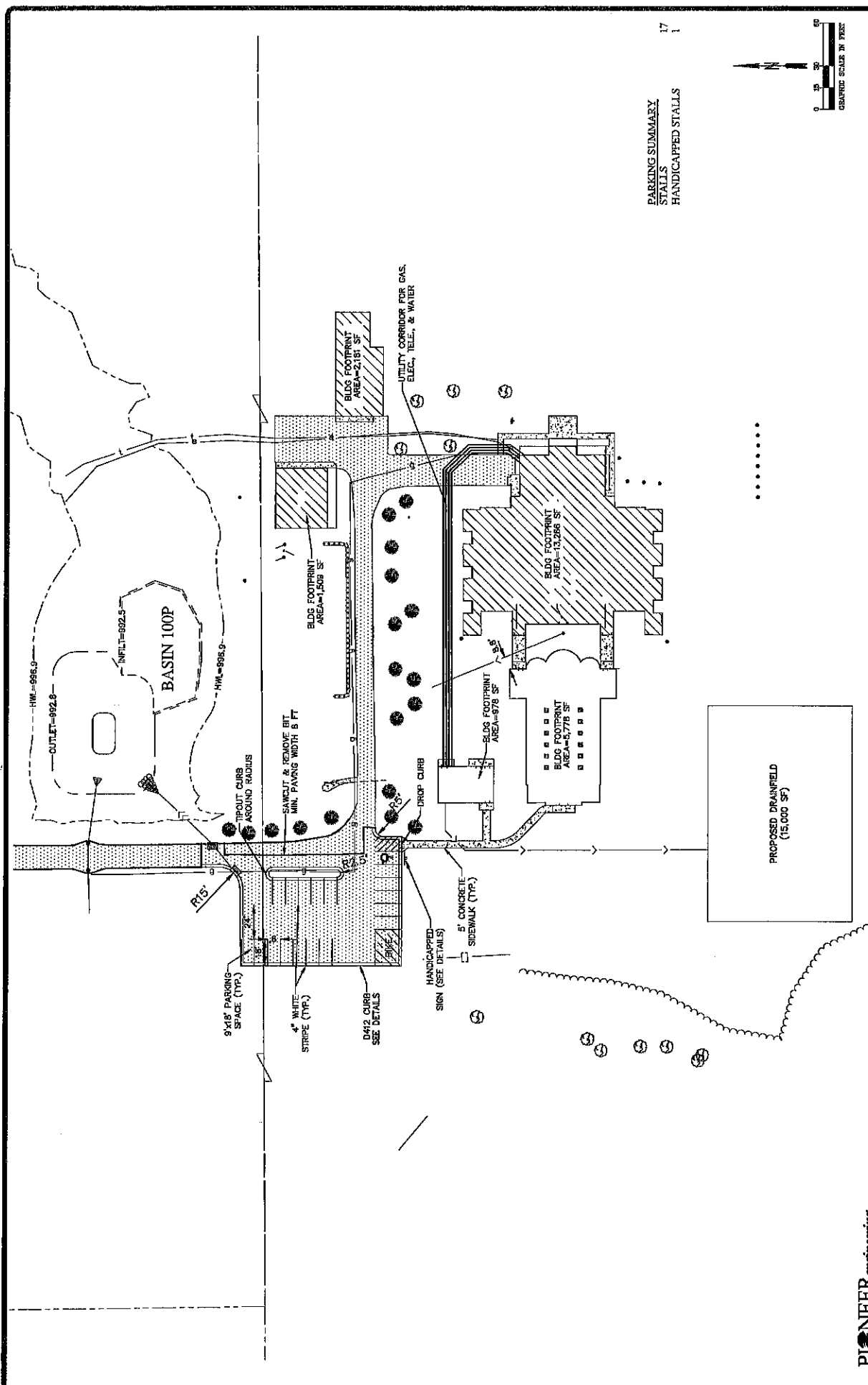
Contours are set by the Washington County Coordinate System, NAD 83, 1985 Adjustment.

Contour	Interval	Projection	Method
30	1' 0"	Orthometric	Field
31	1' 0"	Orthometric	Field
32	1' 0"	Orthometric	Field
33	1' 0"	Orthometric	Field
34	1' 0"	Orthometric	Field
35	1' 0"	Orthometric	Field
36	1' 0"	Orthometric	Field
37	1' 0"	Orthometric	Field
38	1' 0"	Orthometric	Field
39	1' 0"	Orthometric	Field
40	1' 0"	Orthometric	Field
41	1' 0"	Orthometric	Field
42	1' 0"	Orthometric	Field
43	1' 0"	Orthometric	Field
44	1' 0"	Orthometric	Field
45	1' 0"	Orthometric	Field
46	1' 0"	Orthometric	Field
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96	1' 0"	Orthometric	Field
97	1' 0"	Orthometric	Field
98	1' 0"	Orthometric	Field
99	1' 0"	Orthometric	Field
100	1' 0"	Orthometric	Field

Dated: April 4, 2018
 Filed: under general contract, prepared a certified true and correct copy hereof, pursuant to the laws of the State of Minnesota.
 Filed: November 1, 2018
 Initial proposed project

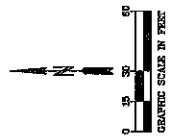
SURVEY PREPARED BY:
 Landmark Surveying, Inc.
 7625 Oakdale Park - P.O. Box 85
 Shoreview, Minnesota 55125
 Office number: 612-525-3848
 Fax number: 612-525-3848
 E-mail: info@landmarksurveying.com

Official copies of this map are being made.
 I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Surveyor in the State of Minnesota.
 Landmark Surveying, Inc.
 [Signature]
 [Stamp]
 Job Number: 2018-17



PARKING SUMMARY
 STALLS
 HANDICAPPED STALLS

17
 1



3.20 of 13

CARMELITE HERMITAGE CHAPEL
 LAMAR BLVD, MANASSAS, VA

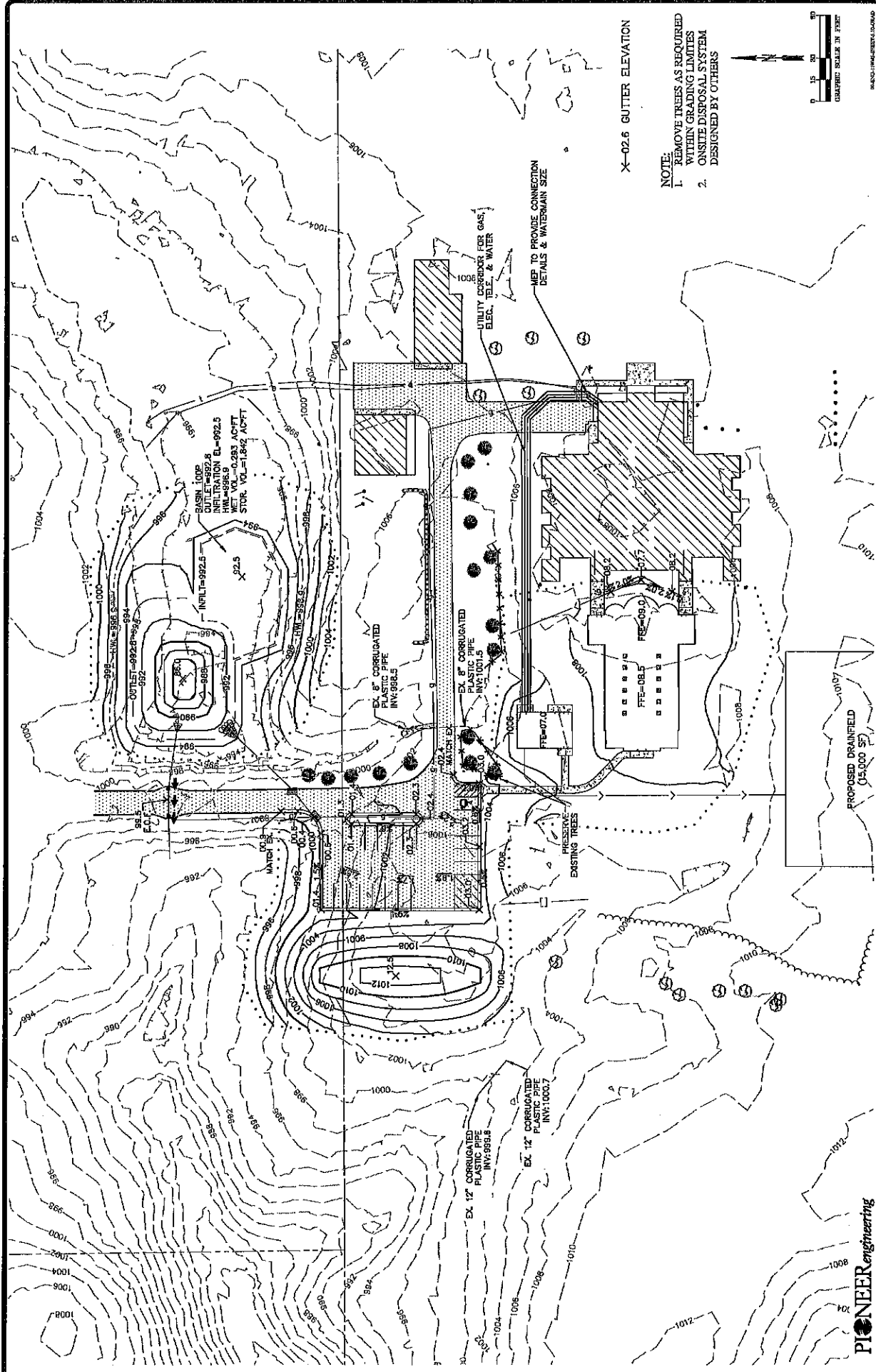
CARMELITE HERMITAGE
 15000 PROPOSED DRAINFIELD NORTH
 LAMAR BLVD, MANASSAS, VA

SITE PLAN

DATE	DESCRIPTION
10/15/14	ISSUE FOR PERMIT
08/14/14	ISSUE FOR PERMIT
07/14/14	ISSUE FOR PERMIT

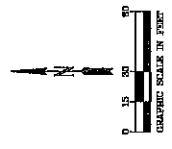
PIONEER engineering
 2400 Derryville Drive
 Manassas, VA 20108
 (571) 881-1114
 www.pioneereng.com

1. These drawings are the property of Pioneer Engineering, Inc. and shall remain the property of Pioneer Engineering, Inc. If they are used for any other project without the written consent of Pioneer Engineering, Inc., the user assumes all liability for any and all damages, including those caused by negligence, that may result from such use.



X-02.5 GUTTER ELEVATION

- NOTE:
1. REMOVE TREES AS REQUIRED WITHIN GRADING LIMITS
 2. ON-SITE DISPOSAL SYSTEM DESIGNED BY OTHERS



UTILITY CROSSOVER PER GAS, EL. 1006.0, TEL. & WATER

HEP TO PROVIDE CONNECTION DETAILS & WATERMAIN SIZE

BASEIN LOOP
 OUTLET=992.5
 INLET=992.5
 H.W. ELEVATION
 NET VOL.=0.283 ACFT
 STOR. VOL.=1.842 ACFT

EX. 8" CORRUGATED PLASTIC PIPE INV. 998.5

EX. 8" CORRUGATED PLASTIC PIPE INV. 1010.5

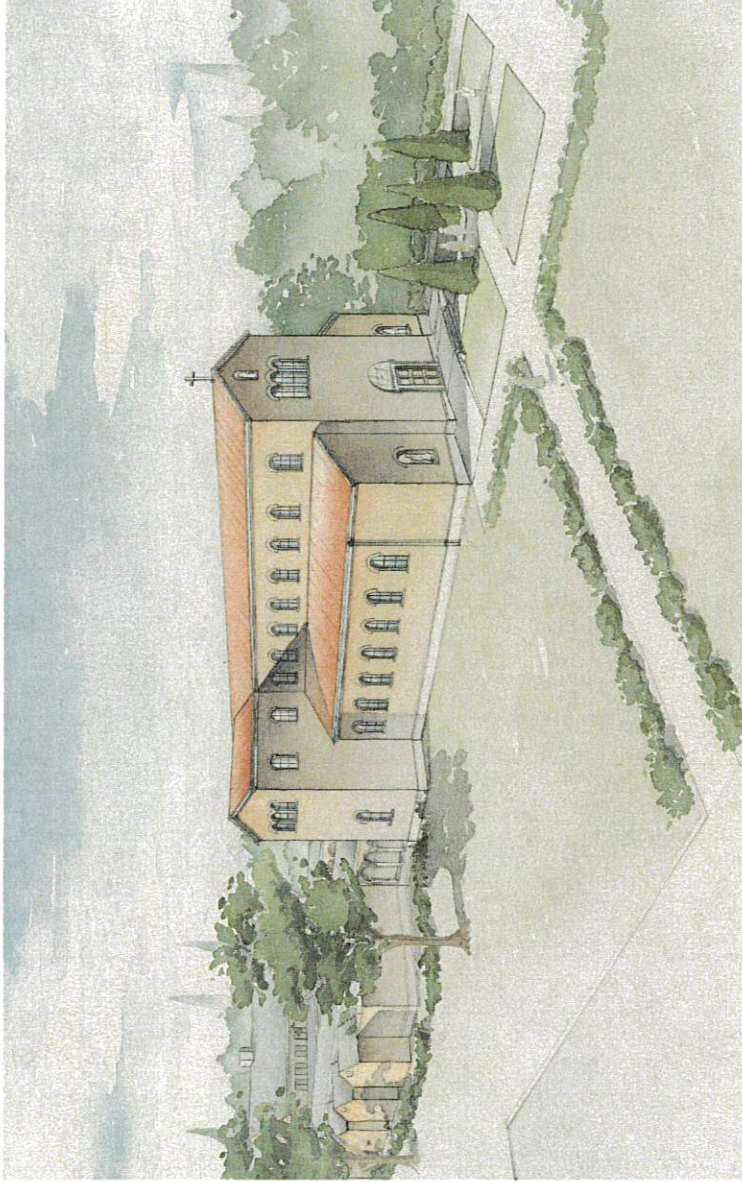
EX. 12" CORRUGATED PLASTIC PIPE INV. 998.5

EX. 12" CORRUGATED PLASTIC PIPE INV. 1000.0

PROPOSED DRAINFIELD (15,000 SF)

PIONEER engineering 2022 Elmwood Drive Memphis, TN 38120 (901) 581-7114 www.pioneereng.com		PROJECT NO. 18-000 DATE: 05-20-2018 DRAWN BY: [Signature] CHECKED BY: [Signature]	SHEET NO. 13 OF 13
GRADING PLAN		CARMELITE HERMITAGE 2000 HERMITAGE LANE, SUITE 100 LAKELAND, MISSISSIPPI 39024	CARMELITE HERMITAGE CHAPEL LAKELAND, MISSISSIPPI

CARMELITE CHAPEL
 CARMELITE HERMITAGE
 OF THE BLESSED VIRGIN MARY
 8249 DE MONTREVILLE TRAIL
 LAKE ELMO, MINNESOTA 55042-9545



OWNERS

CARMELITE HERMITAGE OF THE
 BLESSED VIRGIN MARY
 CONTACT: REV. JOHN BURRIS, O.C.A.R.A.
 8249 DE MONTREVILLE TRAIL
 LAKE ELMO, MN 55042
 PHONE: 651/779-2311

STRUCTURAL ENGINEER

LKL ENGINEERS
 CONTACT: MARK K. KENNEDY
 2735 NORTH HOLLAND-STYVANIA ROAD
 TOLSON, IA 54487
 PHONE: 482/528-2395

M.E.P. ENGINEER

ASSOCIATED CONSULTING
 ENGINEERING, INC.
 CONTACT: KELLY LOUDRENGER
 140 COUNTY PHILIP AVENUE
 SOUTH BEND, IN 46601
 PHONE: 482/418-7228

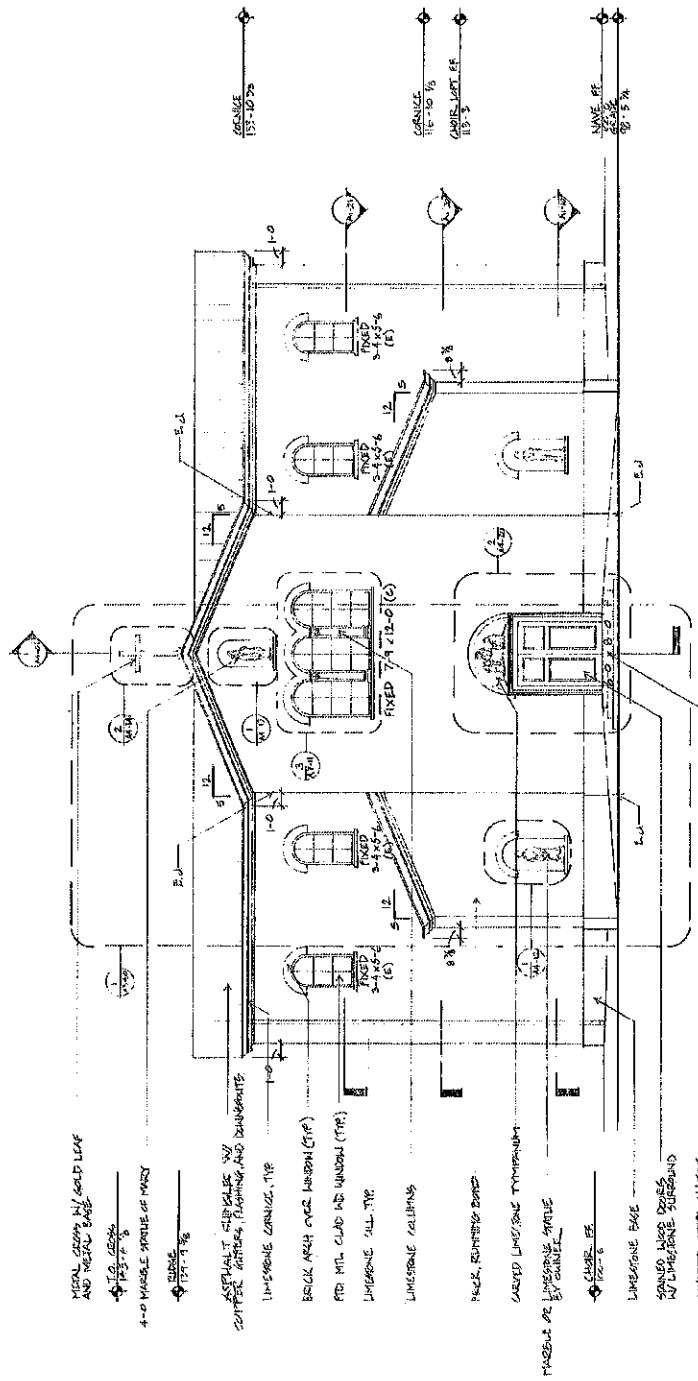
CIVIL ENGINEER, I.A.

PIONEER ENGINEERING
 CONTACT: PAUL CHERNE
 2822 ENTERPRISE DRIVE
 MARIETTA, GA 30067
 PHONE: 404/884-9194

DUNCAN G. STROIK ARCHITECT LLC
 218 WEST WASHINGTON STREET, SUITE 1200
 SOUTH BEND, INDIANA 46601
 574/232-1783; FAX: 574/232-1792

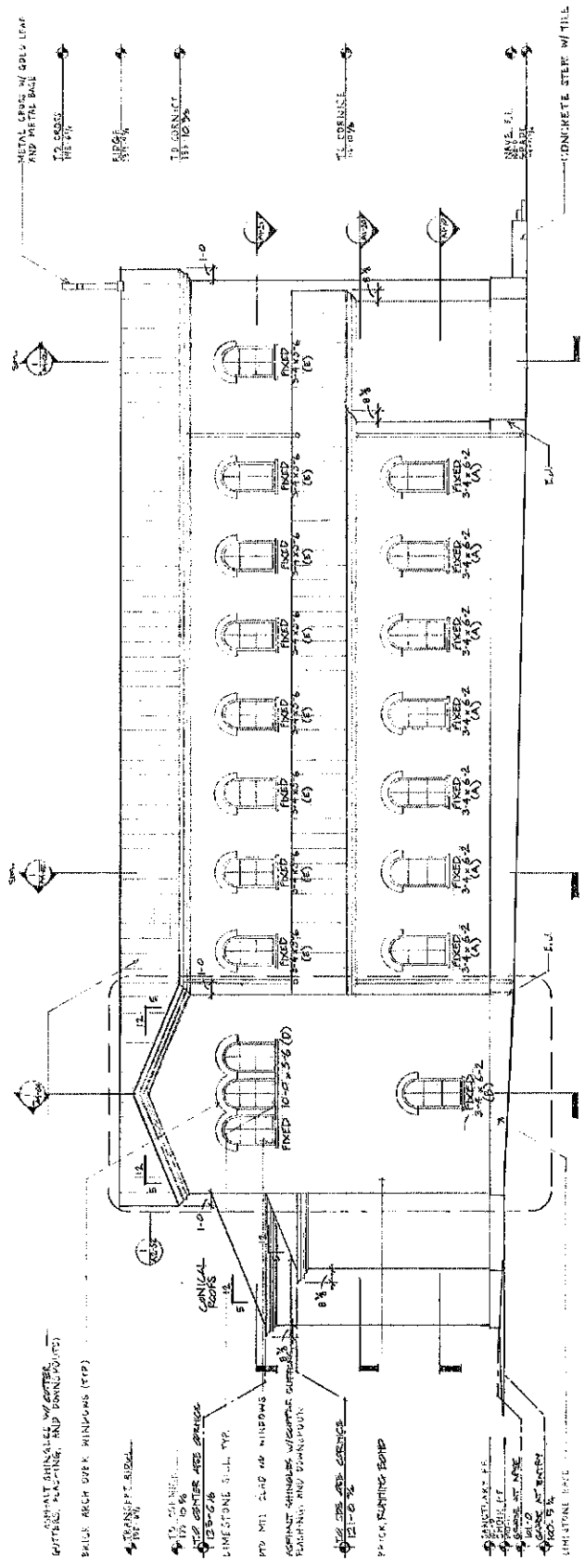
EXTERIOR PERSPECTIVE

SCALE	DATE	REVISION	DATE	BY	CHKD BY
	13 JUNE 2018				
CARMELITE CHAPEL LAKE ELMO, MINNESOTA			DUNCAN G. STROIK ARCHITECT 218 WEST WASHINGTON STREET, SUITE 1200 SOUTH BEND, IN 46601 574/232-1783; 574/232-1792 FAX		
			© 2018 DUNCAN G. STROIK ARCHITECT, LLC		
			TO-001		



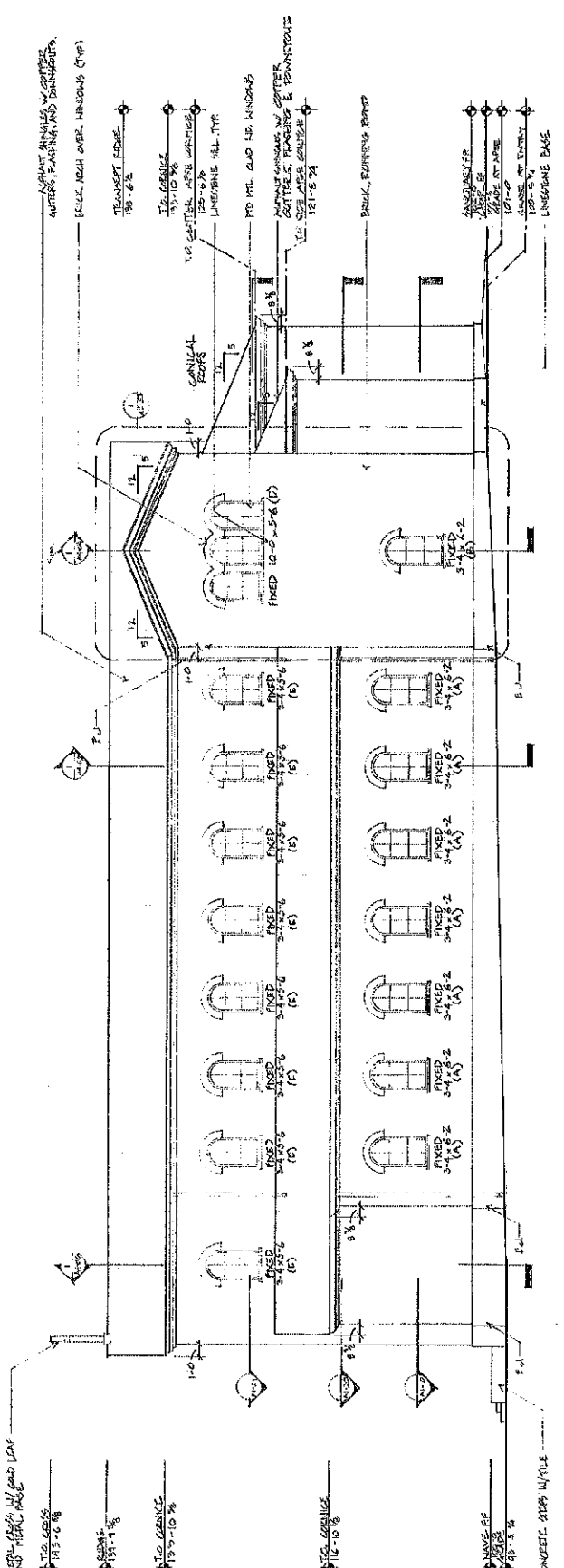
① ELEVATION

WEST ELEVATION	
DATE	12 APR 2011
SCALE	3/4" = 1'-0"
PROJECT	CHARLETT CHAPEL LAKE ELMO, MINNESOTA
SHEET NO.	100
ARCHITECT	DUNCAN G. STROIN ARCHITECT 218 W. WASHINGTON ST. SUITE 100 ST. PAUL, MN 55102-1000 TEL: 612.222.1111 FAX: 612.222.1112
PROJECT NO.	ACT701



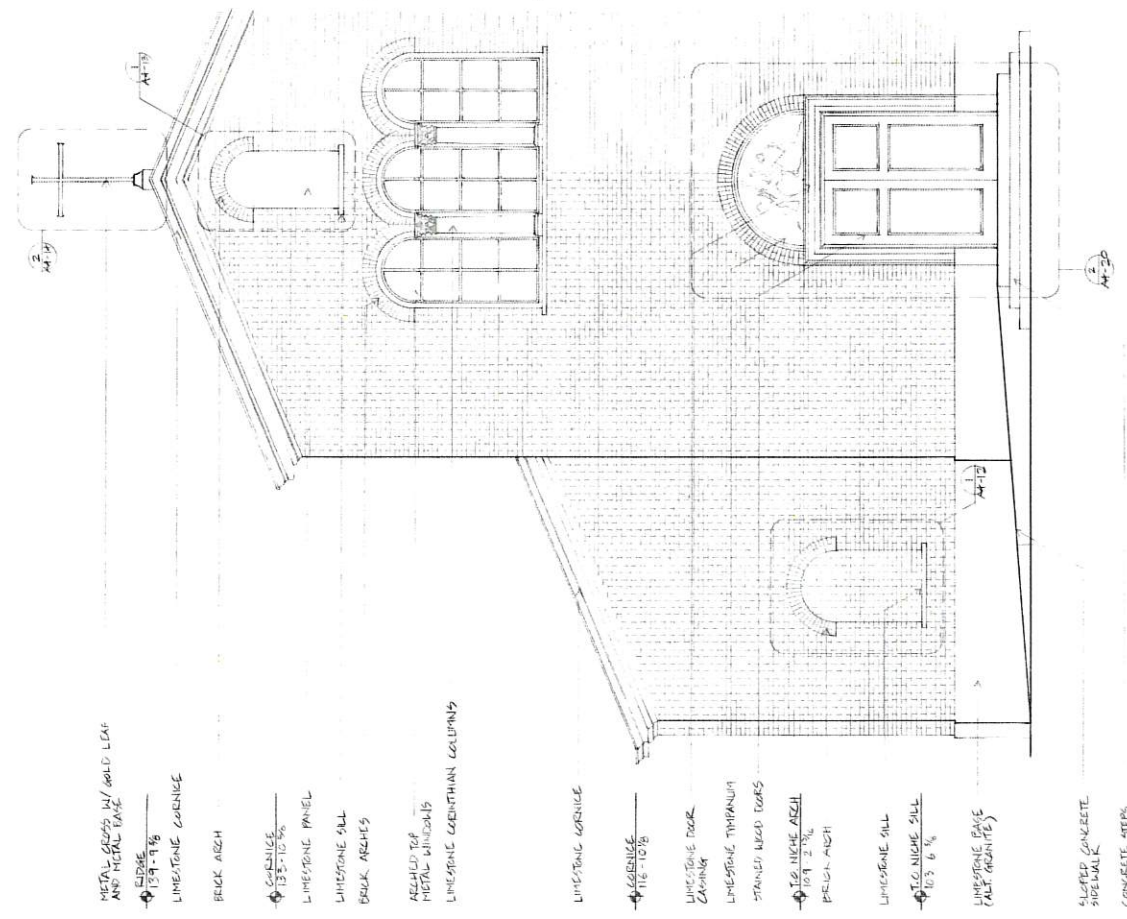
① ELEVATION

NORTH ELEVATION		NO. 102
DATE: 12 APR 28	PROJECT: CARNALITE CHAPEL LAKE ELMO, MINNESOTA	SCALE: 1/8" = 1'-0"
DESIGNER: DUNCAN G. STROCK, ARCHITECT 238 SOUTH BRADY ST., SUITE 100 MINNEAPOLIS, MN 55402	CLIENT: ST. JOHN'S EPISCOPAL CHURCH	DATE: 12 APR 28
DRAWN BY: J. J. HANCOCK		PROJECT NO.: A-1-0



SOUTH ELEVATION			
NO.	DATE	BY	DATE
12	APR. 2011	DUNSON G. STROBL, ARCHITECT	
OWNER	PROJECT	ARCHITECT	DATE
DUNSON G. STROBL ARCHITECT	ST. ANNE'S CHURCH	DUNSON G. STROBL ARCHITECT	12 APR. 2011
PROJECT LOCATION		DRAWING NUMBER	
CARMELITE CHAPEL, LAMB QUARD, MINNESOTA		A2-04	

11 ELEVATION



METAL GLASS W/ GOLD LEAF AND METAL BASE

↑ EVIDE 139'-9 1/8"
LIMESTONE CORNICE

BRICK ARCH

↑ CORNICE 138'-10 1/8"

LIMESTONE PANEL

LIMESTONE SILL
BRICK ARCHES

ARCHED TOP METAL WINDOWS
LIMESTONE CORINTHIAN COLUMNS

LIMESTONE CORNICE

↑ CORNICE 116'-10 1/8"

LIMESTONE DOOR CASING

LIMESTONE TYMPANUM

STAINED WOOD DOORS

↑ TO NICHE ARCH 109'-2 1/8"
PELON ARCH

LIMESTONE SILL

↑ TO NICHE SILL 103'-6 1/8"

LIMESTONE BASE (ALT. GRANITE)

SLOPED CONCRETE SIDEWALK
CONCRETE STEPS

↑ TO NICHE ARCH 134'-2 1/8"

↑ TO NICHE SILL 130'-10 1/8"

↑ TO WINDOW TOP 124'-1 1/4"

↑ TO WINDOW TOP 121'-4"

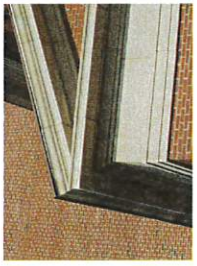
↑ TO TYMPANUM 11'-8"

↑ TO DOOR CASING 104'-4"

↑ TO STONE BASE 102'-0"

↑ WAVE FF 100'-0"

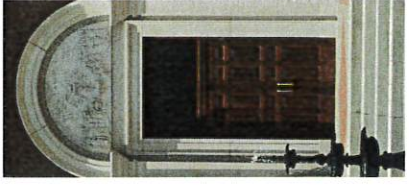
↑ GRADE (VARIES)



LIMESTONE CORNICES



PAINTED METAL CLAD WOOD WINDOWS, WITH SILLS AND BRICK ARCHES



STAINED WOOD DOORS, LIMESTONE SURROUND AND LIMESTONE TYMPANUM



GAF SLATELINE SHINGLE ROOF EMERALD GREEN



BELDEN BRICK ST. SIMON BLEND



RUSTIC BUFF LIMESTONE BASE



COPPER GUTTERS, FLASHING AND DOWNSPOUTS

PHOTO REFERENCE BOARD

SCALE	DATE	DESIGN	BY
1/8" = 1'-0"	18 MAY 2018	LAKE EMMO, MINNESOTA	CHURCH
REVISION		DUNCAN G. STROCK, ARCHITECT	DATE
		218 W. SOUTH BEND, IN. 46701	1300
		574/235-1788, 574/732-1797 FAX	1300
			R-1

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