

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

RESOLUTION #11-07-130B

A RESOLUTION APPROVING THE ISSUANCE OF A CONDITIONAL USE PERMIT TO TRIS STAR ENTERPRISE TO CONDUCT MOTOR VEHICLE SALES IN THE B-2 BUSINESS DISTRICT AND DECLARING TERMS OF SAME:

WHEREAS, Tris Star Enterprise, hereinafter referred to as the “Permittee” has properly applied for a Conditional Use Permit to conduct motor vehicle sales in the B-2 Business District on the property generally known as 6740 Highway 10 NW and legally described as follows:

Lot 3, Block 1, Riverside West, Anoka County, Minnesota, subject to easement of record.

(“Subject Property”)

WHEREAS, Lakeview Development Inc. of Minnesota is the fee title owner of the Subject Property.

WHEREAS, the Planning Commission met on July 7, 2011, conducted the public hearing and recommended City Council approval of the request.

NOW THEREFORE, BE IT RESOLVED BY THIS CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:

1. That based on Findings of Fact #0889, a Conditional Use Permit (“Permit”) to conduct motor vehicle sales with outdoor sale or display area is hereby granted to the **Permittee**.
2. That this **Permit** specifically allows motor vehicle sales to occur on the **Subject Property**.
3. That the **Permittee** shall be limited to a maximum of five (5) motor vehicles on display at any given time on the **Subject Property**.
4. That the **Permittee** shall ensure that the motor vehicles displayed for sale shall be on a paved surface.
5. That no motor vehicle repairs are permitted in the building or on the **Subject Property**.
6. That storage of parts or inoperable vehicles is not permitted outside on the **Subject Property**.
7. That this **Permit** shall be perpetual in duration as long as the terms are herein complied with.

8. That there shall be a minimum of two (2) dedicated parking spaces reserved for customers of the **Permittee** on the **Subject Property** and vehicles displayed for sale shall not encroach upon the required off-street parking spaces.
9. That the **Permittee** shall be responsible for all City costs incurred in administering and enforcing this Permit.
10. That the City Administrator, or his/her designee, shall have the right to inspect the **Subject Property** for compliance and safety purposes annually or at any time, upon reasonable request.
11. That this **Permit** shall automatically expire if the use is not initiated by July 26, 2012.

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

Mayor Ramsey
Councilmember Wise
Councilmember Tossey
Councilmember Backous
Councilmember McGlone

and the following voted against the same:

None

and the following abstained:

None

and the following were absent:

Councilmember Elvig
Council Vacancy

whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the 26th day of July, 2011

Tris Star Enterprise hereby acknowledges receipt of this Permit and that they have reviewed the conditions of this Permit and have agreed that they will comply with the terms of this Permit.

By: _____

Its: _____

STATE OF MINNESOTA)

) SS.

COUNTY OF _____)

On this _____ day of _____, _____, before me, a Notary Public, personally appeared _____, the _____ of Tris Star Enterprise, an Assumed Name under the laws of Minnesota, to me known to be the person described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

Notary Public

Lakeview Development Inc. of Minnesota hereby acknowledges receipt of this Permit and that they have reviewed the conditions of this Permit and have agreed that they will comply with the terms of this Permit.

By: _____

Its: _____

STATE OF MINNESOTA)

) SS.

COUNTY OF _____)

On this _____ day of _____, _____, before me, a Notary Public, personally appeared _____, the _____ of Lakeview Development Inc. of Minnesota, a Domestic Corporation under the laws of Minnesota, on behalf of the Corporation, to me known to be the person described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

