

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

**RESOLUTION 2022-075**

**A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR THE  
CONSTRUCTION OF A CHAPEL WITH CONDITIONS AT 8249  
DEMONTREVILLE TRAIL NORTH**

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

**WHEREAS**, Carmelite Hermitage of the Blessed Virgin Mary (the "Applicant") has submitted an application to the City of Lake Elmo (the "City") for a Conditional Use Permit for the construction of a chapel on the property located at 8249 Demontreville Trail North (PID# 0902921120002) (the "Property"); and

**WHEREAS**, the Lake Elmo Planning Commission held a public hearing on said matter on July 11, 2022; 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 3, 2022; and

**WHEREAS**, the City Council considered said matter at its August 3, 2022 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 105.12.290.
- 2) That all the submission requirements of said Section 105.12.290 have been met by the Applicant.
- 3) That the proposed Conditional Use Permit is for the construction of a Chapel.
- 4) 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 proposed use should not be detrimental or in any way endanger the public health, safety, comfort.*
- 5) The use or development conforms to the City of Lake Elmo Comprehensive Plan. *The proposed use conforms to the Comprehensive Plan.*

- 6) The use or development is compatible with the existing neighborhood. ***The proposed use is permitted in the Public Facilities zoning district subject to a CUP.***
- 7) The proposed use meets all specific development standards for such use listed in the Zoning Code. ***The proposed use must meet the provisions of Article XVI – Public and Semi-Public Districts.***
- 8) 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 Article XIX (Shoreland Management) and Title 100 (Flood Plain Management). ***The proposed use must meet the Shoreland Regulations.***
- 9) 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 use will be compatible in appearance with the existing character of the general vicinity and will not change the essential character of the area.***
- 10) The proposed use will not be hazardous or create a nuisance as defined under this Chapter to existing or future neighboring structures. ***The proposed chapel is to be set back from the public right of way and from adjacent land owners and so should not create a nuisance to existing or future neighboring structures.***
- 11) 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 proposed chapel will be adequately served by public services or facilities and served by facilities provided by the applicant.***
- 12) 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 proposed use should not create excessive additional requirements at public cost.***
- 13) 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 proposed use should not be detrimental to persons, property, or the general public welfare.***
- 14) Vehicular approaches to the property, where present, will not create traffic congestion or interfere with traffic on surrounding public thoroughfares. ***With the new direct access (Res. 2021-092) the proposed use should not create traffic congestion. The chapel will mainly be used by members and intermittent guests.***

- 15) The proposed use will not result in the destruction, loss, or damage of a natural or scenic feature of major importance. *The proposed use should not impact natural or scenic features.*
- 16) That, in accordance with City Code Section 105.12.290, the construction of a chapel shall be permissible under the Conditions 1-5 as provided in the decision below, and incorporated herein:

**DECISION**

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, and based upon the information received and the above Findings, that the City Council of the City of Lake Elmo hereby approves the request by Carmelite Hermitage of the Blessed Virgin Mary for a Conditional Use Permit for the construction of a chapel on the property located at 8249 Demontreville Trail North, and grants the same, subject to the following conditions of approval:

- 1) 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.
- 2) No construction may begin until all items and changes outlined by the City Engineer in the memorandum addressing the Carmelite Chapel Conditional Use Permit and Site Improvements dated June 20<sup>th</sup>, 2022 are addressed to the satisfaction of the City Engineer.
- 3) No construction may begin until all items outlined by the Fire Chief in his memo dated June 22<sup>nd</sup> 2022 are addressed to the satisfaction of the Fire Chief.
- 4) No construction may begin until the applicant has provided 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.
- 5) 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 3rd day of August, 2022 by the City Council of the City of Lake Elmo, Minnesota.

  
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Mayor Charles Cadenhead

ATTEST:

  
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Julie Johnson, City Clerk