

**CITY OF COLOGNE  
CARVER COUNTY, MINNESOTA  
RESOLUTION NO. 20-19**

**A RESOLUTION APPROVING AN INTERIM USE PERMIT FOR 218 LAKE  
STREET WEST**

**WHEREAS**, the City of Cologne is a Minnesota Municipal Corporation, duly organized and authorized to conduct its affairs under the laws of the State of Minnesota; and

**WHEREAS**, Jensen Decorative Concrete, Inc, a Minnesota business corporation (the "Applicant") is the proposed purchaser of certain real property located in the City of Cologne, State of Minnesota, located at 218 Lake Street West (the "Subject Property"); and

**WHEREAS**, Warren R. and Ann Marie Dressen are the owners of the Subject Property; and

**WHEREAS**, the Planning Commission of the City did on August 3, 2020, conduct a public hearing in relation to the Applicant's request for an interim use permit; and

**WHEREAS**, the Planning Commission of the City did on August 3, 2020 recommend approval of the interim use permit to the City Council; and

**NOW, THEREFORE, BE IT RESOLVED** the interim use permit is subject to the following conditions:

1. The only use permitted for the Subject Property is masonry construction trade business or showroom. No other use of the property is permitted except those as permitted in the Cologne Zoning Ordinance as amended from time to time.
2. Hours of operation shall not be earlier than 6:30 a.m. and later than 6:00 p.m. Monday through Friday. Saturday hours shall not be earlier than 8:00 a.m. nor later than 2:00 p.m. No operating hours on Sundays or legal holidays are permitted.
3. No outside storage is permitted except for within the area to be enclosed by the fence, and not until the fence has been constructed. The fence shall be not less than 10 feet from the north property line. All operations and storage of parts and materials shall be conducted within the building or fenced area as shown on the site plan. Outside storage does not include employee, customer or company vehicles which must be in compliance with Condition #4. Outside storage that may be within the fenced area would include parts, attachments, equipment, materials or any other items that are not affixed to the

ground provided that the outside storage is kept in a manner and condition that is in compliance with city ordinances.

4. Customer, employee and company vehicles may be parked outside the building either on the cement driveway in front of the building or on the gravel area on the east side of the building. Not more than 10 company vehicles may be permitted to be parked outside. A company vehicle can be a truck, trailer, dump truck, etc. A truck with trailer attached counts as 2 company vehicles.
5. The site must be maintained in compliance with the Site Plan prepared by Premier Land Surveying, LLC and dated September 2, 2020. Areas that are not specified as being either building, concrete driveway, or gravel shall consist of grass, trees, bushes or other landscaping. The Site Plan may not be amended unless a new Site Plan is approved in conformance with city ordinances. The gravel shown as being removed shall be removed and replaced with sod not later than October 31, 2020. The fence may be constructed at any time but a building permit must be obtained and no outside storage is permitted until the fence is installed.
6. The use and site shall be in compliance with all requirements of the zoning ordinance, as amended from time to time.
7. The use and site shall maintain compliance with all noise and nuisance related ordinances of the City Code, as may be amended from time to time.
8. The use and site shall be in compliance with any Federal, State or County law or regulation that is applicable and any related permits shall be obtained and documented to the City.
9. Disposal and handling of all waste and hazardous materials shall be done in conformance with law.
10. A lapse of one year during which the premises are not used for the purposes provided for in this permit shall cause the permit to expire and be of no further consequence.
11. No lights are permitted on the west side of the building and the existing light in that location must be removed by September 30, 2020. The lights existing on the south side of the building shall be brought into compliance with the City Zoning ordinance not later than September 30, 2020 or shall be removed. No lights may be installed on the property without first submitting a lighting plan to the City for review and approval.
12. This Interim Use Permit shall terminate on September 8, 2025. If this type of use is still eligible to be permitted as an interim use under city ordinances near the time of expiration of this permit, the applicant may apply for a new interim use permit.

Adopted and approved by the City Council of the City of Cologne on a vote of 5 ayes and 0 nays effective on the 8<sup>th</sup> day of September, 2020.

Approved:

MA 2  
Matt Lein  
Mayor

Attested:

Michelle Morrison  
Michelle Morrison  
City Clerk

M/ Bruss

S/ Szaroletta

Lein yes

Szaroletta yes

Kells yes

Bruss yes

Lenzen yes