

**CITY OF COLOGNE
CARVER COUNTY, MINNESOTA
RESOLUTION NO. 24-05**

**A RESOLUTION APPROVING AN INTERIM USE PERMIT FOR 102 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, Oak and Steel Smokehouse, LLC, a Minnesota limited liability company (the “Applicant”) is the proposed tenant of certain real property located in the City of Cologne, State of Minnesota, owned by Clifford Industries, LLC, a Minnesota limited liability company, and located at 102 Lake Street West and legally described as follows:

Commencing at the Southeast corner of Outlot 2; thence running West 100 feet; thence North 140 feet; thence East 100 feet; thence South 140 feet to Place of Beginning being in the Village of Cologne, according to the map or plat thereof on file and of record in the Office of the Register of Deeds, in and for the County of Carver, and State of Minnesota. According to Warranty Deed dated July 19, 2023

(the “Subject Property”); and

WHEREAS, Paul Modeen is the owner of the Subject Property; and

WHEREAS, the Planning Commission of the City did on February 7, 2024, 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 February 7, 2024 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. A commercial kitchen for food preparation with both wholesale distribution and retail sales is permitted only within the portions of the building identified in the application submitted by the applicant and on file at City Hall. Prior to expansion into other portions of the building, an amendment to this Interim Use Permit would be required.
2. No outside storage is permitted.

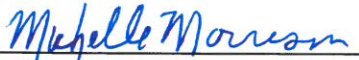
3. No outside food preparation, including the use of smokers, is permitted.
4. The applicant shall consult with the Building Official to determine if improvements are required to be made for occupancy of the proposed use. If required, the applicant shall secure a building permit and complete code required items before occupancy of the building.
5. The use and Subject Property shall be in compliance with all requirements of the zoning ordinance, as amended from time to time.
6. The use and Subject Property shall maintain compliance with all noise and nuisance related ordinances of the City Code, as may be amended from time to time.
7. The use and Subject Property shall be in compliance with any Federal, State or County law or regulation that is applicable and any related permits shall be obtained and provided to the City.
8. Disposal and handling of all waste and hazardous materials shall be done in conformance with law.
9. 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.
10. This permit is granted to Oak and Steel Smokehouse, LLC. This permit shall expire and be of no further consequence in the event that Oak and Steel Smokehouse, LLC shall either 1) cease to remain in good standing with the Office of the Minnesota Secretary of State or 2) is no longer the tenant of the portion of the Subject Property for which this permit is granted.
11. This Interim Use Permit shall terminate on February 20, 2029. 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 4 ayes and 0 nays effective on the 20th day of February, 2024.

Approved:


Matt Lein
Mayor

Attested:


Michelle Morrison
City Administrator/Clerk

M/ Bruss

Lein yes

Szaroletta yes

Kells yes

S/ Kells

Bruss yes

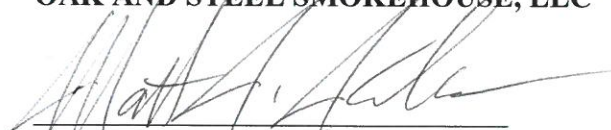
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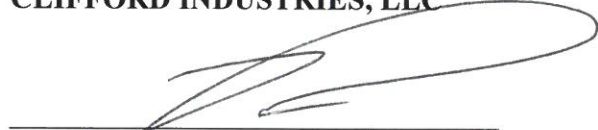
ACCEPTANCE OF IUP #24-05

I acknowledge and agree to the terms of Interim Use Permit #24-05 and will operate the property in conformance with the terms of said Interim Use Permit.

OAK AND STEEL SMOKEHOUSE, LLC

CLIFFORD INDUSTRIES, LLC





BY: Matthew Kolander

BY: Paul Modeen

ITS: owner

ITS: Managing Member

DRAFTED BY:

Collaborative Planning, LLC
PO Box 251
Medina, MN 55340
763-473-0569