

Councilmember _____ introduced the following resolution and moved for its adoption:

RESOLUTION # _____

A RESOLUTION ADOPTING FINDINGS OF FACT # _____ RELATING TO A REQUEST FROM QUALITY RV TO PERMIT MOTOR VEHICLE SALES IN THE B-2 HIGHWAY BUSINESS DISTRICT AT THE PROPERTIES LOCATED AT 8101, 8151, and 8175 RIVERDALE DR NW.

WHEREAS, Quality RV, hereinafter referred to as the “Applicant,” has properly applied for a Conditional Use Permit to permit motor vehicle sales in the B-2 Highway Business District on the properties generally known as 8101, 8151, and 8175 Riverdale DR NW and legally described as follows:

LOT 4 BLOCK 1 ALPACA ESTATES 4TH ADD, Anoka County, Minnesota, subject to easement of record.

LOT 5 BLOCK 1 ALPACA ESTATES 4TH ADD, Anoka County, Minnesota, subject to easement of record.

LOT 6 BLOCK 1 ALPACA ESTATES 4TH ADD, Anoka County, Minnesota, subject to easement of record.

(“Subject Property”)

NOW THEREFORE, BE IT RESOLVED BY THIS CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA that the findings of fact relating to the request are determined to be as follows:

1. That the **Applicant** appeared before the Planning Commission for a public hearing pursuant to Section 117-51 of the Ramsey City Code on December 1, 2011, and that said public hearing was properly advertised and that the minutes of said public hearing are hereby incorporated by reference.
2. That the **Subject Property** is zoned B-2 Highway Business District. Properties to the east, west and south of the **Subject Property** are also zoned B-2 Highway Business District and the properties north of the **Subject Property** (across Highway 10 NW) are zoned COR-2 District.
3. That the **Subject Property** is approximately 3.62 acres in size (total).
4. That motor vehicle, implement, and recreation equipment sales and service is identified in City Code as a conditional use in the B-2 Business District.
5. That prior to being identified as a conditional use, motor vehicle, implement, and recreation equipment sales and service were a permitted uses in the B-2 Business District.

6. That motor vehicle sales were occurring legally on the **Subject Property** prior to the zoning amendment that reclassified motor vehicle sales from a permitted use to a conditional use and therefore, the use is considered lawful, nonconforming under Minnesota Statute Section 462.357 Subd. 1e and City Code Section 117-57.
7. That the proposed use is considered an expansion of a lawful, nonconforming use in the B-2 Highway Business District, and thus, requires a conditional use permit as outlined in City Code Section 117-115.
8. That on November 2, 2011 the **Applicant** submitted an application requesting a conditional use permit to permit motor vehicle sales due to the expansion the lawful, nonconforming use on the **Subject Property**.
9. That the properties north and west of the **Subject Property** are a mixture of retail and auto/recreational-related uses; the properties south of the **Subject Property** are vacant; and the properties east of the **Subject Property** include vacant land and a bank.
10. That the **Applicant** has requested the temporary use of unimproved surface for the display of motor vehicles in the central and eastern portion of the **Subject Property**.
11. That the **Applicant** has stated they will discontinue the use of said unimproved surface for display of vehicles no later than June 30, 2012.
12. That there is a potential transportation improvement (Highway 10/Armstrong Boulevard Interchange) that if initiated, would result in a required purchase of the **Subject Property** for the interchange project.
13. That due to the potential transportation project, the **Applicant** has requested to deviate from the surfacing requirements of bituminous or concrete with continuous concrete curb and gutter as required by City Code Section 117-115 and instead use Class V gravel for the parking/display area.
14. That the **Applicant** has stated that they agree to upgrade the surface to comply with the standards of City Code Section 117-115 no later than June 30, 2016 if the transportation project has not been initiated or upon notification from the City that the interchange project will not be initiated, whichever occurs first.
15. That the **Applicant** must comply with the minimum commercial off-street parking requirements as outlined in City Code Section 117-356 (Commercial off-street parking). The required spaces are calculated by a combination of: one (1) stall for each fulltime employee, three (3) stalls for each enclosed bay, and one (1) stall for each ten (10) motor vehicles displayed on the **Subject Property**.
16. That the **Applicant** shall submit grading, drainage and surfacing plans to the City for review and approval prior to commencement of site improvements. The Applicant shall ensure that surface water shall not directly discharge into the public right-of-way.

17. That the **Applicant** is responsible for obtaining all applicable permits prior to commencement of site improvements, including but not necessarily limited to, Lower Rum River Watershed Management Organization (LRRWMO) and National Pollutant Discharge Elimination System (NPDES) permits.
18. That the proposed use will not be unduly dangerous or otherwise detrimental to persons residing or working in the vicinity of the use or to the public welfare.
19. That the proposed use will not substantially adversely impair the use, enjoyment, or market value of any surrounding property.
20. That the proposed use will not be hazardous or disturbing to existing neighboring uses.
21. That the proposed use will be served adequately by public facilities and services such as highways and streets.
22. That the proposed use will not create excessive additional requirements at public cost for public facilities and services, and it will not be detrimental to the economic welfare of the community.
23. That the proposed use will not involve activities and uses that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke fumes, glare or odors.

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

and the following voted against the same:

and the following abstained:

and the following were absent:

whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the 13th day of December, 2011.

Mayor

ATTEST:

City Clerk