

Mayor Ramsey introduced the following resolution and moved for its adoption:

RESOLUTION #11-12-248

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

WHEREAS, Quality RV, hereinafter referred to as the “Permittee” has properly applied for a Conditional Use Permit to permit motor vehicle sales, which is considered an expansion of a lawful, nonconforming use (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”)

WHEREAS, ABERLE HOLDINGS INC of Minnesota is the fee title owner of the Subject Property.

WHEREAS, the Planning Commission met on December 1, 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 #0896 a Conditional Use Permit (“Permit”) to permit motor vehicle sales is hereby granted to the **Permittee**.
2. That this **Permit** specifically allows for the expansion of display/parking area for the purposes of motor vehicle sales to occur on the **Subject Property** as well as for motor vehicle repairs to occur within the existing enclosed bays.
3. That the **Permittee** shall be allowed to temporarily utilize unimproved surface for the display of motor vehicles in the central and eastern portion of the **Subject Property** until June 30, 2012.

4. That due to the potential transportation improvement impact to the **Subject Property**, the **Permittee** may deviate from the surfacing standards outlined in City Code Section 117-115 and utilize Class V gravel for their display/parking area.
5. That the **Permittee** shall upgrade the surface of parking/display area on the **Subject Property** to comply with City Code Section 117-115 by June 30, 2016 if the transportation improvement has not been initiated or upon written notification by the City that the transportation project will not be initiated, whichever occurs first.
6. That the **Permittee** must comply with the commercial off-street parking requirements as outlined in City Code Section 117-356. 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**.
7. That the **Permittee** acknowledges that they must submit grading, drainage and surfacing plans to the City for review and approval prior to commencement of site improvements.
8. That the **Permittee** 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.
9. That storage of parts or inoperable vehicles is not permitted outside on the **Subject Property**.
10. That this **Permit** shall be perpetual in duration as long as the terms are herein complied with.
11. That the **Permittee** shall be responsible for all City costs incurred in administering and enforcing this **Permit**.
12. 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.
13. That this **Permit** shall automatically expire if the use is not initiated by June 30, 2012 and approval of grading, drainage and surfacing plans constitute initiation.

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

Mayor Ramsey
Councilmember Backous
Councilmember Elvig
Councilmember McGlone
Councilmember Strommen
Councilmember Tossey
Councilmember Wise

and the following voted against the same:

None

and the following abstained:

None

and the following were absent:

None

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

Quality RV 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 Quality RV, 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

Aberle Holdings INC 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 Aberle Holdings 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.

