CITY OF TONKA BAY
ITEM NO. 9C

Memo

To: Honorable Mayor and City Council

From: Joe Kohlmann, City Administrator

Date: October 14, 2014

Re: Pristine Lighting Seasonal Outdoor Sales Permit at 5420 Manitou Road

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Matthew Midboe, owner of 5420 Manitou Road and Michael West of Pristone Lighting have applied for a Temporary/Seasonal Outdoor Sales permit to allow Pristine Lighting to conduct business from November 24 – December 24 for the sale of Christmas wreaths, holiday decorations/lights.

Attached are the following:
1. Application from the property owner and owner of Pristine Lighting (Michael West) to operate the sale tent from November 24 – December 24.
2. Site plans showing the proposed location.
3. Section of Ordinance Section 1024 which defines the performance standards that must be met for a permit to be issued.

Council Action Requested:
Motion to approve the 2014 Seasonal Outdoor Sales Permit at 5420 Manitou Road for Pristine Lighting.

CITY OF TONKA BAY
APPLICATION FOR TEMPORARY/SEASONAL OUTDOOR SALES

4901 Manitou Road
Tonka Bay MN 55331
Phone: 952-474-7994 Fax: 952-474-6538
www.cityoftonkabay.net

RECEIVED
OCT - 6 2014
CITY OF TONKA BAY

APPLICATION DATE: 10-6-14

SITE ADDRESS: 5420 Manitou Rd

PROPERTY OWNER:

(Name)	(Address)	(Zip Code)	(Telephone)
Matt Midboe	5420 Manitou Rd	55331	612-414-3653

COMPANY REQUESTING PERMIT:

(Name)	(Address)	(Zip Code)	(Telephone)
Pristine Lighting	1575 B W. WAYZATA BLVD	Longlake, MN	55356

Ph. ~~#~~ 612-600-1176
outdoorservice.co@yahoo.com

SUBMIT THE FOLLOWING MATERIALS TO COMPLETE YOUR APPLICATION:

1. **Permit Applications**
   Application for a permit is made to the City Administrator. This permit application shall contain and will be considered complete upon submission of the following items:
   A. Application Fee: $75.00 (1/1/13)
   B. Application Form
   C. Scale drawings showing location and area of the proposed sales area and the location of all existing and proposed equipment.

2. Additional Information Required
   A. Hours of operation: 10:00 – 8:00pm
   B. Description of materials/items to be sold: Christmas Wreaths, Holiday Decorations/lights,
   C. Dates sales will commence and terminate (cannot exceed ninety days): 11-24-14 — 12-24-14

Signatures:

Property Owner _____ Applicant _____ michael West

By_____ By_____
Its_____ Its_____

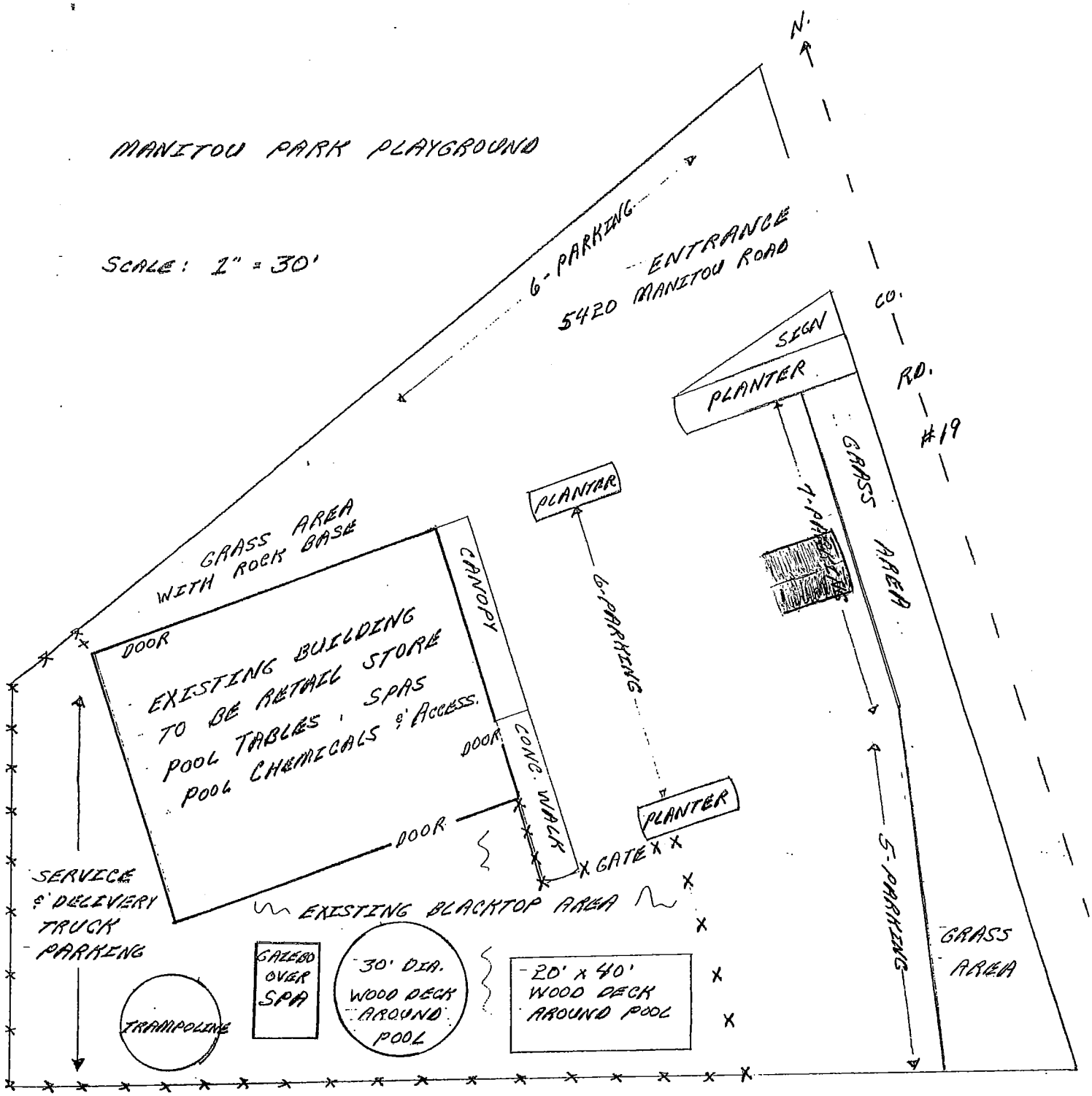
FOR CITY USE ONLY:	
Payment Made ($75)	10-6-14
PERMIT APPROVED	
PERMIT NOT APPROVED	
COUNCIL MEETING DATE	

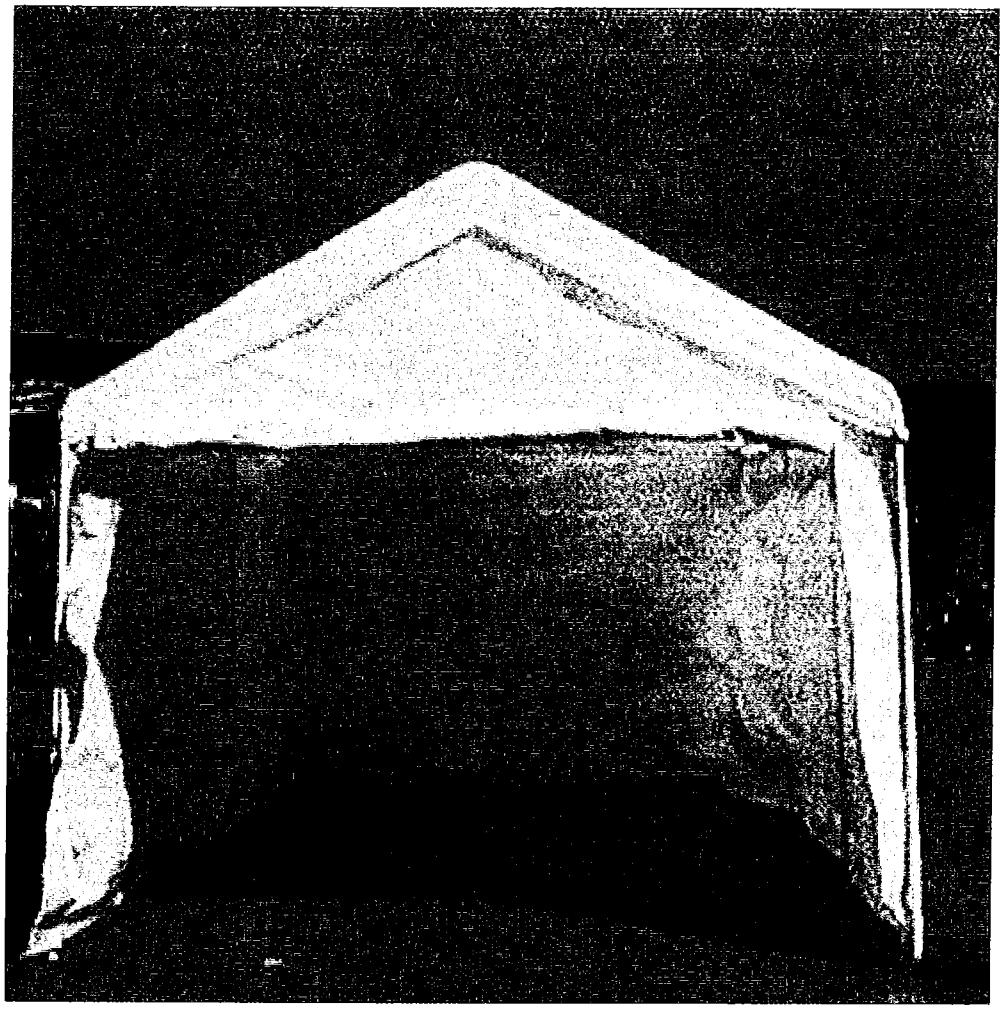
Effective 1/1/13

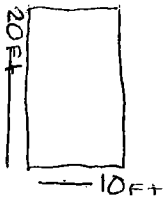
all-american recreation
all we sell is fun! SINCE 1972

BLOOMINGTON, MN 9129 Old Cedar Ave. So. 55425 **854-5454**
TONKA BAY, MN 5420 Co.#19 Manitou Rd. 55331 **474-6666**
OAKDALE, MN 22 Greenway Ave. No. 55128 **735-9000**
FRIDLEY, MN 1290-73rd Ave. N.E. 55432 **572-8000**

TONKA BAY COUNCIL MEETING: SEPT. 14, 1993
PROPOSAL FOR OUTDOOR DISPLAYS & FENCE AREA.







Hieght = 12Ft at the Peak.

CITY OF TONKA BAY
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Tonka Bay MN 55331
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Temporary/Seasonal Outdoor Sales

SECTION 1024 - C-2, GENERAL COMMERCIAL DISTRICT

Subd. 44. Temporary/Seasonal Outdoor Sales. (added 4/17/03)

a. No person shall conduct temporary/seasonal outdoor sales without first having received a permit as provided below.

b. The application for a permit shall include a site plan, a list of materials to be sold or displayed, and the duration of the sale.

c. A new permit shall be required for all sales located on sites where a permit has not been issued during the preceding twelve (12) month period, and for all sales that include a different site plan, list of materials to be sold, or size and/or location of the sales area from the most recently approved permit. A renewal permit shall be required for a sale that is substantially similar to the most recently approved sale at the site, provided that the most recently approved permit was issued during the preceding twelve (12) month period.

d. The applicant shall pay the new or renewal permit fee as established annually by the city council. The permit fee shall be paid in full with the application.

e. Permits issued under this section shall be for a period not to exceed ninety (90) days. No more than two (2) permits shall be issued to the same applicant or property owner in any calendar year.

f. This section shall not apply to promotional events such as sidewalk sales or shopping center carnivals accessory to the principal use of the property limited to no more than five (5) consecutive days.

g. The applicant for the permit shall be the owner of the property. If the sale is operated by a person other than the property owner, the owner must notify the City of the operator. The property owner is responsible for the actions of the operator and the conditions of the permit.

h. The city council shall issue a new or renewal permit if the applicant demonstrates that the following performance standards will be met:
   1. Off-street parking and loading areas are provided where required.
   2. No public address system shall be used.
   3. The number, area, bulk, height, location, frequency and duration of such uses is controlled. The site shall be kept in a neat and orderly fashion, free from litter, refuse, debris, junk, or other waste which results in offensive odors or unsightly conditions.
   4. Display of items shall be arranged in as compact a manner as reasonably practicable with particular reference to vehicle and pedestrian safety and convenience, traffic flow and control, and access in case of fire or other catastrophe.
   5. No uses or displays shall be permitted in required parking areas, required green areas, parking setback areas, or any right-of-way or other public property.
   6. The sale and associated parking shall not obstruct parking spaces needed by any permanent business established on the site except that when a sale is held only during the time when all permanent businesses on the site are closed, parking spaces may be obstructed.
   7. No portion of the use or event shall take place within one hundred (100) feet of any residential buildings.

i. No renewal permit shall be issued if the operator failed to comply with any performance standards during the term of a previously issued new or renewal permit, except upon the approval of the City Council.

j. A temporary/seasonal outdoor sales permit shall be issued for a particular use and to the property owner making application for such permit. Such permit shall not be transferred or assigned for use by another without the written consent of the City.

k. Failure to comply with any performance standard or any other violation of this section shall constitute sufficient cause for the termination of the permit by the City Council following a public hearing.