

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

RESOLUTION #13-11-183

RESOLUTION APPROVING THE ISSUANCE OF AN INTERIM USE PERMIT TO ALLOW FOR PERIODIC TEMPORARY LODGING ACCOMMODATIONS BASED ON FINDINGS OF FACT #0918, AND DECLARING THE TERMS OF SAME.

WHEREAS, Family Promise in Anoka County has properly applied to the City of Ramsey (the "City") for an interim use permit to provide periodic, temporary lodging accommodations in a secondary building on the property located at 14501 Nowthen Blvd NW and legally described as follows:

Lot 1, Block 1, Stoney River Addition, except road subject to easement of record,
Anoka County, Minnesota

(the "Subject Property"); and

WHEREAS, the Planning Commission met on November 7, 2013, conducted a public hearing and recommended that the City Council approve/deny the request to provide periodic temporary lodging accommodations in the secondary building on the Subject Property for a term of five (5) years; and

WHEREAS, the City Council met on November 26, 2013 to review the request for an interim use permit to provide periodic temporary lodging accommodations in the secondary building on the Subject Property.

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

This permit is issued pursuant to Section 117-52 of the Ramsey City Code. The conditions of this permit are as follows:

- 1) Based on Findings of Fact #0918, an Interim Use Permit ("Permit") to allow periodic temporary lodging accommodations on the **Subject Property** is hereby granted to Family Promise in Anoka County ("Permittee").
- 2) The term of the **Permit** shall commence on November 26, 2013 and shall expire five (5) years thereafter (November 26, 2018).
- 3) This **Permit** is applicable only to periodic temporary lodging accommodations on the **Subject Property**. Moreover, this **Permit** shall only authorize the periodic temporary lodging accommodations to occur within the secondary building generally known as 14515 Nowthen Blvd NW (the "Building"). The granting of this **Permit** does not allow for any other use that is prohibited in the R-1 Residential District.

- 4) The **Permittee** shall install both smoke detectors and carbon monoxide detectors in accordance with Minnesota State Building Code for each of the rooms to be used for sleeping within the **Building**. The **Permittee** shall schedule an inspection with the **City** to verify that this has been completed prior to any overnight lodging.
- 5) The **Permittee** shall be allowed to provide temporary overnight accommodations for up to twelve (12) weeks per year, but not more than one (1) week per month, in the **Building**.
- 6) The **Permittee** shall provide written notice to the **City** at least one (1) week in advance of any temporary overnight accommodations that will occur in the **Building** on the **Subject Property**.
- 7) The **Permittee** shall install a water meter in the **Building** to monitor the quantity of water being discharged into the subsurface sewage treatment system (SSTS) and shall provide monthly reports to the **City** to ensure that the water usage does not exceed the designed capacity of the SSTS.
- 8) The **Permittee** shall be required to upsize the SSTS within twelve (12) months if water usage exceeds the designed capacity of the existing SSTS.
- 9) The **Permittee** shall be responsible for obtaining and maintaining any applicable County and/or State permits and/or licenses and providing the **City** a copy of each.
- 10) This **Permit** shall become null and void in the event the use granted under this **Permit** permanently ceases prior to the expiration date or upon the expiration date, whichever occurs first.
- 11) That all costs incurred by the **City** in administering and enforcing this **Permit** shall be the responsibility of the **Permittee**.
- 12) That the City Administrator or his or her designee shall have the right to inspect the **Subject Property** for compliance, safety measures and quantities and storage of combustibles at any time.
- 13) That the failure of the **City** at any time to require performance by the **Permittee** of any provisions herein shall in no way affect the right of the **City** thereafter to enforce the same. Nor shall waiver by the **City** of any breach of any of the provisions hereof be taken or held to be a waiver of any succeeding breach of such provision or as a waiver of any provision itself.
- 14) That if any provision of this **Permit** shall be declared void or unenforceable, the other provisions shall not be affected but shall remain in full force and effect.
- 15) That this **Permit** shall not be considered modified, altered, changed or amended in any respect unless in writing and signed by the **City** and the **Permittee**.
- 16) That if the **Permittee** or its successors or assigns violates any material term or condition of this **Permit**, it is grounds for suspension or revocation hereof consistent with applicable law.

Specifically, but without limiting the foregoing, the **City** may amend, suspend, or revoke this **Permit**, consistent with applicable law, if the City Council reasonably determines that continued operation of the facility places the public health, safety or welfare or the environment in jeopardy or creates a public nuisance due to odors, litter, debris or other nuisance factors. The change, alteration or amendment of any statute, regulation, ordinance or permit condition by any governmental authority other than the **City**, shall not excuse the **Permittee** from compliance with statutes, regulations, ordinances or **Permit** conditions in effect on the date of the original issuance of this **Permit** unless compliance is waived or excused by the **City**.

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 26th day of November, 2013.

FAMILY PROMISE IN ANOKA COUNTY

By: _____

Its: _____

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing was acknowledged before me this ____ day of _____, _____, before me, a Notary Public, personally appeared _____, the _____ of Family Promise in Anoka County, a Nonprofit Corporation (Domestic) under the laws of Minnesota, on behalf of the corporation.

Notary Public

LORD OF LIFE LUTHERAN CHURCH

By: _____

Its: _____

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing was acknowledged before me this ____ day of _____, _____, before me, a Notary Public, personally appeared _____, the _____ of Lord of Life Lutheran Church, a Nonprofit Corporation (Domestic) under the laws of Minnesota, on behalf of the corporation.

Notary Public

CITY OF RAMSEY:

By: _____
Mayor

By: _____
City Clerk

STATE OF MINNESOTA)
) ss.
COUNTY OF ANOKA)

On this ____ day of _____, _____, before me, a Notary Public, personally appeared Sarah Strommen and JoAnn 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 Sarah Strommen and JoAnn 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:
Ratwik, Roszak & Maloney
730 Second Ave. S. Suite 300
Minneapolis, MN 55402