

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

RESOLUTION #12-10-_____

A RESOLUTION APPROVING THE ISSUANCE OF A CONDITIONAL USE PERMIT TO WEST REAL ESTATE AND MANAGEMENT INC TO CONSTRUCT AND OPERATE A GAS STATION AND AN ACCESSORY CAR WASH IN THE COR-2b ZONING DISTRICT AND DECLARING TERMS OF SAME

WHEREAS, West Real Estate and Management Inc, hereinafter referred to as the “Permittee” has properly applied to the City of Ramsey (the “City”) for a Conditional Use Permit (the “Permit”) to construct and operate a gas station and accessory commercial car wash associated with a retail convenience building in the COR-2b Zoning District on property legally described as follows:

Lot 5, Block 1, COR TWO Addition, Anoka County, Minnesota

(“Subject Property”)

WHEREAS, the Planning Commission met on October 4, 2012, conducted a public hearing and recommended City Council approval/denial of the request.

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

The **Permit** to construct and operate a gas station and accessory commercial car wash associated with a retail convenience building on the **Subject Property** is hereby granted to the **Permittee**.

1. Based on Findings of Fact #____, the **Permittee** is hereby permitted to construct and operate a gas station and accessory commercial car wash on the **Subject Property**.
2. That the **Permit** only applies to a gas station and accessory commercial car wash constructed and operated on the **Subject Property**.
3. That the **Permit** allows for an 862 square-foot attached, accessory commercial car wash to be constructed as well as four (4) fueling islands with a maximum of eight (8) fuel dispensers.
4. That the fueling islands and accessory commercial car wash shall only be located as shown on Sheet C2.1, prepared by Landform Professional Services and dated September 5, 2012, of the proposed site plan. Any relocation of the either the fueling islands or the accessory commercial car wash shall be reviewed and approved by the City Council.
5. That the area utilized for fueling services and the accessory commercial car wash shall be properly constructed and maintained in accordance with all applicable Staff Review letters, approved site plans, City Code, and Minnesota State Building Code.

6. That the hours of operation of the motor fuel sales and accessory commercial car wash shall be limited to 6:00 a.m. to 11:00 p.m. Any extension of the hours of operation shall require an amendment to the **Permit** and is subject to approval by the City Council.
7. That this **Permit** shall be perpetual in duration as long as the terms are herein complied with.
8. That the **Permittee** shall be responsible for all **City** costs incurred in administering and enforcing this **Permit**.
9. That the City Administrator, or his/her designee, shall have the right to inspect the premises for compliance and safety purposes annually or at any time, upon reasonable request.
10. That this **Permit** shall automatically expire if the use is not initiated by October 23, 2013, and issuance of the building permit shall constitute initiation.

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 23rd day of October, 2012.

West Real Estate and Management Inc., hereby acknowledges receipt of this **Permit** and that they have reviewed the conditions of this **Permit** and have agreed that they will cause compliance with the terms of this **Permit**.

WEST REAL ESTATE AND MANAGEMENT INC.

By: _____

Its: _____

STATE OF MINNESOTA)
) ss.
COUNTY OF ANOKA)

The foregoing was acknowledged before me this _____ day of _____, 2012 by _____, the _____ of West Real Estate and Management Inc., a Domestic Business Corporation under the laws of the State of Minnesota, on behalf of the corporation.

Notary Public

CITY OF RAMSEY:

ATTEST:

By: _____
Mayor

City Clerk

STATE OF MINNESOTA)
) ss.
COUNTY OF ANOKA)

On this _____ day of _____, 2012, before me a Notary Public personally appeared Bob Ramsey and Jo Ann M. Thieling, to me personally known, who, being each by me duly sworn did say that they are respectively the Mayor and City Clerk of the City of Ramsey, the municipal corporation named in the foregoing instrument, and seal affixed to said instrument is the corporate seal of said municipal corporation, and the said instrument was signed and sealed on behalf of said municipal corporation by authority of its City Council and said Bob Ramsey and Jo Ann M. Thieling acknowledge said instrument to be the free act and deed of said municipal corporation.

Notary Public

This document drafted by:
The City of Ramsey
7550 Sunwood Dr NW
Ramsey, MN 55303

This document reviewed by:
Randall and Goodrich
2140 Fourth Avenue
Anoka, MN 55303