



# City of Wells

125 South Broadway Wells, MN 56097 Phone: 507-553-6371 Fax: 507-553-5126  
cityhall@cityofwells.net



Ron Gaines, Mayor  
Robin Leslie, City Administrator  
www.cityofwells.net

Council Members:  
John P. Herman • David Braun  
Steve Burns • Whitney Harig

Council Member Burns introduced the following resolution and moved for its adoption:

## CITY OF WELLS RESOLUTION NO. 2015-18

### A RESOLUTION GRANTING AN INTERIM USE PERMIT TO UNITED SOUTH CENTRAL SCHOOL DISTRICT #2134 TO OPERATE CONSTRUCTION MATERIAL-CRUSHING EQUIPMENT AT 250 2<sup>ND</sup> AVENUE SW

**WHEREAS**, United South Central School District #2134, owner of 250 2<sup>nd</sup> Avenue SW, also described as CLARK W. THOMPSON'S ADDITION Block-004 ALL OF BLK (Parcel ID Number(s): 305860700, 305861440, 305861460, 305720190, 300080420, 300080520, 300080550, 300080560) requested an Interim Use Permit to temporarily operate construction material-crushing equipment during the demolition of the former school site at said property in the R-2 Multi-Family Residential District under Wells Municipal Code Sections 152.051, 152.052 and 152.166; and

**WHEREAS**, the Planning & Zoning Commission, at a duly noticed public hearing on April 20, 2015, heard from the petitioner's representative and heard comments from all interested parties wishing to speak at the hearing; and

**WHEREAS**, the Planning & Zoning Commission reviewed the request and found that: (a) the interim use is compatible with the uses in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the immediate vicinity; (b) that the establishment of the interim use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area; (c) that adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided; (d) that adequate measures have been taken or will be taken to provide sufficient off-street parking and loading space to serve the proposed use; (e) that adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise, and vibration, so that none of these will constitute a nuisance and to control lighted signs and other lights in a manner that no permanent disturbance to neighboring property will result; and

**WHEREAS**, the Planning & Zoning Commission recommended approval with the following conditions:

1. Operation to last no more than 10 business days.
2. Hours of operation either 8 am to 5 pm for 10 days or 7 am to 7 pm for 5 days. This to be determined by neighborhood and City Council preference.
3. The petitioner will control dust, noise and vibration, as much as possible. The material-crushing will occur with noise not exceeding 90 db.
4. Crushing operation to cease if funeral or church event scheduled during crushing period.
5. Safety fence to be provided to close off entire site from the public (as shown on plan); and

**WHEREAS**, the City Council reviewed the request and the Planning & Zoning Commission's recommendation at a duly noticed regular meeting on April 27, 2015 and found that the interim request will not be detrimental to the health, safety, and general welfare of the city of Wells and its residents and meets the

requirements of Wells Municipal Code Sections 152.097 and 152.162-152.163 if subject to the recommended conditions.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Wells, Minnesota that the interim use permit to operate construction material-crushing equipment at 250 2<sup>nd</sup> Avenue SW, Wells, MN is hereby approved subject to the following conditions:

1. Hours of operation are 7 am to 7 pm for 5 days.
2. The petitioner will control dust, noise and vibration, as much as possible. The material-crushing will occur with noise not exceeding 90 db.
3. Crushing operation to cease if funeral or church event scheduled during crushing period.
4. Safety fence to be provided to close off entire site from the public (as shown on plan).

The motion for the adoption of the foregoing resolution was duly seconded by Council Member Braun and upon vote being taken thereon, the following voted in favor:

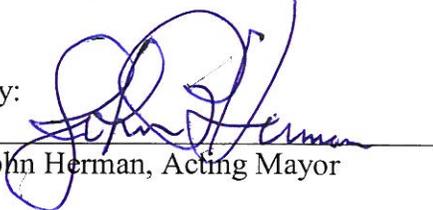
Braun, Burns, Herman, Warmka

and the following voted against the same:

None

Whereupon said resolution was declared duly passed and adopted by the City Council of the City of Wells, on April 27, 2015.

By:

  
\_\_\_\_\_  
John Herman, Acting Mayor

Attest:

SEAL

  
\_\_\_\_\_  
Robin Leslie, City Administrator